

PRELIMINARY
REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES

October 17, 1996

The regular meeting of the Des Moines City Council was called to order by Mayor Thomasson at 7:30 p.m. in the Council Chambers, 21630 11th Avenue South.

PLEDGE OF ALLEGIANCE to the flag was led by Councilmember Sheckler.

ROLL CALL - Present: Mayor Scott Thomasson, Mayor Pro Tem Terry Brazil, Councilmembers Bruce Roberts, Bob Sheckler, Dan Sherman, Gary Towe and Don Wasson. Also present were City Manager Bob Olander, City Attorney Gary McLean, Community Development Director Judith Kilgore, Planning Manager Corbitt Loch and City Clerk Denis Staab.

CONTINUED PUBLIC HEARING

1. Draft Ordinance No. 96-158 Amendment of the Greater Des Moines Comprehensive Plan [CP96-039]
2. Amendment of Greater Des Moines Comprehensive Plan - Redondo Land Use Map [CP96-039(A)]
3. Amendment of Greater Des Moines Comprehensive Plan - Property-Specific Amendments [CP-039(B)(C)(D)(E)]
4. Draft Ordinance No. 96-154 Adoption of City Zoning for the Woodmont/Redondo Annexation Area [RZ96-029]
5. Amendment of Greater Des Moines Comprehensive Plan - Text Amendments [CP-039(F)(G)]

Mayor Thomasson announced that the Council is still taking public testimony.

City Attorney McLean explained the legal rules and procedures for the hearing process.

PUBLIC COMMENTS:

Todd Quinn spoke regarding a property specific issue at 1690 Kent-Des Moines Road. He requested Council keep an open door regarding potential rezone to commercial for this property. He advised that 16th Avenue South and Kent-Des Moines Road is a major intersection and is highly impacted by aircraft noise. Most of the property is developed as multi-family which he feels may not be the best use. He expressed concern that there may be a shortage of commercially zoned property in the future.

Robert Verzani, Attorney with offices in Federal Way and part owner of 5 acres of property located in the newly annexed area. He distributed a packet of material (ED NOTE: Entered as Exhibit #1) for Council's review. He noted the property he is concerned about is located on the west side of Pacific Highway South, south of the Sleep Aire Business and approximately 700' feet north of Boston Market and includes two 5 acre parcels. Mr. Verzani reviewed the packet of information distributed to Council noting the following:

1. Aerial photo denoting subject property and surrounding uses.
2. Des Moines Comp Plan Land Use Classification Map - He noted that the designation does not fit the present use of the property.
3. Suggested Des Moines Zoning Map - He noted that the east 300' feet of the subject property is designated as business and the west six and half acres of a 10 acres tract to be multifamily and

the portion west of McSorely Creek as single family. He stated that this portion is actually being developed into multifamily.

4. Scale Map breakdown of the 10 acres - He advised that if A and B are combined 156 units could be built, but if the entire parcel A, B, C and D are combined then 240 units could be built.

5. Scale Map with zoning as proposed by the owners of the property

In conclusion, Mr. Verzani requested that the Council act favorably on the owners requested zoning as they feel it is sound zoning policy.

Gordon Rodlund, 26439 8th Avenue South - Mr. Rodlund expressed concern about having existing rights to property development taken away. He noted that many lots are undersized and are very expensive. He felt valuable property rights would be hurt if zoning restrictions are arbitrarily placed on these properties. He cautioned Council to take its time and allow at least 5 years to work with staff and allow property owners to continue to develop under King County zoning regulations.

Tom Schacht, 26411 7th Avenue South (P. O. Box 98100, Des Moines) - Mr. Schacht distributed a letter and map to Council (ED NOTE: Entered as Exhibit #2). He requested Council retain current King County zoning and permanently grandfather existing structures built on substandard lots. He also opposed any public access to the private beach area in Woodmont.

Victor Anderson, 27036 8th Avenue South - Mr. Anderson noted that the Woodmont area valuation has gone up considerably and he expressed concern that if zoning changes then value of property will go down along with tax dollars. He requested the area be allowed to keep current King County zoning standards.

Jim Boyd, 27055 8th Avenue South, Board Member of Woodmont Community Club - Mr. Boyd advised Council that the Club has 100 members who enjoy the use of the private beach park in the Woodmont area. He requested Council slow down the process of zoning and take the time to come out and speak to the Club members. He urged caution in changing any zoning.

Mike Berry, 28632 Redondo Beach Drive - Mr. Berry requested total grandfather rights for substandard lots especially if there is a need to rebuild.

Boyd Manrah, 26421 7th Avenue, Woodmont - Mr. Manrah advised Council that the private beach park has a lot of wildlife habit and he expressed major concern if the private rights were disrupted. He requested Council work hard to find fair and equitable solution to all zoning issues.

Bill Snodgrass, 28436 Redondo Beach Drive South - Mr. Snodgrass noted he is a former member of the Redondo Community Council and was in favor of annexation to Des Moines. He requested Council keep the current zoning on all sub-standard lots in the Woodmont/Redondo area.

Ross Parker, 28712 Redondo Beach Drive South - Mr. Parker voiced the opinion that a sliding scale for sub-standard lots is the best method to be applied. He noted that a lot of the waterfront lots are very expensive and could not be economically be built on if zoning restrictions become more stringent.

Jerry Parisi, 28636 Redondo Beach Drive South - Mr. Parisi advised Council that he could not have built his home under Des Moines standards. He requested Council consider keeping King County zoning guidelines for substandard lots. If this is not done he noted it would create a severe economic impact on owners of substandard lots.

Toni Lund, 27051 8th Avenue South, Woodmont - Ms. Lund reminded Council of the financial impact on property owners if they cannot fully develop substandard lots.

As there were no further speakers, Mayor Thomasson CLOSED the public testimony portion of the hearing, however, he reserved the right to re-open testimony should new issues arise that warrant it.

Community Development Director Kilgore reminded Council that land use issues are never simple as every neighborhood is different. She noted the challenge is to achieve a balance and reminded Council that whatever is decided can be redone if the need arises. She and Planning Manager Loch proceeded to review the issues paper that has been distributed to Council requesting Council's input and consensus.

ISSUE 1: Should Des Moines adopt King County's development standards for single family construction?

ATTACHMENT C: Options for different standards for single family construction in the annexation area include:

1. Adopt certain King County Standards;
2. Adopt one or more new single family residential zones with different standards (i.e., SF-5,000) for parcels less than 7,200 sq. ft.; or
3. Adopt "Sliding Scale" standards that increase/decrease as lot size increases.

ATTACHMENT D: Options for "sliding Scale":

PARCEL SIZE (SQ. FT.)	0 - 4,999	5,000 - 6,499	6,500 - 7,199
Min. Front Yard (Ft.)	20	20	20
Min. Side Yard (Ft.)	5	5	5/10
Min. Rear Yard (Ft.)	10	15	20
Max. Bldg. Height (Ft.)	25	25	25
Max. Lot Coverage (%)	70	50	40
Min. Lot Width (Ft.)	30	40	55

Councilmember Sheckler noted he favors #3 (Sliding Scale). However, he voiced some concern with the options for this as he noted a smaller lot can actually build a larger home than a larger lot and to him, this does not make much sense.

Upon questioning from Council, Planning Manager Loch drew an example of how building height is determined by using "average finished grade".

COUNCIL CONSENSUS was option #3. Mayor Thomasson informed staff it would be useful if they would prepare some drawings of typical sub-standard lots showing various setbacks.

Councilmember Towe stated he supported option one as this area is a well established thriving community and he can see no reason to change at this time. He feels this process is too rushed and would rather leave King County standards in place while Council examines in detail various options.

City Manager Olander reminded Council that an Ordinance has been passed setting the annexation date for January 1, 1997. Therefore, he felt Council should move forward with one of these options, or adopt limited interim measures for the sub-standard lots.

Councilmember Sheckler noted the if he lived in the annexation area, he would want to see Council take steps to address the needs of the community.

9:06 p.m. Mayor Thomasson declared a 10 minute break.

Community Development Director Kilgore informed Council that there are approximately 1,453 single family lots in the annexation area. Of those lots only 213 are substandard lots already built on, and 26 vacant sub-standard lots. She advised that sub-standard lots represent no more than 20% of the single family property and that the vast majority of properties fit smoothly into Des Moines' current land use regulations.

Mayor Thomasson noted that side yard setbacks should be based on lot width, not total lot area.

Mayor Pro Tem Brazil stated that he would favor adopting County standards for sub-standard lots, and felt that substandard lots should be allowed to build higher to get the value out of their property.

Upon questioning from Council, Planning Manager Loch stated that he would have to respond at a later meeting as to how Shoreline Management conditions may differ between King County and Des Moines.

Mayor Thomasson requested staff prepare specific language that would allow a home built on a sub-standard lot to rebuild to the original potential.

ISSUE 2: Which single family residential parcels are smaller than the minimum size allowed by Des Moines' zoning?

Staff referred to attachments E1 and E4.

ISSUE 3: What is the ownership status of the tidelands north and south of the Salty's and Highline Community College piers?

Staff noted that on attachment F, Highline Community College leases the tidelands under the south pier from Department of Natural Resources, and that the north pier is owned by Gerry Kingen, owner of Salty's Restaurant.

ISSUE 4: All properties in the annexation area should have only one Comprehensive Plan designation and one zoning designation

COUNCIL CONSENSUS was that all properties in the annexation area should have only one Comprehensive Plan and zoning designation. Staff was directed to prepare new Comprehensive Plan and Zoning maps to bring back to Council.

ISSUE 5: A business presently exists at the northeast corner of South 208th and 1st Avenue South. This property is designated Single Family by the Comprehensive Plan, and is zoned RS 7,200. Should the Comprehensive Plan and the zoning map be changed to reflect long-standing use of this site for commercial purposes?

Upon questioning by Council, staff stated that property owners had not been notified of this potential changes.

COUNCIL'S CONSENSUS was to direct staff to prepare amendments to the Comprehensive Plan North Hill Land Use map in this location from Residential to BN (Neighborhood Business) for 1997 and to notify the property owners at the proper time.

ISSUE 6: Are the Unclassified use Permits granted by King County for the Lakehave Utility District Redondo Treatment Plant and the Fire District No. 39 Woodmont Station valid after annexation? What approvals would be necessary for changes to these facilities after annexation to Des Moines.

Staff replied that land uses and structures lawfully established under King County's jurisdiction are allowed to continue indefinitely after annexation to Des Moines. Conditions placed on project approvals by King County continue to apply after annexation. Any changes to or expansion of the treatment plant will require a City of Des Moines Unclassified use Permit. Any changes to or expansion of the fire station will require a City of Des Moines Conditional Use Permit.

ISSUE 7: Why are Sound Transmission Code standards not required for the annexation area? Is a code amendment necessary?

Staff informed Council that this area only qualifies for the lowest level of sound reduction (30 dB). The Building Official has stated that this is met through regular insulation methods.

ISSUE 8: Should the Woodmont Community Club beach be designated as Park within the Comprehensive Plan? If yes, should the zoning be S-E?

Staff informed Council that they do not strongly support or oppose designation of the Woodmont Community Club Beach as Park. However, they noted some of the Woodmont residents have expressed concern that the Club beach might someday be opened for use by the general public. Since it is currently privately owned, residents oppose designating the beach area as park.

COUNCIL CONSENSUS was that the Preferred Land Use Map for Woodmont designate the beach area of the Woodmont Community Club as single family.

ISSUE 9: Should all McSorely Creek ravine properties be zoned S-E? Should all or some McSorely Creek ravine properties be earmarked for public purchase as permanent open space?

Staff noted that if Council wishes to adopt zoning that more closely represents the degree to which the area can be developed, then S-E zoning could be used for the ravine areas. However, staff cautioned that this change would result in many parcels having two zone classifications. Staff also advised that the City's environmentally sensitive areas regulations would protect the ravine sidewalls from development.

COUNCIL CONSENSUS was to have staff identify which parcels would be appropriate for purchase for recreation, surface water management, or habitat enhancement purposes.

City Manager Olander noted that this could be contained within the Park and Recreation Master Plan and also will be studied within a drainage basin plan that will need to be developed for McSorely Creek.

Upon questioning by Council, Community Development Director Kilgore stated that after the next meeting, staff will prepare a map for Council's final review.

NEXT MEETING DATE - October 24, 1996

ADJOURNMENT

The meeting was adjourned at 10:29 p.m.

Respectfully submitted,

Denis Staab
City Clerk