

# City of SeaTac

## Regular Council Meeting Minutes

September 27, 2016  
7:00PM

City Hall  
Council Chambers

**CALL TO ORDER:** The SeaTac City Council Regular Meeting was called to order by Mayor Michael Siefkes at 7:00 p.m.

**COUNCIL PRESENT:** Mayor Michael J. Siefkes, Councilmembers (CMs) Kathryn Campbell, Peter Kwon, Tony Anderson, and Erin Sitterley. Excused Absent: Deputy Mayor (DM) Pam Fernald and CM Rick Forschler.

**STAFF PRESENT:** Acting City Manager Joe Scorcio, Senior Assistant City Attorney Mark Johnsen, City Clerk Kristina Gregg, Acting Community & Economic Development (CED) Director/Economic Development (ED) Manager Jeff Robinson, Senior Planner Anita Woodmass, Parks & Recreation (P&R) Director Lawrence Ellis, Public Works (PW) Director Will Appleton, and Police Chief Lisa Mulligan.

**FLAG SALUTE:** Mayor Siefkes led the Council, audience, and staff in the Pledge of Allegiance.

**PUBLIC COMMENTS:** Cyndi Upthegrove, representing Highline Historical Society (HHS), introduced Janice Landon, one of the five generations from a family that contributed to the Girl Scouts exhibit currently in the City Hall lobby.

Richard Aldrich spoke regarding sidewalks on South 200<sup>th</sup> Street. He requested sidewalks to Des Memorial Drive. He also stated his appreciation of the City's desire to appeal the Port of Seattle's (POS) decision on the environmental study.

Wendy Morgan, Highline Botanical Garden, stated the Garden Board has approved the rotary fundraising event. She encouraged the city to work with the Rotary to come to an agreement. She also provided an update on the garden.

### **PRESENTATIONS:**

**Council consideration and confirmation of Mayoral appointment of Maria Wachtel to the Human Services Advisory Committee**

MOVED BY SIEFKES, SECONDED BY KWON TO CONFIRM THE MAYORAL APPOINTMENT OF MARIA WACHTEL TO THE HUMAN SERVICES ADVISORY COMMITTEE.\*

Mayor Siefkes commented on his appointment of Ms. Wachtel.

\*MOTION CARRIED UNANIMOUSLY.

Mayor Siefkes presented the certificate to Ms. Wachtel.

### **Federal Way Link Extension Term Sheet Briefing**

Senior Planner Woodmass highlighted the Federal Way Link Extension project.

Staff is currently working on three key deliverables: (1) preliminary design, (2) environmental process, and (3) term sheet, development agreement (DA) and Transit Way Agreement.

Draft project timeline: Early 2017 – Record of Decision, Mid 2017 – Commence right-of-way (ROW) acquisition, 2017-2018 – Contract Procurement, Late 2018 – Notice to Proceed/Design Commences, and Mid 2019 - Construction Commences, and 2023 - project completion. Sound Transit will be doing extensive community outreach.

Ms. Woodmass defined Term Sheet (high level, nonbinding) versus a DA (detailed, binding).

She reviewed lessons learned through the Angle Lake process and identified important issues for working towards the DA.

Next steps: staff preparing preliminary engineering, staff will review Final Environmental Impact Statement (EIS), staff will continue working with Sound Transit on the term sheet and DA.

**PRESENTATIONS (continued):**

**Federal Way Link Extension Term Sheet Briefing (continued):**

Council discussion ensued regarding an interagency liaison due to multiple cities affected, timeline through 2023 to the Kent/Des Moines station, and potential for compensation to local businesses impacted.

Ms. Woodmass stated staff concerns going into this next phase is making sure resources are adequate to deliver the products that need to be developed and that the community and business owners are represented.

**Highline Heritage Museum**

HHS Director Cyndi Upthegrove reviewed the HHS mission: To collect, preserve, and tell the stories of the highline region and its people. The HHS provides public programs, creates exhibits, educates, and captures oral histories.

A museum is being built in Burien. She shared samples of exhibits that will be in the museum. SeaTac topics in the museum will include Seike Garden, Spanish Castle, Hillgrove cemetery, Angle Lake Plunge, Riverton Hospital, Military Road, and Alan Hovhaness.

**Key City Issues Status**

Acting City Manager Scorcio commented on the following: (1) SeaTac Report was mailed this week, (2) September 24 - Party on the Plaza, (3) Sound Transit agreement has expiration date of September 24, however, they aren't done. Letters of concurrence to wrap up funding were prepared, (4) Rotary request to allow alcohol in parks for their event. He requested Council confirmation to refer this request to the Land Use & Parks (LUP) Committee. Council concurred, (5) ST3 proposal – questioned whether Council wanted to take a position on the ST3 proposal. Council concurred to take a position and to hold a Special Council Meeting (SCM) on October 6 at 5 p.m., (6) October 6 – 6 p.m., Town Hall Meeting, (7) Roosters and other animal control questions - Planning Commission (PC) public hearing (PH) October 4 and PC recommendation to Council October 11, (8) Draft Budget Workshop agendas were presented to Council, and (9) Preliminary Budget will be provided at the October 3 Administration & Finance (A&F) Committee meeting. It will be posted electronically.

**CONSENT AGENDA:**

**Approval of claims vouchers (check no. 115750- 115911) in the amount of \$6,142,260.90 for the period ended September 20, 2016.**

**Approval of payroll vouchers (check no. 53503- 53525) in the amount of \$79,367.80 for the period ended September 15, 2016.**

**Approval of payroll electronic fund transfer (check no. 88896- 89021) in the amount of \$306,734.70 for the period ended September 15, 2016.**

**Approval of payroll wire transfer in the amount of \$54,083.01 for the period ended September 15, 2016.**

**Pre-approval or final approval of City Council and City Manager travel related expenses for the period ended September 23, 2016.**

**Approval of Council Meeting Minutes:**

**Council Study Session held June 28, 2016**

**Transportation & Public Works Committee Meeting held September 6, 2016**

**Council Study Session held September 13, 2016**

**The following items were reviewed at the September 13, 2016 Council Study Session and recommended for placement on this Consent Agenda:**

**Agenda Bill #4425; A Resolution #16-020 approving application to the Port of Seattle Economic Development Partnership Program in the amount of \$27,650 for an upgrade to the City's economic development website.**

**Agenda Bill #4426; A Resolution #16-021 stating the City Council's intent to amend the City's Municipal Code related to parking and the Commercial Parking Tax.**

**Agenda Bill #4358; An Ordinance #16-1016 amending Chapter 15.700 of the SeaTac Municipal Code related to environmentally sensitive (critical) areas.**

**CONSENT AGENDA (continued):**

MOVED BY CAMPBELL, SECONDED BY KWON TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

**PUBLIC HEARING (PH) AND ACTION:**

**Amendment to a Development Agreement (DA) with South 200th Street LLC**

Mayor Siefkes opened the PH at 8:11 p.m.

Senior Assistant City Attorney Johnsen reviewed the agenda bill summary below. Mr. Dantzer's company expressed support of this item.

CM Kwon questioned why the DA extension is for 10 years. Mr. Johnsen stated Wright Runstad has about 7.5 years left on the option to purchase the property. If they exercise that right at the end of the term, then they would have 2 to 2.5 years to get permits without having to come back to Council.

There were no public comments.

Mayor Siefkes closed the PH at 8:14 p.m.

**Agenda Bill #4428; A Resolution #16-022 authorizing the City Manager to execute an amendment to extend a Development Agreement (DA) with Equitable Capital, LLC/South 200th Street LLC.**

**Summary:** Equitable Capital/South 200th Street LLC ("Equitable Capital") currently has a DA with the City for their property located adjacent to the Angle Lake Light Rail Station. This DA allows for a deviation of the City's internal landscaping requirements for the park and fly operation on the property. Currently, the DA provides that internal landscaping needs to be constructed on the property within one year of the opening of the Angle Lake Light Rail Station. Since it is highly likely that the property will be redeveloped now that the Light Rail Station is opening, an extension of the current agreement makes sense to both the property owner and the City.

In February, 2016, the City acquired a portion of the property owned by Equitable Capital through eminent domain proceedings as part of the City's Connecting 28th/24th Road Improvement Project. When acquiring property through eminent domain, the City is required to pay the property owner just compensation. In this case, the City and Equitable Capital attended mediation in June 2016, with further negotiations continuing through the end of July. The City and Equitable Capital have agreed to settle the case. The agreed settlement provides that the City will compensate Equitable Capital \$724,950 for the value of the underlying land, a temporary construction easement, and the impact and damage to the property. In addition, the City agrees to extend the current DA for 10 years. City Council action is required to approve the extension of the DA. The proposed Resolution would approve the extension of the DA. All other terms of the DA will remain in effect.

A PH is required before City Council action. The PH with potential Council action have been properly noticed for the September 27, 2016 Regular Council Meeting (RCM). Without approval of the DA extension, the City and Equitable Capital will need to continue negotiations to resolve the eminent domain action, which could result in the City paying higher monetary compensation for the acquired property. Both parties believe that the monetary payment and the extension of the DA is a fair compromise to resolve this case.

Passage of this Resolution does not have a direct fiscal impact. However, a key portion of the negotiated settlement of the pending condemnation action is tied to the extension of the DA.

MOVED BY SITTERLEY, SECONDED BY CAMPBELL TO PASS AGENDA BILL #4428 (RESOLUTION #16-022).

MOTION CARRIED UNANIMOUSLY.

**PUBLIC COMMENTS (related to Action Items and Unfinished Business):** There were no public comments.

**ACTION ITEM:**

***The following Agenda Bill was withdrawn by Acting City Manager Joseph Scorcio prior to the meeting.***  
**Agenda Bill #4423; A Motion amending the Low Impact Development Code Integration Contract with Herrera Environmental.**

Mr. Scorcio explained the reason for withdrawing the agenda bill.

**Agenda Bill #4380; An Ordinance adopting amendments to SeaTac Municipal Code (SMC) 15.205.040 (Zoning Code), regarding ground floor commercial space requirements for multi-family uses outside of established overlay districts.**

**Summary: Background:** The proposed changes are based on a review of mixed use requirements in neighboring cities and information received from multiple residential developers who indicated that SeaTac's existing ground floor commercial requirements can be a deterrent to building multi-family projects, due to the additional construction expense and challenge in leasing the space in a timely manner. It should also be noted that the recently adopted Angle Lake Station Area Overlay District standards include similarly reduced commercial/residential mixed use requirements.

*Policy Alignment:* The proposed amendments align with Comprehensive Plan Land Use policies which promote medium (Policies 2.4D, 2.4E) and high (Policy 2.4F) concentrations of commercial which promote medium (Policies 2.4D, 2.4E) and high (Policy 2.4F) concentrations of commercial uses, mixed uses and "high density housing" in areas designated for Commercial Medium Density and Commercial High Density land uses. The proposal is consistent with these policies insofar as they continue to allow commercial uses as part of multi-family projects, while eliminating or reducing the minimum commercial space required in some multi-family projects to allow for more flexibility for residential builders.

*Why Action Needed:* The proposed amendments will reduce potential barriers for multi-family projects in order to better implement the City's policies promoting mixed use and higher density residential development. Adopting the proposed amendments would also bring SeaTac's zoning more in line with neighboring cities, including Tukwila and Burien, which have less onerous requirements for residential mixed use projects.

**Review Process:** The PC reviewed the proposed amendments during three work sessions and after conducting a PH, recommended adoption. A guiding principle articulated by the PC was to maintain opportunities for retail and commercial businesses in SeaTac's commercially-focused zones, while removing potentially onerous requirements from mixed use and multi-family residential developments. City Council reviewed the proposal at the August 9, 2016 Council Study Session (CSS) and directed this to be brought back as an action item at an upcoming meeting.

**Summary of Proposed Amendments:** The proposed amendments revise existing requirements for ground floor commercial space in multi-family developments such as apartments and condominiums, as follows:

***Multi-Family Projects in Zones with a Residential Focus:***

- *Zones Affected (Outside Overlay Districts):* Urban High-Urban Center Residential (UH-UCR) and Office/Commercial/Mixed Use (O/C/MU) zones.
- *Proposed Changes:* Eliminate existing requirement for 50% of the ground floor to include commercial space, but allow as an option.

***Multi-Family Projects in Zones with a Commercial Focus:***

- *Zones Affected (Outside Overlay Districts):* Office Commercial Medium (O/CM), Community Business (CB), Community Business in the Urban Center (CB-C), Aviation Business Center (ABC) zones.
- *Proposed Changes:* Reduce requirement for ground floor commercial space from 100% to 50% if property is located along Principal Arterials, specifically: International Boulevard (IB) and South 188<sup>th</sup> Street. Eliminate ground floor commercial space requirement in other locations, but allow as an option.

Senior Planner Kaehny reviewed the agenda bill summary.

**ACTION ITEM (continued):**

**Agenda Bill #4380 (continued):** Senior Planner Kaehny reviewed issues raised at the August 9 CSS: where multi-family developments are currently permitted, why mixed-use developments can be more challenging to finance and operate, and what is an appropriate front yard setback for buildings in different zones.

Discussion ensued regarding the ground floor commercial requirements throughout the City and along IB as well as how the public is notified of any changes.

Mr. Robinson stated staff will prepare a media release as well as reach out to people who have shown concern previously.

Mr. Scorcio stated this is an attempt to make the code more uniform.

MOVED BY CAMPBELL, SECONDED BY SITTERLEY TO POSTPONE AGENDA BILL #4380 TO THE OCTOBER 11, 2016 REGULAR COUNCIL MEETING AS AN ACTION ITEM.

MOTION CARRIED UNANIMOUSLY.

**UNFINISHED BUSINESS:** There was no Unfinished Business.

**NEW BUSINESS:**

**Proposal to create SeaTac Community Services Committee**

Mayor Siefkes stated he will present this item at the next meeting. Mr. Scorcio suggested this item be presented as an agenda bill at the CSS. Mayor Siefkes concurred.

**CITY MANAGER'S COMMENTS:** Acting City Manager Scorcio presented the following calendar items: September 27 - Code Compliance Committee Meeting and Celebrate Gardening in SeaTac PICH Grant presentation, September 28 - Public Safety & Justice (PS&J) Committee Meeting, October 3 - A&F Committee Meeting, October 4 - PC Meeting, October 6 - SCM and Town Hall, October 8 - recycling event and rain barrel sale, and October 10 - Budget Workshop 1.

**COMMITTEE UPDATES:** CM Sitterley requested input from the public on any issues for the Public Issues Committee (PIC) update.

CM Anderson provided an updated from the National League of Cities (NLC) Public Safety and Crime Prevention Committee.

CM Campbell stated the SCORE Jail admin board meets September 28, and she will be attending the Port tours as part of the WRIA 9 Committee.

CM Kwon provided an update from the T&PW Committee Meeting and stated the Code Compliance Committee meets September 28 at 5 p.m.

Mayor Siefkes provided an update from the SeaTac Airport Committee.

**COUNCIL COMMENTS:** CM Campbell commented on the following: (1) attended the October 22 International Potluck at YMCA, (2) attended September 24 Party at the Plaza, (3) November 1 - Talk about the Duwamish River at the Burien Library, (4) November 2 - Seattle Center festival, and (5) September 27 - National Voter Registration Day.

CM Kwon commented on the following: (1) Party at the Plaza, credit to city staff and Des Moines staff, and (2) South 216<sup>th</sup> Street abandoned property, cities working together to get it cleaned up.

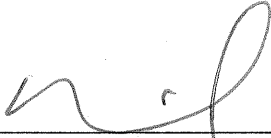
CM Sitterley stated the City has a lot of issues facing the city and she thanked staff and citizens for their efforts and ideas.

**COUNCIL COMMENTS (continued):** CM Anderson stated there is a new website by the US Department of Commerce called broadbandusa that provides free technical assistance to communities and government agencies interested in improving their access to and use of high speed internet.

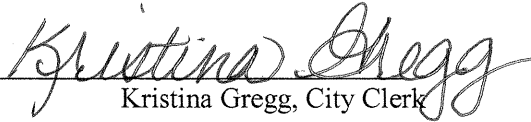
Mayor Siefkes stated he attended Graduate Highline! event and light rail opening.

**ADJOURNED:**

MAYOR SIEFKES ADJOURNED THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 9:16 P.M.



Michael J. Siefkes, Mayor



Kristina Gregg, City Clerk