



CITY COUNCIL MINUTES STUDY SESSION & REGULAR MEETING MARCH 3, 2014

STUDY SESSION

Mayor Bruce Bassett called the Study Session to order at 6:05 pm in the Council Chambers of City Hall, 9611 SE 36th Street, Mercer Island, Washington.

Councilmembers Debbie Bertlin, Jane Brahm, Mike Cero, Tana Senn, Benson Wong, and Mayor Bruce Bassett were present. Deputy Mayor Grausz was absent.

AB 4930 Joint Study Session with Planning Commission Regarding P-Zone Code Changes

City Manager Noel Treat explained that the Study Session is the first step in the process of rezoning School District properties in order to move ahead with the District's project recently approved by the voters.

Superintendent Gary Plano thanked the Council for their support of the District's two propositions on the February ballot and spoke about the \$98.8 million bond to fund three projects which will address overcrowding in the schools. He noted that rezoning all District properties to the P zone designation will allow for consistency in the City's Comprehensive Plan, not just the ones mentioned in the ballot propositions. He introduced District staff and project managers for the proposed project.

Development Services Director Scott Greenberg introduced the Planning Commission members in attendance: Craig Olson, Bryan Cairns and Suzanne Skone. Director Greenberg explained the proposal to rezone all School District properties from Single Family (R-9.6 and R-15) to Public Institution (P) and rezone a small piece of private property adjacent to West Mercer Elementary from Single-Family R-9.6 to Single Family R-15. He walked through the code elements in the current zoning standards versus the proposed zoning standards.

District Project Manager Brandi Fox noted that rezoning the District properties will bring the existing buildings into compliance and will allow for the proposed rebuilding and new construction on the properties.

The Council and Planning Commission asked questions about the following topics as they relate to the proposed rezoning: supporting a playground/park component in the rezones, reviewing impervious surface requirements and allowances, ensuring that traffic and parking issues are fully analyzed including existing and overflow capabilities, evaluating electronic reader board issues, and applying portions of RCW 39.35D to City facilities.

The Study Session adjourned at 6:51 pm.

CALL TO ORDER & ROLL CALL

Mayor Bruce Bassett called the Regular Meeting to order at 7:00 pm in the Council Chambers of City Hall, 9611 SE 36th Street, Mercer Island, Washington.

Councilmembers Debbie Bertlin, Jane Brahm, Mike Cero, Tana Senn, Benson Wong, and Mayor Bruce Bassett were present. Deputy Mayor Grausz was absent.

APPEARANCES

Tom Imrich, 6231 Island Crest Way, stated that the Council should not sign or endorse the resolution supporting the PSRC compact, as there will be consequences for the entire region if it is signed. He believes that more Mercer Island businesses will be closed and lost because of the goals of the compact and that the high-rise

density zoning policy is destroying the Island. He expressed concern about the compact's policies as they relate to light rail in the north end, proposed bus turnaround, and the possibility of I-90 tolling.

Milford Walker, 6160 93rd Ave SE, expressed his concern about the proposed zoning changes north of the freeway in relation to the PSRC Growing Transit Communities compact. He stated that he moved his family to Mercer Island for the non-urban environment and expressed concern that the compact gives Mercer Island's power over to another board. He stated that people assume the Council would not do this without asking the people they represent.

Kendall Taylor, 3417 74th Ave SE, expressed concern about the overdevelopment of low-density, single family neighborhoods. She noted that the Comprehensive Plan states that the City will ensure single-family development is compatible with the quality, design, and intensity of surrounding land uses. She believes that the City is not enforcing these goals. She noted that a lot of low-density, single family neighborhoods are being subdivided, and that the root of the problem lies within the Comprehensive Plan and zoning maps. She stated that her neighborhood is R-8.4, but the average lot size is over 12,000 square feet. She would like the zoning map to reflect that.

Linda Chaves, 8265 SE 30th Place, thanked the Council for providing such a thorough review of the Coval property. She stated that 30 property owners living below the project were not notified of the proposal. She expressed concern over a lack of notice of discussion or review of a critical areas determination. She strongly believes that there is a watercourse through the Coval property. She stated she is not opposed to development, but would love to see the property used for something else.

Marc Berejka, Lakes resident, expressed concern that the Lakeridge Elementary property rezoning will consume unnecessary time as it is not among the rebuilding as part of the school bond. He asked the Council to pay close attention to the details, as the zoning proposal has no regard for Lakes homes that abut Lakeridge Elementary. He also noted that if the fourth elementary school is built, the number of students at Lakeridge would drop and no changes would need to be made. He stated that the new zoning would allow a building to be 15 feet from his property line. He asked staff to think about the impacts on private properties if Lakeridge is rezoned.

Deborah Ferse, 3203 84th Ave SE, thanked the Council for reading and listening to the Coval record. She stated that, should another proposal for the Coval property be submitted, she would hope to have the same opportunity to present evidence of a watercourse through the property. She also asked that all of the careful steps that were taken the first time around be taken again.

Marie Bender 7890 81st Place SE, lives directly behind the Lakeridge school and is concerned about the zoning changes. She noted that the public notice was written in legalese, and was difficult to understand. She asked that the Council look at who is impacted by the proposed rezoning. She stated that she enjoys listening to the children, but is concerned that new buildings could be constructed too close to her home.

Kevin Scheid, 6189 92nd Ave SE, spoke against the resolution to support PSRC's Growing Transit Communities regional compact. He believes that if the Council supports the compact, they will be giving away the ability to represent the Mercer Island citizens to a third party. He noted that the plan is to intensify activity with transformative plans for mixed-use infill and redevelopment and he believes there is no need to intensify it any further as it has been going on for the past 5-10 years. He stated that now is a time to build character and a heart for the City, not to continue to develop the Town Center.

Marty Gale, 9404 SE 54th Street, stated that the PSRC compact was not on the planning schedule and people have been trying to figure out what the compact means. She noted that the other cities that have signed the compact are not like Mercer Island, especially in geography and in culture. She asked what Mercer Island would get from this when the Council signs it and what the goals mean for Mercer Island.

CONSENT CALENDAR

Payables: \$125,712.46 (02/20/14)

Recommendation: Certify that the materials or services hereinbefore specified have been received and that all warrant numbers listed are approved for payment.

It was moved by Berlin; seconded by Brahm to:

Approve the Consent Calendar and the recommendations contained therein.

Passed 6-0

FOR: 6 (Bassett, Berlin, Brahm, Cero, Senn, Wong)

ABSENT: 1 (Grausz)

REGULAR BUSINESS

AB 4929 Growing Transit Communities Regional Compact

DSG Director Scott Greenberg presented Resolution No. 1479 supporting the Puget Sound Regional Council's Growing Transit Communities regional compact. He noted that the compact is a non-binding, voluntary agreement that does not obligate the City to implement all recommendations developed as part of the Growing Transit Communities Strategy, but rather to consider and adopt tools that fit best with Mercer Island's needs and available resources. Director Greenberg spoke about the toolkit of strategies and actions, noting that the City would look into those items, but is not required to take any actions.

Councilmember Cero stated that he was adamantly against the regional compact and the resolution to support it. He stated that it may not be legally binding, but politically and practically it becomes binding.

The rest of the Council expressed their support of the compact. They spoke about the importance of strength in numbers by joining regional partnerships and about supporting the goals and policies set forth in the compact to create sustainable, diverse, and equitable transit communities.

It was moved by Senn; seconded by Wong to:

Adopt Resolution No. 1479 supporting the Growing Transit Communities regional compact.

Passed 5-1

FOR: 5 (Bassett, Berlin, Brahm, Senn, Wong)

AGAINST: 1 (Cero)

ABSENT: 1 (Grausz)

AB 4925 Sewer Utility Code Amendments (2nd Reading & Adoption)

City Attorney Katie Knight and Maintenance Director Glenn Boettcher presented an ordinance for second reading amending the sewer utility code regulations.

Director Boettcher noted that the current code is outdated and inconsistent and that the new regulations add and update definitions, create new side sewer construction requirements, clarify owner responsibilities, modernize engineering and design standards, and prohibit the discharge of fats, oils and grease into the sewer system.

The Council asked questions of staff regarding the proposed amendments; including questions related to septic tanks, indemnification issues during inspections, and owner's responsibility of side sewers, lateral lines, and backwater valves.

It was moved by Senn; seconded by Brahm to:

Adopt Ordinance 14C-03, repealing MICC 15.08 Sewer Rates and Regulations and adopting new chapter MICC 15.06 Sewer Utility Regulations as amended.

Passed 6-0

FOR: 6 (Bassett, Berlin, Brahm, Cero, Senn, Wong)

ABSENT: 1 (Grausz)

OTHER BUSINESS

Councilmember Absences

Deputy Mayor Grausz's absence was excused.

Planning Schedule

City Manager Treat noted that a joint meeting with the School District Board is scheduled for April 17. Councilmember Cero asked about adding a Renton airport report to the agenda. City Manager Treat responded that he met with Renton officials and does not think a report to the Council is necessary at this time. Councilmember Brahm asked about I-90 tolling updates. City Manager Treat responded that the reports are on pause until the legislative session is over. He noted that it looked like there will not be a transportation package passed this year and WSDOT may pick back up on the EIS. He stated he will report if there is news.

Board Appointments


There were no appointments.

Councilmember Reports

Councilmember Wong spoke about the library remodel meeting with KCLS staff. He noted that the process is continuing and the group was able to focus and identify 5 top key issues. Councilmember Senn mentioned that she was pleasantly surprised at the lack of interest to implement tolling in the legislature and she feels it will be five years before a decision that is made would be implemented. Councilmember Bertlin asked about staff looking into the public comment about the setbacks for the Lakeridge Elementary School rezone. City Attorney Knight stated that there will be plenty of opportunity to incorporate review of this during the process. Councilmember Brahm spoke about the YFS Advisory Board meeting and that they are looking at a new name. She also spoke about the Youth Theatre Northwest gala event on Saturday night. Mayor Bassett spoke about an upcoming School Board/City Council Ad Hoc Committee meeting regarding the timeframe for the tenants of the North Mercer campus.

ADJOURNMENT

The Regular Meeting adjourned at 8:38 pm.


Bruce Bassett, Mayor

Attest:


Allison Spietz, City Clerk