

# COUNCIL MINUTES

## Special Meeting February 8, 2011

Mayor Don Gerend called the special meeting of the Sammamish City Council to order at 6:30 pm.

**Councilmembers present:** Deputy Mayor Tom Odell, Councilmembers Mark Cross, John James, and Michele Petitti

**Councilmembers absent:** Mayor Gerend, Councilmembers Whitten and Curley

**MOTION:** to excuse Mayor Gerend and Councilmembers Whitten and Curley. Motion carried unanimously 4-0.

**Staff present:** City Manager Ben Yazici, Deputy City Manager Pete Butkus, Public Works Director Laura Philpot, Assistant City Manager/Community Development Director Kamuron Guro, Parks & Recreation Director Jessi Richardson, Administrative Services Director Mike Sauerwein, City Attorney Bruce Disend, and Deputy City Clerk Stacy Herman.

### **Roll Call/Pledge of Allegiance**

Roll was called. Ellie Bump led the pledge.

### **Approval of Agenda**

**MOTION:** Councilmember Petitti moved to approve the agenda. Councilmember Cross seconded. Motion carried unanimously 4-0.

City Manager Yazici announced that Craig Stone with Washington State Department of Transportation is running a little late for his presentation, and suggested that the Planning Commission Handoff presentation be moved up and completed prior to the SR520 Tolling presentation. There was consensus amongst the council on Mr. Yazici's suggestion.

### **Proclamations/Presentations**

- **Planning Commission Handoff**
  - **Animal Management**
  - **Zoning Change**
  - **Electric Vehicle Charging Stations Code**

Community Development Director Kamuron Gurol and Planning Commission Vice Chair Kathy Richardson gave the presentation. The PowerPoint Presentation is available on the city's website at [www.ci.sammamish.wa.us](http://www.ci.sammamish.wa.us). There are two amendments that the Planning Commission considered in their summary of code blocks. The first would allow limited professional office use in the R-12 and R-18 zone in the Inglewood or Pine Lake Center and the second would prohibit roosters in the City of Sammamish and clarify existing regulations. The Planning Commission held a public meeting on December 2, 2010 and a public hearing on December 16, 2010. There was opposition to the prohibition of roosters in the city, but there was no public comment on the professional office allowance. The Planning Commission is recommending the council adopt the authorization of office uses in the R-12 and R-18 zones and recommends that the council not prohibit roosters, but make some minor amendments to the chapter for clarification. These items will be forthcoming to the council within the next month for public input and public hearing.

Community Development Director Gurol and Vice Chair Kathy Richardson presented the proposed regulations for the Electrical Vehicle Infrastructure Ordinance. The made the following recommendations:

- Add definitions for the various aspects of the electric vehicle infrastructure
- Amend the Permitted Uses tables in SMC 21A.20 to make allowances for the installation of charging stations and battery exchange stations as a primary or accessory use
- Allow private and public property owners to decide whether and where they wish to install electric vehicle charging stations.
- Allow property owners to decide limitations are to be placed on use of the stalls, hours of operation of the charging stations, and whether or not to assess fees for charging.

These ordinances and regulations will be coming before the council for consideration within the next month. The purpose of this discussion was to give council additional time to review the Planning Commission's recommendations.

➤ **Tolling Update: SR520**

Craig Stone with Washington State Department of Transportation gave the staff report. He reported on the "Good to Go" pass that can be purchased online, or at certain locations around the Seattle/Eastside for those who do not have computer access. A PowerPoint presentation on the SR520 tolling is available on the city's website at [www.ci.sammamish.wa.us](http://www.ci.sammamish.wa.us) and the Good to Go Pass information can be found on the Washington State Department of Transportation website at <http://www.wsdot.wa.gov/goodtogo/>

**Public Comment:** None.

## Consent Calendar

- Payroll for period ending January 15, 2011 for pay date January 20, 2011 in the amount of \$257,223.32
- Payroll for period ending January 31, 2011 for pay date February 5, 2011 in the amount of \$237,506.53
- Approval: Claims for period ending February 1, 2011 in the amount of \$489,848.38 for Check No.28425 through No. 28504
- ~~Contract: On-Call Environmental Consulting Services/Watershed Company~~
- Contract: Recreation Center Furnace Replacement/Control Contractors, Inc.
- Contract: New maintenance Facility Operations Locker Purchase
- Contract: Telecommunication Service/Paetec
- Resolution: Final Acceptance 2010 Pavement Management Local Streets/Lakeside Industries (R2011-444)
- Resolution: A Resolution Of The City Of Sammamish, Washington, Accepting The 2010 Pavement Program - Overlays As Complete (R2011-445)
- Resolution: Accepting The City Of Sammamish East Lake Sammamish Parkway, Phase 1A Project As Complete (R2011-446)
- Resolution: Granting Final Plat Approval To The Plat Of Laurel Hills Division 2 And 3 (R2011-447)

AMENDMENT: Councilmember Cross moved to amend the consent agenda by removing the contract with the Watershed Company and placing it as the first item after approval of the consent calendar. Motion carried unanimously 4-0.

- **Contract: On-Call Environmental Consulting Services/Watershed Company**

City Manager Yazici explained that this contract is revenue neutral and will be used as an on-call contract for environmental plan review.

MOTION: Councilmember Petitti moved to authorize the City Manager to execute an on-call contract for an amount not-to exceed \$50,000.00 with The Watershed Company for environmental consulting services for parks capital projects. Councilmember James seconded. Motion carried unanimously 3-0. (Councilmember Cross removed himself from the room during the vote, as he had a conflict.)

MOTION: Councilmember Petitti moved to approve the consent agenda as amended. Councilmember James seconded. Motion carried unanimously 4-0.

## Public Hearings

***Public Hearing Continued from the January 18, 2011 regular meeting***

**Ordinance: Public Hearing/Second Reading Repealing The Transfer Of Development Density Credits Regulations And Adopting Transfer Of Development Rights Regulations Codified Into Chapter 80 Of Title 21A Of The Sammamish Municipal Code (O2011-297)**

Community Development Director Kamuron Gurol and Senior Planner Evan Maxim gave the staff report on the Transfer of Development Rights proposed Ordinance. To implement the adopted Town Center Subarea Plan, this ordinance would adopt Transfer of Development Rights regulations. The Development Regulations would be codified in the Sammamish Municipal Code as chapter 21A.80, and authorize sending sites within the City or unincorporated King County to transfer density into the Town Center. The proposed regulations are intended to complement the approved Interlocal Agreement with King County. Mr. Gurol presented several slides in his presentation, which is available on the city's website at [www.ci.sammamish.wa.us](http://www.ci.sammamish.wa.us) or can be obtained by contacting the Deputy City Clerk Stacy Herman at 425-295-0512. There were also a few public hearing written comments submitted and those can also be obtained by contact the Deputy City Clerk.

**Public Hearing opened at approximately 7:50 p.m. and closed at 7:55 p.m.**

**Public Hearing Comments:**

**Beverly Keffer 23811 NE 14<sup>th</sup> Street:** She lives near Mystic Lake and Illahee Development. She supports in-City sending sites. Her and her husband own a very unique piece of property within a depression where stormwater run-off from neighboring developments that drain onto their property. She is requesting the City Council consider adding their property to the Transfer of Development Rights sending site.

Community Development Director Kamuron Gurol pointed out that Ms. Keffer's property location is not within any locations of the mapped sending sites. If the Council were to include Ms. Keffer's property and add the location as a sending site, it would be necessary for the council to make an amendment.

Mr. Gurol began to discuss the five decision points that the council identified at the January 18, 2011 City Council meeting. Each option will be outlined below.

- **Incentive Table Modifications – options are whether amendments to the table will be administrative or council action.**

**MOTION: Councilmember James moved to approve that any modifications/amendments made to the 21A.80.090 Incentive Table will be a Legislative action. Councilmember Petitti seconded. Motion carried 4-0.**

- **Include TC-D Zone as an eligible receiving site**

The TC-D Zone is currently owned by the City. Mr. Gurol suggested retaining the TC-D zone as a receiving site keeps the City's options open. If the Council does nothing at this time, the amendment included in the packet would eliminate the TC-D zone as a receiving site.

**MOTION: Councilmember Cross moved to eliminate the TC-D Zone as a Receiving Site and add the TC-D Zone as a Sending Site. Councilmember James seconded. Motion carried unanimously 4-0.**

Councilmember James suggests a friendly amendment adding the TC-D Zone as a sending site. Councilmember Cross accepts the amendment. The market analysis has not been completed at this time and the recommendation of the numbers in the table will come back to Council when the market analysis has been completed.

Councilmember Cross suggested that we may want to sell some units under the TDR program to other locations in the City with the funds either being allocated to infrastructure in the Town Center or Affordable Housing.

Councilmember James pointed out that we would need to remove 21A.80.030, paragraph D "Public owned property shall not be eligible to become a sending site unless the site is identified as a sending site in an Interlocal Agreement." Community Development Director made note of that removal.

Councilmember Petitti suggested that receiving density would allow some flexibility, rather than completely removing TC-D as a Receiving Site.

Mr. Gurol pointed attention to the fact that the TC-D Zone and public ownership are currently the same, but in the future ownership could be conveyed to another. If it's still zoned D that property owner may want to be a receiving site and it may be consistent with the plan, but if they are not listed on the table as an eligible site then it would not be allowed.

- **Retain TC-A Zone as an eligible receiving site**

Community Development Director Kamuron Gurol informed the council that the TC-A Zone is not a tool that can be used until the Affordable Housing units through the bonus pool are exhausted. The current code does retain TC-A Zone as an eligible receiving site. Caps on the unit numbers were discussed. Mr. Gurol explained that he cannot change the numbers and that they are based on Market Study Analysis.

Councilmember Petitti suggests adopting the TDR program as presented, and if need be, it could come back before the council for amendments/modifications.

City Attorney Bruce Disend directed staff to move on to the next decision point, TC-A Zone discussion dies for absence of a motion.

- **Create a “cap” on the number of TDR units authorized in the Town Center**

Kamuron Gurol discussed concurrency and presented a cap of 250 units, as Councilmember Whitten communicated to the Community Development Director that she has concerns with concurrency and exceeding traffic concurrency levels of service. Councilmember James supported her request for a cap on the dwelling units.

City Manager Yazici also emphasized that the traffic concurrency model is a reputable tool that would limit the units issued.

Councilmember Cross suggests more sending sites than receiving sites. He is not interested in capping receiving sites.

Deputy Mayor requested Mr. Gurol to come back to the council with a multiplier table for the “D” Zone.

Councilmember James moved to place a maximum number of 630 TDR certificates used from sending sites in and out of the city. Councilmember Cross supports Councilmember James cap on the certificates if this will allow the council to complete the TDR Ordinance tonight. The 250 cap has been replaced with 630.

Councilmember James described how he came up with the 630 number. The “D” zone is capped at 240 and King County has 75, he added these two numbers and multiplied by two, as to provide the same amount of sending site certificates to the public/citizens.

**MOTION: Councilmember James moved to cap the maximum number of TDR sending site certificates (21A.80.060 (C) shall not exceed 630. Motion carried with 3-1 with Councilmember Petitti dissenting.**

**MOTION: Councilmember Cross moved to eliminate escape hatch provisions to allow release of conservation easement 21A.80.070 (C)(4) deleted after semi colon. Motion carried unanimously 4-0.**

It was decided that the City Council would come back later to discuss Ms. Keffer’s property and the unique situation of their property.

**MOTION: Councilmember Cross moved to adopt a TDR Program Ordinance as amended at the February 8, 2011 Meeting. Motion carried unanimously 4-0.**

## **Council Reports**

Deputy Mayor Tom Odell reported on viable options of a Community Center. This is still in preliminary stages and council will be discussing this subject at future meetings. He also reported on the highlights of the City Council Retreat.

## **City Manager Report**

City Manager Yazici announced the three alternate dates for the Joint Meeting with Issaquah City Council. They chose the Thursday, March 10, 2011 meeting date.

Mr. Yazici introduced the Parks Director Jessi Richardson. She reported on purchasing a piece of property down along East Lake Sammamish Parkway in the amount of \$700,000.

**MOTION: To authorize the City Manager to purchase a piece of property from John Magnusson in the amount of \$700,000. Motion carried unanimously 4-0.**

Meeting adjourned at 10:00 p.m.

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Stacy Herman, Deputy City Clerk

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Donald J. Gerend, Mayor