

2000 10 09 Spec Mtg Appeal

LAKESWOOD CITY COUNCIL SPECIAL MEETING MINUTES

Monday, October 9, 2000

City of Lakewood

City Council Chambers

10510 Gravelly Lake Drive SW

Lakewood, WA 98499

CALL TO ORDER

Mayor Harrison called the meeting to order at 7:02 p.m.

ROLL CALL

Councilmembers Present: 6 - Mayor Bill Harrison; Deputy Mayor Claudia Thomas; Councilmembers Ann Kirk Davis; Larry Humphrey; JosÃ© Palmas and Sherri Thomas.

Councilmember Absent: 1 - Councilmember Doug Richardson (arrived at 7:03 p.m.).

Councilmember Absent: 1 - Councilmember Doug Richardson (arrived at 7:03 p.m.).

Staff Present: City Manager D. Scott Rohlfs; Assistant City Manager Jeff Butzlaff; City Attorney Dan Heid; Finance and Systems Director Galen Kidd; Community Development Director David Bugher; Engineering Manager Bill Larkin; Police Chief Larry Saunders; Human Resources & Services Director Debi Young and General Services Director/City Clerk Alice Bush.

: City Manager D. Scott Rohlfs; Assistant City Manager Jeff Butzlaff; City Attorney Dan Heid; Finance and Systems Director Galen Kidd; Community Development Director David Bugher; Engineering Manager Bill Larkin; Police Chief Larry Saunders; Human Resources & Services Director Debi Young and General Services Director/City Clerk Alice Bush.

FLAG SALUTE

The Pledge of Allegiance was led by Mayor Harrison.

REGULAR AGENDA

PUBLIC HEARINGS AND APPEALS

This is the date for an appeal before the City Council regarding the Hearing Examiner's decision on the Lakewood Meadows Senior Housing Planned Development District and Short Plat and related SEPA Determination appeal (Lakewood Meadows Associates Limited Partnership and Sam and Helen Wilson (appellants), Case No. LU200051).

City Attorney Heid reviewed the Council's role when it serves as a quasi-judicial body.

City Council Special Meeting Minutes -2- October 9, 2000

Mayor Harrison announced that the Council will consider the appeal of the Lakewood Meadows Associates, LP first

and then the appeal of Dr. and Mrs. Sam Wilson last.

Mayor Harrison called on Senior Planner Dan Catron who reviewed the Hearing Examiner's decision on the Lakewood Meadows Associates, LP Planned Development District and associated SEPA appeal. He explained that staff is recommending that the Council grant the appeal of Lakewood Meadows Associates, LP in part and modify the decision of the Hearing Examiner.

Mr. Bryan Park, representing Lakewood Meadows Associates, LP, presented reasons for their appeal. Councilmembers questioned Mr. Park on Lakewood Meadows reasons for the appeal.

Mr. Clark J. Davis, representing Dr. and Mrs. Sam Wilson, presented arguments against the Lakewood Meadows appeal. Councilmembers questioned Mr. Davis.

Mr. Park provided rebuttal remarks.

Mr. Davis provided rebuttal remarks.

Councilmembers questioned Mr. Davis and Mr. Park about their arguments and the Hearing Examiner's decision.

Council recessed at 8:55 p.m. and reconvened at 9:05 p.m.

Mayor Harrison called on Senior Planner Catron who provided background information on Dr. and Mrs. Sam Wilson's appeal.

Mr. Clark Davis, representing Dr. and Mrs. Sam Wilson, presented reasons for their appeal.

Councilmembers questioned Mr. Davis on the Wilsons' reason for the appeal.

Mr. Bryan Park, representing Lakewood Meadows, LP, presented arguments against Dr. and Mrs. Sam Wilson's appeal.

Mr. Davis provided rebuttal remarks.

Mr. Park provided rebuttal remarks.

Councilmembers questioned Senior Planner Catron to clarify the Hearing Examiner's decision.

City Council Special Meeting Minutes -3- October 9, 2000

DEPUTY THOMAS MOVED TO SUBSTITUTE PARAGRAPH NO. 8 ON PAGE 254 OF THE APPEAL RECORD FOR THE FIRST PARAGRAPH ON PAGE 6 OF STAFF'S RECOMMENDATION AND KEEP PARAGRAPHS 2 AND 3 ON PAGES 6 AND 7. SECONDED BY COUNCILMEMBER DAVIS.

DEPUTY MAYOR THOMAS AND COUNCILMEMBER DAVIS WITHDREW THEIR MOTION.

DEPUTY MAYOR THOMAS MOVED TO AMEND 17H OF THE HEARING EXAMINER'S DECISION AS FOLLOWS:

PRIOR TO FINAL APPROVAL AND RECORDATION OF THE SHORT PLAT MAP, THE APPLICANT SHALL ADD A NOTE TO THE FACE OF THE PLAT WHICH READS: "LOT 3 MAY NOT BE DEVELOPED SEPARATELY FROM EITHER PARCEL 1 OR 2. ANY USES OR STRUCTURES ON LOT 3 MUST BE CONSISTENT WITH THE PDD (CASE #LU200051) KEPT ON FILE WITH THE CITY OF LAKEWOOD, AND MUST BE CONSTRUCTED IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS AND STANDARDS."

IN ADDITION, ANY NECESSARY AND APPROPRIATE MODIFICATIONS SHALL BE MADE TO LOTS 2 AND 3 TO ENSURE THAT THE SENIOR HOUSING PROJECT CONTAINS SUFFICIENT AREA SO THAT THE PROJECT DENSITY DOES NOT EXCEED THE DENSITY LIMITATIONS OF THE CITY'S ZONING ORDINANCE. A REDUCTION IN THE NUMBER OF DWELLING UNITS WILL NOT REMOVE THE REQUIREMENT THAT THE FULL 6.72 ACRES BE DEVOTED TO THIS PDD. ANY PROPOSAL TO REDUCE THE PDD BELOW 6.72 ACRES IN SIZE (EVEN IF ACCOMPANIED BY A REDUCTION IN DWELLING UNITS) SHALL BE DEEMED A MAJOR AMENDMENT FOLLOWING

THE SAME PROCEDURE REQUIRED FOR THE INITIAL APPLICATION. SEE LMC 18.85.040 AND CONDITION 17J.

THE APPLICANT SHALL FILE WITH THE COMMUNITY DEVELOPMENT DIRECTOR REDESIGNED SITE AND LANDSCAPING PLANS AND SYSTEM OF OWNERSHIP OF LOT 3 TO ESTABLISH TO THE SATISFACTION OF THE DIRECTOR THAT THE FULL 6.72 ACRES OF THE PROPOSAL ARE AVAILABLE FOR THE USE OF THE RESIDENTS OF THE SENIOR HOUSING PROJECT INCLUDING USE AS OPEN SPACE AND PARKING. THE REVISED SITE PLAN SHALL INCLUDE OFF STREET PARKING FOR AT LEAST 199 VEHICLES TO ACCOMMODATE 168 DWELLING UNITS, THREE EMPLOYEES AND 28 VISITORS. IF THE TOTAL NUMBER OF DWELLING UNITS IS REDUCED, THE PARKING SPACE REQUIREMENTS MAY BE REDUCED ACCORDINGLY.

SECONDED BY COUNCILMEMBER DAVIS.

City Council Special Meeting Minutes -4- October 9, 2000

Council recessed at 10:45 p.m. and reconvened at 10:55 p.m.

ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

AYES: 7 - DAVIS, HUMPHREY, PALMAS, RICHARDSON, DEPUTY MAYOR THOMAS, THOMAS AND MAYOR HARRISON.

NAYS: 0

THE MOTION CARRIED.

COUNCILMEMBER DAVIS MOVED TO UPHOLD THE DECISION OF THE HEARING EXAMINER SUBJECT TO THE PREVIOUS MOTION AND DENY THE APPEAL OF DR. AND MRS. SAM WILSON. SECONDED BY COUNCILMEMBER HUMPHREY.

ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

AYES: 7 - DAVIS, HUMPHREY, PALMAS, RICHARDSON, DEPUTY MAYOR THOMAS, THOMAS AND MAYOR HARRISON.

NAYS: 0

COUNCILMEMBER HUMPHREY MOVED TO AMEND 17E OF THE HEARING EXAMINER'S DECISION TO PERMIT INTERIOR FINISH WORK (AFTER ROOFING AND WALL SHEETING HAS BEEN INSTALLED) ON SATURDAYS FROM 9:00 A.M. TO 3:00 P.M. SECONDED BY DEPUTY MAYOR THOMAS. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

ADJOURNMENT

There being no further business, the meeting adjourned at 11:10 p.m.

BILL HARRISON, MAYOR

ATTEST:

ALICE M. BUSH, CMC

CITY CLERK