

**CITY COUNCIL MEETING  
TUESDAY, AUGUST 18, 2009  
CITY HALL  
22710 E. COUNTRY VISTA DRIVE  
7:00 P.M.**

**INVOCATION**

Given by Mayor Van Orman

**PLEDGE OF ALLEGIANCE**

Led by Mayor Van Orman, City Council and Staff

**CALL TO ORDER**

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

**ROLL CALL**

Council Member Jenkins	Doug Smith, Director of Community Dev.
Mayor Pro Tem Crump	Ann Swenson, Deputy City Clerk
Council Members Owens	Brian Asmus, Chief of Police
Council Member Romney	Amanda Tainio, Planning & Bldg Svcs Manager
Council Member Schuler	
Council Member Olander (absent)	
Council Member Langford	

Mayor Pro Tem Crump moved to excuse Council Member Olander, seconded by Council Member Jenkins. Motion carried unanimously.

**AGENDA APPROVAL**

Mayor Pro Tem Crump moved to approve the Agenda, seconded by Council Member Jenkins. Motion carried unanimously.

**MAYOR AND CITY COUNCIL REPORTS**

Council Member Owens reported she was unable to participate in last week's tour of the River District, but took the tour today. Last week, she attended a Strategies for Youth fundraiser with the Lieutenant Governor. She said at the fundraiser she ran into Police Chief Brian Asmus' old boss and discovered that Chief Asmus was the youngest officer in the State of Washington to attend the FBI academy. They each spoke highly about our Chief of Police, and Councilwoman Owens commended Chief Asmus for his hard work and dedication, stating we are lucky to have him.

Council Member Jenkins reported that he attended a meeting with the Spokane Board of County Commissioners this morning, where they approved the City of Liberty Lake's concurrence on the proposal of any new TIF projects.

Mayor Pro Tem Crump gave a brief report about the River District Tour last Tuesday. He also gave a Finance Committee meeting update. The committee discussed and reviewed vouchers, the second-quarter finance report, changeover of City email, Resolution 09-131, and the City tour of the River District.

A brief discussion was then held about Lloyd's Tire & Auto choosing not to open its new store in Liberty Lake.

Council Member Owens reported the entrance audit was conducted this morning. Mayor Van Orman added the exit audit should be done in about six weeks.

Mayor Van Orman reminded everyone about upcoming City events, including Thursday's trip to Splashdown and the blood drive, scheduled Saturday at the Farmers' Market. She said the Washington Department of Transportation's grand opening/ribbon cutting for the North/South Corridor is scheduled for Saturday, August 22<sup>nd</sup> at 1:00 p.m. She also talked about events such as the Liberty Lake Theater Group's presentation of Law and Order, the City's 8<sup>th</sup> anniversary celebration with the Spokane Symphony, which is scheduled September 5<sup>th</sup>, the Guitar Hero Tournament, and new swing dance classes, which will be held at CenterPlace since the floors are being resurfaced at the HUB. After providing her report, the Mayor introduced Mr. Patrick Stretch from Spokane County

## **SPOKANE COUNTY COMMUNITY SERVICES**

Patrick Stretch, Spokane County Community Services, Housing and Community Development, 312 W. 8<sup>th</sup> Avenue, Spokane, Washington, then took the floor. Mr. Stretch talked about federal Community Development Block Grant and HOME funds. He explained the purposes of these funds are to create a suitable living environment, decent housing, and/or economic opportunities, principally for low- to moderate-income persons. Mr. Stretch went on to say every 5 years the County is required by Housing and Urban Development (HUD) to update its consolidated plan, which serves as the application for fund distribution for HOME Investment Partnership and Community Development Block Grant funds. Mr. Stretch said a needs assessment is the starting point to update the County's Consolidated Plan. He distributed copies of the Community Needs Survey and encouraged the Mayor, City Council Members, and the Liberty Lake community to participate in the needs assessment.

## **ACTION ITEMS**

Consent Agenda: Council Member Jenkins moved to approve the Consent Agenda, which included approval of the August 4, 2009 City Council Minutes and August 18, 2009 vouchers totaling \$259,571.30, seconded by Council Member Mayor Pro Tem Crump. Motion passed unanimously.

Voucher check sequences were: 11507 through 11581. NOTE: Checks 11491-11506 will be used for manual checks. Check 11507 was voided due to the fact that the number was used as a claim check number for an investment entry.

Intergovernmental Agreement: The Mayor and Council Members reviewed the Intergovernmental Agreement between Spokane County and the City of Liberty Lake regarding implementation of Commute Trip Reduction. After a brief discussion about Spokane's Guaranteed Ride Home (GRH) program, Council Member Owens moved to approve the Intergovernmental Agreement between Spokane County and the City of Liberty Lake regarding Commute Trip Reduction Implementation for 2009-2011, seconded by Mayor Pro Tem Crump. Motion passed unanimously.

At 7:30 p.m. Mayor Van Orman called for a brief recess to sign the paperwork for the Intergovernmental Agreement. Meeting reconvened at 7:34 p.m.

## **RESOLUTION**

Mayor Van Orman read Resolution 09-131 into the record, establishing a protocol agreement that will guide the development of public infrastructure within Spokane County Increment Area No. 2005-01.

Mayor Pro Tem Crump moved to adopt Resolution 09-131, seconded by Council Member Langford.

Community Development Director, Doug Smith, provided some background on discussions held between the TIF Committee, City Staff, and staff from Greenstone Corporation. Resolution 09-131 is a result of those discussions and is acceptable to all parties. Director Smith also pointed out that at today's meeting, the Spokane Board of County Commissioners approved the Spokane County Chief Civil Deputy Prosecuting Attorney's letter of opinion concurring with Attorney Roy Koegen's opinion that any improvement approved pursuant to Resolution 09-128 would not be a public work on behalf of Spokane County and the Resolution is non-binding on the County.

Council Member Jenkins, who is a member of the TIF Committee, explained that there is a priority list the City creates which is updated annually. The TIF Committee meets monthly with the developer to review upcoming projects, and from that project list recommendations are made to the City Council to adopt projects by Resolution.

After a brief discussion regarding future projects meeting compliance with the City's Development Code and Comprehensive Plan, Mayor Van Orman called for the vote. Motion passed unanimously. Mayor Van Orman then introduced Mr. Mike Terrell.

## **WORKSHOP DISCUSSIONS**

### River District Specific Area Plan Overlay (SAP-08-0001)

Mike Terrell, representing Greenstone Corporation, thanked the City Council Members who were able to attend the River District Tour. He said Greenstone takes a lot of care and responsibility concerning the development of the River District, and adoption of

Resolution 09-131 is important when adopting a Specific Area Plan (SAP) as it provides a roadmap to development of the River District Area.

He provided some background on the establishment of the SAP. The Plan was submitted to the City by Greenstone in July, 2008. It has been through the City's Planning Commission review process and the Commission's recommendations are now before the City Council for review and final decision. Mr. Terrell then conducted a presentation regarding the River District Specific Area Plan (RDSAP).

He outlined the purpose of the RDSAP. The District was designed to be a compact, complete community which incorporates a new urbanism mixed-use type of design focus, which is pedestrian and bike friendly, offering connections to the Centennial Trail and greenway corridors that functionally connect the community together, and outlined a breakdown of the 640 acres of land in the District.

He then addressed the key issues that arose from the review process:

### **Issue #1 Multifamily Residential Use in River District Commercial**

Mr. Terrell said the City of Liberty Lake's Comprehensive Plan states "Residential uses would typically not be allowed within the freeway commercial category" and its Comprehensive Plan includes a provision that "Residential use will not be allowed except for master planned industrial developments that provide residences intended to house employees for the planned industrial use or a caretaker's residence."

He talked about economic advantages of integrating residential with commercial development and explained the Commercial Zoning District allows for retail shopping, major commercial areas of regional significance, light industry and multifamily residential uses. He noted current developer trends provide more mixed-use town center-type styles, integrating residential and commercial development and said this type of development allows a more friendly live/work type of environment and provides diversity of opportunity for housing for everyone.

Council Member Langford asked why commercial development is not being proposed in residential zones as opposed to integrating residential in the commercial zone. Mr. Terrell answered by saying the developer has proposed opportunities for a village center type retail in the mixed use zone and has plans for neighborhood retail clusters in the residential development areas. He noted this is a significant change from the City's current code, and expressed the challenge to anticipate what could potentially happen in the future to remain flexible.

Mayor Van Orman invited the audience to actively participate in this evening's discussions and to share any comments and/or concerns.

Mr. Drew Benado, 1421 N. Meadowwood, asked everyone to remember that if SAP is approved, it is a living, breathing document and the City Council does have the ability to make changes as necessary, similar to the City's Development Code amendment process.

Mr. Frank Boyle talked about Liberty Lake having a diverse income population. He said including lower-income type of housing in the River District makes great sense to him and should be incorporated throughout the community.

### **Issue #2 Dwelling, Multi-Family Amendment**

The City requests that projects that propose 50 multi-family dwelling units or more shall provide an equivalent square footage of non-residential uses with the permit application should be included in the residential RD-M. The developer is opposed to the inclusion of this provision. The SAP as proposed did not anticipate this type of provision and application of this standard is inconsistent with other SAP elements.

Ms. Tainio clarified that the requested language regarding the 50 multi-family dwelling units was not intended to tag mixed-use buildings, but intended to tag free-standing buildings. She suggested amending the language to state: "Projects that propose 50 multi-family dwelling units *which are not included in a mixed-use building* shall provide an equivalent square footage of non-residential uses with the permit application should be included in the residential RD-M.

### **Issue #3 Large Scale Retail Establishments**

City Staff recommends inclusion of Development Agreements for large-scale retail establishments and adaptability for reuse/compartmentalization/redevelopment to be consistent with existing development. The developer believes reuse requirements create an additional hurdle for retail development that places River District at a competitive disadvantage.

### **Issue #4 Tower Easement Removal**

City Staff is concerned about the loss of control over easement for public safety reasons. The developer believes the City is injecting itself into an agreement between private parties and landowners and believes this is an inappropriate vehicle to achieve the City's goal, offering that a setback requirement is a more appropriate approach.

### **Issue #5 RD-C Commercial Zoning District-Bitterroot Commercial Center**

City Staff is concerned about the change in zoning of the property between Bitterroot and Harvard north of Mission. The developer believes the location of the zoned property at Bitterroot/Harvard and Mission is appropriate for more automobile-oriented uses with appropriate buffer requirements that are integrated into the SAP.

### **Issue #6 Building Orientation and Parking**

City Staff is concerned about language that includes "should" vs. "shall", parking connection vs. pedestrian connection focus, and corner orientation of buildings. The developer's response is the large retail buildings and the RD-C are "auto-oriented" uses; pedestrian connections are equally important; outparcels "should" be located provides flexibility for overall site planning; and the RD-C guidelines provide balance between the

light industrial, retail, office and commercial uses that are "automobile-oriented" in nature and pedestrian scale and access.

### **Issue #7 Sidewalk Widths**

The City's Development Code currently requires six-foot wide minimum sidewalks in street sections within residential local access. The developer's response is the volume of pedestrian traffic on sidewalks in residential access streets does not justify the requirement of 6' walks.

Liberty Lake resident Darren Van Orman stated he attended the tour of the River District and said this topic should have never been an issue. He suggested sticking with the 6' sidewalk.

### **Issue #8 Parking Lot Landscaping and Walkways**

City Staff would not consider removing the maximum parking standard, especially in mixed-use zones, to be beneficial in furthering the City's goals and objectives within the City Comprehensive Plan. The developer's response is that the action request does not reflect the staff report nor was the spacing (140' vs. approximately 250') presented by staff during nine months of workshop discussions. The requirement for every row of parking to be separated by landscaping unnecessarily increases maintenance costs and negatively impacts snow removal. Requiring every other row and prohibiting storm water facilities from being located in required planting is more practical and exceeds the current code.

### **Issue #9 Maximum Parking**

The City's does not want the maximum parking standards removed. The combination of minimum and maximum parking has been successful. The developer proposes to remove the limitation on the maximum number of parking spaces for business lots, suggesting that limitations on maximum parking spaces do not allow the business or retailer to provide facilities based on experience and economics.

Liberty Lake resident Chris Kaminskas asked how the maximum number of parking spaces affects run off and drainage. Mr. Terrell responded that regardless of the size of the parking lot, storm water has to be managed; if there is more asphalt, there is more run off.

### **Issue #10 Signage Standards**

Mr. Terrell said the SAP proposal is clearly not acceptable to staff and have rejected all signage standards but one. The developer's concern is the SAP-enabling ordinance did not prohibit changes to the sign code and believes City staff is in error and has no basis for rejecting the sign change proposals. As an alternative, he said the developer would entertain a comprehensive, community, collaborative discussion about signage standards.

Doug Smith said there has been internal consideration and review of the developer's proposal. Because of the vastness and visibility of this issue, staff chose not to accept the request for obligations to the signage standards, but will consider looking at the issue in whole at a future time.

After a lengthy discussion regarding signage, it was decided that all comments would be taken into consideration and discussed at the next City Council meeting.

### **Issue #11 Public Use Area Dedication / Reservation Requirements.**

The developer had a difference in opinion in the existing language and proposed some alternative language.

### **Issue #12 Parks and Greenways**

Since this topic requires a more in-depth discussion than time allowed for, Mr. Terrell requested addressing this issue during the public hearing on September 1<sup>st</sup>. He stated he does have a parks presentation that was presented to the Planning Commission and would be willing to share with the City Council.

Mayor Pro Tem Crump commented that he liked Orchard Park, the layout and the centralization within the development. He said eight acres was adequate, but would welcome the opportunity to purchase two additional acres.

Council Member Jenkins said everyone is in favor of having more parks, but the cost associated with maintaining and developing the green space also needs to be taken into consideration.

A brief discussion of park acreage and the outlay of parks in the River District in was then undertaken.

### **Issue #13 Maximum Dwelling Units**

In terms of putting a cap on the maximum number of dwelling units within the SAP, Mr. Terrell pointed out the post SAP dwelling units is projected at 2,566. He said development build out is based upon density.

### **Issue #14 Building Heights Difference – 50' vs. 100'**

The developer believes having the option of having a 100' building in the mixed-use area in specific places provides additional density and additional urban character.

At 10:00 p.m., Council Member Owens moved to extend the meeting for 10 minutes, seconded by Council Member Jenkins. Motion passed unanimously.

A brief discussion about addressing some of the issues in more detail at future meetings and scheduling a meeting between the developer and the Community Development group to consolidate the issues to bring them forward to the City Council was discussed.

## CITIZEN COMMENTS:

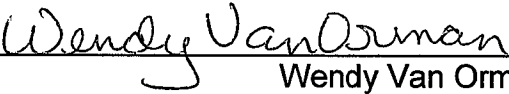
Chris Kaminskas, 22809 E. Country Vista Drive, Liberty Lake, spoke about a safety issue. She said a number of the crosswalk signs are obstructed by trees. She said she didn't know if there was a plan to address the issue throughout the City.

Frank Boyle commented that he left the meeting earlier and thought his cell phone rang. He apologized for interrupting the meeting.

## ADJOURNMENT

The meeting adjourned at 10:11 p.m.

These minutes are approved on September 1, 2009.

  
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Wendy Van Orman, Mayor  
City of Liberty Lake

  
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*Notes and Transcription by Ann Swenson, Deputy City Clerk. This Council meeting was also audio taped. Anyone desiring to listen to the recording may contact the City Clerk*