

# SGNC Meeting Minutes

## July 9, 2008

### **Previous Month's Meeting Minutes:**

Approved pending any corrections brought forward at August meeting.

### **Neighborhood Policing:**

Officer Lt. Coombs of the Spokane Police Department talked about the importance of wearing bicycle helmets.

### **Treasurer's Report:**

Balance 6/11/08: \$67.06

Total Income: \$93.00

Total Expenses\*: \$-0-

Balance on 7/9/08: \$160.06

\*\$50 outstanding for SGNC Certificate of Incorporation, a Washington State Non-Profit Corporation.

### **Community Assembly Report by Patrick Hickey:**

#### **Impact Fee Study Committee Report:**

This is an ordinance that effects development so it went through the City Plan Commission. Jim Baake a Community Assembly member who has been working on this Committee is extremely knowledgeable about this issue. City Council has had 2 hearings & is presently studying the matter. You can go to their website & see the report & set of technical documents. There has been a vast technical analysis of why the fees are structured the way they are. State law allows cities to charge fees, but Spokane has not done so before now. These fees are infrastructure improvements only – not designed to handle local growth. This creates a new revenue stream for the city. These impact fees are legally defensible & other jurisdictions have had them for years. It is a new opportunity for matching streams from state & federal government. What it won't pay for are bicycle & pedestrian improvements. It's being opposed by the Homebuilders Association via advertising calling it a "new tax."

Kathy Miotke, a member of this Committee stated that Mayor Hession started this initiative. They've had 29 meetings with stakeholders: developers, their attorneys, homebuilders, engineers, & neighborhood people. Everyone working on the issue had to come to consensus to have this fee. They got the ordinance written, ran it through legal & it was declared legally defensible. It then went to the PC who passed it & it's been stall tactics ever since by the development community, even though they attended all the meetings & had reached consensus – they're now claiming it's terrible for economic development. They complain that they're not going to build in the city anymore because the county doesn't have any fees or they say they'll go to Post. The Committee members reminded them Post Falls does have impact fees now. They're only being asked to pay for growth related parts of the projects, on new home build construction only that is on the 6-year plan -- not for maintenance or for what they consider amenities like pedestrian pathways, bikes & bridges. The final study session scheduled for tomorrow has been cancelled at the last minute. Please talk to your city council reps & mayor & urge them to pass this legislation.

#### **Dump Passes Report by John Kafentzis:**

200 were available & 34 people came forward & received them. Their availability period ran 15 days & ended on 6/29. We hope to do it again this fall & roll over whatever money is still available in the SGNC Meeting Minutes for July 9, 2008

fall. You could also pick up passes & Wheat Montana & Sam's Signs. The city determines the rules, how the program runs & when the funds are available.

### **By-Laws:**

A Committee consisting of Paul Kropp, Brian Sheldon & Patrick Moore was formed to re-write the By-Laws. Anyone else interested can contact Paul at 448-2291.

### **Swortout Condo Community & Traffic Scoping Update by Todd Whipple:**

He attended a Traffic Scoping meeting. Ben Goodmanson also attended the meeting with him & took notes. There are huge traffic concerns: cumulative traffic; no traffic study has been done. They want the structure to be 150' high. The impact of the project is low with one exception of it being taller than the tallest tree on the south hill. Todd suggested they incorporate other features into their project for storm water management. This is the way a lot of progressive cities are doing it. The one thing most people didn't like was the height. It should be noted that there is NO height limit on the new District Center that the Council passed last week. There is a height limit on this project.

### **Hatch Road Project Update:**

This is a high-priority project. The City is going to improve Hatch Road down the hill to connect to Hwy. 195. Former Commissioner John Roskelley campaigned for the improvement of this road. The improvement would have been a round about at Perry & east of the church. The real reason for the study is for the City to determine how much it would cost & obtain dimensions for adding bike, pedestrian & safety improvements. City Engineering has a substantial amount of funding to do the planning & if we get impact fees this is one of the things that would pay for it. There will be a report out in the fall. It's one more project to watch on the edge of our neighborhood & we need someone to watch this project. We will invite the chairperson to one of our meetings to provide a full report.

### **Report on City Council June 23, 2007 City Council Meeting by Kerry Brooks:**

Direction was given from the last Neighborhood Council meeting to meet with the developers for the District Center at Palouse & Regal. There was a conversation at city hall including 10 people from Southgate Neighborhood & 10 from the development community. It was not very productive according to both sides & no real compromise was achieved at the meeting.

Representatives from Southgate attended a 6/23/08 council meeting, were told a decision would be made on 6/30/08 & that the City Council wanted us to meet with the developers again.

On 6/26 another meeting was held with 4 representatives from each side for 3 hrs at Bill Grimes office. We talked about 5 design principles outlined at the charrette, agreed to 6 more design principles & talked about idea of integrated site plan. From there the developer team, under Gary Bernardo's direction, was to draw up a site plan for the next City Council meeting. The Neighborhood was going to go back & present this idea to stakeholder group for discussion.

In the meantime, Richard Allen brokered some type of agreement with a majority of the Council members, which was presented at the meeting. Neither side had input before the meeting. The City Council passed a convoluted ordinance, which was pretty hard to follow. We've collected up the information from council, but haven't seen a published ordinance yet. The most recent update was an email yesterday from Tammy Palmquist from the Planning Department inviting a conversation with Leroy Eadie, Richard Rush, & Ted Danek to talk about Developer Agreement. The Comprehensive Plan Amendments have been approved by Council with various different modifications.

The council did not vote what we agreed to. They chopped the baby in half. We were on the verge of having something much more manageable, but we did not get it. Each of the 3 sites gets 105,000  
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sf but Target will get 135,000. The Home Depot garden center square footage somehow doesn't count. The Neighborhood's position all along was that a neighborhood center was a more desirable smaller footprint. We weren't allowed to present our slides on the night of the hearing depicting our general design principles. The principles that are supposed to be incorporated into this Ordinance will only be seen by the Neighborhood 10 days before the hearing & we don't have a role in crafting the agreement.

Ginger Patano stated: I don't think the city council knows what they really voted on I thought they allowed 135,000 sf on each site.

This was represented as an agreement between the parties & that is not what happened. There was never an agreement on those proposals by the Neighborhood. Neither the Neighborhood nor the stakeholders ever agreed to anything. It was a matter of taking out the low hanging fruit & incorporating it into what the council wanted to approve. We don't want anybody to think that the stakeholders agreed to what the media has portrayed because we didn't. Mike Allen looked the stakeholders in the face & said: "I will not vote in favor of approving this comprehensive plan amendment" & then turned around & led the charge in doing exactly that. This is not representation of our neighborhood.

The following Motions crafted were by officers & members of the Southgate Neighborhood Council Land Use Committee about what our next steps could be.

### **Motions Voted on by Southgate Neighborhood Council** **On Wed., July 9, 2008**

#### **Motion 1:**

Southgate Neighborhood council (SGNC) hereby authorizes the SGNC Land Use Committee and Neighborhood Planning Delegates to work with the City and Developers on the Development Agreements that are being written as a result of the City Council Land Use Amendment Ordinances approved June 30, 2008.

#### **Motion 2:**

Because the City Council Ordinances state that the Development Agreements need only be sent to the SGNC ten (10) days prior to the Council hearing, it is not clear that there will be time for a SGNC meeting on this topic. Therefore, SGNC authorizes the SGNC Officers in conjunction with the SGNC Land Use Committee, and Neighborhood Planning Delegates to analyze, evaluate and make recommendations regarding the Agreements with the City Council on behalf of the SGNC. All such comments will be based on the SGNC's position that a Neighborhood Center and associated zoning is the appropriate development future for this area.

#### **Motion 3:**

SGNC authorizes the Officers at the discretion and in conjunction with the SGNC Land Use Committee, and with supporting citizens groups and attorneys to prepare and pursue an appeal of the City Council's Ordinances approving the three (3) Comprehensive Plan Amendments in southeast Spokane. The appeal(s) may be to the Eastern Washington Growth Management Hearings Board, and/or the courts or other administrative or legal bodies as recommended by legal counsel. The SGNC Officers are authorized to retain and work with legal counsel on behalf of the SGNC. The Officers are authorized to fundraise to support the appeal(s) including working with others to raise the funds, and to use the funds so raised to support the appeal or appeals.

**Motion 4:**

Whereas the Spokane City council approved three (3) Land Use Plan Amendments and zoning designating a District Center on South Regal, and

Whereas this designation is counter to any proposals made by the SGNC during the ‘workshop process,’ and

Whereas the Plan Commission opposed the District Center designation in this locale; and

Whereas the ‘workshop process’ did not reach a final agreed to conclusion among the parties; and

Whereas a Neighborhood Planning process was not performed to designate the District Center; and

Whereas the scale and intensity of development specified in the ordinances conflicts with the goals and policies of the Comprehensive Plan;

NOW THEREFORE, the SGNC hereby requests that Spokane Mayor Mary veto said Amendments.

The meaning of the Motions was clarified:

Motion 1 would allow neighborhood representatives to have an official voice in the process of providing input in the crafting of Developer Agreement (DA). There has to be public testimony taken on the DA. We’ll have the opportunity to review it, prepare testimony & the opportunity to provide input before that occurs would be in our best interest. The council may do what they want anyway. A lot of the discussion was how they could craft this ordinance to make it less appeal able under the Growth Management Act & withstand a legal challenge. This Motion was approved 19 for & nobody against.

Motion 2 passed with 19 for & zero against.

Motion 3 would authorize SGNC officers to appeal, raise & spend funds. It passed with 17 in favor & 2 opposed.

Motion 4 passed with 17 in favor & 2 opposed.

Paul Kropp made records which are in a computer readable format.

**Return of Neighborhood Planning Funds:**

SGNC voted (14 yes, 1 no & 4 abstentions) to ask the City of Spokane not to deduct the money out of our neighborhood planning account for the workshop because it was not part of a true neighborhood planning process.

**Neighborhood Planning/Stakeholder Group:**

The stakeholder group still has 2 official letters that the city has not responded to. We need to find out how the Mayor intends to honor those requests. We’re also at the mercy of waiting for the Council’s finalization & wrap-up of the Comprehensive Plan Amendments.

Southgate Neighborhood Council needs someone to volunteer as a Community Assembly representative & Secretary. If you are willing to volunteer, contact Ginger Patano at 443-8162.

Next Southgate Neighborhood Council Meeting is August 13, 2008, 7:00 pm at ESD 101