

Minutes

LCC Meeting of January 13, 2014
Laurelhurst Community Center

Attending: Robin Chalmers, Emily Dexter, Jeannie Hale, Kay Kelly, Colleen McAleer, Brian McMullen, Liz Ogden, Leslie Wright

Excused: Linda Luiten, Stan Sorscher, Don Torrie, Maggie Weissman

Guests: Peter Eglick, Story Swett, Roberta Cation, Jim Woods, Karen Ko, Barb Ragee

CALL TO ORDER: The meeting was called to order at 7:07 p.m. and was followed by introductions.

CALLS AND CONCERNS

1. Bike hotel: Heather Newman emailed on December 15 with concerns about the proposed bike hotel where Bill the Butcher is located. She has concerns about lack of parking and the parking overflow that would likely occur in the Town of Yesler.
2. Rifled car: On Christmas Eve, an unlocked car on the 3600 block of NE 42nd was rifled. Nothing was missing and there was no damage to the car. Owners suspect that the culprits were looking for money or something valuable to steal. They left a big mess as the interior compartments were open and contents dispersed.
3. Real estate scam: On December 27, an LCC trustee received a fat envelope in the mail from Jim Thorpe wanting to buy her house. Google research indicated that he is a real estate predator. It looks like he preys on houses that haven't been sold in decades. Thorpe is with The Northlake Group, a real estate acquisition firm. It looks as if that firm goes after desirable locations and then flips them to developers, builders, investors, etc. The package of documents exploits the seller on terms very beneficial to the buyer and allows the buyer, not the seller to back out.
4. Talaris "trespass": On January 2, a nearby Talaris neighbor notified LCC that she received a letter from Talaris with a photograph of her walking across the driveway at Talaris when the gate was closed. The letter said that she'd been seen there repeatedly and that if she shows up again, the police will be notified. LCC continues to receive complaints from other neighbors about Talaris issues.
5. Basketball court: The newly rebuilt basketball court at Waterway No. 1 is complete, except for the painting of the court lines. It was discovered that SPU's manhole cover is not level as it was installed decades ago on degrading bricks. Because it is city property, the contractor could not touch the manhole. Neighbors feared that kids playing basketball could sprain an ankle. SPU was notified and will address the situation to make the manhole cover level with the court.
6. Roosevelt slumlord: On January 7, Jean Amick alerted LCC to actions being taken by the city against slumlord Hugh Sisley. He owes a \$2M fine that is increasing at a rate of \$1600 per day, plus 12 percent interest. It is expected that the City will

confiscate some of Sisley's prized property in Roosevelt near Roosevelt High School.

7. Speeding: Cars are still speeding on Suicide Hill; SDOT has vetoed a four-way stop.
8. Power outages: Jim Woods, who lives on East Laurel Drive and 44th reported that he has had nine power outages in the past ten months. These occur every time of year and are not weather-related. The bunker on NE 45th east of St. Stephens is decrepit. City trucks are at that location frequently making repairs. It generally takes City Light three to four hours to respond to a power outage. The outages usually last six to seven hours. This has gone on for many years. City Light has no maintenance program. They just wait for equipment to break down. Robin noted that his power was out last Tuesday from 2:15 a.m. until 5:00 p.m. Fifty-one houses were affected. Fuses had blown and cables were burnt. Woods will provide the letter he wrote to City Light and LCC will follow up.

ADMINISTRATION

Changes to the Agenda: Add Neighborhood Park and Street Fund.

Minutes: Review of the December 2013 minutes was deferred until the February meeting.

Treasurer's Report: The board reviewed the monthly treasurer's report through December 31 and the committed funds report. The annual dues statements will be going out soon and the board discussed increasing the dues by \$5 from \$55 to \$60. Motion by McAleer, seconded by Kelly to increase annual dues by \$5. *Motion passed unanimously.*

Announcements:

1. Sock Drive: Special thank you to Kay Kelly for drafting LCC's thoughtful and heartwarming thank you letters to Laurelhurst superstars Barbara Frost and Cindy Klettke who contributed dozens and dozens of knitted items for the sock, gloves and scarf drive. Flooring America featured a thank you to everyone for contributing on its reader board. The board stated "Thanks Everyone, Especially Barb Frost for all the socks, scarves and mittens."
2. Basketball Court Project: The concrete has been poured and the new basketball hoop installed at Waterway No. 1. The lines for the court will be painted when the weather is better. The co-chairs are in the process of sending out thank you letters to donors. Kids can be seen daily playing basketball at the new court.

REPORTS/ACTION

Crime Prevention: McMullen reported that there has been two car prowls and one break-in mid-day through a basement window. Ogden added that there was a break-in across from her house. The thieves went through a back gate and stole a big screen television.

Neighborhood Park and Street Fund: Each year a portion of the city budget—approximately \$1.2 million in 2014—is set aside for neighborhood streets and parks

improvements. This means that each of Seattle's 13 neighborhood districts will receive approximately \$90K to go towards neighborhood projects that are proposed by the neighborhoods. Over the years, LCC has received many street fund grants to install projects prioritized in the North Laurelhurst Transportation Master Plan.

LCC has been in touch with Parks staff to see if implementation of the Waterway No. 1 landscape plan would be eligible for funding. With the assistance of noted plant expert Arthur Lee Jacobson, LCC developed a landscape plan that has been approved by DPD and the state Department of Natural Resources (DNR). The Parks Department suggested that LCC submit an application for this project.

Chalmers reported that SDOT has rejected traffic mirrors on Suicide Hill. He will review other possibilities. LCC will submit a landscape proposal for Waterway No. 1.

Proposal to Require Notice of Backyard and Side yard Houses: Currently, the only notice that neighbors receive of an out-of-scale backyard or side yard house is when the bulldozers arrive. Representative Gerry Pollet plans to introduce a bill to ensure that land use decisions affecting neighborhoods are made with notice to neighbors. He is seeking input on his proposal. Here is a summary of the proposal:

- Declares that the Legislature finds that due process requires notice to be given to adjacent landowners and residents within 300 feet of specified land use decisions, and declares the Legislature's intent that the Land Use Petition Act's (LUPA) statute of limitations does not run until notice is provided in accordance with statute.
- Adds to LUPA a new date of issuance – i.e., the date that notice of certain land use decisions is effective – that must be considered in determining when LUPA's 21-day statute of limitations begins to run.
- Requires cities with a population of 500,000 or more to provide notice to adjacent landowners and residents of the following: applications for approval and approval of boundary line adjustments, and applications for approval and approval of preliminary short plats of short subdivisions. Applies only to Seattle, where this is a serious problem.
- Defines the term "adjacent landowners and residents" to mean owners, residents, and persons who are both owners and residents of real property located within 300 feet of property subject to approval of a proposed preliminary short plat of a short subdivision or boundary line adjustment.

SR 520 Update: McAleer reported about the current activity on SR520. Piles are being driven deep. WSDOT contractors have been driving six sets of new piles to support the West Connection roadway for the past six weeks, and neighbors have been subjected to intrusive noise from an "impact hammer" used to knock the vibrated steel piles into the bottom of the lake. This process makes a percussive ringing noise which carries loudly across the water. WSDOT claims that "best practices" are used to reduce the noise impacts, but from 8:00am -7:00pm, the noise has exceeded their estimates, and caused some cracking in residences in adjacent Madison Park. LCC neighbors should report any damages directly to WSDOT.

McAleer has coordinated efforts to monitor the impacts, and requested that the contractor cease when noise limits are exceeded, or when damages have occurred.

LCC will participate in a forum with the WSDOT design group in conjunction with local businesses, community councils and institutions in the Montlake area and NE Seattle to plan for any impacts from the potential building of the West Approach Bridge North (WABN). It is planned for construction in 2015-16.

This design is a "not so" temporary extension off the Western High Rise of SR520 to reduce 6 lanes into the Montlake Interchange into 4 lanes, terminating the HOV lanes. LCC has concerns that the six lanes squeeze will create a bottleneck on Lake Washington through the Arboretum/Montlake/University of Washington areas, resulting in even more gridlock at that congested interchange.

LCC's position and that of the Seattle neighborhood's Coalition for Sustainable SR520, is to stop construction at the Western High Rise until the bridge is fully funded with mitigation promised, and all lanes terminating at I-5. This policy is consistent with WA State House Bill 1864, passed in 2013.

Battelle/Talaris: On Wednesday, November 6, the Landmarks Preservation Board unanimously voted to designate the Talaris property as historic. On November 12, the Landmarks Board wrote to Talaris asking that they participate in the "controls and incentives" process. The Board will meet on Wednesday, January 15 at 3:30 p.m. to consider controls and incentives although Talaris has requested a delay.

Despite the historic designation of the landscaping and the buildings, the property owner has decided to pursue a single family development. On November 25, the property owner filed a LUPA (Land Use Petition Act) appeal in Superior Court seeking to invalidate the historic designation.

On December 11, LCC's attorney wrote to the Talaris attorneys stating that the Settlement Agreement entitles LCC to access the site (as they have now installed a cyclone fence around the perimeter of the property contrary to the Settlement Agreement). As the letter states, this is particularly in light of the landmark designation and the new construction application submitted to DPD. The letter goes on to say that no notice to Talaris is required under the Agreement to access the site, but that LCC will try to provide a courtesy notice when a site visit occurs.

On December 12, LCC submitted a petition signed by 372 neighbors requesting a public hearing on the Talaris subdivision proposal. LCC asked that the hearing be held after the holidays.

On December 13, LCC filed a motion to intervene in the Land Use Petition Act (LUPA) lawsuit filed by Talaris to invalidate the historic designation of the Talaris site. The motion documents LCC's very long history of involvement in the Battelle/Talaris site, beginning with actions involving the Battelle Memorial Institute in the mid-1980s. That disagreement resulted in an appeal to the Hearing Examiner who upheld LCC's objection that Battelle's purported "Institute for Advanced Study" use of the site was nonconforming under the Land Use Code. Battelle then began negotiating with LCC and these negotiations resulted in the 1991 Settlement Agreement and Covenants Running with the Land.

The motion to intervene discusses how LCC has striven over the years to work in cooperation with the new ownership, but that the current owner has made that difficult. The motion notes that the owner has unilaterally altered the site with “improvements” such as a chain link fence that appears to be in contravention of the Landmarks Code and is not called out as permissible in the Settlement Agreement.

The two intensive re-development proposals floated by the owner were presented as take it or leave it despite shortcomings under the Land Use Code and the Settlement Agreement.

On December 16, the Court granted a stay on the LUPA matter for nine months. For this reason, in responding to LCC’s motion to intervene, Talaris stated that LCC’s motion to intervene should be denied because they think it is premature. The City also responded to LCC’s motion stating that it neither supports nor opposes the motion. LCC replied to Talaris’s response on December 20 stating that Talaris did not address LCC’s extensive briefing of supporting case law and further, that it does not assert hardship if intervention is granted.

On December 27, LCC submitted lengthy, detailed comments on the Talaris subdivision proposal. LCC asserted that DPD’s processing of the subdivision application was premature and unlawful. This is because the Landmarks Board unanimously approved the landmarks nomination on September 18. Talaris did not file a certificate of approval with the Landmarks Board as required by the Code. The application for a certificate of approval is subject to detailed prerequisites before it may be deemed complete.

In its comment letter, LCC also stated that the application requires preparation of an EIS to discuss such issues as landscaping and tree retention, wetland and habitat, traffic and streets and other issues. LCC asked that DPD withdraw the December 2 notice of completion of the application and require Talaris to comply with the Code.

LCC submitted public records to DPD and the Landmarks Board on December 30 to obtain public documents after earlier public records requests.

On January 7, Judge Mariane Spearman granted LCC motion to intervene. This means that LCC will have a place at the table in the lawsuit and that the court has recognized that LCC has a legally cognizable interest in the fate of the property.

On January 8, LCC met with representatives of Talaris, Historic Seattle, Washington Trust for Historic Preservation and Friends of Battelle/Talaris to discuss future use, development and preservation of the site. A follow up meeting is scheduled for February 22.

Executive Session

MEETING ADJOURNED: 9:05 p.m.