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- b. remove heading which is repeated from page 2
 2. Authorization to Retain Consultants - page 3 -
 - a. correct vote count on motion by Councilmen Lewis to 6-0.
 - b. strike sentence reading - He also outlined costs...
 3. Authorization to Retain Consultants - page 4 -
 - a. correct vote count on motion by Councilman Horn to 6-0.
 - b. correct vote count on motion by Councilman Rasmussen to 6-0.
 - c. correct spelling of Bert Pound's name
 4. AB 811 - page 1 - correct spelling of Phyllis Meck-Emery's name
 5. Consideration of Ordinance - page 2 - correct spelling of Dave Muth's name

The question was called for on the motion as corrected,

Motion passed. Voice vote: 6-0.

CONSENT CALENDAR: It was moved by Councilman Bland, seconded by Councilman Lewis, to approve the Consent Calendar containing AB 814.

The question was called for,

Motion passed. Voice vote: 6-0.

PUBLIC HEARING

AB 810
Herzel/Ner Tamid Congregation - Appeal

Dave Guillen described the physical characteristics of the Herzel/Ner Tamid property and the parcel in question which is on the waterfront. The congregation has applied for a non-commercial recreational area conditional use permit. The moving of the caretaker's facilities; addition of a sport court, a BigToy playground structure and a barbeque pit and the construction of a small amphitheater are the proposed changes. Waterfront uses are not included in the application. The Design Commission's discussion on the landscape for the proposed improvements was reviewed. The Planning Commission denied the congregation's application for a conditional use permit, and Mr. Guillen discussed the reasons for this decision as well as the staff's recommendations and conditions for approval.

The City Attorney reviewed the options open to the Council which include affirming the decision of the Planning Commission, granting the C.U.P. thus disaffirming the action of the Planning Commission or granting the C.U.P. with conditions.

The public hearing was opened at 8:23 p.m.

Dick Chapin, representing the applicant, spoke in favor of the granting of the conditional use permit. Mr. Chapin submitted a sheet of

pictures, exhibit 1, showing various views of the subject property. Mr. Chapin discussed the action taken by the Planning Commission and pointed out similar sites in the City where single family residences abut a school or park. Photo exhibits 2-9 were submitted showing some examples of this. The landscaping improvements and the probable hours of activity at the facilities were reviewed. It was also requested that the staff recommendation calling for the removal of the dock be deleted and substituted with a condition that the dock be for the private use of the caretaker who resides in the single family residence on the property.

Also speaking in favor of the granting of the conditional use permit were Dr. Ed Epstein, 8405 S.E. 53rd; Al Locke, 5633 89th S.E.; Dr. Marvin Turck, 7870 Island Crest Way; Lee Kreager, 7219 97th S.E. and Jack Farber, 8212 S.E. 38th Place.

Speaking in opposition to the appeal was Byron Meyer, 3804 East Mercer Way, stating that Herzal/Ner Tamid is a church not a recreational center and Dale Showalter, 3702 East Mercer Way, who expressed his concerns on how many people will use the facilities and how often, what means of control are there when uses are abused and the possible use of the waterfront for water-related activities.

David Clancy of the Planning Commission reviewed the Commission's reasons for denying the application including the technical points of the definition of a non-commercial recreational organization and granting a conditional use permit on top of a conditional use permit.

Mr. Chapin addressed the Council suggesting that the conditions for approval be changed to allow activity only during daylight hours and that the C.U.P. might be issued for accessory church uses rather than for a non-commercial recreational area.

The public hearing was closed at 9:40 p.m.

The Council discussed the Planning Commission decision, the various uses of the property and the criteria for granting a conditional use permit.

It was moved by Councilman Bland, seconded by Councilman Lewis, to approve the conditional use permit as submitted and overturn the decision of the Planning Commission.

It was moved by Councilman Horn, seconded by Councilman Lewis, that approval be subject to the following conditions:

1. activity in the recreational tract be limited to daylight hours or the hours 7 a.m. to 10 p.m. whichever is the lesser
2. the dilapidated existing dock be removed
3. a bond be secured in the amount needed to install the proposed improvements in addition to possible reconstruction of the existing fence and removal of the existing dilapidated dock
4. that a revised landscape plan be submitted for Design Commission approval.

The meeting was recessed at 10:17 p.m. and reconvened at 10:27 p.m.

The City Attorney explained the options open to the Council and the differences between conditional use permits granted for non-commercial

recreational areas and church related uses.

It was moved by Councilman Horn, seconded by Councilman Rasmussen, to table the motions on the floor to permit the applicant to apply for a conditional use permit for the whole property of the Herzal/Ner Tamid congregation.

The question was called for,

Motion passed. Voice vote: 4-1. (Councilman Bland voted no and Councilman Stewart abstained.)

REGULAR BUSINESS

AB 812 King County Park Bond

The City Manager explained that AB 812 needs no action at this time and has been returned to the staff and the Park Advisory Board.

AB 813 Councilmanic Bond Ordinance

It was moved by Councilman Rasmussen, seconded by Councilman Bland, to sell \$3 million in Councilmanic Bonds all at once.

The Council discussed the advantages and disadvantages of selling \$3 Million in Councilmanic Bonds as opposed to selling \$2.5 million now and \$500,000 at a later date.

The question was called for,

Motion failed. Voice vote: 5-1. (Councilman Rasmussen voted in favor.)

It was moved by Councilman Horn, seconded by Councilman Lewis, to adopt Resolution 780 as presented.

The question was called for,

Motion passed. Voice vote: 6-0.

It was moved by Councilman Horn, seconded by Councilman Stewart, to adopt Ordinance 483 as presented.

The question was called for,

Motion passed. Voice vote: 6-0.

It was moved by Councilman Rasmussen, seconded by Councilman Bland, that the City Manager have drawn up the appropriate ordinances and resolutions to sell an additional \$500,000 in bonds to make a total sale of \$3 million.

The question was called for,

Motion failed. Voice vote: 5-1. (Councilman Rasmussen voted in favor.)