



# City of Arlington Council Agenda Bill

Item:  
WS #5  
Attachment  
E-2

<b>COUNCIL MEETING DATE:</b>	
April 22, 2019	
<b>SUBJECT:</b>	
Grandview North Rezone Request PLN#509 – 2019 Docket Item	
<b>ATTACHMENTS:</b>	
Staff Report and Recommendation, Planning Commission Findings of Fact, Public Testimony, Ordinance	
<b>DEPARTMENT OF ORIGIN</b>	
Community & Economic Development; Marc Hayes, Director (360) 403-3457	
<b>EXPENDITURES REQUESTED:</b>	-0-
<b>BUDGET CATEGORY:</b>	-0-
<b>BUDGETED AMOUNT:</b>	-0-
<b>LEGAL REVIEW:</b>	
<b>DESCRIPTION:</b>	
The Grandview North Rezone is requesting to rezone a .99-acre parcel from Residential Low Medium Density (RLMD) to Neighborhood Commercial (NC) and utilize the Mixed Use Overlay for a future proposed project.	
<b>HISTORY:</b>	
<p>Applicant is requesting this rezone to accommodate an expansion of the Mixed Use project that he is building on the abutting 1.76 acres he owns to the east of the subject parcel, which is already zoned Neighborhood Commercial.</p> <p>A Public Hearing was held April 16, 2019 at Planning Commission. Public testimony was taken and three people spoke in opposition of the request (see attached summary of testimony).</p>	
<b>ALTERNATIVES:</b>	
Remand back to staff.	
<b>RECOMMENDED MOTION:</b>	
Workshop; discussion only. At the May 6, 2019 council meeting, the recommended motion will be, "I move to deny the Grandview North Rezone request, and maintain the zoning as Residential Low Moderate Density."	

# Community & Economic Development

PLANNING COMMISSION



Bruce Angell, Chair

238 N. Olympic Avenue

360-403-3551

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**Regarding:** PLN #509  
Grandview North Rezone

**Summary:**

The Planning Commission held a Workshop on March 5, 2019, and an open Public Hearing on April 16, 2019 regarding the above subject and transmits the following findings and recommendation to the City Council:

**Findings:**

1. This rezone request of the subject property from Residential Low to Moderate Density Zone to a Neighborhood Commercial Zone with a mixed use overlay meets the requirements for inclusion on the 2019 Comprehensive Plan Docket per AMC 20.96.
2. Based on the submittal, this rezone will contribute to a variety of housing types and densities, locating them near commercial and employment centers. In addition, it will contribute to an adequate employment land base and retail sales base, provide for commercial uses within a neighborhood outside of the downtown area, and will allow for a range of commercial uses and mixed use development per the Neighborhood Commercial designation and Mixed Use Overlay.
3. Three people spoke in opposition to the proposed rezone. There was considerable support for the those speaking in opposition.

**Conclusion and Recommendation:**

Based on the foregoing findings and testimony received at the hearing, the Planning Commission hereby recommends on a 2 to 1 vote that the City Council disapprove the proposed rezone (PLN#524).

Respectfully submitted through the Department of Community and Economic Development to the City Council This Seventeenth day of April 2019 by

A handwritten signature in black ink that reads "Bruce Angell".

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*Bruce Angell*  
Arlington City Planning Commission Chair



# Community and Economic Development Planning Division

18204 59<sup>th</sup> Avenue NE, Arlington, WA 98223

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## Planning Commission STAFF REPORT & RECOMMENDATION

**To:** Planning Commission

**From:**

\_\_\_\_\_  
Josh Grandlienard, Planner II

**Date:** February 21, 2019

**Regarding:** Grandview North PLN #509

### **A. INTRODUCTION**

The Applicant is proposing to rezone a property at 6810 211<sup>th</sup> Pl NE from a Residential Low to Moderate Density zoning to a Neighborhood Commercial zone for a 0.99 acre lot. This request if granted would be an amendment to the City of Arlington Comprehensive Plan Land Use Map and the City's Official Zoning Map would need to be amended. The Plan is submitted under the 2019 Comprehensive Update docket cycle.

### **B. GENERAL INFORMATION**

**Applicant:** Grandview North LLC

**Project Description:** 2019 Comprehensive Plan Amendment – Property Rezone

**Requested Action:** Make a recommendation of approval to the Arlington City Council

**Exhibits:** Grandview North Application and Narrative

**C. DETAILED PROJECT INFORMATION**

The applicant is requesting the rezoning of a 0.99 acre Lot from Residential Low to Moderate Density to Neighborhood Commercial with a mixed use overlay. Approval by the City Council is required for all rezone applications. If the request is granted, the City's Comprehensive Plan Land Use Map and the City's Official Zoning Map would need to be amended.

**D. REGULATORY REQUIREMENTS**

1. SEPA COMPLIANCE:

The amendment of a comprehensive plan amendment is subject to provisions of the State Environmental Policy Act (SEPA) and Chapter 20.98 of the Arlington Municipal Code (AMC).

2. PUBLIC NOTIFICATION/INVOLVEMENT

- a. Presentations and/or updates to the Planning Commission will occur on March 5, 2019, March 19, 2019 and April 16, 2019.
- b. Two Public Hearings will be held at Planning Commission, located at Arlington City Chambers on the following dates, March 19, 2019 and April 16, 2019.
- c. The City will present information and advertise the Public Hearings regarding the Planning Docket in the Everett Herald, and via area wide mailing.
- d. A Notice of Public Hearing for the May 6, 2019 Planning Commission meeting will be posted at the Arlington and Smokey Point Post Offices, The Arlington Library and City Hall. The Notice was also published in the Everett Herald.

3. WASHINGTON STATE DEPARTMENT OF COMMERCE NOTIFICATION

The York Rezone, along with the additional docket items will be submitted to the Washington State Department of Commerce (DOC), and the DOC will notify the City that if it is in procedural compliance with RCW 36.70A.106.

**E. BACKGROUND INFORMATION**

Staff has reviewed the draft findings during review of the project and finds that the applicant has met the intent of all applicable requirements and standards. The plan supplements the Comprehensive Plan, through planning goals PH-1.1, PH-2.1, PH-2.3, PL-7.1, PL-7.2, PL-7.3, PE-1.3, PE-1.4, PE-1.12, and PL-1.7. This means that based on the submittal that the rezone will contribute to a variety of housing types and densities, locate it near commercial and employment centers, promotes mixed use development, contributes to an adequate employment land base and retail sales base, provides for commercial uses within a neighborhood outside of the downtown area, and will allow for a range of commercial uses and mixed use development per the General Commercial designation.

**F. ANALYSIS**

Staff recommends that the Planning Commission recommend for approval and adoption, the rezoning of tax parcel 31051100304400 from Residential Low to Moderate Density zoning to Neighborhood Commercial by City Council.

**G. FINDINGS AND CONCLUSIONS**

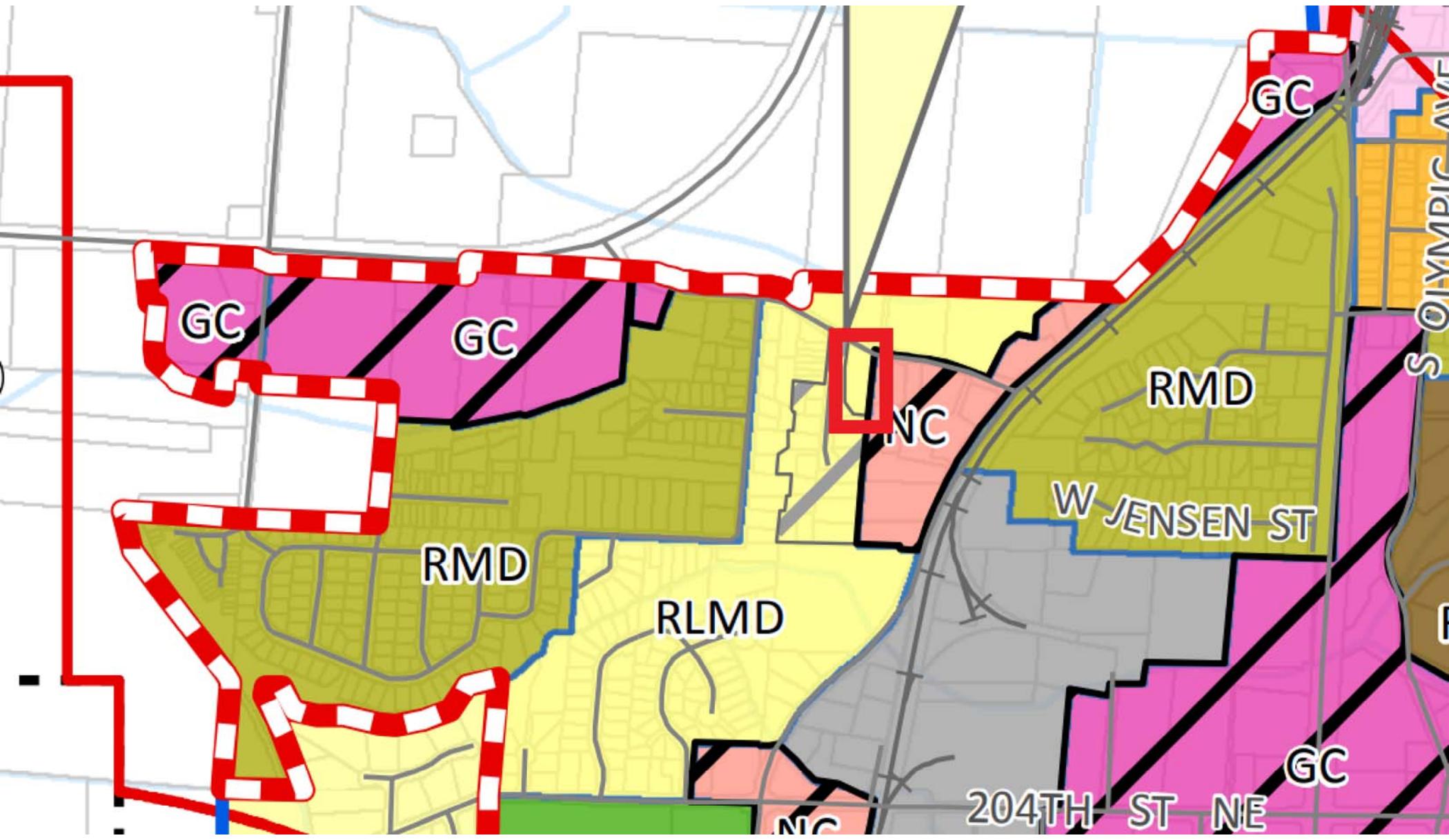
1. Public meetings will be held on March 5, 2019, March 19, 2019, and April 16, 2019.
2. The Planning Docket and associated staff reports will be submitted to the DOC in accordance with RCW 36.70A.106 and the submittal will meet all DOC's procedural requirements.
3. On March 5, 2019, the Planning Commission will review a draft of the City of Arlington 2019 Comprehensive Plan Docket at their workshop meeting.
4. On February 19, 2019 a Notice of Public Hearing for the March 19, 2019 Planning Commission public hearing was posted at Arlington City Hall, Arlington Post Office, Smokey Point Post Office and the Arlington Public Library.
5. On March 29, 2019 a Notice of Public Hearing for the April 16, 2019 Planning Commission public hearing will be posted at Arlington City Hall, Arlington Post Office, Smokey Point Post Office and the Arlington Public Library.
6. The application for PLN#509 has been reviewed for consistency with the Arlington Comprehensive Plan and for internal consistency and the 2019 Comprehensive Plan amendments are consistent with, and internally consistent with, the Arlington Comprehensive Plan.
7. PLN#509 has been reviewed in accordance with, and is consistent with, the Snohomish County Countywide Planning Policies.
8. The proposed Comprehensive Plan Amendments were prepared in accordance with the Washington State Enabling Legislation (RCW 35A.63) and the Growth Management Act.
9. Documentation supporting the findings of fact is located in the file PLN#509, which is adopted by reference into this approval.
10. Adoption of the proposed Comprehensive Plan Amendments, PLN#509, furthers the public health, safety and general welfare.

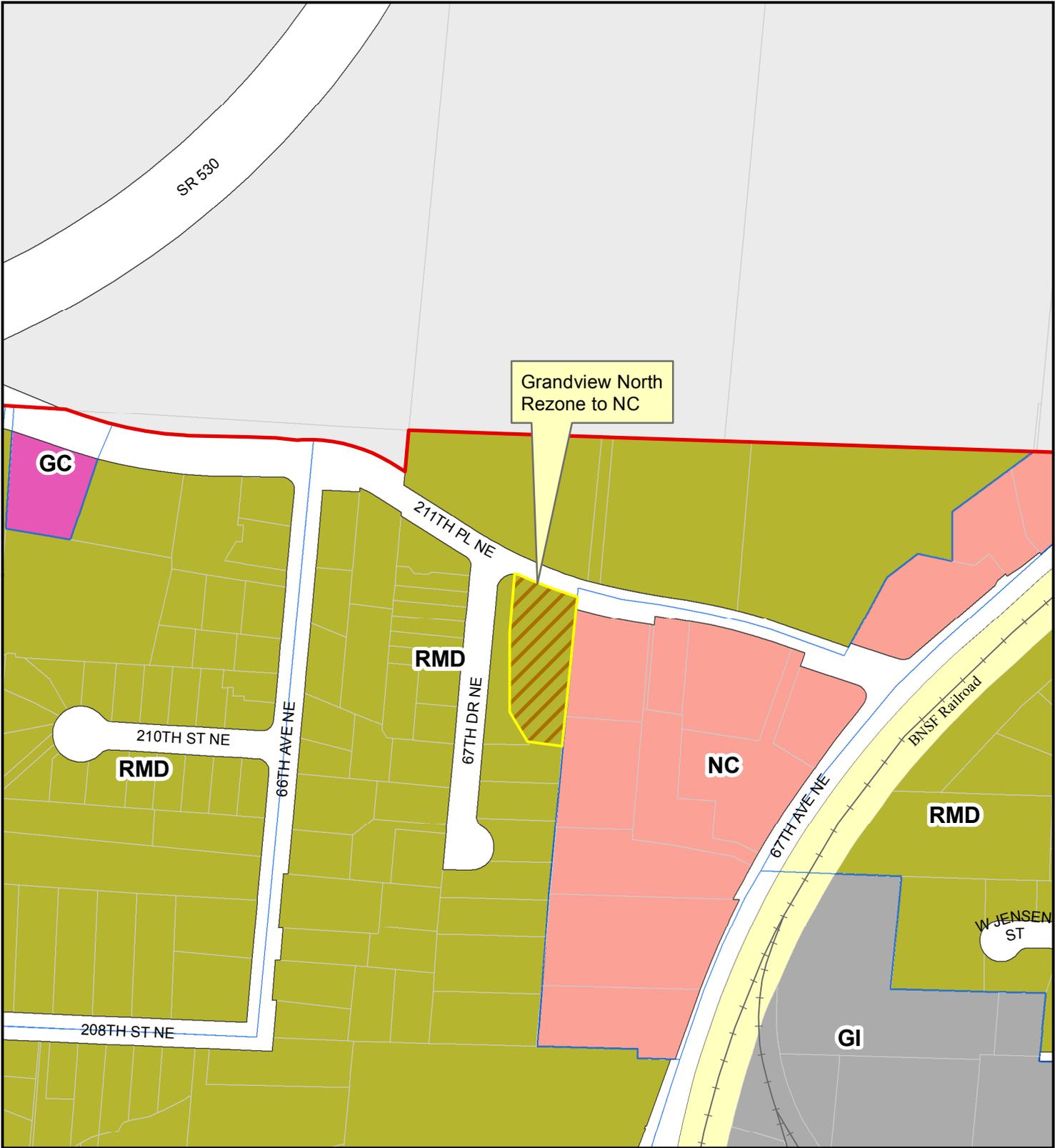
#### **H. RECOMMENDATION**

Staff recommends that the Arlington Planning Commission make a recommendation to the Arlington City Council to adopt the Grandview North Rezone, 2019 Comprehensive Plan Amendment, PLN#509.

The land affected by the change in zoning is a 0.99 acre parcel of land zoned low to moderate density residential, that lies between the Pioneer Meadows contract rezone and neighborhood commercial zoning with a horizontal mixed use overlay. Because of the location of the property (fronting on 211<sup>th</sup> PI NE) the neighborhood commercial zoning with the horizontal mixed use overlay would best fit the use of the property.

The proposed map change would be to extend the NC zone with the horizontal mixed use overlay west to cover this parcel.





Grandview North  
Rezone to NC

<b>Legend</b>		<b>Existing Zoning</b>	
	Rezone to RHD		RMD = Moderate Density Residential
	City Limits		NC = Neighborhood Commercial
	Public Right of Way		GC = General Commercial
	Assessor Parcels		GI = General Industrial

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*City of Arlington*

## Grandview North LLC

Scale: 1 inch = 292 feet	File: GrandviewNorth8.5x11_19
Date: 4/12/2019	Cartographer: kdh

**April 16, 2019**  
**Planning Commission Public Hearing**  
**Summary of Testimony**

AVS Communities Rezone – PLN#524

1. Ruth Gonzales – 6823 211<sup>th</sup> Place NE
  - Rezoning this property to General Commercial is in keeping with the Comprehensive Plan
  - This is an appropriate location to rezone for multi-family adjacent to already commercial areas and very little single family is located near this with very little impact on existing single family.
  - Rezoning to General Commercial with the overlay is in keeping with the Comprehensive Plan and general zoning rules
2. Neil Knutson – 18825 42<sup>nd</sup> Drive NE
  - Likes the 9 acre site to be utilized as a mixed use development
  - Is in favor of the rezone
  - Location is excellent
  - Likes this plan and is interested to see how it builds out
  - Would like to see it go forward and expedited
  - What is proposed couldn't be any better than what is trying to be done to it

Grandview North Rezone – PLN#509

1. Michelle Lilgreen – 20913 67<sup>th</sup> Drive NE
  - Is in opposition of the rezone
  - Bought house in 2014 excited to move out of the city to a new to them home within a beautiful residential neighborhood
  - Main point of purchasing their home was to sit in backyard and look at blue sky with barn in background
  - When they bought their home they knew a vacant lot backed their property but heard it would potentially become storage units
  - Never would have guessed the beautiful barn and farm house would be torn down and three story high apartments with businesses on the first floor would be built on the vacant land that backs their home
  - Her family doesn't want this nor does the neighborhood
  - Doesn't blend with neighborhood identity or character of existing homes
  - Apartments and businesses are going to create more traffic and roads can't handle it
  - Already 5000 trips occurring daily on 211<sup>th</sup> as quoted in Cathy Devoir's letter attached to the Agenda

- Drivers speed down the road after exiting HWY 530 and don't drop down to the 25 MPH speed limit which makes it challenging for them to pull out of their neighborhood onto 211th
  - Concern of cars parking up and down the street of Pioneer Meadows to access the apartments and businesses
  - Their children play outside and ride bikes and they don't want their safety jeopardized
  - 211<sup>th</sup> is a dangerous road for pedestrians and adding apartments and businesses will increase pedestrian traffic
  - Concerned that the curb is the only thing to stop vehicles from pedestrian traffic heading towards Centennial Trail along 211<sup>th</sup>
  - Pedestrian don't fit in the path provided along 211<sup>th</sup>, path is not safe and hasn't seen any progress to address this
  - Wants healthy growth for the community but also wants to preserve the quality of life for all residence surrounding this property
  - Hoping vacant land behind her house would be a low key storage area
  - There are already similar businesses down town that they can access
  - Revenue shouldn't be more important than existing residence here in Arlington
  - Doesn't want three story apartments peering into her backyard
2. Debbie Dugger – 20919 67<sup>th</sup> Drive NE
- Opposes this proposition
  - Didn't like the postcards and would like the address on the cards instead of just a PLN#
  - Has a petition going with 36 people signed in opposition to the rezone
  - Wants neighborhood to stay as neighborhood and not be commercialized with huge apartments looking into backyards
  - Understands that Grandview built the duplexes on her road and that they fit in and would like to see that for this property
3. Ruth Gonzales – 6823 211<sup>th</sup> Place NE
- Property that is to be rezoned used to be a dairy farm
  - By doing this rezone taking property and portioning off a small bump out of what is a continuously portion of single family homes and those single family homes used to be part of the farm
  - Dividing line was set in 1995 to keep that property as a buffer as residential and turned the corner into Neighborhood Commercial
  - If the small piece is changed then the buffer is lost
  - Proposal dwarfs single family homes
  - Proposed structure is not in keeping with the neighborhood
  - Goals that are listed in the proposal are listed as supporting but can also be used to not support

- Overall impact on surrounding properties – neighbors think it's a negative impact
- General impact to existing transportation network – street is already undersized for traffic and has no drainage
- Would like the Public Hearing extended so people can submit written testimony

### Complete Streets – PLN#513

1. Dwan Kinney – 70231 172<sup>nd</sup> Street NE
  - Sounds like a wonderful utopia plan but if we're going to have complete streets it doesn't seem to follow with the aggressive rezoning and high density zoning

### York Rezone – PLN#515

1. Ruth Gonzales – 3823 211<sup>th</sup> Place NE
  - Surprised taken out of public park space
  - Was on planning Commission when City proposed to purchase the property and the main reason to purchase was for it to be a park
  - Doesn't remember how it was funded and hopes it wasn't funded through some sort of grant process because if it was and now taking that property out of a park status there may be some sort of repercussions
  - Appears to be a spot rezone as a small ½ acre property within a residential medium density zone with all single family homes
  - Feels can take same numbers of Comprehensive Plan Guidelines and use them in reverse
  - It doesn't blend in with adjacent surroundings and is mainly adjacent to single family homes
  - No option to expand high density unless take down existing single family homes and sees it as highly unlikely
  - Request that the rezone be denied and if City is able to sale the property it should be for single family homes

We are property owners on 211<sup>th</sup> Place NE and we are responding to PLN #509 Grandview rezone request.

Instead of forcing an already established moderate-density neighborhood to accept a high-density mixed-use structure, the question that should be asked is: "What will fit in with the existing neighborhood?"

Having the proper amount of lighting is essential for a business parking lot, but to the average homeowner it would seem invasive. Not providing enough designated parking for all the apartment units as well as for the businesses could cause customers and tenants to use the adjacent streets and private driveways. Noise from regular commercial deliveries, whether during the day or overnight, will negatively impact the surrounding properties. These are things that people in this neighborhood are not used to, and will not get used to.

The curve of the road significantly reduces visibility, or in certain situations, completely blocks the view of oncoming cars, making it especially risky for people to turn onto 211<sup>th</sup> from connecting side roads. The added vehicle traffic from people living in the apartments, as well as the untold number of people using the businesses every day, is concerning. Local traffic studies have recorded nearly 5,000 trips per day on 211<sup>th</sup>. Because of the constant stream of traffic in both directions and the poor visibility, it is typical for us to spend 5-10 minutes waiting until it is safe to pull out of our driveway.

Of the nearly 5,000 daily trips on 211<sup>th</sup>, a large number of those vehicles are exceeding the 25 MPH speed limit, and 15% of those are driving 10 miles or more over the limit. Coming from highway 530 where it is 55 MPH, many people refuse to slow down to 25 MPH. If people who use this road everyday cannot follow the rules, why would new residents or patrons of the businesses be any different?

All along 211<sup>th</sup>, there are people of all ages walking, jogging, and riding bikes. The only thing separating these people from a speeding 2-ton vehicle, is a single row of curbing. On either side of the proposed rezone are 2 school bus stops, where kids must cross both lanes of traffic in order to get home. These kids deserve to be safe, let's not make the existing problem worse by adding more cars on this road from this proposed project.

Similar businesses to the ones being proposed (restaurants, convenience stores, coffee stands, etc.) already exist along 67<sup>th</sup> Ave, and people are content with walking down 211<sup>th</sup> to get to them. No one is asking that these businesses be moved closer. What people are asking for is separation between their neighborhood and businesses. If one mixed use building is allowed into this neighborhood, then it opens the door for many more to come in. One by one, houses will be replaced with businesses, and the long-time residents, people who have lived in their homes for decades, will be driven out. No one in this neighborhood planned on living next to a commercial business.

Regardless of promises that are made: such as architectural changes, having a strict tenant screening process, or possible road improvements, the neighborhood has no guarantee that any of those things will happen. There is no assurance that the current owner will keep up their same standards or that in the future, the property will not be sold to someone else who has lower standards.

We are not opposed to all growth, just as long as it matches the rest of the neighborhood. In the last 12 years, 2 single family homes in addition to 3 duplexes have been built nearby and these structures blend in with the character of the existing homes. A multi-family unit with commercial space does not blend in. That's why the lot in question needs to remain residential. This is the only solution that allows the owner to develop the property and make a profit while also preserving the quality of life for all residents. If the builder cared about Arlington and the people living in this neighborhood, they would do what is right and build single-family homes on the property as well as the empty lot next door. Just because it is zoned neighborhood/commercial, doesn't mean that a commercial building must be put there.

This kind of thing would be typical in Seattle or Everett, where they are growing haphazardly, but not in Arlington, where we value our history and small-town charm. These changes do not fit in with the neighborhood. No one expected this, no one asked for this, no one welcomes this change.

# Petition Opposing Grandview North Rezone PLN #509

4-14-19

We, the undersigned residents, do hereby protest the rezoning of property 6810 211th PI NE Arlington, WA 98223 from a Residential Low to Moderate Density zoning to a Neighborhood Commercial zone. We are residents of real property located within the area which rezoning is sought. We respectfully ask for no zoning change on this parcel not because we are anti-growth but because we are enthusiastic, supporters of smart, planned urban development. We have insufficient road infrastructure, we have similar businesses to the ones being proposed as we are within walking distance to downtown Arlington, and a multi-family unit with commercial space does not blend in with this neighborhood. The quality of life of our current residents is important and we should not be punished in our neighborhoods surrounding this zoning change.

Name	Address	Signature
Michelle Lilgreen	20913 67th Dr NE Arlington, WA 98223	Michelle Lilgreen
Mark Lilgreen	20913 67th Dr NE Arlington, WA 98223	Mark Lilgreen
Nelva Dugger	20919-67th Dr NE Arlington WA 98223	Nelva Dugger
Frank Dugger	20919-67th Drive Arlington WA 98223	Frank Dugger
Ruth Gonzales	6823-211th Place NE Arlington WA 98223	Ruth Gonzales
FRANK GONZALES	6823-211th PL NE ARLINGTON WA 98223	Frank Gonzales
Frank Gonzales III	6823 211th PL NE Arlington, WA 98223	Frank Gonzales III
Sarah Gonzales	6823 211th PL NE Arlington WA	Sarah Gonzales
Harvey M Peables	20910 67th DR NE ARLINGTON WA 98223	Harvey M Peables
Karen E Peables	20910 67th DR NE Arlington WA 98223	Karen Peables
JL R Leib	21004 67th Drive NE #B Arlington, WA 98223-8277	JL R Leib

Name	Address	Signatures
Mance Orr	20104 67th Dr NE Arlington WA 98223	425-345-0673
Elizabeth Orr	20904 67th Dr NE Arlington WA 98223	425-377-6126
Kenix Mills	20905 67th Dr NE Arlington WA 98223	425-989-3037
Sam Nasser	21010 67th Dr NE Unit B Arlington WA	360-631-3573
Chris Linder	21016 67th Dr NE Unit B Arlington WA 98223	Chris Linder
Carl Box	21026 67th Dr NE Arlington WA 98223	Carl Box
Anitra Suchan	6022 211th Pl NE Arlington	425-418-7190
Venu Charyal	6905 211th Pl NE	360-525-7200
Jennifer Bjornson	20803 67th Dr NE Arl	Jennifer Bjornson
Ereg Connors	20803 67th Dr NE Arl.	Ereg Connors
Dawyer Rangel	20904 67th Dr NE	Dawyer Rangel
Shawn Angel	20906 67th Dr NE	Shawn Angel
Woodrow Orr	20904 67th Dr NE	425-232-7485
Gary Staines	20916 67th Dr NE	Gary Staines
Margaret Games	20916 67th Dr NE	Margaret Games
Alexis Lamore	20928 67th Dr NE	Alexis Lamore
Heather Lacey	20928 67th Dr NE	Heather Lacey
Jordan Lamore	20928 67th Dr NE	Jordan Lamore
Jude Johnstone	21016 67th Dr NE #A	Jude Johnstone
Dustin Linder	21016 67th Dr NE #B	Dustin Linder
Daniel Dwyer	20919 67th Dr NE	Daniel Dwyer
Stephanie Mills	21003 66th Ave	Stephanie Mills
Cathy Devoir	6712-211th Pl NE	Cathy Devoir
Katelyn Devoir	6712 211th Pl NE	Katelyn R. Devoir
Denise Neamo	21125 66th Ave NE	Denise Neamo

ORDINANCE NO. 2019--XXX

AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON, APPROVING THE GRANDVIEW NORTH PROPERTY ARLINGTON LAND USE MAP AMENDMENT AND CONCURRENT REZONE (PLN #509)

WHEREAS, the City of Arlington has the authority to regulate land uses within the City, and is in the process of its periodic annual review and update of the Comprehensive Plan; and

WHEREAS, included in the review of the Comprehensive Plan was a series of proposed amendments to the City of Arlington Comprehensive Plan and Zoning Map; and

WHEREAS, the City Planning Commission considered the proposed Grandview North Property Land Use Map amendment and Concurrent Rezone (PLN #509) and conducted an open record public hearing on April 16, 2019 and recommended approval to the City Council; and

WHEREAS, the City Council considered the same at a workshop held on April 22, 2019, and considered them along with the Planning Commission recommendations, at their regular meeting conducted on May 6, 2019; and the City Council having determined approving said amendment was in the best interest of the City; and

WHEREAS, the City Council has considered the proposed Grandview North property comprehensive plan amendment and concurrent rezone and finds it to be consistent with city and state law and in the best interests of the citizens;

NOW, THEREFORE, the City Council of the City of Arlington do hereby ordain as follows:

Section 1. Findings. The City Council adopts the following findings as required by AMC Chapter 20.96:

- a. The subject property is suitable for development in general conformance with adjacent land use and the surrounding development pattern, and with zoning standards under the potential zoning classifications.
- b. The proposed amendment is consistent with the goals, objectives, and policies of the comprehensive plan;
- c. The proposed amendment is consistent with the scope and purpose of the city's zoning ordinances and the description and purpose of the zone classification applied for;
- d. Circumstances have changed substantially since the establishment of the current zoning map or district to warrant the proposed amendment;
- e. The proposed zoning is consistent and compatible with the uses and zoning of surrounding property;
- f. The property that is the subject of the amendment is suited for the uses allowed in the proposed zoning classification; and

- g. Adequate public services can be made available to serve the full range of proposed uses in that zone.

Section 2. The City Council approves the Grandview North Property Arlington Land Use Map Amendment and Concurrent Rezone (PLN #509). The comprehensive plan designation and Land Use Map for the Property identified on Exhibit "A" shall be modified from Residential Low to Moderate Density zoning to a Neighborhood Commercial, and the City's official zoning map shall be amended to reflect this change as depicted on the attached Exhibit "B".

Section 3. Severability. If any provision, section, or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. Effective Date. The title of this Ordinance, which summarizes the contents of this ordinance, shall be published in the official newspaper of the City. The Ordinance shall take effect and be in full force five (5) days after the date of publication.

PASSED BY the City Council and APPROVED by the Mayor this 6<sup>th</sup> day of May, 2019.

CITY OF ARLINGTON

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Barbara Tolbert, Mayor

Attest:

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Erin Keator, City Clerk

Approved as to form:

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Steven J. Peiffle  
City Attorney