

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Extended Study Session

January 28, 2008
6:00 p.m.

Council Conference Room
Bellevue, Washington

PRESENT: Mayor Degginger, Deputy Mayor Balducci, and Councilmembers Chelminiak, Davidson, Lee, and Noble

ABSENT: None.

1. Executive Session

The meeting was called to order at 6:06 p.m., with Mayor Degginger presiding.

2. Oral Communications

- (a) Leslie Lloyd, Bellevue Downtown Association, noted her letter to the Council regarding the Transit Now proposal for a downtown Bellevue circulator service. The BDA encourages the Council to consider other alternatives, as outlined in the letter. Ms. Lloyd said that perhaps the most feasible option is a free ride bus zone. She noted that service enhancements to be implemented on February 9 go about halfway toward achieving the goal of the proposed circulator system. These service modifications will connect the downtown Transit Center with the Overlake Hospital Medical Center campus and with the Main Street district. Ms. Lloyd encouraged the Council to review additional alternatives as presented in the BDA's letter.
- (b) Carrie Courter Blanton, Honda Auto Center of Bellevue, urged the Council to adopt the recommendation of the Planning Commission for the proposed Courter Enterprises Comprehensive Plan Amendment (CPA). She explained that Honda Auto Center wants to be able to continue with automotive-related activities. A planning analysis by Robert Thorpe and Associates demonstrates that the CPA proposal complies with the applicable policies and guidelines. The City's planning staff recommends approval, without qualification, as well. Ms. Blanton noted there has been no public opposition to the CPA proposal.
- (c) James S. Fitzgerald, legal counsel to the Courter family, distributed a letter summarizing their position with respect to the Comprehensive Plan Amendment (CPA) proposal.

- (d) Gary Dickerman, Chair of Bellevue Parks Department's Network on Aging, described their advocacy of transportation and mobility needs for older adults and vulnerable populations (e.g., disabled, youth, low-income households). He noted the need for transit service to hospital and medical services on 116th Avenue NE.
- (e) Jerome Burns, Common Ground, explained that they have contracted with the St. Andrew's Housing Group to assist in the development of the St. Margaret's affordable housing project. Common Ground is a nonprofit organization established in 1980 that provides real estate development services and technical assistance to housing organizations, and planning and program assistance to governments and housing authorities. Mr. Burns encouraged Council approval of the St. Margaret's Church Comprehensive Plan Amendment (CPA) proposal. He asked the City to consider the adoption of policies requiring affordable housing, especially in areas such as the Bel-Red Corridor which will be undergoing redevelopment.
- (f) Hal Ferris, Planning Commissioner, noted he is speaking for himself and not as a representative of the Commission tonight. Commenting on the Wilburton/NE 8th Street retail village CPA, Mr. Ferris said the Commission was interested in the retail village concept. However, there was a concern that the only public benefit reflected in the CPA proposal was the extension of NE 4th Street. He suggested that more items providing a public benefit should be considered as part of the proposal. Mr. Ferris expressed concern that the Downtown Mobility CPA focuses on automobile mobility and does not address transit, pedestrian, and bicycle mobility. Regarding the Utilities Element CPA involving electrical facilities, Mr. Ferris encouraged a move toward locating substations needed to support downtown electrical needs in the downtown instead of in surrounding neighborhoods.

Responding to Councilmember Davidson, Mr. Ferris clarified that he chose to speak tonight to provide additional details on the Commission's discussions that were not fully reflected in the Planning Commission meeting minutes.

3. Study Session

(a) Council Business and New Initiatives

(1) Process for Filling Vacant Council Seat

City Clerk Myrna Basich referred to her memo on page 3-1 of the meeting packet and explained that the City Council has 90 days under state law to fill the vacancy on the Council. If an appointment is not made within 90 days, appointment authority moves to the King County Council. Neither state law nor Council rules direct a process for selecting the Councilmember, and therefore the Council may determine the process to be used. Options include appointing a former Councilmember, appointing a citizen, and seeking applications from interested citizens.

The Council is allowed to call an Executive Session to evaluate candidates' qualifications. However, due to the recent case of Miller vs. Tacoma, City Attorney Lori Riordan suggests that any actions the Council takes to narrow the field of candidates after reviewing them in Executive Session, as well as the vote on the appointment, should be conducted in public.

Mayor Degginger noted the remaining two years of the Council vacancy and suggested that citizens be invited to apply for the position.

Councilmember Davidson spoke in favor of restricting the selection process to former Councilmembers, as they are likely to be the most familiar with Council and City practices and issues.

Deputy Mayor Balducci would like to consider both former Councilmembers and citizens. She expressed a preference for filling the vacancy with someone who could bring a different perspective and who would have an interest in pursuing continued service on the Council during the next election.

Councilmember Noble suggested inviting applications and then deciding about how to proceed with selection.

Councilmember Chelminiak feels the Council is looking for someone who understands the City and how it operates. He acknowledged the value of new and different perspectives as well as the value of appointing a person who understands and supports the direction in which the City is going. He wants an open selection process, and he would like the Council to have the opportunity to interview 3 to 6 applicants.

Councilmember Lee supports an open process that allows all citizens to apply.

Mayor Degginger summarized the Council's interest in a selection process open to all applicants. In addition to requesting information on an applicant's professional background and community involvement, the Council identified two questions to be answered in writing by the applicants: 1) Why would you like to serve on the City Council? and 2) What do you believe are the top two issues facing the City during the next two years?

Councilmember Chelminiak suggested that the answers to the questions be limited to 350 words. Deputy Mayor Balducci suggested modifying question #2 above to also ask the applicant how they would go about addressing the top two issues. Councilmember Noble suggested specifying desired qualifications (e.g., prior community involvement) of applicants.

Responding to Mr. Chelminiak, Ms. Basich said candidates are required to be registered voters with one year of residency in the city.

Mayor Degginger directed staff to advertise the Council vacancy through local newspapers and the City's web site, and to set an application deadline of 5:00 p.m. on Monday, February 4.

(b) Bellevue-Redmond RapidRide Planning Process and Downtown Bellevue Circulator Partnership Proposal

Bernard van de Kamp, Transportation Regional Projects Manager, recalled a discussion with the Council in September to seek direction about what to submit to King County for a financial partnership for a downtown Bellevue circulator service. February 2008 service changes and the Bellevue-Redmond RapidRide program were discussed as well. A proposal for the downtown circulator was submitted to King County on October 1.

Victor Obeso, King County Metro Service Planning, explained that RapidRide is a bus rapid transit concept that Metro is pursuing for five arterial corridors in King County, one of which is between Bellevue and Redmond via NE 8th Street and 148th/156th Avenues. The consultant team has been working to design prototype shelters and stations, develop a distinct look and feel for the coaches, and with the public, identify the preferred route. City of Bellevue planning staff are working on the interjurisdictional team. The system will use 60-foot hybrid diesel/electric vehicles. The process will first focus on establishing the route corridor and the general locations of stations and stops in order to create a framework for the capital development to occur along the corridor. Phase 2 in 2009 will involve more detailed local service planning.

Public outreach activities include a mailing to 23,000 homes and businesses along the corridor, six hosted events including open houses at Bellevue City Hall and the Bellevue Transit Center, and a questionnaire requesting input on the general alignment and station locations by February 1. Staff plans to take a proposal to the King County Council early this summer. King County Metro has applied for federal funding. The project has been placed on a funding eligible list but the exact amount of the grant is not yet known. Metro, Bellevue, and Redmond staff are jointly conducting a speed and reliability corridor analysis. Mr. Obeso briefly reviewed the proposed route traveling on NE 8th Street from the Bellevue Transit Center to 156th Avenue, then north on 156th Avenue (and possibly a segment on 148th Avenue), and connecting to the Redmond Transit Center.

Responding to Councilmember Noble, Mr. Obeso confirmed that the project is part of the Transit Now Service Partnership.

Mr. Noble is strongly in favor of routing the RapidRide system through the Overlake Transit Center/Park and Ride Lot.

Councilmember Chelminiak suggested consideration of extending the system to circulate through downtown Bellevue as a free ride zone.

Responding to Councilmember Davidson, Mr. Obeso said bus pullout lanes allow buses to become trapped by passing traffic. Mr. Obeso noted the objective of moving people as opposed to vehicles.

Deputy Mayor Balducci suggested that the Council would like to review public input from residents and businesses along the route before it takes a position on the alignment and stops. Mr.

Obeso said Metro can provide this information. Ms. Balducci supports routing the service through the Overlake Transit Center. She questioned whether the project could be accelerated with the anticipated federal funding.

Responding to Councilmember Lee, Mr. Obeso said bus frequency is 10 minutes during busier hours and 15 minutes during the evening and possibly mid-afternoon.

Mayor Degginger requested additional information regarding the potential federal funding to support the RapidRide service.

Mr. Degginger noted plans for a specific design or branding for the RapidRide buses. He questioned why Metro is resisting a similar approach to the downtown Bellevue circulator. Mr. Obeso said the circulator will only use three to four vehicles. This presents operational and cost issues in terms of maintaining and separating such a small number of vehicles. However, Mr. Obeso said there could be other alternatives to consider.

Responding to Councilmember Lee, Mr. Obeso said Metro cannot currently hire a contractor to provide fixed transit services instead of Metro.

Councilmember Chelminiak commended King County Metro for developing the RapidRide transit program to provide much needed services.

Responding to the Council, Mr. Obeso said some level of federal funding is assumed for the project. He noted that the additional funding will enable the vehicles to have special amenities such as wi-fi coverage. Implementation of Bel-Red corridor service is targeted for 2011.

Mr. Obeso moved on to describe the downtown circulator project, which is part of the Transit Now Service Partnership program. The program encourages partnerships between jurisdictions and private businesses that can leverage Metro's resources. Last spring the King County Council established criteria for evaluating proposals, and 23 partnership proposals have been received. For 15 of the proposals, Metro would provide two-thirds of the funding. The remaining eight proposals address speed and reliability on specific corridors. For example, the RapidRide corridor is designated as a higher priority than other corridors. The Transit Now ordinance prioritizes financial proposals over speed and reliability proposals, however.

Bellevue and Redmond have applied for a speed and reliability partnership for the RapidRide program. For cases in which improvements increase travel speed within a corridor by 10 percent or more, Metro will add 5,000 annual hours of service for those jurisdictions on an ongoing basis. Proposals are under review and recommendations will be forwarded to the King County Council in February or March. Metro plans to sign contracts with partners by the end of the year.

Mr. Obeso reviewed the financial partnership criteria, which include service to urban and manufacturing centers, improved core service connections, and partner commitments for a minimum of five years of service. The criteria for speed and reliability partnerships include

capital improvements or changes to traffic operations along a RapidRide corridor or other eligible core service connection corridor and projects that improve transit speed by 10 percent or more.

Mr. Obeso reviewed the key elements of the proposed downtown circulator including frequency of service (10-minute intervals), fare collection, branding, and the implementation schedule. For fare-free operation, the City will be required to reimburse Metro for lost revenue, which could total \$100,000 annually. Mr. Obeso noted that the cost of a bus wrap design for circulator vehicles is approximately \$6,000 each. The service would operate six days a week throughout the year, with the addition of Sundays during the holiday shopping season. Adding the additional Sundays requested by the City increases the cost by approximately \$20,000. Total additional costs for branding, seasonal Sunday service, fare-free operation, and 10-minute frequencies could be as much as \$550,000 annually for the City's share. Metro would be responsible for the remaining costs totaling approximately \$800,000. Mr. Obeso indicated that implementation of the circulator service will most likely not occur before 2010.

Responding to Councilmember Davidson, Mr. van de Kamp said the City's consultant conducted an analysis last spring resulting in ridership estimates of 130,000-140,000 annually.

Responding to Mr. Chelminiak, Mr. Obeso said Metro has a longstanding agreement with the City of Seattle for its free ride zone, and Seattle provides reimbursement to Metro. He noted that collecting fares in downtown Seattle would slow down service and therefore indirectly add to Metro's costs.

Mr. Obeso responded to additional questions of clarification.

Responding to Mr. Noble, Mr. Obeso said that the Service Partnership program proposal submitted by Bellevue and Redmond represents an eligible program. However, funding is not available to fund all eligible proposals.

Deputy Mayor Balducci concurred with Councilmember Chelminiak's suggestion to consider hybrid/green vehicles for the downtown circulator. She expressed an interest in pursuing alternate funding for green vehicles, as an additional item that Bellevue could potentially provide for the partnership. Mr. Obeso said Metro would like to work closely with City staff to target a federal grant strategy and to explore a number of issues including the use of green vehicles.

Councilmember Noble expressed support for the downtown circulator service using four vehicles instead of three. He feels that unique branding for the vehicles and Sunday holiday service are both important. Councilmember Lee concurred.

Councilmember Davidson noted increased densities on the Eastside as well as Bellevue's significant contribution to transit services funding through retail sales tax collections. He feels these warrant serious consideration for providing a downtown circulator.

Deputy Mayor Balducci commended the Network on Aging's advocacy work related to transportation alternatives for special needs populations.

Mr. Chelminiak asked staff to provide to King County Metro the sales tax revenue estimates for downtown Bellevue based on known development during the next several years. Mr. Degginger noted that 2006 taxable retail sales in Bellevue totaled \$5.2 billion.

Mr. Obeso thanked the City Council for its input and stated that Metro recognizes Bellevue's significance as a transit market. He noted Metro's positive working relationship with City staff.

Responding to Mr. van de Kamp, Mayor Degginger directed staff to draft a letter to Metro from the Council summarizing Bellevue's position and suggestions.

At 8:08 p.m., Mayor Degginger declared recess. The meeting resumed at 8:17 p.m.

(c) Regional Issues

Diane Carlson, Director of Intergovernmental Relations, provided an update on the state legislative session that began today. A key issue is the design and funding proposal for SR 520. Bellevue Chamber of Commerce feels strongly that the replacement pontoons should be constructed to accommodate future expansion. Councilmember Noble will represent Bellevue's interests before the legislature on Wednesday. The Governor's funding proposal is approximately \$4 billion for six lanes (four general purpose, two HOV), with the potential for future expansion to accommodate high-capacity transit (HCT). Ms. Carlson indicated that the Council may wish to suggest modifications to the legislation to expand the tolling report that has been completed.

Transportation Director Goran Sparrman described the proposed bridge design, which includes pontoons large enough and properly engineered to accommodate future expansion. Constructing the replacement bridge with the larger pontoons now instead of later will save approximately \$150 million in construction costs. Mr. Sparrman spoke to Bellevue's interest in having future HCT routed into the downtown.

Deputy Mayor Balducci expressed support for constructing larger pontoons for the bridge in the near term to accommodate later expansion. She cautioned against under building the new bridge, as has been done with transportation infrastructure in the past.

Councilmember Chelminiak concurred and encouraged support of Redmond's position in favor of planning for future expansion of the bridge.

Mayor Degginger supports legislative language encouraging larger pontoons to accommodate future expansion. However, he cautioned that future transportation uses will be subject to topographical, political, and financial challenges as well as changes in technology.

Councilmember Noble feels it is important to facilitate continued mobility across the SR 520 bridge, regardless of what mode of transit might be used in the future.

Ms. Carlson continued her state legislative briefing and highlighted bills concerning a state tolling policy and a change in governance for the Regional Transportation Investment District and Sound Transit.

Deputy Mayor Balducci encouraged coordinated regional transit services among all applicable agencies.

Councilmember Chelminiak questioned whether a new governance structure related to both roads and transit services as proposed by SB 6772/6771 will be effective, especially since the Washington State Department of Transportation (WSDOT) will continue to be the operator of transportation infrastructure. He feels that the charge and purpose of the proposed governing body is not clearly defined.

Ms. Carlson responded to brief questions of clarification.

Responding to Councilmember Lee, Ms. Carlson said two bills to be presented this week deal with the Port of Seattle's property tax authority. A total of approximately 28 bills address Port issues.

Alison Bennett requested Council feedback on the draft Federal Legislative Agenda and noted that the agenda will be finalized in February. She requested Council approval to submit four proposed appropriations requests: 1) West Lake Sammamish Parkway Enhancements, \$3 million; 2) Traffic Computer System Upgrade, \$1 million; 3) Green Downtown Circulator, \$1.2 million; and 4) Wrap-Around Services Project, \$350,000. During the last session, the City received \$1.7 million for the NORCOM 911 Center and \$487,000 for the Bellevue Arts Museum.

Following Council discussion to prioritize the requests, Mayor Degginger noted Council consensus to support the West Lake Sammamish Parkway project as a top priority, followed by the Wrap-Around Services Project and the Green Circulator transit service. Council chose to not pursue funding at this time for the traffic computer system upgrade.

Ms. Bennett asked Councilmembers to let staff know if they would like to travel to Washington, D.C., during the 2008 legislative session.

- (d) 2007 Comprehensive Plan Package including Wilburton Subarea and Utilities Element [*Previously discussed with Council on January 22, 2008.*]

Planning Director Dan Stroh recalled previous discussion with the Council on January 22 regarding the 2007 Comprehensive Plan Amendment (CPA) package. He noted the summary descriptions of the CPAs and the Planning Commission's recommendations on page 3-49 of the meeting packet. On January 22, the Planning Commission presented its recommendations for approval of all seven CPAs.

The St. Margaret's Church CPA proposes a map change from single family-high (SF-H) to multifamily-high (MF-H) for 3.86 acres adjacent to the church at 4228 Factoria Boulevard SE.

The Planning Commission recommended approval by a vote of 5-0, with Commissioner Orrico absent and Chair Robertson recusing herself from the vote.

Responding to Councilmember Lee, Mr. Stroh said Ms. Robertson is a member of the St. Margaret's congregation.

Mayor Degginger noted Council support for the St. Margaret's Church CPA proposal.

Mr. Stroh described the Courter Enterprises (Honda Auto Center) proposal to add a policy supporting retail auto sales in the OLB (Office Limited Business) district located at about 133rd Avenue SE, east of the Newport Corporate Campus in the Factoria area. The Planning Commission recommends approval by a vote of 4-2, with Chair Robertson and Commissioner Ferris dissenting, and Commissioner Orrico absent. Staff supports the proposed amendment as well.

Paul Inghram, Comprehensive Planning Manager, said Commissioners were somewhat concerned whether the proposed amendment was consistent with the overall vision for the Eastgate corridor. OLB designations typically indicate local services, while auto sales businesses are considered a regional service. He explained that the Commission's initial vote was split 3-3.

Deputy Mayor Balducci said she is not concerned about the amendment's application to the Honda Auto Center site, as it is a longstanding business serving the community. However, she would prefer a comprehensive review of the Eastgate corridor land uses before making the amendment. She is concerned that the amendment will bring in more auto retail sales and preclude opportunities for community businesses.

Mr. Stroh acknowledged Ms. Balducci's concerns and explained that staff supports the proposal because it recognizes an existing, longstanding use. Mr. Stroh said staff is eager to move forward with a review of the Eastgate corridor once land use planning for the Bel-Red corridor is less demanding, which should be later this year.

Staff responded to additional brief questions of clarification.

Mayor Degginger noted general consensus to move forward with approval of the CPA proposal.

Mr. Stroh explained that the SRO Factoria CPA application proposes a new subarea policy that will allow office development up to 0.75 FAR (floor-area ratio) in the Office and OLB designated areas north of Factoria Mall. This would also require an amendment to the Glossary definition of Office, which specifies the development intensity associated with the designation. The Planning Commission recommends approval by a vote of 4-1, with Commissioner Sheffels dissenting and Commissioners Ferris and Lai absent.

Mr. Stroh recalled two key issues with this proposal: 1) Whether the change in tenancy and loss of the movie theatre met the definition of a significantly changed condition, and 2) The definition of Office intensity. The City has a longstanding policy to concentrate higher intensity office

development in the downtown, with rare exceptions including those associated with the 1993 annexation of the Factoria area. An exception is also being considered as part of the current Bel-Red planning project.

Mr. Stroh reviewed the trip generation summary comparing the cinema and office uses. The number of trips is similar for the two uses with more outbound trips, however, from office uses during the evening peak period.

Mr. Stroh described the difficulty in determining what constitutes a significantly changed condition, which is one of the CPA review decision criteria. The Land Use Code states that such a change should reflect a magnitude that needs to be addressed in order for the Comprehensive Plan to function as an integrated whole. Staff's analysis of this issue is on page 3-151 and 3-152 of the meeting packet. Staff concluded that the change in tenancy is not sufficient to justify a significantly changed condition.

Responding to Councilmember Davidson, Mr. Stroh summarized Mr. Schooler's letter and oral comments to the Council requesting the CPA. SRO Factoria wishes to convert the 44,000 square foot movie theatre to a 120,000 square foot office building. Mr. Schooler states that circumstances on the property have changed, and the request is consistent with the City's increased permitted uses and density at Factoria Mall. At the time of the annexation of this area in 1993, the applicant told the City that a 40-year lease on the theatre was adequate to suggest only a 95,000 square foot building, which was later constructed. At the time, the County had no FAR or height limit.

Responding to Mayor Degginger, Mr. Stroh explained that at the time of annexation, the City granted a number of exemptions to its development regulations for the Factoria area in order to be more consistent with the County's regulations.

Councilmember Chelminiak expressed support for the SRO Factoria CPA proposal, noting that leaving the current limitations in place could potentially damage redevelopment in the area.

→ At 9:55 p.m., Deputy Mayor Balducci moved to extend the meeting to 10:30 p.m. Mr. Chelminiak seconded the motion.

→ The motion to extend the meeting carried by a vote of 6-0.

Responding to Ms. Balducci, Mr. Stroh said the only land use that is subject to FAR regulations is Office. Potential uses for the site under current regulations include a gas station (as an administrative conditional use), child day care, business services, educational facilities, and recreation activities. These uses are subject to dimensional standards, but not to the FAR limitation. In further response, Mr. Stroh said if the CPA proposal is rejected, the applicant would be required to wait three years before resubmitting it. However, the Council can initiate its own proposal for the site at any time.

Responding to Councilmember Lee, Mr. Stroh said staff determined that changes affecting the land use district in which Factoria Mall is located do not represent a significantly changed condition. Staff feels a more thorough review of the Factoria and Eastgate areas is warranted.

Councilmember Noble indicated he will support the Planning Commission's recommendation for approval of the SRO Factoria CPA. He agreed with Mr. Chelminiak, however, that a change in tenancy alone does not represent a changed condition as defined in the CPA decision criteria.

Mayor Degginger noted the difficulty in considering this proposal, particularly given potential traffic impacts and staff's recommendation for denial of the CPA. Responding to Mr. Degginger, Mr. Stroh acknowledged that the site functions as a gateway to Bellevue and the Factoria area, and it provides opportunities for creating pedestrian amenities and desired development.

Mr. Inghram noted that the Planning Commission's recommendation for approval encourages granting the higher FAR through a combination of incentives and design review elements.

Deputy Mayor Balducci described her continued concern regarding the criteria for a significantly changed condition. She would like more information on this issue. She expressed concern as well about the potential for unintended consequences resulting from the CPA.

Mayor Degginger noted that discussion on this issue will continue as there is no clear Council consensus.

At 10:15 p.m., Mayor Degginger declared the meeting adjourned.

Myrna L. Basich
City Clerk

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