

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

April 2, 2007
8:00 p.m.

Council Chamber
Bellevue, Washington

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

ABSENT: None.

1. Call to Order

The meeting was called to order at 8:09 p.m., with Mayor Degginger presiding.

2. Roll Call, Flag Salute

Upon roll call by the Deputy City Clerk, all Councilmembers were present. Councilmember Lee led the flag salute.

- (a) Proclaiming Week of April 9 as National Community Development Week

[Proclamation in meeting packet regarding National Community Development Week beginning April 9.]

- (b) Proclaiming April 21 as Earth/Arbor Day and Presentation of Tree City USA Award

Mayor Degginger read a proclamation declaring April 21 as Earth Day/Arbor Day in Bellevue and encouraged citizens to participate in community-wide celebrations and enhancement projects.

Bob Schafer, Bellevue Park Ranger, invited Councilmembers and citizens to join the City in celebrating Earth Day on Saturday, April 21. Ben Thompson, Washington State Department of Natural Resources, presented a 2007 Tree City USA award and Tree City Growth Award recognizing Bellevue's efforts in preserving the urban forest.

3. Communications: Written and Oral

- a) Anna Littlewood expressed concern regarding negative environmental impacts resulting from increased development and redevelopment in the community.
- b) Kathy Gwilym also expressed concern regarding redevelopment in the community and its environmental impacts including the loss of vegetation
- c) Debra Linsky, a Surrey Downs resident, described concerns regarding the possible alignment of Sound Transit's light rail through Bellevue and the homes at risk of being condemned.
- d) Lansing Ross, Surrey Downs, expressed his concern regarding the neighborhood impacts of routing light rail through Bellevue.
- e) Susan Woerdehoff, Surrey Downs, expressed concern regarding the possible alignment of Sound Transit light rail adjacent to her neighborhood.
- f) Scott Robertson, St. Margaret's Episcopal Church (Factoria area), discussed the request in Council's desk packet for an emergency Comprehensive Plan Amendment. He asked Council to consider this request when City staff bring forward proposals for the 2007 CPA work plan later this year. The CPA proposes rezoning of the church property, currently zoned R-5 (five units per acre), to Community Business (CB), with a specific focus on the church's intent to develop affordable housing on its surplus property.
- g) Christine Demura, St. Margaret's Episcopal Church, requested Council support of the emergency CPA described by Mr. Robertson.
- h) Robert Thorpe thanked Mayor Degginger for being the opening speaker at the Planning Law Conference. He encouraged Council support of Ordinance No. 5730 [Agenda Item 11(a)] regarding the proposed Comprehensive Plan Amendment to the Wilburton Subarea Plan map.
- i) Andrea Eastman, a Northtowne resident, expressed concern regarding coyotes that have attacked small family pets. She was referred by the City to King County Animal Control, who then suggested residents hire a professional trapper. Residents are concerned about the potential for attacks on humans, particularly children, as well. She asked Council to consider a program to address this problem.
- j) Margaret Stoffel said two of her cats have disappeared, and a neighbor reported seeing one of the cats being attacked by two coyotes. She noted the coyotes are getting bolder, and there are many children in the neighborhood.
- k) Captain Bill Hebner, Washington State Department of Fish and Wildlife (Mill Creek office), described the adaptability of coyotes. He will work with Bellevue residents and City staff to address the problem.

- l) Earl Muren encouraged Council approval of Ordinance No. 5731 representing a Comprehensive Plan Amendment of the Southeast Bellevue Subarea Plan map.
 - m) Cathy Vlastic, a Wilburton resident, noted her initial concerns about traffic, safety, aesthetics, and the type of people who would move into the area based on the proposed Wilburton/NE 8th Street Subarea Plan map amendment [Ordinance No. 5730]. However, she is pleased with the businesses that are being attracted to the area and feels development is occurring in a responsible manner.
 - n) Renay Bennett thanked residents of Bellecrest, Surrey Downs, and Enatai who came to the meeting tonight in support of a proposed Comprehensive Plan amendment for 2007.
 - o) The owner of two office buildings in the Wilburton area expressed support for the proposed CPA affecting the Wilburton/NE 8th Street Subarea Plan map. He feels the rezone proposal will be an asset for the neighborhood.
4. Reports of Community Councils, Boards and Commissions: None.
 5. Report of the City Manager

(a) Management Brief – Gateway Project Development Funds

Planning and Community Development Director Matt Terry referenced page 5-1 of the meeting packet for a management brief regarding gateway project development funds. He described a request from residents in Newport Hills about whether the City has the ability to invest in improvements to enhance the appearance of entrances to the Newport Hills neighborhood. Mr. Terry said gateway funds have been used in Lake Hills and downtown. If Council chooses to commit funds for a Newport Hills project, staff will work with residents to develop a scope of work and return to Council with a specific project and budget.

Mayor Degginger noted Council consensus for staff to proceed with developing a proposed project.

(b) Great Streets Element of Downtown Mobility Program [Study Session Agenda Item 2(c)]

Kris Liljeblad, Assistant Director of Transportation, provided a presentation about the Great Streets element of the Downtown Mobility Program. He recalled discussion with Council in October, at which time Council directed staff to add an arts component. An item on tonight's Consent Calendar [Agenda Item 8(h)] requests authorization to execute a professional services agreement with Mithun Architects, Designers, Planners to refine the scope of work for early implementation of the downtown plan and the integration of an arts element. Transportation Planning, Community Development, and Parks are involved in the project. The goal is to create downtown streets that are more pedestrian friendly and aesthetically pleasing.

Mr. Liljeblad reviewed the initial five corridors to be affected through the program. A more specific design plan will address the remaining downtown streets. Streets not currently identified for the program include NE 6th and a portion of NE 2nd Street. Streets not included either have more specific design guidelines in place or are under development.

Mr. Liljeblad described the Great Streets program's relationship to the following projects: 1) Freeway interface at I-405 (including NE 10th Street and NE 12th Street connections to downtown), 2) Future consideration for a HOV improvement project on NE 6th Street, and 3) NE 2nd Street overcrossing and I-405 ramps [Not currently scheduled.]. A project to add northbound and southbound lanes to I-90 is scheduled to start construction in July. More traffic is expected in the future with the extension of NE 10th Street, which was originally intended as a freeway connection. Improvements to NE 12th Street are focused on future enhanced non-motorized access.

Proposed arterial projects include the one-way couplet on 106th and 108th Avenues NE, widening of NE 8th and NE 2nd Streets, and the extension of NE 10th Street. Mithun is involved in project design work for 2nd Street, which provides the opportunity to coordinate directly with the contractor.

Mr. Liljeblad noted potential Sound Transit East Link (light rail) concepts for downtown. He reviewed pedestrian and bicycle elements, both existing and those planned for the future. A computer-generated 3-D model of the NE 6th Street corridor (Pedestrian Corridor) has been developed as part of the Great Streets program. A connection to 116th Avenue NE has been considered for parking and possible people mover options serving downtown.

A study is currently underway for a Downtown Circulator system, with plans to present a proposal for possible service implementation with King County Metro through the Transit Now initiative. The initial concept identifies a rectangular alignment within the downtown. The study process is involving downtown stakeholders, who have expressed an interest in serving the medical campus on 116th Avenue NE as well as Old Bellevue.

Mr. Liljeblad said it is anticipated the project will be completed by the end of the year, which will allow staff to pursue incremental implementation and coordinate with overlapping projects. The objective is to provide proactive guidance to ensure that future development enhances livability and pedestrian amenities in an increasingly urban environment.

Responding to Dr. Davidson, Transportation Director Goran Sparrman clarified that the 106th/108th Avenues NE project is under analysis. A report will be provided to the Council as more information is available.

Councilmember Lee expressed support for the Great Streets program. However, he encouraged a more expansive vision in considering mobility in the downtown and reducing surface traffic. He feels the City should consider providing sky bridges and tunnels instead of leaving it up to developers.

Mayor Degginger concurs with the importance of enhancing pedestrian connections, especially with the continued increase of retail activity.

6. Council Business

Responding to Mayor Degginger, Council agreed to forego reporting on Council Business.

7. Approval of the Agenda

➤ Deputy Mayor Chelminiak moved to approve the agenda, and Mr. Lee seconded the motion.

➤ The motion to approve the agenda carried by a vote of 7-0.

8. Consent Calendar

➤ Deputy Mayor Chelminiak moved to approve the Consent Calendar, and Noble seconded the motion.

➤ The motion to approve the Consent Calendar carried by a vote of 7-0, and the following items were approved:

- (a) Minutes of March 30 – April 1, 2006 Council Retreat
Minutes of February 1 – 3, 2007 Council Retreat
Minutes of February 26, 2007 Extended Study Session
- (b) Motion to approve payment of claims for the period March 17 through March 30, 2007 and payroll for the period March 1 through March 15, 2007.
- (c) Resolution No. 7537 authorizing execution of an amendment to the contract with Gravity Square, Inc., for outsourced network services and addition of database support services.
- (d) Resolution No. 7538 authorizing approval of the first amendment to the City of Bellevue Section 457 Deferred Compensation Plan (Bellevue 457 Plan) to permit the City Manager to appoint a 457 Plan Committee that is not the same as the Municipal Employees Benefit Trust (MEBT) Committee.
- (e) Resolution No. 7539 authorizing the granting of a permanent easement to Puget Sound Energy on a portion of 41.5-acre Tract A for installation, operation, and maintenance of a natural gas main, and signing of a memorandum of understanding with PSE for the restoration of the affected area related to the construction of the new gas main and decommission of an existing gas main.
- (f) Resolution No. 7540 authorizing execution of an Interlocal Agreement to continue participating in the Regional Automated Information Network (RAIN)

with 26 other law enforcement agencies in the Puget Sound region.

- (g) Motion to award Bid No. 0708 to Merlino Brothers, LLC, in the amount of \$203,031.50, as lowest responsible bidder, to install a five-foot wide sidewalk on the south side of SE 60th Street (114th Place SE to 116th Avenue SE). [CIP Plan No. NEP-1 and PW-W/B-56 and D-65.]
- (h) Resolution No. 7531 authorizing execution of a professional services agreement with Mithun Architects, Designers, Planners in an amount not to exceed \$155,925 for the Great Streets Conceptual Design Plans project. [CIP Plan Nos. PW-R-147 and CD-19, Early Implementation of Downtown Plan; and CD-11, Public Art Program.]
- (i) Resolution No. 7541 authorizing execution of a professional services agreement for Kelsey Creek (121st Avenue SE to NE 8th Street) stream modifications preliminary design and permits with Anchor Environmental LLC, in the amount of \$250,000. [CIP Plan Nos. D-81 and D-86]
- (j) Resolution No. 7542 authorizing execution of a professional services agreement for the Storm Drain Dig and Repair 2007 project, with KCM, Inc., dba Tetra Tech/KCM, in the amount of \$370,000 for engineering services. [CIP Plan No. D-64]

9. Public Hearings: None.

10. Land Use

- (a) *Ordinance No. 5728 approving the rezone application of the 2R Development Group LLC (commonly known as the Rozenblat Townhomes) to rezone a 1.15 acre site located at 1453 156th Avenue NE to remove an affordable housing condition imposed with a previous rezone from R 3.5 to R-20 in 1992 and imposing a new requirement for addressing affordable housing. The site is located in the Crossroads Subarea. File No. 06-102865 LD.

[Council discussed this quasi-judicial matter on March 19, 2007. This is a Process III application, in which the Hearing Examiner provides a written recommendation to Council, which is the decision-making body. Should Council deny the application, their decision would be appealable to Superior Court. The Hearing Examiner recommends Council approval.]

Ken Thiem, Sr. Land Use Planner, noted previous Council discussion of Ordinance No. 5728 during the March 19 Study Session and offered to respond to questions.

- ☛ Deputy Mayor Chelminiak moved to adopt Ordinance No. 5728, and Mr. Lee seconded the motion.

- The motion to adopt Ordinance No. 5728 carried by a vote of 7-0.

11. Other Ordinances, Resolutions and Motions

(a) 2006 Comprehensive Plan Amendments

Land Use Director Dan Stroh explained that staff is requesting Council action on the 2006 Comprehensive Plan Amendment package. The CPA proposals were discussed with Council on February 5 and February 26. Mr. Stroh briefly reviewed the CPAs reflected in Ordinance Nos. 5729, 5730, 5731, 5732, 5733, and 5734.

Ordinance No. 5729 relating to the Comprehensive Plan of the City of Bellevue, as required and adopted pursuant to the Growth Management Act of 1990, as amended (Chapter 36.70A RCW); adopting 2006 amendments to the Comprehensive Plan amending the Crossroads Subarea Plan and East Bellevue Transportation Plan (Crossroads Center Plan CPA);

- Deputy Mayor Chelminiak moved to adopt Ordinance No. 5729, and Councilmember Marshall seconded the motion.

- The motion to adopt Ordinance No. 5729 carried by a vote of 7-0.

Ordinance No. 5730 relating to the Comprehensive Plan of the City of Bellevue, as required and adopted pursuant to the Growth Management Act of 1990, as amended (Chapter 36.70A RCW); adopting 2006 amendments to the Comprehensive Plan amending the Wilburton/NE 8th Street Subarea Plan map (Wilburton-Gateway CPA).

- Deputy Mayor Chelminiak moved to adopt Ordinance No. 5730, and Mr. Lee seconded the motion.

- The motion to adopt Ordinance No. 5730 carried by a vote of 7-0.

Ordinance No. 5731 relating to the Comprehensive Plan of the City of Bellevue, as required and adopted pursuant to the Growth Management Act of 1990, as amended (Chapter 36.70A RCW); adopting 2006 amendments to the Comprehensive Plan amending the Southeast Bellevue Subarea Plan map (Hancock-Muren CPA).

- Deputy Mayor Chelminiak moved to adopt Ordinance No. 5731, and Councilmember Balducci seconded the motion.

- The motion to adopt Ordinance No. 5731 carried by a vote of 7-0.

Ordinance No. 5732 relating to the Comprehensive Plan of the City of Bellevue, as required and adopted pursuant to the Growth Management Act of 1990, as

amended (Chapter 36.70A RCW); adopting 2006 amendments to the Comprehensive Plan amending the Southwest Bellevue Subarea Plan map (Bellewood Apartments CPA).

- Deputy Mayor Chelminiak moved to adopt Ordinance No. 5732, and Councilmember Noble seconded the motion.

- The motion to adopt Ordinance No. 5732 carried by a vote of 7-0.

Ordinance No. 5733 relating to the Comprehensive Plan of the City of Bellevue, as required and adopted pursuant to the Growth Management Act of 1990, as amended (Chapter 36.70A RCW); adopting 2006 amendments to the Comprehensive Plan amending the Richards Valley Subarea Plan map (Public Storage CPA).

- Deputy Mayor Chelminiak moved to deny Ordinance No. 5733 relating to the proposed amendment to the Richards Valley Subarea Map, and Ms. Balducci seconded the motion.

Responding to Councilmember Davidson, Mr. Stroh said the Planning Commission's recommendation against approval of Ordinance No. 5733 related to the appropriateness of the light industrial (LI) district next to Mercer Slough.

In further response to Dr. Davidson, Comprehensive Planning Manager Paul Inghram said the Public Storage business is currently a legal non-conforming use in the O-LB (Office-Limited Business) zone. However, staff spoke with the applicant about how the non-conforming provisions of the Land Use Code could allow the use to continue and to remodel in the way they would like. Since the application was originally submitted, Shurgard acquired the business and has not shown the same level of interest in redevelopment.

- The motion to deny Ordinance No. 5733 carried by a vote of 7-0.

Ordinance No. 5734 relating to the Comprehensive Plan of the City of Bellevue, as required and adopted pursuant to the Growth Management Act of 1990, as amended (Chapter 36.70A RCW); and as adopted pursuant to Chapter 35A.63 RCW, adopting the City's 2006 amendments to the Comprehensive Plan as separately set forth in Ordinance Nos. 5729, 5730, 5731, and 5732.

- Deputy Mayor Chelminiak moved to adopt Ordinance No. 5734, and Councilmember Lee seconded the motion.

- The motion to adopt Ordinance No. 5734 carried by a vote of 7-0.

12. Unfinished Business: None.

13. Continued Oral Communications

Councilmember Noble noted the request in Council's desk packet and from speakers during Oral Communications regarding a Comprehensive Plan Amendment proposal submitted by St. Margaret's Episcopal Church. He is willing to engage in Council discussion of the request.

Councilmember Lee said he supports the request in general. He questioned the timeline and staff's recommendation for the church's request.

City Manager Steve Sarkozy said staff can review the submittal and provide a memo for Council regarding the potential options.

14. New Business: None.

15. Executive Session: None.

16. Adjournment

At 9:27 p.m., Mayor Degginger declared the meeting adjourned.

Myrna L. Basich
City Clerk

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