

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Study Session

March 19, 2007
6:00 p.m.

Council Conference Room
Bellevue, Washington

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

ABSENT: Councilmember Marshall

1. Executive Session

Deputy Mayor Chelminiak called the meeting to order at 6:00 p.m. and announced recess to Executive Session for approximately 10 minutes to discuss one matter of potential litigation.

The Study Session resumed at 6:11 p.m. with Mayor Degginger presiding.

2. Study Session

(a) Relocation of Newport Heights Elementary School to 119th Avenue SE

City Manager Steve Sarkozy introduced discussion regarding the relocation of the Newport Heights Elementary School. He noted recent communications from residents to the Council expressing concern about a proposed left-turn lane into the school.

City Attorney Lori Riordan explained that Bellevue School District filed an application for an administrative Conditional Use Permit (CUP), which is designated under the Land Use Code as a Process II review. The Director of Planning and Community Development makes a decision regarding the application, and appeals are made to the City's Hearing Examiner. An appeal beyond that point goes to King County Superior Court. This type of application does not involve any decision by the City Council, and the Council has no role in directing the administrative decision. Comments on the application should be directed to the PCD Director.

Responding to Mayor Degginger, Ms. Riordan said comments made at last week's Council meeting must be submitted in writing to the PCD Director in order to be considered and to preserve the right to appeal.

Land Use Director Carol Helland provided a brief overview of the project. Lake Heights Elementary School is located on 119th Avenue SE, and Newport Heights is currently located on 56th Street. Bellevue School District plans to move Newport Heights Elementary School to the Lake Heights location. The District held two meetings in August and November 2006, and both were well attended. Concerns about traffic were a major issue. The City held its mandatory public meeting in December, followed by a meeting in February regarding the transportation issues. This is the sixth elementary school to be reconstructed as part of the District's capital improvement campaign.

Jack McLeod, Bellevue School District, said this project involves using the Lake Heights site, a surplus site leased in part by the YMCA, to do a partial demolition and rebuild of Newport Heights Elementary on the site. Sherwood Forest Elementary is also under construction. The District is not eligible for state matching dollars on the Lake Heights project because it has used its maximum square footage allocation from the state apportionment fund.

Laurie Gromala, Assistant Director of Transportation, reviewed a map of the area around the proposed project. A traffic study completed for the site raised concerns about intersections and driveways near the school along 119th Avenue SE. The staff/parent driveway was a major concern during the traffic study as the intersection of the driveway and roadway drops to a level of service (LOS) F during the morning peak period. During this time, there are 76 left turns into this driveway and 746 through cars heading north on 119th Avenue SE. Conflicting with this are 117 right-turn vehicles entering the same driveway and 191 through vehicles.

Even with the addition of the proposed left-turn lane, there will be congestion at the school drop-off site during the morning peak. There is an exit only driveway from the staff/parent lot accessed from the neighborhood from SE 54th Place. There are concerns that parents will start using back roads around the school for access if the backups continue to be so heavy. Daily traffic volumes on 119th Avenue SE range from 7,300 to 7,900 vehicles per day.

Responding to Councilmember Lee, Ms. Helland said Newport Heights school is not currently located on a collector arterial, as is the Lake Heights site. Ms. Gromala reiterated there is an exit on SE 64th Street so parents can exit the lot into the neighborhood.

Responding to Deputy Mayor Chelminiak, Mr. McLeod said the District could move the school's start time to 9:05 a.m. However, a change in schedule can have an adverse impact on parents

Responding to Mr. Noble, Mr. McLeod said traffic congestion has increased at all schools in recent years, due to security concerns of parents and fewer students riding buses.

Councilmember Lee encouraged the City, District, and residents to continue to work together.

Councilmember Balducci questioned whether the school construction could be completed before the transportation project, to determine the need for the left-turn pocket and more accurately assess the implications.

Ms. Gromala said the school will complete frontage improvements (i.e., curb, gutter and sidewalks) along the full frontage of the school, and the left-turn pocket would be incorporated as the road is widened. It is necessary to widen the road first and then add the frontage improvements. Ms. Helland said the option of waiting to install the left-turn lane was considered but it was determined that it is necessary to install the lane at the time the school is constructed as opposed to waiting.

Mayor Degginger thanked staff and Mr. McLeod for their participation.

(b) Wilburton/NE 8th Street Corridor Study Comprehensive Plan Amendment and Land Use Code Amendments

Planning and Community Development Director Matt Terry opened discussion of the Wilburton/NE 8th Street corridor study Comprehensive Plan Amendment and Land Use Code Amendments.

Comprehensive Planning Manager Paul Inghram recalled that the Wilburton/NE 8th corridor study CPA is part of the 2006 work program. He reviewed slides of uses in the area including retail, a post office, neighborhood services, office, and hotel uses. The study objectives were to: 1) Determine opportunities for encouraging economic vitality and appropriate redevelopment, 2) Strengthen retail uses on 116th Avenue, 3) Focus on urban design and identity, and 4) Identify opportunities to improve circulation in and adjacent to this commercial district.

There have been several public outreach opportunities over the past year. An open house was held last April. Additional activities were neighborhood meetings, mailings, and individual meetings with property owners. There was support for the continued use of Auto Row, but not to restrict 116th Avenue to auto retail uses only. There is support for a mixed use retail area along 120th Avenue to provide additional neighborhood services. Residents expressed concern about building heights and the potential for cut-through traffic on NE 5th Street.

Mr. Inghram said staff and consultants conducted alternatives analyses addressing traffic modeling, views and building heights, street character (including pedestrian amenities), and urban design opportunities. The study looked at applying Community Business (CB) zoning instead of General Commercial (GC) zoning that exists in much of the study area. CB zoning would trigger design review for development that GC does not require, has more of a retail focus, allows for residential mixed-use development, allows taller building heights, and places a

100,000 gross square foot limit on retail uses. Auto sales are a conditional use in the CB district but are allowed in the GC district.

Mr. Inghram described elements of the study to look at enhancing transportation connectivity including the extension of NE 4th Street. An existing policy in the Subarea Plan prohibits the extension. However, proposed Land Use Code amendments address modifying this policy. There is the potential for aligning a Sound Transit light rail route near the area and creating a connection to the HOV interchange on I-405.

Mr. Inghram briefly reviewed the Planning Commission's recommendations based on a land use vision for this commercial part of the subarea. The vision for the west side of 120th Avenue is a retail village with pedestrian amenities and mixed uses. The east side of 116th Avenue is appropriate for a mixture of commercial, retail, and auto uses. The area adjacent to I-405 between 4th and 8th Streets would be designated as a special opportunity area.

The Planning Commission's recommendations would allow rezoning of the GC area to CB when NE 4th Street is extended to 120th Avenue. The recommendations allow phased completion of this project and support taller building heights in the area on the east side of 116th Avenue. The recommendations apply the 100,000 square foot limit on retail uses to the east side of 120th Avenue only. The Planning Commission wants the 120th Avenue/NE 8th Street intersection to be squared off, which is an existing project in the Comprehensive Plan. Streetscape improvements in the study area are recommended as well.

Planning Commission Vice Chair Jennifer Robertson said the Commission reviewed the study area over the past year, which is a transition area between the downtown and residential neighborhoods. The Commission is committed to preserving Auto Row as well as developing the area north of Home Depot as an urban village with mixed uses.

Ms. Robertson said the Commission originally voted 6-0 to approve the changes. However, KG Investments requested modifications to the Commission's recommendations which allow phasing to allow the upzoning of GC to CB with NE 4th Street as partially completed. The Commission modified the boundary of the special opportunity area and supported taller building heights west of the railroad tracks.

The modifications requested by KG Investments were approved by the Commission by a vote of 5-1, with Ms. Robertson as the dissenting vote. She disagreed with the changes primarily because the public process had been conducted addressing the previous elements and not the modifications.

Responding to Mr. Chelminiak, Ms. Robertson said any applications affecting the special opportunity area would be subject to the rezoning process. KG Investments' position on the extension of NE 4th Street was that more intense development should be permitted if they are to pay for the project.

Dr. Davidson noted the HOV corridor off NE 6th Street does not yet exist. He questioned whether there has been consideration to adding bus rapid transit through the area. Kris Liljeblad, Assistant Director of Transportation, said transit has been discussed but not a specific mode of transit.

In further response to Dr. Davidson, Mr. Inghram said the future trail using the rail corridor is a project in the Comprehensive Plan. Dr. Davidson expressed concern that the trail will detract from other transportation uses in the future.

Mr. Lee feels it makes sense to use the rail right-of-way as part of the regional transportation system and as a connection to downtown Bellevue.

Ms. Balducci thanked staff and the Planning Commission for their hard work on this project. Responding to Ms. Balducci, Mr. Terry said the traffic analysis concluded that the extension of NE 4th Street mitigates the intensity of the development contemplated for the area. Phased construction would add substantially to traffic volumes on 116th Avenue if only a portion of the roadway were completed first.

In further response to Ms. Balducci, Mr. Terry explained the special opportunity area. It was determined that it was not right to put permanent zoning in place for the area for its ultimate redevelopment. Mr. Terry described the uncertainty of potential transportation systems that could go through the area, which could be restricted if permanent zoning were established for this area. Ms. Balducci expressed concern about potential unintended consequences of establishing a special opportunity area.

Ms. Robertson said the Planning Commission wanted to retain the option for unanticipated uses in the special opportunity area, particularly when there was a possibility of the Sonics moving to Bellevue and building an arena.

Mayor Degginger feels retaining the area is appropriate in terms of the future expansion of I-405 and the potential of Sound Transit alignment through the area. Responding to Mr. Degginger, Ms. Robertson said taller building heights were considered for the area between the railroad tracks and 120th Avenue. However, the developer withdrew that request and instead proposed affordable housing incentives.

Mr. Chelminiak feels it is necessary to complete the full extension of NE 4th Street in order for it to make sense and facilitate traffic flow.

As background information, Dr. Davidson said that when the Downtown Plan was adopted, there were two special opportunity districts – one at Ashwood School (which is now the library and park site) and the other at the Meydenbauer Convention Center site. He feels these were positive outcomes from the use of special opportunity areas.

Land Use Director Dan Stroh said it is unsure whether traffic impacts could be mitigated if NE 4th Street were not extended the whole way through from 116th Avenue to 120th Avenue. He discussed the concept of a large format mixed use development and the issues of scale, diversity of uses, and neighborhood compatibility.

Councilmember Noble said he shares Vice Chair Robertson's interest in allowing public feedback on the modifications to the recommendations following KG Investments requests.

Mr. Stroh said it is possible for the Council to postpone adoption of this CPA and to declare an emergency for its adoption at another time.

Responding to Ms. Balducci, Mr. Inghram said scheduling a public hearing on the modified recommendations would require approximately a six-month timeframe.

Mr. Lee concurred with the concerns regarding greater public involvement and feedback.

Responding to Mayor Degginger, the City Clerk indicated that the topic could be fit into a Council meeting in the near future following a public hearing before the Planning Commission. Mr. Degginger noted consensus to send the issue back to the Planning Commission for an additional hearing.

- (c) Meydenbauer Bay Park and Land Use Plan Steering Committee Charge, Planning Principles, and Project Schedule

Parks and Community Services Director Patrick Foran opened discussion regarding appointment of the Meydenbauer Bay Park and Land Use Plan Steering Committee.

Senior Planner Mike Bergstrom recalled recent discussions with Council regarding the need to expedite planning for Meydenbauer Bay Park and its connection to the downtown, and the desire to appoint a steering committee to address the issue.

The steering committee's charge is to:

- Function in an advisory role to the City Council, Planning Commission, and Parks and Community Services Board.
- Provide guidance to City staff.
- Follow broad planning principles, represent the varied community interests, and solicit input from the public.

Planning Principles address the objectives of:

- A remarkable and memorable shoreline experience.
- A spectrum of activities.
- Complementary land uses.
- Increased physical and visual access and pedestrian activity.
- Economic vitality.
- Superior design.
- Environmental stewardship and reflecting the heritage and history of the area.
- Neighborhood enhancement and protection.
- Coordinated planning process and a commitment to implement the plan.

Mr. Bergstrom recalled that Council held a Public Hearing on March 5 and decided to extend the moratorium on development in the Meydenbauer Bay area to allow the City to conduct its planning process. Councilmembers urged staff to expedite the process to minimize adverse, particularly financial, impacts to property owners.

Mr. Bergstrom reviewed the project schedule. It is anticipated that the final park program plan will be completed by September, and the City will move forward to complete the initial environmental review. Land Use Code and Comprehensive Plan Amendments are scheduled for adoption in October 2007. Staff will continue to attempt to identify opportunities to shorten the land use component further. Staff started interviewing consultant teams today, and interviews will conclude tomorrow.

Mayor Degginger noted Council consensus to proceed with appointing the steering committee and following the planning principles and proposed schedule.

- ☞ Deputy Mayor Chelminiak moved to approve the following recommended appointments to the Meydenbauer Bay Park and Land Use Plan Steering Committee:

Iris Tocher (Co-Chair)
Doug Leigh (Co-Chair)
David Schooler
Stu Vander Hoek
Kevin Paulich
Rich Wagner
Bob McMillan
Marcelle Lynde
Hal Ferris
Merle Kenney
Stephanie Beighle
Betina Finley
Al Yuen

Ms. Balducci seconded the motion.

Mr. Lee suggested including someone with an objective vision of what the City can be and expressed a desire to suggest an additional member.

Mayor Degginger explained that he was asked to appoint a committee of 9-12 people and he named 13. He noted the difficulty of selecting members, particularly when so many are interested in this process. However, he feels it is important to keep the committee at a number that can work effectively with staff and move forward at the pace desired by Council.

Mr. Chelminiak concurred with Mr. Degginger and expressed support for the motion.

- The motion to approve the recommended appointments to the Meydenbauer Bay Park and Land Use Plan Steering Committee carried by a vote of 6-0.

3. Discussion

- (a) Consideration of application by 2R Development Group LLC (Rozenblat Townhouses) to rezone a 1.15-acre site to eliminate a condition for affordable housing imposed in connection with a prior rezone from R-3.5 (3.5 units per acre) to R-20 in 1992. The site is located at 1453 156th Avenue NE in the Crossroads Subarea. File No. 06-102865 LD

(Council action on this quasi-judicial matter is scheduled for April 2, 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.)

Ms. Helland described the application by 2R Development Group LLC (Rozenblat Townhouses) to rezone a 1.15-acre site at 1453 156th Avenue NE in the Crossroads Subarea. This will eliminate a condition for affordable housing imposed in connection with a prior rezone from R-3.5 (3.5 units per acre) to R-20 in 1992.

Responding to Mr. Chelminiak, Ms. Helland said the issue of access to the site is not within the scope of the rezone. The issue was addressed in relation to the design review application, and the design review was issued and not appealed.

At 7:59 p.m., Mayor Degginger declared recess to the Regular Session.

Myrna L. Basich
City Clerk

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