

CITY OF BELLEVUE  
CITY COUNCIL

Summary Minutes of Regular Session

November 5, 2001  
8:00 p.m.

Council Chambers  
Bellevue, Washington

PRESENT: Mayor Mosher, Deputy Mayor Marshall, Councilmembers Creighton, Davidson, Degginger, Lee, and Noble

ABSENT: None.

1. Call to Order

The meeting was called to order at 8:03 p.m. by Mayor Mosher, who presided.

2. Roll Call, Flag Salute

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

3. Communications: Written and Oral

- (a) Alexandra and Carolyn Goodman invited Council and the public to the upcoming production of "Oliver" at the Ivanhoe Performing Arts Center.
- (b) David Hathaway and Jake Franco, high school students, described meetings with City staff since May to develop a skate park in the Lakemont area. They thanked staff for their assistance and asked Council to give the project a high priority so it can be completed by next summer.
- (c) Fay Williamson thanked Councilmembers for their efforts to facilitate the redevelopment of Lake Hills Shopping Center and encouraged voters to reject Proposition 1 and thereby discontinue the community councils.
- (d) Lucy McCann expressed concern regarding Sammamish Community Council's opposition to rebuilding Phantom Lake Elementary School. She encouraged the public to vote to discontinue the community councils.

(e) Susan Gardner thanked Council for supporting neighborhood enhancement projects and encouraged the public to vote to discontinue the community councils. She is concerned her property values will decrease without the revitalization of Lake Hills Shopping Center. Ms. Gardner feels the community councils' lawsuits against the City are an irresponsible use of taxpayers' money and that the community councils are not representing the citizens.

4. Reports of Community Councils, Boards and Commissions: None.

5. Report of the City Manager

City Manager Steve Sarkozy noted the memorandum in the Council packet regarding the recent implementation of a new Interactive Voice Response (IVR) system to improve service delivery for inspection and permit review processes. Mike Brennan, Building Official, presented a video describing the benefits of the system. Builders will now be able to use their touch-tone phones at any time to schedule and cancel building inspections, leave messages for inspectors, and access inspection results and permit status information.

Councilmember Degginger said the IVR system was initiated August 1<sup>st</sup> and experienced 5,000 calls in September. The system represents a significant improvement in efficiency and service delivery by streamlining this process for inspectors, plans examiners, and builders.

Moving to the next item, Mr. Sarkozy recalled Richard Brackett's complaint to Council on October 22 regarding the siting of telecommunications equipment in his neighborhood. Planning and Community Development Director Matt Terry noted that staff's response has been delivered to Mr. Brackett and the Council. Mr. Terry explained that Mr. Brackett lives near a Puget Sound Energy substation and PSE owns the parcel between Mr. Brackett's property and the substation. Four applications are pending to place cellular communications equipment on the site. For the past several years, PSE has granted the Bracketts access to the parcel and permission to plant vegetation screening the substation from the Bracketts' view.

Following submittal of the four applications for cell equipment placement, PSE recently terminated the Bracketts' use of the parcel. Mr. Terry said staff members have met with Mr. Brackett and PSE representatives, but Mr. Brackett has not been satisfied with the substance of the City's response. Mr. Terry noted that cell equipment operators are now modifying their applications. Mr. Terry met with Mr. Brackett on November 1. Mr. Brackett prefers that the equipment be placed elsewhere. If that is not possible, he is interested in ensuring that adequate landscaping is provided to screen both the ground-mounted equipment and the substation from his view.

Mr. Sarkozy recalled a previous Council discussion regarding expanded display of the American flag and red, white, and blue banners throughout the community. The City will proceed with three initiatives: 1) additional displays in Downtown Park, 2) flag decals on all City vehicles, and 3) long-term projects to display the flag at major park facilities.

6. Council Business

Dr. Davidson attended an all-day workshop to discuss shared strategies for salmon recovery.

Mr. Creighton set up a meeting between the Seafair organization, Bellevue Downtown Association, Chamber of Commerce, and the City to discuss the possibility of hosting a couple of Seafair events next summer. Two events under consideration are a marathon and a bicycle race.

Mr. Noble attended a fundraising luncheon for Hopelink. He said the usage of Hopelink's food bank has increased more than 50 percent in recent months and proposed budget cuts by King County and the State will further increase the demand on local social service agencies.

Mr. Lee attended the Bellevue Convention Center Authority (BCCA) Board meeting. He reminded citizens to vote on November 6.

Mr. Degginger attended a meeting of the Growth Management Planning Council.

Deputy Mayor Marshall was pleased to report that the Federal Highway Administration approved the R8A alternative for I-90, which will add HOV lanes to the outside lanes of the bridge. A total of three alternatives will be evaluated in the Environmental Impact Statement (EIS) review.

Mayor Mosher attended the ground-breaking ceremony for the Bellevue Transit Center expansion, an Association of Washington Cities (AWC) regional meeting, and the Cascadia Mayors meeting. He spoke to welcome the International Toastmasters meeting in Bellevue as well.

7. Approval of the Agenda

➡ Mrs. Marshall 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

➡ Mrs. Marshall moved to approve the Consent Calendar, and Mr. Creighton 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 October 8, 2001 Extended Study Session
- Minutes of October 15, 2001 Study Session
- Minutes of October 15, 2001 Regular Session

- (b) Resolution No. 6614 authorizing execution of Section 457 Umbrella Plan for Deferred Compensation Plans.
- (c) Ordinance No. 5326 adopting the recommended uses for 2002 Community Development Block Grant (CDBG) funds as transmitted by the Human Services Commission; authorizing and directing submittal of a proposal to and acceptance of a grant award contract with the U.S. Department of Housing and Urban Development; creating a new project series within the Operating Grants and Donations Fund; amending the budget for the Operating Grants and Donations Fund by appropriating additional revenues to that Fund; and authorizing the City Manager to enter into contracts with grant subrecipients.
- (d) Ordinance No. 5327 amending Ordinance No. 5216 in order to correct the legal description contained in Ordinance No. 5216 that annexed Brackett to the City of Bellevue.
- (e) Resolution No. 6615 authorizing execution of an agreement with King County Department of Transportation for Commute Trip Reduction (CTR) implementation services.
- (f) Resolution No. 6616 authorizing execution of an interlocal agreement with the City of Redmond and King County Metro Transit to provide vanpool incentives that are part of the Bel-Red/Overlake Transportation Study Update Trip Reduction pilot program. (CIP Plan No. PW-R-87)
- (g) Resolution No. 6617 authorizing execution of a professional services agreement with Entranco, Inc. for engineering services for the Regional Detention Facilities Retrofit program in the amount of \$250,000. (CIP Plan No. D-92)

9. Public Hearings

- (a) Pre-Annexation Zoning for the Tax Lots
  - (1) Motion to open the public hearing to consider amending the existing R-1 pre-annexation zoning to R-1.8 (single family residential, 1.8 units per acre) for unincorporated land known as the Tax Lots in Bellevue's Potential Annexation Area (PAA), property reference address in the area of 6907 169<sup>th</sup> Avenue SE.  
*(The City Council accepted a Notice of Intent to Annex the Tax Lots on October 2, 2000. A future Council action would consider annexing this property to the City through the Direct Petition method of annexation.)*

Planning Director Dan Stroh described the proposal to amend pre-annexation zoning for a 52-acre site known as the Tax Lots, currently located in Bellevue's Potential Annexation Area

(PAA). He referenced the map in the Council packet and noted that many of the tax lots would require reconfiguration and/or aggregation in order for development to occur on them.

Associate Planner Nicholas Matz provided a brief history of the tax lots. The tax lots were reviewed as part of a Council-directed Comprehensive Plan Amendment to examine the remaining unincorporated islands in the PAA under the auspices of the Lakemont Land Use Study II. The study concluded last year with an ordinance that lifted the single-family low restrictions for the tax lots, essentially allowing consideration of R-1.8 zoning. At about the same time, Council accepted a Notice of Intent to Annex for the tax lots that contained a motion to advise annexation petitioners that the existing pre-annexation zoning established in 1987 would result in R-1 City zoning upon annexation. Subsequent discussions with owners of the 160 tax lots indicated their interest in requesting a rezone of the properties following annexation.

Mr. Matz said amended pre-annexation zoning is now presented to the Council for hearing because it is a streamlined approach to meeting the objectives of zoning and Comprehensive Plan conformance. The tax lots are not true subdivision lots but are actually properties that have been segregated by King County for purposes of equitably assessing property taxes. In order for them to be considered developable, a requirement of the City's annexation petition process has been for owners to legally demonstrate they would be allowed to build on the lots in the county. He reminded Council that the purpose of the annexation work program is to allow the City to accept annexations and thereby better control growth and development outcomes in the PAA. In the tax lot context, pre-annexation zoning facilitates annexation.

Mr. Matz said the City is required to hold two public hearings on this issue. He asked Council to hold a public hearing tonight and to provide direction to staff regarding a second public hearing.

- Mrs. Marshall moved to open the public hearing to consider amending the existing R-1 pre-annexation zoning to R-1.8 (single family residential, 1.8 units per acre) for unincorporated land known as the Tax Lots in Bellevue's Potential Annexation Area (PAA), property reference address in the area of 6907 169<sup>th</sup> Avenue SE. Mr. Lee seconded the motion.
- The motion to open the public hearing regarding pre-annexation zoning for the Tax Lots carried by a vote of 7-0.

No one came forward to comment on the proposed action.

- Mrs. Marshall moved to close the public hearing, and Mr. Lee seconded the motion.
  - The motion to close the public hearing carried by a vote of 7-0.
- (2) Motion to accept testimony and direct staff to schedule a second public hearing on R-1.8 pre-annexation zoning for the Tax Lots property at least 30 days in the future.

- Mrs. Marshall moved to direct staff to schedule a second public hearing on R-1.8 pre-annexation zoning for the Tax Lots property at least 30 days in the future, and Mr. Creighton seconded the motion.

Mr. Lee feels it is appropriate to retain R-1 zoning for the tax lots.

In response to Mr. Degginger, Mr. Matz said the Planning Commission recommended an unrestricted single-family low designation, which would allow the adoption of either R-1 or R-1.8 zoning. Staff recommends setting the zoning at R-1.8, in part as an incentive for annexation. Mr. Matz said staff's analysis indicates that an R-1.8 zoning would produce an increase of approximately 50 housing units, for a total capacity of 113 units.

In response to Mayor Mosher, Mr. Matz said the lots would require a rezone action with the County as well in order to be developed. The County's Comprehensive Plan actually supports higher densities on the 52-acre site and potentially a zoning designation as high as R-4.

Mr. Lee proposed a substitute motion to schedule a second public hearing and to keep the existing R-1 pre-annexation zoning. The motion was withdrawn for lack of a second.

- The motion to direct staff to schedule a second public hearing on R-1.8 pre-annexation zoning for the Tax Lots property at least 30 days in the future carried by a vote of 6-1, with Mr. Lee dissenting.

(b) Pre-Annexation Zoning for the Cole Property

- (1) Motion to open the public hearing to obtain citizen comments on R-2.5 (single family residential, 2.5 units per acre) pre-annexation zoning for unincorporated land known as the Cole property in Bellevue's Potential Annexation Area (PAA) located at 6114 164<sup>th</sup> Avenue SE.

Mr. Stroh explained that the Cole property is a 5.6-acre site located in Bellevue's PAA in the Lakemont area.

- Mrs. Marshall moved to open the public hearing to obtain citizen comments on R-2.5 (single family residential, 2.5 units per acre) pre-annexation zoning for unincorporated land known as the Cole property in Bellevue's Potential Annexation Area (PAA) located at 6114 164<sup>th</sup> Avenue SE. Mr. Noble seconded the motion.

- The motion to open the public hearing carried by a vote of 7-0.

No one came forward to comment on the proposed action.

- Mrs. Marshall moved to close the public hearing, and Mr. Noble seconded the motion.

- The motion to close the public hearing carried by a vote of 7-0.

(2) Motion to accept testimony and direct staff to schedule a second public hearing at least 30 days in the future.

- Mrs. Marshall moved to direct staff to schedule a second public hearing regarding R-2.5 pre-annexation zoning for the Cole property, and Mr. Noble seconded the motion.
- The motion to direct staff to schedule a second public hearing regarding R-2.5 pre-annexation zoning for the Cole property carried by a vote of 6-1, with Mr. Lee dissenting.

Mr. Lee commented that he is opposed to any increased density in the Lakemont area.

10. Land Use: None.

11. Other Ordinances, Resolutions and Motions: None.

12. Unfinished Business

- Mrs. Marshall moved to appoint a Critical Areas and Shorelines Citizen Advisory Committee with Nan Campbell as Chair. Mr. Lee seconded the motion.
- The motion to appoint a Critical Areas and Shorelines Citizen Advisory Committee with Nan Campbell as Chair carried by a vote of 7-0.

13. Continued Oral Communications: None.

14. New business: None.

15. Executive Session: None.

16. Adjournment

At 9:01 p.m., Mayor Mosher declared the meeting adjourned.

Myrna L. Basich  
City Clerk

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