

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

October 20, 2003
8:00 p.m.

Council Chambers
Bellevue, Washington

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

ABSENT: Deputy Mayor Degginger

1. Call to Order

The meeting was called to order at 8:01 p.m. by Mayor Marshall, who presided.

2. Roll Call, Flag Salute

Upon roll call by the City Clerk, all Councilmembers except Deputy Mayor Degginger were present. Boy Scout Troop 438 from Christ the King Lutheran Church led the flag salute.

(a) Proclamation regarding National Business Women's Week

Mayor Marshall read a proclamation recognizing National Business Women's Week. Irene Roberts, President of Bellevue Professional Business Women Association, received the proclamation. Ms. Roberts presented the organization's Woman of the Year pin to Mayor Marshall in recognition of her service as mayor and as a role model in the community and region.

(b) Recognition of Bellevue 50Fest Volunteers

Mayor Marshall thanked all of the Bellevue 50Fest volunteers who have worked on major events and projects throughout the year. Ron Langley, Public Information Officer, introduced John Valaas (First Mutual Bank) and Anne Taylor (Meydenbauer Center), Co-Chairs of the 50Fest Committee.

Mr. Valaas reviewed the 50Fest goals to build community bonds, promote Bellevue, encourage involvement in the community, create legacies, and to have fun. Support for the project included \$204,000 in cash donations, \$100,000 of in-kind donations, and \$283,000 in donations to

community causes in honor of 50Fest. Major sponsors include the City of Bellevue, The Boeing Company, King County Journal, PACCAR Inc., Seattle Times, Kemper Development, Safeco, and Pacific Northwest Bank. 50Fest activities included seven major events with 20,000 participants, 71 neighborhood celebrations with 3,500 participants, and the Bellevue Family 4th event with 50,000 participants.

Ms. Taylor described a Bellevue history timeline exhibit traveling around the city, which will be at City Hall in November and Meydenbauer Center in December. The King County Journal and Seattle Times both published special Bellevue history editions around March 31, the city's incorporation date. King County Journal published a history hunt contest over two months with grand prize trips to two of Bellevue's sister cities.

Ms. Taylor said artists at Bellevue Community College are preparing a time capsule to be sealed in early 2004 and to be opened on March 31, 2053, on Bellevue's 100th birthday. Also to be completed in early 2004 is the Bellevue Timeline History Book, which will be available in soft cover and special editions.

Mr. Langley showed a video recapping 50Fest events. Mayor Marshall thanked Ms. Taylor and Mr. Valaas for their leadership and hard work.

Mayor Marshall thanked the following individual 50Fest volunteers:

Karen Klett
Nan Campbell
Margot Blacker
Joyce Papke
Diane Cooley
Jean Grote
Scott Michaelson
Illum Associates – Don Sellers, Angela Hopkins, Matt Kristiansen, and Jordan Ekdahl
Kristen Webb
Brenda Frost
Anne Chik
Bellevue Sister Cities Association – Vilis Barevics and Dorothy Webb
Cathryn Laird
Lynn Sherk
Jim Roberts
Faisal Jaswal
Carla Iribe
Jamie Baldwin Dye
Kathy Auld
Charlie Hafenbrack
Lisa Max
Anna Marie Salmonson
Patricia Knight
Iris Tocher

Matt Scher
Tom Hansen
Marc Avni
Carl and Nadine Lind
Doug Mill
John Tucker
Donna Onat
Sue Campbell
Lee Maxwell
Mike Intlekofer
Craig Chang – Factoria Mall
Ken Saunderson
Paul Vander Hoek
Thornton Perry
J.P. Perugini, Event Manager – Andy Mirkovich Productions

Mayor Marshall thanked Mr. Langley for his hard work and overall coordination of 50Fest planning and implementation.

Mr. Valaas recognized Mayor Marshall and Kemper Freeman, Jr., Honorary Co-Chairs who worked hard on 50Fest fundraising.

Mayor Marshall thanked Deputy Mayor Degginger for co-chairing the Neighborhood Events Committee and all Councilmembers for attending numerous events throughout the year.

3. Communications: Written and Oral

- (a) Irma Farsch, representing the Eastside Community Leadership Forum, thanked the City for creating a Spanish language web site that will be accessible beginning October 21.

Mayor Marshall noted that Ms. Farsch is a new member of the City's Human Services Commission.

- (b) Chris Myers, Boy Scout Troop 438, said the troop will celebrate its 50th anniversary in two years. He described the scouts' involvement in community projects and explained that they are now working on their citizenship and community merit badges. Mr. Myers noted that three Eagle Courts of Honor have been held at City Hall.
- (c) Kent Morgan, Bellevue Community College Spanish GED and ESL instructor, explained that his students are interested in working on the City's new Spanish language web site. Roberto, a student, thanked Council for providing the web site and volunteered to help promote it. He said it will help him and others to participate more fully in the community.

Mayor Marshall suggested the students speak with Shelley Martin, the City's staff person responsible for the web site.

(d) Michael Taylor spoke on behalf of the Botch family's proposed Comprehensive Plan Amendment (CPA) [Agenda Item 11(a)(6)]. He said the site has been in the family since the 1950s and contains one small house built in the 1920s that is slated for demolition. The family would like to develop 10 homes on the site. The development of four large, expensive houses is allowed without the CPA. Mr. Taylor said the Planning Commission recommended denial of the CPA by a vote of 4-3. Public testimony by residents indicated an interest in keeping the site similar to the surrounding neighborhood. Mr. Taylor feels the development of 10 smaller homes instead of four large homes is consistent with the neighborhood character.

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

5. Report of the City Manager

City Manager Steve Sarkozy reported that City Council held a special meeting on October 16 to approve the issuance of refinanced debt, resulting in a savings of approximately \$750,000 for the City.

Mr. Sarkozy commented on the record rainfalls today and several road closures due to flooding including Kamber Road, 148th Avenue, and Northup Way. He encouraged citizens to contact the Utilities Department at 452-7840 to report flooding or related problems.

6. Council Business

Mr. Mosher reported on a meeting of the Sound Transit Board in which subarea equity was reviewed.

Mr. Lee attended a meeting of the Access Downtown Citizen Advisory Committee and participated in a volunteer project to visit homeless people.

Mr. Noble highlighted two upcoming issues to be debated by the Eastside Transportation Partnership (ETP): 1) Regional Transportation Investment District (RTID) project list for King County, and 2) the use of Sound Transit unanticipated revenues for the East Subarea.

7. Approval of the Agenda

☞ Mr. Lee moved to approve the agenda, and Mr. Mosher seconded the motion.

☞ The motion to approve the agenda carried by a vote of 6-0.

8. Consent Calendar

Councilmember Noble requested pulling Agenda Item 8(l) for Council comment.

☞ Mr. Mosher moved to approve the Consent Calendar, as amended, and Dr. Davidson seconded the motion.

- The motion to approve the Consent Calendar, as amended, carried by a vote of 6-0, and the following items were approved:
- (a) Minutes of October 6, 2003 Study Session
Minutes of October 6, 2003 Regular Session
 - (b) Motion to approve payment of claims for the period ending October 10, 2003, and payroll for the period September 16 through September 30, 2003.
 - (c) Resolution No. 6909 authorizing a Memorandum of Understanding (MOU) with the International Brotherhood of Electrical Workers, Local No. 77, representing signal shop and electronics personnel at the City of Bellevue in order to change a job title in the contract from Working Electronic Crew Chief to Working Chief.
 - (d) Resolution No. 6910 authorizing an agreement with Gravity Square, Inc. to provide network and server administration services. *(Discussed with Council on October 13, 2003)*
 - (e) Resolution No. 6911 authorizing an Interlocal Agreement with the City of Kirkland, University of Washington, and the Lake Washington School District for sharing fiber optic installation projects. *(Discussed with Council on October 13, 2003)*
 - (f) Resolution No. 6912 authorizing an agreement with Paladin Data Systems for database administration services. This work includes monitoring and maintenance of existing databases and implementation of new ones. *(Discussed with Council on October 13, 2003)*
 - (g) Resolution No. 6913 authorizing an agreement with Moss Adams Advisory Services to provide quality assurance consulting services for the Financial/Human Resources System Replacement Project. *(Discussed with Council on October 13, 2003)*
 - (h) Updates to Land Use Code *(Discussed with Council on October 13, 2003)*
 - (1) Ordinance Nos. 5475, 5476, 5477, 5478, and 5479 removing references to the Sammamish Community Council throughout the Land Use Code (LUC), and removing references to the East Bellevue Community Council (EBCC) in some parts of the LUC based on the EBCC's reconsideration of certain previous actions.
 - (2) Ordinance No. 5480 amending the Bellevue Land Use Code to remove outdated references, correct cross references, and correct errors in the Code; and establishing an effective date.

- (3) Ordinance No. 5481 amending the Bellevue Land Use Code to clarify and improve process provisions of the Code; and establishing an effective date.
- (i) Resolution No. 6914 authorizing execution of an extension to the lease agreement with Terranomics Crossroads Associates for the Crossroads Mini City Hall site.
- (j) Motion to award Bid No. 0322 for a new sidewalk and bike lane on the north side of Northup Way between 162nd Avenue NE and 165th Avenue NE to West Coast Construction, as low bidder, in the amount of \$166,334. (CIP Plan No. NEP-1)
- (k) Motion to award Bid No. 0348 for SE 36th Street signal project to construct a signalized vehicular/pedestrian crossing, near the 136th Avenue SE intersection with SE 36th Street, to Signal Electric as low bidder in the amount of \$201,033.62. (CIP Plan No. PW-I-84)

Item for Council Comment:

- (l) Resolution No. 6915 authorizing execution of a consultant agreement with KPG, Inc. to complete a design analysis and preliminary engineering for a preferred alternative for improvements to NE 24th Street, Northup Way to 130th Avenue NE. (CIP Plan No. PW-W/B-69)

Mr. Noble noted that Bridle Trails residents are interested in this project and City staff members have committed to providing a meaningful public involvement process.

☞ Mr. Noble moved to approve Resolution No. 6915, and Mr. Mosher seconded the motion.

☞ The motion to approve Resolution No. 6915 carried by a vote of 6-0.

9. Public Hearings: None.

10. Land Use: None.

11. Other Ordinances, Resolutions and Motions

- (a) 2003 Comprehensive Plan Amendments and related Land Use Code Amendment
(*Discussed with Council on October 13, 2003*)

Planning Director Dan Stroh reviewed the package of 2003 Comprehensive Plan Amendments, each requiring Council action, followed by an overall ordinance to adopt the amendments. The Planning Commission recommends deferring the Belmont Place, Plaza 520, and Northup East CPAs to the 2004 annual CPA work program.

- (1) Ordinance No. 5482 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 2003 amendments to the Comprehensive Plan amending Wilburton Subarea Policy S-WI-16a **to permit auto sales in GC, CB, and OLB districts on both sides of 116th Avenue from the new SE 8th Street exit off I-405 to NE 8th Street**, and amending the Wilburton Subarea Plan Map to reflect this change and remove a Public Facilities (PF) designation from the current City Hall site.

Mr. Stroh said Ordinance No. 5482 will amend Wilburton Subarea Policy S-WI-16a to permit auto sales in the GC (general commercial), CB (community business), and OLB (office limited business) districts on both sides of 116th Avenue from the new SE 8th Street exit off I-405 to NE 8th Street.

➡ Mr. Mosher moved to adopt Ordinance No. 5482, and Mr. Noble seconded the motion.

➡ The motion to adopt Ordinance No. 5482 carried by a vote of 6-0.

- (2) Ordinance No. 5483 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 an amendment initiated in 2003 to Comprehensive Plan policies related to **grade-separated pedestrian crossings in the Downtown**; deleting policy S-DT-68 and creating a new policy in the Downtown Subarea Plan; and establishing an effective date.

Responding to Mr. Mosher, Mr. Stroh explained that the ordinance was revised following Council's discussion last week to refer to pedestrian crossings instead of bridges.

Dr. Davidson feels the use of the word "pedestrian" might be too limiting in terms of language for the Comprehensive Plan.

Mr. Lee expressed concern that the crossings are limited to specific streets and to a street-to-street, instead of potential building-to-building, design.

➡ Mr. Noble moved to adopt Ordinance No. 5483, and Mrs. Marshall seconded the motion.

Mayor Marshall opined that the ordinance language lends itself to Council's further study of the design criteria to be applied through the Land Use Code.

Mr. Mosher is opposed to the motion because he feels the ordinance is out of character with the rest of the City's development.

Dr. Davidson is opposed to the motion as well. He said the Comprehensive Plan already provides for grade-separated crossings and he would prefer to discuss alternative design concepts within the context of the Land Use Code first.

Mr. Creighton expressed concern about the ultimate design of pedestrian crossings but will support the motion to keep the issue moving forward.

➤ The motion to adopt Ordinance No. 5483 carried by a vote of 4-2, with Dr. Davidson and Mr. Mosher dissenting.

(3) Ordinance No. 5484 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 a 2003 amendment to the Comprehensive Plan amending the Crossroads Subarea Plan Map by **establishing a Community Business (CB) designation** on approximately .5 acres of potentially annexable land at the southeast corner of the intersection of 148th Avenue NE and NE 20th Street.

➤ Mr. Mosher moved to adopt Ordinance No. 5484, and Mr. Lee seconded the motion.

➤ The motion to adopt Ordinance No. 5484 carried by a vote of 6-0.

(4) Ordinance No. 5485 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 a 2003 amendment to the Comprehensive Plan amending the Crossroads Subarea Plan Map from split O (Office) and CB (Community Business) to single CB on 2.4 acres at 14822 and 14922 Bel-Red Road and 14917 NE 20th Street; and by establishing a Community Business designation on approximately .5 acres of potentially annexable land at the southeast corner of the intersection of 148th Avenue NE and NE 20th Street.

Mr. Stroh noted that the Planning Commission recommends disapproval of Ordinance No. 5485.

➤ Mr. Mosher moved to disapprove proposed Ordinance No. 5485, and Mayor Marshall seconded the motion.

➤ The motion to disapprove Ordinance No. 5485 carried by a vote of 6-0.

(5) Ordinance No. 5486 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 a 2003 amendment to the Comprehensive Plan amending the Newport Hills Subarea Plan Map from SF-H (single family – high density) to MF-L (multifamily – low density) on 1.06 acres at 11209 SE 64th Street (also known as the Dana Property).

Mr. Stroh said the Planning Commission recommends denial of Ordinance No. 5486, also known as the Dana Property CPA.

Responding to Dr. Davidson, Mr. Stroh confirmed the existence of a PUD (planned unit development) and single-family/high-density development adjacent to the Dana site. In further response, Senior Planner Nicholas Matz said the PUD option is available for the Dana property.

- Mr. Mosher moved to disapprove Ordinance No. 5486, and Mr. Noble seconded the motion.
- The motion to disapprove Ordinance No. 5486 carried by a vote of 6-0.
 - (6) Ordinance No. 5487 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 a 2003 amendment to the Comprehensive Plan **amending the Southwest Bellevue Subarea Plan Map from SF-H (single family – high) to SF-UR (single family – urban residential) with a condition limiting house size to 2,500 square feet** on a lot on 1.02 acres located at 1319 Bellevue Way SE (also known as the Botch Family Property).

Mr. Stroh said the Planning Commission recommends disapproval of Ordinance No. 5487 (the Botch Family Property CPA).

Responding to Mr. Noble, Mr. Stroh confirmed that staff recommended approval of the CPA. Mr. Matz explained staff's interest in encouraging redevelopment that is consistent with the existing neighborhood.

- Dr. Davidson moved to adopt Ordinance No. 5487, and Mr. Creighton seconded the motion.

Responding to Mr. Mosher, Mr. Matz said the Botch family lot is much larger than surrounding lots. Staff recommends limiting house size to maintain the character of surrounding residences. Mr. Matz explained that the Planning Commission felt limiting house size was too specific for a Comprehensive Plan policy.

Mr. Lee noted the Planning Commission concluded there were no significant changes to justify the CPA. Mr. Matz explained that the original application was to develop 10 units on the lot under a multifamily-low designation. The proposed ordinance allows 7.5, or essentially 7, units on the lot.

Mr. Lee feels the proposal is a good compromise to allow more units but limit the size of the units.

Mr. Mosher noted that the SF-UR (single family, urban residential) designation could result in attached housing, which is out of character with the neighborhood. He will not support the motion.

- The motion to adopt Ordinance No. 5487 carried by a vote of 4-2, with Mayor Marshall and Mr. Mosher dissenting.

Mr. Stroh requested Council action regarding the Planning Commission's recommendation to defer the Belmont Place, Plaza 520, and Northup East Comprehensive Plan amendments (CPAs) to the 2004 CPA annual work program.

- Mr. Lee moved to defer the Belmont Place, Plaza 520, and Northup East Comprehensive Plan amendments (CPAs) to the 2004 CPA annual work program, and Mr. Mosher seconded the motion.
- The motion to defer the Belmont Place, Plaza 520, and Northup East Comprehensive Plan amendments (CPAs) to the 2004 CPA annual work program carried by a vote of 6-0.

- (7) Ordinance No. 5488 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 2003 amendments to the Comprehensive Plan** as separately set forth in Ordinance Nos. 5482, 5483, 5484, and 5487.

Mr. Stroh described Ordinance No. 5488 as the umbrella ordinance to adopt the 2003 package of Comprehensive Plan amendments, consistent with the ordinances just adopted by Council.

- Mr. Lee moved to adopt Ordinance No. 5488, and Mr. Mosher seconded the motion.
- The motion to adopt Ordinance No. 5488 carried by a vote of 6-0.

- (8) Ordinance No. 5489 amending the Bellevue Land Use Code **to allow retail auto sales in additional areas of the Office-Limited Business (OLB) land use district**; amending the Wholesale Retail Use Chart of Section 20.10.440 of the Bellevue Land Use Code; and establishing an effective date.

Mr. Stroh explained that Ordinance No. 5489 represents a Land Use Code amendment to allow retail auto sales in additional areas of the Office-Limited Business (OLB) district.

- Mr. Mosher moved to adopt Ordinance No. 5489, and Mr. Creighton seconded the motion.
- The motion to adopt Ordinance No. 5489 carried by a vote of 6-0.
- (b) Ordinance No. 5490 amending the Bellevue Sign Code to improve clarity of the existing regulations, to allow installation of vehicular entry signs at the access drives to shopping centers in the Community Business district, to allow use of LED reader boards for non-commercial public service signs, and to provide

additional flexibility for estate sale and temporary joint sale event signs.
(Discussed with Council on October 13, 2003)

Land Use Director Carol Helland recalled proposed amendments to the Sign Code discussed last week with Council. The amendments clarify existing regulations, allow the installation of vehicular entry signs at shopping center access drives, allow the use of LED reader boards for non-commercial public service signs, and provide additional flexibility for estate sale and temporary joint sale event signs.

Ms. Helland reviewed two revisions to the ordinance following Council direction last week. The first is on page 11-51 of the Council packet and allows the shopping center to determine how much of the sign to allocate to the shopping center name versus individual businesses. The second is an addition pertaining to design review, on page 11-47 of the packet, indicating that the signs will reflect both the shopping center and individual business names.

Responding to Dr. Davidson, Ms. Helland said the signs would arch over shopping center driveways (as illustrated on page 11-42 of the packet). A shopping center would be limited to one such sign per street frontage.

Mr. Creighton is not in favor of the amendment regarding shopping center entry signs and would prefer more study and discussion on the issue.

- ➡ Mr. Creighton moved to direct staff to remove the sections of Ordinance No. 5490 pertaining to vehicular entry signs, and Dr. Davidson seconded the motion.

Mr. Lee characterized the proposed entry signs as advertising instead of the intended directional signs for the public. He supports Mr. Creighton's motion.

Mr. Noble concurred and noted that the proposed signs would be more appropriate for larger centers or malls.

Responding to Mr. Mosher, Ms. Helland referred to a table on page 11-71 of the packet listing 10 locations in the city in which the proposed signs could be implemented. Mr. Mosher agreed with Mr. Noble's suggestion to limit the signs to larger centers.

Dr. Davidson feels aesthetics is a more important criteria than the size of the shopping center or mall. He supports the motion.

- ➡ The motion to direct staff to remove the sections of Ordinance No. 5490 pertaining to vehicular entry signs carried by a vote of 5-1, with Mr. Mosher dissenting.
- ➡ Mr. Noble moved to adopt Ordinance No. 5490, amended to delete sections pertaining to vehicular entry signs, and Mr. Lee seconded the motion.
- ➡ The motion to adopt Ordinance No. 5490, as amended, carried by a vote of 6-0.

12. Unfinished Business: None.
13. Continued Oral Communications
 - (a) Cindy Ludwig, Bridle Trails Community Club, expressed appreciation for the denial of the Northup East and Plaza 520 applications. She thanked Councilmember Noble for attending the last Club meeting and for ensuring public involvement in the NE 24th Street project design. Ms. Ludwig said she found tonight's meeting interesting and she appreciates Councilmembers' thoughtful consideration of the many issues facing the community.
14. New business: None.
15. Executive Session: None.
16. Adjournment

At 9:50 p.m., Mayor Marshall declared the meeting adjourned.

Myrna L. Basich
City Clerk

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