CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Extended Study Session

November 12, 2013
6:00 p.m.

Council Chambers
Bellevue, Washington

PRESENT: Deputy Mayor Robertson and Councilmembers Balducci, Stokes, and Wallace

ABSENT: Mayor Lee and Councilmembers Chelminiak and Davidson

1. Executive Session

At 6:08 p.m., Deputy Mayor Robertson called the meeting to order and declared recess to Executive Session for approximately 45 minutes to discuss one item of pending litigation.

The meeting resumed at 6:54 p.m., with Deputy Mayor Robertson presiding.

2. Oral Communications

Deputy Mayor Robertson recalled action taken the previous week to temporarily amend Council rules regarding Oral Communications. The Council approved a motion to suspend Council rules to allow the mayor or chair to determine the length of time, if any, allotted to speakers based on their frequency of speaking at Oral Communications. Council action on permanent rules will be taken later in the year.

Deputy Mayor Robertson said the record shows that Alex Zimmerman has spoken 16 times over the past six months and he would not be allowed to speak tonight. Responding to Mr. Zimmerman, Ms. Robertson said the Council has heard from Mr. Zimmerman many more times over the past 18 months. His comments are repetitive and the Council will decline to hear from him tonight.

(a) Lincoln Vander Veen, Bellevue Chamber of Commerce, reminded the Council about the Eastside Economic Forecast breakfast coming up on November 20 at Meydenbauer Center. He highlighted the types of data that has been collected and will be presented at the event.

Deputy Mayor Robertson asked Mr. Vander Veen to thank the Chamber for its advocacy on transportation issues.

3. Study Session

(a) Council Business and New Initiatives

Deputy Mayor Robertson noted that Councilmember Davidson was ill and he has requested that Council excuse his absence tonight and next week.

→ Councilmember Balducci moved to excuse Councilmember Davidson's absence from the November 12 and November 18 meetings, subject to extension should he require further time for recovery. Councilmember Wallace seconded the motion.

→ The motion carried by a vote of 4-0.

Councilmember Wallace reported that another large publicly traded company, Market Leader (a subsidiary of Trulia), has decided to locate a major office space in Downtown Bellevue.

(b) Proposed Ordinance to Amend Chapter 22.18 of the Bellevue City Code to Modify the School Impact Fee Schedule as Requested by the Issaquah School District

Acting City Manager Brad Miyake opened discussion regarding the Issaquah School District's impact fee schedule. He welcomed Catherine Drews, Legal Planner, and Steve Crawford, the District's Director of Capital Projects.

Ms. Drews referred the Council to page 3-1 of the meeting packet for information on the impact fee schedule for the Issaquah School District. The Bellevue City Code requires that the impact fee schedule be reviewed and updated annually by the City Council. A map on page 3-7 shows the school district's boundaries overlapping Bellevue. The Issaquah School District's 2013 Capital Facilities Plan is provided beginning on page 3-9.

Ms. Drews said the District requests that the impact fee for single-family units be increased from $3,738 to $5,730, and that the fee for multifamily units be increased from zero in 2013 to $1,097.

Responding to Deputy Mayor Robertson, Mr. Crawford said the District prepares a capital facilities plan every year as the basis for impact fees. The increase in the impact fee for multifamily units is related to a large increase in student generation rates from multifamily developments. The overall number of students is increasing as well.

Responding to Councilmember Wallace, Mr. Crawford said the capital plan includes rebuilding Issaquah Middle School, remodeling and expanding two elementary schools, and additional capacity projects. In further response, Mr. Crawford said the District had a bond approval in 2012.

Councilmember Wallace expressed concern that the impact fee is getting high. Mr. Crawford noted that impact fees have been higher in the past. He said that all six of the other jurisdictions overlapping the District have approved the impact fees.

Councilmember Balducci noted that the Council recently received an email about proposed impact fees for the Renton School District, which she would like to discuss later.

Ms. Balducci expressed support for the proposed impact fees. She said the Issaquah School District is allowed by law to fund its capital projects in this way, and she believes the District has put together a good capital plan.

Responding to Ms. Robertson, Ms. Drews said the item would come back for Council action the following week.

(c) Bellevue Transit Master Plan: Capital-Oriented Strategies and Measures of Effectiveness

Mr. Miyake recalled previous discussion and Council approval on May 20, 2013 regarding capital-oriented strategies and measures of effectiveness supporting the Transit Master Plan vision statement of "abundant access."

Transportation Director Dave Berg said the current Transit Master Plan builds on the 2003 Bellevue Transit Plan originally adopted by Resolution No. 6859. The current plan reflects projected employment, population, and ridership growth as well as anticipated changes with the future implementation of East Link light rail.

Mr. Berg said staff is seeking Council feedback on the draft capital-oriented strategies and measures of effectiveness. He said that Council input informed the Transportation Commission's identification of speed and reliability, route facility, and pedestrian and bike projects. In early 2014, the Council will receive the Commission's recommended draft Transit Master Plan report with policies and projects for the Service, Capital and Policy Elements.

Ernie Simas, Transportation Commission Chair, commented on the diversity of interests involved in this review. Joint Board and Commission workshops have included representatives from transit agencies, adjacent jurisdictions, and other stakeholders. On May 20, Transportation Commissioners Scott Lampe and Francois Larrivee presented the Transportation Commission's transmittal letter to the Council outlining its support for a set of service-oriented strategies based on the concept of "abundant access" for the many people who live, work, shop, play and visit within Bellevue.

Mr. Simas said the Council's approval of the Transit Master Plan vision statement of "abundant access" on May 20, 2013, helped the Transportation Commission complete the Service Element of the master plan and informed its prioritization of transit service investments.

The Transportation Commission has been working with the other Boards and Commissions on the Capital Element of the plan. On October 17, the Transportation Commission formulated four capital-oriented strategies for Council consideration as well as metrics to monitor progress in achieving the Transit Master Plan's objectives.

As his personal view, Mr. Simas commented on the importance of having multiple modes of transportation available to benefit the most number of people. He said the aging population as well as the "millennials" generation often rely on or prefer to use transit services. Mr. Simas said he sees the task as finding the best mix to provide all travel modes without neglecting any one mode in favor of another.

Commissioner Simas said the Transportation Commission looks forward to feedback from the Council.

Franz Loewenherz, Senior Transportation Planner, said staff used the service-oriented strategies approved by the Council on May 20 to formulate the detailed route recommendations contained in the service vision report (provided in the Council Office for review). Council's approval of the service-oriented strategies was informed by extensive technical analysis and community outreach. Staff is now seeking Council feedback on the capital-oriented strategies. The desired objective of the service vision report is the development and implementation of the 2030 Frequent Transit Network. The Service Element and Capital Element together will inform the development of the Policy Element and the update to the Comprehensive Plan.

Mr. Loewenherz said there is broad community support for the abundant access vision statement and the service-oriented strategies including from business interests, hospitals and medical offices, and Bellevue College.

Mr. Loewenherz presented the proposed capital-oriented strategies: 1) Use urban design and development regulations to support transit use, 2) Design transit facilities to enhance accessibility, connectivity, and user experience, 3) Invest in transit priority measures, and 4) Employ innovation and community collaboration when implementing transit priority measures.

Mr. Loewenherz recalled that one of the Council's project principles is to develop measures of effectiveness to evaluate transit investments and to track plan progress. He described the measures of effectiveness: 1) Measure service availability on Bellevue's Frequent Transit Network corridors, 2) Measure transit usage in Bellevue's Mobility Management Areas, 3) Measure person throughput by mode on Bellevue's Frequent Transit Network corridors, and 4) Measure travel time savings resulting from speed and reliability improvements on Bellevue's Frequent Transit Network corridors.

Mr. Loewenherz said that wrapping up this work in early 2014 will allow staff to incorporate it into the Comprehensive Plan update.

Councilmember Stokes expressed support for the work to date. He observed that it is following the Council's intent and direction. He looks forward to staff coming back with the Transportation Commission's specific recommendations and action items.

Councilmember Balducci said she would like a separate briefing on what this really means in terms of leading to future capital projects.

Mr. Berg said these strategies will help inform the Transportation Commission in moving forward with its recommendations. He said more detailed action items will be discussed in future meetings. However, staff can provide individual briefings at Councilmembers' requests.

Responding to Councilmember Balducci, Mr. Loewenherz said staff is scheduled to go to the Transportation Commission on Thursday with a preliminary project list for the Frequent Transit Network corridors. Staff has completed travel demand modeling and studied the impacts of transit on other travel modes and the benefits to transit.

Ms. Balducci said she would like to understand where this is going and what outcomes are anticipated. Mr. Loewenherz confirmed that the current check-in point relates to whether staff is headed in the right direction from a philosophical standpoint.

Deputy Mayor Robertson said she appreciated Chair Simas' comments about wanting to see balance in the travel modes. She is somewhat puzzled about how capital-oriented strategies 3 and 4 will work in place. She said a previous meeting of Boards and Commissions presented a proposal of converting some general purpose lanes on NE 8th Street to bus-only use at certain times of the day. Ms. Robertson said this raised concerns with several Board and Commission members.

Ms. Robertson said Bellevue is doing a good job of providing multi-modal transportation, including a strong pedestrian-bike plan she would like to see fully completed. Light rail is coming and buses are heavily used, but the majority of trips are still by private auto. She noted the Council's position on I-405 HOT lanes and high-capacity transit projects to not convert general purpose lanes to transit use but to add overall capacity. She is comfortable with that approach and is not sure whether the capital-oriented strategies are consistent with those policies.

Ms. Robertson said she is interested in seeing data on person throughput. She does not want to limit or reduce any capacity for capital projects in the future, and she wants to see the capacity and mobility of the whole system for every user, no matter what mode. She said there has been a discussion about increasing the misery index for single-occupancy vehicle drivers to push them toward transit use. While this may happen due to growth, she does not want this to be a conscious strategy by the City.

Councilmember Balducci observed that this is the type of information she is interested in as well. She needs a better understanding about other discussions and studies underlying this whole plan. She believes there is not sufficient information in this presentation for a meaningful discussion.

Ms. Balducci is interested in exploring measures of efficiency of the transportation system in addition to capacity.

Councilmember Stokes said he believes that the work so far is consistent with previous Council direction. He would like staff to come back with what the City is doing to implement the strategies.

Mr. Simas said the Transportation Commission is looking for the Council's overall philosophy. He reiterated that millennials, as well as older citizens, do not necessarily want to drive cars. He believes that people will be using transportation differently in 20 years than they are today.

Councilmember Stokes suggested individual briefings and/or a more directed Council discussion to gain a better sense of Councilmembers' philosophies and priorities.

Councilmember Balducci concurred. She said it would be helpful if staff could help the Council, with the Commission, frame up the policy questions. She observed that statements in the presentation all sound good and she cannot really disagree with them. However, she suspects there will be differences between Councilmembers' views once they get into a deeper discussion about what any one strategy might mean or lead to in terms of capital projects and overall travel impacts.

Mr. Berg agreed that more specific policy issues and investments will require further Council discussion.

Deputy Mayor Robertson observed that staff and the Transportation Commission will be creating a list of projects for implementing the service-oriented strategies. She wants to be sure the City does not focus on just one mode. She would like data on how changes for one mode affect other modes.

Councilmember Wallace observed that what is missing is service in South Bellevue, including the Lakemont area. He said the abundant access concept addresses commuter needs, but it does not appear to address those who are transit-dependent.

Mr. Loewenherz clarified that the Frequent Transit Network is oriented toward the most frequently used routes in the proposed service vision report. It is not intended to represent all of the different routes.

Councilmember Wallace expressed concern regarding the statement about using urban design and development regulations to support transit use. He is unsure about the implications for capital investments. He said the overwhelming majority of people are still driving in cars, and transit service to retail centers is not strong.

Mr. Wallace said park and ride lots are a critical need to accommodate transit usage. However, park and ride facilities are provided by different agencies. He believes it is important that the City communicate and plan for its needs.

Mr. Wallace would like the Transit Master Plan work to dovetail well with other transportation projects including the I-405 HOT lanes and Sound Transit's services and facilities.

Mr. Loewenherz said staff will be delving into many of the issues mentioned tonight during Thursday's Transportation Commission meeting.

Deputy Mayor Robertson concurred with the need for park and ride facilities. She thanked Mr. Simas and the Transportation Commission for their work.

(d) Response to Council direction to install informational signs at the intersections of 119th Avenue SE and SE 60th Street with Coal Creek Parkway SE to direct the public to the Newport Hills Neighborhood Shopping District

Mr. Miyake recalled that residents and businesses in the Newport Hills neighborhood have been requesting directional signs to their business district.

Mike Brennan, Director of Development Services Department, said the Council directed staff to install informational signs at 119th Avenue SE and Coal Creek Parkway and at SE 60th Street and Coal Creek Parkway for the Newport Hills Shopping Center.

Carol Helland, Land Use Director, said staff looked at options that would not involve a Code amendment, in order to move quickly as directed by the Council. One option is a Neighborhood Designation Sign, which is within the scope of the existing Sign Code. It can be informational only with no specific businesses listed. Off-site commercial signage would require a Sign Code amendment. Ms. Helland noted that State signage options are available as well for Motorist Informational Signs.

Mr. Brennan displayed the proposed sign designs. The estimated budget for two double-sided signs is $2,700, and funding is available in the Minor Capital-Traffic Operations Program. Staff recommends moving forward with the signs. He estimated it could take up to five weeks to have the signs manufactured and installed.

Deputy Mayor Robertson thanked staff for their work. She reported that she heard from Michelle Hilhorst, Newport Hills Community Club Merchant Liaison, and Heidi Dean, President of the Newport Hills Community Club, earlier in the day. They thanked staff for their work and are very appreciative of the Council's support.

Councilmember Balducci expressed support for moving forward as quickly as possible and thanked staff for their work.

(e) Code Amendment Work Program Follow-up

City Manager Miyake introduced discussion regarding the Development Services Division's Code Amendment Work Program. He recalled that the Council provided preliminary feedback

on potential Land Use Code amendments during its September 9 Extended Study Session. The Planning Commission reviewed that information during its recent annual retreat.

Mr. Brennan said staff would like to review the proposed land use work plan and to request Council direction for the 2013-14 work program.

Ms. Helland highlighted a number of completed Land Use Code amendments including emergency medical cannabis regulations, the Light Rail Transit Overlay, retail auto sales in the Eastgate OLB (Office Limited Business) District, high-rise signs, emergency single-family room rentals, permanent medical cannabis regulations, and emergency recreational marijuana regulations. She noted that four of these items were added and completed since the work program was last considered by the Council in July 2012.

Ms. Helland highlighted code amendments that have been initiated including the Shoreline Master Program (SMP) Update regulations, Comprehensive Plan Update, Downtown Livability work, permanent recreational marijuana regulations, light rail station area planning, permanent single-family room rental regulations, and Eastgate/I-90 Plan implementation.

Ms. Helland said staff and the Planning Commission are seeking direction on potential future Code amendments. She referred the Council to the Code Amendment Docket, Attachment A, page 3-77 of the meeting packet. The docket reflects the order of priorities recommended by the Planning Commission.

Ms. Helland said the Commission moved simplification of the Council's quasi-judicial process to the top of the priority list and elevated the Electrical Reliability Study amendments. The Commission moved addressing the meaning of "changed circumstances" with regard to Comprehensive Plan Amendments (CPAs) from Tier 3 to Tier 1. Under Tier 2, the Planning Commission added the Critical Areas Code Update, which is due in 2015, and ranked it above the NPDES stormwater regulations work due in 2016.

Ms. Helland said the Planning Commission is requesting Council adoption of the proposed docket.

Ms. Helland described one non-Land Use Code amendment regarding the Renton School District's interest in initiating impact fees. The District estimates there are roughly 100 parcels that could be developed in Bellevue that are within the school district. Ms. Helland said the District will draft an ordinance.

Responding to Deputy Mayor Robertson, Ms. Helland said the District provided a copy of its capital facilities plan. Ms. Helland said she is not sure at this point whether the Renton School District could be added to the Issaquah School District ordinance or whether it will require separate legislation.

Responding to Councilmember Balducci, Ms. Helland referred to Attachment C, Code Amendments Currently Initiated, on page 3-85 of the meeting packet. She noted that some of them are not yet underway.

Councilmember Balducci said she is reviewing the list with an interest in which items impact the most people. She observed that the Council's quasi-judicial process affects very few people. She would be willing to lower that priority in order to elevate another item that has a broader impact on more people. Noting that three Councilmembers are absent, Ms. Balducci said she would like to give all Councilmembers the opportunity to comment before taking action.

Ms. Balducci said she does not see a need to address rooster and peafowl regulations, as there have been very few complaints over many years.

Councilmember Stokes agreed with the suggestion to allow all Councilmembers to provide input before providing direction to staff. In general, he agrees with Ms. Balducci's logic of focusing on items that affect more people. However, when quasi-judicial matters come up they are time-consuming for the Council and certain staff. He would like to resolve that issue as soon as possible without pushing too many other things aside.

Responding to Councilmember Wallace, Ms. Helland clarified that the Code Amendment Docket items [Attachment A] have not been initiated. Referring to the Tier 2 priorities of that document, Mr. Wallace suggested that the innovative housing regulation item and the green building item would fit well with the Downtown Livability Study.

Mr. Wallace suggested a discussion during the next retreat about the Code Amendment work program and priorities.

Councilmember Wallace noted that a review of the Noise Control Code is listed as a non-Land Use Code amendments. He believes this needs to be addressed prior to the issuance of light rail permitting. He said the issue of the potential light rail maintenance facility needs to be addressed as well. He suggested that the City consider whether this is a special conditional use warranting unique rules. He said Sound Transit views the facility as a separate project, and he suggested that the City do so as well. Mr. Wallace said the proposed facility will have unique impacts that have not been considered with the overall light rail project.

Ms. Helland confirmed that the maintenance facility was deliberately left out of the Light Rail Overlay Code Amendment. The maintenance facility would go through the full conditional use permit (CUP) process as an essential public facility.

Councilmember Wallace said that would be a good topic for the annual retreat as well. He continues to hear discussions within the community about the proposed facility.

Deputy Mayor Robertson said she would like more information on the Renton School District impact fee issue. She noted that she attended the Planning Commission retreat. She observed that the quasi-judicial amendment is ranked high due to the Council's recurring comments on it, and

she believes it could be fit into the work program. She would like to keep it as a priority. Ms. Robertson said that streamlining the process will benefit anyone who could potentially have a quasi-judicial appeal.

Deputy Mayor Robertson stated her understanding that the innovative housing regulation review (including affordable housing opportunities) will not be ripe for discussion until the Planning Commission has completed the major Comprehensive Plan Update. That process will involve adopting policies in the Housing Element, which will set the stage for a broader review of housing issues.

Mr. Brennan confirmed that housing affordability is an element of the Comprehensive Plan. He concurred with Councilmember Wallace's suggestion to look at the innovative, affordable, and green building issues all together.

Ms. Robertson said the Planning Commission will be reviewing both the Downtown Livability work and the Comprehensive Plan Update, which will provide the opportunity to coordinate those policy issues.

Ms. Robertson expressed support for addressing the Noise Control Code. Referring to the Tier 2 priorities, she suggested that the Bel-Red area five-year review and the Nonconforming Use Amendments be addressed together.

Ms. Robertson said the Council will want input from staff next year regarding options for regulating the proposed light rail maintenance facility.

Mr. Brennan acknowledged the Council's direction that all Councilmembers should be given the opportunity to provide input on the Code Amendment Work Program. He noted mixed comments regarding the quasi-judicial issue.

Councilmember Balducci clarified that she sees the quasi-judicial process as an important topic to address. However, she sees other issues as possibly higher priorities, including the innovative housing regulation review. She noted the demand for affordable housing in the Downtown, around Bellevue College, and throughout the community.

Councilmember Stokes thanked staff for their work. He would like to be able to complete the quasi-judicial issue review. He concurs with focusing on innovative/green/affordable housing.

Responding to Deputy Mayor Robertson, Mr. Brennan said staff will come back early next year for a review of progress with the work program.

Ms. Robertson reiterated the Council's support for using the momentum of the Downtown Livability work and the multi-room rental issue to initiate the discussion of innovative housing regulations and green building.

Responding to Ms. Robertson, Ms. Helland said the Renton School District impact fee ordinance will likely not come back until the beginning of next year.

At 8:46 p.m., Deputy Mayor Robertson declared the meeting adjourned.

Myrna L. Basich, MMC
City Clerk

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