

CITY COUNCIL STUDY SESSION ITEM

SUBJECT

Parks & Community Services Board Recommendation: Meydenbauer Bay Park and Land Use Plan

STAFF CONTACTS

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POLICY ISSUES

The Parks & Community Services Board has completed its review of the Meydenbauer Bay Park and Land Use Plan, and has recommended Council adoption of that plan. Council adoption by Resolution would reflect a policy intent to pursue future implementation of the plan. No action is requested of Council at this time.

DIRECTION NEEDED FROM COUNCIL

- Action
- Discussion
- Information

The Meydenbauer Bay Park and Land Use Plan has reached another milestone. On April 13, the Parks & Community Services Board, by a 6-1 vote, recommended approval of the Meydenbauer Bay Park and Land Use Plan in the form recommended by the Citizen Steering Committee. Tonight, staff will formally present the Parks & Community Services Board Recommendation, and provide an overview of the recommended Meydenbauer Bay Park and Land Use Plan Draft. (Plan was previously provided to Council – a courtesy copy will be available in the Council Office.)

Staff are seeking Council feedback, questions, and concerns so that the most relevant and thorough information possible is made available to support future Council deliberations and eventual Master Plan Adoption.

BACKGROUND

The Meydenbauer Bay Park and Land Use Plan project represents a City vision that has been reaffirmed in adopted plans for over twenty years. Due to its transformative potential and its goal of creating an extraordinary community-wide public asset, Council appointed a Citizen Steering Committee in March 2007 to help accomplish this vision. After a series of meetings, public workshops/open houses, public hearings, and lively debate over 2½ years, the Committee, on November 19, 2009, voted 9-0 to recommend approval of the draft Meydenbauer Bay Park and Land Use Master Plan. On February 1, this recommendation was presented to Council, who then transmitted it to the Park Board for further review and recommendation.

Parks & Community Services Board Review

On February 9, the Steering Committee's recommended Meydenbauer Bay Park and Land Use Master Plan was presented to the Park Board. The presentation included the project vision, planning principles, proposed plan, and Steering Committee role, recommendations, and decision-making rationale. The Meydenbauer Bay Park and Land Use Plan Draft and Final Environmental Impact Statements (EIS) were provided as companion documents to help inform the Park Board's review (*available in Council Office for review*).

The Park Board conducted a Public Hearing at their March 9 meeting to take comments from the public about the proposed plan. The Board's deliberation of neighborhood and community comments, and project-related study resulted in informative question and answer documents attached for your review. (*Attachment B – Parks & Community Services Board Question and Response*)

On April 13, after careful deliberation, the Park Board voted 6-1 to recommend approval of the Meydenbauer Bay Park and Land Use Plan.

NEXT STEPS

After the presentation of the Parks Board's recommendation and introductory overview of the Meydenbauer Bay Park and Land Use Plan, staff will return to Council at a future Study Session to present more detailed plan-related information.

After Council has completed its deliberations and approved a Master Plan by Resolution, the Planning Commission's work will begin. The Planning Commission will focus on developing any Comprehensive Plan Amendments (CPAs) and Land Use Code Amendments (LUCAs) that are needed to implement the adopted Master Plan. Those amendments will be submitted to Council for action at a later date.

Upcoming steps and projected schedule include:

- Spring/Summer 2010 - Council Study Session presentations and deliberation;
- Summer/Fall 2010 - Council Adoption of a preferred Master Plan;
- Late 2010 or 2011 - Planning Commission review, public hearing, and recommendation on Comprehensive Plan and Land Use Code amendments to implement the Master Plan; and
- Late 2010 or 2011 - Council action on CPAs and LUCAs implementing the Master Plan.

ATTACHMENTS

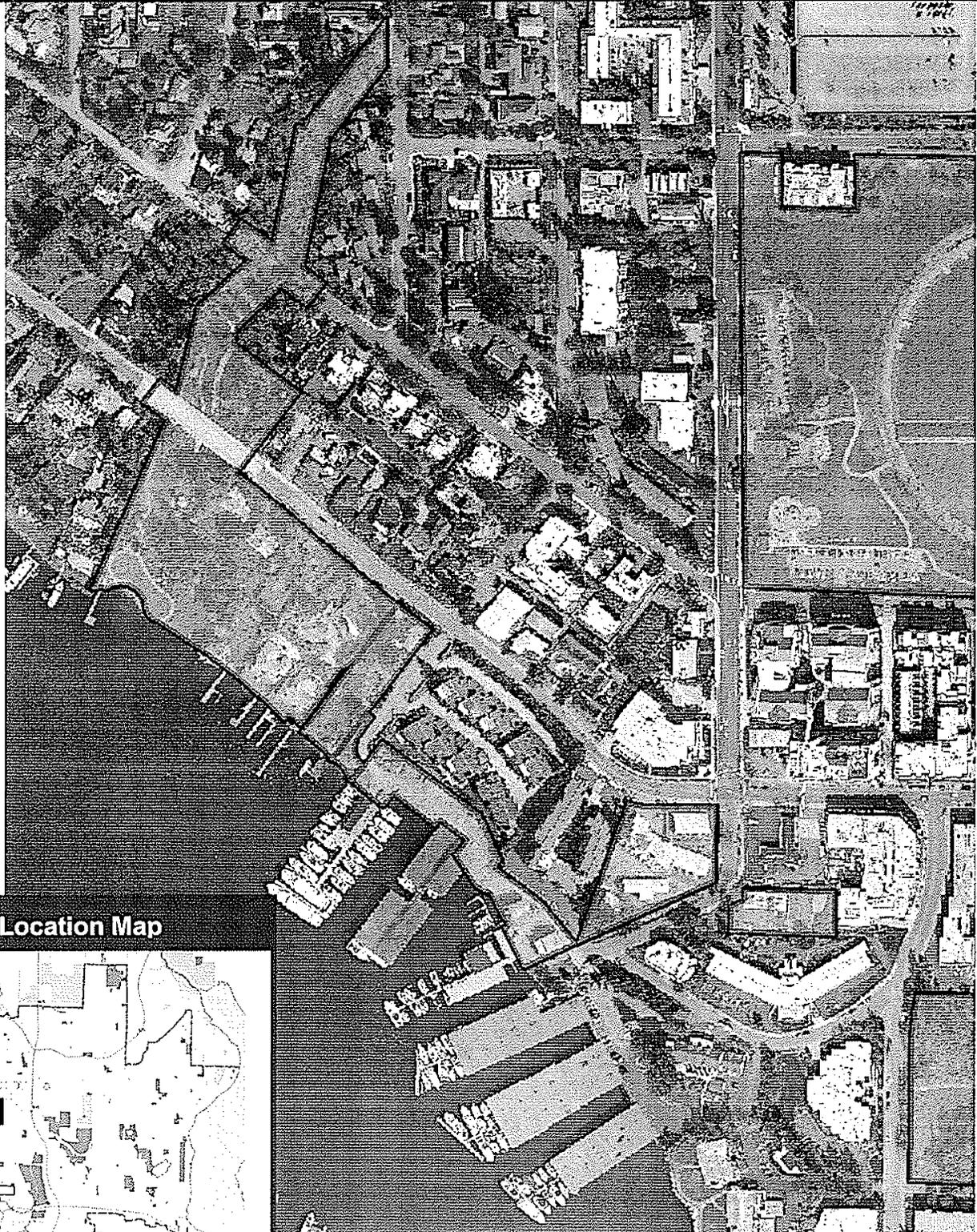
- A. Vicinity Map
- B. Parks & Community Services Board Questions and Responses

AVAILABLE IN COUNCIL OFFICE

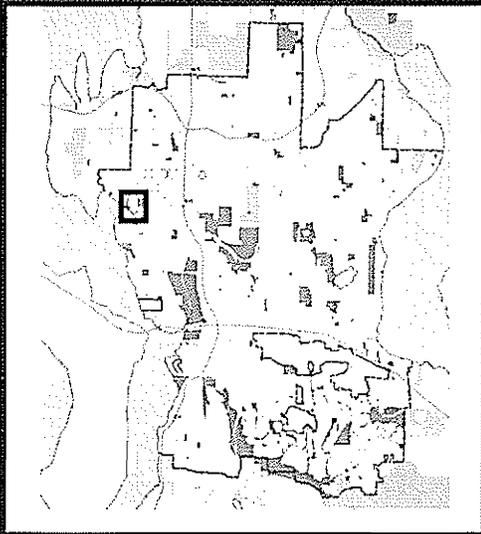
- A. Meydenbauer Bay Park and Land Use Plan Draft
- B. Meydenbauer Bay Park and Land Use Plan - Draft Environmental Impact Statement
- C. Meydenbauer Bay Park and Land Use Plan - Final Environmental Impact Statement
- D. Bellevue Marina at Meydenbauer Bay Overview

ATTACHMENT A

Vicinity Map



Location Map



Meydenbauer Bay and Vicinity

ATTACHMENT B



Meydenbauer Bay

PARK AND LAND USE PLAN

Park Board Questions and Responses

Following March 9, 2010 Public Hearing

- 1. Provide more information on enforcement of regulations governing in-water activities and on water safety.**
(Lynne Robinson and Matt LaPine)

Historically, the City has contracted with King County Marine Patrol, a division of the King County Sheriff's office, for enforcement of regulations on Lake Washington and Lake Sammamish. In early 2010, the City entered into an interlocal agreement with the City of Mercer Island for marine patrol services on Lake Washington. The City of Mercer Island will become the primary provider for 'water incidents' on Lake Washington. Services include law enforcement activities, emergency medical services, fire suppression, and surface and dive rescue (the King County Sheriff will continue to be the primary provider on Lake Sammamish). In addition, the Mercer Island marine patrol will provide proactive enforcement addressing life vests and alcohol issues, and they will monitor and maintain the buoys.

Emergencies

In the case of a 911 call reporting a boat fire in open city waters or at a marina within the city, NORCOM, who dispatches for both cities, will contact Mercer Island Marine Patrol and the Bellevue Fire and Police Departments. The first responder at the scene would as a matter of protocol contact the Coast Guard Sector 13 Seattle who would use an emergency channel to broadcast to the King County Sheriff, the Coast Guard and boaters in the area. Bellevue Fire Department has been responding to the marina for a long time, and is equipped to extinguish boat fires with pumper access at the shoreline. In some situations, the marine patrol might need to tow the affected boat away from the marina or neighboring boats away from the engaged vessel. The Bellevue Fire Department would still respond to provide aid if needed when boaters eventually reach the shore.

Safety

Federal and local speed regulations prohibit any watercraft or vessel from operating at a speed in excess of 7 nautical MPH within 100 yards of any pier, dock or shoreline. City code provides that swimming in City waters is confined to restricted swimming areas or within a distance of 50 feet from the shore or a pier, unless the swimmer is accompanied by a watercraft. City practices at swimming beaches follow American Red Cross Rules and Regulations for Swimming Areas at Waterfront Facilities, "Lifeguarding Today", which states that there can be no boats in the swimming area.

The preferred alternative responds to water safety through offering a guarded swim beach, separating the swim beach from the marina with the curved pedestrian pier, and reducing the total number of moorage slips. In addition, the removal of Pier 3 and provision of the floating boardwalk (which will accommodate transient moorage) will provide a large, open water area between the marina and other nearby docks, making navigation in the area easier and safer, and providing greater separation between the transient moorage and the Meydenbauer Bay Yacht Club than would occur if Pier 3 remained. Clear signage will further enhance safety for swimmers and boaters at the park. Among the programs listed below as potential activity building uses are classes in water safety including lifeguard and first aid training, boating, small craft handling, water rescue and skill and safety programs for youth and beginner boaters.

Regulations

Navigation and boat safety rules are promulgated by city, state and federal agencies.

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- The City's regulations are codified in Chapter 12.04 of the Bellevue City Code (BCC), Harbor Code, and at 3.43.190-220 BCC, Parks and Recreation Facilities Code. City provisions are supplemental to US and state laws, which if inconsistent would supersede the City code.
- Washington State regulation of recreational vessels is found in Chapter 79A.60 of the Revised Code of Washington (RCW).
- Federal regulations are the US Coast Guard **Convention on the International Regulations for Preventing Collisions at Sea, 1972 (COLREGs)**, commonly known as the "Rules of the Road", or the "NavRules".

2. What kind of buffer from the walkway will be provided? *(Matt LaPine)*

The following response assumes this question refers to the shoreline promenade:

The proposed park will be neighbor to three condominium complexes; Whaler's Cove, The Vue, and Ten Thousand Meydenbauer. Whaler's Cove and The Vue lie adjacent to the narrowest portion of the park property (the portion adjacent the marina). In this area, the park property has a depth ranging from about 50 to 100 feet. The proposed promenade would be roughly 20 feet wide to accommodate emergency service vehicles, and would have a meandering configuration.

An artist rendering illustrates the proposed landscape concept along the promenade (attachment 5). Because of the inconsistent parcel depth and the meandering nature of the promenade, setback of the promenade from the property line will vary, ranging anywhere from a few feet to perhaps 30 or 40 feet. The garden setting and passive environment is a deliberate design choice oriented next to the park neighbors. Active programs facilities are located in a central area of the park. The cascading water feature, lush landscaping and plant materials will separate and provide a strong buffer between the promenade and condominiums. The promenade will be located as far from the Whaler's Cove and Vue condominiums as possible, while providing a sensitive shoreline edge. The floating boardwalk will attract many of the park users, moving them even further from the residential buildings. The third condominium (Ten Thousand Meydenbauer) is located adjacent to the gateway entrance. A garden with a cascading water feature will separate their front door entrance from the public walkway. Specific landscape plans will be developed at the project level.

If this question refers to the elevated walkway, the following is relevant:

As conceptually designed, the elevated walkway will tie into grade, roughly 3 feet higher than the elevation of the 1st floor entry to Ten Thousand Meydenbauer. Claims of, or comparisons to, a "towering" structure, "flying bridge", or "mini Alaskan Way viaduct", this elevation relationship places the walkway more or less at grade with the 1st floor entry to Ten Thousand Meydenbauer, and well below that building's upper floors. At it's closest point (the northern, at-grade, elevation) the elevated walkway will be close to 100 feet away from Ten Thousand Meydenbauer. As this structure approaches the shoreline, it will gradually move more distant from Ten Thousand Meydenbauer. Although no "buffering" per se will be provided for the walkway, it's distance from, and low elevation relative to, Ten Thousand Meydenbauer will ensure continued privacy to, and minimal view blockage from, those units. As recommended by the Steering Committee, the design of this structure will continue to evolve in order to address issues of views, bulk, and aesthetics.

3. What type of commercial activity is proposed (kiosks, carts, etc)? *(Kathy George)*

The Steering Committee recommendation provides that no commercial activity be allowed west of 100th Av NE, except for:

- Long term moorage,
- Rental of people propelled vessels (PPVs) such as canoes and kayaks, and
- Up to 6 portable vendor kiosks or carts providing food, non-alcoholic beverages, and/or items for use in the park.

4. What is the Park Board voting on – Zoning? EIS? *(Kathy George)*

The Park Board will vote on the draft Meydenbauer Bay Park and Land Use Master Plan. The Plan includes the waterfront park elements as well as proposed land use modifications that would apply to properties within the study area. The vote will be on a recommendation to Council whether to support the preferred alternative, and is advisory to Council. After the Park Board recommendation is forwarded to Council, and Council adopts a master plan by

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resolution, Comprehensive Plan and Land Use Code amendments to implement the adopted plan will be drafted for Planning Commission review and recommendation to the Council. The Planning Commission will not revisit the overall master plan, but will instead focus on comprehensive plan and land use code amendments to implement the adopted master plan. After review, Council will adopt Comprehensive Plan and Land Use Code amendments by ordinance.

The Park Board will not vote on the EIS. The EIS is subject to the State Environmental Policy Act (SEPA) rules. Because the EIS is programmatic, additional SEPA will also be conducted at the project level when the park is designed.

5. What are transient moorage requirements? (Merle Keeney)

The Washington State Recreation and Conservation Funding Board (RCO) requires the City to provide at least 14 transient moorage slips from the marina parcels, which were funded in part with boating Facilities funds. This requirement must be met on the parcels for which RCO funds help acquire (i.e., the marina parcels between 99th and 100th Ave SE).

6. What are the positive and negative environmental impacts of the proposal? (Merle Keeney)

The EIS found that with implementation of appropriate mitigation the project will result in no significant unavoidable adverse impacts. Environmentally beneficial effects of the proposal include:

- 20% reduction in impervious surface (171, 746 SF / 136,200 SF)
- 33% reduction in overwater coverage (46,000 SF / 31,000 SF)
- 800 LF of shoreline restoration representing 64% of the park shoreline
- 360 LF of stream daylighting (currently in culvert), providing storm water bio filtration and wetland enhancement possibilities
- 58% reduction in building footprint (60,070 SF / 25,428 SF)

A summary of impacts of the Preferred Alternative relative to the No Action Alternative, Alternative 1, and Alternative 2, was included in the Final EIS. Please see Attachment I.

7. What are the impacts on view corridors? (Merle Keeney)

Views will be significantly enhanced from Downtown, along Lake Washington Blvd, Main Street, and Meydenbauer Way with to an enhanced shoreline, garden, cascading water features, beach and more expansive water view.

Views from the intersection of 100th Ave SE and Main St would provide the most contrast to existing, with the removal of multi level apartment buildings, closure of 100th Ave SE to vehicles, and creation of a large public entry plaza opening the views to the water. Foreground views from the intersection would be of a linear, terraced water feature, walkways, and landscape plantings lining the grand stairs that lead to the shoreline. From this same intersection looking east, Main Street through Old Bellevue is visible and inviting.

Views from the lower plaza at the western terminus of Meydenbauer Way SE would be opened from the removal of the pier roofs and the duplexes, and between the entry plaza and the lower plaza, a range of opportunities for views are created along the 80 foot elevation change. The plan will open water and Seattle vistas along Lake Washington Boulevard where none exist today. Approximately 600 lineal feet from the bridge over to the ravine to 99th Ave NE will be open to views of the lake, and removal of Bayvue Village buildings will open an additional 180 feet to the view.

Views from the curved pedestrian pier will include the marina, the beach and park with Bellevue skyline as a backdrop, and from the other direction, open water views with Seattle in the distance. Waterward views from the adjacent condominiums would be more open with the removal of the duplexes and Piers 2 and 3.

Views from the elevated walkway and viewing platform will provide a continuous bay vista, opening to a panoramic view of the lake outside the bay as far as downtown Seattle. Sky, boats, mountains and weather will make this view slightly different with every visit. This structure will be visible from some units in two of the adjacent condominium buildings (The Vue and Ten Thousand Meydenbauer), but it would block much less of the water view than the existing duplexes and pier rooftops. The elevation of this walkway, as currently drawn, is roughly three

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feet higher than the elevation of the 1st floor entrance to Ten Thousand Meydenbauer, meaning that all floors of Ten Thousand Meydenbauer above the first will sit higher than the elevated walkway. Actual design of the elevated walkway will help minimize impacts to views, consistent with the recommendation of the Steering Committee.

Views of the shoreline and park from across the bay will open up dramatically with the removal of the houses that the City owns west of 99th Ave NE. The reduction and reconfiguration of the long term moorage docks and the miscellaneous piers associated with the houses along the park shoreline. 64% of the shoreline will be restored including elimination of armored bulk heads, leaving the view of a soft, green and natural shoreline. More of the shoreline will be visible with the elimination of Piers 2 and 3. The central park area west of 99th Ave NE will be greener with the removal of the existing residences, and the increased native landscaping and restored shoreline. The elevated walkway will be visible, as will the swimming beach, stone and lawn terraces and the face of the community building.

8. What uses are envisioned, and what would be operational parameters for the 8,000 SF building (e.g., number of people, hours, activities, etc)? *(Lynne Robinson and Matt LaPine)*

Occupant loads are set by the fire and building codes at the time of design/permitting. Factors such as access and egress, number of rooms, room size and proposed use, e.g, assembly, storage, office, etc., and type of construction are considered. There is no formula to estimate the number of potential users per square foot without design, as demonstrated by occupant limits at other park buildings shown below. Occupant limits shown would include simultaneous use of all rooms at each facility. Additionally, certain types of uses such as gyms or theatres, neither of which is proposed for the activity building, increase user capacity and parking significantly.

Building	Building size	Total occupant limits* (if all rooms are full)	Comments
Crossroads Community Center	21,000 SF	473	Center includes community room, theatre, gym as well as meeting rooms.
South Bellevue Community Center	33,400 SF	184*	Center includes double gym, 2400 SF community room as well as class rooms.
North Bellevue Community Center	17,000 SF	318	Center includes two banquet rooms which can be combined into a very large room
Lewis Creek Visitor Center	5500 SF	50	Visitor Center to support park environmental educational wetland and habitat programs.
Meydenbauer Bay Activity Building	8000 SF	TBD	Building to support park educational programs related to the water, shoreline, environment, community activities and history of the site.

*For rentable portions of the building only.

In 2009 the park department provided 578 indoor community meeting opportunities in 11 different facilities throughout the park system – No complaints or incidents were reported by neighbors. The Department works to ensure appropriate use of facilities by requiring facility monitors and adjusting management procedures as needed. Per the Parks and Recreation Facilities Code (BCC 3.43.330), parks close one-half hour after sunset and reopen one-half hour before sunrise. Indoor facilities that are available for rent when unscheduled range in closing times. For example, Lewis Creek closes at 10 PM M-Th, and Midnight F-Su, Highland Community center closes at 8:30 PM M-F, midnight on Sat and 6PM on Sunday. Robinswood closes at midnight on F-Sa, 11 PM on Su, and 10 PM M-Th, and MSEEC closes at 10 PM Su-Th, and at 11PM F-Sa.

Below is a list of activities that could be offered in the Activity Building in conjunction with or supporting activities in the historic Whaling Building.

Classes

- Water Safety - Lifeguard/first aid/ water safety programs and training

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- Boating classes and safety - Small craft Handling/water rescue, Skill and safety programs for youth boaters, beginners
- Summer day camps
- Outdoor Activity Skill Classes- orienteering, wayfinding,
- Art Classes – Painting, photography , Art on the water
- Environmental classes and walks - open water and fish habitat, northwest plant and tree species.
- Boat Building Programs (such as Center for Wooden Boats) Boatbuilding and Woodworking, model boats, Sailmaking, Rigging and Knotwork, Cedar ropemaking.
- Native Arts and History Classes

Events and Exhibits

- Eastside Heritage Center exhibits, lectures and programs
- Eastside Explorer Speaker Series
- Whaling Days
- Water Sport Relay Day

Community Use

- Community Meetings
- Neighborhood associations
- Girl scouts, Boy scouts, Sea scouts, et al

9. Explain/ensure parking adequacy (*Lynne Robinson*)

The Plan calls for enough parking to meet or exceed the amount needed to serve the park on a typical day. The estimated peak demand for the park uses in the Preferred Alternative is 149 spaces, based on a combination of factors including a review of the Institute of Transportation Engineers (ITE) Trip Generation Manual, the City of Bellevue Land Use Code, and estimates prepared by the transportation engineering consultant. A total of approximately 156 public parking spaces will be provided inside the park. The park's on-site parking facilities will include a 10-space surface lot at the short-term pull-off of Lake Washington Boulevard, a 70-stall below-grade parking garage as part of the community activity building accessed from the west side of 99th Avenue NE, a 40-stall below-grade public parking garage accessed from Lake Washington Boulevard and Meydenbauer Way SE, and 8 short-term parking spaces at the marina. The existing 28-stall parking lot at the south terminus of 98th Place NE will remain. On-street parking for approximately 8 vehicles (this is in addition to the 156 on-site stalls) will be provided along the lower portion of 99th Ave NE.

Both short term and extended parking for the marina has been factored into the total count of stalls to be provided. Per the City code, 1 stall for every two long term marina slips is included. Approximately 8 stalls, including one ADA, will be provided at Pier 1 for short term and loading/unloading. Long term parking (when boats are away from the marina) will be provided in one of the on-site below grade garages, both of which have short accessible routes to and from the marina.

10. What Transportation Department traffic analysis has been done and what are their recommendations? (*Lynne Robinson*)

The traffic analysis has been detailed and thorough to provide the Steering Committee and EIS as much information as possible. Under any analysis the closure of 100th Ave SE will have negligible impacts. The primary drivers of traffic impacts stem from the broader Downtown development. Transportation analysis was conducted by the City of Bellevue Transportation Department (January, 2008) and by Pertect Engineering as the transportation subconsultant and incorporated into the EIS prepared for this proposal (DEIS issued June, 2009; FEIS issued November, 2009).

The City's Transportation Department modeled impacts using existing conditions as background. In other words, the City's 2008 modeling looked at the proposal impacts as if the project occurred at that time, assuming early 2008 transportation conditions. This analysis led to the memorandum dated January 14, 2008 from Transportation Director Sparrman to the Steering Committee (Attachment 2), supporting the concept of road closure.

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Perteet's analysis for the EIS was a full and thorough analysis of proposal conditions added to other assumed growth and known projects either planned or in the works (both private development and City capital improvement projects), using a planning horizon of the year 2020. This analysis was reviewed by the City's Transportation Department to ensure that it was accomplished in accordance with established and accepted methodology.

Below is a list of traffic analysis milestones over two years of study.

- January, 2008 – Transportation Dept modeled impacts, using existing conditions as background.
- January 14, 2008 – Director Sparrman wrote memo to Steering Committee supporting road closure (Attachment 2).
- October 30, 2008 – Steering Committee provided with preliminary traffic analysis presentation by EDAW/Perteet.
- June 4, 2009 – Draft EIS issued, contains traffic analysis (more thorough than that presented Oct 30). DEIS distributed to Steering Committee.
- June 18, 2009 – Draft EIS highlights presented to Steering Committee by EDAW/Perteet, including traffic analysis.
- June 23, 2009 – DEIS public hearing; Steering Committee attended.
- June 30, 2009 – Steering Committee received briefing on issues/concerns raised at the DEIS hearing. Steering Committee provided with comments received to date on DEIS.
- July 20, 2009 – Comments due on DEIS. Comments and public hearing transcript forwarded to Steering Committee.
- July 28, 2009 – Steering Committee works toward preferred alternative.
- July 30, 2009 – Steering Committee finalizes work on preferred alternative for evaluation in FEIS.
- November 12, 2009 – Final EIS issued; includes traffic evaluation of preferred alternative. FEIS distributed to Steering Committee.
- November 19, 2009 – Final Steering Committee recommendation. Steering Committee gave unanimous support to its recommendation, which included the recommendation for road closure.
- February 25, 2010 – Transportation Briefing.
- March 11, 2010 – Transportation Commission discussion and agreement on comments to forward to Park Board (Attachment 3).

Traffic increases in the project area are projected to increase 88% with or without the park or the closure of 100th Av SE/SE Bellevue Pl by the year 2020. The existing traffic volume on 100th Avenue SE (a local street) is low. The City of Bellevue 2009 Traffic Data shows 84 cars at the pm peak use 100th Ave SE, south of Main Street. By comparison, 230 cars at the pm peak travel on 102nd Ave SE south of Main Street, and 2360 cars at the pm peak travel on Bellevue Way south of Main Street.

The EIS identifies several options for mitigating transportation impacts. The appropriate time to select specific mitigation is at the project level, since road closure is likely to be several years away and “on the ground” conditions will be better known at that point. Because the traffic modeling conducted for the EIS assumed the completion of the NE 2nd Street improvement project, the Steering Committee recommended that the NE 2nd Street improvement project be completed prior to closure of 100th Ave SE/SE Bellevue Pl. The Committee recognized that concerns about traffic conditions along Main Street reflect existing (non-project related) conditions, and therefore their recommendation included a statement encouraging the City to continue working toward solutions for existing and future area congestion. Similarly, a letter from Transportation Commission Chair, Tom Tanaka, on behalf of the Commission (Attachment 3), recommends that,

“As the closure of 100th Ave SE south of Main approaches, or earlier if possible, the corridor and surrounding side streets should be comprehensively addressed through more detailed evaluation and additional stakeholder involvement, including the businesses and residents in the vicinity to better understand the overall functioning of the corridor and determine the best measures to ensure that the corridor will continue to function with the fewest impacts to areas residents and businesses. “

11. What routes are provided for accessibility? (Lynne Robinson)

The elevation difference between the shoreline and Lake Washington Boulevard/Main Street is greater than 70 feet, creating a steep entry for those who are mobility challenged such as elderly, injured, wheelchair dependant and families with small children. By car a family with a person in a wheelchair could park in either underground garage,

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at an available stall near Pier 1, or for short time viewing, the vehicle turnoff on Lake Washington Boulevard. Both below grade garages provide pedestrian access from the lower floors so that the family could visit the gathering space/weather shelter and elevated walkway from the garage below the gateway entry. They would be immediately in the park. From the garage below the activity building on 99th Av NE, the family would be immediately in the heart of the park and could use the accessible walkway from the lower floor of the garage to the picnic area, swimming beach, shoreline promenade, children's play area, marina, and public piers. Two ADA parking stalls are also available in the Ravine, but the steep grade in that area will require more effort to experience the natural beauty of the Ravine.

Accessing the park as a "pedestrian", the mobility challenged could enter the park from sidewalks on Main Street, Meydenbauer Way SE and Lake Washington Boulevard as follows:

Main Street—Enjoy the street level gateway plaza and the views it provides. Enter an elevator from the plaza and stop at the gathering shelter to access the shelter and/or the elevated walkway. Head out on the elevated walkway to enjoy new views of the bay, the lake and Seattle skyline. Then catch a lift to the shoreline promenade below and move along the shoreline or the floating boardwalk to enjoy the park unencumbered and safe, separated from vehicle access and egress.

Lake Washington Boulevard—Enjoy the street level plaza and overlook just west of 99th Ave NE. Take the elevator down to the activity building below, or to the below grade entry to an accessible pathway to the swimming beach, picnic areas, marina and shoreline promenade. Head over to the elevated walkway and catch a lift up. Return to your starting place along Lake Washington Boulevard or head into Old Bellevue along Main Street.

Meydenbauer Way SE—Access the lower plaza at the western terminus of Meydenbauer Way SE. Take the shoreline promenade to the floating boardwalk to explore the park. Use either the lift at the activity building or the lift at the elevated walkway to enjoy features at the upland areas of the park.

12. Can emergency access trucks, including ladder trucks turn around at the lower plaza? *(Lynne Robinson)*

The Fire Department requires either through-access (whereby no turnaround is needed) or an appropriately-sized and configured turn-around space. The turn-around space can be a variety of shapes, including a circle or cul-de-sac, a "Y", a "hammerhead" (essentially a "T"-shape), or an alternative hammerhead design (sometimes referred to as an "L"). The proposed plan depicts a circular turnaround that is intended to comply with the City of Bellevue and current International Fire Code requirements. At the time of permitting, the Fire Department will require that it is designed in compliance with their requirements to ensure their ability to protect life and property.

In addition to the turnaround, Fire apparatus will be able to drive through the park along the promenade in the event of an emergency. The entrance to the promenade will be guarded by hydraulic bollards that can retract in response to a signal emitted from the fire truck. The promenade needs to be wide enough (20') and strong enough to provide clearance and support for Fire Department vehicles, including ladder trucks. The Fire Department has been fully involved during the development and review of the park alternatives, including the preferred alternative, as well as the preparation and review of the EIS. The Fire Department has concluded that the plan will allow good access and service (Attachment 4 and below):

Warren Merrit, Bellevue Fire Department, stated that they have been engaged since late 2007. They had been out to the site. They determined that they would need Meydenbauer Way kept at the current width. They needed a turn around, clearance under the boardwalk, and power lines underground. They could use bollards that retract. He said that looking at the bottom of 100th, they could provide access to the building with the removable/retractable bollards. He said there was water access on the corner as well. The power lines caused a problem and they would prefer to put them underground. He referred to a letter that the Fire Department wrote in January 2008 regarding this project that is on file. He said that not every building in Bellevue has 100% access on four sides of the building. He'd been in the Bellevue Fire Dept. for 30 years, and a fireman for 35. He felt that the park would allow them to provide good access and service. The access up the bottom of 100th Ave SE would be enhanced. Their goal is to make sure the public is safe. (Meydenbauer Committee Meeting #19 Meeting Summary – November 19, 2009)

13. The scoping comments from residents repeatedly mention great blue herons, otters, beavers, turtles, muskrats, falcons, hawks and eagles at the site. The draft EIS minimally discusses hawks and eagles, and

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mostly discusses fish. What about the rest of these species? How would the steering committee alternative impact them? *(Kathy George)*

The EIS focuses on listed or threatened species under the Endangered Species Act (ESA), which in the project area includes Chinook salmon, steelhead trout and bull trout. There is no significant impact on threatened species; rather, implementation of the preferred alternative should benefit all species. For example the plan will produce a 21% reduction in impervious surfaces, a 33% decrease in overwater coverage, shoreline restoration over 64% of the project waterfront, storm water treatment and habitat enhancements within the ravine area. These factors are known to be beneficial to a wide variety of species. Collectively, the plan will provide a dramatic improvement for the wildlife associated with the bay.

When reviewing the EIS prepared for this project, it is important to keep in mind several things:

- a. This is a “programmatic” or “non-project” EIS¹, and recognizes that for a non-project EIS there is normally less detailed information available on environmental impacts and on any subsequent project proposals will clarify site specific analysis.
- b. The EIS was prepared under the “phased review” provision of SEPA. “Phased review” is defined by WAC 197-11-776 as “the coverage of general matters in broader environmental documents, with subsequent narrower documents concentrating solely on the issues specific to the later analysis”. Phased review recognizes that additional environmental review might be needed at a later stage.

In simple terms, the above says that at this non-project or “programmatic” level, it is appropriate to discuss environmental impacts broadly, recognizing that more detailed environmental review will occur at the project level. It also clarifies that an EIS is not required to analyze every conceivable impact that could occur, no matter how large or small, but only those impacts that are probable and significant. According to SEPA, the fact that issues are raised during the scoping process does not elevate these concerns to a “probable” or “significant” status as defined by SEPA, and therefore does not automatically require evaluation.

- 14. What are the precise differences between the steering committee alternative (what we're reviewing) and the alternatives studied in the EIS? For example, I don't believe we're talking about a cafe or kiosks anymore. Perhaps the final EIS addresses the actual preferred alternative?** *(Kathy George)*

The Draft EIS (DEIS) alternatives represented a multitude of planning concepts, and were intended to provide information and guidance to the Steering Committee for the development of a hybrid or preferred alternative for evaluation in the Final EIS (FEIS). The DEIS did not identify or assumed a preferred alternative. The FEIS evaluates the preferred alternative identified by the Steering Committee and compares impacts with DEIS alternatives.

You are correct that the preferred alternative does not include a café or fixed kiosks. Instead of the café on the parcel at the southwest corner of Main Street/100th Ave SE, it provides for an enclosed (or enclosable) gathering space. Instead of fixed kiosks, the Steering Committee recommends that up to 6 seasonal vendors using portable kiosks or carts be allowed, with restrictions on the type of products sold. The only commercial activities west of 100th Ave SE included in the preferred alternative include the seasonal vendors, canoe and kayak rental, and leasable moorage.

The preferred alternative is most similar to Alt 2 in the DEIS, with some differences. Compared to Alt 2, the preferred alternative adds the pedestrian pier from Alt 1 to separate the swim beach from the moorage. It also provides temporary moorage for canoes and kayaks on the moorage side. The preferred alternative adds an extension to Pier 1 to accommodate more long term moorage than in Alt 2. In the FEIS, Table 2.6-1 compares the features of the No Action Alternative, Alternative 1, Alternative 2, and the Preferred Alternative.

- 15. Is it true, as PACCAR's scoping letter said that the city marina currently has 25 "not in service transient slips"? If so, why are they not in service? Where are they located? What will happen to them under the preferred alternative? Are we talking about a net loss of "transient" slips from 25 to 14? Or are we talking about an increase from 25 to 39 (adding 14)? The draft EIS is not nearly illuminating enough regarding the transient moorage issue.** *(Kathy George)*

¹ WAC 197-11-442 (WAC 197-11 establishes rules for complying the State Environmental Policy Act

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Of the total 112 slips located at Piers 1, 2, and 3, 88 are currently in service as long-term (monthly rental) moorage. All 24 of the 112 total slips are not in service because their configuration, location, and/or deteriorated condition make them not suitable for public use (see photos below). There is also a concern that the existing pier configuration would increase the potential for navigational conflicts in the confined and shallow location. For these reasons, the city does not currently offer transient moorage. Correcting the current deficiencies would require expending significant funds. In addition to the construction costs, operating costs will go up to manage the day to day activities related to transient moorage.



Of the 24 slips publicly unusable slips, 21 are located on Pier 3 (Pier 1 has one out of service slip and 2 has two). During low lake levels, water depths at Pier 3 are particularly shallow, ranging from 3 feet near the shoreline to about 7 feet at the outboard end. The out of service slips at pier #3 are small, awkwardly placed, and without appropriate access. Pier 3 will be removed under the preferred alternative, and a floating boardwalk will be installed to provide appropriate moorage for the 14 transient slips. Two of the out of public service slips are used for city Utilities and Parks work boats.

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16. I would like to understand what transient moorage involves. Who are transient boaters? Are they "noisy party people," as one scoping letter said? The EIS suggests transient boats are motor boats, and distinguishes them from people-powered kayaks and canoes. Why would the new park attract 14 (or 39) transient boaters at a time? If there is no cafe, what would they come for? To walk around? To swim? If PACCAR is correct and 29 transient slips now exist but are not in service, is that because boaters have no interest in temporarily mooring at M Bay marina? If that interest does not exist now, why would it exist with a new park? *(Kathy George)*

Transient moorage refers to boaters who utilize docks and marinas for short term, temporary use as opposed to long term moorage which is ongoing based on the terms of the lease with the marina. Transient moorage can include courtesy tie-ups, day use, and overnight stays for a limited duration. Transient moorage does not include canoes or kayaks, but does include power boats as well as sail boats.

No doubt there are noisy party people who are boaters. However it would not be accurate to characterize transient boaters this way as a group. For example, when our long term moorage tenants go touring in their boat, they avail themselves of transient moorage facilities at other marinas. When they do this, they are in fact, transient boaters.

The availability of courtesy tie-ups is highly valued by the broader boating community. A 2007 survey of the Boating community commissioned by the Washington State Recreation and Conservation Office confirms this (discussed further below). To check this further, we contacted other marinas in the region. They report that they don't experience problems of unruly behavior by transient boaters to any significant degree. Quite the contrary, they actively work to attract visiting boaters with their transient moorage facilities. They view transient boaters as a market that adds value to the local economy. The behavior of all park users including boaters of any kind will be addressed through our supervision and management practices for the waterfront park. Bellevue maintains a very high standard of management and safety throughout the park system and we are confident that we will be no less successful here.

We think that the interesting features of the park, the beauty of the gateway piece of the plan and the proximity of the main street shops and restaurants will combine to create a very desirable experience for transient boaters. Their patronage will contribute to the long term economic viability of the main street merchants. The park itself will offer a great family destination for day use by boaters; use of a safe swimming beach, enjoying the gardens, historical and heritage elements as well as the public art.

17. How much grant money would be lost if there is no transient moorage, or if there are fewer than 14 transient slips? What is the reason for the number 14? Is it solely driven by grant requirements? Or is there some

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other basis for the number 14? What if any studies have looked at demand? Is there any basis to expect 14 transient boaters at a time will want to use the M Bay marina? *(Kathy George)*

Returning the grant money is not a viable option. Washington State Recreation and Conservation Office (RCO) uses several mechanisms to ensure that the properties they help acquire will remain in public use and in compliance with all the grant provisions. RCO does not allow return of the \$1 million in grant funds to eliminate the restriction. Rather, the state requires a “conversion”, or provision of the project in an equivalent location as determined by RCO. The State determined the number of slips required. The grant requirement is for “at least 14 slips”. The Steering Committee recommended 14 slips. The requirement for 14 transient slips is recorded on the property title.

When boaters were asked in a random phone survey the type of boating facilities that should be increased, courtesy tie-ups was the highest priority. Examples of the Washington State Recreation and Conservation Office 2008 survey:

- 51% of all respondents said courtesy tie-ups² were the highest priority
- 61% of registered boat owners responding said courtesy tie-ups
- 50% of Islands/Seattle/King County³ boaters said courtesy tie-ups
- 65% of sail boaters gave courtesy tie-ups as top priority
- 71% of owners of boats over 26 ft said courtesy tie-ups as their top request

18. How much money was spent rebuilding Pier 2 in 1998? *(Kathy George)*

Both Piers 1 and 2 were severely damaged as a result of a snow storm in 1997. The City purchased the marina in the midst of the Sellers reconstruction. Acquisition was based upon the fair market value of the fully restored facility, contemplated by the Seller via the Seller’s approved plans. At that point in time, the estimated replacement costs of all damaged improvements was about \$2 million. The City does not have repair cost specifics as the City did not participate financially in the repairs.

19. Who is moored at Piers 2 and 3? Any live-aboards? How long have they been there? Where would those boats go if Piers 2 and 3 are removed? How many of those boats could stay, if the remaining piers were configured differently? How many of those Pier 2 and 3 boats could stay if PACCAR's slip was replaced with smaller slips? What is the City's interest in accommodating a huge corporate yacht? Why does it outweigh the City's interest in accommodating smaller boat owners? (The visual simulations show the PACCAR yacht visually dominating the waterfront scene under all 3 alternatives.) *(Kathy George)*

The marina rents to tenants from a broad geographic area. Of the total 88 identified renters, 51 (58%) live in Bellevue or provide Bellevue addresses. This percentage has remained constant during the three years this planning project has been underway. The other 37 (42%) do not use Bellevue addresses. At least seven tenants may also be Meydenbauer Yacht Club members. Most of those 37 are from surrounding Puget Sound communities, including Burien, Clyde Hill, Covington, Issaquah, Kirkland, Medina, Mercer Island, Newcastle, North Bend, Redmond, Renton, Sammamish, Seattle, Snoqualmie, and Woodinville. A few are from more distant areas, including Wenatchee WA, Escondido CA, and Bloomington MN. Of the 28 tenants on Pier 2, 12 (43%) use Bellevue addresses. Of the 37 tenants on Pier 3, 25 (68%) use Bellevue addresses.

Live-aboards are not permitted at the marina. Of the 88 slips leased for long term moorage, 20 are long term tenants who leased from the previous marina owners, including the PACCAR boats. The length of stay varies by boater. To get a sense of length of stay, in a review of 2006-2008, 47 slips (53% of the total slips available) turned over. The Moorage Agreements are on a “MONTH to MONTH” basis which serves to remind tenants that that the city can terminate the lease if necessary to achieve the overall park goals. Nevertheless, there is a very long lead time for implementation of a project like this and it is likely that the attrition rate alone will allow for an orderly reduction of long term moorage without unduly impacting tenants. The City’s primary goal for acquiring the waterfront property (including the marinas) was to develop a waterfront park for the community, not to preserve and/or expand long term moorage. The preferred plan reflects that priority and strikes an equitable balance between the future park uses.

² Transient moorage can include courtesy tie-ups, day use and overnight stays for a limited duration.

³ Boating area which includes Bellevue

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The mix of slips reflected in the plan is not intended to favor any class of boaters. It reflects a planning exercise to evaluate how much moorage capacity could be preserved while meeting the primary objective of the park which is to dramatically increase public access to Bellevue's waterfront. Potential moorage is expressed as a range. Precise slip sizes and moorage design will be determined at the project level, at which time accommodation of various boat sizes will be determined.

Bellevue citizens consistently identify more public access to the water as a high priority. A goal/objective of the State, the City's comprehensive plan, and the City's Park & Open Space System Plan is to increase public access to the waterfront. The City of Bellevue recently conducted surveys for the Parks & Open Space System Plan and asked the community to prioritize future development. Water access was the second most popular choice (after trail development).

- 20. How would the change from permanent to transient moorage affect the level of boat traffic in M Bay? Unless I missed it, this is surprisingly not explored in the EIS. Without an understanding of the types of boats and boat users using permanent v. transient moorage, the Parks Board is ill-informed as to why the proposed change is good or bad. (Kathy George)**

Overall boat traffic generated by the park plan is expected to be reduced under the preferred alternative. There are currently 88 slips available for moorage. The total number of moorage slips projected in the plan (including the 14 transient slips) would produce a range from 52 to 62 slips -an overall 30%-40% reduction in the number of boats. The removal of Pier 3 and reconfiguration of Pier 2 will clear the shoreline in that area and provide a large, open water area between the marina and other nearby docks, making navigation in the area easier and safer.

- 21. What factors will determine how many permanent slips ultimately remain? The studied Alternative 2 says 25 to 35 slips, which is quite a large range, without explaining who will decide which number it is, or when or how or why. (Kathy George)**

The preferred alternative assumes between 38 and 48 slips for long term moorage. The range in the plan reflects a mix of sizes that could be accommodated. At this level of planning it should be seen as conceptual or order of magnitude. Actual numbers and sizes of slips are evaluated at the project level design stage. Resource agency permitting requirements, market conditions and achieving overall master plan objectives will be factors that will ultimately determine the number and size of the slips.