East Bellevue Community Council
Summary Minutes of Regular Meeting

October 7, 2014
6:30 p.m.

Lake Hills Boys & Girls Club
Bellevue, Washington

PRESENT: Chair Capron, Councilmember Gooding, Councilmember Hummer, Councilmember Kasner, Councilmember Gooding

ABSENT: None

STAFF: Carol Orr, Senior Planner, Development Services Department
Captain John McCracken, Police Department

1. CALL TO ORDER

The meeting was called to order at 6:34 p.m. with Chair Capron presiding.

2. ROLL CALL

The Deputy City Clerk called the roll. All Councilmembers were present.

3. FLAG SALUTE

Councilmember Hummer led the flag salute.

4. COMMUNICATIONS: WRITTEN AND ORAL

Brian Franklin, Partner at Franklin West, LLC, spoke and gave an update on Kelsey Creek Center development and progress. He said that the retail is 100% full for the first time since 1988. The only space that currently looks vacant, will be occupied by January. It is an office/medical tenant.

He went on to say that the last piece is the corner lot. There have been some struggles with that corner. A lot of the tenants that can afford the rent for that lot are not doing business right now. Banks are closing branches due to online banking. Drive-thru restaurants have been mentioned, but due to zoning, that type of use is not allowed. There are also parking constraints with the corner lot. There has been work with city staff to try and rezone the property, but it does not seem feasible since it is about a one year process. The other option is to leave the property as-is until the right tenant comes along.

Chair Capron questioned whether there is a provision that would allow using parking in the rest of the Center to make up for the parking deficiencies at the corner lot.

Mr. Franklin responded that there are multiple constraints on having a shared parking agreement. It was looked into initially, but was found not to be an option.

Councilmember Gooding questioned whether some type of professional office could be put in.

Mr. Franklin responded that there are not a lot of tenants that could afford the rent. A professional office would not need the exposure that the corner lot would provide. He said they are hoping to find the right tenant that is willing to move forward in the process. He noted that everyone agrees that anything is better than what it is now.

Councilmember Kasner asked Mr. Franklin what it means to him to have a fully functional center as compared to 4 years ago when it was a ghost town.

Mr. Franklin responded that when the center was empty they were painting over graffiti on a weekly basis. There were numerous issues behind the Kmart building. The center being occupied has done a great deal to reduce the crime.

Councilmember Kasner questioned what percentage of time is parking at capacity.

Mr. Franklin responded that lunch is the busiest time. However, the biggest issue with the center parking is that tenants are not parking where they are supposed to park. They are taking their own customer's parking spots.

Councilmember Kasner questioned whether there has been any movement with the city on the crosswalk or improving the traffic on Main Street to actually allow getting in and out of the center.

Mr. Franklin responded that he has not heard anything from the city. Chair Capron said he has also not heard anything more about the crosswalk.

Mr. Franklin went on to note that at one point there were 30 to 40 walk-offs parking in the center. They were parking their vehicle and then catching the 245 bus. He noted that they hired security and now there are no walk-off parkers.

Councilmember Hughes noted that no one wants that corner lot to look like it does, and he feels like it is frustrating that the process cannot be sped up in situations like this.

Mr. Franklin noted that he can sympathize with the city because they cannot allow one site to do something that they will not allow another site to do. He also noted that he has asked the city if the process can be expedited or if a concurrent process can be completed where a rezone and a SEPA review can be done together.

Councilmember Kasner questioned if there is something that can be done cosmetically to make the site look better.

Mr. Franklin responded that there is only so much that can be done without incurring a significant cost. There is still a foundation located on the site.

Councilmember Kasner asked if it would be very expensive to great a green space or park on the site.

Mr. Franklin responded that yes, it would be much too expensive.

Councilmember Hughes questioned whether there is anything the EBCC could do that would help.

Chair Capron noted that we can ask that it be included in the minutes that we would like the project expedited.

Councilmember Kasner noted that the EBCC can only talk about the development in the initial phase. Once an application is received it becomes quasi-judicial and they cannot discuss it any further.

Mr. Franklin noted that it all comes down to parking. He suggested to the city that they should be allowed to count cars that were cued in a drive-thru scenario. The city said no. Mr. Franklin said there are other municipalities that count the cars in a drive-thru towards the parking requirements.

Councilmember Kasner thanked Mr. Franklin for offering the update.

5. REPORTS OF CITY COUNCIL, BOARDS AND COMMISSIONS

(a) Community Council Business and New Initiatives

Councilmember Hummer noted that Bellevue College is improving the lighting at their fields. They are putting in collegiate standard lighting, which will extend their practices. They gave all of the neighbors an opportunity to come and hear the presentation about how it will look and what was happening. Councilmember Hummer also went to the East Link open house at Highline Community Center and Energize Eastside presentation at a downtown Bellevue hotel. She also attended the Planning Commission meeting where they talked about the room rental ordinance. She noted that the only way the ordinance will be enforced will be through reporting. Councilmember Hummer noted that she is enrolled in the Bellevue Essentials class, where citizens are learning how city government works. She also took a tour of the Crossroads Community Center.

Councilmember Gooding noted that the city is doing a traffic calming project. He is a member of the committee and noted that they are getting together for a meeting later this month.

Councilmember Hughes attended two of the same meetings that Councilmember Hummer did. He noted that it was interesting at the lighting meeting to learn that all the lights at Bellevue high schools are out of compliance. Most of the other municipalities around the area have different types of modern lighting. Councilmember Hughes noted that he drove around the area and visited the local projects that are underway.

Councilmember Kasner noted that he spoke to one of the candidates for the police chief position in Bellevue. He also had the opportunity to watch the lights shining down on Newport High School stadium recently. Councilmember Kasner also attended some planning meetings with the Lake Hills Neighborhood Association. Their planning committee is very interested in the budgeting process. He noted that he was teaching on Mercer Island when they were unable to use their water.

Chair Capron spoke and said he has been personally observing the Sammamish High School construction. On occasion they deliver steel at 4:30 in the morning. However, for the most part the construction has been relatively non-disruptive to the surrounding community.

6. APPROVAL OF AGENDA

Councilmember Kasner moved to approve the agenda. The motion was seconded by Councilmember Gooding and passed unanimously.

7. DEPARTMENT REPORTS

(a) Red light/school zone camera presentation

Captain McCracken presented the department report on the red light/school zone cameras.

The city has been involved in photo enforcement for 5 years now. Motor officers are responsible for viewing the violations and then approving or not approving. Captain McCracken presented a PowerPoint on the subject. In September, a proposal was made to expand the program by adding cameras on the west side of the city. There will also be an additional school zone camera at Sunset Elementary.

Captain McCracken went on to say that the data collected showed 37 mph average in the school zone area.

Councilmember Kasner questioned how the data was collected.

In response, Captain McCracken said that there were loops in the road placed by the Transportation Department. They collected the data and then presented it. The data showed that after overhead lights were added, the speed was reduced down to 33 mph. After the addition of photo enforcement, the speeds have slowed down to approximately 24 mph in the 20 mph zone. Captain McCracken noted that whether a person likes photo enforcement or not, the data is clear that photo enforcement has significantly slowed the traffic.

Councilmember Gooding questioned when the lights flash.

In response, Captain McCracken noted that they flash several times during the day, based on when the students are coming and going. The school provides the times and transportation activities that set the lights.

Councilmember Kasner questioned how much discretion officers have when issuing tickets.

Captain McCracken noted that the citations are automatically generated at 6 mph over the speed limit. The citations are $124 dollars and are considered to be a parking violation and are issued to the registered owner of the vehicle. The citations do not impact insurance.

From 2010 to 2013 there was a steady decrease in the amount of citations produced from the red light and school zone cameras. That gave us information that the impact on drivers was working. Ultimately, drivers were committing less violations because they knew the photo enforcement was at a particular location.

Councilmember Kasner questioned why only one direction is monitored in a 4-way intersection.

Captain McCracken responded that they have to pick and choose the approaches. An approach is one angle of the intersection. You can usually cover all lanes with one camera, but you can only cover one direction of traffic. The cameras are expensive to install and to operate and they cannot be placed everywhere. The goal has never been to place them everywhere either. Captain McCracken explained that the police department wanted to pick certain locations with high accident rates to target. The collateral impacts of having those cameras also affects other areas of the city. Some people see cameras at every intersection and believe that they are photo enforcement cameras, when in reality most are transportation cameras.

Captain McCracken explained that it is hard to put a lot of weight on data because there are such short data points. However, the fact that there is that many less collisions is a positive impact. As photo enforcement is added at 116th and NE 8th and 112th and NE 8th, there will be more measurable numbers because those are high accident intersections.

Councilmember Gooding pointed out that the decreasing numbers of tickets and accidents is in the face of vastly increasing traffic volumes.

Councilmember Hughes noted that 90 to 95% of people who are issued tickets are first time offenders. He also questioned the economics of the camera operation. He noted that the cameras cost a fixed amount, but if they are working properly the infractions will drop and therefore the revenue drops. The returns are diminishing.

Captain McCracken noted that the city has an agreement with ATS, the vendor, that the cameras will never operate at a loss. If it was to a point where there were not enough violations to justify having a camera, it would be removed. The City Council has made the decision that we will go with the intersections we have and the issue of cameras will not be raised again for another five years.

Councilmember Kasner noted that he has issue with the fact that no downtown intersections are on the list.

Captain McCracken responded that 112th and NE 8th is downtown Bellevue. The cameras will point east and west and will pick up all the lanes heading into downtown and coming out of downtown.

Councilmember Hughes questioned whether the speed zone cameras are operational during the school day.

Captain McCracken responded that the cameras are operational ten minutes before the bell and ten minutes after the bell.

Councilmember Kasner questioned if the speed drops to 20 mph anytime when kids are present, or just during the times mentioned.

In response, Captain McCracken stated it is anytime the yellow lights are flashing, which are the preselected times.

Councilmember Kasner questioned whether the program is working.

Captain McCracken noted that it has been very successful in the areas it has been used and as long as the program is limited, the program is doing exactly what was set out to accomplish.

Councilmember Kasner questioned whether officers can be deployed to other areas since they do not have to concentrate on enforcing intersections where the cameras are located.

Captain McCracken responded that a lot of the intersections were areas that motor officers worked quite a bit. There was an opportunity to shift resources in the beginning, however now the city is down three motor officers due to staffing issues. It is very difficult to keep up with the rate of retirement.

Captain McCracken noted that the police will stop working a specific area if people stop speeding.

Councilmember Kasner questioned how many officers are in the motor section when fully staffed.

Captain McCracken said that the department has ten motor officers and two motor supervisors, six accident investigators, one accident investigator supervisor, and one parking enforcement officer, and several volunteers to do disabled parking enforcement. The officers are not in operation twenty-four hours a day, seven days a week. Motor officers work during the day when the traffic volumes are at the highest.

Captain McCracken also noted that red light cameras are active 24/7, whereas school zone cameras are only active when the yellow lights are flashing.

Councilmember Gooding questioned how many officers are in the police department.

In response, Captain McCracken said the number should be around 180 fully staffed.

Councilmember Kasner questioned whether a violation occurs if the light is not yet red when passing through the intersection.

Captain McCracken responded that it is not a violation if the car goes into the intersection when the light is yellow. The stop line is the marker in most intersections, but if the intersection does not have a stop line then the first line of the crosswalk is considered the marker.

Councilmember Hughes noted that an officer reviews every photo or video before noting a violation. Captain McCracken affirmed that every case is reviewed prior to citing a vehicle. The criteria is the same for photo enforcement as it is for writing tickets for moving violations.

8. PUBLIC HEARINGS

(a) Courtesy Hearing on Administrative Conditional Use Permit – Sprint Wireless Antenna Modification

Carol Orr presented the staff report regarding the Conditional Use Permit. She explained that this particular pole is located on a residential lot, within an easement that all the power lines run through along the backside of Kelsey Creek Park and back through the cemetery. There is an existing antenna for Sprint and this application is adding two more antennas. In order to add the antennas they have to add an additional extension pole. There is no additional equipment on the ground.

Councilmember Hummer questioned whether the homeowner owns the easement or gets revenue from it.

Ms. Orr responded that the easement goes back to 1957.

Councilmember Kasner noted that there should be a more coordinated plan, in general, regarding technology improvements.

Chair Capron questioned how much the FCC regulates.

Ms. Orr responded that there are some things that can be done.

Councilmember Hummer questioned whether the homeowner has commented on the project.

In response, Ms. Orr said that she had a phone conversation with the homeowner who was surprised at the sign in her front yard. Ms. Orr informed the applicant that they should be in contact with the homeowner.

Ms. Orr noted that she would take any comments from the EBCC and put them in the staff report.

Councilmember Hummer noted that she does not have any comments but she would like to make sure the homeowner has the opportunity to comment.

9. RESOLUTIONS

None.

10. COMMITTEE REPORTS

None.

11. UNFINISHED BUSINESS

None.

12. NEW BUSINESS

(a) Future Agenda Items

Council discussion regarding future agenda items.

Councilmember Kasner requested that an agenda item be added in November regarding the room rental ordinance. If the issue does not come forward for final action in November, a memo update would be appreciated.

Continued Council discussion.

13. CONTINUED COMMUNICATIONS

None.

14. EXECUTIVE SESSION

None.

15. APPROVAL OF MINUTES

(a) Summary Regular Meeting Minutes - September 2, 2014

Councilmember Kasner moved to approve the minutes. Chair Capron seconded the motion and it was approved unanimously.

16. ADJOURNMENT

Chair Capron adjourned the meeting at 8:38 p.m.

Charmaine Arredondo
Deputy City Clerk