

CITY OF BELLEVUE  
CITY COUNCIL

Summary Minutes of Regular Session

March 7, 2016  
8:00 p.m.

Council Chamber  
Bellevue, Washington

PRESENT: Mayor Stokes, Deputy Mayor Chelminiak, and Councilmembers Robertson, Slatter, and Wallace

ABSENT: Councilmembers Lee and Robinson

1. Call to Order

The meeting was called to order at 8:00 p.m., with Mayor Stokes presiding.

2. Roll Call, Flag Salute

All Councilmembers except Councilmembers Lee and Robinson were present. Councilmember Robertson led the flag salute.

3. Approval of Agenda

→ Deputy Mayor Chelminiak moved to approve the agenda, and Councilmember Robertson seconded the motion.

→ The motion to approve the agenda carried by a vote of 5-0.

4. Communications: Written and Oral

- (a) King County Councilmember Claudia Balducci, District 6, introduced herself and provided a brief report. She is the Chair of the Regional Transit Committee, which is working to update Metro's Service Guidelines, Strategic Plan, and Long-Range Plan. The updated plans will be adopted to coincide with the development of the Sound Transit Phase 3 (ST3) package and ballot measure. Ms. Balducci serves on the Budget and Finance Committee and as Vice Chair of the Transportation, Economy and Environment (TrEE) Committee. She said implementation of the Best Starts for Kids initiative is underway, and the Mental Illness and Drug Dependency sales tax expires this year. Councilmember Balducci said the County Council will be working on the solid waste plan this year. She acknowledged Bellevue's interests in maintaining solid waste services throughout the Eastside versus consolidating them in one city.

Mayor Stokes noted, for the audience, that Councilmember Balducci is a former Bellevue Mayor and longtime City Councilmember. He said the City looks forward to continuing to work with her.

- (b) RoseAnn Payonk commented on the false alarm reduction program. She said she spoke with a Police Department representative, who indicated an annual cost to the City of \$170,000 to respond to false alarms. She said the City collects \$25 per alarm location and receives approximately \$160,000 annually. In addition, the City collects fines of \$100 for the first false alarm and \$200 for subsequent false alarms. She questioned the City's plan for the excess funds collected and whether they will be used for public safety purposes. Ms. Payonk expressed concern that the City contracts with a third party to collect the alarm fees and fines, and that the City receives personal information on residents from that third party. Ms. Payonk submitted her questions and comments in writing.
- (c) Wayne Watkins questioned whether the City has data on the frequency of false alarms by zip code. He questioned whether fees collected from one zip code are used in another zip code to respond to false alarms. He questioned whether there is data on the frequency of commercial versus residential false alarms. Mr. Watkins submitted his questions in writing.
- (d) William Sheehan said he is opposed to paying an alarm registration fee or a fine if his alarm is accidentally triggered. He said he will sue the City if it gives his information to a third party without his authorization.
- (e) Keri Pravitz, Community Projects Manager, Puget Sound Energy (PSE), spoke to misunderstandings about the Energize Eastside project. She said assertions by the Coalition of Eastside Neighborhoods for Sensible Energy (CENSE) that PSE inflated numbers to demonstrate a need for the project is untrue. She said PSE does not control power flows to Canada, and the Energize Eastside project is not based on a need to transmit power to Canada. Power transmission to Canada typically occurs on higher capacity lines east of the Cascade mountains. Ms. Pravitz said PSE has demonstrated the need for the Energize Eastside project and has followed the regional planning standards.
- (f) Don Marsh, President of the Coalition of Eastside Neighborhoods for Sensible Energy (CENSE), recalled the study that CENSE recently submitted to the Council regarding the Energize Eastside project. He highlighted excerpts from the study and said that the author of the report is willing to share his computer model with PSE. The author would like to review PSE's data to better understand the details of the company's objections to CENSE. Mr. Marsh said the author previously received CEII clearance from the Federal Energy Regulatory Commission (FERC) and has filed a second CEII application with PSE. Mr. Marsh said he is seeking the CEII clearance for himself as well. He said the Phase I Draft Environmental Impact Statement (DEIS) for the Energize Eastside project must be finalized and considered by the City's Hearing Examiner before beginning the Phase II DEIS.

- (g) Loretta Lopez, Vice President of the Bridle Trails Community Club, said the two-phased DEIS process for the Energize Eastside project is unacceptable. CENSE's lawyer has 20 years of experience in State Environmental Policy Act (SEPA) matters and has never seen a process designed in this manner. Ms. Lopez cited *King County v. the Boundary Line Assessment*, an annexation case, and suggested that the City Manager discuss this case with the City Attorney. Referring to the earlier Study Session discussion, Ms. Lopez said staff did not answer the question regarding the justification for having no Phase I Final EIS before moving to Phase II. She said the agenda memo states that the Phase I DEIS "focuses on answering questions about the need." However, the DEIS frequently states that its purpose is not to determine whether the project is needed. Ms. Lopez asked the City to stop and to issue a final decision on Phase I, in order to allow the matter to be adjudicated by the City's Hearing Examiner. She said it is important to establish whether there is a need for the project before moving forward.
- (h) Jennifer Fischer, Executive Director of Bellevue Lifespring, said the organization is the oldest nonprofit agency in Bellevue at 105 years old. She described the agency's programs serving only children attending Bellevue schools, including the 3,600 children living in poverty. Ms. Fischer invited the Council and the public to the organization's annual fundraising luncheon on March 24.
- (i) Lei Wong, representing Parents Against Marijuana Near Schools (PAMNS), said residents were glad to hear that the marijuana store behind the McDonald's business in Factoria withdrew its application. She expressed continued opposition to allowing any recreational marijuana stores in the Factoria area, and requested that the City cap the maximum number of stores at four. She submitted her comments in writing.
- (j) Katherine Ma, expressed concern about youths' access to marijuana and the potential for addiction. She urged the City to restrict the number of marijuana retail stores to the four that are currently allowed.
- (k) Yumin Li expressed concerns regarding marijuana retail stores, especially near schools. While there is a debate about whether marijuana use leads to the use of stronger drugs, it is clear that early marijuana usage increases the vulnerability for drug abuse and addiction. Mr. Li said there is a connection between marijuana use and high school dropout rates. He urged the Council to support PAMNS' objectives to create a drug-free community and to cap the number of marijuana stores at four.
- (l) Steve O'Donnell, co-founder of CENSE, referred to the earlier Study Session discussion regarding the Energize Eastside project. He said that obtaining CEII clearance does not mean that an adequate evaluation of the data occurred by the City's consultants. He said the consultants did not conduct an electrical need study but only verified PSE's process. He said PSE's recent Integrated Resource Plan (IRP) reflects a decrease in its system-wide growth rate from 1.7 percent to 0.7 percent.

5. Reports of Community Council, Boards and Commissions

- (a) Transportation Commission Recommendation to Initiate a Comprehensive Plan Amendment (CPA) into the 2016 CPA Work Program, for Policies within the Transportation Element informed by the Vision Zero Initiative.

City Manager Miyake introduced the presentation of a recommendation from the Transportation Commission regarding the Vision Zero initiative. He recalled that the Council passed a resolution in December that endorsed the Vision Zero concept as a way to achieve zero traffic fatalities and serious injuries in Bellevue by 2030. The resolution directed the Commission to determine whether any additional policies or revisions were warranted to address this objective.

Transportation Commission Chair Scott Lampe said the Commission recommends a Comprehensive Plan Amendment (CPA) to implement Vision Zero policies. Resolution No. 9035 adopted by the Council on December 7, 2015, endorsed the program's approach. The Commission reviewed Comprehensive Plan policies related to the Vision Zero program during its January and February meetings. He said Bellevue's existing safety programs contribute to a relatively low collision and injury rate compared to other cities in the region. However, the Commission determined that more work is needed to achieve the Vision Zero goal.

Mr. Lampe said there have been approximately 40 collisions per year over the past 10 years in Bellevue that resulted in injuries to pedestrians, 30 collisions per year that resulted in injuries to bicyclists, and approximately 400 collisions annually that resulted in injuries to occupants of vehicles. Of those, 15 have resulted in a fatality. The Transportation Commission determined that additional steps could be taken to reduce serious injury and death. Mr. Lampe said that the documentation of injury collisions is not in a format that is readily searchable.

Transportation Commission Vice Chair Janice Zahn said the Commission heard from the community and worked with staff during two study sessions. The Commission identified many effective programs already in place in Bellevue including the neighborhood traffic safety program and the accident reduction program. However, a review of the Vision Zero policies indicates that the City can and should do more. Ms. Zahn said Vision Zero provides a framework based on six categories of action for traffic safety, known as the Six E's: Education, Encouragement, Enforcement, Engineering, Equity, and Evaluation.

Ms. Zahn said the Commission recommends the development of a Vision Zero Action Plan, with the goals of understanding where and why accidents are occurring and of using the data to improve safety. She noted that there could be budget implications related to the future implementation of Vision Zero elements. Ms. Zahn said she attended a national conference and heard what other cities, including Seattle, San Francisco and Washington, D.C., are doing with their Vision Zero initiatives.

Kevin McDonald, Senior Transportation Planner, thanked the Transportation Commission for their thorough and timely review of transportation policies. He recognized City staff Darcy Akers, Transportation Engineer, and John Murphy, Associate Planner, for their research and work to support the Commission as well.

Mr. McDonald requested that the Council direct staff to initiate Vision Zero policies as part of the 2016 Comprehensive Plan Amendment (CPA) package. If approved to move forward, staff will work with the Planning Commission as well and report back to the Council later in the year.

Mayor Stokes noted that staff's recommendation is outlined in Attachment B to the agenda memo in the meeting packet. Mr. McDonald said the key element of the CPA is to initiate the development of the Vision Zero Action Plan. This would be an interdepartmental, and potentially interagency, plan to use data in developing projects and funding priorities to address Vision Zero objectives.

Councilmember Wallace, liaison to the Transportation Commission, said there was significant discussion about the appropriate language for the Comprehensive Plan policies. He said he is unclear about exactly where this is heading, although the recommendation looks at revising only a few policies of the existing 150 Transportation Element policies. He said the City already prioritizes safety. However, he acknowledged that this will provide an enhanced focus on traffic safety. Mr. Wallace said it will be helpful to learn what other cities are doing with their Vision Zero program in determining what makes sense for Bellevue.

Ms. Zahn said the input she has heard so far from other cities indicates that the implementation of the Vision Zero program is a community process. She said two of the Six E's that strike her as particularly important for Bellevue are equity and evaluation.

Councilmember Slatter concurred with a focus on equity and involving the community. She questioned the data to be collected and how it will be used. Ms. Zahn said Transportation staff is already working with the Police Department to obtain data and to translate it to helpful information for policy development.

Deputy Mayor Chelminiak expressed support for developing the Vision Zero Action Plan. He said the City hears from residents about their desire for enhanced pedestrian connections and safety.

→ Deputy Mayor Chelminiak moved to initiate a Comprehensive Plan Amendment (CPA) proposal into the 2016 CPA Work Program to revise the Transportation Element consistent with the Vision Zero program, as recommended by the Transportation Commission. Councilmember Robertson seconded the motion.

Councilmember Robertson said this item will be forwarded to the Planning Commission, which will hold a public hearing, and will return to the Council for formal action. She looks forward to a more intentional focus on safety. She said this is consistent with the City's existing policies regarding safety and overall quality of life. Councilmember Robertson thanked the Transportation Commission for its work.

→ The motion carried by a vote of 5-0.

Ms. Zahn noted that the Transportation Commission will review the Pedestrian and Bicycle Plan Initiative in March, with a focus on improving neighborhood connections to north-south and east-west corridors.

6. Report of the City Manager

(a) 2016 Annual Comprehensive Plan Amendments List of Initiated Applications

City Manager Brad Miyake introduced staff's presentation of initiated applications for the 2016 annual Comprehensive Plan Amendments.

Nicholas Matz, Senior Planner, provided an overview of the CPA review process. Applications to amend the Comprehensive Plan are submitted and considered in a single annual process under the State Growth Management Act. The Threshold Review phase identifies the proposed amendments to be studied for inclusion in the annual work program, and Final Review results in Council action to adopt or deny the proposed CPAs.

Mr. Matz said five privately initiated applications were received for 2016. The three site-specific proposed CPAs are: 1) Naficy site on BelRed Road, 2) Eastgate Office Park, and 3) Newport Hills Shopping Center. The Naficy proposal requests a change from Office (O) zoning to BelRed Residential Commercial (BR-RC-3) zoning for a half-acre site on BelRed Road.

The Eastgate Office Park proposal on SE 30<sup>th</sup> Place applies to a 14-acre, four-building office complex with surface parking. The CPA application requests a change from Office (O) zoning to Office-Limited Business (OLB) zoning.

Mr. Matz said the Newport Hills CPA proposal requests a zoning change from Neighborhood Business (NB) to Multifamily-High (MF-H) for 4.4 acres of the 5.9-acre Newport Hills Shopping Center.

The two non-site-specific CPA proposals apply to the text of the Comprehensive Plan itself. The CPA applications propose new policies to the Parks, Recreation and Open Space Element including: 1) restricting or regulating the review of changes in the use of acquired park land, and 2) requiring City-owned park land to be identified by a Park zoning designation.

Mr. Matz said staff will take the proposed CPAs to the Planning Commission on March 9 for its initial study session on the work program. He said there will be an enhanced focus on public outreach this year, and the City has been hearing from the public regarding the applications. Three communications regarding the Naficy CPA are opposed to the proposal. The City has not received comments on the Eastgate proposal.

Inquiries regarding the Newport Hills CPA have been received from adjacent properties owners, and 12 emails and 14 phone calls have been received as well. Key themes include the retention of neighborhood commercial services, traffic, and design.

Mr. Matz said staff will conduct concurrent rezone reviews related to the site-specific CPA proposals, to the extent allowed by statute. He said staff will work to clarify the difference between the CPA process and the rezone process for the public. The Threshold Review public hearing is anticipated for April. Staff and the Planning Commission will share the Commission's recommendations with the Council in June.

Mayor Stokes thanked staff for the presentation and noted that the Council will have opportunities to discuss the proposals in the future.

7. Council Business and New Initiatives

(a) Updating the Vision for Art and Culture in Bellevue

Mayor Stokes said he requested information on the Update to the Vision for Art and Culture in Bellevue. He invited the Council to participate and noted the agenda memo in the meeting packet regarding the process. He said the first step is to evaluate the current Vision and to prepare an online survey to obtain community feedback. He said the City hired Joshua Heim as the new Arts Manager.

(b) Request for Direction to Staff regarding Evaluation of Paid Parental Leave

Mayor Stokes recalled Councilmember Robertson's request that the Council direct staff to conduct work in excess of eight hours to address paid parental leave.

Councilmember Robertson described her proposal for a full evaluation and the consideration of adding parental leave to the City's benefits package for employees. She said the workforce is changing and the City's overall benefits package will be changing as a result of the Affordable Care Act. Given that this is a Budget year, she observed that this is a good time to initiate this type of evaluation. She said there will be a broad analysis of policy and financial issues related to her proposal.

Ms. Robertson said she worked with Human Resources Department staff to set the scope for the evaluation and analysis, which she would like to be completed by the end of May. She requested concurrence to direct the City Manager to initiate the review.

Mayor Stokes thanked Councilmember Robertson for her proposal and her work with staff. He agreed with considering a change as part of the budget process, and he observed there is likely to be public interest in the topic.

Councilmember Wallace said it will be important to understand the financial implications of a policy change. His understanding of the Operating Budget is that there are just enough resources to cover the current level of services provided by the City without raising taxes. However, potential negative impacts related to the Affordable Care Act are anticipated and there continues to be ongoing general concerns about increasing personnel and medical benefits costs. Mr. Wallace observed that this type of benefit will likely require increasing taxes or reducing an existing benefit.

Councilmember Robertson clarified that she is requesting only an analysis at this point. She asked staff to comment on the outlined scope of work.

Kerry Sievers, Human Resources Director, said the review will look at current parental leave benefits, beginning with an analysis of the average cost of existing benefits. Staff will compare the City's program to others on the regional and national level and research their policies, costs, and the issue of employer- and employee-funded programs. Policy topics include defining the qualifying reasons for parental leave; maximum benefit period; financial impact of replacement staff; impacts on employee recruitment, retention, productivity, and cultural identity; co-worker impacts; and potential union/non-union issues.

Councilmember Slatter thanked Councilmember Robertson for the proposal and expressed support for studying the issue.

Councilmember Robertson thanked Ms. Sievers and Human Resources Department staff for helping her to define the scope of the analysis.

- Councilmember Robertson moved to direct the City Manager to initiate the project described in the agenda memo in the meeting packet to evaluate adding a parental leave program for City employees, including providing information, analysis, project schedule, and options to the Council, as part of the 2017-2018 Budget process. Deputy Mayor Chelminiak seconded the motion.
- The motion carried by a vote of 5-0.

Moving on, Councilmember Wallace referred to comments during earlier Oral Communications requesting that the City maintain the restriction on four marijuana retail stores in Bellevue. He questioned the schedule for discussing this and related issues. City Manager Miyake said staff will bring information back for the Council, including staff's suggestions about how to process the community's concerns.

Councilmember Slatter thanked Mr. Wallace for the request. She questioned whether there will be a follow-up on the false alarm program. Mr. Miyake said a number of concerns have been raised and addressed in the past. Staff plans to bring an update to the Council within the next few weeks.

## 8. Consent Calendar

Mr. Chelminiak highlighted Consent Calendar items including up to \$250,000 for the conceptual design of the Grand Connection (Meydenbauer Bay Park to the Eastside Rail Corridor and Wilburton area); \$330,000 to improve the ramp in the Pedestrian Corridor west of 108<sup>th</sup> Avenue NE; and \$131,000 to improve the irrigation control system at Bellevue Municipal Golf Course. He noted that the latter is funded by golfers' fees.

- Deputy Mayor Chelminiak moved to approve the Consent Calendar, and Councilmember Wallace seconded the motion.
- The motion to approve the Consent Calendar carried by a vote of 5-0, and the following items were approved:
  - (a) Council Meeting Minutes  
Minutes of February 8, 2016 Extended Study Session  
Minutes of February 16, 2016 Study Session  
Minutes of February 16, 2016 Regular Session  
Minutes of February 22, 2016 Extended Study Session
  - (b) Resolution No. 9073 authorizing the execution of an agreement with Horizon for the purchase and implementation of an irrigation control system for the Bellevue Golf Course.
  - (c) Ordinance No. 6276 relating to parking; adding new Sections 11.23.027, 11.23.028, and 11.23.029 to the Bellevue City Code; and, amending Section 11.23.040 of the Bellevue City Code.
  - (d) Motion to award Bid No. 16003, NE 6th Street Pedestrian Improvement Project (CIP Plan PW-R-176) as part of the Early Implementation of the Downtown Transportation Plan, to Agostino Construction Inc., as the lowest responsible and responsive bidder, in the amount of \$333,046.00.
  - (e) Resolution No. 9074 authorizing execution of a professional services agreement with Balmori Associates to provide design and other related services for the Wilburton - Grand Connection study, in an amount not to exceed \$250,000.
  - (f) Resolution No. 9075 authorizing the execution of an agreement with Garland/DBS, Inc. to clean, repair, seal and replace the expansion joints to the exterior of the original Bellevue Aquatic Center building using the U.S. Communities Government Purchasing Alliance (Cobb County, GA. #MICPA-14-5903).
  - (g) Resolution No. 9076 authorizing execution of a three year Enterprise License Agreement with Environmental Systems Research Institute, Inc. (Esri) for the licensing and deployment of Geographic Information Systems (GIS) mapping software and services for the City, including maintenance of existing software, training, and technical support.
  - (h) Resolution No. 9077 authorizing execution of an Interlocal Agreement with Kitsap County for the purchase of LiDAR data for the City of Bellevue.

9. Public Hearings

- (a) Public Hearing regarding the Land Use Code Amendment proposed to streamline the Permit Process applicable to the Sound Transit Operations and Maintenance Satellite Facility (OMSF).

Mayor Stokes introduced the Public Hearing regarding the proposed Land Use Code Amendment (LUCA) to streamline the Permit Process applicable to the Sound Transit Operations and Maintenance Satellite Facility (OMSF).

Land Use Director Carol Helland introduced Drew Folsom, Assistant Land Use Professional, who worked on the report. Following the Public Hearing, the policy question for the Council is whether to direct staff to finalize the OMSF Process Streamlining Code Amendment for final action. Ms. Helland said the East Link Memorandum of Understanding (MOU) committed the City to initiating the Code Amendment within 30 days of the Sound Transit Board's selection of a Bellevue site for the facility. The Board identified its site on October 22, 2015, and the LUCA was initiated on November 16, 2015. Ms. Helland said Sound Transit agreed to incorporate design elements and additional mitigation described in the MOU into the OMSF facility.

Ms. Helland said the design elements identified in the MOU included design modifications to maximize transit-oriented development (TOD), design integration with the surrounding TOD architecture, construction of an interim trail along the Eastside Rail Corridor, pedestrian and bike connections between the rail corridor and 120<sup>th</sup> Avenue NE, a design to accommodate the future daylighting of the creek north of the OMSF, compliance with the City's Noise Code, and a commitment that Sound Transit will not expand the boundaries of or number of rail cars serviced at the OMSF.

Sound Transit's progress to date includes incorporating design elements into the Final Environmental Impact Statement (FEIS) for the OMSF, Sound Transit Board acknowledgement of the OMSF commitments in the MOU, complying with the project Record of Decision, City involvement in design-build procurement, and Sound Transit's inclusion of its MOU commitments regarding the facility in its pre-solicitation of the Request for Qualifications (RFQ).

Ms. Helland said Sound Transit will receive the benefits of the LUCA to streamline the permit process only if the design elements contained in the MOU have been included in its application package.

Mr. Folsom said that, without the LUCA, the OMSF is classified as an essential public facility and would be handled as a Process I Conditional Use Permit (CUP). Under the LUCA, the facility is processed as a transportation use and will involve a Master Development Plan and Design Review under Process II.

Mr. Folsom summarized the elements of the LUCA including new definitions, adding the OMSF to Land Use Charts, allowing Process II review if application requirements are met, requiring Process I if requirements are not met, and requiring conformance with a number of development requirements related to the OMSF. The latter address design elements outlined in the MOU, number of rail cars, landscaping, height limits, setbacks, light and glare control, mechanical

equipment, critical area impacts, and compliance with the City's Noise Control Code (Chapter 9.18).

→ Deputy Mayor Chelminiak moved to open the Public Hearing, and Councilmember Robertson seconded the motion.

→ The motion carried by a vote of 5-0.

No one came forward to comment.

→ Deputy Mayor Chelminiak moved to close the Public Hearing, and Councilmember Robertson seconded the motion.

→ The motion carried by a vote of 5-0.

Mayor Stokes requested Council consideration about whether to direct staff to finalize the LUCA proposed for the Sound Transit Operations and Maintenance Satellite Facility (OMSF). Formal action would be scheduled for a future meeting.

Councilmember Wallace expressed support for moving forward. However, he expressed concerns regarding noise, noting that some types of noises are covered by the City's Noise Code and some are not. He said bells on the trains are exempt from the Noise Control Code while wheel squeal is covered by the Code. Mr. Wallace said the Council made it clear that the City's Code applies to the trains. He expressed concern that the language in the permit does not clearly require the mitigation of wheel squeal noise. He observed that, if the train is running in an area in which the noise is below the noise threshold of the ambient noise of the area, it does not make sense to force Sound Transit to mitigate that noise level. However, that is not stated in the permit language.

Mr. Wallace said he would like an analysis of the issue by staff, and he would like the Council to consider an amendment to the Noise Control Code to clarify the issue. If the Council's intent is to not require that Sound Transit achieve something that is impossible, which is to mitigate to a noise threshold for their ordinary train noise that is below the ambient noise level, even if technically required by the current Code, that intent should be clarified in the Code. He observed that there might be other noise issues caused by light rail that will clearly fall under the Code.

Mr. Wallace said he wants it to be clear that wheel squeal is subject to the Code, but that noise related to the ordinary operation of the trains is allowed if below the ambient noise level. His interpretation of the permit as written is that there is no requirement to mitigate wheel squeal.

Deputy Mayor Chelminiak said he reviewed the minutes of Council's discussion on April 26, 2013 regarding cost saving measures and the noise analysis for the South Bellevue light rail segment. The City's noise consultant determined that the ambient noise level in South Bellevue is above the noise levels required for light rail mitigation. Mr. Chelminiak said his understanding is that the noise level in South Bellevue will improve because the light rail project deflects some of the transportation noise that is exempt from the Noise Control Code. Mr. Chelminiak

expressed support for a review by staff in an attempt to clarify the permit language as requested by Councilmember Wallace. Mayor Stokes concurred.

Councilmember Robertson observed that noises below the ambient noise level might still be noticeable if they are particularly annoying or dominant tones.

→ Deputy Mayor Chelminiak moved to direct staff to finalize the LUCA applicable to the Sound Transit Operations and Maintenance Satellite Facility (OMSF), for future Council action. Councilmember Robertson seconded the motion.

→ The motion carried by a vote of 5-0.

10. Land Use: None.

11. Other Ordinances, Resolutions and Motions

- (a) Ordinance No. 6277 authorizing Downtown Livability Initiative Early Win Code Amendments.

Mr. Miyake requested Council action on Ordinance No. 6277 authorizing the Downtown Livability Initiative Early Win Code Amendments. He recalled Council discussion during the February 1 Study Session in which the Planning Commission presented its recommendations. At that time, Council raised questions and requested specific changes to the ordinance.

Trish Byers, Code Development Manager, said the Council identified the implementation of Downtown Livability Early Win Code Amendments as a high priority on October 5, 2015, in its approval of the Planning and Community Development (PCD) and Development Services Department (DSD) Work Plan. The early wins are a subset of the broader Downtown Livability project. These items were identified by the Planning Commission in collaboration with Mayor Stokes, Council liaison to the Commission. The early win amendments were identified as candidates for moving forward because they are discrete and relatively straight-forward amendments, and the Citizen Advisory Committee's recommendations on the topics were unanimous.

Ms. Byers said the advantage of adopting the Early Win Code Amendments is to make them available to developers in advance of the adoption of the larger Downtown Livability Initiative package in the fall. The amendments provide added flexibility, simplify the permit review process, and enhance the livability of the built environment. Ms. Byers noted that staff's responses to questions previously raised by the Council are outlined in the meeting packet. A revised ordinance incorporating those questions/suggestions is provided as Attachment B.

→ Deputy Mayor Chelminiak moved to adopt Ordinance No. 6277, as revised by Council input [Attachment B]. Councilmember Robertson seconded the motion.

Deputy Mayor Chelminiak said he received a phone call from Councilmember Robinson, who asked him to relay a comment on the Downtown Livability work. She would like the Planning

Commission to consider some form of design review by a group other than City staff, especially for projects bordering neighborhoods.

Mayor Stokes suggested that it is late in the process to add a fairly significant proposal to the Downtown Livability Initiative review.

Mr. Chelminiak said certain cities incorporate design review by citizens and/or outside experts. He noted that he is sharing her request but is not advocating for it.

Mayor Stokes said the Council, if in favor, would need to direct the Planning Commission to consider the proposal on what he considers a fairly substantial topic.

Councilmember Wallace said the City of Seattle uses citizen review groups, which he observed are ineffective and cause potentially harmful consequences. He said the proposal would require serious study and consideration.

Councilmember Robertson noted that the Downtown Livability Initiative work is two years beyond the original schedule. She is reluctant to add another large component to the process.

Responding to Ms. Robertson regarding the overall work, Ms. Helland said staff anticipates additional discussions with the Council on specific topics before the Planning Commission finalizes its final recommendations. Presentation of the full package is anticipated this fall.

Councilmember Robertson suggested that Councilmember Robinson consider raising this issue under Council Business during a future meeting, if desired. Mayor Stokes concurred.

→ The motion carried by a vote of 5-0.

12. Unfinished Business: None.

13. Continued Oral Communications: None.

14. New Business: None.

15. Executive Session: None.

16. Adjournment

At 9:45 p.m., Mayor Stokes declared the meeting adjourned.

Kyle Stannert  
City Clerk

/kaw