

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Extended Study Session

April 22, 2002
6:00 p.m.

Council Conference Room
Bellevue, Washington

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

ABSENT: None.

1. Executive Session

Deputy Mayor Degginger opened the meeting at 6:01 p.m. and announced recess to executive session for approximately 60 to 90 minutes to discuss one item of property acquisition and one item of pending litigation.

The study session resumed at 7:18 p.m. with Mayor Marshall presiding.

2. Oral Communications

- (a) Robert Thorpe, R.W. Thorpe & Associates, discussed his testimony to the Planning Commission on March 20 regarding the Danieli property in south Bellevue that includes Pancake Corral restaurant. The property owner would like to create a mixed-use project containing office, retail, and residential uses on the site. The property owner intends to preserve the Pancake Corral. Mr. Thorpe asked Council to support the recommendation of staff and the Planning Commission to allow office development at this location.
- (b) Patsy Bonincontri, Vice Chair of the Planning Commission, said the Commission has been working to review the Factoria zoning amendment, Comprehensive Plan amendments, and the five-year Comprehensive Plan update. She noted that Commissioner Pat Sheffels serves on the Downtown Implementation Plan Citizen Advisory Committee (CAC), Commissioner Stephanie Warden serves on the West Lake Hills Neighborhood Investment CAC, and Chair Marcelle Lynde serves on the Critical Areas CAC. Ms. Bonincontri is a member of the Construction Code Advisory Committee.

Mayor Marshall thanked Commission members for their service to the community.

- (c) Doug Hoople expressed support for the proposed Comprehensive Plan Amendment addressing the City Manager's role in compliance responsibility. Mr. Hoople introduced himself as the new Co-Chair of Neighborhood Network North. He said the group will be inviting Councilmembers to attend upcoming meetings.
- (d) Frances Burd lives near the Danieli property, which is the subject of a proposed Comprehensive Plan amendment to change the zoning designation from neighborhood business (NB) to community business (CB). She noted that Ordinance No. 4422 provides protection to neighborhoods regarding hours of operation, types of occupancy, and building heights. She said these protections will not be assured under CB zoning.
- (e) Garrett Clark, Vice President for Development, CamWest Development, discussed the proposed Comprehensive Plan amendment affecting the Albright properties on Cougar Mountain in the Newcastle Subarea. The amendment would change the plan map designation from single family-low density (SF-L) to single family-medium density (SF-M). Mr. Clark said there has been a significant change in circumstances, including improved infrastructure, since the property was last looked at in 1995. The proposal complies with the City's Comprehensive Plan and the State's Growth Management Act, and adjacent neighbors support the application. Mr. Clark said the property is currently an island of low density.
- (f) Renay Bennett encouraged Council to deny the Danieli Comprehensive Plan amendment proposal. She said the site was previously reviewed by City staff, residents, and the Planning Commission. All parties agreed that neighborhood business (NB) was the appropriate zoning for the site. Ms. Bennett read excerpts of City staff documents supporting the preservation of NB zoning on the site. She said the proposal represents a direct conflict to the wishes of residents, opinions of City staff, and past Council direction. She expressed support for the Comprehensive Plan compliance proposal amendment submitted by Mr. Eder.
- (g) George Newman, Director of Planning, Triad Associates, spoke on behalf of the applicant of the site-specific Comprehensive Plan amendment known as JMR Lakemont. He said the redesignation of this 12.5-acre property is logical because it is sandwiched between two higher density Comprehensive Plan designations. The site is currently designated as single family-medium density, but the property to the north is designated as single family-high density and the property to the south is designated as single family-urban residential. Although properties to the east and west are designated as single family-medium density, Mr. Newman feels roadway and topographic features provide sufficient separation between the requested single family-high density designation to buffer lower density developments from adverse visual or aesthetic impacts. The JMR property is currently an island of less-intensive land use between two higher density adjacent land uses. Mr. Newman said the owner and developer conducted a meeting with neighbors and there was no substantial opposition to the proposal. He thanked Council for its consideration of the request.

- (h) James Eder discussed his proposed Comprehensive Plan amendment. It would require the City Manager to ensure that any proposed revision to land use would be in compliance with the Comprehensive Plan. He feels it was inappropriate for the City's planning staff to work with an architect regarding the proposed redevelopment of Lake Hills Shopping Center. Mr. Eder alleged that this effort violated several criteria contained in the Comprehensive Plan, the Land Use Code, and the Growth Management Act. Mr. Eder reiterated his objection to Mayor Marshall's support of the campaign to eliminate the community councils.
- (i) Sheryl Stillwell said she received a letter this week from City staff in response to her comments before Council on April 15. The letter states that the City's approval of the cell tower replacement was based on regulations affecting wireless facilities. Ms. Stillwell said the letter incorrectly states that the replacement tower is the same height as the existing tower. She said the new combined pole and antennas will reach 53 feet and the existing lattice tower is 35.5 feet high.
- (j) John Albertson asked Council to deny the Danieli Comprehensive Plan amendment. He said Council's consideration of the CPA is not and should not be tied to any proposal to widen Bellevue Way. He noted soil remediation issues related to a dry cleaning business and gas station on the property. He objected to being lobbied by property owner representatives when he entered Council Chambers this evening.

3. Study Session

(a) Council New Initiatives

Mr. Noble referenced page 33 of the Regional Issues packet which provides a short report on King County regional committees. He noted that he has attended meetings of the Regional Policy Committee when Mayor Marshall has been unable to attend. He said Councilmembers should expect to receive a letter from the Suburban Cities Association indicating its desire to participate in discussions regarding human services. Mr. Noble said Bellevue has been invited to participate in these discussions of the Regional Policy Committee, even though the City is not a member of the committee. He requested Council's endorsement to continue to attend meetings of the RPC. Mayor Marshall said she would like Mr. Noble to continue to participate.

Responding to Mr. Lee, Mr. Noble explained that the newly formed Eastside Human Services Forum is a smaller group of cities, school districts, hospitals, private businesses, and human services providers. The RPC is a City and County government discussion group with no formal human services agenda at this time, while the Human Services Forum has a specific agenda.

Mr. Lee expressed concern that the RPC's discussions do not reinvent a forum or distract attention from the Eastside Human Services Forum.

Deputy Mayor Degginger is in favor of Bellevue's participation in the RPC discussions. Councilmembers concurred and Mayor Marshall noted Council consensus for continued participation.

- (b) Responses to citizen comments at April 15th Oral Communications
 - (1) Management brief on cellular tower siting in Enatai

City Manager Steve Sarkozy noted Sheryl Stillwell's comments to Council on April 15 regarding the siting of a cell tower in the Enatai neighborhood. He said the tower replaces an existing lattice tower on the Puget Sound Energy substation property adjacent to the Stillwell home. At the time the original tower was installed (1990-1992), such activities were allowed outright and did not require land use review. Mr. Sarkozy said two continuances were requested during the City's hearing. The first, a request by Mr. Geoff Bidwell to continue the pre-hearing conference, was denied by the Hearing Examiner because Mr. Bidwell was not a party to the matter and thus had no standing to request the continuance.

During the hearing before the Examiner, the Stillwells' attorney requested a continuance to interview Puget Sound Energy personnel about the existing tower. The Hearing Examiner ruled that the hearing would continue, with the opportunity to hold the record open at the conclusion of the hearing for additional investigation. At the end of the hearing, Ms. Stillwell's attorney did not request that the record be held open for the submission of additional information.

Mr. Sarkozy said staff reviewed the hearing testimony and concluded that the Hearing Examiner was fully engaged in the proceedings throughout the course of the hearing.

Mr. Mosher questioned Ms. Stillwell's assertions today regarding the height of the original and replacement towers. Mr. Lee requested specific information regarding the tower heights. Mr. Sarkozy said staff will continue to review the matter and provide the requested information.

- (2) Management brief regarding participation in National League of Cities Conference and the Sister Cities Program

Mr. Sarkozy noted Bernie Goddard's comments to Council regarding Councilmembers' trip to Washington, D.C., and the City's involvement in the Sister Cities Program. Mr. Sarkozy said all expense reports have not been completed. However, staff estimates that total expenditures for travel and conference attendance will be closer to \$10,000 than the \$20,000 asserted by Mr. Goddard. In response to Mr. Goddard's request regarding the benefits of this travel for Bellevue citizens, Mr. Sarkozy reviewed a list in the meeting packet of federal funding and legislative support gained as a result of previous trips to the National League of Cities conference in Washington, D.C. [The management brief also addresses the City's participation in the Sister Cities program.]

Mayor Marshall noted that Council inadvertently skipped the agenda item regarding appointments to the Arts Commission.

- ☞ Deputy Mayor Degginger moved to appoint to the Arts Commission Desiree Leigh to serve the unexpired term of Yvonne Tate ending May 31, 2003, and Robin Avni to serve the unexpired term of Annette Cleaves ending May 31, 2004. Mr. Lee seconded the motion.

➡ The motion to appoint Desiree Leigh and Robin Avni to the Arts Commission carried by a vote of 7-0.

- (c) Resolution No. 6690 authorizing execution of a second amendment with Hainline & Associates Inc. for reviewing and analyzing the request for equitable adjustment submitted by Mid-Mountain Contractors for the Newport Way transportation project, and preparing a presentation for and attending the mediation in that matter.

Mr. Sarkozy said Resolution No. 6690 approves a second amendment with Hainline & Associates Inc. for reviewing and analyzing a request for equitable adjustment submitted by Mid-Mountain Contractors in association with its work on the Newport Way transportation project. Hainline & Associates will assist the City's attorney handling this case. The amendment represents an increase of \$15,000 for a total contract amount of \$90,000.

➡ Deputy Mayor Degginger moved to approve Resolution No. 6690, and Mr. Mosher seconded the motion.

Mr. Noble noted the mediation is necessary because Mid-Mountain Contractors failed to provide adequate documentation of its claims.

➡ The motion to approve Resolution No. 6690 carried by a vote of 7-0.

- (d) 2002 Annual Amendments to Comprehensive Plan – Docket

Motion to initiate the Docket suggestions into the 2002 CPA work program as transmitted by the Planning Commission, including an expanded geographic scope for four of the five site-specific suggestions, and to direct the Planning Commission to return recommendations through the Comprehensive Plan amendment review process.

Dan Stroh, Planning Director, said the Planning Commission will report its recommendations tonight regarding the annual Comprehensive Plan Docket. He noted that Council will determine the scope of the annual Comprehensive Plan work program. Mr. Stroh said Council action to initiate docket suggestions does not imply direction in terms of the merits or ultimate outcome of the overall review.

Patsy Bonincontri, Vice Chair of the Planning Commission, reviewed the annual Comprehensive Plan amendment (CPA) process. Any citizen may suggest a plan amendment. The suggestions are then docketed and the Planning Commission holds a public hearing to review them using docket evaluation criteria.

Ms. Bonincontri said the Planning Commission recommends Council initiate six of the seven CPA suggestions for review. The Commission recommends expanded geographic scoping for four of the five site-specific suggestions.

The Planning Commission recommends that Council not initiate the Comprehensive Plan compliance responsibility CPA submitted by Mr. Eder. The proposed CPA requires the city manager to be responsible for ensuring that matters governed by the Land Use Code are in compliance with the Comprehensive Plan before presentation to City Council. Ms. Bonincontri said the Commission appreciates Mr. Eder's concern for accountability but decided that a CPA is not the appropriate mechanism to address this issue. This type of amendment to the Comprehensive Plan would redirect existing legislative authority and change the current circumstances in which all of the community is involved in Comprehensive Plan responsibility. The proposal is inconsistent with policy implementation envisioned by the Countywide Planning Policies and the Growth Management Act. Ms. Bonincontri noted that land use approvals presented to Council are already evaluated for consistency with the Comprehensive Plan.

Ms. Bonincontri said the Planning Commission recommends Council initiate review of the CPA regarding urban design treatment for boulevards and designated intersections. It is appropriate to include this in the Plan as an update to the existing Urban Design Element, particularly with regard to recently annexed areas.

The Commission recommends initiation of the Crossroads Chevron CPA, which would create a map change designation from office (O) to neighborhood business (NB) at 16256 NE 8th Street and expand the geographic scope from .65 to 1.26 acres. Ms. Bonincontri noted that circumstances have changed since the last designation was made in 1985. The expansion of geographic scoping is appropriate to address the use of small retail sites adjacent to the Crossroads Park expansion and street right-of-way.

Ms. Bonincontri said the Commission recommends initiation of the Danieli CPA, which represents a map change from neighborhood business (NB) to community business (CB) at 1606 Bellevue Way SE. The Commission feels that circumstances have changed enough to warrant examination of the appropriateness of the NB or CB designation.

The Commission recommends that Council initiate review of the JMR Lakemont CPA in the Newcastle Subarea. This item proposes a map change from single family-medium density (SF-M) to single family-high density (SF-H) at 5027 and 5033 159th Place SE and an expansion of geographic scope from 12.52 to 13.62 acres. Review of this item will determine whether significant change has occurred to warrant an amendment.

Ms. Bonincontri said the Commission recommends Council initiate the Albright Properties CPA, also located in the Newcastle Subarea. The request proposes a map change from single family-low density (SF-L) to single family-medium density (SF-M) at 16401 and 16517 SE Cougar Mountain Way and 6811 166th Way SE. It would expand its geographic scope from 5.84 to 8.19 acres.

The Commission recommends that Council initiate review of the Boeing Properties CPA requesting a map change designation from light industrial (LI) to office limited business (OLB) at 3005 160th Avenue SE and an expansion of geographic scope from 95 to 97.5 acres. Circumstances have changed over the past 22 years as the area has developed into office, hotel, computer data center, and supporting uses. Ms. Bonincontri said this suggestion allows the City

to address the need for additional park and recreation land in Bellevue and is consistent with general policy direction in the Comprehensive Plan regarding compatibility of uses, sustainable economic climate, the acquisition of land to meet community recreation needs, and the retention of non-residential uses. The review process offers the opportunity to conduct additional analysis and weigh these policies as they apply to the amendment.

Mr. Stroh defined neighborhood business as a retail designation focused on small scale businesses serving the needs of the immediate surrounding neighborhood. Community business is a retail designation providing convenience, goods, and services on a broader community scale, such as the retail centers at Factoria and Crossroads. The office designation includes business, financial, administrative, and professional services. Office limited business refers to integrated complexes of offices, hotels/motels, restaurants, and retail/accessory uses.

Mayor Marshall suggested that Council address each CPA suggestion individually. Responding to Mr. Mosher, Mr. Stroh confirmed that Council is deciding whether to initiate further review of the items but not making any final determination regarding the substantive merits of each proposal.

Comprehensive Plan Compliance Responsibility

- Mr. Mosher moved to support the Planning Commission's recommendation to not initiate review of the suggested Comprehensive Plan compliance responsibility CPA, and Mr. Noble seconded the motion.

Mr. Mosher noted that City staff, including Planning and Community Development staff, work under the authority of and are accountable to the City Manager under existing practices. Therefore the amendment is unnecessary. Mr. Noble concurred.

Mr. Lee sympathized with Mr. Eder's concern but feels the current process is effective.

- The motion to not initiate review of the Comprehensive Plan compliance responsibility CPA carried by a vote of 7-0.

Urban Design Treatment for Boulevards and Designated Intersections

- Mr. Creighton moved to support the Planning Commission's recommendation to initiate review of the Urban Design Treatment for Boulevards and Designated Intersections suggested CPA, and Dr. Davidson seconded the motion.
- The motion to initiate review of the Urban Design Treatment for Boulevards and Designated Intersections suggested CPA carried by a vote of 7-0.

Crossroads Chevron

- ➡ Mr. Mosher moved to support the Planning Commission's recommendation to initiate review of the Crossroads Chevron suggested CPA, and Mr. Creighton seconded the motion.

Responding to Dr. Davidson, Mr. Stroh said this CPA suggestion was submitted by a private applicant, who is responsible for the application fee. Mr. Stroh clarified that the phrase "initiate review" is consistent with technical language in the Land Use Code addressing the expenditure of staff resources.

- ➡ The motion to initiate review of the Crossroads Chevron suggested CPA carried by a vote of 7-0.

Danieli Property

Deputy Mayor Degginger said he and Mr. Mosher were involved in Planning Commission discussions several years ago regarding the neighborhood business designation for this property. He noted the challenges for business viability under the NB designation. Mr. Degginger proposed a text amendment to the NB designation that would meet the objective of providing office uses on the site without adopting the community business (CB) designation.

- ➡ Deputy Mayor Degginger moved to authorize the Planning Commission to: 1) initiate review of the Danieli Property suggested CPA, and 2) to consider a text amendment to the NB designation that would allow limited office use without adopting the CB designation. Mr. Mosher seconded the motion.

Mr. Creighton questioned whether such a change would be a permanent change affecting the property. Mr. Stroh said general office uses are not allowed under the NB designation. A text amendment as suggested by Mr. Degginger would apply to any NB site in the city. Mr. Creighton asked if the designation could be changed to CB and then restricted to the specific proposal of the current property owner. Mr. Stroh said the CB designation could be conditioned on a concomitant agreement restricting specific uses. He noted that this strategy has been used throughout the community.

Dr. Davidson prefers to proceed with a review that will help decide the appropriateness of the NB, CB, or CB with concomitant agreement approaches. Mr. Lee concurred and noted that neighbors are more concerned about possible future uses of the property than the uses proposed by the current property owner.

Deputy Mayor Degginger would like the review to consider a solution for the site that will address residents' concerns. He feels a concomitant agreement could present future challenges and that a text amendment to the NB designation might be the better approach. Mr. Mosher concurred and favors a new look at neighborhood businesses that would be more restrictive than the CB designation.

Responding to Mr. Lee, Mr. Stroh said CB is a more intensive use category than NB because the businesses generally serve a larger geographic area. Some office uses, such as business and personal services, are allowed under the NB designation. An insurance office would be allowed under NB. However, a general administrative office would be allowed under CB but not under the NB designation.

Responding to Mayor Marshall, Mr. Stroh said the Danieli property is an unusually small site for the CB designation. Mrs. Marshall is not in favor of changing to the CB designation for the property. She supports Mr. Degginger's suggestion to consider a text amendment to the NB designation.

Deputy Mayor Degginger withdrew his motion and restated a new motion encompassing the consensus of the Council.

- Deputy Mayor Degginger moved to direct the Planning Commission to examine a text amendment to the NB (neighborhood business) map designation that would allow limited office use, and Mr. Mosher seconded the motion.
- The motion to direct the Planning Commission to examine a text amendment to the NB (neighborhood business) map designation that would allow limited office use carried by a vote of 7-0.
- Dr. Davidson moved to initiate review of the Danieli Property suggested CPA, and Mr. Noble seconded the motion.
- The motion to initiate review of the Danieli Property suggested CPA carried by a vote of 4-3, with Mayor Marshall, Deputy Mayor Degginger, and Mr. Creighton dissenting.

JMR Lakemont

Deputy Mayor Degginger said he has spent considerable time reviewing the Newcastle Subarea Plan. He said he is familiar with the neighborhood and there have been no changes in circumstances. The site is bounded by single family-urban residential development representing the highest single-family building heights in the area. He said the Newcastle map designations were established in 1995 following extensive study and discussion by the Planning Commission, staff, and residents. He noted that schools in the area are overcrowded. Mr. Degginger said regulatory stability and predictability are in the best interest of the community. He feels encouraging a CPA review under these circumstances works against preserving stability and predictability.

- Deputy Mayor Degginger moved to not initiate review of the JMR Lakemont suggested CPA, and Mr. Lee seconded the motion.

Dr. Davidson expressed concern with the docket procedures. He feels it is inappropriate to block an individual's right to develop his or her property using the docket process.

Mr. Lee expressed concern about increasing densities in the Lakemont area.

Mr. Stroh corrected an error in his previous response to Mr. Lee regarding an applicant's ability to resubmit a CPA suggestion. He clarified that any "docketed" Comprehensive Plan amendment suggestion is not eligible for resubmittal for three years. Council may initiate a CPA at any time, but a private applicant cannot go through the docket process more than once every three years.

Mr. Creighton feels Dr. Davidson's point regarding docket procedures and private property rights has merits. Mr. Stroh said the Growth Management Act requires the City to formalize docket procedures and to provide an annual opportunity for citizens to submit proposals. He explained that submission of a docket suggestion generates extensive staff, Planning Commission, and community involvement. Mr. Stroh said in the past private property owners could automatically initiate map amendments for their property, as long as the site had not been reviewed for at least three years. The docket process adopted last year requires that these amendments now go through a screening process.

Mr. Mosher feels it would be worthwhile to ask the Planning Commission to initiate its review of the suggested CPA at this time.

Mr. Degginger referred to Item F of the Annual Docket Evaluation Decision Criteria (Page 3-30 of the packet): "Circumstances related to the suggestion have changed significantly since the last time the relevant Comprehensive Plan map or text was amended; and..." He noted that all criteria must be met before a CPA can be initiated. Mr. Degginger reiterated that no significant changes have occurred in the area of the proposed CPA.

Mr. Noble acknowledged that the issue of significant change is debatable. However, he feels the CPA suggestion warrants further review based on the Planning Commission's recommendation.

Mayor Marshall is not in favor of moving forward with the JMR Lakemont suggested CPA. She feels it does not warrant the expenditure of City resources or the Planning Commission's and community's time and attention.

- The motion to not initiate review of the JMR Lakemont suggested CPA failed by a vote of 3-4, with Mayor Marshall, Deputy Mayor Degginger, and Mr. Lee in favor.
- Dr. Davidson moved to initiate review of the JMR Lakemont suggested CPA, and Mr. Mosher seconded the motion.
- The motion to initiate review of the JMR Lakemont suggested CPA carried by a vote of 4-3, with Mayor Marshall, Deputy Mayor Degginger, and Mr. Lee dissenting.

Albright Properties

- Dr. Davidson moved to initiate review of the Albright Properties suggested CPA, and Mr. Noble seconded the motion.

Deputy Mayor Degginger will not support the motion because there have not been significant changes in circumstances as required by the docket evaluation decision criteria.

Mr. Creighton supports the previous and current motions based primarily on the Planning Commission's recommendation. He is concerned, however, about increasing densities on Cougar Mountain.

Mayor Marshall and Mr. Lee concurred with Mr. Degginger.

- The motion to initiate review of the Albright Properties suggested CPA carried by a vote of 4-3, with Mayor Marshall, Deputy Mayor Degginger, and Mr. Lee dissenting.

Boeing Eastgate Properties

- Mr. Mosher moved to initiate review of the Boeing Eastgate Properties suggested CPA, and Mr. Noble seconded the motion.

In response to Dr. Davidson, Planner Nicholas Matz said the Planning Commission recommends expanding the geographic scope to include the Washington State Department of Ecology site. Kathleen Burgess, Senior Planner, clarified paragraph 7 on page 3-17 of the Council packet. She said staff did not initially realize that the DOE site is also currently zoned as light industrial.

Mr. Noble opined there has not been significant change in the circumstances of the site, but he will support the motion.

Mr. Degginger noted the site has not been reviewed in 22 years, while the Newcastle sites previously discussed had been reviewed as recently as 1995. He will support the motion.

- The motion to initiate review of the Boeing Eastgate Properties suggested CPA carried by a vote of 7-0.

At 9:00 p.m., Mayor Marshall declared a break. The meeting resumed at 9:10 p.m.

Mayor Marshall announced that the budget discussion [Agenda Item 3(h)] will be postponed until next week.

Dr. Davidson clarified for the record that the Boeing Eastgate Properties CPA pertains to a 101-acre site. Council confirmed this to be their understanding as well.

- (e) Additional Comprehensive Plan amendments related to Essential Public Facilities, General Commercial, Bridle Trails BROTS updates, the Boeing Eastgate Campus property, and wireless communication.

Motion to initiate Comprehensive Plan amendments for Essential Public Facilities, General Commercial, and Bridle Trails Subarea Plan/TFP;

Comprehensive Plan Policy S-EG-38 and the definition of Office, as well as other Plan text amendments determined necessary to provide a framework for subsequent Land Use Code amendments related to the Boeing Eastgate Campus proposal; and Utilities Element Policies UT-55 and UT-56a; and initiate Land Use Code amendments to OLB that are necessary to accommodate the concentration of development on the southern portion of the Boeing site.

Mr. Stroh said Council is asked to initiate: 1) Comprehensive Plan amendments related to Essential Public Facilities siting policies, the General Commercial glossary definition, the Bridle Trails Subarea Plan and Transportation Facilities Plan resulting from previous BROTS (Bel-Red-Overlake Transportation Study) II updates, 2) Comprehensive Plan text amendments related to the Boeing Eastgate Campus property proposal, and 3) Comprehensive Plan policy amendments related to wireless communication facilities. Mr. Stroh noted that Governor Locke recently extended the deadline for the five-year Comprehensive Plan update from September 2002 to December 1, 2004. With the extended deadline for the overall update, staff recommends shifting some time-sensitive update items into the 2002 work program. This will require Council to initiate these as annual CPAs.

Mayor Marshall suggested addressing each of the three components individually.

- Deputy Mayor Degginger moved to initiate review of Comprehensive Plan amendments related to Essential Public Facilities, the General Commercial definition, and the Bridle Trails Subarea Plan and Transportation Facilities Plan. Mr. Mosher seconded the motion.
- The motion to initiate review of Comprehensive Plan amendments related to Essential Public Facilities, the General Commercial definition, and the Bridle Trails Subarea Plan and Transportation Facilities Plan carried by a vote of 7-0.

Mr. Stroh noted the need for Comprehensive Plan and Land Use Code amendments to allow a concentration of development on the south end of the Boeing Eastgate site, leaving the remaining portion for open space.

- Deputy Mayor Degginger moved to initiate review of Comprehensive Plan amendments affecting Policy S-EG-38 and the definition of Office, as well as other CPAs determined necessary to provide a framework for subsequent Land Use Code amendments related to the Boeing Eastgate site. Mr. Noble seconded the motion.
- The motion to initiate review of Comprehensive Plan amendments affecting Policy S-EG-38 and the definition of Office, as well as other CPAs determined necessary to provide a framework for subsequent Land Use Code amendments related to the Boeing Eastgate site, carried by a vote of 7-0.

Mr. Stroh requested Council action regarding Land Use Code amendments for the Boeing site.

- Deputy Mayor Degginger moved to initiate Land Use Code amendments to the OLB designation that are necessary to accommodate the concentration of development on the southern portion of the Boeing site. Mr. Mosher seconded the motion.
- The motion to initiate Land Use Code amendments to the OLB designation that are necessary to accommodate the concentration of development on the southern portion of the Boeing site carried by a vote of 7-0.

Mr. Stroh said staff has been working to develop alternatives to existing regulations in order to encourage wireless communication technology deployment. He noted staff's previous discussion with Council on March 18 and the scheduled continuation of that discussion on May 6. Given the City's deadlines for 2002 Comprehensive Plan amendments, it is necessary to take action tonight in order to preserve the option for moving forward with related Land Use Code amendments at the May 6 meeting. If Council decides on May 6 not to proceed, Council may terminate the Comprehensive Plan amendment process for the two utilities policies.

- Mr. Mosher moved to initiate Comprehensive Plan amendments for Utilities Element Policies UT-55 and UT-56a, and Mr. Degginger seconded the motion.

Mayor Marshall suggested rephrasing the last four words of the last sentence in Policy UT-55: Provide relief to setback requirements without introducing adverse impacts. She feels this language could be interpreted too broadly. Mr. Degginger concurred with her concern. Mr. Stroh said this will be discussed further by staff with Council on May 6.

- The motion to initiate Comprehensive Plan amendments for Utilities Element Policies UT-55 and UT-56a carried by a vote of 7-0.

(f) Continued discussion of potential Parks and Open Space bond issue

Mr. Sarkozy said Council began discussing the potential for a parks and open space bond issue last year. The last parks bond issue was approved in 1989. He noted that tonight's discussion will focus on, among other issues, the balance between acquisition and development in a potential voter initiative.

Parks and Community Services Director Patrick Foran introduced Kenton Quist, Parks Assistant Director. Mr. Foran said staff will review changes based on Council discussions so far and describe the bond initiative process. Council will continue discussions on April 29 with a major focus on prioritizing projects and maintenance and operations funding options. May 6 is scheduled for preliminary Council consensus on specific projects and determination of an appropriate bond level. Staff will conduct community outreach activities this summer to test the package with voters. If Council decides to move forward with a bond issue for the September ballot, Council will be asked to approve a ballot resolution in late July.

Mayor Marshall noted that Council and many residents take vacation in August. She wondered if there will be sufficient opportunity for citizens to learn about the ballot measure before a September vote. Mr. Foran feels the community will have time, following Council's decision on

May 6, to decide whether or not to support a bond issue. He acknowledged that the schedule is aggressive and that community support will be critical.

Mr. Foran noted the revised packet materials including a map of all potential projects, coded by type, and the organization of the project list by categories/project types. He said the item regarding ballfields at Marymoor Park has been removed and replaced with a project for two lighted ballfields within Bellevue. In response to Council's previous inquiry about the feasibility of phasing some projects, Mr. Foran referenced Attachment A (Page 3-41) in the meeting packet. He distributed a chart of additional information regarding the status of and/or need for master plans for individual projects.

In response to Mr. Mosher's previous question about community centers, Mr. Foran referred to page 3-42 of the packet and said the community center listed at a cost of \$12 million is tentatively envisioned for a downtown location. Expansion of North Bellevue Community (Senior) Center and construction of a South Bellevue Community Center are separate projects. If a Downtown Community Center is built, it is anticipated to be larger than the South Bellevue Community Center. A downtown center would also involve higher parking facilities costs.

Mr. Foran distributed a summary of CIP (Capital Investment Program) expenditures over the past six years in response to Council's request. He said approximately \$4.5 to \$5 million is allocated to the Parks CIP annually. The majority of projects listed for a potential bond issue have already been identified in the City's Parks and Open Space Plan.

Mayor Marshall questioned the implication for staffing needs if a parks bond issue is approved to fund more projects. Mr. Foran said the passage of a major parks development bond issue will likely require the addition of some limited term employees (LTEs) for a maximum of three years in order to expedite project implementation. However, no permanent staff increases are anticipated and acquisition items would not require additional staffing.

Responding to Dr. Davidson, Mr. Foran said CIP funds come from a variety of sources. Mr. Quist will provide a breakdown of revenue sources for Council.

Mr. Foran addressed Council's question about how proposed projects fit into the overall parks system plan. He distributed copies of the 10-year-old plan and said staff is currently updating the plan. The majority of the document is focused on an analysis of issues as well as short-term and long-term project recommendations. He said the sports field complex and indoor ice skating rink projects are not specifically identified in the plan, but these general ideas are discussed. Responding to Mayor Marshall, Councilmembers were satisfied with the information provided and did not think additional presentation would be necessary.

Mr. Foran moved to a discussion of Council's desired process for prioritizing projects. Responding to Mr. Lee, Mr. Foran said projects with a completed master plan are likely to be implemented more quickly than projects requiring further planning.

Dr. Davidson said the total estimated cost of development projects is \$91 million. If phases that could be delayed are subtracted, the minimum amount needed is approximately \$56 million.

Responding to Dr. Davidson, Mr. Foran said maintenance and operations costs typically are provided through CIP funding. Mayor Marshall noted the option of a separate levy to cover maintenance and operations costs.

Dr. Davidson asked Finance staff to comment on M&O costs. Interim Finance Director Gary Ameling said the City is allowed by law to ask voters to approve additional property taxing capacity to support M&O costs, as an option. The other option, based on the City's basic CIP policies, is to provide for M&O costs through CIP funding. As a rule of thumb, Mr. Ameling said a 1 percent property tax increase equates to approximately \$250,000 in revenue for the City, at an average cost of \$5 per year for a typical Bellevue family. Every \$10 million associated with a bond issue equates to approximately \$11 per household annually.

Mr. Mosher is comfortable with the smaller proposed projects but less comfortable with some of the larger projects. He questioned the accuracy of past cost estimates. Mr. Foran said he will research this information.

Mayor Marshall suggested Council address the question of how much should be spent on acquisitions versus development. Mr. Foran said acquisition projects proposed in a previous Council discussion total \$45 to \$50 million.

Mr. Lee prefers an approximate 50/50 split between acquisition and development investments.

Mr. Mosher favors a heavier emphasis on acquisition to avoid missing out on opportunities that might not exist if Council waits.

Mr. Creighton agreed with Mr. Mosher, but he feels it is also important to deliver on past promises for park development. Mr. Creighton said all of the proposed projects are worthwhile, but he is concerned about the impact of increased taxes on citizens, particularly those on fixed incomes. He would not support a bond issue in the \$150 million range.

Deputy Mayor Degginger is leaning toward a stronger emphasis on acquisition. However, he feels more information on potential CIP funding and project phasing is needed.

- ➡ At 9:58 p.m., Mr. Mosher moved to extend the meeting to 11:00 p.m., and Mr. Degginger seconded the motion.
- ➡ The motion to extend the meeting to 11:00 p.m. carried by a vote of 6-1, with Dr. Davidson opposed.

Mr. Noble concurred that the time for acquisitions is now, assuming the costs are within reason. Mrs. Marshall agreed and expressed concern about increased staffing that could be required to support a significant increase in park development activity.

Dr. Davidson would like more information about the functioning of the CIP and options to cover maintenance and operations costs.

Mr. Sarkozy said staff will provide the requested information as well as alternative packages, their costs, and impacts for homeowners. Mayor Marshall requested information regarding the capacity of current Parks Department staff to implement new projects.

(g) Regional Issues

Diane Carlson, Director of Intergovernmental Relations, noted Council's previous discussion about Growth Management Act population and employment targets. The Growth Management Planning Council (GMPC) will meet on May 22 for its first briefing on this issue. Ms. Carlson requested Council's input on the draft Countywide Population and Employment Growth Target Allocation interest statement in the Regional Issues packet.

Mayor Marshall suggested revising the fifth bullet item to link the provision of transportation services and infrastructure to past, present, and future growth target allocations. This is consistent with Council's position that incentives/rewards should be provided for cities meeting growth targets. Following brief discussion and suggestions for minor edits, Mrs. Marshall noted Council approval of the interest statement.

Moving on, Ms. Carlson noted packet materials regarding the Metropolitan Parks Task Force established by King County Executive Ron Sims. Terry Higashiyama, Parks staff, is participating in these discussions. The mission of the task force is to review the County's budget shortfall and make recommendations for alternative funding of parks facilities and services. The task force is scheduled to complete its work in June and there will be opportunities for cities to comment in May.

Mr. Mosher said it is important for Bellevue to provide input into these discussions. He feels there are potential health hazards and safety risks associated with County parks adjacent to Bellevue neighborhoods.

Dr. Davidson is frustrated with King County's poor planning and unreasonable schedule for discussing such a major issue. He said this is not good way to create public policy.

Deputy Mayor Degginger said it is critical that Bellevue address and protect its interests, particularly in relation to two large county parks, Eastgate and Cougar Mountain.

Mayor Marshall noted that King County continues to collect money from cities and taxpayers yet is divesting itself from a number of programs including emergency medical services, courts, jails, and now parks. She would like a cost accounting of the money Bellevue sends to King County compared to county services provided for Bellevue residents and suggested sending this request to King County.

Mr. Creighton noted his past experience with the Regional Policy Committee and King County's position that it should continue to receive revenue from cities because it provides regional services. He said it is important to carefully consider the implications of King County's budget crisis for Bellevue's potential parks bond issue and its potential acquisition of county parks.

Ms. Carlson moved to the issue of the possible termination of King County District Court services for cities. The City is exploring alternatives for providing court services including cooperative arrangements with other jurisdictions.

Ms. Carlson said a redistricting plan for King County District Courts has been referred by the King County Council to the Regional Policy Committee for discussion. Related materials are included in the meeting packet.

Ms. Carlson noted packet materials regarding legislation (ESSB 6140) providing counties with the authority and oversight for project selection and authorization to place certain new and existing taxes on the ballot to generate transportation funding. A process for cities to provide input and project requests has not yet been developed

Mayor Marshall said Eastside Transportation Partnership members voted that ETP should be the forum for Eastside transportation planning and project prioritization. Non-member, smaller cities would be invited to participate as well.

Mr. Sarkozy suggested that staff provide a full briefing to Council on this issue.

Dr. Davidson feels it is critical to inform the public about the King County issues affecting taxpayers.

(h) Budget discussion on revenues and reserve policies

This item was deferred to April 29.

Mayor Marshall declared the meeting adjourned at 10:40 p.m.

Myrna L. Basich
City Clerk

kaw