

**CITY OF BELLEVUE
PARKS & COMMUNITY SERVICES BOARD
REGULAR MEETING MINUTES**

Tuesday
July 10, 2012
6:00 p.m.

Conference Room 1E-113
Bellevue City Hall
Bellevue, Washington

BOARDMEMBERS PRESENT: Chair Robinson, Vice-Chair Grindeland¹, Boardmembers Evans, George, Heath, Powell², Van Hollebeke

PARKS STAFF PRESENT: Heidi Bedwell (DSD), Patrick Foran, Nancy Harvey, Camron Parker, Kit Paulsen (Utilities), Terry Smith

OTHERS PRESENT: Rod Buidon, Aaron Dichter, Marv Peterson, Bill and Elfi Rahr, Anita Skoog-Neil

MINUTES TAKER: Michelle Cash

1. **CALL TO ORDER:**

The meeting was called to order by Chair Robinson at 6:04 p.m.

2. **APPROVAL OF AGENDA:**

Motion by Boardmember Evans and second by Boardmember Van Hollebeke to approve the meeting agenda as presented. Motion carried unanimously (5-0).

3. **APPROVAL OF MINUTES:**

Motion by Boardmember Evans and second by Boardmember Powell to approve the June 12, 2012 regular meeting minutes of the Parks & Community Services Board as presented.

Chair Robinson distributed a correction to the meeting minutes submitted by Elfi Rahr. The correction was for page 2, Item 4 Oral Communications/Public Comments, Elfi Rahr's comments. The following changes should be made to Mrs. Rahr's comments:

Mrs. Rahr expressed her concern about the discharge of storm water in the I-90 office complex. She feels that the restoration programs around the corridor and Phantom Lake have failed. ~~In addition, Mrs. Rahr is concerned about the toxic algae blooms in Phantom~~

¹ Arrived at 6:05 p.m.

² Arrived at 6:05 p.m.

~~Lake and suggested that the toxic plants be harvested.~~ In addition, Mrs. Rahr is concerned about the toxic algae blooms and proliferation of water lilies along the shores of public property on Phantom Lake and asked that the plants be harvested annually in September to prevent an additional nutrient load and infill to the lake.

At the question, motion carried unanimously (7-0) to approve the meeting minutes with the correction noted above.

4. **ORAL COMMUNICATIONS/PUBLIC COMMENTS:**

Elfi Rahr

16509 SE 18th Street, Bellevue, WA

Mrs. Rahr submitted a packet of letters and photographs to the Parks Board that provides a condensed insight to the history and problems that have adversely affected Phantom Lake. She noted that the residential and business development in the surrounding basin resulted in substantial surface water runoff creating an inlet stream into the lake.

Mrs. Rahr explained that the quantity and quality of construction storm surface water runoff, starting in 1980, rapidly and adversely impacted the biota of the lake. Mrs. Rahr witnessed massive fish kills, loss of shoreline amphibians, and the absence of many fish eating waterfowl. In addition, Mrs. Rahr noticed proliferation of toxins producing blue-green algae which impacted the food web of zooplankton with recorded annual "crashes" up to .04%. Flooding caused losses of mature native growth and trees along the shoreline buffers.

Mrs. Rahr feels that Phantom Lake residents have been good stewards in the past and still prefer a tranquil co-existence with nature and wildlife rather than active recreation. She strives for and believes in prevention of problems to the sensitive lake system, especially when a 1990 restoration failed.

Some of the materials Mrs. Rahr submitted described the problems and corrections needed for Phantom Lake. She asked that one of the first steps be an annual harvesting of the lily pads along the City's park shoreline properties in September, prior to the plant's die-off. Mrs. Rahr pointed out that this will be an added benefit to Lake Sammamish as well but most importantly will aid in fish recovery.

5. **CHAIR COMMUNICATION:**

Chair Robinson made the following report:

- Kayaked the Mercer Slough.
- Attended the Bellevue Rotary Club dinner where the plans for the capability park were unveiled.
- Thanks to staff for fixing the dock/raft at Clyde Beach Park.
- Thanks to Bob Shay for his communication.

- Attended the new citizen meeting for the recent annexation.
- Golfed at Crossroads Golf Course.
- Requested that the Bellevue Botanical Gardens be made accessible for people with all abilities, particularly for people that have difficulty walking distances.

6. **BOARD COMMUNICATION:**

Vice-Chair Grindeland made the following report:

- Attended the new citizen meeting for the recent annexation.
- Attended the Strawberry Festival.
- Attended the Symetra Bellevue Family 4th celebration at Bellevue Downtown Park.

Boardmember George made the following report:

- Attended the Symetra Bellevue Family 4th celebration at Bellevue Downtown Park.
- Visited Phantom Lake Park.

Boardmember Van Hollebeke made the following report:

- Kayaked from Meydenbauer Bay to Mercer Slough.
- Attended the Symetra Bellevue Family 4th celebration at Bellevue Downtown Park.
- Attended the Bellevue Botanical Garden 20th Anniversary Celebration.

Boardmember Powell made the following report:

- Golfed at Crossroads Golf Course.
- Visited Ashwood Park.
- Attended the Strawberry Festival.
- Visited Mercer Slough.
- Attended the Symetra Bellevue Family 4th celebration at Bellevue Downtown Park.

Boardmember Heath made the following report:

- Attended the Bridle Trails planning meetings.
- Visited Hidden Valley Park.

7. **CITY COUNCIL COMMUNICATION:**

None.

8. **DIRECTOR'S REPORT:**

Mr. Foran reported that the preliminary budget presentation was given to Council. It was a high level presentation. In addition, Mr. Foran explained that Council will be informed about the King County Parks levy that will be put before voters in 2013. Bellevue will be a beneficiary of some of this levy money. This will be of particular interest since there is a gradual decline of major open space recreations systems on the Eastside. However, there is no general support for much of this land (statewide) and basic stewardship is becoming more difficult.

Mr. Foran discussed some of the other items presented to Council, including:

- Human Services funding challenges, which are a statewide regional issue
- Collective Impact.
- The Park Board's letter regarding the CIP.

There was a general discussion regarding the Bellevue Girls & Boys Club and their plans for their headquarters and new facility.

Boardmember George called attention to a recent article in the *Seattle Times* expressing opposition to a zip line planned for West Seattle's Lincoln Park. She wondered if the same concerns have been expressed for the proposed South Bellevue Community Center zip line. Mr. Smith clarified that the project is in the preliminary stages and will be added to the existing challenge course. Public outreach will be conducted for the zip line addition.

9. **DISCUSSION/ACTION ITEMS:**

A. **WRIA 8**

Ms. Paulsen explained that in 1999, the federal government listed Puget Sound Chinook Salmon for protection as "threatened" under the Endangered Species Act. In 2000, 27 local governments, environmental groups, state and federal agencies joined together to form the Lake Washington/Cedar/Sammamish Watershed (WRIA 8) Salmon Recovery Council. She added that Salmon recovery in WRIA 8 is organized around the needs of two distinct Chinook populations - Cedar River and Sammamish - as well as the migratory and rearing corridors used by those populations. While particular actions may differ among those recovery areas, certain themes hold true throughout the watershed. For example, watershed-wide priorities include protecting forests, reducing impervious surfaces outside of the urban areas, managing storm water, protecting and improving water quality, conserving water and protecting and restoring vegetation along stream banks.

Ms. Paulsen distributed a report that provided a summary of the current status of Chinook populations, changes in habitat condition indicators, habitat protection and restoration projects, programmatic actions across the watershed, funding sources, and future challenges and opportunities.

Discussion:

Boardmember Powell asked if proposals are being written for grant money. Ms. Paulsen clarified that collaboration efforts are underway. Then, grant funding will be researched.

Boardmember Evans discussed information he recalled about the Sammamish Slough water temperatures elevating during the summer months. Ms. Paulsen explained that there are efforts underway on the Sammamish Slough and Sammamish River to decrease water temperatures.

Boardmember Van Hollebeke questioned what incentive programs are being offered to encourage people with waterfront properties to restore the property to the natural landscape. Ms. Paulsen discussed the outreach and education that has been provided to help people visualize improvements. However, she noted that there have been limited incentives offered. Boardmember Van Hollebeke suggested that tax rebates be considered as an incentive to encourage waterfront restoration.

Boardmember George inquired about what is being done to require or promote low impact development. Ms. Paulsen explained that the storm water codes are being modified. In addition, the Utilities Department is working with the Parks & Community Services Department to conduct outreach and encourage low impact development.

Chair Robinson suggested that the WRIA 8 Salmon Recovery team collaborate efforts with the Mercer Slough Wetlab.

B. Shoreline Master Program Update Progress Report

Ms. Bedwell provided a status update for the Shoreline Master Program. In reviewing the public comments, Ms. Bedwell explained that the Planning Commission directed staff to propose new regulatory language, maintaining consistency with the Meydenbauer Park Master Plan and Implementation Principles. Therefore, a hybrid permit process was drafted including:

- Heightened public outreach that provides notice, an objective decision-maker and appeal opportunities (Planning Commission felt that a Shoreline CUP was not necessary if outreach process is otherwise adequate).
- Consistent permitting approach across the Park irrespective of Shoreline Overlay location.
- Retention of local control.

Ms. Bedwell clarified the following information regarding the new Meydenbauer Park Master Plan proposed hybrid permit process:

- Park development requires a Land Use Conditional Use Permit (not a Shoreline CUP)
- Same process as currently required for beach parks in SF and R-10 districts.
- Portion of the site within the Shoreline Overlay requires Shoreline Substantial Development Permit in addition to the CUP.

Discussion:

Vice-Chair Grindeland questioned if slides and swim areas would be restricted under the new hybrid permit process. Ms. Bedwell clarified that water-oriented program elements are allowed. However, items that are not water-oriented, like a tennis court, would not be permitted.

Boardmember Powell asked how the revised regulations are better than the originally proposed language. Ms. Bedwell clarified that the new hybrid permitting process is a process change. The original plan didn't have the process for the Shoreline Conditional Use. Therefore, the revision makes the plan consistent. In addition, the new process does not require approval from the Department of Ecology for final use. However, the policies are all still the same. Mr. Parker added that the key difference is that the prior draft SMP regulations applied to the first 200 feet of shoreline. Areas outside of 200 feet, the city's use codes were applied. With the hybrid process, both regulations will be applied for all public facility projects.

Boardmember Van Hollebeke questioned if there is more bureaucracy involved with the redraft. Ms. Bedwell explained that the redraft adds the conditional use requirement for the portion of the property that is in the shoreline jurisdiction. Changes to the Meydenbauer Park Plan are not anticipated. However, the new hybrid permit process adds a layer of reinforcement.

Boardmember Van Hollebeke requested clarification as to why there is exceptional treatment being given to public lands but not to private lands. Ms. Bedwell explained that the hybrid permit process assures the community that the city is upholding their planning efforts. Mr. Foran added that a private property owner would not go through the master planning effort like the city. Therefore, the process that is in place to ensure that a development meets the requirements at hand does not exist. He added that the public is starting at a different point than a private property owner.

Boardmember George questioned what is likely to happen with the three policy modifications that the Parks Board proposed last year. Ms. Bedwell explained that the Planning Commission has not directed staff to make any specific modifications to incorporate the Parks Board's recommendations. In addition, there was a discussion regarding the SMP comments attributed to the Parks Board in Ms. Bedwell's PowerPoint presentation. Mr. Foran clarified that the only adopted Parks Board comments are incorporated in the May 12, 2011, April 26, 2012 and March 20, 2012 letters sent to the Planning Commission. The PowerPoint slide represents a summary of input from a variety of sources and did not represent adopted Parks Board comments.

Chair Robinson requested clarification regarding the hearing examiner process. Ms. Bedwell explained that the hearing examiner is hired by the city. This person evaluates the city's codes versus going through the Department of Ecology. An appeal would go through City Council. However, Mr. Foran cautioned that the City Council has very little leeway in changing the hearing examiner's decision.

Chair Robinson would like to be sensitive to the people living around Meydenbauer Bay. However, she would also like to be sure that all communities throughout Bellevue are being

heard and have access to the waterfront, not just **the people living in** the immediate surrounding area.³

Vice-Chair Grindeland questioned if the new hybrid permit process is going to add additional costs to the Meydenbauer Park project. Ms. Bedwell explained that there are costs associated in getting permits. There is potentially an added expense with permits for the hybrid permit process. Mr. Foran added that the costs are typically driven by the amount of documentation required to provide to the hearing examiner and the time needed to review the documentation. Vice-Chair Grindeland expressed her opposition to another process that creates more time, energy and expense.

Boardmember Powell questioned if the new hybrid permit process adds value resulting in an overall better project and experience. She feels a significant amount of time and energy was put into the Implementation Principles and does not want a new process to increase the project cost/time and abandon the Implementation Principles. Mr. Foran explained that the Planning Commission created the hybrid permit process as an additional regulatory approach.

Boardmember Van Hollebeke concurred with other Boardmembers' concerns about additional time and expense associated with the new hybrid permit process. He thinks that the Meydenbauer Park Plan will revitalize Bellevue and wants to see this plan developed as expeditiously as possible. Boardmember Van Hollebeke is strongly opposed to anything that adds additional costs or slows the process down for the Meydenbauer Park Plan.

Boardmember George expressed her frustration that the SMP policy modifications that the Parks Board proposed to the Planning Commission were not included in the revised plan. To the Meydenbauer Bay permitting issue, Boardmember George thinks that any avenue that provides community members further opportunity to participate and be heard is a positive addition.

As the Implementation Principles and Meydenbauer Park Plan are written, Chair Robinson asked if it is possible, under these guidelines, to add a restaurant establishment similar to Daniel's Broiler to the plan. Mr. Parker clarified that this type of establishment is not included in the Meydenbauer Park Plan.

Chair Robinson does not see a need to change the permitting process to the proposed hybrid permitting process. However, she would like the Implementation Principles kept in place.

Vice-Chair Grindeland agreed with Boardmember George's comments that everyone needs to be heard. She believes this opportunity is already provided for in the Meydenbauer Park project and does not want this project further delayed.

Boardmember Van Hollebeke does not think that the hybrid permitting process is necessary and thinks that the Implementation Principles are clear guidelines for the project. He also concurred with Vice-Chair Grindeland that there has been plenty of opportunity for the public to provide input regarding the Meydenbauer Park Plan. He would like the project to move forward and

³ Bold font indicates amended text.

does not want an additional layer of regulatory framework added. He feels the current Implementation Principles already provide avenues for community outreach.

Boardmember Evans would like waterfront owners/stakeholders recognized. He does not want the Meydenbauer Park project stopped. However, he likes the additional layer of monitoring that the hybrid permit process offers. In addition, Boardmember Evans would like the Implementation Principles included in the SMP redraft.

Boardmember George asked if the Implementation Principles, as written, are intended to have a regulatory effect. Ms. Bedwell confirmed yes. Boardmember Heath expressed his opinion that a set of principles is usually used to have a discussion among parties, whereas a set of codes is usually used in litigation between parties. He wondered what effect including the Implementation Principles in the city code would have in how the Implementation Principles were used.

Boardmember Heath suggested that the Parks Board send a memo to the Planning Commission with a list of questions that should be used to guide the discussion on whether a change to the proposed permitting process is of value.

Motion by Boardmember Van Hollebeke and second by Vice-Chair Grindeland to direct staff to send a letter to the Planning Commission requesting that they consider the following questions:

- What value does the hybrid permitting process bring to the development of the park and to the citizens of Bellevue?
- What is the cost and delay associated with the new hybrid permitting process?
- What is the economic/social cost associated with the additional layer of the hybrid permitting process?
- What is the breadth of the public outreach for the proposed permitting process?
- Why haven't the recommendations in the May 12, 2011 Parks Board memo been incorporated in the draft SMP?
- What is the justification for the exceptional treatment for the Meydenbauer Plan/Park?
- What is the legal effect in codifying the Implementation Principles?

At the question, motion carried unanimously (7-0).

Motion by Vice-Chair Grindeland and second by Boardmember Van Hollebeke to extend the meeting until 9:05 p.m. Motion carried unanimously (7-0).

10. **BOARDMEMBER COMMITTEE/LIAISON REPORTS:**

A. Network on Aging

Chair Robinson reported that the Bellevue Network on Aging recently had a presentation about things the aging population should know before going to the hospital. In addition, the committee received an update on the Bel-Red Corridor.

B. Other Groups

Chair Robinson suggested that the Bridle Trails Community Reports be added to the agenda for liaison reports. Boardmember Heath will report on this committee's meetings.

11. **NEW BUSINESS:**

A. Future agenda items

Boardmember Evans questioned if the city has seen an increase in the homeless population. He has noticed an increase in homeless people sleeping in parks, particularly Weowna Beach Park. Staff will forward a summary of a recent needs assessment to Boardmembers.

Motion by Vice-Chair Grindeland and second by Boardmember Powell to extend the meeting until 9:10 p.m. Motion carried unanimously (7-0).

12. **OTHER COMMUNICATIONS:**

A. CIP Project Status Report

B. Letter from Carol Reich re South Bellevue Community Center

C. Memo to Planning Commission from Environmental Services Commission re Shoreline Master Program

D. Flyer re Bellevue All-Stars (Seniors) vs City VIPs annual softball challenge

13. **INFORMATION:**

A. List of upcoming Parks special events

B. July 4th – Bellevue's Symetra Family 4th of July at Downtown Park

C. September 11 – next scheduled regular Parks Board meeting

14. **ORAL COMMUNICATIONS/PUBLIC COMMENTS:**

Aaron Dichter

10000 Meydenbauer Way S.E., Bellevue, WA

Mr. Dichter attended or was represented at nearly all of the Meydenbauer Bay Steering Committee meetings. In his opinion, Council created the Implementation Principles to ensure the public voices are heard, considered, responded to, and opinions honored. He added that the park plan is a concept and the Conditional Use Permit process is a hybrid process to prevent people from taking actions against the CUP (i.e., tearing down the marina).

Anita Skoog-Neil

9302 SE Shoreland Drive, Bellevue, WA

Ms. Skoog-Neil stressed that the Meydenbauer community cares about the environment. She requested that the Shoreline Master Program (SMP) be respected in Meydenbauer Bay Park. She added that the proposed dock is concerning, particularly because of the narrow width of the bay. The proposed piers in the Master Plan are invasive in the environment; and the cascading walkway terminates with a tower at the shoreline's edge that is in violation of the SMP.

Ms. Skoog-Neil called attention to the discrepancy in the SMP Draft versus the Master Plan, specifically for eating and drinking establishments. She feels a Conditional Use Permit allows for loopholes, unless footnotes are added to the use charts for clarification.

Ms. Skoog-Neil prefers a vigorous process that the Department of Ecology reviews due to the environmental sensitivity of the project. She does not trust that the previous SMP would be adhered to.

15. **ADJOURNMENT:**

Motion by Boardmember George and second by Boardmember Van Hollebeke to adjourn the meeting at 9:12 p.m. Motion carried unanimously (7-0).