

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Meeting

July 17, 2023
6:00 p.m.

Council Chambers
Bellevue, Washington

PRESENT: Mayor Robinson, Deputy Mayor Nieuwenhuis and Councilmembers Barksdale, Lee, Robertson, Stokes and Zahn

ABSENT: None.

1. Call to Order

The meeting was called to order at 6:02 p.m., with Mayor Robinson presiding.

2. Roll Call; Flag Salute

City Clerk Charmaine Arredondo called the roll and all Councilmembers were present. Councilmember Lee led the flag salute.

(a) Pretrial, Probation and Parole Supervision Week Proclamation

Councilmember Barksdale read the proclamation recognizing July 16-23, 2023, as Pretrial, Probation and Parole Supervision Week and encouraged all residents to honor these probation professionals and the vital services they provide for the community.

Brad Nonaka, Probation Manager, thanked Councilmembers for their recognition of the great work of the City's probation staff. The probation division was founded in 1978 and works with the courts, law enforcement agencies, community organizations, community leaders and victim advocates. The City's probation staff has a combined experience of more than 150 years and offers state-of-the-art electronic home detention, pretrial monitoring services, evidence-based programming and interventions, and supervision.

Mr. Nonaka said the probation division uses a risk-needs responsivity model and supervision to make timely and needs-driven referrals. He said staff strives to treat everyone they serve with respect, fairness and dignity in a culturally competent, inclusive and accessible environment. He said they keep pace with best practices and provide language translation services. Mr. Nonaka said the probation division is effective in reducing recidivism and in helping clients maintain stability, employment and education while being held accountable for their actions.

Mr. Nonaka introduced probation officers Dae' Janae Anderson and Connie Ng.

Mayor Robinson thanked everyone for their work.

3. Approval of Agenda

- Deputy Mayor Nieuwenhuis moved to approve the agenda, and Councilmember Stokes seconded the motion.
- The motion carried by a vote of 7-0.

4. Oral Communications

City Clerk Arredondo reminded the public that election-related topics may not be discussed during oral communications, including promoting or opposing a ballot measure or candidate.

- (a) Neo Li, speaking on behalf of his Lochleven neighbors, said they strongly oppose alternatives 1, 2 and 3 studied in the Environmental Impact Statement (EIS) for the Comprehensive Plan update. He said they object to the proposed zoning changes in the Lochleven area. He expressed concern about the low level of public engagement in the update process. Mr. Li said they oppose building heights up to six stories because that would alter the character of Bellevue neighborhoods. He said the EIS conflicts with the Northwest Subarea Plan updated two years ago. He expressed concern regarding the transition between Downtown Bellevue and Lochleven. He said the Council should mandate a data-driven analysis and establish a realistic schedule to allow enhanced stakeholder involvement. He encouraged everyone to work together to create a better Bellevue.
- (b) Gardner Morelli said he supports the Wilburton vision. However, he opposes certain recommendations from the Planning Commission. He has owned property in the Wilburton area since 2005 that currently has two office buildings. He believes that with the right zoning, the property will be a great transit-oriented development (TOD) site in the future. He encouraged the Council to consider Alternative 3 versus what was approved by the commission. He said the alternative meets the objectives of many stakeholders and the goals of the Council. He said the commission's recommendation reduces the overall development capacity of the Wilburton area, including both uses and building heights.
- (c) Cristina Dugoni commented regarding the 60-acre Overlake Farm located in the northeast corner of Bellevue. She said apartments border the northern property boundary and the Bellevue Municipal Golf Course is located to the east. She asked the Council to consider designating their property as R-Medium instead of R-Low, which would accommodate more housing in a clustered concept to preserve open space. She said they are planning to develop only along 140th Avenue. Ms. Dugoni asked the Council to designate their southern two parcels as low density. She noted that they own the parcels to the west of Overlake Farm.

- (d) Wei Duan expressed opposition to the preferred alternative affecting the Lochleven neighborhood. She said the proposal conflicts with the Northwest Bellevue Subarea Plan that was revised two years ago. She said the proposal will diminish the mandated buffers and separations between the downtown and the Lochleven community. She said the proposal does not consider the loss of privacy and sunlight to individual properties. She expressed concern about traffic, parking impacts and emergency access.
- (e) Nicole Myers, a Lochleven resident, said she is disappointed that the City is proposing to authorize duplexes across Bellevue. She believes that calling them accessory dwelling units (ADUs) is misleading and takes advantage of everyone's desire to create affordable housing. She said a duplex on Bellevue Way with approximately 2,800 square feet was listed for sale at \$3.2 million. She said that authorizing the size of ADUs to be up to 40 percent of the primary home's square footage is not required by HB 1337. She said the City is required only to allow ADUs up to 1,000 square feet. The proposed ordinance before the Council would allow a 3,000 square foot ADU as long as it is attached to a 4,500 square foot primary residence. She said if these housing units are called ADUs, the additional square footage is not counted when determining what is allowed. She said HB 1337 requires the City to allow an ADU on any lot that meets the minimum lot size required for the primary unit. She expressed concern about parking and sewer infrastructure impacts. She said that capping the size of ADUs to 1,000 square feet would align with state law, be more affordable and be able to accommodate a family. She said developers will use ADU provisions to avoid complying with regulations that apply to duplexes. She asked the Council to review the public comments, which she feels have largely gone unaddressed.
- (f) Mariya Frost, Director of Transportation for Kemper Development Company (KDC), thanked the Council for their continued work on the curb management plan. She said the company does not support or oppose the plan but wanted to express support for a key element of the plan. She said they have advocated for traffic studies to be required for curb changes that would affect capacity of a travel lane or intersection and request that the City consider the no action alternative to the proposed change. She said staff has been responsive to their concerns and proposed revised language. Staff added language that states: "Whenever a significant portion of a movement-based travel, curbside traveling, is proposed to be permanently converted into a different use, the City will conduct a traffic analysis and allow the public an opportunity to provide feedback." Ms. Frost said KDC supports the revision. She noted the importance of maintaining vehicular mobility.
- (g) Jodie Alberts, representing the Bellevue Chamber of Commerce, expressed support for the curb management plan. She thanked City staff for working closely with the Chamber and businesses to ensure an in-depth stakeholder process over the past year. She expressed support for staff's proposal to incorporate a traffic analysis and to conduct a public engagement process to understand the impacts of the plan prior to implementation. She commended staff for incorporating and/or responding to public input.

- (h) Victor Bishop said he is a retired traffic engineer who has been involved with traffic issues in Bellevue for more than 50 years as a consultant, Transportation Commission member and an Eastside Transportation Association (ETA) Board Member. He said the ETA presented comments on the curb management plan to the Transportation Commission in a letter dated May 9, 2023. He noted that the commission's recommendation includes language responding to the ETA's request that a traffic analysis be conducted if an existing curb lane is proposed to be removed in favor of other uses. He encouraged enhanced public involvement in reviewing the plan.
- (i) Matt Jack, representing the Bellevue Downtown Association (BDA), expressed support for the City's initiative to adopt a curb management plan that will successfully optimize the movement of people and goods in a manner that promotes economic activity, vibrant public spaces, walkable streets and multimodal access. He said the City has been very responsive to public input regarding the proposed plan. Mr. Jack said the Council received an email earlier in the day with a number of links to different tools that were endorsed by the BDA Board of Directors.
- (j) Lisa Sferra, a cousin of Cristina Dugoni, noted that both of their mothers were also in the audience. She said the family supports growth in Bellevue. She and her sister own a nine-acre parcel within the 40 acres mentioned above, and it appears that it is designated for an upzone. She believes the site could accommodate increased density and enhance access to the golf course.
- (k) Bill Finkbeiner commented on changes to the Wilburton Plan by the Planning Commission and asked the Council to reconsider alternative 3 for the building heights and uses located east of the Eastrail. He said nearly all of the properties are within the quarter-mile walkshed to light rail. He said the use of certain properties was changed from mixed use to residential only, and currently those parcels are occupied primarily by small businesses. In reviewing the 700 pages of public comments for the Draft Environmental Impact Statement (DEIS), he could not find any comment opposed to alternative 3.
- (l) Kendall Anderegg, President and CEO of Mutual Materials, said she is a longtime Bellevue resident and immediate past chair of the Bellevue Chamber of Commerce Board of Directors. She said she and other property owners were caught off guard when City staff modified the Wilburton DEIS alternative 3 to suggest a new preferred alternative. She asked the Council to direct staff and the Planning Commission to return to the heights and uses studied under alternative 3. She said this would increase density near transit and trails, create affordable housing, ensure that small businesses can continue to operate and create a vibrant and active Eastrail and Grand Connection. She said the new preferred alternative proposes a maximum building height of 45 stories on one side of the Eastrail and a maximum of 16 stories on the other side. She said development in the area does not negatively impact single-family neighborhoods. She said alternative 3 supports the projected addition of 35,000 housing units and 70,000 jobs over the next 20 years.

Mayor Robinson thanked everyone for their input and encouraged the public to email comments to Council@bellevuewa.gov.

5. Reports of Community Councils, Boards, and Commissions: None.

6. Report of the City Manager

(a) Bellevue Wins Best of 425 Award

City Manager Brad Miyake said Bellevue was recognized with an annual Best of 425 Award as the best city in the 425 area code. He noted that staff of the 425 magazine indicated that interest in Bellevue is higher than it has been in 20 years.

Mayor Robinson congratulated the businesses and others that received 425 awards.

7. Council Business and New Initiatives

→ Councilmember Lee moved to appoint Imran Siddique to the Library Board to serve a full term expiring on May 31, 2027. Councilmember Stokes seconded the motion.

→ The motion carried by a vote of 7-0.

8. Consent Calendar

→ Deputy Mayor Nieuwenhuis moved to approve the Consent Calendar, and Councilmember Stokes seconded the motion.

→ The motion to approve the Consent Calendar carried by a vote of 7-0, and the following items were approved:

(a) Motion to approve payment of claims and payroll for the period June 1, 2023 - June 30, 2023.

(b) Resolution No. 10281 authorizing the execution of Supplemental Agreement No. 3 to the Professional Services Agreement with Parametrix, Inc. (No. 1650266) in the amount of \$84,539.00, plus all applicable taxes, for a total contract amount of \$1,770,128.73 for additional franchise utility design and other engineering work necessary to complete the bid packages for 130th Avenue NE - BelRed Road to NE 20th (CIP Plan No. PW-R-170).

(c) Resolution No. 10282 authorizing execution of a labor agreement between the City of Bellevue and the International Association of Firefighters, Local 1604, representing Battalion Chiefs, for a two-year contract period starting January 1, 2023, and expiring December 31, 2024.

- (d) Resolution No. 10283 authorizing the execution of the Telecommunications Right of Way Use Agreement with Zply Fiber Pacific, LLC.
9. Public Hearings: None.
10. Study Session Items
- (a) Comprehensive Plan Periodic Update and Wilburton Vision Implementation - Review of Preferred Alternative to Undergo Analysis in Environmental Impact Statement

City Manager Miyake introduced discussion regarding the Comprehensive Plan periodic update and the Wilburton Vision implementation plan. He said the City recently completed the Draft Environmental Impact Statement (DEIS) review and is moving into the Final EIS phase. The Planning Commission spent the month of June identifying the preferred alternative of growth to assume in the FEIS analysis. Mr. Miyake said tonight's discussion focuses on the Planning Commission's recommendation for the preferred alternative.

Michael Kattermann, Director, Community Development Department, said the purpose of tonight's presentation is to consider how the Council wants Bellevue to grow over the next 20 years. He recalled that in the 1980s, the Council created the vision and plan for the future development of the downtown. In the early 2000s, the Council created a vision and plan for future growth in the BelRed corridor. Mr. Kattermann said the Comprehensive Plan update and revival of the Wilburton vision are now going through similar planning processes.

In the case of Wilburton, the Council decided to start with the vision created by the citizen advisory committee (CAC) in 2018. For the Comprehensive Plan, the starting point was the vision adopted by the Council in the 2015 update. The citywide vision includes more walkable neighborhoods with nearby retail goods and services, more types of housing, more affordable housing, more and better ways to get around and preserving the feel of a City in a Park.

Mr. Kattermann said staff has conducted an extensive community engagement process over the past 16 months in terms of the scope, tools, and the number and diversity of the people who participated. He said public engagement will continue through the adoption of the updated Comprehensive Plan next year. He said selecting a preferred alternative is an important milestone in the process. He said it is time to choose the parts of the alternatives that best convey the desired path forward. Staff can then prepare additional environmental analysis and work with the Planning Commission and the public to develop the policies and land use map in the final plan.

Emil King, Assistant Director, Community Development Department, said that tonight's discussion will present the Planning Commission's recommendation regarding the preferred alternatives to be included in the FEIS review for the Comprehensive Plan update and the Wilburton implementation effort. He said staff will return on July 24 to follow up on tonight's discussion and additional time is available on the Council's August 7 agenda if needed.

Mr. King highlighted the Comprehensive Plan and Wilburton EIS and planning schedule, noting that the Comprehensive Plan update was launched with the Council in February 2022. The Wilburton work was launched by the Council in April 2022. Mr. King said the Wilburton vision implementation is included in the overall Comprehensive Plan update. He said the EIS documents the technical analysis that helps policymakers to make decisions on different options. Upon the completion of the FEIS this fall, work on the Comprehensive Plan amendments and related Land Use Code amendments will continue through 2024.

Mr. King said the state Growth Management Act (GMA) requires a periodic update of the Comprehensive Plan every 10 years. He said there are regional requirements related to the Puget Sound Regional Council (PSRC) Vision 2050 plan and King County countywide planning policies (CPPs) and growth targets. The plan is intended to reflect the Council's vision regarding housing options and affordability, economic innovation and environmental protection. Mr. King said that Land Use Code amendments will be considered in the future.

Thara Johnson, Comprehensive Planning Manager, described the extensive community engagement process over the past year. The City held more than 50 events including 14 workshops and open houses, 19 tabling events, 14 presentations to community and neighborhood groups, three housing forums and seven additional community discussions and focus groups. Ms. Johnson said that approximately half of the events were targeted toward Bellevue's diverse or underrepresented communities including youth, people in emergency shelters, senior adults and other BIPOC organizations. There have been more than 1,000 participants in the City's online platforms and approximately 1,100 Bellevue residents responded to a statistically valid survey sent to all residents. Ms. Johnson said a group of approximately 45 individuals, including developers, housing advocates, nonprofit organizations, community groups and others, have advised on various aspects of policies and the growth concepts.

The DEIS studied four alternatives, including a no action alternative. Alternative 1 is focused on mixed use centers (e.g., Downtown, BelRed, East Main, Crossroads, Factoria, Eastgate) and adds the least amount of jobs and housing capacity while Alternative 3 reflects the highest growth capacity. Alternative 2 builds on Alternative 1 to add capacity within areas served by transit and in neighborhood centers (e.g., Newport Hills, Lakemont, Northtowne). Alternative 3 further increases capacity around neighborhood centers.

Ms. Johnson said more than 300 individual commenters provided 1,600 comments on the DEIS. The City implemented a 45-day comment period instead of the required 30 days. Affordable housing was a top concern. The comments also advocated for more compact neighborhoods and enhanced walkability, and transit investments. Public comments also expressed concern regarding traffic, environmental and City service impacts. Ms. Johnson said property owners and developers are interested in greater flexibility.

Ms. Johnson recalled Council direction to incorporate certain values in selecting the preferred alternative (i.e., equity and diversity, environmental sustainability and housing). She said the Planning Commission used the three areas as a framework when deliberating and forming their recommendations on the preferred alternative.

Carolyn Ferris, Planning Commission Chair, said the commission spent three meetings in June reviewing the information and hearing from the public. For citywide planning, the commission recommended Alternative 3 with some modifications. For the Wilburton area, the commission recommended a hybrid of alternatives 2 and 3. Ms. Ferris said the commission is interested in the FEIS analysis and further discussion of the growth strategy.

Ms. Johnson said the citywide preferred alternative from the commission adds capacity in mixed use centers (i.e., BelRed) and encourages an increase in housing in neighborhood centers, which currently have more commercial development. This includes a focus on providing middle housing types around neighborhood centers and mixed use centers. Ms. Johnson said staff will study the provisions in HB 1110 and HB 1337 to determine the implications for local regulations. She highlighted the neighborhood center housing types with lowrise options of two to four stories and midrise options with five to 10 stories.

Janet Shull, Strategic Planning Manager, described the Wilburton alternatives studied in the DEIS. Alternative 1 focuses growth in the core of the study area and Alternative 2 spreads growth across the area. Alternative 3 focuses growth in the core and in mixed use nodes. Ms. Shull said the alternatives are based on the citizen advisory committee's 2018 preferred vision for Wilburton. Alternative 1 most closely represents the CAC's vision. Alternative 2 provides more opportunities for residential development and Alternative 3 explores a broader application of the mixed use designation across the area.

Ms. Shull described the Wilburton preferred alternative as a hybrid of Alternative 2 and Alternative 3: 1) mixed use with office emphasis east of I-405 (up to 45 stories), 2) mixed use and medical office between 116th Avenue and Eastrail (up to 45 stories), 3) mixed use with residential emphasis on the eastern edge (up to 16 stories), and 4) mixed use with residential emphasis around Lake Bellevue (up to 10 stories).

Ms. Johnson said that additional analysis will study mandatory versus voluntary affordable housing, the impact of HB 1110 and HB 1337 and residential floor area ratio (FAR)/density increase in mixed use centers. There will also be a transportation analysis to support the preferred alternative and the new legislation as well as a tree canopy analysis. She said the Planning Commission recommended studying mandatory versus voluntary affordable housing approaches.

Mayor Robinson thanked former Chair Ferris for her service and thanked staff for all of their work. She acknowledged that tackling the Comprehensive Plan update and the Wilburton planning together is challenging for staff, the Council and the community. However, Ms. Robinson said the Council asked staff to combine the processes in order to move forward as quickly as possible.

Mayor Robinson asked Councilmembers to provide comments, questions and requests for further study regarding the Wilburton process.

Councilmember Robertson thanked the Planning Commission and staff for their work and noted that she attended a number of the meetings. She said there was a high level of public comment.

She acknowledged that the 1,000-page DEIS is a great deal of information to review for the Planning Commission, Council and the public. Ms. Robertson said one thing that would be helpful would be to have a table as a reference for the density terms (e.g., R-Suburban, R-Low). She said those terms do not appear in the code, which uses designations such as R-1 (one unit per acre).

Councilmember Robertson said her understanding is that everything in Alternatives 1-3 has been studied and the task now is to determine the best combination of elements. She recalled her support in the past to use the citizen advisory committee's recommendation as the base for developing the preferred alternative. She said the Wilburton area is part of the growth corridor and she is leaning toward supporting Alternative 3. She expressed an interest in the impacts to Lake Bellevue and in making it more accessible for the public. She expressed support for studying the recommended hybrid alternative to generate more information that will help in making decisions.

Councilmember Barksdale said he is also comfortable with studying the preferred alternative because Alternative 3 has already been studied.

Responding to Mr. Barksdale, Ms. Shull said Alternatives 2 and 3 are similar in terms of building heights. The preferred alternative was intended to provide more opportunity for residential development and to address the desire for affordability and neighborhood character. She said many of the public comments were in favor of Alternative 3. However, staff also heard concerns from residents about the impacts to the Wilburton single-family neighborhood. Ms. Shull said the main difference between the Residential/Commercial and Mixed Use designations in the preferred alternative is that the former assumes strictly residential above the first floor while the latter is anticipated to be roughly evenly split between residential and office/commercial uses.

Deputy Mayor Nieuwenhuis thanked the Planning Commission and Councilmember Robertson for her work as liaison to the commission. Mr. Nieuwenhuis said he looks forward to further analysis. He suggested that the FEIS study be as broad and flexible as possible. He is comfortable with the Wilburton preferred alternative. However, he is concerned about the impacts to existing single family neighborhoods. He acknowledged the need to increase density, especially in areas with access to transit service. He said the Council often refers to sustainable growth, which to him means maintaining growth in the core growth centers while also protecting single-family neighborhoods.

Mayor Robinson said she appreciates the concern about the impacts on existing neighborhoods. She recalled the City's adoption of the "wedding cake" model for downtown development many years ago and asked how continuing with that model would impact the development of the Wilburton area.

Ms. Robinson suggested exploring the creation of a view corridor from the Eastrail and for residents on the east side of Wilburton. She said it makes sense to allow taller buildings on the west side of the Wilburton area near I-405.

Ms. Robinson further suggested dictating development by whatever makes a walkable community.

Councilmember Zahn recalled that the CAC conducted its work in 2018. She said the preferred alternative offers a fourth alternative that has not yet been studied. Responding to Ms. Zahn, Ms. Shull said there are some areas in the preferred alternative with lower building heights than Alternative 2 or Alternative 3. Ms. Shull said the residential capacity is actually slightly higher under the preferred alternative. However, the intensity of development is essentially the same. She said RC-M (Residential/Commercial-Medium) would allow up to 10 stories and H-1 would allow up to 16 stories.

In further response to Ms. Zahn, Ms. Shull said the difference between Alternative 3 and the preferred alternative, which has slightly lower building heights, is primarily in areas east of the Eastrail. She said there was a great deal of public comment in favor of affordable housing and the 15-minute neighborhood concept.

Ms. Shull said further analysis will be conducted before staff develops the specific land use designations or zoning throughout the Wilburton area.

Mr. Kattermann said staff uses the term “preferred alternative” to be consistent with state legislation. However, as Councilmember Zahn said, it is just another alternative to be studied. It does not mean that the decision on an alternative has been made.

Councilmember Lee said the Wilburton plan is important for providing a path for ongoing planning. He thanked staff for reaching out to immigrants and other underrepresented communities and acknowledged that there will be continued public involvement. He said the Wilburton area provides numerous opportunities and Lake Bellevue is an important asset to be considered. He encouraged maximizing the development capacity of the Wilburton area. However, he concurred with Deputy Mayor Nieuwenhuis about the need to protect existing residential areas. Mr. Lee said the production of housing is a top priority for the Council. He expressed support for studying transportation infrastructure and needs.

Councilmember Stokes said he is pleased to see the Wilburton planning effort moving forward. He asked which neighborhoods will be impacted by taller building heights. Ms. Shull said the residential areas to the east will experience the greatest impacts.

Mr. Stokes questioned the separate approaches to the areas east and west of the Eastrail. He said the preferred alternative is not the final alternative but it provides a step forward for further analysis. He expressed support for the letter from Amazon about opportunities for the Wilburton area, which he feels do not conflict with existing neighborhoods. Responding to Mr. Stokes, Mr. Kattermann said staff would follow up with more information about how staff and the commission evaluated the alternatives.

Moving on, Mayor Robinson asked Councilmembers to comment on mixed use centers in the overall Comprehensive Plan update. Ms. Robinson expressed support for the Planning Commission’s recommendations.

Councilmember Robertson expressed concern that the recommended Alternative 3 with modifications might be too aggressive, especially in the Factoria neighborhood. She is in favor of mixed use, walkability and adding more housing. However, Ms. Robertson said she is concerned that the recommended citywide Comprehensive Plan alternative adds far more density than what is needed to meet growth targets, even with the passage of HB 1110 and HB 1337.

Councilmember Robertson expressed concern about the traffic impact studies and requested more information on transportation impacts, including looking at projected vehicle counts and intersection delays. She recalled that the 2018 DEIS to study land use changes looked at traffic mitigation. She believes there should be the same level of study for this update. She expressed concern about the ability of infrastructure to keep pace with extensive infill development and redevelopment. She said increasing pedestrian and bike transportation modes will not mitigate the proposed density of development.

Referring to neighborhood centers, Ms. Robertson expressed support for added density but suggested scaling back to Alternative 1 or Alternative 2. She feels that is too aggressive for existing neighborhoods. She said highrise housing will not be affordable while midrise housing provides better opportunities for affordability. Ms. Robertson said she favors midrise, mixed use development.

Councilmember Barksdale asked whether the analysis of the alternatives will determine what infrastructure is needed to support the anticipated development. Mr. King said the mixed use centers are the Downtown, BelRed, Wilburton, East Main, Factoria and Eastgate. He said the BelRed and Wilburton areas reflect the most proposed changes. Part of the analysis will be looking at the mix of uses and potential changes such as more housing and transportation enhancements.

Deputy Mayor Nieuwenhuis said it is difficult to provide direction at this point given the ongoing compilation of more information. He concurred with Councilmember Robertson's comments about transportation and density impacts. Mr. Nieuwenhuis wondered how many housing units will be affordable and said further study will be helpful. He looks forward to staff's analysis of the implications of HB 1110 and HB 1337. Responding to Mr. Nieuwenhuis, Mr. King said staff will study both bills in the FEIS.

Councilmember Zahn said mixed use centers will tend to have transit access. She noted how much Factoria Mall has changed over the years. Responding to Ms. Zahn, Mr. King confirmed that there will be additional transportation analysis before the Council makes its decision on a final alternative.

Councilmember Lee said Wilburton is a good area for increased growth capacity, especially given access to transit. He spoke to the importance of studying transportation impacts and safety. He encouraged focusing on opportunities in the Wilburton area.

Councilmember Stokes concurred with comments by Deputy Mayor Nieuwenhuis and Councilmember Zahn. Mr. Stokes said he is looking forward to further study and discussion.

At 8:15 p.m., Mayor Robinson declared a short break. The meeting resumed at 8:25 p.m.

Mayor Robinson asked Councilmembers to comment on neighborhood centers, including Northtowne, Bel-East, Kelsey Creek and Newport Hills.

Responding to Councilmember Zahn, Mr. King said neighborhood centers are located in Neighborhood Business (NB) and Community Business (CB) districts. He said the Planning Commission recommends Mixed Use-Low zoning for neighborhood centers.

In further response to Ms. Zahn, Mr. King said an economic analysis of neighborhood centers will be completed soon and provided to the Council. He said the Mixed Use-Low designation was analyzed in the DEIS and Mixed Use-Medium was discussed by the Planning Commission as recommended by staff. The commission ultimately recommended Mixed Use-Low for neighborhood centers.

Chair Ferris said the commission did not determine that the zoning should be Mixed Use-Low but wanted further study of that designation. She said the commission recognized that there are significant differences between some of the neighborhood centers. She anticipates they will involve slightly different zoning.

Mr. Kattermann said Mixed Use-Medium for neighborhood centers was not studied in any of the alternatives. However, the Council could direct staff to consider the designation in the FEIS. Ms. Zahn expressed support for studying Mixed Use-Medium zoning for neighborhood centers.

Councilmember Lee expressed support for the long-term vision reflected in the preferred alternative.

Councilmember Stokes said he did not see any reason to not go up to 5-7 stories, depending on the neighborhood. He believes this will help, not harm, neighborhoods.

Responding to Councilmember Robertson, Mr. King said the additional neighborhood center not named above is Lakemont Village. Ms. Robertson expressed general support for the Planning Commission's recommendation. She said Mixed Use-Low is an upzone for neighborhood centers and she believes that is enough. She said the centers should be walkable, human scale, and a gentle transition to residential areas. She suggested that 5-6 stories might be appropriate for Kelsey Creek and Northtowne. However, Mixed Use-Low is more appropriate for the other centers. She believes residents would not want 10-story buildings on Lakemont Boulevard or in Newport Hills. Ms. Robertson said she supports the Planning Commission's recommendation. She would be willing to designate Kelsey Creek and Northtowne as what she called a Mixed Use-6 designation (up to six stories).

Councilmember Barksdale said he would support studying the impacts of allowing 5-7 stories.

Deputy Mayor Nieuwenhuis said he is comfortable with the Planning Commission's recommendation. However, he concurred with Councilmember Robertson that neighborhood

centers should be studied and treated as individual centers with their own capacity and defining characteristics.

Mayor Robinson said she is interested in studying all possible options for neighborhood centers and their impacts. She said this is a good opportunity to create the 15-minute city in those areas.

Moving to areas of opportunity, Councilmember Zahn said that residents of the Lochleven neighborhood have expressed concerns. She asked what will be gained by increasing building heights in Lochleven and similar neighborhoods given the increased density and housing in other parts of the community.

Mr. King said the areas of opportunity are defined in the EIS as mixed use centers and neighborhood centers, which are areas with jobs, amenities and transit service. He said one issue for the Council to consider is whether the housing capacity should be increased around those centers. Councilmember Zahn said she would like more information regarding those issues. She noted that many areas already have triplexes, townhomes and quadplexes.

Responding to Mayor Robinson, Mr. King confirmed that the preferred alternative would allow taller building heights in some areas.

Councilmember Lee said the individual details and desired elements depend on the neighborhood. He suggested studying the impacts for each neighborhood.

Councilmember Stokes concurred with Mr. Lee.

Councilmember Robertson said it appears that the preferred alternative is creating a new transition zone to a new density. Mr. King said the resulting density in single-family areas is similar to the outcomes under HB 1110. Ms. Robertson said that some of the neighborhood centers are meant to have a transition on the property. She expressed concern regarding the loss of sunlight on residential properties and the potential for broadening the scope of zoning changes.

Councilmember Barksdale concurred with Ms. Robertson's interest in the transition zone.

Deputy Mayor Nieuwenhuis said that if the alternative provides additional middle housing, HB 1110 and HB 1337 already address those options. He said he is not convinced that housing around neighborhood centers is needed. He said he shares Councilmember Robertson's concerns about scope creep and unintended consequences.

Mayor Robinson said a six-story neighborhood center would have a significant impact on a neighborhood with single-family homes, duplexes, triplexes and multifamily development. She would be interested in a study of the Lochleven neighborhood and how they were able to retain all of their trees with the variety of housing types.

Ms. Robinson said she would be comfortable with eliminating the areas of opportunity and focusing on implementing HB 1110 and HB 1337. She noted that the Council's decisions can be

changed in the future if there is a determination that considering the areas of opportunity is warranted. She suggested reassessing the need in five years.

Councilmember Zahn said she would be comfortable postponing consideration of buildings up to five stories in the areas of opportunity around neighborhood centers for a few years.

Councilmember Robertson concurred with Mayor Robinson and Councilmember Zahn about postponing consideration of the identified areas of opportunity.

Councilmember Lee concurred with the suggestion.

Deputy Mayor Nieuwenhuis concurred with postponing discussion of taller buildings around neighborhood centers. He said one opportunity he supports considering is the Overlake Farm property described by speakers during earlier oral communications.

Moving on, Mayor Robinson invited comments regarding other residential areas, including middle housing.

Deputy Mayor Nieuwenhuis thanked the public for all of their oral and written comments. He said the Overlake Farm property provides a good opportunity for housing with sufficient buffers and limited impact on the existing neighborhood. He encouraged the City to study the full 40 acres.

Councilmember Robertson said the City will be studying the implications of HB 1110 and HB 1337. She wondered whether the time for R-1 and R-1.8 zoning is over. She suggested that all of Bellevue's residential areas should be designated as suburban (R-3.5) unless a property is heavily constrained by critical areas.

Mayor Robinson suggested that staff come back with more information on the Overlake Farm proposal.

Councilmember Stokes concurred.

Councilmember Lee acknowledged that housing at the Overlake Farm property would have natural buffers and would not have a negative impact on surrounding houses.

Councilmember Zahn expressed support for further study of the Overlake Farm property. She said she is pleased that the City will be able to incorporate the requirements of HB 1110 and HB 1337 as part of the Comprehensive Plan update. Mr. Kattermann confirmed that the implications of the new laws will be analyzed during the FEIS process. He said staff could come back before next year to discuss the results of the analysis on that specific issue.

Mayor Robinson expressed interest in further study of the potential for Overlake Farm.

Moving to the topic of affordable housing, Deputy Mayor Nieuwenhuis said he supported the Planning Commission's recommendation.

Councilmember Barksdale concurred.

Councilmember Robertson expressed support for the recommendation. She asked if the City will analyze whether mandatory inclusionary affordable housing increases the cost of market-rate housing units. She suggested studying the most effective ways to achieve affordable housing without causing cost increases for market-rate housing.

Councilmember Stokes expressed support for the Planning Commission's recommendation regarding affordable housing.

Councilmember Lee concurred.

Councilmember Zahn expressed support for the recommendation. Responding to Ms. Zahn, Mr. King said staff will study both rental and ownership affordable housing.

Mayor Robinson said she would like an additional analysis of incentives and mandatory inclusionary housing.

Ms. Robinson observed that upzoning is reflected in the Comprehensive Plan. She asked how the City can use that to create affordable housing.

Ms. Robinson said she would like to consider whether the City should create a new multifamily property tax exemption for high-rise residential development.

Moving to discuss the tree canopy and tree codes, Mayor Robinson said that land use often dictates the tree codes, and she would like to see the tree codes dictate land use.

Responding to Councilmember Zahn, Mr. King said staff is studying at a programmatic level the citywide impacts of increased development on the tree canopy. Ms. Zahn suggested that the tree canopy analysis consider whether there are opportunities for street trees and other tree plantings across Bellevue.

Ms. Johnson said the FEIS will include a number of mitigation strategies and provide context for other changes needed to meet the tree canopy goal.

Responding to Mayor Robinson, Ms. Johnson said there will likely be a number of mitigation strategies, for example, amending the tree code in such a way to add a higher percentage of tree preservation.

Councilmember Lee expressed support for studying whether land use dictates the tree code or vice versa.

Councilmember Barksdale expressed support for the tree canopy analysis and for studying how the City will achieve its goals.

Councilmember Robertson suggested that when looking at the Comprehensive Plan, the Council should think about what will create the ideal city for current and future generations. She concurred with Mayor Robinson's interest in looking at trees as part of livability.

Councilmember Robertson suggested that, after the adoption of the Comprehensive Plan update and related LUCA, the Council might want to set tree standards based on the number of trees and tree canopy square footage. She asked whether the FEIS analysis would help inform that type of effort. She suggested the City might want to consider different tree standards in different land use districts.

Deputy Mayor Nieuwenhuis concurred with Ms. Robertson's suggestion. He expressed support for Mayor Robinson's concept of considering trees first as well.

Referring to the affordable housing topic above, Councilmember Lee said he does not favor mandatory inclusionary housing. However, he is open to studying the issue and impacts.

Moving on to general discussion, Mayor Robinson said the Council talks about neighborhoods, increasing density and creating opportunities for people to live in walkable neighborhoods. She said the Lochleven area has done a remarkable job of maintaining the tree canopy, incorporating a variety of housing types and retaining neighborhood character in all forms of housing. She would like the City to study what they did right, and she suspects it has a lot to do with retaining trees.

Councilmember Zahn concurred with Mayor Robinson's suggestion and suggested neighborhood tours to see the different housing types and neighborhood characteristics.

Regarding trees, Councilmember Stokes suggested reviewing how the City evaluates its tree canopy. He believes there are more trees than ever in certain neighborhoods. However, the tree canopy is decreasing in other areas.

Councilmember Lee recommended visiting Davis, California to tour their sustainable community.

Councilmember Barksdale said it would be helpful to see visual representations of different housing types and building heights. He suggested evaluating the alternatives in terms of values, components and impacts.

Councilmember Robertson asked whether the City is reviewing the vehicle trip counts that will be generated by different alternatives. Ms. Johnson reiterated that the FEIS analysis will address the capacity increases under new state legislation and how that will impact the transportation system. In addition, the preferred alternative's overall capacity will be incorporated into the transportation model, as will be options for the NE 6th Street extension. Ms. Johnson said the FEIS will include mitigation strategies. She said all of the strategies studied in the DEIS resulted in transportation impacts. She said the FEIS will analyze intersection capacity and other transportation elements but will not address project-level mitigation.

Ms. Robertson suggested comparing intersection delay and trip counts under each alternative and providing mitigation assumptions.

Responding to Ms. Robertson, Mr. King said the FEIS process will consider the capacity that could be added with accessory dwelling unit (ADU) code amendments.

Councilmember Robertson said the Council has focused growth in the growth corridors for a number of years. However, with new state laws require the City to spread density across Bellevue. She opined that Alternative 3 is too aggressive, even without the impacts of HB 1110 and HB 1337. She suggested there will be a need to scale back the density due to severe impacts. She encouraged focusing on graceful transitions, walkable scale and the mitigation of impacts.

Deputy Mayor Nieuwenhuis said he would like to see a tree canopy map. Responding to Mr. Nieuwenhuis, Mr. King said staff continues to reach out to the community and a range of stakeholder groups. Mr. King noted there is no public comment period for the FEIS process. However, the FEIS report will be available to the public and will provide written responses to all 1,600 public comments from the DEIS phase.

At 9:25 p.m., Mayor Robinson declared a short break. The meeting resumed at 9:33 p.m.

(b) Review of Transportation Commission Recommendation for the Curb Management Plan

City Manager Miyake introduced discussion regarding the Transportation Commission's recommendation for the curb management plan. He recalled that the topic was last before the Council on November 14, 2022.

Chris Long, Assistant Director, Transportation Department, said staff is seeking direction to return with a resolution approving the curb management plan for action at a future meeting.

Karen Stash, Chair of the Transportation Commission, said the curb management plan creates a vision for curbside areas in the urban core. The plan includes a comprehensive set of recommendations and best practices and advances goals and priorities for addressing curb usage challenges. Ms. Stash said the commission spent 18 months developing its recommendations through seven commission meetings and a great deal of public input.

Chair Stash presented a map of the areas studied for the curb management plan: Downtown, BelRed, Spring District and Wilburton. She said the curbside includes the sidewalk zone, landscape zone and curbside lane. With the continuing growth, there is a need to create a more structured approach to the use of the curb. Ms. Stash said that permitting fees are somewhat inconsistent and there is a need to address enforcement given limited resources. She noted that the plan addresses the roles and responsibilities within the curbside uses. Key principles reflected in the curb management plan are equity, efficiency and effectiveness, user-friendliness, clear decision-making, adaptability and resilience.

Ms. Stash said the Comprehensive Plan Amendment (CPA) adopted on December 12, 2022 created 13 new policies, including TR-42: Develop and implement a Curb Management Plan that designates a curb typology, establishes a pay-for-curb-use program recommendation, facilitates dynamic curbside management and accounts for various movements, access and placemaking functionalities. She said the business community is supportive of curb technology solutions.

Chair Stash said the Transportation Commission discussed the concept of mobility hubs, or areas where different transportation types come together. She said that, as the City has grown, there has been an increased interest in curb space for food trucks and on-street dining.

Mr. Long said the development of the curb management plan involved a robust community engagement process. The process included interviews and focus groups across a broad cross-section of users of the curb, a joint public-private sector curb summit, input through EngagingBellevue.com, providing information through social media and numerous meetings throughout the community. Mr. Long said the City received extensive input through the four-week public comment period. He noted there were a number of comments suggesting a traffic study as part of the plan. He said representatives of neighborhoods adjacent to the downtown core wanted the City to think about how they might be impacted by curbside policies.

Mr. Long said the curb management plan includes the curb practices guide, curb typology and maps, curb pricing framework and the curb pilot program roadmap. He said the plan recommends studying the potential for paid on-street parking for two-hour zones and potentially load zones. He noted the interest in having passenger and commercial load zones well distributed throughout the downtown.

Mr. Long thanked the Transportation Commission, Councilmember Zahn and Chris Iverson, the project manager who led the process.

Mayor Robinson thanked Chair Stash and the commissioners for their work.

→ Deputy Mayor Nieuwenhuis moved to direct staff to return with a resolution for action on the consent calendar during a future Council meeting to adopt the curb management plan as recommended by the Transportation Commission. Councilmember Robertson seconded the motion.

Councilmember Zahn thanked the commission, staff and the public for their involvement in developing the curb management plan. She believes the plan can serve as a model for other cities. Regarding concerns from the public about the potential impacts to residents, she noted that elements referenced in the plan (e.g., curb pricing) are options to be studied and do not reflect final decisions. She expressed support for bringing the resolution back on the consent calendar.

Councilmember Lee noted the importance of studying the impacts of the plan on vehicle lane mobility.

Councilmember Barksdale expressed support for the plan.

Deputy Mayor Nieuwenhuis thanked staff and the commission for the extensive public outreach to stakeholders and residents.

Councilmember Stokes expressed support for the plan.

Responding to Mayor Robinson, Mr. Long said the parking study will analyze the impacts on residential parking permits.

→ The motion carried by a vote of 7-0.

11. Land Use: None.

12. Other Ordinances, Resolution, and Motions

- (a) Ordinance No. 6746 amending sections 20.20.120, 20.20.590, and 20.50.016 of the City of Bellevue Land Use Code (LUC) removing barriers to, and encouraging production of, attached accessory dwelling units (ADUs); creating a mechanism for separate ownership of ADUs; allowing for existing ADU applicants to utilize new code provisions under this Ordinance; providing for severability; and establishing an effective date.

City Manager Miyake introduced action on Ordinance No. 6746 amending the Land Use Code to remove barriers and encourage the production of affordable housing, including attached accessory dwelling units (ADUs). He recalled that the Planning Commission presented its recommendation to the Council on June 12.

→ Deputy Mayor Nieuwenhuis moved to adopt Ordinance No. 6746, and Councilmember Stokes seconded the motion.

Mayor Robinson said the Council previously discussed this topic and directed staff to prepare an ordinance. She said the ordinance amends the Land Use Code to be consistent with HB 1337.

→ The motion carried by a vote of 7-0.

- (b) Ordinance No. 6747 amending the 2023 Development Services Fees Ordinance No. 6692 to establish the Affordable Housing Permit Review and Inspection Fee Reduction Program; providing for severability; and establishing an effective date.

Mayor Robinson recused herself from participating in this item and left the Council Chamber.

→ Councilmember Robertson moved to adopt Ordinance No. 6747, and Councilmember Stokes seconded the motion.

→ The motion carried by a vote of 6-0.

- (c) Ordinance No. 6748 establishing a Transportation Benefit District; specifying the boundaries for the Transportation Benefit District; specifying the transportation improvements to be funded by the Transportation Benefit District; and creating a new Chapter 4.22 of the Bellevue City Code entitled “Transportation Benefit District.”

Mayor Robinson returned to the dais.

City Manager Miyake said the Transportation Benefit District (TBD) was last discussed by the Council on July 10 following the public hearing. At that time, the Council directed staff to bring the ordinance back for final adoption.

→ Deputy Mayor Nieuwenhuis moved to adopt Ordinance No. 6748, and Councilmember Stokes seconded the motion.

Mayor Robinson said that adoption of the ordinance does not commit the City to using the TBD tool to generate revenue for the transportation system but it provides the option for the future.

Councilmember Lee referenced the section on page 3 of the ordinance addressing the authority of the TBD. He noted the funding options of imposing a vehicle license fee, imposing a fee on building construction and land development, or adjusting the sales tax. He does not want the ordinance to assume that those revenues will be implemented.

Mayor Robinson said the ordinance does not commit the Council to a specific revenue option at this point.

John Resha, Director of Finance and Asset Management (FAM), said the ordinance mirrors state law and does not add or exclude any of the option provided in state law. He said the only thing not included in the ordinance is a tolling authority to generate revenue. In further response to Councilmember Lee, Transportation Director Andrew Singelakis said he did not think that tolling local streets was a viable option.

→ Councilmember Lee suggested a friendly amendment to limit the potential funding options to taxes. Deputy Mayor Nieuwenhuis seconded the motion.

City Attorney Kathy Gerla said the RCW is specific as to the authority of the TBD. It states that the TBD is authorized to impose the following: taxes, fees, charges and tolls, a sale and use tax, a vehicle fee, or another fee or charge in accordance with state law.

Responding to Deputy Mayor Nieuwenhuis, Ms. Gerla confirmed that the amendment would prevent the Council from considering funding sources other than a sales and use tax.

→ The friendly amendment failed by a vote of 1-6, with Councilmember Lee in favor.

→ The main motion carried by a vote of 6-1, with Councilmember Lee dissenting.

13. Unfinished Business: None.
14. New Business: None.
15. Executive Session: None.
16. Adjournment

At 9:57 p.m., Mayor Robinson declared the meeting adjourned.

Charmaine Arredondo, CMC
City Clerk

/kaw