

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Meeting

February 16, 2021
6:00 p.m.

Virtual Meeting
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 6:00 p.m., with Mayor Robinson presiding.

2. Roll Call; Flag Salute

City Clerk Charmaine Arredondo called the roll. All Councilmembers were present and participating remotely.

(a) Day of Remembrance Proclamation

Mayor Robinson recalled that on February 19, 1942, President Roosevelt signed an executive order allowing for the forced internment of Japanese Americans. Many Japanese Americans in Bellevue remember their experiences during that time. Ms. Robinson said the Day of Remembrance on February 19 provides the opportunity to educate ourselves and others on the fragility of civil liberties in a time of crisis.

Councilmembers read the proclamation recognizing the week of February 14-21 as a Week of Action and Remembrance. Mayor Robinson said the City further affirms its commitment to protecting the civil rights of everyone in the community.

Councilmember Robertson led the flag salute.

3. Approval of Agenda

→ Deputy Mayor Nieuwenhuis moved to approve the agenda, amended to add Item 6(b) for an update on the City's snow response. Councilmember Stokes seconded the motion.

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

4. Oral Communications

(a) Randy Bannecker, representing the Seattle-King County Realtors, encouraged the Council to approve the accessory dwelling unit (ADU) and unit lot subdivision Land Use Code Amendments (LUCAs). He said that ADUs can provide an income stream that allows homeowners on fixed incomes to age in place. ADUs are also a good option for multigenerational households. He noted that the unit lot subdivision LUCA provides a fee simple alternative to condominium ownership.

(b) Ruth Lipscomb expressed support for allowing ADUs to be included with new home construction. She said ADUs can enable individuals to afford to remain in their homes as they age. ADUs can also provide housing for young people starting their careers or others in need of more affordable housing.

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

6. Report of the City Manager

(a) Wrap Around Services Update

City Manager Brad Miyake introduced staff's update regarding the Wrap Around Services program.

Michael Shiosaki, Parks and Community Services Director, said the Wrap Around Services program was launched in 2005 as a collaborative effort with the Bellevue School District and United Way, with the goal of preserving and enhancing neighborhood vitality by infusing needed services into local schools. City staff work with individual schools to identify specific needs and to identify solutions. The program partners with providers to bring services into the schools to make them more accessible to families, such as flu shots, holiday food baskets, clothing, resources, and community meetings with City officials. The City has Wrap Around Services coordinators serving Lake Hills Elementary School, Odle Middle School, Stevenson Elementary School, and Highland Middle School.

Outcomes of the program include increased school readiness as well as a sense of belonging among children. Mr. Shiosaki said families are more involved in their children's education and families feel welcome visiting the schools. The program uses a strengths-based approach to address social issues, recreation, health, academic needs, family services, and community needs. Examples include connecting children and families to mental health services, creating partnerships that provide school activities, and cultural celebrations. The program collaborates with community partners to provide children with access to tutoring, mentoring, and early screening for learning disabilities.

Mr. Shiosaki said the Wrap Around Services coordinators have been directly serving families since the pandemic began by providing support, including helping families access information regarding the pandemic, assisting to find child care options, and operating food pantries at Stevenson and Lake Hills schools. Approximately 600 families are served by the food pantry on a weekly basis, and the program continued to provide food during the winter break. The program also delivers food to school district households with individuals who have tested positive for COVID-19.

The City Council awarded \$75,000 in Community Development Block Grant (CDBG) funds for child care scholarships and \$127,000 provided by the Coronavirus Aid, Relief, and Economic Security (CARES) Act for food assistance. Mr. Shiosaki said the Wrap Around Services program played a critical role in helping with the implementation of those programs, ensuring that food and hygiene supplies were purchased to meet the needs of students and families.

Mr. Shiosaki thanked Jeannie Anderson and Cecilia Martinez-Vasquez for their hard work and dedication. He said the impacts of the pandemic will have a lasting impact on families, which will result in an increased and ongoing need for human services. The Wrap Around Services program will support and collaborate with the schools as they gradually reopen and some adults will be able to return to work. Mr. Shiosaki said the program will continue to provide referrals for local, county, and state resources including related to child care, housing assistance, and food. He thanked the Council for its support of the program.

Mayor Robinson thanked Mr. Shiosaki for the presentation. She noted that Councilmember Stokes was an early advocate and supporter of the Wrap Around Services program.

Councilmember Stokes recalled that Parks and Community Services Director Patrick Foran was very involved with and supportive of the program. Mr. Stokes said he became involved in the initiative through the Bellevue Schools Foundation and the Bellevue PTSA Council. He said the four schools involved in the Wrap Around Services program created the bridging achievement gap committee to help the schools that did not receive sufficient support from the PTSA and others. He said the Wrap Around Services program ultimately led to the formation of the Eastside Pathways program. Mr. Stokes commended the strong partnership between the City and the Bellevue School District.

(b) Update regarding City's Snow Response

Mayor Robinson said she requested an update on the recent snow response. She noted this is the first snow event in which she did not receive any complaints from the public about snow removal or other issues.

Mr. Miyake opened staff's update regarding the City's snow response, noting that some areas received at least 12 inches of snow.

Mark Poch, Assistant Director of Traffic Management, said the Transportation Department initiated 24-hour staffing at 11:00 a.m. on Thursday, February 11, in anticipation of the snow. He

said it was especially important to have good prioritization in responding to the road conditions after such a heavy snowfall. The City focused on primary arterials and primary neighborhood routes into Sunday when staff began to plow secondary routes. The work continued through Monday to plow all 1,100 lane miles in Bellevue to a passable, acceptable condition. Mr. Poch said the City used more than 13,000 gallons of liquid deicer. Staff did not place any traction sand, which is better for the environment.

Mr. Poch said approximately 25 staff worked 12-hour shifts as plow operators, dispatchers, mechanics, field vegetation coordinators, and scouts looking for downed trees and power lines. The team also included a photographer to keep the public information officers abreast of the event and conditions in order to share information with the community. Mr. Poch thanked staff across City departments for their assistance during the snow event as well.

Mr. Poch described the use of automatic vehicle location (AVL), which allows staff to dispatch the snow response vehicles more quickly and in a more targeted manner. He shared an example of the benefits of AVL, which enabled staff to dispatch the nearest snow plow to provide access for a medic unit and to guide that unit through the best and safest route.

Mr. Poch thanked Brian Breeden, Transportation Operations and Maintenance Manager, and his crew for their hard work and diligence. He thanked the public for staying off the roads, which helped the City to clear the streets.

Mayor Robinson thanked staff for the presentation and the excellent response to the snow.

7. Council Business and New Initiatives: None.

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) Council Minutes of January 25, 2021 Regular Meeting

(b) Motion to award Bid No. 20074, NE 24th Street at 172nd Avenue NE Slope Stabilization (CIP Plan Nos. PW-M-19 and PW-R-199) to Interwest Construction, Inc., as the lowest responsible and responsive bidder, in the amount of \$1,929,200.00, plus all applicable taxes. This project is partially funded by the Neighborhood Safety, Connectivity and Congestion Levy (CIP Plan No. PW-R-199).

(c) Motion to approve payment of claims and payroll for the period January 1, 2021 - January 31, 2021.

- (d) Resolution No. 9893 authorizing execution of an interagency agreement with the City of Issaquah for jail services.
- (e) Resolution No. 9894 authorizing execution of an Exclusive Sale Listing Agreement with Colliers International for Brokerage Services for the sale of Old Fire Station No. 3.
- (f) Resolution No. 9895 authorizing execution of a grant agreement with the Washington State Department of Commerce to accept \$97,000 in grant funds to support installation of adult changing tables in restrooms throughout the park system (CIP No. P-R-11 Parks Renovation & Refurbishment Plan).
- (g) Resolution No. 9896 amending Resolution No. 9876 to cancel the February 16 public hearing date to consider the release of a public utility easement and a portion of a second public utility easement, all located at 10300 NE 8th Street.
- (h) Resolution No. 9897 authorizing execution of all documents necessary to implement settlement of the claim brought by Kellie Burlingham against the City of Bellevue in the lawsuit *Kellie Burlingham v. City of Bellevue, et al* (USDC Cause No.2:20-cv-00586-JCC).

9. Public Hearing

- (a) Public Hearing and action on Resolution No. 9898 authorizing the execution of documents necessary to release six utility easements and portions of two additional utility easements which have been declared surplus to the City's needs and are no longer required for providing continued public utility service; the granting and recording of such release being deemed in the best interest of the public. The easements lie within nine parcels owned by Sound Transit for their Operation Maintenance Facility East and related Transit Oriented Development, generally located west of 120th Ave NE between NE Spring Boulevard and Northup Way.

City Manager Miyake said the purpose of the public hearing is to solicit input regarding the release of multiple easements on parcels owned by Sound Transit at their operations and maintenance facility in the BelRed area. He recalled that the Council declared the easements as surplus in January and directed staff to schedule the public hearing. Staff is seeking Council action on the resolution following the public hearing.

Ira McDaniel, Real Property Division Manager, presented a map depicting Sound Transit's Operations and Maintenance Facility East (OMFE). Sound Transit removed all of the previously existing utilities and has requested that the City release two sewer easements, four water easements, and portions of two additional water easements. Sound Transit constructed new utilities to serve their own property and will maintain most of that infrastructure. However, there are four small locations along 120th Avenue NE with water facilities that the City will own and maintain. Sound Transit will grant the City a new easement to cover those four locations.

→ Deputy Mayor Nieuwenhuis moved to open the public hearing, and Councilmember Stokes seconded the motion.

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

City Clerk Arredondo noted that no one had indicated they would like to comment.

→ Deputy Mayor Nieuwenhuis moved to close the public hearing, and Councilmember Stokes seconded the motion.

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

→ Deputy Mayor Nieuwenhuis moved to approve Resolution No. 9898, and Councilmember Stokes seconded the motion.

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

10. Study Session

(b) A Regional Coalition for Housing (ARCH) Executive Board Recommendation of 2020 Housing Fund Allocations

City Manager Miyake introduced discussion regarding the 2020 Housing Fund allocations recommended by the ARCH (A Regional Coalition for Housing) Executive Board. He noted that staff is seeking Council direction to prepare legislation approving the ARCH funding recommendations.

Emil King, Assistant Director of Community Development, recalled that ARCH was established approximately 25 years ago and has been able to contribute to a range of projects on the Eastside. He noted that the City's continuing support for ARCH is consistent with the Affordable Housing Strategy adopted by the Council in 2017.

Lindsay Masters, ARCH Executive Manager, said ARCH is requesting Bellevue funding of \$621,900 for three recommended projects: 1) Plymouth/Horizon Housing Eastgate permanent supportive housing (\$62,200), 2) Imagine Housing Samma Senior Apartments in Bothell (\$62,200), and 3) Inland Group/Horizon Housing Totem Lake development in Kirkland (\$497,500). The projects will create 467 units of affordable housing at a cost of \$10,707 per unit, and ARCH funds represent three percent of the total project costs. Ms. Masters noted that Bellevue's funding for 2020 is equal to 12.4 percent of the total funds recommended through the Fall 2020 Housing Trust Fund process. She highlighted a table depicting the contributions from ARCH member cities to the three projects.

Ms. Masters said the ARCH Housing Trust Fund has provided senior housing, family and workforce housing, homeownership programs, special needs and homeless housing, transit-oriented development, and shelter and transitional housing. The investment principles include

cross-jurisdiction support, competition to advance projects, leverage to maximize returns on local investment, geographic equity, community, sustainability, and coordination between local, county and state priorities.

Ms. Masters said ARCH has created nearly 4,500 housing units on the Eastside, including a number of shelter beds. She said the Housing Trust Fund is one tool to create affordable housing. ARCH also relies on land use and incentive programs to expand the housing choices. Ms. Masters presented a map showing the locations of past Housing Trust Fund projects. She said ARCH sees affordable housing as a key strategy for helping a community to be welcoming and inclusive. She presented demographic information regarding the households served at different income levels. She said more than 400 households have gained permanent housing from homelessness through the ARCH program. She highlighted race and ethnicity data regarding households served by ARCH.

Klaas Nijhuis, Senior Planner, described the Eastgate Supportive Housing (Plymouth Housing/Horizon Housing) project, which provides 93 studio units for homeless single adults. The project, located at 13520 SE Eastgate Way in Bellevue, will provide housing for individuals being served by Congregations for the Homeless (CFH) and The Sophia Way.

Ms. Masters said ARCH has not developed a permanent supportive housing project in the past. The goal is to create housing stability and to provide supportive services that match the needs of the population served (e.g., mental health and substance abuse services). The facility includes 24-hour staffing with a secured entry, community space, a shared kitchen, and office space for the social services delivered on site. Ample research supports the effectiveness of this model in terms of housing retention, health outcomes, and overall cost savings across emergency systems. Mr. Nijhuis presented a map of the Eastgate campus that will include the CFH men's homeless shelter, Polaris Workforce Housing (Inland Group), and Eastgate Supportive Housing.

Mr. Nijhuis said the Samma Senior Apartments project in Bothell will provide 76 studio units targeting senior adults earning up to 50 percent of the area median income (AMI). The project received a grant from the Washington Department of Commerce to provide ultra-high efficiency energy design for the building, which results in lower utilities costs for residents.

The Horizon Housing Polaris at Totem Lake project provides a total of 467 units with 80 units at 30-50 percent AMI, 219 units at 60 percent AMI, and 168 units at 60-100 percent AMI. Hopelink will provide services to the households in the lower income units, many of which will be occupied by individuals transitioning out of homelessness.

Mr. Nijhuis noted that Microsoft committed \$8 million for the ARCH Bridge Funding Program.

Ms. Masters said the total ARCH funding requests, from all cities, are \$500,000 for the Plymouth Eastgate Supportive Housing project, \$500,000 for the Samma Senior Apartments, and \$4 million for Inland Horizon at Totem Lake. She requested Council direction to staff to prepare legislation approving the ARCH funding request for future Council action.

Mayor Robinson thanked staff for the presentation.

Councilmember Stokes said local communities have benefited from ARCH's efforts for many years. He said the current funding recommendations are a significant step in providing affordable housing. He thanked ARCH staff for their work.

Councilmember Lee said ARCH is a strong model of regional cooperation with its ability to leverage funding and work with partners to address homelessness and affordable housing. He expressed appreciation for Microsoft's contribution toward developing affordable housing. He noted the importance of working with individual cities to develop projects that fit into their communities. He expressed support for providing social services at the Eastgate location to assist individuals in the shelter and housing units. He said the City needs to be careful and thoughtful in working with the surrounding community as well as ensuring that funding and efforts are truly helping the people being served.

Councilmember Zahn thanked staff for the presentation. She commended the regional approach and the ability to create so many units at a reasonable cost. She likes that the housing reflected in the three projects helps households at all income levels. She noted her support for providing social services for residents. She encouraged a focus on racial equity as ARCH does its work. She expressed appreciation for the contribution from Microsoft.

Ms. Zahn asked, as she thinks about the coordinated entry at the Eastgate site, how the City will work in partnership regarding the individuals who are exiting homelessness from CFH and The Sophia Way. She noted a discrepancy between the packet materials and the presentation regarding the income levels to be served at the Eastgate Supportive Housing project. Regarding the Samma Senior Apartments project with Imagine Housing, Ms. Zahn said she has heard concerns regarding the property manager used by Imagine Housing and would like more information.

Councilmember Robertson said she likes the Totem Lake project because it includes mixed uses and serves households at different income levels. She noted that the city where the ARCH project will be located typically covers a higher portion of the costs. She asked why the contributions of cities where the three projects will be located are not covering more of the costs.

Ms. Robertson expressed concern regarding the Eastgate Supportive Housing project. She asked whether all of the units are designated as low barrier. She expressed concern that the residents of low barrier housing, who are allowed to use drugs, will make it harder for others transitioning from homeless shelters to maintain their progress toward better health and getting out of homelessness. She said she has similar concerns about the impacts to the workforce housing and the child care facility.

Councilmember Robertson said she would like to see some conditions attached to the project including a requirement for a mix of residents (sober living versus low barrier). She believes that will foster greater stability for people as they work toward self-sufficiency. She said that, although the operator has a good track record of operating this type of housing, a social worker for the organization in Seattle was murdered at a similar type of supportive housing project. She asked how ARCH and the City will ensure that the impacts on the overall Eastgate housing and

social services campus, and areas outside of the campus, are addressed. Councilmember Robertson said she would like more information on why the City of Bothell's contribution is not higher.

Councilmember Barksdale thanked ARCH for their work in the region to provide affordable housing. He said he appreciates that the projects will serve households at different income levels.

Deputy Mayor Nieuwenhuis said these are great projects, especially the Totem Lake and Samma Senior Apartments developments. However, he said he shares Councilmember Robertson's concerns regarding the Eastgate project. Mr. Nieuwenhuis said he hopes that a good neighbor agreement will be in place. He said CFH has a good process in place for public outreach and he suggested following a similar model for the Eastgate project.

Mayor Robinson said she is pleased that the projects will serve residents at different income levels and with different needs. She looks forward to providing supportive housing in Bellevue. She noted that more than half of the individuals experiencing homelessness could afford to pay \$300 per month for rent. Regarding coordinated entry, Ms. Robinson asked whether the projects will actually be serving the homeless population.

Ms. Masters responded to the questions raised by the Council. She said the City of Bothell's contribution is proportionate to what it has been able to contribute to the Housing Trust Fund over the years. She said they provided the property for the Samma Senior Apartments at a discount, and the City has made zoning changes to accommodate the project.

Ms. Masters acknowledged the concern regarding the property manager used by Imagine Housing and said ARCH has received other input expressing similar concerns. In response, ARCH took immediate actions to consider the concerns and to recommend special funding conditions. She said Imagine Housing is a longtime partner of ARCH's. She noted that there have been recent changes in the organization's leadership and ARCH is working closely with their staff. Ms. Masters said that the conditions recommended by ARCH require a satisfactory resolution of the verified complaints before ARCH will contract for the additional funding.

Ms. Masters observed that the Council's concerns primarily relate to the Eastgate project. She said she understands that given this is the first project of its kind on the Eastside, there will be a number of questions, concerns, and scrutiny regarding the development. She said Plymouth Housing has a long track record of working with neighborhoods and communities to ensure the developments are good neighbors. She said they have entered into a number of good neighbor agreements for other projects. She said Plymouth Housing is aware that CFH has been carefully stewarding the development of the shelter as an active participant in the process. Ms. Masters said that while there are no specific requirements about communication, she feels confident that Plymouth Housing will commit to public outreach with the Eastgate project. She anticipates that the project will be a model for future similar projects.

Ms. Masters acknowledged that coordinated entry is one of the challenges for the Eastgate housing. She said that many project details are still under development so there is time to tailor specific guidelines for the Eastgate project and to address how it interacts with the shelter and

workforce housing on the campus. Ms. Masters said there will be more discussion regarding coordinated entry and how residents will be selected from shelters to move to the supportive housing. She said ARCH has a strong interest in ensuring that the project is a good neighbor and creates long-term positive outcomes for the people who will be living there.

Responding to Councilmember Robertson, Ms. Masters said the proposal as presented indicates that the entire project will be operated under the low barrier Housing First model. Ms. Robertson said she would like to see conditions attached to the project regarding community engagement, the mitigation of impacts, and a commitment to implement a safety and security plan. Given that the project is a new model for ARCH, Ms. Robertson said she believes that conditions are appropriate. Ms. Masters said the conditions are developed through an evaluation process by ARCH's citizen advisory board before recommendations are forwarded to the ARCH Executive Board. She said she believed that the only condition related to the design of the program is that there be a preference for individuals coming from the CFH and The Sophia Way shelters.

Responding to Mayor Robinson, City Manager Miyake confirmed that at this time, staff is requesting feedback and general direction. The projects will come back to the Council in the future for a formal vote.

Responding to Councilmember Robertson, Ms. Masters said she was unaware of a precedent for individual cities adding conditions. However, she believes that Plymouth Housing would be willing to comply with a requirement to participate in community outreach.

Ms. Robertson said she would be supportive of the Eastgate project if there is a commitment to public engagement, mitigating impacts, and implementing a safety and security plan. Ms. Masters said she will discuss the issue with Plymouth Housing if that is the request from the Council.

Mr. King said staff can work with ARCH to research past projects to determine whether there is an opportunity to add conditions and the pros and cons of doing so.

Mayor Robinson asked Councilmembers to comment on Councilmember Robertson's suggestions.

Deputy Mayor Nieuwenhuis said he is generally supportive of the Eastgate project. However, he feels that community engagement regarding all of the housing and social services on the Eastgate campus is needed. He expressed support for Councilmember Robertson's suggestion for a safety and security plan.

Mr. Nieuwenhuis asked whether there are examples of the Housing First model in other parts of the country. Ms. Masters clarified that her earlier comment was that the permanent supportive housing model has not been developed on the Eastside.

Councilmember Stokes encouraged a positive approach with the expectation that everyone will work through specific details and issues as the project moves forward. He said the City has been discussing the Eastgate project for approximately five years. He concurred with the goals related

to community engagement and safety. Councilmember Stokes said there are examples of similar projects in other places and it can be done well. He said this is a significant opportunity to help individuals in Bellevue to move out of homelessness. He said that offering supportive services is critical to helping people with medical issues and other needs.

Councilmember Lee said ARCH has been successful in providing housing for many years and he believes they will continue to be effective. He said the City has worked well with CFH, including in the area of community engagement, and he wondered why the expectation is not articulated related to the Eastgate project. He expressed support for the conditions suggested by Councilmember Robertson. Mr. Lee stated his understanding that the citizen advisory boards include residents from the community affected by the development.

Referring to her earlier question, Councilmember Zahn observed that the income levels reflected in the presentation for the Eastgate project are accurate, that all 93 units are for households earning up to 30 percent AMI. Ms. Masters confirmed that understanding.

Ms. Zahn said she appreciates the level of detail that ARCH puts into housing projects and identifying the appropriate partners. She said many of Bellevue's programs are a model for other cities, and she believes this is one of them. She said CFH and other shelters have expressed concern regarding the lack of supportive housing available to help move people out of homelessness. Ms. Zahn asked whether the funding model is sufficient to cover community engagement and to support the developer. She said the engagement will be resource intensive in order to move the project through planning, design, and construction.

Ms. Masters said the ARCH funds are applied to the construction of the project. She acknowledged the need to discuss the desired level of public engagement and the resources to be used for that process. Councilmember Zahn suggested ensuring that the project budget addresses the desired level of community engagement. She requested more information regarding the plan for public outreach related to the Eastgate project. Ms. Masters said Plymouth Housing has been participating in CFH's process, including community engagement.

Mayor Robinson said the City is in the process of selecting committee members for the good neighbor agreement process. She asked whether that group would be involved with the developer of the Eastgate project or whether they would engage in a separate public outreach process. Ms. Masters said she would like to go back and review the details regarding the community engagement plan. She said the process related to the shelter was extensive and detailed, however.

Councilmember Barksdale noted the urgent need for housing and shelters and expressed concern about slowing the process for providing housing. He suggested one public process involving the joint efforts of the City and the project developer.

Mayor Robinson concurred that despite complaints about individuals experiencing homelessness, there are also concerns about how to house them. She does not want to slow the process to provide housing. As a member of the King County Mental Illness and Drug Dependency Advisory Board, Mayor Robinson said she is aware that the region is putting an enhanced effort into collecting data on individuals experiencing homelessness. She said this benefits individuals

because it allows them to receive Medicaid and other funding, and it allows the tracking of issues related to homelessness. Mayor Robinson said the philosophy five years ago was to not ask questions of individuals seeking help, which raised concerns in the community. She said shelters do now ask a number of questions. However, they do not turn anyone away because they refuse to answer the questions. She said CFH has indicated that typically only one of 100 people refuse to provide the requested information.

Mayor Robinson reiterated that she does not want to slow the process of developing more housing. She asked why the City would hold any community to a higher standard than any other neighborhood. She said terrible things have happened across all areas of Bellevue.

Mr. King suggested that the City Manager's Office, Community Development Department, Development Services Division, and ARCH meet to discuss the proposed plan for the Eastgate project and return with more information for the Council.

Mayor Robinson noted the need to review the funding and management for the project to obtain certain assurances.

Councilmember Robertson clarified that she does not want to slow the process. She understands that Plymouth Housing has entered into other good neighbor agreements. However, under the City Code, they are not required to participate in such an agreement. Ms. Robertson suggested that the City and ARCH can require conditions because they are contributing funding to the project. She wants to ensure that the project is good for the residents of the supportive housing as well as for the surrounding neighborhood and community. She thanked her colleagues for their support and noted that she looks forward to receiving more information.

Councilmember Stokes concurred with Councilmember Robertson's comment about ensuring that the Eastgate project is supportive of both the community and the residents of the supportive housing. He said this is a good opportunity for Bellevue and he is ready to move forward and to do things the right way.

Mayor Robinson confirmed Mr. King's suggestion to allow staff to meet with ARCH and to come back to the Council with more information.

11. Land Use

- (a) Consideration of the Eastgate Office Park Rezone application by Kennedy Wilson Fund V - Eastgate LLC; a rezone of a 14.03-acre site located at 15325 SE 30th Place from Office (O) and Community Business (CB) to Office Limited Business 2 (OLB 2). Permit File No. 19-125909-LQ.

Mr. Miyake introduced discussion regarding the Eastgate Office Park Rezone application by Kennedy Wilson Fund V-Eastgate LLC. This is the initial consideration of the proposal by the Council and no action is requested this evening.

City Attorney Kathy Gerla said the rezone application is a Process III land use application. The Hearing Examiner held a public hearing and recommended approval of the rezone with conditions. No appeals were filed.

Ms. Gerla said the Council will be asked to take action on the rezone during a future meeting. She said the Council's decision must be based on the Hearing Examiner's record, which is available in the Council library for Councilmembers' to review. Noting that this is a quasi-judicial matter, she suggested that Councilmembers disclose any ex parte contacts they may have had with the applicant or with any other party supporting or opposing the rezone application.

Mayor Robinson noted that no Councilmember had any ex parte communications to disclose.

Liz Stead, Land Use Director, said the Hearing Examiner recommended approval of the rezone application with conditions, and no appeals were received.

Drew Folsom, Land Use Planner, Development Services Department, said the rezone requests a change from Office (O) and Community Business (CB) zoning to Office Limited Business 2 (OLB 2) to be consistent with a Comprehensive Plan Amendment (CPA) previously approved changing the designation for the property from O and CB to OLB. The current proposal is within the scope of the previously approved Comprehensive Plan Amendment (CPA) and relies on the final State Environmental Policy Act (SEPA) Threshold Determination of Non Significance (DNS) issued on October 12, 2017.

Mr. Folsom said the rezone is requested to promote the redevelopment and revitalization of the existing site to allow for continued economic growth in the community. The project is located in the Eastgate area in the vicinity of the Jesus Christ of Latter Day Saints temple, car dealership, restaurants, hotels, and the Washington State Patrol office. Single-family residential development is located north of the area, and zones to the northwest and northeast are developed with non-residential uses. The site covers approximately 14 acres within the Eastgate subarea. A small portion of the site is adjacent to SE Eastgate Way. The site is currently developed with low-rise office buildings with surface and underground parking. The remainder of the site is heavily vegetated with trees and shrubs but does not contain any critical areas.

Public notice of the application was published on November 21, 2019, and a public meeting was held on December 3, 2019. Staff received comments via email and all comments and responses from the applicant and staff are included in the project file. Two individuals spoke during the Hearing Examiner's public hearing, one in favor of the proposal and one opposed. Comments from the public addressed noticing, use, building height, intensity of development, noise, the extension of 153rd Avenue, tree retention, and the proximity to a single-family neighborhood. Property owners within 500 feet of the site received notice of the project. The applicant proposed dark sky lighting and the prohibition of retail, restaurant, bar, and hotel uses within the transition area, which is more restrictive than the Land Use Code.

Mr. Folsom said there are several examples of OLB zones in Bellevue adjacent to single-family zones, including sites within the Eastgate area. He said the differences between OLB and OLB 2 zoning are lessened by the application of transition area design requirements and the conditions

agreed to by the applicant. The differences relate primarily to floor area ratio (FAR), building height, and allowed uses.

Mr. Folsom reviewed the decision criteria for the rezone application. The rezone must be: 1) consistent with the Comprehensive Plan, 2) bear a substantial relationship to public health, safety and welfare, 3) not be materially detrimental to uses or property in the immediate vicinity, and 4) have merit and value to the community as a whole. A rezone is warranted to achieve consistency with the Comprehensive Plan or due to a need for additional property in the proposed land use district classification or because the proposed zoning is appropriate for the reasonable development of the subject property.

Mr. Folsom said staff recommended that the Hearing Examiner approve the proposed subdivision with conditions, which are listed on page 14 of the staff report. He noted that the Hearing Examiner adopted those conditions, which relate to restricted uses and light restrictions in the transition area. The conditions are addressed in the Hearing Examiner's report and include the prohibition of retail, restaurants, bars, and hotels within the transition area that is within 300 feet of residential properties.

Ms. Stead encouraged Councilmembers to contact her with questions.

Mayor Robinson thanked staff for the presentation.

At approximately 7:55 p.m., Mayor Robinson declared a short break. The meeting resumed at 8:02 p.m.

12. Other Ordinances, Resolutions, and Motions

- (a) Ordinance No. 6567 to amend Land Use Code chapter 20.20.120, Accessory Dwelling Units, to remove the three-year wait period to establish an Accessory Dwelling Unit in new single-family home construction; providing for severability; and establishing an effective date.

City Manager Miyake recalled that Ordinance Nos. 6567 and 6568 were previously discussed with the Council.

Mike Brennan, DSD Director, said the two ordinances amend the Land Use Code to support the creation of affordable housing and housing options and are aligned with the City's Affordable Housing Strategy.

Trisna Tanus, Consulting Attorney, said the accessory dwelling unit (ADU) LUCA amends LUC 20.20.120 to remove the three-year wait period imposed on new construction for the creation of an ADU. The amendment will allow an ADU to be built at the time of the initial construction of a home. There were five ADU permit applications in 2020 and eight ADU permits in 2019. Ms. Tanus noted that 149 new single-family building permits were issued in 2020, and nearly 25 percent included elements to allow a future ADU. The LUCA implements Action B-2 of the

Affordable Housing Strategy to increase the housing supply, provide more housing choices, and ensure that all residents are welcomed and all long-term residents can age in place if desired.

Nick Whipple, Code and Policy Senior Planner, highlighted the public engagement process including noticing, a public hearing, dialogue with community stakeholders and an online presence. Staff heard from a number of property owners in favor of the proposed LUCA. Following the Council's action, the ordinance will be forwarded to the East Bellevue Community Council (EBCC) for a public hearing and formal approval or disapproval of the ordinance.

- Deputy Mayor Nieuwenhuis moved to adopt Ordinance No. 6567, and Councilmember Robertson seconded the motion.
- The motion carried by a vote of 7-0.
- (b) Ordinance No. 6568 to establish provisions in the Land Use Code, Chapter 20.45A Platting and Subdivisions and Chapter 20.45B Short Plats and Short Subdivisions, for Unit Lot Subdivisions within Land Use Districts where multifamily development is currently allowed; providing for severability; and establishing an effective date.

Ms. Tanus said the LUCA will amend LUC 20.45A, Platting and Subdivisions, and LUC 20.45B, Short Plats and Short Subdivisions, to allow unit lot subdivisions. This will allow for the creation of a "parent lot" to apply development standards to the overall site containing individual lots for townhomes. This enables fee simple townhouses in land use districts where multifamily development is allowed. Fee simple means that the owner of a townhouse owns both the structure and the land, which contrasts with condominium ownership of only the interior of the unit. The strategy is consistent with the Affordable Housing Strategy's goal to create a variety of housing choices.

Mr. Whipple highlighted the public engagement process including noticing, a public hearing, dialogue with community stakeholders and an online presence. He noted that courtesy hearings regarding both LUCAs were held with the EBCC in February. EBCC members were supportive of the proposed unit lot subdivision LUCA. Following the Council's action, the ordinance will be forwarded to the East Bellevue Community Council (EBCC) for a public hearing and formal approval or disapproval of the ordinance.

- Deputy Mayor Nieuwenhuis moved to adopt Ordinance No. 6568, and Councilmember Stokes seconded the motion.
- The motion carried by a vote of 7-0.
- 13. Unfinished Business: None.
- 14. New Business: None.
- 15. Executive Session: None.

16. Adjournment

At 8:18 p.m., Mayor Robinson declared the meeting adjourned.

Charmaine Arredondo, CMC
City Clerk

/kaw