

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Meeting

October 18, 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.

Mayor Robinson noted the passing of Colin Powell, who served as the first Black U.S. Secretary of State and as the Chairman of the Joint Chiefs of Staff. She extended the Council's condolences to his family.

2. Roll Call; Flag Salute

City Clerk Charmaine Arredondo called the roll. All Councilmembers were present and participating remotely. Councilmember Robertson led the flag salute.

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

(a) Susan Pappalardo, representing SplashForward, expressed support for locating an aquatic center in Bellevue Airfield Park to host competitive and recreational water activities. She encouraged partnerships to provide the full range of funding sources.

(b) Addie Smith noted her past communications to the Council and said she is a hate crime survivor. She spoke to the importance of monitoring the housing programs administered by A Regional Coalition for Housing (ARCH). She expressed her ongoing concern

regarding threats and harassment directed at her and her daughter from a group of white individuals. Ms. Smith expressed concern that the housing wait lists are not properly managed. She said the governor's bridge moratorium on evictions is faulty and will lead to increased homelessness.

- (c) Court Olson presented a map of existing swimming facilities within a three-mile radius of the proposed site for the aquatic center in Bellevue. He expressed concern about using Bellevue tax dollars for the proposed center. He noted that he goes to the Samena Swim and Recreation Club. He expressed concern about building on the site of a former landfill in Airfield Park.
- (d) Leshya Wig commented regarding the East Main Station Area Land Use Code Amendment (LUCA). She said Wig Properties is committed to maximizing public amenities in the redevelopment of the East Main area. She noted their request for a higher base FAR (floor-area ratio) for non-residential development. She said maximizing FAR is in the community's best interest because it will maximize housing development, including affordable housing, and provide increased development density near the light rail station. Ms. Wig said there are only three top tier amenity options in the East Main area. She said the LUCA provides amenity points for up to 10,000 square feet of child care facilities. However, many operators need a minimum of 15,000 square feet. She encouraged the Council to provide the full amenity points for larger facilities. Ms. Wig expressed concern about plans to increase the width of the pavement and bridge over the creek.
- (e) Mon Wig said the block length and perimeter requirement in the draft East Main LUCA is critical to the success of the redevelopment of the area. He noted that the topic is scheduled for Council discussion on November 1. He said staff indicated that the requirement is based on the Comprehensive Plan. However, Mr. Wig said the plan suggests walkable blocks where reasonably feasible. He said the proposed requirement will force the redevelopment area into a grid system and create several parking areas. Mr. Wig recommended eliminating the perimeter requirement and limiting block length only along 112th Avenue.
- (f) Susie Pietz expressed support for SplashForward's efforts to develop an aquatic center. She said there are a number of small private swimming clubs in Bellevue. However, she noted the need for community pools. She said it is important to provide swimming lessons and water safety programming for youth and adults, especially for individuals on the autism spectrum. She said swimming and aquatic programs have provided activities for her three children with autism who have not performed well enough in other sports to participate on competitive school teams.
- (g) Jessie Clawson, representing the Bellevue Club, commented on the East Main LUCA. She expressed support for Mr. Wig's comments regarding the perimeter length and maximum block width. She said staff proposes that a future expansion of the Bellevue Club would require compliance with those requirements. She expressed concern that such a requirement would hamper the future expansion of the club.

- (h) Vishnu Mangipudi, an 8th grader at Odle Middle School, said he has been a member of the Bellevue Youth Link Climate Action Team for the past few years. He noted his involvement in community efforts to raise awareness about the negative impacts of climate change. He thanked the Council for establishing the Environmental Stewardship Plan and encouraged full funding of the plan.
 - (i) Don Marsh, co-founder of 300 Trees, commended the City's recent tree giveaway event and the variety of plants offered to residents. He thanked all of the volunteers for their help and City staff Rachel Wells and Jennifer Ewing for coordinating the event. He said many residents are concerned about the loss of mature trees due to development. He encouraged stricter tree codes and said he looks forward to continuing to work with the City to preserve and enlarge the tree canopy. He said 300 Trees will participate in another tree giveaway next spring. He highlighted the upcoming tree planting event at Sammamish High School in mid-November.
 - (j) Katoya Palmer expressed support for siting the new aquatic center at the proposed Airfield Park location. She noted that she submitted her comments in writing as well. She said she is a swimming and water polo coach. She said there are a number of private pools in Bellevue but there is no public facility to accommodate competitive swimming and water polo. She said the aquatic pathways mission of Splash Forward is to raise awareness regarding the need for accessibility for all ages and abilities, including Black, African, Asian, Indigenous, Latinx, Hispanic, immigrant and disabled communities.
5. Reports of Community Councils, Boards, and Commissions: None.
6. Report of the City Manager
- (a) Mid-Biennium Budget Proposed Timeline Overview

City Manager Brad Miyake introduced staff's update regarding the proposed mid-biennium budget process.

Toni Call, Director of the Finance and Asset Management (FAM) Department, recalled that the 2021-2022 Budget and 2021-2027 Capital Investment Program (CIP) Plan were adopted last December. The mid-biennium update provides the opportunity to update fiscal information and to make adjustments and corrections as needed.

Ms. Call highlighted the upcoming budget discussions with the Council. The Development Services Department (DSD) will present its annual fee update on October 25. Discussion will continue on November 8 followed by a public hearing on November 15. Adoption of the mid-biennium budget update is tentatively set for November 22 or December 6.

Responding to Councilmember Zahn, Ms. Call said staff will provide an updated revenue and expenditure forecast during discussions with the Council.

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

Minutes of October 4, 2021 Regular Meeting

(b) Motion to approve payment of claims and payroll for the period September 1, 2021 - September 30, 2021.

(c) Ordinance No. 6609: 1) authorizing execution of a Department of Homeland Security (DHS) subgrant agreement (and supplements if necessary) with the Washington State Military Department to accept grant funds in the amount of \$218,750 for vulnerable populations planning, citizen preparedness and outreach and sustainment; 2) authorizing the deposit of said funds into the Operating Grants, Donations, and Special Reserves Fund in the amount of \$218,750; 3) appropriating unanticipated and future revenues to that fund; and 4) authorizing expenditures of said grant funds.

(d) Resolution No. 10011 authorizing execution of a Purchase Order with NetApp/General Datatech for the replacement of the primary data storage system for all city data, files and systems, in an amount not to exceed \$477,287, plus all applicable taxes.

9. Public Hearings: None.

10. Study Session

(a) Environmental Stewardship Plan Quarterly Update

City Manager Miyake introduced staff's quarterly update regarding the implementation of the Environmental Stewardship Plan.

Emil King, Assistant Director, Community Development Department, said staff from multiple departments have made progress on approximately 60 percent of the 77 action items identified in the Environmental Stewardship Plan.

Jennifer Ewing, Environmental Stewardship Program Manager, highlighted elements of the 2021 work plan including air quality planning, climate vulnerability assessment, Clean Buildings Act

support, energy retrofit program, multifamily recycling outreach, Green Fleet strategy, City facility energy efficiency, Mobility Implementation Plan, Watershed Management Plan, and tree plantings and giveaways.

In terms of third quarter accomplishments, Ms. Ewing said the Utilities Department is providing support for buildings to comply with the new state plastic bag ban. Staff established a process and tool for tracking progress on actions in the Environmental Stewardship Plan and initiated the Green Fleet strategy project. In the area of natural systems, the City distributed more than 700 trees to residents and community organizations and completed the first phase of outreach related to the Watershed Management Plan. In the area of energy, a consultant has been selected to begin designing the Clean Buildings Act technical support program. Enhanced public engagement efforts include the Sustainable Bellevue newsletter and the creation of an urban forestry working group. She said staff worked with a consultant that specializes in outreach and engagement on environmental issues to diverse communities as part of the tree giveaway event.

Ms. Ewing said there is community interest in updating Bellevue's tree codes, accelerating the implementation of the Environmental Stewardship Plan, and expanding partnership opportunities to address trees (300 Trees, Newport Way Library, Audubon Society) and air quality (Bellevue College and Microsoft). The Transportation Department is planning to move forward to update the portion of the transportation code that addresses trees in the right-of-way. Ms. Ewing said there is enthusiasm and gratitude in the community regarding the City's environmental efforts. Ms. Ewing said upcoming projects include the 2022 Environmental Stewardship Initiative (ESI) work plan, 2022 climate vulnerability assessment, and Comprehensive Plan update.

Deputy Mayor Nieuwenhuis thanked staff for the update and for organizing the tree giveaway event. He thanked 300 Trees and everyone who participated in the event.

Responding to Mr. Nieuwenhuis, Ms. Ewing said a meeting was held with the sustainability stakeholder group and another meeting is scheduled within the next few weeks. The urban forestry group has began working together and the commercial buildings group will meet in November. Ms. Ewing said a community town hall meeting was held in July.

In further response to Mr. Nieuwenhuis, Ms. Ewing said the home energy retrofit program is intended to build on existing incentives through the City and through Puget Sound Energy (PSE). She noted that fruit trees were the most popular trees in the tree giveaway event.

Councilmember Stokes thanked staff for their work. He expressed support for identifying additional partnership opportunities. He thanked staff for being responsive to the Council's interest in more frequent reporting and enhanced public engagement.

Councilmember Lee said he participated in the tree giveaway program and was impressed with the large turnout on Sunday. He confirmed that fruit trees were popular as well as Magnolia trees. He thanked Ms. Ewing, Rachel Wells and the community volunteers who participated in the event. He encouraged staff to continue to publicize the City's efforts and programs. He commended the solar energy partnership a few years ago with PSE and asked about related

efforts. Ms. Ewing said staff is continually working on ways to educate and involve the public in providing public comment and participating in programs.

Councilmember Zahn said she enjoyed helping with the tree giveaway program. She thanked staff for their hard work. She expressed an interest in addressing tree codes, air quality, and the building energy retrofit program. She asked about the status of the environmental equity assessment. She expressed concern about whether there is sufficient staff to focus on both the municipal and the community actions identified in the Environmental Stewardship Plan. She said more resources might be needed, including to pursue partnerships and grant opportunities. Responding to Ms. Zahn, Ms. Ewing said staff completed a wedge analysis of the 77 items in the plan during the recent update to estimate the relative effectiveness of specific action items.

Councilmember Barksdale expressed support for accelerating progress on the plan in order to meet greenhouse gas reduction goals. He asked about the ability to track progress on specific action items to help determine which items are having the greatest impact. He suggested making information regarding the home energy retrofit program more visible on the City's web site. He asked about state legislative initiatives focused on items in the Environmental Stewardship Plan.

Ms. Ewing said staff will discuss the issue of which items are having the greatest impact and how the impacts could be tracked. She said staff is beginning to design the home energy retrofit program and will provide more information online as it is developed. She said the Utilities Department is expanding its outreach to commercial and multifamily buildings to encourage recycling and organics collection. Ms. Ewing said she will consult with intergovernmental relations staff for an update regarding proposed state legislation that addresses environmental planning.

Mayor Robinson observed that there is interest in the community regarding Bellevue's tree codes and the removal of trees related to development. As the Council begins the mid-biennium budget update, Ms. Robinson said it would be helpful to have an estimate of the resources needed to move that work to a higher near-term priority. She suggested future partnerships to address energy retrofitting for older office buildings.

Councilmember Robertson expressed an interest in reviewing the land use planning work plan annually to prioritize items, such as the tree code review. She suggested this would be an appropriate component of the mid-biennium budget review and update.

At 7:17 p.m., Mayor Robinson declared a break. The meeting resumed at 7:30 p.m.

(b) East Main Station Area Land Use Code Amendment (LUCA)

City Manager Miyake said tonight's meeting is the sixth in a series of discussions regarding the East Main Station Area Land Use Code Amendment (LUCA).

Mike Brennan, Director of the Development Services Department (DSD), said tonight's discussion follows up on the discussion of October 4 and the Council's feedback and questions at

that time. He said staff is seeking Council direction regarding the base and maximum FAR (floor-area ratio), amenity incentive system options and the use of a development agreement.

Trisna Tanus, DSD Consulting Attorney, said additional discussion is scheduled for November 1 to address floor plates, nonconforming requirements, and other topics. A decision point regarding the final draft LUCA is tentatively set for November 15 before final adoption of the LUCA on December 6.

Ms. Tanus recalled that the Council previously raised a number of questions regarding pedestrian and bike connectivity in and around the East Main area. She described a map of the area depicting the Lake to Lake Trail, Lake Washington loop trail, and other connections. She noted three required connections: SE 6th Street, the pre-located street north of the Bellevue Club, and an additional east-west pedestrian and bike connection between the Hilton and Red Lion sites. The stakeholder has requested a pedestrian-only path for the third connection.

The second issue previously discussed by the Council was affordable housing. The draft LUCA (Option A) defines affordable housing (rentals and condominiums) as households earning 80 percent of the area median income (AMI). The stakeholder requests expanding the definition of affordable housing to 100 percent AMI for condominium ownership, which is allowed in the BelRed subarea code.

Ms. Tanus presented a table of the LUCA package options. Option A (Draft LUCA) proposes a base FAR of 2.5 for non-residential development and 3.5 for residential development, with a maximum FAR of 5.0. She said the presence of critical areas on the site will lower the development capacity. The draft LUCA includes certain exemptions applicable to all sites, with or without critical areas, that allow for floor area to be not counted toward FAR. She said the FAR is fully exempted for ground floor uses (e.g., restaurants, retail, office, residential) and 50 percent exempted for uses on the second floor. She said the actual maximum FAR will be greater than 5.0 if the FAR exemptions are allowed. The first tier amenity options in the draft LUCA are affordable housing, open space, child care facilities, and a potential street, and there is no development agreement option in the Option A package.

Option B is staff's recommended package and includes the same base and maximum FARs and the same first tier amenity options as Option A. However, staff recommends adding the pedestrian bridge, special amenity, and performing arts as second tier amenities. Option B anticipates establishing a development agreement to address maximum building height, maximum FAR, nonconforming requirements and adding a special amenity.

The stakeholder requests a base FAR of 3.5 for both non-residential and residential development, with a maximum FAR of 5.3. The stakeholder proposes adding enhanced street as a first tier amenity option and addressing a number of items through a development agreement (e.g., catalyst project, open space, other amenities to be identified).

Ms. Tanus presented a map depicting the FAR limits for surrounding parcels. The Downtown Mixed Use and Downtown-OLB-South districts have a non-residential FAR of 4.5 and a maximum FAR of 5.0. The base and maximum FAR is 1.5 for properties in the perimeter

overlay A-3 and perimeter overlay B-3 areas along Main Street across from the Surrey Downs neighborhood. Staff recommends a base non-residential FAR of 2.5 and a maximum FAR of 5.0 in the East Main transit oriented development (TOD) area.

Nick Whipple, Planning Manager, recalled previous questions from the Council regarding the impact of different FAR levels on the use of the voluntary incentive zoning program. He said a number of public amenities can be provided in exchange for increasing the allowable FAR above the base FAR of 2.5 for non-residential development. When the base FAR is higher (e.g., 3.5), the amount of public benefit that could be provided through the incentive program will decrease.

Mr. Whipple said an economic analysis was completed approximately 10 months ago to recommend the base FAR. The draft LUCA follows the report's recommendation to set the base FAR at 2.5 for non-residential development, which is five times higher than the current zoning allowance in the OLB district. The report indicated that any FAR above 2.5 for non-residential uses might rule out the large scale use of the incentive system.

Mr. Whipple presented a comparison of a non-residential FAR of 2.5 versus 3.5 using a hypothetical example. With the lower base FAR, the amenities could include open space, potential streets, child care uses, public art, enhanced streetscape and stream restoration. However, with the higher base FAR of 3.5, the public amenities would be more limited (e.g., open space and a potential street).

Mr. Whipple highlighted the first tier and second tier amenity options for non-residential and residential development. First tier amenities for non-residential development are open space, child care facilities, and potential streets, and the first tier amenity for residential development is affordable housing.

Mr. Whipple recalled that Councilmember Barksdale suggested including affordable tenant space for small businesses as a potential amenity. Mr. Whipple said the special amenity option could be used to provide affordable tenant space. Second tier amenities include stream restoration, public art, enhanced streetscape, and other items and could include the pedestrian bridge, special amenity or performing arts items as well.

Staff recommends the use of a development agreement to consider departures related to building height, maximum FAR, nonconforming requirements and a special amenity. Public benefits include affordable housing and other amenities negotiated between the City and developer. The stakeholder requests the use of a development agreement to consider a special amenity, catalyst project, open space and other amenities not yet identified. Mr. Whipple noted that a SEPA (State Environmental Policy Act) review would be applicable to a development agreement.

Mr. Whipple said staff is seeking Council direction regarding the base and maximum FARs, amenity incentive options and the development agreement topics to be incorporated into staff's recommended Option B package.

Mayor Robinson thanked staff for the presentation. Responding to Ms. Robinson, Mr. Brennan confirmed that a development agreement is between the City and a specific developer, while the Land Use Code applies more broadly.

Councilmember Zahn thanked staff for working with the Bellevue Club and Wig Properties to understand their needs and preferences. She said the comparison of potential public benefits under different base FARs was helpful. She expressed support for consistency with the BelRed Plan regarding 100 percent AMI for condominium ownership. Ms. Zahn said the Eastside Housing Roundtable asked about a fee in lieu option for affordable housing. She expressed support for Option B, including the development agreement option.

Mr. Brennan said the letter from the Eastside Housing Roundtable was received immediately before the Council meeting and staff has not had a chance to review it. He said the letter requests a fee in lieu option for both residential and non-residential development. He said the Land Use Code does not currently have a fee in lieu option for commercial development.

Deputy Mayor Nieuwenhuis thanked staff for the presentation and for working so closely with the community stakeholders. He noted the urgent need for child care services in Bellevue and asked about the child care incentive.

Mr. Whipple said the current draft LUCA includes a limit of 10,000 square feet that would be counted toward the child care bonus. Larger child care facilities would not receive an additional bonus based on square footage. Mr. Nieuwenhuis suggested increasing the limit on amenity points to 15,000 square feet.

In further response to Mr. Nieuwenhuis, Mr. Whipple said that Downtown land use districts have nine amenity options that are all focused on the public realm (e.g., open space, Grand Connection). Mr. Nieuwenhuis said he would like to see the pedestrian bridge and performing arts amenities moved to the first tier of options. He expressed a preference for a base and maximum FAR of 3.5 for both non-residential and residential development. However, if the 2.5 base FAR is preferred by the Council, he would support that along with an increase in the number of amenity options.

Councilmember Barksdale expressed support for offering the affordable tenant space amenity option and noted that his previous questions have been addressed.

Councilmember Robertson agreed with Deputy Mayor Nieuwenhuis's suggestion for more amenity options in the first tier, including the pedestrian bridge and performing arts. Ms. Robertson said she prefers the base FAR of 3.5 for non-residential and residential development. She said additional amenity options are especially important for a base FAR of 2.5.

Ms. Robertson spoke to the importance of achieving the maximum density on the site. She asked whether the development could reach the maximum FAR of 5.0 given the critical areas on the site. Ms. Tanus said staff did not have specific information regarding the exact size of the critical areas and buffers. However, with the exemptions for ground floor and second floor uses, it would be possible to achieve or exceed the maximum 5.0 FAR.

Referring to the development agreement approach, Councilmember Robertson expressed support for allowing 100 percent AMI for condominiums as affordable housing. She supports the flexibility recommended by staff for the development agreement.

Ms. Robertson asked when the Council would discuss housing minimums. She is open to considering affordable housing, including fee in lieu, as an amenity for commercial development. She expressed support for expanding the child care bonus to 15,000 square feet.

Responding to Councilmember Robertson, Mr. Brennan said staff would need more time to prepare for a discussion regarding the fee in lieu option. He noted that staff and the Council are also waiting for information from the Bellevue Chamber of Commerce. He suggested that discussions could be extended into January to address fee in lieu and the housing minimum for the East Main area.

Councilmember Stokes expressed support for the 2.5 non-residential and 3.5 residential base FARs. He reiterated his ongoing support for public art and the performing arts. He said he is open to moving some of the amenity options to the first tier. He said the Eastside Housing Consortium supports the 2.5/3.5 base FARs. Mr. Stokes said he would like to finalize the LUCA by the end of the year and to allow negotiation of the development agreement to move forward. He expressed support for incentivizing needed child care services. He thanked staff for their work with the community.

Councilmember Lee expressed support for the stakeholder's requested base FAR of 3.5 for non-residential and residential development and maximum FAR of 5.3. He said there is a lot of uncertainty and we will not know the exact project until the developer is able to move forward. He expressed support for negotiating specific items through a development agreement.

Mayor Robinson said she is interested in considering a fee in lieu option for affordable housing for non-residential development. She said there is the potential for the developer to carve out a portion of the property as a fee in lieu in partnership with an affordable housing developer. She said other cities have used that approach. She would like to include specific information about pedestrian and bike facilities in the development agreement.

Ms. Robinson expressed concern about considering the 100 percent AMI level for condominium ownership as affordable housing. She expressed support for adding more amenity options, including the fee in lieu option for non-residential development. She wants to ensure that the incentives encourage child care facilities. She supports adding the pedestrian bridge, public art and performing arts to the first tier of amenities. She expressed support for staff's recommended 2.5 non-residential and 3.5 residential base FARs.

→ Deputy Mayor Nieuwenhuis moved to use the base FAR of 2.5 for non-residential development and base FAR of 3.5 for residential development. Councilmember Stokes seconded the motion.

- The motion carried by a vote of 5-2, with Councilmember Lee and Councilmember Robertson dissenting.

Responding to Mayor Robinson, Mr. Brennan said he heard support for expanding the child care bonus to 15,000 square feet. He heard interest in moving performing arts and the pedestrian bridge to the first tier of amenity options. He acknowledged the interest in considering a fee in lieu option for affordable housing related to commercial development. Mayor Robinson said there was interest in moving public art to the first tier of amenity options.

Councilmember Zahn expressed concern regarding the potential dilution of the amenities if more options are added to the first tier. She does not want increasing the amount of square footage applicable to the child care bonus to discourage the use of other amenities.

Councilmember Robertson expressed support for increasing the child care bonus to 15,000 square feet. She noted that Councilmembers have previously expressed strong support for incentivizing child care facilities.

- Councilmember Robertson moved to amend the child care bonus to apply to the first 15,000 square feet of each child care facility. Deputy Mayor Nieuwenhuis seconded the motion.
- The motion carried by a vote of 7-0.
- Councilmember Robertson moved to move the pedestrian bridge to the first tier of amenity options for non-residential development. Deputy Mayor Nieuwenhuis seconded the motion.
- The motion carried by a vote of 4-3, with Councilmember Barksdale, Councilmember Stokes and Councilmember Zahn dissenting.
- Councilmember Stokes moved to move performing arts to the first tier amenity options, and Deputy Mayor Nieuwenhuis seconded the motion.
- The motion carried by a vote of 4-3, with Mayor Robinson, Councilmember Barksdale and Councilmember Zahn dissenting.
- Councilmember Stokes moved to add public art to the first tier amenity options, and Deputy Mayor Nieuwenhuis seconded the motion.
- The motion failed by a vote of 2-5, with Mayor Robinson and Councilmember Stokes in favor.
- Deputy Mayor Nieuwenhuis moved to add affordable housing to the first tier of amenity options at 80 percent AMI or lower. Councilmember Stokes seconded the motion.

Responding to Councilmember Robertson, Mayor Robinson suggested that 100 percent AMI condominiums be a second tier amenity option.

→ The motion carried by a vote of 5-2, with Councilmember Lee and Councilmember Robertson dissenting.

Councilmember Robertson noted that she supports 80 percent AMI for rental housing. However, she also would like to encourage home ownership.

→ Councilmember Robertson moved to add 100 percent AMI ownership units (condominiums) to the second tier of amenity options for the residential development of the East Main area. Deputy Mayor Nieuwenhuis seconded the motion.

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

Deputy Mayor Nieuwenhuis moved to add special amenities to the first tier of amenity options. The motion was not seconded. Mayor Robinson noted that the special amenity option would remain in the second tier of incentives.

Responding to Councilmember Zahn, Mayor Robinson suggested adding a discussion of the fee in lieu option for commercial development.

Responding to Mayor Robinson, Ms. Tanus displayed the list of development agreement topics. The stakeholder requests adding catalyst project, open space and other special amenities not yet identified as appropriate topics for the agreement. Mayor Robinson suggested that specific details about the streets should be a topic of the development agreement as well.

Mr. Brennan recalled a discussion with the Council in July 2020 regarding the street connections. If the Council would like to have a departure for block sizes, staff will come back with additional information.

Responding to Mayor Robinson, Mr. Brennan said issues like the width of the streets and bridge are typically addressed during development review.

Councilmember Robertson encouraged broader flexibility for topics to be negotiated through the development agreement, which will be subject to the Council's approval. She said any departure included in the development agreement must provide a greater public benefit than the code. She suggested that greater flexibility will result in better solutions.

Councilmember Barksdale asked about the rationale for limiting the topics eligible for the development agreement. Mr. Brennan noted the importance of predictability and said the development agreement is described in the Land Use Code as a way to address departures for a specific development. He said additional work will be needed if more items are to be negotiated through a broader development agreement.

Mac Cummins, Director of Community Development, recalled that the Council has talked about predictability and transparency in discussing the Land Use Code. He observed that the Council is asking under what circumstances would the City want to allow maximum flexibility. He concurred with Mr. Brennan about the importance of predictability.

Councilmember Robertson said predictability benefits developers. However, the development agreement provides the opportunity and flexibility to address land use issues and benefits specific to a project or development. She said the public benefits of the development agreement must exceed the benefits under the existing Land Use Code. Ms. Robertson expressed support for greater flexibility.

→ Councilmember Robertson moved to add more flexibility regarding the range of departures that could be addressed through a development agreement in exchange for the public benefit of affordable housing and other negotiated public benefits. Deputy Mayor Nieuwenhuis seconded the motion.

Councilmember Zahn said the Council has talked a lot about affordable housing. She suggested a more tailored approach focused on departures that support the development of rental and ownership affordable housing. She expressed concern that allowing too much flexibility could dilute affordable housing or other public benefits.

Councilmember Stokes concurred and expressed concern that allowing too many topics in the development agreement will delay the development of the East Main area.

Councilmember Lee expressed concern that a lack of adequate flexibility could result in failing to achieve the amenities desired by the City. He said the development must be economically feasible for the developer.

Councilmember Robertson said the public benefits to be provided through the development agreement would still be affordable housing and other negotiated benefits. However, her motion speaks to the departure list, which is currently very limited (i.e., maximum height, maximum FAR, nonconforming requirements and special amenity).

Responding to Councilmember Stokes, Mr. Brennan concurred that expanding the list of development agreement topics could result in a longer negotiation. Mr. Cummins noted the potential for encountering issues that might conflict with the Comprehensive Plan.

Responding to Councilmember Zahn, Mr. Brennan said public benefits can be many things including affordable housing, wetland restoration, open space, public art, etc. He noted that it is more challenging to negotiate the development agreement if there are no parameters around the topics to be addressed. Ms. Zahn said she would support considering development agreement departures that provide additional affordable housing.

Councilmember Robertson reiterated that her motion is to allow departures for the standards within the East Main area in exchange for public benefits, such as affordable housing and other negotiated public benefits. Ms. Robertson said she has been suggesting for a number of years

that the City adopt a development agreement chapter in the Land Use Code that allows flexibility for amenities, such as affordable housing.

Mayor Robinson said that enhanced flexibility can result in a better project design.

Councilmember Barksdale asked whether it would be possible to add departure topics to the development agreement at a later date. Ms. Tanus said that is something that could be initiated by the Council and studied by staff and the Planning Commission.

Councilmember Stokes expressed concern about setting a precedent and causing delays. He opined that the departures identified by staff for the development agreement are appropriate and adequate.

→ The motion carried by a vote of 4-3, with Councilmember Barksdale, Councilmember Stokes and Councilmember Zahn dissenting.

(c) Update on Aquatic Center Feasibility Study

City Manager Miyake introduced discussion regarding the aquatic center feasibility study update.

Michael Shiosaki, Director, Parks and Community Services, said staff is seeking Council direction regarding the preferred concept plan for the aquatic center, preferred site and a partnership opportunity. He recalled that Bellevue's current aquatic center was built through the Forward Thrust bond in the late 1960s, and no public pools have been built in Bellevue in more than 30 years. He said SplashForward was formed in 2017 to advocate for an aquatic facility, and the Council initiated the Aquatic Feasibility Study Update in 2019. In 2020, the Council reviewed three program options and four potential sites.

Ken Kroeger, Project Manager, said the preferred concept plan envisions broad-based community access and equity, programs for all ages and abilities, flexible space to support community needs, and an environmentally sustainable facility. The plan includes a competition pool, deep water tank, recreation pool, program pool, fitness area and wellness/therapy pool. The 130,000 square foot facility has an estimated project cost of \$125 million and an annual operating subsidy of \$500,000 to \$1 million.

Mr. Kroeger said that four sites were evaluated for the aquatic center: Lincoln Center (Downtown/Wilburton), Marymoor Park, Airfield Park and Bellevue College. Airfield Park, owned by the City of Bellevue, was identified as the preferred site and least costly alternative. The park covers 27.5 acres and is easily accessible to I-90 and I-405. The aquatic facility would complement other park development and amenities.

Mr. Shiosaki said staff is exploring partnerships and sponsorships, both private and public, to construct and operate an aquatic center. Potential partners include the Bellevue School District, health care and wellness industry, corporate sponsors, King County, City of Kirkland, City of Redmond, and aquatics advocacy groups. Mr. Shiosaki said a number of funding sources will be needed and could include property tax levies, the creation of a Metropolitan Park District, park

impact fees, the creation of a Public Facilities District, lodging tax, grants, partnerships, fundraising and Councilmanic bonding.

Mr. Shiosaki said the City and SplashForward worked together to develop the preferred concept plan. The organization is willing to partner with the City and to commit to a fundraising effort to help raise the capital funding needed to build the aquatic center. Staff recommends that the City develop a partnership agreement or memorandum of understanding with SplashForward to support fundraising. Mr. Shiosaki said the next step is to initiate a master plan update for Bellevue Airfield Park involving architectural, engineering and environmental contract services.

Mayor Robinson thanked staff for the presentation.

Councilmember Robertson noted that the woman in the photo on the last slide of the presentation is the first Black Olympic Gold Medal female swimmer for the United States. Ms. Robertson said that 79 percent of children in households with incomes below \$50,000 have little to no swimming ability. She said that 64 percent of African-American children, 45 percent of Hispanic/Latino children and 40 percent of Caucasian children have little to no swimming ability. Ms. Robertson noted that swimming lessons are the best way to reduce the likelihood of childhood drowning, which is the leading cause of accidental death for children under age 5 and the second cause of accidental death for children aged 5-14. She said most of the pools in Bellevue are private clubs that are not accessible to many residents. She said there is a two-year waiting list for individuals in Bellevue in need of swimming lessons. Ms. Robertson expressed support for the preferred concept plan and the preferred site. She thanked SplashForward for their partnership with the City.

Ms. Robertson said she would like to expedite the master plan update process for Airfield Park. She noted that an additional potential revenue source is the real estate excise tax (REET).

Mr. Shiosaki said the master plan process could start early next year. He said he has been working with Finance staff to develop a funding proposal.

Councilmember Stokes concurred with Councilmember Robertson's comments and expressed support for the concept plan and preferred site. Mr. Stokes said the aquatic center would be a good fit for Airfield Park and would complement other uses of the park.

Deputy Mayor Nieuwenhuis expressed support for the preferred concept plan, site and partnership with SplashForward.

Councilmember Zahn thanked SplashForward for their ongoing advocacy of the aquatic center. She expressed support for the preferred concept plan. She asked why Bellevue College is not the preferred site, given its accessibility and transportation options.

→ Deputy Mayor Nieuwenhuis moved to extend the meeting to 10:15 p.m., and Councilmember Robertson seconded the motion.

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

Mr. Shiosaki said City staff met monthly with Bellevue College staff over the past year. He acknowledged the greater visibility and accessibility of that location. However, he said the City is focused primarily on parks, recreation and overall wellness while Bellevue College is focused on education. He said that locating the aquatic center at Bellevue College would have required the construction of expensive parking facilities, and the college was interested in additional features. Mr. Shiosaki noted the benefit of placing the facility on City-owned property.

Councilmember Lee expressed support for the aquatic center plan and preferred location. However, he noted his interest in more information about the Airfield Park site, estimated project costs, and the comparison of the Airfield Park and Bellevue College sites. Mr. Shiosaki said that an engineering study over the past year indicated that the cost of the project at the Airfield Park site is \$14 million less than the Bellevue College site.

Councilmember Barksdale expressed support for the concept plan and its attention to equity issues. He asked about the percentage of funding that would be provided by the City. Mr. Shiosaki said the City will continue to work with potential partners including the Bellevue School District, private funding sources and other government agencies.

Mayor Robinson expressed support for the preferred concept plan, site and partnership opportunity. She noted that she and Councilmember Stokes served on the Parks and Community Services Board and were involved in the original master planning for Airfield Park. She said there were a number of items identified by the community at that time that she would not want to remove from the master plan. She recalled that residents wanted to ensure that trees are maintained and that certain undeveloped natural areas are retained. She said staff originally suggested the potential for an aquatic center at the park.

→ Deputy Mayor Nieuwenhuis moved to direct staff to develop a memorandum of understanding (MOU) to partner with SplashForward for fundraising efforts related to the aquatic center and to continue moving the project forward using Bellevue Airfield Park as the preferred site, including conducting SEPA (State Environmental Policy Act) review and updating the master plan for Airfield Park through a community engagement process. Councilmember Robertson seconded the motion.

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

11. Land Use: None.

12. Other Ordinances, Resolution, and Motions: None.

13. Unfinished Business: None.

14. New Business: None.

15. Executive Session: None.

16. Adjournment

At 10:08 p.m., Mayor Robinson declared the meeting adjourned.

Charmaine Arredondo, CMC
City Clerk

/kaw