

East Bellevue Community Council
Summary Minutes of Regular Meeting

November 10, 2020
6:30 p.m.

Virtual Meeting
Bellevue, Washington

PRESENT: Chair Hummer, Vice Chair Gooding, and Councilmembers Dhananjaya, Epstein, and Kasner

ABSENT: None.

STAFF: Jennifer Ewing, Environmental Stewardship Program Manager, Community Development Department
Toni Pratt, Senior Land Use Planner, Development Services Department
Molly Johnson, Development Review Manager, Transportation Department

1. **CALL TO ORDER**

The meeting was called to order at 6:30 p.m., with Chair Hummer presiding.

2. **ROLL CALL/FLAG SALUTE**

Deputy City Clerk Karin Roberts called the roll. All Councilmembers were present.

3. **APPROVAL OF AGENDA**

Councilmember Dhananjaya moved to approve the agenda. Councilmember Epstein seconded the motion, which carried by a vote of 5-0.

4. **COMMUNICATIONS: WRITTEN AND ORAL**

Chair Hummer said that the East Bellevue Community Council (EBCC) received two written communications in favor of the proposed Glendale Country Club NE Comprehensive Plan Amendment (CPA).

Chair Hummer noted that the EBCC cannot hear any comments regarding Puget Sound Energy's Energize Eastside project, as it is a quasi-judicial matter. She said that individuals wishing to speak regarding the Puesta del Sol application should speak later during Agenda Item 8.

Don Marsh, speaking on behalf of the nonprofit organization 300 Trees, said the group was initially formed in an attempt to save trees along 148th Avenue and NE 8th Street. He said the group is now working to increase the urban tree canopy by building relationships, securing funding, and leveraging community interest to plant and protect trees throughout Bellevue. He said the group wants to work with the City to achieve its goal of a 40 percent tree canopy. He

described their plans to plant trees this fall and next spring. He noted their web site: 300trees.org. Mr. Marsh said the group would like to explore private-public partnerships and has met with the City's Environmental Stewardship Program staff. He described the group's efforts to pursue public and private grants.

5. **REPORTS OF CITY COUNCIL, BOARDS, and COMMISSIONS**

Deputy Mayor Jared Nieuwenhuis, City Council liaison to the EBCC, congratulated Ron Epstein on his appointment to the EBCC. Mr. Nieuwenhuis said the City Council is currently discussing the Preliminary 2021-2022 Operating Budget and the 2021-2027 Capital Investment Program (CIP) Plan. He said the General Fund has been heavily impacted and a balanced budget proposal was achieved by addressing the \$16 million deficit during the 2021-2022 biennium. The financial strategies to address the budget gap included a number of cost containment measures. The budget includes a one-percent property tax adjustment for 2021 and 2022. The seven-year CIP Plan totals approximately \$659 million.

Mr. Nieuwenhuis said the City Council recently received a briefing regarding the civil emergency declaration issued during the protests on October 24. The emergency order was terminated later in the evening. He noted that there were no injuries or reports of vandalism. He referred the public to a video on the City's web site regarding the event. He said the City Council recently adopted the updated, five-year Economic Development Plan, which includes the following focus areas: capacity building and partnership, small business and entrepreneurship, workforce development, updated tourism plan, and increased support for retail and creative economy industries.

Deputy Mayor Nieuwenhuis said that 1,118 affordable housing units and 100 shelter beds have been funded or built since the adoption of the Affordable Housing Strategy in 2017. He noted that there are 632 affordable units in the development pipeline as well. He said the City is reviewing the multifamily tax exemption (MFTE) program and will update the program to increase its effectiveness in creating affordable housing. Mr. Nieuwenhuis said the City Council recently adopted a tax of up to one-tenth of one percent for housing and housing services costs. Under a new state law, if the City did not enact the tax itself, King County would have imposed the tax.

Mr. Nieuwenhuis referred everyone to the City's web site for the results of the community arts survey, which was conducted by the City to assess the local impact of the pandemic on arts organizations. He said the City is currently studying regulations for electric scooters. He noted recent appointments to the Boards and Commissions. Mr. Nieuwenhuis said the City Council recently received an update on the City's Environmental Stewardship Plan and signed an amended agreement with the King County-Cities Climate Collaboration (K4C).

Councilmember Kasner requested an update regarding the review of the police department's use of force policy. Chair Hummer suggested that he email Deputy Mayor Nieuwenhuis regarding the issue.

6. **REPORT OF THE CHAIR**

Chair Hummer noted that the EBCC was formed in 1969 when the area was annexed to the City of Bellevue. The EBCC holds an election every four years to affirm its continued existence. She said the EBCC has powers and duties over certain land use decisions in its jurisdiction. The EBCC also has approval/disapproval authority over Comprehensive Plan and Land Use Code amendments, as well as over applications for Conditional Use Permits (CUPs) in its jurisdiction. She said the EBCC and its constituents have the opportunity to be part of the public record at courtesy hearings before the City Council makes its final decisions.

7. **DEPARTMENT REPORTS**

(a) Environmental Stewardship Plan Presentation

Chair Hummer introduced staff's presentation regarding the updated Environmental Stewardship Plan. She asked staff to include tonight's comments in the record.

Jennifer Ewing, Environmental Stewardship Program Manager, noted that staff is compiling all of the comments received regarding the draft Environmental Stewardship Plan and posting the information on the City's web site.

Chair Hummer asked staff to include the meeting minutes for the Boards and Commissions and the EBCC's meeting minutes in the official record.

Ms. Ewing said staff has been working with the City Council over the past 18 months to update the Environmental Stewardship Plan. Staff engaged the City's Boards and Commissions to provide input regarding the goals, targets, and actions in the plan. She recalled that the Environmental Stewardship Initiative (ESI) was launched in 2007, and the City later entered into the Mayors Climate Protection Agreement and the King County-Cities Climate Collaboration (K4C) interlocal agreement. The City made progress on 96 percent of the strategies included in the 2013-2018 ESI Strategic Plan.

Ms. Ewing described the steps in the process of updating the plan: 1) developed recommendations for goals and targets, 2) expanded community outreach and conducted an analysis of alternative actions, and 3) released the draft plan for public comment. The goals and targets in the Environmental Stewardship Plan fall into six categories: 1) waste, 2) mobility and land use, 3) energy, 4) natural systems, 5) climate change, and 6) municipal operations. The City established goals for 2030 and 2050 related to the reduction in greenhouse gas emissions, development of renewable energy, and expansion of the tree canopy.

Ms. Ewing said staff studied a number of potential actions and strategies. She noted that 45 percent of greenhouse gas emissions in 2019 were related to transportation, 32 percent were related to electricity, and 17 percent were related to the use of natural gas for heating. The City has been tracking greenhouse gas emissions since 2011. Ms. Ewing noted the goal to reduce emissions by 80 percent by 2050.

Ms. Ewing highlighted some of the 77 actions in the plan. Key actions related to climate change are the climate vulnerability assessment, environmental equity assessment, and air quality

monitoring and code considerations. The key actions related to energy include home energy retrofits, increased equitable access to energy programs, green building incentives, and streamlined permitting. Highlights related to natural systems including planting 75,000 trees, updating the tree codes, and enhancing walkable access to parks. Key mobility and land use actions are to consider climate and sustainability in land use planning, maintain the Mobility Implementation Plan, and to accelerate the implementation of the Pedestrian and Bike Plan.

Ms. Ewing described the new environmental stewardship dashboard on the City's web site, which provides information on greenhouse gas emissions since 2011. She said staff will discuss the full draft Environmental Stewardship Plan with the City Council on November 16. Adoption of the plan is anticipated in December or early 2021.

Responding to Chair Hummer, Ms. Ewing said the ESI is referenced in the Comprehensive Plan as a program. However, the language will be updated to refer to the program as a functional plan, similar to the Parks and Open Space Plan and the Pedestrian and Bike Plan.

Responding to Councilmember Dhananjaya, Ms. Ewing said that when the City looks at park access, staff is focused on City-owned property. She said there is no penalty for development if it is not within one-third mile of a park. She said the purpose of the target is to focus on identifying areas with fewer parks. Ms. Ewing said there are development incentives for projects in the Downtown to provide open space and/or plazas.

Councilmember Kasner thanked staff for the presentation. He noted his interest in expanding the tree canopy and expressed concern about the loss on trees on 148th Avenue due to Puget Sound Energy's project. He encouraged stronger regulations for larger mature trees. He expressed support for the plan as presented.

Responding to Vice Chair Gooding, Ms. Ewing said staff analyzed the relative costs and impacts of specific actions in the plan. Ms. Ewing said the plan is focused on actions that have the greatest impact on reducing greenhouse gas emissions. Mr. Gooding questioned the goal to reach 75 percent renewable energy by 2030. Ms. Ewing said the current renewable electricity sources include hydroelectric power and wind energy. She said that approximately half of the City's energy usage comes from renewable energy sources. Mr. Gooding noted that there are drawbacks to wind and solar power.

Councilmember Epstein noted that the tree canopy is currently 37 percent and he questioned how that compares to other communities. Ms. Ewing said Redmond's and Kirkland's tree canopies are roughly the same with a goal of achieving 40 percent coverage. She said the 40 percent goal was recommended a number of years ago by the leading nonprofit organization for forestry issues. She said the areas in Bellevue with lower tree canopy coverage include Lake Hills, Crossroads, Factoria, Downtown, and the BelRed corridor.

Councilmember Dhananjaya said he believes that the increased usage of multiple transportation modes will help to lower greenhouse gas emissions. He expressed support for focusing on the tree canopy.

Councilmember Kasner recalled that, in the past, the Parks and Community Services Department conducted a cost-benefit analysis of the tree canopy as it relates to storm water retention and pollution removal. He said the benefit was estimated at \$150,000 per tree. He said he would like to see the percentages of tree canopy by neighborhood. He wondered how improved battery technology might affect the use of solar energy. Mr. Kasner noted that many of the trees in parks and elsewhere are getting older. He questioned whether there are plans for replacing mature vegetation in parks and removing invasive species.

Ms. Ewing said the Parks and Community Services Department works on tree canopy preservation and restoration, as well as the removal of invasive species on public property. She said staff monitors tree health and is currently conducting a forest health assessment. Regarding renewable energies, Ms. Ewing said that improvements in battery capacity will assist in meeting those goals.

Chair Hummer noted her previous involvement with the ESI. She expressed an interest in the neighborhood and demographic profile of individuals who submit public comments. She said the tree canopy is very important to her, especially having grown up in the Enatai neighborhood. She expressed concern regarding residents who have removed a number of mature trees from their properties. She concurred with Councilmember Kasner's concerns regarding the loss of trees on 148th Avenue.

Regarding transportation goals, Ms. Hummer requested information regarding the actual number of single-occupancy trips in the community and how that is anticipated to change. She is not convinced that there will be a significant decrease in the use of individual vehicles. She said there is a need for traffic lights that improve the flow of traffic. Referring to electric vehicles, Ms. Hummer expressed concern that the batteries are made from rare earth metals by companies that exploit labor in developing countries. Ms. Hummer was skeptical about the goal for 100 percent electric vehicles at some point.

Ms. Ewing said the information regarding single-occupancy vehicle trips relates specifically to commuting (i.e., Bellevue residents' commutes and Bellevue workers' commutes). She said she will follow up with more information. She said a dramatic shift to electric vehicles is anticipated over the next 30 years, and a number of car manufacturers have committed to the goal of all electric vehicles in the future. Ms. Ewing said the City has been converting its fleet to electric vehicles over time. She said she would follow up with more information regarding the demographics of the public engagement and public comments.

8. **PUBLIC/COURTESY HEARINGS**

(a) Puesta del Sol School Conditional Use Permit (CUP) Application

Chair Hummer introduced discussion regarding the Puesta del Sol School Conditional Use Permit (CUP) application.

Chad Barnes, Assistant City Attorney, reminded the EBCC members that, given this is a quasi-judicial proceeding, it would be inappropriate to have engaged in ex parte communications with any proponent or opponent to the application without disclosing it on the record. He suggested

that Chair Hummer provide Councilmembers the opportunity to disclose any ex parte communications before action is taken on the application.

Toni Pratt, Senior Land Use Planner and Project Manager, Development Services Department (DSD), presented the staff report regarding the Puesta del Sol Elementary School CUP application. The Bellevue School District requests Process III approval to demolish the Bellewood Elementary School and to build a new facility for the Puesta del Sol program that is currently in South Bellevue. Construction of the school will occur beginning in 2021, with completion anticipated in 2022. A Critical Areas Land Use Permit (CALUP) was reviewed and approved concurrently as a Process II application. The CALUP is necessary due to the presence of wetlands and a stream on the property.

Ms. Pratt briefly reviewed the process to date, which included courtesy hearings before the EBCC on January 8 and November 13, 2019. The Bellevue School District held a number of public meetings on the project. City staff submitted its recommendation to the Hearing Examiner on March 5, 2020, and the Hearing Examiner issued her recommendation on September 24, 2020. The City Council took action on November 2, 2020, to approve the CUP application. Tonight, the EBCC will take final action on the City Council's Ordinance.

Ms. Pratt said the Puesta del Sol school is a Spanish immersion program. The Bellevue School District's goal is to locate the program more centrally in the community to increase access to the program and to create a community resource in the neighborhood. The Bellewood school has been used as a swing school in recent years as the district rebuilt a number of schools. Ms. Pratt highlighted the traffic pattern designed for the new school site.

Ms. Pratt said the school site is subject to a concomitant agreement that was adopted by the City Council in 1983. The agreement indicates that the Bellevue School District must provide pedestrian connections at the northeast portion of the site. With the redevelopment of the school, the connection will be redefined to allow pedestrian movement to and through the site. The second condition is that, at the time of redevelopment, the district shall document a good faith effort to develop a coordinated traffic circulation plan that will minimize traffic impacts to the adjacent single-family residents.

The BSD conducted an analysis of seven site alternatives with a focus on the following considerations: 1) safety and operations, 2) neighborhood concerns, 3) environment, and 4) cost and schedule. Ms. Pratt described the proposed preferred site plan (Scheme 2) and its traffic circulation plan. She said the CUP application complies with the Land Use Code's development standards in the R-5 land use district. Among other requirements, there will be 151 parking stalls and landscape buffers along all property boundaries.

Molly Johnson, Development Review Manager, Transportation Department, described the transportation review of the CUP application. She said conditional use approval requires adequate public facilities for all transportation modes. The issues identified for review in the Puesta del Sol application included: 1) traffic operations before and after school, including parent queuing, 2) site access points and impacts to the surrounding neighborhood, 3) pedestrian and bike facilities and safety within the walkshed, and 4) level of service for surrounding street system. Ms. Johnson highlighted the site access points on NE 4th Place and 151st Place NE. She

presented a graphic depicting the proposed cross-section of 151st Place NE. She said improvements will be made at the intersection of 151st Place and Main Street, including the addition of a left-turn pocket.

Ms. Johnson said the proposal is expected to provide sufficient access for the development of a new school on the site. Student pedestrian and bike access will be improved through the establishment of a school zone and the addition of a crosswalk and flashing beacon on Main Street. Ms. Johnson said parent education will be provided prior to the opening of the school.

Ms. Pratt said staff determined that the CUP application meets the conditional use decision criteria provided in Land Use Code 20.30B.140: A) the conditional use is consistent with the Comprehensive Plan, B) the design is compatible with and responds to the existing characteristics of the area, C) the school will be served by adequate public facilities, including streets and fire protection, D) the use will not be materially detrimental to uses of property in the immediate vicinity, and E) the conditional use complies with the applicable code requirements.

Jack McLeod, Executive Director for Facilities and Operations, Bellevue School District, described the mitigation efforts related to the Puesta del Sol project. He recalled that property owners on 151st Place NE raised concerns during the EBCC community meeting on November 13, 2019 about planned improvements to their street. In response to those concerns, the BSD worked with its design team and the City to adjust the right-of-way (ROW) design to alleviate residents' concerns. City staff and BSD staff met with 151st Place NE property owners on December 18, 2019 to present an alternative plan. Option 3, which narrowed the sidewalk from eight feet wide to five feet wide, allowed for all work to be completed within the City's ROW while maintaining parking on both sides of the street. The owners who attended the meeting were in favor of the compromise.

Responding to residents' concerns, Mr. McLeod said the BSD will replace driveways and frontage landscaping for all 16 homeowners on 151st Place NE. All property owners have signed Letters of Intent to Grant Right of Entry in order to complete the construction of the ROW improvements and the improvements on private property. Mr. McLeod recalled that residents raised concerns regarding the protection of their interests throughout the project. He said the BSD project manager will act as the liaison and direct contact person for the property owners throughout the school and road construction.

At 8:10 p.m., Councilmember Kasner moved to open the public hearing. Councilmember Dhananjaya seconded the motion, which carried by a vote of 5-0.

Adam Droker said he looks forward to having the Puesta del Sol school in his neighborhood. He commended the BSD's proposal and encouraged the EBCC to approve the CUP application.

Stephanie Parkins, a Lake Hills resident on 160th Avenue SE, said she has two children who attend Puesta del Sol school. She encouraged the EBCC to approve the CUP application. She expressed support for the transportation management plan, which will allow the BSD and the neighborhood to address transportation issues if they arise. Ms. Parkins said the new school will be an asset for the neighborhood. She encouraged moving forward to construct the school.

At 8:15 p.m., Councilmember Dhananjaya moved to close the public hearing. Vice Chair Gooding seconded the motion, which carried by a vote of 5-0.

Mr. Barnes suggested that EBCC members disclose any ex parte communications regarding the Puesta del Sol CUP application.

Chair Hummer noted that EBCC members did not have any ex parte communications to disclose.

Councilmember Dhananjaya thanked Ms. Pratt and Mr. McLeod for their work to address the community's concerns. Responding to Mr. Dhananjaya, Ms. Johnson said that parent education will describe how to access the site. In further response to Mr. Dhananjaya, Mr. McLeod said the BSD anticipates that there will be expanded bus usage by students due to the central location.

Councilmember Kasner said he looks forward to the project moving forward. Responding to Mr. Kasner, Ms. Pratt said the Hearing Examiner's Office takes over the responsibility of providing public notice to the parties involved in compiling the Hearing Examiner's record. She said that property owners within 500 feet and parties of record received initial notices regarding the public hearings, and the public hearing notices were also published in *The Seattle Times*. Mr. McLeod said the school district sent notices to residents adjacent to the school to remind them of tonight's meeting.

Ms. Pratt said the Hearing Examiner's report indicates that there is overwhelming support for the Puesta del Sol school project. There was extensive public involvement throughout the entire planning process, and residents are satisfied with the mitigation to be provided by the BSD.

Councilmember Kasner said he is pleased with the project team's work with residents. Ms. Pratt noted that the BSD and the City have been working on this project for two years. She said there is extensive information in the Hearing Examiner's record.

Vice Chair Gooding thanked everyone for their hard work and expressed support for the project.

Chair Hummer thanked staff for the presentation. She recalled that the EBCC's primary purpose is to review and take action on this type of land use proposal. She is pleased with the public's involvement throughout the planning process. Responding to Ms. Hummer, Mr. McLeod said it was important to the design team to separate bus and personal vehicle traffic. He confirmed that communication with the neighbors will be ongoing.

At 8:32 p.m., Councilmember Kasner moved to extend the meeting by an additional 15 minutes. Vice Chair Gooding seconded the motion, which carried by a vote of 5-0.

Responding to Councilmember Epstein, Mr. McLeod said he could follow up with information regarding the number of students who are transported by their parents versus those who use the bus. Mr. McLeod noted that the entire transportation analysis is included as an attachment to the land use decision. In further response to Councilmember Epstein, Mr. McLeod confirmed that all 16 of the affected residents on 151st Place NE approved the mitigation for the street and frontage landscaping.

Chair Hummer recalled that the EBCC held two courtesy hearings regarding the project in 2019. She expressed concern that the minutes of the courtesy hearings were not included in the official record. In the future, she would like to make sure that everyone's comments are represented in the public record by including the EBCC's meeting minutes.

Ms. Hummer noted comments from residents expressing concern about their access to information and to staff to ask questions. She opined that the CUP process could have been more easily facilitated if the applicant had initially contacted the neighbors and come to an agreement earlier in the process. She said the record indicates that a certain amount of misinformation was conveyed to the members of the Puesta del Sol community. In the process, certain neighbors were blamed for the delay in the permitting review. Ms. Hummer said that, in another communication, the EBCC was portrayed as a roadblock instead of a part of the process.

Chair Hummer said that the November 2019 courtesy hearing before the EBCC was the catalyst for the resolution between residents and the school district. She noted additional projects in the future including the Big Picture School and two other sites in the EBCC jurisdiction. She encouraged the BSD to start working with residents surrounding those projects earlier in the process.

Chair Hummer thanked all of the presenters for the briefing and discussion.

Responding to Ms. Hummer, Ms. Pratt said the Hearing Examiner's report indicated strong public support for the project.

At 8:50 p.m., Councilmember Kasner moved to extend the meeting to 9:00 p.m. Councilmember Dhananjaya seconded the motion, which carried by a vote of 5-0.

Councilmember Dhananjaya concurred with Chair Hummer's suggestion that the BSD begin working with neighbors of school projects earlier in the planning process. Mr. Dhananjaya said that in the future he would like to receive a summary of the public input regarding a CUP application. Ms. Pratt said the information is provided in the staff report, which is included in the record.

Responding to Chair Hummer, Mr. Barnes said he can work with staff and the EBCC to address receiving information earlier in future processes.

9. RESOLUTIONS

- (a) Resolution No. 579 Approving City Council Ordinance No. 6542

Councilmember Kasner moved to adopt Resolution No. 579 approving City Council Ordinance No. 6542. Councilmember Dhananjaya seconded the motion.

Councilmember Dhananjaya read the resolution approving the Puesta del Sol Elementary School Conditional Use Permit (CUP) application.

The motion to adopt Resolution No. 579 approving City Council Ordinance No. 6542 carried by a vote of 5-0.

10. **APPROVAL OF MINUTES**

- (a) Summary Minutes of the October 6, 2020, Regular Meeting

Councilmember Kasner moved to postpone approval of the October 6, 2020 meeting minutes. Vice Chair Gooding seconded the motion, which carried by a vote of 5-0.

Chair Hummer noted that the Planning Commission has scheduled an EBCC overview during its meeting on November 18. She asked EBCC members to attend the meeting so that everyone hears the same information. She asked Deputy City Clerk Karin Roberts to inquire whether EBCC members will be allowed to make comments during the meeting.

Ms. Hummer said a Washington State Department of Commerce online Zoom class is scheduled for December 3 to address land use regulations. She encouraged everyone to attend.

Ms. Hummer said that the 2020 Comprehensive Plan Amendments (CPAs) are being reviewed by the City Council. She said the Interim Official Control (IOC) regarding minimum parking standards for certain housing will come before the EBCC in December. She encouraged EBCC members to review the City Council meeting videos and minutes on those topics.

11. **ADJOURNMENT**

At 9:05 p.m., Chair Hummer declared the meeting adjourned.

Karin Roberts, CMC
Deputy City Clerk

/kaw