

East Bellevue Community Council
Summary Minutes of Regular Meeting

April 6, 2021
6:30 p.m.

Virtual Meeting
Bellevue, Washington

PRESENT: Chair Hummer, Vice Chair Epstein, Alternate Vice Chair Dhananjaya, and Councilmember Kasner

ABSENT: Councilmember Gooding

STAFF: Trisna Tanus, Consulting Attorney, Development Services Department
Kristina Gallant, Code and Policy Senior Planner, Development Services 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**

City Clerk Charmaine Arredondo called the roll. All Councilmembers except Councilmember Gooding were present.

Chair Hummer requested a motion to excuse Mr. Gooding's absence.

Councilmember Dhananjaya moved to excuse Councilmember Gooding from the meeting. The motion was seconded by Vice Chair Epstein and carried by a vote of 4-0.

Vice Chair Epstein led the flag salute.

3. **APPROVAL OF AGENDA**

Councilmember Dhananjaya moved to approve the agenda. Vice Chair Epstein seconded the motion, which carried by a vote of 4-0.

4. **COMMUNICATIONS: WRITTEN AND ORAL:** None.

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

Deputy Mayor Nieuwenhuis highlighted the recent City Council proclamation in support of the Asian-American Pacific Islander (AAPI) community. He said that he and other Councilmembers have participated in recent rallies to raise awareness about discrimination and bullying behavior toward the AAPI community. He noted the City's Hate Has No Home Here campaign.

Mr. Nieuwenhuis said the City Council voted unanimously to appoint Jason Courter and Pete Ryan to the Good Neighbor Agreement (GNA) Advisory Committee for the Eastgate shelter and supportive housing project. Mr. Nieuwenhuis said the Council recently approved funding recommendations from the Human Services Commission for the use of Community Development Block Grant (CDBG) COVID-related funding. The funds will be used primarily for rental and food assistance, behavioral and mental health services, and substance abuse treatment.

Deputy Mayor Nieuwenhuis said the Council received an update on the City's Affordable Housing Strategy. He said the City has helped to produce nearly 1,300 affordable housing units since 2017, and there are approximately 700 affordable housing units in the development pipeline. He said there are a number of incentives to encourage the development of affordable housing, including the multifamily tax exemption (MFTE) program. The Council is currently considering updates to the program, including expanding the geographic scope.

Mr. Nieuwenhuis said the Council recently met Wendell Shirley, the new Assistant Police Chief, and received an update regarding the new community crisis and assistance team program.

Chair Hummer thanked Mr. Nieuwenhuis for the update.

6. **REPORT OF THE CHAIR**

Chair Hummer said she has been attending meetings of the Planning Commission and was recently accepted into the tree ambassador program. She encouraged EBCC members to attend meetings of the City Council, Boards, and Commissions to learn about land use issues and proposed actions affecting East Bellevue in advance of formal action.

7. **PUBLIC/COURTESY HEARINGS**

- (a) Courtesy Hearing: Reduced Minimum Residential Parking Land Use Code Amendment (LUCA)

Chair Hummer introduced the courtesy hearing and discussion regarding the proposed Land Use Code Amendment (LUCA) reducing the minimum residential parking requirements for certain sites. She said that comments from the EBCC and the public during the hearing would be forwarded to the City Council before they take action on the proposed LUCA.

Trisna Tanus, Consulting Attorney, Development Services Department (DSD), said the proposed LUCA will support recommendations from the 2017 Affordable Housing Strategy and the Transit Master Plan. Action B-1 in the Affordable Housing Strategy recommends reducing parking requirements for apartments near light rail stations, and Action C-5 encourages ways to lower the cost of building affordable housing.

Ms. Tanus said the LUCA conforms with new state law provisions. RCW 36.70A.620 sets a cap on the minimum parking requirements that cities may impose for certain housing units for affordable housing, market-rate multifamily housing, and housing for senior adults and people

with disabilities. Ms. Tanus recalled that the current interim official control (IOC) was established in May 2020 to align with RCW 36.70A.620. The recommended minimum parking requirements are consistent with planning for the BelRed and Eastgate transit-oriented development (TOD) areas. The IOC was extended following a public hearing last fall and is set to expire on May 18, 2021.

Ms. Tanus said that RCW 36.70A.620 places a ceiling on the minimum required parking that cities may impose for housing units when they are near frequent transit service. The recommended parking minimum for affordable housing with transit service twice per hour is 0.75 spaces per studio or one-bedroom unit. The same parking minimum applies to market-rate multifamily housing with transit service four or more times per hour. No minimum parking is required for residents of housing for senior adults or people with disabilities. Ms. Tanus said RCW 36.70A.698 restricts the off-street parking requirement for accessory dwelling units (ADUs) located within one-quarter mile of a major transit stop.

When the IOC was initially adopted, the Council directed staff to analyze four additional topics for consideration in the permanent code amendment: 1) appropriate radius of frequent transit service (one-quarter mile versus one-half mile), 2) downtown residential visitor parking requirements, 3) certainty for developers within the parking departure process, and 4) parking-specific incentives for affordable housing.

Kristina Gallant, Senior Planner, described the six topics addressed in the LUCA: 1) frequent transit service criteria, 2) parking ratio, 3) parking departures approval process, 4) downtown visitor parking, 5) affordable housing incentives, and 6) accessory dwelling units (ADUs). She noted that the LUCA does not change where multifamily housing is currently allowed.

In the area of frequent transit service criteria, Ms. Gallant said the definition of affordable housing has been expanded to include households earning up to 80 percent of the area median income (AMI). She said this is consistent with the City's other housing incentives and helps capture a wider range of affordable housing funding sources. Ms. Gallant said the reduced parking ratios for affordable housing are available only for permanent affordable housing units. The LUCA expands the allowed radius to higher frequency transit stops from one-quarter mile to one-half mile and incorporates a standard for determining whether a physical impediment blocks access to transit stops. As part of the frequent transit service criteria, the LUCA considers future light rail and bus rapid transit (BRT) stops opening within two years near the housing.

Ms. Gallant said the City selected a flat minimum parking ratio for market-rate multifamily housing and permanent affordable housing of 0.75 parking spaces per studio or one-bedroom unit, instead of the state-allowed minimum requirement of one parking space per one-bedroom unit. Lower minimum parking requirements are allowed in higher frequency transit areas. For affordable housing up to 80-percent AMI, 0.75 parking spaces per unit are allowed with transit service 2-4 times per hour, and 0.5 spaces per unit are allowed where there is transit service more than four times per hour. Ms. Gallant said developers may provide additional parking if desired.

Moving to parking departures, Ms. Gallant said the approval of an independent parking study under the City's current process is tied to design review, which presents timing issues for developers. She noted that the LUCA reduces the demand for parking departures by providing

the flexibility to right-size parking requirements for specific developments. Ms. Gallant said staff recommends maintaining the current process and revisiting it in the future to consider all uses. She noted that separating the parking departure decision from the design review process would limit the opportunity for public comment.

Ms. Gallant said the current standards for downtown residential visitor parking were implemented in October 2017 when there was limited downtown residential development. Staff recommends maintaining the current standards while monitoring their performance over the coming years.

Ms. Gallant said the ADU parking provision is consistent with RCW 36.70A.698. It removes the requirement for a dedicated, off-street parking space per ADU for property located within one-quarter mile of transit stops with service four or more times per hour, including future light rail and BRT stops opening within two years.

Ms. Gallant said staff met the Process IV requirements for legal noticing and holding the public hearing. She noted the City's direct engagement with the development community and other stakeholders to discuss the LUCA. A web page was launched in June 2020 to provide information on the LUCA process, key dates, and contact information for public comment. Following final action on the LUCA by the City Council, the EBCC will hold a public hearing and take action to approve or disapprove the City Council's ordinance for application within the EBCC jurisdiction.

Chair Hummer thanked staff for the presentation.

At 7:08 p.m., Vice Chair Epstein moved to open the courtesy hearing. Councilmember Kasner seconded the motion, which carried by a vote of 4-0.

Responding to Chair Hummer, City Clerk Arredondo said that one person had signed up to speak. However, they were not currently connected to the virtual meeting.

Councilmember Kasner moved to have Chair Hummer read the written comments from Michelle Wannamaker and to then immediately close the courtesy hearing. Councilmember Dhananjaya seconded the motion.

Chair Hummer said she wanted to maintain the option to hear from any other speakers later in the meeting. She noted that members of the public sometimes experience technical issues when trying to connect to virtual meetings.

Mr. Kasner clarified that he is recommending the usual practice of allowing speakers and reading written communications during the courtesy hearing agenda item, and then closing the hearing and moving on.

Councilmember Kasner's motion carried by a vote of 4-0.

Chair Hummer read a communication from Michelle Wannamaker, a resident of the Eastgate neighborhood. Ms. Wannamaker noted that walking even one-quarter mile can be difficult or

impossible for some individuals, and riding a bus is not always a viable option for senior adults. Even with limited mobility, however, many individuals can drive to pick up groceries and to complete other errands. Ms. Wannamaker expressed concern that RCW 36.70A.620 violates the Americans with Disabilities Act (ADA) as well as state and local anti-discrimination policies. She urged the EBCC to instruct the City's legal department to address the discrimination issues. She expressed concern regarding the proposal to remove the requirement for an off-street parking space for an ADU.

Chair Hummer thanked Ms. Wannamaker for her written comments.

At 7:20 p.m., Councilmember Kasner moved to close the public hearing. Vice Chair Epstein seconded the motion, which carried by a vote of 4-0.

Chair Hummer said that the EBCC's comments would be compiled for submittal to the City Council.

Responding to Vice Chair Epstein, Ms. Gallant said if there is a situation in which a person would need to walk more than one-half mile due to a physical impediment to transit service, the City could determine that frequent transit service is not available.

Referring to Ms. Wannamaker's concerns, Councilmember Dhananjaya suggested that developers can choose to provide more parking for housing for senior adults and disabled individuals, depending on market factors and demand. He noted that transit services could change, and bus and transit stops might no longer be near the designated affordable housing properties using the lower parking minimums. Ms. Gallant confirmed that bus service frequency and routes do change over time. The LUCA indicates that the approval of parking facilities will be based on the most recent information available when the housing is permitted and developed.

Councilmember Kasner noted that the letter from Ms. Wannamaker read by Chair Hummer was similar to but different than the letter provided in the EBCC's meeting packet. Mr. Kasner said that Ms. Wannamaker's letter in the meeting packet was previously sent to the City Council.

Responding to Mr. Kasner, Ms. Gallant provided additional explanation regarding the map depicting transit service. In further response to Mr. Kasner, Ms. Tanus said a developer could vest a project to the provisions in the current IOC until it expires on May 18. Ms. Tanus said she was not aware of any active applications but would follow up with more information.

Councilmember Kasner thanked staff for the thorough presentation.

Responding to Chair Hummer, Ms. Gallant confirmed that the LUCA language is consistent with the state law definition of a "major transit stop". In further response to Ms. Hummer, Ms. Tanus said a parking departure is a request from a developer or applicant to reduce their minimum parking requirements based on a parking study or other documentation.

Responding to Chair Hummer, Ms. Gallant provided additional clarification regarding the frequent transit service criteria map provided in the presentation. Responding to Ms. Hummer, Ms. Gallant said the LUCA would apply only to new development. In further response to Chair

Hummer, Ms. Tanus said staff would follow up with more information regarding the ADU parking provisions.

Councilmember Kasner read the definition of a “major transit stop” from RCW 36.70A.396, which refers to a transit stop with service more than four times per hour. He noted this would include light rail and bus rapid transit (BRT) stops. Ms. Gallant noted that the reference to “major transit stop” in the proposed LUCA is specific to ADUs.

Chair Hummer asked EBCC members to provide comments for the letter to the City Council.

Vice Chair Epstein said that transit frequency needs to be improved. He said that reducing parking facilities in multifamily housing will move more cars to street parking. He expressed concern that the LUCA needs further refinement.

Councilmember Dhananjaya said he envisions a reduced need for cars in the future, which will reduce the demand for parking facilities.

Councilmember Kasner observed that the LUCA is unlikely to introduce any changes within the EBCC area in the near term, if ever. He concurred with Mr. Dhananjaya that transit use and transportation technologies are likely to change significantly over the next several years, which will have an impact on parking needs as well.

Chair Hummer said she believes that the LUCA will have an irreversible negative effect on the Lake Hills area and the EBCC jurisdiction. She expressed concern regarding potential unintended consequences of the LUCA. She said it is difficult to consider individual aspects of the Affordable Housing Strategy without understanding how all of the initiatives might affect each other. She hopes the City Council will restrict the LUCA to the transit hubs in the BelRed, Eastgate, and Downtown areas. Ms. Hummer said she also hopes the City Council reduces the proposed one-half mile radius to transit services to one-quarter mile. She would like the City to retain the requirement for an off-street parking space for an ADU.

Ms. Hummer noted multifamily development in the vicinity of Bellevue College and 148th Avenue and observed that the parking lots are full, but the buses are often nearly empty. She opined that the EBCC jurisdiction does not qualify as a frequent transit service area.

Chair Hummer thanked staff for the presentation and discussion.

8. NEW BUSINESS

(a) November 2, 2021 General Election Ballot Process

Chair Hummer said the November ballot will include the continued authorization of the EBCC and the election of council members. She said the EBCC is responsible for appointing pro and con committees to prepare statements regarding the ballot measure to continue the EBCC. Staff suggests a recruitment period from April 12 to April 30 before the EBCC appoints the committees in June. The deadline for the committees to submit their statements is August 10, 2021.

Councilmember Kasner moved to authorize City staff to recruit individuals for the pro and con statement committees regarding the proposition for the continuation of the East Bellevue Community Council. Vice Chair Epstein seconded the motion, which carried by a vote of 4-0.

9. APPROVAL OF MINUTES

- (a) Summary Regular Meeting Minutes of March 2, 2021

Councilmember Kasner moved to approve the minutes of the March 2, 2021 Regular Meeting. Vice Chair Epstein seconded the motion, which carried by a vote of 4-0.

Responding to Chair Hummer, a meeting attendee, Bal Simon, said he values the EBCC. He thanked the EBCC members for their involvement in achieving parking and landscaping mitigation as part of the new school project, and for their other efforts on behalf of East Bellevue.

Councilmember Kasner urged all EBCC members to clearly indicate whether they are speaking as a private citizen or as an EBCC member when making comments in other public forums.

Chair Hummer noted that she has been attending Planning Commission meetings as a private citizen, and she always sends emails to the commission or the City Council from her private email account.

City Clerk Arredondo confirmed that EBCC members should identify themselves as individual private citizens unless they are authorized by the EBCC to present comments. This applies to members of the City Council, Boards, and Commissions as well.

Councilmember Kasner suggested that when an EBCC member publicly communicates a personal opinion on an issue that is still before the EBCC, they should recuse themselves from the EBCC discussion and decision.

Chair Hummer asked staff to address the issue with the EBCC's legal counsel and bring the discussion back to the May EBCC meeting.

10. ADJOURNMENT

At 8:15 p.m., Chair Hummer declared the meeting adjourned.

Charmaine Arredondo, CMC
City Clerk

/kaw