

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Study Session

December 13, 2010
6:00 p.m.

Council Conference Room
Bellevue, Washington

PRESENT: Deputy Mayor Lee and Councilmembers Balducci, Chelminiak,
Degginger, Robertson, and Wallace

REMOTE
PARTICIPATION: Mayor Davidson

ABSENT: None.

1. Executive Session

The meeting was called to order at 6:07 p.m., with Deputy Mayor Lee presiding. He noted an Executive Session scheduled for the end of the Regular session.

Mayor Davidson participated via speakerphone.

2. Study Session

- (a) Draft Joint Principles regarding Residential Development and Parking Expansion at the South Kirkland Park and Ride

Deputy Mayor Lee welcomed Kirkland Mayor Joan McBride and Eric Shields, Kirkland Director of Planning and Community Development, to the Council table; and noted Kirkland Councilmember Bob Sternoff in the audience.

City Manager Steve Sarkozy introduced discussion regarding proposed transit-oriented development at the South Kirkland Park and Ride, which borders Bellevue.

Dan Stroh, Planning Director, introduced Ron Posthuma, King County Assistant Director for Long-Range Transportation Planning, and invited Mayor McBride to comment on the project.

Mayor McBride explained that the City of Kirkland would like to work with the City of Bellevue and King County regarding Kirkland's transit-oriented development (TOD) project at the Park and Ride near SR 520. The project combines market rate and affordable housing and adds 450 parking spaces, 200 of which are dedicated to the housing units. The project fully mitigates

traffic impacts. Kirkland's public involvement process in January will be noticed to Bellevue residents. Ms. McBride reported that King County Councilmember Jane Hague will be joining the meeting soon. She distributed copies of a recent editorial from the Kirkland Reporter supporting the project.

Deputy Mayor Lee welcomed King County Councilmember Jane Hague, and thanked her for her efforts with the King County Flood Control District.

Councilmember Hague commented on the challenge of providing opportunities for high-capacity transit as well as attractive and affordable housing, noting that the South Kirkland TOD project will address both needs. Federal grant funding of \$6.25 million is available from the Federal Transit Administration to expand the Park and Ride by 250 spaces as part of the SR 520 project. Ms. Hague said the grant should be activated as soon as possible.

Mr. Stroh reviewed the project objectives to increase transit ridership via additional commuter parking spaces, provide housing opportunities with an emphasis on affordability, and provide commercial uses to serve residents and transit users. The seven-acre Park and Ride currently has approximately 600 parking spaces. King County has received a federal grant, as mentioned by Councilmember Hague. However, the project needs to move forward relatively soon in order to retain the grant.

Mr. Stroh explained that the project plan is different than the concept presented in 2008, which had more housing units and created concerns about size, density, and zoning. The current proposal provides 200 housing units with corresponding parking spaces, an additional 250 parking spaces for commuters, and commercial space. The mixed use development is located in Kirkland, and Bellevue's portion will remain as surface parking. Mr. Stroh said there has been a significant amount of collaboration between the three jurisdictions involved in the project.

Mr. Posthuma described concept diagrams of the project. The \$6.25 million grant was received by King County in 2006 as part of the SR 520 Urban Partnership Project. He noted concerns with losing the grant, as well as a decision that the best approach is to work on the Kirkland side of the border. The housing includes an underground parking garage. He explained that trees will largely block the view of the site. King County has asked Kirkland to consider a rezone that is needed to move the project forward. Mr. Posthuma said more community meetings are planned to engage the public.

Mr. Shields reported that Kirkland's Comprehensive Plan was amended in 2008 to support the project, and staff is currently working on code amendments. The ongoing Lakeview Neighborhood Plan update has been a forum for discussing the project with the neighborhood, and focused public outreach is planned for 2011.

Mr. Stroh reviewed key project issues including compatibility with adjacent neighborhoods, traffic impacts and mitigation, commercial services, coordinated permit review and building inspection, future use of the BNSF rail corridor and its compatibility with commuter rail, and financial feasibility including grant funding. He referred the Council to the meeting packet for a

full list of the project principles, which include expanding park and ride capacity, utilizing federal grant funding, providing a range of housing affordability, mitigating impacts, and exploring connections to the BNSF corridor.

The Kirkland City Council has approved the draft principles [Page SS 2-7 of the meeting packet], subject to the Bellevue City Council's review and feedback. Mr. Stroh said Bellevue staff would like to bring the principles back in January for Council action.

Councilmember Degginger thanked the meeting guests and noted that the principles are consistent with Bellevue's goals for affordable housing.

Responding to Councilmember Chelminiak, Mr. Posthuma said that based on the 2006 grant, a zoning change in Kirkland and the hiring of a developer are anticipated in 2011. There is not a firm deadline related to the grant. However, legislation that recently passed the House for 2011 starts pulling back some grant funding. Mr. Posthuma noted the need for expansion of the Park and Ride due to SR 520 tolling implementation in the spring as well.

Mr. Shields added that Kirkland would like to get into the cycle this year for potential grant funding related to the affordable housing component.

Councilmember Chelminiak asked if a study has been completed to determine whether 200 units of housing will support 12,000 square feet of commercial development. Mayor McBride noted that the University of Washington, Bellevue College, and other schools and employers are located next to the Park and Ride. She feels that 12,000 square feet is modest and that it will benefit both residents and transit users. Mr. Chelminiak expressed his concern about whether the project will be appealing to a developer.

Mr. Shields said Kirkland will know more as it moves forward with the request for proposals (RFP) process.

Councilmember Chelminiak wants to make sure that residents on the border are included in the process.

Councilmember Balducci said she is pleased to see that the Kirkland program advances Bellevue's goals and priorities as well. She questioned Bellevue staff about coordination related to permitting. Mr. Stroh explained that the site reconfiguration will require a review of drainage, landscaping, traffic, and other standards.

Councilmember Balducci would like Bellevue to be involved in the coordination of the public outreach process. She requested better visual depictions of the project. Mr. Posthuma said more graphics will be developed as the project moves forward.

Responding to Ms. Balducci, Mr. Posthuma said Kirkland and King County are seeking private development money for the project at this point. The \$6.25 million grant is to be used toward the Park and Ride budget.

Councilmember Wallace thanked the project team and noted similar successful projects in Northgate (Thornton Place) and Redmond. He questioned whether the plan reflects the optimal configuration, or whether it is restricted by Bellevue's earlier concerns about the scale of the project.

Mr. Posthuma said the boundary makes it a challenging site. However, he feels this is a workable project. Mr. Shields reminded the group that the plan is conceptual at this point. Once a developer is identified, the developer will help in designing the best project. However, the design must meet the needs for expanded Park and Ride capacity as well. Responding to Mr. Wallace, Mr. Posthuma said the mix of market rate and affordable housing is yet to be determined.

Mayor McBride stated Kirkland's interest in some level of market rate housing, while also including affordable, low-income and/or senior housing. Kirkland is open to a full range of housing in order to attract a developer.

Councilmember Hague said the King County Council is interested in making sure that TOD projects are not isolated, and that there are linkages and livability. She noted the potential for linkages to the BNSF corridor, and to Lake Washington Boulevard and the Yarrow Bay wetlands.

Councilmember Wallace commented that it is good to see jurisdictions working together, and he supports the project's goals. He encouraged a review of noise issues going forward.

Councilmember Robertson concurred that it is great to be able to work together, and she is pleased to know there is outreach to Bellevue citizens. She encouraged Bellevue and Kirkland staff to work together to address neighborhood traffic impacts and mitigation. She noted the interlocal agreement with Redmond regarding traffic issues in the Bel-Red/Overlake area, and questioned whether a similar approach would be used for this project.

Mr. Stroh said this project is a smaller scale than the projects and issues that have been addressed with Redmond in the Bel-Red and Overlake areas. Bellevue's role will be a standard look at mitigating concurrency and traffic issues, as well as any operational issues that are applicable under the State Environmental Policy Act (SEPA). Mr. Posthuma said this is an important operating facility for King County as well, and intersection improvements are proposed to address impacts.

Mayor Davidson noted concerns regarding potential impacts to Northtowne neighborhoods and commercial uses. However, he concurs with the project principles outlined on page SS 2-7 of the meeting packet.

Deputy Mayor Lee thanked the presenters and reiterated that Council action on the principles will come back in January. He wants Bellevue to conduct neighborhood outreach in coordination with Kirkland and County staff. He looks forward to more information about the impacts, size and type of housing, and other elements. He appreciates the regional collaborative effort.

Responding to Mr. Lee, Mr. Stroh explained that Bellevue staff added the principle referring to potential connections to the BNSF rail corridor.

Mr. Stroh summarized that he is hearing general Council support for moving forward. He concurred with Mr. Lee's suggestion to add a principle regarding public outreach. Deputy Mayor Lee said he would also like to see a more complete work plan and the identification of resources before the January discussion. Mr. Stroh said the public outreach process will be defined following the adoption of the principles.

Mayor McBride said Kirkland is working to update the Lakeview Neighborhood Plan and wants to be a good neighbor to Bellevue.

(b) East Link Supplemental DEIS Review

Mr. Sarkozy introduced staff's presentation of the East Link light rail project Supplemental Draft Environmental Impact Statement (DEIS), which was released to the public on November 12 with a 60-day review period ending January 10, 2011. Sound Transit has agreed to accept the Council's comments on the morning of January 11, following the Council's meeting on the evening of January 10.

Transportation Director Goran Sparrman noted that the purpose of tonight's agenda item is to review key features of the SDEIS, staff's technical comments, winter 2010 Downtown traffic analysis, and the four consultant studies conducted for the City last summer. Staff plans to return to the Council on January 3 and 10 for continued discussion of the SDEIS.

Bernard van de Kamp, Regional Projects Manager, described new alternatives studied in the SDEIS. New and modified alternatives studied for Segment B are the B2M (Bellevue Way and 112th Avenue SE), B3 (114th Avenue SE), and B7 Revised. Staff anticipated that the SDEIS would conduct further analysis of traffic impacts at I-405 and SE 8th Street for the B7 option. This was not the case, but Sound Transit reports that further analysis will be completed during the Final EIS.

Mr. van de Kamp reviewed proposed modifications to the B2M alignment and South Bellevue Park and Ride, noting that the design allows for the future expansion of Bellevue Way. He described concerns about construction vibration to the Winters House and plans to mitigate this impact. The analysis of noise impacts determined that existing noise levels along the route are 75-80 dBA. Crossover tracks generate the highest noise impacts, 80 dBA at 50 feet, and require special track work. Extensive sound walls and sound insulation would be used to mitigate noise impacts. The SDEIS identified pre-mitigation noise impacts to 150 residences along the B7 alignment, which is an increase from the 98 residences indicated in the DEIS. This is due to the higher train noise levels, and mitigation is proposed to address all of the noise impacts.

Mr. van de Kamp described observations from the SDEIS regarding parks, wetlands, sensitive areas, and temporary construction impacts. There is a commitment, as required by federal law, to

mitigate all impacts. However, Sound Transit's mitigation concepts are uncertain at this point (e.g., financial compensation, replacement of park lands). Temporary construction impacts are lane and sidewalk closures, and potential closure of the South Bellevue Park and Ride for the entire construction period.

Mr. van de Kamp said the City's consultants last summer identified discrepancies related to wetland impacts. As a result, Sound Transit is correcting its analysis. One of these findings is reduced wetland buffer impacts for the B7 alignment based on an updated wetland delineation. However, there would be greater wetland impacts during construction for this option.

Mr. van de Kamp reviewed ridership and cost estimates for the B7, B2M-C9T (Downtown Tunnel), and B2M-C11A (Downtown At-grade) alignments.

Mr. van de Kamp highlighted some of staff's technical comments, including the need for an updated traffic analysis for option B7. With regard to noise, staff believes that Sound Transit should consider opportunities to relocate track crossovers away from residential areas.

Mr. van de Kamp described new alternatives studied in the SDEIS for Segment C: 1) C9T Tunnel, 2) C11A, 108th Avenue NE, at-grade, 3) C9A, 110th Avenue NE, at-grade, and 4) C14E, 114th Avenue elevated configuration. He reviewed observations regarding noise, parks, and temporary construction impacts, including those to the Bellevue Transit Center. The at-grade alternatives have higher noise impacts. He presented ridership and cost estimates, and highlighted staff's key technical comments. Mr. van de Kamp noted that the SDEIS does not recognize the VISSIM analysis performed for the Downtown Bellevue Light Rail Alternatives Concept Design Report.

Mr. van de Kamp reviewed modifications to Segment D involving traffic operations. The D2A alignment provides grade separation at 120th Avenue NE and 124th Avenue NE. A new feature of this alternative provides a storage track for trains along the BNSF corridor, north of NE 12th Street. He noted SDEIS ridership and cost estimates, which are essentially the same as the DEIS. Mr. van de Kamp said that ridership estimates are low and do not adequately reflect future land use and transit demand for the Bel-Red corridor.

Councilmember Robertson referred to the VISSIM modeling for NE 15th/16th Street through the Bel-Red corridor, and questioned the noise impacts of at-grade crossings. Mr. van de Kamp said he can provide the specific numbers. However, he believes that the analysis does not identify any major noise problems in that area. Ms. Robertson said it would be important to look at future land use in that area as well as the sound receptors. She stated that bells seem to be one of the main problems with at-grade crossings.

Councilmember Robertson would like Bellevue's technical comments to suggest appropriate mitigation measures, given that the SDEIS is somewhat vague about specific measures. She observed that Sound Transit, in looking to mitigate noise, did not look at condemning properties for which exterior impacts cannot be mitigated. Similarly, the report does not consider avoiding

at-grade options as a way to mitigate the noise associated with at-grade crossings. She asked why the VISSIM tool was not used in the SDEIS to analyze traffic impacts.

Mr. van de Kamp recalled that 19 alignment alternatives were analyzed in the DEIS. Sound Transit used a transportation methodology to evaluate the no build scenario, and to compare all of the other alternatives against that scenario. He characterized this as a broader service analysis. Bellevue's comments on the DEIS stated that the analysis was insufficient. Sound Transit did utilize the VISSIM tool for the Downtown Bellevue Light Rail Alternatives Concept Design Report, but did not go back and conduct that analysis for all of the alternatives. Mr. van de Kamp said he believes that the Sound Transit Board did select different preferred alternatives for Downtown Bellevue based on the VISSIM analysis and other data. However, it was not technically part of the EIS process. Bellevue staff believe that the VISSIM analysis is more detailed and accurate than other methods.

Deputy Mayor Lee stated that the purpose of tonight's discussion is for the Council to provide direction to staff regarding comments on the SDEIS, as opposed to reviewing background information about the project.

Councilmember Chelminiak said he would like discussion of the David Evans report and its analysis of visual impacts. He noted that the SDEIS finding of no visual impacts across Mercer Slough for option B7 is not consistent with the David Evans report. That report states that the DEIS was based on the view from the east to the west, when it should be looking to the north where the light rail crossing completely blocks the view of the slough.

Referring to the B2M, Mr. Chelminiak recalled that the only exterior non-mitigated noise impacts are for multifamily units. He asked staff to help him identify that information in the report. Mr. Chelminiak said he was encouraged to read that there is no wheel squeal issue with the B2M, but there are wheel squeal impacts associated with the B7, especially at the transition to the C11A. He said the comments should reflect the need for the mitigation of this impact.

Councilmember Wallace requested information on the analysis of the crossing of Segment D at NE 20th Street and the conclusion of no impact.

Mr. Sparrman explained that a VISSIM analysis of the NE 15th/16th corridor included the intersection of Northup Way and 136th. It is fairly detailed, and staff would be happy to bring it back to Council. Mr. Wallace said he would like to read the report and be able to ask staff any questions.

Councilmember Wallace noted that the SDEIS references daytime ambient noise levels. However, he is concerned about light rail noise impacts throughout the night. Regarding comments on the SDEIS, he liked the format of the February 2009 DEIS comment letter. He would like to receive the draft letter one week before the comment period deadline, in order to allow sufficient time for review. He concurred with Councilmember Balducci's suggestion in a previous meeting to send Sound Transit the four consultant studies funded by the City during the summer, as well as all other studies and analyses related to light rail. Mr. Wallace said the

comment letter should also mention the additional study of the B7 Revised alternative to be conducted at the City's expense. He said the Council should ask Sound Transit to hold off on its Final EIS until the result of the B7 Revised study is available.

Councilmember Wallace commented on the difficulty of comparing costs between alternatives due to the wide range reflected in each cost estimate. With regard to noise, he suggests identifying where Bellevue's noise ordinance is violated as well as identifying any violations to the City's Comprehensive Plan and other policies.

Deputy Mayor Lee reiterated that staff will bring this topic back for the January 3 meeting.

Councilmember Degginger recalled Councilmember Wallace's interest in an apples-to-apples comparison of costs. He noted that the SDEIS provides some explanation of the cost estimate ranges. For example, the low end of the ranges assume no or lower levels of contingency funds. Mr. Degginger asked staff if they consider the cost estimates an apples-to-apples comparison.

Mr. van de Kamp responded in the affirmative, and briefly reviewed the items reflected within the cost ranges. Mr. Sparrman said the same logic is applied to all of the cost estimates.

Mayor Davidson noted the additional time to submit comments to Sound Transit. However, he said it is still Christmas and more time would be helpful in order to adequately prepare Bellevue's response. He is surprised that Sound Transit is using 2008 DEIS figures to justify its position in the SDEIS. He is curious about wetland impacts associated with the South Bellevue Park and Ride and whether a conditional use is applicable to that area.

Responding to Councilmember Degginger, Mr. Sarkozy said staff would like to get the draft comment letter to the Council during the last week of the year.

Mr. Degginger suggested that Councilmembers provide advance copies of their comments and input to staff, for distribution to the Council before the next meeting discussion. He prefers to not be presented with significant additions during the next formal discussion.

Councilmember Balducci said it would be helpful to schedule individual briefings for Councilmembers with staff, in order to review any specific comments and input.

Deputy Mayor Lee concurred with Councilmember Wallace's suggestion to submit all studies completed by the City and its consultants to Sound Transit. If there are still questions from the Council regarding the studies, they should be discussed. However, Mr. Lee feels that all data should be transmitted for Sound Transit's consideration.

The Council discussed how to proceed from this point.

Councilmember Robertson suggested sending a letter to Sound Transit as soon as possible to let them know about Council's plans for additional study of the B7 alignment, and to ask the Sound Transit Board to delay its FEIS to accommodate submission of Bellevue's study.

Councilmember Balducci said the Sound Transit Board is having its last meeting of the year on December 16, in which it will be addressing the budget. She does not anticipate the Board taking up any substantive request about the EIS process, because it is not on the agenda. Ms. Balducci observed that there is no time sensitivity related to a letter to Sound Transit about the ARUP study. She suggested waiting and sending one letter with everything the Council would like to communicate.

Councilmember Wallace noted concerns expressed by some individuals that Bellevue is not communicating consistently enough about the B7 study, or the rationale for it, to Sound Transit. Ms. Balducci said she is not aware of such comments.

Councilmember Robertson said that when she spoke with Sound Transit Chief Executive Officer Joni Earl, Ms. Earl wanted to know the status of Bellevue's contract with the consultant. Ms. Earl indicated that it would show diligence on the part of Bellevue should the City enter into the contract before the holiday break, which the Council did last week. Ms. Robertson said she envisioned a one-page letter to inform the Board.

Ms. Balducci said the Sound Transit Board is aware of Bellevue's activities.

There was a consensus to forego a letter at this point.

Deputy Mayor Lee indicated that Council will resume discussion of the East Link project upon completion of Regular Session agenda items, but before the Executive Session.

(c) Review of proposed East Link Work Program

[Postponed to January 3.]

At 7:57 p.m., Deputy Mayor Lee declared recess to the Regular Session.

Myrna L. Basich, MMC
City Clerk

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