

EAST BELLEVUE COMMUNITY COUNCIL

Packet Materials for
REGULAR MEETING

December 5, 2017



Welcome to Your East Bellevue Community Council Meeting

Community Council meetings offer you the chance to express your opinions to your elected officials. Community Council members welcome your participation and hope that the following information is helpful:

Oral Communications

Public participation is encouraged by the Community Council. On each agenda, Item 4 and 13 are set aside to allow you to speak on any subject you wish, except those subjects listed for public hearing. You must sign up in order to be recognized by the Chair. When you are called upon, stand up, give your name and address for the record, and state your views. Please speak loudly and clearly if you are in the back of the room so that your remarks will be audible on the recorder. If many people wish to speak, the Chair may decide to limit the amount of time allowed for each individual's comments in the interests of conducting the meeting in a reasonable and practical fashion. The Community Council will not respond to comments directly, but will take matters under advisement and will ask for staff to prepare a response when necessary.

Courtesy Public Hearing

A courtesy public hearing on a particular project gives the citizen, the applicant, and Community Council members an opportunity to review a project, ask questions, make suggestions, and express concerns prior to the formal processing of the application and the commencement of the Hearing Examiner process. Community Council members take no formal action at this time.

Courtesy public hearings are also held on proposed legislation, such as changes to the Comprehensive Plan. In this case, citizens have the opportunity to provide input to staff and elected officials in this informal setting. Such testimony does not take the place of an appearance before the Planning Commission, however.

If you wish to speak at a courtesy public hearing, sign your name on the sign up sheet and do as you would for "Oral Communications", i.e., stand up, state your name and address and present your views as briefly as possible. If you have no new information to be considered, simply say that you support or disagree with a previous speaker.

Public Hearing

State Statute allows the Community Council 60 days to approve or disapprove City Council ordinances or resolutions regarding land use matters within its jurisdiction. Disapproval means that the legislation does not apply within the Community Council service area, or that the project is denied. A public hearing is held before the decision is made. First, the staff makes a presentation and Council members ask their questions. Then the hearing is opened and the public is invited to comment. To speak, follow the procedures described above. Everyone who wishes to speak will have the opportunity to do so. After the last person has spoken, the hearing is closed. Then Council members discuss the issue and make their decision. The audience may not comment during the Community Council's deliberations unless invited to do so.

If you have any questions, feel free to call the City Clerk's office at (425) 452-6806.

Agenda

CITY OF BELLEVUE
EAST BELLEVUE COMMUNITY COUNCIL
Regular Meeting

Lake Hills Clubhouse
15230 Lake Hills Boulevard, Bellevue WA

Tuesday, December 5, 2017 6:30 - 8:30 PM

Page No.

1. Call to Order

2. Roll Call

3. Flag Salute

(a) Presentation of Service Awards for Chair Capron and Councilmember Hughes

4. Communications: Written and Oral

(a) Islamic Center of the Eastside – Update on Bellevue Mosque Rebuild

(b) PSE Presentation – Energize Eastside Update

5. Reports of City Council, Boards and Commissions

(a) Community Council Business and New Initiatives

(b) Discussion regarding January meeting date

6. Approval of Agenda

7. Department Reports

(a) Memo regarding Installation of Speed Limit Radar Signs
(For information only; no staff presentation)

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8. Public/Courtesy Hearings

(a) Public Hearing to Consider Approving City Council Ordinance No. 6376 imposing a prohibition on community health engagement locations, safe injections sites, and other uses or activities designed to provide a location for individuals to consume illicit drugs intravenously or by other means

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9. Resolutions

(a) Resolution 566 approving City Council Ordinance No. 6376 imposing a prohibition on community health engagement locations, safe injection sites, and other uses or activities designed to provide a location for individuals to consume illicit drugs intravenously or by other means

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10. Committee Reports

11. Unfinished Business

12. New Business

(a) Discussion Regarding Potential Future Agenda Items *

- Public Hearing – Complete Streets Comprehensive Plan Amendment
- Larsen Lake Culvert Replacement project

**The future agenda items are not specific to any date. They will appear on the EBCC Agenda as they become ripe for discussion/action.*

13. Continued Communications

14. Executive Session

15. Approval of Minutes

(a) Summary Regular Meeting Minutes October 3, 2017
(Motion to Amend Something Previously Adopted)

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(b) Summary Regular Meeting Minutes November 7, 2017

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16. Adjournment

NEIGHBORHOOD LEVY PROJECT



TRANSPORTATION

MEMORANDUM

Date: November 15, 2017

To: Chair Capron and Members of the East Bellevue Community Council

From: Karen Gonzalez, Neighborhood Transportation Services Manager
Reka Aczel, Transportation Engineer, Neighborhood Traffic Safety Services

Subject: **Installing Speed Limit Radar Signs on Main Street and Lake Hills Boulevard**

Levy Project Begins Soon: This is one of the projects where we will be putting your **Levy Tax Dollars** to work. We have heard concerns from your neighborhood about traffic speeds on Main Street and Lake Hills Boulevard, and residents have requested radar signs on both of these streets. Radar signs are effective in reducing vehicle speeds. Because traffic studies indicate that motorists are driving above the posted speed limit on these streets, we will be installing radar signs at the following locations:

- ① Main Street westbound, west of 153rd Place Northeast.
- ② Main Street eastbound, near Sammamish High School (already in place).
- ③ Lake Hills Boulevard Southeast westbound, west of 155th Avenue Southeast.
- ④ Lake Hills Boulevard Southeast eastbound, east of 150th Avenue Southeast.

The work is funded through the 2016 Neighborhood Safety, Connectivity and Congestion Levy.

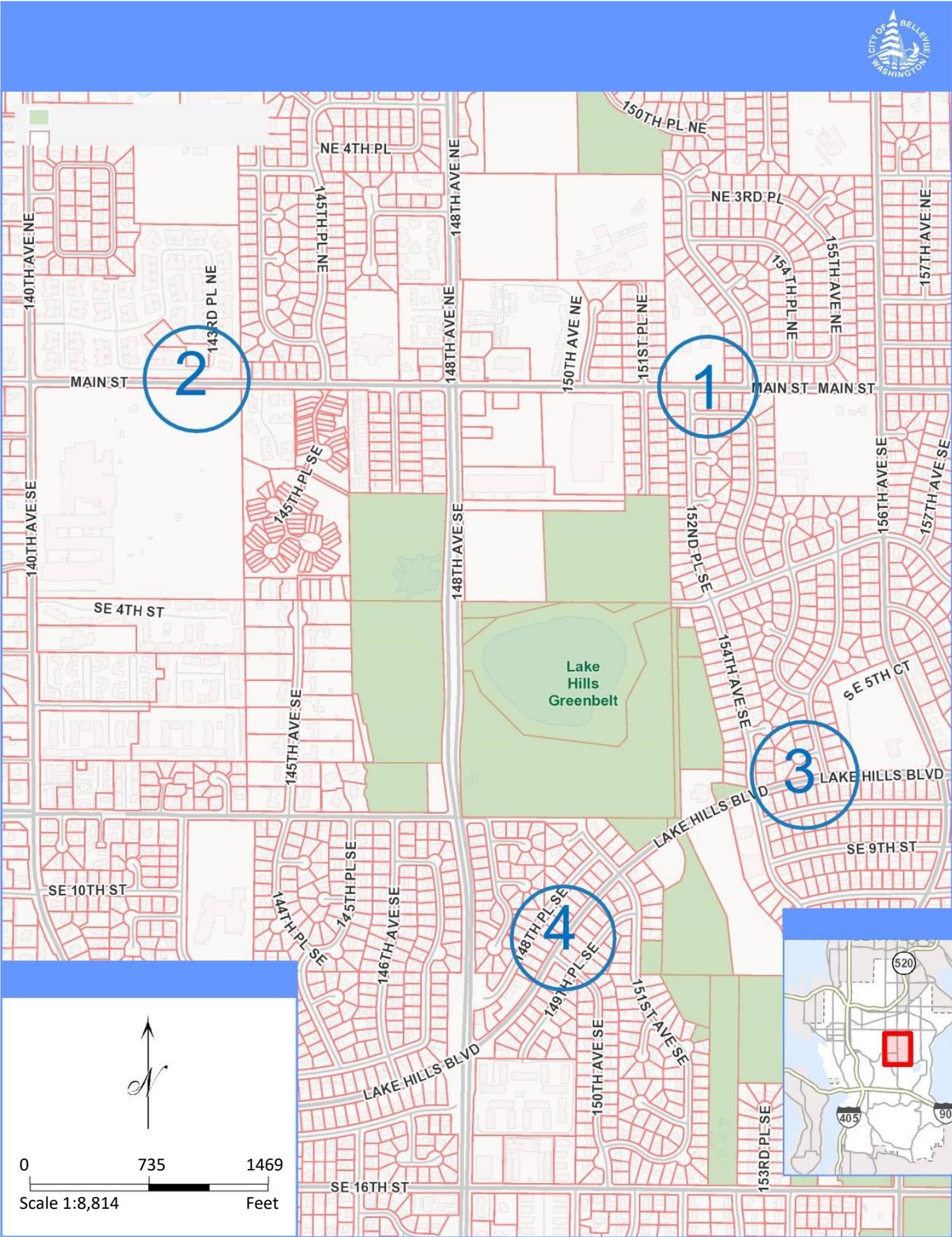
Construction Impacts and Schedule: The construction is anticipated over the next 2-3 months, weather permitting. During construction, there will be lane closures to facilitate the installations when the city's contractor is working. Please use caution and obey all traffic control signs in the construction zones.

Work hours: Monday through Friday, 8:30 a.m. to 3:30 p.m.

If you would like additional information about this project, please contact Karen Gonzalez at (425) 452-4598 or KGonzalez@bellevuewa.gov, or Reka Aczel at (425) 452-6133 or RAczel@bellevuewa.gov.

Attachment: Map of radar sign locations on Main Street and Lake Hills Boulevard.

Attachment: Map of radar sign locations on Main Street and Lake Hills Boulevard.





MEMORANDUM

DATE: November 17, 2017

TO: Chair Capron and Members of the East Bellevue Community Council

FROM: Carol Helland, Code and Policy Director, 425-452-2724
Development Services Department

SUBJECT: Public Hearing on an Amendment to the Land Use Code that Bans Safe Injection Sites Citywide File No. 17-118784-AD

On October 16, the City Council adopted a Land Use Code Amendment (LUCA) defining the activity that occurs at Community Health Engagement Locations (CHELs), safe injection sites, and other supervised drug consumption facilities, and prohibiting this activity outright citywide. On December 5, 2017, the East Bellevue Community Council (EBCC) is being asked to hold a Final Public Hearing on the Safe Injection Site Ban LUCA (Ordinance No. 6376).

BACKGROUND

In April 2017, the City Council provided direction for staff to pursue a citywide ban on CHELs also known as “safe injection sites.” Safe injection sites are part of a regional conversation led by King County in response to county-wide impacts from heroin use and heroin addiction. At the July 24 Council Study Session, the City Council again expressed a strong preference for prohibiting uses and activities in Bellevue that are established and designed to provide a location for individuals to consume illicit drugs.

On August 7, the City Council adopted Ordinance No. 6369 as an Interim Official Control (IOC) that amended the LUC by adding language to Chapter 20.10 LUC. A new section 20.10.410 in the LUC defined the activity that occurs at CHELs, safe injection sites, and other supervised drug consumption facilities, and the IOC prohibited the activity outright citywide. Adoption of the IOC to ban safe injection sites citywide provided a near-term solution to the Council-stated interests.

The City Council held a Public Hearing on September 25 to ensure that the IOC stayed in place while a permanent regulatory solution was developed. The September 25 Public Hearing was also conducted for the purpose of receiving public comment on whether a permanent LUCA should be adopted to prohibit safe injection sites citywide in the long-term. Following receipt of testimony at the Public Hearing, Council directed staff to prepare permanent regulations defining the activity that occurs at CHELs, safe injection sites, and other supervised drug consumption facilities, and prohibiting this activity outright citywide. On October 3, the EBCC held a Public Hearing on IOC Ordinance No. 6369, as well as a Courtesy Public Hearing on whether the LUC amendment proposed in the IOC should be made permanent.

The LUCA necessary to adopt a permanent ban on CHELs, safe injection sites and other supervised drug consumption facilities was presented to the City Council on October 17. Ordinance No. 6376 was adopted unanimously with modest modifications. Refer to Attachment A.

ACTION REQUESTED OF THE EAST BELLEVUE COMMUNITY COUNCIL

The EBCC is requested to hold a Public Hearing on Ordinance No. 6376. Following the Public Hearing, the EBCC is requested to adopt Resolution No. 566 approving City Council Ordinance No. 6376.

Notice of the Public Hearing before the EBCC was provided in the Seattle Times on November 22. Notice was also provided to representatives of neighborhood groups, community clubs and other citizen groups who have requested regular notice of land use actions by including notice of the Public Hearing in the on-line Weekly Permit Bulletin on November 22, 2017.

Staff will be present at the December 5 Public Hearing. Please contact me at 425-452-2724 or at chelland@bellevuewa.gov, if you have any questions before the December meeting.

Attachment A: Ordinance No. 6376 adopted on October 16, 2017

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6376

AN ORDINANCE amending the Bellevue Land Use Code, Title 20 of the Bellevue City Code, to impose a prohibition on community health engagement locations, safe injection sites, and other uses or activities designed to provide a location for individuals to consume illicit drugs intravenously or by other means; adding Section 20.10.410 LUC to prohibit safe injection sites citywide; providing for severability; and establishing an effective date.

WHEREAS, in September 2016, the Heroin and Opioid Addiction Task Force convened by King County and Seattle recommended a comprehensive strategy focusing on prevention and increasing access to addiction treatment on demand; and

WHEREAS, in January 2017, the King County Executive and Seattle Mayor announced they would move forward on the complete set of recommendations, including the establishment of facilities referred to as Community Health Engagement Locations (CHELs); and

WHEREAS, in June 2017, the King County Council voted to limit establishment of CHELs only to cities whose elected leaders choose to locate these facilities in their communities; and

WHEREAS, in order to respond to this rapidly emerging policy issue, the City Council expressed a strong preference for prohibiting uses and activities such as CHELs and safe injection sites, which are established and designed to provide a location for individuals to consume illicit drugs intravenously, in the City of Bellevue; and

WHEREAS, the City Council adopted Interim Official Control Ordinance No. 6369 on August 7, 2017, prohibiting CHELs and safe injection sites citywide; and

WHEREAS, pursuant to RCW 36.70A.106, the City of Bellevue submitted notice of intent to adopt regulations and a request for expedited review to the Washington State Department of Commerce on September 6, 2017; and

WHEREAS, the City Council duly held the public hearing on September 25, 2017, as required by the Growth Management Act to keep the Interim Official Control in effect for a period of six months and in order to adopt the Interim Official Control as a permanent regulation; and

WHEREAS, expedited review was granted by the Washington State Department of Commerce on September 25, 2017, and the City of Bellevue was deemed to have met the Growth Management Act notice to state agency requirements in RCW 36.70A.106 for the prohibition on CHELs and safe injection sites; and

WHEREAS, the Environmental Coordinator for the City of Bellevue has determined that this text amendment to the Land Use Code would be Categorically Exempt from the Threshold Determination requirements of the State Environmental Policy Act pursuant to the terms of WAC 197-11-800(19); and

WHEREAS, the City Council adopts the foregoing as its findings of fact justifying adoption of this Ordinance; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The Bellevue Land Use Code is hereby amended to add a new section 20.10.410 as follows:

20.10.410 Use Prohibited in all Land Use Districts

Medically Supervised Consumption Centers (MSCC) designed to provide an hygienic environment where individuals are able to consume illicit drugs intravenously or by other means are prohibited in all Land Use Districts in the City. A MSCC includes all uses established or activities undertaken for the above-defined purposes, irrespective of how the use or activity is described. A MSCC may also be referred to as a medically supervised injection center, community health engagement location, supervised injection site or facility, safe injection site, fix room, or drug consumption facility.

Section 2. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

Section 3. Effective Date. This Ordinance shall take effect and be in force five (5) days after adoption and legal publication.

Passed by the City Council this 16th day of October, 2017 and signed in authentication of its passage this 17th day of October, 2017.



John Stokes, Mayor

Matthew McFarland, Assistant City Attorney

Attest:

Kyle Stannert, City Clerk

Published: October 19, 2017

**EAST BELLEVUE COMMUNITY MUNICIPAL CORPORATION
OF THE CITY OF BELLEVUE, WASHINGTON**

Resolution No. 566

A RESOLUTION of the East Bellevue Community Council approving City Council Ordinance No. 6376 imposing a prohibition on community health engagement locations, safe injection sites, and other uses or activities designed to provide a location for individuals to consume illicit drugs intravenously or by other means; adding Section 20.10.410 LUC to prohibit safe injection sites citywide; providing for severability; and establishing an effective date.

WHEREAS, on October 16, 2017, the City Council of the City of Bellevue, Washington passed Ordinance No. 6376 imposing a prohibition on community health engagement locations, safe injection sites, and other uses or activities designed to provide a location for individuals to consume illicit drugs intravenously or by other means; adding Section 20.10.410 LUC to prohibit safe injection sites citywide; and

WHEREAS, the subject matter of said Ordinance falls within the jurisdiction of the East Bellevue Community Council pursuant to RCW 35.14.040; and

WHEREAS, following the public hearing held before the East Bellevue Community Council on December 5, 2017, the Community Council voted to approve Bellevue Ordinance No. 6376;

NOW, THEREFORE, BE IT RESOLVED by the Community Council of the East Bellevue Community Municipal Corporation of the City of Bellevue:

Section 1: Ordinance No. 6376 of the Bellevue City Council is hereby approved.

Section 2: The Clerk is hereby directed to certify the original of this Resolution, to file the same and to keep the same on file in the Clerk's office. The Clerk is further directed to distribute certified and conformed copies of the Resolution to the Bellevue City Council, the Planning Department, and the Development Services Department.

Passed by a majority vote of the East Bellevue Community Council on the 5th day of December, 2017, and signed in authentication of its passage this 5th day of December, 2017.

(Seal)

William Capron, Chair

Attest:

Karin Roberts, Deputy City Clerk

consultant suggested a possible alternative solution and noted the need for detailed circuit data from PSE to complete a full study. Mr. Marsh said CENSE is seeking donations from the public to facilitate the study.

Carol Helland, Code and Policy Director, said clearing and grading permits have not been issued to PSE for the Lake Hills Transmission Line project.

Councilmember Hughes recalled previous public comment that indicated PSE was up for sale. He clarified that the partnerships are maturing and PSE is selling the partnerships, potentially to the same parties. Mr. Hughes said it appears that the price of the partnerships has decreased since the last time they were sold.

5. REPORTS OF CITY COUNCIL, BOARDS AND COMMISSIONS

(a) Community Council Business and New Initiative

Councilmember Hummer said she attended the Planning Commission meeting to provide a report, as a private citizen, on the EBCC's September meeting. She commented to the Commission that she voted against EBCC Resolution 563 regarding the rezone of two Eastgate properties within the EBCC's jurisdiction, because she felt more time was needed for further discussion.

Ms. Hummer said she attended the recent PSE public meeting, which was attended by approximately 15 owners of properties that PSE is attempting to acquire. She was disappointed by the lack of information and empathy provided by the seven PSE employees at the meeting. She said it contrasted with the PSE staff who have provided professional and detailed information to the EBCC and its meeting attendees. She said the map presented at the meeting did not show the transmission line alignment, and the meeting ended with PSE's attorney indicating they would meet individually with property owners.

Ms. Hummer reported that she attended a public meeting at Bellevue College which included an update on upcoming construction projects. She said college officials repeatedly communicate that they do not have decision authority over projects by King County and the City of Bellevue around and through the campus. She also noted that she attended two City Council meetings and the opening of Sammamish High School.

Vice Chair Kasner attended the City Council candidate forum held by the Lake Hills Neighborhood Association meeting. He attended the Eastside Transportation Alliance meeting, during which Congressman Adam Smith spoke about transportation and completing improvements to I-405. Mr. Kasner said that Steve Marshall, the City's Transportation Technology Partner Manager, provided a presentation on autonomous cars. The third topic of the meeting was a discussion of the history of the Downtown Park.

Mr. Kasner said the story of the Downtown Park demonstrates what can be achieved with a strong vision and support from the Council, City staff, and the public. He thanked citizens for

East Bellevue Community Council
Summary Minutes of Regular Meeting

November 7, 2017
6:30 p.m.

Lake Hills Clubhouse
Bellevue, Washington

PRESENT: Chair Capron, Vice Chair Kasner, Alternate Vice Chair Hummer, and Councilmember Gooding

ABSENT: None.

STAFF: Michael Kattermann, Senior Planner
Janet Lewine, Associate Planner
Kevin McDonald, Senior Transportation Planner

1. **CALL TO ORDER**

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

2. **ROLL CALL**

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

3. **FLAG SALUTE**

Vice Chair Kasner led the flag salute.

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

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

(a) Community Council Business and New Initiatives

Councilmember Hummer reported that she attended the Planning Commission meeting and the Bellevue College community meeting that is held the third Wednesday of every month. She said Bellevue College is constructing another five-story building, the Student Success Center, with the top floor to be available for event rental. She also attended a couple of City Council meetings.

Vice Chair Kasner reported that more than 300 children attended the Trunk or Treat event held at the Lake Hills Village. He attended the Eastside Transportation Association event in which the

primary focus was on voter analytics and how to determine the issues that are important to people. Mr. Kasner said he attended the October 16 City Council meeting. He said he was sorry to learn that Councilmember Hughes resigned from the East Bellevue Community Council.

Chair Capron noted that he attended the October 16 City Council meeting.

6. APPROVAL OF AGENDA

Councilmember Hummer moved to approve the agenda. The motion was seconded by Chair Capron and carried by a vote of 4-0.

7. DEPARTMENT REPORTS

(a) Memo regarding Upper Kelsey Creek Stream Channel Improvement Project

Chair Capron referred the Council to the memo in the meeting packet regarding the Upper Kelsey Creek Stream Channel Improvement Project.

Councilmember Hummer said the memo mentions that this is one of three projects on Kelsey Creek between Lake Hills Boulevard and Larsen Lake, which are designed to improve water flow by replacing culverts with wooden pedestrian bridges. She said it would be nice to receive information on City projects earlier in the process. She looks forward to receiving more timely information from the Utilities Department and finding out about the other projects planned for Kelsey Creek. She wondered whether the channel improvement project will reduce flooding on 148th Avenue.

(b) Affordable Housing Strategy Presentation

Michael Kattermann, Senior Planner, opened staff's presentation on the Affordable Housing Strategy approved by the City Council earlier this year. He said developing a strategy and action items was one of the City Council's top priorities identified in the Council Vision several years ago. He said existing policies in the Comprehensive Plan and in the City's Economic Development Strategy support the Affordable Housing Strategy.

Noting a question before the meeting by Chair Capron, Mr. Kattermann said affordable housing ranges from subsidized housing to households earning up to 80 percent of the area median income (AMI). The City's objective is to increase the supply of housing for those who work and want to live in Bellevue. Mr. Kattermann said the AMI for Bellevue is \$93,000 annually for a family of four. He noted that approximately 17 percent of Bellevue households earn 50 percent or lower of that amount, and that only six percent of the housing supply in Bellevue is affordable to those households. He also noted that countywide, 23 percent of households earn less than or equal to 50 percent AMI.

Mr. Kattermann said that, in the 2017 Human Services Needs Update, 77 percent of survey respondents rate the lack of affordable housing as the most important community problem. In a 2015 survey of Bellevue businesses, all business sectors rated Bellevue low on affordable

housing options and 41 percent of businesses indicated that housing costs make it challenging to hire and retain qualified staff. A higher percentage of businesses in the retail and tourism sectors indicated that housing costs are a key challenge in hiring and retaining qualified staff. Mr. Kattermann noted that approximately 25 percent of new teachers in Bellevue stay for only one year, due largely to housing costs and long commutes for those living farther away.

Mr. Kattermann said one-third of all Bellevue households spend more than 30 percent of their income on housing, and 16 percent of all renters and almost one-third of senior renters spend more than 50 percent of their income on housing. Bellevue's median rent is \$2,721 and the median sales price for a house is \$1.1 million.

Mr. Kattermann noted that the development of the Affordable Housing Strategy involved the City Council's approval of a set of guiding principles, the appointment of a Technical Advisory Group (TAG) to study the issues, online and community surveys, and an education forum. The TAG included private and public sector housing developers, human services providers, architects, attorneys, financial experts, and others who developed a list of potential actions for consideration by the City Council.

Janet Lewine, Associate Planner, highlighted the goals and action items under the five major strategies in the Affordable Housing Strategy Plan:

- Strategy A - Help people stay in affordable housing
- Strategy B - Create a variety of housing choices
- Strategy C - Create more affordable housing
- Strategy D - Unlock the housing supply by making it easier to build
- Strategy E - Prioritize State, County and Local funding for affordable housing

Ms. Lewine said lessons learned through the development of the plan include recognizing that there is a limited suite of tools to increase affordable housing, and that the City needs partners including the development community, major employers, faith-based organizations, and nonprofit providers. She said the next steps in the overall process include working with the City Council to review the multifamily tax exemption (MFTE) program and future code amendments regarding housing in the Wilburton area and in the light rail East Main Station transit-oriented development (TOD). The City will continue its community and stakeholder outreach and will monitor the implementation of the strategy and provide periodic updates.

Chair Capron said this is not a new problem. He noted that people are resourceful and find a way to make it work. He thinks it will take higher densities and smaller square footage. He noted that requirements placed on builders (e.g., energy efficiency, environmental constraints, etc.) increase the cost of building housing. He questioned where the costs can be reduced.

Councilmember Gooding concurred that environmental restrictions have become more onerous over the past 10 years.

Mr. Kattermann acknowledged that regulations add to the cost of producing housing. He said some of the requirements are set by state and federal regulations. He noted that one of the main

drivers of the rising cost of housing is that the region's economy is generating more jobs than housing.

Chair Capron questioned the reference to 30 percent of one's income for housing. Ms. Lewine said that guideline is used by the U.S. Department of Housing and Urban Development (HUD). With regard to housing affordability for teachers, Mr. Capron suggested that the school district work to increase salaries or adjust other factors that relate to employment turnover.

Mr. Capron questioned the MFTE program. Ms. Lewine said the property tax exemption applies to the entire residential project or building. She said the program has been in effect in Seattle for many years. Mr. Capron observed that it shifts the burden by reducing tax revenues for local government.

Responding to Mr. Capron, Ms. Lewine said the City partners with the Washington State Housing Finance Commission to provide loans through the down payment assistance program. The program loans up to \$30,000 for a down payment on housing, and families must be income qualified at 80 percent of the AMI. It is difficult for families to qualify for the program.

Mr. Capron said he knows that detached accessory dwelling units (ADUs) are allowed in Bellevue on certain lot sizes. Mr. Kattermann said those might be classified as a different use. Mr. Capron said he likes the approach of allowing ADUs on certain lot sizes, which allows residents to earn rental income and to stay in their own homes.

Councilmember Kasner said the 30-percent income for housing guideline was adopted by HUD in response to bank requirements. Mr. Capron said he spent more than 30 percent of his income for a period of time because having a house was a high priority for him. He noted that he has observed newer cars in subsidized housing complexes, which he does not understand.

Mr. Kasner shared a story in which the school district hired two individuals from Yakima in order to persuade them to move to Bellevue for jobs. He said the district has explored the option of providing its own workforce housing to help individuals transition to a job in this region. However, that concept raised legal issues. The district indicated that individuals who live farther from their jobs are the most likely to leave.

Mr. Kasner observed that the issue of mandatory builder incentives versus voluntary in lieu payments is not listed as an affordable housing strategy. Ms. Lewine said that all of the incentives are voluntary. Mr. Kasner said that he and others in the community have determined that the voluntary approach is not working and that mandatory requirements are needed.

Mr. Kattermann said the City Council and TAG both expressed a preference for voluntary incentives. Mr. Kasner said he looks forward to seeing how well the incentives produce needed affordable housing.

Responding to Mr. Kasner, Mr. Kattermann said the City's strategy includes the goal of preserving existing affordable housing units. Mr. Kasner said one of the problems in Seattle is that a developer might provide a project of 800 units, which includes 500 units at different

affordability levels. However, the majority of those units could be replacing units that were demolished or redeveloped. Mr. Kasner said he is concerned about the net increase in the number of units. Mr. Kattermann said staff will monitor the program and provide periodic updates to the City Council to determine whether adjustments are needed. In further response, Mr. Kattermann said the affordable housing strategy's goal is to produce 2,500 affordable housing units over the next 10 years.

Councilmember Hummer asked Mr. Kasner to elaborate on his comment about the fee in lieu option. Mr. Kasner said the City of Kirkland requires that a certain percentage of housing units are affordable. Ms. Lewine said Bellevue's fee in lieu program is available in the BelRed area, and fees are used for affordable housing projects within the same area.

Mr. Kasner stated his understanding that detached ADUs work only if a property is subdivided. Ms. Lewine said staff anticipates that, if detached ADUs are allowed, there would not be a requirement to subdivide a lot.

Responding to Mr. Kasner, Ms. Lewine said the City has not adopted all of the action items. Responding to Councilmember Hummer, Ms. Lewine said items will be addressed and implemented through a two-phase program. Mr. Kasner said it would be helpful to see the projected dates of implementation for the items. Mr. Kattermann noted that more information about the affordable housing strategy is provided on the City's website.

Councilmember Hummer stated her understanding that, during the 1990s, there were mandatory requirements. Ms. Lewine confirmed that understanding and said that 340 affordable housing units were generated under those requirements and still exist. She said the program was discontinued because the City Council preferred voluntary incentives and the program did not generate a significant number of units. Ms. Hummer said she previously thought that fees in lieu could be used in areas outside of the original housing project.

Ms. Hummer said the EBCC held a courtesy public hearing regarding the Highland Village project and its purchase by local governments. She recalled Chair Capron's comments at that time that the apartments are dilapidated. She said the units were bought at a cost of approximately \$300,000 per unit. Ms. Hummer said a portion of the residents are no longer qualified to live in the units due to government requirements. She suggested that the cost per unit could have been used to purchase affordable housing units in other areas, including perhaps neighboring jurisdictions. She said the Highland Village apartments need to be renovated and rehabilitated. She said the units are affordable due to the poor condition of the apartments, which does not make a lot of sense.

Ms. Lewine acknowledged that the preservation of existing housing is expensive due to high land and redevelopment costs in the community. She said the City wants to produce units in Bellevue.

Councilmember Hummer said there seems to be plenty of subsidized housing in the Lake Hills area. She asked the City to create a map that would make it easy to identify those properties and other affordable units. She said some of the Downtown affordable housing units are in small

developments. She expressed concern that, at some point, the King County Housing Authority will purchase the units and relocate them in East Bellevue due to lower costs, which does not seem right to her. Ms. Lewine said she was not aware of any plans for that type of action.

Vice Chair Kasner said it would be helpful to establish a baseline map of income levels and the affordable housing stock in order to assess the geographic dispersal of affordable units as the strategies move forward. He suggested that certain areas (e.g., Somerset, Lakemont) will have no affordable units, which he believes is not good for the economic diversity of those areas. Mr. Kattermann said the City does not track market-rate rental units. He said a map of income levels will not necessarily reflect the locations of affordable housing.

Acknowledging privacy and other issues, Mr. Kasner said he hopes the program will generate data that will demonstrate whether housing units at certain income levels are sustainable over the long term. He would like to know that in year two rather than in year nine of the program. He wants short-term measures to be sustainable into the future, despite fluctuations in the economy.

Ms. Hummer said she stopped in at the Carrington Apartments complex across from Robinswood Park, which has a broad range of residents. She said they accept Section 8 housing vouchers and third-party checks from nonprofits or other sources. She questioned whether there is a way to provide incentives or to reward people for having a management company that accepts third-party checks and that would make affordable housing more affordable.

Responding to Ms. Hummer, Ms. Lewine said the City protects individuals from discrimination in obtaining Section 8 housing.

In further response to Councilmember Hummer, Mr. Kattermann said the TAG was appointed by the Mayor and confirmed by the City Council. The group was composed of individuals representing a range of expertise that would be helpful in developing potential actions for the Council's consideration. Mr. Kasner noted that a Lake Hills resident served on the TAG. Ms. Hummer said that at least three-quarters of the members have ties to Congregations for the Homeless (CFH). Mr. Kattermann said he knew that two of the members have ties to CFH. He said the TAG did not review or discuss the shelter.

Ms. Hummer questioned the regulation regarding condo warranties. Ms. Lewine said that relates to the possibility that a condo association can sue a developer. The potential action item shifts more control toward the condo association, and developers are not producing very many condos in Bellevue due to the potential for lawsuits. Ms. Lewine said the state legislature has been asked to review the law regarding that liability's impact on affordable housing. She sees apartments that are built that could likely convert to condos relatively quickly if the liability issue is resolved.

Chair Capron observed that there needs to be a balance between the rights of developers and condo owners. Councilmember Hummer expressed concern that relaxing the liability on developers will produce shoddy housing developments. Ms. Lewine said she believes the state legislature is interested in finding a balance between the risks.

Councilmember Hummer said she appreciated Chair Capron's pragmatic observations and questions.

Stephanie Walter expressed her concern that there was not an economist on the Affordable Housing TAG. She attended a presentation in Kirkland featuring an economist from Zillow, which was very helpful. She said there are other states that do not allow their taxable base to increase with inflation. If housing values increase significantly, property taxes do not increase. Ms. Walter questioned whether that could be explored in this state.

Mr. Kattermann said his understanding is that property tax must be assessed under the current market value. He suggested that the King County Assessor's Office could provide more information on that issue. He believes a change would require state legislation.

Ms. Walter said it is unacceptable that someone could be taxed out of his or her home in Bellevue. Mr. Kattermann acknowledged that the property tax issue is one aspect of housing affordability. He noted the availability of the senior property tax exemption, which has not been increased in a number of years. The City anticipates working with King County to explore updating the exception to be more in line with the local economy.

Don Boettiger said the potential loss of Highland Village raised concerns regarding its proximity to a certain school. He said one school has been demolished and will be replaced over the next two years. He questioned where the children will have to walk to school during that time.

With regard to the developer fee in lieu option, Mr. Boettiger questioned how many affordable units have been generated. He said he did not need a response but wanted to raise the issue. Mr. Boettiger said he knows of a person who is trying to develop his property, and he is 350 square feet short of providing a ninth unit on his property. He said the City will not round up to allow the unit.

With regard to subsidized housing, Mr. Boettiger suggested the option of providing \$1,000 per month for qualified residents to live in Bellevue. He questioned the meaning of "dedicated resources" in the City's materials. Ms. Lewine said the City considers local government funds, developer fees in lieu, and working with other jurisdictions through A Regional Coalition for Housing (ARCH). She said affordable housing builders will pursue funds from the County and State.

Responding to Mr. Kasner, Ms. Lewine said the Points Communities have affordable housing programs. However, the jurisdictions and their programs are small.

Warren Halverson said he is interested in how the regulations fit with neighborhood subarea plans. He said the subarea plans have not been updated for years, yet the City continues to approve policies that impact neighborhoods. He feels neighborhoods have been increasingly destroyed over the past 47 years. He said ADUs will materially change neighborhoods. Mr. Halverson noted a guest house that is larger than the original house. He asked the City to be cautious about ADUs and to avoid policies that significantly change neighborhoods.

8. **PUBLIC/COURTESY HEARINGS**

(a) Courtesy Hearing regarding Complete Streets Comprehensive Plan Amendment

Kevin McDonald, Senior Planner, noted the memo in the meeting packet regarding the Complete Streets Comprehensive Plan Amendment (CPA). The City Council adopted the Complete Streets Ordinance on September 19, 2016 [Ordinance No. 6308]. He said the Transportation Commission subsequently reviewed the Ordinance and presented its recommendations to the City Council. The Commission recommended changes to seven of the existing 31 Comprehensive Plan policies. On March 20, the City Council initiated a CPA to fully embed Complete Streets policies into the Transportation Element of the Comprehensive Plan.

The item is currently under review by the Planning Commission. On October 4, the Transportation Commission presented its recommendations to the Planning Commission. The Planning Commission held a public hearing on November 1 regarding the proposed Complete Streets policies. Mr. McDonald said final action by the City Council on the CPA is anticipated in December.

At 8:00 p.m., Councilmember Hummer moved to open the Courtesy Public Hearing. Councilmember Gooding seconded the motion, which carried by a vote of 4-0.

Don Boettiger expressed concern regarding the curb cut into Walmart at Kelsey Creek Center. He said it is a 90-degree angle that makes it difficult to turn due to the slope. He said the new development off of Main Street has the same type of curb cut. Chair Capron noted that issue is not part of the current topic. Mr. McDonald said the development review staff in the Transportation Department makes those decisions. Mr. Boettiger asked staff to get back to him regarding his concern.

Councilmember Gooding questioned whether the Complete Streets program is related to the Vision Zero program. Mr. McDonald said they are related but separate programs. The Vision Zero program is based on the expectation that the transportation system will be safe for all users and transportation modes. The objective is to achieve zero serious injuries and fatalities by 2030, and a number of City policies are consistent with that objective. Responding to Mr. Gooding, Mr. McDonald said a fatality does not necessarily occur every year. However, there are always serious injuries resulting from collisions. The intent of the Complete Streets program is to fully engage the community in designing the transportation system.

Councilmember Hummer asked what completeness means. Mr. McDonald said it is not defined because it is sensitive to the context of an area. What is complete in one neighborhood might be different for another neighborhood, depending on density, the mix of uses, connections between different types of uses, and other factors. Mr. McDonald said it is deliberately not defined because Complete Streets policies direct staff to work with neighborhoods on specific designs.

Responding to Ms. Hummer, Mr. McDonald said the policies do not refer specifically to deteriorating sidewalks. However, they do speak to the maintenance of the transportation system. Ms. Hummer questioned the City's meaning of "maintenance." Mr. McDonald said the

Transportation Commission works to ensure that Bellevue has a well-maintained transportation system. Maintenance includes regular street sweeping, repaving of streets, snow plowing, rebuilding sidewalks, etc.

Councilmember Hummer questioned the data that shows significantly changed conditions. Mr. McDonald said the Planning Commission raised the same question. One changed circumstance was the adoption of the Complete Streets Ordinance. However, there are additional contextual-related circumstances. He said subarea planning will begin soon and will rotate throughout the community over the next 10 years. The Complete Streets policies provide a framework for neighborhood discussions about how the transportation system could be modified over time to meet changing needs.

Ms. Hummer stated her understanding that a CPA requires significantly changed conditions. She observed that nothing significant has changed. She asked staff to comment on street corridors and networks. Mr. McDonald said the notion of Complete Streets does not mean that every element of mobility will be fit into all streets. The policies allow the City to take a corridor approach based on certain elements (e.g., transit, vehicles, bikes and pedestrians, etc.). Ms. Hummer questioned whether 145th Place, 148th Avenue, 156th Avenue, and 164th Avenue would together be considered the Lake Hills corridor. Mr. McDonald said that is possible because Complete Streets policies allow the community and the City to identify how people travel across a neighborhood or street, and to develop an appropriate transportation strategy.

Ms. Hummer questioned how the Complete Streets policies relate to the Urban Boulevards Initiative, which came from the State. She recalled a meeting in the past regarding Main Street between 140th and 148th Avenues in which the City said it would not be providing sidewalks. She said the City's response was that it was an urban boulevard and that sidewalks and trails were not needed. Mr. McDonald said that perhaps the Complete Streets policies will help that conversation to include the things wanted by residents.

Vice Chair Kasner expressed concern that the City Council, Transportation Commission, and Planning Commission worked on this issue and made decisions before it came before the EBCC. He said the EBCC is working toward receiving information in a timely manner and that any feedback at this point will not influence the policies. He said he previously asked staff to bring this to the EBCC sooner to talk about the tradeoffs.

Councilmember Hummer concurred and questioned why, if a CPA cannot be made until the Planning Commission looks at it, the Transportation Commission and the Planning Commission did not work on the topic together. She invited Transportation Commission Chair Vic Bishop to comment.

Mr. Bishop said he was not speaking on behalf of the Transportation Commission. He said the Commission's review of the Comprehensive Plan basically looked at existing policies and identified seven policies for which it was appropriate to add references to the Complete Streets policies. He said there is nothing substantive or significant in the Complete Streets CPA.

Mr. Bishop noted that he was at the EBCC meeting to discuss data that he believes relates to East Bellevue. He distributed a handout to the EBCC. He said the City has a great deal of plans and thinking about alternative modes of transportation. He noted the completion of the Downtown Transportation Plan update and the Citywide Transit Master Plan during his time on the Transportation Commission. The latter is used to demonstrate the need for increased bus service through Metro.

Mr. Bishop said that, in 2010, there were 1,250,000 person trips per day in Bellevue, which will continue to grow. He said transit trips are currently 2.3 percent of the total number of trips and are anticipated to double by 2030. Vehicle use will grow during that period, and the City needs to determine how it will handle increased traffic. Mr. Bishop said there are plans regarding transit and walking. He suggested that the EBCC's focus is to think about how it will handle its share of vehicle growth. He said they should not expect that transit will solve the problem.

Responding to Councilmember Hummer, Mr. Bishop said his solutions always consider that vehicle capacity is an important element of everything we should be thinking about. He expressed support for the Complete Streets approach. However, he does not want to lose car lanes to accommodate bikes and pedestrians.

Responding to Councilmember Gooding, Mr. Bishop said the City has a robust planning policy in evaluating alternatives for any street, and the Complete Streets Ordinance will not change that. Mr. Gooding suggested that lanes could be narrowed in some areas to provide both car and bike lanes. Mr. Bishop said that is possible in some areas, but there are tradeoffs and safety issues, especially related to removing shoulders along freeways. He said the Washington State Department of Transportation (WSDOT) will implement a program along a section of I-90 in which the usage of the road shoulders will be allowed during peak traffic periods.

Mr. Bishop reiterated his concern that the City will need to accommodate more vehicles or congestion levels will continue to increase.

Councilmember Hummer noted that the 140th Avenue and 145th Place projects, which were developed 15 years ago, added medians and left-turn lanes, and those routes seem to process traffic well. She has always wondered if that concept could be applied to 156th and 164th Avenues because they are used for cut-through traffic. She suggested that better plantings, regular bike lanes, and better medians would make the roads more amenable to traffic flow.

Ms. Bishop said that any time there are driveways and left turns, center turn lanes can dramatically improve the conditions. He said 140th Avenue is a classic example that converted two lanes to add the center turn lane. He said capacity improvements to I-405 relate to the Neighborhood Protection Act. He encouraged people to vote for that initiative if they want to keep traffic out of their neighborhoods.

Don Boettiger said southwest Redmond and northeast Bellevue have experienced a significant increase in the number of apartments. He said those residents are coming to Bellevue. He would like to see an agreement between border cities related to development and traffic impacts. He

opined that the developments in Redmond require only one parking space per apartment. Chair Capron observed that Redmond gains the tax base and Bellevue gets the traffic impacts.

Councilmember Hummer suggested that Mr. Boettiger review the video of the City Council's November 6 Study Session, which addressed that issue. Ms. Hummer said Councilmember Wallace commented that there was formerly a coordinated group of the cities of Bellevue, Kirkland and Redmond.

Councilmember Kasner clarified that the comments made by Mr. Bishop and the documents he distributed represent his personal views. Mr. Kasner said the EBCC should be careful to recognize that this is one piece of the pie, but not the whole pie. There are conflicting discussions about assumptions as we move out 20, 30, and 40 years into the future.

Mr. Kasner said the past group comprised of neighboring cities was part of the Bellevue Redmond Overlake Transportation Study (BROTS) initiative. He likes the idea of a regional perspective and opined that Bellevue is not working enough with neighboring jurisdictions on transportation, the homeless, and other issues. He suggested that the EBCC could talk to jurisdictions that directly surround Bellevue to gain a better understanding. He said the EBCC is not doing a good enough job to get in front of these issues before decisions are made. Mr. Kasner concurred with Mr. Halverson's interest in moving forward with subarea planning with residents.

Councilmember Hummer expressed concern that the development of apartments in Issaquah will increase traffic on Newport Way. When she asked staff whether the City considered those impacts she was told no. She noted the need to increase bus service in areas that are developing housing and businesses. She said there should not be increased density without enhanced transit service.

Mr. Bishop said the data he presented comes from the Bellevue-Kirkland-Redmond (BKR) travel forecast model. Responding to Mr. Kasner, Mr. Bishop said the model is based on the Puget Sound Regional Council (PSRC) model.

Ms. Hummer said she spent a lot of time in Kent this summer, where there were many farms in the past. Now the area has hundreds of homes and there is no increased bus service or vehicle capacity. She said the drivers are all going through Bellevue.

Mr. Boettiger asked for a response from Mr. Bishop as to how to solve the problem. Mr. Bishop said the solution is to allocate resources to the most congested areas. He said the least cost planning law in Washington State encourages jurisdictions to study and consider the lowest cost solutions. Mr. Bishop said Sound Transit 3 is not a lowest way. However, he has great hopes that the move to Autonomous, Connected, Electric and Shared (ACES) vehicles will significantly change transportation over the next 10 years.

At 8:43 p.m., Councilmember Hummer moved to close the Public Hearing. Councilmember Kasner seconded the motion, which carried by a vote of 4-0.

9. **RESOLUTIONS:** None.

10. **COMMITTEE REPORTS:** None.

11. **UNFINISHED BUSINESS:** None.

12. **NEW BUSINESS**

(a) Discussion Regarding Potential Future Agenda Items

- Public Hearing - Prohibition of Safe Injection Sites
- Puget Sound Energy (PSE) Update on Energize Eastside Project
- Larsen Lake Culvert Replacement project

Deputy City Clerk Roberts said Puget Sound Energy (PSE) will provide a presentation in December. The public hearing on the prohibition of safe injection sites will be held as well. The memo on the Larsen Lake project is in tonight's meeting packet, and a presentation is anticipated next spring.

Ms. Roberts said she received an email from the Transportation Department offering to provide a memo regarding the installation of speed radar signs on Main Street and on Lake Hills Boulevard, as part of the neighborhood transportation levy package. Chair Capron said the sign has already been installed on Main Street.

Ms. Roberts said the Islamic Center of the Eastside asked to be added to the December agenda to provide an update on the Bellevue mosque construction. Chair Capron said he would like to hear from them as soon as they can attend.

13. **CONTINUED COMMUNICATIONS**

Councilmember Kasner spoke about the Lake Hills Neighborhood Association meeting. He was disappointed that the Bellevue Police Department canceled its public safety presentation in order to prepare for the Betsy DeVos protests. He said there were more than 200 officers from different jurisdictions at the protest.

Mr. Kasner said he attended an information meeting held by the Coalition of Eastside Neighborhoods for Sensible Energy (CENSE). He questioned whether CENSE would be interested in providing a presentation during the EBCC's December meeting. Councilmember Hummer concurred with Mr. Kasner and said she would like to extend a formal invitation to CENSE.

Chair Capron disagreed.

Mr. Boettiger recalled CENSE's past request for funding to assist in the completion of its study.

Chair Capron said he is not interested in PSE and CENSE getting into a debate over the best way to run the electrical utility. He said he is willing to invite CENSE to present to the EBCC in January.

Councilmember Hummer said she would like the EBCC's constituents to be able to hear from both PSE and CENSE at the same time.

Warren Halverson noted that PSE filed an application with the City of Bellevue. PSE has now divided its process for the Energize Eastside project into permits in different jurisdictions rather than all at once.

Mr. Capron said the EBCC previously decided to invite PSE to the December meeting.

Mr. Halverson expressed concern that the EBCC is not always receiving timely information to be able to get in front of issues. He believes the EBCC and the neighborhood should have a voice before decisions are made.

Barbara Benson spoke about the Lake Hills Neighborhood Association holding its first Trunk or Treat event at the Lake Hills Village. She said the association was astounded at the high turnout from the community with 200-300 youth participating in the event. Games and entertainment were provided as well.

14. **EXECUTIVE SESSION**

At 8:56 p.m., Chair Capron declared recess to Executive Session for approximately 20 minutes to discuss one item of potential litigation. *[The Deputy City Clerk did not join the Community Council for the Executive Session.]*

The meeting resumed at 9:17 p.m.

15. **APPROVAL OF MINUTES**

- (a) Summary Minutes of the October 3, 2017 Regular Meeting

Councilmember Hummer referred to page 19 of the meeting packet and asked that the first paragraph be amended to read as follows:

Councilmember Hummer expressed concern regarding the timeline for shelter regulations. She said her husband served on the Eastgate/I-90 CAC which, along with the Planning Commission, did not discuss the potential for a shelter in that area.

Councilmember Hughes questioned what Ms. Hummers comments had to do with the current discussion.

Ms. Hummer ~~She~~ stated that the shelter issue should have been addressed earlier.

Chair Capron gaveled Councilmember Hummer and she did not finish her statement.

Councilmember Hummer referred to page 23 and asked that her comment be changed to read: “Ms. Hummer clarified that her suggestion is for someone to communicate how the EBCC voted on all three resolutions and the ~~substance~~ synopsis of the conversation tonight.”

Vice Chair Kasner asked that a sentence be added noting that Councilmember Gooding declined to make the presentation on behalf of the EBCC at the City Council meeting. The following sentence was added to the minutes: “Councilmember Gooding declined to attend the October 16 City Council meeting.”

Councilmember Hummer moved to approve the minutes of the October 3, 2017 Regular Meeting, as amended. Councilmember Kasner seconded the motion, which carried by a vote of 4-0.

16. **ADJOURNMENT**

Councilmember Gooding moved to adjourn. The motion was seconded by Vice Chair Kasner and carried by a vote of 4-0.

At 9:22 p.m., Chair Capron declared the meeting adjourned.

Karin Roberts, CMC
Deputy City Clerk

/kaw