

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

April 15, 2013
8:00 p.m.

Council Chamber
Bellevue, Washington

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

ABSENT: Councilmember Davidson

1. Call to Order

The meeting was called to order at 8:05 p.m., with Mayor Lee presiding.

2. Roll Call, Flag Salute

Upon roll call, all Councilmembers except Dr. Davidson were present.

Mayor Lee offered the Council's thought and prayers for the victims of the tragic events earlier in the day with the bombings at the Boston Marathon. He asked everyone to observe a moment of silence.

Councilmember Chelminiak led the flag salute.

(a) American Immigration Forums

Haoming Wang, a senior at Interlake High School, described the American Immigration Forums program. Mr. Wang thanked Dr. Valentina Kiselev, Y.P. Chan, John Spady, and Mayor Lee for their creation and support of the program.

The speakers explained that this is the second American Immigration Forums project held in Bellevue. The mission is to create a leading grassroots platform in which members of the community can come together to address immigration issues and their ideas on creating a better and more fair American dream.

Mr. Spady noted that project materials are provided in both digital and physical forms for the convenience of the community.

Mr. Wang said that results of their survey will be analyzed with the assistance of the program advisors and published on the organization's web site. He welcomed the City's involvement in this opportunity to strengthen community dialogue.

Mayor Lee asked everyone to introduce themselves: Arjun Dave, Ryan Patel, Robert Krause, Charles Lu, and Jenny Wang, Interlake High School; Jack Zhu, Bellevue High School; and John Spady, Dick's Drive-In, and an Interlake High School graduate.

Mayor Lee commended the group on their efforts to encourage a community dialogue and to promote participation in our democracy.

(b) Child Abuse Prevention Month

Mayor Lee read a proclamation recognizing Child Abuse Prevention Month in Bellevue.

Kim Bao, representing the Children's Response Center, thanked the Council and distributed pinwheels as a reminder of the importance of preventing child abuse and protecting children. Ms. Bao thanked the City for its ongoing support of the Center's services.

(c) Honoring 2013 Bellevue Volunteers of the Month

Shelly Shellabarger, Volunteer Program Coordinator, introduced the 2013 Volunteer of the Year Honorees: Jan King and Cathy Habib. Ms. King was nominated by the First Presbyterian Church of Bellevue, and Ms. Habib was nominated by the Bellevue Schools Foundation. Speakers highlighted the honorees' extensive histories of volunteerism.

Ms. Shellabarger thanked the women for their service to the community. She noted that April 21-27 is National Volunteer Week.

(d) Arbor Day-Earth Day 2013 and Tree City USA Award

Alexandra DySard, Park Ranger, described a number of community events celebrating Arbor Day-Earth Day.

Sarah Foster, Washington State Department of Natural Resources, announced that Bellevue has earned its 22nd Tree City USA award and 20th Growth Award from the National Arbor Day Foundation. Ms. Foster said Bellevue is the only city in Washington state, and one of eight in the country, to be recognized with 20 Growth Awards.

Mayor Lee read a proclamation declaring April 20, 2013, as Arbor Day-Earth Day in Bellevue.

3. Communications: Written and Oral

- (a) Alex Zimmerman, StandUP-America, reiterated his group's ongoing concerns regarding red light traffic cameras. He said the City of Redmond stopped using cameras for traffic enforcement last year. He expressed concern that the King County Council does not allow public comment during its meetings. He said he has not heard one citizen speak in favor of red light cameras.
- (b) Erin Fleck, an Enatai resident, congratulated the City on its Arbor Day Awards. She noted the irony that the Council is about to consider cutting down thousands of trees along Bellevue Way and 112th Avenue SE, for the light rail project in the same evening that the City received these awards.

4. Reports of Community Council, Boards and Commissions: None.

5. Report of the City Manager

City Manager Steve Sarkozy recalled that, two weeks ago, the Council authorized staff to pursue the sale of \$85 million in long-term debt. As part of that process, the City of Bellevue was reaffirmed as an Aaa rated city by Moody's. Bellevue is in the top two percent of cities in the country in terms of its financial strength. Mr. Sarkozy noted the upcoming bond sale scheduled for the following day.

6. Council Business and New Initiatives

- (a) Library Board Reappointments

[See Study Session.]

7. Approval of the Agenda

- Deputy Mayor Robertson moved to approve the agenda, and Councilmember Chelminiak seconded the motion.
- The motion to approve the agenda carried by a vote of 6-0.

8. Consent Calendar

- Deputy Mayor Robertson moved to approve the Consent Calendar, and Councilmember Chelminiak seconded the motion.
- The motion to approve the Consent Calendar carried by a vote of 6-0, and the following items were approved:

- (a) Minutes of March 18, 2013 Study Session
Minutes of March 18, 2013 Regular Session
Minutes of March 25, 2013 Extended Study Session

- (b) Motion to award Bid No. 13079 to Chrysler, Jeep, Dodge of Bellevue, in the amount of \$150,365.61, as the lowest responsible and responsive bidder, for the purchase of five Jeep Wrangler 4x4 Right Hand Drive vehicles to be used by Utilities water meter readers.

- (c) On-Call Professional Services Agreements for Geotechnical Services

Resolution No. 8568 authorizing execution of a four-year Professional Services Agreement with Kleinfelder West, for on-call geotechnical services;

Resolution No. 8569 authorizing execution of a four-year Professional Services Agreement, with Landau Associates, for on-call geotechnical services:

Resolution No. 8570 authorizing execution of a four-year Professional Services Agreement with Terracon Consultants, for on-call geotechnical services;

Resolution No. 8571 authorizing execution of a four-year Professional Services Agreement with HWA Geosciences, for on-call geotechnical services; and

Resolution No. 8572 authorizing execution of a four-year Professional Services Agreement with GeoEngineers, for on-call geotechnical services.

- (d) Resolution No. 8573 authorizing execution of a Professional Services Agreement with Terracon Consultants, Inc., in an amount not to exceed \$140,139, to perform third party materials testing and inspection and turbidity monitoring services required to construct the Bellevue Youth Theatre.
- (e) Resolution No. 8574 authorizing execution of an Interlocal Agreement between Bellevue and the cities and organizations of Kent, Kirkland, Mountlake Terrace, Port of Seattle, Renton, Tukwila, Woodinville, Seattle Parks and Recreation, University of Washington, USDA Wildlife Services and the US Fish and Wildlife Service, in the amount of \$2,230, for waterfowl management.
- (f) Resolution No. 8575 authorizing execution of a Professional Services Agreement with Northwest Hydraulics Consultants, in an amount not to exceed \$365,000, for engineering services for Lower Coal Creek Flood Hazard Reduction Alternatives Analysis (CIP Plan No. D-106).

9. Public Hearings

- (a) East Link Light Rail Project Cost Savings Options

Mayor Lee introduced the Public Hearing on the East Link light rail project cost savings options under consideration by the Council. The purpose of the hearing is to gather feedback from the

community about the alternatives and impacts. Mr. Lee thanked the public for submitting both written and oral comments. He noted that the Council plans to take action on the cost savings options on April 22.

(1) Staff Report

Transportation Director Dave Berg said the cost savings work has been underway since 2012. In October 2012, the list of options was narrowed by the Council and the Sound Transit Board to those identified for further feasibility analysis and environmental review.

Mr. Berg described the Memorandum of Understanding (MOU) baseline alternative for Bellevue Way, which places light rail in a trench in front of the Winters House. He described the cost savings option that would place light rail at grade and expand Bellevue Way SE to the west.

Mr. Berg said there are three potential options for SE 4th Street at 112th Avenue SE. He briefly described the two Downtown Station options: PE Optimized Station and NE 6th Street Station.

(2) Motion to open Public Hearing

→ Deputy Mayor Robertson moved to open the Public Hearing, and Councilmember Chelminiak seconded the motion.

→ The motion carried by a vote of 6-0.

(3) Public Testimony

Mayor Lee reviewed the rules for providing public testimony before the Council. The following citizens came forward to comment:

1. Shefali Ranganathan, Transportation Choices Coalition, spoke in favor of the Downtown Tunnel Station (PE Optimized Station option). She believes it will achieve higher ridership, a superior transit rider experience, and better access for the entire Downtown.
2. Bill Thurston, President of the Bellevue Club, thanked the City and Sound Transit for their work throughout this process. He supports the grade-separated solution at 112th Avenue SE and SE 15th Street as well as the west-running alignment along 112th Avenue SE. The Bellevue Club supports an at-grade configuration versus the trench. However, the Club is willing to support the trench favored by nearby residents. He noted it has lesser noise and visual impacts. Mr. Thurston expressed support for the NE 6th Street Downtown Station, in part due to the cost savings. He questioned the need for the East Main Station and its related costs given that it is located relatively close to the NE 6th Street Station.
3. Joe Rosmann, Building a Better Bellevue, reviewed key findings of the JGL Acoustics study of East Link system noise impacts along Bellevue Way and 112th Avenue SE. The

firm's analysis disputes certain key findings of the Greenbusch Group's peer review. Mr. Rosmann said he obtained a copy of the early January Greenbusch report from the City. He said the document presented recently to the Council differs significantly from the original January report, which changed since its submittal to Sound Transit. Mr. Rosmann urged the Council to support a trench alignment and expressed concern about the negative impacts on property values related to light rail and noise. Mr. Rosmann distributed copies of JGL Acoustics' letter regarding the East Link project.

4. Renay Bennett, representing the Bellecrest Neighborhood Association Board, provided examples of the Bellevue City Council and neighborhoods supporting a high quality environment. Resolution No. 7375 declared Bellevue's desire for WSDOT to aggressively pursue traditional and emerging technology and to mitigate noise to levels well below current state and federal regulations on freeways. She recalled that, 25 years ago, residents worked to save the Mercer Slough from development and it ultimately became a City park. Twenty years ago, residents advocated for the acquisition and preservation of the Winters House, which is the only property on the Eastside listed on the National Register of Historic Places. A later parks bond included a project to renovate Surrey Downs Park. Nearly 22 years ago, the Bellevue City Council passed a motion to delete the Bellevue Way alignment for rail due to reduced travel times and community opposition. Eight years ago, the Council committed to not widen 112th Avenue SE. Mayor Connie Marshall noted at the time that this was a supportive position for neighborhoods. Ms. Bennett said Sound Transit has not effectively mitigated noise along Seattle's light rail line. She thanked Councilmember Wallace for his position that Sound Transit should comply with the City's Noise Control Code. She expressed concern about noise and property value impacts. She urged the Council to fight for its neighborhoods like the City of Seattle did for its Roosevelt neighborhood.
5. Arjun Sirohi, a Surrey Downs resident, began a presentation regarding the Record of Decision for the East Link light rail project. He noted a conclusion that the Flyover to Trench alternative on 112th Avenue SE crossing from east to west provides the fastest travel time, highest ridership, and smoothest light rail operation.
6. Debi Lelinski continued the slide presentation. She said the technical merits of a trench versus at-grade alignment were well elaborated prior to the City and Sound Transit signing the Memorandum of Understanding (MOU). She recalled that Councilmember Robertson declared support for a grade-separated option on 112th Avenue SE during the October 24, 2011 Council Extended Study Session. She said Councilmember Wallace, on November 14, 2011, advocated for appropriate mitigation through design and for achieving the best solution for the road network, neighborhoods, and businesses. He also noted that residents of Enatai and Surrey Downs are unduly impacted by the light rail project, and he insisted on exceptional mitigation. Ms. Lelinski recalled that Councilmember Balducci thanked members of the Council at that time for their participation in negotiations with Sound Transit and for achieving an agreement representing the City's interests. Ms. Lelinski urged the Council to support the grade-separated trench alternative on 112th Avenue SE.

7. Charles Fisher, Surrey Downs, continued the presentation and described an analysis of the typical noise barrier effectiveness for receivers above the level of the light rail line. He described significant noise impacts with the at-grade crossing option. He noted that Michael Minor's Technical Noise Report published in the SEPA Addendum indicates lesser noise impacts with the trench alignment. He said the at-grade SE 4th Street Open option creates one at-grade crossing.
8. Meredith Lampe described the Federal Transit Administration's (FTA) required hazard analysis, which indicates that hazards should be resolved through a design process that emphasizes the elimination of the hazards. This approach is consistent with Bellevue's Light Rail Best Practices report. She urged the Council to not accept an alternative design that creates a hazard to public safety.
9. Leonard Marino spoke to the FTA's 2009 Rail Safety Statistics Report, which addresses rail at-grade crossings. The report indicates that the rail transit accident rate increased by 80 percent over a six-year period, and the number of rail crossing collisions doubled since 2003. Mr. Marino provided additional statistics and concluded that at-grade crossings present the highest risk for rail transit accidents and injuries.
10. Christie Hammond continued the presentation by reviewing Sound Transit's light rail accident history. She encouraged the Council to choose a light rail design that prevents at-grade accidents and injuries.
11. Scott Lampe wrapped up the presentation by describing the significant financial challenges of the light rail project. He recalled that, during the October 10, 2011 Council Extended Study Session, Councilmember Balducci indicated her preference that the \$25 million Council Contingency in the City's Budget be used toward the light rail Downtown Tunnel. During the same meeting, Councilmember Wallace acknowledged it might be necessary to raise taxes to fund the East Link MOU financial obligations. Councilmember Degginger, referring to the light rail project, said it was important to match high priorities with funding. Councilmember Chelminiak commented that debt is typically appropriate for generational projects, and Councilmember Balducci concurred. Mr. Lampe urged the Council to invest in quality light rail design and public safety. The group's written presentation was provided to the Council.
12. David Ellenhorn, an Enatai resident, expressed his grave concern regarding what he considers ill-advised cost savings and construction measures proposed along Bellevue Way. He said the rail line should be in a trench, and the hillside on the west side of Bellevue Way SE must be preserved. He urged the Council to avoid harming neighborhoods for little benefit to traffic or the community. He drives the route daily and said there are insufficient traffic volumes for any extended period of time to justify this type of visual blight and harm to Bellevue Way and the adjacent neighborhood.

13. Wendy Jones, representing the Enatai Neighborhood Association, expressed concern about the proposal to shift Bellevue Way west into the hillside and the Enatai neighborhood. She said this option would transform an arboreal hillside to an urban highway through a residential neighborhood and wetlands park. The Enatai Neighborhood Association continues to support the MOU/Trench alternative for the Bellevue Way alignment. This was designed and presented as superior noise mitigation for the neighborhood, which will be surrounded by elevated and at-grade light rail facilities and a five-level Park and Ride Station.
14. Patrick Bannon, Bellevue Downtown Association (BDA), said the BDA has long supported the Downtown Tunnel option. He noted the importance of station location and the quality of the rider's experience. He said the BDA asked Sound Transit in October to study the NE 6th Street Station option due to the projected cost savings, and to advance further study of the Tunnel Station for comparison. The BDA did not receive that comparison. The BDA concluded that the NE 6th Street Station adversely affects both ridership and the rider's experience. The Tunnel Station (PE Optimized option) attracts more riders and provides benefits, including full weather protection, to provide the best rider experience. Mr. Bannon urged the Council to focus on rider quality, access and experience regardless of the Downtown Station option that is chosen.
15. Lincoln Vander Veen, Bellevue Chamber of Commerce, thanked Councilmembers for their dedicated and thoughtful efforts on getting the East Link alignment right. He spoke in favor of adding traffic capacity on Bellevue Way SE and keeping the train in a retained cut. He noted that the South Bellevue Park and Ride will triple in size and traffic will only get worse. The Chamber supports the Road Over Rail concept on 112th Avenue SE and the cost savings NE 6th Street Station option. The latter will reduce construction and service impacts. Mr. Vander Veen thanked City and Sound Transit staff for their work.
16. Todd Woosley, an Enatai resident, said he served on the traffic calming committee a few years ago. He expressed concern about cut-through traffic into the Enatai neighborhood. He expressed support for the MOU trench alignment along Bellevue Way SE.
17. Suzanne Baugh, President of Move Bellevue Forward, expressed support for the MOU collaborative design process and for finding cost savings along the entire Bellevue route. The group does not believe that the City must find a full \$60 million in cost savings in order for this 100-year project to move forward. MBF's highest priority is maintaining the best rider access to the Downtown Station. The group continues to support the MOU PE Optimized Station option. For Bellevue Way, MBF supports the adopted alignment, trench, or at-grade alignment. However, MBF does not support the addition of a third lane, whether general purpose or HOV, due to the significant impact on the Enatai neighborhood. MBF supports the Road Over Rail design for 112th Avenue SE and the at-grade alignment on the west side of 112th Avenue SE. The group encourages the City and Sound Transit to find reasonable access solutions for the Surrey Downs neighborhood. Ms. Baugh thanked City and Sound Transit staff for their work on this project. She submitted her comments in writing.

18. Donna Zorn, an Enatai resident, said she supports the light rail trench on Bellevue Way.
19. Diane Gundersen spoke against adding the HOV lane on Bellevue Way. She opposes light rail trains at or above grade and supports trench and tunnel designs. She noted that the City of Seattle fought for a tunnel in North Seattle.
- Deputy Mayor Robertson moved to extend the meeting until 11:00 p.m., and Councilmember Chelminiak seconded the motion.
- The motion carried by a vote of 6-0.
20. Tom Doyle, a Surrey Downs resident, expressed support for the 112th Avenue SE trench alignment and maintaining access to the neighborhood via SE 4th Street. He expressed concern regarding noise impacts and noted his recent experience with Boston's noisy rail transit.
21. Yuka Shimizu, a Bridle Trails resident, described Tokyo's subway system. She believes that an underground rail system is better for the long-term future and for preserving Bellevue's beautiful, natural environment.
22. Sarah Leibman, an Enatai resident, said she supports the trench on Bellevue Way SE but would prefer a light rail tunnel. She and her husband purchased their home in Enatai approximately one year ago, and her husband has a small business in Bellevue. They are investing in a future in Bellevue. She urged the Council to consider the long-term impacts of the project on future generations.
23. Bill Popp, an Enatai resident, observed that the cost savings options have more negative impacts than the preferred alignment. He is opposed to at-grade and elevated options. He suggested that a bored tunnel is likely the most economical solution in the long run. He believes the 112th Avenue SE Road Over Rail alternative is an inappropriate tradeoff for attempting to fit rail into the community. He said there is nothing park-like or boulevard-like with an elevated rail. He believes a tunnel under 112th Avenue SE would be a better solution. With regard to the Downtown Station, Mr. Popp said he remains convinced that a center-loading platform would be the most successful design. He suggested eliminating or shortening the trench alignment on Segment D to achieve cost savings. He noted that much of that segment does not impact current residences or businesses.
24. Tracy Skinner, an Enatai resident, observed that the conversation tonight is on cost savings because the City wants to do something differently than what Sound Transit wants to do. He believes that Sound Transit does have the funding for an appropriate Bellevue alignment. However, the agency is trying to make the City finance the system.
25. Judith Paquette, an Enatai resident, spoke in favor of the PE Optimized Downtown Station to maximize rider experience and light rail access and to provide full weather

protection.

26. Darcy Angelel, an Enatai resident, urged the Council to place light rail in the ground.

(4) Motion to close Public Hearing

→ Deputy Mayor Robertson moved to close the Public Hearing, and Councilmember Stokes seconded the motion.

→ The motion carried by a vote of 6-0.

At 10:16 p.m., Mayor Lee declared a break.

The meeting resumed at 10:24 p.m.

(5) Council Discussion and Direction on Scheduling Action

→ Deputy Mayor Robertson moved to direct staff to schedule action on the draft Resolution for April 22, 2013. Councilmember Stokes seconded the motion.

→ The motion carried by a vote of 6-0.

(b) Medical Marijuana Collective Gardens Interim Control

(1) Staff Report

City Manager Sarkozy introduced the Public Hearing on Ordinance No. 6109 which extends, for an additional six months, Ordinance No. 6058 adopting an interim zoning ordinance regulating medical cannabis collective gardens.

Mayor Lee reviewed the rules for the Public Hearing.

(2) Motion to open Public Hearing

→ Deputy Mayor Robertson moved to open the Public Hearing, and Councilmember Stokes seconded the motion.

→ The motion carried by a vote of 6-0.

(3) Public Testimony

1. Kurt Boehl spoke on behalf of Green Tree Collective, a Bellevue business located at 10600 Main Street. He asked Councilmembers to put themselves in the position of a cancer patient going through chemotherapy with a doctor recommending that medical cannabis can help with nausea and appetite. Where would a resident obtain medical

cannabis? He said the intent of legislative changes in 2011 was to enhance access for patients. He believes that Bellevue has not issued any licenses for collective gardens. He noted that the State is developing licensing and guidelines related to the recent legalization of small amounts of marijuana. He asked the City to not renew its interim zoning and to wait for the State Liquor Control Board to adopt its regulations.

2. Eugenia Dorn said there is a rental house in her neighborhood with a marijuana growing operation. She expressed concern about its proximity to schools, buses, and children. She said the house's venting system blows a horrible smell into her yard. She suspects the person is growing more than the allowed number of plants for a medical marijuana operation.
3. Pam Lewis explained that she is 65 years old and she suffered a serious injury two years ago. She is in chronic pain and is not able to take anything with NSAIDs, which is all over-the-counter pain medications. The only option suggested by her doctor is Vicodin, which she does not want to take because she drives and is active. She said it is inconvenient and unfair to have to drive to Seattle to obtain medical marijuana. She said patients should not be made to feel like they are doing something shameful or wrong. She said she is not the only person in Bellevue who uses cannabis for pain relief.
4. Seth Simpson, Green Tree Medical, said they have been operating a medical marijuana access point in Seattle for the past two years and are trying to move into Bellevue to provide safe access to medical cannabis.

(4) Motion to close Public Hearing

- Deputy Mayor Robertson moved to close the Public Hearing, and Councilmember Stokes seconded the motion.
- The motion carried by a vote of 6-0.

(5) Council Discussion and Action

Ordinance No. 6109 extending Ordinance No. 6058 adopting an interim zoning ordinance regulating medical cannabis collective gardens for a period of six months, to be in effect while the City considers the adoption of permanent regulations for medical cannabis collective gardens; providing for severability; and establishing an effective date.

- Deputy Mayor Robertson moved to adopt Ordinance No. 6109, and Councilmember Stokes seconded the motion.

Responding to Councilmember Chelminiak, Legal Planner Catherine Drews confirmed that medical marijuana collectives are allowed in four commercially zoned districts: light industrial (LI), general commercial (GC), Bel-Red GC, and Bel-Red medical institution (MI).

Responding to Councilmember Balducci, City Attorney Lori Riordan explained that the interim zoning regulations will expire in early May if the Council does not extend the ordinance. If that occurs, medical marijuana collective gardens will not be an allowed use.

Deputy Mayor Robertson noted that this topic is going before the Planning Commission in early May. The Commission hopes to complete draft regulations before the Council's August break. The Council will take up the issue again in the fall before the proposed six month extension expires.

Councilmember Stokes spoke in favor of the motion. Mayor Lee concurred.

→ The motion carried by a vote of 6-0.

10. Land Use: None.

11. Other Ordinances, Resolutions and Motions: None.

- (a) Ordinance No. 6108 amending the Land Use Code relating to Retail Auto Sales in the Office/Limited Business (OLB) District in Eastgate; specifically amending Section 20.10.440 Wholesale and Retail, footnote (6) of the Land Use Code; providing for severability; and establishing an effective date.

Mr. Sarkozy opened discussion regarding the proposed Land Use Code amendment relating to Retail Auto Sales in the Office/Limited Business (OLB) district in the Eastgate area.

Chris Salomone, Director of Planning and Community Development, said staff supports the ordinance for reasons stated during the March 18 Council meeting. He said staff intends to come back to the Council later in the year to initiate a citywide auto dealership relocation study.

Mr. Salomone recalled a concern raised by the Council regarding outreach to the Eastgate/I-90 Citizen Advisory Committee. He said a Planning Commissioner emailed a CAC representative on April 1 to describe staff's position and to reassure the CAC that this amendment would not jeopardize the ultimate zoning and Comprehensive Plan amendments related to the CAC's work.

Mike Bergstrom, Senior Planner, highlighted the discussion of the proposed amendment since January with the City Council, East Bellevue Community Council, and Planning Commission. He noted the proposed amendment language describing the applicable geographic area and the requirements for transition area landscape buffers. He presented a map depicting the site's location on the edge of the Eastgate/I-90 CAC study area.

Deputy Mayor Robertson said she wants to make sure that the added amendment language would create interior transition zone landscaping.

Responding to Ms. Robertson, Mr. Bergstrom said the current zoning is OLB and light industrial (LI). Ms. Robertson said the long-term vision for the corridor is a mixed use, livable community. The transition area landscaping is one of the reasons she is supporting the amendment.

→ Deputy Mayor Robertson moved to adopt Ordinance No. 6108, and Councilmember Stokes seconded the motion.

Mayor Lee said this is a time-sensitive matter that is being addressed because it provides an opportunity. The way the area is situated provides the ability to protect itself from the rest of the Eastgate/I-90 land use study. Mayor Lee questioned what will happen if an auto dealership is not developed.

Mr. Bergstrom said that will essentially be a matter of how the codes are constructed to implement the Eastgate/I-90 plan. It will ultimately be necessary to apply certain conditions to smaller sub-geographic areas throughout the corridor to implement the vision of the plan.

Councilmember Stokes said he will support the motion. He encouraged moving forward with a comprehensive citywide analysis of the auto dealership use.

Responding to Councilmember Chelminiak, Mr. Bergstrom said staff's goal is to complete the Eastgate/I-90 land use work items by the end of 2014. This involves updating both the Land Use Code and the Comprehensive Plan.

Mr. Chelminiak said he will support the motion. However, he is not pleased with how quickly the issue emerged as an urgent item. If a dealership is not developed, he would not look at this as an area to be included in the overall study of auto dealerships.

Councilmember Balducci expressed concern that the Eastgate/I-90 CAC developed a vision and land use plan, and the proposed LUCA undermines that plan. She said that every CAC member was not in favor of the proposal when asked. Ms. Balducci read comments from one of the Co-Chairs into the record: "As you may recall, there was universal consensus regarding the future vision from both developers and community participants. I have to say I was very surprised to see this amendment in December... We did support the three existing auto dealerships as they are healthy businesses. I think there should be some serious thought and discussion regarding approval of this amendment. This activity changes the nature of what the year-long CAC envisioned and defined for this location."

Ms. Balducci said the other Co-Chair talked about the site being a focal point for the 148th Avenue corridor.

Ms. Balducci said she believes that the reason the City has not heard objections to the proposal is that residents are unaware. Of the neighbors with whom she has discussed the issue, none are violently opposed but none are in favor. She does not like the manner in which this process was handled and will not support the motion.

→ The motion to adopt Ordinance No. 6108 carried by a vote of 5-1, with Councilmember Balducci dissenting.

12. Unfinished Business: None.

13. Continued Oral Communications: None.

14. New Business: None.

15. Executive Session: None.

16. Adjournment

Mayor Lee declared the meeting adjourned at 10:59 p.m.

Myrna L. Basich, MMC
City Clerk

/kaw