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A special meeting of the Redmond City Council was called to order, pursuant to notice, by Mayor Rosemarie Ives at 7:31 p.m. in the Council Chambers. Council members present were: Denton, Dorning, Grubb, McCormick, Misenaar, and Robinson.

AWC'S 1996 LEGISLATIVE AGENDA POLICY STATEMENT TO RETAIN LOCAL OPTION SALES TAX ON MANUFACTURING CONCERNS

Motion by Mr. Grubb, second by Mr. Misenaar, to approve the policy statement attached to the staff report for submittal to the Association of Washington Cities (AWC) in response to its request for input as the AWC begins preparing its 1996 legislative agenda. Motion carried (5 - 1) with McCormick voting nay.

Councilmember McCormick stated that after speaking with Linda Herzog, Executive Assistant, it was her understanding that the Council could not take action on any other issues that are before AWC tomorrow. The City Attorney advised that since this is a Special Meeting, the Council can only make a collective decision on matters that are listed on tonight's agenda.

PUBLIC HEARING - REDMOND TOWN CENTER, DGA94-004

The Mayor reconvened the public hearing at 7:42 p.m. and reviewed the procedures for the hearing. The Council agreed to hear first from people who had not testified on June 26, and to hear new information only.

Jim Hossack, 17117 NE 84 Street, read his letter to the Council, which states that the people who support Redmond Town Center are those who live far enough away not to be impacted by it. He said those who live close by do not want it, and urged the Council to vote against the proposed amendments.

Lisa Tracy, 16415 NE 107 Place, stated that her greatest concern is traffic. She said an on-off ramp from State Route 520 at Marymoor Park would be better than a bypass and still provide access to Redmond Town Center. One thing lacking in the present proposal is that there is no housing on site, she continued, and suggested using the space above retail for townhouses. She asked that housing be included in the first phase to address some of Redmond's housing needs.

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Eunice Grubb, 17134 NE 84 Street, asked if her comments would create a conflict of interest for Councilmember Grubb? The City Attorney responded that unless there were objections from members of the audience she could proceed. There were no objections.

Mrs. Grubb stated that she and her husband have lived in several communities about the size of Redmond where shopping centers have been built and have nearly devastated the community. Winmar cannot guarantee that Redmond businesses would flourish as a result of Redmond Town Center, she continued. The main concern of the developer was to make money, she noted. Mrs. Grubb said she has not seen a deep concern for wildlife, the natural landscaping, and preservation of this precious piece of land on the part of the developer.

The floor was opened to additional new comments from people who spoke on June 26. Hearing none, Council agreed to discuss the following previously identified issues: landscaping along and protection of Bear Creek, five-story buildings, repositioning the road, financial ramifications of building a bridge across the Sammamish River, traffic, Wendy Walsh's comments about Bear Creek, figures regarding mitigation, the Planning Commission report, fiscal analysis, stormwater runoff from the Butler Walls property, right-of-way for Bear Creek Parkway and allowing an easement for five lanes in the future, stormwater monitoring, 25-year storm protection, structured parking, open space with regard to conservation easement and ownership issues, and buildout of Phase I timeline.

The City Attorney stated that Fred Meitzer asked the following questions last night:

Could Winmar build anything other than a regional mall unless Ordinance No. 1416 is repealed?

Would a private party other than Winmar benefit from repealing Ordinance No. 1416?

Could the Council legally enact an ordinance that benefits a single party?

The City Attorney responded that Ordinance No. 1416, which established zoning for a regional enclosed mall, could be amended. He noted that oftentimes private parties benefit by the Council's zoning actions and development approvals and he was unsure any other private parties would be affected. He said it was his opinion that the Council has

the authority to rezone property and establish zoning regulations. Zoning under Ordinance No. 1416, he explained, is contained in the Community Development Guide, so all that is needed is an amendment to the Community Development Guide. Repealing Ordinance No. 1416 is not necessary, he concluded.

Randy Kyte, Director of Development for Winmar, responded to public testimony and to the issues identified by the Council for further discussion. He noted that at last night's meeting there was a lot of community support for Redmond Town Center. The project meets the objectives for the site, reflects the community's values, and both the community and the Planning Commission believe that the project is right for Redmond, he continued. Issues that the development team would address this evening include integration, building height, open space, planting and buffering, public access easements, stormwater, transportation and fiscal analysis, he concluded.

Pedestrian and Vehicular Integration. Walt Niehoff spoke about architectural integration, and pedestrian and building heights along the Bear Creek Parkway. With regard to integration, a fundamental difference between this proposal and the previous one is that the current proposal focuses out and the other one focuses inward, he continued; the current proposal integrates with the existing street grid. The proper location of the parking structure was discussed with the Design Review Board, and the conclusion was that it should be very near downtown to serve both Redmond Town Center and the existing downtown, he added. The parking structure is surrounded on three sides by buildings to minimize its visual impact, he noted. Mr. Niehoff identified automobile connections from 166 Avenue NE through the site, probable future connections through 164 and 168 Avenues NE, and east-west auto and pedestrian connections on the illustrative site plan, which add to the integration with downtown Redmond. With respect to visual and architectural character, Mr. Niehoff compared examples of Redmond's design guidelines and one of the Redmond Town Center elevations, noting that materials are compatible as well as signage, lighting, and other architectural character elements.

The Mayor asked if consideration was given to a structured connection across the Railroad Avenue? Mr. Kyte replied the development team looked at an elevated structure and concluded that there is appropriate connection of sidewalks and vehicles, and that was something the city could initiate if it was desirable.

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Building Heights. Mr. Niehoff presented a drawing illustrating the height difference between an eight-story hotel and a five-story office building.

Open Space. Mark Valde, KPFF Engineers, gave a brief overview of the stormwater system.

Councilmember Robinson asked Mr. Valde if he thought Bear Creek was adequately protected by plantings. Mr. Valde responded that stormwater will never go to Bear Creek because water from Redmond Town Center will not be discharged there; instead, it will go to the Sammamish River.

Kris Snider, Hewitt Isley, 2414 5th Avenue West, Seattle 98119, addressed the concerns raised by Councilmember Denton and Wendy Walsh on June 26 regarding protection of Bear Creek. He stated that the open space along Bear Creek would be maintained by keeping the trail as close to Bear Creek Parkway as possible.

Public Access Open Space Easement. Mr. Kyte stated that Winmar is proposing that a perpetual conservation easement be created over the Winmar and Butler Walls properties, so that they cannot be developed in any way that is inconsistent with open space and passive recreation. An agreement regarding proportional responsibilities for maintenance and insurance liability of the trail system would be worked out with the city, he concluded.

RECESS

The Mayor declared a recess at 9:27 p.m. The meeting was reconvened at 9:43 p.m.

PUBLIC HEARING - REDMOND TOWN CENTER, DGA94-004 (Continued)

Transportation. Jeff Haney, Entranco Engineers, discussed several issues that were raised at last night's meeting regarding access to Redmond Town Center from south and west of Redmond. He talked about the proposal to improve traffic flow on West Lake Sammamish Parkway.

Councilmember Grubb expressed concern about the method used to calculate gross trips, and said he had voiced his concerns to staff.

Mark Jorritsma, Huckell/Weinman Associates, Inc., was present to discuss fiscal impacts of the types of uses in the project.

Schedule. Mr. Kyte reviewed the schedule, outlining the work that is included in Phase I on and off site. Winmar wants to get started this summer, have construction of the buildings underway by early November and open the first phase by Christmas 1996, he noted. In order to meet that schedule, he continued, it needs to have grading permits by July 12, and is looking forward to the Council's approval as soon as possible.

Councilmember Misenar asked how can the Council be assured that Redmond Town Center will be developed consistent with the drawings that have been displayed outside the Chamber tonight? Mr. Kyte replied that more than 200 standards have been incorporated into the proposed master plan for Redmond Town Center. That master plan, he continued, has been reviewed by the Technical Committee and Design Review Board and includes more than 360 drawings. The master plan is the design guideline for the architect, he added. With the Council's approval, Winmar intends to move forward, he concluded.

Mr. Black identified issues that staff planned to discuss tonight - traffic mitigation, the Planning Commission report, repositioning of the road and periodic monitoring of stormwater.

Transportation. Don Cairns, Transportation Division Manager, made remarks regarding the three- and five-lane configuration of Bear Creek Parkway, connections to 159 and 162 Avenues NE and the bridge across the Sammamish River. The first issue, he noted, is whether or not additional right-of-way should be provided to widen Bear Creek Parkway to a four- or five-lane facility in the future. Winmar wants to dedicate the open space in a conservancy easement, so if property for the bridge across the Sammamish River is not dedicated as right-of-way the city would have to purchase it in the future, he explained. Another issue is deleting the extension of 161 Avenue NE, he added, but staff has not studied this enough to put forth a recommendation at this time. The Planning Commission also wanted to remove the 159 to 162 Avenue NE connections, but staff would like to leave them in the Arterial Street Plan to provide flexibility to make those connections in the future, he concluded.

There was discussion about the desirability of the various bypass routes and whether or not to leave them on the existing Arterial Street Plan. The Council discussed

preserving the right-of-way but not necessarily spending the dollars to build these improvements now.

Mr. Cairns, referring to handouts entitled "Comparison of Transportation Costs Between Previous and Current Town Center Proposals", reviewed the mitigation costs.

MOTION TO CONTINUE MEETING PAST 11:00 P.M.

Motion by Mr. Denton, second by Mr. Robinson, to extend the meeting past 11:00 p.m. Motion carried unanimously (6 - 0).

EXCUSE COUNCILMEMBER COLE

Motion by Mrs. McCormick, second by Mrs. Dorning, to excuse Councilmember Cole. Motion carried unanimously (6 - 0).

PUBLIC HEARING - REDMOND TOWN CENTER, DGA94-004 (Continued)

Referring to another handout entitled "Town Center Proposed Off-Site Transportation Improvements", Mr. Cairns stated the value of dedicated right-of-way combined with the cost of engineering/construction total approximately \$15.3 million.

The Mayor stated that she had received a request from Fred Meitzer to respond to the City Attorney's responses to his questions earlier in the meeting. The Council agreed to allow Mr. Meitzer to speak.

Fred Meitzer stated that the Council cannot do anything on the property unless Ordinance No. 1416 is rescinded, and that needs to be done following procedures that have not been brought to the Council's attention.

The City Attorney responded as follows:

Ordinance Nos. 1416 and 1551, contrary to Mr. Meitzer's impression, do not provide for a contract rezone. They establish a specific zoning for the Redmond Town Center property, consisting of Redmond Golf Links site and the Butler Walls site. Ordinance No. 1416 was a pre-annexation zoning ordinance, and RCW 35A.14.330 and .340 provide that the Council adopt proposed regulations that become applicable to property upon annexation. Ordinance No. 1551 annexed the Redmond Golf Links and Butler Walls property and applied the zoning established by Ordinance 1416. The applicable language in both ordinances is that the zoning is

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established with all property being governed by the Community Development Guide policies and regulations, and the master plan conditions of approval. The master plan conditions of approval actually became the zoning for the property.

The Council could change the zoning regulations at any time just as it can change zoning regulations on any property in the city at any time. Changing the Community Development Guide in effect changes the zoning for this property to remove the master plan conditions of approval. If it is the Council's intent to change the regulations to remove the master plan conditions from this property, the Council could insert a section in the ordinance for clarification. The Council does not have to go through any additional procedures.

The following suggested language could be added to the proposed ordinance. "Effective amendments on existing zoning and master plan: It is the intent of the City Council in adopting the amendment set forth in this ordinance to modify the zoning regulations applicable to the Butler Walls and Redmond Town Center properties established by Ordinance Nos. 1416 and 1151 so that the above amendments and other applicable sections of the Redmond Municipal Code and Community Development Guide will control development on the site, and so that the master plan and conditions of approval adopted by Ordinance Nos. 1416 and 1551 shall no longer control."

The Mayor declared the public hearing closed at 11:12 p.m.

The Mayor requested that the Council have discussion about the fiscal analysis of the project. She stated that since she has been Mayor she has continually heard about cutting Redmond City government. She said she read through the fiscal analysis, and before a motion was put on the table, she wanted to hear commitment from the Council about the cost of adding staff, equipment, and space for additional staff to make this project happen.

Councilmember Misenar referred to pages six and seven of the fiscal analysis, and said he wanted to pay off the city's debt rather than lower the levy rate. He agreed that additional staff is needed but was not in favor of a property tax increase. There should be an additional contribution to the Capital Improvement Program (CIP) earmarked for downtown improvements, he continued. He agreed to add staff to the extent that Redmond needs it for

this development, and suggested that the excess funds be spent for downtown improvements.

Councilmember Robinson said the Council does not expect that the city can handle this project with the present level of employees. He said he would like to see \$500,000 a year dedicated to the transportation in the CIP.

Councilmember Grubb said he had listened to numerous discussions about cutting government, and suddenly we are now willing to expand government. Even if the Council accepts the numbers, he continued, the costs are going to remain constant but if there is a market turndown (and high end fashion is discretionary spending), that is where people are going to cut first, and sales tax revenues could fall quickly. Something else that was not calculated in the fiscal analysis report was a vacancy rate, which most shopping centers have, he noted. Another item that was not analyzed is money that is currently being spent in downtown Redmond that will no longer be spent there, but instead will be spent in Redmond Town Center, he concluded.

Councilmembers Dorning and McCormick supported the staffing issue. Councilmember Denton stated that as staff is needed and the revenue is available he would be willing to do what is necessary to serve the citizens of Redmond.

Ordinance No. 1841, amending certain sections of Chapters 20B.60, 20B.70, 20B.85, 20C.10, 20C.20 and 20C.30 of the Redmond Municipal Code and Community Development Guide in order to amend goals, policies, plans and regulations for a mixed use complex on certain property commonly known as Redmond Town Center, DGA 94-004, was presented and read.

Motion by Mrs. McCormick, second by Mrs. Dorning, to adopt Ordinance No. 1841 and approve DGA-94-001, amending Chapters 20 and 20C of the Community Development Guide as presented in Exhibit A 20B amendments, and Exhibit B 20C amendments, and amending Sections 16 and 18 of Ordinance No. 1416 and Section 2 of Ordinance No. 1551 by deleting all references to master plan, master plan conditions of approval and City File DGA-86-11; and further, include the statement, read earlier tonight by the City Attorney, changing the references to the master plan; retain the existing Arterial Street Plan Map preserve right-of-way to accommodate five lanes of Bear

Creek Parkway and a bridge over the Sammamish River; retain the existing Pedestrian Linkage Map for the Redmond Town Center site because there was an oversight in the Planning Commission report to the City Council; and accept the language of the Stormwater Division for a program to monitor the quality of the stormwater discharges from the Redmond Town Center site.

The Stormwater Division Manager read suggested language regarding stormwater monitoring as follows:

"An ongoing stormwater outflow monitoring program for private drainage system shall be designed and upon approval by the Technical Committee be implemented by the applicant. The monitoring program shall consider specific contaminants which may likely be present in the runoff and shall be revised periodically as appropriate."

Mr. Black suggested that the foregoing language be placed on page 10 of 11 in Exhibit B in sections pertaining to the Sammamish River and Bear Creek.

RECESS

The Mayor declared a recess at 11:45 p.m. The meeting was reconvened at 11:58 p.m.

The City Attorney explained the draft ordinance as follows, indicating where the changes identified by Councilmember McCormick could be placed.

Section 1. The Arterial Street Plan Map (Exhibit 1-A) would be modified to include the 162 Avenue NE to 159 Avenue NE connection, the 161 Avenue NE extension, the new Sammamish River Bridge, and designate Bear Creek Parkway as a Minor Arterial, thereby making a five-lane street possible. Some amendment later in Exhibit A, which adopts goals and policies, may be necessary. The overall amount of open space would be reduced from 47 acres to 44 acres.

Section 2. Attachment 2-A would be modified to change the reference to Bear Creek Parkway from a two- to three-lane to a four- to five-five lane configuration (bottom of page one).

Section 3. No change

Section 4. No change

Section 5. Change the Mixed-Use Goals and Policies to reflect the changes to the Arterial Street Plan Map and Functional Arterial Classification Summary. Those changes relate to places where open space is referred to as 47 acres and where streets are referred to as no more than two lanes.

Section 6. No change

Section 7. No change

Section 8. Change the Pedestrian System Linkage Map (Attachment 2-B) to include the linkage between Railroad Avenue and Cleveland Street on 166 Avenue NE.

Section 9. No change

Section 10. Mixed-Use Center Design Area Requirements (Exhibit B). On page 10 of 11 add subparagraphs under the Sammamish River language (3c) and under the Bear Creek language (4f) to include Mr. Franklin's proposed language relating to the storm drainage monitoring for both Bear Creek and the Sammamish River.

The City Attorney suggested adding a new Section 11 regarding intent and renumbering Sections 11 and 12, which are designated Severability and Effective Date, respectively, as Sections 12 and 13.

Mr. Black clarified that on page 6 of 11 of Exhibit B the second paragraph on the right-hand side would read - "Streets should be not wider than four travel lanes" to accommodate the third and fourth lanes for Bear Creek Parkway.

Motion by Mr. Grubb, second by Mr. Robinson, to amend the Planning Commission Report, Exhibit A, page 2 of 3, Policy h, to read - "The Justice White House and the Saturday Market and other features of community and historic significance shall be preserved". The amendment failed with (3 - 3), with Denton, Dorning and McCormick voting nay.

Councilmember Robinson presented several overheads regarding traffic mitigation for Redmond Town Center. He said he believes that we need infrastructure to go with development

such as this, and now is the time to make this commitment. He proposed adding \$500,000 per year to the 1996 to 2000 CIP and such funds be directed to downtown transportation projects.

The Mayor advised that it would be appropriate for the Council to give this proposal consideration during the 1996 budget process.

Upon a poll of the Council regarding the adoption of Ordinance No. 1841, Denton, Dorning, McCormick, Misener, and Robinson voted aye. The main motion carried (5 - 1) with Grubb voting nay.

Motion by Mrs. McCormick, second by Mrs. Dorning, to direct staff to process the request for relief from Appendix Q in a timely manner and that Council receive a report at the next regular meeting or the one following. Motion carried (5 - 1) with Grubb voting nay.

Councilmember McCormick thanked the Planning Commission, the Design Review Board, and staff for their perseverance and support of the community. She also thanked Mrs. Beeson and Mr. Meitzer, who did not support the proposal, because she believed that the people who have opposed this process have made it a much better project. Councilmember McCormick stated that her main issues were integration with downtown and preservation of open space.

Councilmember Dorning said a lot of things have happened to change the character of Redmond over the 20 years she has lived in Redmond, and Redmond Town Center will be a dramatic change. Redmond Town Center will have a direct benefit on the community and will bring emphasis to the downtown, she continued. Relative to Mr. Hossack's comments tonight that the Council is not listening to the people, she added, she thought people were tired of increased taxes and that we need to raise revenues in ways other than raising taxes (i.e. through the retail sales base). This plan fits better into the City of Redmond than the prior proposal, she noted. She concluded by saying one of her major issues is to revitalize downtown.

Councilmember Denton asked Winmar to build Redmond Town Center right and make it last. He asked citizens to be patient during construction, and to shop in Redmond.

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Councilmember Misener noted that this property has caused people to take sides regarding its use. He wished Winmar good luck.

Councilmember Robinson stated that he based his vote on future support for providing infrastructure to the downtown. The proposal is an excellent one, he continued, and wished Winmar luck.

Councilmember Grubb stated that the real issue is what we value and what it says about us as a people; it appears that in this situation we value consumption over the natural environment. We may lose what cannot be calculated by displacing wildlife, natural environment, and landscape, he concluded.

ADJOURNMENT

There being no further business before the Council, the Mayor declared the meeting adjourned at 12:58 a.m.

/S/ROSEMARIE IVES, MAYOR

/S/BONNIE MATTSON, CITY CLERK