

The East Bellevue Community Council (EBCC) update

By James E. Bell, East Bellevue Community Council Chair

Lake Hills Shopping Center rezone goes into effect in August 2005

EBCC held a public hearing on Ordinance No. 5611 at the July 5th meeting. The ordinance approves the application of Lake Hills Investment, LLC, to repeal the existing Concomitant Zoning Agreement adopted by Ordinance No. 3755 (as amended by Ordinance No. 5307) for the Lake Hills Shopping Center and to replace it with a new Concomitant Zoning Agreement to allow for redevelopment to a mixed-use neighborhood retail center. The new zoning will permit **69,200 square feet of retail space plus 44,800 square feet of office space and up to 90 residential units** on the site. Several uses are prohibited, such as hotels, motels, gasoline service stations, adult theater and others. A few uses, such as Congregate Care Senior Housing and Assisted Living, may be added subject to application and a public notice. Library use is permitted outright under the Community Business zone. Three people testified at the Public Hearing.

The Community Council members had no objections to the rezone specifics. They did have several issues with the information provided for the public hearing and the language of the concomitant agreement. As a result there were several votes taken. The first vote was to approve Resolution 479, which would approve Ordinance 5611. The motion failed by a vote of 2-1. Although a majority voted to approve the resolution, three votes, a majority of the full Community Council, are required for deciding approval/disapproval. A second vote was taken to reconsider Resolution 479. That also failed by a vote of 2-1. The third and final vote was taken on Resolution 479A, which, if approved, would disapprove Ordinance No. 5611. The motion failed by a vote of 0-3. With a majority vote of the EBCC agreeing not to disapprove the ordinance, **Ordinance 5611 will go into effect 60 days after the City Council approval (June 27, 2005).**

Four issues were raised at the meeting: (1) There was no signed copy of Ordinance 5611 provided to verify what had been approved by the City Council, including a reference to the concomitant agreement with the details of the zoning; (2) A draft copy of the concomitant agreement was presented at the meeting; however, it was not signed by the City of Bellevue or Lake Hills Investment and appeared to have several errors in the language. The Master Plan requirements for development of the Lake Hills Shopping Center were not included; (3) Some copies of the Master Redevelopment Plan were circulated at the meeting but these were not referenced in the agreement and there were penciled notations to indicate that revisions had been made; and (4) When asked if the applicant, Oscar Del Moro, had signed the new agreement in the ordinance, he replied that they hadn't because they were awaiting the outcome of the Community Council action.

In addition the Community Council's legal counsel, Carol Morris, raised eleven issues concerning the draft concomitant agreement. The most significant was that there is no term in the concomitant agreement. That permits Lake Hills Investment, LLC, to have perpetual zoning, subject to the development standards of July 2005. They are not required to build anything for as long as they wish. If they waited for 30 years to build a new center, it would be subject to today's standards. The usual term for development agreements is five years. More importantly, it sets a completion date for the project envisioned by the community in granting the upzone.

EBCC sent the City Council an eight-page memo of recommendations to improve the concomitant agreement and the process for developing future agreements. All of the recommendations protect the developer—Lake Hills Investment, the neighborhood, and the city.

The Temporary Encampment Ordinance is approved August 2, 2005

Twenty-two people testified at the public hearing. Almost everyone was in agreement that some regulation was necessary to protect the neighborhoods, nearby schools and the encampment residents. There were a few concerns that limiting the stay to 60 days and locating at the same site no more than once every 18 months was too restrictive. Overall opinions were that Ordinance 5615 was a compromise of conditions that generally met the expectations of the people who had testified to the City Council. No one at the Community Council meeting advocated disapproving the ordinance for the East Bellevue area. EBCC approved the ordinance by a vote of 4-0.

There were some suggestions that EBCC recommend a few changes to the ordinance. We had to point out that by state statute EBCC does not have the power to amend or modify the ordinances approved by the City Council. Our choices are approval, disapproval or take no action. Approval puts the ordinance into effect immediately in the East Bellevue area. Disapproval means that the ordinance would not be effective in East

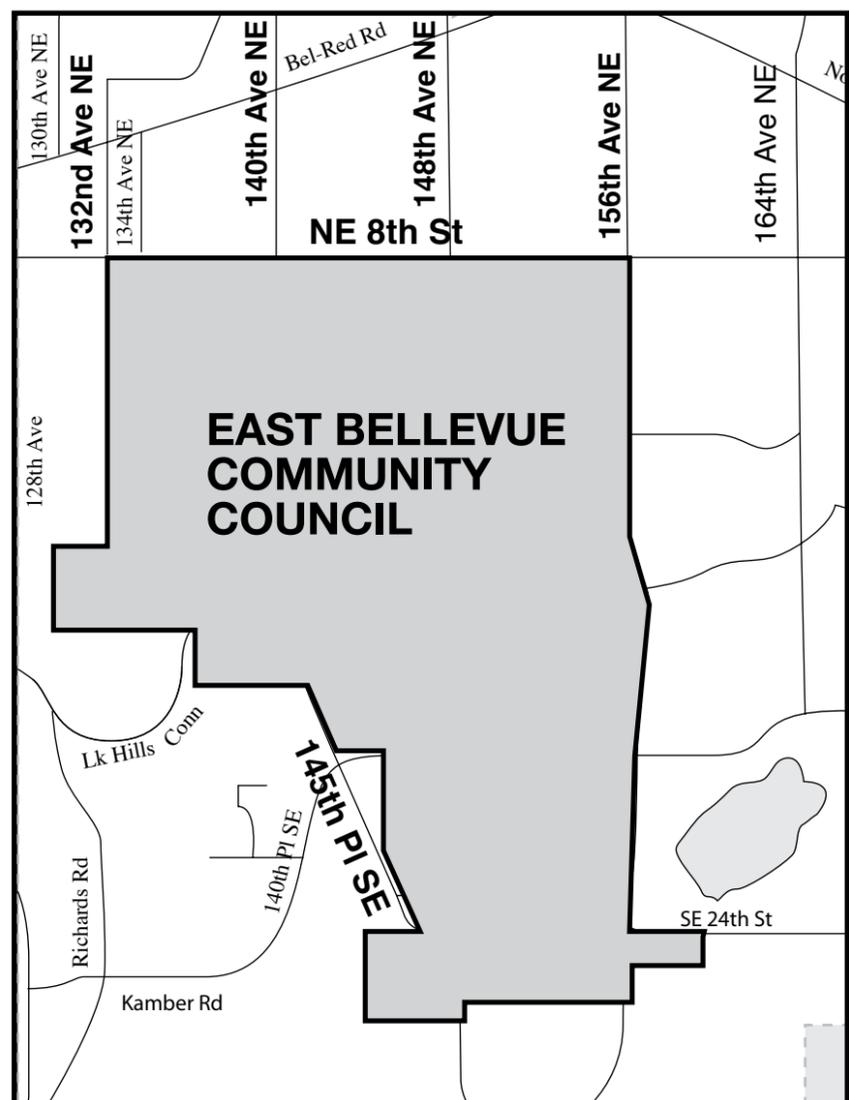
Bellevue but would apply to all the other areas in the city. If EBCC takes no action the ordinance goes into effect 60 days after the City Council approval.

EBCC appoints committees "FOR" and "AGAINST" continuation

At the July 5, 2005 meeting the Community Council appointed two committees to write Arguments for the King County Local Voters' Pamphlet. Selections were made from Community Service Applications submitted during June. Bill Halgren and Howard Wilson were appointed to the Committee Advocating Approval of Proposition #1 to Continue the East Bellevue Community Council. Joel Glass, Chris Hazelman and Susan Hazelman were appointed to the Committee Advocating Rejection of Proposition #1. Both committees are solely responsible for the content and submission of their statements to the Voters Pamphlet.

EBCC has provided an Explanatory Statement and a Local Focus statement, which will be included in the Local Voters Pamphlet for November general election.

Voters in East Bellevue will decide in the November general election if they wish to continue the East Bellevue Community Municipal Corporation for four additional years. If a majority of the voters approve continuation, they will also elect five Community Council members who will govern the corporation. If a majority of the voters do not approve continuation, the corporation and the Community Council will cease to exist and cannot be brought back.



For information about the city's Community Council, call Deputy City Clerk Michelle Murphy, 452-6466, or contact the East Bellevue Community Council Chairperson, James Bell.

East Bellevue Community Council meets the first Tuesday each month at 6:30 p.m. at the Lake Hills Clubhouse, 15230 Lake Hills Blvd.

Members

James E. Bell
Jim Eder
James Keeffe
Ken Seal
Brigitte Wiechmann