

East Bellevue Community Council
Summary Minutes of Regular Meeting

January 2, 2007
6:30 p.m.

Lake Hills Community Clubhouse
Bellevue, Washington

PRESENT: Chair Bell, Vice Chair Seal, and Councilmembers Eder and Kasner

ABSENT: Councilmember Gooding

STAFF: None.

1. **CALL TO ORDER**

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

2. **ROLL CALL**

Upon roll call by the Clerk, all Councilmembers except Mr. Gooding were present. Chair Bell led the flag salute.

3. **COMMUNICATIONS - WRITTEN AND ORAL**: None.

4. **APPROVAL OF AGENDA**

Mr. Eder moved to approve the agenda. Mr. Kasner seconded the motion, which carried by a vote of 4-0.

5. **COURTESY PUBLIC HEARING**

(a) Comprehensive Plan Amendment for Crossroads Subarea Plan

Chair Bell explained that while the East Bellevue Community Council does not have approval authority regarding a proposed Comprehensive Plan Amendment affecting the Crossroads Subarea Plan, staff is providing information to the Council.

Andrew Kidde, Mediation Program Manager, described the public process involved in developing the proposed Comprehensive Plan Amendment for the Crossroads Subarea Plan. Public outreach was conducted in 2005, which resulted in a lack of consensus about how the area should be redeveloped.

Mr. Kidde noted an important objective of the planning process was to ensure the continued economic vitality of the area. The plan advocates a mixed use approach, which is becoming

more common in the redevelopment of shopping centers. Among other benefits, one is the opportunity for shared parking between retail and residential uses.

Chair Bell commented that the Crossroads area between 164th Avenue and 156th Avenue contains a great deal of open space and has been underdeveloped for years.

Mr. Kidde said the proposed plan contains an outdoor market and gathering place and enhanced pedestrian connections within the center and to the adjacent park. Workshops and public meetings in 2006 addressed many potential elements including gathering places, park connections, land use issues, and transportation infrastructure. Urban design consultants attended the meetings and developed alternative schemes for consideration.

Paul Inghram, Comprehensive Planning Manager, reviewed the long-range planning principles to be used to link Crossroads Shopping Center and the park, and to enhance the commercial area as development occurs:

- Provide additional outdoor pedestrian activity and gathering areas.
- Encourage mixed use development.
- Increase connectivity with Crossroads Park and Par 3 (Nine-hole) Golf Course.
- Enhance the pedestrian environment.
- Ensure environmentally sensitive storm water management.

Mr. Inghram described specific properties in the Crossroads area for which redevelopment is planned. Most of the plans involve mixed retail and residential uses, as well as a hotel/condominium development. Following the six public workshops, the working group was asked to provide feedback on the draft near- to mid-term development concept.

Mr. Inghram explained that the current prohibition on multifamily housing in the study area (District E, north of NE 8th Street) requires that the Crossroads Subarea Plan and Land Use Code be updated to modify existing policies and requirements in order to allow multifamily housing. The area is currently designated as Community Business. Mr. Inghram said the working group expressed an interest in phased redevelopment of the area, including a review of how changes are functioning after a certain level of development is completed.

Next steps are continued discussion with the Planning Commission on January 10 and a public hearing before the Planning Commission on January 17. The Planning Commission will then formulate a recommendation for presentation to the City Council, which is targeted for February. If the Comprehensive Plan Amendment is approved by the City Council, action on related Land Use Code amendments will be presented for City Council adoption.

Responding to Councilmember Seal, Mr. Inghram said new residential developments in the Crossroads area would be required to include a certain level of retail uses.

Responding to Chair Bell, Mr. Inghram explained that the term “activated streets” refers to the concept of pedestrian walkways, retail storefronts, awnings, landscaping, and other pedestrian amenities.

Responding to Councilmember Seal, Mr. Kidde said building height is limited to 60 feet outside of the downtown. Following additional discussion, Mr. Kidde said some residents are comfortable with taller buildings, particularly if a hotel is built, while others would like to restrict buildings to two or three stories. Staff responded to additional questions of clarification.

Responding to Councilmember Eder, Mr. Kidde said the Crossroads area is one of five designated transit hubs in the city. The others are Eastgate, Factoria, Downtown, and Overlake. Enhanced transit service is anticipated for the Crossroads area.

In further response to Mr. Eder’s question regarding Crossroads Subarea Plan policy amendments [Page 10 of meeting packet], Mr. Inghram said the intent is to encourage multifamily development that complements commercial development in the form of mixed use structures. Mr. Inghram said “high quality” multifamily development will ultimately be defined in the Land Use Code design guidelines.

Mr. Eder questioned the acronym LEED in proposed policy 9 [Page 12 of packet]. Mr. Inghram said this refers to a nationally defined standard for low impact building design incorporating a reduction in both energy use and environmental impacts. Mr. Kidde said the City is not planning to pursue official LEED (Leadership in Energy and Environmental Design) certification but is interested in following some of the LEED guidelines.

Councilmember Kasner expressed support for the redevelopment proposal and better integration of residential, park, and commercial uses.

Councilmember Seal concurred with the redevelopment plan and is not opposed to higher buildings as long as enhanced safety requirements are followed.

Mr. Bell supports the proposal, and he is not in favor of high-rise buildings in the Crossroads area.

Mr. Inghram reviewed the Council’s support for the redevelopment proposal including connections to the park, enhanced transit service, and development that is complementary to the existing shopping center. Councilmembers suggested that an alternate term for “activated streets” be identified.

Mr. Bell thanked staff for the presentation.

Chair Bell recessed for a five-minute break. The meeting resumed at 8:16 p.m.

6. **RESOLUTIONS:** None.

7. **REPORTS OF CITY COUNCIL, BOARDS, AND COMMISSIONS:** None.

8. **DEPARTMENT REPORTS:** None.

9. **COMMITTEE REPORTS:** None.

10. **UNFINISHED BUSINESS**

(a) Critical Areas Legislation

Mr. Eder summarized his ongoing interest in Americans with Disabilities Act (ADA) requirements, which he briefly addresses at the end of his letter regarding critical areas regulations and underground coal mines.

Regarding critical areas legislation, Mr. Eder described his communications with Paramount Energy Trust in which they confirmed their ability to identify underground coal mine shafts. He expressed concern that the City is not using best available science to identify abandoned coal mines. Attached to Mr. Eder's proposed memo to the Mayor is a letter Mr. Eder received from Paramount Energy Trust. He said the State's criteria for geological hazards includes earthquakes, which are not included in the City's critical areas ordinance.

Returning to the ADA topic, Mr. Eder described the need for over-water ramps (e.g., docks) that can accommodate wider wheelchairs.

Councilmember Seal noted state and local regulations restricting the width of docks and over-water structures to prevent negative effects on wildlife. Mr. Eder is concerned that such regulations are not complying with the federal ADA law.

Chair Bell said he is not in favor of the draft memo as it is stated.

Mr. Kasner expressed concern that the memo addresses multiple issues, which negates the impact of stating a position on any one topic. He would be more likely to support one communication regarding coal mine hazards.

Chair Bell explained that approval of the critical areas ordinance (Ordinance No. 5681) was not within the jurisdiction of the East Bellevue Community Council. He feels the question of whether ramps over water comply with the ADA is a technical, complex issue about which the Council does not have adequate information. Mr. Bell supports suggesting that the City review consistency between development standards in the critical areas ordinance and ADA requirements. He feels any communication to the City Council on this topic should be advisory in nature and not assert that the City's approach is wrong.

Mr. Eder reiterated his concern regarding a regulation that over-water structures be restricted to a maximum width of 36 inches, which conflicts with another regulation stating a minimum width of 36 inches for wheelchair access.

Mr. Bell noted that perhaps the maximum width of 36 inches applies to private over-water structures. However, the Council does not have the information on the issue to make a judgment regarding compliance.

Mr. Bell reviewed a portion of Paramount Energy Trust's letter, which suggests that Mr. Eder talk to the State about specific regulations.

Chair Bell said he feels it is not part of the City's responsibility to look for abandoned coal mines. Mr. Eder disagreed.

Mr. Bell questioned whether coal mines are located on public or private property. He feels the City's responsibility is limited to activities involved with approving building permits. In these cases, core samples are typically collected to analyze the soil, but there is not a specific interest in identifying abandoned coal mines.

Mr. Eder said he is concerned that the abandoned mines present a public hazard.

Mr. Bell explained that the City requires developers to extract core samples to determine the adequacy of the underlying soil structure. The developer, not the City, is responsible for the cost of these tests. Mr. Bell disagrees that the City has not used the best available science. He has no objection to passing along information to staff and the City Council, and the City could then seek advice from the state Department of Natural Resources if so desired.

Mr. Eder said seismic technology can locate mines and determine conditions below the surface.

Mr. Bell reiterated that the State has geology experts who can advise about scientific applications related to locating mines. The City's regulations were not newly created by staff but are based on state requirements, and state legislation is based on scientific studies. Mr. Bell said he spoke with Carol Morris, legal counsel, about this subject and her advice was to not pursue the issue.

Mr. Eder said the state's regulations are based on data about coal mines from the 1800s.

The Council briefly reviewed and discussed language in regulations regarding coal mines. Mr. Seal noted that coal seams are typically wide, and mitigation involves channeling through the seam and then backfilling it.

Chair Bell summarized that he disagrees with the memo's assertion of non-compliance. However, he has no problem with revising the language to be advisory and for informational purposes.

11. **NEW BUSINESS**

(a) Emergency Preparedness

Chair Bell noted a news article stating that Eastside cities are compiling information about the lessons learned following the recent storms.

Mr. Kasner said the City quickly activated shelters, and updates were provided daily about the percentage of residents still without power.

Mr. Eder expressed concern about the effect of the power outage on nursing homes, in which elderly residents on upper floors are not able to go to lower floors because elevators were not operating. In this case, staff carried food upstairs for residents. Mr. Eder noted a news article requiring nursing homes to have power. Similarly, he described an assisted living facility that he feels should have the capacity for emergency power.

Chair Bell stated that nursing and assisted living facilities are licensed and monitored by the State. The City cannot regulate state-licensed facilities.

Mr. Seal reflected that power outages were much more common in East Bellevue many years ago, but outages to the extent of the recent storm have not occurred in at least 20 years.

Mr. Kasner feels the City was better than many local governments in terms of setting up shelters, updating residents, and its overall response to the storm. Mr. Bell said the City worked with Puget Sound Energy to identify priority areas for restoring power. He said some of the neighborhoods hardest hit were those that in the past have refused to allow PSE to trim trees near power lines.

Chair Bell stated Council consensus to not address the issue of emergency preparedness with the City at this time, and to instead focus on more immediate issues of interest to the Council and East Bellevue residents.

Mr. Eder noted that the City conducts educational emergency preparedness classes but the number of attendees is low.

(b) Pedestrian Crosswalk at Sammamish High School

The Council briefly discussed concerns about streets with unsafe crosswalks and pedestrian use in front of Sammamish High School and within the adjacent neighborhood. These concerns were recently addressed in an email to the City Council, East Bellevue Community Council, and staff.

Chair Bell said the Police Department maintains vigilance in monitoring Main Street in East Bellevue to address speeding and unsafe conditions.

The Clerk said there has been two staff responses to Mr. Eder's concerns, which she will obtain and mail to Councilmembers.

Mr. Bell expressed support for Mr. Eder's suggestion to install flags near schools to alert drivers to pedestrians.

Mr. Kasner suggested that he and Ross Gooding visit a City Council meeting to introduce themselves as new Community Councilmembers, at which time they could describe concerns and suggestions to enhance pedestrian safety in East Bellevue.

Chair Bell noted consensus to not send Mr. Eder's proposed memo to the City Council.

Mr. Kasner suggested replying to Mr. Cox thanking him for his input. There was consensus to wait to hear City staff's response first.

(c) Short Plat

Mr. Seal mentioned the short plat at 228 141st Avenue NE referenced in the Permit (Blue) Bulletin.

Mr. Bell noted consensus to request a briefing from staff (Carol Saari) about the project.

12. **CONTINUED COMMUNICATIONS**

Responding to Mr. Eder, the Clerk indicated that the Deputy City Attorney had submitted a reply to Council's question regarding mineral rights.

Mr. Seal said her communication referred to individual parcels. However, mineral rights apply to the whole city because they predate individual properties. Responding to Mr. Kasner, Mr. Seal said property owners have only surface rights.

The Clerk will send staff's response to all Councilmembers.

Mr. Eder announced that the next meeting of the Lake Hills Neighborhood Association is on the January 17th.

13. **EXECUTIVE SESSION**: None.

14. **APPROVAL OF MINUTES**

Mr. Eder moved to approve the Summary Minutes of the November 8, 2006 meeting. Mr. Kasner seconded the motion, which carried by a vote of 4-0.

15. **ADJOURNMENT**

Mr. Kasner moved to adjourn the meeting, and Mr. Seal seconded the motion. The motion to adjourn carried by a vote of 4-0.

At 9:31 p.m., Chair Bell declared the meeting adjourned.

Michelle Murphy, CMC
Deputy City Clerk

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