

**East Bellevue Community Council**  
Summary Minutes of Regular Meeting

May 3, 2005  
6:00 p.m.

St. Louise Fellowship Hall  
Bellevue, Washington

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

ABSENT: Councilmember Wiechmann

STAFF: None.

1. **CALL TO ORDER**

The meeting was called to order at 6:00 p.m. with Chair Bell presiding.

2. **ROLL CALL**

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

3. **COMMUNICATIONS - WRITTEN AND ORAL**

- (a) Damian Golden spoke against locating Tent City 4 in Bellevue in the future. He noted Holy Cross Lutheran Church in the Factoria area recently voted against locating Tent City there. Mr. Golden discussed concerns regarding crime and public health. He said homeless people are providing the security at current encampments. Mr. Golden said the Bellevue City Council is currently reviewing possible amendments to its Land Use Code to address the encampments. He asked members of the audience to sign a petition.
- (b) Steve Pyeatt served on the King County Citizens Advisory Commission for Homeless Encampments last summer and recently completed work on Bothell's Transitory Accommodations Citizens Action Committee. He emphasized the importance of preparing for possible encampments in Bellevue. He said Tent City 3 in Seattle does not conduct background checks for sex offenders and felony warrants.
- (c) Bart Goft spoke in defense of the homeless and encouraged a compassionate approach.

Chair Bell encouraged citizens to contact Legal Planner Kate Berens if they have comments or questions regarding the City's approach to homeless encampments.

4. **APPROVAL OF AGENDA**

Responding to Mr. Eder, Chair Bell noted his article in "It's Your City" regarding Community Council elections and opportunities to serve on committees.

Mr. Keeffe suggested the addition of Agenda Item 11(a), Conover/Beaumont Short Plat.

Mr. Keeffe moved to approve the agenda, as amended, and Mr. Eder seconded the motion. The agenda was approved as amended by a vote of 4-0.

## 5. PUBLIC HEARINGS

### (a) Courtesy Hearing (Continued) – Lake Hills Shopping Center Rezone Application

Chair Bell explained that this is a continuation of the courtesy hearing for the Lake Hills Shopping Center rezone application.

Mr. Bell noted Mr. Eder has chosen to recuse himself from this matter. At 6:17 p.m., Mr. Eder stepped down and left the room during discussion of this item.

Mr. Bell said the rezone application is a quasi-judicial matter in which Community Councilmembers might eventually be sitting in judgment of the rezone. They cannot discuss this matter with any citizen outside of this public meeting forum.

Chair Bell opened the continued courtesy hearing regarding the Lake Hills Shopping Center rezone application.

Chair Bell asked whether any member of the Community Council has engaged in communications with opponents or proponents of the Lake Hills Shopping Center rezone application outside of the public hearing process since the application was filed earlier this year. Chair Bell, Mr. Keeffe, and Mr. Seal all stated they had no ex parte contacts.

Chair Bell asked whether any Councilmember will obtain any financial benefit or suffer a financial loss as a result of the outcome of this hearing. All Councilmembers disclosed they have no financial interest in the project.

Chair Bell asked whether any Councilmember feels he cannot hear and consider the application in a fair and objective manner. All Councilmembers affirmed they can hear the matter in a fair and objective manner.

Chair Bell asked whether anyone in the audience objected to his or any other Councilmembers' participation in making a decision on this rezone application. There were no objections.

Mike Upston, Senior Planner, said the Lake Hills Shopping Center Rezone staff report will be published with the public notice on May 5. The rezone application was submitted in February, and Transportation and Planning staff have been reviewing the proposal. After tonight's courtesy hearing, the next step will be the Hearing Examiner's public hearing on May 19. City Council action is anticipated in July, followed by final action by the East Bellevue Community Council.

Mr. Upston explained the concomitant zoning agreement affecting the shopping center. The Lake Hills Shopping Center has a community business (CB) zone on the site. A concomitant

zoning agreement overrides the CB zoning, however, and amends the CB requirements typically applied from the Land Use Code. The current rezone application proposes to replace the concomitant zoning agreement with a new agreement providing a Site Master Plan and a document outlining the uses allowed on the site.

Mr. Upston referred to page 13 of the staff report and briefly reviewed responses to comments and questions raised during the East Bellevue Community Council's April meeting. One benefit of the proposed plan for the shopping center is that loading and delivery areas for the commercial uses will be buffered from the existing neighborhood by a 30-foot-wide landscaped area and proposed townhome development on the south and west sides of the property.

The Lake Hills Shopping Center rezone matter will be before the Hearing Examiner at 7:00 p.m. on Thursday, May 19, in Council Chambers at City Hall.

Oscar Del Moro, Cosmos Development, feels this project is an opportunity to reinvest in the community and to reinvent ourselves as a community. He looks forward to a project that will meet the neighborhood's needs.

The following citizens came forward to comment:

- (1) Pam Asheim questioned whether there will be deliveries at night to the Center (and associated noise). Mr. Upston said the Center's activities will be subject to the City's noise ordinance.
- (2) Bob Adams, Interim President of Lake Hills Neighborhood Association, said the shopping center is outdated, in need of repair, and a blight to the neighborhood. Residents appreciate the shop owners who have remained in the center. The Lake Hills Neighborhood Association supports the proposal submitted by Cosmos Development.
- (3) Heather Hopper asked how to obtain a copy of the Lake Hills Shopping Center staff report. Mr. Upston provided the information for her.
- (4) Scott Leonard thanked the East Bellevue Community Council for its attention to this and other important issues over the years. He encouraged residents to vote to continue the Community Council at the polls this fall.
- (5) Pam Keal expressed support for the redevelopment proposal and talked about the convenience of being able to walk to neighborhood services and businesses.
- (6) Al Heater has an office at Lake Hills Shopping Center and supports the redevelopment proposal. Responding to Mr. Heater, Mr. Del Moro described the planned two-phase construction of the project over 18 months.
- (7) Bart Goft congratulated Mr. Del Moro on the proposal and encouraged him to incorporate "built green" elements into the project. Responding to Mr. Goft, Mr. Del Moro

confirmed the developer's interest in creating a pedestrian-friendly environment with landscape and public space amenities.

- (8) Responding to Catherine Boysen, Mr. Upston reviewed the remaining process for the applicant/project.
- (9) Stan Lesinski, a 40-year resident, expressed support for the proposal. He looks forward to being able to once again walk to neighborhood services.

Responding to Mr. Keeffe, Mr. Del Moro said the project will add 50 cars to the entire neighborhood during the evening peak traffic period (approximately 4:00 to 6:00 p.m.). Voluntary mitigation measures include adding left- and right-turn lanes and converting the roadway to three lanes instead of two. It is possible mitigation measures will be imposed as the project moves through the City's process. There are two vehicle entrances to the Center, one on 156<sup>th</sup> Avenue and one on Lake Hills Boulevard.

Responding to Mr. Keeffe, Mr. Del Moro said the housing units will be for sale. The underground parking garage will be one story and will include security features such as adequate lighting, an after-hours gate, and panic buttons.

Responding to Mr. Bell, Mr. Upston said the new concomitant zoning agreement for the Center, if approved, will be adopted by ordinance. The agreement includes both the site master plan and the text document outlining what uses and dimensions are allowed within the project.

Chair Bell questioned the need for a concomitant agreement versus allowing redevelopment according to the normal guidelines for Community Business. Mr. Upston said the underlying CB zoning allows uses and building dimensions to which residents are opposed. Concomitant zoning agreements are a way to provide additional restrictions on development and to customize a project so it is more compatible with an area/neighborhood. Mr. Upston and Mr. Del Moro responded to additional questions of clarification.

Responding to Mr. Bell, Mr. Del Moro said Cosmos Development is receiving a bonus for providing an underground parking garage. The housing units provide the economic foundation for the overall shopping center redevelopment project.

Mr. Seal moved to close the courtesy hearing. Mr. Keeffe seconded the motion, which carried by a vote of 3-0, with Mr. Eder absent from the room.

At 8:01 p.m., Chair Bell declared a brief recess. The meeting resumed at 8:07 p.m. with Mr. Eder present at the table.

- (b) Kirkwood Planned Unit Development (PUD) Application at 14805 NE 6<sup>th</sup> Street

Chair Bell asked whether any member of the Community Council has engaged in communications with opponents or proponents of the Kirkwood Planned Unit Development

(PUD) application outside of the public hearing process. Chair Bell, Mr. Eder, Mr. Keeffe, and Mr. Seal all stated they had no ex parte contacts.

Chair Bell asked whether any Councilmember will obtain any financial benefit or suffer a financial loss as a result of the outcome of this hearing. All Councilmembers disclosed they have no financial interest in the project.

Chair Bell asked whether any Councilmember feels he cannot hear and consider the application in a fair and objective manner. All Councilmembers affirmed they can hear the matter in a fair and objective manner.

Chair Bell asked whether anyone in the audience objected to his or any other Councilmembers' participation in making a decision on this application. There were no objections.

Chair Bell opened the courtesy hearing regarding the Kirkwood Planned Unit Development (PUD) application.

Leah Porco, Assistant Planner, clarified that this is not a presentation of the staff report but an introductory meeting. The applicant was unable to attend tonight. Staff's report and recommendation for the Hearing Examiner will be presented during the Community Council's June meeting.

The Kirkwood PUD and short plat site is located at the corner of NE 6<sup>th</sup> Street and 148<sup>th</sup> Avenue. The site is currently zoned R-10 (10 units per acre, Multifamily). The site contains a small wetland that has been delineated. The total site area is 99,000 square feet and the wetland is 54,700 square feet, leaving a buildable area of approximately 44,000 square feet. The applicant proposes four single-family detached lots. The lot north of the site is currently zoned office and owned by the City of Bellevue. Land east of the site is zoned R-1 and is also owned by the City. The parcel to the south is zoned R-10 and is privately owned. Single-family homes (R-5 district) are across the street.

Ms. Porco explained that PUD regulations allow an applicant to modify dimensional requirements of the underlying zoning district, in this case to minimize the impact of development to the wetland. The wetland and required buffer will be set aside as a Native Growth Protection Area (NGPA), requiring that it be maintained in its natural state. A fence will be required along the wetland to prohibit residents from encroaching into the wetland. A landscape buffer will be required along 148<sup>th</sup> Avenue to mimic the landscape buffer across the street. The homes will be of average size for the neighborhood.

Responding to Mr. Bell, Ms. Porco said Lots 3 and 4 will share driveway access off of 148<sup>th</sup> Avenue. Lots 1 and 2 will share driveway access off of NE 6<sup>th</sup> Street.

Responding to Mr. Keeffe, Ms. Porco said there will be a detention pond screened with landscaping on the site.

Ms. Porco responded to additional questions of clarification.

The following citizen came forward to comment on the Kirkwood PUD proposal:

(1) Bart Goft commented about traffic noise on 148<sup>th</sup> Avenue.

Mr. Keeffe moved to close the courtesy hearing. Mr. Eder seconded the motion, which carried by a vote of 4-0.

6. **RESOLUTIONS:** None.

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

8. **DEPARTMENT REPORTS**

(a) Crossroads Center Plan

Steve Cohn, Associate Planner, described the Crossroads Center Plan recently initiated by the City Council to focus on long-range planning for the Crossroads commercial area. He distributed surveys to the Council requesting their feedback and suggestions. A neighborhood walk is scheduled for Saturday, May 14, to explore the area and identify pedestrian problems and needs. The City will work with a consultant and the property owner to develop alternatives for review and discussion in July.

Mr. Cohn responded to questions of clarification. He encouraged the Community Council and the public to come out for the May 14 walk.

(b) Robinswood Community Park Synthetic Turf

Glenn Kost, Parks Department, introduced Scott Vander Hyden, Project Manager for the Robinswood Park synthetic turf soccer fields. A community meeting about the project is scheduled for May 5 at Robinswood School. Mr. Kost said this project would have been funded in the 2002 park bond measure, which was narrowly defeated at the polls. The City will fund design of the project. The majority of construction costs will be funded by an increase in user fees to market levels. The cost of the project will be paid off in approximately eight years. A private party will provide a no-interest loan to the City, which will be repaid through user fees. The City will continue to schedule use of the fields following longstanding policies.

Responding to Mr. Keeffe, Mr. Vander Hyden said there are several synthetic surfaces to choose from and a selection will be made following a full geotechnical report. Some dirt will have to be removed from the site to construct the new fields. Mr. Vander Hyden said the fields drain relatively well. The life span of the fields is 8 to 12 years.

Responding to Mr. Eder, Mr. Kost said the current fields at Robinswood Park are reseeded and regraded annually. Mr. Vander Hyden noted this is a good reason to convert to synthetic fields.

The synthetic fields will provide drier fields available for year-round use in contrast to the current fields which are used four to five months of the year.

Staff responded to additional questions of clarification.

(c) Variance Proposal for Sharps Garage Addition

Chair Bell noted information in the meeting packet beginning on page 11 regarding the variance requested for the Sharps garage addition.

9. **COMMITTEE REPORTS:** None.

10. **UNFINISHED BUSINESS:** None.

11. **NEW BUSINESS**

(a) Conover/Beaumont Short Plat

Mr. Keeffe clarified the location of the Conover/Beaumont short plat.

12. **CONTINUED COMMUNICATIONS**

Bart Goft said he does not like the Tent City concept but he supports efforts to provide permanent housing for the homeless. He suggested that Costco-owned property at Kelsey Creek Shopping Center could be used for housing.

13. **EXECUTIVE SESSION:** None.

14. **APPROVAL OF MINUTES**

Mr. Keeffe moved to approve the Summary Minutes of the April 5, 2005 meeting. Mr. Seal seconded the motion, which carried by a vote of 4-0.

15. **ADJOURNMENT**

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

At 9:21 p.m., Chair Bell declared the meeting adjourned.

Michelle Murphy, CMC  
Deputy City Clerk  
kaw