

East Bellevue Community Council
Summary Minutes of Regular Meeting

May 6, 2003
6:30 pm

Lake Hills Community Clubhouse
Bellevue, Washington

PRESENT: Chair Bell, Councilmembers Keeffe, Halgren and Seal

ABSENT: Councilmember Wiechmann

STAFF: Toni Pratt, Associate Planner
Kate Berens, Legal Planner
Steve Sindiong, Senior Planner
Kris Liljeblad, Assistant Director

1. Call to Order

The meeting of the East Bellevue Community Council was called to order at 6:30 pm with Chair Bell presiding. Chair Bell led the flag salute.

2. Roll Call

Roll was called by the Deputy City Clerk. All Councilmembers were present with the exception of Mrs. Wiechmann.

3. Communications: Written and Oral

Mr. James Eder, 15422 SE 7th Place, inquired as to the status of the Community Council's Growth Management Board appeal of City Council Ordinance 5308? He next stated that land use is covered by land use codes and covenants. It is his opinion that City staff pays little regard to the latter. He noted the importance of covenants to affected property owners. Mr. Eder presented Council with a document entitled Chapter 15, Running Covenants, by William H. Clark. He stated that Washington State law reflects that the issue of covenants is not a trivial matter. He stated in this endeavor to redevelop the Lake Hills Shopping Center, he hoped there would be a concurrent effort to revise the applicable existing covenant with special attention paid to the buried creek at this location. In addition, Mr. Eder asked that during the redevelopment of the Shopping Center, the issue of fences be addressed. Concluding his communications, Mr. Eder suggested that, if the City pursues a city charter, consideration be given to making the City Attorney an elected position.

Mr. Keeffe requested that staff supply him with a copy of the Lake Hills Shopping Center covenant. In response, Ms. Berens stated she was unaware of such a covenant, but would research the matter.

4. Approval of Agenda

Chair Bell asked Council for any additions to the published agenda.

Mr. Keeffe requested the addition of the Neighborhood News flyer and King County Journal's Sunday editorial under New Business.

Mr. Keeffe moved approval of the May 6, 2003 Community Council agenda as modified. Mr. Halgren seconded the motion which carried unanimously.

5. Public Hearing

- (a) Ordinance 5441 granting a Conditional Use Permit, with conditions, on the Application of the Bellevue School District Sammamish High School to allow for Replacement of an existing Auditorium with a new Performance Arts Center, and new Administration Wing and Entryway.

Toni Pratt, Department of Planning and Community Development, provided a brief overview. She stated that Bellevue School District's Sammamish High School is seeking final approval for a conditional use permit to construct a performing arts center at the north elevation of the facility. The existing auditorium will be demolished and replaced with a full stage, a 70 foot tall fly loft with catwalks along with support spaces for dressing rooms, storage, scene and costume shops, a prop storage area and orchestra pit, and trap room below the stage.

Ms. Pratt stated that the above application was recommended for approval to the City Council by the Hearing Examiner with conditions. City Council approval was given on May 5, 2003 per Ordinance No. 5441.

The proposal has been designed with the highest elevation (73 feet) at the north portion of the structure. Building height then steps down to 45 feet for the auditorium and to 30 feet for the new administrative wing and entry. The current building height ranges from 30 feet to 42 feet. Ms. Pratt stated, in addition to construction of the performing arts center, the proposal includes other life and safety improvements throughout the campus.

She next introduced Bret Compton, Project Architect.

In response to Chair Bell, Ms. Pratt stated the maximum height allowed is called out in the Hearing Examiner's recommendation which is adopted by Ordinance 5441. Chair Bell suggested, in future, that a copy of the application with background information be included with the Community Council's packet review materials.

Responding to Mr. Keeffe, Mr. Compton explained the planned rain screen takes about 95% of the water and sheds it away. The screen wall stands off approximately eight inches from the load bearing solid masonry wall that supports the stage. The eight inch space provides sufficient area for insulation and circulatory air space. He clarified the previous February discussion, stating inseting art work into the screen wall would disrupt the screen's purpose. He stated the school's students will be producing glass art to incorporate in a display that will stand off from the screen wall with maybe some lighting to show it off. Mr. Compton stated

that rain screening is planned for all four sides of the facility.

Chair Bell opened the public hearing.

Seeing no one present wishing to give testimony, Mr. Halgren moved to close the public hearing. Mr. Keeffe seconded the motion which carried with a vote of 4-0.

Mr. Halgren stated the omission of a maximum height allowance spelled out in the Ordinance made him uncomfortable. He reminded staff that building height is a key element for the community.

Mr. Seal move approval of the Community Council's Resolution 456 adopting City Council Ordinance 5441. Mr. Keeffe seconded the motion which carried unanimously.

Courtesy Hearing

- (b) Land Use Code Amendment implementing the Essential Public Facility Comprehensive Plan Amendment.

Kate Berens, Department of Planning and Community Development, made the staff presentation. Providing a brief background, Ms. Berens stated that the City Council adopted amendments to the Comprehensive Plan that established policies related to Essential Public Facilities in August 2002. These policies, mandated by the Growth Management Act to provide a process for identifying and siting essential public facilities, would be implemented by the above proposed Land Use Code Amendment.

The proposed ordinance would add a definition for 'Essential Public Facilities' to the Land Use Code consistent with the GMA definition; add a line to the Transportation and Utilities use chart; and, create a new section to add specific design requirements for solid waste facilities.

In response to Mr. Keeffe, Ms. Berens stated that cemeteries are not listed by the GMA as essential public facilities. She stated that the City regulates both cemeteries and crematoriums under a separate section of the Land Use Code. Continuing to respond, Ms. Berens stated City Hall is listed under government functions in the services charts.

Mr. Keeffe stated his concern with mixing commercial and government provided services under the heading of essential 'public' facilities. In response, Ms. Berens explained that GMA in its classification of public facilities includes services traditionally provide by government as well as commercial enterprises essential to the common good.

Chair Bell opened the courtesy public hearing.

Mr. James Eder, 15422 SE 7th Place, asked if this proposed legislation encompassed the issue of sex offender housing. In response, Ms. Berens stated that although this type of housing is listed by the State as an essential public facility, it is regulated under Bellevue's Secure Community Transition Facilities previously adopted by the City

Council. Sex offender housing is allowed in Bellevue as a conditional use in the General Commercial and Light Industrial land use districts. The proposed legislation regulates only those essential public facilities that are not otherwise regulated by the City's Land Use Charts.

Mr. Bart Goft, 421 155th Place SE, requested clarification of the verbiage 'linear' and 'outside'. Ms. Berens stated that essential public facilities are allowed as a conditional use in all land use districts. However, in order to site in a residential land use district the applicant must demonstrate some operational need that can not be satisfied elsewhere. For example, a railroad line that goes from point A to point B and has to travel through multiple districts to get there demonstrates a 'linear need'. Utility lines are another example. Continuing to respond, Ms. Berens stated that the issue of sex offender housing is governed by a different set of City regulations. This proposal applies only to those essential public facilities that are not otherwise regulated by the City's Land Use Charts. 'Outside' means literally outside of a land use district.

Seeing no one further wishing to speak, Mr. Keeffe moved to close the courtesy public hearing. Mr. Halgren seconded the motion which carried unanimously.

Chair Bell asked if a conflict existed in regards to the operation of the County's solid waste facility and the siting of that facility within the City of Bellevue. In response, Ms. Berens stated that the solid waste facility falls under Bellevue's land use codes and that the County routinely comes to the City for that site's permitting needs.

Mr. Keeffe provided a brief history of the Board of Adjustments. He reiterated the travesty of City zoning categories that allow the maximization of number of lots with minimum lot size, resulting in increased density. In response, Ms. Berens stated that staff is planning, at a future date, to look at minimum lot size, sensitive areas, and planned unit development in regards to density issues.

6. Resolutions

- (a) Resolution No. 456 adopting City Council Ordinance No. 5441

Resolution No. 456 was taken up previously following the public hearing on Ordinance No. 5441.

7. Reports of City Council, Boards and Commissions None.

8. Department Reports

- (a) 148th Mobility Improvement/Eastgate I-90 Corridor Studies

Chair Bell called a brief recess while staff setup for an overhead presentation. The meeting was reconvened at 7:26 PM.

Kris Liljeblad, Department of Transportation, introduced the above topic and turned the beginning of the presentation over to Steve Sindiong.

Mr. Sindiong provided a brief background of the BROTS North South Corridor Study and the 148th Avenue Mobility Improvement Package. The main objectives of the North South Corridor Study Included:

- Study the 152nd alignment to see if there were other more cost effective options;
- Optimize the traffic flow on 148th Avenue, especially north of the Bel-Red Road;
- Improve general circulation within the Overlake area;
- Transit access and reliability;
- Protect neighborhoods;
- Ensure economic vitality in the Overlake area;
- Make environmentally conscious recommendations;
- Seek cost effective solutions; and,
- Coordinate with regional projects.

He noted the considerable public outreach accomplished for this process, the overall resistance to widening 148th Avenue, and, the general support for a 152nd extension over SR 520, traffic signal management and non-motorized and transit improvements.

Mr. Sindiong next reviewed the Technical Advisory Committee's recommendations for both the near term (by 2012) and the long term (beyond 2012). He listed the following key issues:

- The corridor is critical for access to neighborhoods, employment, retail and freeways;
- Traffic congestion relief, especially during the PM peak hours;
- Protection of neighborhoods;
- Improved transit service; and,
- Good pedestrian facilities along the corridor.

Mr. Liljeblad provided an overview of the Eastgate/I-90 Corridor Study. He noted the objectives of the study included coordination of regional projects; neighborhood access and protection; non-motorized improvements; and, congestion relief and safety. The key issues identified during the public outreach process are as follows:

- Congestion across freeway hurts neighborhoods;
- Delays and accidents at freeway ramps;
- More transit to access Bellevue Community College, Factoria, and Eastgate;
- Pedestrian access to neighborhoods, across freeway to park and ride and in Factoria;
- Better bicycle access for commuting/recreation; and,
- Complete the Mountains to Sound Greenway to preserve options.

The Technical Advisory Committee's and Transportation Commission's recommended projects involve removing 148th bottlenecks, improving neighborhood access, improving pedestrian safety and access, more bicycle routes, and, better transit access.

Mr. Halgren stated that, in the past, a business in the area had used a park and ride facility for overflow employee parking. Although that was not the intended use of the park and ride lot,

Metro's failure to address the issue contributed to the crowding of that facility.

Mr. Halgren questioned if the City intended to use the existing trail easement through the Boeing property. In response, Mr. Sindiong stated the written agreement with Boeing regarding a potential trail expires within the next year or so. In light of the City's acquisition of the Boeing property for a park, the City may want to reevaluate what would make the best sense in terms of connecting the SE 28th trail to 161st Avenue.

Mr. Halgren commented on the signalization at 148th. He stated he was not happy with Bellevue's traffic signal synchronization and even less happy with Redmond's signal cycles.

(b) Quarterly Home Occupation Report

Chair Bell noted the Quarterly Home Occupation Report included in Council's packet.

9. Committee Reports None.

10. Unfinished Business None.

11. New Business

(a) Neighborhood News Flyer

Mr. Keeffe reported that a community meeting is planned regarding the Lake Hills Shopping Center's revitalization efforts. The meeting will be held at St. Louise Church on Wednesday, May 14, 2003 from 6:00 pm to 7:00 pm. He encouraged the Council to attend.

Chair Bell noted that, in that same neighborhood news flyer, mention was made of a Special Events Committee. He remembered back to a past street fair at Robinswood Park and the Community Council's recommendation that such a special events committee be formed. He expressed his pleasure that this committee is in operation.

(b) Sunday's editorial in the King County Journal

Mr. Keeffe read into the record an article appearing in the King County Journal regarding the Bellevue charter election. The article is quoted to say, "the City's discredited community council system which has torpedoed worthwhile community projects in the eastern portion of the City. A desperately needed renovation to the Lake Hills Shopping Center was summarily stopped by the East Bellevue Community Council. The rebuilding of the Phantom Lake Elementary School almost was blocked by the Sammamish Community Council. The uproar was so great that voters there dissolved the Sammamish Community Council and nearly did the same thing to the East Bellevue Community Council." Mr. Keeffe stated that he personally was very highly affronted by this pejorative series of statements and asked if there was Council interest in responding to the King County Journal.

There was Council discussion. Mr. Keeffe stated he would draft a letter to the editor for Council's review.

Mr. Halgren asked that the matter of emergency access at the assisted care facility along 148th Avenue just south of SE116th be added to the agenda. He stated, on the northern side of that facility's property, there is an exit onto 148th with an opening in the median at that point. He observed maybe four signs (two for the southbound traffic and two for the northbound traffic) that say for emergency access only. Mr. Halgren stated his disbelief that the signage applies to the traffic going north and south. He stated that he suspects that the signs might pertain to vehicles coming from the assisted care facility entering onto 148th going south.

Mr. Seal offered the supposition that the signs applied to ambulances.

Mr. Halgren asked that the Council look at this situation so that there can be discussion at the next meeting.

12. Continued Communications

Mr. Goft reported that the street sign at SE 4th and 156th Avenue was missing.

Chair Bell again invited all Councilmember to attend the May 14th open house at St. Louise Church regarding the revitalization of the Lake Hills Shopping Center.

13. Executive Session None.

14. Approval Summary Minutes

- (a) April 1, 2003 East Bellevue Community Council Summary Minutes

Mr. Halgren moved approval of the April 1, 2003 East Bellevue Community Council Summary Minutes. Mr. Keeffe seconded the motion which carried unanimously.

15. Adjournment

Mr. Seal moved adjournment. Mr. Keeffe seconded the motion which carried unanimously. The East Bellevue Community Council meeting of May 6, 2003 adjourned at 9:38 pm.

Submitted by:

Michelle Murphy, CMC
Deputy City Clerk