

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

November 8, 2006  
6:30 p.m.

Lake Hills Community Clubhouse  
Bellevue, Washington

PRESENT: Chair Bell, Vice Chair Seal, and Councilmembers Eder, Gooding<sup>1</sup>, and Kasner

ABSENT: None.

STAFF: Lesa Hutnak, Planning and Community Development

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.

(a) New Councilmember Oath of Office

Chair Bell noted the Council's previous decision to appoint Ross Gooding to the vacancy on the Community Council. The Clerk administered the oath of office, and Mr. Gooding took a seat at the table.

3. **COMMUNICATIONS - WRITTEN AND ORAL**

Councilmember Eder commented that the trail on the east side of 156<sup>th</sup> Avenue, south of SE 16<sup>th</sup> Street, has been completed but the walkway is blocked by a portable toilet.

[Upon Mr. Gooding's arrival, Chair Bell returned to Agenda Item 2(a).]

Chair Bell described a letter from the City's Human Resources Director, Yvonne Tate, regarding efforts related to the Americans with Disabilities Act.

---

<sup>1</sup> Mr. Gooding arrived at 6:34 p.m.

Mr. Bell noted upcoming construction on 135<sup>th</sup> Place SE, from SE 8<sup>th</sup> to SE 6<sup>th</sup> Street, to provide bike and pedestrian facilities related to the West Lake Hills Neighborhood Investment Strategy.

4. **APPROVAL OF AGENDA**

Mr. Seal moved to approve the agenda. Mr. Eder seconded the motion, which carried by a vote of 5-0.

5. **COURTESY PUBLIC HEARING**

(a) 2006 Land Use Code Clean-up Amendments

Lesa Hutnak, Legal Planner, referred to a summary of proposed Land Use Code revisions and corrections beginning on page 2 of the meeting packet. All are non-substantive in nature and typically reflect changes in district names, cross references that are no longer valid, and inadvertent errors in previous amendments.

Ms. Hutnak explained that the ordinance corrects a number of references to the former Institutional District to reflect the name change to Medical Institution (MI) District.

Chair Bell opened the public hearing to take comments on proposed 2006 Land Use Code clean-up amendments. No one came forward to comment.

Mr. Kasner moved to close the public hearing, and Mr. Seal seconded the motion. The motion to close the public hearing carried by a vote of 5-0.

Continuing with a review of the amendments, Ms. Hutnak described a change reflected on page 40 of the meeting packet in which the maximum allowed lot coverage within the Factoria Land Use District (F3) was increased from 35 to 40 percent by Ordinance No. 5673, adopted by the City Council in May 2006. The City Council later adopted Ordinance No. 5683 as part of the Critical Areas Ordinance which inadvertently repealed the increase in F3 lot coverage. An amendment contained in Section 4 of the proposed ordinance reinstates the previously approved change in maximum lot coverage.

Turning to page 44, Ms. Hutnak noted references in the Land Use Code to the Barrier Free Code requiring accessibility. These references are no longer necessary because of accessibility requirements imposed by state law and reflected in the Building Code.

Mr. Eder expressed concern regarding U.S. Corps of Engineers' project standards, which are followed by the City, that conflict with the ADA, specifically with regard to walkways over water. He feels a three-foot width is not sufficient to accommodate all wheelchairs. Mr. Eder said he submitted materials to Deputy City Attorney Kate Berens on this subject.

Still on page 44, Ms. Hutnak explained that the definition of gross square feet per floor in LUC Section 20.25A.020.A.2 is inconsistent with all other definitions of the term in the Code. The amendment will correct this error.

Section 7 (Page 45 of the packet) contains an amendment increasing the maximum height of buildings for which the PCD Director may allow exceptions to certain dimensional requirements. The amendment is necessary to maintain consistency with the International Building Code.

Referring to Section 9 (Page 46), Ms. Hutnak said an amendment to this section revises language in LUC 20.25A.090.D.2 applicable to the Perimeter Design District to be consistent with LUC 20.25A.020.B.4 applicable to downtown districts in terms of the criteria for obtaining an exception to height requirements.

An amendment in Section 11 (Page 47) restores deletion of the term Annual Docket Adoption from LUC Section 20.35.015(E), originally deleted by Ordinance No. 5650. The term was inadvertently retained in Ordinance No. 5683 (Critical Areas Ordinance). The term was originally borrowed from state law.

An amendment to Section 12 (Page 48) clarifies the intent of LUC Section 20.45B.260(A) regarding boundary line adjustments and non-conforming dimensions in order to be consistent with state law and current practice.

The final amendment affects the Critical Areas Ordinance, which should have repealed the term Protected Area. An amendment to Section 14 of the currently proposed ordinance replaces the term Protected Area with the term Critical Area in LUC Section 20.50.010.

Ms. Hutnak noted that the agenda memo in the meeting packet references a public hearing before the Planning Commission targeted for November 29. That hearing has been delayed until January, and the City Council will consider the amendments following the Commission's review and recommendations.

Ms. Hutnak responded to questions of clarification regarding the proposed amendments and the overall Land Use Code.

## 6. **RESOLUTIONS**

- (a) Resolution No. 489 Recognizing Jim Keeffe's Service

Chair Bell noted a correction of 27 years for Mr. Keeffe's years of service instead of 26 years as indicated in the draft resolution.

Mr. Kasner moved to approve Resolution No. 489 commending Jim Keeffe's 27 years of public service. Mr. Seal seconded the motion, which carried by a vote of 5-0.

Chair Bell and the Council agreed to have a reception for Mr. Keffe at the December meeting and to present the resolution to him.

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

8. **DEPARTMENT REPORTS:** None.

9. **COMMITTEE REPORTS:** None.

10. **UNFINISHED BUSINESS**

(a) Outstanding Issues List

Chair Bell noted the list of outstanding issues/requests on page 51 of the packet, which include obtaining a copy of the Lake Hills Shopping Center Concomitant Agreement (Master Plan), information on median plantings/landscaping along 140<sup>th</sup> Avenue, and the SE 18<sup>th</sup> trail connection.

Regarding the SE 18<sup>th</sup> trail connection, Chair Bell suggested sending a memo to Transportation and Parks about the easements that are in place and potential impacts from the Hancock and Muren properties. Mr. Bell noted the Council's position to not vacate the street end above the properties. Future development of this pedestrian trail will connect all adjacent neighborhoods to Phantom Lake and the mini park.

(b) Pedestrian Connections

The Council requested a staff presentation of the City's Pedestrian/Bicycle Plan.

11. **NEW BUSINESS**

(a) Alternate Vice Chair Nomination/Election

Chair Bell suggested deferring the election of an Alternate Vice chair until after the first of the year, when new officers will be elected.

Mr. Seal moved to defer the election of Alternate Vice Chair to occur in January with the election of the Chair and Vice Chair. Mr. Kasner seconded the motion, which carried by a vote of 5-0.

(b) Underground Mineral Rights

Councilmembers briefly discussed their interest in who owns the mineral rights under East Bellevue. Chair Bell asked the Clerk to send a memo to appropriate staff in an attempt to gather information.

12. **CONTINUED COMMUNICATIONS:** None.

13. **EXECUTIVE SESSION:** None.

14. **APPROVAL OF MINUTES**

Mr. Seal moved to approve the Summary Minutes of the October 3, 2006 meeting. Mr. Gooding seconded the motion, which carried by a vote of 5-0.

15. **ADJOURNMENT**

Mr. Kasner moved to adjourn the meeting, and Mr. Eder seconded the motion. The motion to adjourn carried by a vote of 5-0.

At 8:19 p.m., Chair Bell declared the meeting adjourned.

Michelle Murphy, CMC  
Deputy City Clerk

/kaw