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BEFORE THE HEARING EXAMINER FOR THE CITY OF BELLEVUE

In the Matter of the Application of)	
)	
BOYS AND GIRLS CLUB)	FILE NO: 11-119329-LB
OF BELLEVUE)	
)	FINDINGS OF FACT,
For a Conditional Use Permit to Operate)	CONCLUSIONS OF LAW,
a Youth Center in the Former Lake Hills)	AND RECOMMENDATION
Library at 15228 Lake Hills Boulevard)	
_____)	

SUMMARY

1. Decision. The application is **APPROVED**, subject to conditions.

2. Proposal. The Boys and Girls Club of Bellevue seeks approval of a Conditional Use Permit to operate a youth center in the former Lake Hills Library at 15228 Lake Hills Boulevard. The new center will feature programs targeted for middle school and younger high school students. No exterior modifications are proposed. On the inside some re-organization of space will occur and sound proofing will be installed. The sound proofing will be to accommodate teen concerts, keeping exterior noise levels at or below the levels established for the Lake Hills quiet zone. In general the students using the center will not drive. They will walk to and from the site, take busses or club vans or be delivered and picked up by parents. Parking in the existing lot should be adequate.

3. Procedure. The application was filed on July 21, 2011. Notice of Application was made on August 18, 2011. A public meeting was held on August 23, 2011. No members of the public attended. No written public comments were received. The East Bellevue Community Council held a courtesy hearing on September 6, 2011. No opposition to the proposal was voiced.

The proposal was determined to be exempt from the procedural requirements of the State Environmental Policy Act (SEPA). The Hearing Examiner hearing was held, upon due notice,

10/27/2011

CITY OF BELLEVUE
450 – 110th Avenue NE
P. O. Box 90012
Bellevue, WA 98009 9012

1 on October 20, 2011. The Staff Report was presented by Leah Chulsky, Assistant Land Use
2 Planner. The applicant did not attend. There was no public testimony.

3 **FINDINGS OF FACT**

4 1. The factual matters set forth in the foregoing **SUMMARY** are adopted by the
5 Examiner as findings.

6 2. The former Lake Hills Library is located at 15228 Lake Hills Boulevard. Across
7 the street is the Samena Club, a neighborhood swimming and sports facility. To the immediate
8 east is the City's Lake Hills Club House. To the west is the trail through the Lake Hills
9 Greenbelt as it proceeds toward Larson Lake.

10 3. The site is zoned R-1(single family residential) and has a Comprehensive Plan
11 designation of Parks/Single-Family Low. The site is also within the Lake Hills Greenbelt Access
12 Area Quiet Zone.

13 4. The property is within the jurisdiction of the East Bellevue Community Council.

14 5. The proposed use of the old library site by the Boys and Girls Club of Bellevue
15 (applicant) is essentially just a change of use. Redevelopment of the exterior of the site is not
16 proposed. The site was originally developed in conformance with the general provisions of the
17 Land Use Code.

18 6. At present the applicant operates after school commuter classes in the adjacent Lake
19 Hills Club House. The applicant's use of the club house will cease after the new teen center is
20 opened.

21 7. The proposed teen center will offer programs that emphasize keeping kids advancing
22 in school with the objective of on-time high school graduation. The offerings will include
23 "Project Learn" --an educational curriculum; technology programs; fitness and nutrition
24 programs; homework help and tutoring; community service projects; art, music and drama
25 classes; and various activities teaching leadership and sportsmanship. Swimming lessons in
26 partnership with the Samena Club may also be offered.

27 8. The site is accessed via a one-way entrance off Lake Hills Boulevard. The access
28 leads to a parking lot that serves both the former library building and the Lake Hills Club House.
29 A Parking License Agreement between the King County Library System and the City (effective
30

1 September 9, 2010) gives users of the club house a right to up to 25% of the parking spaces in
2 the lot during normal business hours.

3 9. The applicant predicted parking needs based on usage at other teen centers in the City.
4 The conclusion was that the existing lot will provide adequate parking and allow the existing
5 sharing of parking with the City to continue.

6 10. The children using the site will not drive; they will arrive by walking, school bus,
7 club van or Metro bus after school. Many of the children in the program live in the surrounding
8 neighborhood and will walk to and from the site. The program itself has three club vans and
9 three staff members that will park on site.

10 11. The surrounding school release times are staggered so that any bus/van drop off will
11 also be staggered, starting at 3:00 p.m. The program will normally close at 7:00 p.m., around
12 which time some parents will be picking children up. However, the majority of participants will
13 walk home or take the bus.

14 12. The use is not predicted to generate more than 20 new vehicle trips. Traffic analysis
15 forecasts that the Boys and Girls Club use will result in a significant reduction of PM peak hour
16 trips compared to the library.

17 13. Periodically, live concerts for teens will take place inside the old library building.
18 These may last till as late as 10:00 p.m. A noise study by Sparling Consultants projected that
19 noise levels will meet those established for the quiet zone if the music is stopped by 10:00 p.m.
20 and if the interior sound levels are held to no more than 97 dBA, 15 feet from the speakers.
21 The applicant proposes to install a sound level monitoring system inside the facility and limit
22 noise to the 97 dBA level. In addition the applicant intends to retrofit the building with sound
23 proofing, such as installing interior sound panels, sealing doors and windows, installing sound
24 curtains and evaluating insulation levels for noise control. A condition of approval will be the
25 preparation of a contingency plan to reduce noise further should the proposed measures prove
26 ineffective to meet standards.

27 14. For the interior alterations proposed, the applicant will obtain building permits.

28 15. The site is located in the Southeast Bellevue Subarea. The subarea plan calls for
29 providing a variety of park and recreation facilities to better serve residents and enhance the
30 residential character of the subarea. The proposal is consistent with the Comprehensive Plan.

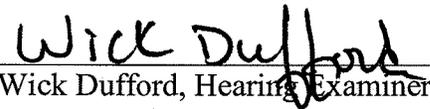
10/27/2011

1 Right of Way Use permit may be required if other activities will affect city streets or
2 sidewalks. Call 425-452-2888 for more information (BCC 14.30).

3 **RECOMMENDATION**

4 The requested Conditional Use Permit should be approved, subject to the conditions set
5 forth above.

6 **DONE**, this 27th day of October, 2011.

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9 Wick Dufford, Hearing Examiner 

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14 **NOTICE OF RIGHT TO APPEAL**

15 (Pursuant to Resolution No. 5097)

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17 **RIGHT TO APPEAL-TIME LIMIT**

18 A person who submitted written comments to the Director prior to the hearing, or
19 submitted written comments or made oral comments during the hearing on this matter, may
20 appeal the recommendation of the Hearing Examiner to the Bellevue City Council by filing a
21 written appeal statement of the Findings of Fact or Conclusion being appealed, and paying any
22 appeal fee, no later than 14 calendar days following date that the recommendation was mailed.
23 The appeal must be received by the City Clerk by **5:00 p.m. on Thursday, November 10, 2011.**

24
25 **TRANSCRIPT OF HEARING-PAYMENT OF COST**

26 An appeal of the Hearing Examiner's decision requires the preparation of a transcript of
27 the hearing before the Hearing Examiner. Therefore, the request for appeal must be
28 accompanied by an initial deposit of \$100 per recording hour. Should the actual cost be less the
29 amount of the deposit, any credit due shall be reimbursed to the appellant. Should the cost for
30 transcript preparation be more than the deposit, the appellant will be additionally charged.

10/27/2011

1 **WAIVER OF TRANSCRIPTION FEE**

2 Upon request, the City Clerk will waive transcription fees upon submission by an
3 appellant of the following documentation: a) an affidavit stating that the appellant's net financial
4 worth does not exceed \$20,000; b) an affidavit stating that the appellant's annual income does
5 not exceed \$5,200; c) a brief statement of the issues sought to be reviewed; d) a designation of
6 those parts of the record the party thinks are necessary for review; e) a statement that review is
7 sought in good faith.

8 **CITY COUNCIL CONSIDERATION**

9 Unless appealed, this matter has tentatively been schedule to go before the City Council
10 on **Tuesday, January 3, 2012 at 6:00 pm** for discussion, and **Tuesday, January 17, 2012 at**
11 **8:00 pm** for legislation. After **Thursday, November 10, 2011**, interested persons may contact
12 the Hearing Examiner's Office at (425) 452-6934 to find out whether an appeal has been filed.
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