

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

September 6, 2011  
6:30 p.m.

Lake Hills Community Clubhouse  
Bellevue, Washington

PRESENT: Chair Kasner and Councilmembers Capron, Gooding, and Seal

ABSENT: Vice Chair Elwin

STAFF: Leah Chulsky, Development Services  
Catherine Drews, Development Services  
Carol Hamlin, Development Services

1. **CALL TO ORDER**

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

2. **ROLL CALL**

The Clerk called the roll. All Councilmembers were present with the exception of Vice Chair Elwin. Chair Kasner led the flag salute.

3. **COMMUNICATIONS - WRITTEN AND ORAL**

Don Boettiger expressed concern about the vacant former gas station at Kelsey Creek Shopping Center.

Chair Kasner reported that the building is to be demolished in mid-September.

4. **APPROVAL OF AGENDA**

Councilmember Seal moved approval of the agenda. Councilmember Gooding seconded the motion, which carried by a vote of 4-0.

5. **PUBLIC HEARINGS**

- (a) Ordinance 6013 amending the Bellevue Land Use Code related to ensuring consistency with FEMA's National Flood Insurance Program minimum floodplain management requirements.

Chair Kasner opened the public hearing regarding City Council Ordinance 6013, which amends the Land Use Code to ensure consistency with FEMA's National Flood Insurance Program requirements.

Catherine Drews, Legal Planner, recalled that a courtesy hearing on this topic was held with the Community Council on June 7. She explained that the amendments to the Land Use Code ensure consistency between the City's floodplain management regulations and state/federal floodplain management requirements. The City Council has adopted Ordinance 6013 approving the amendments.

Responding to Councilmember Seal, Ms. Drews said that the City owns the only two structures in the floodplain.

Responding to Mr. Kasner, Ms. Drews said the City has not heard from any citizens commenting in opposition to the proposed Land Use Code amendments.

Ms. Drews responded to additional brief questions of clarification.

Noting no one wishing to comment, Chair Kasner closed the public hearing.

Mr. Boettiger asked about occasional flooding in the Larsen Lake area.

Chair Kasner said the flooding is much less than it used to be. Councilmember Seal indicated that environmental mitigation projects associated with the redevelopment of the Kelsey Creek Shopping Center should further lessen the potential for flooding.

- (b) Ordinance 6016 amending the Bellevue Land Use Code relating to the prohibition of helicopter landing facilities citywide except for emergency purposes.

Chair Kasner opened the public hearing.

Ms. Drews introduced Carol Hamlin, Senior Planner, who described the Land Use Code amendment related to prohibiting helicopter landing facilities citywide, except for emergency purposes. Ms. Hamlin recalled that the courtesy hearing before the Community Council was held on July 5, and the topic was reviewed with the Planning Commission in mid-July.

The City Council adopted Ordinance 6016 on August 1. However, the Community Council has the authority to approve or disapprove the ordinance within the East Bellevue Community Council's boundaries. Ms. Hamlin said the City received no public comments regarding the proposed Land Use Code amendment. Emergency helicopter landings will still be allowed.

Councilmember Capron noted that the City recently approved a helicopter landing facility in Downtown Bellevue. He expressed concern about the fairness of now implementing a prohibition on non-emergency helicopter landing facilities.

Ms. Hamlin said the Planning Commission discussed the fairness issue as well.

Ms. Drews explained that the City Council has directed staff to add this topic to its future work program for further study and consideration. However, the Council wanted to prohibit additional facilities until there is sufficient time to fully address the issues.

Responding to Mr. Capron, Ms. Drews noted that the City's regulations of helicopter landing facilities have not been revised since the 1980s. Mr. Capron said he could support a moratorium on the topic, but not a prohibition as reflected in Ordinance 6016.

Mr. Kasner spoke in favor of approving the ordinance to allow time for further study of the issue.

Ms. Drews noted that there are essentially no other buildings in Bellevue to accommodate a helistop, and the FAA would actually have to approve any new facility.

Ms. Drews responded to additional brief questions of clarification. She explained that the Kemper Development helistop permit application was addressed by the City's Hearing Examiner. The Hearing Examiner's decision was appealed, and the City Council directed further review by the Hearing Examiner before ultimately approving the application. An appeal is now before the Superior Court under the state Land Use Petition Act (LUPA). This appeal is based on the existing record and must meet six criteria defined in the LUPA. Ms. Drews estimated that the LUPA process will take six months to one year.

Responding to Mr. Capron, Ms. Drews noted that Su Development was one of the appellants to the Hearing Examiner's decision. She said that the Superior Court LUPA case will not be affected by the adoption of the ordinance.

Chair Kasner closed the public hearing.

### **COURTESY HEARING**

- (a) Lake Hills Boys and Girls Club Conditional Use Application to operate youth facility at 15238 Lake Hills Boulevard.

Chair Kasner opened the courtesy hearing regarding the application of the Boys and Girls Clubs of Bellevue (BGCB) to operate a youth facility at 15238 Lake Hills Boulevard, which is the former library located next to the Lake Hills Clubhouse. The Clubhouse is currently being used by the Boys and Girls Clubs as well.

Kathy Haggart, President and CEO of the Boys and Girls Clubs of Bellevue, described how the Clubhouse and former library are appropriate facilities for their programs. BGCB currently rents the Clubhouse and would like to continue using it. Minimal upgrades are anticipated for the former library building, which will provide programs primarily for middle school students and young teens.

Ms. Haggart said that BGCB conducted its own sound study, and some of their activities nearly exceed the City's Noise Code. The BGCB is bringing in a consultant to address the sound issues.

The current BGCB teen center in downtown Bellevue will move to the Lake Hills location, and the downtown center will eventually be rebuilt.

Responding to Chair Kasner, Leah Chulsky said the parking lot should be sufficient for the Lake Hills programs, which will result in fewer cars than the former library use. Most of the youth are transported by van or Metro bus. The application is in review, and a decision recommendation is anticipated this fall. The matter will eventually go to the City Council, within the constraints of its schedule and workload.

Ms. Haggart indicated that the BGCB's deadline for obtaining a permit is November 21.

Councilmember Capron expressed support for the project, as did Chair Kasner.

Ms. Haggart said that the Master Builders Association and others in the community have volunteered to help with the improvements to the Lake Hills former library facility. She said the BGCB is also expanding its programs to Crossroads Community Center.

Chair Kasner thanked staff for the presentation, and Ms. Haggart and Ryan Scott for attending on behalf of the Boys and Girls Clubs of Bellevue.

6. **RESOLUTIONS**

- (a) Resolution 520/520A approving/disapproving City Council Ordinance 6013

Councilmember Seal moved to approve Resolution 520 adopting City Council Ordinance 6013. Councilmember Capron seconded the motion, which carried by a vote of 4-0.

- (b) Resolution 521/521A approving/disapproving City Council Ordinance 6016

Councilmember Seal moved to approve Resolution 521 adopting City Council Ordinance 6016, and Councilmember Gooding seconded the motion. The motion carried by a vote of 3-1, with Councilmember Capron opposed.

Chair Kasner noted Councilmember Capron's comments earlier in the meeting regarding the helicopter landing facilities Land Use Code amendment.

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

8. **DEPARTMENT REPORTS:** None.

9. **COMMITTEE REPORTS:** None.

10. **UNFINISHED BUSINESS**

(a) Resolution 519 amending Community Council Rules and Procedures

Chair Kasner referred the Council to page 53 of the meeting packet, which describes the proposed adoption of Resolution 519. The Community Council's Rules of Procedures were previously adopted by Resolution 419, and Resolution 517 in March 2011 updated those rules. However, Resolution 517 inadvertently did not repeal Resolution 419. Resolution 519 will correct this error and repeal Resolution 419.

Councilmember Seal moved to consider the proposal and recommendation from staff, and Councilmember Gooding seconded the motion. The motion was approved by consensus.

Chair Kasner noted that the amendment related to attendance and excused absences is based on state law.

Councilmember Seal reported that Vice Chair Elwin is aware of the amendment.

Chair Kasner expressed appreciation for staff's work on this issue.

Councilmember Seal moved to adopt Resolution 519. Councilmember Capron seconded the motion, which carried by a vote of 4-0.

11. **NEW BUSINESS**: None.

12. **CONTINUED COMMUNICATIONS**

Chair Kasner recalled the Council's interest in a session about the state's appearance of fairness doctrine. Councilmember Seal reported that the Houghton Community Council in Kirkland proposed a joint session with the East Bellevue Community Council. However, funding from the City of Kirkland is not currently available.

Mr. Kasner raised the issue of graffiti in East Bellevue. He explained that the Police Department referred him to Code Compliance, and staff is working to identify possible speakers on this topic. Councilmember Capron questioned Code Compliance's role. Mr. Kasner said the issues include determining the extent of the problem and who is responsible for cleaning up graffiti.

Chair Kasner encouraged Councilmembers to forward requests for information from staff to him. He would like information on human services funding in East Bellevue.

Councilmember Gooding indicated that the Kelsey Creek Shopping Center project is progressing relatively quickly.

13. **EXECUTIVE SESSION**: None.

14. **APPROVAL OF MINUTES**

Councilmember Seal moved to approve the Summary Minutes of the August 2, 2011, meeting. Councilmember Gooding seconded the motion, which carried by a vote of 4-0.

15. **ADJOURNMENT**

Councilmember Capron moved to adjourn, which carried by consensus.

At 7:39 p.m., Chair Kasner declared the meeting adjourned.

Kelly Wilson  
City Clerk's Office