

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

February 5, 2013  
6:30 p.m.

Lake Hills Boys & Girls Club Meeting Room  
Bellevue, Washington

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

STAFF: Mike Bergstrom, Senior Land Use Planner  
Tom Campbell, Code Compliance Supervisor  
Mike McCormick-Huentelman, Neighborhood Outreach Manager

1. **CALL TO ORDER**

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

2. **ROLL CALL**

Upon roll call, the Clerk declared all members present. Chair Kasner led the flag salute.

(a) Election of 2013 Community Council Officers

Chair Kasner called for the Community Council's 2013 nomination of officers.

Councilmember Capron nominated Steve Kasner to continue as Chair.

Hearing no further nominations and upon a vote of the Community Council, Councilmember Kasner was elected to serve as the 2013 Chair.

Councilmember Hughes nominated Mr. Capron to serve as Vice Chair.

Councilmember Capron nominated Mr. Hughes to serve as Vice Chair.

Hearing no further nominations and upon a vote of the Community Council, Councilmember Hughes was elected to serve as 2013 Vice Chair.

Councilmember Hughes nominated Mr. Capron to serve as Alternate Vice Chair.

Councilmember Gooding nominated Mr. Seal to serve as Alternate Vice Chair.

Hearing no further nominations and upon a vote of the Community Council, Councilmember Capron was elected to serve as 2013 Alternate Vice Chair.

3. **COMMUNICATIONS - WRITTEN AND ORAL:**

Mike McCormick-Huentelman introduced himself, stating his position as Bellevue's new Neighborhood Outreach Manager. He stated he was excited to be working for the City of Bellevue and was looking forward to finding ways to build and strengthen the City's communities and neighborhoods. He invited the Community Council to attend the Neighborhood Leadership Gathering on February 26<sup>th</sup> at City Hall, 5:30 PM to 7:00 PM, to share their priorities with other community leaders for this coming year. Concluding, Mr. McCormick-Huentelman announced the newest member of his team, Carol Ross, was due to start February 19<sup>th</sup>.

In response to Mr. Hughes, he reviewed his credentials and employment history. He stated his experience with project management and building networks amongst organizations and faith communities to serve the community at large. He stated his interest in community collaboration, grassroots engagement and leveraging partnerships to accomplish goals to improve neighborhoods and protect quality of life.

Mr. Ronald Murk stated concern that Bellevue does not have anything in place to control, license, or review adult group homes/assisted living. He explained that the house next door to his will likely be converted to such a use. He next stated his concern related to the tree cutting. He opined that Bellevue's tree removal brochure is disconnected, as the portion regarding tree retention requirements is not found in the tree cutting ordinance. He stated his concerns related to this loophole and the potential impact to his quality of life.

Mr. Seal, in response to Mr. Murk's concerns regarding adult homes, stated group homes are regulated by federal law and outside the City's purview.

Mr. Campbell clarified that it is a matter of state law implementing federal law and policy. State law preempts cities and local jurisdictions from the regulation of adult family homes and group homes. The City's involvement is limited to the Building and Fire Codes.

4. **APPROVAL OF AGENDA**

Mr. Seal requested the addition of Past Councilmember Jim Keefe's birthday recognition under New Business.

Chair Kasner requested the addition of Future Community Council Meetings also under New Business.

Councilmember Seal moved approval of the agenda as amended. Mr. Capron seconded the motion which carried unanimously.

5. **COURTESY PUBLIC HEARING:**

- (a) Land Use Code Amendment – Retail Auto Sales in Office/Limited Business Districts

Chair Kasner introduced staff and opened the courtesy hearing.

Mike Bergstrom provided the staff overview. He explained that although the geographic area identified by the proposed amendment does not fall within the jurisdiction of the East Bellevue Community Council, the amendment would amend the Land Use Code which applies city-wide.

In response to Mr. Kasner, Mr. Bergstrom stated that currently there is no OLB zoning in the Community Council area.

Mr. Bergstrom reported contact with a business representative who wants to locate an automobile dealership in the Eastgate area. Specifically, they wish to occupy the now-vacant Bally's/L.A. Fitness building at 3235 148<sup>th</sup> Avenue SE, the associated parking garage immediately to the north, and an additional parcel to the south, for a total site area of just over 3 acres. These parcels are in the OLB District, which allows for retail auto sales only in specific locations – currently, one in Wilburton and one in Factoria.

The proposed Land Use Code amendment (LUCA) would identify an additional area in the OLB district where retail auto sales would be permitted, specifically in Eastgate in the northwest quadrant of 148<sup>th</sup> Avenue SE and SE Eastgate Way. As initiated by City Council the proposed amendment would expand the area under consideration to include two parcels north of the Bally's garage, resulting in an affected area of roughly 4 acres.

In response to Mr. Hughes, Mr. Bergstrom confirmed that vehicle storage would occur within the parking garage.

Responding to Mr. Capron, Mr. Bergstrom stated the garage is multi-storied but he did not know the actual number of parking stalls. Continuing, he noted that dealerships prefer to co-locate these types of uses.

In response to Mr. Kasner's question about the status of the current auto row along 116<sup>th</sup>, Mr. Bergstrom stated planned road projects and the aggregation of some of those properties' plans for changed use are placing a squeeze on the remaining dealerships.

Mr. Kasner suggested a future for auto sales via internet and stated his vision for the Gateway to East Bellevue did not include a sea of parking to the east of 148<sup>th</sup> and more car dealerships to the west.

Mr. Seal noted the Michael's Toyota Dealership and its vertical parking storage.

Mr. Bergstrom stated this proposal will go to the Planning Commission on February 13th and public hearing on February 27<sup>th</sup>. He stated that staff recognizes the economic value of this proposal but noted that the citizen advisory committee's work related to Eastgate had not anticipated this use. He also noted that this four acre parcel out of the 30 plus acre node was not seen as undermining the ultimate vision for the area.

Chair Kasner stated that as the Bellevue College continues to grow, putting this use at its southern border may or may not fit with its plans. He asked if the college had been consulted.

In response, Mr. Bergstrom assured that they will be consulted. He noted the seventy foot elevation difference between the college and proposed new use.

There was continued Council discussion with staff.

Chair Kasner stated his concern that between dog parks and auto row, everything ends up in East Bellevue. Although he has no concerns regarding any singular issue, he is concerned with the overall impact to East Bellevue's quality of life. Mr. Kasner noted that Bellevue is a big city and wondered why the dart keeps finding the East Bellevue area.

Mr. Kasner stated that this particular parcel is not within the Community Council area but noted that a land use decision by parcel is never a good idea. A philosophy of what we want to do with auto dealerships throughout the entire City feels like a better solution. He asked the process moving forward.

Mr. Bergstrom reviewed the process, stating following this courtesy hearing any Community Council feedback or comments will be forwarded to the Planning Commission to be included for their consideration. It is anticipated the City Council will hold a study session mid-March, followed by final action in early April. If Council adopts the proposed ordinance, staff will return to the EBCC in May for a final hearing.

Mr. Capron stated he would like to see something happen with the proposed parcels, noting the current state between the sidewalk and the property line is rundown. Mr. Bergstrom stated the area to which Mr. Capron refers is state land. There was discussion related to the maintenance of that buffer area.

Mr. Hughes stated this is a strange location for this use as access appears to be limited. He asked if there is any interest in this parcel for other purposes. Mr. Bergstrom responded that there has been no other interest, but, that he felt once people know it is there, it will not be difficult to get to.

Mr. Kasner asked for any further input. Seeing none, Chair Kasner closed the courtesy public hearing.

6. **RESOLUTIONS:**

- (a) Resolution 526 Electing 2013 Community Council Officers

Mr. Capron moved approval of Resolution 526 electing the following nominees:  
Chair Kasner; Vice Chair Hughes and Alternate Vice Chair Capron.

Mr. Seal seconded the motion which carried unanimously.

- (b) Resolution 527 Praying for Continuation of the Existence of East Bellevue Municipal Corporation

Chair Kasner read the above resolution into the record.

Mr. Seal moved approval of Resolution 527 praying for continuation of the existence of East Bellevue Municipal Corporation for an additional four years in accordance with RCW 35.14.060.

Mr. Capron seconded the motion.

Mr. Hughes questioned the wording of the resolution and determination of slate of candidates. Mr. Seal stated the filing period will be in June, noting that any registered voter can file that meets the required terms of residency. Continuing the response, Mr. Kasner explained that the wording comes directly from the state statute. Mr. Kasner noted that, in the most recent past election, the Community Council had been continued by 82% of the counted ballots.

Motion approving Resolution 527 carried with a vote of 5-0.

#### Agenda Interruption

#### 8. **DEPARTMENT REPORTS:**

##### (a) Code Complaint/Resolution Process and Yard Maintenance

Tom Campbell, Code Compliance Manager, distributed handouts outlining code complaints filed in 2012 in the East Bellevue area; table and graphical data from 2004 through 2011; and, a cluster map depicting citywide nuisance complaints.

In response to Chair Kasner, Mr. Campbell provided his professional background and explained the program he manages. Code Compliance personnel consists of five code compliance officers and one administrative support position. Code Compliance enforces the City's civil ordinances relating to building codes, land use, critical areas, nuisance (including vacant properties), noise and stormwater pollution. He stated his Division of the Development Services Department acts as process managers for the civil hearing process if voluntary compliance cannot be reached. Out of 1900 cases each year, relatively few reach the hearing examiner. Voluntary compliance works. It may take longer to get to resolution compared to cities like Seattle, but, he feels, in the long run, makes for a better city. He reviewed the wide range of complaints filed such as building without permits and noise complaints often related to construction, heat pumps and late night deliveries. He noted there are relatively few zoning complaints within East Bellevue Community Council area.

Mr. Hughes questioned the percentage of code violations identified by staff versus complaint initiated.

In response, Mr. Campbell stated that enforcement per City policy is initiated by complaint with the exception of life/safety or serious environmental violations. The only proactive, mandatory enforcement per City Council is related to sign code violations. Over 95% enforcement actions are initiated by citizen complaint.

Mr. Hughes related a situation with the Key Bank site at Main and 148th. He stated the fence surrounding the demolished building was down, exposing rubble. His wife wrote a letter to the City and Code Compliance responded by sending an inspector out to review the situation. A code violation letter was sent to the Bank. He commended the prompt City's response.

Mr. Campbell explained the recent past budget cuts and impact to his division.

Mr. Campbell continued his presentation, stating working towards voluntary compliance is always in the best interest of the community.

Chair Kasner stated the neighborhoods' concern about vacant housing and property/yard maintenance. He questioned the ability of neighbors to proactively volunteer yard cleanup for these properties.

Mr. Campbell cautioned to do so without the owner's specific agreement would be considered trespassing. In the case of vacant homes, the owners are required to keep the grass and vegetation trimmed down. The difficulty is finding the responsible party. He noted the banks sensitivity to this issue.

In response to Mr. Hughes, Mr. Campbell stated if the nature of a complaint does not rise to a code violation but is a civil matter, private legal action would be the course of action.

Mr. Hughes stated from experience that talking with one's neighbor many times resolve the situation. He asked if that approach is recommended.

Responding to Council's questions, Mr. Campbell reiterated that enforcement is on complaint basis but that if a code compliance officer while on a call observes a life/safety issue, action on that additional matter will be initiated.

There was continued discussion. Mr. Campbell stepped through the handout materials noting the highest number of complaints within the East Bellevue Community Council's area are categorized as nuisance complaints.

Chair Kasner noted that anti-litter complaints outnumber citywide complaints by a factor of 4. He asked if there was anything the Community Council could do proactively to reduce litter, stating he felt it is a neighborhood pride issue. In response, Mr. Campbell stated that litter complaints often involve private property/abandoned sites. He stated the code does provide a civil abatement process.

Mr. Kasner opined that the underlying cause for many neighborhood issues is the lack of neighborhood connectivity. He asked what opportunities exist to reconnect neighbor to neighbor.

Mr. McCormick-Huentelman stated where active neighborhood associations, block watches and other means that provide neighborhood connection exist, you find reduced crime, increased

property maintenance, higher property values and improved quality of life. He spoke to neighborhood cohesion, stating the challenges of the East Bellevue area's diverse population can also be viewed as opportunities.

In response to Mr. Kasner's question related to graffiti, Mr. Campbell stated the issue is being looked at by an interdepartmental neighborhood team. He stated several department programs are involved with graffiti issues including Parks, Utilities, Transportation and Police. There is or will be shortly a single portal to report incidents of graffiti on the City's website.

In response to Mr. Gooding, Mr. Campbell stated house colors are not covered by code. Mr. Kasner stated aesthetics were more than likely covered by covenant.

Mr. Hughes noted the sometimes vast economic differences between one community to the next and the difficulties that some in the less affluent areas might have feeling a part of the overall community. He asked what is being done to reach out to everyone in Bellevue regardless of income and location.

In response, Mr. McCormick-Huentelman stated the assumptions made of those living below the poverty line and low expectations of what they can contribute is part of the problem. He challenged those assumptions, stating the way to engage a community is to share high expectations and provide opportunities for that population to invest in the community as equal stakeholders. Take a broader view of the assets in the community and then call them out. This will strengthen dignity, respect, and will unleash more to contribute to the betterment of community than leading with low expectations.

Mr. Campbell stated neighborhood block parties are a good way to unite a community. He commented on the role of the City to provide opportunities and contacts that spark community activities.

Mr. Campbell next reported on the proposed use of technology in the code compliance field.

Mr. McCormick-Huentelman explained the development of a new mobile application that will connect citizens through the use of iPhones and iPads to City sponsored meetings and events.

Chair Kasner thanked both Mr. Campbell and Mr. McCormick-Huentelman for their presentation.

#### Resumed adopted agenda

### 7. **REPORTS OF CITY COUNCIL, BOARDS, AND COMMISSIONS:**

Councilmember Seal reported on his attendance at the Eastside Transportation Association.

Councilmember Hughes reported on his tour of the Community Council area with Mr. Wes Clarke. On that tour they observed the completed demolition of the Frank Lloyd Wright home at the end of 145<sup>th</sup>.

He next reported that he has been talking with the Bellevue Breakfast Rotary Club about the potential of their involvement with long range planning for the East Bellevue area. He read Mr. Ladlad's response into the record indicating his intention to attend the March meeting.

Mr. Hughes stated his concern with the littering of drug paraphernalia in the restroom of the Starbucks at Main and 148<sup>th</sup>. He reported on his conversation with the Starbuck's manager regarding the magnitude of the problem including drug deals going down in the Kelsey Creek parking lot. Mr. Hughes requested this issue be placed on a future agenda with possibly a Bellevue police officer in attendance to report law enforcement actions to eliminate these illegal activities in their community. He explained that public safety was not one of the issues brought up at the long range planning meeting on January 29<sup>th</sup>, but, without public safety you can't have any of the other things.

Mr. Gooding reported on his participation at the Comprehensive Plan visioning meeting on January 29<sup>th</sup>. Continuing from Mr. Hughes comments above, Mr. Gooding noted increased crime and degraded quality of life occur where illegal drug activity exists.

Mr. Capron reported attendance at the January 23<sup>rd</sup> special meeting on Robert's Rules and meeting protocols. He also attended the Comprehensive Plan visioning meeting and reviewed some of the discussion at his table, including the need for light manufacturing in Bellevue.

Mr. Kasner reported his attendance at the January 24 and 29 Comprehensive Plan visioning meetings. He also attended the January 23 training session on parliamentary procedure and meeting protocols.

Mr. Kasner next reported on his conversation with Mr. Groshart, Editor of the Bellevue Reporter, regarding the Community Council and how the newspaper covers local issues. Mr. Kasner noted his request that the newspaper send a reporter to the Comprehensive Plan visioning meeting on January 29 which resulted in a reporter attending and writing an article on the comprehensive planning process. He reiterated the Council's desire to be involved in forums related to the viability and role of community councils.

Mr. Kasner next reported on a transportation committee meeting where technology was used in collecting audience input. He stated similar technology would be wonderful as the City steps through the Comprehensive Plan vision update.

9. **COMMITTEE REPORTS:** None

10. **UNFINISHED BUSINESS:**

(a) Jr. Taxing District, Municipal Corporations & Local Government Finance Committee

No discussion.

11. **NEW BUSINESS:**

(a) Birthday Recognition for Past Councilmember Jim Keefe

Chair Kasner entered into the record a correspondence from Mr. Eder, noting Past Councilmember Jim Keefe's upcoming 90<sup>th</sup> birthday. He stated that Mr. Eder had made a monetary contribution towards the purchase of a birthday card which he will circulate for Council signatures.

The Chair stated he would like to bring all living past Community Councilmembers together at a future meeting to recognize all they have done in the past 50 years to get us where we are today. The Council agreed that a meeting where past members of the Community Council are recognized for their contributions to the citizen of East Bellevue is a good idea.

Mr. Kasner requested feedback on a potential retreat and topics for discussion. He stated his desire to touch on issues like housing vacancies.

He reported that new permits have been filed and demolition has begun at the Lake Hills Shopping Center.

Mr. Kasner noted the Council's interest in adding public safety to a future meeting. It was suggested that Council reach out to Jubilee Reach for more information on this topic.

Chair Kasner stated his desire to connect with a variety of organizations for a children's summit to explore the needs of families in the East Bellevue area.

There was further discussion about other topics of interest to the Council.

12. **CONTINUED COMMUNICATIONS:**

(a) Huang Short Plat

Chair Kasner noted Mr. Pyle's response printed in the packet stating the above project complies with City Code.

13. **EXECUTIVE SESSION:** None.

14. **APPROVAL OF MINUTES:**

Councilmember Seal moved to approve the summary minutes of December 4, 2012 as presented. Councilmember Capron seconded the motion which carried 5-0.

Councilmember Hughes noted a grammatical correction to the minutes on page 31 of the packet, correcting the verb tense in the following sentence from "the Eastgate Safeway is located in Community Business" to "the Eastgate Safeway was located in Community Business" as that business no longer exists.

Councilmember Capron moved approval of summary minutes of January 2, 2013 as corrected.  
Councilmember Seal seconded the motion which carried 5-0.

15. **ADJOURNMENT**

Councilmember Capron moved to adjourn.

With Council consensus, Chair Kasner declared the meeting adjourned at 9:19 PM.

Michelle Murphy, CMC  
Deputy City Clerk