

East Bellevue Community Council
Summary Minutes of Regular Meeting

December 4, 2012
6:30 p.m.

Lake Hills Boys & Girls Club
Bellevue, Washington

PRESENT: Chair Kasner, Vice Chair Seal, and Councilmembers Capron, Gooding¹ and Hughes

ABSENT: None.

STAFF: Catherine Drews, Legal Planner, Development Services Department
Melissa Brown, Street Tree Program Forester, Parks Department

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 and all Councilmembers were present. Chair Kasner led the flag salute.

3. **COMMUNICATIONS - WRITTEN AND ORAL**

(a) Kelsey Creek Center Update

Brian Franklin, Franklin Pacific, provided an update on Kelsey Creek Center. He distributed copies of the Center's marketing materials and reported on the new tenants. He described environmental improvements completed with the redevelopment of the site including rain gardens, renovation of the culvert, and trail/wetland upgrades at Larsen Lake.

Mr. Franklin responded to questions of clarification.

Responding to Chair Kasner, Mr. Franklin said the project employed approximately 300 temporary construction workers and generated jobs for approximately 150 employees in the Center's businesses.

Mr. Kasner observed that the Center is an asset to the community and residents are pleased to see it viable again.

¹ Councilmember Gooding left the meeting at 7:50 p.m.

Responding to Mr. Hughes, Mr. Franklin said he was not sure when the Key Bank property would be redeveloped.

Responding to Mr. Capron, Mr. Franklin confirmed that the Starbucks store is moving within the Center and will have a drive-through. They hope to receive building permits this month and to open in the spring.

Don Boettinger, a resident, expressed concern about pedestrian activity between a nearby apartment complex and the Center. He asked whether there are plans for a crosswalk. Mr. Franklin said that is an issue to be addressed by the City.

Responding to the Council, Mr. Franklin said that PMF Investments increased the level of landscaping on site and provides daily cleaning of the parking lot.

Councilmembers reiterated their ongoing concern about the poor condition of the Key Bank site and indicated that they hope to see redevelopment in the near future.

Chair Kasner thanked Mr. Franklin for the update.

Moving to general oral communications, Wendy Pender representing the King County Library System announced the opening of the new Newcastle Library on December 8.

4. **APPROVAL OF AGENDA**

Chair Kasner requested the addition of agenda item 11(a) to discuss the January and February schedule of Community Council activities.

Councilmember Capron moved to approve the agenda, as amended. Councilmember Gooding seconded the motion, which carried by a vote of 5-0.

5. **PUBLIC HEARING**

- (a) City Council Ordinance No. 6079 extending interim zoning control regulating Medical Marijuana

Chair Kasner opened the public hearing.

Ms. Drews recalled that the City Council adopted Ordinance No. 6058 on May 7, 2012, which established an interim zoning control regulating medical marijuana collective gardens. On October 22, the City Council adopted Ordinance No. 6079 extending the interim zoning control for six months. Ms. Drews noted that Initiative 502 was approved by Washington voters on November 6, which decriminalizes small amounts of marijuana for people age 21 and older. Initiative 502 did not amend the state's medical marijuana laws, however.

Ms. Drews explained that the City's interim zoning controls limit the location of medical marijuana collective gardens to four land use districts: 1) Light industrial, 2) General Commercial, 3) Bel-Red General Commercial, and 4) Medical Institution. None of these districts exist within the East Bellevue Community Council area's boundaries.

Responding to the Council, Ms. Drews said that a collective garden is not a medical marijuana dispensary. She responded to additional questions of clarification.

Chair Kasner noted that he is generally not in favor of interim zoning controls because the issues are often deferred for an indefinite period of time. He recalled the City Council's deferment of addressing helistop regulations.

Ms. Drews said the Council and staff have been focused primarily on the East Link light rail project over the past two years. Staff has also been heavily involved in working on the Shoreline Master Program update with the Planning Commission.

Chair Kasner expressed an interest in a joint Community Council and Planning Commission meeting. Mr. Drews said she would pass that on to Paul Inghram, Comprehensive Planning Manager.

Chair Kasner closed the public hearing.

6. **RESOLUTIONS**

- (a) Resolution Nos. 525 and 525A approving/disapproving City Council Ordinance No. 6079 extending interim official zoning controls regarding medical marijuana collective gardens.

Councilmember Seal moved to adopt Resolution 525 approving City Council Ordinance No. 6079 regarding medical marijuana collective gardens. Councilmember Hughes seconded the motion, which carried by a vote of 5-0.

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

- (a) Community Council Business and New Initiatives

Councilmember Capron said he traveled to Olympia and testified before the State Legislature's Junior Taxing Districts, Municipal Corporations & Local Government Finance Joint Select Committee.

Councilmember Seal reported that he accompanied his fellow Councilmembers to Olympia to observe testimony regarding municipal corporations (community councils).

Councilmember Hughes also traveled to Olympia with the group.

Chair Kasner reported that he attended the November 19 City Council meeting, during which he commented on the new Neighborhood Outreach Manager and on the City's budget.

Mr. Kasner thanked Councilmember Capron for his testimony before the State Legislature's Junior Taxing Districts, Municipal Corporations & Local Government Finance Joint Select Committee regarding the value of the East Bellevue Community Council.

8. DEPARTMENT REPORTS

(a) Greenscapes and Urban Boulevards

Councilmember Hughes said he requested tonight's presentation on the City's street tree and arterial landscape program.

Melissa Brown, Street Tree Program Forester, provided an overview of the street tree program including the environmental and economic value of trees. She described factors related to selecting and placing trees, soil and site preparation, sidewalk repairs and replacement, and vegetation management.

Ms. Brown commented on the positive impact on property values associated with attractive street landscaping.

Ms. Brown responded to a number of questions of clarification throughout the presentation. She described the increasing use of rain gardens and pervious sidewalk surfaces to allow the natural drainage of surface and storm water. These practices are now required by federal and state law. She said they also save the City money because it reduces the need for detention facilities and the treatment of storm water.

Ms. Brown explained that overall right-of-way management involves the Transportation Department, Utilities Department, Parks and Community Services, Development Services, and adjacent private property owners.

Councilmembers briefly discussed their concerns about deteriorating sidewalks in East Bellevue.

Councilmember Gooding left the meeting at 7:50 p.m. Chair Kasner left the table briefly at 7:50 p.m. and returned at 7:54 p.m.

Ms. Brown provided additional details about vegetation management and the street tree/arterial landscape program. She said that commercial and business private property owners often maintain their own right-of-way vegetation. Homeowners associations and private property owners generally maintain the right-of-way in residential areas. The Parks Department primarily maintains formal landscapes in the right-of-way installed by Transportation Capital Investment Program (CIP) projects.

Chair Kasner thanked Ms. Brown for the presentation and asked her to email the written slide presentation to the Community Council.

Mr. Kasner thanked Councilmember Hughes for initiating the presentation.

The Council took a short break before the next agenda item.

9. **COMMITTEE REPORTS:** None.

10. **UNFINISHED BUSINESS**

(a) Junior Taxing Districts, Municipal Corporations and Local Government Finance Committee Report

Chair Kasner reported that he and Councilmember Seal watched the previous day's hearing at the State Legislature on municipal corporations (community councils). He said that Representative Larry Springer is opposed to preserving the community councils; however, there are some supporters within the legislature to allow them to continue.

Councilmember Capron said it was somewhat disappointing to testify before the legislative committee. He noted that members were working on their computers, coming and going, and seemingly paying little attention to the testimony. Councilmember Hughes concurred with his description of the experience.

Chair Kasner thanked the Councilmembers for their participation. He encouraged Community Councilmembers to write members of the legislative Junior Taxing Districts, Municipal Corporations & Local Government Finance Joint Select Committee. Mr. Kasner read proposed language, provided by an outside party, for petitions to the committee.

Responding to the Council, Mr. Kasner said both the Bellevue City Council and the Kirkland City Council are not taking a position on the legislation potentially affecting the East Bellevue Community Council and Houghton Community Council.

11. **NEW BUSINESS**

(a) Community Council January and February Schedule

Responding to the Chair, the Clerk said there is an opportunity for a training session on meeting protocol and state law for the Community Council.

Councilmember Hughes moved to direct the Clerk to schedule a Special Meeting in January for the suggested training. Mr. Seal seconded the motion, which carried by a vote of 4-0.

Chair Kasner said the Community Council has been asked to host a Comprehensive Plan Update meeting tentatively scheduled for February 7, which would be a Special Meeting for the Community Council.

The Clerk said the January 2 Regular Meeting will include a discussion of the Land Use Code by legal staff and a presentation on the Palmer Short Plat. The February 4 Regular Meeting includes a presentation on Code Compliance.

12. **CONTINUED COMMUNICATIONS:** None.

13. **EXECUTIVE SESSION:** None.

14. **APPROVAL OF MINUTES**

Councilmember Capron moved to approve the minutes of the November 6, 2012, meeting. Mr. Seal seconded the motion, which carried by a vote of 5-0.

15. **ADJOURNMENT**

Councilmember Capron moved to adjourn. Mr. Seal seconded the motion, which carried by a vote of 4-0.

At 8:53 p.m., Chair Kasner declared the meeting adjourned.

Michelle Murphy, CMC
Deputy City Clerk

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