

East Bellevue Community Council
Summary Minutes of Regular Meeting

September 3, 2013
6:30 p.m.

Lake Hills Boys & Girls Club
Bellevue, Washington

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

LEGAL COUNSEL: Monica Buck

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 with all Councilmembers present.

Chair Kasner led the flag salute.

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

Chair Kasner acknowledged members of the audience.

Ms. Maureen Olsen, 1438 159th Avenue SE, spoke regarding a boarding house in her neighborhood and the resulting disruption of neighborhood quality of life.

Mr. Don Boettiger stated it appeared to him that the owners of the property in question are running a business in the home.

4. **APPROVAL OF AGENDA**

Mr. Seal moved to amend the agenda, moving Agenda Item 14(a) Summary Minutes Approval forward prior to Agenda Item 13(a) Executive Session. Mr. Capron seconded the motion which was approved 5-0.

Chair Kasner noted that the Eyas Global Montessori School design review taken up at the Community Council's June 2013 meeting has been approved.

The amended agenda was approved by consensus.

5. **COURTESY PUBLIC HEARING:** None.
6. **RESOLUTIONS:** None.
7. **REPORTS OF CITY COUNCIL, BOARDS, AND COMMISSIONS** None.
8. **DEPARTMENT REPORTS:**

(a) Sammamish High School Demolition/Rebuild Update

Chair Kasner provided a brief update on the Sammamish High School demolition/rebuild project.

Councilmember Capron continued the report, stating currently the student parking area is full of construction equipment. On NE 2nd and 4th Street there is permit parking during school hours. Currently no permit is required on 5th Street and he noted a potential overflow parking problem if students were to park along that street.

Nan Fricke stated the School District has rented parking space in the church parking lot a couple doors south of the High School for student permit parking.

(b) Affordable Housing Presentation

Chair Kasner stepped through the printed packet materials, reviewing the Comprehensive Plan update schedule and noting East Bellevue Community Council's formal engagement in 2014.

He next provided an overview of the East King County Housing Analysis, explaining trends, community information and housing needs.

Ms. Pender, Lake Hills Liberian, provided an update on the Lake Hills Shopping Center project. She reported the redevelopment is on schedule and that the parking area is to open in September.

Chair Kasner stated the parking deck is scheduled to open in September with the parking garage construction to be completed by the end of the year. He stated the goal of mixed use transit oriented development is to provide housing close to transit and employment, to reduce automobile dependency and the cost of housing and transportation. He continued speaking to affordable housing and the Comprehensive Plan update.

Mr. Seal stated Affordable Housing is provided for in the Growth Management Act. He stated the problems he sees with such mandates is that the market rules. The Growth Management Act restricts the urban area which in turn limits affordable housing availability.

Discussion continued.

Mr. Boettiger stated developers are profit oriented for the best return.

9. **COMMITTEE REPORTS:**

Councilmember Gooding stated it is good to see progress at the Lake Hills Shopping Center.

Councilmember Capron stated he too was pleased with the progress at Lake Hills Shopping Center. He noted his conversation with the owners of Kelsey Creek Center related to their rezone application.

Councilmember Seal stated he attended the Eastside Transportation Association meeting. There was discussion relevant to Eastside business transportation and the import and export of goods from the eastern portion of the state.

Councilmember Hughes stated he is also pleased with the Lake Hills Shopping Center progress.

Chair Kasner reported on his attendance at the Eastside Transportation Association meeting, stating freight mobility is a huge issue for the state. He also attended the Mid Biennium Budget Workshop and participated in the Lake to Lake Walk event.

10. **UNFINISHED BUSINESS**

(a) Spiritwood Update

Barbara Benson, representing the Spiritwood neighborhood, stated changes have occurred in the Spiritwood area that threatens the future of all Bellevue single-family zoned neighborhoods. Homes are being purchased by nonresident owners and modified into tiny bedrooms for rent to individuals on a month to month basis. Also, a mega home is currently being constructed for dormitory use totally outside the neighborhood's character. She noted the community's surprise and displeasure that City Code allows up to six unrelated persons to reside in a single family home, not to mention the negative impacts of traffic, noise and parking.

Ms. Benson stated this housing model was not new to the Lake Hills area. The expansion of Bellevue College to a four year institution is feeding this opportunistic housing. She stated that in less than one year she can see four homes from her yard that are either already or in the process of converting into boarding houses.

Ms. Benson explained Spiritwood's organized opposition to the proliferation of this type of use in single-family neighborhoods and asked for Community Council support.

Steven Fricke reported on the recent mediation meeting between representatives from the Spiritwood community and the developer's agent regarding the home conversions in question. Mr. Tse, representing the various limited liability corporations involved with the conversions, provided information related to the shared housing model. Mr. Fricke stated his belief that the boarders do not interact as a family unit and therefore do not qualify under the Codes definition of six unrelated persons residing in a single family home. These are businesses. He continued, sharing his research of the impetus of the six unrelated individuals in a single family home and

the boarding house provision. Mr. Fricke stated his disagreement with City staff's interpretation of the current code related to this issue.

Councilmember Capron agreed that the City is ignoring the single family unit provision. From his interpretation of the Code, if there are six unrelated individuals in a single family home and there is one lease, it qualifies. If those same individuals have separate leases it then qualifies as a boarding house.

Chair Kasner asked respectfully that the system be allowed to work and that the individuals involved be patient as the process unwinds.

Councilmember Hughes stated he understands investors coming in to fill a demand, follow the rules and make a profit. However, when you see a three stories structure that has ten bedrooms and ten bathrooms, room for six cars parked in tandem, no main door and built close to the property line, he does not understand why common sense does not have a role here. When you look at this property, it is disgraceful.

Councilmember Seal stated it would be helpful if the City would amend the Code to state that the family concept means one group of six people sharing a single lease to clarify the family type orientation.

Nan Fricke stated Councilmember Seal's solution sounds good, but, noted its impracticality as it is virtually impossible for the City to require the property owner to produce the lease for inspection and therefore the City would not know if one lease or multiple leases existed.

Chair Kasner stated this issue is not unique to Bellevue. There are real-estate consortiums doing this all over the country. The point he is making is as a City we need to get in front of it and say this is what we need to do. The original plan was to deal with this issue during the Comprehensive Plan update. He stated how important it is to the City to get a fair and balanced analysis of what we have now and where we are going. He appreciates everyone's input as he is trying to create a record of what is happening in East Bellevue which will then allow the Community Council to weigh in on the official record.

Stephanie Walter stated family neighborhoods have been the cornerstone of the City of Bellevue from its inception. It began as a suburban 'bedroom community'. She stated her community has lived in this area a long time, paid taxes and have been good citizens. It should all mean something and be worth protecting. Ms. Fricke stated the negative impacts these new boarding house uses will have on her neighborhood and neighborhood schools. She asked for proof that her neighborhood matters as much as Bellevue's wealthier communities. Ms. Fricke stated her disappointment in her elected officials.

Councilmember Seal stated the primary value of children, raising a family and the purpose of the single family area.

Chair Kasner left the meeting at 7:54 p.m. Vice Chair Hughes assumed the gavel.

11. **NEW BUSINESS:**

(a) 148th Traffic Congestion

Don Boettiger stated Imperial East is a graceful development with only two access points, one off of Main Street and the other off of 148th. He spoke to the current traffic problems, making ingress/egress difficult for the residents of this community.

Councilmember Capron expressed an interest in seeing traffic statistics for this area. He noted a comment made that purports increased traffic on 148th since SR 520 Bridge tolling.

Mr. Boettiger stated an alternative route that includes 148th and avoids I-405 and the SR 520 Bridge.

12. **CONTINUED COMMUNICATIONS**: None.

13. **EXECUTIVE SESSION**: None.

14. **APPROVAL OF MINUTES**

Councilmember Capron moved to approve the minutes of the August 6, 2013 Regular Meeting. Councilmember Seal seconded the motion.

Motion to approve the August 6, 2013 minutes carried 4-0.

15. **ADJOURNMENT**

At the conclusion of all agenda items, Vice Chair Hughes adjourned to Executive Session to discuss with Legal Counsel one item of potential litigation for approximately 30 minutes.

Vice Chair Hughes reconvened from Executive Session at 8:38 p.m.

Councilmember Hughes moved to adjourn the meeting of August 6, 2013. Councilmember Capron seconded the motion which carried 4-0.

Meeting was adjourned at 8:39 p.m.

Michelle Murphy, CMC
Deputy City Clerk