CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
MEETING MINUTES

December 13, 2006 Bellevue City Hall
7:00 p.m. City Council Conference Room 1E-113

COMMISSIONERS PRESENT: Chair Mathews, Vice-Chair Robertson, Commissioners Bonincontri, Bach, Ferris, Orrico, Sheffels

COMMISSIONERS ABSENT: None

STAFF PRESENT: Paul Inghram, Carol Helland, Mike Upston, Lisa Hutnak, David Pyle, Department of Planning and Community Development

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER

The meeting was called to order at 7:03 p.m. by Chair Matthews who presided.

2. ROLL CALL

Upon the call of the roll, all Commissioners were present with the exception of Commissioner Bach who arrived at 7:04 p.m.

3. APPROVAL OF AGENDA

The agenda was approved by consensus.

4. STAFF REPORTS

Senior Planner Paul Inghram made available to the Commissioners printed copies of the updated Land Use Code.

Mr. Inghram reported that the City Council approved the budget on December 11. He said it includes a number of workplan items that will affect the Commission in the coming year.

Mr. Inghram also noted that the city will be accepting applications for 2007 Comprehensive Plan amendments through the end of January.

5. PUBLIC COMMENT – None

6. COMMUNICATIONS FROM CITY COUNCIL, COMMUNITY COUNCILS, BOARDS AND COMMISSIONS – None

7. STUDY SESSION

A. Land Use Code Amendment

– Factoria

Land Use Director Carol Helland introduced Bill Brown, Kimco Reality, and Mark Ludtke, Callison Architects, to unveil the developer's vision for the Market Place at Factoria. She noted that the vision will provide context for necessary code amendments, the details of which are still being fleshed out.

Mr. Brown said a holiday open house was held on December 12 at Factoria Mall. Some 65 people attended to see the plans for reimaging the mall. The reasons why Kimschott wants to redevelop the site were outlined, and it was noted that the proposed plan falls entirely within the previously approved entitlements for residential units and additional retail space. Most of the comments offered by the public at the open house were comment; some highlighted things they would like to see on the site. The negative comments were focused on the number of residential units and traffic, issues that have been addressed in the past.

Mr. Ludtke shared with the Commission the proposed modifications to the site. He noted where the major anchor tenants will be located, where the residential units will be sited, and how it will all be tied together with a new main street, pedestrian walkways, and public gathering places. He said the 450 residential units are set back from SE 41st Street and 124th Avenue SE to preserve most of the mature trees and to create a pedestrian edge.

Commissioner Sheffels cautioned against using "Main Street" as a street name for the project given that some confusion could result from already having a Main Street in the city. Mr. Ludtke said no official name has been given to what will be the main street through the project.

Commissioner Orrico asked if the residential units will be condominiums or apartments. Mr. Ludtke said the plan is for apartments. Commissioner Orrico asked if a community meeting room will be part of the mix. Mr. Brown said the current community meeting room is tied to the police substation, which is currently being relocated. There will be a central meeting area at the mall in the redesign.

Answering a question asked by Commissioner Orrico, Mr. Brown said Kids Quest will be staying in its current location, and opportunities are being explored to expand the use.

Commissioner Ferris observed that there will be more retail square footage, and that some of the new space will be created where there is currently parking. He asked if there will be a net loss of parking or if additional parking will be provided elsewhere. Mr. Brown said there will be a lower parking ratio across the entire site, though there will be a net increase in the number of total parking stalls.

Answering a question asked by Commissioner Ferris, Mr. Brown said the 70-foot height for the housing is below the 75-foot height limit for the area. There is a 30-foot grade difference between Factoria Boulevard and 124th Avenue SE. The design calls for two-story structures at one end and a five-story structure at the other end, and the grade difference just about makes them appear level.

Commissioner Ferris noted that under the Factoria Area Transportation Study a total of 685 housing units could be accommodated on the site. He asked if more than the proposed 450 units will eventually be constructed on the site. Mr. Brown said the immediate plan does not call for more units, though 20 years into the future it may be good to have additional density along the street edge.

Ms. Helland said it is the objective of staff to ensure the opportunity to accommodate the remaining 235 dwelling units on the site. Area IV, the parking lot between the anchor store to the at the northwest corner, has the potential to be residential over structured parking. In that event, the mature street trees should be retained.

Ms. Helland said the issue will be back before the Commission in study session on January 10. The public hearing is scheduled for January 24 (since rescheduled to February 28).

B. Evergreen Highlands Rezone

Ms. Helland introduced Associate Planner David Pyle. She explained that the Evergreen Highlands area was deleted as part of the 2004 package of Comprehensive Plan amendments, and the rezone is necessary to keep the Land Use Code in sync with the Comprehensive Plan.

Mr. Pyle said the proposal for the Evergreen Highlands Performance Area is to replace the Area D zoning with an Office zoning. The current designation was given to the area as part of a Potential Annexation Area action; now that the area has been annexed, the zoning designation needs to be changed to be consistent with the Comprehensive Plan. The site involves two privately owned properties and a 2800-linear-foot section of city right-of-way. Under the Process IV action, a public hearing before the Planning Commission is required, and the recommendation of the Commission will go to the City Council for consideration and adoption.

Mr. Pyle shared with the Commission the map of the triangular site bounded by NE 28th Street, 156th Avenue NE and Bel-Red Road. He noted that Bellevue zones its rights-of-way. Typically, the section of right-of-way adjacent to a zone is carried to the centerline; in the case the city boundary extends to the opposite side of the right-of-way, the entire section of right-of-way is given the zoning of the adjacent area. In the case of Evergreen Highlands, there are two sections of right-of-way that will need to be rezoned: the EH-D zone on the south end, and the area to the north that will need to be rezoned to R-3.5.

When the Evergreen Highlands area was moved out into the Crossroads subarea, it was assigned to District A, which is defined by single family-medium development and office uses. Policy S-CR-54, does not allow for retail uses in District A. The two privately owned parcels that are subject to the rezone house an office building and an extended stay hotel. Both were constructed in the late 80s and remain in good condition. The hotel use would be permitted to remain following the rezone.

Mr. Pyle reviewed with the Commission the rezone criteria.

Commissioner Robertson asked if the hotel use would be a legal nonconforming use under an Office designation. Mr. Pyle answered that the use is not permitted outright under Office but would become a legal nonconforming use. The structure does not meet the current height limitations that apply in the Office district. In time the use could convert to a congregate care facility, which is allowed outright in Office.

Commissioner Robertson asked if any other land use designation that does not include a retail use outright allows a hotel use. Mr. Pyle said the problem is that the Comprehensive Plan specifically drives the site toward an Office designation. To seek another zoning would require yet another change to the Comprehensive Plan.

Commissioner Ferris observed that the Office/Limited Business designations permits extended stay hotels, and added that there are areas nearby with that designation. Mr. Pyle said that would

first require an additional Comprehensive Plan amendment.

Mr. Inghram said the recommendation of the Commission could be to seek a Comprehensive Plan amendment in the 2007 package before rezoning the site.

Commissioner Orrico voiced concern regarding effecting a rezone that will create a nonconforming use. She noted her support for changing the Comprehensive Plan to Office/Limited Business first and then rezoning the site accordingly, provided limits are included to disallow retail or other high-impact uses. Commissioner Sheffels concurred.

Staff was asked to research why the Comprehensive Plan designation for the site was changed in the first place; the uses allowed in Office/Limited Business and in Office; and what other office-type zones, if any, allow hotel uses.

C. Comprehensive Plan & Land Use Code Amendment – Crossroads Center Plan

Mr. Inghram said the Crossroads planning process was undertaken to look at ways the Comprehensive Plan and Land Use Code could be modified to help Crossroads continue to be a valued community center and to become even better by encouraging economic success, continued support for public gathering places, and improved pedestrian connections, and creating a stronger connection between the commercial area and the adjacent park.

Mr. Inghram reviewed the public process undertaken which resulted in the development of a working group made up of local stakeholders. Their work has been focused on the main issues of land use, housing, park connections, transportation and pedestrian access. EDAW, a planning and design consultant, was hired to analyze some of the issues facing shopping centers generally and to develop alternatives for the Crossroads site. Their work has been subjected to public review and comment.

On November 30, a package of long-range organizing principles was presented to the community. The intent is that the principles will be captured in the Comprehensive Plan to guide development as it occurs on the site over time. The principles highlight the notion of encouraging a public open space/gathering area connection between the shopping center and the community center. Strong activity nodes are suggested for the entrance to the mall and at the community center, and strong pedestrian connections are anticipated.

The park is largely hidden behind the shopping center. The long-range planning principles call for the enhancement of the two streets that provide access to the park, NE 15th Street and 160th Avenue NE, to carry the character of the park out to the main streets of NE 8th Street and 156th Avenue NE.

Mr. Inghram said discussions with the property owners have identified the types of development that may occur in the near- to mid-term future. Metrovation, current owner of the shopping center, is interested in building a mixed use development between the shopping center and the community center, including an at-grade open connection to the park and a second story connection with the park. Surface parking would continue on the space in front of the mixed use development, and structured parking would be developed under a retail/housing building.

To the north of the cinema there is a proposal for a development with a combination of hotel and residential units. It would have structured parking on the base level. An additional opening to the park with a strong pedestrian connection would be included at that location.

The property on the northwestern side of the intersection of 160th Avenue NE and NE 8th Street is under different ownership from the mall. The owner has indicated a desire to replace the single story retail building with a mixed use development having ground floor retail under housing and over a parking structure.

Mr. Inghram said there is on average fairly strong support on the part of the workgroup members for the five long-range planning principles. The implementation strategy is to incorporate the principles into policy language, and to establish a milestone review process to kick in when 400 housing units have been built. Some city investment will be required, notably enhancement of the entrances to the park property.

At the November 30 meeting, much of the discussion continued to focus on housing issues and whether the prohibitions against additional multifamily units in Crossroads should be removed or modified. The notions of extending a road into the park, and allowing some private development to extend into the park, through land swaps, have been pulled from consideration. There is general support for having wide park connections and more green space on the mall site. The city is committed to working with the property owners to improve the connections to the park, but the main obstacle is the location of the current Circuit City building. As opportunities arise in the future, the long-range principles support providing a better connection.

Mr. Inghram said many people have expressed an interest in maintaining a sufficient supply of parking at the shopping center park, including surface parking. He noted that any redevelopment of the site will have to comply with all applicable parking requirements, for which no changes are envisioned. The anticipation is that the property owner will seek to develop some structured parking, though the vast majority of surface parking will remain because of the value it provides to the retail shops.

There is a fairly high level of support for multifamily housing on the site and has been throughout the process. There is strong opposition from some, however, who base their concerns primarily on neighborhood and traffic impacts. The support for housing comes with caveats, namely that it must be done in a way that will not negatively impact the commercial center. Integrating housing into commercial developments is a growing trend and is becoming quite common.

The need to preserve the city's neighborhoods has been raised by the public. Mr. Inghram said staff concurs and believes that mixed use development is supportive of that goal by strengthening the economic health of the shopping center and encourages non-motorized access to stores, services and transit.

In 2005 many in the community expressed concerns over the initial alternatives that were unveiled. The process was retooled and restarted, though some concerns about process have persisted.

Mr. Inghram briefly reviewed the proposed policy language and the proposal to move the District E boundary to bring two parcels in the northwest corner into District F and re-designate them Multifamily-High.

Commissioner Robertson asked if there is any portion of Area E outside the study area that is not currently developed with multifamily and that would be open to new multifamily development under the proposed language of Attachment 1. Mr. Inghram said the current housing prohibition applies to the CB zone in Area E to the north of NE 8th Street.

Commissioner Robertson suggested revising Policy S-CR-72 to read "…except that mixed use multifamily development may be appropriate when they are of high quality and design…."

Mr. Inghram observed that a gateway-type treatment may be required as a part of any new development. He said that would be discussed as part of the permit review process.

Commissioner Robertson called attention to the language of new Policy 2 and suggested it is confusing as drafted. She proposed rewriting the first sentence to read "Once 400 new multifamily dwelling units are developed in Area E north of NE 8th Street, the city will reassess the implementation effectiveness of the Crossroads subarea plan."

Answering a question asked by Commissioner Sheffels, Mr. Inghram said the intent of the neighborhood is to require a review of the entire subarea plan once 400 new multifamily housing units are constructed. Their desire is to make sure the development is consistent with the subarea. Commissioner Sheffels allowed that the 400 units could be constructed within a year, and the requirement would mean reassessing the subarea again right away. The number of housing units should not be the trigger for reviewing the entire subarea plan, though it could be for reviewing just the housing portion of the subarea plan.

Commissioner Robertson expressed concern that the language of new Policy 3 as drafted may allow commercial use of the park property. Mr. Inghram said the language could be clarified to stress that any farmers market activity would occur on the private side.

Commissioner Robertson suggested that new Policy 6 should require new development to include pedestrian connections rather than just encourage them. Mr. Inghram answered that the degree and nature of any such requirement would be spelled out in the design guidelines and standards of the Land Use Code.

Mr. Inghram said adoption of the policies will be followed by adoption of the Land Use Code procedural changes, then the changes to the design guidelines and the housing prohibition. He said prior to the public hearing in January he will bring to the Commission all of the policies for the Crossroads subarea.

Commissioner Ferris suggested that none of the maps clearly show the current vision outlined by the proposed policies, particularly in regard to activated retail streets. He also commented that the elevated walkway envisioned for connecting the park with the main mall building will not feel inviting to the public, and the courtyard between the two buildings will feel private rather than public. The buildings should be brought closer together, and the green space in the middle should be widened and more generous. Also, retail should be required for any new building fronting the pedestrian walkways; a hotel use will not provide that function. If there is to be any public investment in new connections to the park, they should be focused on creating a new front door to the community center entrance. Mr. Inghram said the vision for the area will need to be captured in the long-range organizing principles and the Comprehensive Plan policies. The code will not attempt to define individual buildings and locations through a site development plan.

Commissioner Ferris suggested the discussion section of new Policy 6 that is focused on activated retail streets should be revised to read something like "…Buildings shall from the streets and provide entrances, windows facing the street, canopies, and a retail use…." As currently proposed, the policy language does not say the buildings must front the street. Mr. Inghram said the "shall" language would be more appropriate for the actual code language. The property owner believes that having some level of surface parking in front of the building will be

essential. The city tends to push much harder for having buildings front public streets, less so for internal streets. There have been and continue to be discussions concerning how strict the standards should be to realize the vision.

Answering a question asked by Commissioner Robertson, Mr. Inghram said city staff and the community are in favor of the new vision, even though it does not exactly mirror the original vision. The community has a very strong attachment for the Crossroads commercial area as it is in its current configuration and are not anxious to see the area changing dramatically. Most favor enhancements to the existing outdoor gathering spaces and enlivening the area. The city is most interested in having a stronger connection with the park. The current property owner has consistently made positive investments in the site, and the policies as envisioned would apply to any property owner in the future.

D. Wilburton/NE 8th Street Study Comprehensive Plan and Land Use Code Amendment

Mr. Inghram said the conundrum staff has faced in developing policies and working toward code changes has been the need to synchronously support the transportation improvements, including the extension of NE 4th Street, with future property redevelopment. He said the key implementation mechanism under discussion entails changing the designation for the area between 116th Avenue NE and 120th Avenue NE fronting NE 8th Street from General Commercial to General Commercial/Community Business. The policy language will need to clarify that the area is currently appropriate for General Commercial, and that it will be appropriate for Community Business after the extension of NE 4th Street is completed. Community Business is more focused on retail uses, allows an additional 15 feet of height, allows for mixed use development, and carries with it a requirement for design review.

Mr. Inghram said the special opportunity area bounded by I-405 on the west, the Burlington Northern-Santa Fe right-of-way on the east, NE 4th Street on the south and NE 8th Street on the north remains a potential site for a sports arena. The land use study is not, however, focused on that possible use. The area is key given its location adjacent to the downtown and close to two major freeway interchanges, and the fact that it will likely be served by light rail. Originally, the special planning area was shown with 116th as the eastern boundary.

Consideration has been given to extending NE 6th Street connecting with 120th Avenue NE. Mr. Inghram said a general purpose street would be difficult to achieve given the grade change, the railroad and the underlying major sewer line. The city is interested in having a pedestrian connection across the freeway in the vicinity of NE 6th Street, and if light rail comes in it may be prudent to have the HOV interchange on the freeway connect to the east. If the rail corridor becomes a pedestrian corridor, there may be opportunity to have a pedestrian-to-transit connection in the special opportunity area.

Commissioner Orrico suggested the possibility of extending NE 6th Street rather than NE 4th Street should not be precluded. Mr. Inghram said the amount of review done thus far indicates extending NE 4th Street is far more probable than extending NE 6th Street. He agreed that the policy language should allow for some wiggle room, but suggested it should not be so broad as to either fold in both NE 4th Street and NE 6th Street.

Commissioner Sheffels asked if the special opportunity area language will create an entity that could be applied anywhere in the city or if it will be unique to the Wilburton/NE 8th Street area. Mr. Inghram allowed that the language is intentionally vague. While it could apply elsewhere, the intent is for it to apply within the realms of the policy. Any major project identified would

have to create a programmatic EIS and rezone of the area, but the policy language would not require a Comprehensive Plan amendment as well in order to allow for the rezone. Commissioner Sheffels suggested the term "project opportunity zone" would be more descriptive of the intent.

Commissioner Ferris suggested the recommendation of the Commission to the Council should incorporate density or height bonuses where affordable housing is included in a development proposal. Only eight percent of housing in Bellevue is affordable to households making 120 percent of median income or less. Mr. Inghram said there are a number of policies in the Housing Element that address housing affordability. The issue is not whether there are a sufficient number of policies but rather or not the incentives in place are effective. One option would be to include a recommendation to the Council that the housing policies and incentives need to be addressed sooner rather than later given the current pace of development and redevelopment.

Mr. Inghram outlined for the Commission the changes proposed to the Land Use Chart, including the addition of motorcycle sales as a permitted use on both sides of 116th Avenue NE. He noted that truck sales are not permitted in the area and will continue to be prohibited. As shown, the 100,000 square foot limit on retail in the Community Business zone would be continued for the area to the east of 120th Avenue NE.

8. NEW BUSINESS – None

9. OLD BUSINESS

The Commission reviewed the schedule.

10. APPROVAL OF MINUTES

A. November 15, 2006

Motion to approve the minutes as submitted was made by Commissioner Orrico. Second was by Commissioner Sheffels and the motion carried unanimously.

11. PUBLIC COMMENT

Ms. Maggie Bentley, 15027 NE 11th Place, said some of the buildings being proposed for the Crossroads site are five stories tall, which would be out of character for the neighborhood. The property owner has stated that having apartments on the site will not be a real moneymaker for him. She noted that the shopping center is a thriving concern and housing is not needed. It has been said that the 400 units will be offered at market rate. Crossroads is densely populated with apartment complexes, and in the last eight years the section between NE 8th Street and Bel-Red Road has been rezoned twice for the elementary schools; additional multifamily will bring about even more redistricting. The notion of improving the connections to the park are needed and can be done without a Comprehensive Plan change. With an R-30 designation, the Crossroads mall site could yield up to 1200 housing units. There are traffic issues without solutions. The notion of including a hotel is a good idea.

Mr. Barton Ellison, 17104 NE 5th Place, reminded the Commission that the first iteration of plans for the Crossroads commercial area was set aside. The second iteration had three alternatives, but it appears that all of the good things have been eliminated because the property owners do not want them. The patrons of the mall do not want housing units there; they want to be able to

drive to the mall, find a place to park and do their shopping. The hotel use is acceptable to most people because it involves an undeveloped area of the site and will not affect access to the shopping area. Building F would be much better if it did not include residential. The review to be triggered by the construction of 400 housing units will have nothing to do with time but rather the impact of the housing units.

12. ADJOURNMENT

Chair Mathews adjourned the meeting at 9:48 p.m.

_____ _____
Staff to the Planning Commission Date

_____ _____
Chair of the Planning Commission Date