

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
MEETING MINUTES

January 12, 2005
7:00 p.m.

Bellevue City Hall
City Council Conference Room

COMMISSIONERS PRESENT: Chair Lynde, Commissioners Bach, Maggi, Mathews, Orrico, Robertson

COMMISSIONERS ABSENT: Vice-Chair Bonincontri

STAFF PRESENT: Kathleen Burgess, Carol Helland, Steve Cohn, Michael Paine, Mary Kate Berens, Department of Planning and Community Development; Kris Liljeblad, Kevin McDonald, Department of Transportation

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER

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

2. ROLL CALL

Upon the call of the roll, all Commissioners were present with the exception of Commissioner Bonincontri who was excused.

3. APPROVAL OF AGENDA

The agenda was approved by consensus.

4. STAFF REPORTS

Comprehensive Planning Manager Kathleen Burgess informed the Commissioners that the Lake Hills Shopping Center stakeholders group will be meeting at 7:00 p.m. in City Hall on January 13 to hear the owner's latest proposal for the site. The issue will not be coming before the Commission in the future.

5. PUBLIC COMMENT – None

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

7. STUDY SESSION

- A. Comprehensive Plan Amendment and Land Use Code Amendment
– Medical Institution District

Commissioner Orrico recused herself from participating in the discussion due to her relationship

with the Overlake Hospital Foundation, the group that spearheads fundraising for the hospital. She stated that she is not paid for her work with the Foundation. In addition, she noted that the law firm for whom she works is general counsel for the hospital, though she does not work on Overlake matters and is not a shareholder of the firm. She added that the City Attorney has advised her that she does not need to recuse herself from participation in the matter, but said she wanted there to be no questions.

Commissioner Orrico left the table.

Land Use Director Carol Helland reminded the Commissioners that when the Council initiated the work on the Comprehensive Plan amendment and the Land Use Code amendment the direction was to provide adequate additional development intensity; facilitate the campus redevelopment; encourage development of an open and accessible public campus; and convey a sense of permanence and quality. In response to that guidance, staff identified the need for a citywide Comprehensive Plan amendment to describe the Medical Institution District and create a new land use designation, and for two site specific Comprehensive Plan amendments, one modifying Policy S-WI-2 in the Wilburton Subarea Plan to describe the area with some specificity, and one changing the map designation from Office Limited Business with an Institutional District Overlay to Medical Institution District.

The proposed Land Use Code amendments include the creation of the Medical Institution District; a map of the development areas associated with the Overlake Hospital Medical Institution District; regulations applicable to the Medical Institution District; revisions to the existing sections of the Land Use Code that refer to the old Institutional District or hospital uses; and amendments to some sections necessary to ensure accuracy of cross references and terminology. The regulations applicable to the Medical Institution District include project review requirements; permitted uses; development intensity limitations; parking and transportation requirements; streetscape design requirements; and design review guidelines.

The Commissioners were shown a map on which the boundaries of the proposed Medical Institution District were outlined, including the hospital development area and the medical office perimeter development area.

The Commission acted in December 2004 to endorse principles to guide the Comprehensive Plan Amendment and Land Use Code Amendment. The guiding principles are: 1) permit appropriate medical institution growth within defined boundaries while minimizing adverse affects, which will require adoption of a map and which will essentially cap growth within the identified areas to mitigate the impacts highlighted in the Environmental Impact Statement; 2) recognize the public purpose and unique character of medical institution uses, which will require some flexibility to allow the hospital to meet certain needs, including skybridges between buildings to improve mobility; 3) allow for co-location of a mix of uses and structure type necessary to support a primary hospital use; 4) present an appropriate face to the larger community, which will require a focus on transitions between buildings and from the street; and 5) accommodate the changing needs of major medical institutions, provide development flexibility and encourage high-quality design, which will include street corridor standards.

The process principles previously adopted by the Commission are: 1) offer clear guidelines and development standards; 2) provide notice of plans to adjacent property owners and citizens; 3) provide a long-term plan and phasing plan; 4) allow the city to anticipate needed public investment needed to accommodate development; 5) provide a basis for determining mitigation to avoid or reduce impacts of projected medical institution growth; and 6) provide for efficient and timely processing of the plan and subsequent amendments. Principles 1, 2, 3 and 6 are

largely addressed by the review requirements of LUC 20.25J.015.

The design principles the Commission adopted are: 1) achieve high-quality design through street frontage and dimensional standards; 2) encourage pedestrian connectivity; 3) require pedestrian-sensitive designs that respond to functional characteristics of medical institution uses; 5) create transitions to adjacent less-intense land use districts; and 6) include significant public outdoor open places. Photographic examples highlighting the various design principles were shown to the Commissioners.

Ms. Helland explained that pedestrian bridges within the Medical Institution District serve a much different function than those in the Downtown in that they are not intended to activate uses at either end. Council approval is required, as is a right-of-way lease. The Council must find that proposed bridges will provide a public benefit. Skybridges are anticipated to cross NE 10th Street and 116th Avenue NE.

The guideline calling for significant public outdoor open places will include green areas within the Medical Institution District, and three gateway locations along 116th Avenue NE which will include wayfinding signage. Ms. Helland allowed that the proposed Land Use Code Amendment includes no revisions to the sign code necessary to allow for appropriate wayfinding signage for cars and pedestrians; those revisions will be addressed in a separate action.

Ms. Helland said several comments were received on the Draft Environmental Impact Statement (DEIS). One issue raised was the suggestion that the Land Use Code Amendment should have been included in the Draft Environmental Impact Statement. The response to that position is that the Land Use Code Amendment serves as mitigation for the impacts identified in the DEIS, thus it could not be prepared before the impacts are fully known. The recommended amendments will each have their own notice and comment period.

A second issue raised was that the public and agencies were not given opportunity to comment on the Land Use Code Amendment. Ms. Helland indicated that state agencies were allowed a 60-day review as required, and there was adequate public noticing.

The comment was also made that the environmental review was inappropriately segmented and that more information should have been included in the DEIS. Ms. Helland said the premise of staff is that the environmental review was in fact appropriately phased and inclusive. The phased review allows agencies and the public to focus on issues that are ready for decision. The DEIS provided a project-level review of the master plan, including the Group Health Ambulatory Healthcare Center, the Overlake Hospital south tower, one of the medical office buildings, and the two gateway features. Design review will be required for each structure. Any environmental review that has not been done at the time of issuing the Final Environmental Impact Statement will be supplemented during the design review phase.

Chair Lynde asked if there will be any accommodation for bicycles. Ms. Helland said the Downtown policies that relate to pedestrian and bicycle connectivity direct the provision of routes across I-405 at NE 10th Street. The proposed plan does include connectivity for pedestrians, but because of the needs of the medical complex the buildings on either side of the roadway must be quite close together, leaving no room for bicycle facilities on NE 10th Street. Regional bicycle facilities will be provided on NE 12th Street instead. Bicycles will be able to use NE 10th Street, but there will not be a specific bicycle lane provided for them.

Answering a question asked by Chair Lynde, Kris Liljeblad, Assistant Director, Transportation Planning, said 116th Avenue NE is not a dedicated bike route; 112th Avenue NE is, though it has

some serious constraints that are being addressed. Chair Lynde asked if any accommodations for bicycles and bicyclists will be required of the hospital campus buildings. Mr. Liljeblad said there are requirements as part of the transportation management plan which will be imposed as a part of the design review. A minimum number of parking racks for bicycles will be required that depends on the size of the building, but amenities such as showers and lockers are typically optional.

Commissioner Bach suggested that NE 12th Street will be the best location for including a regional bicycle facility. He said it is also currently the best east/west option. Even if it could be designed wide enough to accommodate bicycles, NE 10th Street would not be the best option given the ramps and hospital traffic. He added that 112th Avenue NE is a much better route for bicycles than 116th Avenue NE, especially southbound. Mr. Liljeblad allowed that there will be room on NE 10th Street to include a sidewalk.

Commissioner Bach called attention to the discussion section under Policy S-WI-2 and asked what is referred to by “views of the skyline.” Ms. Helland said the residential buildings in the Ashwood district have views toward the Cascade Mountains. The Group Health facility and the South Tower could block those views to the extent they are not constructed on the lower portion of the site. As proposed, the height limitation on the hospital use is 200 feet, and for the ambulatory health care center the limit is 140 feet; for the medical office buildings the height limit envisioned is 140 feet. Height is measured from the average finished grade.

Commissioner Maggi asked where traffic signals will be placed. Ms. Helland said the new entry at NE 10th Street will have a signal. The existing entry location will also have a signal, and there will continue to be signals at NE 8th Street and NE 12th Street. Mr. Liljeblad added that at several locations the turn movements will be restricted to right-in right-out in order to reduce congestion and permit better traffic flow.

Chair Lynde asked if comments were received from residents of the Ashwood area during the EIS process. Ms. Helland said notices were sent out to everyone who received notification for the Downtown Implementation Plan. That included the Ashwood district and the neighborhoods to the north of NE 12th Street. About 29 comments were received, and some 50 people attended the public hearing. The comments received were not outside the realm of what was expected with regard to transportation, land use and process. Very few of the comments concerned view or design issues.

Commissioner Bach asked if the owner of the Ramada Inn is aware of the plans that could involve the hotel site. Ms. Helland said the owners of the Ramada were involved in the Downtown Implementation Plan process and are aware of the long-term implications. They are on the notification list as well.

Ms. Helland said the Department of Transportation will be insisting on having a reciprocal maintenance agreement with the hospital for NE 10th Street. Such an agreement will allow the hospital to use city right-of-way to access their buildings to conduct maintenance, and will allow the city the right to use some of the hospital property in order to conduct maintenance along the right-of-way.

B. Land Use Code Amendment
– Critical Areas

Ms. Berens provided the Commissioners with copies of additional public comments related to the timing of the shorelines discussion, which is slated for January 19.

Environmental Planning Manager Michael Paine said the Growth Management Act (GMA) obligation with respect to wildlife rests on the requirement for designating critical areas. All jurisdictions are required to adopt regulations to protect the critical areas. While it is helpful to identify all critical areas, it is not necessary to do so up front; GMA allows for the identification of critical areas with performance standards. Bellevue does not currently have a comprehensive map of all critical areas within the city boundaries; performance standards and definitions have been adopted which help to define and regulate critical areas as they are discovered during the development process.

Washington code defines fish and wildlife habitat conservation as land management to maintain species in suitable habitat and prevent isolation. Conservation areas include those areas with endangered, threatened or sensitive species; species of local importance; naturally occurring ponds under 20 acres; and natural areas and preserves.

In classifying and regulating conservation areas, one key factor to consider is the creation of connections between larger habitat blocks. That is very difficult to attain given where Bellevue is in its evolution. The level of human activity must be controlled as well, especially at certain times of the year. The protection of riparian ecosystems and wetlands is critical to the preservation of fish and wildlife species. The land uses around ponds that provide fish and wildlife habitat are critical, and buffer zones separating incompatible uses are particularly useful. The record must include the preponderance of best available science.

Continuing, Mr. Paine said the methods outlined in the Growth Management Act suggest the classification of habitat elements used by threatened, endangered or sensitive species for breeding, foraging and the like. The state Department of Fish and Wildlife maintains a list of species native to the state, 24 of which are endangered, 11 of which are threatened, and four of which are sensitive. A number of species are candidates to be added to the list if they do not show signs of doing well. The GMA advises sensitivity when it comes to habitat manipulation; recognition of the historic presence of species of local concern; sensitivity to existing surrounding land uses that may be incompatible with salmon habitat; an awareness of the presence and size of riparian ecosystems; the intermittent nature of some of the higher classes of streams; and lakes, ponds, streams and rivers planted with game fish.

The Comprehensive Plan of Bellevue uses the term “special status species.” The term is defined so as to include both species of concern and the federally listed endangered, threatened, sensitive, and candidate species. The term also includes the species identified by King County as important.

Mr. Paine said there are two strategies for urban wildlife management. One is the notion of building ecological reserves, and the other is the provision of protections across an entire region focused on habitat preservation. The latter is the approach that makes the most sense for Bellevue given the lack of large land areas that could be set aside. One of the keys to wildlife management is minimizing detrimental effects. The guidance that would come out of a wildlife management program would be focused on deciding the appropriate minimum patch size to protect; the location, configuration and characteristics that support populations; and things that can be done for other reasons that would have a synergistic effect with wildlife habitat.

Bellevue needs to recognize the importance of undisturbed upland forested habitat. That is a key component for which there is presently very little regulation, unless on a slope of more than 40 percent. The critical role linkages play is not fully addressed in the way regulations are applied in Bellevue, especially linkages between large habitat patches; those that are not riparian

corridors have been largely ignored. Bellevue has not historically regulated or provided incentives to protect special status species and their habitats, though it is a requirement of the GMA. There also needs to be more context-sensitive planning that recognizes habitat and wildlife values.

Mr. Paine said where there are existing critical areas with very high wildlife values, the city may want to consider the importance of having a habitat overlay that would result in additional prescriptive requirements and less flexibility with regard to buffer averaging and the like.

Chair Lynde offered her support for the habitat overlay. She suggested that it should be limited to only those areas where special species have been identified; it should not be a blanket provision applicable to all critical areas. Mr. Paine commented that where special species have been identified another set of management restrictions come into play. The proposed overlay would be focused on habitat only, and in most instances it would not be known for sure if special species are present. It can be assumed that protecting habitat used by specific species will benefit those species.

Mr. Paine proposed adopting incentives to create wildlife-friendly development forms, including incentives to cluster density in ways that will preserve habitat. To accomplish that, the subdivision ordinance would have to be revised to allow clustering by right. There would need to be specific design standards as well.

Ms. Berens commented that the city already regulates certain critical areas and imposes certain setbacks. Where wildlife habitat preservation is concerned, a policy choice will have to be made before acting to create a new protected area in addition to the established protected areas. Staff is not proposing creation of a new protected area category, which could potentially draw in new properties to be regulated. Rather, staff is proposing recognition of the fact that the areas already regulated offer wildlife functions and values; in making modifications to those categories, wildlife functions and values should be taken into account. A set of incentives should be developed to encourage developers to protect wildlife habitat without being required to do so.

Chair Lynde agreed, adding that any attempt to create a new regulatory category would likely meet with opposition. Any incentives developed will have to be worthwhile for the developers in order to be effective.

Mr. Paine said incentives and management practices aimed at preserving wildlife habitat linkages should also be developed. The linkages are so important that even relatively small sites should be afforded some density incentives to draw development away from the linkage areas.

With regard to special status or priority species, Mr. Paine said as many as 23 of the species listed by the state can be found in Bellevue, the most common of which are the bald eagle, the Peregrine falcon, pileated woodpecker and red-tailed hawk in addition to some amphibians and fish. From a management perspective, there needs to be an ample supply of perching and nesting trees, which means limits on tree removal. In addition, the presence of special status or priority species will mean the imposition of a management plan. The state has a management plan for nearly every species of concern, many of which are not overly restrictive and focus primarily on avoiding development activities during the breeding season; for some species there are some fairly restrictive standards, especially with regard to tree preservation.

There was agreement with the notion of applying special management prescriptions to Bellevue properties on which the 23 special priority species are known to exist or are likely to use.

C. Factoria Area Transportation Study Update

Kevin McDonald, Senior Planner, reminded the Commissioners that the first Factoria Area Transportation Study (FATS) was conducted in 1996 shortly after annexation. It was focused primarily on infrastructure and it identified several specific capital projects, most of which have been completed. In 2002 a land use decision allowed the Factoria Mall site an additional 51,000 square feet of retail and 685 units of housing, with a potential additional 100,000 square feet of retail contingent on a study showing adequate transportation capacity to address the increase.

The current FATS study is focused on identifying and projecting land use development and traffic volumes through 2030. The analysis includes a review of all previously recommended projects that have not been implemented to see if they merit being carried over. Projects from the Eastgate/I-90 study that were deferred to FATS for further analysis are also on the plate. The study also takes into account the adequacy and safety of the entire transportation system for the Factoria area as a means of addressing mobility for everyone. The study has a land use and urban design component as well in that those issues cannot be subtracted from transportation in an area that is as compact and mixed in uses as is Factoria. Thus, the study is looking at ways to improve pedestrian connections through urban design and redevelopment; ways to support transit use, including getting people to and from transit stops and creating a transit center; and ways to upgrade the architecture and site planning for Factoria to create more of an urban village look and feel.

The study has been ongoing for the past year. There have been two open house events, a needs assessment has been developed, and alternatives have been identified and analyzed. The schedule calls for a final report to be prepared, reviewed by the Planning and Transportation Commissions and submitted to the Council by June. The third and final community meeting will be held on February 16, by which time a package of recommendations will be available for the community to review and provide comment.

Mr. McDonald said some level of service (LOS) problems have been identified at particular intersections. It is believed that modifying the signal timing where the off-ramp from I-90 intersects with Factoria Boulevard can improve the LOS at that location for the short term, but by 2030 the functioning of that intersection will fall below the acceptable LOS; for the long term, a capacity fix for the intersection will be necessary. The current operations of Coal Creek Parkway where it intersects with I-90, and Coal Creek Parkway where it intersects Factoria Boulevard, are within the LOS limits, but by 2030 operational and capacity improvements will be needed.

The study shows that the addition of 100,000 square feet of retail to Factoria Mall will make little difference to the 2030 traffic picture overall. With the exception of the two freeway interchanges, the system will function much the same with or without the additional retail space. That does not mean that improvements to the transportation system should not be made.

A number of projects have been proposed by the public during the study. Those interested in pedestrian and bicycle movements want to be able to get to places all along the corridor, using facilities that are on both public rights-of-way and on private property. Enhanced connections for pedestrians on the Factoria Mall site, along the strip development on the east side of Factoria Boulevard, and up the hill into the neighborhoods have been suggested. The public has also suggested creating a bike and pedestrian connection along 124th Avenue SE on the back side of the SRO complex connecting with the I-90 bicycle trail. Better wayfinding signage is also needed along the I-90 trail.

Among the traffic projects recommended by the public are some that were on the table during the first FATS study. Traffic flow and safety along 124th Avenue SE has been raised as an issue, as has signal and intersection improvements on Factoria Boulevard, especially at SE 38th where the queue sometimes backs up to the east and the west and blocks driveways. Consideration has been given to creating a parallel arterial to Factoria Boulevard using the general alignment of 129th Avenue SE connecting Newport Way on the south to SE 36th Street on the north.

Mr. McDonald said many from the public have highlighted the importance of transit services and facilities. The community would like to see a mini transit center created on Factoria Boulevard near the intersection with SE 38th Street. Along with increased transit services in the area would come the need for bus layover spaces; an area on the west side of the football field on the Newport High School campus has been identified for that purpose. As the high school campus redevelops, a new roadway connecting Factoria Boulevard with 124th Avenue SE will be created which could also support layover spaces. Transit flyer stops aimed at capturing northbound and southbound trips on I-405, and flyer stops on I-90, could feed into the redeveloped mall site and the intensive office district.

With regard to urban design, the study has uncovered the need to use public and private redevelopment opportunities to upgrade the look and feel of Factoria. Focal points creating visual interest and activity centers should be created along Factoria Boulevard, especially at the intersection with SE 41st, the main mall entrance at SE 40th, and the intersection at SE 38th. Opportunities for incremental redevelopment that includes the consolidation of driveway access points have also been considered; some sites currently have multiple access points, and in other instances adjoining properties could share an access point. The Land Use Code requires consolidation of access points with any major redevelopment. A set of urban design guidelines to direct redevelopment outside the mall property will be developed as part of the FATS recommendation. The local street system and pedestrian/bicycle transportation system will be integrated and connected wherever possible through both public and on-site private investment.

Mr. McDonald said altogether some 40 to 50 project ideas in the four major categories have been generated. Each needs to be evaluated to make sure that the projects that are recommended to move forward are those that will improve the mobility of those who use the Factoria area transportation system.

8. OLD BUSINESS

Ms. Burgess reported that the East Bellevue Community Council held a public hearing on January 4 for the Comprehensive Plan update and acted to approve the update.

9. APPROVAL OF MINUTES

A. November 3, 2004

Motion to approve the minutes as submitted was made by Commissioner Orrico. Second was by Commissioner Bach and the motion carried without dissent; Chair Lynde and Commissioner Robertson abstained from voting.

B. November 17, 2004

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

10. PETITIONS AND COMMUNICATIONS

Mr. Tom Spence, 9455 Lake Washington Boulevard NE, voiced concern regarding the proposed critical areas regulations. Very few people understand what the subject is let alone what additional regulations will be imposed on them. Too many capricious and arbitrary decisions have been made without public input. The outreach of the city has failed; people have not been contacted despite the effort put into noticing them. Anyone wanting information must be very targeted in searching for answers on the city's website. The people who are to be most impacted by the revisions to the Comprehensive Plan is very selective and very punitive. It is irresponsible for the city to continue moving forward without making the citizens aware of the government's intent. The process should be slowed down to allow the public to catch up. The fact that only one person was present at the meeting to object is evidence that the city's noticing efforts have failed.

12. ADJOURNMENT

Chair Lynde adjourned the meeting at 10:03 p.m.

Staff to the Planning Commission

Date

Chair of the Planning Commission

Date