

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
MEETING SESSION MINUTES

April 6, 2005
7:00 p.m.

Bellevue City Hall
City Council Conference Room

COMMISSIONERS PRESENT: Chair Lynde, Vice-Chair Bonincontri, Commissioners Mathews, Orrico, Robertson

COMMISSIONERS ABSENT: Commissioner Bach

STAFF PRESENT: Kathleen Burgess, Nicholas Matz, Steve Cohn, Emil King, Department of Planning and Community Development

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER

The meeting was called to order at 7:05 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 Bach.

3. APPROVAL OF AGENDA

The agenda was approved by consensus.

4. STAFF REPORTS – None

5. PUBLIC COMMENT – None

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

7. PUBLIC HEARING

- A. Comprehensive Plan Amendments
– 2005 CPAs

Motion to open the public hearing was made by Commissioner Orrico. Second was by Commissioner Robertson and the motion carried unanimously.

Senior Planner Nicholas Matz opened a staff introduction of the 2005 Comprehensive Plan Amendment Docket suggestions by noting the two-step process used to suggest, evaluate, and review amendments proposed to the Comprehensive Plan. Amendments that are chosen to be initiated by the City Council will be subject to additional study by the Planning Commission over the course of this annual process. In determining which suggestions should be initiated, the

Commission is also asked to determine if the geographic scope of each site-specific amendment should be expanded. For each initiated amendment, the City Council will make the final decision in the fall. Planners gave presentations on the five suggested amendments.

Associate Planner Steve Cohn introduced the sole 2005 non site-specific suggested amendment, stating the **Twilight CPA** is requesting a policy change that affects all of the Bridle Trails Subarea. The privately initiated amendment seeks to modify Policy S-BT-44 that establishes a 75-foot buffer between single family uses and any use that is more intense. The policy was modified about five years ago to allow for the placement of play equipment within the buffer area if the primary use of a site is a school or daycare. The owners of the Twilight office building are seeking a change to the policy that would allow reducing the buffer to 20 feet in order to allow for parking and sidewalks, provided that within the 20-foot buffer there would be a more dense visual barrier. The question before the Commission is whether circumstances have changed since the policy was last modified to merit additional review of the policy.

Mr. Cohn allowed that the argument could be made that circumstances have changed. The Twilight office building is in the 2600 block of Northup Way where over the past five years several office buildings and single family homes have been constructed. The office buildings have all instituted the 75-foot buffer. Buffers can provide both physical and visual separation. An inspection of the area revealed that the buffer, though serving to provide a physical separation, is doing little by way of providing a visual buffer. Staff therefore concluded additional consideration of the issue is warranted.

A public comment email received by staff concerning the Twilight property suggested the owner of the building should lease the space to an employer that does not use office space as intensively, or one that encourages the use of public transit. Another public comment email received after the public hearing agenda packet was completed suggested that the proposed policy revision would have a negative impact on the community by allowing more parking spaces on individual sites resulting in more traffic in residential neighborhoods.

Introducing the **Lochwood Commons CPA**, Mr. Cohn said the request is for a change in the map designation from Office to Multifamily-Medium for the .75-acre site to allow for the construction of condominiums or apartments. The uses bordering the site include a road, an office building, a park, and a railroad track. A policy in the Wilburton subarea applies specifically to the site and says that either office or multifamily is appropriate, which is reason alone to justify initiating the amendment.

Introducing the **Wuhrman Family CPA**, Senior Planner Emil King noted this is also a privately initiated amendment that seeks a change in the map designation from Single Family-Medium to Single Family-High, for a parcel at the corner of NE 5th Street and 98th Avenue NE. This corresponds to a change in zoning from R-3.5 to R-4. The Wuhrman application does not mention multifamily as a desired map designation.

Changes to zoning regulations that occurred in the early 1990s prevent the Wuhrman site from being short platted under its current zoning. A great deal of the platting occurred in this area prior to incorporation of the city in 1953. Between 1953 and the late 1980s there continued to be some short platting within the immediate area.

Mr. King said staff reviewed the Wuhrman site and surrounding parcels to determine the lot patterns. It was found that on the block directly to the west is a large parcel not unlike the Wuhrman site that also cannot be short platted. The vast majority of the lots on the block on which the Wuhrman site is located were previously short platted to approximately 8,500 square

foot lots. The R-3.5 zoning district typically has a 10,000 square foot minimum lot size, while the R-4 district has an 8,500 square foot minimum lot size. Because of similar circumstances in the immediate area, staff recommended expanding the geographic scoping for the CPA to include some 32 parcels.

Mr. King informed the Commission that there has been a great deal of interest in the proposed Wuhrman amendment and geographic scoping process. There are 35 persons on the interested citizens list. Many phone calls have been fielded by staff and there have been several meetings of staff with citizens. As part of the desk packet are 20 letters and emails that were received after the meeting packet was completed. The comments express concerns about studying the proposal at all, changing the character of the West Bellevue/Lochleven area, and keeping the range of lot sizes and home styles as they currently are in the area. Several residents stated no action should be taken that will set a precedent for changes to the neighborhood. Others proposed studying only the Wuhrman site without any expansion of the geographic scoping.

Mr. Matz introduced the **Tingle CPA**, noting the request concerning the 5.25-acre site is to change the designation from Single Family-Low to Single Family-Urban Residential for the three parcels that make up this site. If the amendment is approved, the site could be rezoned for up to 7.5 units per acre, though the site would have to be annexed into the city before development would be allowed. The recommendation of staff is to initiate the proposal and to expand the geographic scoping to include similarly-situated, unincorporated properties to the south and to the west.

Comprehensive Planning Manager Kathleen Burgess completed the staff summary with an introduction to the **Crossroads Plaza CPA** concerning a site at the northwest corner of NE 8th and 156th Avenue NE. The applicant is seeking a change from Office to Community Business. She said staff is recommending initiating the amendment without expanding the geographic scoping.

Ms. Cindy Ludwig, 12336 NE 24th Street, spoke as co-chair of the Bridle Trails Community Club and indicated opposition to the **Twilight CPA**. The proposal is of great concern to the Bridle Trails neighborhood. The issue outlined by the proposal clearly should be limited to a single site. The community does not agree with the suggestion of staff that circumstances have changed. The proposal is in direct conflict with the intent of the Comprehensive Plan for Bridle Trails, which is to preserve the rural character of the area which is mostly residential. The community would offer less objection if the proposal were for the Twilight office building site only and not applicable to the entire subarea. The Bridle Trails area has for the past year and a half been working diligently with the city to develop a tree ordinance; the proposed amendment could have a very large negative impact on the saving of trees given that many of the 75-foot buffers are heavily treed. When the Twilight building was constructed it was designed to include sufficient parking for the intended use. Property owners near the Twilight office building did not receive a mailed notice of the proposed action even though they could be impacted. The proposed amendment should not be placed on the docket; it should instead be dealt with on a site-specific basis. A blanket change in the policy would open doors for a number of proposals that are pending or for which the submittal of an application is anticipated.

Mr. Scott Hall, 1215 120th Avenue NE, spoke as the owner of the **Twilight** office building. He said the intent all along was to seek a change in the required buffer width that would apply only to the Twilight building. However, when the application was submitted there was no clear method for submitting a site-specific request regarding a policy that applies across an entire subarea. The building currently has tenants for the office space that use up the available parking, thus some of the other space in the building cannot be fully utilized. The tenants have

carpooling programs and public transportation incentives for their employees. The building is set back 75 feet as required by the policy, but if the buffer were reduced to only 20 feet in exchange for a far more intensely planted buffer, more parking could be realized along with a much improved visual barrier. He reiterated his desire to see the amendment apply only to his property and indicated a willingness to work with all surrounding property owners, adding that the proposal meets the economic development goals of the Comprehensive Plan.

Mr. Glenn Ferguson spoke on behalf of his mother, Betty Ferguson of 521 NE 98th Avenue NE. He said his mother has no objection to the **Wuhrmans** dividing their lot into two but is very concerned about expanding the geographic area in which additional lots could be split. A number of lots in the neighborhood are nonconforming, but they predate any zoning currently in place. He pointed out that in an email from staff to a property owner, found on page 35 of the packet, it was stated that property owners would have to get together to do boundary line adjustments and short plats in order to add additional lots to the neighborhood. The possibility of changing the entire character of the neighborhood is what concerns the local residents most. Developers frequently seek to purchase properties in the neighborhood so they can tear down single family homes to construct mega homes. There is nothing to stop a developer from purchasing a number of properties, perhaps the entire area under consideration, then adjust the boundary lines, tear down all of the existing homes and redevelop the area en masse. Over the years the local residents have had a constant struggle to prevent multifamily dwellings from expanding westward, and the issue of adding density is about the same. The neighborhood character should not be allowed to change simply to honor the request of one citizen.

Mr. Paul Measel, 9510 NE 5th Street, said he has lived in his current home since 1968 during which time he has enjoyed the neighborhood protections afforded by the Comprehensive Plan. Nothing should be done to downgrade the neighborhood by allowing an increase in density. Once a density increase is permitted in one place, it seems easier to do the same in another, and the result is creeping density into the neighborhood. The **Wuhrman** lot is valuable in its present configuration, so denying the proposal would not be a financial burden on the Wuhrmans. A number of new homes have been constructed in the neighborhood, along with several remodels, all of which have served to upgrade the neighborhood and make the property values rise. The current plan is working and property owners are benefiting from it. There is no need to change the plan to allow for more density.

Mr. Bob Neuman, 723 95th Avenue NE, pointed out that the West Bellevue/Lochleven area is an historic neighborhood. It is a very livable place in a very livable city. One of the things that makes Bellevue livable is the balance between the vibrant central business district and the surrounding neighborhoods. It is that balance that needs to be respected in considering the **Wuhrman** proposal.

Ms. Marillyn Carlton, 9515 NE 1st Street, indicated her opposition to the **Wuhrman** proposal.

Ms. Mary Rose Volberding, 9443 NE 1st Street, said she has owned her property since 1959. She said the **Wuhrman** proposal will negatively change the character of the neighborhood.

Mr. Gary Graber, 21301 SR-530 NE, in Arlington, said he has owned the **Tingle** property since 1972. He stated that over the years he has not visited the site very often. Recently the city has contacted him about annexation into Bellevue. Mr. Graber noted that the utilities necessary to serve the property have never been put in by King County, and will not be put in by Bellevue unless annexation occurs. The CPA application was made to see what might be possible on the site if annexed into the city. City water and sewer are located approximately a half mile from the site, and the cost of bringing it to the site divided over just a few lots under the existing zoning

makes it fiscally impossible. Mr. Graber said the proposed increase in density would allow for the cost to be divided among more lots and that the proposal is consistent with other development in the immediate area, and when developed the site will not eliminate all of the greenbelt open areas.

Mr. Lu Exum, address not given, indicated his support for the **Tingle** CPA.

Ms. Sue **Wuhrman**, 504 98th Avenue NE, thanked the Commission and staff for the diligent work, intelligent research, and efforts to provide education about the process. She noted that because of the large number of nonconforming lots in the neighborhood, the de facto zoning is R-4, a problem that needs to be addressed. Bellevue is a diverse and progressive city, and it is a privilege to be a resident. The West Bellevue Community Club is an active organization that has the best interest of the area residents in mind. Amendments made as a result of the Comprehensive Plan in 1993 did away with the former process for dividing properties, a fact that was only recently discovered. Within the Lochleven area change has already occurred, and the era of the Sears 900-square foot packaged home is gone. A variety of newer construction styles have come into play, and many properties have lost their privacy. It is in the spirit of promoting the retention of the character of the neighborhood that the application was submitted. The neighborhood would be better suited having one additional home as opposed to one very large home on the site. She said she and her husband plan to move into a condominium in the new Lincoln Square when it is completed and use the current home for a rental and storage. There are no concrete plans for developing the site if the amendment is approved; no architect has been hired, and all offers to sell the property have been rejected.

Ms. Kathy Gwilym, 9436 NE 1st Street, spoke as president of the West Bellevue Community Club. She said the **Wuhrmans** have been good neighbors for many years and the issue before the Commission is difficult for all concerned. She outlined the boundaries of the West Bellevue neighborhood and noted that the block between 100th Avenue and 99th Avenue was established as a buffer zone to protect the neighborhood from the intensification of the business district. That block has greater density, with zoning going from R-5 up to R-30. In the early '80s the Downtown was rezoned. A promise was made at that time that the neighborhood would be protected from further infringement and that the buffer zone would remain constant. The goal of the community club has consistently been to prevent any encroachment or rezones west of the buffer zone that could set a precedent and allow higher density to diminish the character of the single family neighborhood. The Wuhrman application has raised several alarms, as has the recommendation of staff to increase the geographic scoping. The Commissioners were shown a map of the area depicting the 21 properties that have been developed or redeveloped since 2000. A second map was unveiled in which the changes that have occurred to properties in the last 15 years were shown. The neighborhood feels as though it is under assault, both from developers and from the city; the very character of the neighborhood is being destroyed by too much development happening too rapidly. Smaller homes are being replaced with mega homes covering sites from lot line to lot line, causing many older homes to lose their light, tree canopy and privacy. Help is needed to figure out how to allow change while preserving the character of the neighborhood.

Mr. Doug Leigh, 508 98th Avenue NE, said he is the owner of a nonconforming lot immediately north of the Wuhrman property. He said the **Wuhrmans** have been very good neighbors over the years, and the proposal is a difficult issue to deal with. The proposal, however, should not be allowed to go forward on the docket. The Comprehensive Plan as written incorporates protections for the neighborhood against the pressures of an intensive downtown business district. He said he was able to nearly double the square footage of the home on his nonconforming lot without any variances or changes to the Comprehensive Plan; all that was

needed was a building permit. Other redevelopment has occurred and is occurring in the neighborhood without hindrance from the current designations. Many in the neighborhood do not fully understand what is meant by geographic scoping; future notices sent to homeowners should use much clearer, non-technical planning language. Solving the nonconforming lots issue will take looking at the entire area, not just a couple of blocks. The proposal does not do anything to help meet the requirements of the Growth Management Act. The vision of the Comprehensive Plan for the West Bellevue area should be maintained.

Mr. Larry Calvin, Northwest Development Advisors LLC, PO Box 12391, Mill Creek, spoke representing MJR Development, owners of the **Crossroads Plaza CPA** site. He noted that the CPA application was made by the previous property owner; the current property owner believes the proposal has merit. Much has happened in the Crossroads community since 1988: the mall was not a thriving concern, and most of the businesses that are now located in the area were not in existence. The area has been revitalized in line with the vision established by the Comprehensive Plan for the area, but the growth has occurred far more rapidly than anticipated. The subject property is one of the few remaining office sites in the Crossroads subarea, but it is surrounded by multifamily housing at densities up to R-30, single family housing, and Community Business. An office use on the site would be out of context, whereas Community Business uses make sense in that they will provide additional economic opportunities for small business owners. The site is well served by public transit services. There is a huge demand for more Community Business uses in the Crossroads area. The Commission was urged to docket the proposed amendment.

Ms. Blue Savage, 9804 Lake Washington Boulevard NE, speaking to the **Wuhrman CPA** said the area in which she lives was rezoned about five years ago to R-5. She said the lots in the West Bellevue area are reasonably sized. Too many oversized houses have been allowed to develop, and there is essentially no privacy anymore. The proposed amendment will sacrifice an entire neighborhood for the sake of one lot. If allowed, the amendment will only allow density to creep further into the neighborhood.

Mr. Peter Littlewood, 9433 NE 1st Street, allowed that the **Wuhrmans** have done a lot over the years to improve the part of the neighborhood in which they live. Their application should be considered, but only for their immediate property. The central business district and the high-density areas surrounding it are not yet fully developed; there is plenty of room for high-density developments in areas already relegated for those types of uses. Nothing will be gained by altering the density of West Bellevue and destroying a very charming neighborhood.

Mr. Kirk Mulfinger, 9096 NE 5th Street, spoke as the attorney representing the **Wuhrmans**. He suggested that there is a fair amount of confusion relating to the proposed amendment for the Wuhrman site. The Wuhrmans want only to divide their single large lot into two smaller lots, but the actions taken in 1993 do not allow that. A change of the Comprehensive Plan is therefore needed; if there were a way to achieve the same result without seeking a Comprehensive Plan change, the Wuhrmans would have taken that route. The Wuhrman lot is 17,272 square feet. In order to effect a boundary line adjustment they would need an additional 3,000 square feet, but no adjacent property owner could give up that amount of land without themselves becoming nonconforming with regard to minimum lot size. The proposal was not submitted in the hope of seeing the entire neighborhood changed. Much has been said about the character of the neighborhood. Many have said it is the interesting lot sizes that make the block unique and interesting, but essentially the lots are all the same size, approximately 8,500 square feet. If the Wuhrman property were allowed to divide, the two resulting lots would conform with the size of all the other lots in the neighborhood. There have been concerns raised with regard to what could develop on the Wuhrman lot, but the fact is the proposal will not in any

way impact what is allowed on a lot in the neighborhood. Mega houses are already being created under the current zoning. Dividing the lot will yield two smaller homes matching the character of other homes in the neighborhood. There are no obvious negative impacts associated with the Wuhrman application and it should be docketed for additional consideration.

Mr. Doug Jones, 7232 Lakemont Boulevard SE, addressed the **Tingle CPA** and spoke on behalf of the four property owners adjacent to the south of the subject site. He noted that no one is diametrically opposed to rezoning either the Tingle property or those areas within the proposed geographic scoping area. There are, however, concerns with the densities being proposed. The original 1986 plan for Cougar Mountain envisioned villages at low density. Mr. Jones noted that the Tingle and surrounding properties represent one of the last pockets of unincorporated King County that has not been pillaged and plundered, and that he feels the area is unique and should develop with lower densities than proposed. No changed circumstances have occurred that warrant zoning at R-7.5. There are critical areas the change would negatively impact, including water and slope concerns, wildlife habitat, and coal mine shafts. Mr. Jones concluded by stating that the neighboring property owners would support changing the designation on the Tingle site to something less intense than the density proposed by the application.

Mr. Bob Sandbo, 106 97th Avenue NE, added his voice to those opposed to the **Wuhrman** proposal. He said approval of the amendment will trigger the domino effect and bring more density to the neighborhood.

Ms. Loretta Lopez, 13419 NE 33rd Lane, questioned why the **Twilight CPA** should apply to the entire Bridle Trails community in light of the fact that the property owner has stated his desire to change the setback as it applies to his property alone. If the proposal were to be withdrawn, there would be no issue to address. If the application is not withdrawn, the argument will need to be made that noticing of the proposal was inadequate, given that the proposal affects the entire community, not just the properties immediately adjacent to the subject property. There has been no change of circumstance to justify a change to the entire Bridle Trails community. The Comprehensive Plan specifically sets aside the Bridle Trails subarea as a rural area within the city. There is no need to change what the Comprehensive Plan calls for. If the owner of the Twilight office building wants to discuss the size of his particular boundary, that should be done for that one site only and not the entire subarea. There is no justification for the proposal as made and the Commission should reject it.

Mr. Eric Fickeisen, 505 99th Avenue NE, said he has no argument with the request of the **Wuhrmans** to make their lot the same size as every other lot in the neighborhood. He said he would much rather have two small homes than one mega home.

Mr. Joe Rossman, 102 99th Avenue SE, spoke as president of the Surrey Downs Community Club about the **Wuhrman CPA**. He noted that earlier in the week Mayor Marshall spoke at the club's annual meeting, and much of what she said was about the importance of preserving the unique architectural styles of the residential communities that surround the Downtown. He said he is alarmed that the city would even consider a major Comprehensive Plan change that could affect the designation of an entire community surrounding the Downtown area. In the spirit of what the Mayor had to say, the Wuhrman proposal should be considered in the context of the applicant's property only, taking into account the concerns of the local residents. The communities surrounding the Downtown are committed to working together to protect against encroachment.

Mr. John Dziac, 9726 NE 5th Street, said he lives across the street from the **Wuhrman** property and has no argument against subdividing the lot as proposed. He indicated, however, his

opposition to expanding the geographic scope to include other properties in the neighborhood. West Bellevue has for many years served as a buffer against the more intense Downtown. The neighborhood is the best-kept secret in the city. The area between NE 8th Street and Lake Washington Boulevard is rapidly being redeveloped, and many of the new homes are overly large. If more density is needed in the city for some reason, it should occur in the Downtown, not in the established neighborhoods.

Absent additional members of the public wishing to address the Commission during the public hearing, motion to close the public hearing was made by Commissioner Robertson. Second was by Commissioner Mathews and the motion carried unanimously.

8. STUDY SESSION

A. Comprehensive Plan Amendments – 2005 CPAs

Wuhrman CPA

Commissioner Orrico asked if the Wuhrman CPA could be recommended without expansion of geographic scoping. Mr. King said the Commission could recommend to the Council just the Wuhrman site. Staff is obliged at the beginning of all CPA processes to examine potential expansion through geographic scoping, but the Commission has a choice with regard to recommending what areas should be studied.

Commissioner Mathews asked Mr. King to explain his emailed response regarding the notion of property owners banding together for the purpose of making boundary line adjustments. Mr. King said the statement was part of an email response made to a Mr. Smith, who is a property owner living in the area proposed by staff for geographic scoping. Mr. Smith's property is slightly more than 8,500 square feet, which is 1,500 square feet under the minimum lot size for the current R-3.5 zoning designation. Even if the Wuhrman CPA were to be approved, Mr. Smith's property could not be subdivided. The nonconforming lots within the proposed geographic scoping area would not be able to be subdivided because of their size. To the south of Mr. Smith's property there are two parcels that are approximately 12,500 square feet in size. If the Wuhrman CPA is approved, those properties could potentially be subdivided, though it would require the adjacent neighbors to get together to effect a boundary line adjustment and a short plat, and the result would be three lots where there are now only two. At the outset, three additional new lots could potentially be created in the entire geographically expanded study area if the CPA were studied and ultimately approved.

Commissioner Robertson noted that the staff report with regard to changed circumstances points out that the rate of redevelopment is adding pressures. She observed, however, that the development that has occurred has not been unforeseen by the Comprehensive Plan, and added that nearly every neighborhood in the city is facing pressures from redevelopment. Mr. King answered that the applicant did a sufficient job of showing changed circumstances in the application given the amount and rate of redevelopment in the area and the zoning change that occurred in the early 1990s that prevents short platting to achieve lots of less than 10,000 square feet.

Commissioner Robertson commented that lots with a legal nonconforming status should not necessarily be worrisome to the property owners given that development and redevelopment can still occur on them under the city's rules. Mr. King said staff sees no problem with the lots in the area being nonconforming. From a long-range planning standpoint, however, all lots within a given area with the same plan designation should generally be treated in a similar manner.

Answering a question asked by Commissioner Bonincontri, Mr. King said the only way for the Wuhrmans to rezone to permit a short plat is to go through the Comprehensive Plan Amendment process first. The current Single Family-Medium designation corresponds directly to an R-3.5 zoning, with 10,000 square foot minimum lot sizes, and under GMA the Comprehensive Plan designation must be consistent with the zoning. The Wuhrman lot is 17,272 square feet in size, and to achieve an outright short plat under the current R-3.5 zoning they would need to have 20,000 square feet. An SF-H Comp Plan designation, corresponding to R-4 zoning, is needed in order to permit legal lots of 8,500 square feet.

Commissioner Bonincontri asked what some of the other differences are between R-3.5 and R-4 zoning aside from the minimum lot size. Mr. King said the front yard setbacks are the same for each zoning category, as are the side yard setbacks, the minimum street frontage requirements, the maximum height and maximum lot coverage. The only difference is the rear yard setback is 25 feet in R-3.5 and 20 feet in R-4, and the required lot width is 70 feet in R-3.5 and 65 feet in R-4.

Commissioner Robertson allowed that the community is concerned about the development of mega houses and pointed out that if the proposed amendment is approved the result could be two mega houses, one on each of the two lots that would come from the current single Wuhrman lot. Mr. King pointed out that the city doesn't have a definition or regulations for mega houses, but agreed that if the end result is two lots, the home on each lot could be built to the maximum allowed by zoning.

Chair Lynde commented that the Commission has been concerned with redevelopment in the West Bellevue area for some time, particularly with the issues of density and scale. Unfortunately, the currently available remedies will not prevent overly large homes from being developed; there is nothing in the code that would prevent a mega house from being constructed on every single lot in the West Bellevue area. The mix of housing styles and size in the area give a sense of character and neighborhood. She said she would vote against initiating the Wuhrman CPA, noting her long-standing reluctance to engage in site specific zoning. The Comprehensive Plan should provide residents with a great deal of certainty for as long as possible. There has been redevelopment occurring in the area, but it has not been unforeseen and should not be considered a changed circumstance. Clearly those who live in the neighborhood are opposed to allowing the change.

Commissioner Robertson concurred. She indicated, however, that if the Council elects to initiate the suggestion it should be with the expanded geographic scoping to avoid giving a benefit to one property owner that would not be available to other property owners with like circumstances.

Commissioner Orrico agreed as well. The changed circumstances cited by the applicant do not rise to the level of necessitating the amendment. Everything that can be done to preserve the neighborhood character should be done.

Commissioner Bonincontri held that it is always better to have consistency within a neighborhood. She believes that the Land Use Code is mostly silent on the issue of neighborhood character, but where the lot sizes are similar there is a better chance of having consistency. She said she would vote in favor of initiating the proposed amendment. The redevelopment that has occurred in the area has not been unforeseen by the Comprehensive Plan, but the rate at which the changes have occurred was not contemplated.

Commissioner Mathews said he did not see enough changed circumstances to warrant moving the amendment forward. He added, however, that it would be nice to see the large lots in the neighborhood divided to yield more conformity. There is pressure on all neighborhoods in the city regarding redevelopment with very large houses looming over smaller houses. When that occurs, the look and flavor of a community changes. He said he would vote against moving the amendment forward.

Motion to recommend to the City Council to not initiate the Wuhrman CPA was made by Commissioner Robertson. Second was by Commissioner Orrico and the motion carried 4-1, with Commissioner Bonincontri voting against the motion.

Motion to recommend to the Council expansion of the geographic scoping for the Wuhrman CPA if it is initiated was made by Commissioner Robertson. Second was by Commissioner Mathews and the motion carried unanimously.

Twilight CPA

Turning to the Twilight CPA, Mr. Cohn said the options before the Commission are to recommend proceeding with the policy change as proposed, recommend against initiating the proposal, or recommend proceeding with a narrowed scope.

Answering a question asked by Chair Lynde, Mr. Cohn said the issue facing the Twilight office building development is a policy issue, and variances cannot be issued for policies. In order to allow for a reduction in the buffer width to the extent requested by the applicant, the policy will have to be changed. That could be done on a site-specific basis, something that is not done very often. Additionally, the scope of the policy could be narrowed by including exemption language for a class of development or for a specifically designated area.

Commissioner Robertson suggested that rather than a policy change to make the buffer better, what is needed is better enforcement on the part of the city. Mr. Cohn answered that the 75-foot buffer width adequately provides for a physical barrier, and the Type II landscaping the policy calls for is in place at the Twilight office building. If the Commission concludes that something different is needed, the policy language could be rewritten.

Commissioner Robertson argued against reducing the current buffer from 75 feet to only 20 feet. Bridle Trails has always been a special area with large lots and plenty of trees. There has not been any change in circumstances that would warrant changing the policy for the entire subarea. The way the building was developed does not allow for a sufficient amount of parking, but that is an issue that should have been addressed at the time of development. Poor planning on the part of a property owner is not an unforeseen circumstance.

Commissioner Orrico asked if anyone in the Bridle Trails area has complained about the insufficiency of the buffers. Mr. Cohn allowed that there have been no such complaints. Commissioner Orrico said she agreed with Commissioner Robertson.

Commissioner Mathews concurred. He agreed with the comment made during the public hearing that the change if approved could result in the loss of many trees in the Bridle Trails subarea.

Commissioner Bonincontri said one solution would be to change the exception language already contained in the policy, rather than the policy itself. The exception allows play equipment to be located within the buffer area for daycare and school uses; that language could be broadened to include hardship. The intent of the policy is not to limit the use of property but rather to protect

residential areas from more intensive uses.

Chair Lynde commented that at the time the building was constructed the parking limits were known and the development was built to those limits. Mr. Cohn agreed, noting that the development has 4.5 parking stalls per thousand square feet of building. That ratio was chosen because it would fit on the property; the developer could have gone up to five parking stalls per thousand square feet, but the tradeoff would have been a smaller building.

Chair Lynde said she would not support initiating the Twilight CPA.

Motion to recommend to the City Council to not initiate the Twilight CPA was made by Commissioner Robertson; second was by Commissioner Orrico and the motion carried 4-1, with Commissioner Bonincontri voting against the motion.

Lochwood Commons CPA

Commissioner Robertson asked why a Comprehensive Plan Amendment is needed for the Lochwood Commons site given that the Subarea Plan policy already allows for Office or Multifamily-Medium on the site. Mr. Cohn answered that the current map designation on the site was approved prior to the passage of the GMA. Because the GMA calls for consistency, if the site were rezoned under Subarea Plan policy direction, the Comprehensive Plan map would need to be changed too.

Motion to recommend to the City Council to initiate the Lochwood Commons CPA without expanding the geographic scope was made by Commissioner Orrico. Second was by Commissioner Robertson and the motion carried unanimously.

Tingle CPA

With regard to the Tingle CPA, Mr. Matz identified the site on the map for the Commissioners and noted that the current King County zoning for the unincorporated properties to the east of Lakemont Boulevard equates to the city's R-1 zone. Mr. Matz noted the staff recommends expanding the geographic scoping because of the way all the properties in the area are similarly situated in terms of development constraints and their lack of access to services adequate for urban levels of development.

Commissioner Robertson suggested that the rate of growth in the area has been unforeseen and that there are changed circumstances which warrant initiating the CPA. She said she would also support expanding the geographic scoping as recommended by staff. If the suggestion is initiated, more information should be brought forward regarding effect of coal mine hazards in the area.

Commissioner Orrico commented that the area is an island of undeveloped land in the middle of a great deal of development in Lakemont. She echoed the concerns raised by Commissioners during the public hearing relative to critical areas, wildlife and the coal mine hazards. Mr. Matz said, for purposes of clarification, that technically the unincorporated area is an island of undeveloped land surrounded by city, county and regional park land that is in turn mostly surrounded by urban levels of development. Commissioner Orrico then said given that scenario, the question of appropriate density will need to be addressed if the amendment is initiated by the City Council.

Answering a question asked by Commissioner Bonincontri, Mr. Matz reiterated that the Tingle property would not be able to develop to urban densities unless first annexed into the city. It is unlikely the site could be developed under the current King County R-1 zoning, for a variety of

reasons.

Motion to recommend to the Council to initiate the Tingle CPA with the expanded geographic scoping as proposed by staff was made by Commissioner Mathews. Second was by Commissioner Bonincontri and the motion carried unanimously.

Crossroads Plaza CPA

With regard to the Crossroads Plaza CPA, Commissioner Orrico held that clearly there have been changed circumstances. The Office-zoned site is an island surrounded by Community Business. The proposed change to Community Business would be appropriate.

Commissioner Robertson concurred and commented that the site is perfect for a mixed use development with retail below and multifamily residential above. Ms. Burgess stated that CB generally allows multifamily but pointed out that additional multifamily development is not allowed in this part of the Crossroads subarea under the current policies. The proponent is aware of that restriction.

Chair Lynde suggested that a mixed use development with retail below and small offices above could also work on the site.

Motion to recommend to the Council to initiate the Crossroads Plaza CPA, without expanding the geographic scoping, was made by Commissioner Robertson. Second was by Commissioner Mathews and the motion carried unanimously.

Ms. Burgess informed the Commissioners that the Commission’s recommendations on the proposed amendments will be presented to the City Council at a May 2, 2005 Study Session, with action proposed on May 16, 2005. At that same May 2 meeting the Council will be asked by staff to initiate the Crossroads Center Plan study as a Comprehensive Plan Amendment.

B. Land Use Code Amendment
– Critical Areas

This item was postponed to a future agenda.

- 9. NEW BUSINESS – None
- 10. PUBLIC COMMENT – None
- 11. ADJOURNMENT

Chair Lynde adjourned the meeting at 9:39 p.m.

Staff to the Planning Commission

Date

Chair to the Planning Commission

Date