

CITY OF BELLEVUE  
BELLEVUE PLANNING COMMISSION  
MEETING MINUTES

April 20, 2005  
7:00 p.m.

Bellevue City Hall  
City Council Conference Room

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

COMMISSIONERS ABSENT: Chair Lynde

STAFF PRESENT: Kathleen Burgess, Mary Kate Berens, Michael Paine, Heidi  
Bedwell, Department of Planning and Community  
Development

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER

The meeting was called to order at 7:07 p.m. by Vice-Chair Bonincontri who presided.

2. ROLL CALL

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

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. STUDY SESSION

- A. Land Use Code Amendment  
– Critical Areas

Legal Planner Mary Kate Berens said there are Comprehensive Plan policy objectives that the clustered subdivision or conservation subdivision concept addresses, namely providing incentive to meet some of the objectives for preserving wildlife habitat and doing more for critical areas than a developer would otherwise have to do under the regulations. The concept allows for use of the least sensitive portion of sites, and encourages the use of low-impact development techniques.

Ms. Berens reminded the Commissioners that when they last reviewed the conservation

subdivision concept in January direction was given to pursuing a mandatory clustering subdivision for certain sites that would require the critical area to be put into a tract to allow for potential future city acquisition or management. Staff at that time suggested a revision to the density calculation formula to allow for a consistent approach across different types of projects. Currently, subdivisions are calculated differently than planned unit developments, which are calculated differently from multifamily density. Staff also received direction from the Commission to look at modifying the development factor, the formula used to allow a developer to take advantage of some of the development potential of the critical area by transferring it to an unprotected part of the site.

Ms. Berens said staff has identified the types of projects for which the conservation subdivision process would be mandatory. They are sites where the critical area and buffer comprise at least one contiguous acre; sites located in the Kelsey Creek basin; and sites where the critical areas are contiguous with other critical areas the city either manages or owns. In return, the balance of the development process should be made as painless as possible by allowing a reduction in the minimum lot size to as little as 65 percent of the lot size otherwise required. The staff-recommended approach also allows some of the setbacks and lot dimensions to be similarly reduced, and adjustments to lot coverage.

The Commissioners were shown as an example a 196,000-square-foot R-5 site with a Type B wetland that has a 25-foot buffer. Under the conventional subdivision, the site can achieve 15 lots, five of which would contain pieces of the wetland. The drawback to having the wetland areas in private hands is that they are not maintained or managed consistently over time leading to encroachments and enforcement problems. If the critical area buffer were to be increased to 50 feet as proposed, but without the conservation subdivision process in place, the overall density for the site would be impacted and two lots would be lost. Under the conservation subdivision approach, the site would yield a total of 17 lots and the wetlands area would be fully protected.

Answering a question asked by Commissioner Orrico, Ms. Berens explained that under no circumstance will the conservation subdivision concept yield more density than what would otherwise be permitted on a given site where no protected areas are present. In the example given, if there were no wetland the site would yield far more than 17 lots. The lots on the sample site range from 6,500 square feet to 49,000 square feet, the larger lots having the wetlands on them. Under the conservation subdivision approach, the lot sizes would range from 4,700 square feet to 6,200 square feet.

Ms. Berens said incentives serve as a key feature of the conservation subdivision tool. Labeled the "Green Factor Bonus System," the approach is modeled after the bonus system offered to developers in the Downtown who elect to provide certain amenities. The full details have yet to be worked out, but under the concept each type of amenity earns a point value which added up yield a density bonus of ten percent. In order to cash in on the density bonus points, it will be necessary to allow for some flexibility with regard to the dimensional requirements and a reduction of lot sizes, perhaps to as low as 50 percent of the minimum lot size.

Taken together, the conservation subdivision concept sets aside more land area than otherwise would be required; preserves and creates wildlife habitat connections; incents the protection of critical areas; and encourages the use of low impact development techniques. Short subdivisions are handled as Process II actions, which requires an administrative decision; long subdivisions are handled as Process I actions, which go to full public hearing before the hearing examiner. In order to gain flexibility with regard to lot sizes under the current code, the PUD process is required, which involves a full public hearing before the hearing examiner and some submittal requirements that some developers find to be a disadvantage; some of that hurdle is eliminated

under the proposed approach. The PUD process will still serve a function, however, particularly where a developer wants even smaller lot sizes or a change from a single family detached form of housing to attached structures like townhouses.

Two levels of flexibility are envisioned, the first being a reduction in lot size down to 65 percent of the required lot size in exchange for putting critical areas in tracts. The second level allows lot sizes to be reduced to 50 percent in exchange for certain bonuses. The second level also includes more design features, some perimeter buffering, and other features to offset the perceived impact of smaller lot sizes. For instance, the lots immediately adjacent to neighboring properties that do meet the minimum lot size requirements for the zone must be closer to the requirements of the underlying land use district.

With regard to the density calculation and density factor, Ms. Berens said staff would like to see a uniform method for calculating density on sites with critical areas. The formula developed by staff would apply to subdivisions and PUDs, as well as to commercial and multifamily projects. It is based on the amount of buildable area and allows some credit for the development potential of protected areas. The proposed development factor is more generous than the existing step chart. Under the proposal, if 90 percent of a site is buildable, 90 percent of the density that could be built on the sensitive area if not otherwise protected can be transferred to the buildable area; if a site is 80 percent buildable, 80 percent of the density that could otherwise be constructed on the sensitive area of the site can be transferred to the buildable area, and so on. The concept is intended in part to offset the loss of development potential resulting from increased buffers.

Answering a question asked by Commissioner Orrico, Ms. Berens explained that under the PUD process, the tradeoff for allowing smaller lot sizes is the requirement to retain 40 percent of the land area as open space, which does not have to be critical area.

Noting that one of the bonusable amenities is roof gardens, Commissioner Bach questioned whether single family homes will actually be designed to include a roof garden. Senior Environmental Planning Manager Michael Paine said such homes are designed and built all over the world and they could conceivably be built in Bellevue as well.

Commissioner Bach asked about the amenity of having individual lot roofs drain discharge to on-site rain gardens. Mr. Paine said the typical approach for most new development is to have the roof drainage connected directly to the storm system. Most of that water eventually ends up in the streams in Bellevue, so all impervious areas represented by roofs flows into the streams. On larger lots where there is room to do so, having roofs drain to on-site rain gardens is an option that should be considered. It is far better ecologically to have runoff filtered through the soil on-site.

Commissioner Robertson said the proposal moves the city in the right direction. She said her primary concern is focused on the look and feel of conservation subdivisions when located immediately adjacent to subdivisions created under the existing provisions. To have minimal setbacks could be perceived as being unfair to existing homeowners. Ms. Berens said that issue is covered by the proposed approach by disallowing rear and side yard setback reductions in those instances.

The Commission offered its general support for the proposed direction.

Ms. Berens said the next step will be to craft and review the draft ordinance. The public will be broadly notified when the draft ordinance is ready and several public outreach events, including open houses, will be scheduled.

8. OLD BUSINESS – None

9. NEW BUSINESS

Commissioner Bach suggested that the Commission should consider conducting open house events in conjunction with other big public events, such as school events, as a means of increasing attendance. Ms. Burgess said she will pass that idea along.

A. Planning for 2005 Planning Commission Retreat

Commissioner Bach stressed the need for the Planning Commission and Transportation Commission to meet jointly to review items of mutual interest. He allowed that the meeting does not need to coincide with the retreat, however. Ms. Burgess said the Transportation Commission has also expressed an interest in meeting with the Planning Commission and staff is working to find a date.

Commissioner Orrico said she would like to hear more from Matt Terry and Dan Stroh concerning the development in the city. She said the Commission is very often focused on the details and should step back to take in the big picture.

Commissioner Orrico suggested that the Commission would benefit from having developer Ron Sher share his insights concerning program alternatives, a whole new way of approaching critical areas preservation.

Commissioner Mathews suggested the Commission should meet periodically with representatives of the various neighborhood associations to discuss the priority issues they are facing. He agreed the meeting would not be appropriate for the retreat. Ms. Burgess said she would discuss the proposal with Neighborhood Outreach Manager Cheryl Kuhn about scheduling meetings with neighborhood groups on a periodic basis.

Commissioner Robertson held that the topic of how to improve outreach should be discussed at the retreat.

Commissioner Bach thought it would be helpful for the Commission to be given clearer direction from the Council regarding what they want the Commission to do. The Council liaison should share the Council's vision directly with the Commission from time to time. Commissioner Mathews disagreed, pointing out that the Commission is supposed to act independently. If given direction up front, the work of the Commission would tend to move in the direction of being the Council's rubber stamp.

Ms. Burgess said May 18 and May 25 are being considered as possible dates for the retreat.

10. APPROVAL OF MINUTES

A. February 2, 2005

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

11. PUBLIC COMMENT – None

12. ADJOURNMENT

Commissioner Bonincontri adjourned the meeting at 8:11 p.m.

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Staff to the Planning Commission

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Date

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Chair to the Planning Commission

\_\_\_\_\_  
Date