

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
MEETING MINUTES

March 15, 2006
7:00 p.m.

Bellevue City Hall
City Council Conference Room 1E-113

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

COMMISSIONERS ABSENT: Commissioners Bach, Robertson

STAFF PRESENT: Kathleen Burgess, Nicholas Matz, Emil King, Lesa Hutnak, Patti Wilma, Carol Helland, 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 Bonincontri who presided.

2. ROLL CALL

Upon the call of the roll, all Commissioners were present with the exception of Commissioners Bach and Robertson, both of whom were excused.

3. APPROVAL OF AGENDA

The agenda was approved by consensus.

4. STAFF REPORTS

Comprehensive Planning Manager Kathleen Burgess welcomed the Commissioners to the new City Hall.

Chair Bonincontri said she presented the Bridle Trails tree ordinance to the City Council on March 6. The Councilmembers were complimentary regarding the fact that the ordinance grew from an idea generated by the community. They had some questions about the penalties outlined in the ordinance.

Ms. Burgess said the issue will be before the Council again on March 20 and a decision could be made at that time.

5. PUBLIC COMMENT

Mr. Robert Thorpe, address not given, said he is a planning consultant and landscape architect who has been working in the community for over 30 years responding to needs, particularly housing opportunities. With regard to the Wilburton Gateway Comprehensive Plan Amendment, he said he has been working with architects and staff on a concept that will work well as a transition between the office uses to the north and the multifamily and single family uses to the

south and east. The written record talks about the changed circumstances and land use, and the proposal for the site is consistent with the Comprehensive Plan policies. The site is appropriate for a mid-range density. There is a need for housing in the area that will fit well with the neighborhood.

Mr. Hussein Khorram, address not given, addressed the Wilburton Gateway proposed 2006 Comprehensive Plan Amendment (CPA), for which he is the owner and applicant. Mr. Khorram said he has lived in Bellevue since 1980, much of that time in the Wilburton area. He said he has in mind for the site a project that will preserve historical integrity and enhance the existing architectural details evident in the area. The resulting development would sit well with the neighborhood.

Commissioner Sheffels commented that there is a sign reading “Historic Wilburton” located on the corner of the subject property. She asked what will become of it, and Mr. Khorram said it would be an honor to maintain the sign in its current location. He added that one way to showcase the history of the area could be to incorporate a log cabin and timber design into the architecture.

6. COMMUNICATIONS FROM CITY COUNCIL, COMMUNITY COUNCILS, BOARDS AND COMMISSIONS – None
7. STUDY SESSION
 - A. 2006 Comprehensive Plan Amendments

Senior Planner Nicholas Matz introduced the Commission to the three site-specific Comprehensive Plan Amendments for 2006. He mentioned that the Commission is asked to provide initial direction of the proposed extent of geographic scoping. He reminded the Commission that they revised the CPA process last year for 2006; the old “Docket” part of the two-phase approach has been revised with the Threshold and Final Review processes. The Threshold Review stage is used to evaluate each proposal for inclusion in the work program. The Commission will hold a public hearing and make a recommendation on each proposal to the City Council for inclusion in the work program. The City Council will make a final decision. Final review will address the merits of each proposal.

Senior Planner Emil King said the Shurgard Self Storage CPA seeks to change the map designation of a 2.89-acre site in the Richards Valley Subarea from Office Limited Business (OLB) to Light Industrial (LI). The property is located on the west side of 118th Avenue SE, just east of the Mercer Slough. The site currently is home to a self storage operation in three buildings totaling some 52,000 square feet; there is an office use associated with the self storage business. The applicant held a pre-application conference with land use staff in late 2005; their initial idea was to expand the self storage use up against 118th Avenue SE and go up to about 45 feet in height.

The area to the west of the subject property, on the other side of Mercer Slough, is zoned and designated Office (O). To the north the zoning and designation is OLB all the way to SE 8th Street, and there is LI immediately to the south.

With regard to geographic scoping, Mr. King said two options were presented in the agenda packet materials. One option would expand the scope to include the Davey Tree and Rabanco properties to the north, while the second option would focus solely on the Shurgard site. He said staff is prepared to recommend expanding the scope to include the larger area (to include Davey Tree and Rabanco). The Land Use Code criteria relative to expanding the geographic scope

speaks to areas that have similar characteristics to the application site, which the Davey Tree and Rabanco sites have in that they are both zoned and designated OLB and have similar LI-type uses occurring on them.

Mr. King said Shurgard has not come out in favor of one of the options over the other. Based on correspondence received by the city, they want to see the amendment process wrapped up by December 2006 so that they can begin construction to expand their use in May 2007, and they do not want expansion of the geographic scope to extend the amendment process stretch out any longer than it normally would. Mr. King commented for the Commission that regardless of whether or not the geographic scoping is expanded, the amendment process will take the same amount of time.

The Commissioners were informed that in the early 1980s the Comprehensive Plan designation for the area was changed to OLB. The vision then was that the area should take on a Bellefield Office Park type characteristic. The properties closer to SE 8th Street have developed in that way, but the Shurgard, Davey Tree and Rabanco properties have not made the shift in line with the vision. Accordingly, it makes sense to expand the scope to look at the larger area.

Answering a question asked by Commissioner Lynde, Mr. King said the Davey Tree and Rabanco sites are both leased properties. The owner of the Davey Tree site has indicated the long-term plan for the site is to maintain the Davey Tree operation; they have no opinion one way or another about being included in the analysis. The Rabanco site is owned by Bank of America Real Estate Services which has been very difficult to contact; staff intends to continue searching out a contact person for that property owner.

Commissioner Orrico asked if Shurgard intends to increase the amount of impervious surface on its site with new construction. Mr. King said the site is currently 100 percent impervious. The applicant has not presented any detailed plans but has expressed an interest in increasing the amount of storage space up against 118th Avenue SE.

There was consensus on the part of the Commissioners to accept the staff recommendation to expand the geographic scoping of the Shurgard Self Storage CPA to include the Davey Tree and Rabanco properties.

Mr. Matz said the second amendment, Wilburton Gateway, proposes a map change from Single Family-Medium (SF-M) and Multifamily-Low (MF-L) to Multifamily-Medium (MF-M) for the 1.9-acre site located at the southwest corner of NE 8th Street and 124th Avenue NE. He said staff is not recommending any expansion of the geographic scoping because the surrounding uses to the north, east and west are well established and because the street system serves as a natural geographic barrier. The subject property includes five individual lots, three of which are vacant and two of which have single family lots homes on them; one of the single family homes is currently vacant.

The Commission had no questions about the proposal and did not suggest any expansion of the geographic scoping.

With regard to the third amendment, the four-acre Hancock/Muren proposal, Mr. Matz said the property is located west of 156th Avenue SE opposite the Lake Hills Greenbelt. The four individual lots that are included in the application are all zoned Single Family-Low (SF-L) and currently have homes on them. The same zoning exists to the north, while to the west and south the zoning is Single Family-High (SF-H). The request is to change from SF-L to SF-M to develop at an R-3.5 density. There are likely Critical Areas within the subject property.

Mr. Matz said staff is not recommending an expansion in the geographic scoping.

The Commission had no questions about the proposal and did not suggest any expansion of the geographic scoping.

B. Land Use Code Amendments
– Proposed Work Program

Land Use Director Carol Helland said the Department of Planning and Community Development work program for 2006 is largely composed of Land Use Code Amendments but does include a few other items, some of which will come before the Commission.

Legal Planner Lesa Hutnak explained that the various amendments were developed from a variety of sources, including the recent Comprehensive Plan update, direction from the Council to clarify existing regulations, and requests from citizens.

Ms. Hutnak said two of the amendments will be taken up during the first quarter of 2006, both of which were initiated by the Council. The first involves the allowed lot coverage in the F-3 land use district. The second is an amendment to the Sound Amplification Code to clarify the scope of the amplified sound that should be permitted, and consolidate the sound amplification and noise control regulations.

A number of amendments initiated by Development Services will be on the table during the second quarter of 2006. They include amendments to the land use charts necessary to accommodate uses not previously identified; process improvements required by regulatory reform, excluding SEPA; amendments to the Land Use Code to clarify SEPA standards and provide internal consistency with regard to the SEPA process; amendments to the coverage, setback and dimensional charts in order to clarify standards and reflect current procedures; improvements to the accessory structure regulations; codification of the citywide street tree requirements; amendments to the code as it relates to home occupation uses; and clean-up and consistency amendments.

The focus in the third quarter of 2006 will be on Land Use Code amendments arising from the Neighborhood Investment Strategy, including transition areas, urban boulevards and nonconforming uses; amendments needed as a result of the Wilburton study, including auto dealership-related amendments, loading requirements and other related issues; and amendments resulting from the Crossroads Center Plan.

In the fourth quarter the work will center on amending the urban design regulations and incentives for consistency with the Comprehensive Plan update, which will include the boulevard standards and reviewing the streetscape design standards; amending the Land Use Code to include new regulations relating to innovative housing and other amendments for consistency with the Comprehensive Plan update; and amending the parking stall dimension and ratio requirements.

Ms. Hutnak said the work program for 2007 includes amending the sign code to create regulations applicable to the Medical Institution District. The current sign code does not deal well with major, multi-tenant regional medical campus uses. Changes to the sign code will need to be made by the time the new medical center opens.

There will also need to be an investigation into what amendments, if any, will be needed to address the nonconforming status of SAMBICA, the camp located at the southern end of West Lake Sammamish Parkway in the West Lake Sammamish annexation area. The current use is

not identified in the code, and because the camp operates as a nonconforming use, any revamping or upgrading of the camp would have to proceed under the nonconforming regulations, which does not allow for as much flexibility.

Ms. Hutnak said that in 2007 some amendments will be necessary as a result of the Bel-Red Corridor/HCT Study; amendments to the Downtown Subarea Plan to implement the policies in the Downtown Subarea Plan aimed at making the Downtown a more livable and viable place; and mandatory updates to the shorelines regulations in line with the Shoreline Management Act. The shorelines changes must by statute be completed by 2009.

Ms. Hutnak informed the Commission that the work program includes an investigation into regulatory options to address abandoned shopping carts, and amendments to the Noise Code applicable to Downtown mixed use areas.

C. Land Use Code Amendment
– Change F-3 Lot Coverage

Ms. Hutnak said Council has initiated a Land Use Code Amendment to increase the maximum lot coverage within the F-3 land use district in Factoria from 35 percent to 40 percent. She said the Factoria area was annexed into the city in 1993. At the time of annexation, the F-3 zoning district was created, allowing for a maximum of 950,000 square feet of development. The Land Use Code zoning regulations that became effective at the time of annexation imposed dimensional requirements, including a maximum 35 percent lot coverage.

Newport Corporate Center is a six-building complex that has approximately 867,000 square feet. Bentall Capital, owner of Newport Corporate Center, asked the Council to initiate a Land Use Code amendment to allow for a higher maximum lot coverage for the F-3 district. Demolition of a building known as Two Newport is anticipated to be part of the redevelopment, which would leave 817,540 square feet on the site. In its current configuration, the site is approximately 90,000 square feet shy of the 950,000 square foot limit, but the shortage cannot be achieved within the current 35 percent maximum lot coverage requirement.

The proposed amendment will allow Bentall Capital to remove a small building and replace it with a larger building, thus achieving the full 950,000 square feet allowed in the F-3 district.

John Jackson with Bentall Capital shared with the Commissioners a schematic drawing of the existing Newport Corporate Campus site and what could be constructed on it under the proposal. Ms. Hutnak added that the replacement building can meet all of the dimensional requirements of the F-3 district except for the 35 percent lot coverage requirement. Mr. Jackson pointed out that Newport Corporate Center is the only complex within the F-3 district. The buildout is needed to accommodate the growth of the major campus tenants.

Ms. Helland said the ordinance change will involve a very simple language change, replacing the 35 percent lot coverage with a 40 percent lot coverage.

Commissioner Lynde voiced concern that approving the proposal could set a precedent in the city, noting that it would be possible to build on the site without encroaching on the 35 percent lot coverage requirement. Ms. Helland explained that there are other structures on the site that are underdeveloped which could be demolished and rebuilt to get closer to the allowed square footage buildout. The problem is that at the time the site was developed King County required building modulation and had in place height requirements that differ from those now in place. The anticipation at the time was that the 950,000 square feet of development was an entitlement that should not demand a stringent adherence to the dimensional standards. Staff has concluded

that because of the way the property was brought in from King County, and because of the existing development that was in place, the 35 percent lot coverage restriction would never have let the developer get to the 950,000 square feet without demolishing some portions of the campus. Other areas of the code seem to indicate that the 950,000 square feet trumps in the event of a conflict. The only way the proposed action could have precedential value would be in an argument by someone that the characteristics of the F-3 zoning should be lifted and applied somewhere else; the same argument could be made for applying the Downtown zoning outside of the Downtown. The likelihood of such an argument being accepted is very small.

Commissioner Lynde asked if the proposal could set a precedent for increasing the allowed lot coverage for any zone in the city. Ms. Helland said she does not believe it would. The Factoria history is such that zoning was controlled by a series of preannexation agreements and concomitant agreements that were very specific to the properties. The general thinking is that there was an entitlement given, but the way the code is drafted no one can reach their entitlement. It is likely that 40 percent would have been included in the Land Use Code instead of 35 percent had current knowledge been in hand at the time of annexation. The Factoria area is so distinct from any other area that comparisons cannot be drawn to any other place in the city.

Answering a question asked by Commissioner Lynde, Ms. Helland said a traffic analysis has been done in association with the proposed Land Use Code amendment. She said there are no anticipated concurrency or operational issues identified, though there will still be an evaluation of operations as part of the SEPA process. The traffic models for the Factoria area have always assumed full buildout of the F-3 zone at 950,000 square feet.

There was consensus to set April 26 as the date for the public hearing on the F-3 Land Use Code amendment.

8. NEW BUSINESS

Ms. Burgess said the date for the Commission's annual retreat will be discussed at the March 22 Commission meeting. She reminded the Commissioners that the April 19 meeting will be held jointly with the Transportation Commission; a tour of the new City Hall building will be held prior to the meeting beginning at 5:30 p.m.

9. OLD BUSINESS – None

10. PUBLIC COMMENT – None

11. ADJOURNMENT

Chair Bonincontri adjourned the meeting at 8:16 p.m.

Staff to the Planning Commission

Date

Chair of the Planning Commission

Date