

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
MEETING MINUTES

April 26, 2006
7:00 p.m.

Bellevue City Hall
City Council Conference Room 1E-113

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

COMMISSIONERS ABSENT: Chair Bonincontri, Commissioners Lynde, Sheffels

STAFF PRESENT: Kathleen Burgess, Nicholas Matz, 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 7:02 p.m. by Vice-Chair Mathews who presided.

2. ROLL CALL

Upon the call of the roll, all Commissioners were present with the exception of Chair Bonincontri and Commissioners Lynde and Sheffels, all of whom were excused.

3. APPROVAL OF AGENDA

The agenda was approved by consensus.

4. STAFF REPORTS

Comprehensive Planning Manager Kathleen Burgess called the attention of the Commission to the memo in the packet from Deputy City Attorney Kate Berens regarding the deliberations of the Council on the critical areas ordinance. She said the Council will be conducting a public hearing in mid-May. An update on the process can be provided to the Commission if desired.

5. PUBLIC COMMENT

Mr. Ken Seals, 15433 SE 8th Street, said the Growth Management Act states that property within critical area buffer zones must be maintained, but nothing is said in the critical areas ordinance about how the properties should be maintained. It appears the areas will be allowed to grow wild, which will not necessarily be the best thing for the environment, the fish or the neighborhoods.

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

7. PUBLIC HEARING

A. Comprehensive Plan Amendment
– 2006 CPAs

Senior Planner Nicholas Matz explained that at the threshold review stage the Commission is charged with making a determination as to whether or not a particular proposal should be considered as a Comprehensive Plan amendment. The City Council will consider the recommendation of the Commission in establishing the annual work program. Each proposal that is forwarded for consideration as a Comprehensive Plan amendment will be considered on its individual merits later in the year; there will be study sessions and public hearings for each during the final review stage, following which the Commission will develop a recommendation to be forwarded to the Council with regard to whether or not each amendment should be approved.

Mr. Matz provided the Commissioners with copies of correspondence received after the staff report was printed regarding the Wilburton Gateway and Hancock-Muren applications.

Mr. Matz noted that the formal Land Use Code threshold review decision criteria were included as Attachment 4 in the packet materials. He said based on those criteria, staff are recommending the advancement of all three site-specific proposals to the 2006 CPA work program. All applications and the public hearing were properly noticed; in the case of the Shurgard Self Storage application for which staff is recommending expanding the geographic scope, the notice was extended to include all properties within 500 feet of the expanded boundary.

The Wilburton Gateway application is in reference to the property located at the southwest corner of NE 8th Street and 124th Avenue NE in the Wilburton/NE 8th subarea. The site consists of five separate parcels totaling 1.9 acres. The request is to change the designation from Single Family-Medium and Multifamily-Low to Multifamily-Medium for the entire site. The proposed designation would allow for a subsequent rezone to R-15 or R-20, and the applicant has indicated a willingness to condition the application to limit the zoning to R-15.

Mr. Matz said staff are recommending inclusion of the proposal in the 2006 CPA work program. Staff believes all of the threshold decision criteria have been met, particularly the criteria of changed conditions. Wilburton Subarea policies seek to protect residential areas from increased commercial development and traffic and to establish clear boundaries between differing land uses. The issues have been successfully addressed in the development of other multifamily projects along NE 8th Street. The proposal addresses an unintended consequence of the Subarea policies, namely that because of its shallow frontage the site is unable to buffer single family while at the same time creating a desirable living environment.

If the proposal is carried forward to the 2006 CPA work program, the Commission will in the final review process examine the question of how much multifamily area is needed to accomplish the buffering and at what density.

Mr. Matz said some of the public comments received to date express concern about the proposed density and the zoning precedent of allowing additional multifamily in the area. The comments received also discuss the issues of having an edge transition between various uses; the impact developing the site would have on the area and the need for affordable housing.

With regard to the Shurgard Self Storage application, Senior Planner Emil King said the privately initiated application is in regard to a site in the western fringe of the Richards Valley subarea located generally between 118th Avenue SE and Mercer Slough, south of SE 8th Street. The applicant is seeking to change the Office/Limited Business (OLB) Comprehensive Plan

designation to Light Industrial (LI), which would allow for a subsequent rezone to LI. The applicant has stated a desire to expand the existing self storage use on the eastern portion of the site.

Mr. King said staff analyzed the surrounding parcels during the geographic scoping process. He said the conclusion reached was that the geographic scope of review should be expanded to include an additional 4.5 acres to the north of Shurgard in order to properly address the larger issues. The four parcels in the expanded area are home to Davey Tree and Rabanco; the parcels are similar in that they have longstanding LI-type uses on OLB zoned property.

The OLB Comprehensive Plan designations for the sites in question were applied in the early 1980s. At the time, the long-term vision was for something similar to the nearby Belfield Office Park on SE 8th Street. None of the properties in the last 25 years have developed in accord with the vision, and staff feels that they warrant a review. The potential CPA meets all of the threshold review criteria and as such should be moved forward for final review.

Mr. Matz said the Hancock-Muren application involves a four-acre, four-lot site located on 156th Avenue SE to the south of SE 16th Street near the Lake Hills Greenbelt. The proposal is to change the designation on the four lots from Single Family-Low to Single Family-Medium, which would allow for a subsequent rezone of up to three and a half dwelling units per acre. Each of the four lots has an existing single family home.

Mr. Matz said the conclusion of staff is that the proposal meets all of the threshold review decision criteria, including changed conditions. He explained that the proposed amendment addresses changes that are related to the pertinent subarea plan map and the policies that call for the efficient use of land in urban areas to implement the Growth Management Act. While it is not necessary for the city to increase the supply of appropriately zoned land in order to meet the established housing and employment targets, the question of the efficient use of land for compact urban development did not exist when the designation for the subject properties was originally adopted.

Mr. Richard Morse, 919 124th Avenue NE, spoke in favor of the Wilburton Gateway application. He said the proposal is compatible with the general area, has a tie to transit, and will provide affordable housing. In the immediate area there are office buildings, multifamily, institutional housing, and traffic impacts from NE 8th Street. A properly designed project could provide a successful buffer between the more intense uses and the surrounding single family uses. Residents of the multifamily project could use transit or walk to their worksites in the Downtown. The affordable housing issue should not be overlooked; a project with increased density on the site could positively add to the supply of relatively affordable housing.

Mr. Bob Shay, 610 123 Avenue NE, said he has lived in the Wilburton area just south of the Wilburton Gateway site for 38 years. He said he was involved with both the Wilburton subarea CAC, the NE 8th Street improvement CAC, and the NE 4th Street cut-through stakeholders group. As the neighborhood grows, it should be accomplished in a way that will be good for all of the residents. He said the vote taken by the Wilburton Community Association represented the unanimous position of those board members who were present when the vote was taken. He indicated his support for the proposal and a subsequent rezone that would limit the density to R-15; he said he will discuss other issues during the final review phase.

Ms. Robin Imholt, 12224 NE 8th Street, said she recently graduated from the University of Washington and works at KOMO TV. She said she has the privilege of living in the Milano apartments and is concerned about affordability. With rising housing costs, it is very difficult for

people just starting out in their lives to be able to afford to live in the area. There are a number of bright young people attending colleges and universities in the area, but unless there are affordable housing options, they will not be able to live in the city.

Mr. Robert Thorpe, 705 2nd Avenue, Seattle, identified himself as a certified planner who is serving as the agent for the Wilburton Gateway project owner. He praised staff for their thorough report on the project, and the neighborhood for welcoming the concept. The property owner has been diligently working with the neighbors and has received very positive comments. The land use pattern in the area is well defined in the staff report. One resident of the area has claimed the project will represent an intrusion into the single family area, but the land use map does not show that. The site is challenged in its ability to provide a transition buffer. Consideration was given to having R-20 on the northern part of the site and R-10 on the southern part, but in the end R-15 was settled on. The site represents a zoning anomaly. There is a change in circumstances in the Wilburton subarea. The proposal meets all applicable Comprehensive Plan goals and policies; staff has concurred with that conclusion as well. The property owner lives nearby and with proper site planning the development will be compatible. A traffic engineer reviewed the difference between developing the site as single family versus multifamily, and he found only about a ten percent increase in traffic for the multifamily. The application is timely, and there is significant demand for the type of housing contemplated.

Ms. Rodica Ionescu, also a resident of the Milano development, voiced her support for the Wilburton Gateway project. She said she likes living in the city where there is noise and light. Cities come to life when there are lots of people. The condominiums in the Downtown are just too expensive, and residents need the option of less expensive housing.

Mr. Hossein Khorram, proponent of the Wilburton Gateway project and owner of the nearby Milano Apartments, said he is not trying to make a quick buck and get out; he said his intent is to work with the neighbors in addressing their needs. The proposal will result in a building of the exact same size, not something massively bigger; nothing will increase except the density. The extra traffic will not represent a very large percentage increase. He said he has been working with the local residents, and will continue to do so, to make sure their views, desires and concerns are fully addressed. With the average price of new condominiums in the city running at \$1.2 million, the project represents much more affordable housing. The dream of home ownership should be realizable by all citizens. With proper designing, and with the parking primarily out of sight, the project will help to transform the neighborhood into something everyone can be proud of. There is heavy traffic on NE 8th Street and quite a lot of 124th Avenue NE. High powerlines run along the east side of the property. With an attractive structure, attention will be drawn away from the noise and unsightly powerlines.

Mr. Peter Maxim, 12405 NE 2nd Street, said he would prefer to see the Wilburton Gateway site maintained at R-10, not R-15. He said to call \$700,000 per unit affordable housing is a joke. The property owner will be able to realize a profit at R-10. The city is currently involved in studying the Bel-Red corridor and considering redevelopment of that area; that study area extends to within two blocks of the subject property. Sound Transit has indicated it will be putting high-capacity transit through the area, and consideration is being given to developing concentric high-density housing around the transit station locations, which will probably be about a half mile apart. The Wilburton Gateway project will be within a quarter mile of transit. There will be pressure put on the Planning Commission to increase the zoning densities of the Bel-Red area. A line should be drawn with regard to the Wilburton Gateway property, and that line should be R-10. That is the same zoning on the property to the east where there is multifamily development. Historically, the thinking has been that on the west side of the Wilburton Hill slope, low-rise office buildings are appropriate, while on the east side the uses

should all be residential. The argument by the developer that a property on the east side of the summit should be allowed a greater density makes no sense. The boundaries should be kept as they are.

Ms. Carolyn Maxim, 12405 NE 2nd Street, said the notion of affordable housing in the context of the Wilburton Gateway project is a red herring. At \$700,000 per unit, which could go up with underground parking, the housing will not meet the public need for affordable housing. The claim that the average condominium in Bellevue costs \$1.2 million is unsubstantiated and appears to be based on a seat-of-the-pants survey done at the time the application was filed; it likely does not agree with the city's own data. Allowing an increase in the zoning on the property for its entire depth will set a dangerous precedent that will encroach on the nearby single family neighborhood. It makes sense to allow multifamily housing on NE 8th Street; the question is how deep it needs to be. A clear boundary is needed between multifamily and single family, and R-15 on the site is not warranted. The 124th Avenue NE roadway presents a particular issue; one reason is the city widened the roadway where it intersects with NE 8th Street making it look like a straight shot south for cut-through traffic. Adding traffic from an R-15 project, plus any other properties along 124th Avenue NE that may want to rezone, will just make things worse. The request for higher density on the Wilburton Gateway site is tied to economics, but the site could be economically feasible at R-10. She said she asked the city to develop design review standards for designated boulevards; those standards were developed, but the staff are overworked and codifying the standards appears to be a low priority, so the work has never been done. Thus when there is talk of making sure there will be green boundaries and the like, it is hard to be optimistic.

Mr. Rob Kingsbury said he lives in Lake Hills near Phantom Lake. He said near SE 8th Street and 154th Avenue NE there used to be a property with a single family home and a small space for a horse; there are now ten houses there across from the park, none of which are what can be called affordable. There is another development up above Lake Sammamish with very expensive high-density homes, and Boeing has sold some of its property in Eastgate where development will impact Phantom Lake as it exposes to the environment the pollutants that were buried years ago as part of the landfill. Another development is looking at a four-acre site across from the wetlands. The waterways in the Bellevue area are some of the most polluted; fish can barely survive in Phantom Lake and the tributaries feeding Lake Washington and Lake Sammamish. The price of housing has nothing to do with how many houses get built; it strictly has to do with the amount of money put into developing them. Additional density will only have an impact on the environment and traffic, not on the price of housing. Over the last five years the roadways have become less safe as speeds have increased, and the police have given up doing any traffic control on the streets; the neighborhoods are suffering as a result.

Mr. Dan Wren, 603 129th Place, said he is a member of the Wilburton Community Association. He said he wrote the letter from the Association that was sent to the Commission, and noted that the letter reflects the views of the members of the Board of Directors who were present on the night the vote was taken. He said the R-10 zoning currently on the Wilburton Gateway site could stay; it was appropriate when it was put there and it still is. If there is to be an increase in the zoning along NE 8th Street, it would be appropriate to phase down to an R-10 between the R-15 and the R-3.5. An R-10 buffer is the absolute minimum necessary adjacent to the R-3.5. Those who are living in the immediate vicinity intend to stay and want to see a development that will be compatible. The new Washington Square condominiums in the Downtown begin at about \$700,000, so the claim that the average is \$1.2 million is not correct; single family homes close to the Wilburton Gateway site can be purchased in the mid-\$500,000 range. The schematic design for the subject property shows a road exiting to the north of the high-voltage powerlines, between the posts and NE 8th Street; the exit will have to cross 124th Avenue NE very close to

NE 8th Street, which is very questionable. The exit should be moved to the south away from NE 8th Street in order to be safe, even if that means losing some units on the south half of the property.

Mr. John Hancock, 1905 156th Avenue SE, spoke in support of the Hancock-Muren application. He said over the years he has seen many changes in the local community. He shared with the Commissioners photos of the development abutting the property to the north and other nearby developments. All of the surrounding properties are zoned higher than R-1, which is the current zoning on the subject property; even the adjacent park land is zoned R-1.8. The request is for R-3.5 even though most surrounding properties are zoned R-5.

Mr. Earl Muren, address not given, said he owns one of the four lots that are part of the Hancock-Muren application. He said he has lived in the area for 20 years; during that time there has been a great deal of growth, and that is what is driving up the price of housing. Affordable housing is certainly an issue for Bellevue; those in professions such as law enforcement and education are having a very difficult time finding homes they can afford. The matter will not be resolved by approving one or two Comprehensive Plan amendment proposals. The request for a change from R-1 to R-3.5 is reasonable and consistent with the area, and it will have only a marginal impact on the traffic on 156th Avenue SE.

Mr. Bob Gregg, 2476 35th Avenue NE, Issaquah, spoke regarding the Shurgard CPA application. He informed the Commission that there is a merger pending between Shurgard Storage and Public Storage and noted that Public Storage is wanting to see the Comprehensive Plan amendment approved; the merger will have no impact on the ability of the applicant to move forward. The amendment and subsequent rezone is important to the plan to redevelop the current site into something other than an eyesore.

Mr. Frank Khorram, address not given, said he has lived in the Wilburton area since 1981 and chose the area because of the higher density housing. He said R-15 is appropriate for the Wilburton Gateway site and said the plan is to construct a landmark building there. Contact has been made with all of the property owners within 500 feet of the site, and the majority of them have voiced support for the proposal. Those who have raised concerns live outside that radius. Moving the driveway onto 124th Avenue NE will likely not cause the loss of any units. A study done on January 26, 2006, concerning the availability of new condominiums found that the average price was \$1.2 million for the seven units available. On the south side of NE 8th Street very close to the subject property there is R-20 zoning.

Mr. Ken Seals, 15433 SE 8th Street, said the Growth Management Act includes a provision that talks about affordable housing, but the rest of the act does nothing about affordable housing and in fact limits the amount of land for housing, which unfortunately leads to expensive land and expensive housing. The Growth Management Act has not contained sprawl as it was designed to do, rather it has accelerated sprawl in areas of Snohomish and Pierce counties and in the hills to the east of Puget Sound. As housing moves into the less populated areas, offices and retail uses follow, and then come the manufacturing uses. The Act is strangling the cities which are being told to regularly increase their densities, which in turn yields apartment houses that are not appropriate places for families, which are needed for healthy communities.

Mr. Wang, said his office at 460 129th Place NE is right across the street from the Wilburton Gateway site. He said he is concerned about construction noise impacting his medical office patients. He said he needs a quiet place in which to work.

Mr. Jim Haskett, 460 129th Place NE, commented that many of the people who currently live in

the Wilburton area are of the older generation. The neighborhood is going through a cycle that over the next decade will see a large number of smaller families moving in. The price of housing will probably remain relatively stable; the homes there now currently sell for between \$500,000 and \$600,000. As new families move in, there will be children and more cars and more activity generally. Traffic problems will increase. The Wilburton Gateway should stay at R-10 to keep the densities down.

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

8. STUDY SESSION

A. Comprehensive Plan Amendment – 2006 CPAs

Commissioner Orrico said the proponent of the Hancock-Muren application did a very good job of illustrating the changes that necessitated the request. She noted, however, that she did not have as good a feel for the change that has necessitated the Wilburton Gateway proposal. Mr. Matz explained that the revisions adopted last year to processing Comprehensive Plan amendments includes a broader but specific way to look at changing conditions. The Comprehensive Plan is also reviewed every seven years to make sure everything is accurate and up to date; the same principle is extended to property owners so they can argue that current conditions were not originally anticipated. With regard to the Wilburton Gateway, there is a conflict; there is a requirement to provide some measure of physical buffer between the single family area to the south and NE 8th Street, but the subarea plan contemplates more room in which to accomplish the buffering. The subarea plan looks to multifamily to provide the buffer, but the site in question needs more room in order to accomplish the task.

Continuing, Mr. Matz said when the Wilburton subarea plan was developed, the focus relative to multifamily buffering single family contemplated larger, deeper areas. The required buffer simply cannot be provided on the Wilburton Gateway property. There are five lots involved in the application; the three northernmost lots are designated Multifamily-Low, while the two southernmost lots are designated Single Family-Medium. The proposal is to extend the multifamily designation to the south, allowing for the site to buffer the single family areas from the NE 8th Street arterial corridor.

Commissioner Robertson asked if the site could be developed as a single parcel under the current zoning regime. Mr. Matz allowed that it could, but said attached housing would not be allowed on the two Single Family-Medium properties. In the opinion of staff, the fact that the site did not redevelop as multifamily developed all around it suggests that there is something fundamentally wrong with the site that does not make the numbers work, and it appears that the reason is the site is not big enough to comply with the requirements to provide a buffer and still provide for a good site design.

Commissioner Robertson suggested designating the two southern lots Multifamily-Low at R-10 would allow the developer a sufficient amount of room, pointing out that there is currently to the west and east and R-3.5 to the south. Mr. Matz said staff has not made any recommendation as to the merits of the application, only that the question that has been posed is appropriate for moving to the final review phase.

Commissioner Robertson asked how the Wilburton-NE 8th study, the project to widen 120th Avenue NE, and the Bel-Red corridor study come into play relative to the Wilburton Gateway

site. Mr. Matz said the subject property is physically not within the Wilburton-NE 8th or Bel-Red corridor study areas, though it is very close to both. The argument of the applicant about the proximity of the site to higher density and higher activity areas is a valid point, but the proposed amendment does not raise policy or land use issues more appropriately addressed by other ongoing work program items.

Commissioner Mathews asked how many more units the developer could get at R-15 over R-10. Mr. Matz said the current zoning would produce ten multifamily units on the northern lots and two single family units on the southern. He added that the PM peak trip multiplier for single family detached units is one per unit, and for multifamily the multiplier is half a trip per unit. He said if moved to the final review stage, better numbers will be developed.

Motion to initiate the Wilburton Gateway CPA suggestion for the 2006 Annual Comprehensive Plan Amendment process, not expanded through geographic scoping, was made by Commissioner Bach. Second was by Commissioner Orrico and the motion carried unanimously.

Answering a question asked by Commissioner Orrico, Mr. King said the Shurgard site and the properties to the north were all given their current Comprehensive plan designations in 1981. Staff believes that the lack of redevelopment within those areas consistent with the OLB vision warrants an examination. The geographic scope of review should be expanded northward as outlined in the staff proposal for the same reason. He added that according to the applicant, as parts of Bellevue have densified and the size of multifamily housing units has been reduced, the need for storage facilities has increased dramatically, and that equates to a changed circumstance.

Commissioner Robertson said the loss of LI land in the city represents another changed circumstance. There is a need for LI in the city, and how the city would develop could not have been foreseen when the subject property was designated OLB in 1981. She noted her support for moving the application forward and expanding the geographic scope.

Mr. King said notices were sent to the owners of properties recommended for inclusion in the geographic scoping as well as all property owners within 500 feet of the expanded boundary. Except for a letter from Shurgard (the applicant), staff has received no written comments but did participate in a phone conversation with the owner of the Davey Tree property who voiced no objections to the expanded geographic scope. Both Davey Tree and Rabanco lease their properties.

Motion to initiate the Shurgard Self Storage suggestion for the 2006 Annual Comprehensive Plan Amendment process, expanded through geographic scoping as outlined in the staff report, was made by Commissioner Robertson. Second was by Commissioner Bach and the motion carried unanimously.

Commissioner Orrico indicated her support for the Hancock-Muren proposal, adding her appreciation for the fact that the proponents understand the process and clearly outlined the changed circumstances.

Commissioner Robertson asked if the 1000 Friends of Washington (aka Futurewise) settlement in any way represents a changed condition. Mr. Matz said the Hancock-Muren site was not one that was contemplated in the Futurewise settlement for possible density increases. Under the Futurewise settlement, the city is obligated to ensure the availability of capacity for 516 housing units by 2012, and the proposal would certainly fall under that general framework.

Commissioner Robertson asked if the buffers from the Lake Hills Greenbelt and the abutting wetlands will extend onto any part of the Hancock-Muren site under the Critical Areas ordinance as it is currently written, and if that will affect the development of the site. Mr. Matz said more environmental information will be generated during the course of the final review if the proposal moves forward. The presence of critical areas will necessitate buffers which could impact the development of the site.

Commissioner Bach noted his support for moving the proposal forward.

Motion to initiate the Hancock-Muren suggestion for the 2006 Annual Comprehensive Plan Amendment process, not expanded through geographic scoping, was made by Commissioner Robertson. Second was by Commissioner Bach and the motion carried unanimously.

9. NEW BUSINESS

Ms. Burgess announced that a total of ten people have applied to serve on the Planning Commission. The interviews have not yet been scheduled.

10. OLD BUSINESS

Ms. Burgess said the annual Commission retreat has been slated for June 14. The place is yet to be determined.

12. ADJOURNMENT

Commissioner Mathews adjourned the meeting at 8:44 p.m.

Staff to the Planning Commission

Date

Chair of the Planning Commission

Date