

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
MEETING MINUTES

October 11, 2006
7:00 p.m.

Bellevue City Hall
City Council Conference Room 1E-113

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

COMMISSIONERS ABSENT: Commissioners Bach, Bonincontri, Ferris

STAFF PRESENT: Paul Inghram, Lesa Hutnak, 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 Chair Mathews who presided.

2. ROLL CALL

Upon the call of the roll, all Commissioners were present with the exception of Commissioners Bach, Bonincontri and Ferris, all of whom were excused

3. APPROVAL OF AGENDA

The agenda was approved by consensus.

4. STAFF REPORTS

Senior Planner Paul Inghram said he attended the recent state American Planning Association meeting in Yakima along with Planning Director Dan Stroh. He said it was a very good session.

Mr. Inghram informed the Commissioners that the Council voted 5-0 to oppose passage of I-933. He noted that the Association of Washington Cities website has a very good breakout of the impacts by city.

5. PUBLIC COMMENT – None

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

7. STUDY SESSION

- A. Land Use Code Amendment
– Clean-Up Amendment

Legal Planner Lesa Hutnak reviewed with the Commission the various clean-up changes

proposed to the Land Use Code. She noted that most have to do with typographical errors, references that are incorrect, and updated place names.

Calling attention to the dimensional requirement charts, Section 20.20.10, Ms. Hutnak said several sections need to be updated to reflect the Medical Institution District. She also explained that in May 2006 the Council adopted an amendment to the chart which increased the allowable lot coverage in the Factoria F-3 district from 35 percent to 40 percent. Unfortunately, when the critical areas ordinances were adopted in the summer, the base document did not include the change to the F-3 district, thus effectively repealing the amendment approved in May. The proposal is to fix that mistake by reflecting the May amendment.

Ms. Hutnak said there are places in the Land Use Code that reference the Barrier Free Code, a code dealing with accessibility. All of the requirements in that code stem from the building code, and it is therefore superfluous to have them in the Land Use Code as well.

Ms. Hutnak said the definition of gross square feet per floor included in Section 20.25A.020 of the Land Use Code states that the calculation is to include openings in the floor plate, such as vent shafts, stairwells and interior atriums. The fact is, the calculation is not supposed to include such openings, so the error in drafting needs to be corrected.

In the Downtown district, if a building meets a certain maximum height, the director of Department of Planning and Community Development can approve amendments to certain dimensional requirements. Historically, the decision has been based on the cutoff in the Uniform Building Code of 65 feet. With the change to the International Building Code, the cutoff increased to 70 feet. A change is needed to maintain consistency.

Ms. Hutnak explained that the change to Section 9 is needed to create consistency in the way it is decided buildings in the downtown MU district and the perimeter design districts can be granted additional height. She said there are certain criteria that allow an additional 15 percent or 15 feet of height depending on the subdistrict. Originally, there was an amendment to the provisions of the MU district in the downtown that explained the process and it was intended to apply to the perimeter districts as well, but the code language was never updated to reflect the new criteria.

Ms. Hutnak said there are three perimeter subdistricts: A, B and C. The provisions are written to allow for differing amounts of additional height depending on district. However, a mistake in the drafting that requires height in the interior district to step down a notch before being allowed to go back up. She said she is researching how to correct the error.

The Commissioners were reminded that in January 2006 the Council approved an amendment which deleted the term "annual docket adoption" from a section of the Land Use Code. Ms. Hutnak noted, however, that the term was inadvertently retained in a section of the general critical areas ordinance. An amendment is needed to remove the term from that section.

Ms. Hutnak referred to Section 12 and said there is a section of the Land Use Code regarding boundary line adjustments that makes it clear such adjustments cannot be made where the action would increase a nonconforming lot. The intent of the section is to avoid the creation of a nonconforming lot, however that language of the provision does not make that clear. State law does not allow for the creation of a nonconforming lot, and the city has always interpreted the section accordingly, but the language of the provision needs to be revised to be perfectly clear.

Referring to the proposed change to Section 12 having to do with Barrier Free Code provisions, Commissioner Robertson noted that the section has to do specifically with assisted living. She

said she would not want to eliminate the language in the section unless it is stated specifically somewhere that assisted living must meet the requirement. Ms. Hutnak said she would verify that.

Ms. Hutnak said the last proposed change would replace the definition of “protected area,” which has been replaced by “critical area.”

Ms. Hutnak said she is continuing to work through the code and is finding some additional tweaks, primarily cross-references to sections that no longer exist because of previous ordinances. Those clean-ups will be added to the overall package.

Commissioner Robertson commented on the need to have included in the packet ahead of the meeting all materials the Commission is being asked to consider. If the materials are not included in the packet, the item should not be discussed. It is unfair to the public to not be able to know what the discussion will be about.

B. Comprehensive Plan Amendment
– Evergreen Highlands Amendment

Ms. Hutnak said she will not be drafting an ordinance for Evergreen Highlands until the full package of clean-up and use chart ordinances is complete in order to avoid errors in cross references. A rezone of the former Evergreen Highlands is under way but will not be approved until early 2007; the rezone is needed in order achieve consistency with the Comprehensive Plan, which was changed for the area in 2004.

Ms. Hutnak said the sections of the Land Use Code that will be affected by the Evergreen Highlands amendment include 20.10.020, which is an introductory section; 20.10.380, which sets forth a purpose and a summary of the Evergreen Highlands land use district; 20.10.440, the land use charts; 20.20.005, the dimensional charts; and 20.25F, the development requirements; and 20.25G, the Evergreen Highlands transportation improvement overlay district.

8. NEW BUSINESS – None

9. OLD BUSINESS

Mr. Inghram said the Crossroads workgroup met on October 2 and reviewed the latest drawings of the preliminary draft alternative. The group was asked to gauge on a scale of +3 to -3 five long-range principles, a near- to mid-range development program, and the milestone review process. Not all workgroup members were present for the meeting, so some follow-up work has been undertaken to hear from the members who were not present. The results thus far show a +2 level of support. The next steps will be to tweak the drafts based on comments received. A more thorough overview is slated for the Commission on October 25.

Commissioner Sheffels asked about the letter addressed to the Park Board. Mr. Inghram said the letter, from Barton Ellison, a member of the Crossroads workgroup, voiced concern about taking land away from Crossroads Park. Commissioner Sheffels asked what percentage of park land would need to be removed from the park to allow for vehicle access as shown. Mr. Inghram explained that the focus has turned away from having any vehicle access taking part of the park land. Metrovation is looking at alternative access to the hotel/condominium development. If for some reason the notion of taking park land for vehicle access is brought back to the table, staff will determine what percentage of the park would be required along with the probable impacts.

Mr. Inghram briefly reviewed the schedule with the Commission, noting that for November it may be prudent to schedule meetings on the third and fifth Wednesdays rather than the second and fourth Wednesdays.

With regards to the Sound Transit East Link project, Mr. Inghram said staff welcomes any thoughts the Commissioners may have and that staff could respond to any questions the Commission might have on East Link. With regard to how East Link might effect the Wilburton/NE 8th Street study, Mr. Inghram said anticipation is that a policy will be needed to the effect that any development that occurs in the area of NE 6th Street between I-405 and the BNSF corridor should take into account the planning for light rail.

Commissioner Sheffels said the Bel-Red study is coalescing around having transit run through the middle of the area, and that fact may affect the Wilburton study to some degree. Mr. Inghram said one likely scenario has the transit line crossing I-405 at NE 6th Street then accessing the Burlington Northern-Santa Fe right-of-way to the Bel-Red area before turning east to go through the new east/west corridor that is being mapped out by the Bel-Red study. Another alternative would be to cross I-405 at NE 12th Street. The chosen alignment will need to serve the hospital campus.

Answering a question asked by Commissioner Orrico, Commissioner Robertson said the Safeway site in Bel-Red has been sold to a developer who specializes in office developments.

10. PETITIONS AND COMMUNICATIONS – None

11. ADJOURNMENT

Chair Mathews adjourned the meeting at 7:43 p.m.

Staff to the Planning Commission

Date

Chair of the Planning Commission

Date