

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
MEETING MINUTES

November 15, 2006
7:00 p.m.

Bellevue City Hall
City Council Conference Room 1E-113

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

COMMISSIONERS ABSENT: None

STAFF PRESENT: Paul Inghram, Nicholas Matz, Carol Helland, Mike Upston, 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 Mathews who presided.

2. ROLL CALL

Upon the call of the roll, all Commissioners were present.

3. APPROVAL OF AGENDA

The agenda was approved by consensus.

4. STAFF REPORTS – None

5. PUBLIC COMMENT

Mr. Bill Brown, Kimco Realty Corp, 4055 Factoria Mall Boulevard SE, said it has been two years since his company purchased Factoria Mall. Since the acquisition, the development team has been working to create a new vision for The Marketplace @ Factoria that will meet the expectations of the community, the tenants, the shoppers and the corporate board. The site has six tenants, a site plan and common area approval rights which gives the stakeholders the ability to alter the redevelopment plans. To that end, Kimco has been actively seeking consensus from the tenants to create an executable plan. Kimco is committed to delivering a plan honoring the work previously completed by city staff, the Planning Commission, and City Council. The overall goal is a mixed use development with a balance of retail and residential. Going forward, what is needed is the ability to create flexibility within the marketplace entitlements without seeking to revise any of the big decisions already made. The plan meets the intent of the prior entitlement and when completed will create a vision the community will embrace. The Commissioners were invited to join in the holiday open house at Factoria Mall on December 12 from 5:00 p.m. to 7:00 p.m. at which time the plans for the site will be unveiled to the community.

Mr. Hossein Khoran, owner of the Wilburton Gateway site, said the project is designed to

address tomorrow's challenges. Parking for the R-15 development will be put underground, and that will enable open landscaping in front of the townhomes. The development will not work at R-10; that density is not as efficient and will not adequately address growth in the population. Wilburton Gateway will be a landmark project, unique in design, and will use green and solar components to the extent possible.

Ms. Betsy Swanson, a resident on 123rd Avenue SE, spoke representing the Mockingbird Hill community. She said the community is pleased that a prestigious firm like Kimco is taking on the Factoria Mall redevelopment project. Even with only partial occupancy as it currently stands, the mall serves as a gathering place for Factoria residents. There are, however, serious safety issues that must be addressed. Adding 100,000 square feet by utilizing trip count caps and complementary uses to enhance trip captures will be a problem. She said that according to the traffic study, gridlock on SE 38th Street and Factoria Boulevard did not meet the concurrency standards of the GMA. She said that the trip count caps and complementary uses to enhance trip capture approach allows for borrowing capacity from another area to average out the minimums necessary to meet concurrency; the result being gridlock with no mitigation to resolve the problem. The Kimco diagram shows two parking garages on 124th Avenue SE; one of them is on a sharp curve where SE 38th Street merges with 124th Avenue SE on the proposed expanded Target location, and the other is at the intersection of 124th Avenue SE and SE 41st Street where the 685 multifamily housing units are to be located. She said that with congestion at the parking garages, the trip count caps and complementary uses approach will be able to enhance the trip capture. Ms. Swanson said that another problem on 124th Avenue SE is the construction of the new parking lot at Newport High School directly across from the south entrance to Mockingbird Hill. There is a left-turn lane to the neighborhood and a pedestrian crosswalk to the high school on a blind hill. She said that the neighborhood is concerned that someone is going to get killed there given the high volume of traffic from the freeway coming in at the same time cars are leaving the high school parking lot and that help is needed in solving those issues before new construction on the mall gets under way.

Ms. Beverly Gagnier, 12390 SE 41st Lane, said traffic backs up from Coal Creek Parkway past SE 41st Lane, which is four blocks, and the backups are occurring more frequently. Once the mall is redeveloped, traffic will become even worse. The real problem is the Seattle fault which runs under I-90 and Coal Creek Parkway, only three blocks from the mall property and merely three to twelve miles deep; the next earthquake will cause a lot of destruction in Bellevue and Factoria. In addition, the mall is built on an old wetland which can liquefy during an earthquake. Earthquakes on the Seattle fault have historically occurred every 750 years; the last one was 1100 years ago and had a magnitude of 7.3, causing an uplift at Alki Beach measuring 22 feet. There is a need for building codes that will yield buildings that can withstand strong earthquakes.

Ms. Brie Goss, 12252 NE 5th Street, said she is excited by the proposed Wilburton Gateway project. The area is not currently safe for pedestrians; the development will improve safety and add aesthetic landscaping. It will fit very well with the Wilburton historical area. The building will be a landmark for Bellevue and for Wilburton and will bring a presence for the area.

Mr. Timothy Reeves, development manager for Public Storage, informed the Commission that Public Storage is fully behind the CPA of the old Shurgard site.

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

7. STUDY SESSION

A. Comprehensive Plan Amendment
– Wilburton Gateway

Senior Planner Nicholas Matz said the proposal involves a two-acre site located at 124th Avenue NE and NE 8th Street. Properties within the site currently have two land use designations, Single Family-Medium and Multifamily-Low, and the applicant is seeking Multifamily-Medium and has proposed an R-15 cap on rezoning. Such a cap would have to be accomplished through the addition of a policy statement in the Wilburton subarea plan.

The issues raised to date include that multifamily designations are contemplated south of NE 8th Street farther into single family areas. The current designations were intended to provide a buffer from the commercial uses and the traffic along NE 8th Street.

Mr. Matz said that while this buffering has worked elsewhere in the Subarea along the corridor, the awkwardly narrow physical dimensions of the existing MF-L designated portions of the site make that purpose untenable for any onsite multifamily development.

Other issues raised include site design, architectural appearance and trip generation associated with the proposed design.

Commissioner Robertson asked staff to include in the staff report for the public hearing a summary of the comments received to date on the proposed CPA.

B. Comprehensive Plan Amendment
– Shurgard Self Storage

Mr. Matz said the proposal involves a property on 118th Avenue SE to the east of the Mercer Slough and seeks an amendment to change the land use designation for three parcels from the current Office/Limited Business to Light Industrial. During the geographic scoping phase, the decision was made by the Commission to include two parcels to the north on which Davey Tree and Rabanco are currently located.

The original intent for the OLB designation was to shift the long-range vision for the parcels toward a development pattern that is more in line with the nearby Bellefield Office Park. The applicant has argued that the long-term viability of the site is in fact properly represented by an LI designation, which synchs far better with the current uses and which will permit redevelopment of the site. There will be some issues related to the implementation of the Critical Area requirements and their effect on redevelopment of the sites.

Commissioner Robertson observed that one possible alignment for the Sound Transit East Link project runs past the Shurgard site. She asked staff to provide information as to whether or not the site will be impacted.

Commissioner Sheffels asked staff to provide prior to the public hearing information about how the site will be impacted by setbacks from Mercer Slough.

C. Comprehensive Plan Amendment
– Hancock/Muren

Mr. Matz said the site is on 156th Avenue SE to the south of SE 16th Street. The proposal for the four one-acre parcels is to redesignate them from Single Family-Low to Single Family-Medium;

the applicant intends to pursue a rezone to up to R-3.5. The sites border existing R-3.5 Single Family-Medium zoning to the west. Mr. Matz stated that it is likely that in order for redevelopment of the site to be feasible, it will be necessary to combine two or more of the four parcels and address impacts to an adjacent existing wetland. There is also a very large sewer trunk line running across the northeast corner of the site.

D. Comprehensive Plan Amendment
– Bellewood Apartments

Mr. Matz said the Bellewood Apartments are located in the vicinity of SE 3rd Street and 101st Avenue NE to the south of Downtown. During review of redeveloping the site, the property owner discovered that a portion of the site is zoned Office; in order to realize the redevelopment envisioned at a the R-30 density already existing on the rest of the site, a map change to Multifamily-High is necessary for the Office-zone portion of the site.

E. Land Use Code Amendment
– Factoria

Land Use Director Carol Helland explained that the Factoria Mall site is located between SE 38th Street and SE 41st Place, and between Factoria Boulevard and 124th Avenue SE in the Factoria subarea. The proposal is intended to accommodate the additional retail square footage previously approved following the Factoria Area Transportation Study, and to provide the mall ownership with the flexibility to move previously approved uses around on the site.

Ms. Helland reminded the Commission that the Commission essentially adopted a site plan for the Factoria Mall and incorporated it into the Land Use Code. The approach is inflexible and difficult to administer over time as market conditions change. The proposal is to utilize the same approach taken in establishing the Medical Institution District zone which provides for an administrative process for developing a site plan with some guiding principles and design review guidelines that allow for flexibility over time.

By way of background, Ms. Helland noted that the Factoria area was annexed into the city of Bellevue in 1993. At the time, the F1, F2 and F3 zones were created through what amounted to a contract rezone; the development that could occur in the area was limited, and the entitlement provided the property owners had an expiration date. The urgency associated with the most recent Factoria rezone was tied to the fact that the sunset date was coming up and the zoning needed to be readdressed along with some limitations on the ultimate growth of the mall.

Ms. Helland said the Planning Commission held a series of study sessions and public hearings and concluded that the mall site is in need of redevelopment and that the housing units proposed are in keeping with the GMA goals. The local neighborhood expressed concern about added congestion, and the risks and concerns about liquefaction during an earthquake were fully discussed. The current proposal does not anticipate any additional upzoning to allow anything beyond the 151,100 additional square feet allowed and the 685 housing units previously approved. There is no intent to rehash issues already decided, some of which were appealed to the Growth Management Hearings Board and have been resolved.

The SEPA process has not been determined yet, but a notice of the application of a Land Use Code Amendment will be issued on November 16. Staff has concluded that moving units around on the site will not significantly affect traffic or any previous analysis, and the hope is that the process will be SEPA exempt.

The proposal of the developer is to include a new open air shopping plaza connected to a residential complex, new and relocated anchor stores, and pedestrian ways, plaza space, and friendly storefronts. The design guidelines for the original F-1 zoning district were very similar.

Ms. Helland clarified that the 100,000 square foot entitlement post-FATS was a modification added by the City Council at the end of the process. The original Planning Commission recommendation included 50,000 square feet. The design guidelines did not contemplate that very well, so the allocation needs to be enabled. There is also a mistake in the design guidelines as they relate to the square footage that needs to be amended. Additionally, the property owner would like to have the flexibility to relocate uses and respond to market conditions over time.

The previous design guidelines included a lot of standards but no articulation of clear intent for streetscapes or open space and gathering spaces. That framework needs to be added so that over time predictable targets can be attained. Administrative flexibility to accommodate deviations from the plan also needs to be folded into the process.

Commissioner Sheffels observed that the southeast corner of the mall property has a significant elevation difference from the neighboring street. During the FATS study there were concerns voiced that the area could be filled in to a finish grade much higher than the natural grade, giving a lot of extra height. Ms. Helland explained that the standard in the Land Use Code for Factoria Area 1 is to measure building height from the existing grade rather than from finished grade; she added that there is no proposal to change that.

Answering a question asked by Commissioner Orrico, Ms. Helland allowed that there are some changes that need to be made to the code irrespective of the mall ownership; they include clarifications between the code language and the design review guidelines to ensure consistency. The plan as it exists in the code is very specific and does not mesh with the plans of the new ownership and leaves no room for flexibility.

Commissioner Ferris commented that by moving uses around on the site there could be impacts to specific intersections. He asked if there will be additional studies done to make sure the intersections can support the layout as proposed. Ms. Helland said there was some evaluation of the intersections as part of FATS, and noted that there will be a reevaluation and comparison of the traffic study done for the original Land Use Code amendment to see how the intersections are affected. The high level analysis will also take into consideration the changes that have occurred at the high school since the amendment was originally done. Project-specific analysis will occur at the design review stage.

Commissioner Robertson suggested that the public notice for the Land Use Code Amendment should make it clear that no changes to the allowed square footage on the site are contemplated.

Commissioner Bach asked if the additional square footage allowed after FATS was allocated throughout the retail areas of Factoria or just on the mall property. Ms. Helland said the FATS study was broader than just the shopping center site, but the allocation of additional square footage was specific to the mall property and was not contingent on completion of the allowed 685 dwelling units.

Chair Mathews asked if the design guidelines will encourage the use of permeable rather than impermeable surfaces. Ms. Helland said the existing guidelines do not address that issue, but there are some enhanced landscaping requirements. Chair Mathews said it would be wonderful to have the sea of asphalt broken up to some degree.

Ms. Helland outlined the schedule for the Commission, noting that it is aggressive owing to staffing issues. There was consensus to schedule a study session on January 10 and notice a public hearing for January 24.

8. OLD BUSINESS – None

9. NEW BUSINESS

Mr. Inghram reviewed the schedule of upcoming meetings with the Commission.

10. APPROVAL OF MINUTES

A. September 13, 2006

Motion to approve the minutes as submitted was made by Commissioner Robertson. Second was by Commissioner Bach and the motion carried without dissent; Commissioner Orrico abstained from voting.

B. September 27, 2006

Motion to approve the minutes as submitted was made by Commissioner Orrico. Second was by Commissioner Robertson and the motion carried without dissent; Commissioner Ferris abstained from voting.

C. October 11, 2006

Commissioner Robertson called attention to the third paragraph on Page 3 of the minutes and asked to have her statement clarified that it is unfair to the public to not have materials to be discussed included in the packet ahead of a meeting.

Motion to approve the minutes as revised was made by Commissioner Robertson. Second was by Commissioner Sheffels and the motion carried without dissent; Commissioners Bach, Bonincontri and Ferris abstained from voting.

11. PUBLIC COMMENT – None

12. ADJOURNMENT

Chair Mathews adjourned the meeting at 8:23 p.m.

Staff to the Planning Commission

Date

Chair of the Planning Commission

Date