

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
MEETING MINUTES

January 31, 2007
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

COMMISSIONERS ABSENT: Commissioner Sheffels

STAFF PRESENT: Paul Inghram, Department of Planning and Community Development

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER

The meeting was called to order at 7:06 p.m. by Chair Mathews who presided.

2. ROLL CALL

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

3. APPROVAL OF AGENDA

The agenda was approved by consensus.

4. STAFF REPORTS

Comprehensive Planning Manager Paul Inghram reported that the City Council will on February 5 conduct a study session on the site-specific Comprehensive Plan amendments. Chair Mathews will present the recommendation of the Commission. On February 26 the Council is slated to hold a study session on the Wilburton/NE 8th and Crossroads Center Plan Comprehensive Plan amendments. Final action on the 2006 package of amendments is scheduled for March 5.

Mr. Inghram informed the Commission that the application period for 2007 has closed with a total of five received: 1) a multifamily parcel to the south of the Downtown; 2) one of the SRO office properties to the north of Factoria Mall; 3) a property in Eastgate adjacent to the Honda Auto Center; 4) a property in Southwest Bellevue seeking a change from Single Family-Medium to Single Family-High; and 5) a proposal to adjust the Potential Annexation Area line in Southeast Bellevue next to Cougar Mountain.

Mr. Inghram noted that the terms for several Commissioners will be ending in the spring. He asked those wanting to re-up to let him know as soon as possible. A search will be initiative for a replacement for Commissioner Bonincontri who will not be eligible to continue.

The Commission was informed that a pre-application meeting has been held with a developer

wanting to put in a natural gas refueling facility off of SE 32nd Street in an industrial area.

5. PUBLIC COMMENT

Mr. Barton Ellison, 17104 NE 5th Place, said most of the people he is associated with in the Crossroads area are concerned about the height and scale of multifamily mixed use buildings that might be introduced as part of the Crossroads Center Plan. He said the Comprehensive Plan calls for uses to be compatible with the built environment, and the Land Use Code more definitively addresses the issues of height and scale. However, it does not appear that there are sufficient checks in terms of design review and the opportunity for public comment during the development phase of a project to make sure that views to the west from the park are protected. Some language should be included about preserving views.

Mr. Ron Sher, managing partner of the Crossroads Shopping Center, said he has been in the shopping center and community development business for over 30 years. He said over the years Crossroads Shopping Center has met with a number of challenges in the quest to make it a great place for the community. The perspective has always been on the fact that making it a great place for the community would generate loyal customers and make the center a financial success; that approach has worked out very well. It is well documented that over the past 20 years the nature of shopping centers nationwide has been changing as land has become a much more valuable resource. The older style shopping centers are not working and are not attracting customers, and they are adding very little to their communities. They must compete with the Costcos, the Wal-Marts, the K-Marts, and the internet. The regional shopping malls in Redmond, Woodinville, Issaquah, Factoria, Totem Lake and downtown Bellevue are all better served by the regional transportation system; Crossroads Shopping Center is served by NE 8th Street and 156th Avenue NE, and its customers are primarily from the Crossroads area. In order to keep it, it will be necessary to have available all of the tools that can make Crossroads people and customer friendly. It will be a great thing to include multifamily housing on a relatively moderate basis; the units will enrich the quality of the neighborhood and help maintain the economic viability of the project and the neighborhood.

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

7. STUDY SESSION

A. Comprehensive Plan and Land Use Code Amendment
– Wilburton/NE 8th Study

Mr. Inghram reminded the Commission that concerns were previously voiced regarding the special opportunity area policy, S-WI-4. He offered for consideration a revised version of the policy that makes it clear the policy is not intended to authorize any new use beyond those permitted by the existing designation and zoning. As drafted, the policy is intended to draw attention to the area with future potential for an unspecified new use. Any new use proposed, however, would be subject to the Comprehensive Plan amendment process.

In addition, Mr. Inghram said staff has had conversations with a property owner regarding the extension of NE 4th Street. He offered a discussion section for Policy S-WI-3 to make it clear the extension could be either privately or publicly funded. With the project in the city's capital funding plan, it would be publicly funded in time. However, if a private developer wanted to bring the project online sooner, the city will facilitate that. Mr. Inghram suggested revising the project description section to include the notion of street landscaping and non-motorized

facilities to make it clear the extension will be a fully functioning street.

Commissioner Orrico offered her support for the NE 4th Street clarifications as outlined. With regard to the special opportunity area, she asked why a policy that would have no practical or legal effect should even be included in the Comprehensive Plan. Mr. Inghram said the policy is needed to point out the unique conditions of the area and other parts of the city, including a strong connection to the Downtown and the potential for additional connections via NE 6th Street. He suggested that there will be value in recognizing the opportunities and characteristics of the area. Commissioner Orrico held that any developer wanting to do something in the area will be aware of the unique characteristics of the area without having a policy in the Comprehensive Plan.

Commissioner Robertson said there is value in having the policy in that it will allow future Planning Commissioners to know the area was carefully considered. For one thing, the need to show changed circumstance would be obviated by the policy. The policy will not, however, do away with the public process required to change the designation or zoning for a particular property.

Commissioner Ferris said by including the policy in the Comprehensive Plan the city will in effect be telling developers seeking to locate a facility in Bellevue to look at the special opportunity area first because of the benefits the area offers.

Commissioner Orrico said her concern is that a property owner in the area could have the special opportunity area policy used against them by precluding them from putting in an otherwise allowed use on the hope that some other use will be put in. Mr. Inghram said the policy is not intended to discourage uses that are permitted by the current zoning and designation, though it may be appropriate to discourage certain Comprehensive Plan amendments a private property owner might seek to effect.

Commissioner Bonincontri added her support for the revisions to Policy S-WI-3 regarding NE 4th Street. With regard to the special opportunity area policy, she said it is generally benign and will not serve as a hindrance to any property owner. She agreed with Commissioner Ferris that the policy will serve as a flag for developers to look there first.

Chair Mathews noted his support for keeping the policy on the understanding that it will not change the underlying zoning.

Motion to recommend to the City Council approval of the Wilburton/NE 8th Street Corridor Study and subarea plan as amended by the memo of Paul Inghram dated January 31, 2007. Second was by Commissioner Bonincontri and the motion carried unanimously.

Motion to recommend to the City Council approval of the Land Use Code Amendment for the Wilburton/NE 8th Street Corridor Study was made by Commissioner Bonincontri. Second was by Commissioner Orrico and the motion carried unanimously.

There was consensus to include as additional recommendations directing the city to investigate additional opportunities for the Land Use Code to provide incentives for housing affordable at the median income level, recognizing the opportunity to better address housing needs with the Wilburton/NE 8th study and the upcoming Bel-Red corridor project; and prioritizing funding for project 514 of the East Bellevue Transportation Plan to create a four-legged intersection at 120th Avenue NE and NE 8th Street.

B. Comprehensive Plan Amendment
– Crossroads Center Plan

Mr. Inghram noted that the Commission at its last study session had some unanswered questions about traffic levels of service, sidewalks on 156th Avenue NE, and the milestone assessment process.

Mr. Inghram commented that there was also some discussion about the public process. He suggested the workgroup process was very successful even though one of the last meetings was not well attended; through follow-up efforts, the balance of the workgroup members were able to weigh in on the principles. A high level of support for the principles was evidenced. In addition, the Parks Board and the East Bellevue Community Council have both endorsed the principles.

With regard to the traffic levels of service, Mr. Inghram said the areawide average for Crossroads and NE Bellevue is LOS B, while the Mobility Management Area standard is LOS D. He also pointed out that sidewalks along 156th Avenue NE is already a project in the CIP and some of them have already been constructed.

Mr. Inghram said the milestone assessment policy takes a unique approach. Comprehensive plans and land use codes do not typically deal with the timing of develop; they establish a basic framework for types and dimensions of uses that are expected to occur over time. For the Crossroads Center Plan, however, the milestone assessment policy seeks to gain some level of control over the timing, scale and quantity of development that can occur in the near to mid-term outlook. The revised language of Policy S-CR-80 focuses on the elements of the assessment, including school enrollment, traffic and transit usage, and park usage. The suggestion was previously made that the assessment should include crime figures, but Mr. Inghram suggested it would not be possible for staff to make any sort of correlation between criminal activity and individual developments without conducting a rigorous academic exercise about the nature of different types of crimes. He recommended not including crime in the milestone assessment.

Answering a question asked by Commissioner Orrico, Mr. Inghram said in the next few years a handful of different permit applications could be submitted to develop mixed use multifamily within the specific study area. As written, the policy would not allow the city to accept permit applications to vest more than 400 units until the assessment is undertaken; the assessment could begin at some number less than 400 units, however, provided there are a sufficient number of units constructed to make the assessment reasonable. The assessment would include both an informal neighborhood outreach and the formal Comprehensive Plan amendment process, if amendments are needed. A threshold trigger number should not be included in the policy in addition to an upper limit threshold.

Commissioner Robertson said the public comment concerning the possible blocking of views was the first mention of views in the study area. She suggested if there are views, including a policy such as S-WI-39 in the Wilburton/NE 8th Study would be appropriate, limiting it to parks and public rights-of-way. Mr. Inghram said there has been discussion about height limits for both the Wilburton/NE 8th and Crossroads subareas. Several community members have suggested lower heights for Crossroads, though some, including the East Bellevue Community Council, have suggested allowing taller buildings. Staff has shied away from the issue because of the fact that the zone is applicable throughout the city; establishing height limits in specific areas that differ from what a zone otherwise permits is not the optimal approach to take.

Mr. Inghram said there are some views from the south side of the park. The middle and north

parts about the golf course and are heavily wooded, so there are no views in that direction. He said inclusion of a policy regarding view protection would be up to the Commission, adding that there is the potential of including view language in the design guidelines.

Commissioner Bonincontri said the best views are from NE 8th Street. From the park the views are far more limited. Views are certainly not the reason people use Crossroads Park, and establishing height limits may or may not preserve views. A height limit specific to the study area is not warranted.

Commissioner Ferris noted that part of design review is an evaluation of bulk and scale. He added that imposing a rigid height limit may actually make things worse by disallowing taller height where it would be more appropriate by forcing the construction of a lot of short, squatty buildings. Mr. Inghram agreed that issues of context and scale are part of the design review process. He added that there will be opportunity to revise the design guidelines as part of the Land Use Code Amendment process for the study area.

Commissioner Robertson asked if the new multifamily developments will be required to have retail uses on the ground floor, or be permitted as stand-alone residential buildings considered to be mixed use because of their surroundings. Mr. Inghram said the policies contemplate multifamily in mixed use buildings with an intense retail frontage. Commissioner Robertson suggested that should be better clarified in the policy language.

Commissioner Bonincontri voiced support for leaving the language more flexible, leaving to the design review stage the issue of what is appropriate for particular areas of the site.

Commissioner Robertson said if the plan for Crossroads envisioned a complete site redevelopment, such as is contemplated for Factoria, she would feel differently. The policy language simply adds the ability of the property owner to add multifamily where it can be fit in, the very thing the neighborhood has been opposed to for more than 25 years.

Commissioner Bach agreed with the need for flexibility in the policy language. He said there is a sufficient level of control in the design review process to keep things in hand. If the language is too constrictive, it will be necessary in the future to tweak the policy language to get to the final objective.

Commissioner Ferris concurred. He asked if the units in the hotel count as multifamily housing units against the threshold of 400 associated with the milestone assessment. Mr. Inghram said they will not count unless they seek a change of use, such as to condominiums.

The Commissioners discussed the language of Policy S-CR-80 and reached consensus to have it read: "Assess new mixed use multifamily development when 300 or more dwelling units are constructed and occupied District E north of NE 8th Street. The assessment should occur through the Comprehensive Plan amendment process. The assessment must be completed prior to accepting and vesting permit applications exceeding 400 dwelling units in District E north of NE 8th Street. At the time of the assessment the City may evaluate whether to allow or restrict additional multifamily housing within the district."

Motion to recommend to the City Council adoption of the Crossroads Center Plan Comprehensive Plan amendment as amended was made by Commissioner Bonincontri. Second was by Commissioner Ferris. The motion carried 5-1 with Chair Mathews and Commissioners Bonincontri, Bach, Ferris and Orrico voting yes, and Commissioner Robertson voting no.

There was consensus to encourage the Parks and Community Services Board to incorporate the following projects into the next update of the Bellevue Parks and Open Space System Plan: 1) construct improvements to the Crossroads Park that support park connections associated with mixed use and commercial development adjacent to the Community Center and the west edge of the park; and 2) construct additional trail/pathway improvements at Crossroads Park to connect with pathways completed as part of adjacent private development.

8. NEW BUSINESS

Mr. Inghram raised with the Commission the issue of the light industrial property to the south of the Public Storage site in the Richards Valley subarea, noting that the Commission had previously questioned whether the designation is appropriate for the site. He explained that at any time the Commission can recommend to the Council the initiation of a Comprehensive Plan amendment. If an amendment is proposed for the site, it could be included in the 2007 package of amendments, though there is no specific timing requirement.

It was agreed to include the issue as an action item on the next Commission meeting agenda, and to provide notice to the property owner that the Commission is considering taking action.

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

9. OLD BUSINESS – None

10. APPROVAL OF MINUTES

A. December 13, 2007

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

11. PETITIONS AND COMMUNICATIONS – None

12. ADJOURNMENT

Chair Mathews adjourned the meeting at 8:37 p.m.

Staff to the Planning Commission

Date

Chair of the Planning Commission

Date