

CITY OF BELLEVUE  
BELLEVUE PLANNING COMMISSION  
MEETING MINUTES

February 7, 2007  
7:00 p.m.

Bellevue City Hall  
City Council Conference Room 1E-113

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

COMMISSIONERS ABSENT: Commissioner Robertson

STAFF PRESENT: Paul Inghram, Carol Helland, Lesa Hutnak, Kevin O'Neill, 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 Commissioner Robertson, who was excused, and Commissioner Bach.

3. APPROVAL OF AGENDA

The agenda was approved by consensus.

4. STAFF REPORTS

Senior Planner Paul Inghram thanked Chair Mathews for attending the City Council meeting on February 5 to present the four privately initiated Comprehensive Plan amendments.

5. PUBLIC COMMENT

Mr. Jack McCullough spoke representing Kimco Realty. He reminded the Commission that the proposed amendments to the Factoria design guidelines is needed because of the highly prescriptive nature of the requirements currently in place. Retail changes all the time, and in order to achieve certain goals it will be necessary to allow for more flexibility. The proposal will not increase the amount of square footage allowed on the site, nor will it bring about additional height or more dwelling units. He said Kimco is generally pleased with the proposed amendment, though there are still a couple of items being discussed with staff, notably parking and the proposed stair on the south side of the 40<sup>th</sup> Street ramp. There is currently a sidewalk on the north side of that roadway but not on the south side, and there is no room for a sidewalk on the south side. The structural consequences of attaching a sidewalk to the side of the structure with a cantilever arrangement are being reviewed by the engineering team, but doubts have been raised and other solutions may need to be sought.

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

7. PUBLIC HEARING

- A. Land Use Code Amendment  
– 2006 Clean-up

Motion to open the public hearing was made by Commissioner Bonincontri. Second was by Commissioner Sheffels and the motion carried unanimously.

Legal Planner Lesa Hutnak explained that the proposed amendment cleans up certain inadvertent errors in the Land Use Code, updates cross references, and updates district names. She said the changes are non-substantive.

There was no one wishing to testify.

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

8. STUDY SESSION

- A. Land Use Code Amendment  
– 2006 Clean-up

Ms. Hutnak noted that her memo included in the Commission packet explains the various proposed code changes. She noted that the amendment will correct the issue of lot coverage in the Factoria F-3 district which was inadvertently repealed through the critical areas ordinance.

Ms. Hutnak said she had previously fielded questions from Commissioner Robertson concerning the Downtown wedding cake theory and allowing for a 15-percent increase in the mixed use core district. She reported that Commissioner Robertson was satisfied with the answers given.

There was consensus on the part of the Commissioners to move the clean-up amendment process forward.

- B. Land Use Code Amendment  
– Factoria Design Guideline Amendment

Land Use Director Carol Helland explained that two ordinances are needed to effect changes to the Factoria design guidelines; the larger of the two is substantive and the smaller one involves process. The substantive amendment deals only with Factoria provisions and as such does not need to be forwarded to the East Bellevue Community Council for approval or disapproval, whereas the process changes will need to be reviewed by the East Bellevue Community Council.

Ms. Helland reminded the Commissioners that the existing Factoria district regulations establish a design district, includes dimensional requirements, and places limits on density and intensity. However, the document does not match any of the organizational traits of other city codes and is difficult for planners to administer. The proposed amendment removes redundancies, identifies the standards, criteria and design guidelines and sorts them in much the same way the Downtown overlay and the Medical Institution District is organized.

The existing regulations are very prescriptive and allow for very little flexibility. They essentially amount to an adopted plan in the Land Use Code. The proposed revisions offer both predictability and a process for modifying the plan over time with community input. In talking to people about the proposed amendments, staff has stressed that there is no change to the amount of square footage allowed, the number of dwelling units allowed, or the allowed height. The code amendment is consistent with the overarching principles that informed the last version of the guidelines, including connections to surrounding communities, transitions reflecting and respecting the use context of surrounding development, including mixed uses, locating intensive new structures to the west toward the freeway, and incorporating plazas, terraces and open spaces on the site.

There are six major amendments proposed: 1) repeal the F-1 Development Area Plan and the associated Factoria Town Square Design Guidelines; 2) remove the F-1 dimensional standards from the general development regulations of the code and placing them in the Factoria overlay section; 3) create a new section, 20.25F1, to include the specific standards, criteria and guidelines; 4) amend Section 20.25K to remove references to the F-1 District, leaving the references to the F-2 and F-3 districts unchanged; 5) create a new Section 20.30V to establish general procedures and criteria to be used by the city in making determinations on master development permits; and 6) various clean-up and consistency revisions. The dimensional requirements will be repealed and replaced with a revised dimensional chart that is more straight forward and easier to read; it does not change the applicable height limits, though it does set out the required setbacks and stepbacks. The dimensional chart makes it clear that height in Factoria is measured from average existing grade to the high point of a structure, including pitched roof forms and penthouse equipment screening.

Ms. Helland said the new F-1 provisions are organized much like the Downtown overlay and Medical Overlay District, and they define the development areas for the districts. The guidelines are more flexible in allowing residential development to be massed in the DA-II area.

In order to do any development of the site, the developer will have to have an approved master development plan. Ms. Helland said staff recommends Process II, the same required for the hospital. The public would get notice, a sign would be put up, and there would be an opportunity for public comment. Any appeal would be before the hearing examiner.

Answering a question asked by Commissioner Ferris, Ms. Helland explained that the traffic calculations for the Land Use Code amendment anticipate full buildout. The traffic analysis for a specific development proposal will be done at the design review level, not at the master plan level. Commissioner Ferris asked if anyone developing an adjacent property would have to assume full buildout of the master plan in calculating their level of service impacts. Ms. Helland said they would not since only the design review calculations are folded into the concurrency model. One of the hallmarks of a master development plan is that there is no vesting to the traffic concurrency.

Ms. Helland reiterated that the dimensional requirements remain largely unchanged. The landscaping requirements will become more prescriptive, and the design guidelines will become more flexible. The parking and circulation requirements are the same as what was included in the F-1 district, though the developer may have an interest in revisiting them. Virtually all of the information in the section on sidewalks and pedestrian paths has a corollary in the design guidelines, though the sidewalk widths and dimensions will be specifically called out.

Commissioner Orrico asked what happened to the issue of including a bus layover area on the

south side of the property. Ms. Helland said she would find out and report back to the Commission.

Ms. Helland said a hierarchy of sidewalks has been developed and included in the amendment, including perimeter sidewalks along the main roadways serving the site, on-site sidewalks along what essentially is a continuation of 127<sup>th</sup> Avenue SE and 128<sup>th</sup> Avenue SE, and a the new road roughly along the alignment of SE 40<sup>th</sup> Street. The requirement for a sidewalk on the SE 40<sup>th</sup> Street alignment existed in the prior guidelines, but the applicant is looking into the structural integrity of creating a cantilevered sidewalk. The lowest hierarchy of sidewalks are called pedestrian paths and will be defined through the master plan process. There is also a section with regard to gateways.

Ms. Helland said the design review criteria will drive how the master development plan will be evaluated. There are several pages that talk about landscaping, lighting and building design. Most of the criteria were drawn from the existing guidelines.

Section 115 incorporates the balance of the guidelines from the code. They are written very similar to the Building/Sidewalk design guidelines in the Downtown and are organized to make the easier to administer and communicate. Section 20.25K remains largely unchanged, except that the references to F-1 are removed.

Ms. Helland said the process ordinance includes the review requirements for a master development permit. The process from the Medical Institution District are mirrored in Section 20.30V.

Commissioner Orrico suggested it would be helpful to show where the F-2 and F-3 districts are given that there are references to them in the documents.

The Commissioners were reminded that the public hearing has been noticed for February 28.

C. Comprehensive Plan Amendment  
– Bel-Red Draft Environmental Impact Statement

Long Range Transportation Planning Manager Kevin O'Neill said the Draft Environmental Impact Statement was published on January 25 and is available in its entirety on the project website. It is based on a no action alternative and three action alternatives approved by the steering committee in June 2006. The next milestones will be the development of a preliminary preferred alternative and then a preferred alternative to recommend to the Council, which likely will occur in late spring or early summer 2007.

Mr. O'Neill explained that the DEIS is programmatic, not project specific. It is intended to provide support for planning level decisions; it is not intended to provide support for the construction of any specific project or roadway. The document is divided into 12 chapters plus appendices. The first chapter contains an introduction and summary, and the second chapter describes the alternatives that were analyzed. The next several chapters relate to specific components of the environment. Much of the technical information is contained in the various appendices.

The no action alternative is predicated on a scenario that envisions no major Comprehensive Plan policy changes. Under the current policy guidance, about half of the area is planned for and zoned light industrial; the other half is a mixture of Office, General Commercial, Community

Business, and a very small amount of residential housing. The no action alternative anticipates the addition of about one million square feet of additional commercial and industrial uses over the next 25 years consistent with the forecasts for the area generated by the Puget Sound Regional Council and the patterns of the last 25 years.

For each action alternative, the distribution of land uses is varied along with the overall amount of development. Alternative 1 represents a mid-range of employment and housing; it assumes the addition of 3.5 million square feet of commercial and 3500 housing units. Most of the change would occur on the west end of the corridor, particularly in the area generally around the parcel owned by Safeway. There would be a light rail station there to serve more office intensity along the 116<sup>th</sup> Avenue NE corridor, some office campus uses near the central part of the corridor, and few changes to the eastern part of the corridor with the exception of the area bordering Redmond. Alternative 1 is unique in that it specifically carves out an area for services uses.

Noting that the service uses that exist currently in the corridor are not congregated in the services core area outlined by Alternative 1, Commissioner Orrico asked about the practicality and likelihood of moving such uses to the defined area. Mr. O'Neill said the answer to that question will partly be driven by actions on the part of the city. Even if the city does not initiate major land use changes, there is some question regarding the future viability of some of those types of businesses.

Commissioner Ferris commented that if a services core were to be created, and the uses within that area limited to service-type businesses, the land values within that area would be artificially held down.

Answering a question asked by Commissioner Ferris, Mr. O'Neill said the process will ultimately create new land use designations and zones and definitions for them. The steering committee will make a recommendation to the City Council for what the 2030 vision for the corridor should be. The Council will review the recommendation and refer the matter to the Planning Commission to craft the policy revisions and code changes that will be required to implement the vision. That likely will include new Comprehensive Plan designations and Land Use Code zones.

Mr. O'Neill said Alternative 2 is based on adding 2.5 million square feet of commercial uses and 5000 new housing units. The market consultant concluded that the potential housing market in Bellevue and on the Eastside generally is strong and will continue to be strong for a host of reasons. Currently, however, there are very few places where new housing can be constructed, other than in the Downtown. The development nodes and light rail locations are in different places in Alternative 2. The alternative locates opportunities for housing in the part of the corridor where the service uses are primarily located presently, and creates a light industrial sanctuary where some of the larger light industrial uses are. The alternative also adds more intensity in the eastern part of the study area.

Commissioner Orrico asked how much of the development scenarios are driven by what light rail does in the corridor, and how much will light rail be driven by the land use planning effort. Mr. O'Neill said the ultimate decision regarding light rail alignments and stations through the corridor will be made by the Sound Transit board. Typically, Sound Transit has respected the views of local jurisdictions. Staff has been working very closely with Sound Transit, and their staff has been very much a part of the corridor study. The NE 16<sup>th</sup> Street alignment, which does not follow an existing public right-of-way, is in the East Link package being analyzed under an Environmental Impact Statement. The alternatives are not dependent on light rail coming to the

corridor; however, having light rail in the corridor will make the development patterns more feasible by adding transportation capacity to the area.

Alternative 3 incorporates an additional 4.5 million square feet of commercial uses and 5000 new housing units; it is unarguably the most aggressive alternative. Development nodes are shown at the 122<sup>nd</sup> Avenue NE/124<sup>th</sup> Avenue NE area, in the middle part of the corridor, and one in Overlake Village in Redmond. The alternative anticipates some additional housing and retail happening on both sides of the Redmond node.

Commissioner Sheffels asked if there is anything that would preclude the addition of another transit station in the eastern part of the study area but on the Bellevue side of the line. Mr. O'Neill said typically stations are located a mile to a mile and a half apart. The stations shown in Alternative 3 in the middle part of the corridor are only about a half mile apart. However, if compelling reasons can be shown for having a station on 116<sup>th</sup> Avenue NE to serve the hospital and the eastern portion of the Downtown and other areas, there is nothing that would preclude moving that idea forward. Sound Transit likely would argue against having too many stations, increasing cost and reducing travel times.

Commissioner Bonincontri asked if there will also be bus services in the area. Mr. O'Neill said the transit picture in the corridor is not currently very good; there are buses running along Bellevue Red Road and a few on NE 20<sup>th</sup> Street. It is possible that once the new east-west corridor running along NE 16<sup>th</sup> Street is established buses could be used in the interim to replicate what light rail will ultimately bring in.

Mr. O'Neill said the DEIS concluded that each alternative is feasible; none of the alternatives is fatally flawed. There are, however significant differences between the alternatives in terms of land use, population/housing/economics; watershed processes, and transportation. The differences between the various alternatives relative to air quality, noise, environmental hazards, aesthetics and public services and utilities is not significant. All of the alternatives assume there will be some light industrial uses remaining in 2030.

Land use compatibility and consistency is something tested in the DEIS. The steering committee worked to make sure the uses along the north and south edges of the corridor are not high intensity. The action alternatives were also tested to make sure they are consistent with the policy guidance received to date from the Council.

The land use mitigation measures include continuing to work with Sound Transit on station area planning; creating pedestrian-friendly environments; limiting parking to reduce development costs and auto trips; and opportunities to create parks and open space.

The no action alternative assumes no residential growth because it assumes no housing. Alternative 1 assumes 6270 new residents, and Alternatives 2 and 3 both predict 8675 new residents. All of the alternatives, including the no action alternative, would increase the net employment base by 2030, ranging from 2367 to 9249 new jobs. The mitigation measures for population, housing and economics include accommodating as many different kinds of land uses as possible; identifying locations in which to concentrate light industrial and/or other valued uses that might otherwise exit the study area; and develop parks and pedestrian/bicycle facilities to serve the planned increases in housing and employment.

Mr. O'Neill said the DEIS carefully evaluates the watershed processes. There are a number of riparian corridors within the study area that are not in very good condition given the development patterns of the last 40 years. Through redevelopment, there may be opportunities

to improve watershed processes. As development intensifies in the area, it would have to implement current stormwater management and stream buffer requirements, and there may be opportunities to enhance those even more through the use of low-impact development, green streets, and taking advantage of the porous soil types for stormwater infiltration. The committee has often talked about using incentives such as greater development intensity in exchange for larger setbacks or open space enhancements.

Transportation is the most quantitative part of the DEIS. The analysis divided the study area into 30 subareas, and the land uses for each of the alternatives were distributed based on the general patterns envisioned. The resulting trips were then quantified by intersection. The no action alternative does not assume much in the way of an ambitious transportation network within the corridor; it does assume that the regional improvements on the books will happen, including replacement of the SR-520 bridge, improvements to I-405, and light rail, but without any stations in the corridor. In addition to those improvements, the three action alternatives include a very ambitious set of transportation improvements, including additional capacity on 120<sup>th</sup> Avenue NE, 124<sup>th</sup> Avenue NE, extending NE 10<sup>th</sup> from 116<sup>th</sup> Avenue NE to 120<sup>th</sup> Avenue NE, extending NE 4<sup>th</sup> Street from 116<sup>th</sup> Avenue NE to 120<sup>th</sup> Avenue NE, and the extension of NE 16<sup>th</sup> Street through the corridor.

The DEIS found that because of the additional levels of land use, traffic volumes will increase. The increase, however, associated with Alternatives 1 and 2 is only ten percent greater than the no action alternative; for Alternative 3 the increase is 12 percent. There are certain corridors that will see increases higher than those. The obvious hot spots are the 112<sup>th</sup> Avenue NE corridor, 116<sup>th</sup> Avenue NE, and 148<sup>th</sup> Avenue NE.

The study also tested the sensitivity of light rail ridership based on the different alternatives and found that as development intensity increases the number of boardings increases substantially. The lowest ridership was found to be associated with Alternative 2; the highest was not surprisingly with Alternative 3.

Transportation mitigation will be vitally important. It will be necessary to add transportation capacity in conjunction with land use intensity. It will also be important to carefully control neighborhood spillover impacts to the north and south. The study did not find a lot of spillover on 130<sup>th</sup> Avenue NE going north or on 124<sup>th</sup> going south, but the model did not assume any traffic calming devices. Implementing transit improvements prior to light rail service will be necessary. There will be a need to build a non-motorized system through the area, and the Burlington Northern-Santa Fe corridor will provide a great opportunity.

Mr. O'Neill said an open house and public hearing is slated for February 15. Additional community meetings will be conducted in mid- to late March to give business owners and the public opportunity to weigh in on which alternative they prefer. The steering committee expects to make its initial recommendation on a preliminary preferred alternative in April and to have a preferred alternative ready for the Council in June or July. Later in the year the Commission will be ready to begin working on Comprehensive Plan and subarea plan amendments.

Commissioner Orrico asked if the notion of creating a civic/arts area as outlined in Alternative 2 is still being considered. Mr. O'Neill explained that the designation does not refer to a major sports arena or recreational facility. Pacific Northwest Ballet has a school there and the thinking by the steering committee was that the area could serve the arts community very well.

Commissioner Sheffels added that there is a crying need for rehearsal space in the city and the area could be perfect for development housing those types of uses.

Commissioner Orrico asked if it would be realistic to limit the amount of available parking near the transit stations. Mr. O'Neill answered that one approach would be to allow less parking for developments in the areas around the transit stations because the employees and residents would have the option of riding transit. There is no assumption that any of the transit stations would include a park and ride lot, though aggressive parking management is assumed.

Commissioner Orrico asked if the mix of new housing units in the corridor will include affordable housing. Mr. O'Neill allowed that while housing is included in each of the alternatives, there is no specific policy direction to date from either the Council or the steering committee relative to affordable housing.

Commissioner Ferris commented that because the study area has essentially no housing currently, the city could make the inclusion of affordable housing mandatory as the area redevelops. Even if only ten percent of the units are required to be affordable, the total positive impact would be substantial.

Answering a question asked by Commissioner Bonincontri, Mr. Inghram said there are a number of policies in the Comprehensive Plan supportive of affordable housing. In the Land Use Code there are incentives for providing affordable housing, including a six-foot height increase and additional density. However, the development community has not found them compelling enough to use them.

Chair Mathews said he and Commissioner Sheffels will raise the issue with the steering committee on behalf of the Commission.

Commissioner Orrico asked how the anticipated level of service on 148<sup>th</sup> Avenue NE will be affected by BROTS. Mr. O'Neill explained that BROTS was an interlocal planning effort that has a planning horizon year of 2012; the Bel-Red modeling horizon extends to 2030. It is assumed that there will be additional growth in the Overlake area by 2030, but the DEIS modeling for the Bel-Red corridor does not take into account the possibility of having significantly greater amounts of office in Overlake based on Redmond updating the neighborhood plan for that area. It will ultimately be necessary to model the Bel-Red preferred alternative alongside the new Redmond development program.

Answering a question asked by Commissioner Ferris, Mr. O'Neill said Bellevue has a couple of office markets: the Downtown, and the other areas of the city that permit office uses. With the exception of Factoria and the Downtown, the floor area ratios cannot exceed 0.5. There is the feeling that there is an untapped "in-between" office market for four to six stories or so. The same thing could occur in Redmond, but Bellevue would be better positioned to capture some of it.

Mr. O'Neill said he anticipates being back before the Commission later in the spring to provide another update.

D. Comprehensive Plan Amendment  
– Planning Commission Initiated CPA for LI to OLB

Mr. Inghram said the site in question is the property immediately to the south of the Public Storage site on 118<sup>th</sup> Avenue SE. He noted the concern of the Commission was that if the LI is not right for the Public Storage site, it is also not right for the adjacent parcel.

Mr. Inghram said his research has determined that Viking Real Estate Associates, LLC is the registered owner of the property. The site is home to three tenants, including a medical supply company and a mailing office for a church organization. Changing to OLB from LI will not directly affect the ongoing operations of the current uses, though changing a use within a building or modifying a building would trigger compliance with the code or the need to adhere to the nonconforming use provisions.

Motion to accept the recommendation of staff to initiate a Comprehensive Plan Amendment for the site to change the designation from LI to OLB was made by Commissioner Ferris. Second was by Commissioner Bonincontri and the motion carried unanimously.

9. NEW BUSINESS – None

10. OLD BUSINESS

Mr. Inghram reviewed with the Commission the list of possible meeting dates for the balance of 2007.

Mr. Inghram also shared with the Commissioners the revised language for the Crossroads Center Plan policy calling for a milestone assessment. There was consensus in favor of the new language.

The Commissioners were reminded that the Crossroads Center Plan and Wilburton/NE 8<sup>th</sup> Comprehensive Plan amendments were scheduled to be presented to the Council on February 26.

11. PUBLIC COMMENT – None

12. ADJOURNMENT

Chair Mathews adjourned the meeting at 9:00 p.m.

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Staff to the Planning Commission

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Date

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Chair of the Planning Commission

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Date