

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
STUDY SESSION MINUTES

April 22, 2009
6:30 p.m.

Bellevue City Hall
City Council Conference Room 1E-113

COMMISSIONERS PRESENT: Chair Orrico, Commissioners Ferris, Hamlin, Mathews, Robertson

COMMISSIONERS ABSENT: Commissioners Lai, Sheffels

STAFF PRESENT: Paul Inghram, Nicholas Matz, Dan Stroh, Department of Planning and Community Development

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER

The meeting was called to order at 6:33 p.m. by Chair Orrico who presided.

2. ROLL CALL

Upon the call of the roll, all Commissioners were present with the exception of Commissioner Robertson, who arrived at 6:37 p.m., and Commissioners Lai and Sheffels, both of whom were excused.

3. PUBLIC COMMENT – None

4. APPROVAL OF AGENDA

The agenda as submitted was approved by consensus.

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

6. STAFF REPORTS

Comprehensive Planning Manager Paul Inghram said the City Council recently had a study session with staff regarding the multifamily tax exemption. They reviewed the state requirements and the different options that are available. The staff were directed to develop a response to questioned asked and to conduct some additional research.

Mr. Inghram said there are some Land Use Code amendments focused on housing in the works. He said he would provide the Commission with a briefing at an upcoming meeting.

7. PUBLIC HEARING: 2009 Land Use Code Amendments

Senior Planner Nicholas Matz commented that there were two privately initiated Comprehensive Plan amendments before the Commission as part of the annual Comprehensive Plan amendment

Threshold Review and site-specific geographic scoping process. He added that when the recommendation of the Commission on these proposed amendments goes forward to the City Council, staff will be seeking approval to move ahead with two other staff-initiated amendments, one focused on the biennial update of the Capital Investment Program and its references in the Capital Facilities Element, and one focused on updating figures in the Transportation Element related to travel demand forecasts. If those additional amendments are initiated by the City Council, they will come before the Commission for review.

Mr. Matz said the recommendation of staff for both of the privately initiated Comprehensive Plan amendments was that they not be advanced into the work program, and that the geographic scoping not be expanded.

A. Newport Professional Buildings CPA

Mr. Matz said the Newport Professional Buildings are located at 4307 and 4317 Factoria Boulevard. The site is approximately two acres in size with an existing Comprehensive Plan designation of Profession Office (PO). The request is to amend the designation to Community Business (CB).

Mr. Matz reiterated the recommendation of staff not to advance the CPA. He stated, however, that should the Commission determine the amendment should move forward, it should be expanded to include the third site of the three-parcel site. In the opinion of staff, the application did not establish significantly changed conditions. The applicant has suggested that conditions are significantly changed owing to other Comprehensive Plan amendments that have been approved in the area, notably the Factoria Area Transportation Study and the St. Margaret's CPA. An intensification of commercial uses at the subject site would be inconsistent with the goals and general land use vision of the Factoria Subarea plan which focuses such uses in the commercial core of the subarea.

Mr. Matz said redevelopment is a legitimate issue for the Newport Professional Buildings site, and the site is significantly constrained by the dimensional and use requirements that exist among the various parcels. However, the Comprehensive Plan amendment process is not an appropriate solution to the redevelopment concerns. Other options are available to the applicant. In the opinion of staff, PO remains the appropriate land use designation and zoning.

Chair Orrico asked what other options are open to the property owner to address redevelopment. Mr. Matz said two options have been suggested. First is to seek the Land Use Code variance procedure to identify hardships that may exist as a result of the history, shape and dimensional constraints of the site. The constraints include the fact that the adjacent Newport High School parking lot generates a residential Transition Area. Another alternative would be to raise the question of appropriate land uses in the area through the seven-year Comprehensive Plan update, which will begin in 2010.

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

Mr. Robert Thorpe with R.W. Thorpe & Associates, 705 2nd Avenue, Suite 710, Seattle, spoke on behalf of the applicant. He noted that in 2008 the property owner submitted an application which was recommended by staff to be advanced. The existing buildings have significant functional obsolescence, deferred maintenance, and a poor income stream. All of the property owners, including the owner of the third property, all initially agreed with the proposal for change. There is opportunity for an infill project for which the church across the street and other

recent code amendments offer precedent. There is no proposal on the floor for a retail establishment; approval of the application would allow for office on the first floor and affordable housing residential units on the second floor. Newport High School has programs that appeal to ethnic diversity, and the residential apartments would be geared to that aspect of the community. The property owner would be willing to enter into a contract with the city agreeing not to have any retail uses on the site. The application makes a clear showing that 80 to 85 percent of the goals and policies of the Comprehensive Plan have been met. Variance is a creature of state law and requires a hardship; that process is not an appropriate vehicle for change. The 2008 application was voluntarily set aside after hearing from several Councilmembers who indicated their plate was full with other issues. It is surprising to have the new application recommended not to move ahead when the same application in 2008 was recommended to advance. If the long-term plan could be accommodated through the Comprehensive Plan update process beginning in 2010, consideration will be given to taking that approach. But rather than vote the matter up or down, it should be allowed to move through the process as a matter of fairness. The case has been made, the applicant can enter into a contract that would disallow retail, and the issue should be moved forward.

Dr. John Lorge, 4307 Factoria Boulevard, submitted for the public record a printout of an email he received from someone living in the neighborhood. He noted that in the 1998 and again in 2005 during the pre-permit process city staff made it clear that it would be very unlikely the project would ever receive a variance allowing for expansion. To hear say that the variance process is an option that should be considered is startling. The proposal to redevelop the site with office space and residential space makes perfect sense for the area. Many in the immediate neighborhood agree. The 2008 application was withdrawn for the reasons outlined by Mr. Thorpe. The issue was tabled for a year and resubmitted. The site has too many constrictions and restraints under the current designation and a change is needed so the site can move forward with redevelopment. PO does not fit; with some modifications, CB would be the best fit. The shape of the site is not normal, so it will require some out-of-the-box thinking to find the right solution.

Mr. Chad Weiser, 13063 SE 47th Place, said he lives about a half mile to the southeast of Dr. Lorge's office, and said he works professionally as a planner for OTAK in Kirkland. He said as a local resident he is very comfortable with the proposal outlined in the application. The buildings on the site are very tired and are prime for redevelopment. Under the current constraints of the existing zoning, however, redevelopment would be difficult at best and likely will not happen. Changing from PO to CB would provide the needed flexibility the site needs and will allow more opportunity for the redevelopment of the site. There is no directly abutting true single family that would be directly affected by a slight increase in intensity on the subject property.

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

B. Kinoshita CPA

Mr. Matz said the Kinoshita application is on property located at 1429 Bellevue Way SE between SE 14th Street and SE 15th Street in the Southwest Bellevue subarea. The approximately two-thirds acre site is home to an existing licensed daycare and preschool. The proposal is to change the designation from Single Family High to Multifamily Medium.

Mr. Matz reiterated the recommendation of staff not to advance the proposal to the annual work program and that the geographic scoping not be expanded. He said staff did not find

significantly changed conditions, and disagrees with the application argument of the proponent that the proximity of the site to other Multifamily Medium sites along Bellevue Way and in the general area warrants the change. Housing supply and demand as a result of market forces is not an adequate argument for changed conditions for a particular site circumstance.

Mr. Kinoshita owns the property to the south of the application site, designated Multifamily Medium and zoned R-15. The public hearing notice sent out regarding the application generated responses from several area property owners, including the Bryant family, owners of two properties to the north that they would like to see included in an expansion of the geographic scope; and the Fisher family, owners of a property to the south, who also indicated a desire to be included in an expansion of the geographic scope should the recommendation go forward. Mr. Matz noted that if those properties were to be included, the single family property at the corner of Bellevue Way and SE 14th Street would be somewhat isolated. City staff contacted these property owners, and they indicated by email that they would like to be included.

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

Mr. Ronald Kinoshita, 9644 SE Shoreland Drive, said the Threshold Review decision criteria for initiated Comprehensive Plan amendment proposals are set forth in the Land Use Code. Based on the criteria, the staff have concluded that the proposal should not be included on the annual Comprehensive Plan amendment work program. He disagreed with the conclusions of staff as indicated in items C, E, F, G and H. The proposal does address significantly changed conditions since the last plan update, which was in 1996. The daycare and preschool has been operating under a conditional use permit from the same location for over 37 years. The use is located on two properties, one designated single family and zoned R-4, and one designated multifamily and zoned R-15. A daycare and preschool is comparable to a multifamily or a business zoning; the fact that the business has been operating in a single family zone for so long is a significant change. The proposal will guarantee the use of the property as a daycare and preschool without the need for a conditional use permit. The daycare serves the immediate area as well as the larger community. With new homes being built in the area, the proposal will enhance the look of Bellevue Way. The level of traffic along Bellevue Way discourages single family residences and is a safety issue for children. The increased traffic volumes have raised the threshold noise levels; that is a changed condition. Another changed condition is the fact that the Bellevue Way corridor is under consideration by Sound Transit as a light rail corridor. He said he has not talked to the adjacent property owners but was happy to hear they all feel the need for a change in the Comprehensive Plan designation for the properties. Pending legislation HB-1490 if approved will make properties located a certain distance from a major transit station qualified for rezoning to multifamily. The proposal should be added to the annual Comprehensive Plan work plan.

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

8. STUDY SESSION: 2009 Comprehensive Plan Amendments

A. Newport Professional Buildings

Mr. Matz noted that three questions were raised during the February 2009 study session with regard to the Newport Professional Buildings application. Commissioner Sheffels asked how a development condition would restrict ground floor commercial uses in a redeveloped building. The applicant-proposed development conditions would exclude retail uses from the ground floor of the building, and would impose an affordable housing component as a development condition.

Staff note that a development condition could be implemented with a Comprehensive Plan amendment recommendation, though it would be awkward because it would likely require a combination of policy amendments, zoning conditions and code amendments for a single site, arising out of what would otherwise be considered a simple map change.

The city has adopted policy language in somewhat similar circumstances to inform future actions specific to a site or geographically-defined area, notably Sambica in 2008, Wilburton-Gateway in 2006, and Botch in 2003. However, there is another consideration in attaching such specificity in development conditions to a CPA map change. Restricting commercial retail uses in a CB district would be inconsistent with the underlying commercial use designation intended to allow the specific use.

Mr. Matz noted what a dimensional analysis under the existing PO and the proposed CB designation would show, including the maximum building envelope and building heights to the street level. The conclusion reached by staff after conducting this analysis was that under any non-residential designation for these parcels, the combinations of small lot size, historical circumstance, and the location between Newport High and Factoria Boulevard will make maximizing redevelopment difficult. The dimensional requirements for setbacks, the allowed building heights, the need to accommodate parking and the required landscaping, along with the Transition Area requirements and the existing parcel-to-parcel agreements for access easements and signage, all combine to diminish the relative differences in comparing various building envelopes. It can be argued that the property owner would not need to build to the very limits of what would be allowed, but it would still be inappropriate to have the proposed level of commercial activity occurring outside of the Factoria core.

A PO designation could produce a building of two stories up to 30 feet high. The height as viewed from Factoria Boulevard would be affected by the slope of the properties to the west down from street level. The setback from property lines would be 30 feet from Factoria Blvd, 30 feet from Newport High School boundaries (due to Transition), and 20 feet from Factoria Dental. The maximum total building area would be approximately 19,200 square feet.

A CB designation could produce a building of three stories up to 45 feet high. As with PO, the height as viewed from Factoria Boulevard would be affected by the slope of the properties to the west down from street level. The setback from property lines would be 0 feet (10 foot-landscaping only) from Factoria Blvd, 30 feet from Newport High School boundaries (due to Transition), and 8 feet from Factoria Dental. The maximum total building area would be approximately 43,000 square feet.

Mr. Matz concluded that for both PO and CB designations, the feasible building area is likely less than the building area allowed through the combination of Transition building height and setback limits. The space needed for required parking and the 0.5 FAR office maximum limit the ability of the parcels to achieve the total floor area allowed. Existing access agreements between the three parcels will also likely influence any redevelopment.

Also at the February meeting, Commissioner Robertson had asked for a comparison of the CPA history of the subject site versus the St. Margaret's Church CPA. The buildings on the two parcels were built in 1963 (Lorge), 1923 and 1979 (Benis). The Factoria Dental building was built in 1982. All three properties were annexed in 1994. The first Comprehensive Plan amendment action involving Dr. Lorge's property was initiated by the city in 1996 and approved in 1997 and was done to make the zoning consistent with the Comprehensive Plan. St. Margaret's was built in 1969 and the site was annexed in 2001 as part of the Somerset annexation. In 2007 the designation of the St. Margaret's site was changed from Single Family High to Multifamily High after the applicant had first proposed CB.

Finally, in February Commissioner Robertson had asked for clarification of the third property owner's intent to participate in the CPA process via expansion of geographic scoping. Mr. Matz said the property owner, Dr. Cole Sherwood, provided staff with an extensive written comment indicating his desire not to be included in any expanded geographic scope, and indicating that he is not in favor of the application in general.

Commissioner Ferris noted that the Commission minutes for the 2008 meeting at which the Commission looked at the Newport Professional Building application reflect that the staff recommendation was not to advance the proposal out of Threshold Review. He noted that the Commission had concluded not to advance the proposal, but recommended to the City Council that if they advanced it to include the third property in an expansion of the geographic scoping. Mr. Matz reiterated that Dr. Lorge withdrew his application after the staff made a recommendation to the Commission and the Commission made a recommendation to the Council, but before the Council could take action on the matter.

Mr. Inghram said his recollection was that the Commission had determined not to include the amendment going forward. There were discussions between staff and the applicant about the recommendations that were then on the table and the options of the applicant to either continue with the process before the Council on the hope that the Council would overturn the recommendation of both staff and the Commission, or withdraw the application, reformulate the proposal and resubmit it at a later date. Despite the modifications that make the new proposal different from the 2008 proposal, staff continues to hold that the amendment should not be carried forward.

Chair Orrico asked what is the source of the proposed restrictions on the development. Mr. Matz said they were proposed by the applicant to address intensification issues informally raised by staff late last year. Mr. Matz added that while residential component will have fewer trips than the commercial component it replaces, restricting the retail to the second floor would not make a true difference. Regardless of where it is located, retail will generate trips.

Chair Orrico asked if the proposal would be precluded from being considered during the seven-year Comprehensive Plan update if it were to go forward to the Council and be denied. Mr. Inghram said the seven-year Comprehensive Plan update is initiated by the city. It would be up to the city to determine what items to include. The three-year exclusion rule applies only to

applicants; the City Council has the ability to initiate a Comprehensive Plan amendment at any time.

Commissioner Robertson said she lives close to the site and drives by it all the time. She said she would very much like to see the site redeveloped. However, given the land use development pattern in Factoria and what was done on St. Margaret's relative to the request for a CB designation, the same designation is simply not appropriate for the Newport Professional Buildings site. While not surrounded by actual single family uses, the site is also not surrounded by commercial uses; the closest commercial development is the veterinary clinic located to the north in a one-level small house with a small parking lot. She suggested that there have been no unforeseen changed circumstances since the issue was last looked at by the Council and the Planning Commission in 1996 when a proposal for an Office designation for the site was denied. In 2008 both the staff and the Commission recommended against changing the designation for the site, and nothing has changed since then.

Commissioner Hamlin said he also lives near the site and would also like to see it redeveloped. He noted that he could not dismiss the current proposal out of hand except that he could see no significantly changed conditions. He agreed with the notion that commercial uses should be located in the core of Factoria. He said he would be more willing to see the matter moved ahead if the third property owner were wanting to be included, but that is clearly not the case. Adding the proposed restrictions would be cumbersome.

Commissioner Mathews concurred, adding that the proposed restrictions could add a number of complications that would only result in confusion. He said the site is very constrained and as such it would make no sense to allow an increase in density and intensity.

Commissioner Ferris added his support for the comments made.

Chair Orrico said she could sympathize with the property owner wanting to improve his property with redevelopment. She stated, however, that it would be awkward to try to shoehorn in the proposal through a Comprehensive Plan amendment "box." While there would be no residential development affected, the fact is the decision criterion calls for meeting the threshold requirement of significantly changed conditions, which the application does not do.

Motion to recommend no further consideration of the Lorge Comprehensive Plan amendment application for the 2009 annual Comprehensive Plan amendments, and to recommend against expanding the geographic scope, was made by Commissioner Robertson. Second was by Commissioner Mathews and the motion carried unanimously.

Commissioner Robertson suggested that in fact the Lorge property is suited to a variance given its circumstances. She suggested that in the event the property owner submits an application for a variance, the Commission's minutes should be forwarded to the staff assigned to review the application.

Mr. Inghram commented that the application highlights some of the issues identified in similar cases involving small or irregularly shaped sites and the constraints they face in potentially redeveloping. He said those constraints do not necessarily justify a change to the vision for the sites, but they may serve as impetus for the city to ultimately look at code aspects or future Land Use Code amendments that in the long run may seek solutions.

B. Kinoshita CPA

Mr. Matz called attention to the information in the packet that contained information regarding the size of the properties surrounding the Kinoshita property whose owners have indicated an interest in being including in any expansion of the geographic scoping. He noted that staff had also done some additional research on historical information related to the multifamily designations to the west of Bellevue Way and south of the applicant's site.

Commissioner Ferris referred to the Commission minutes having to do with the 2003 Botch CPA, noting that the [Botch] site had previously been designated Single Family High. In that case the Planning Commission did not recommend following the recommendation of the staff for Single Family-Urban Residential, which is what was ultimately approved and how the property subsequently developed. He asked what was the justification for the Botch Comprehensive Plan amendment with regard to changed conditions that do not seem to be applicable to the Kinoshita site. Mr. Matz called attention to page 58 of the packet and noted that the original Botch proposal was for multifamily. Staff recommended Single Family-Urban Residential because it was held that a single family density would no longer be appropriate, but a multifamily density would be too intense for the site. A majority of the Commissioners did not agree with the staff in their recommendation to Council, but the Council overruled the Commission's recommendation in their adoption of SF-UR for Botch. The Council determined that changes in the housing market and changes in conditions relative to the large subject site were significant in leading to consideration of the increased density. To further emphasize this, Council attached a condition to the rezone that limited the size of the houses to 2,500 square feet

Commissioner Ferris asked why staff had not considered the same intermediate step between single family and multifamily for the Kinoshita site. Mr. Inghram said staff has in fact considered the various options and noted that staff had in fact talked with the applicant about what he might want to apply for. It was the decision of the applicant to propose a multifamily designation.

Chair Orrico said if the amendment is approved to go forward, the geographic scope should be expanded to include the adjacent properties.

Having participated in the Commission's 2003 Botch recommendation on the losing side, Commissioner Robertson observed that the Single Family-Urban Residential designation for the Botch site was seen as a test case. The thinking was if it could be successful there it might be appropriate for other places in the city. Additionally, the designation resulted in smaller homes rather than mega mansions.

Commissioner Robertson asked how the Multifamily Medium and Multifamily Low properties on the southwest corner are actually developed. Mr. Matz said the Multifamily Medium property is zoned R-15 and includes the site of the daycare and preschool. The other two MF-L properties have duplexes on each of them and are zoned R-10. At the time they were zoned, R-10 was the lowest multifamily that would allow the duplexes, already in existence.

Commissioner Robertson said it appeared the applicant is reasoning that the proposed amendment is needed in order to allow the daycare to continue operating, but without a conditional use permit. Mr. Matz said that statements made by Mr. Kinoshita during the public hearing were the first staff had heard about that. Commissioner Robertson asked if the use would be allowed outright under Multifamily Medium. Mr. Inghram said the existing use can continue under the city's nonconforming provisions regardless of the designation on the site. Mr. Matz said the basis for having a conditional use permit would not change by simply changing the underlying zoning. Expansion of the use would either trigger the need for a new conditional use permit or be handled under the nonconforming provisions, but that would be the case with an R-4 or an R-20.

Commissioner Robertson said it was her understanding that there is a clear policy not to include multifamily on the west side of Bellevue Way. Mr. Matz allowed that Bellevue Way is not regarded so much as preventing multifamily expansion westward, but was more the center of an area, and a porous boundary. The Southwest Bellevue subarea plan was extensively reviewed and re-adopted in 1996. For the most part, where there were existing uses the zoning and Comprehensive Plan designations chosen accommodated the existing uses. But it was recognized that the framers of the subarea plan wanted the city to be selective in determining where new multifamily should be allowed going forward.

Mr. Inghram commented that a childcare center located in a residence is conditionally permitted in residential zones. Such uses that are not located in a residence are not allowed except for the multifamily zones. Mr. Matz clarified that the daycare is located on the R-15 property and the preschool is on the R-4 property.

Commissioner Robertson said it was her understanding that HB-1490 mentioned by Mr. Kinoshita in his testimony was not moved forward by the legislature. Mr. Inghram confirmed that the bill was in fact killed.

Commissioner Hamlin asked if traffic as highlighted by the applicant can be considered a significant changed condition.

Mr. Matz clarified that the application's justification for the amendment specifically states that the subject property is in close proximity to existing multifamily, and that there is a need for additional housing which taken together represent a significantly changed condition. The list of changed conditions mentioned by Mr. Kinoshita in his public testimony tonight were not included in the application and were not previously known, thus staff had not developed responses. Everyone is aware that Bellevue Way is a major arterial. This portion of Bellevue Way north of the intersection with 112th Ave SE is not part of the Council's preferred East Link

light rail alignment. Potential traffic impact is certainly a legitimate issue that is recognized in the subarea plan. Staff does not, however, see the level of traffic as a significantly changed condition supporting a change from single family to multifamily as a way of mitigating traffic impacts to single family land uses, given that the Subarea plan recognizes Bellevue Way as an arterial, and arterials carry certain expectations with regard to traffic. There has not been pressure from other property owners along the corridor to seek buffering from the traffic through the creation of higher densities.

Answering a question asked by Commissioner Hamlin about where to draw the line with regard to expanding the geographic scope, Mr. Matz said staff had drawn the line by suggesting no expansion of the scope because there is no clear indications of where it should be stopped. If the decision is made to expand the scope, the subsequent process will need to include the additional areas as a critical mass for redevelopment impacts. Mr. Matz also said allowing multifamily on as many properties as have been suggested for the scoping could be a significant issue for the area.

Mr. Inghram added that the Subarea plan was last updated in 1996. Clearly since then there has been a substantial increase in traffic on Bellevue Way. In a hypothetical sense, he noted, one could imagine a significant change in the amount of traffic for a street that had been doubled in size. However, there have not been any significant changes to the roadway itself since the time the subarea plan was last updated.

Commissioner Robertson pointed out that when the Commission addressed the Botch amendment there was a great deal of testimony from the neighbors. They were all very worried about the increase in traffic that would result from a change to multifamily; that was one of the main reasons the Commission voted against moving the amendment forward. The Kinoshita amendment covers a much larger area, and if the geographic scope is increased and it all goes to Multifamily Medium, the traffic impacts will be huge. She expressed caution with regard to expanding the geographic scoping to any degree if the amendment is moved forward.

Chair Orrico concurred.

Commissioner Ferris commented that the Single Family-Urban Residential development on the Botch property is very nice. He said he could support a similar request for the Kinoshita property, even if the geographic scoping were expanded. Multifamily Medium is not an appropriate use for the site. He said he would not support the amendment as proposed. Mr. Inghram said if the Commission as a whole were to share that opinion, the position could be included as part of the comments forwarded to the Council.

Commissioner Mathews agreed that a Single Family-Urban Residential designation would be more consistent with the surrounding development. He said he could not see any changed conditions that would support the proposal as submitted.

Commissioner Hamlin concurred, saying he could agree with a Single Family-Urban Residential recommendation if one were put forward by the applicant.

Chair Orrico said the argument that the existing use has been in place for 37 years cannot be called a significantly changed condition. She said she could not agree to support Single Family-Urban Residential given that there have been no changed conditions. She said she would vote against moving the amendment forward.

Commissioner Robertson agreed that there have been no changed circumstance. She said everyone understands that Bellevue Way is a very busy street and increases of traffic are not unanticipated. If the purpose of the proposal is to make sure the daycare and preschool uses will be allowed to remain where they are, Single Family-Urban Residential will not achieve the goal. The Botch Single Family-Urban Residential experiment should not be repeated until there is policy direction handed down from the Council.

Motion to recommend no further consideration of the Kinoshita application for the 2009 annual Comprehensive Plan amendment process, and to not expand the geographic scoping, was made by Commissioner Hamlin. Second was by Commissioner Robertson and the motion carried unanimously.

Mr. Matz said the issue will be before the Council in study session the first part of May.

C. Land Use Planning and Greenhouse Gas Emissions

Planning Director Dan Stroh said during the recent Sustainability Roundtable he and Kelly Mann, director of the Seattle chapter of the Urban Land Institute, gave a presentation that focused on climate change and Bel-Red as a case study in the larger context of planning for sustainability. He said a lot of the goals set in the area of climate change are aggressive; many of them stem from the work done to date by the United Nation's International Panel on Climate Change. Their focus has been on reducing the increase in global temperatures to levels that will not result in catastrophe.

The state legislature in 2008 adopted some fairly aggressive targets for reducing greenhouse gas emissions directly affecting climate change within the state. The targets all were pegged back to the Kyoto Protocol of 1990, and the focus was on returning to the 1990 emission levels by 2020, reduce to 25 percent the 1990 levels by 2035, and reduce to 50 percent below the 1990 levels by 2050. The legislation sets out Washington state as a leader in environmental policy and acting responsibly on the environmental front.

Mr. Stroh said in addition to adopting specific targets, the legislature in 2008 set up a land use and climate change advisory committee. Their focus is on ways to reduce foreign oil dependency and effect climate change through utilization of the Growth Management Act. The group forwarded its first report to the legislature in December 2008, and that report became the impetus for bill 1490 which would have set the stage for increased densities in areas within half a mile of transit stations. In the legislature churn around the work of the committee, it is clear that nothing

will be moving forward toward adoption in 2009. While 1490 is dead for 2009, it will certainly be back in some form during the next session. The bill generated a great deal of discussion.

Vision 2040 has a series of policies that are well integrated throughout the multicounty planning policies. It includes a climate change goal for the region to reduce its overall production of elements that contribute to climate change. King County has been pursuing a SEPA ordinance that will seek to mitigate greenhouse gas emissions; the issue is currently before the King County Council. Vision 2040 speaks to using SEPA to mitigate climate change impacts and calls on jurisdictions and agencies to include an analysis of climate change impacts when conducting an environmental review process under SEPA.

Mr. Stroh informed the Commission that the City Council in late 2007 endorsed the US Mayors climate protection agreement. Well over 800 cities have signed on to the agreement that started in Seattle. The stated goal is a seven percent reduction from the 1990 emission levels by 2012.

Bellevue is fortunate to have in its backyard the University of Washington Climate Impacts Group which has done a lot of work modeling and trying to understand the specifics of climate change as they impact the Pacific Northwest. They have concluded that climate change is already being observed in the area and that the changes made be significant for both the natural and the built environment. They have concluded that there was an annual temperature increase of 1.5 degrees Fahrenheit between 1920 and 2003 in the Northwest, and that there has been an accompanying decline in the annual snowpack that is so important to both agriculture and municipal operations. The climate change impacts will be measured in terms of hydropower, water supply, natural disasters including flooding, impacts on biodiversity, forest productivity, and human health associated with heat stress and respiratory problems tied to particulates in the air.

The major contributors to greenhouse emissions include the transportation sector, the energy used by residential, commercial and industrial structures, and the general production of electricity. If no change occurs, increases in greenhouse gas emissions for each of those sectors will only continue. In order to reach the goals set by the state legislation, aggressive reductions from business as usual will need to be effected. Everyone who has looked at the issue of climate change has agreed that it will take a multifaceted strategy.

The highest percentage of greenhouse gas emissions in Washington state, and the Puget Sound region specifically, is tied to transportation. Where the nation as a whole relies on coal and natural gas to produce electricity, the Washington has power generating dams, thus the percentage of greenhouse gases produced in the state from transportation is greater. Accordingly, any focus on reducing greenhouse gas emissions will need to be on transportation. That can be accomplished through increased fuel efficiency, changes in the kinds of fuel used, and reducing the total number of vehicle miles driven.

All of that is at the very heart of integrated land use and transportation planning. It all comes down to density, or compact arrangement of uses on the land; diversity, or the mix of activities in the land use pattern; design, especially focused on making things more connected for non-

motorized use; and regional accessibility and transit performance. Land use and transportation factors have a huge bearing on greenhouse gas emissions.

Commissioner Ferris pointed out that the LEED standards are all focused entirely on buildings. There is nothing in those evaluations that measures the impact of a project or a development on the reduction of transportation or CO2 emissions. One can have a platinum LEED building outside an urban core that could actually contribute more in CO2 emissions than a non LEED-certified building that is located adjacent to transit in an urban core. Mr. Stroh said the Green Building Council has picked up on that fact. The LEED neighborhood development standards are intended to take a more holistic look at the bigger picture. One of the lessons is the need to think in an integrated way.

Commissioner Mathews asked if any goals have been developed that focus on reductions that can be achieved through planning alone. Mr. Stroh said he has not yet seen any numbers along that line. Technology can be implemented to improve fuel efficiency, but planning can play a big role in reducing the number of vehicle miles traveled and the modes with which commuters get to and from work.

Mr. Inghram said there is a clear recognition that it will take an integrated approach to make positive inroads in reducing greenhouse gas emissions. That will include changing how buildings are constructed for energy efficiency, bringing clean power sources online, and doubling the fuel economy of the average vehicle and reduce by half the total number of vehicle miles traveled.

Mr. Stroh said as the nation redevelops to meet the needs of a growing population, opportunities for developing in a far greener way will be presented. The population is expected to grow to 420 million by 2050; that will generate a need for 89 million new or replaced homes, 60 billion square feet of new office and commercial space, and 130 billion square feet of replaced commercial space. By focusing on greener and efficient ways to develop, markets will develop that are far more compact and dense. The national ULI studies indicate that no new large lot developments will be needed at all to meet the demand.

ULI is bringing together regional leaders in large metropolitan areas throughout the country to focus on different development patterns. The outcome has included graphics showing the climate change implications of new development approaches. The process is moving the planning community closer to being able to model and predict the climate change and greenhouse gas dimensions of different development patterns.

Mr. Stroh said Larry Frank, a researcher at Simon Fraser University in British Columbia, has done quite a lot of work for King County as a consultant. His original work was related to transportation, air quality and health; the focus was on integrating the health impacts of the physical environment. Mr. Frank has spent the last ten years modeling the premise that the layout of communities in patterns which make it very difficult to get around by any means but automobiles is having a very direct public health impact. His cutting edge work includes ventures into the field of modeling greenhouse gas emissions. He has taken the travel behavior

surveys conducted every few years by the Puget Sound Regional Council and plumbed the data and generated estimates of the associated CO2 emissions based on number of trips, where the trips go, how long they are, and the modes taken. The work has resulted in maps showing household CO2 emissions related to transportation. The next phase of Mr. Frank's work will be developing statistical models to determine which aspects of the physical environment are associated with various factors. The maps show that downtown Bellevue and other urban centers that have compact mixed developments, have fine-grain pedestrian grids, and are served by transit, are fairly green. The work will ultimately combine other greenhouse gas emissions associated with households to develop a complete picture.

Mr. Stroh said the results of the integrated effort to think about sustainability in Bel-Red has been adopted into the Bel-Red plan. The plan is being viewed by many as a leading model of sustainable planning. It contains a number of elements of green development. The plan is designed to reduce the number and length of trips by facilitating transit usage; include elements of sustainable design relative to bringing the stream systems back to health; and result in a more walkable place.

The affordable housing component has a climate change connection as well in that it addresses the "drive till you qualify" issue. Absent a diversity of housing mixed in and close to the jobs, those with lower wage scale jobs are forced to move farther out where housing prices are more affordable. By including affordable housing units, the number of vehicle miles traveled can be reduced.

Mr. Stroh said the Bel-Red plan is a well-integrated plan and is being perceived as such throughout the region and beyond.

In 2007 work began on both the municipal and the communitywide levels to develop greenhouse gas emissions inventories. The focus was the determining the greenhouse gas emissions tied to the totality of activities taking place within the city operation and the community as a whole. A consultant was brought on board to conduct the inventories, and the determination was made to use 2001 as the base year. Projections had to be made back to 1990, the year the Kyoto agreement was signed, and forward to 2020.

The data showed that the municipality as an entity is responsible for one percent of the collective communitywide emissions of greenhouse gases. While that may seem insignificant, it is not; any single entity response for one percent of the total is a good-sized entity. A municipal action plan has been developed. If the city elects to continue business as usual, by 2012 the total greenhouse gas emission levels will be 61 percent above the 1990 levels. The specific actions outlined in the plan are housed in three different sets: easy to do, harder to do, and really hard to do. It will take efforts focused on all three categories to achieve the desired reductions. The various elements of the plan focus on City Hall, the city's fleet of vehicles, the commute for city employees, street and signal lighting, water and sewer operations, and recycling.

Perhaps not surprisingly, the city should be able to generate greater reductions by facilitating communitywide change. Work is under way to develop a communitywide action plan with a

team of University of Washington grad students; there will be discussions with subsections of Bellevue residents.

Commissioner Hamlin asked if there will be specific ways developed to measure progress toward achieving the targets. Mr. Stroh allowed that some will be easier to measure than others. Monitoring will, however, be an integral part of the plans. One measure will be continued tracking of vehicle miles traveled, but it will also be necessary to know how long the trips are, where they go, how long the vehicles idle, and other details, all of which is difficult data to collect. The municipal action plan has a number of specific items, and measuring that those items have been achieved will not be necessarily difficult. What will be more difficult will be measuring whether or not they achieved the anticipated reductions.

Commissioner Ferris said he has some concerns that implementing the vision for Bel-Red will require such a huge investment in infrastructure that it will be difficult to pull it all off. He said it is possible that if the plan had a simpler and less expensive infrastructure layout, the obligation on the taxpayers would be less and seeing the plan come to fruition would be easier to accomplish. The economic picture has changed since the plan was formulated and adopted, and it is unlikely within the current generation the previous real estate economics will return, and that could mean the Bel-Red corridor will remain stagnant for a very long time. Mr. Stroh allowed that the Council has had to do some very heavy lifting around the financial strategy, and the development community will have to do the same before things move forward. However, approval of the light rail system by the voters was a big step forward.

Mr. Inghram commented that while the infrastructure plan for the corridor is expensive as a whole, on a per-development basis it is less significant than some other factors, such as cap rates. There is a wide range of development financial viability calculations that must be done. For instance, the economic value of an office development with 2.5 parking stalls per thousand square feet instead of three per thousand will be much greater, possibly offsetting the infrastructure costs that would be applied to the development.

9. OTHER BUSINESS – None

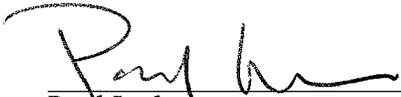
10. PUBLIC COMMENT – None

11. NEXT PLANNING COMMISSION MEETING

The Commissioners reviewed the agenda items for the May 13 Commission meeting.

12. ADJOURN

Chair Orrico adjourned the meeting at 8:51 p.m.



Paul Inghram
Staff to the Planning Commission

5/13/09
Date



Vicki Ormso
Chair of the Planning Commission

5/13/09
Date