

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
STUDY SESSION MINUTES

July 9, 2008
6:30 p.m.

Bellevue City Hall
City Council Conference Room 1E-113

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

COMMISSIONERS ABSENT: Commissioners Bach, Ferris, Mathews

STAFF PRESENT: Carol Helland, Emil King, Mike Kattermann, Patti Wilma, Department of Planning and Community Development; Maria Koengeter, Transportation Department

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER

The meeting was called to order at 6:32 p.m. by Chair Orrico who presided.

2. ROLL CALL

Upon the call of the roll, all Commissioners were present with the exception of Commissioners Bach and Mathews, both of whom were excused, and Commissioner Ferris, who participated in the Bel-Red discussion via telephone.

3. APPROVAL OF AGENDA

The agenda was approved by consensus.

4. STAFF REPORTS None

5. PUBLIC COMMENT

Mr. David Plummer, 14414 NE 14th Place, said the proposed new Medical Institution subdistrict located in Area E of the Bel-Red/Northrup subarea is not appropriate. The area is planned and zoned for office, and hospitals are not a permitted use in the Office zone. The Bel-Red steering committee recommended that the area between I-405 and the BNSF right-of-way between NE 12th Street and SR-520 should be retained as low-intensity office, including medical office uses. In addition, the steering committee did not discuss, recommend or otherwise evaluate the possible location of another major hospital facility within the Bel-Red corridor. Neither the draft nor the FEIS evaluated the impacts of locating a hospital facility in the area recommended by the staff. The city's subcontractors on the Bel-Red project did not evaluate or recommend inclusion of a major hospital facility in the Bel-Red corridor. There has been no traffic impact or other type of analysis performed to evaluate the impact of locating a major hospital facility in the location proposed by the staff. Locating such a facility as proposed will isolate it from the

Overlake/Group Health campus. Ample area exists directly to the east of the current hospital campus for another hospital facility. Locating a facility as proposed would allow any new operator to construct elevated bridges across 116th Avenue NE to the Overlake/Group Health campus. The land immediately to the east of the hospital campus is part of the Wilburton/NE 8th subarea and is planned and zoned for commercial general uses. Hospitals are a permitted use in such areas, and the Bel-Red steering committee recommended that the area be planned for more intense medical office uses, though they did not include a recommendation for a new hospital facility. There is no specific proposal or application before the city for a rezone that would accompany the staff-proposed changes to the Comprehensive Plan. Children's Hospital submitted a letter of intent regarding a new ambulatory surgery center to the state Department of Health only on April 14, 2008. On June 6, 2008, Children's Hospital submitted an application for a Certificate of Need. Screening questions were sent to Children's Hospital on June 26, 2008, and they have up to 45 days to respond to the questions. Assuming no outstanding questions, the state review will begin, with a minimum of 35 days allowed for public comment. Rebuttal of comments by Children's Hospital could be completed within ten days, and a decision by the Department of Health would be issued not more than 45 days later, or approximately November 2008. It is entirely premature to consider any kind of changes to the city's Comprehensive Plan to incorporate a new Medical Institution district, and the staff recommendation should be rejected.

Ms. Betsy Blackstock, a resident of Surrey Downs, said the Surrey Downs East Link Committee was formed specifically to educate and advocate on behalf of the community. The committee has worked over the past year in partnership with the Light Rail Best Practices Committee, Sound Transit, the City Council and staff and intends to continue working toward acceptable Comprehensive Plan and Land Use Code language. The committee has tried to remain open and calm and teachable in spite of concerns that the neighborhood might lose up to 80 homes to accommodate the construction of light rail. The Commission was asked to consider two specific language revisions, one to say specifically that no staging will be allowed in any residential neighborhood, and one to call out the need to protect the borders of neighborhoods.

Mr. Ken Schiring, 16223 NE 28th Street, said the Angelo's Nursery property in Bel-Red is the site on which a developer has asked for a change to the recommendation of the steering committee. While in principle the project is a good one, including the hotel use, the uses should be allowed only with the current height restrictions. The site is the only transportation node in Bel-Red that stands by itself at the edge of the Bel-Red corridor; it is also the only node to have a different jurisdiction across one street from it and a low-impact PUD development across another street from it. The city should take the opportunity to use the area to mitigate the zoning on the Redmond side of the line, not to match it. The height limit should be set at 60 feet.

Mr. Chris Moui spoke on behalf of Bel-Green Developers, owners of the former Angelo's Nursery site. He said the long-term vision for transportation-oriented development is a good one; it relies on parking regulations that are considerably less than what is currently required. The fact is, however, that as projects come online in the short term they will have to meet the market realities of the day. Part of that reality is that an underground parking stall costs about \$40,000 and a surface structured stall costs about \$16,000. The Bel-Red plan creates a formula for achieving pedestrian-oriented neighborhoods and offers a level of density necessary to achieve the goal through a system of incentives. To achieve the density, however, one must build underground parking. Combining underground parking with the high cost of incentives will be a general moving away from the idea of density with an eye on developing parking as cheaply as possible. That will mean surface parking and lower densities than what the plan calls for.

Underground parking should be kept as a potential incentive. With regard to building height, he noted that 70 feet is the benchmark for transition from one type of construction to another. However, based on the grade differentiation that occurs on the site, 75 feet would be appropriate. The additional five feet will have considerable impact on the building configuration without impacting the area.

Mr. Todd Woosley with Hal Woosley Properties, spoke representing both Sherwood Center and Briarwood Center. He urged the Commission to allow heights of at least 75 feet for the two sites, both of which accommodate transit stops but are not recognized as such. If heights are limited, the opportunities to redevelop the sites will be reduced. The Commission was also urged to reaffirm the commitment of the city not to create new nonconforming uses; as the economy slows, more flexibility will be needed to keep spaces filled. The size limit proposed for the CR zone should be eliminated. The recommendation to reduce the maximum number of parking stalls should be revised to allow for four per thousand.

Mr. Chuck Maduell with Davis Wright Tremaine spoke on behalf of Children's Hospital. He provided the Commission with copies of a letter from Lisa Brandenburg, Senior Vice President and Chief Administrative Officer for Children's Hospital, in which support was expressed for the transmittal package which includes a recommendation for the City Council to approve the Medical Institution district amendments that would allow Children's to establish a major ambulatory health care center in Bel-Red. Children's appreciates the efforts of the city to move the amendments forward in advance of the Bel-Red package. Children's is concerned about the language on page 11 of the transmittal which recommends that the Council consider appropriate conditions on the site specific rezone requiring Children's to be a participant in the broader Bel-Red financial strategies. Children's is not seeking to move the amendments forward in order to avoid participating financially in the Bel-Red strategies and stands ready to pay its fair share. It would, however, be premature to impose a strategy that would require participation in strategies that may not be developed; a more reasonable approach would be to require addressing the issues in the site specific rezone proceedings.

6. COMMUNICATIONS FROM CITY COUNCIL, COMMUNITY COUNCILS, BOARDS AND COMMISSIONS – None
7. REPORTS FROM COMMISSIONERS None
8. PUBLIC HEARING
 - A. Light Rail Best Practices

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

Senior Planner Mike Kattermann noted that the policies developed by the Light Rail Best Practices committee were based on and are consistent with the guiding principles. The policies are not typical in that they apply to a light rail system the city would neither develop nor operate, and over which the city does not have final authority. The policies are intended to put the city in the position of being able to influence the decisions Sound Transit will make. In most cases, the policies refer to the regional transit provider and do not name Sound Transit specifically, primarily because they are intended to serve for the long term.

Mr. Kattermann said the policies are just one of five types of actions included in the best practices report; the other actions address related policies, code amendments, expectations of Sound Transit, and capital investments.

The amendments to existing policies are primarily aimed at updating references. The Vision 2040 plan recently adopted by the Puget Sound Regional Council includes some new terminology, and the policy revisions seek to be consistent.

Senior Planner Maria Koenigter said the light rail policies are proposed to be included as a new subset of the existing high-capacity transit section of the Transportation Element of the Comprehensive Plan. Within the light rail policies are five groupings for a total of 35 new policies that were developed based on best practices research, case study tours, public comment, and existing interest statements.

The first of the policy groupings relates to developing a light rail system in general. The policies provide guidance to develop light rail in a way that advances local interest while minimizing impacts; use the Light Rail Best Practices report to guide advocacy and action during light rail development; maintain and develop a collaborative relationship with Sound Transit to ensure implementation of light rail consistent with the vision of the city; and ensures meaningful public involvement throughout the process in collaboration with Sound Transit.

The second group of policies relates to routing and alignment generally. They focus on designing the system to be an attractive alternative to single-occupant vehicle travel; developing light rail in its own right-of-way; connecting major employment and activity centers; and supporting the three different types of distinct land uses that light rail is proposed to travel through.

The third section relates to community integration. The policies provide guidance for designing stations to be community assets by using high-quality materials and context sensitive designs; call for engaging the community in station design; using city tools to ensure a high-quality system both at the stations and along the tracks; and facilitate local connections such as sidewalks. Additional community integration policies include protecting neighborhoods from project impacts; minimizing hide and ride parking in neighborhoods; designing stations to promote a secure and safe environment; and minimizing cut-through traffic around stations. The policies ensure future development will be consistent with future land use plans; maximize the efficient use of the light rail system by ensuring that light rail vehicles have the opportunity to travel through the city in a predictable manner while accommodating other vehicle movements; and employ crime prevention design actions.

The policies regarding system access provide guidance for facilitating access for pedestrians, bicyclists and people who get dropped off at a station; call for designing facilities to be safe and usable for people with a broad range of abilities; advocate for integrated wayfinding; call for evaluating park and ride facilities in terms of their effectiveness in providing access for Bellevue residents.

The final section houses construction and mitigation policies. They provide guidance for working with Sound Transit to develop mitigation approaches that are effective; call for development of a construction management plan to ensure that construction is efficient, well managed, and completed in a timely manner; advocate for the development of techniques that prioritize noise avoidance and absorption techniques rather than deflection; and direct that staging areas must be located outside of residential areas, except where no practical alternative

exists.

Mr. Kattermann said the decision criteria used to evaluate Comprehensive Plan amendments were discussed at length in the report. The SEPA process is under way and will be completed by the time the Council takes action on the policies on August 4; a Determination of Nonsignificance has been issued. The Department of Community, Trade and Economic Development 60-day review period started in late May; no comments have been received to date.

The staff report included a summary of the public involvement process the committee used in developing the report. All of the comments received are available on the project website.

Mr. Kattermann noted a representative of Surrey Downs submitted a letter and testified during public comment because she could not stay for the public hearing, but asked that those be noted in the public hearing. Mr. Kattermann also stated that a letter was received from Sound Transit seeking a 30-day extension of the public comment period in order to allow them additional time for review. He said staff does not support the request and recommends not granting the request. Sound Transit has been involved throughout the process.

Mr. Kattermann called attention to policy TR-23 and suggested the last bullet should be reworded to read "Enforcement of a fare paid zone for station platforms."

The Commissioners were informed that action to approve the policies on either July 16 or July 23 will get the package before the Council for action on August 4.

Mr. David Plummer, 14414 NE 14th Place, asked the Commission not to surrender to the Council's irrational and stupid demand to forward them a recommendation by some dumb time schedule. The proposed changes and additions to the Comprehensive Plan regarding light rail are based on recommendations from the staff, consultants, and a Council-appointed ad hoc group that has no background, technical expertise or work experience in planning, design, operation or maintenance of light rail systems. The mandate and terms of references for the light rail committee are based on an unrationalized set of directions from the Council to recommend best practices for deployment of a form of public transit that is not cost effective, was rejected by the region's voters, and has massive environmental impacts that have not yet been evaluated. Furthermore, light rail is inefficient in its use of energy and rejects large amounts of heat and other pollutants into the atmosphere. There has not been any significant involvement of Bellevue citizens in evaluating alternative modes of public transit within the city. There has been no indication whatsoever that light rail is the preferred mode. The city staff have developed the proposed light rail amendments to influence Sound Transit regarding the East Link project. There is no rationale to support deployment of the link, and the only public vote rejected the notion. During the 13 public meetings convened by the Light Rail Best Practices committee during the past year, only 26 people made oral comments to the committee, and most were from Surrey Downs. The committee never made a good faith effort to obtain input from a broad spectrum of citizens of the city. The open houses and workshops were poorly attended. The staff's recommended changes to the Comprehensive Plan should be rejected until the results of Sound Transit's environmental and other assessments are available for public scrutiny and voters are allowed to express their choice on future public transit options.

Mr. Todd Woosley, 10633 SE 20th Street, complimented the city for getting ahead of the light rail best practices issue. The proposed East Link project will potentially have many impacts associated with it, and it is right that the city should act to protect the interests of the city and its

citizens. The fact is that once Sound Transit is given approval by the voters, the agency can do what it wants and the city of Bellevue cannot stop them for any reason. He said residents in his neighborhood of Enatai are very concerned about cut-through traffic and increased congestion that light rail could bring. Early studies have shown that if light rail is added to the I-90 bridge, the overall throughput of the bridge will be reduced by between nine and 27 percent; that will mean backups getting to the freeway, leading to more cut-through traffic. The Commission was asked to add to the study a measurement of the impact of construction and operation of light rail in terms of greenhouse gas emissions.

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

9. STUDY SESSION

A. Light Rail Best Practices

Commissioner Robertson asked if Sound Transit received a copy of the draft report and was told by Mr. Kattermann that they had. He said the report has been out since early May; the June 3 release contained all of the Comprehensive Plan amendments the Commission is being asked to consider. Ms. Koenigter added that Sound Transit is aware of the study and adoption timelines. Commissioner Robertson said she was surprised to see the request from Sound Transit given that they have been involved in the process from the very start.

Commissioner Sheffels said she could see no reason to deviate from the published schedule. There was consensus to reject the request from Sound Transit.

Commissioner Robertson referred to policy TR-75.23 and suggested the fourth bullet should read "Establishing and enforcing a fare paid zone for station platforms."

Commissioner Robertson said one issue that arose at the end of the Light Rail Best Practices committee work was related to policy TR-75.6. The committee discussed adding the word "shop" to the first line of the discussion section but ultimately chose not to make the change. She said shopping in Bellevue draws from people from a huge geographic area and as such should be reflected in the policy language.

Referring to policy TR-75.12, Commissioner Robertson said the second bullet referring to the provision of landscaping is not clear that the reference is to both stations and along the alignment. Having trees along the alignment has not traditionally been a Sound Transit policy, so the language should be clarified to read "...landscaping at stations and along the alignment...."

Commissioner Robertson called attention to policy TR-75.31 and suggested "...to ensure their continued effectiveness..." should be changed to read "...to ensure the continual effectiveness of such measures...." She also proposed revising policy TR-75.33 to read "...to ensure continued effectiveness...."

Commissioner Robertson said the requests of the Surrey Downs neighborhood were discussed by the committee. She said the neighborhood would like to revise the language of policy TR-75.17 to have it read "...preserve and keep intact the borders...." The committee declined to make the change because it felt the language was too vague; the committee concluded that the protections

offered by the policies as a whole are sufficient.

Mr. Kattermann added that the committee also concluded that the proposed language would be too absolute and could be interpreted to mean that not even one home or one property could be affected. The committee did not want to preclude all possibilities by incorporating the language change.

Commissioner Robertson said the Surrey Downs neighborhood also requested a change to policy TR-75.35 to limit construction staging to areas outside of residential neighborhoods. The policy includes the phrase "except where no practicable alternative exists." The committee concluded that the policy language as drafted would provide the necessary protections.

Commissioner Lai called attention to the second sentence of policy TR-75.5 and asked how the language is intended to be interpreted. Mr. Kattermann said the language addresses the notion of avoiding adding light rail capacity at the expense of roadway capacity.

Commissioner Lai referred to policy TR-70, the first bullet, and asked what is meant by "nighttime activities." Ms. Koenigter said the language is intended to refer to all-day ridership, not just peak period ridership, in order to maximize the investment in light rail.

Commissioner Sheffels suggested the policy language that talks about accommodating bicyclists by providing bicycle storage at transit stops is somewhat narrow; in addition to the standard two-wheel bicycle, people use three-wheel bicycles, segways, scooters, and other non-motorized vehicles. She said language that is broader should be utilized, possibly in either policy TR-75.20 or TR-75.28. Mr. Kattermann said the point is well taken and promised to consider different language. Commissioner Robertson suggested that a discussion section expanding on what is meant by TR-75.28 would offer clarity.

There was agreement on the part of the Commission not to make the policy language changes suggested by the Surrey Downs neighborhood.

B. Medical Institution

Land Use Director Carol Helland used a map to identify the Wilburton subarea, which lies to the south of NE 12th Street. She said the Medical Institution district has been designated for the purpose the location of Overlake Hospital and its medical office buildings between I-405, 116th Avenue NE, NE 8th Street and NE 12th Street. The policy in the Wilburton subarea limits the location of the Medical Institution district to Development Areas 1 and 2. The land to the east of 116th Avenue NE has not yet been considered for Medical Institution district zoning; some of the land in that area is zoned Office and some is zoned General Commercial. Expanding the focus of the Medical Institution district will be discussed at a future date.

The proposed amendment would allow the Medical Institution district to extend north between the BNSF right-of-way up to the rough alignment of NE 16th Street, across to I-405, and south to NE 12th Street.

Commissioner Sheffels asked if the Children's Hospital site would have access from Bel-Red Road. Ms. Helland said staff does not see access from that roadway as appropriate for a variety of reasons. Children's owns three parcels but is only proposing development of one of them currently; one of the alignments proposed by Sound Transit through Bel-Red would run along the

property line, effectively segregating the properties. Commissioner Sheffels said in any even she would prefer to preclude access to the site from there.

Ms. Helland said the text of the proposed policy expands the opportunity for the Medical Institution district and would allow the area bounded by NE 12th Street, NE 16th Street, the BNSF right-of-way and I-405 to be designated Medical Institution district, but only if there is an institution interested in siting there. A rezone would be required to apply the district zoning. She said the recommendation of staff is to adopt policy BR-42 as part of the current Bel-Red subarea, and to effect a Land Use Code amendment to describe the site specific design criteria and development requirements applicable to that portion of the Medical Institution district.

Ms. Helland said the proposal is consistent with the recommendation of the Bel-Red steering committee. They contemplated medical office in the outside node area with an FAR of 1.0. The only flexibility proposed are a modest height increase and larger floor plates. The transportation impacts were captured in the environmental review.

With regard to the issue of application of the financial mechanism, Ms. Helland said the city would not want to lose the opportunity to receive a financial contribution for any of the property owners looking to develop under Bel-Red intensities. Staff is not suggesting that the requirement be included in either the Comprehensive Plan or Land Use Code amendments, rather that it be considered at the quasi-judicial rezone stage.

Answering a question asked by Chair Orrico, Ms. Helland said a development agreement is one mechanism that could be utilized at the site-specific rezone stage; the other option would be a concomitant agreement. Either approach could put the financial contribution issue in play.

Ms. Helland said adoption of the Comprehensive Plan and Land Use Code amendments by the City Council on August 4 will give Children's Hospital enough certainty to move ahead with their design phase into the fall. If the financial package is not adopted for Bel-Red, the city will still in the quasi-judicial rezone action have the latitude to impose a condition requiring application of the package once it is adopted. It is also plausible that the legislative rezone for Bel-Red could catch up, making it possible to re-include the Children's parcel in the overall package.

With regard to the Certificate of Need issue, Commissioner Robertson said she is aware that some such documents have been turned down in Western Washington in the last few years. She asked if that is a risk for Children's Hospital. Ms. Helland said when Overlake Hospital applied for a change to Medical Institution district zoning, they already had their Certificate of Need for hospital beds. At the same time, Evergreen and Swedish were also seeking Certificates of Need for hospital beds. Children's is not seeking to locate a hospital use; they are seeking an ambulatory health care center use. What they need a Certificate of Need for is their surgical suites. If the Certificate of Need is not granted would preclude the surgical suites but would not stop the development of an urgent care/medical office use.

Commissioner Robertson referred to Attachment B and noted that the reference to the BNSF right-of-way should be spelled out correctly.

Commissioner Robertson asked if specific language should be included to reference the possible light rail alignment that could impact the site. Ms. Helland said Children's Hospital is engaged in conversations with Sound Transit and the city about the potential for the alignment at that

location. Their stated intention is to set the building back from the property line to accommodate the light rail alignment.

Commissioner Lai asked if the proposed amendment would even be needed if the Certificate of Need is not received. Ms. Helland said the building is being designed with efficiencies in mind relative to collocating all of their pediatric specialty needs, not just their emergency care. The floor plate sizes being proposed propel the use into the category of institution; it will operate fundamentally different from a medical office. Even in the absence of surgical suites, the need to apply the Medical Institution district will be evident.

Chair Orrico called attention to the Medical Institution district land use chart and asked if research, development and testing services includes education. Ms. Helland said an education facility would fall under the school category. The rest of the medical office district contemplated for the corridor would allow for an education use.

Motion to advance to the City Council the Medical Institution district Comprehensive Plan amendment and Land Use Code amendments as stated in the Commission packet was made by Commissioner Robertson. Second was by Commissioner Sheffels and the motion carried unanimously.

****BREAK****

C. Bel-Red

Commissioner Ferris joined the discussion by telephone at 8:12 p.m.

Strategic Planning Manager Emil King noted that staff spent a lot of time with the Commission prior to the public hearing draft to come up with a good framework for how to deal with existing conditions and uses. He offered several text revisions based on public feedback, including allowing the Director to waive the requirement for documentation; a clarification that existing uses that operate in the 9:00 p.m. to 6:00 a.m. time period will be allowed to continue doing so; and allowing for an extension of operating hours through an administrative conditional use process. In addition, a change is needed to the city noise ordinance to be consistent with some of the Bel-new Red districts; and clarification is needed regarding the application of the loss of existing use status as it relates to intentional destruction. Mr. King said no change to the abandoned use provisions is envisioned.

Commissioner Robertson said the comments heard at the public hearing regarding the abandoned use rules included the idea that absent being able to change the use, it can be difficult for a property owner to find a new tenant within the 12-month period, especially if the economy is slow. A compromise solution might be to allow up to 24 months before considering a use abandoned if a property owner can show efforts to re-tenant. A property owner should not be penalized for having a hard time finding a new tenant.

Chair Orrico suggested that approach would be administratively difficult to enforce.

Project Development Manager Patti Wilma said staff has no way to confirm the level of effort put in by a landlord to re-tenant a space.

Commissioner Sheffels asked if the restriction could remain at 12 months but allow for an

administrative extension where a hardship can be shown. Ms. Wilma suggested looking at the performance criteria that would indicate an effort has been made. The proposed code language outlines the steps to be taken to prove an existing use, and something similar with manageable criteria could possibly be drafted to show a good faith effort to re-tenant a space.

Ms. Helland said the city has a long history of applying the 12-month abandonment standard. It has not proved to be a barrier because the city has been willing to work with property owners.

Chair Orrico asked if new service uses will be allowed outright outside the nodes. Mr. King said in general, new non-light industrial service uses will be allowed throughout the subarea. Ms. Wilma clarified that only services indicated as permitted in the proposed use charts will be allowed.

Mr. King said the map changes will be discussed at the next Commission meeting and said the changes will include the area south of SE 16th Street will be considered for a change to OR.

With regard to parking ratios, Mr. King said staff was willing to make some downward modifications to the minimums for three categories: financial institution, manufacturing/assembly, and office. The maximum in the manufacturing/assembly line item should also be reduced. Staff has also given consideration to zero minimum ratios in the transit service areas but believes the matter should be part of the five-year review. There has also been some discussion about appropriate maximum levels; the staff believe that the ratios on the maximum side are appropriate.

Commissioner Ferris said in trying to establish a pedestrian-oriented area, making parking readily accessible according to an urban model, the purpose will be defeated. Reducing the minimums and revisiting the issue in five years with an eye on potentially reducing them even further, along with possibly reducing the maximums, will yield a stronger corridor.

Commissioner Lai concurred. He noted that the list of items to be revisited in five years is growing and suggested that they should all be captured in writing. Mr. King said that is a good idea; he agreed the list should be made a part of the transmittal to Council so it will not be lost.

Commissioner Sheffels agreed with the direction outlined by staff, but Commissioner Robertson did not. She said while she agreed with reducing the minimums, the maximums should not be reduced. Under the best case scenario, light rail remains 15 years out and the area will redevelop before then. The maximums should be commensurate with the downtown or even the Eastgate area; that would allow for more flexibility. It would not be in the best interest of the corridor to set the maximums too low.

Mr. King reviewed the parking minimums and maximums as outlined in the proposal for the node and non-node areas.

Chair Orrico agreed with Commissioner Robertson. She noted that there is a mechanism in place to readdress the issue. It would be unrealistic to put transit-supported parking ratios in before there is transit in place to support it.

Commissioner Lai suggested the proposed maximums are not far off the equivalents in the downtown area and as such are appropriate. Even though light rail is 15 years or so in the future, there will be an increase in transit services in the interim to serve the pioneer developments. The

character of the Bel-Red area should be evident even in the initial redevelopment.

Commissioner Sheffels changed her mind and suggested the maximums should be higher than proposed. Currently there is neither light rail nor bus rapid transit serving the area.

Commissioner Ferris suggested a 5:1 ratio is very high; it represents accommodating peak parking for a retail outlet on its highest peak day. Maximums that high will encourage large surface parking lots. He offered his support for the maximums presented by the staff. There will be transit services in time serving the area, and it is a very difficult thing to undo big parking lots. The vision for the corridor is urban, not suburban, and parking is a big part of that.

Chair Orrico agreed the ratios should be commensurate with the downtown parking ratios.

Ms. Wilma pointed out that the proposed code language includes a provision in which developers can request modification of the parking minimums and maximums.

Mr. King noted that underground parking is a potential bonus amenity. He said the public has asked to have it included, but the recommendation of staff is not to include it. It boils down to the fact that there are a finite number of things that should be on the density incentive list.

Commissioner Robertson said she would like to have the item included on the list for the Council to consider. The vision for the corridor includes more open space, more green areas, and an avoidance of parking lot seas. The best way to do that is to put parking underground. Underground parking is very expensive, too expensive to do if it is not incentivized. Clearly there is a public benefit involved.

Commissioner Lai said he certainly is in favor of having underground parking but said he was unclear where he would put it in terms of incentives.

Commissioner Ferris noted that underground parking was incentivized in the downtown, but the feeling later was that it would have happened anyway so the developers elected not to provide other benefits. The fact that the Commission has already recommended an increase in the FARs will create an economic incentive that will encourage the developers to include structured parking. He said he would not add underground parking to the mix of incentives.

Commissioner Sheffels agreed that underground parking will happen anyway and that it should not be included on the list. Chair Orrico concurred as well, as did Commissioner Lai and Commissioner Robertson.

Mr. King said there has been interest on the part of the community and the Commission with regard to park and rides and potential accessibility to the light rail line running through the middle of the corridor. He said the recommendation of staff was to allow park and rides as a conditional use within the node areas. Staff also thinks a policy should be added to the subarea plan to talk about suitable locations for park and rides, especially in the 130th node.

With regard to college uses, Mr. King said based on comments received from City University staff reviewed the land use charts to see how a university or college, or vocational trade or other schools, fit with the vision for the corridor. He offered the Commissioners an amended version of how staff believes colleges, universities and special schools should be treated in the corridor. He noted that as revised the use would be permitted as an administrative conditional use in a

number of categories, but not be permitted in some categories. In any case, the size limit as proposed would be 20,000 square feet. The proposal would not allow universities and colleges in the MO-1 zone.

Chair Orrico disagreed on the grounds that that restriction would not permit the locating of a nursing school near the hospital campus. Mr. King said a nursing school likely would fall into the special schools category, which would be permitted in that zone. A branch of a university or college would not be permitted. Chair Orrico said she would prefer to see the use permitted outright in the zone.

Commissioner Ferris concurred. He said one area in which Bellevue has fallen behind is in the area of higher education. He said the city should do everything it can in land use planning to encourage more education opportunities.

Mr. King said the draft has university and colleges as administrative conditional use and permitted in the OR area and the 122nd node.

Chair Orrico advocated for allowing the use in the area. Commissioner Sheffels agreed, noting that some of the tracts of land in that zone are very large and could potentially support a college or university use.

Answering a question asked by Commissioner Lai, Mr. King said in the opinion of staff it is often helpful to have the administrative conditional use requirement in place to allow more opportunity to review proposals.

It was agreed to hold over the topic to the next meeting to allow staff to offer additional clarity.

Mr. King said no change is proposed for the use charts relative to drive-in windows for eating or drinking establishments. The recommendation is to not allow them. Any that already are in place would fall under the existing use provisions. Drive-in windows could still be permitted for banks and pharmacies.

Commissioner Ferris suggested that within the nodes drive-up windows for any use should not be permitted.

Commissioner Lai agreed with the staff recommendation. He said the node areas are not that large and allowing drive-up windows could have traffic implications.

Chair Orrico disagreed. She said there are very few drive-through facilities in Bellevue, especially for pharmacies, and they hardly ever engender traffic backups.

Commissioner Sheffels said she would allow drive-up windows for banks and pharmacies but not for eating and drinking establishments.

With regard to the height limit for the RC-3, MO, OR and CR districts, Mr. King said the recommendation of staff is no change from the 70-foot height limit that was part of the public review draft. He noted that the original height limit for those areas was 60 feet; the increase to 70 feet occurred after additional consideration. The typical five over one construction woodframe over a concrete base maxes out at 70 feet. To exceed that height would require a different construction type; concrete and steel can go up to about 85 feet. Highrise construction

is anything over 75 feet and it entails a different set of building code provisions.

Ms. Wilma added that there is no provision in the code to apply for additional building height. A variance would be required. There are, however, different ways to modify how building height is calculated by manipulating existing grade. In the downtown there is opportunity to get a percentage increase in height based on architectural interest and building modulation. That provision is not built into the Bel-Red code.

Commissioner Robertson asked what the height limit will be on the Redmond side of the line from the RC-3 district. Mr. King said Redmond measures height in stories for the Overlake area, except for the Group Health area. He said the height equivalent is in the 70- to 75-foot range.

Commissioner Robertson asked how the 70-foot height restriction relates to the new FAR limits recommended by the Commission. Mr. King said 70 feet is sufficient height to gain an FAR of 2.0.

Commissioner Lai said the testimony from the Bel Green architect indicated that allowing height up to 75 feet would be better for preserving the view corridors.

Commissioner Ferris suggested the 70-foot limit is appropriate for the RC-3, MO, OR and CR areas. He said an FAR of 2.0 will allow opportunities for architectural expression within that height. Chair Orrico concurred.

With regard to the retail use requirements, Mr. King offered some modifications to the draft use charts. He suggested adding eating and drinking establishments as a permitted use in the R zone, provided they be limited to 3000 square feet individually and 10,000 square feet combined. The recommendation of staff is to continue focusing the more intense large-format uses in the node areas and the CR and GC zones. He said the topic will be brought to the table again at the July 23 Commission meeting.

Commissioner Robertson noted the need to have a discussion regarding building top signage, and a discussion of vesting for master plan developments.

10. OLD BUSINESS ☐☐ None

11. APPROVAL OF MINUTES

A. April 2, 2008

Chair Orrico called attention to page 104 and her comment regarding TDR programs. She asked that the minutes be revised to reflect that it should not just be regional, rather regional or a city-adopted TDR program.

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

B. April 16, 2008

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

C. June 11, 2008

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

12. PUBLIC COMMENT

Mr. Chris Moui with Bel Green Developments said his company will be preparing some information for the Commission to review at its July 16 meeting regarding senior housing. He noted that in Bellevue half of the seniors 65 and over, and 64 percent of seniors 85 and over, have incomes of less than \$45,000 per year. The current benchmark for low- to moderate income in the affordability range is \$43,000 per year.

Mr. Todd Woosley with Hall Woosley Properties, said he has not yet heard the Commission talk about a rationale for the long list of uses that are currently permitted in the Briarwood and Sherwood Center properties. Several of them are listed in the proposal as not allowed. He said he looked forward to hearing from staff the reasoning behind the recommendation.

13. ADJOURNMENT

Chair Orrico adjourned the meeting at 9:32 p.m.


Staff to the Planning Commission

11/5/08
Date


Chair of the Planning Commission

11/5/08
Date