

CITY OF BELLEVUE  
BELLEVUE PLANNING COMMISSION  
STUDY SESSION MINUTES

September 15, 2010  
6:30 p.m.

Bellevue City Hall  
City Council Conference Room 1E-113

COMMISSIONERS PRESENT: Chair Ferris, Commissioners Hamlin, Himebaugh, Lai, Mathews, Sheffels

COMMISSIONERS ABSENT: Commissioner Turner

STAFF PRESENT: Paul Inghram, Nicholas Matz, Department of Planning and Community Development; Carol Helland, Liz Stead, Ken Thiem, Development Services Department

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER

The meeting was called to order at 6:36 p.m. by Chair Ferris who presided.

2. ROLL CALL

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

Draft

3. PUBLIC COMMENT

Mr. George Fair, PO Box 50206, Bellevue, said he lives in the Park Highlands senior housing complex near the Bellevue Botanical Gardens. He said he participated in a Planning Commission hearing some five years ago, and in a planning session for transportation about fifteen years ago. He thanked the Commission for the work it does and said things are going great in the city, largely because of the good planning work and good city government. He said he has lived in and visited several cities during his lifetime, but Bellevue is by far the best. Bellevue is a city to be proud of.

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 reported that the city is progressing in its work to interview candidates for the Department of Planning and Community Development director position. A public reception for the candidates is planned for September 16, 2010, at City Hall between 4:00 p.m. and 6:00 p.m. The expectation is that a selection will be made sometime in

October.

## 7. STUDY SESSION

### A. Floor Plate/FAR Land Use Code Amendment

Land Use Director Carol Helland introduced Senior Planner Ken Thiem and Urban Design Planning Manager Liz Steed.

Ms. Steed said the proposed Land Use Code amendment deals specifically with the floor plate size and floor area ratio (FAR) in the Downtown for cultural facilities. She explained that within the downtown proper the Civic Center Design District is bounded by 110<sup>th</sup> Avenue NE on the west, NE 8<sup>th</sup> Street on the north, I-405 on the east, and NE 4<sup>th</sup> Street on the south. The area has been deemed to be a good place for a performing arts center and cultural activities. No changes are being proposed to the standards of the Downtown Perimeter Design District.

Large floor plates in the Downtown are restricted to the Civic Center Design District (CCDD). The district is about 80 percent development currently, which leaves very little room for additional cultural institutions. There are numerous Comprehensive Plan policies in support of cultural facilities in locations outside the CCDD.

FARs and floor plate sizes for performing arts centers typically exceed the dimensions permitted by the Land Use Code in the Downtown. They generally require greater volume and height to accommodate the rigging associated with the production sets. The need was previously recognized by the Department in relation to a Bellevue School District project. In 2003 a Land Use Code amendment was approved which permitted greater height allowances for performing arts centers in schools.

## Draft

Currently, non-residential floor plates outside the CCDD are limited to a maximum of 22,000 gross square feet per floor, and 20,000 gross square feet per floor above 80 feet. The FAR is limited to 3.0 or less outside of the Downtown O-1 and O-2 districts. FAR is the ratio between gross floor area and net site area. The gross floor area excludes parking and mechanical areas, and the net site area includes the easement areas but excludes all public right-of-way.

The Tateuchi Performing Arts Center, previously known as Performing Arts Center Eastside, or PACE, has requested to be allowed greater height and floor area than is permitted for the site under the current code. Ms. Steed shared with the Commissioners a cross section of the proposed interior volume for the seating area of the building, and a cross section of the proposed interior volume required to accommodate the rigging above the stage.

Ms. Steed said staff was recommending the Land Use Code amendment to add additional floor plate size and height for performing arts centers in the Downtown outside of the CCDD and the perimeter district. The recommendation is for floor plates of up to 40,000 square feet and 120 feet in height, and an FAR of up to 4.0 for cultural uses, provided that all of the floor area above the existing maximum is earned through the FAR amenity system.

Answering a question asked by Commissioner Lai, Mr. Thiem said the FAR amenity system is designed primarily to provide benefits to pedestrians by providing things such as underground parking, weather protection, and pedestrian-oriented uses.

Commissioner Sheffels commented that in 2003 when action was taken to allow the Bellevue School District greater floor height, a requirement was included that the maximum height be set

back as far from the road as possible. That was done to reduce the impacts of school projects in residential districts. She suggested the same requirement should not apply in the Downtown. Ms. Steed agreed and said the Downtown does not require setbacks at the street level.

Ms. Steed clarified for Chair Ferris that the proposed amendment would apply to all areas of the Downtown not in the CCDD or the perimeter districts.

Chair Ferris asked what the intent was behind the original FAR and height limitations in the Downtown. Mr. Thiem said the original intent was to keep bulky buildings outside of the Downtown; such buildings block sunlight and if not well designed can be aesthetically unappealing. He added that even though the amendment will apply to a fairly large area, few cultural centers will actually be constructed, and those that are will need additional height and FAR.

Ms. Steed pointed out that the amendment would apply only to real performing arts center that offer live performances. The amendment would not apply to a movie theater.

Commissioner Sheffels asked why the amendment should not be made site specific. Ms. Steed said the city has always steered clear of doing site-specific zoning.

Commissioner Hamlin asked why the perimeter areas and the CCDD should be excluded. The CCDD already has a similar use. Ms. Steed said the CCDD district already has its own conditions and is mostly built out already. The perimeter districts buffer residential areas from the more intense Downtown uses and as such the city has made a concerted effort to keep the area less bulky and at a lower scale.

Chair Ferris noted that the amendment would apply only to performing arts centers and cultural centers, and that performing arts centers are limited to live events. However, cultural centers do not necessarily have live events and that could open the door to a broad interpretation of what a cultural center is. One of the goals for the Downtown has always been to create activity at the street level. A performing arts center, however, is a single use building which, except for the evenings, typically generates no activity during the day. There are examples of performing arts centers that do not have a single use that occupies the entire space. The Fifth Avenue Theater has a small presence on the street and has a lot of other uses associated with it. The Village Theatre in Issaquah is another example. If exemptions to the height and FAR requirements are going to be allowed, there should be a requirement to include uses that would activate the street level. Performing arts centers are important, and they certainly create a demand for restaurants and other things in the evenings, but not every night. Ms. Steed said it was her understanding the facility will be bringing in people from all over the world and will have a lot of activity. She agreed that the lack of daytime activity is a valid concern that should be addressed.

Commissioner Mathews pointed out that at the University of Washington mini theater puts on a number of its own productions, and rents the space to outside users. The hall is busy at least 250 days each year. If the Tateuchi Center ends up being the only real performing arts center in Bellevue, it will be very busy throughout the year.

Chair Ferris said at the very least there should be more clarity with regard to what constitutes a cultural center. He also suggested that the geography in which the amendment would apply is too broad.

Commissioner Mathews asked how the proposed amendment integrates with the proposed objectives for the Bel-Red corridor where among other things there is a hope that an arts

community will be centered. Mr. Inghram said the vision for the corridor does include a focus on an arts community with cultural and performance activities. One of the concerns voiced during the planning activity, however, was not wanting the corridor to become a competitor to the Downtown, even in terms of the arts. The Downtown was always seen as the place where there would be major performance venues and galleries. The focus in the Bel-Red corridor is intended to be on producing, learning and practicing the arts; the more retail activities associated with the arts is intended to occur in the Downtown.

Commissioner Sheffels commented that the city has a general lack of rehearsal and set production space. Those kinds of uses are perfect for the Bel-Red corridor and would not compete with the Downtown.

Commissioner Lai agreed that the proposed geographic area in which the amendment would allow performing arts and cultural centers to be built is quite broad; he said he would favor narrowing the focus. He also said he shared some of the concerns about activating the street level.

Ms. Steed said staff was seeking approval to conduct a public hearing on the issue on October 27. That should allow for sufficient time to address the concerns that have been raised.

Commissioner Sheffels said she would like to hear from staff specific reasons for not making the proposed amendment site specific. Ms. Helland explained that site-specific rezones have the potential to be spot zones. The amendment cannot be focused so narrowly that it essentially is a spot zone for one particular purpose. She allowed, however, that the staff had clearly heard the concerns of the Commission with regard to narrowing the geographic scope of the amendment. The Comprehensive Plan specifies 106<sup>th</sup> Avenue NE as the entertainment street, and one option would be to narrow the scope down to apply only to the frontages of 106<sup>th</sup> Avenue NE. She said she would have to review the Comprehensive Plan policies to see if there is another logical building block that might be a good place to allow the amendment to apply. She stressed that certain performance criteria would need to be met by any performing arts center, including maximum height limits, the design criteria associated with Type A pedestrian frontages, and the building/sidewalk design guidelines. Any increases in height and FAR would have to be justified based on the performance space and its use.

Ms. Helland suggested that there will not be very many uses that meet the proposed criteria. One of the reasons the Tateuchi Center design work has taken so long can be traced back to the level of negotiations with regard to the street interface and the lane configuration in front of the building, and the general notion of fitting the program on the site from an area standpoint. The volumetric needs of the building are driving the proposed code amendment.

Ms. Helland agreed that an additional study session with the Commission prior to the public hearing would be a good idea.

Commissioner Hamlin added his voice to those concerned about the wide geographic scope. He pointed out that a large building could end up facing Downtown Park unless the scope is narrowed.

Commissioner Mathews pointed out that performing arts and cultural uses typically have subordinate uses. He suggested those associated uses could in some way serve to activate the street level. Ms. Helland said there is a limitation on subordinate uses that maybe should be reviewed with an eye on mandating them instead.

Chair Ferris said he liked the idea of narrowing the scope to 106<sup>th</sup> Avenue NE, but suggested there may need to be language that would keep such uses from being lined up one after another along that street.

## B. 2010 Comprehensive Plan Amendments

Mr. Inghram said applications for private Comprehensive Plan amendments (CPA) are received by the city in December and January of each year. For 2010 several applications were received, though during the threshold review process they were all withdrawn. However, during the course of the year there were four specific proposals identified by the Transportation Department and the Council initiated the CPA in August, 2010.

Senior Planner Nicholas Matz said each of the amendments support several city transportation projects and the city will benefit the city to act on them now in order to advance project engineering and grant applications associated with these projects. The amendments seek to clarify or update existing policy or Transportation Facilities Plan projects.

Mr. Matz said the first proposed amendment relates to Travel Demand forecasts as outlined in Figure TR.2 in the Transportation Element. The figures in the currently adopted Comprehensive Plan are out of date, and the proposal is to reflect the current travel demand forecasts for each of Mobility Management Area (MMA) in the city through the forecast year 2020. The Transportation Facilities Plan is a long-range list of planned and programmed projects that are primarily transportation related. The proposed amendments focus specifically on the Transportation Facilities Plans that are in the adopted Comprehensive Plan. The financially constrained Transportation Facilities Plan is a separate tool the Transportation Department uses to prioritize projects into the Capital Investment Program where they get funded and ultimately constructed. The impacts of the projects contained in the 12-year financially constrained Transportation Facilities Plan that is associated with the forecasts are extensively analyzed in an Environmental Impact Statement every time the city updates the plan.

The MMAs for Bel-Red and the Overlake area have changed since the current Comprehensive Plan was adopted. The proposed amendment will update the boundary information for each MMA consistent with what was accomplished through the Bel-Red Subarea Comprehensive Plan amendment.

The Growth Management Act requires the Comprehensive Plan to include the travel demand forecasts for at least ten years out. The forecasts are linked to the adopted land use patterns in the Land Use Element. Where growth is expected to occur must be matched to the forecasts for where the demand for motorized trips is expected to occur. Not surprisingly, the city's employment centers have the greatest density per acre, with the Downtown being the most dense; the other employment centers are Eastgate, Bel-Red, Crossroads, Wilburton and Factoria. Mixed use areas are less dense, and residential areas are the least dense (in terms of demand for trips).

The staff proposal for Figure TR.2 suggests a different way to display the travel demand forecast information. This is a map showing the total number of trips displayed by density to better visually emphasize the link between land use and transportation planning.

Commissioner Sheffels commented that the city has been producing forecasts for many years and asked how accurate they have been in the past. Mr. Matz said the important thing is as much using the targets to determine where new facilities are needed as it is to hit those targets. In that sense, the city has traditionally done very well in using the forecasts to guide CIP project decisions. Mr. Matz confirmed that staff would provide an answer to Commissioner Sheffels

inquiry.

Chair Ferris commented that when new roads are built to accommodate planned growth, the number of trips on those roads increases. He asked if the plan is being developed to maintain the current levels of service, or if the focus is on building in an ever decreasing level of service on the roads in an attempt to encourage commuters to use transit options. Mr. Matz said the data depicted in Figure TR.2 is not a blueprint but is an indicator tool to show where growth is forecasted to occur. The information can be used to inform discussions about how to meet the demand.

Mr. Inghram said there are a number of factors that go into making decisions relative to transportation projects. They include Level of Service standards, pedestrian/bicycle and transit policies, and the city's transit priority networks. The travel demand forecasts are used in conjunction with all of those other factors in determining how to satisfy travel needs.

Mr. Matz allowed that it would be helpful for the public hearing to outline the greater context of the purpose of travel demand forecasts.

Mr. Matz explained that the second proposal related to the 120<sup>th</sup> Avenue NE corridor. He said the Mobility and Infrastructure (M&I) initiative the Council adopted after the Bel-Red corridor study was completed created a framework for the discussion regarding how 120<sup>th</sup> Avenue NE functions as a corridor. Capital Investment Project (CIP) Project PW-R-161—the 120<sup>th</sup> Avenue NE corridor project—is part of three CIP segments: the segment between NE 12<sup>th</sup> Street and Northup Way; the segment between NE 12<sup>th</sup> Street and NE 8<sup>th</sup> Street; and the segment (this one) between NE 8<sup>th</sup> Street and where the proposed extension of NE 4<sup>th</sup> Street will intersect with 120<sup>th</sup> Avenue NE. The project is funded and the design process is under way.

**Draft**

The conversation the Planning Commission had about the Bel-Red Subarea and how it relates to the Wilburton/NE 8<sup>th</sup> Street Subarea took place through the Comprehensive Plan amendment process for those two subareas and the initial adoption of the project lists in the Transportation Facilities Plan. The Bel-Red Subarea plan includes policy language relative to how 120<sup>th</sup> Avenue NE is supposed to be treated between NE 8<sup>th</sup> Street and Northup Way. The East Bellevue Transportation Facilities Plan addresses the area as well. The adopted project lists that include the 120<sup>th</sup> Avenue NE corridor have focused to date on the streetscape, the role of the median, the role of the landscaping treatment, and the role of the street edge as the Wilburton area redevelops. With the introduction of the extension of NE 4<sup>th</sup> Street and NE 6<sup>th</sup> Street, there is now a need to address the traffic lane configurations and how traffic will be moving through the area.

Commissioner Sheffels said one of the primary concerns of the Wilburton neighborhood is how difficult it is to get on and off of NE 5<sup>th</sup> Street from 120<sup>th</sup> Avenue NE going to and from the local neighborhood. Things are not as cut and dried as they may appear to be. Mr. Matz agreed. He said the focus of the amendment is on the profile of the road and what is needed to move the forecasted travel demand through the area as the Wilburton and Bel-Red areas redevelop. There is an existing project list in place that calls for mitigating the impacts to the neighborhoods at NE 5<sup>th</sup> Street. It will be helpful, therefore, to have a clear understanding of what the profile of 120<sup>th</sup> Avenue NE will be.

Mr. Inghram said the process of updating the Wilburton subarea resulted in the addition of five or six projects to the Comprehensive Plan. One of them addresses NE 5<sup>th</sup> Street and calls for traffic calming at that location. The 120<sup>th</sup> Avenue NE project description was added as well, but it does not specifically address how far to widen the street. Another project added speaks to

enhancing the streetscape on 116<sup>th</sup> Avenue NE along auto row. The extension of NE 4<sup>th</sup> Street from 116<sup>th</sup> Avenue NE to 120<sup>th</sup> Avenue NE was added as well. A project for squaring off the intersection of NE 8<sup>th</sup> Street and 120<sup>th</sup> Avenue NE is already in the Comprehensive Plan. With the Bel-Red planning process, the improvements to 120<sup>th</sup> Avenue NE were further defined as to what the lane configuration should be, including bike lanes. However, when the Bel-Red Subarea plan was adopted, it included only those projects fully within that subarea, so the section of the 120<sup>th</sup> Avenue NE corridor that was included covered only the area between NE 8<sup>th</sup> Street and Northup Way.

Chair Ferris voiced concern over the fact that the planning process may be out of sync with bringing light rail online. He allowed that projects can be in the Comprehensive Plan for a long time before being constructed and he said his concern was that if 120<sup>th</sup> Avenue NE is built with a five-lane configuration, once light rail comes to Bellevue it may be that only a three-lane configuration is required. Many streets in Seattle are being converted from five lanes to three in order to accommodate things like sharrows and other types of road access. Mr. Inghram said the proposed cross section design for the corridor was only recently created and is predicated on the Bel-Red planning process. Planning for light rail and other transit opportunities have been taken into account. The fact is the extension of NE 4<sup>th</sup> Street will bring a great deal more trips to the corridor, and the roadway will need to be configured with sufficient capacity given that it will be a major north/south corridor in the arterial street network. Bike lanes will be included as well.

Commissioner Sheffels commented that the primary focus for the portion of 120<sup>th</sup> Avenue NE between NE 8<sup>th</sup> Street and Main Street should be on capacity for motorized traffic. She said people do not typically ride their bikes to shop at places like Home Depot and Best Buy. Mr. Inghram pointed out that it all comes down to a question of balance. The corridor will continue to serve auto-oriented uses, but in the future there will be a light rail station in the vicinity of the Pump House with presumed housing developments from which people would walk and bike to the transit station.

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Mr. Matz called the Commission's attention to a public comment letter received from Best Buy LP. He noted that their concern identified in the letter is with the order proposed for constructing the three segments of the 120<sup>th</sup> Avenue NE corridor CIP project. Mr. Matz noted that the letter also suggests the City has not adequately accomplished the environmental review necessary to advance the project, with adequate mitigation for the range of impacts. Best Buy also disagrees with the proposed alignment of the NE 4<sup>th</sup> Street extension between 116<sup>th</sup> Avenue NE and 120<sup>th</sup> Avenue NE. Taken together, the letter expresses a concern that it is premature to emphasize a solution for 120<sup>th</sup> Avenue NE. Staff will specifically address their concerns in the recommendation to the Commission for the public hearing.

Mr. Matz said the Transportation Commission was given a presentation with regard to the proposed Comprehensive Plan amendments on September 9, 2010. The commissioners concurred with the proposed modifications to Figure TR.2 and suggested that the Figure title be specific so that non-motorized modes of travel are acknowledged as not included. The Transportation Commission asked how bike lanes on the 120<sup>th</sup> Avenue NE corridor would function as a parallel route to a possible bike and pedestrian trail following the Burlington Northern/Santa Fe corridor. Finally, commissioners concurred with the staff proposal to update the Bel-Red Road description in the relevant Bel-Red subarea plan transportation project list.

Mr. Inghram added that the Bel-Red Subarea planning process did not include the exercise of cleaning up and removing old out-of-date projects in other parts of the Comprehensive Plan. One of the things on the overall work program is to work through all of the city's plans to reduce the overlap and generally clean things up.

Commissioner Lai asked what is happening with the old Larry's Market building and site. Mr. Inghram answered that he has had some conversations with the owner and potential tenants in the past but not recently.

Chair Ferris suggested that for planning purposes the map should show the possible transit alignment and the possible pedestrian and bike trails in the BNSF corridor. He said he would not want to see the city spend money to construct bike lanes along 120<sup>th</sup> Avenue NE if an alternative for bikes will be constructed along the railroad corridor. Mr. Inghram said the issue of having bike lanes on both the railroad corridor and 120<sup>th</sup> Avenue NE has been raised previously. The fact is the BNSF corridor project, if constructed, will serve as a regional route connecting Bellevue with areas to the north and the south. It will not, however, include a great number of access points. The 120<sup>th</sup> Avenue NE corridor bike lanes will include connections to the Downtown as well as into the Bel-Red corridor and as such will serve a considerably different function. The bike lanes on 120<sup>th</sup> Avenue NE are consistent with the Ped-Bike Plan (itself updated in 2009).

Mr. Matz said the third proposed amendment seeks to update the description of Bel-Red Road from NE 20<sup>th</sup> Street to NE 24<sup>th</sup> Street. The stretch of road divides Bellevue and Redmond. The issue is that there are currently three project descriptions in two different TFPs that variously describe the need to have turning access to properties. The project descriptions all essentially say the same thing; what is needed is a single description, also consistent with Redmond's Overlake plan.

The Commissioners were informed that the Transportation Commission raised no issues concerning the amendment.

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Mr. Matz said the fourth proposed amendment seeks to amend Figure TR.3 in the Transportation Element to label the new NE 10<sup>th</sup> Street extension over I-405 as a Minor Arterial. He noted that the Transportation Commission concurred with the staff proposal.

It was agreed to set the public hearing date for the proposed CPA for October 13, 2010. Mr. Matz said the Transportation Commission would be asked to formalize their comments. The staff report and recommendation will be released three weeks before the hearing. The East Bellevue Community Council will be asked to weigh in as to Figure TR.2 since it affects their jurisdiction.

8. OTHER BUSINESS – None

9. APPROVAL OF MINUTES

A. June 9, 2010

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

B. July 20, 2010

Commissioner Sheffels referred to page 58 and noted that the reference to "Commissioner Ferris" should read "Chair Ferris."

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

C. July 28, 2010

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

10. PUBLIC COMMENT – None

11. NEXT PLANNING COMMISSION MEETING

A. September 22, 2010

12. ADJOURNMENT

Chair Ferris adjourned the meeting at 8:15 p.m.

\_\_\_\_\_  
Paul Inghram  
Staff to the Planning Commission

\_\_\_\_\_  
Date

\_\_\_\_\_  
Hal Ferris  
Chair of the Planning Commission

**Draft** \_\_\_\_\_  
Date