

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
MEETING MINUTES

January 17, 2007
7:00 p.m.

Bellevue City Hall
City Council Conference Room 1E-113

COMMISSIONERS PRESENT: Chair Mathews, Vice-Chair Robertson, Commissioners Bonincontri, Ferris, Orrico, Sheffels

COMMISSIONERS ABSENT: Commissioner Bach

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

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER

The meeting was called to order at 7:04 p.m. by Chair Mathews who presided.

2. ROLL CALL

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

3. APPROVAL OF AGENDA

The agenda was approved by consensus.

4. STAFF REPORTS – None

5. PUBLIC COMMENT

Mr. Robert Thorpe, 705 2nd Avenue, Suite 710, Seattle, and President of the Puget Sound Section of the Washington Chapter of the American Planning Association, reported that the Washington APA chapter will be holding its annual Planning Law Conference March 6, 2007 at Meydenbauer Center. He invited the commissioners to attend.

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

7. PUBLIC HEARING

- A. Comprehensive Plan Amendment
– Wilburton Gateway

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

Senior Planner Nicholas Matz said staff has concluded that the privately initiated Comprehensive Plan amendment satisfies the decision criteria. Accordingly, the recommendation of staff is to approve the proposed amendment to the Comprehensive Plan to change the Wilburton/NE 8th Street subarea plan map from Single Family-Medium and Multifamily-Low to Multifamily-Medium, and place an asterisk on the map designation setting a maximum rezoning density limit of fifteen dwelling units per acre for the 1.9-acre site.

Mr. Robert Thorpe, 705 2nd Avenue, Suite 710, Seattle, said he is the principle of RW Thorpe and Associates. He indicated his support for the staff recommendation, suggesting the record is solid with regard to showing the proposal is compatible with the Comprehensive Plan goals. He pointed out that the site represents an island with multifamily to the east and west; there is an Office designation to the north, and the proposal seeks to address the zoning anomaly. There is significant demand for the type of housing outlined in the proposal. A traffic study has been done, and there has been extensive communication with the local community. With regard to why a split zone is not desirable, he explained that with a strip of one zone to the north and another zone to the south there will be two quite different developments that will not look homogeneous. In order to transition properly, an extensive fencing, berming and tree landscaping plan has been developed to transition to the single family homes south of the subject property. The level of support from the community is unusual and stems from the efforts of the applicant.

Mr. John Goss, 12252 NE 5th Street, voiced his support for the proposal. The property has for several years been an eyesore for the community and it needs to be developed in a way that will maintain the beauty of Bellevue. More residential units are needed in the city as growth continues. The proposed development will improve lighting and general safety for the local community.

Mr. Robert Shea, 610 123rd Avenue NE, said he has over the years served on a number of CACs in the city and has served on the board of directors of the Wilburton Community Association. He indicated his support for the Wilburton Gateway Comprehensive Plan amendment proposal. He said he has for many years looked forward to the development of the subject property. The site has been used by transients and was the scene of a rape. Development of the site will give the neighborhood more peace of mind with regard to safety. The current designation and zoning has not yielded a development proposal. The R-15 limit on density will be in keeping with the local neighborhood; there is both R-10 and R-20 to the east and west along NE 8th Street. The project quality promised to the community by the property owner and developer will be good for the neighborhood and the city as a whole.

Mr. Nin Ji Nim(?), address not given, concurred with the previous speakers.

Mr. Hossein Khorram, 2310 88th Avenue, Clyde Hill, said he previously lived in the Wilburton area where both his children were born. He noted that his office is just across NE 8th Street from the subject property. He reviewed the site plan with the Commission and highlighted the need to develop the site with an exceptional design that will appeal to and fit with the neighborhood. He said a gate will be installed to keep traffic on NE 8th from cutting through to avoid the signal in getting to 124th Avenue NE. The site will be developed with underground parking to increase the amount of land available for landscaping. Northbound traffic on 123rd Avenue NE must wait quite a while to access eastbound NE 8th Street; the solution will be to add a right-turn lane. A sound wall will be constructed along NE 8th Street to protect the residence of the development and those to the south. He said he has knocked on the doors of every property within 500 feet of the subject property to discuss his proposal; the result was 64 letters of support. Some voiced concerns about traffic. The Wilburton area is home to a number of different zoning designations,

including R-10 and R-30, along the main artery of NE 8th Street. There is not, however, any evidence that those designations have trickled southward into the single family areas, nor is there likely to be in the future. The Wilburton Gateway project will be constructed with only 15 percent impervious surfaces owing to intelligent design. The project will in effect give Wilburton a facelift. The development will be very high quality, and the townhomes will sell for \$700,000-plus.

Mr. Daniel Wren, 603 129th Place NE, said he previously wrote to the Commission in support of having R-15 along NE 8th Street and R-10 to the south as a buffer for the R-3.5 single family area. Mr. Khorram has made a number of promises in the community regarding what his development will look like, including wonderful amenities and underground parking. The concern is that the Comprehensive Plan designation being sought does not require all those good things. If the proposal is approved, the city should find some way to put on paper language that will yield the development that has been promised by Mr. Khorram. The neighbors support the development as outlined. There is no reason to believe Mr. Khorram will fail to live up to his promises, but the fact is the promises are not code and thus are not controlled by the city. Somehow, the code must be written to reflect what has been promised.

Mr. Mark Smith, 706 123rd Avenue NE, said he purchased property in the neighborhood with the idea of being able to walk to work. He noted his support for the proposed Wilburton Gateway development. Density and traffic are the primary issues, but both have been addressed adequately by the proposed design.

Mr. Tom Lash, address not given, said his residential real estate office is located across the street from the subject property on 123rd Avenue NE. He said he has worked with a number of developers over the years and has seen proposals come and go. He noted his full support for the proposal of Mr. Khorram, urging the city to find a way to make it happen. The project will give the area the identity it needs to be tied in with the rest of Bellevue.

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

B. Comprehensive Plan Amendment
– Public Storage

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

Mr. Matz said the proposal was originally in the name of Shurgard, a company that subsequently was bought out by Public Storage. The privately initiated amendment seeks a change to the Comprehensive Plan designation on the Richards Valley subarea map from Office/Limited Business (OLB) to Light Industrial (LI) for the 2.89-acre site. The scope was geographically expanded at the Threshold Review to include an additional 4.5 acres of property to the north.

Mr. Matz said the recommendation of staff is to deny the amendment. Staff believes an alternative action is available to meet the goals stated by the original applicant of site redevelopment, namely the Administrative Conditional Use Permit or full Conditional Use Permit process in the Land Use Code. The Richards Valley subarea policies, along with the policies in the Environmental Element and the Shoreline Management Area Element cover the range of the industrial versus environmental issues identified by staff. Staff holds that an LI designation on the site would yield the potential for uses not anticipated that would create a greater conflict with the policies intended in protect the adjacent Mercer Slough.

The changed condition criteria was originally presented as a basis for discussing the proposed map change. In 1981 the sites were designated OLB with the hope that redevelopment in the coming years would generate developments much like the Belfield Office Park. While that shift has not taken place, the intent of environmental stewardship of Mercer Slough remains unchanged. A change to LI would support an array of uses that could be harmful to the slough.

There were no public comments.

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

C. Comprehensive Plan Amendment
– Hancock/Muren

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

Mr. Matz said the privately initiated Comprehensive Plan amendment proposes a change to the Southeast Bellevue subarea plan map from Single Family-Low to Single Family-Medium for a four-acre site on 156th Avenue SE. Based on the determination that the decision criteria have been met, the recommendation of staff is to approve the amendment.

There were no public comments.

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

D. Comprehensive Plan Amendment
– Bellewood Apartments

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

Mr. Matz explained that the privately initiated Comprehensive Plan amendment proposes a change to the Southwest Bellevue subarea plan map change from Office to Multifamily-High on a 0.27-acre portion of a 1.44-acre property located on 102nd Avenue SE. He said staff is recommending approval based on the determination that the proposal satisfies the decision criteria for a Comprehensive Plan amendment.

Mr. Holly Smith, 11224 SE 5th Street, spoke on behalf of Polygon Northwest, the proponent for the amendment. He said the proposal will facilitate tying in the project just completed to the south of the subject property.

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

E. Comprehensive Plan Amendment
– Crossroads Center Plan

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

Comprehensive Planning Manager Planner Paul Inghram said the area-wise Comprehensive Plan amendment affects the Community Business (CB) zoned area within District E of the Crossroads subarea plan. There are several different proposed policy amendments which emphasize supporting the economic vitality of the Crossroads commercial areas and enhancing Crossroads as a community gathering area in East Bellevue. One of the specific amendments would modify Policy S-CR-72 to allow an exception to the current prohibition on new multifamily uses to the north of NE 8th Street within District E; the revised policy would require multifamily uses as part of a mixed use development designed to be compatible with the commercial center. As envisioned, the policy would also require the city to conduct a milestone assessment of the mixed use developments when up to 400 dwelling units are constructed in District E north of NE 8th Street to determine if the multifamily development has successfully contributed to the implementation of the subarea plan objectives and is compatible with the commercial environment. At the time of assessment, the city could decide whether to continue to allow or to restrict additional multifamily housing; as worded, the policy would not allow the city to issue additional permits for multifamily housing until the assessment is completed.

Continuing, Mr. Inghram said the proposed policy amendments support a major new open space area and entrance to Crossroads Park from the shopping center site near the community center; increasing connectivity and access to the park; and encouraging buildings adjacent to the park to be designed to provide a graceful transition into the park. In addition, the policy amendments support pedestrian connections pedestrian activity areas, and pedestrian safety and comfort on the site and on the abutting arterial streets. There is an additional environmental policy proposed that would recognize the extent of the impervious surfaces in the Crossroads commercial areas and encourage techniques to reduce environmental impacts. Policy S-CR-2 would include a new figure to guide future development as it occurs within the Crossroads area.

In addition to the policy amendments, the proposal includes a map change for the boundary of District E to place two parcels in District F, and to change the designation from CB to Multifamily-High. There are proposed project amendments to the East Bellevue Transportation Plan focused on improving 160th Avenue NE and NE 15th Street leading into Crossroads Park, and to investigate vehicular turning movements on NE 8th Street between 156th Avenue NE and 160th Avenue NE.

Subsequent Land Use Code amendments will be needed to effect the proposed policy amendments.

Mr. Inghram said the recommendation of staff is for approval of the Comprehensive Plan amendment. He referred to a memo in which proposed revisions to some of the policy language were outlined based on public comments received, including the addition of the term “non-motorized” to clarify the type of connection between the commercial area and the park.

Chair Mathews asked staff to respond to the issue raised by the community with regard to whether or not hotel rooms would count as multifamily housing units toward the 400-unit threshold triggering the assessment. Mr. Inghram explained that hotel is an allowed conditional use and as such the units would not count as multifamily units. The intent of the assessment is to evaluate the change of policy to allow multifamily dwellings in the district.

Mr. Barton Ellison, 17104 NE 5th Place, agreed with the proposed policy revision to clarify that motorized vehicle access to the park will not be allowed. He said multifamily housing at Crossroads should be both high quality and market rate; that provision is not included in the policies. The phrase “market rate” was used early on in the planning sessions by members of the

community and by the property owner for the shopping center proper; the intent is not to shut out the average guy by building high-end luxury apartments. Some mechanism should be in place to assess whether mixed use multifamily projects are achieving the desired results or not so the decision can be made to suspend development agreements, revise the total number of units, or terminate programs entirely. Access to mixed use multifamily and hotel uses should be primarily from NE 15th Street or 160th Avenue NE to avoid additional congestion in the commercial area. Furthermore, on-site residential and hotel parking should be isolated from retail parking to the greatest extent practicable. A new service road running south from NE 15th Street between the Top Foods building and the park should be encouraged if practicable to serve any new hotel and multifamily development north of the cinema. Mixed use residential and hotel uses within the district should not be allowed to proliferate and eventually overwhelm the shopping center properties and degrade their primary function of serving the community with business and retail uses. With regard to Footnote 6 on the Land Use Chart for residential uses in the CB district should be amended to require design review for residential uses to assure compatibility with the surrounding built environment. An exception should be allowed to omit the mixed use component through design review in exchange for reducing the building height and scale, subject to fully providing underground parking for all building occupants at ground floor level within the building footprint; the exception would minimize the loss of critical retail parking space and reduce the building area. The acquisition of the proposed right-of-way on 160th Avenue NE would clarify the uncertainties regarding the perpetual maintenance of the roadway.

Mr. Inghram noted that Mr. Ellison's comments dated January 16, 2007, were included in the Commission desk packets.

Ms. Pamela Toelle, 14845 NE 13th Street, said she is a member of the board of the Chevy Chase Community Club and was authorized to speak on behalf of the organization. She said the neighborhood is opposed to adding any multifamily housing in the Crossroads subarea, in particular at the Crossroads Center. The massive apartment developments that rose on Office-designated land in the 1970s continues to have a socio-economic impact on the community and the neighborhood schools. The policy to prohibit multifamily on CB land at the Crossroads Center was established because of the concern in 1979 and was reaffirmed 1989; the reasons for and circumstances under which the policy was established are the same, thus there is no changed circumstance. Additional multifamily units would not enhance the public health, safety and welfare, nor provide benefit to the residential neighborhoods in Crossroads. Speaking for herself, she said she has been involved in the current process since September 2004, and served on the subarea CAC in 1989. Most of the Chevy Chase Community Club board attended the public meeting and presentation of the urban village concept in September 2005 and offered absolutely no support for it. The community club sponsored a public meeting with a staff presentation in October 2005; other neighborhoods were invited to attend the meeting, and the consensus of the 45 to 50 people present was that no more apartments should be allowed. The original proposal for the Crossroads Center was dead on arrival at the Council level and was scrapped. In April 2006 a new direction was charted and a new plan was developed. The community group formed to review and develop the concept was asked to attend all of the meetings, but there was a marked reduction in participation over time. In October the group rated the draft plan and milestone assessments. Only nine working group members attended the meeting, and three of them were property owners; staff members and consultants outnumbered the community participants. Only five of the group members attended the final meeting on November 28, 2006. Staff should be thanked for their sensitivity to the neighborhood concerns, especially Mr. Inghram, and for working to embed checks and balances in the master plan. Mr. Ellison's diligence should also be noted. A hotel use at the site would be a good idea and would benefit the neighborhood. Underground parking for the retail uses will be very unpopular with

the neighborhood and likely would not be utilized for safety reasons. Height, scale and placement of buildings are important concerns. The Crossroads subarea in its entirety should be subjected to a comprehensive review. The Commission should give due time and consideration to the comments submitted from the public.

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

- F. Comprehensive Plan Amendment
– Wilburton/NE 8th Street Corridor Study
- G. Land Use Code Amendment
– Wilburton/NE 8th Street Corridor Study

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

Mr. Inghram said the area-wide Comprehensive Plan amendment proposal and concurrent Land Use Code amendment is focused on auto row along 116th Avenue NE and includes the area between I-405 to 120th Avenue NE and between NE 8th Street and SE 1st Street. The list of proposed amendments include a policy and project addition to include connecting NE 4th Street between 116th Avenue NE and 120th Avenue NE. The proposal also would change the designation for a portion of the study area from General Commercial (GC) to a split GC/CB; the language indicates rezoning of the area would be appropriate once the NE 4th Street connection is constructed.

In addition, a policy and map change would be added to identify the area between NE 8th Street and NE 4th Street, and between I-405 and the Burlington Northern-Santa Fe right-of-way, as a special opportunity area. The current designations of GC along the east side of 116th Avenue NE and OLB on the west side of 116th Avenue NE would remain in place, but the area would be recognized as suitable for a project-specific rezone at some future time. The area south of NE 4th Street and west of 116th Avenue NE would remain OLB.

A potential multiuse transportation connection along NE 6th Street is envisioned by the amendment. The topography is such that a through street may not be possible, but there are other opportunities, including connecting to the HOV interchange on I-405 and providing connection and access to the Burlington Northern-Santa Fe rail corridor once it becomes a multiuse trail.

There are policy amendments that support making improvements to 116th Avenue NE and 120th Avenue NE to provide additional landscaping and streetscape improvements; the former is already designated as an urban boulevard in the Comprehensive Plan. There is policy language support for traffic calming on NE 5th Street between 120th Avenue NE and 124th Avenue NE to mitigate any potential traffic impacts that may occur. There is also language bolstering the existing Comprehensive Plan direction to square the intersection of 120th Avenue NE and NE 8th Street, and urging additional focus on the affordable housing issue.

Mr. Arlin Colins, 946 17th Avenue East, Seattle, said he is a partner in the firm Colins Woerman that has an extensive history of working with landowners on the Eastside. He said the height designation in the proposal amounts to roughly 60 feet with bonuses. Most of the codes on the books did not originally envision the kinds of mixed use commercial development that is currently happening. Accordingly, it is very difficult to stack the uses in ways that make sense

given the lower height limits. Just a few feet more will make a significant difference. A significant retail use with additional retail parking and residential uses will need a minimum of 68 feet, not including anything other than a flat roof form. The city should consider additional height bonuses to allow heights up to 75 feet to permit different roof forms that will add to the quality of the development.

Commissioner Sheffels asked if building heights up to 75 feet would be linked to underground parking. Mr. Colins said mixed use projects want to see their commercial and residential parking separated. From a security point of view, parking open to retail 12 hours per day is not suitable for residential users; a speed ramp can easily be constructed to allow for secure parking above the retail use. The retail parking would be underground. The combination cannot be accomplished in 60 feet, nor can roof forms other than flat. The policy language could be written to allow the taller buildings only if they have other than a flat roof.

Mr. Steve Cramer, KG Investments, 11225 SE 6th Street, said the firm is a landowner in the area and has followed the study as it has moved along. He voiced support for the goals and many of the conclusions reached. The downtown urban core is undergoing dramatic changes which are having ripple effects on adjacent commercial areas. The land within the study area is largely underutilized; it could support many needed businesses and services as well as housing. In planning for the redevelopment of the area, flexibility will be key. The goal of KG Investments relative to developing its land interests in the area is to work with the city to come up with something everyone will benefit from for generations to come.

Ms. Carolyn Maxim, 12405 NE 2nd Street, said the study is clearly aimed at economic development and transportation improvements. While those are public benefits, they conflict with other public benefits. Some Comprehensive Plan policies previously approved have never been written into code and therefore are unenforceable. One such policy is aimed at protecting residents from views of the freeway. Redevelopment of the old City Hall site will result in the removal of the few remaining street trees; they will be replaced with a variety that will not grow as tall, and the freeway views will not be blocked. Certain urban design concerns that were raised in 2004 have never become a part of staff's workplan, thus protections for residential areas that have been espoused, and which residents have a right to expect, are not occurring. The history of non-delivery makes it difficult to believe the promises for improved streetscapes. The proposed transportation improvements are going to cream the nearby residential area. The alignment of NE 4th Street will dump onto 120th Avenue NE to the south of the street leading into the neighborhood to the east. The Burlington Northern-Santa Fe supposedly will be vacated; it represents an opportunity that is not adequately considered in the study and which will be lost if the land is paved and redeveloped. The proposal to allow for future rezones in the special opportunity area should be eliminated from the proposal; as outlined, the language leaves the area wide open to anything proposed by a developer. Taller buildings will not benefit the residential area to the east of the study area; they will only serve to block views and extend the CBD eastward across the freeway. Running NE 4th Street and NE 6th Street across the freeway will in fact remove protections that are in the current Comprehensive Plan for a good reason.

Mr. Dan Wren, 603 129th Place NE, agreed with the comments of Ms. Maxim. He said the neighbors of the study area would like to see the CBD stay on the west side of the freeway and would like to see local businesses with less development on the east side of the freeway. The plan should show either NE 4th Street or NE 6th Street extended between 116th Avenue NE and 1120th Avenue NE, not both. The traffic calming envisioned for NE 5th Street sounds good but may not be effective. Fixing the intersection of NE 8th Street and 120th Avenue NE is an absolute must and is way overdue.

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

8. STUDY SESSION

A. Comprehensive Plan Amendment – Wilburton Gateway

Commissioner Robertson commented that during design review the developer will be able to achieve greater density in exchange for more landscaping and underground parking. She asked if anything can be done to ensure that development of the site will contain the promised elements. Mr. Matz said there is no regulatory way to achieve that. He said the Commission can elect to recommend to the Council that all the promised amenities be included. The site will trigger the LUC Transition Area requirements and requires discretionary Design Review, assuring that the design solutions would be addressed at that point. For example, there will be a 30-foot setback required along with a 20-foot landscape buffer on the southern edge; the buildings will be no higher than 30 feet; and at the very least the surface parking will be required to be screened from the single family area.

Commissioner Robertson asked if the right-of-way on 123rd Avenue NE is sufficiently large to permit the addition of a turn lane. Mr. Matz said that will be studied. He added that according to the Transportation Department currently there are not enough trips being generated to warrant the turn lane.

Commissioner Robertson asked when the applicant hopes to break ground. Mr. Khorram said the sooner the better. Once approval on the Comprehensive Plan amendment and rezone is handed down, the design phase will begin.

Commissioner Sheffels commented that there is currently a left-turn lane onto NE 8th Street from 124th Avenue NE, but there is no left-turn arrow associated with traffic signal; an arrow would be very helpful. Mr. Matz said that has been discussed with city development review staff and the conclusion reached was that while traffic counts do not warrant a new lane, there certainly are operational issues to be addressed.

Commissioner Ferris suggested there is a good basis for supporting the request. However, the support of the neighborhood is predicated on the promises that have been made to them. While the current property owner undoubtedly has every intention of keeping his word, from time to time properties get sold without being developed and that could happen in this case; the next property owner may not have the same intentions. If at all possible, the Comprehensive Plan amendment approval should be conditioned on the promises made, whether or not they can be made regulations. Mr. Matz stated his belief that it would be difficult to enforce with CPA legislation. The Planning Commission would need to assure itself that sufficient provisions exist in the Land Use Code to assure a site design that will work for the neighborhood, though it may not be the design visualized by the current property owner.

Commissioner Bonincontri said she is comfortable with the protections built into the code and could support changing the designation to multifamily. The sound wall will be absolutely necessary just to make the units attractive to the market. She also noted that whether or not the site will yield 28 housing units will to some degree depend on what the market wants. Mr. Matz said R-10 would allow for a maximum of 20 units; R-15 would allow for a maximum of 28 units; and R-20 would allow for a maximum of 38 units on the site. The recommendation of staff is to limit the maximum density to R-15.

Motion to recommend approval of the Wilburton Gateway Comprehensive Plan amendment as proposed by staff was made by Commissioner Orrico. Second was by Commissioner Bonincontri and the motion carried unanimously.

B. Comprehensive Plan Amendment
– Public Storage

Commissioner Robertson agreed with the position of staff that the proposal does not meet the Decision Criteria for a Comprehensive Plan amendment. Redevelopment of the site as envisioned by the property owner can be accomplished without the amendment.

Mr. Matz said staff has had extensive conversations with the property owner's representative. They have been made aware of the environmental issues and expressed no surprise. They were also aware of the public hearing date.

Commissioner Bonincontri suggested that environmental concerns are part of any project application, thus even with an LI designation such concerns would be addressed. Mr. Matz said the list of uses allowed outright in the LI zone could turn out to not appropriate for the site, because of its adjacency to the Mercer Slough.

Commissioner Bonincontri asked about the property immediately to the south of the subject site, which also has an LI designation; she wanted to know if anything would stop an allowed but unwanted use from occurring on that site. Mr. Matz said the property currently houses an office building and warehouses and allowed that redesignating that site to OLB was not considered in this application review. To do so would require the initiation of another Comprehensive Plan amendment but could be considered a logical step based on the proposed denial of the Public Storage request. If proposed, the amendment could be addressed as part of the 2007 annual CPA program. He said he will explore the question of appropriate use for the property to the south and come back to the Commission with additional information.

Commissioner Bonincontri commented that as LI property is lost in the city through redesignation actions, attempts should be made to find ways to replace it. Mr. Matz agreed, but suggested that the Comprehensive Plan subareas support such replacement in areas other than adjacent to Mercer Slough.

Commissioner Orrico said her concern with the proposal from the start was the lack of changed conditions. She agreed with the recommendation of staff to deny the amendment.

Commissioner Sheffels asked if hazardous waste can be stored in the storage units on the property. Mr. Matz said the city does not regulate the use of the storage facility, but added it would not be unreasonable to expect the storage of substances that could have deleterious environmental impacts. Certainly the city could intervene with an enforcement action in such cases.

Motion to recommend denial of the Public Storage Comprehensive Plan amendment as proposed by staff was made by Commissioner Robertson. Second was by Commissioner Sheffels and the motion carried unanimously.

C. Comprehensive Plan Amendment
– Hancock/Muren

Commissioner Robertson stated that the proposal is appropriate and meets all of the decision criteria. She noted that the Commission had received no negative comments.

Commissioner Sheffels asked how the location of the lots will be affected by the location of the Metro sewer line that underlies the property. Mr. Matz said the easements for these major lines appear to be coterminous with the apparent extent of the wetland on the northernmost property of the application. Mr. Hancock and Mr. Muren have been advised that the entire site would likely have to be resubdivided to accomplish density at R-3.5.

Chair Mathews said the proposal is appropriate and will be consistent with the rest of the neighborhood.

Motion to recommend approval of the Hancock/Muren Comprehensive Plan amendment as proposed by staff was made by Commissioner Sheffels. Second was by Commissioner Robertson and the motion carried unanimously.

D. Comprehensive Plan Amendment
– Bellewood Apartments

Commissioner Robertson said it was too bad the property owner had to go through the amendment process to correct what appears to be a mapping error.

Motion to recommend approval of the Bellewood Apartments Comprehensive Plan amendment as proposed by staff was made by Commissioner Robertson. Second was by Commissioner Sheffels and the motion carried unanimously.

E. Comprehensive Plan Amendment
– Crossroads Center Plan

Commissioner Robertson said the Commission has been focused on the Crossroads Center Plan for some time. The original concept and the current concept are two very different things. She said she has from the beginning had a hesitation toward adding any multifamily units to the area; the Comprehensive Plan policy prohibition currently on the books has been upheld on a couple of occasions. While the tradeoff represented by the current concept appears to be worthwhile, there simply is no changed circumstance to warrant changing the Comprehensive Plan to allow for multifamily. The retail trend toward including mixed use is a changed circumstance. There is no plan to redevelop the shopping center, only a plan to add some multifamily housing on the site. She said she will not be able to support the proposal to add multifamily units.

Continuing, Commissioner Robertson said she strongly supports all other aspects of the proposal, including the increased visibility of the park and the traffic improvements. A hotel use would be great for the area, but that can already be done without adding a multifamily component. During the process, the developers have not come forward to explain why what they want to do would be great for the area and the city.

Commissioner Bonincontri said she participated with the work group and saw some level of support for allowing multifamily units as proposed. She said the primary objection to allowing additional multifamily units is tied to socio-economic factors; the fear is that there will be increased crime, more low-income residents, and impacts on the schools. The current ban on multifamily has not prevented those very issues, nor will it solve the problem for the future. Redevelopment with quality multifamily housing units will positively impact the demographics

of the area and ensure the future of the community.

Commissioner Bonincontri suggested that the assessment tied to the 400-unit level should include more clarity with regard to what is to be assessed. If the concern is increased crime, that should be a factor; if traffic is the concern, it should be assessed.

Commissioner Bonincontri questioned including policy language encouraging the city to improve the park. Mr. Inghram said the staff recommendation calls for specific recommendations to the Council about specific parks improvements. If carried forward, they will be added to the Parks and Open Space System Plan when it is updated; the recommendations will not be a part of the Comprehensive Plan amendment.

Commissioner Sheffels commented that some members of the public have asked to include hotel rooms as part of the total count toward the 400-unit threshold for assessment. She said that the two uses are quite different. Mr. Inghram answered that the recommendation of staff is not to include hotel units since they are already an allowed use and the review assessment is intended address the changes resulting from lifting the multifamily prohibition and to determine if the multifamily units are being melded positively into the site. The concept that has been explored by the property owner is for a building with a combination of both hotel rooms and dwelling units.

Commissioner Ferris suggested the public was not ready to accept the potential of the 1200 units multifamily in the original proposal. The scaled back version that includes only 400 units will allow for movement toward integrating multifamily uses on the site will test whether or not they can be incorporated positively. At the last public meeting hosted by the work group, the developer did attend and speak to the vision. He pointed out the degradation that occurred at Lake Hills that resulted from not keeping abreast of shopping center trends, which includes the integration of residential uses and which has proved to improve communities in terms of socio-economic factors over time. It is expensive to construct such buildings, thus the multifamily occupants will not be primarily low-income residents.

Chair Mathews said a similar process was undertaken for the Lake Hills Shopping Center. A group of local stakeholders was brought together, and the conclusion reached that that older shopping centers need mixed use development in order to pencil out economically. The trend will be seen more and more as areas redevelop over time. He suggested that the sidewalks along 156th Avenue NE should be completed to improve safety, and noted his support for making the map change for the northwest corner of the study area.

Commissioner Orrico said she has struggled with the proposed Crossroads amendments to the Comprehensive Plan. The way it was initially proposed was a shame because it engendered a lot of bad will from the neighborhood. The proposal as it has been revised goes a long way toward alleviating concerns, and staff certainly has gone the second mile. She agreed with the need to support the viability of the shopping center, suggesting that to let it degrade over time will do far more harm than adding multifamily would. There should be more teeth added to the milestone review policy language.

Commissioner Sheffels observed that several from the public have commented that the Crossroads Shopping Center is working just fine as it is and that no change is needed. However, the Lake Hills Shopping Center is a good example of letting things run past the point of no return. To prevent that, it is necessary to envision the future and allow for change. Clearly the multifamily housing is the most controversial part of the proposal. Crossroads has traditionally had more than its fair share of multifamily housing units, but there is too much of a mindset in

the area that there is something inherently bad about multifamily development. The trend for urban areas is obviously toward more multifamily dwellings, however. The fact that the proposal contains a reasonable number of new residential units and confines them to a specific part of the subarea and not the entire subarea is noteworthy. She said she will support the Commissioners Center Plan Comprehensive Plan amendment.

Answering a question asked by Commissioner Bonincontri, Mr. Inghram clarified that the Land Use Code will include the limit on the number of dwelling units allowed, but it will not direct how the milestone assessment is to be completed. The assessment will in fact be treated as a new Comprehensive Plan amendment once the trigger is tripped. Commissioner Bonincontri said the assessment at the very least should compare concrete numbers relative to things such as total housing units, crime figures, traffic congestion, and the free and reduced school lunch figures.

There was agreement that the milestone assessment should be given further review at the January 31 Commission meeting.

Commissioner Sheffels pointed out that the documentation incorrectly lists the gross retail area as 277,000 square feet; it should be closer to 460,000 square feet. Mr. Inghram said he will verify the figure and use the correct one.

Commissioner Robertson asked staff to bring to the January 31 meeting information regarding the level of service standard for the Crossroads subarea.

F. Comprehensive Plan Amendment
– Wilburton/NE 8th Corridor Study

Commissioner Orrico commented that the neighborhood to the east of the study area is being steadily encroached on. She said she is not inclined to increase the building heights and take away the view corridor for those homes. Regardless of what is done, effective traffic calming measures need to be installed along NE 5th Street.

Commissioner Sheffels said she is a resident of the neighborhood in question and said the issue of encroachment is more a matter of perception than reality in many respects. There is a significant elevation change between the study area and the residential area. For the most part, the residential area is on a flat shelf, so the bulk of the homes have no view to be cut off by taller buildings; their view is already cut off by the buildings to the west of the them. Some have said they do not want to see the I-405 freeway from their homes, and if taller buildings are allowed in the study area any freeway views that exist will be obstructed. A view corridor along NE 8th Street could easily be safeguarded. The neighborhood could be protected with traffic calming measures, though the neighborhood would benefit the most from squaring off the intersection of NE 8th Street and 120th Avenue NE which creates a lot of cut-through traffic.

Commissioner Sheffels said her primary concern is the ambiguity of the special opportunity area. As proposed just about any use could be allowed there. The policy language needs to be tightened considerably.

Commissioner Bonincontri questioned whether the proposed revision to the subarea goal calling for mixed use opportunities is something the adjacent neighborhoods really want. The benefit of the mixed use developments will be more for the city as a whole than for the immediately adjacent neighborhoods.

Commissioner Bonincontri asked if Policy S-WI-28 will be needed if in fact the auto delivery zone along 116th Avenue NE is discontinued. She added that if the auto retail uses remain in the area, the auto delivery zone will likely not be discontinued. Mr. Inghram explained that the auto delivery zone will continue to function for any auto retail uses that continue. The assumption of staff is that some of the auto retail uses will convert to other uses in time, and where an auto delivery zone is no longer needed the right-of-way space should be converted to a bicycle lane. Commissioner Bonincontri observed that bicycle lanes are only useful if they are continuous along a street or corridor; the better place might be the Burlington Northern-Santa Fe corridor. Mr. Inghram said the concern of staff is that as uses convert there may be a call to push the right-of-way space out, increasing lot sizes; staff believes there is a need for policy language denoting a public interest in the right-of-way space even where the need for the auto delivery zone goes away.

Regarding the extension of NE 6th Street and NE 4th Street, Commissioner Ferris said it is his understanding that NE 6th Street will not work for vehicular traffic but could work as a pedestrian link, whereas NE 4th Street will work for vehicular traffic. Mr. Inghram said that is correct. With a new HOV interchange on I-405 and the conversion of the Burlington Northern-Santa Fe corridor to an all purpose trail, NE 6th Street could provide pedestrian access and possibly future transit connections.

Chair Mathews agreed that the language for the special opportunity area is written too vaguely. Mr. Inghram explained that as proposed the underlying zoning within the area would remain in place until a specific project is proposed. The project-specific rezone process would include a requirement for an Environmental Impact Statement. The proposal sets the stage for that by changing the Comprehensive Plan to allow for the creation of a unique zone applicable to the area.

Commissioner Robertson suggested the term “large civic, institutional or cultural facility” is too amorphous. She suggested it could be interpreted to mean a light rail service yard. Chair Mathews held that it would be a stretch to reach that conclusion, adding that Sound Transit will need such a facility if light rail is constructed but they have their eye on sites in the Bel-Red area and in Redmond.

Commissioner Robertson asked if it is still a possibility that the Seattle Sonics will want to locate in Bellevue in the special opportunity area. Commissioner Ferris said it is his understanding that the owner of the Sonics will be picking a preferred site in the next month or so.

Commissioner Orrico asked if any current property owner wanting to change their use but within the current zoning restrictions would be impacted by having the new overlay zone applied to their properties. Mr. Inghram said there would be no impact on permit approvals, though it could be speculated that the overlay would have an impact on property value and development interests.

Commissioner Ferris asked if the special opportunity area policy could include a sunset clause. Mr. Inghram held that the policy could include a statement calling for reconsideration at some specific point.

Commissioner Sheffels said the overlay zone smacks of setting aside land for which the city could exercise its rights of eminent domain. The designation could become a very slippery slope. Specific direction should be received from the Council before proceeding with the designation of a special opportunity area.

Commissioner Robertson commented that the Comprehensive Plan amendment process allows the public the opportunity to comment on new uses for specific properties. If that right should be retained, the special opportunity designation should not be included.

The general consensus was that the special opportunity area policy should not be included as part of the Comprehensive Plan amendment, and that if the Council directs its inclusion there should be more specific and include a sunset clause.

Turning back to Policy S-WI-28, Commissioner Robertson proposed changing it to read “Make use of available right-of-way space to develop north and south bicycle lanes on 116th Avenue NE if use of the auto delivery zone is discontinued.”

With regard to Policy S-WI-30, Commissioner Robertson proposed finding and using a word other than “trail”, a word that is far too narrow for what is envisioned for the railroad right-of-way. She offered no specific suggestion. Mr. Inghram noted that “multi-purpose trail” is the current project description in the Comprehensive Plan.

Commissioner Ferris asked if staff is proposing any changes that would permit additional building height in the study area. Mr. Inghram said increasing the height limit of the CB zone is an issue that would have to be addressed in the Land Use Code.

It was agreed the discussion should be continued to January 31.

G. Land Use Code Amendment
– Wilburton/NE 8th Corridor Study

Mr. Inghram reviewed the changes to the Land Use District Chart. They included permitting auto uses permitted in the CB zone provided they are located along auto row; permitting motorcycle sales in auto row; and clarifying that the limit of 100,000 gross square feet for retail uses in the CB district applies in the Wilburton/NE 8th subarea to the east of 120th Avenue NE.

9. NEW BUSINESS

Commissioner Robertson asked if the Comprehensive Plan includes policy language encouraging the undergrounding of utilities. Mr. Inghram said he believes there is. He reminded the Commissioners that a large review of the Utilities Element and the Electrical Facilities System Plan will be undertaken very soon. Staff is already at work on siting criteria and reviewing the system plan updates proposed by Puget Sound Energy. Neighborhood meetings are being planned for February. The issue is slated to be brought to the Commission on February 7.

10. OLD BUSINESS – None

11. PUBLIC COMMENT – None

12. ADJOURNMENT

Chair Mathews adjourned the meeting at 10:23 p.m.

Staff to the Planning Commission

Date

Chair of the Planning Commission

Date