

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
MEETING MINUTES

June 13, 2007
7:00 p.m.

Bellevue City Hall
City Council Conference Room 1E-113

COMMISSIONERS PRESENT: Chair Mathews, Vice-Chair Robertson, Commissioners Bach, Ferris, Lai, Orrick, Sheffels

COMMISSIONERS ABSENT: None

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

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER

The meeting was called to order at 7:01 p.m. by Chair Mathews who presided.

2. ROLL CALL

Upon the call of the roll, all Commissioners were present.

3. APPROVAL OF AGENDA

The agenda was approved by consensus.

4. STAFF REPORTS

Comprehensive Planning Manager Paul Inghram introduced new Commissioner William Lai.

5. PUBLIC COMMENT – None

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

7. SPECIAL PUBLIC COMMENT OPPORTUNITY

A. Neighborhood Livability

Mr. Bill Easterbrook, 232 110th Place SE, said he has lived in Surrey Downs since 1959. He voiced support for the proposed changes to the Comprehensive Plan to help protect neighborhoods from the intrusion of light rail. He said in the 1980s he served on the CAC focused on the Southeast Bellevue subarea. At that time it was seen as very important to protect established neighborhoods from incursions by more intense uses. Surrey Downs residents fought to retain the underlying residential zoning for the school site; the school property eventually became a Bellevue park. Now different dangers are facing the community, namely the potential intrusion by Sound Transit light rail. New protections for the neighborhood are needed.

Ms. Ann Taylor, 1418 123rd Avenue SE, expressed concern that the open house had not been better advertised in the community. She noted that none of the board members of the Woodridge Community Association on which she serves knew about the event. She said she grew up in the neighborhood she now lives in. The houses are small and there are lots of trees. The first big ugly mansion on Woodridge Hill was recently constructed and the city should do all it can to keep others from being constructed in the future. If the city continues to allow gigantic structures invade the neighborhoods, the character of the neighborhoods will change forever.

Mr. Joseph Rossman, 921 109th Avenue SE, said there is strong support in Surrey Downs for the Neighborhood Livability project. He commended the Commission for conducting the thoughtful and highly interesting discussion at the open house. The Surrey Downs community is very interested in the subject given that it is on the cusp of being the next community to see major redevelopment. The neighborhood is 50 years old and several properties are in early planning discussions about either complete tear-downs or massive remodeling. What makes a city like Bellevue vital, strong and powerful is that it has built up on a foundation of strong and vibrant communities. It will be important going forward for city leaders to take the necessary steps to maintain that foundation. It takes a lot of work to keep communities vibrant and highly engaged. Communities are about far more than just the values of their properties; of equal importance are culture, aesthetics, shared values, a sense of safety, and other factors. Emphasizing one factor above another, such as maximizing home size or pursuing a particular definition of preferable architecture can tear communities apart. He offered to have Surrey Downs serve as a test case to engender a process of community rethinking for the next 50 years.

Ms. Susie Marglan, a resident of Surrey Downs for the past eight years, said the neighborhood has in the last few years seen a dramatic increase in the number of strollers, bicycles and children. The community is evolving and growing. Surrey Downs is one of the oldest, most cohesive and closely knit communities in Bellevue, yet it is threatened. The Planning Commission and the City Council should not abandon the community; both should take a stand to protect the residential areas of the city and their relationship to parks and open spaces. To do otherwise will split the community apart. In Medina, the Comprehensive Plan has evolved over time in response to the rapidly challenged building codes and buildings that blocked light, views and privacy. Changes to the Comprehensive Plan were made to address the issue of completely covering sites with impervious surfaces. Hundreds of fully mature and beautiful trees were bulldozed, after which tree ordinances were put in place. The governance of Bellevue must establish that Surrey Downs is a well-established neighborhood and should be protected as such.

Mr. Bob Koch, a Northtowne resident, said his neighborhood is being inundated with mega-houses. The residents feel as though they are under assault in terms of bulk, scale, mass and garages. The mega-houses generally have no yards at all. The new houses have no soul, and the result is a rapidly changing neighborhood character. As the city densifies, it should seek to tighten its restrictions. The VuCrest neighborhood should be held up as the standard; through covenants they have kept the scale of homes down and have maintained quality and character. The building rules and regulations need to be judiciously reviewed; other jurisdictions have already taken those steps. As mega-houses come into a neighborhood, the smaller homes on large lots see their property values increase substantially. Many who live in those older homes are themselves older and choose to sell, leaving their properties open to tear-down redevelopment.

Mr. Aaron Kirschbaum, 115 110th Avenue SE, said he lives in one of the original Mithune houses that has retained its character. He said he purchased the home 22 years ago amid certain expectations regarding growth in the Downtown core. He said his neighbor at 203 110th Avenue

SE is currently putting a second story on his home. The FAR is 0.515 and the footprint of the second floor closely matches that of the first floor. No one has complained even though the redevelopment action is contrary to a lot of the recommendations in the infill program. By focusing on one egregious example, much can be lost. Trees and vegetation can be used to provide buffering where needed. The assessors valuation of improvements is extremely important and serves as an objective test. He said the improvements for his home are valued at \$25,000; the total property is valued at \$427,000 and would bring closer to \$700,000 on the open market. The improvements value represents slightly less than six percent of the total value, which is an indication that any redevelopment action would begin with a tear-down. The Mithune houses cannot really be expanded on the ground level without destroying some of their characteristics. A home is the asset of the person who owns it, not an asset for the local community. As such, property owners should not be overly constrained. Democracy is a shared value. The Surrey Downs Community Club has not acted in a democratic manner recently; it is set up to operate in a top-down manner. Mr. Kirschbaum said if the city elects to operate with the community club in a joint effort he will sell his home and move.

Ms. Stacy Anderson spoke as vice-president of the Surrey Downs Community Club and indicated her personal support for the work being done by Cheryl Kuhn and the city. She said she hopes Surrey Downs will in fact become a test case for consideration of community values in the neighborhood character study. There are approximately 50 Mithune homes in the neighborhood, each of which should be honored on a voluntary basis. There is much to value about the homes, and the neighborhood is recognized by the city as architecturally significant. The scope of the study should be broadened to include consideration of environmental issues. The impacts on surrounding wildlife and endangered species should be considered when multiple developments in a geographic area begin by scraping the lots clear of all vegetation and habitat.

Ms. Jeannie Volsine, 16537 SE 30th Street, said she has been a resident of the Spirit Ridge area for more than 30 years. She said she is concerned with the increasing number of mega-houses being built in Bellevue. They are destroying the character and flavor of many neighborhoods. An ego-home was recently constructed in Spirit Ridge; it is totally out of character with the surrounding homes, destroyed views for several property owners, and was built without regard to adjacent property owners. If the trend continues, Bellevue will be a city for only a select economic group. To meet the goal of diversity, the city should act to preserve affordable housing and protect its neighborhoods.

Mr. Mark Walsen, 317 109th Avenue SE, asked the Commission to consider using Surrey Downs as a case study for the neighborhood livability program. No other neighborhood in the city is more appropriate to hold up as a test case. Redevelopment of the neighborhood has not taken off on any great scale but it is must a matter of time until it does. The Surrey Downs Community Club has conducted a number of meetings recently where the issue discussed was neighborhood character. The plan is to draft a vision document and seek buyoff from the residents. The mega-house issue has more to do with community than it does taste.

Ms. Ellen Kerr, 4255 134th Avenue NE, said the Bridle Trails tree ordinance serves as a great example of what can happen with the city and a neighborhood works together to preserve something of value. The ordinance has already preserved a number of trees. Bridle Trails is a long-standing, well-established neighborhood similar to Surrey Downs. It has seen impacts from mega-houses. Bridle Trails as a community agrees that something should be done to prevent the proliferation of mega-houses, especially in older communities. One thing currently impacting neighborhood character is the installation of cellular towers; there are very few restrictions against locating them in residential areas. A lack of utility infrastructure can also negatively impact neighborhoods.

Ms. Margo Smith, a resident of Kimberly Park, commended the Commission for taking on the important subject of neighborhood character. She said oversized houses is a topic that must be addressed. She said there is one small parcel of land remaining in the Kimberly Park neighborhood. A developer is proposing a conservation plat which will sharply vary from the established character of the neighborhood and will have substantial impacts. Infill development directly impacts character and should be one aspect studied in the neighborhood livability program.

Ms. Virginia Dunthorn, 218 109th Avenue SE, concurred with the previous speakers. She said the Mithune homes in Surrey Downs are only about 1200 square feet, but as such they are larger than many condominiums selling in the city for more than \$700,000. Small homes have value beyond just money to a city; they are perfect for new families and retired persons. Another issue that needs to be addressed is renters who do not keep properties up to the standard of the neighborhood.

Mr. Bob Bengford, a resident of SE 38th Place in Enatai, said he works as a planning consultant. He said his street in Enatai may be the last one without a tear-down. Many of the tear-downs have been done very tastefully, but the speculative nature of the practice and the upward trend in prices is scary. The work staff has been done is laudable. In the end if the city makes only one change to the current rules, it should be regarding the FAR restrictions. Something between 0.4 and 0.45 would be a very reasonable tool. Anyone wanting to exceed the FAR threshold should be required to include specific energy efficiencies or more permeable surfaces. Limiting driveway widths to 20 feet would be a good idea; it would discourage three-car garages.

Mr. Todd Lozier, 903 Belfair Road, said he is a third generation Bellevue resident and homebuilder. He pointed out that a number of zoning code changes went into effect in August 2006. For most homes, the time between submitting a plan and completing the construction is about a year and a half. The homes being held up as bad examples were all constructed prior to the zoning code changes, which includes a requirement for 50 percent impervious surfaces. Where possible, garage entrances are planned for the back side of a property, but that requires a larger driveway. The environment has changed drastically with regard to the level of detail plan reviewers and enforcement officials get into. In the past it has been much easier for developers to get away with things. There are issues that need to be addressed, such as designs that do not fit a neighborhood, messy job sites, and unrespectful builders, though it will be difficult to regulate them.

Ms. Deuce McClain, a Bridle Trails resident, said by working together Bridle Trails residents and the city have been able to maintain the character of the area. Going forward, the most important thing will be to enforce the various agreements that are in place.

8. STUDY SESSION

A. Neighborhood Livability

Neighborhood Outreach Manager Cheryl Kuhn noted that the discussion of neighborhood character is slated to be continued during the next couple of Commission meetings, then the Commission will be asked to formulate a recommendation to the City Council regarding directions to pursue.

Ms. Kuhn said a substantial amount of interest was shown during the open house regarding the loss of trees and greenscape. While there was not general support for addressing the issue

through permitting, there was an interest shown in an approach that would provide protections for those neighborhoods that seek such protections and agree to be bound by more strenuous regulations. Clearly there are some neighborhoods that would not be interested in having additional tree preservation regulations imposed on them; most such neighborhoods are focused on view preservation.

There appears to be a substantial amount of support across the board regarding the need for greenscape. Most at the open house indicated support for requiring the preservation of greenscape in front yard areas.

Ms. Kuhn said staff has also heard some support voiced for developing a toolkit approach in which individual neighborhoods could opt to apply to themselves. Such a toolkit could require the preservation of a percentage of significant trees and perimeter trees.

Planner Stephanie Hewitt said staff has not heard general support for imposing driveway width, placement or access change restrictions.

Ms. Kuhn said the goal of the neighborhood livability study is to encourage the graceful transitioning of neighborhoods and to prevent negative impacts from out of character development, not to prevent people from using their properties. At the open house there was no clear direction given to address the way garages look, nor were the people particularly interested in addressing walls and fences, except as they may be established as performance standards or best practices for houses over a certain thresholds.

A significant amount of interest was shown in establishing a threshold beyond which a set of performance standards kick in. The thresholds could be houses over a certain size, that cover a certain percentage of the lot, that matches the setbacks, or is clearly out of scale to the surrounding neighborhood. The performance standards could include a requirement to articulate the stories of the house; a requirement to recess garage frontages; and a prohibition on certain materials, such as chain link fencing.

Ms. Hewitt said there were mixed attitudes with regard to changing how height is measured, but there was an overwhelming majority who supported not allowing HVAC systems to be located on the roofs of single family homes.

Ms. Kuhn said there was also a mixed reaction with regard to lot coverage and establishing an FAR. She allowed, however, that the concept of FAR was not well understood by those who attended the open house.

Commissioner Sheffels commented that while FAR is only used in Bellevue for office and commercial buildings, it could be a useful tool in residential neighborhoods as well. More educated input from the public regarding the tool would be very helpful.

Ms. Kuhn said she did hear residents saying they do not feel as though they have enough voice or local control over the direction their neighborhoods are taking with regard to development. She said one way to address that issue would be to institute a design review process or other special review for houses that exceed a threshold, though the reaction to that approach was mixed; most indicated they would support the approach if it were voluntary.

The notion of establishing heritage districts received a positive response during the open house. Ms. Hewitt said there was also general support for encouraging remodeling of existing residences over tearing them down to redevelop the lot.

Ms. Kuhn said the most noncontroversial issue was construction impacts. There was an overwhelmingly positive response to all of the alternatives for mitigating the impacts, including public education, land use noticing, stronger enforcement, requiring regular debris removal, and cleaning up abandoned construction sites.

Commissioner Orrico said she would be interested to know if there would be any legal hurdles to using Surrey Downs as a test case, especially where there are people within the neighborhood who might disagree with that approach. She said she would also like to have more information regarding how many of the issues tied to mega-houses have in fact been resolved by the code changes that took effect in August 2006.

Commissioner Sheffels suggested that regardless what direction the Commission takes, there should be a process for reviewing any minority opinions. She said too often it appears that everyone agrees on a given point when in fact there are dissenters with legitimate points to be made.

Commissioner Ferris said the notion of having a toolkit of approaches from which neighborhoods could pick and choose options could be tricky to implement. For one thing, there is no clear way to define a neighborhood. Additionally, it would need to be determined what percentage of the property owners within a given neighborhood would have to vote in favor of a particular approach in order to adopt it. He agreed that if some of the recent code changes have resolved certain issues, the Commission should be made aware of that before considering additional regulations. He also asked staff to provide a briefing on how the Surrey Downs neighborhood might be impacted by light rail.

Commissioner Robertson thanked the staff for doing an excellent job in conducting the open house. She said the stickers idea was simple, easy to understand and helpful. She also thanked the public for their input, noting that the more public comments the better.

Commissioner Robertson pointed out that the Bridle Trails community was used as a test case because the area has a unique character. If redevelopment is a problem citywide, it should be addressed citywide. If, however, the direction to be taken is toward the development of overlays, the work should start with Surrey Downs. She agreed that the code changes that went into effect in August 2006 should be reviewed to see if they address some of the concerns that have been voiced. In any case, the approach taken by the city should not be too restrictive or too inflexible. Any individual neighborhood that wants to put in place covenants, conditions and restrictions (CC&R) can elect to do so on their own.

Commissioner Robertson asked if Bellevue currently has any historic preservation. Ms. Kuhn answered that there is no official historic preservation area. The Surrey Downs neighborhood was highlighted in a study as being architecturally significant. She said she will check to see if Winters House and the church building on Main Street are on the National Historic Register. Mr. Inghram said the train trestle may be on the list as well.

Commissioner Sheffels said Advance Bellevue at one time had a group that focused on historic buildings and places in the city. The final report was presented to the city as a study but was never officially acted on in any way.

Answering a question asked by Commissioner Bach, Ms. Kuhn explained that most CC&R's are created at the time neighborhoods are created. To put them in place in established neighborhoods could be problematic. She said the legal advice sought regarding the issue

indicates that to establish CC&R's after the requires 100 percent buy-in because the restrictions appear on the property deeds. The only way less than 100 percent buy-in could be allowed would be where people are given the choice to opt out.

Commissioner Bach suggested that architects that work in the local area may have some ideas worth exploring.

Commissioner Lai suggested there would still be value for a neighborhood to work toward establishing CC&R's even if some residents were to opt out. Even absent 100 percent buy-in, a known clear majority could be a step forward toward largely preserving the character of a neighborhood. He asked if there is any precedence for that approach in the planning world.

Commissioner Robertson pointed out that the neighborhood of Somerset Woods adopted CC&R's within the last 18 months even though the neighborhood has been in existence for a much longer period of time. Not everyone participated, but a very large percentage of the property owners did. One approach the city could take would be to develop a document that would help neighborhoods put CC&R's in place after the fact.

Chair Mathews observed that the dot exercise used during the open house yielded some inconsistencies. While a clear majority indicated a desire to see front yard greenscape, a clear majority also indicated opposition to reducing driveway widths.

Commissioner Sheffels pointed out that putting garages facing the back of properties requires a wider driveway. She suggested that there could be an accommodation given where the garage fronts are not visible from the street.

Ms. Hewitt informed the Commission that as part of the file review, staff looked at 273 permit files from 2004 and 2005. Though the city does not have an FAR requirement for single family residential, in reviewing the files staff concluded that approximately half of the homes had an FAR of more than 0.40. The average home size worked out to 4268 square feet; on a 10,000 square foot lot, a home of that size would have an FAR of approximately 0.42.

Commissioner Robertson voiced support for adopting an FAR standard and expressed strong interest in developing daylight plane requirements. She said she will need more information before reaching a final conclusion, however.

Commissioner Ferris observed that Seattle is filled with bungalow-type houses that many find both cute and desirable. Many of them are 2500 square foot homes on 5000 square foot lots, which would be a 0.5 FAR.

Chair Mathews said it would be helpful for the Commission to know what the average lot size in Bellevue is. Commissioner Orrico agreed, adding that an FAR requirement could be crafted to kick in only for lots over a certain size.

Ms. Kuhn said Department of Planning and Community Development Director Matt Terry has proposed consideration of prohibiting lot combinations beyond what is necessary to achieve minimum lot size. She said staff would also like to carry forward the notion of prohibiting HVAC units on single family residential roofs, and prohibiting pop-up carports. Staff also believes that the sensitive placement of guest houses is another issue that impacts neighborhood character and as such should be addressed.

Mr. Inghram said the schedule calls for the Commission to make a recommendation to the Council on June 27 regarding the general direction to take. The Council will then review the recommendations and provide direction with regard to which options should be pursued. At that point the Commission will begin deliberating specific amendments.

Commissioner Bach asked if the staff review of the permit files determined what percentage of the development activities was done by the current homeowner versus as speculation by developers. Ms. Hewitt said she did not have in hand a specific percentage but allowed that the majority of actions were speculative. Ms. Kuhn cautioned against distinguishing between property owner and speculator redevelopment as a means of getting to the heart of the good redevelopment/bad redevelopment issue. She said there are a number of developers that build mostly on speculation that bring to the market projects that are very carefully designed to be in character with the local neighborhood. By the same token, there are property owners who are on the record as intended to sell to speculative developers in order to fund their retirement years.

Commissioner Sheffels said the next time neighborhood livability is on the agenda she would like to hear a recommendation from staff on each of the listed options. The other Commissioners agreed.

9. NEW BUSINESS

A. Election of Officers

Mr. Inghram clarified that the Commission by-laws specify that election of officers is to occur the second meeting in June, which will be June 20.

B. Schedule

Mr. Inghram took a moment to review the schedule of upcoming Commission meetings and the topics to be covered. He noted that the Commission retreat cannot be held on July 11 as previously scheduled; he said a new date is being sought.

There was general interest in scheduling Commission meetings for the second and fourth Wednesdays of each month where possible.

Commissioner Ferris said one topic at the retreat should be the bigger planning issues facing the Commission for the coming year. The staff should provide recommendations, but the Commissioners should be free to add to or subtract from the list.

Mr. Inghram informed the Commissioners that the recordings of the meetings will soon be done digitally which will facilitate having them on the web, which will make them more publically accessible.

10. OLD BUSINESS

A. Great Streets

Mr. Inghram informed the Commissioners that a public meeting on the Great Streets project is slated for June 14.

11. APPROVAL OF MINUTES

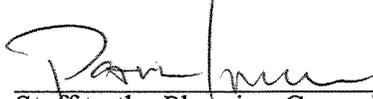
A. March 14, 2007

Motion to approve the minutes was made by Commissioner Orrico. Second was by Commissioner Bach and the motion carried without dissent; Chair Mathews and Commissioner Lai abstained from voting.

12. PUBLIC COMMENT – None

13. ADJOURNMENT

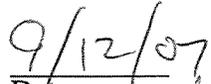
Chair Mathews adjourned the meeting at 9:18 p.m.



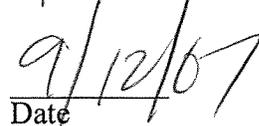
Staff to the Planning Commission



Chair of the Planning Commission



Date



Date

