

CITY OF BELLEVUE  
BELLEVUE PLANNING COMMISSION  
MEETING MINUTES

June 27, 2007  
7:00 p.m.

Bellevue City Hall  
City Council Conference Room 1E-113

COMMISSIONERS PRESENT: Commissioners Mathews, Ferris, Lai, Orrico, Sheffels

COMMISSIONERS ABSENT: Chair Robertson, Commissioner Bach

STAFF PRESENT: Paul Inghram, Janet Lewine, Cheryl Kuhn, Stephanie Hewitt, Department of Planning and Community Development; Kevin McDonald, Department of Transportation

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER

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

2. ROLL CALL

Upon the call of the roll, all Commissioners were present with the exception of Chair Robertson and Commissioner Bach, both of whom were excused.

3. APPROVAL OF AGENDA

The agenda was approved by consensus.

4. STAFF REPORTS

Comprehensive Planning Manager Paul Inghram reported that on ~~July~~<sup>JUNE</sup> 25 staff presented to the City Council the Comprehensive Plan amendment threshold review process. He informed the Commissioners that the Ostrem application was withdrawn just after the public hearing. The Council concurred with the recommendation of the Commission not to include the Mariner Ridge application. The VanderHoek application was withdrawn prior to the Council taking action.

Mr. Inghram said staff has uncovered additional information regarding the Shurgard light industrial property adjacent to Mercer Slough. Over the past 25 years or more there has been PUD-type zoning development and concomitant agreements that all add to the overall picture. After receiving that information, the Council remanded the proposed amendment back to the Commission.

Mr. Inghram reported that staff is continuing to coordinate with ARCH on affordable housing issues and how to bring them forward to the Commission and to the Council. Associate Planner Janet Lewine said the ARCH executive board met earlier in the day. City Manager Steve Sarkozy is a member of the executive board and has expressed an interest in having the work

items from the housing strategies workshops brought forward to the Council. The products, which are being worked on by ARCH, are expected to be a best practices workbook and a series of priority housing strategies, as well as an ongoing education program.

The package is expected to be carried forward to the City Council in study session in late September. Staff intends to include the Planning Commission, the land use division, the Bel-Red steering committee, and ARCH in developing a Bellevue-specific program.

Commissioner Ferris said he participated in the three housing strategies workshops. The first workshop was focused on local background information put together by ARCH on the needs and the range of tools the communities might be able to use. In the second session the participants identified the most powerful of the solutions intended to affect change without being difficult to implement. The third workshop was for staff, elected officials and commissioners of the various Eastside cities; the focus of that meeting was on the final set of tools and what it would take to implement them.

The gauntlet to have the tools adopted by a certain date was thrown down, but the majority were not ready to take up that challenge. The concept of an educational piece was generally accepted as a necessary component.

Mr. Inghram said staff has been working in the background to identify opportunities in Bellevue. They include incentives in the CB zone, the ten-year property tax exemption, and others. The need for the Council to become more educated on the broader topics and affordable housing vernacular is clear, as is the need to coordinate the timing of the issues coming forward to the Commission and the Council.

Commissioner Orrico asked if the Council has formally directed the Commission to look at affordable housing issues. Mr. Inghram said the Council has had a number of discussions on affordable housing, and the city has a number of adopted policies regarding affordable housing. The Council has not been specifically engaged on the issue over the past couple of years, however. The notion of having affordable housing be an integral part of the program for the next six to twelve months has not specifically been raised with the Council.

## 5. PUBLIC COMMENT

Ms. Margot Smith, 5819 111<sup>th</sup> Avenue SE, said she serves as the president of the Kimberlee Park Community Club. She said many in the community are greatly appreciative of the fact that the Commission is addressing neighborhood character. A massive amount of attention has been given to the issue of mega-homes. She urged the Commission to look broadly at the issue of infill development. She allowed that while there is support for the concept of conservation plats, the context must always be taken into account. The Kimberlee Park neighborhood is facing a situation which will profoundly increase density and traffic problems. The proposed development will strike at the heart of the character of the neighborhood. The Growth Management Act sets forth certain goals to be met, but it includes provisions to consider neighborhood character. In establishing new housing policies, the city must always take context into consideration so the pieces of the puzzle will fit equitably and justly.

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

## 7. STUDY SESSION

## A. Bel-Red Corridor Study

Senior Planner Kevin McDonald presented to the Commission the map approved by the steering committee on May 3 for inclusion in the Final Environmental Impact Statement (FEIS). He noted that the FEIS is slated to be published on July 19. The map indicates a medical office district on the western border of the corridor. Following an extension of NE 16<sup>th</sup> Street to the east is an office-based mixed use area around a potential light rail station at 122<sup>nd</sup> Avenue NE in which housing would be permitted. Further to the east is an area intended for mixed use housing; the area surrounds another possible light rail station at 130<sup>th</sup> Avenue NE. The intent is to retain the current land uses along the south side of Bel-Red Road, except that housing is added where appropriate. In the eastern portion of the study area along 156<sup>th</sup> Avenue NE, higher density housing is planned.

The intent of the steering committee is to allow the existing light industrial uses in the corridor to continue operating and to expand and rebuild in the event of catastrophe, but the long-term vision does not contemplate any new light industrial uses in the corridor. The same approach is intended to apply to certain types of service uses in the corridor.

Mr. McDonald also shared with the Commissioners a draft concept plan map illustrating one of the ways in which the preliminary preferred alternative could be developed over time. He stressed that the concept plan map is not intended to serve as a true land use plan map. The concept plan map proves that the various components of the preliminary preferred alternative can be accommodated in the corridor, and indicates no fatal flaws.

The steering committee provided direction to study further the concept of allowing taller buildings in the vicinity of the light rail stations. Within the core of the station nodes, they agreed to analyze heights of up to 150 feet, and up to 125 feet within a quarter mile of the nodes. In non-node locations throughout the corridor, building heights would not exceed 60 feet. The results of that analysis will be included in the FEIS.

The concept for NE 16<sup>th</sup> Street is a roadway that accommodates auto traffic, non-motorized transportation, and a light rail component. The concept includes the notion of a park block in which up to 150 feet on the north side of NE 16<sup>th</sup> Street would have a major linear park.

Commissioner Ferris said it was always his vision that pedestrians would be able to cross the light rail line. Mr. McDonald said midblock crossings of the NE 16<sup>th</sup> Street arterial and the light rail tracks by pedestrians will be discouraged for safety purposes, but there will be a number of at-grade crossings at signal-controlled intersections.

The pedestrian-oriented retail street to the north of the light rail station at 130<sup>th</sup> between NE 16<sup>th</sup> Street and NE 20<sup>th</sup> Street is intended to be a very walkable, park-like street in a mixed use setting with housing, office and retail uses.

Opportunities for acquiring and developing park and open space along the stream corridors will be explored. In addition, some larger community park facilities would be needed, including a major indoor recreational facility. Neighborhood parks are envisioned for areas throughout the corridor, as are plazas, especially near the light rail stations. All opportunities to link to the Burlington Northern-Santa Fe right-of-way will be explored.

In addition to parks and open space, the stream corridors should yield a number of environmental benefits. A consultant is on board working to specifically tailor some of the concepts for the West Tributary and Goff Creek. The application of low-impact stormwater management

techniques will be carefully considered for the corridor. It is expected that the city will both provide incentives and create opportunities for investments without being overly restrictive with regard to new regulations to protect the environment. Opportunities for park acquisition and trail connections along the West Tributary and Goff Creek have been identified.

Mr. McDonald said the interface between roadways and stream corridors are very important. Currently, the roadways in the corridor do not treat the streams with much respect; in many cases streams are piped under buildings and parking lots. The opportunity exists to improve the streetscape and the interface points as the roadways are improved.

Low-impact development infrastructure can be utilized as private property redevelops and as public infrastructure is created. A number of different tools can be utilized, ranging from porous pavement, to rainwater harvesting and swales to capture water where it falls.

Mr. McDonald said the Bel-Red steering committee will meet again on July 26 to look at the FEIS. The committee will at that time deliberate components of the preliminary preferred alternative. The committee is expected to transmit a recommendation to the City Council in September. The anticipation is that the Council will receive the recommendation and direct the Planning Commission to develop Comprehensive Plan and subarea policies, as well as code language to implement the vision; that work will take place in the fall of 2007 and the winter of 2008.

Commissioner Mathews asked if the stream corridor incentives will include additional height. Mr. McDonald said the maximum building height will likely be achieved only through incentives, some of which may be designed to encourage riparian corridor enhancements.

Commissioner Ferris encouraged consideration for setting the maximum height limit outside the nodes at 70 feet rather than 60. He explained that under the International Building Code, 20 feet is allowed for a base on which five stories of wood frame construction can be built; that totals 70 feet. He agreed that the maximum height should be allowed only through incentives.

Commissioner Ferris commented that without greenspace in which kids can play, the housing developed in the area will not be family friendly.

With regard to a statement about affordable housing, Commissioner Ferris said he hopes the version that goes to the Council will be strongly worded. The Bel-Red corridor study is a once-in-a-lifetime opportunity to invest in affordable housing in Bellevue. It is very difficult to achieve affordable housing in structures that are 125 to 150 feet high because they require concrete construction. Mr. McDonald noted that the steering committee had a 45-minute briefing from ARCH director Arthur Sullivan, and a sentiment in support of affordable housing was expressed by the group.

## B. Neighborhood Livability

Neighborhood Outreach Manager Cheryl Kuhn said the materials in the packet represent an attempt to summarize the conclusions of the Commission to date. She said staff hopes to transmit the information to the Council on July 16 as the Commission's preliminary recommendations.

Commissioner Orrico suggested it would be helpful for each section to be clear when the focus is on infill development, when it is on demolition/rebuild development, and when it is on both.

Commissioner Sheffels held that portions of the neighborhood character recommendations could be adapted to situations other than infill and demolition/rebuild development, including tree retention and the need for greenscape. While not exactly like CC&Rs, they could be used as suggested guidelines. Ms. Kuhn agreed that some of the recommendations spill over into other areas. The tree preservation recommendation does suggest that the Council may want to consider whether or not the minimum tree retention standards should be increased to afford greater protections for subdivisions.

Commissioner Orrico called attention to the language of the first recommended action under Section I and asked if "...all significant trees outside the building footprint..." refers to the existing building footprint or the proposed building footprint. Ms. Kuhn said the language is intended to set 15 percent as the minimum level of tree retention in addition to identifying all significant trees outside the proposed building footprint.

Commissioner Orrico suggested the draft language sent forward to the Council should be simplified to indicate that a certain percentage of trees must be retained. The exact details can be worked out when the Commission gets the package back and works on the specifics.

Commissioner Ferris said if someone were to put a 4500-square-foot two-story home on a 10,000-square-foot lot, the building footprint would be around 2200 square feet. The lot could have as many as ten or twelve significant trees. Meeting a 15 percent tree retention standard would mean saving only two trees, which will not accomplish the goal of preserving neighborhood character. Another approach would be to require the builder to retain as many of the significant trees as possible by playing around with the building footprint. He agreed, however, that the initial language sent to the Council should serve only as a placeholder; the specific language can be determined later.

Commissioner Orrico said whatever approach is taken should include some reasonable accommodation for the use of property. There should also be some clarity offered with regard to what exactly is meant by the term "rebuild."

With regard to reasonable accommodation, Mr. Inghram said the term typically applies to accessibility issues under the Americans With Disabilities Act. He suggested that the terminology used with regard to the use of private property should not conflict in any way with those provisions. Ms. Kuhn added that to some degree the reasonable accommodation issue is addressed in the first recommended action language which allows for exceptions and special circumstances.

Commissioner Ferris called attention to the third intervention goal under Section II and said it was his understanding the reference to the neighborhoods being allowed to participate in making decisions should be deleted.

With regard to the recommended actions for Section II, Commissioner Ferris proposed revising the section in parentheses by having it read "...could be square footage, e.g., 4500 square feet or larger, floor area ratio, lot coverage, or combination of factors..." If that change were made, the eighth recommendation would not be needed at all. He further suggested that the ninth recommendation outlines a tool that should be one element of the seventh recommendation.

Mr. Inghram pointed out that the Recommendation 8 as drafted is intended to go beyond the performance standards established by Recommendation 7, especially for very large homes. Commissioner Ferris said he sees FAR as a trigger beyond which ways must be found to mitigate it. He said introducing FAR as a limiting factor raises an entirely different question because it

could then impact property values. Imposing maximum FARs on a property would be a far more draconian approach. FAR should be a threshold determinant but not a tool for mitigating the impact.

Commissioner Lai said he also was under the impression that FAR would be a limiting factor. Utilizing FAR would be one way to limit bulk and scale impacts on neighborhoods. There is nothing in the lettered options of Recommendation 7, besides the daylight plane requirements, that will limit the scale of projects.

Commissioner Mathews said his understanding is that Recommendation 7 deals more with the mega-mansion issue, whereas FAR could apply to a large building on a smaller lot, which could be less than 4500 square feet. Keeping the two issues separate could allow the city more flexibility.

Commissioner Sheffels noted that in both Recommendation 8 and Recommendation 9 the direction given is only to evaluate the option.

Staff agreed to work on revising the language of the recommendations.

Ms. Kuhn called attention to the fourth recommendation in Section III and asked if the language accurately reflects the direction that was given by the Commission.

Commissioner Orrico asked what is meant by a contact number for right-of-way. Community Involvement Coordinator Stephanie Hewitt explained that the reference is to the city's right-of-way inspector who can be called in cases where access for emergency vehicles is blocked.

Commissioner Sheffels proposed revising the language of Recommendation 4 to read "...in advance of any single family redevelopment or infill building activity." Ms. Hewitt noted that all infill, subdivision and plat development activity is required to post a land use sign well in advance. Redevelopment actions are not currently required to post a sign.

Referring back to the first recommended action in Section II, Commissioner Ferris pointed out the need to include a reference to flat roofs. Ms. Hewitt said the current code allows for the construction of a three-story flat roof; she added that flat roofs are not necessarily encouraged. The practice of measuring to the mid-point of the roof is intended to encourage pitched roofs over flat roofs.

Commissioner Orrico pointed out that a two-story flat roof structure may in fact preserve views or sunlight infiltration more than a pitched roof structure would.

Commissioner Lai said he would not want to see language that would in any way incentivize a three-story building, but agreed that aesthetic decisions regarding flat or pitched roofs should be left to the designer and homeowner. He added that often the roofs of mega-mansions are themselves overly dominating in terms of bulk. The city's rules should be written in a way to reduce the bulk of roofs to the greatest extent possible.

Commissioner Sheffels asked if staff has received much input as a result of the media coverage given to the issue of neighborhood character. Ms. Kuhn answered that there have been many phone calls and emails from people wanting to offer their feedback. The comments received

have been reflective of the testimony offered directly to the Commission.

Commissioner Sheffels commented that the concerns voiced by the Kimberlee Park neighborhood appear to be legitimate but are not covered by the various recommendations. Mr. Inghram said there are certainly aspects of the infill development issue being experienced by Kimberlee Park that are related to the neighborhood character discussion. However, the two issues are not the same and should be addressed on separate tracks. The Commission could include comments in the transmittal to the Council to highlight the fact that there are other issues that have not been addressed. The recommendation could include the suggestion that staff should be directed to continue monitoring other forms of infill development, including conservation plats.

Commissioner Ferris said he can sympathize with what the Kimberlee Park community is going through. However, the citizens of Bellevue as a whole have determined that some areas must be preserved. The fact is the actions to preserve come coupled with increased density. The neighborhood character study is focused on a different topic entirely.

Commissioner Orrico pointed out that the Kimberlee Park situation involves a specific permit that is under review. Some of the issues the community is raising are part of the permitting and SEPA review process, which is outside the bounds of what the Commission can address. Mr. Inghram agreed. He explained that the issue will be taken before the hearing examiner who will have the option of approving or conditioning the permit as appropriate. Any appeal of the hearing examiner decision will be before the City Council, which would have to act in a quasi judicial manner. The transmittal memo from the Commission to the Council should not include any specific information about Kimberlee Park; to do so would interfere with the record of any appeal. Any comments from the Commission should be general and focused on the wider issues only.

Motion to transmit the Commission's recommendation as revised to the City Council was made by Commissioner Orrico. Second was by Commissioner Ferris and the motion carried unanimously.

8. NEW BUSINESS – None

9. OLD BUSINESS

A. Meydenbauer Bay

Mr. Inghram reported that the Meydenbauer Bay park and land use plan steering committee has had three meetings to date. They have found that there is a myriad of ideas and concepts for what the park should be, what the marina should be like, and how the park should interact with the water. It has been difficult to get people to think about land use for the upland areas. One concept is to deal with that area by creating a residential park district that incorporates the park aspect into the quality and character of the neighborhood.

Mr. Inghram said the intent is to provide the Council with a progress report prior to September 4 before the public hearing on the moratorium affecting the area surrounding the park. The anticipation is that staff will recommend extending the moratorium.

The next public workshop is slated for July 10 at the South Bellevue Community Center. That will be followed by a workshop on July 31 which may be at Crossroads Community Center.

Commissioner Ferris said there are a number of people on the steering committee from the West Bellevue area; several others live in the condominiums by the park. The meetings have been well attended by members of the public, many of whom live nearby. Parking has turned out to be one of the biggest issues. The list of other issues includes activities in the park and noise. The intent is to create a park that will be for all the citizens of Bellevue, not just those living in West Bellevue. That may mean the park will need to host events such as music concerts or be home to some other attractions.

Mr. Inghram said there is a great deal of interest in incorporating public use of the marina into the final park plans.

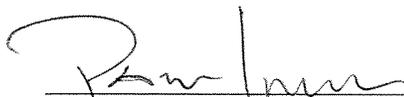
Commissioner Mathews suggested that some moorage services should be retained, both to preserve the character of the area and as a revenue source for the city.

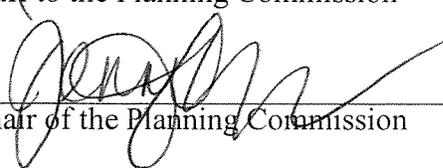
Mr. Inghram said the Commission will be kept up to date as the study progresses. He said there likely will be a push once the study is done for the Planning Commission to move head with necessary Comprehensive Plan changes, likely in the fall of the year.

10. PUBLIC COMMENT – None

11. ADJOURNMENT

Commissioner Mathews adjourned the meeting at 9:10 p.m.

  
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Staff to the Planning Commission

  
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Chair of the Planning Commission

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