

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
STUDY SESSION MINUTES

July 16, 2008
6:30 p.m.

Bellevue City Hall
City Council Conference Room 1E-113

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

COMMISSIONERS ABSENT: None

STAFF PRESENT: Paul Inghram, Emil King, Mike Kattermann, Dan Stroh, Department of Planning and Community Development
Maria Koengeter, Transportation Department

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER

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

2. ROLL CALL

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

3. APPROVAL OF AGENDA

The agenda was approved by consensus.

4. STAFF REPORTS

Comprehensive Planning Manager Paul Inghram informed the Commission that the Council discussed the Neighborhood Character Phase II Comprehensive Plan amendments on July 14. The Council gave direction to proceed toward implementation in the Land Use Code.

5. PUBLIC COMMENT

Mr. T.J. Woosley, 3015 124th Avenue NE, spoke on behalf of Hal Woosley Properties. With regard to the proposed list of allowed uses, he said all currently allowed uses should be allowed in the Bel-Red corridor without any issues regarding nonconformance. However, there are a number of uses currently allowed that do not appear in the draft code. The Commissioners were provided with copies of a matrix comparing uses and were asked to hold off making any final recommendation about uses until first making sure all existing uses will be allowed under the new code.

Mr. Roger Parasado, 4540 169th Avenue SE, spoke on behalf of Bel Green Development, owners of the old Angelo's Nursery site. He asked the Commission to reconsider the 70-foot height limit for the RC site. The site is sloped and the different methods of height calculation between the

city and the International Building Code will create a circumstance that will impact the ability to construct the project. The intent is to construct to what the market will accommodate, which is a maximum of five over one woodframe construction. A height of 75 feet is needed to accommodate the sloping site; it will not affect the profile as seen from 156th Avenue NE. He said the company intends to provide more feedback to the City Council regarding the important demand for senior independent living accommodations that recognize affordability issues, and the benefits of being able to accommodate seniors in their own community.

Mr. Greg Johnson with Wright Runstad and Company, owners of the Spring District properties, recognized the Commission and the staff for being responsive throughout the process. With regard to the NE 15th Street/NE 16th Street corridor issue, in particularly as it passes through the 122nd Avenue NE node, he suggested a viable alternative exists that would embrace a cut and cover transit station in the node. There are all sorts of hurdles in the way of making that happen, but the Commission should recommend that the Council at least keep the option on the table. The current surface alignment profiles are a bit too wide; consideration should be given to having a separate ped/bike pathway in addition to the sidewalks and the street itself. With regard to the recommendation for 20 percent as the minimum percentage of uses, he said the node is much larger than the Wright Runstad property. The recommendation as crafted will include other properties but is primarily focused on the Wright Runstad property. Even if the area were to become office heavy, there are other parts of the node that could respond to market forces if they called for residential uses. The percentage requirement could be added to the list of incentives; if 20 percent is the targeted number, the incentive could be to not charge the first 20 percent against FAR. Flexibility will be vital for the first developments in the door.

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

Senior Planner Mike Kattermann said the Comprehensive Plan proposal was taken to the City Council on July 14 in the form of a briefing so the Council will be prepared to adopt the package on August 4, the timetable they set. The Council understands that the Commission has not yet finished its deliberations or made a recommendation.

Mr. Kattermann and Senior Planner Maria Koengeter reviewed the proposed changes to the draft document, noting that some of the changes were made at the direction of the Council and some at the direction of the Commission. With regard to policies TR-75.17 and TR-75.18, Mr. Kattermann noted that the committee specifically chose to use the word “residential” to avoid excluding multifamily; he pointed out that some discussion language had been included to clarify what is meant by “residential neighborhoods” for purposes of the policies.

Mr. Kattermann said the Commission and the Council both discussed the need to accommodate different types of modes in addition to pedestrians and bicycles that people might use to get to the nodes, including three-wheel adult tricycles and Segways. Without getting too specific, discussion language was added to TR-75.28. Ms. Koengeter said the city currently prohibits motorized scooters from operating on city sidewalks, but does not prohibit Segways on sidewalks; the intent of staff is to make sure the policy language is consistent with existing city

regulations.

Chair Orrico suggested a rider may be allowed to take a bicycle on the train but may not want to. Accordingly, the language “may be precluded” is too strong. It was agreed to delete the last clause after the parenthetical.

With regard to TR-75.17 and the desire of the Surrey Downs neighborhood to use the phrase “keep the neighborhoods intact,” Mr. Kattermann said the Council deferred to the comments of the committee and made no changes to the section.

Mr. Kattermann called attention to (“the last one on page 14, the request of the neighborhood to delete the last clause”) and said a couple of Councilmembers made the comment that the policy would be weakened if the last clause were deleted. He said the Council went back and forth regarding the words “practicable” versus “feasible” but no final decision was reached.

Commissioner Robertson referred to TR-75.18 and suggested the phrase “...make adjustments as needed to ensure their effectiveness...” should be changed to read “...make adjustments as needed to ensure continued effectiveness....”

Commissioner Robertson suggested that the proposed revisions reflect the goals and position of the Light Rail Best Practices Committee. Commissioner Mathews concurred.

Mr. Inghram said staff attempted to get recordings of the public hearing to Commissioners Ferris and Mathews but were unsuccessful. He suggested that if the Commission were to make a motion regarding the package, Commissioners Ferris and Mathews should abstain from voting, though stating their positions would be okay. He said another approach would be to hold off on the vote until the next Commission meeting.

Motion to approve the Comprehensive Plan amendments to the Transportation Element, including the new light rail transit policies, and amending the existing policies and figures to be consistent with the changes to the regional plans and policies, including the changes in the Commission desk packets, was made by Commissioner Robertson. Second was by Commissioner Sheffels and the motion carried without dissent; Commissioners Ferris and Mathews abstained from voting.

Commissioners Ferris and Mathews noted for the record their full support for the recommendation and the motion.

B. Bel-Red

Mr. Inghram noted that the issue of allowing college uses in the Bel-Red corridor was raised at the last Commission meeting. He said since then the staff had spent more time reviewing the issue. He said the recommendation of staff had changed to allow college/universities in the nodes as permitted uses, and to allow them as permitted through administrative conditional use in all other districts, except the R and ORT districts.

Chair Orrico asked why the uses should be limited to 20,000 square feet given that college campuses can often be park-like settings. Mr. Inghram said the thinking of staff was that a college may have some space within an office space, but should not be allowed to site an entire campus in the ORT district.

Commissioner Ferris said it had never been his impression that either the Commission or the staff favored allowing all existing uses to be legally allowed throughout the entire corridor. If that were to be the case, there would be no need to include language about existing uses expiring and the like. The recommendation of the steering committee was that the plan should result in a transition of uses over time by allowing current uses that will no longer be allowed outright the flexibility needed to continue operating in the corridor. Mr. Inghram agreed. He said the discussions to date, including by the steering committee, have been focused on allowing existing uses to continue, not to outright permit all existing uses.

Mr. Inghram said a number of comments were made about the land use designations on the map. Referring to the area immediately northeast of the Coca Cola property, he said there are two parcels that in the proposal were designated R. In reviewing the issue and the steering committee recommendation, along with the stated interest of Coca Cola to continue operating at its current location, staff believes the highest level of flexibility would be achieved by allowing the properties to be used for either residential or non-residential uses by changing the designation to OR.

The Commissioners concurred with the proposal.

Mr. Inghram reminded the Commission that in April Wright Runstad provided some justification for changing the shape of the boundary between the OR-1 and OR-2 areas. He said staff concurs the change should be made, especially given that the southwest corner of the Wright Runstad property is elevated 20 to 30 feet above the street level intersection.

The Commissioners concurred with the proposed boundary line change.

Mr. Inghram said staff concluded no changes should be made to the map regarding the requests made by the owners of the Sherman property, the East triangle, the area south of Bel-Red Road, the property west of 120th Avenue NE and south of the West Tributary, or the 120th Avenue NE/NE 12th Street triangle. The Commissioners agreed with the position of the staff.

With regard to housing, Mr. Inghram said in the opinion of staff senior housing should not be specifically included in the incentive system. Senior housing is already being developed in the city. Affordable senior housing would be appropriately captured through the affordable housing incentives. In the case of assisted living facilities, the portion of the payment that goes directly for housing and not services is the bit that determines whether the units qualify as affordable. Senior housing can qualify as affordable housing.

Commissioner Ferris concurred with the direction proposed by staff. However, he referred to the text on page 42 and suggested "...has been able to meet affordability standards when services are included..." should in fact read "...has been unable to meet affordability standards...." Mr. Inghram said the fact even in cases where there is a service cost the issue can be addressed and the units included as affordable, though the service costs themselves are not included in the calculation.

Commissioner Robertson suggested language should be added to allow assisted living to reach the threshold incentive by a payment in-lieu as a matter of right. Mixing in low-income assisted living units with market assisted living units would be very difficult. Where services are not included, it is no problem mixing in low-income units with market rate units. Senior Planner Emil King explained that as currently drafted fee in-lieu payments are permitted as an option.

With regard to policy F-2 and the affordable and workforce housing targets, Mr. Inghram noted that the drafted the language has a range of percentages for three different affordability levels. He stressed that the targets are policy targets and not regulator targets and agreed that the policy language should be revised to reflect that. The wording should also be modified to make it clear that "workforce housing" includes the different income levels, not just the 80 to 120 percent of area median income. A specific reference to using the short-term multifamily property tax exemption should also be added.

Commissioner Mathews pointed out that incentives to building affordable housing have not worked in the past, and suggested that unless they are attractive to developers will not work in the future. He said it could be that the only way to get affordable housing constructed will be to require it in all developments. Commissioner Ferris observed that the policy is intended to simply state the intent of the city to see affordable housing constructed; it is not the tool for addressing specifically how to get there. Mr. Inghram agreed. He said the policy is the vision objective for the area, and over time reviews will need to be conducted to determine if the vision is being achieved.

Commissioner Robertson said the proposed approach is more consistent with the goals talked about in the spring; the percentages track much more closely the actual needs in the city.

Commissioner Sheffels noted that the staff recommendation included the notion of expressing each housing target as a specific percentage of the overall development rather than a range. She asked what is meant by "overall development," suggesting that if it means the entire corridor, the percentages approach could mean the first-in developers will take the high range of options and leave later developers with only the lower range of options. Mr. Inghram said the city would not try to implement the policy on a development-by-development basis. The idea is that periodically reviews will look to see what mix of housing has been created. The anticipation is that private development will yield more at the higher levels and that it will take public entities, such as ARCH, to yield units at the lower levels of affordability.

Commissioner Lai expressed concern that there is nothing in the policy language to indicate what will happen if the goals are not met. Mr. Inghram said proposed policy F-3 calls for monitoring of the affordable housing supply in Bel-Red and make adjustments to implementation strategies, including development regulations and incentives, as needed to meet the identified targets. Commissioner Lai said he could support even stronger language for F-3 that says if the targets are not met additional efforts will need to be made.

Chair Orrico asked where the Council stands with regard to affordable housing. Planning Director Dan Stroh said there have been several discussions to date with the Council regarding affordable housing, but it is still too early to get a reading on what the thinking of the Council is. In October the two-phased citywide and Bel-Red specific approach to housing was rolled out. At that time the Council was asked to give direction as to whether the city should be putting Housing Trust Fund money into funding regular affordable family housing; their response was positive, which is a significant move from where the Council has stood since 1998. In terms of resource commitment, the Council has been quite steady in its support for ARCH and making contributions to the Housing Trust Fund. It is too early to say what direction the Council will take with regard to the Bel-Red specific affordable housing issue.

Commissioner Ferris proposed strengthening the policy language somewhat by adding reference to the incentives that will be part of the Land Use Code amendments adopted with the Comprehensive Plan change. That would link the fact that incentives will need to be

incorporated in the Land Use Code to accomplish the policy goals. Mr. Inghram suggested that rather than modifying the policy language, the better approach would be to make the point in the transmittal memo that the Commission is wanting to see the Council adopt incentives that will implement the policy direction.

Chair Orrico suggested the language of the policy should be clarified to avoid having people interpret it to mean every development will have to have the percentage mix. Mr. Inghram agreed and suggested the second sentence could be revised to read "This overall target for the subarea..." Chair Orrico agreed with the suggestion but said the notion that things will happen over time also needs to be conveyed.

Commissioner Sheffels agreed with the proposal offered by Mr. Inghram. Commissioner Robertson held that adding a discussion paragraph might be the best way to get the point across and clarify the intent. Mr. Inghram said that certainly could be done, adding that a discussion paragraph might be the best place to emphasize the monitoring requirements over time.

With regard to senior housing in the OR, OR-1 and OR-2 districts, Mr. Inghram noted the need to change the land use chart to allow for congregate care senior housing, nursing homes and assisted living uses as permitted uses. He said staff does not anticipate there will be a huge demand in those districts, but sees no problem with having them be permitted there.

Mr. Inghram called attention to the definition of affordable housing and noted that in the past the incentive system would allow for up to 100 percent of median income for ownership units. The draft, however, allows for only up to 80 percent, so the definition needs to be modified.

Answering a question asked by Commissioner Ferris about the drive-through provisions, Mr. Inghram said as currently drafted the note in the land use chart disallows drive-throughs for eating and drinking establishments. Any other kind of drive-through would be potentially allowed, subject of course to the various design review processes. He added that staff does not see much potential for non-restaurant drive-through facilities.

Mr. King reminded the Commissioners that the NE 15th Street/NE 16th Street alignment includes a number of unique segments. The alignment includes bridge structures between 116th Avenue NE and 120th Avenue NE, and between 124th Avenue NE and 128th Avenue NE over the West Tributary area. The highest urban design opportunities and intensities exist within the nodes through which the alignment passes, and at the eastern end near 136th Place less right-of-way is needed. In meetings with other boards and commissions, as well as with the Council and the public, staff has found that people generally like the idea of having a new corridor with green elements and non-motorized facilities running through the heart of the Bel-Red subarea, but heard comments about not trying to put too much into the right-of-way. Accordingly, staff has proposed modifying the project description to take out the frontage road and on-street parking in the nodes. Staff still envisions a four/five-lane cross section but designed to be used in the interim as a two/three-lane roadway with the outside curb lanes available for on-street parking, a dedicated bus lane, and the potential for future general purpose use by cars.

Mr. King proposed adding a discussion paragraph to the project list stating that the NE 15th Street/NE 16th Street project includes a cross section that will accommodate at-grade light rail within the 122nd Avenue NE and 130th Avenue NE stations, and noting that the shallow tunnel alignment at 122nd Avenue NE in particular could be a viable option if the city and Sound Transit jointly conclude it would best meet the needs of both parties.

Commissioner Sheffels pointed out that there is nothing specific about how wide the sidewalks should be. Mr. King said the intention is to seek final buy-off of the transportation department in determining the final design widths of the various elements. Accordingly, a specific number is not included in the Comprehensive Plan or the Land Use Code.

Commissioner Robertson asked if the concerns of Wright Runstad with regard to keeping the cut-and-cover option on the table are thus addressed. Mr. King said in the opinion of staff the proposed discussion text will meet their needs.

Commissioner Lai asked it would be appropriate to reference the public/private partnership that will lead to the shallow tunnel option, suggesting that as the proposed text reads it appears the decision is solely up to the city and Sound Transit, which might give the wrong impression. Mr. Inghram said the intent is to define all of the projects as public projects regardless as to whether they are built by public or private entities. The value of the discussion is to point out the potential of changing from an at-grade light rail configuration to a tunnel configuration. There is no intent to address how projects will be funded or who will construct them.

Commissioner Ferris suggested that a tunnel is a tunnel regardless of whether it is shallow or deep. He proposed not including the word "shallow" and staff and the Commission concurred.

Mr. King said the public hearing draft included a 197-foot right-of-way at the 130th Avenue NE station area, and a 185-foot right-of-way at the 122nd Avenue NE station area. The cross section included sidewalks on both sides with street trees, on-street parking on both the NE 15th Street/NE 16th Street arterial and the frontage road, four travel lanes, a light rail component with a platform in the middle, and a dedicated ped/bike trail with adjacent landscaping. The frontage road was intended to serve urban design and placemaking, not capacity. In taking another look at the cross section, staff tried to pick out the essential roadway components, such as high-capacity transit and the stations.

Commissioner Ferris suggested that a station design with the loading platform in the middle and rails on either side would reduce the amount of right-of-way needed. He said that approach is used consistently in Washington, D.C. The city should be as aggressive as possible in seeking the narrow the overall width of the NE 15th Street/NE 16th Street alignment. Mr. King said the right-of-way savings with a center platform design would be on the order of seven to ten feet. He suggested, however, that the policy language should assume the largest area that could be needed to avoid under-preserving right-of-way in the corridor.

Mr. Inghram pointed out that the Commission will only be voting on a project description that calls for light rail in the median in the street. No platform width will be specified.

Mr. King reviewed with the Commissioners a list of various roadway configurations that could be considered by removing various specific elements. He said in the end staff concluded there should be a four/five-lane cross section with convertible lanes on the outside, wide sidewalks, the separated ped/bike trail, and enough space for landscaping and connective green elements.

Answering a question asked by Chair Orrico, Mr. King said the intent is to retain on-street parking throughout the nodes.

Mr. King said the 122nd Avenue NE cross section is envisioned to have a 10.5-foot walkway and a six-foot planting strip, which is wide enough to serve as a buffer to cars on the roadway. The roadway itself is planned to have two travel lanes on each side of the platform station areas; the

outside lanes could be designed to serve as a dedicated busway, and in the interim ways they could accommodate on-street parking.

Commissioner Robertson voiced support for incorporating flexibility, but said it would be necessary to make sure the public knows up front that the interim use may not be the long-term use.

Commissioner Lai said he was confused by the comment received from a Children's Hospital representative who seemed to indicate a preference for both an off-street ped/bike path and an on-street bike path. Mr. King said generally on-street bike lanes cater to faster and more experienced riders. Correctly done, an off-street bike path could be designed to serve both user groups.

Commissioner Lai asked if having the multimodal path on NE 15th Street/NE 16th Street is absolutely essential, or if the same function could be served by accommodating bicycles and pedestrians on different streets. Mr. Inghram said there certainly are opportunities for moving the facility one block north or south. There will be a need, however, to include connections to NE 12th Street, which will cross the freeway, and stream crossings in other areas. It seems as though the best option is to have a single continuous east/west route across the corridor for both traffic and ped/bike.

Chair Orrico suggested that even the pared down version of the roadway cross section is too wide.

Commissioner Robertson said she would prefer to see the ped/bike components located in an area where they will have less traffic interference, but still near the transit links. The major NE 15th Street/NE 16th Street is going to have to include a number of turning movements across the ped/bike path, and that could prove to be a safety issue.

Commissioner Mathews pointed out that nothing will be saved in terms of right-of-way by moving the ped/bike facility to another street. In either case, right-of-way will be needed. He said he would prefer to have the trail running alongside the NE 15th Street/NE 16th Street corridor, adding that that was the vision established by the steering committee.

Mr. Stroh said the steering committee had a lot of discussion about the NE 15th Street/NE 16th Street corridor. While they did not focus on precise dimensions, they did say they wanted the roadway to be a character-making element for the corridor that would help to transform the area. The collective of the various elements is what will make the roadway unique and help to define the area.

Mr. King shared with the Commissioners photos taken of the light rail system and associated roadways and ped/bike facilities in the Rainier Valley area of Seattle.

Commissioner Ferris commented that the vision outlines a number of things to be accomplished in the Bel-Red corridor. In talking about the NE 15th Street/NE 16th Street corridor in isolation makes it very easy to buy into, especially the green vision. But with so many other needs in the subarea, including stream restoration and affordable housing, it is hard to keep everything in balance. He said in his opinion the pared down version of the cross section is still too wide, so much so that it could negatively impact the vibrancy of the corridor itself.

Mr. Inghram said staff did look at options that require much less right-of-way. However, the

assumptions regarding platform widths and the need for two traffic lanes in each direction, along with room for including pedestrian facilities and street trees, means a minimum of 139 feet is needed. In addition, the anticipation is that the buildings along the edges of the roadway will be arguably proportional to the size of the street.

Commissioner Lai asked how the center section will be designed and operated prior to the coming of light rail to the corridor. Mr. Inghram said regardless of how it gets used, it will be necessary to be clear up front that when light rail does come, whatever is there will be converted. The strip could be kept green, or it could be used by buses in the interim. There is no specific plan under consideration.

Mr. Stroh pointed out that if in fact there is a transit vote in the fall that is successful, it will be not be that many years into the future before light rail is constructed in the corridor, possibly in as few as 12 years. He added that a decision by the Commission that the various building blocks are the right ones is not tantamount to endorsing a precise cross section. The Commission could indicate in the transmittal that there remains some discomfort with the overall corridor width while endorsing the urban scale.

Commissioner Robertson asked if there is some reason for having the ped/bike path on the north side of the street only. Mr. King said having the path on the north side makes the most sense for connecting McCormick Park in the downtown to Highland Center in the Bel-Red corridor; the north side alignment also provides for the most opportunity for sunlight on the path, and it provides better connectivity to the east at 140th Avenue NE.

Turning to the topic of design standards, Mr. Inghram said staff agreed with the suggestion of Wright Runstad to modify the maps to remove the section of NE 13th Street between 120th Avenue NE and 121st Avenue NE due to the change in topography that reduce the feasibility of the intersection of 120th Avenue NE and NE 13th Street. The Commissioners concurred with the change as well.

Mr. Inghram also proposed modifying the language of 20.25D.120.B.3 to allow for plazas, colonnades, and other non-building spaces that include a physical feature that contributes to the build-to line, such as in the form of columns, short walls, or other architectural features.

Mr. Inghram said there were some concerns voiced about the active edge requirement; some felt it was more like a retail frontage requirement. He suggested that way the section is written provides for the very type of flexibility the commenters have called for and recommended not changing the wording.

Commissioner Ferris commented that unless streets go from someplace to someplace they become isolated and do not get much energy. Only a few streets in the corridor actually connect to something else; the rest are isolated. In some cases, a more appropriate street presentation would be to have more softness along the street edge in terms of green spaces. In many ways it feels like the push with all of the active edges is toward something that will not naturally happen. Mr. Inghram suggested the section as proposed will not prohibit taking the softer approach. If an active edge is a retail or commercial use, a minimum of 70 percent of the ground floor façade but be transparent glass or screens; tinted, reflective or other types of glass that diminishes

transparency are prohibited. The primary entrances to all ground floor uses must be oriented to public rights-of-way. None of that prohibits residential buildings with soft edges. The word "active" is somewhat misleading given the fact that the focus is really on the connection of buildings to the streets.

It was agreed to reword the title to something more like "street oriented development."

With regard to block size, Mr. Inghram said the code as drafted allows a maximum perimeter block size of 1200 feet. Staff has determined, however, that some of the blocks, including the ones to the south of NE 15th Street in the Wright Runstad development, would be greater than 1200 feet. Wright Runstad has proposed incorporating a separation between buildings, so in some ways they will meet the intent of the requirement, but not with a local street. Staff believes the language of the section should be revised to allow for meeting the requirement by including pedestrian streets or alleys that are a minimum of 16 feet wide.

Commissioner Sheffels asked if the pedestrian streets or alleys would have to be paved in order to meet the fire code for emergency vehicle access. Mr. Inghram said the code allows access areas to be grass provided they are structurally supported. The fire code may also require the streets or alleys to be wider than 16 feet.

There was general consensus in favor of the revisions proposed by staff to the section.

****BREAK****

Mr. Inghram said the issue of minimum percent of use is a direct response to the level of interest on the part of the Commission to assure the right blend of uses within the different uses. He stressed that staff is not recommending a standard that would require each mixed use building to have a set mix of uses, or one that would require each site to have a certain mix of uses, or the establishment of a cap on commercial uses that cannot be exceeded until a certain number of residential units are created. He said the recommendation of staff was to amend policy S-BR-K2 OR-1 and OR-2 districts to say that a minimal percentage requirement on housing and retail uses should be imposed on properties greater than ten acres in size. In the other areas residential uses are allowed and there are restrictions on non-residential uses in the form of FAR and size threshold limits.

Commissioner Ferris pointed out that a city block that is 200 feet on each side encloses an area of about one acre and questioned why the staff was recommending the requirement should apply only on parcels of ten acres or more. Mr. Inghram said the intent was to capture the larger, multi-building developments in the area and separate out the smaller sites.

Commissioner Sheffels asked what triggers the requirement for a master development plan. Mr. Inghram explained that developments in the nodes are required to have master development plan permit if they involve multi-buildings or more than one site. The requirement is specific to the Bel-Red corridor.

Commissioner Lai asked why a minimum of residential is required but not a minimum of commercial or office. Mr. Inghram allowed that it is possible that a developer could elect to bring online an all-residential development, though they are not at all common in highrise configurations in the Northwest. Developments devoted solely to office uses are not uncommon, however. The concern is that an all-office configuration could result in a part of the corridor that will have no night or weekend activity; that would not be the case at all with all-residential buildings.

Commissioner Robertson brought to the floor for discussion the proposed of Wright Runstad to have as an incentive not charging the first 20 percent of housing against the allowed FAR. Commissioner Robertson suggested the proposal should be considered. She said she would want to know what effect it would have on the end FAR of some developments.

Commissioner Ferris said the floor-to-floor height on an office building is around 15 feet, whereas for residential buildings the figure is closer to 10 feet. The same FAR will yield a shorter residential building than it would a commercial building. That is generally why cities offer an additional FAR for housing; even with the bonus, the bulk of a residential building is about the same as a commercial building at the end of the day.

Chair Orrico said she is not at all willing to regulate the market to the extent envisioned by the requirement. She said while it is important to get a residential mix, it would be better to use the carrot over the stick.

Commissioner Ferris suggested that not counting a certain percentage of housing toward the FAR would not be so much an incentive as it would be the land use plan. The focus would be on bulk and scale rather than incentivizing housing. For example, Seattle doesn't count residential FAR downtown. He noted that an all-office use development in a node would be a dead node without activity at all on weekends and evenings; steps should be taken to make sure there will be an appropriate amount of residential included.

Commissioner Robertson said one resolution would be to combine the minimum percent requirement with the idea of not counting the first 20 percent of residential against the FAR calculation, but was unsure about the 10 acre threshold.

Mr. Inghram reminded the Commissioners that in a previous discussion the focus was turned to increasing the FAR limit for the nodes from 2.5 to 3.0, with an allowance to go to 3.5 with the transfer of open space. He asked the Commissioners to keep that in mind when considering additional incentives beyond 3.0 or 3.5. He noted that 20 percent of 3.0 is on the order of 0.6. Another approach would be to craft an exemption of a percent of the housing area rather than the total area of a mixed use development; that would be a smaller increment increase.

Commissioner Ferris noted that the 10 acre threshold seemed big.

The Commissioners concurred with the suggestion of staff to change the language of policy S-BR-K2 as proposed in the staff memo.

Commissioner Sheffels expressed that there should be a specific requirement.

Commenting on the notion of exempting a portion of residential development from the FAR calculation, Mr. Stroh said the tool would be a very dramatic one to use. He exempting a percentage would essentially make it invisible to the bonus system. In essence, the percentage exemption would be more of a super bonus than an exemption.

Chair Orrico said there is nothing that says developers will not include residential in their developments, and the exemption would only be giving them incentive to do something they would do anyway. Commissioner Ferris suggested that would not be so bad in that it would result in more housing units.

Commissioner Mathews said he would not want to see the approach used if it would bump up the FAR limit even further.

Commissioner Lai expressed concern about providing additional incentives when it is not known how they will be afforded. He said he could support a 20 percent minimum of developments of five acres or more.

Chair Orrico asked how much residential in a predominantly office development would be needed to activate the area at night and on the weekends. Mr. Inghram said there is no set percentage. In either of the nodes, if 25 percent of the space were devoted to residential units, the number of units would be on the order of 1500. Ten percent might result in 500 or so units.

Chair Orrico said she could support mandating a minimum but not the ideal, whatever that might be. Mr. Inghram said staff would put the ideal around 25 percent or more. The 20 percent would be less than ideal, but may be higher than a minimum level.

Commissioner Mathews said he could support the 20 percent minimum to make sure that we have enough housing there for the node to active.

Commissioner Robertson agreed with Commissioner Mathews and suggested the acreage threshold should be less than ten. Mr. Inghram pointed out that within the two districts the Wright Runstad property is over 36 acres. To the north of their property is the Safeway site at 18.9 acres, and north of that is the Metro site, which is 16.5 acres. On the other side of 120th Avenue NE there is a property that is 10.5 acres in size. Along the west side is the Audi dealership at 3.7 acres, Pine Tree Industries at 5.5 acres, and another property that is 5.96 acres.

There was consensus to go forward with a requirement for a 20 percent minimum, and to have it apply to properties of five acres or more in the node.

Mr. Stroh said the transmittal memo could talk about trying to find some way to offset and incentivize the requirement to some degree.

With regard to the transfer of development rights, Mr. Inghram referred to the staff memo in which the research was outlined, and called attention to policy S-BR-D-9 in the subarea plan that gives consideration to the regional TDRs. He explained that local TDRs are transfers that would occur within just the Bel-Red area, from natural areas to development sites; that option is already built into the code proposal. Citywide TDRs, if allowed, would permit transfers from any part of the city to some other part of the city, including Bel-Red. Finally, the regional application is what was promoted at the public hearing; it would allow shifting the development rights from the rural parts of King County into urban areas, including the Bel-Red subarea if established as a receiving area. The draft subarea plan recognized regional TDRs, and there is a placeholder for the option in the incentive system.

Chair Orrico explained that in Issaquah the city started out with identifying both sending and receiving areas within the city. Recently they expanded their program to include sending areas that are outside of the city in the Issaquah Creek Basin. Chair Orrico suggested the notion of developing an interlocal agreement with Issaquah by which the city could send to or receive TDRs from them.

Commissioner Ferris observed that Mayor Degginger is a proponent of TDRs that preserve open space in one of the river basins from which the Cascade Water Alliances gets water, and that is outside the city of Bellevue and possibly outside of King County.

Mr. Stroh allowed that Issaquah amended its program in 2007 to be able to accept TDRs from rural King County; prior to that they allowed only intra-city transfers. He noted that during the public hearing Darren Grieve, manager of the King County TDR programs, offered to put some money on the table. King County recognizes that receiving areas bear a cost in the form of infrastructure necessary to take on transferred rural densities. They are not offering a great deal of money, but it does make their offer more enticing.

Commissioner Robertson suggested that it would be premature to make any final decisions about TDRs until there is more information in hand. The placeholder policy is in place. The city should explore the matter further, but it should come from the top down. The issue should be highlighted in the transmittal memo.

Commissioner Sheffels said in some respects the TDR issue is akin to the affordable housing issue in that it is difficult to tackle. Putting it off for someone else to do, however, would not be the right approach. TDRs are regionally very important and the city should move ahead with at least a minimal approach. She agreed that more research is needed.

Mr. Inghram said one option would be to include in the transmittal an indication of support for the program and ask the Council to consider TDRs as an option in the incentive system. If the Council wants to see TDRs included as a new section of the Land Use Code, the Council will

have to give direction to proceed accordingly, either for Bel-Red specifically or for the city generally.

Chair Orrico suggested the only things the Commission can do is include the placeholder until a program gets developed and encourage the Council to work with King County and other jurisdiction to develop a program.

There was consensus to take that approach.

Mr. Inghram called attention to the issue of allowing building top signage. He noted that the Commission previously gave direction in policy C-10 that creates the opportunity for building top signs. Whether or not the signs would actually be allowed or not, however, would require updating the sign code, which would be a separate action directed by the Council either at the time they adopt Bel-Red or afterwards.

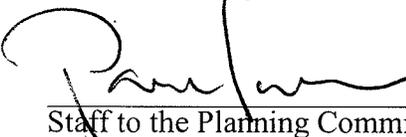
Finally, Mr. Inghram raised the issue of the BNSF policy as it relates to the Children's Hospital site. He said the Commission may want to consider having a stronger policy about the development that occurs adjacent to the corridor. Such a policy would best be housed in the Transportation Element. The transportation department has suggested incorporating the phrase "...adjacent to and across..." in the policy to make it clear that the reference is to both building development and new street and light rail crossings. There was consensus to go in that direction.

Motion to extend the meeting beyond 10:05 p.m. was made by Commissioner Robertson. Second was by Commissioner Lai and the motion carried unanimously.

Mr. Inghram said the two remaining items for discussion would be included in the agenda packet for the July 23 Commission meeting.

10. OLD BUSINESS None
11. APPROVAL OF MINUTES None
12. PUBLIC COMMENT None
13. ADJOURNMENT

Chair Orrico adjourned the meeting at 10:06 p.m.


Staff to the Planning Commission

10/20/08
Date


Chair of the Planning Commission

10/22/08
Date