

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
MEETING MINUTES

August 4, 2004
7:00 p.m.

Bellevue City Hall
City Council Conference Room

COMMISSIONERS PRESENT: Chair Lynde, Vice-Chair Bonincontri, Commissioners Maggi, Mathews, Robertson

COMMISSIONERS ABSENT: Commissioners Bach, Orrico

STAFF PRESENT: Kathleen Burgess, Steve Cohn, Nicholas Matz, Emil King, Mary Kate Berens, 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 Chair Lynde who presided.

2. ROLL CALL

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

3. APPROVAL OF AGENDA

The agenda was approved by consensus.

4. STAFF REPORTS

Kathleen Burgess, Planning Manager, announced that A Regional Coalition for Housing (ARCH) won the Innovations in American Government Award in Affordable Housing from Harvard University and Fannie Mae.

5. PUBLIC COMMENT

Ms. Renay Bennett, 826 108th Avenue SE, called attention to Policy TR-118 and suggested having it read "Where feasible, reduce air quality, noise, light/glare and other environmental impacts of proposed transportation projects on adjacent neighborhoods." She reiterated her call for a linear green space/buffer south of Main Street between Bellevue Way and 112th Avenue SE. There is no good reason for treating the north side of downtown differently from the south side of downtown. Residents on the south side are not receiving the same protection from the impacts of Downtown growth, and all they want is a chance to get what they need.

6. COMMUNICATIONS FROM CITY COUNCIL, COMMUNITY COUNCIL,

BOARDS AND COMMISSIONS – None

7. STUDY SESSION

A. 2004 Update to the Comprehensive Plan

Ms. Burgess provided the Commissioners with copies of a letter received from the Puget Sound Regional Council regarding their review of the proposed Comprehensive Plan update.

Ms. Burgess asked the Commission to consider not taking final action on the package of revisions until the September 1 meeting. By that time the draft transmittal memo to the City Council will also be ready for review.

Commissioner Robertson asked to have the final draft revisions in hand as far as possible before the September 1 meeting. Ms. Burgess said staff could have it ready at least a week and a half prior to the meeting.

The Commissioners agreed with the proposed wording regarding the Bellevue School District to be inserted in the Introduction section paragraph titled “A city served by outstanding community facilities and services.” There also was agreement to revise the Land Use Element goal as proposed, and policies LU-4, and HO-16 as outlined.

With regard to the proposed revision to Policy LU-22, Associate Planner Steve Cohn said staff reached the conclusion that the issue of megahouses is adequately covered by Policy HO-3. The Commissioners were asked to reconsider revising the wording of Policy LU-22.

Chair Lynde suggested that the words “extraordinary” and “substantially” as used in Policy HO-3 are open to wide interpretation. Ms. Burgess explained that part of the Commission’s work in 2005 will involve the Land Use Code amendments necessary to implement the Comprehensive Plan policies, and part of that effort will involve crafting definitions in code language.

Commissioner Bonincontri agreed that the place to put policy language aimed at megahouses is in the Housing Element. Addressing the issue in the Land Use Element would not have the same impact.

Commissioner Robertson held that the proposed change to Policy LU-22 should be made, adding that it would not hurt to have the same policy language in two different elements.

Commissioners Matthews and Maggi agreed that the issue is adequately addressed by policy HO-3. Chair Lynde said she could agree as well if HO-3 could be written stronger with a focus on protecting residential areas.

Commissioner Bonincontri asked how non-residential uses such as churches are addressed and regulated. Mr. Cohn said there are height and bulk standards that must be met, and issues such as traffic mitigation that must also be met. Legal Planner Mary Kate Berens added that all non-residential uses in residential districts, including schools, are allowed through conditional use. Often expanded setbacks are required, as is special landscaping. The non-residential uses are also subject to design review.

Ms. Burgess agreed to work on revised language for Policy HO-3 and to have it ready for review at the September 1 Commission meeting.

Commissioner Robertson voiced her disapproval regarding the proposed revisions to policies LU-25 and LU-26. She said as proposed they are too narrow to protect neighborhood retail. She suggested that the term "...a large proportion of Neighborhood Business-zoned centers..." could be interpreted to mean a high percentage of the overall number of centers, or a certain percentage of the space within each center. Mr. Cohn agreed that the language could be interpreted either way. He said the intent is that a large proportion of any given Neighborhood Business-zoned center be used for neighborhood-scale retail and personal services. The policy allows for large-scale uses, such as grocery stores, but is intended to ensure that most of the uses within each Neighborhood Business-zoned center consist of businesses and services focused on the local neighborhood.

Commissioner Robertson said she would prefer to see Policy LU-26 clarified, and Mr. Cohn agreed. The policy was clarified by adding "A" after "A large proportion of" and deleting the "s" from "centers." Commissioner Robertson indicated her support for LU-26c as proposed. She reiterated her desire to see the policy applicable to more than just the Neighborhood Business-zoned centers, but none of the other Commissioners concurred.

Chair Lynde felt the second paragraph of the Subareas section of the Land Use Element should use stronger language than "Every reasonable effort should be made to adhere to the Subarea Plan." She said the subarea plans are very important; they are crafted with a lot of community involvement and should not be tinkered with.

Referring to Policy HO-24, Chair Lynde asked what "quality standards" refers to. Ms. Burgess agreed that the policy would be clearer if it read "design standards."

There was agreement to substitute the word "capacity" for "build-out" in the Future Needs section of the Capital Facilities Element.

With regard to the Utilities Element and the issue of where to locate substations to serve the Downtown, Chair Lynde referred to page 13 of the packet and asked staff to explain what was meant by the last sentence of the third paragraph. Senior Planner Nicholas Matz explained that an Environmental Impact Statement (EIS) was done in preparation for the Utilities Element that was adopted in 1993. This EIS examined the likely impacts of the electrical utility's proposals for the long term electrical supply system for the Downtown, suggesting policies to mitigate impacts. However, the city has no control over the electrical utility and cannot order certain actions to be taken. The city does work closely with the electrical utility through franchise agreements and regulatory review to make sure energy will be available to meet the demands of all projected growth. The policies reference the plan that was created by the electrical utility, but the EIS only addresses those issues that are under the control of the city.

Commissioner Robertson proposed revising Policy UT-72 to use the word "encourage" in place of the word "consider." Mr. Matz understood "encourage," but cautioned against using any mandatory language. He explained that the Utilities Element provides sufficient direction in terms of long-range planning, and the individual policies recognize that locational decisions will occur on a system basis. The EIS identified the location of substations that will ultimately serve the Downtown, specifically Lochleven and Clyde Hill. Notwithstanding, there will still be issues associated with site locations, and the EIS recognized that. To change the "consider" language of UT-72 would be to move in a direction inconsistent with current policy.

Chair Lynde said regardless of what policy language is ultimately adopted, the intent should be that the preference of the city will be for future substations to be located outside of residential areas. Mr. Matz replied that putting that intent into the currently proposed policy language

would exceed the bounds of what the EIS concluded is sufficient for the policies to address because it is beyond what the system plan calls for. Such policy language would at the very least be unenforceable. Chair Lynde allowed that since the original EIS had a 20-year horizon and was adopted ten years ago, producing an updated EIS would not be out of line. Mr. Matz said the assumptions in the EIS were in fact based on a 30-year window. All of the assumptions are playing out precisely in line with that forecast, and when a process is proceeding according to plan there is little call to restart the process. If it is the desire of the Commission to see the matter revisited as a work program item, that position could be made known to the Council in the transmittal memo.

Mr. Matz then suggested that the word “consider” proposed in Policy UT-72 would put the burden on the electrical utility, whereas the word “encourage” would put the burden on the city. Commissioner Robertson proposed that in fact the burden should be on both parties: the city should lean on the electrical utility in the spirit of helping protect the neighborhoods, and the electrical utility should consider the issue as something that will benefit their customers.

There was consensus to use the word “consider” and to outline the arguments on both sides in the transmittal memo to the Council.

Turning to a review of the Transportation Element, Senior Planner Kevin McDonald explained that the element is unique among the elements being updated because a number of work products have fed into the proposed changes. Over the course of the last three or four years the city has engaged the community in a number of different transportation planning and project studies, and has been working with King County Metro, Sound Transit and the state on a number of transportation issues. The policy and project results from all of those adopted documents and completed studies are incorporated into the Transportation Element. No attempt was made to rewrite the Transportation Element based on anything other than completed transportation plans and studies. Some revisions were made based on the need to better reflect current transportation practices.

There was agreement to revise Policy TR-16 as proposed and outlined in the packet relative to encouraging private developers of adjacent or nearby properties to execute agreements to provide joint use and funding of shared parking facilities with provision for pedestrian linkages. There was also agreement to add “freight movement and non-motorized transportation” to the last paragraph of the Roadway Network section of the Transportation Element. The Commissioners concurred with the changes made to policies TR-39, TR-40, TR-46, TR-52 and TR-63. Staff was directed to revise Policy TR-66 to read “...to ensure that transit system development...” Mr. McDonald explained that adding a reference to maintenance in Policy TR-105 could assist the city in getting additional grant funding, and the Commission agreed to making the change. On page 130 of the Element there was agreement to change “tremendous” to “significant.”

Mr. McDonald said one comment received suggested that particulate emissions from diesel-powered vehicles be looked at. He agreed that the text of the air quality segment of the Transportation, Environment and Quality of Life section of the Transportation Element could be enhanced to talk about the types of air pollution generated by traffic, how it is measured and what the standards are. He offered the new section of text included on page 22 of the Commission packets, and there was agreement to include it.

Mr. McDonald also proposed adding a considerable amount of text regarding environmental noise, what generates it and what mitigation efforts can be undertaken to reduce the impacts. He indicated that some noise reduction can be achieved through landscaping, but the amount needed

to mitigate next to freeways is unachievable in an urban area. The literature suggests that some noise reduction can be achieved through pavement types. However, the more quiet pavement types degrade very quickly and become noisy. Tire friction is a noise generator, but in heavily traveled corridors not a significant part of the overall noise generated.

Chair Lynde said she would like to see an emphasis placed on enforcing the ban on truck compression brakes within the city. Mr. McDonald allowed that it is a difficult issue to enforce given its transitory nature.

Mr. McDonald said the treatment of noise from new street construction is handled through a public process, including community design efforts and SEPA. The thresholds for mitigating noise are played out through the public process. The current language of Policy TR-118, supplemented with the language of new Policy TR-112, provides the city with significant tools for dealing with new sources of transportation noise as they may arise through street improvements or arterial expansion projects. Staff is not recommending any changes to Policy TR-118.

Commissioner Bonincontri suggested retaining the current language of Policy TR-118, with the exception of substituting “minimize” for “consider.” There was agreement to take that approach.

Commissioner Robertson said she would like to see language talking about minimizing noise from streets and freeways even when new projects are not envisioned. As written the policies only apply to new projects. The freeways are very loud and it would be nice to have policy language aimed at reducing the impacts regardless of whether or not new projects are planned. Mr. McDonald suggested that the city lacks the authority to do that. Once projects are constructed the city cannot simply go back in and require additional mitigation.

Ms. Burgess added that all of the freeway corridors are the focus of major studies and possible major upgrades. As those projects move forward, all environmental impacts will be considered and mitigated to the extent required.

There was agreement to update Tables TR.1-A and TR.2 as proposed by staff.

Turning to the Economic Development Element, Mr. Cohn explained that the Puget Sound Regional Council (PSRC) is the body charged with estimating regional and local employment. The PSRC has decided that temporary workers should be counted where they are working, so out of some 130,000 jobs they changed 689 from one category to another. That affects several charts by about one percent, so those changes will be made where necessary throughout the document.

It was agreed to add the “high cost of housing” paragraph to the challenges section along with a paragraph with supporting text.

No other revisions were made to the Economic Element.

With regard to the Environmental Element, Ms. Berens noted that the language of the overview section having to do with uses allowed in critical areas was revised to be clearer. The Commissioners concurred with the change as proposed. An additional sentence was added to pages 198-9 cross-referencing the Transportation Element on noise issues.

Senior Planner Emil King asked for comment on the proposed wording change to the last sentence of the first paragraph of the overview section of the Urban Design Element. It was

agreed to have the sentence read “Implementation of these urban design policies will create an inviting and attractive city with a cohesive city image that entices people to more actively use their city.”

There was agreement to revise the second and fourth sentences of the second paragraph of the overview section as proposed. There also was agreement to revise Policy UD-1 as proposed, substituting “architecturally appealing” for “architecturally interesting.” The proposed revisions to Policies UD-3 and UD-23, and the public places and connections section, were accepted as outlined in the packet. The proposed changes to Policies UD-36, UD-37, and UD-66 were accepted as well.

A change was accepted to the Landmarks and Historic Resources introduction. Also, 116th Avenue was added as a designated boulevard to Figure UD.1.

Turning to the Downtown Subarea Plan, Mr. King said the proposed revision to S-DT-9 is to put parking back in as a bonus incentive as it was in the original policy. He said because nearly every development has underground parking, it really makes no sense to incent that which is done anyway.

There was agreement to add the word “stepbacks” to Policy S-DT-37. There also was agreement to include a graphic showing the major gateway and identity opportunities for the Downtown.

Mr. King said the Northwest Village area was identified as a place to try the park-once concept. A property owner suggested that Old Bellevue might be another good place to try it, and it was agreed that the policy direction should be in place to encourage it to happen. It was agreed that new Policy S-DT-XX should read “Explore opportunities for shared parking or a park-once district concept for short-term parking.”

The Commissioners agreed with the proposed changes to policies S-DT-92 and S-DT-97.

Mr. King suggested that if the Commission is interested in seeing additional green space to the south of the Downtown, there should be plan language to allow it. Absent language in the plan there is little chance of it ever coming about. The Downtown Implementation Plan CAC task group spent a fair amount of time analyzing all of the perimeter areas and recommended that the southern area should have a linear green space between 112th Avenue SE and 110th Place SE , and pedestrian improvements along the Main Street corridor.

Commissioner Matthews suggested that because of current development patterns it could prove to be cost prohibitive to gain a linear green space to the south of the Downtown area. There are, however, some smaller spaces that could become available that could possibly be turned into green spaces, and the policy language should at the very least allow for the possibility. Mr. King explained that the Downtown zoning extends to the south of Main Street in some places. The Downtown Implementation Plan CAC studied the issue extensively before making the recommendation it made. There are plans for a new park in the area of NE 2nd Place which would be a medium-sized neighborhood park within the southern Downtown area.

Commissioner Robertson asked why the Downtown Implementation Plan CAC did not recommend extending the green space to the area between Bellevue Way and 112th Avenue SE. Mr. King said there is a provision in the Zoning Code for developments on properties on the edge of the Downtown to be set back from adjacent properties, and that allows for a buffer in certain cases. Commissioner Robertson said she could support revising the language to allow for green space to 106th Avenue SE or Bellevue Way, allowing that some of the properties are

already developed and will not redevelop as green space.

Mr. King said the issue of Main Street improvements has been on the table for a long time. He said it is always difficult to make improvements ahead of development because the parking for existing uses is impacted. The city would have to carefully consider whether or not that approach makes sense. In the area for which the CAC did recommend additional green space there are single family homes quite close to the Downtown Subarea. That is not the case in the other areas to the west.

Chair Lynde said that while she is reluctant to change the recommendation of the CAC, she also would not want to preclude any opportunities that might arise unexpectedly. Mr. King suggested that the Commission could highlight the issue in the transmittal memo to the Council. Chair Lynde proposed adding language to extend the area to Bellevue Way and in the transmittal memo outlining the fact that the Commission was uncomfortable taking a direction not in agreement with the recommendation of the CAC but did not want to preclude any future opportunities. Mr. King said if the Commission wants to see a linear green space extending to Bellevue Way, the language of the element should be changed accordingly.

Commissioner Bonincontri said she could agree with recommending additional study aimed at identifying other options for parks and green space in the South Bellevue area but would not want to change the recommendation of the CAC. She suggested that linear green space along the southern edge of Main Street may not be a viable option.

Commissioner Maggi concurred, suggesting that the city should use its parks money in the places where it can be most effective.

Commissioner Matthews argued against changing the CAC recommendation. He said he would not oppose looking for other green space possibilities.

Mr. King allowed that additional analysis could be done at a future time. He noted that a fair amount of time was put into studying the whole issue, and the reasons behind the recommendation of the task group were placed before the full CAC prior to a final recommendation being made.

Chair Lynde said one option would be to suggest the exploration of opportunities for a pocket park south of Main Street between 108th Avenue SE and Bellevue Way. Commissioner Matthews said he could support that approach. Mr. King said staff would work on some language and bring it back for review on September 1.

Policy S-DT-125 was revised to correct a typo as proposed in the packet. It was agreed to revise the last sentence of the introduction paragraph for the Regional and Local Transit section by deleting the word “potentially.”

With regard to new Policy S-DT-XX having to do with bus layover locations, Chair Lynde argued in favor of language making it clear the layover locations will not be in residential areas, either single family or multifamily. Ms. Burgess said it may not be feasible to exclude all residential areas. Mr. King said the issue is currently being studied by staff from the city and King County Metro. Consideration is being given to keeping the layover locations away from existing residential uses.

Policy S-DT-138 was modified as proposed in the packet.

Chair Lynde said her preference would be to word the policy to preclude layover locations outside the Downtown zone. Mr. King agreed to work on the language and bring it back for final review on September 1.

On the topic of the proposed one-way couplet for 106th and 108th, Commissioner Robertson asked if the business impacts that could result have been studied along with the impacts on traffic flow. Around the nation there are many examples of how one-way couplets in downtown areas have killed businesses and caused numerous problems. Mr. King said the technical reviews were primarily based on traffic flow and urban design opportunities. Downtown Implementation Plan CAC membership included a large number of Downtown business owners who understand the tradeoffs. The conclusion they reached was that the one-way couplet will in fact be good for the Downtown.

There was agreement to accept the clarification with regard to the location of the mid-block vehicular connections and the clarification to the paragraph focused on public parking structures at critical locations.

Mr. McDonald said the only change to the Bel-Red Overlake Transportation Facility Plan was to spell out the acronym "BRÖTS."

Ms. Burgess briefly reviewed with the Commissioners the issues to be covered by the transmittal memo.

8. APPROVAL OF MINUTES

A. July 7, 2004

Motion to approve the minutes as submitted was made by Commissioner Robertson. Second was by Commissioner Bonincontri and the motion carried unanimously.

B. July 21, 2004

Motion to approve the minutes as submitted was made by Commissioner Matthews. Second was by Commissioner Bonincontri and the motion carried without dissent; Commissioner Robertson abstained from voting.

9. OLD BUSINESS

Ms. Burgess distributed an updated Commission meeting schedule.

10. NEW BUSINESS – None

11. PUBLIC COMMENT

Renay Bennett, 826 108th Avenue SE, thanked the Commissioners for the proposed changes to the various elements.

12. ADJOURNMENT

Chair Lynde adjourned the meeting at 9:30 p.m.

