



Bellevue Planning Commission

AGENDA

Special Meeting

June 15, 2016
6:30 PM

City Hall, Room 1E-113, 450 110th Avenue NE, Bellevue WA

6:30 PM – 6:35 PM	Call to Order
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6:35 PM – 6:40 PM	Roll Call
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6:40 PM – 6:45 PM	Approval of Agenda
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6:45 PM – 7:15 PM	Public Comment
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7:15 PM – 7:20 PM	Communications from City Council, Community Council, Boards and Commissions
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7:20 PM – 7:25 PM	Staff Reports
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7:25 PM – 7:30 PM	Draft Minutes Review <i>May 25, 2016</i> <i>June 1, 2016</i>
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7:30 PM – 10:00 PM	Study Sessions
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A. 2016 Proposed Comprehensive Plan Amendments – Threshold Review

1. Naficy
2. Eastgate
3. Newport Hills CP
4. Park Lands Policy #1
5. Park Lands Policy #2

Comprehensive Plan Amendments
Nicholas Matz AICP, Senior Planner, PCD
To make a finding and recommendation to City Council if each of the proposed plan amendments meet established threshold criteria.



Bellevue Planning Commission

10:00 PM – 10:30 PM **Public Comment**

10:30 PM **Adjourn**

Please note:

- Agenda times are approximate only.
- Generally, public comment is limited to 5 minutes per person or 3 minutes if a public hearing has been held on your topic. The last public comment session of the meeting is limited to 3 minutes per person. The Chair has the discretion at the beginning of the comment period to change this.

Planning Commission Members

Michelle Hilhorst, Chair

John deVadoss, Vice Chair

Jeremy Barksdale

John Carlson

Aaron Laing

Anne Morisseau

Stephanie Walter

John Stokes, Council Liaison

Staff Contacts

Terry Cullen, Comprehensive Planning Manager 425-452-4070

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** Unless there is a Public Hearing scheduled, "Public Comment" is the only opportunity for public participation. Wheelchair accessible. American Sign Language (ASL) interpretation available upon request. Please call at least 48 hours in advance: 425-452-5262 (TDD) or 425-452-4162 (Voice). Assistance for the hearing impaired: dial 711 (TR).*



MEMORANDUM

DATE: June 10, 2016

TO: Chair Hilhorst and members of the Bellevue Planning Commission

FROM: Nicholas Matz AICP, Senior Planner 452-5371
nmatz@bellevuewa.gov
Terry Cullen AICP, Comprehensive Planning Manager 452-4070
tcullen@bellevuewa.gov

SUBJECT: June 15, 2016, Study Sessions on 2016 site-specific Annual Comprehensive Plan Amendments (CPA) Threshold Review and Geographic Scoping

PLANNING COMMISSION ACTION

On June 1, 2016, the Planning Commission held Threshold Review public hearings to consider the three site-specific and two non-site-specific applications received for the 2016 Comprehensive Plan Amendment cycle. The Planning Commission took public testimony and heard the staff report and recommendation for each proposed amendment.

The Planning Commission will be conducting the study sessions for each of the proposed plan amendments on June 15, 2016. The Planning Commission will make a recommendation to City Council whether the applications should be initiated into the 2016 Comprehensive Plan amendment work program under LUC 20.30I.140 and will recommend the appropriate geographic scope for each application in accordance with LUC 20.30I.130.A.1.a.ii. The staff recommendations for each of the five 2016 applications are summarized in this memo in the Recommendations Summary section below.

The full staff reports, staff recommendations, application materials and public comment received up to May 24, 2016, were published in the Planning Commission packet that was provided for the June 1, 2016, public hearing. ***Please bring that information to the June 15, 2016, Planning Commission meeting.***

Attached to this memo are the draft minutes of the June 1, 2016, public hearing, and a copy of all the subsequent written public comment received between May 25 and June 9, 2016. The audio of the June 1, 2016, public hearing and all of the public comments and public hearing submitted written testimony are available [online](#), at the Planning Commission's website.

The Planning Commission will be deliberating on each proposed plan amendment and taking action on each. The following sample motion language is provided to you as a guide for that action:

I move to recommend *initiation/no further consideration* of the [name] Comprehensive Plan amendment application for the 2016 Annual Comprehensive Plan work program, and *expanded/not expanded* through geographic scoping [to include the named properties].

Newport Hills Comprehensive Plan amendment

There has been considerable public comment and testimony regarding the proposed Newport Hills Comprehensive Plan amendment. Comments have expressed disapproval about retail displacement and redevelopment, the impacts of traffic and schools, and growth in adjacent communities. Comments have expressed support for addressing current conditions with redevelopment that is of an attractive, mixed use character that continues to serve the area. The applicant has specified a willingness to work with the neighborhood communities to re-examine the proposal that was originally submitted.

City staff are proposing the plan amendment process include a facilitated Community Planning Process with the applicant's required participation in order to provide a path forward for both communities and applicant. The purpose of such process would be to discover common ground and, seek to find a mutually agreed upon site plan for the shopping center that meets the objectives and values of both the communities and the applicant.

The framework for a facilitated Community Planning Process would include:

- **Produce a site plan agreement.** The goal of the Community Planning Process would be to arrive at a mutually agreed upon site plan for the Newport Hills Shopping Center site. The plan must be **mutually acceptable, financially viable, and consistent with the Comprehensive Plan's policy elements.** This plan would also include the framework for any future development agreement that would address the development and neighborhood concerns. Such agreements are defined at RCW 36.70B.170. Development agreements typically set forth the development standards and other provisions that apply to a development. Per this application, a development agreement might also address retail components, residential and commercial land use mix, and neighborhood connectivity.
- **Fit inside the 2016 annual CPA process.** Between Council action on Threshold Review in July and a Planning Commission public hearing and City Council action by the end of the year, a city-facilitated community planning process will work to produce collective agreement on a site plan for the shopping center site. A roughly 4 to 6 week process would engage in early September.
- **Update the data.** Current information is needed for land use, traffic, schools, economic and retail, and neighborhood demographics to inform the facilitated community planning process.
- **Applicant and Neighborhood Representation.** Both parties would be charged with seeking a mutually acceptable "roll up the sleeves" solution to engage with a site plan. The Community Planning Process will form a group of 12 to 15 neighborhood representatives meeting with applicant representatives. Parties of record can apply and meeting participation will be required.
- **Use a professional facilitator** to manage the engagement process.
- **Deliver a recommendation for consideration in Final Review.** The staff recommendation for Final Review would include an outcome analysis of whether success had been achieved.

BACKGROUND

The 2016 list of initiated applications has been established to consider amendments to the Comprehensive Plan. The list is the tool the city uses to consider proposals to amend the Comprehensive Plan. Such consideration is limited to an annual process under the state Growth Management Act.

Threshold Review action produces proposed amendments for the annual CPA work program. This 2016 annual CPA work program consists of four steps:

Threshold Review

1. Planning Commission study sessions and public hearings to recommend whether initiated proposals should be considered for further review in the annual work program (*current step*);
2. City Council action on Planning Commission recommendations to establish the annual work program (July);

Final Review

3. Planning Commission study sessions and public hearings to consider and recommend on proposed Comprehensive Plan Amendments (fall);
4. City Council action on Planning Commission recommendations to adopt amendments (fall).

THRESHOLD REVIEW DECISION CRITERIA

The Threshold Review Decision Criteria for a proposed Comprehensive Plan Amendment are set forth in the Land Use Code in Section 20.30I.140. Based on the criteria, a summary of Planning and Community Development staff recommendations are shown below, and are set forth in detail in the materials provided to Commissioners along with the May 12, 2016, notice of Threshold Review public hearing.

RECOMMENDATIONS SUMMARY

1. **Naficy Mixed Use 16-123605 AC (15700 Bel-Red Rd)**
 - **Staff recommendation:** Do not include in CPA work program; expand geographic scope
 - Proposed map change from Office (O) to Bel-Red Residential-Commercial node 3 (BR-RC-3) on a 0.574 acre site
2. **Eastgate Office Park 16-123765 AC (15325-15395 SE 30th Pl)**
 - **Staff recommendation:** Include in CPA work program; expand geographic scope
 - Proposed map change from Office (O) to Office Limited Business (OLB) on a 14 acre site
3. **Newport Hills Comprehensive Plan 16-123752 AC (5600 119th Ave SE)**
 - **Staff recommendation:** Include in CPA work program; expand geographic scope
 - Proposed map change from Neighborhood Business (NB) to Multifamily-High (MF-H) on 4.6 acres of 5.9 acre site
 - Include in the recommendation a requirement for a city-facilitated community planning process built around the framework identified in this staff report.
4. **Park Lands Policy #1 15-129232 AC**
 - **Staff recommendation:** Do not include in CPA work program
 - Proposal to amend policy and/or text in the Parks, Recreation and Open Space Element
5. **Park Lands Policy #2 16-122081 AC**
 - **Staff recommendation:** Do not include in CPA work program

- Amend policy and/or text in the Parks, Recreation and Open Space Element, and require city-owned park lands to be zoned with a ‘Park’ zoning designation

PUBLIC NOTICE AND COMMENT

The applications were introduced to the Planning Commission during a study session on March 9, 2016. Notice of the Application was published in the Weekly Permit Bulletin on February 18, 2016, and mailed and posted as required by LUC 20.35.420. Notice of the June 1, 2016, Threshold Review Public Hearing before the Planning Commission was published in the Weekly Permit Bulletin on May 12, 2016. This public notice was mailed and posted as required by LUC 20.35.420, and included notice sent to parties of record.

Public comments submitted are included with each staff report recommendation.

ATTACHMENTS

1. Draft minutes Planning Commission June 1, 2016 plan amendment public hearing
2. Written public comments received May 25 through June 1 and June 2 through June 9, 2016

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
STUDY SESSION MINUTES

May 25, 2016
4:30 p.m.

Bellevue City Hall
City Council Conference Room 1E-113

COMMISSIONERS PRESENT: Chair Hilhorst, Commissioners Barksdale, deVadoss, Morisseau, Walter

COMMISSIONERS ABSENT: Commissioners Carlson, Laing

STAFF PRESENT: Terry Cullen, Department of Planning and Community Development; Catherine Drews, City Attorney’s Office; Paul Bucich, Department of Utilities; Patricia Byers, Carol Helland, Liz Stead, Tony Craft, Department of Development Services

COUNCIL LIAISON: Not Present

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER

(4:35 p.m.)

The meeting was called to order at 4:35 p.m. by Chair Hilhorst who presided.

2. ROLL CALL

(4:35 p.m.)

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

3. APPROVAL OF AGENDA

(4:35 p.m.)

A motion to approve the agenda was made by Commissioner deVadoss. The motion was seconded by Commissioner Barksdale and the motion carried unanimously.

4. STUDY SESSION

(4:36 p.m.)

A. Low-Impact Development Principles Project

Assistant City Attorney Catherine Drews explained that the Council approved further exploring ways to integrate low-impact development (LID) principles into the city’s code and standards.

She briefly reviewed the materials provided to the Commissioners, and explained that the goal of the LID principles is to minimize impervious surfaces and reducing the loss of vegetation to reduce the amount of storm water runoff.

Wayne Carlson with the consulting firm AHBL explained that integrating LID principles into the city's codes and enforceable standards is a requirement of the Clean Water Act under the city's NPDES municipal storm water permit, and the December 31 deadline is hard and fast. He said the city's codes and the standards in the Comprehensive Plan are very supportive of LID. An opportunity analysis was conducted to find areas in which the codes and standards are providing loopholes or challenges to the implementation of LID, specifically with respect to the permit goals of minimizing impervious surfaces and minimizing vegetation loss. He said the proposed amendments are consistent with the permit requirements as well as many other city initiatives, including the city's reputation as a city in a park, the Environmental Stewardship Initiative, the Downtown Livability Initiative, and the recent planning efforts involving Eastgate and the grand connection.

Mr. Carlson said the Council issued an interest statement as part of the project that said the city supports the objective of maintaining the region's quality of life by making LID the preferred and commonly used approach to site development. The term "preferred and commonly used" was pulled directly from the NPDES permit. The Council also approved principles to guide the work of identifying solutions that are Bellevue appropriate. There is no one-size-fits all approach with respect to impervious surface cover or vegetation given that each zone in the city has a different character; the proposals are intended to reflect that.

The proposals also recognize and seek to balance competing needs, including the needs of the permit with the needs under the Growth Management Act. There is a natural tension between minimizing impervious surfaces and vegetation loss and encouraging loss in urban areas. The permit is not intended to supplant the city's good planning work to date, rather it is intended to harmonize with it. The approach builds on existing information and programs, engaging stakeholders, and maintaining the city's compliance record under the permit.

Mr. Carlson said the opportunity analysis included reviewing a variety of development-related codes, rules, standards and development bulletins, as well as codes, for opportunities and impediments to the use of LID principles. The opportunities involved evaluating LID early in the process, reducing impervious surface coverage, preserving and enhancing tree canopy, and improving options for clustering. Some of the same options presented themselves in the transportation code.

In addition to providing briefings to the Council, the Commission and other groups, several community workshops and outreach efforts have been undertaken to solicit opinions and ideas about various options. There have also been meetings with the Master Builders Association. In all, just shy of 100 comments have been received to date. More recently, meetings have been held with the public to unveil the proposals.

Mr. Carlson said the process is coordinating with other city initiatives. From the start one of the key opportunities identified was to make sure that bioretention facilities are allowed and integrated within parking areas. That code update has already occurred as part of the Downtown Livability Initiative. The impervious hard surface standards are being evaluated for the new zones that will be created in the Eastgate corridor, and any proposed amendments will be consistent with the city's goals and vision for the grand connection.

According to the NPDES permit, low-impact development is a storm water and land use

management strategy that strives to mimic pre-disturbance hydrologic processes through the use of natural on-site features, site planning, and distributed management practices that are integrated into design. The concept is based on managing storm water in small distributed practices throughout sites, addressing storm water as close as possible to where it falls in ways that mimic natural hydrologic processes and functions. Directing everything to a large vault or pond is not really mirroring natural hydrologic processes. In the urban environment, there is some level of evaporation from rooftops and pavement, but there is far more surface runoff that contains associated pollutants.

The land use management strategies are essentially the LID principles. The LID best management practices, however, are engineered practices that most people commonly think of when they think of low-impact development, such as bioretention facilities, rain gardens and permeable pavement. The LID project focuses on the principles, though the best management practices are also being addressed by the city through updates to the storm water management manual that are being handled by the utilities department and which will also need to be completed by December 31.

With respect to land use management practices, the focus is on reducing impervious surfaces, reducing vegetation loss and reducing storm water runoff. The engineering practices of bioretention, permeable paving and dispersion are going to be required unless deemed to be infeasible. There will be included in the manual a lot of detail related to the technical infeasibility for various practices for the benefit of the engineering design community. Conventional practices such as ponds and vaults will still be seen under the new approach because there will be instances where LID practices are not feasible due to the underlying soils and so forth.

Mr. Carlson said a new standard for hard surfaces is being proposed to supplement the city's existing impervious surface standard. An analysis has been done of impervious surface coverage by zone in the city and the proposal is to realign the maximum amount of impervious surface allowed to be consistent with development patterns. By definition, hard surfaces in the proposal includes traditional things like pavement and rooftops, but will also include things like pavers, permeable concrete or asphalt, and vegetative roofs. The goal will be to move in the direction of looking for opportunities to reduce impervious surface coverage. The new standard for hard surfaces includes the existing standard for impervious surface as well as the newer permeable surfaces of pavers and porous concrete. The impervious surface limit is reduced in the proposal. The proposal allows property owners the same amount of coverage currently allowed, but it pushes folks toward using permeable surfaces where feasible.

The city currently has maximum lot coverage by structures requirements. In the R-1 zone, the maximum is 35 percent, while the maximum impervious surface allowed is 50 percent. The proposal recognizes maximum hard surfaces as a new standard; it combines permeable and impervious surfaces and set the maximum at 50 percent.

Ms. Drews commented that if a project is going to use impervious surface construction, the maximum coverage is 40 percent, whereas under the proposal, the hard surface approach, which mixes impervious surface and permeable surfaces, allows for increasing to 50 percent the coverage allowed.

Mr. Carlson added that where the application of permeable paving is infeasible, the proposed Footnote 48 allows the maximum impervious surface to be equal to the maximum hard surface. Where technically feasible, reaching the higher coverage limit will be achievable only through the use of permeable surfaces.

Commissioner deVadoss asked if an research has been done to see what other cities have done with respect to uncovering opportunities. Mr. Carlson said he is working with Bothell, Newcastle, Mukilteo and several other jurisdictions. The opportunities identified in those communities are very similar to the ones identified in Bellevue. One of the differences lies in the way significant trees are inventoried.

Commissioner Morisseau asked if the slope of a site is a factor. Mr. Carlson said it definitely is in that it makes permeable surfaces less feasible. In such cases the maximum impervious surface will become the maximum hard surface so that no development authority will be lost.

Mr. Carlson amendments are also being proposed to the transportation code to explicitly allow and encourage permeable surfaces for sidewalks and bioretention within landscaped areas along streets.

One of the goals will be to retain trees and vegetation for new and redevelopment projects. One thing found in the existing code that precludes that from happening is in the clearing and grading code. The current code has an exemption for up to a thousand square feet of clearing, and under the current approach a property owner could take down 20 trees and still fall under the threshold for a clearing permit. The proposal will remove the proxy of 50 square feet on average and allow for removing up to five trees without a clearing permit.

Chair Hilhorst said she has been raising the issue with staff for the past couple of years and expressed concerns that the city has not been following even the restrictions of the current code. Properties throughout the city are being overdeveloped without regard to retaining trees. Property owners should not be precluded from making decisions about removing trees because they are diseased or dangerous or because they are overshadowing a site. There should be a differentiation made between what a private property owner is allowed to do and what a developer is allowed to do; the developers need to be held to a higher standard. Mr. Carlson said diseased and dangerous trees can be removed by right, and in fact property owners will under the proposed approach be allowed to remove up to five trees without a clearing permit, provided they are not in a critical area, a native growth protection area, or an easement.

Ms. Drews said the city has in place tree retention requirements that apply when properties are developed or redeveloped. Chair Hilhorst said the problem is the loophole that current exists under which developers are asking the property owners to clear their properties as part of the purchase of the site. Ms. Drews said closing that loophole is in fact the purpose behind reducing the number of trees allowed to be removed without a clearing permit from 20 to six. Chair Hilhorst reiterated that she did not want a private property owner who does not intend to sell their property to be limited in what they can do relative to removing trees from their properties.

Mr. Carlson noted that under the current code, developers are required to retain 30 percent of the significant trees. The diameter of trees at chest height must be measured to determine if a tree is classified as significant. The proposed amendment seeks to assure that the trees that are retained in the development process will survive and thrive. All too often trees that are proposed for retention are in side yards or other places that make them susceptible to damage during construction. The proposal is to include some prioritization of the types of trees that are most apt to survive and thrive, including landmark trees and significant trees over 60 feet in height, and trees in rear yards where damage from construction excavation is likely to affect them. The proposal recommends removing from consideration trees that provide winter wind protection, summer shade, distinctive skyline features, and which are located adjacent to steep slopes or watercourses and wetlands, the latter of which is covered by the critical areas code. The proposal

also include that the director may require an assurance device to make sure trees live after construction. Additionally, where significant trees are required to be retained to meet the requirements of the chapter and as a condition of a project approval, they should be recorded as part of an instrument that will remain with the site as components of the project.

With regard to clustering, Mr. Carlson said the proposal includes management of on-site soils and minimization of impervious surfaces as required criteria, and allowing zero lot lines so long as the combined sideline setbacks meet the minimum requirement.

Commissioner deVadoss asked what the rationale is behind allowing zero lot lines. Mr. Carlson explained that clustering is sometimes a way to maintain significant trees by allowing for more flexibility in designing around natural topography and reducing site disturbance. Zero lot lines have nothing to do with the types of structures allowed, only their placement on sites. All setbacks when combined would still need to meet the minimums, and zero lot lines would only apply within a clustered planned unit development (PUD) project.

Commissioner Walter asked if a detached accessory dwelling unit could under the zero lot lines approach actually touch the lot line on one side of a site where the main house touches the lot line on the other side of the property. Ms. Drews said detached accessory dwelling units are not currently allowed in Bellevue. They are being discussed, but it would be appropriate as part of that discussion to determine whether or not attached accessory dwelling units should be allowed in a PUD. PUDs are allowed in Bellevue and often they include open spaces and play areas.

Mr. Carlson said the proposal also seeks to assure that some of the elements important to making determinations for the feasibility of the practices be submitted at the early phases of site design. Soils and hydrology information that supports the use of LID practices should be provided at the submittal requirement stage; information regarding the significant trees to be retained should also be part of that submittal.

Commissioner deVadoss said it seemed commonsense that such information would be submitted early in a project. Mr. Carlson said heretofore such submittals have not been made early on and specific requirements have been learned about later, sometimes requiring changes to site plans. It will be particularly important relative to landscape-based practices and decentralizing storm drainage in smaller facilities given the need to understand the soils and hydrology of the site. Commissioner deVadoss asked if the approach could be framed in the guise of guidance rather than being made a principle.

Commissioner Morisseau said a soils analysis will need to be done in any case. It is to the advantage of all to do it early on in the process. However, designers and architects who are not familiar with the local codes may not know they need to do it. Having it as a principle lets them know right from the start that it will need to be done.

Mr. Carlson briefly reviewed the next steps in the process leading to adoption of the work by the end of the year.

Chair Hilhorst asked what impact the proposed approach will have on the Shoreline Management Plan (SMP). Ms. Drews said it will apply to the general citywide requirements but will not reopen issues with the SMP, which has its own set of requirements.

5. PUBLIC COMMENT

(5:40 p.m.)

Ms. Pamela Johnston, 3741 122nd Avenue NE, said she serves as president of the Bridle Trails Community Club. She pointed out that the tree retention requirements that apply specifically to the Bridle Trails area are applicable only to R-1 properties. She voiced specific concerns pertaining to the proposed LID changes: how the city will reach the 40 percent tree canopy, who is driving the issue, why the LID is doing the easy thing in lieu of doing the right thing, who will pay for the LID, are the rules clear and do people know about them, and will it work. Development paying for development has been said to be a city practice, but there needs to be a balance and the impact on fees should be submitted as part of the LID changes analysis. The downtown is a done deal and it is impervious, but the tree retention provisions do not apply to the hospital or medical office areas. Bel-Red is not a done deal and there are many opportunities to do LID right there; Bel-Red should not be exempted from reducing the maximum impervious surface and including a hard surface limit/LID pervious surface requirement. LID should not just be for the neighborhoods. A permit should be required for every significant tree removed; there should be a requirement to maintain 20 percent of the significant trees on sites at a 1:1 or 3:1 ratio depending on the size of the tree; no permit costs; and no exceptions for unhealthy or hazardous trees. Redmond requires a no-cost permit for every tree removed. Every tree has an impact on the storm and surface water environment. The loophole for homeowners cutting down trees over time should be closed. The fees are a minimum of \$250 and can cost more. Tracking five trees at a time is not effective for tracking tree removal. More information is needed on the tree hierarchy mentioned. In the ordinance, "The director may require assurance devices to ensure the continual healthy life of retained trees..." should be changed to read "The director shall require..." One device would be to require mitigation for every tree removed under 40 percent of the canopy; mitigation could be in the form of storm water friendly vegetation. Another idea would be to have a tree coverage requirement similar to the hard surface requirement. Tree retention should be for every property. There should be incentives for homeowners to keep more trees. Planting should not be restricted to native plant species rather than native being preferred. Many non-native species have the same characteristics as native.

6. BREAK

(5:45 p.m.)

7. CALL TO ORDER

The meeting was called to order at 6:31 p.m. by Chair Hilhorst who presided.

(6:31 p.m.)

8. ROLL CALL

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

(6:32 p.m.)

9. PUBLIC COMMENT

Mr. Todd Woosley, PO Box 3325, spoke representing the Kramer family, owners of the Trailers Inn RV park in Eastgate. He noted that the *Seattle Times* recently printed an article about millennials staying home longer and in greater numbers than ever before. Folks aged 18 to 34 are staying home longer and for a variety of reasons. He said one solution is to create new housing units in the Eastgate area. He agreed with the recommendation of the staff to go to an FAR of 2.0 in the Neighborhood Mixed Use (NMU) zone, and to include an incentive for affordable

housing. The code provisions still need to be modified to meet some real world economic realities. The report that comprises Appendix 1 in the Commission packet makes it clear that unless enough density is allowed, nothing will happen. No uses that are already allowed in the area should be taken away, and that includes auto sales and service. If for whatever reason it is not feasible to redevelopment with multifamily, auto sales and service is the second best option for redeveloping the RV site. The market demand for the type of multifamily residential the Kramer family would like to see developed continues to outpace the ability of the market to supply it. The first incentive to go above a viable base FAR should be affordable housing, but a higher base FAR is needed along with a higher total FAR of 2.5 is needed to ensure a successful project. The city has an opportunity to obtain additional public amenities through an improved incentive system and the Commission was encouraged to add to and improve on the incentive system.

Ms. Helland asked if the Kramer family wants additional height to go along with additional FAR. Mr. Woosley said the recommendation of the CAC to allow height up to 75 feet is acceptable.

Mr. Clark Kramer, 1610 North 1st Street, Suite 1, Yakima, urged the Commission not to take away auto sales and repair as a use in the NMU district. He said in the last year and a half three major auto dealerships have approached him interested in purchasing the RV site property. Multifamily is a better fit for the site, but under the staff recommendation to allow only 40 percent lot coverage, it may not be possible to get full value from a Chair Hilhorst development with a height limit of 75 feet. The height limit would be fine if the 40 percent coverage were to be increased.

Mr. Ross Klinger with Kidder Matthews, 500 108th Avenue NE, Suite 2400, spoke representing the Kramer family. He said in the Eastgate neighborhood there are four or five sites that have improvement values that are less than the land values. Of those sites, only a couple are potential development sites; the others have long-term leases. Currently Bellevue has a 3.6 percent vacancy factor, which is razor thin and which is triggering great demand. The developer of the new development on the KFC site on Bellevue Way is seeing an absorption rate of 60 units per month, which is far more than the normal 20 units per month. While Seattle and Bellevue are different markets, there are similar rental categories and similar prices per square foot. In Seattle, the most common zones are NC and C. There is a base FAR of 4.25 and building height of 65 feet; the FAR can increase to 4.75 by adding ground floor retail. The proposed base FAR of 1.0 for the NMU in Eastgate is an outdated approach. The vision for the Kramer site is a six-story wood frame construction building with a fair number of multifamily units serving the community.

Mr. John Shaw with American Classic Homes, 9675 SE 36th St #105, Mercer Island, a local multifamily and single family developer, said the company has been talking with Mr. Kramer about the Eastgate RV site. With regard to incentive-based zoning, he said in order to produce more affordable units, there needs to be a collaborative win-win between the developer and the city. The staff proposal is for a base FAR of 1.0 and allowance of an additional 1.0 through the provision of affordable housing. The LIV project in Bel-Red also had a base FAR of 1.0, with an additional 1.25 allowed through the bonus amenity system. Within that 1.25, however, 4.6 of the bonus square feet was to market rate for every one square foot of affordable. In other words, about 22 percent of the additional bonus square footage went to affordable. The MU-R zone in Issaquah has a base FAR of 1.25 and allows through the bonus program up to 2.0. Within the first third of the bonus square footage, 20 percent is required to be affordable. For the remaining two-thirds, the developer is given the choice of paying a fee in-lieu, doing an additional 20 percent affordable, or providing public open space. The MU zone in Issaquah has a base FAR of

1.7 and through bonuses can achieve an additional 1.8 for a total of 3.5, and the same bonus criteria apply. Providing affordable housing is the right thing to do, but it really boils down to economics and finding the right balance.

Commissioner Walter asked if the LIV project includes affordable housing units. Mr. Shaw allowed that it does.

Mr. Brian Palidar with Group Architect, 1735 Westlake Avenue North, Seattle, said his office was the architect for the LIV project in Bel-Red. He said the economics worked with an FAR of about 2.25 in conjunction with the tiered amenity system. Getting more FAR on the site would have been possible but not easily accomplished. The LIV project is doing well and is 90 percent leased. Staff have indicated their expectations and hopes that the Bel-Red zoning would achieve more using the tiered amenity system. The tiering is structured in a specific order, with more things at the top of the order at the highest FAR tier, but the LIV project did not get to the second tier because it was not possible to get through the first tier. He proposed adding to the amenity system child care, live/work units, and senior housing. He proposed setting the base FAR at 1.5 and allowing it to increase through the incentive amenity system. The limit of 40 percent building structure coverage is a challenge architecturally. In the Bel-Red code, lot coverage by structure does not exist, and parking garages and some other uses are exempted from counting toward FAR. The part of the LIV project that counts toward coverage is at about 40 percent, but if the entire structure were to be counted it would come to 65 percent.

Mr. Dave Elliott, a resident of the Eastgate area, said he served on the 2003 Eastgate CAC as well as the 2012 Eastgate/I-90 CAC. The most recent CAC process highlighted the fact that there is no inexpensive housing left anywhere close to the Eastgate corridor. What is needed is additional workforce housing to accommodate many of those who work in the area, including at Bellevue College. Projects with an FAR of 1.0, a lot coverage of 40 percent, combined with a 50 percent affordable housing ratio, have never been built. The land costs too much, the building costs are too high and the process is too long to make such projects financially sustainable over time. There has to be a bottom line return for the developers. Eastgate is an office and business and an approach that includes sufficient FAR and allows for the provision of housing will take the pressure off of single family homes being used as de facto rooming houses, will help Bellevue College retain its instructors, will increase support for area businesses, will allow workforce workers to live close to the job centers, and will allow for housing adjacent to the future Mountains to Sound Greenway.

Ms. Michelle Wannamaker, 4045 149th Avenue SE, said many who live in the Northwest do so because of all the outdoor activities. To get to the activities requires having a vehicle. It is not safe to say that new housing units in the Eastgate corridor will be filled mostly by Bellevue College students. Ample and free parking should be provided in the transit-oriented development. She said she learned from transportation staff that the data they have been along with the transportation data used by the CAC in preparing the 2012 report, was from 2010, before the new round of growth started. Current data could change the CAC's recommendations. The CAC members included several from nearby neighborhood who come to Eastgate on a regular basis; one from Bellevue College; one from Hopelink; and four who had jobs in commercial real estate. More than a quarter of the group could benefit financially from growth in the area. A number of Comprehensive Plan policies will fail if the city moves forward without having the necessary transportation improvements completed ahead of the growth. That could put the onus on the residents of Eastgate to watch for every permit and property owners asking for exceptions, which would not be fair to the residents. The city has for many years been ignoring the need for transportation improvements in the corridor.

10. STAFF REPORTS

(7:02 p.m.)

Mr. Cullen allowed that there had been some issues in getting the Commission packets delivered on time and noted that he is working on correcting the problem.

The Commissioners were reminded that a public hearing is scheduled for June 1 on the threshold determination for the five proposed Comprehensive Plan amendments. They were also reminded that an open house on the Eastgate Land Use Code amendment is scheduled for June 8 from 5:00 p.m. to 7:30 p.m. in the Concourse of City Hall. The event will overlap the start of the Commission meeting that evening, and that a public hearing is scheduled for June 22 at Bellevue College.

11. DRAFT MINUTES REVIEW – None

(7:08 p.m.)

12. STUDY SESSION

(7:08 p.m.)

A. Proposed Eastgate Land Use Amendments

Code Development Manager Patricia Byers said three new zones are proposed for the Eastgate corridor: Eastgate Transit-Oriented Development (EG-TOD), Office Limited Business 2 (OLB 2), and Neighborhood Mixed Use (NMU). The Commission has already discussed uses for each of districts. The dimensional requirements involve details such as building height, setbacks and stepbacks. Development standards are directives that must be met, and design guidelines are more suggestive.

Land Use Director Carol Helland took a moment to introduce the Commissioners to the materials, some of which had been included in the binders and some of which she handed out. With regard to the dimensional requirements for the EG-TOD, she noted that many of them were drawn from the Bel-Red subarea, which was used as a model for the Eastgate area, so many of the setbacks are the same. In Bel-Red a stepback is required above 40 feet but it has been found difficult to implement in practice because of the ground floor retail or lobby space and because of site characteristics. The conclusion reached was that it would be better to have a separation requirement from the back of the sidewalk but not to dictate where the separation should occur. The approach is accommodated in Footnote 5. The maximum building height is 160 feet, which is consistent with the recommendation of the CAC for 12 floors, and the height limit for parking garages is identified as 45 feet.

Ms. Byers said the FAR for the EG-TOD is 2.0. Up to 1.0 can be excepted for affordable housing, open space, public restrooms, and special dedications and transfers.

Mr. Cullen referenced the economic analysis in Appendix 1 that was done by a consultant and completed in May 2015 based on information from the fall of 2014. The information was intended to help inform whether or not an incentive zoning system makes sense for the Eastgate corridor. The bottom line is that a traditional incentive zoning system does not make sense for the area. Many of the prototypes used were for infill development that does not involve scraping the site and fully rebuilding. There are also questions about how the report addresses parking; the

fact is structured parking is very expensive. The report does not include enough information to conclusively determine that it makes sense to include an incentive zoning system.

Mr. Cullen said the original CAC recommendation included starting off with a base FAR of 0.5 and going up to 2.0. One of the key findings identified in the report talks about the base FARs encouraging a continuation of the current auto-oriented development patterns. The new zoning districts NMU and OLB 2 both have a proposed base FAR of 1.0 rather than a 0.5 specifically to begin moving away from an auto-oriented development pattern. Accordingly, it was necessary to go back into the EG-TOD and increase the base FAR from 0.5 to 1.0. In conversations with the consultants and with property owners in the EG-TOD area, the conclusion reached was that there is not enough lift to go from an FAR of 1.0 to 2.0 to be able to buy one's way up. The only way it would make sense to have an incentive zoning system would be to dramatically increase the FAR. An incentive zoning system like the one in place in Bel-Red is a transaction between the city and the developer. The developer must have enough of an incentive to want to buy into the system, but the city must also be able to get enough out of the lift to make it worthwhile. For example, the base FAR in NMU is 1.0 and the proposal is to except up to another 1.0 for affordable housing; all the units would have to be affordable and provided on site as there would be no fee in-lieu. The exchange rate was calculated to be as low as \$11 per square foot for affordable housing which if paid as a fee in-lieu would yield very little affordable housing.

Mr. Cullen said it will be a requirement in the EG-TOD for the developer to provide the street and the streetscape. The infrastructure boost will benefit the city and will pretty much take up the 2.0 FAR. It would make no sense to put in an incentive zoning system on top, especially one that would work for all three new zones. With regard to just the infill opportunities, an incentive zoning system would yield a mixed bag of goods, with positive economic surpluses in some instances but not in others. The conclusion reached was that staff would not be recommending an incentive zoning system. Incentive zoning systems only work under certain conditions, and the values attached can quickly become outdated. It is already necessary to go back to the Bel-Red corridor with an eye on recalculating the values; the work will require an economic study that the city will have to pay for.

Very simply put, the proposal for the EG-TOD is an FAR of up to 2.0, a requirement to provide the street and the streetscape, and an allowance for an additional FAR of 1.0 to accommodate primarily affordable housing. Much of what came out of the Eastgate/I-90 CAC plan was adopted into the Comprehensive Plan, and the transportation improvements that were adopted into a transportation plan were calibrated for the different areas based on what had been proposed. For the EG-TOD, the proposal was for an FAR of up to 2.0, and that in the NMU the FAR would be up to about 1.0. Staff believes the recommendation strikes a good balance in lieu of the economics working in ways that make sense for both the city and the development community.

Ms. Helland noted that the work done by the transportation group was calibrated to the anticipated FAR, as was the environmental review. For instance, the CAC recommended a maximum FAR of between 0.7 and 1.0 for the Eastgate Plaza area, and that is consistent with what was analyzed for the environmental review and the transportation review. The only deviation was that the CAC also recommended an incentive zoning system, but because of the economics of the area, the incentive zoning piece does not work. However, the approach represents a way to achieve the FARs recommended by the CAC.

Mr. Cullen shared with the Commissioners photos of various office buildings and indicated their FARs for comparison purposes: T-Mobile, 1.26; Sunset Office campus; 0.85; Advanta building, 0.5; Group Health, 1.04; Bellevue Corporate Plaza, 1.5; Plaza Center West, 1.75; 112th @ 12th,

2.7. He also showed several housing developments for comparison purposes: 1200 Bellevue Way, 0.72; Palazzo Two, 3.5; Washington Square, 4.9. He stressed that the greatest intensity will be in the downtown and in the centers of Bel-Red, Factoria and Eastgate, though the areas outside of the downtown should not eclipse the downtown in terms of FAR. Transit-oriented development can be nicely accommodated with an FAR of 2.0, even going up an additional 1.0 for affordable housing. It would not make sense to allow for a high FAR in the NMU, which is a neighborhood district.

Ms. Helland noted that staff added the FAR exception for affordable housing in the NMU and EG-TOD sections after the Commission's conversation on Aegis. Additionally, no fee in-lieu is allowed in those locations so that the units will be built on site. There is less parking generally associated with affordable housing so the impact that might otherwise be associated with increasing the FAR is essentially ameliorated.

Mr. Cullen said an FAR of 1.0 in the EG-TOD area would yield an estimated 1.1 million square feet of office space. At 2.0, which is what is recommended, the yield would be 2.2 million square feet. For every additional 0.5 FAR increase, there would be roughly 552,000 square feet of office, which also equates to 823 extra trips during the evening peak period based on 1.49 trips per thousand square feet of office, or 6300 extra trips per day. He explained that 552,000 is the equivalent of 38 Walgreens stores, five super Walmarts, 1.7 Ikea stores, one Lincoln office tower, or one tower of the Bellevue Towers complex. Small incremental changes in FAR can add up very quickly.

Chair Hilhorst asked staff to comment on the issue of building site coverage, suggesting that the coverage limit would affect how much can be developed. Mr. Cullen said a FAR of 1.0 on 100,000 square feet of land with not coverage limits would yield a single story building of 100,000 square feet. If the site allows only 50 percent building coverage, it would take two stories to get the same 100,000 square feet of office. At 40 percent, it would be necessary to go a little higher in order to achieve the maximum FAR. Staff's initial conclusion was that the proposed FARs can be reached given the proposed dimensional, height and lot coverage requirements. To be sure, however, a consultant has been brought on board to do the acid test.

Ms. Helland added that the maximum lot coverage by structure approach is aligned with the low-impact development proposal. It is possible that some adjustments will be needed going forward. Forty percent limit is the maximum lot coverage by structure in the EG-TOD, while the maximum impervious surface limit is 80 percent, which is similar to Bel-Red. In the NMU the maximum impervious surface coverage will likely be 60 percent.

Ms. Byers addressed next the EG-TOD development standards. She noted that many of the general landscaping requirements will apply, including types of landscaping, species selection and maintenance. Street trees and landscaping are proposed for the area, and interior property lines are to be softened with landscaping. There are provisions regarding significant tree retention, and there is a provision relative to fencing that disallows barbed wire, electric or chain link fencing, and no site obstructions can be created by fencing. There will also be street standards. The idea with regard to parking is that in a transit-oriented development there is a less of a need for it. Using the Bel-Red nodes as the model, the requirements for parking are reduced from the general requirements for other districts. There is flexibility built in to allow for adjusting the amount of parking to fit the needs of an applicant through the provision of a parking demand analysis. Bicycle parking is addressed in the standards as well; the provisions indicate that half of the bicycle parking must be covered.

The transit-oriented development "main street" Ms. Byers noted that the roadway runs east and

west. There is a provision in the development standards that allows for the submittal of a master development plan that has a vision for the street. As envisioned, it will be possible to walk from the park and ride to the eastern end of the street past ground floor retail shops. The north-south street intersections will involve some kind of open space/placemaking gathering spaces. A hillclimb will connect Bellevue College to the heart of the TOD area.

With regard to the general use charts and the dimensional requirements, Ms. Byers said the reason OLB 2 and NMU have their dimensions in the general dimensional chart is because they can be applied citywide. With the FAR exception of affordable housing in NMU, the requirements for the two districts are much the same with zero setbacks and an FAR of 1.0.

Ms. Byers said the design guidelines include many similarities given a backdrop of green forested hills and an urban skyline. They include connections to the Mountains to Sound Greenway and walking trails. The green theme is intended to promote environmental sustainability and will fit nicely with the LID project. In the EG-TOD, the design guideline relative to integrating the natural environment is about ensuring that the green hill between Bellevue College and the TOD will be honored. Additionally, the CAC called for connectivity with the Mountains to Sound Greenway along with some wayfinding, so that element has been included in the guidelines. The guidelines call for development generally to be in harmony with the surrounding natural environment. Green walls, green roofs, rain gardens and other approaches that fit in with environment sustainability and energy efficiency are also called out. Enhancing the pedestrian system is called out in all three new districts and will also be included in the street standards. The pedestrian hillclimb is intended to connect the transit-oriented development with Bellevue College, all pedestrian routes are to be safely integrated with the streets, and pedestrian access connections are called for to link the public right-of-way, Eastgate park and ride and all areas of the TOD. All walkways should be wide, unobstructed, offer visibility, paved and lit with pedestrian-scale lighting.

The gateways are listed in the design guidelines. The guidelines call for buildings located at a gateway to include appropriate architectural treatments such as freestanding elements that celebrate the gateway, signage, landscaping, lighting that identifies the gateways, and markers or artistic inlays in the sidewalks. The guidelines also call for a creative variety of activated outdoor spaces, including courtyards and plazas, that can be defined with materials such as furniture, pavers or colored concrete, and landscaping. The pedestrian emphasis guidelines talk about building entrances being accessible from the street level, transparent windows at the street level, walls with visual interest through form and materials, the selection and coordination of streetscape furnishings, and pedestrian-scale signs and lighting.

The guidelines also call for the provision of continuous weather protection for pedestrians in the form of canopies, marquees and awnings. The incorporation of art that relates to TOD characteristics is also called for; works should utilize durable materials, should be designed for the site, and should be functional or interactive.

Ms. Byers said the architectural guidelines are similar for each district. They focus on the use of high-quality and durable materials; articulation with windows and storefront trim; compatibility with adjacent buildings and the surrounding natural environment; and being to scale. The guidelines also cover interesting building massing; having a base, middle and top for buildings over five stories; vertical articulation of windows, columns and bays; and building massing that maximizes solar access to publicly accessible open spaces.

Eastgate is an entrance into Bellevue from the east. The guidelines call for buildings visible from I-90 to have a distinctive silhouette to announce entry into the city. Any parking garages visible

from the freeway should have some kind of screening or green wall. Green roofs and rooftop terraces should be provided to reduce and treat storm water runoff and provide habitat. Rooftop mechanical equipment should not be visible and should be enclosed in a mechanical room that is architecturally integrated into the building.

Residential entries should have weather protection; transparent doors, windows and glazing; double or multiple doors; visibility and security; and high-quality door hardware. Windows should be operable, recessed from the building façade, and broken into multipane segments. The guidelines call for entries on the street frontage to each tenant space; doors with 50 percent window area or more; lighting that emphasizes the entry; large café or restaurant doors that open to the street; activated and emphasized corners; weather projection; special paving; architectural detailing; ground floor retail; and commercial windows with clear glazing providing visual access. Surface parking is suggested to be located behind buildings, and the first floor of parking structures should have habitable spaces, green walls or other screening, and be designed from the exterior to look like any other building.

The lighting guidelines call for lighting to be directed toward the interior of sites and designed to accommodate both pedestrians and vehicles. Lighting should be integrated into the design of the building; footlights for walkways and stairs are preferred; and the use of energy efficient lighting it also preferred. Decorative wall sconces, screened uplight fixtures, lighting with natural color, and adjustable brightness are also encouraged.

All signs must conform with the sign code; must be scaled and oriented to pedestrian movement; should be architecturally integrated with building design; and should be durable.

Ms. Byers turned next to the OLB 2 district and noted that many of the same provisions apply. She said the district is intended to have offices and businesses that provide amenities for office workers within walking distance. The design guidelines call for integrating the natural environment; maximizing the retention of existing vegetation; promoting the environmental sustainability using LID principles, green walls and green roofs; and promoting architectural compatibility. Multi-site developments should have a unity of design. Fences, walls and refuse receptacles should be consistent with the scale and architectural design of the primary structure. Rooftop equipment is to be fully screened, and no at-grade mechanical equipment will be permitted. Parking areas are to be landscaped, and parking structures are to be designed such that they will not be obvious or overwhelming.

The CAC wanted to ensure there would be a good pedestrian system through the office park. The outcome of enhancing the pedestrian system will be direct routes to places; safe integration with street systems; and convenient and safe connections with transit. All internal streets are to have street trees and sidewalks, weather protection, and building walkway entrances.

Ms. Byers said OLB will have its own chapter as a design district, and OLB 2 will be included in that chapter. NMU, however, is very similar to the community retail design district which already has building design guidelines, site design guidelines and design standards, all of which would apply to the new NMU. However, an NMU-specific area has been created for design guidelines in which integration of the natural environment is called for along with providing access points to local and regional trails; promoting environmental sustainability; community gathering spaces; incorporating public art; and compatible parking spaces. The guidelines are similar to the other areas with regard to the pedestrian system, street trees and sidewalks, and weather protection. They are also similar to the other areas with regard to interesting building massing; vertical articulation; tripartite façades; vertical articulation of windows; and creating an attractive silhouette and rooflines where visible from I-90.

Promoting welcoming residential entries is a little bit different. With ground-related individual entries, there should be a clear transition from the public realm in the form of porches, private open spaces, low-rail fences, landscaping or other transition design measures. Multifamily lobby entries should include weather protection, transparent doors and windows, double or multiple doors, visibility and security.

As in the EG-TOD, the portion of buildings that front on the street should include public entrances. High-use pedestrian entrances should be provided every 50 feet to generate pedestrian activities. Doors should have 50 percent or more window area. The lighting should emphasize the entries and there should be café or restaurant doors that open to the street, and the windows should be clear.

Ms. Byers said the transition area design district applies to the OLB 2 and the NMU where office uses abut single family zones. Ms. Helland said within the transition area height is to be limited, and some additional design criteria are imposed in the areas closest to the residential areas. Because of the topography of the area, there can be taller buildings closer to the freeway that actually do not block the views. The height limitation in the areas to the south of the freeway in NMU and OLB 2 essentially limits building height to the height of buildings allowed in the adjacent district.

Ms. Byers explained that there will need to be a number of conformance amendments needed to make sure that all parts of the code are in sync. The actual legislative rezones will essentially be really long legal descriptions of the areas to be rezoned. Ms. Helland said there is a small property at the very west end of the district that is shown to be rezoned from GC to CB and noted that that rezone has already occurred.

Mr. Cullen took a moment to thank the staff for the countless hours put into weaving together a package of amendments that honors the recommendations of the CAC. While there are still tweaks to be made, the package is essentially what will be taken to the public in an open house and eventually a public hearing.

Chair Hilhorst noted that earlier it had been stated that the OLB 2 provisions would apply citywide and she asked if that includes the OLB 2 in the downtown and if the two districts are consistent with each other. Ms. Helland explained that the downtown livability work is focused only on the downtown districts which exist solely in the subarea. The OLB in Eastgate is EG-OLB, while the OLB in the downtown is DT-OLB.

Chair Hilhorst asked for clarification regarding the requirement to locate refuse recycling inside the buildings. Ms. Helland explained that they are generally located in the loading areas, which are considered to be part of the building along with parking areas.

Commissioner deVadoss asked if it was the complexity of the model or the lack of economic value added that made the staff recommend against implementing incentive zoning in Eastgate. Mr. Cullen said it was actually both. The economic incentive is questionable, and the complexity involved is not fully addressed in terms of infill development versus scrape and build comparisons. The study also used different lifts between base and bonus which creates even more confusion. Incentive zoning works very well in high-value added areas of the city. With an FAR of 2.0 there is a basis to provide parking options. Whether or not they will be able to provide the street and the streetscape right away is debatable. Information from the consultant based on changes in land values, leasing rates and construction costs indicates that it will be expensive to provide the street and the streetscape, but the lift allows for increasing the area from

1.1 million square feet to 2.2 million square feet, and provides the opportunity to create a unique office product.

Commissioner deVadoss asked about the provision allowing developers to make the case for a different level of parking. Ms. Byers said the idea is to allow developers to provide more parking or less parking depending on a parking analysis. Ms. Helland said development in the downtown is able to assign a parking demand based on a special study that takes into account comparable uses in comparable jurisdictions, engineering literature, and other factors, including their own operation and how it either differs or is similar to the standardized characteristics.

Commissioner deVadoss asked if the design guidelines are mandates or recommendations. Ms. Helland explained that the code is set up with both standards and design guidelines. In putting together the package, staff was not able to go back and look through the guidelines with as much specificity as hoped, and some of the standards may have gotten inadvertently placed in the guidelines section. By definition, a standard is required to be met, and guidelines are more focused on design and style and are characterized by “should” rather than “shall.” Even so, while there is variability in the way guidelines are met, they must be met.

Commissioner Morisseau asked if economics from the developers perspective was taken into account in working with the consultant on allowing additional FAR in exchange for affordable housing. Mr. Cullen said the consultant was not asked that question but staff did talk with the owner of a large property in the TOD who was intrigued by the idea in light of a conceptual master plan that had been drawn up. Commissioner Morisseau suggested that going forward economics from the perspective of the developers should be considered.

Commissioner Morisseau said it was her understanding that a comprehensive parking plan for the entire city will be undertaken at a later date. Ms. Helland said the same standardized approach to parking that was used in Bel-Red was applied to the EG-TOD, along with a provision allowing for deviation from the standard with a parking study. The citywide parking study has been put on the back burner to allow for addressing all of the other issues assigned to the Commission by the Council. She stressed that Bel-Red is the model for how parking is to be addressed citywide, and the EG-TOD parking requirements are based on that model. Ms. Byers added that the minimum and maximum amount of parking that must be provided is based on the use.

Ms. Helland explained for the benefit of Commissioner Morisseau that in OLB 2 and NMU where increased height will be allowed, the mechanical equipment will need to be integrated into the architecture of the building. Oftentimes there is a disconnect in regard to the installation of mechanical equipment and it gets added later almost as an afterthought, along with screening. The desire is to have the equipment fully contained in a mechanical equipment room and not allow for mechanical equipment to be put on top of buildings and screened in exchange for increased building height.

Commissioner Walter commented that in the downtown there is a high demand by developers leading to more economic growth. The same is not true to the same extent in Eastgate. She asked what the driver is for developing the Eastgate area if there is no real demand on the part of developers, and suggested that it might be better to slow things down for the corridor until there is an actual demand. Mr. Cullen said the Eastgate area is an older suburban office district, a style that is very much outdated. The fact that the economics do not support an incentive zoning system does not mean the market demand is not there. In fact, market demand in the corridor is significant. Downtown office space is very expensive and cannot be afforded by all businesses. The city needs a variety of spaces affordable and with different types of amenities to appeal to a

broad range of users in order to stay competitive. The proposed approach increases the FAR and will yield an activated mix of office workers, commuters and college students.

Chair Hilhorst voiced concern about the apparent mixed signals relative to the incentive zoning system approach. On the one hand statements have been made that incentive zoning is a good thing, while on the other statements have been made about the approach not working in the EG-TOD. She said she hoped that at the open house developers would be encouraged to offer their feedback. Mr. Cullen said the EG-TOD property owner staff talked with included their economic consultant who made it clear the incentive zoning system would not work with a lift of only 1.0 FAR.

Chair Hilhorst also questioned why an increase in FAR would be offered for affordable housing in NMU but not in OLB 2. Ms. Helland said that goes back to the underlying purpose for each of the zones. OLB 2 is an office and business district, whereas NMU is a neighborhood and mixed use district.

Chair Hilhorst asked if the city has data on the amenity system in place in the downtown relative to what has worked, what has not worked, and who took advantage of what.

Mr. Cullen reiterated that there were issues with the economic study design in that it only looked at one type of development: infill. Given that limited information, it can be concluded that infill might generate some economic surplus in some areas, but not in others. The information is all well intentioned, but there are confusions and wide variables involved. Such studies are not typically done in conjunction with rezone actions. The reason the study was done was because the CAC suggested considering it.

A motion to set a public hearing date of June 22 was made by Commissioner deVadoss. The motion was seconded by Commissioner Morisseau and the motion carried unanimously.

13. PUBLIC COMMENT

(9:06 p.m.)

Mr. Todd Woosley, PO Box 3325, said he appreciates how complicated it is to create a new zoning category. He pointed out that as soon as the city gives the green light, the area he is looking to redevelopment is ready to go, which is evidence that the market is there. He suggested the Eastgate RV site should really be looked at as a transit-oriented development as well. The Mountains to Sound Greenway is adjacent, and just nearby at Crossroads Bible Church their 300-stall parking lot is used as a private park and ride for T-Mobile contract employees. Of the 12 park and rides in Bellevue, it is the third largest. The area is truly transit oriented. The economic study missed the mark completely with regard to scraping and rebuilding, which is what is usually looked at first. The Commission was asked to keep an open mind moving forward. With regard to the amenity incentive system, he said he was involved in the development of the Bel-Red corridor approach that is working to create new housing with an affordable incentive component. It is not a perfect plan, however, and some tweaks are needed. The Urban Land Institute was hired to do a technical report and their finding was that the incentives were too expensive and did not create enough economic value to provide the public benefits envisioned. The economic study for the Eastgate corridor encourages looking at catalyst provisions, and the RV site would be a perfect site to focus on in that regard.

Commissioner deVadoss said he would like to see a simple economic model built in conjunction with other property owners in the Eastgate area for the Commission to review. Commissioner

Woosley said he welcomed the opportunity and would be happy to comply.

Ms. Michelle Wannamaker, 4045 149th Avenue SE, said her objection to redevelopment of the RV park site is focused primarily on the transportation impacts. If there would be no transportation impacts, the site would be perfect for multifamily housing. Once WSDOT completes the extra lane on I-90, and once the city completes the three transportation projects in the corridor, her objections would be mostly addressed. She said she has been supplied with some of the plans for the site and was pleased to see the green buffer would be retained and that other green elements would be included. She asked at what point future residents and workers became more important than the existing residents and workers.

Mr. John Shaw, with American Classic Homes, 9675 SE 36th St #105, Mercer Island, said he was disappointed to hear that the incentive zoning system is a fad sweeping the region. He said all of his projects include affordable units by taking advantage of the programs offered. With a base FAR of 1.0, the extra 1.0 offered for affordable housing just does not pencil out. A lot of time has been spent in analyzing the RV site and there is a desire to include affordable housing units as part of the redevelopment, but it will need to make economic sense for the developer. A consultant was hired to peer review the 2010 transportation report that was predicated on an FAR of 1.0 for the site. The report was used along with some assumptions to extrapolate what the impacts would be with an FAR of 2.5. The result was that the intersection coming up the hill from T-Mobile by the Toyota dealership would experience an additional half-second delay.

Mr. Brian Palidar with Group Architect, 1735 Westlake Avenue North, Seattle, noted that a comment had been made about getting too specific with zoning and amenities in developing the NMU zoning and the need to make sure it is implementable across the city. The fact is, however, Bel-Red uses a variety of footnotes that are specific to specific areas. The same approach could be used in Eastgate. He said there is a clear demand for market-rate and affordable housing development in the Eastgate corridor. So long as there is a profit gap between construction costs and rents, for-profit development will occur; volatility occurs when the two numbers get too close together. With regard to the LIV project in Bel-Red, he said there are some 55 affordable units included, which is evidence of the fact that the incentive zoning system works. At one point before the fourth LIV tower went up, which is where the affordable units are, the site was on the slate to be sold to a non-profit developer that did affordable housing exclusively, but the project was never able to come together. In most instances, it would be better to have market-rate developers produce the affordable units and then turn them over to ARCH to administer.

14. ADJOURNMENT

(9:21 p.m.)

A motion to adjourn was made by Commissioner deVadoss. The motion was seconded by Commissioner Morisseau and the motion carried unanimously.

Chair Hilhorst adjourned the meeting at 9:21 p.m.

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
STUDY SESSION MINUTES

June 1, 2016
6:30 p.m.

Bellevue City Hall
City Council Conference Room 1E-113

COMMISSIONERS PRESENT: Chair Hilhorst, Commissioners Carlson, Barksdale, deVadoss, Laing, Morisseau, Walter

COMMISSIONERS ABSENT: None

STAFF PRESENT: Terry Cullen, Nicholas Matz, Department of Planning and Community Development

COUNCIL LIAISON: Not Present

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER

The meeting was called to order at 6:07 p.m. by Chair Hilhorst who presided.

2. ROLL CALL

(6:07 p.m.)

Upon the call of the roll, all Commissioners were present with the exception of Commissioner Carlson, who arrived at 6:09 p.m., and Commissioner Laing, who arrived at 6:21 p.m.

3. APPROVAL OF AGENDA

(6:07 p.m.)

A motion to approve the agenda was made by Commissioner deVadoss. The motion was seconded by Commissioner Morisseau and the motion carried unanimously.

4. PUBLIC COMMENT

(6:08 p.m.)

Ms. Marci Faith Hennis, a resident of Lake Heights, thanked the Commission for helping to keep the vision of neighborhood pride for Bellevue neighborhoods.

Ms. Cathy Louviere, a Bellevue Towers resident, reminded the Commissioners she had previously noted that the perimeter residents were promised that no building taller than five stories would be constructed across from them. Downtown Bellevue residents do not enjoy the same protection. Bellevue Towers residents are having to deal with the fallout from the Lincoln Square expansion and the Center 425 development as a result. She said since she last addressed the Commission, the residents have been subjected to more construction noise and more traffic

disruption along 106th Avenue NE. Light pollution is still an issue for many, though the issue has been improved somewhat. She said she continues to be concerned about how building height is reported and suggested it needs to be standardized. From her home on the 21st floor of Bellevue Towers, the view has been blocked by a rooftop garden atop the 16-story Center 425 building.

5. PUBLIC HEARING

(6:14 p.m.)

A. 2016 Proposed Comprehensive Plan Amendments – Threshold Review

Chair Hilhorst briefly reviewed the two-step Comprehensive Plan amendment process, noting that all proposed amendments are evaluated based on the threshold review decision criteria. Amendments that are found to be consistent with the criteria are recommended to move to the final review step.

Senior Planner Nicholas Matz explained that the Comprehensive Plan amendment process is the tool used to consider amendments to the Comprehensive Plan. Under the Growth Management Act, the Comprehensive Plan can only be amended once per calendar year. At the threshold review stage, a determination is made as to whether or not the individual applications submitted should be considered. The proposals that are passed on to final review are subjected to a different set of decision criteria. The process is arduous but is designed to respect the legislative nature of the decisions the Commission will be making about amending the Comprehensive Plan. The City Council weighs in at both phases, first to establish the work program and second to act on the amendments by ordinance. All of the decision criteria must be met in order to advance amendments to final review.

Comprehensive Planning Manager Terry Cullen said the process takes about a year to complete. The amendments that move forward to the final review phase will undergo a full analysis. Actions taken by the Commission at the threshold review stage are not tantamount to approval of the amendments up for consideration; they only recommend moving amendments into the next phase or recommend that they not be advanced.

Mr. Matz briefly outlined the threshold review decision criteria as established in LUC 20.30I.140. He noted that three site-specific amendments had been submitted, and that there were two non site-specific applications related to park lands policies that would apply citywide.

i. Naficy

(6:22 p.m.)

Mr. Matz said the amendment seeks to change the designation from Office (O) to Bel-Red Residential-Commercial Node 3 (BR-RC-3) for the half-acre site at 15700 Bel-Red Road. The site currently is developed with a medical office building and surface parking. A concurrent rezone application has been filed as well. The applicant has stated that the redesignation and rezone of the site and the neighboring properties in the vicinity from O to BR-RC-3 would allow for a denser mixed use center and allow for additional housing to support the growth stated in the Comprehensive Plan and add to pedestrian activity in the neighborhood. The nearest BR-RC-3 to the subject property is to the southwest in the Iron Triangle area in the Bel-Red subarea; to the south is O, there is PO across the street to the east, and beyond that is single family.

Mr. Matz said part of the staff recommendation is to expand the geographic scope to include the entire triangle area between Bel-Red Road, 156th Avenue NE and NE 28th Street.

Chair Hilhorst asked which subarea the subject property is in. Mr. Matz said it is in the Crossroads subarea, but the applicant would like the line redrawn to put the site in the Bel-Red subarea. That is in fact the only way the site could get the BR-RC-3 designation.

Mr. Matz said the staff recommendation is that the Naficy proposal does not meet the threshold review criteria and that it should not be recommended for inclusion in the work program. The proposal would require changing the subarea boundary, an issue that would be more appropriately addressed by the Bel-Red look back, an ongoing work program approved by the Council. The look back work includes a review of policy implementation and will result in a report to the Council that will include recommendations for what should be done next. The first phase of the look back, intended to be completed by August, is essentially an assessment of where things stand. The look back is the appropriate place to consider changing the subarea boundary, which the Naficy amendment proposes.

Commissioner Morisseau asked about the three-year rule regarding Comprehensive Plan amendments and Mr. Matz explained that applications for Comprehensive Plan amendments that are submitted but are not successful cannot be resubmitted for three years.

Chair Hilhorst asked if the applicant would have to wait three years if it is not moved to the next phase, or if the issue could be rolled into the look back. Mr. Matz said one option open to the Commission is to recommend to the Council including the Naficy site in the Bel-Red look back. The Council could approve that approach, which would then trigger the three-year rule.

Chair Hilhorst asked if the applicant could achieve the same density level if the site remains in the Crossroads subarea. Mr. Matz said the Bel-Red zone sought by the applicant is specifically described by statute to apply only within the Bel-Red subarea. Bel-Red zoning cannot be applied outside of the Bel-Red subarea. There is no designation in the Crossroads subarea that allows for the same density.

Chair Hilhorst opened the floor to comments from the applicant.

Rich Wagner with Baylis Architects, 10801 Main Street, spoke representing the applicant and pointed out that the urban environment to the north of the subject site is dominated by Microsoft. He said the application has been cast as an expansion of the subarea, but that has not been the goal of Dr. Naficy. The 6000-square-foot building on the site is forty years old and it would be almost impossible to rehabilitate it economically. The site is 25,000 square feet and the current zoning allows a maximum FAR of 0.5, which would yield 12,500 square feet. An expansion of only 6500 square feet simply does not pencil out. Dr. Naficy has practiced on the site for many years and many of his clients say they have to drive two hours to get to the office because they cannot afford to live in Bellevue. Dr. Naficy's goal from the start has been to achieve some affordable housing. The Assessment of Housing Needs in Bellevue, updated in March 2016, indicates that Dr. Naficy is on the right path. The desired project would come in at an FAR of about 2.5, would be 60 feet in height, and would have 60 or 70 units, which is far less than what the proposed BR-RC-3 zoning allows, but which is more than what the Crossroads zoning allows for. Redeveloping the site will result in traffic and bulk impacts, but most of the traffic in the area flows to Microsoft. The idea of putting affordable housing in the area to provide living units for those who would provide services to those who work at Microsoft and elsewhere makes sense. The subject property is only about five blocks away from a future light rail station. The applicant was not anticipating a staff recommendation that the proposal does not meet the

threshold criteria and that the issue should be made part of the look back process. Since 2009 there has been a commitment to do a look back of the area, but it has not happened yet. The applicant did not recommend expanding the geographic scoping, that is the recommendation of the staff. The timing of the look back is such that the research will be available to the Commission by the time a decision would be made on the Naficy application in final review. The Commission was asked to advance the application so it can at least be discussed.

The applicant Dr. Kevin Naficy said he has been a practicing orthodontist at the subject site for 31 years. He said all he has come from the community, and he has been able to give back to the community. Beginning in May 2010, 80 percent of the practice has been dedicated at no charge to families below the poverty line. Patients travel to the site from as far away as Wenatchee and Bellingham. He said his desire is to redevelop the property so he can benefit from it in his retirement and to give back to the community. The plan is to include a commercial element by way of an office wing, and to include an affordable housing element. The limitations of the zoning has forced seeking the BR-RC-3 designation, which allows building height to 85 feet even though there is no intent to build that high. Those who would inhabit the affordable housing units would hopefully not have to drive to their jobs. Both to the north and the east there are much taller buildings than what is proposed by the site. He urged the Commission to forward the application to final review.

A motion to open the public hearing was made by Commissioner Carlson. The motion was seconded by Commissioner Laing and the motion carried unanimously.

Mr. Russ Paravecchio, 2495 158th Place NE, concurred with the staff recommendation. He suggested, however, that it would be good for the Council to hear from the great number of area residents who would vote against the proposal. The added traffic would add to the danger of the area by reducing access times by emergency vehicles, and the density would encroach on the borders of what for many years has been delineated for housing. Changing the subarea border would open even more sites to denser development. People should be allowed to develop their properties so long as they play within the rules. While over time changing the rules may be necessary, it is not always necessary to do so. Those who live in the single family homes close to the site purchased their homes on the understanding that the area would remain for families over time. They have seen numerous attempts to allow for more and more encroachment by higher intense uses and they need to be protected.

A motion to close the public hearing was made by Commissioner Laing. The motion was seconded by Commissioner Carlson and the motion carried unanimously.

ii. Eastgate Office Park

(6:54 p.m.)

Mr. Matz said the Eastgate Office Park amendment seeks to change the designation for the 14-acre site to the east of 156th Avenue SE at approximately SE 30th Place from Office (O) to Office Limited Business (OLB). The site is developed with 280,000 square feet of office in four buildings with surface parking. He said the recommendation of staff was to advance the proposal into the work program. The applicant asserts that the proposal will implement the city's Comprehensive Plan vision for the Eastgate subarea by encouraging continued economic vitality and development capacity. Staff also recommends expanding the geographic scoping to include the two properties to the east which are similarly situated in terms of their designation and the type and quantity of existing office buildings.

Mr. Matz said the applicant has made the case that they were missed by the Eastgate/I-90 land use and transportation project and would like to revisit the question of whether or not the site should have been included in the area. By advancing the amendment to final review, the door to digging deeper into the issue would be opened. It would also allow for looking at some of the economic issues that have been raised by the applicant.

Mr. Matz said staff have concluded that the decision criteria have been met. The area was part of the Eastgate study area, and the amendments from the Eastgate study have been adopted into the Comprehensive Plan. If for some reason the potential for the subject property and the geographically expanded area was overlooked, there is no other venue for reviewing the designation for the site other than the Comprehensive Plan amendment process. The proposal does address significantly changed conditions of the Eastgate process, namely the presence and the extent of the Eastgate changes that established the OLB and OLB 2 designations which allow for mixed use and transit-oriented development around the park and ride.

Commissioner Walter asked what the requested designation could yield on the site. Mr. Matz said the OLB designation allows for a slightly broader set of mixed uses, no limit on the residential component, and building height to 45 feet.

Chair Hilhorst said she wanted to be sure changing the designation to OLB would not set a precedent for siting the designation adjacent to a residential neighborhood. Mr. Matz said there is OLB to the west that borders the Tyee neighborhood and some that borders Bellevue College. The subject property borders residential on its northern edge as well. Mr. Cullen added that in the proposed dimensional charts for O and OLB, the FAR remains at 0.5. It is in OLB 2 that the FAR is increased to 1.0.

Mr. Matz said the Department of Natural Resources is the owner of one of the properties in the area in the proposed geographic expansion area. When contacted, their property manager expressed a willingness to be included for consideration. Additionally, a phone call was received from the manager of the Subaru dealership who also expressed an interest in the proposal without committing himself in any way.

Commissioner Walter asked what the buffer on the northern portion of the property be under the proposed designation. Mr. Matz said it would be subject to transition, which typically requires a larger buffer depth and more specific vegetation. Mr. Cullen said the rear yard setback would be 50 feet and the side yard setback would be 60 feet in addition to the transition buffer.

Chair Hilhorst opened the floor to comments from the applicant.

Ian Morrison with McCullough Hill Leary, 701 Fifth Avenue, Suite 6600, Seattle, spoke representing the applicant. He concurred with the staff recommendation to docket the application. In working through the Eastgate process in 2012, the Commission was focused on economic data that was created in 2010 and 2011. At that time it was reasonable to conclude the existing buildings on the site still had some useful economic life. Now that the Eastgate policies have been adopted along with a vision for transit-oriented development around the college and infill development involving more retail and pedestrian uses along 156th Avenue SE, the subject property should be reviewed in light of the adopted vision. Clearly the process is in its infancy and the applicant is intrigued by the vision of the OLB that involves pedestrian retail and the like. The Eastgate process included looking at opportunities to create additional pedestrian park connections, which trail connecting through to Robinswood Park represents. Having a pedestrian-oriented streetscape would improve mobility generally in the Eastgate neighborhood.

A motion to open the public hearing was made by Commissioner Walter. The motion was seconded by Commissioner Barksdale and the motion carried unanimously.

Ms. Michelle Wanamaker, 4045 149th Avenue SE, asked if the FAR would increase on the site under the proposed designation. Mr. Cullen said the proposal is to apply OLB to the site, and as currently envisioned, O and OLB would have an FAR of 0.5, and OLB 2 would have an FAR of 1.0.

A motion to close the public hearing was made by Commissioner Walter. The motion was seconded by Commissioner Laing and the motion carried unanimously.

Chair Hilhorst noted that one of the threshold decision criteria is that a proposed amendment does not raise policy or land use issues that are more appropriately addressed by an ongoing work program approved by the City Council. She asked why the proposed amendment is not rolled into the work currently under way in regard to the Eastgate corridor. Mr. Matz said the designation opportunities that exist for the site include OLB, and any subsequent rezone could involve any of the cluster of OLB zones that are currently being contemplated. The work under way by the Commission is focused on implementation of the zoning and land use regulations resulting from the work to update the Comprehensive Plan, which has been completed.

iii. Newport Hills

Mr. Matz said the application seeks to amend the map designation on the easternmost 4.6 acres of the 5.9-acre site at 5600 119th Avenue SE from Neighborhood Business (NB) to Multifamily High (MF-H). The remaining site area would retain its current NB designation along 119th Avenue SE. The site is currently developed with retail and business uses in one larger building and three small building. The applicant has stated that the change would enable redevelopment of the site into a mixed use residential and retail complex. The application suggests the opportunity is unique and would allow for a development consistent with the surrounding neighborhood. To the north and west of the site is NB and Professional Office (PO), and to the east and south are MF-H.

Mr. Matz said the staff recommendation was to advance the application to final review but to not expand the geographic scope. Although there is adjacent NB, those properties are not similarly situated in terms of the questions posed by the request of the applicant for the amendment. The application does address significantly changed conditions which include changing market patterns for neighborhood retail uses, challenging economic conditions faced by neighborhood centers citywide, and greatly increased competition from retail centers in Factoria and Newcastle.

Mr. Matz said there has been a great deal of public outreach regarding the proposal that has resulted in a great deal of thoughtful public comment. Those expressing disapproval have, in no particular order, highlighted the potential impacts of redevelopment to existing community retail and parking places that form a common bond for residents; adding traffic to a road system already constrained by Newport Hills' geography and access points; already crowded area schools; growth in the City of Newcastle; and displacement of current business owners/tenants of the existing center. The comments in support of the proposal included the need to redevelop the center because of the impact its current state is having on the community; and it is time to redevelop with an attractive and mixed use character that continues to serve the area. The majority of the comments received to date have been opposed to the proposed amendment.

Commissioner Barksdale asked if consideration has been given to any mitigation strategies that

might ease the concerns voiced by those opposed to the proposal. Mr. Matz said should the amendment be advanced to final review, the door will be opened to talking about the merits of the application and discussing the impacts.

Mr. Matz said staff believes the amendment addresses issues that have been identified in the Land Use Element and the Newport Hills subarea for aging commercial areas and neighborhood commercial centers.

Commissioner Carlson pointed out that when the neighborhood commercial centers issue came to the Commission a few years ago, the Newport Hills Shopping Center was hurting and trying hard to find tenants. He said it was his understanding that the center now has tenants and is doing much better than it was. Mr. Matz said the economic development conclusion reached by the Heartland study was that for the long term NB uses will not be viable to the extent they are allowed on the site. Since there the area has witnessed a marked economic recovery and spaces at the shopping center have been leased out. Commissioner Carlson suggested the criteria of changing market patterns and challenging economic conditions would have been appropriate to address the problems in play five years ago, but does not seem to be as relevant currently. Mr. Matz said if the amendment goes forward, it will allow for conducting more economic-based research on the state of the conditions. The fact is changing market patterns, challenging economic conditions and increased competition from Factoria and Newcastle is in fact accelerating and it is worthy taking a look at the extent to which those factors will affect redevelopment of the subject property. The fact that the site is fully leased currently is not enough to warrant ignoring what are significantly changed structural conditions.

Chair Hilhorst agreed that if it were 2009, the conversation would be much different. The fact is that many of the family oriented businesses weathered the economic storm. Bellevue is growing and more families and children are moving in and there is no reason to believe those businesses will not only stay but continue to thrive and grow. The economics of Newcastle is not part of the threshold review, but is part of the reality for Newport Hills. Mr. Matz made it clear that staff have reached no conclusions that what is going on currently in Newport Hills is not economically viable. The staff have looked at the Comprehensive Plan and have looked at the struggles neighborhood shopping centers have had citywide, including Northtowne, Lake Hills, Eastgate and Crossroads. The Heartland study serves as a starting point rather than a conclusion. The fact is that citywide neighborhood centers are experiencing changing market patterns, challenging economic conditions, and increased competition from areas outside of the city. The question before the Commission, which is supported by policies adopted in the Comprehensive Plan, is how to redevelop the centers to assure that they will continue to play the role they are currently playing.

Commissioner deVadoss pointed out that the Commission was recently updated with regard to low-impact development principles. One of the principles outlined was doing the analysis and homework up front to mitigate potential issues downstream. He asked if a full analysis could be done relative to the proposed amendment relative to the impacts on transportation and the schools before making a threshold determination. Mr. Matz said that could be done. Threshold review at its simplest is simply answering a question of whether or not a proposal should be considered, and the parameters under which the considerations are made are exactly those things identified, including traffic and school impacts. The threshold review stage is not, however, the time to drill down on the specifics; it is the stage at which a decision is made to drill down.

Mr. Cullen said the threshold hearing in most years is conducted in March and it involves a broad brush look as to whether or not proposed amendments should move forward. To spend the energy in doing a full analysis up front would negate the threshold review entirely. The way the

process is set up, the threshold review is the phase at which a determination is made as to whether or not a full analysis should be done during the final analysis phase.

David Macduff, vice president of development of Intercorp, the applicant for the Newport Hills Comprehensive Plan amendment. He said the project has history going back for many years and the proposed amendment will give the city and the community the opportunity to study and investigate the potential implications of redevelopment. Much has been said about the potential impacts to traffic and the schools, but the reality is there is no information in hand relative to those topics. Intercorp is excited about its idea and believes it to be well-grounded. The company is willing to spend the additional time and money to thoughtfully evaluate the merits. The Commission should recommend to the Council that the proposed amendment be moved forward. The site contains a 1960s vintage shopping center that formerly was anchored by a grocery store; it has both inline spaces and a couple of out parcels.

Mr. Macduff said conditions affecting the site are certainly changing. The evolution of Factoria and Newcastle has changed how people shop and has changed the type of retailers that can come into such shopping centers. The challenges being faced by the Newport Hills Shopping Center are being faced by other neighborhood centers citywide. The last grocery store to occupy the center left in 2009. Over a number of years, the property owner, the city and the neighborhood made a valiant effort to figure out how to revitalize the center, but those efforts have not worked. The center is only 64 percent leased; if the batting cage business were not there, the center would be only 41 percent leased.

The Heartland study included alternative uses that to date have not proven to be financially feasible for the market. The property owner is focused on a right-sized concept, with the right amount of retail and the right amount of residential, to balance the perspectives the community has voiced about what they want to see happen on the site. The outreach conducted to date has been focused on improving the concept. The owner's representatives have met with the current tenants to gain their thoughts; have met with individuals; have met with businesses; and have held five public outreach meetings attended by about 75 people. The concerns voiced to date have included traffic, schools, the continued provision of neighborhood services for the community, preserving the current set of tenants, and the loss of parking on the site from other businesses that do not have enough parking the community. Many voiced support for the proposed mix of uses, and for the fact that the housing would be ownership rather than rental.

Mr. Macduff said the vision is to simply right-size a redevelopment opportunity for the entire center driven by an understanding of the commercial demand. The research done indicates there should be between 15,000 and 20,000 square feet of commercial, and a townhome residential component at a lower density than what was highlighted in the Heartland study. The provision of neighborhood services will be critical to success, as will sidewalks and open space. The property owner is willing to commit to entering into a development agreement with the city as part of the process to guarantee development will occur as promised. The property owner is willing to commit to building new commercial space before allowing occupancy in the residential component. The property owner is also willing to commit continuing the dialog that has been opened with the community.

Jessie Clauson with McCullough Hill Leary spoke representing Intercorp. She stressed that at the threshold stage the property owner is not asking for a yes on the proposed amendment, rather concurrence that the proposal warrants study. Real estate and retail markets go up and down over time, and there have been discussions about the center for a very long time. The opportunity is finally at hand to usher in a full study, including potential impacts on traffic and schools, and an up-do-date retail study to determine the right-size retail component for Newport Hills. Once the

study data is in hand, it will be possible to make an informed decision regarding the proposed amendment.

Chair Hilhorst noted that she has been part of the process for a long time. In the discussion about right-sizing the commercial, it was clear that some of the current uses, including the batting cage, will not fit in the future. Many of the family recreation businesses have survived and thrived. Additionally, the Heartland study envisioned more than 100 residential units, but they were for assisted living, the residents of which would create far fewer trips on the roads. She asked if there were any potential for a compromise in which there would be less housing and more commercial. Mr. Macduff said the amount of commercial in the proposal is based on relatively newcomer knowledge of the studies that have been done and the conversations that have taken place to date. When it comes to determining the right size, studies are needed to determine what the market will accept. If the studies show the demand for commercial is higher, there is the ability to expand some of the buildings, though that could restrict the open space and gathering areas. The issue of housing type really goes to the types of buildings constructed. Intercorp has developed five-over-one multifamily apartment housing in downtown Seattle, but the economics of that kind of a structure would likely not work in Newport Hills. Intercorp is, however, open to looking at new ideas. The proposed ownership townhouse approach would have less of an impact than market-rate rental housing.

Mr. Macduff said as envisioned, the new commercial to be developed would be on the part of the site that would remain NB. He allowed that for purposes of the amendment, lines were drawn on the map without having a plan in hand. As the site plan gets refined, the percentages of commercial and residential could change.

Ms. Clauson said the density shown in the amendment documents actually works out to R-23. However, that would require self-limiting under R-30. Mr. Macduff added that townhomes are not permitted in the NB zone, which is why an amendment is needed for a portion of the property. Commercial is the driver.

Commissioner Morisseau asked why the larger percentage of the site is shown as having multifamily if in fact commercial is the driver for the site. Mr. Macduff said it is the amount of demand for new commercial that has determined the split between residential and commercial. Commissioner Morisseau asked if there is an acceptable middle ground that would have less commercial. Mr. Macduff said that would need to be determined after the studies are done. Intercorp is certainly open to new information but does not believe the site should remain predominantly commercial. The level of flexibility will be informed by the studies, but Intercorp does not believe the studies will show a dramatically different demand for retail on the site. Commercial is a driver because it is important, but that does not mean it will be the predominant use.

David Hsiao spoke representing the ownership group of the Newport Hills Shopping Center. He said the group has owned the shopping center for over 30 years. He voiced support for moving the amendment forward for further study. He said when purchased, the center was thriving and had no issues with vacancies. In more recent times, however, the center has experienced a steady economic decline. The center has been aggressively marketed but with very little success. The rental rates that can be achieved are simply too low to justify any capital investment in the existing layout. In its current form, the center no longer fills a need for both retailers and customers. The center faces stiff competition from areas in close proximity, including Factoria, Newcastle and Coal Creek; it suffers from outdated NB zoning; and it experiences very low traffic counts. The center is not, in fact, currently thriving. It has a 40 percent vacancy rate, something that has been as high as 60 percent. From the standpoint of tenants, the center has

experienced an increasingly high rate of defaults, and a steady and consistent increase in delinquent rent payments. A number of potential tenants have unfortunately not met the criteria of the NB zone. Redevelopment is the only viable option for revitalizing the center and making it into a community asset.

Commissioner Carlson asked if the Newport Hills Shopping Center can make it as a standalone shopping center. Mr. Hsiao said it cannot. The only way to succeed will be to have housing become a component. A serious attempt was made to sell the property using the services of CBRE. Over 500 perspective purchasers were contacted, and of all those who expressed an interest, not one voiced an interest in maintaining the center as a shopping center. Commissioner Carlson asked if there are limits on kind of commercial activities allowed that are preventing the center from being profitable. Mr. Hsiao said there are impediments involved with attracting certain types of businesses, but the bigger issue that anyone wanting to provide retail services to a community needs a certain amount of traffic, and the center is simply not providing that.

Commissioner Walter asked about the efforts to aggressively market the shopping center. Mr. Hsiao said over the course of ownership, the services of three real estate brokers have been retained to find tenants.

Chair Hilhorst said she was able to attest to the fact that there have been viable businesses that wanted to locate at the shopping center but were precluded from doing so because of the NB zone restrictions. Requests were made to allow for flexibility in the code to entice more tenants, but because such flexibility would need to be applicable citywide, the staff chose not to proceed.

Mr. Hsiao reiterated that to some degree, the current code restrictions are preventing the center from being viable. However, the bigger impediment to success is the low traffic count realities.

Chair Hilhorst said it was her understanding that the only vacancies currently are the old Hallmark site, the bank, and the space adjacent to the batting cage use. Mr. Hsiao stressed the need to respond in a delicate fashion owing to issues of confidentiality. He reiterated the fact that the current vacancy rate is 40 percent and that there has been an increase in rent delinquencies to the point where the center is losing money annually. The owners have in fact become creditors for the tenant in an attempt to help them out.

Commissioner Carlson asked what changed that resulted in less traffic for the site. Mr. Hsiao said change has come in the form of competing shopping centers but also in terms of the way people shop. Consumer habits have changed, not the least of which is the move toward online shopping.

Commissioner Walter asked if the owners have watched the Lake Hills Village shopping center and the difficulties they had until finding a large anchor tenant. Mr. Hsiao allowed that he has followed that center, though not in great detail. He said getting an anchor tenant in the NB 5000 zone is challenging because of the limitations on who can occupy a 20,000-square-foot space. It is not possible to just sign up any tenant who might have an interest.

A motion to open the public hearing was made by Commissioner Laing. The motion was seconded by Commissioner Barksdale and the motion carried unanimously.

Mr. Kim Herman, 4545 119th Avenue SE, voiced support for the staff recommendation to include the Newport Hills Comprehensive Plan amendment in the 2016 work program. It is necessary to have a community discussion about the potential redevelopment of the shopping center to determine what is best for the community. The current redevelopment proposal,

however, is concerning. Traffic congestion in Newport Hills is terrible and there are safety concerns regarding ambulances, school buses and residents. Peak time traffic congestion would only get worse by adding 110 new townhomes. On Coal Creek Parkway there was one intersection in 2014 that did not meet the city's traffic standards, and the intersection of Coal Creek Parkway and I-405 just barely met the standard. Traffic goes through the neighborhoods to avoid the congestion and will only get worse with Newcastle development. The community is concerned that the current neighborhood businesses in Newport Hills will be lost by lowering the amount of retail space from 38,000 square feet to 17,000 square feet, some of which will be live/work space. The amount of retail occupancy is the best it has been in the last ten years or so and it would be a shame to lose some of the popular neighborhood businesses due to poor redevelopment planning. The neighborhood is concerned about the density of the proposed redevelopment, which includes 110 new townhomes. He provided the Commissioners with a schematic outlining some minor changes to the proposed redevelopment submitted by Intercorp that would address some of the community concerns, including an additional 500 square feet of retail space. He pointed out that little visitor parking is shown for the townhomes, and that the Chevron station needs additional parking in order to continue operating. The schematic included one acre of the site for independent senior housing. Bellevue is lacking in senior housing options. Including more commercial space along with senior housing would have several positive benefits. The proposed Comprehensive Plan amendment should be moved forward for a full study.

There were about 25 hands raised in support of the comments made regarding traffic and school impacts, and about six hands raised in support of moving the amendment forward to final review.

Ms. Marci Faith Hennes, 4715 119th Avenue SE, said when it comes to the Newport Hills Shopping Center everyone has the same goal. The issues have been studied by brilliant planners, sociologists and others. The goal is socially critical, the goal is simple, the goal is to create and nurture community. Within that construct, people need to feel they have space. Crowding humans in creates a distressed ecosystem in which people do not function optimally and in which they become disparate. Newport Hills is building a beautiful momentum in which all can profit. The area has an abundance of neighborhood pride and the neighborhood will continue to thrive if not boxed in. The community has worked together in getting people to drive slower on 119th Avenue SE, and it has worked to see sidewalks built through the neighborhood. She thanked the Commission for working with the community to keep the vision alive.

Ten hands were raised in support.

Ms. Carolina Silverberg, 11667 SE 58th Street, said she has been a resident of Newport Hills for 16 years and has seen a lot of change. She said replacing the shopping center with multifamily residential will have a negative impact on the neighborhood in terms of school crowding and increased traffic, and the loss of local businesses and gathering spaces. Newport Heights Elementary School has 675 students and a second portable classroom is coming. Additional housing will bring more children to the already overcrowded schools. Tyee Middle School with almost a thousand students, and Newport High School with 1744 students, are both overcrowded. With regard to traffic, the arterial 119th Avenue SE gets backed up during commute peak hours and school drop-off and pick-up hours, and residents along the roadway struggle with getting into and out of their driveways. The Newport Hills Shopping Center is a valuable part of the neighborhood. It is a great gathering space for the community and losing it to multifamily housing would substantially burden the neighborhood and schools while providing no benefit. She said 947 signatures against the proposed R-30 rezone have been obtained from Newport Hills residents and business owners, and more signatures will continue to be collected.

About 25 hands were raised in support.

Ms. Judy Brennan, 5611 118th Avenue SE, said she has been a resident of Newport Hills for three years. She said one of her biggest concerns is school overcrowding, which was a problem even before the issue of rezoning arose. The elementary school saw an increase of 54 students just within the current school year.

Ms. Marianne Lee, 11627 SE 58th Street, said she has been a Newport Hills resident since 2007 and has two children at Jing Mei Elementary School. She urged the Commission to reject adding the R-30 amendment to the work program. Rezoning the Newport Hills Shopping Center space to R-30 will dramatically increase traffic and school crowding while removing local retail stores. The majority of those moving into the Newport Hills area have children and they choose the neighborhood because of the schools and because the neighborhood offers the rare chance to live within walking distance of restaurants and kid-friendly retail shops. Newcastle grocery stores are already very crowded. The Newport Hills Shopping Center is not like Eastgate and it is not like Lake Hills. The arterial 119th Avenue SE is the main access point to Newport Hills. Newport Heights Elementary School is on 119th Avenue SE, while Ringdall Junior High and Jing Mei Elementary are accessed from 119th Avenue SE. Building multifamily housing units on 119th Avenue SE will increase the already dangerous driving and pedestrian conditions, and will contribute to overcrowded schools. The neighborhood will lose the walkability it currently has if the rezone happens. Removing or greatly reducing the retail area and replacing it with multifamily housing will destroy walkability, increase school crowding, and increase the likelihood of a pedestrian fatality in the neighborhood. The retail center property owner made it very difficult for Bill Pace when he tried to make a go of it there. The current landowner is the biggest impediment to being a fully leased retail space. Flexibility is needed to increase opportunities for recreational retailers.

About 25 hands were raised in support.

Ms. Nicole Seakules, 5212 125th Avenue SE, said her top two concerns are the schools and traffic. She agreed with the previous speakers about current traffic conditions that include backups on 119th Avenue SE and SE 56th Street. The backups are often such that no one can get to the schools. Teachers often have to be told not to mark students tardy when buses arrive late. She said she attended the Bellevue School District overcrowding meeting in 2015 and learned that people are moving into the neighborhood because of the schools and the local community. The district made it clear how tight things are relative to attendance, and noted that should the schools reach capacity, people moving into the neighborhood could be locked out from sending their students to the local schools. She urged the Commission to vote against the proposed amendment. She said she would love to see the commercial center revitalized with other businesses.

About 18 hands were raised in support.

Mr. Barry Heimbegner, 5804 119th Avenue SE, said he owns and operates the Chevron station in Newport Hills. He noted that the hill is getting very crowded with traffic, and the schools are overcrowded as well. He said he agreed with those in the neighborhood who would like to see the shopping center upgraded, but he said he was not sure the proposed approach would be the right one. The center should have been upgraded before with an improved parking lot and lighting. Many of the businesses appear to be doing fine.

Commissioner Carlson said it was clear from the testimony that more people are moving to Newport Hills causing more traffic and overcrowded schools and said it would seem there are a

lot of people who could be serving as a customer base for the shopping center. However, the shopping center owner claims the center cannot make it. He asked what needs to happen in order for the shopping center to be successful. Mr. Heimbegner said the building and parking lots need to be upgraded along with the lighting. He said he sees new customers daily and by late afternoon the parking lot is pretty full. It is a great neighborhood.

There were 25 hands raised in support.

Ms. Suzanne Baugh, 4728 116th Avenue SE, said she is a retired commercial real estate broker and currently serves as president of the Lake Heights Community Club. She said the community club board of directors strongly supported continuing the Comprehensive Plan amendment process for the Newport Hills Shopping Center. The center has been in decline and disrepair for years and until the last few years had a high vacancy rate and suffered significant vandalism. Recently Intercorp expressed an interest in purchasing the center and redeveloping it into a mix of townhomes, live/work units, and commercial space. To do so, the Comprehensive Plan will need to be amended to allow for greater density. There is a very small but very vocal outspoken group that is opposed to even discussing a Comprehensive Plan amendment citing traffic problems, overcrowded schools, loss of commercial space, and loss of parking for the Newport Swim and Tennis Club. What the group does not mention is that the Newport Hills Shopping Center has been in decline for at least 15 years and the current owner has neither the means nor the desire to remediate the situation. It is not known if the initial outline of the plan proposed by Intercorp will be the best or the final plan, nor are the impacts on traffic and the schools fully known. The only way to answer the questions factually will be by doing the research that is the point of the Comprehensive Plan amendment process. Times have changed and with it retail patterns. The Red Apple grocery store did not survive, and neither did Bill Pace or the Newport Hills pharmacy. Uses such as Stods baseball cages, which pays below-market rental rates, are temporary, fill-in uses. Stods as a tenant is not a viable long-term strategy for any owner. The study is needed to gain factual data with regard to traffic counts, future school enrollment versus capacity, the actual number of residential units, outdoor common space, and possible relocation of existing commercial tenants within the redeveloped project. The facts should be reviewed before unequivocally throwing out the proposed amendment. There are some who are opposed, but they are not in the majority. The current situation faced by the shopping center will become significantly worse when the next real estate decline happens. The shopping center is important to the neighborhood and the area needs to be redeveloped in order to save it.

Ten hands were raised in support.

Mr. Don Wolfe, 4546 119th Avenue SE, said he has been a resident of Newport Hills since 1972. He said he has been to the outreach meetings and has heard Intercorp's representatives give whatever answer people wanted to hear. During peak traffic times, it is not possible for residents of 119th Avenue SE to get out of their driveways. He said he was not opposed getting more data, but said it would be ridiculous to say that adding more houses will not increase the traffic impacts or the impact on the schools. The streets near the large townhome units like the ones in Newcastle are jammed full of cars, even where development has not occurred on both sides of the street. That is often because people in townhomes have two-car garages that they used for storage, choosing to park instead on the street. Intercorp was asked where people will park if they have more than two cars, and the answer given before they equivocated was that there will be 115 retail spots people will use.

Eighteen hands were raised in support.

Ms. Jeanie Marquardson, 11808 SE 49th Place, said when she moved to the community in 1979

there were two viable elementary schools and one middle school. There was also an orthodontist and two grocery stores. In the face of a downturn in enrollment, the school district closed what is now Newport Heights Elementary School, which in turn closed the feeder school of Ringdall Junior High School. There was a lot of traffic on the streets. Factoria was under construction, and there was no Coal Creek. There was plenty of foot traffic and the businesses were thriving, until the schools closed, after which the businesses dropped off. She voiced concern over the fact that the Newport Hills community does not have much by way of parks space. There was a neighborhood park along SE 60th Street opposite Ringdall Junior High School, but the city decided to make it into an athletic field with scheduled formal activities. There is a small area with play equipment for younger children. The city owns a couple of sites for potential park development, one of which is currently being used for a dog run. There are several multifamily housing developments in the Newport Hills area that are centralized near the business area, but most of them do not have areas for children to play. Bringing more multifamily units in and intensifying the population will stretch the limited parks space. The city is developing parks in other parts of the city, but Newport Hills has been ignored. It may not be realistic, but the portion of the Newport Hills Shopping Center site on which multifamily homes are proposed would be a good place for a park or a small community senior center.

Twenty-two hands were raised in support.

Mr. Chris Trentham, 5411 118th Avenue SE, said he has been a resident of the area since 2012 and patronizes the Newport Hills Shopping Center daily with his family members. He said he opposes the potential rezone because it will provide no benefit for the community. The addition of roughly five acres of R-30 and the removal of all existing neighborhood businesses will not be a net gain for the community. The rezone would result in the removal of the bulk of the community gathering space. The shopping center needs improvements and could benefit from some redevelopment, but not as proposed. The community would prefer to see senior housing included, a much less dense residential rezoning, or more neighborhood businesses, none of which Intercorp is proposing. Traffic impacts, school overcrowding, and loss of community center are the reasons for opposing the amendment.

Twenty hands were raised in support.

Mr. Kenny Tan, 11093 SE 54th Lane, said he was hearing mixed messages from Intercorp and the neighborhood. Everyone seems to be in favor of revitalizing the center, but doing so will mean more traffic regardless of how it is done. Intercorp has a new development in Newcastle called Lakehouse on a site that is 5.25 acres, but the development has only 41 townhomes. If they can be financially successful building only 41 townhomes on 5.25 acres, they do not need 110 townhomes on the 4.6-acre Newport Hills site as proposed. The property owner has claimed vacancy rates as high as 60 percent, but wants to reduce the square footage of the commercial area. Revitalizing the center would make it more appealing, and that would lead to a lower vacancy rate. If it is possible to make a profit on 41 townhomes, Intercorp should be allowed to build that many units on the Newport Hills site, and all they should need is 1.3 acres. Additionally, as proposed, Intercorp intends to put commercial uses on only a quarter of the site, so they should be allowed to do that. That would mean the site would be developed 25 percent with residential and 75 percent with commercial.

Fifteen hands were raised in support.

Ms. Heidi Dean, 11661 SE 56th Street, said she has lived in Newport Hills for 16 years, served two terms as president of the Newport Hills Community Club, and currently serves as the club's merchant liaison and chair of the shopping center revitalization committee. She noted, however,

that she was not present to speak on behalf of the club. She said the statements made about the valiant efforts to tenant the center were untrue. The property manager indicated the owner fired the property manager in 2011 or 2012 because he had done a poor job, and since then there has not been a realtor out marketing the site. Clearly there have been no aggressive marketing efforts. She said many have come to her given her position as merchant liaison who were wanting to rent spaces, but they have either been turned away by Rainier Northwest, or they have faced such a difficult process that many have just walked away. The spaces are in poor condition and are very unattractive. It is not possible to charge market-rate rents given the shape the spaces are in. The martial arts and nails units have not had heat for two years. Site maintenance has been so bad that many neighbors have called code compliance about it. The site has deteriorated, especially over the last seven years. Even so, there are still businesses interested in renting there. Bill Pace was supposed to go in one-third of the Red Apple space, but at the last minute the realtor suggested the space should not be rented to him otherwise it would not be possible to rent out the other two-thirds of the site, which now Stods is in. Mr. Pace took the pharmacy space which was really too big for him and cost him too much in tenant improvements, contributing to the demise of his business. The fact is retail does not equal more traffic than residential. None of the current retail spaces, with the exception of the mail box store, open before 10:00 a.m., well after the morning crunch. There is a peak between 5:00 p.m. and 7:30 p.m., after which everything is good. Much of the traffic is just passing through going to Newcastle and Renton, and an attempt should be made to capture that traffic by having an attractive NB-zoned center in the heart of Newport Hills. Those who are opposed to the proposed action are not small in number, rather they are large and vocal. The property owner is clearly more concerned about his property values.

Thirty hands were raised in support.

Ms. Judy Brennan, 5611 118th Avenue SE, said she was one of the people who collected signatures. She said she talked with parents after school as they came to pick up their kids, and twice collected signatures at the shopping center, and found many willing to sign their names. The vast majority of those at the shopping center agreed the proposal would be a bad idea, and 99 percent of the parents talked to felt the same way. Lake Heights Elementary School hosts the Pacific Program, one of only two elementary schools in the district to serve the special needs community. They have four classrooms in the school. The school has 675 students and has a maximum student count of 690, but in fact the school is currently operating beyond its maximum.

Fifteen hands were raised in support. Chair Hilhorst also noted that about 25 percent of the attendees had left the meeting.

Mr. Gerry Albert, 5026 123rd Avenue SE, said he has lived in Newport Hills for 25 years and along with his wife raised two children who went to the schools in the neighborhood. He agreed that the Newport Hills Shopping Center is a mess and has been decaying for years. It has gotten especially bad in the last five years. Those who live in Newport Hills love the neighborhood and the shopping center and the businesses that are there. The multifamily mixed use retail/residential scenario is in fact what works. Those who oppose moving forward with even the analysis phase in fact favor an alternative development scenario that would also add pressure on the transportation system. Crowding of the schools is nothing new, it has happened before. Traffic is bad during commute times and school start times, just as it was 25 years ago, 15 years ago and five years ago. Once the peak is passed, however, traffic dissipates and the roads are easy to travel. Something absolutely needs to be done with the shopping center; it will simply not be possible to put new retail uses in buildings that are 50 years old and make a go of it because that model has passed by. The Bellevue School District is very popular and will continue to draw

students to the area; that is not a new problem.

****BREAK****

(9:27 p.m. to 9:37 p.m.)

Mr. Nathan Anderson, 5009 119th Avenue SE, agreed that traffic in the area has always been bad, but said nothing should be done to make it worse by adding more residences. There is also the issue of safety to consider given that 119th Avenue SE has sidewalks on only one side of the street, and children walking to school must cross the street to avoid walking where there is no sidewalk. There are, however, no crosswalks until close to the school. The Newport Hills Shopping Center owner has compared the center to other area centers and what they are able to charge in rent, but those centers are zoned and built differently. The Newport Hills Shopping Center is and has been for the last 30 years a neighborhood business center model.

Fourteen hands were raised in support. Chair Hilhorst noted that half of those present prior to the break had left the meeting.

Ms. Patti Mann, 4508 116th Avenue SE, said she has lived in Newport Hills for 30 years. She said the history of the neighborhood is family. She said when she moved in there were elderly people whose children had moved out, and shortly after the children started buying their parents out. Coming back to the neighborhood is a trend. The businesses have over time been an integral part of the community. They have sponsored car shows, the Santa Claus tour and the Fourth of July picnic. The business owners have traditionally been a part of the neighborhood. The center should continue playing the role it is already playing. Removing the retail would be changing the community gathering space, and would change the role of the center. Individuals from the neighborhood have gotten together to get rid of the graffiti on the walls. The poor lighting at the center has encouraged skateboarders and drug dealers, but until there were people willing to contribute to center by coming in with things like a brewery, nothing was done about it. The city needs to address the traffic issues whether the proposed amendment goes forward or not. Most of the traffic is coming from Newcastle, and the neighborhood backs up because the lights are set to allow Coal Creek Parkway to flow. It is not the idea of revitalizing the shopping center that the neighborhood is opposed to, it is the plan that has been offered; it does not offer the retail uses the neighborhood wants. She said her preference would be to see a development with four floors of residential over one floor of retail that seems to work in every neighborhood in Seattle from Ballard to Rainier Valley. While that may be more height than the neighborhood is used to, it may be just the right compromise needed to keep the neighborhood businesses.

Sixteen hands were raised in support.

Ms. Karlene Johnson, 5125 127th Place SE, said she and her husband submitted a letter on May 16 that echoed much of what others have already said. She noted that the speakers have both opposed and supported the proposed amendment, but in fact all want the same outcome, which is a vibrant neighborhood center that has a viable commercial district that enhances the livability of the Newport Hills community that is in keeping with the character of the neighborhood. Everyone understands that will require change. The neighborhood is not opposed to change, but they want change that is right for the neighborhood. She said she personally was opposed to the level of density envisioned by the proposed amendment, and the fact that it would not address the needs of the older neighbors who may need to live somewhere else in the neighborhood because they can no longer keep up their large homes. There have been impacts resulting from the center not being maintained; the lack of maintenance certainly does not evoke the notion of being committed to the community in the same way those who live in the neighborhood are

committed to the community. The neighborhood center is needed to provide the community with an engaging third place; it needs to be home to spaces and businesses where people can meaningfully gather. The idea of reducing the available commercial space is in conflict with that vision. She rejected the idea that the only choice is between MF-H for the majority of the site and keeping the site as it is indefinitely and watching it continue to decline.

Sixteen hands were raised in support.

Mr. William Dennis, 5611 125th Avenue SE, said he has been a Newport Hills homeowner for 13 years and has no intention of leaving. He said his home is within walking distance of the shopping center and the pool. There are a lot of homes in the area that are rentals, but they are usually rented out by resident landlords. He noted that Mr. Hsiao had said the NB zoning is outdated, however what makes cities viable is walkable communities where there are restaurants and public spaces. Taking away the commercial core from Newport Hills will take the residents out of a walking mindset and put them back in their cars. There is a clear need to revitalize the Newport Hills Shopping Center, but the fact that the center is run down has to do with its ownership, not with whether or not it is a viable space.

Sixteen hands were raised in support.

Ms. Jane Landford, 4943 126th Avenue SE, said she has been a resident of Newport Hills for 11 years and works as a commercial real estate broker specializing in retail. She said she has repeatedly attempted to bring tenants to the shopping center, but mostly there has been no response. It is not factual that the center has been aggressively marketed. There is a sign in the Bank of America window but the site cannot be found on any listing site. She said she and potential investors have met at least twice with the owners, two of which would have revitalized the shopping center by keeping it largely as it is except for the addition of some townhomes. The proposed action has been timed quite well by the property owners to address the hot commodity of residential. The site is not suitable to four-over-one. The center can be viable by adding a little multifamily. It cannot be believed that 110 ownership townhomes will only have two cars each; there will be three or four cars per unit and they will be parked out on the streets and in the commercial areas. The Heartland study is outdated and should not even be referred to. The economics have changed and a new study is needed, with the applicant paying for it. With regard to tenants being late in their rent payments, she said tenants will stop paying their rents when landlords are not doing their jobs; it is one of the only ways they can protect themselves on a lease.

Ms. Valerie Barber, 4644 121st Avenue SE, voiced opposition to the proposed rezone. The question on the table is whether or not the threshold criteria have been met. The fact is the criteria have changed since the previous discussion. At first it was said the neighborhood is older and has aged buildings, vacancies and deferred maintenance, and that single-purpose retail is not supported in Newport Hills. Now it is being said that is a change in condition when in fact the condition has been the same for 30 years under the same landowner. The issue is a landowner who has not taken responsibility for the site and keeping it up. The result is an older neighborhood with aged buildings and deferred maintenance. The change was created intentionally by the landowner to where the neighborhood has come to see the site as an eyesore and that something needs to be done about it. That something does not necessarily mean a rezone. The threshold review criteria have not in fact been met. The requirements of the neighborhood have not changed. There is bad traffic in the neighborhood and the schools are crowded, and no study is needed to prove what is already known. The only change is the property owner has not chosen to invest under the current zoning criteria. There are tenants interested in the property under the current zoning, so a different zoning is not needed. The

issues that need to be addressed should not be addressed by changing the zoning. The way to change the issues will be by keeping the zoning and changing the owner. The Comprehensive Plan amendment should not be moved forward to the next phase.

Twelve hands were raised in support.

Mr. Dan Brennan, 5611 118th Avenue SE, challenged the finding of staff that there are significantly changed conditions. Rather than having a shopping center in decline, the center is in fact on the rise organically with new tenants and new retail development under way. The explosive residential growth that is currently under way in the Coal Creek and Newcastle areas will certainly increase demand on all retail in the area, including the Newport Hills Shopping Center. In fact, the Newport Hills Shopping Center is such a draw that it is included in promotional materials for Intercorp's Lakehouse development in Newcastle. The changing residential landscape in the nearby neighborhoods should be considered in deciding whether to continue with the amendment. There is already sufficient freedom under the current NB for mixed use development that will keep the central retail core in place. If the change to MF-H were allowed to go forward with a promise from developers to study the impacts later, there would be no reversing the change and the retail core would be lost. The fact that Rainier Northwest has neglected its duty to maintain the parking lot and let the property fall into decay is not a reflection on the demand for the center and its businesses.

Twelve hands were raised in support.

Mr. John Eliason, 5611 129th Avenue SE, said he has lived in Newport Hills for 30 years and is a member of the community club, though he stressed that the current president does not speak for him. He said he frequents the Newport Hills Shopping Center. It serves to get residents out of their cars and offers a community environment even in its current state. Improvements are needed, but significant changes are not needed. He said as a planner he has worked on some of the largest master plan communities in the Northwest. Newport Hills was a master plan community built in the 1960s and it is set up with very specific ratios of residential to services, schools and parks. In considering the proposed rezone, the Commission needs to take into account the larger picture, particularly the ratios on which the community was laid out. The reason Newport Hills is studied as a model is that it has been successful for 60 years and continues to be successful. Just as homes require upkeep and updating over time, so do commercial buildings. To keep the original ratios, it would be necessary to increase the amount of retail. The ratios are designed to keep traffic internal to the community as much as possible. The fact is, 110 townhomes will generate up to 180 school children, which is a third of a school site, and to build another school would be very expensive. Additionally, the money needed to fix the transportation issues on a larger scale would also be very expensive. The same is true of parks in order to keep the same ratios. He pointed out that the land use action sign that is posted on the subject property indicates MF-H on 5.9 acres, when in fact what is under contemplation is 4.6 acres, so there is a procedural issue to be addressed.

Twelve hands were raised in support.

Mr. Robert Donahue, 11627 SE 50th Place, said his family has been part of Newport Hills since 1979. He said the Newport Hills Shopping Center site has been allowed to run down to the point where woodpeckers have disintegrated part of the siding on the old bank. He said on Memorial Day weekend he visited the site and took pictures of the completely empty parking lot and suggested that to call the center vital and enthusiastic is not fully correct. Much has been said about the site being beloved and valued by the neighborhood. Those are emotions. What the city really needs to do is consider what is behind the emotions, and more data is needed before an

educated decision can be made with regard to what should be done with the site. That can only be done by agreeing to move forward with the next phase of the process. Emotion should be set aside and the facts should be considered logically. Intercorp has on multiple occasions held talks with the community and the process should be allowed to continue.

One hand was raised in support.

A motion to close the public hearing was made by Commissioner Laing. The motion was seconded by Commissioner Walter and the motion carried 6-1, with Commissioner Carlson voting no.

- iv. Parks Element #1
- v. Parks Element #2

Mr. Matz clarified that site-specific Comprehensive Plan amendments are made by or on the behalf of property owners, whereas non site-specific amendments apply citywide. The two proposals that have been brought forward are similar in nature but there are some differences. Parklands Policy #1 would amend the text of the Comprehensive Plan by adding three policies to the Parks Element that would restrict or regulate review and changes to the use of acquired park lands and properties variously by citizens, the Parks and Community Services Board and the city's formal rezone process.

Parkland #1 addresses the general framework of restricting or regulating the review process by which the city regulates publicly owned park land. Parkland #2 adds an additional component that calls for zoning all park properties in the city with a Park zone, which does not currently exist.

Mr. Matz said the recommendation of staff was that neither of the proposed parklands policies meets the threshold review decision criteria and should not be moved forward into the work program. Both intend restrictions to the City Council's legislative authority and would restrict the Council from engaging in contract execution. That is a matter of law rather than policy.

In the case of Parkland #1, the applicant has suggested that the implementation efforts around the East Link Memorandum of Agreement have violated the rules about how the city can act in disposing of park property. That question is not appropriate for a Comprehensive Plan amendment. Staff does not believe they can provide a reasonable review of the proposals because they imply statutory changes to the relationship between the city, an issuing jurisdiction, and taxpayers, whose taxes are pledged to the payment of bonds. One issue raised by the application is that the stipulation around the issuance of bonds to buy park property in the first place should be differently regulated through new policy, which gets back to the concern of interfering with the Council's legislative authority to enter into and implement contracts.

With regard to significantly changed conditions, Mr. Matz said Policy PA-37 in the Parks Element has been in place since 1974 and has been implemented with regard to the city's review procedures for park and parkland uses. There has been no unanticipated consequence or significantly changed condition warranting a policy review. The proposal is inconsistent with the larger policy framework of the general Comprehensive Plan as well as the Countywide Planning Policies in the Growth Management Act.

Parkland #2, which calls for zoning parkland with a Park zone, carries with it the implication that existing policies need restrictions. That was not tested in the recent Comprehensive Plan update. The Comprehensive Plan already designates publicly owned lands with a P or PF.

Chair Hilhorst asked why the Parks and Community Services Board was not involved. Mr. Matz explained that the proposal involves Comprehensive Plan amendments, which are addressed by the Commission. Should the amendments go forward to final review, the Parks and Community Services Board will have a role to play relative to reviewing and providing a recommendation to the Commission.

Commissioner deVadoss asked what the right forum would be to effect the proposed changes. Mr. Matz said as a matter of law, the issue would need to be submitted directly to the Council or by legal action.

Mary Smith, 1632 109th Avenue SE, spoke as applicant for the Parklands #2 application. She said she is one of the original members of the Save the Mercer Slough Committee that was instrumental in saving the land for Mercer Slough to become part of the Mercer Slough Nature Park. She said land for more parks is becoming scarce, and the city should treasure the parks it has. No one can see into the future and changes in use may be considered, it should be required that the public who paid for the parklands must be involved in any decision to change them. Parklands required through bond measures should remain parklands unless the public votes to change the usage. Any parklands used for six months or longer should be considered permanent consistent with state law. Parklands should have their own designation so citizens can be aware of zoning for parks only. Under extreme conditions where parks are to be used for non-park uses, the Comprehensive Plan should be amended appropriately. Parklands acquired through citywide bond measures should be prohibited from being used for non-park purposes unless such uses are approved through a citywide ballot measure. The use of any park property for non-park uses that exceeds the access for longer than a six-month duration should be deemed permanent and should require approval by the city Parks and Community Services Board and the City Council. City owned park lands should be designated as such in the Comprehensive Plan and zoned with a Park zoning designation, limiting solely to active and passive recreation and open space. Prior to using any dedicated public park land for non-recreational or open space use, the Comprehensive Plan should be amended and the property rezoned as a condition of such use.

Ms. Smith urged the Commission to move forward the parklands amendments so they can be addressed more fully.

All hands save one were raised in support.

A motion to open the public hearing for both parklands amendments was made by Commissioner Morisseau. The motion was seconded by Commissioner deVadoss and the motion carried unanimously.

Ms. Renay Bennett, 826 108th Avenue SE, provided the Commissioners with printed materials relative to the 1988 park bond. She explained that bond came about because citizens realized what was going on in the Mercer Slough and that there were a lot of developers wanting to develop in there. The focus was on saving the land for the future and the bond measure passed by almost 80 percent. The materials handed out also showed the trailhead just south of the park and ride, the Council agenda memorandum with the resolution passed to buy the Balitico property, and the statement that the site was selected as having the highest priority for land acquisition and the need for the property to maintain views of the Slough from Bellevue Way and to provide an appropriate entrance to the park. The Trust for Public Lands was involved in the process in that it purchased the property first with the intent of holding it until the park bond was approved. Now the Council has chosen to sell the land in order to pay for the downtown light rail tunnel, and the Trust for Public Lands was shocked to learn of it. The record includes a draft assessor report but

no final report for the Balitico property. The draft report describes the site as being unimproved with an R-1 zoning. The assessment also grossly underestimates the value of the site. Once the light rail project is completed, it will not be possible to see the Slough when coming off of I-90 because the structure will block it. Construction will require digging deep and dewatering the Slough. It is outrageous that the Council is able to sell parklands to pay for the downtown tunnel and to put a train in the Mercer Slough Nature Park. The issue is a moral one and the citizens who taxed themselves to pay for the land should have the right to decide whether or not the Council has the right to sell parklands. The Commission was urged to forward the proposed amendments into the work program.

All hands save one were raised in support.

Ms. Marianne Lee, 11627 SE 58th Street, suggested that the Newport Hills and the parklands issues are much the same in that they both address space for people. The Mercer Slough parklands were paid for by those who elected to tax themselves, in part to protect those lands and in part to give people space to enjoy. To have the lands be sold and drained is unthinkable. Even if the water returns, the ecosystem will be devastated. It will be a huge loss to the city and the environment.

Eight hands were raised in support.

Ms. Valarie Barber, 4644 121st Avenue SE, voiced concern over the fact that the issue was being addressed at such a late hour. She said the legalese thrown around by the staff was also concerning. The fact that people do not understand what is happening to the park is concerning. It is doubling concerning that staff have recommended against even studying the issue any further. People consider parks to be untouchable, especially where the funds to buy them were voted by the citizens. It should not be necessary to sue the city in order to preserve parkland. There should at the very least be a full review. The fact that the citizens do not understand what is happening, the fact that it will not be going forward for a full review, and the fact that the issue was addressed so late at night is concerning and will reflect poorly on the City Council. The Commission was urged to move the amendments forward for additional review and to bring the issue to light.

A motion to close the public hearings was made by Commissioner Morisseau. The motion was seconded by Commissioner deVadoss and the motion carried unanimously.

6. STUDY SESSION

Given the lateness of the hour, the Commission concluded to continue the study session on the five Comprehensive Plan amendments to another date.

7. PUBLIC COMMENT – None

8. ADJOURN

A motion to adjourn was made by Commissioner deVadoss. The motion was seconded by Commissioner Walter and the motion carried unanimously.

Chair Hilhorst adjourned the meeting at 10:57 p.m.

Public Comment received May 25 - June 1, 2016 (12 noon).

16-123572 Newport Hills Comprehensive Plan CPA

Matz, Nicholas

From: Margaret Santjer <margaret@santjer.com>
Sent: Tuesday, May 31, 2016 11:08 PM
To: PlanningCommission
Cc: Matz, Nicholas
Subject: Public comment for 2016 Proposed Comprehensive Plan Amendments – Threshold Public Hearing, June 1, 2016

4622 123rd Ave. S.E.
Bellevue, WA 98006

May 31, 2016

To Chair Hilhorst and members of the Bellevue Planning Commission:

We are unable to attend the June 1, 2016, public hearing regarding the 2016 Proposed Comprehensive Plan Amendment for the Newport Hills Shopping Center but want to voice our concerns.

We oppose the rezoning of the property from Neighborhood Business to Multifamily-High/R-30 for several reasons:

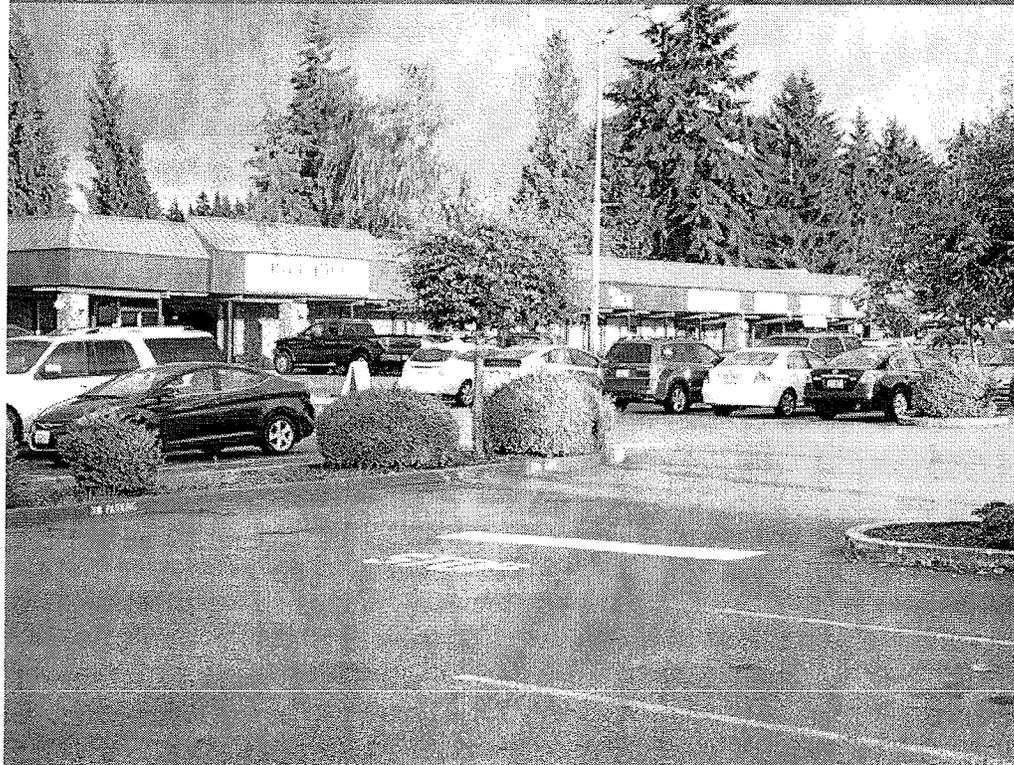
- **Traffic:** Our streets are already crowded during peak commute times, frequently delaying vehicles and Metro buses heading down 119th Avenue SE toward Coal Creek Parkway. Adding 110 or more townhomes to the neighborhood will only strain our system more, especially with the coming development in Newcastle.
- **Loss of our thriving retail center:** The existing merchants serve a community need and have invested themselves with this neighborhood. The Intracorp proposal would displace them, and possibly force them out of business because there wouldn't be space for them in a new development, they might not be able to afford higher rent, or they might not be able to find interim space during construction. Additionally, there is no guarantee that the redevelopment would even include retail. If the rezoning is approved, the city will have opened the door to high-density housing forever. What would prevent the developer, or another, should this deal fall through, from abandoning the retail component altogether? Then we will have lost our community center with no hope of resurrecting it.
- **School crowding:** The Bellevue School District is struggling with rising enrollment. At Newport Heights Elementary School, a second portable classroom is being added for the 2016-17 school year. Adding 110 or more townhomes will only add to the overcrowding problem there.
- **Neighborhood character:** The shopping center provides a crucial neighborhood gathering space where people can socialize and build community ties. It already has a large portion of high-density housing. Adding more Multifamily-High housing will change the character of our neighborhood while also adding to traffic problems in the region because residents will be forced to drive to Factoria or Newcastle for services they once accessed at the Newport Hills Shopping Center.

Please reject the rezoning. We need to encourage a different kind of redevelopment that will retain our neighborhood businesses while supporting some other form of less-dense housing, including considering options such as senior housing.

Attached are some photos of the Newport Hills Shopping Center on Wednesday, May 25, at 8 p.m. and 9 p.m. Please note how full the parking lot is. This neighborhood supports its local businesses.

Thank you for your consideration.

Sincerely,
Margaret and Daniel Santjer







Matz, Nicholas

From: The Bergs <derbergs@yahoo.com>
Sent: Tuesday, May 31, 2016 10:13 PM
To: PlanningCommission
Subject: Requesting to Stop The Rezoning of The NEWPORT HILLS SHOPPING CENTER

To whom it concerns,

We heard about the re-zoning of the Newport Hills Shopping Center. Our opinion is that this property should not be re-zoned for residential property. Our boys frequently use the Stod's Baseball batting cages and they both play on select baseball teams sponsored by Stods. We travel from Maple Valley, WA specifically for the Stods baseball batting cages and programs they offer. If Stods Baseball were to close due to this re-zoning, our boys would not have a quality place to play baseball and they will lose out on a valuable opportunity to grow mentally and physically.

After our boys are finished with baseball practice or a game at Newport Hills, we do occasionally eat at the Resonate restaurant and the Mustard Seed. These 3 businesses compliment each other very well and would be a huge loss for the community if they were to cease to exist due to a residential property re-zoning.

Traffic is another topic of concern in this area. It is already difficult enough to maneuver through traffic in this area and adding in more townhouses would just add to this congestion, cause more vehicle accidents and detract from people wanting to come around this area and the Bellevue area.

Please do not re-zone this property and take away something our boys, and many other kids, enjoy. Baseball is America's past-time and it is something we should not lose due to townhouses or any other non-recreational business.

Re-zoning this property would be a huge mistake and a step in the wrong direction. Think smart, think about the kids and make the right decision to deny this re-zoning. Your consideration is strongly appreciated.

Jason & Meg Berg

Matz, Nicholas

From: NP Hills <newporthillscommercialdistrict@gmail.com>
Sent: Tuesday, May 31, 2016 2:29 PM
To: Matz, Nicholas
Subject: June 1 CPA Threshold Hearing - Newport Hills

Hi Nicholas,

I'm wondering why the petition materials I sent were not included in the meeting agenda materials online. Are those just provided to the commission members and not published?

Thanks again for all of your help, and see you tomorrow!

Dan Brennan

Matz, Nicholas

From: Dan Carroll <irunbases3259@gmail.com>
Sent: Tuesday, May 31, 2016 11:35 AM
To: PlanningCommission
Subject: SAVE NEWPORT HILLS SHOPPING AND BUSINESSES

Hello, I Daniel Carroll resident of issaquah wa king county am against closing Stods baseball and other stores in Newport hills. Stod is a huge part of the community and gives the kids a place to help learn to get better a sport that's great for there health and keeps them out of trouble. When it rains in Washington players and teams from all over comes and uses the facility. Stod offers a great program from kids 7 to 16. Please don't take this from the kids!

Sent from my iPhone

Matz, Nicholas

From: Carlson, Ying
Sent: Tuesday, May 31, 2016 11:52 AM
To: Stroh, Dan; Matz, Nicholas; McCormick-Huentelman, Mike; Cullen, Terry
Subject: FW: Meeting with Intracorp

Not sure if any of you are already on Newport Hills resident Kim Herman's email list but here is a fyi

Ying

From: hermanmk@comcast.net [mailto:hermanmk@comcast.net]
Sent: Saturday, May 28, 2016 10:54 AM
To: Herman, Kim <hermanmk@comcast.net>
Subject: Meeting with Intracorp

Hi Everyone-

Yesterday afternoon I met with Mike Miller, Mike Lierman and David MacDuff, the principals at Intracorp, to discuss the proposed redevelopment of the Newport Hills Shopping Center. It was a cordial and wide-ranging discussion. We began by discussing the four major concerns that have been expressed by the people who have commented on the proposed redevelopment to the City of Bellevue, which are: 1) the current traffic congestion/traffic safety in Newport Hills; 2) the loss of current retail businesses/insufficient retail in their proposal; 3) the density of the proposed townhomes in the current proposal; and, 4) further school crowding in the already crowded schools in the area.

We discussed the traffic congestion issue with regard to the Midweek Average Daily Traffic (ADT) numbers for 119th Avenue between 156th and 160th that I recently received from the City of Bellevue. In 2015, the average number of trips was just under 6,000, according to the city. This was down from a high of about 7,500 average trips for the same stretch of road in 2014, the earliest number I received from the city. We discussed how the concern about traffic congestion deals both with the current traffic problems being experienced by residents of Newport Hills and the expected additional congestion that residents believe would occur from the proposed density of the additional 110 family townhomes as proposed in the development.

We discussed the fact that the number of additional trips from the homes would be part of the second phase of the Comprehensive Plan Amendment that would take place if the Planning Commission recommends moving to the second phase of considering a plan amendment and rezone for Newport Hills. As we discussed this issue, the Intracorp representatives indicated that from their previous experience, adding more retail to their proposed plan would probably add more traffic to the area than the proposed townhomes would. They pointed this out basically as a potential misunderstanding of the impact of increasing the retail in their proposal as opposed to the density and number of homes in their current proposal. However, this would not actually be determined until the second phase of the process when the traffic studies would be completed.

In response, I said that I was not opposed to the process moving to the second phase in order for Newport Hills residents to be able to have a discussion about the current traffic congestion and how it might be dealt with by the city and also what an amendment to the comprehensive plan should look like to allow future redevelopment of the shopping center. I also said that if they are correct in their

assumptions about additional traffic from more retail, the residents should know this and take it into consideration. I think this is a necessary informed discussion for the community and the city to have in order to address even existing traffic concerns voiced by the community.

We discussed the amount of retail in their current proposal, between 15,000 and 17,000 square feet, and why they think that is the correct amount for the area. Basically, there is about 38,000 square feet of occupied retail space, including Stod's, which occupies approximately 13,500 square feet of space, with the other existing retail occupying approximately 24,500 Square feet. From Intracorp's viewpoint, taking into consideration the international market and a restaurant being put in on the old Albertson/Stods location across the street, they feel their proposal would accommodate a major restaurant like Resonate, which would need approximately 5,000 square feet , and 12 to 14 smaller retail businesses like we currently have in the shopping center which would probably need 1,000 square feet each or less.

We discussed the residents' concerns about there not being sufficient retail and/or that some of the current retail businesses might not be able to return given that amount of space. During this discussion it was pointed out that a retail use like Stod's, which is the largest existing use, would be the least likely type of retail to return to the redeveloped shopping center under their proposal but depending on the future rental cost, which they don't know yet, most of the other existing retailers would have an opportunity to return after redevelopment. I pointed out I thought a little more retail would be better, would provide more opportunity for the return of existing retailers and would cut-down on the number of townhomes in their proposal and that this might be more acceptable to the neighborhood.

During the discussion I raised the question of Intracorp considering the option of including independent senior housing in their redevelopment plans. I pointed out that the 2010 Heartland Economic Development Study identified a market demand for 775 units of senior housing in the Newport Hills market area through 2018. The study also pointed out that the site is a quiet neighborhood area with several needed services/conveniences nearby, which makes it a strong candidate for senior housing. I pointed out that it would probably require about one acre of the residential area for an independent senior housing facility that could serve seniors from the neighborhood and surrounding area. Preferably, with assistance from Bellevue in the form of the Multifamily Property Tax Exemption for the senior facility and other support, the senior facility could serve all or a portion of seniors with incomes around \$40,000 for a single person and \$43,400 for a couple, by using some of the available senior financing programs.

We discussed that fact that while this could add to the density of the housing on the site, it would involve fewer cars and provide an opportunity for seniors that want to stay in the Newport Hills area rather than move to another location. Intracorp noted that in their Talus development in Issaquah, they cooperated in the development of a senior housing facility on that site. We discussed how independent senior housing might be an option to consider and I offered to find out more information to answer some of their questions.

On the residents' concerns about current school crowding and the potential addition of even more students coming into the area, we agreed this would be a subject of a study during the second phase of the city's process for considering a plan amendment and rezone. In my initial comments reflecting these concerns, I commented that I did not see how they could be held accountable for the current school crowding in the Bellevue district as that should be taken up with the Bellevue School Board and not them or the city. While it is true that more family homes would add to the student population in Newport Hills, it is also true that most of the schools in the Bellevue district are already over-crowded from the population growth in Bellevue and that a number of new schools or additions to

existing schools are needed to catch up with the growth. As noted, this would be studied during the second phase of the redevelopment process.

Throughout these discussions, there were references from all of us about the other housing and retail developments taking place in the Newport Hills area and how they would contribute to these issues. This included references to the 900 apartment units and neighborhood retail being developed on Coal Creek Parkway in Newcastle by Avalon Bay and the new development in Newcastle by Lake Boren and the on-going town home development behind the Newcastle library. There was recognition that these developments will also have a significant impact on what happens in Newport Hills but they are outside the direct proposal for the Newport Hills Shopping Center.

In summary, Intracorp pointed out that they are concerned about the amount of initial opposition to their original concept for redeveloping the shopping center and they are seriously considering the concerns that have been voiced by the neighborhood and what options they might have to respond to them. However, they also said there are limitations to what they can consider based on the economic feasibility of the overall redevelopment and how much they can do to make adjustments. They felt that the initial concept for redevelopment that they presented to the residents of Newport Hills is a balanced approach given their experience and understanding of what would make such a redevelopment project successful.

From my viewpoint, I said that I shared some of the concerns voiced by the residents in their comments to the city but that I was in favor of moving to the consideration of an amendment to the 1994 Comprehensive Plan for Newport Hills and completing the studies so the residents of Newport Hills could discuss with the City of Bellevue and Intracorp what redevelopment of the shopping center should look like to satisfy the neighborhood. Without that discussion, we will remain stuck with the 1994 version of the plan rather than an agreed upon path forward to redevelopment; whether that redevelopment would be done by Intracorp or another developer remains to be seen.

This is my attempted summary of the discussion yesterday and it reflects what I feel were the main points we discussed. I offer it to you with that understanding.

Thanks,
Kim Herman
4545- 119 Ave. SE
Bellevue, WA 98006
425-747-9996

Matz, Nicholas

From: Sue Baugh <sue.baugh@comcast.net>
Sent: Tuesday, May 31, 2016 8:52 AM
To: Matz, Nicholas
Subject: Comments for the Planning Commission Public Hearing on Newport Hills Shopping Center 6-1-2016
Attachments: NHSC Ltr to Planning Comm 6-1-16.docx

Nicholas- Attached above are comments I plan to make at the 6-1-2016 Planning Commission Public Hearing on Newport Hills Shopping Center. These comments will be made on behalf of the Board of the Lake Heights Community Club. Please include them in the Planning Commission's packet. Thanks you. Sue

Suzanne Baugh
425-417-6959

June 1, 2016

Members of the Planning Commission-

My name is Suzanne Baugh. I live at 4728 116th AV SE, Bellevue in Lake Heights which is included in the area designated by the City of Bellevue as Newport. I am a retired commercial real estate broker and I am the President of the Lake Heights Community Club. I am speaking on behalf of the organization.

Our community club Board of Directors would like to register our strong support for continuing the Comprehensive Plan Amendment process currently underway for the Newport Hills Shopping Center. This center has been in decline/disrepair for years and, until the last few yew years, had a high vacancy rate and suffered significant vandalism within those vacant spaces.

Recently, Intracorp expressed interest in purchasing the center and redeveloping it into a mix of townhomes, live/work units and commercial space. To do this the Comprehensive Plan must be amended to allow greater density. We are well aware of the very small but outspoken group that opposes even discussing a Comp Plan Amendment citing traffic problems, overcrowded schools, loss of commercial space, and loss of parking for the Newport Swim & Tennis Club. What that group doesn't mention is that NHSC has been in decline for at least 15 years and the current owner has neither the means nor the desire to remediate the situation.

We do not know if the initial outline of a plan proposed by Intracorp will be the best/final plan, nor do we know the impact on traffic, school enrollment, or several other issues on the neighborhood. We do know, however, the only way to answer these questions factually is by doing the research. That's the point of the Comprehensive Plan Amendment process...to get the facts and figure out how to address problems that arise.

Times have changed and with it, retail patterns. The Red Apple grocery store didn't survive; Bill Pace didn't survive; Newport Hills Pharmacy closed. Uses such as Stod's, which pay below market rental rates, are a temporary, "fill in" use. Stod's, as a tenant is not a viable, long term strategy for any owner.

Why wouldn't we go forward with the Comprehensive Plan Amendment process to get factual data relative to traffic counts, future school enrollment v. capacity, actual number of residential units, outdoor common areas, and possible relocation of existing commercial tenants within the redeveloped project? Let's look at the facts before stating unequivocally, as some opponents of the process have

stated, that redevelopment is a bad idea and the “majority” of people in the Newport neighborhoods are “clearly” opposed to any change in the shopping center. That is factually inaccurate. According to the City of Bellevue’s website 9,455 people live in the Newport neighborhoods. 140 petition signors (no way to determine if they all live in the Newport area) are actually Bellevue residents. That represents 1% of Newport residents...not a “majority”.

The fact is Newport Hills Shopping Center has been in decline for years and the current owner has neither the financial means nor the desire to remedy the current situation, a situation, I might add, that will become significantly worse when the next real estate decline happens. And it will happen...it always does...that’s why it’s called a “real estate cycle”. Let’s face facts... Newport Hills Shopping Center is important to the neighborhood and the area needs to be redeveloped in order to save it and rid the neighborhood of a persistent eyesore.

Approved by:

Suzanne Baugh, President

Dina Davis, Secretary

Ferrelyn Jack, Treasurer

Marci Hennes, Trustee

Juana Bhaskaran, Trustee

Bob Siewert, Trustee

Anne Warjone Bridgeland, Trustee

Matz, Nicholas

From: McClure Hall <hunter1hall@gmail.com>
Sent: Tuesday, May 31, 2016 5:59 AM
To: PlanningCommission
Subject: Stop the rezone of the Newport Hills Shopping Center

Dear Bellevue Planning Commission,
I am opposed to the rezoning of the New Port Shopping Center,

I am a current resident of Lake Hills and have lived here 23 years.

My son went to Odle Middle School at Ringdall Middle School year last year. Taking my son to school in the morning and picking him up in the afternoon was a traffic nightmare.

The Bellevue Schools are over capacity as they are now and to add additional multi housing units in the Newport Hills Shopping Center would stress this already maxed out system. I understand that Interlake High School (where my 9th grade son attends now) is having to add additional portables to prepare for the largest incoming freshman class ever.

In addition my son is currently a member of the Stods Baseball (Team Cobras) an has been for the last 3 years.

Commuting from Lake Hills to Stods can take from 20-45 minutes depending on traffic .

Stods provided a great place for youth to practice baseball indoors .

This is a one of a kind complex in Bellevue.

If Stods is forced to close in 2018 due to rezoning it will likely never reopen , this would be a great loss to the Community.

We also eat regularly at the Mustard Seed , Pizza Restaurant and Burger place.

Stop the rezone of the Newport Hills Shopping Center.

Respectfully ,

McClure H. Hall, Jr.
307 155th Ave Ne
Bellevue, Wa. 98007
hunter1hall@gmail.com

Sent from my iPhone

Matz, Nicholas

From: Amy Wellner <amyjac3@yahoo.com>
Sent: Monday, May 30, 2016 9:33 PM
To: PlanningCommission
Subject: Worried about losing STODS baseball facility and the shopping center in Newport Hills

Dear Bellevue Planning Commission:

I am writing to express my concern with the possibility of losing the Stods baseball facility in Newport Hills as well as the other establishments in the shopping center. We live in Redmond where there is no baseball batting cages or select baseball. We drive to Bellevue for this and really enjoy Stods for our kids. It is a positive place for the kids to go and use the batting cages or get special coaching. We certainly need these kinds of outlets for the kids as well as the positive role models the coaching staff offers. Often times we come as a family and my daughter and I will shop/eat in the shopping center while my son hits in the batting cages with his dad. My daughter is thinking about joining baseball as well, and looks forward to her turn at hitting in the batting cages as she has seen her dad and older brother do. We also worry that if Stods is pushed out of their current facility that they may be unable to relocate.

It is my hope that you will reconsider the planning of the Newport Hills area.

Sincerely,

Amy Wellner
22747 NE 94th Way
Redmond, Wa 98053

Matz, Nicholas

From: Brown <gregerbrown@gmail.com>
Sent: Monday, May 30, 2016 6:25 PM
To: Matz, Nicholas
Cc: Steedman, Janna; PlanningCommission
Subject: Newport Hills R-30 Requet

We hope to attend this hearing as a part of the “No on R-30 for Newport Hills” group that is in opposition of this rezone request. But, we are under the impression that parking may limited because of other meeting at City Hall that evening. If we don’t make it because we can’t find a place to park, we just wanted you to know that at least two more bodies in opposition would have been there. Thank you.

B.K and PatAnne Brown

Matz, Nicholas

From: John and Gaytri Scheel <jgescheel@gmail.com>
Sent: Monday, May 30, 2016 6:25 PM
To: PlanningCommission
Subject: Please Stop Newport Hills rezoning

To Whom It May Concern:

Please do not allow additional condominiums to be build in the Newport Hills Shopping center. My son attends Jing Mei Elementary School and my daughter will soon attend there as well. My son also plays baseball at Stod's 2-3 times per week. Traffic is horrible already during pick up and drop off and additional traffic arising from additional condominiums would make the situation worse.

I was surprised that the planning commission was considering this change. Jing Mei School did not mention this possibility and our PTA was not aware of this either. We heard about this through Stod's. If given proper notice and the opportunity to respond, I doubt that other parents with kids attending Jing Mei would support this rezoning effort.

Thank you,

John ad Gaytri Scheel
Bellevue, WA

Matz, Nicholas

From: Rajeev Pany <rajeev.pany@gmail.com>
Sent: Sunday, May 29, 2016 10:17 PM
To: PlanningCommission
Subject: Newport hills shopping center

I was quite surprised to hear the plan to convert the Newport shopping center to condominiums. My son has been using the stods baseball center for the last 4 years. I cannot believe that this will change. This has been a very integral part of his life and we strongly urge you to not go forward with this plan.

Thanks,
Rajeev Pany

Matz, Nicholas

From: JuliAnne D <jpdiesch@yahoo.com>
Sent: Sunday, May 29, 2016 9:29 PM
To: PlanningCommission
Subject: Please vote NO to rezoning Newport Hills business area to residential zone!

To the Members of the Planning Commission of Bellevue,

Although I am not a resident of Bellevue, Washington, I am a nearby neighbor in Newcastle. I am writing to strongly urge you to maintain the business zoning of the area of Newport Hills which contains Stod's Batting Cages, Resonate, and many other businesses and NOT to rezone this as a residential area.

Already, the areas adjacent to Coal Creek Parkway are feeling the burden from construction of new residential areas in the area. The schools of this area - both in the Bellevue and Issaquah School Districts - are at or above capacity. Increasing residential areas will add to this crowding, creating challenges for school administrators and risking the effective and exemplary education that happens in these schools now as larger class sizes and increasing number of classes in portable classrooms may do.

When looking at the area proposed for a rezoning, I see several businesses which are meeting distinct needs in the community. With six different elementary-age baseball/softball leagues serving the Bellevue/Newcastle/Issaquah area, Stod's is the only batting cage facility within the city of Bellevue and is much more proximal to our home in Newcastle than the facility in Issaquah, those in Seattle, or any of the others in the region. For those who seek to improve on this recreational activity or wish to elevate their skills [including my 10-year-old son], Stod's is a vital business in the community. Without it, many athletes in the area will miss out on great training opportunities; I fear that we would not see Stod's open again in another part of Bellevue.

The restaurants in the vicinity help to draw other members of the family of budding ball players, whether catching a bite to eat while practice or training is happening or finding an entire meal afterwards. I have heard that Resonate has also been working with the Newport Hills Swim & Tennis Club to provide delivery of their freshly prepared food options to members who wish not to leave the Club. This relatively new business has demonstrated success and is looking to expand their offerings and meet the needs of the community.

While these may only be a few anecdotes of the importance of these businesses to my family, I hope that you will consider that mine is a voice (or a keyboard) that echoes the experiences of many. Expanding residential zones may result in a brief increase in revenue, but soon enough those new residents will be discouraged by the increased congestion in traffic and the lack of facilities in the area. Current residents of Newport Hills and neighboring areas like Newcastle like having the options of establishments like Cloud 9, the Mustard Seed, Resonate, and Stod's. The service available at the Chevron station is also a draw to the area, as the staff are efficient and honest. Keep this diversity of businesses! Allow residents to have some services and restaurants from which to choose!

Respectfully submitted,
JuliAnne Diesch

Matz, Nicholas

From: Thomas Arkins <tom.arkins@comcast.net>
Sent: Sunday, May 29, 2016 7:11 PM
To: Matz, Nicholas
Subject: I am a resident of Newport Hills and object to the application for Rezone to multi family. This shopping center has been a valued neighborhood asset. There is already multifamily housing in the area. We don't need the increased density of housing and t...

Matz, Nicholas

From: walter <wmoore7273@comcast.net>
Sent: Saturday, May 28, 2016 1:27 PM
To: Matz, Nicholas
Cc: Sue Baugh
Subject: Newport Hills Shopping Center Redevelopment

I've read some of Kim Herman emails, which include discussions with you and Intracorp. Also I set in on discussions as a guest at the latest Lake Heights board meeting on this subject. I believe the LHCC board is in favor of proceeding with the City redevelopment process. The acting president will confirm this. I haven't heard anything from the Newport Hills CC. However, they may be behind the "No/R30, Reject" signs I've seen around the area.

I continue to be in favor of the Planning Commission proceeding to an amendment of the 1994 Comprehensive Plan for Newport Hills.

I hope the Planning Commission and the City Council will not let a few vocal persons which represent a small percentage of the area residents, influence their decision. I don't agree with Kim Herman's letter of May 22, 2016 to the Director of Development Services Department saying "a majority of neighbors are very concerned about existing traffic congestion, about schools being already overcrowded, and losing existing businesses". Where were they when Bill Pace's store and café were here?

I understand that any business (ie. Intracorp) is in business to make a profit. At some point changes to the Intracorp plan will make it unprofitable and they will drop this project.

Walter Moore
11614 SE 48th ST.
Bellevue, WA. 98006
425 641 5237

Matz, Nicholas

From: larryhenshaw@comcast.net
Sent: Saturday, May 28, 2016 8:36 AM
To: Matz, Nicholas
Subject: Re: 2016 CPAs: Newport Hills Comprehensive Plan CPA full public comments document

Nicholas

I have reviewed the development and feel it is in the best interest of our neighborhood to move forward . It is the best proposal I have seen for the area and as you know the current site will just continue to deteriorate unless something is done to improve the environment.

I support the proposed development and hope the planning commission will move forward with its efforts.

Larry Henshaw
4620 116th ave s.e.

From: "nmatz" <NMatz@bellevuewa.gov>
To: "nmatz" <NMatz@bellevuewa.gov>
Cc: TCullen@bellevuewa.gov, DStroh@bellevuewa.gov
Sent: Friday, May 20, 2016 4:17:45 PM
Subject: 2016 CPAs: Newport Hills Comprehensive Plan CPA full public comments document

All-

Please note that written public comment received on the Newport Hills Comprehensive Plan CPA and attached to the Threshold Review staff report inadvertently excluded comments received before April 22, 2016. This PDF contains all of the written public comments received on the proposed 2016 Comprehensive Plan amendment, from the first one on February 21 to the last received on May 17. Use the Adobe Acrobat Search function to find a specific keyword, such as your last name. Use the bookmarks to locate comments received by month.

Comments received after May 17 will be attached to the Agenda Memoranda for the June 1, 2016 agenda and public hearing.

Threshold Review public hearings for each of the three 2016 site-specific and two non-site-specific privately-initiated Comprehensive Plan Amendments (CPA) have now been rescheduled to **June 1, 2016**. Please note the date and time change: this meeting will start at **6:00 pm**. at Bellevue City Hall. This is **not** a legal notice; you are receiving this courtesy information because you are the applicant, agent, or party of record to one or more of these CPA applications.

Please contact me with any questions.

Nicholas Matz AICP
Senior Planner
425 452-5371



Matz, Nicholas

From: Melissa Peschl <melissapeschl@gmail.com>
Sent: Friday, May 27, 2016 9:52 PM
To: PlanningCommission
Subject: Newport Hills Rezoning

To Whom it may concern:

I am writing this to share my concern for the rezoning in Newport Hills but more importantly the loss of businesses that will occur.

Since moving here several years ago we started going to Stods batting cages. Finding a place where my boys can stay active and develop as athletes, especially during our long wet season is difficult. Stods has provided this for my family and hundreds to thousands of young athletes. We also frequently visit the restaurants Resonate and Mustard Seed. We live in Issaquah and commute nearly 30 minutes each way to use these businesses. If removed we would feel a great loss.

The people who run these businesses depend on it for their livelihood. We depend on them for a fun and safe environment for our families. Please reconsider this loss.

Melissa Peschl
Issaquah, WA
360-600-3520

Matz, Nicholas

From: Sue Baugh <sue.baugh@comcast.net>
Sent: Friday, May 27, 2016 5:09 PM
To: Matz, Nicholas
Subject: Letter regarding Newport Hills Shopping Center
Attachments: NHSC Ltr to Planning Commission May 25- 2016.docx

Nicholas- attached above is a letter regarding the redevelopment of the Newport Hills Shopping Center that I would like included in the information that goes to the Planning Commission.

Please let me know if there are questions. Thank you. Sue

Suzanne Baugh
425-417-6959

May 25, 2016

Director of Development Services Department
P.O. Box 90012
Bellevue, WA 98009-9012

RE: Newport Hills, File Number-16-123752-AC, Map Change of a portion 5.9 acres from Neighborhood Business (NB) Multifamily-High (MF-H) R-30

Dear Director and Members of the Bellevue Planning Commission:

As a resident of Lake Heights for more than 26 years and as a retired commercial real estate broker, principally on the Eastside, I fully support the City of Bellevue's staff recommendation to move forward with the Comprehensive Plan Amendment process. In agreeing with the staff recommendation I'm not saying that Intracorp's plan is perfect, nor do I think all questions/issues have been settled. It's not and they aren't, but isn't that the point of this process?

Newport Hills Shopping Center has been in steady decline for more than 20 years and many of us have spoken with members of the Planning Department (past and present) and City Council members (past and present) about how to fix this eyesore in our midst. We were told the existing owner had no interest in upgrading the center. In addition we've known for years that, given the change in area demographics, the Comprehensive Plan would have to be amended and the area rezoned in order to make redevelopment financially feasible for a new owner. So that's where we are now.

Why wouldn't we go forward with the planning process to get factual data relative to traffic counts, future school enrollment v. capacity, actual number of residential units, outdoor common areas, and possible relocation of existing commercial tenants? Let's look at the facts before stating unequivocally that redevelopment is a bad idea and the "majority" of people in the Newport neighborhoods are "clearly" opposed to any change in the shopping center. That is factually inaccurate. According to the City of Bellevue's website 9,455 people live in the Newport neighborhoods. 140 petition signors (no way to determine if they all live in the Newport area) are actually Bellevue residents. That represents 1% of Newport residents...not a "majority" by any stretch of the imagination.

The fact is Newport Hills Shopping Center has been in decline for years and the current owner has neither the financial means nor the desire to remedy the current situation, a situation, I might add, that will become significantly worse when the next real estate decline happens. And it will happen...it always does...that's why it's called a "real estate cycle". Let's face facts... Newport Hills Shopping Center is important to the neighborhood but it's not a United Nations World Heritage site. The entire area needs to be redeveloped in order to save the center and rid the neighborhood of a persistent eyesore.

Sincerely,



Suzanne Baugh

Matz, Nicholas

From: MnM Cirineo <cirineo@msn.com>
Sent: Friday, May 27, 2016 2:53 PM
To: Matz, Nicholas
Subject: Newport Hill Comprehensive Plan

Hi Nicholas –

My family has lived at 4625 119th Ave SE since 1986. I'm also a native to the area since I was 3 months old; I'm currently 52. 119th is a 'residential street', commercial trucks are prohibited, but these days it's used as a thoroughfare. The abhorred traffic on 405 and Coal Creek has forced commuters to look for alternative routes and 119th is used as shortcut for people living in other areas, I know personally because friends and family have told me that they do it. My objection the plan would be based off the increased traffic the plan would create and that the City of Bellevue has done anything truly meaningful to curtail it, especially the constant speeding. Yes, a sidewalk was added and the lane narrowed, but have you actually walked on the sidewalk with cars whizzing by at speeds +35 mph or attempted to back out your driveway without creating a road-rage incident? I get the traffic and what people do to get around – it that it comes with growth, but allowing the speeding by not enforcing it by patrol or other method (speed bumps, traffic camera, ..) would be my main concern, thus opposition to the rezoning plan if not addressed.

Regards,
Matthew Cirineo

Sent from [Mail](#) for Windows 10

Matz, Nicholas

From: Brian Tower <bntower@comcast.net>
Sent: Friday, May 27, 2016 12:04 PM
To: Matz, Nicholas; Kattermann, Michael; Stroh, Dan
Subject: Newport Hills Shopping Center rezoning
Attachments: Newport Hills Shopping Center rezoning.docx

Please forward this to the appropriate person if it is not yourself. I would also like to be informed if possible of any upcoming dates and milestones in the Newport Hills Shopping Center rezoning decision making process. If you cannot receive attachments also let me know and I will send it as text.

Thank you

Newport Hills Shopping Center rezoning

As a long time 45-year resident of Bellevue and a 15+ year resident of Newport Hills I feel obligated to write to you in opposition of redesignating the Newport Hills Shopping Center for high density R-30 housing.

The Newport Hills Shopping Center is a big part of what makes Newport Hills unique. It offers the local residents a walk to neighborhood gathering place where we meet and enjoy time with our families. The Mustard Seed, Lee's Martial Arts, Teriyaki Town and now Resonate have all been part of my families upbringing for the last 15 years. My children who are now preparing for college have enjoyed these places along with their friends and have been the places where I have gotten to know my children's friend's parents.

I attended the Newport Hills Shopping Center meeting a few weeks back and listened to why the city was considering this redesignation. What I heard were vague references to the neighborhood concerns about the shopping center and safety. There was also reference to an outside consultant and the neighborhood shopping center only being able to support 20,00 sq feet of retail back in 2010. These are both untrue, especially today. While the shopping center has had its share of occupancy challenges most of the people in Newport Hills believe it is because the owner of the properties has deliberately made the terms for the retailers unfavorable to be successful. Only short term leases which gives no incentive to the retailers to improve the property and the owner has done nothing to improve the property in many years. It's seems clear that the owners have been biding their time trying to find a way to maximize their profits. The R-30 designation for this property is what they have been waiting for to maximize their profits.

The shopping center businesses are doing very well these days and the retail spaces appear to be mostly occupied. The parking lot is typically around 80% full in the evenings. With the number of homes turning over in Newport Hills and the sky rocketing home prices I expect the business that are there now and future businesses could do very well. As far as safety concerns in its current state, I have none. The only people I see hanging out at the shopping center are kids that I know by name and go to school with my children. They may be skateboarding in the parking lot but they are not a dangerous crowd, they're normal kids.

Now to what the issues would be with the rezoning. First of all, Newport Hills already has traffic issues. Particularly in getting to the freeways in the morning. A great deal of traffic comes off of Coal Creek Parkway and cuts through Newport Hills to get to the freeways. I see this everyday as I wait for the bus at 123rd AVE and SE 60th. With the very large 900+ unit Avalon housing project happening in Newcastle off of Coal Creek, hundreds of new cars will be added to the traffic flowing through Newport Hills at peak hours. The shopping center property also sits within ½ a mile of 3 schools and the new proposed development would add significant traffic to the roads leading to those schools at the peak/ school start hours. A shopping centers peak hours are not in conflict with the school access and peak traffic volumes.

Already it can take as much as 20-25 minutes for my Metro bus to go from 123rd Ave SE and 60th to 119th and Coal Creek. With the added traffic from high density housing I expect we could back all the way up to Newport Heights Elementary school regularly. One of the main reasons I chose to settle in Newport Hills was its quick access to both I-90 and I405. Although I live about a mile from both freeways it takes from 5-25 minutes just to get to the freeways now. We don't need to compound this problem.

From looking at the City of Bellevue zoning map it appears there is very little if any R-30 zoning in non-commercial or residential areas like Newport Hills. The 2 lane roads, 3 way stop sign intersections that Newport Hills has are not adequate for the density of housing R-30 allows. And yes I do understand that there is already R-30 in Newport Hills. It probably shouldn't be here but that may have been there before the City of Bellevue took over Newport Hills and it is not anywhere near the density limits of R-30.

It also shows that Newport Hills has enough high density housing. It's part of the reason Newport Hills is on the lower end of housing prices in the area. Adding additional high density housing to Newport Hills will only decrease the value of my property. Not increase it as it was being sold in the shopping center meeting.

Also mentioned in the meeting was the impact to the already overfilled schools in the immediate area. People move to Newport Hills and Bellevue specifically for the Bellevue School district. Adding to the overcrowding in the Newport Hills area schools will not help the schools or Bellevue School Districts outstanding reputation.

In conclusion I do not see any benefit to the residents of Newport Hills from the proposed redesignation of the Newport Hills shopping center from Newport Business to Multi Family -High. The only people that would benefit from this are the property owners and the developers who will take their money and be gone leaving Newport Hills and the City of Bellevue with the issues mentioned above. If you care about the quality of life for the residents of the Newport Hills and the City of Bellevue, you will deny this rezoning and encourage the property owner to improve or sell the property as it is zoned today. I have no doubts that the shopping center can thrive with the explosion in population and rising wages in the greater Seattle area. It has already seen a marked improvement in the last few years. Newport Hills residents are strongly against this rezoning and signs have begun to appear around the neighborhood in opposition. I don't believe the rezoning was effectively communicated to the residents of Newport Hills or you would have received a lot more letters like this. I found out about it from a phone app called Next Door and I drive by the shopping center every day. People that live here are hardworking people that don't have a lot of free time. The city could do a much better job of informing the residents of the proposal and soliciting their feedback.

Matz, Nicholas

From: brad nicholson <brad827@hotmail.com>
Sent: Friday, May 27, 2016 11:09 AM
To: Matz, Nicholas
Subject: Newport hills comprehensive plan amendment

Dear Mr. Matz,

please place me on the list as a party of record for the Newport hills rezone processes so that I may receive information as to how to participate and comment on the proposals. Please note this request is being made on behalf of myself, and South End Gives Back (a 501(c)3. Washington non- profit corporation)

Thank you,

Brad Nicholson *President*
South End Gives Back
2302 NE 28th Street
Renton, Wa. 98056
425 445 0658

Matz, Nicholas

From: Lyanne Ma <lyannema@gmail.com>
Sent: Wednesday, May 25, 2016 4:26 PM
To: Matz, Nicholas
Subject: Newport Hills Comprehensive Plan Rezone

Hi Nicholas,

I was hoping to get some clarity on the rezone plan. Initially, I thought the future of the Newport Hills Shopping District was to become mixed use commercial & residential. There are some local residents in Newport Hills who are circulating a petition to stop the rezone because they say it entails replacing all of the current retail space with just condominiums.

I found this document online, but the general description is cut off so I cannot read the entire paragraph. It does mention plans for future additions, but I'm unclear on what that means.

<http://www.bellevuewa.gov/pdf/Land%20Use/16-123752-AC.pdf>

Can you help shed some light on what the plans and end goal for changes to the Newport Hills Shopping District are?

Thanks!
Lyanne

Matz, Nicholas

From: Chris Baker <cjbaker3026@comcast.net>
Sent: Wednesday, May 25, 2016 3:37 PM
To: PlanningCommission
Subject: Newport Hills Shopping Center Re-zoning | Recommend No Vote

Bellevue Planning Commission,

I would like to voice my opposition to the proposed re-zoning of the Newport Hills shopping center. My three sons have collectively participated on Stod's baseballs teams since 2005. Stods provides a unique service to the greater Seattle metro area providing both select baseball programs as well as public cage facilities that support baseball players from 7 to 70 years old. If Stods loses its facility, I doubt it will be able to re-open, thereby impacting hundreds of youth that train for Little League and select programs.

In addition, my family often frequents the restaurants in the center, notably Resonate and Mustard Seed. These establishments provide valued community places to socialize with friends and family – and like Stods, drawing from a wider swath of the Eastside and Seattle.

Sincerely,
Chris Baker
Clyde Hill, WA 98004

Matz, Nicholas

From: Diana <dibuzzgoldberg@aol.com>
Sent: Wednesday, May 25, 2016 2:49 PM
To: planningcommission@bellevuewa.gov.
Subject: Newport Hills rezoning

To the Planning Commission,

My family and I reside in the Lakemont area of Bellevue (address is 6802 163rd Place SE, Bellevue). It has come to my attention that there is a possibility that the Newport Hills shopping complex may be rezoned and turned into housing units. As the mother of 2 boys, ages 10 & 12, I truly believe that this change would negatively affect the community at large. My family routinely patronizes the businesses in the shopping center. My boys have used Stods Batting Cages for over 3 years and continue to use the facility year round to practice when the outside weather forces them indoors. If Stods goes away, the only other batting cages in the area are in Preston/Fall City and Redmond (both 30+ minutes away). Our family also frequently watches games at the Mustard Seed and we love the addition of Resonate, which is a perfect meeting place for families. With the traffic congestion in the area already out of control, I find it hard to believe that adding a substantial number of homes would make any sense, except to those who will benefit financially. These changes would be detrimental to the area.

It would be a big loss for Bellevue to loose these businesses. I truly hope the planning commission thinks through this proposal and understands what the significant loss of these businesses mean to the families in the community.

Thank you for your time.

Diana Goldberg

Matz, Nicholas

From: Cullen, Terry
Sent: Wednesday, May 25, 2016 2:26 PM
To: Matz, Nicholas
Subject: FYI: Some additional questions regarding the Newport Hills Area and proposed redevelopment
Attachments: Planning Commission Ltr 5-22-16.docx

From: hermanmk@comcast.net [mailto:hermanmk@comcast.net]
Sent: Wednesday, May 25, 2016 1:21 PM
To: Herman, Kim <hermanmk@comcast.net>
Subject: Fwd: Some additional questions regarding the Newport Hills Area and proposed redevelopment

As a person of record regarding the proposal to redevelop the Newport Hills Shopping Center, you may be interested in the answers to the recent questions I asked Nicholas Matz, the Senior Planner on this issue. Also, I have attached a letter I submitted this week to the Director of the Bellevue Development Services Department on this issue.

Thanks,
Kim Herman
4545-119th Ave. SE
Bellevue, WA 98006
425-747-9996

From: NMatz@bellevuewa.gov
To: hermanmk@comcast.net
Cc: DStroh@bellevuewa.gov, TCullen@bellevuewa.gov
Sent: Wednesday, May 25, 2016 7:17:03 AM
Subject: RE: Some additional questions regarding the Newport Hills Area and proposed redevelopment

Kim-

See answers in blue below (several staff contributed to these replies):

From: hermanmk@comcast.net [mailto:hermanmk@comcast.net]
Sent: Saturday, May 21, 2016 6:01 PM
To: Matz, Nicholas <NMatz@bellevuewa.gov>
Subject: Some additional questions regarding the Newport Hills Area and proposed redevelopment

Nicholas-

Thank you for the meeting last Tuesday, I felt it was very useful and informative. As you can imagine though, additional questions keep popping up. I have some below:

1. I notice in the Newport Hills Village Comprehensive Plan Amendment Application section that was included in your email of materials to the neighborhood that in the Block 3 section at the top of page 2, there is the following statement by the applicant:

"Without a redesignation and rezone to MF-HR-30, the existing facility may remain underutilized for the foreseeable future. In addition, this is a logical expansion of MF-H/ designation and R-30 zoning that is consistent with surrounding property zoning, the character of the area, and will allow for sensitive redevelopment of a neighborhood retail area."

My questions are:

>What is the zoning for the SF properties surrounding the shopping center, particularly the number of units allowed per acre?

R-5; 5 units/acre is the designation for the SF properties near the center. Directly adjacent parcels are multifamily (R30) and commercial (PO, Professional Office).

>What other properties in the Newport Hills area are zoned MF-H/R-30 or other MF-H densities?

Areas immediately east and south of the shopping center across SE 60th.

>What other zoning categories are used near the shopping center site and what are they?

NB at the former Stod's site and at Kelly O'Neill's property; Professional Office at the NHSTC, the church and park-n-ride on the west side of 119th. The residential property immediately south of the gas station and shopping center (to SE 60th) is designated MF-H but is zoned PO.

2. I notice in Block 4b-paragraph B, on page 4, the applicant makes the following statement:

"The rezone will allow for the sensitive redevelopment of an under-utilized piece of property into a neighborhood-friendly mixed use multifamily development; *there is no conflict with public health, safety, or welfare as a result of this application (emphasis added).*"

My question is: If the neighborhood can give examples of how traffic congestion in Newport Hills is already causing delays in the ability of ambulances to safely enter and leave Newport Hills, will this be considered in a discussion of whether or not a rezone to MF-H/R-30 is inappropriate?

A CPA is a legislative action of the Planning Commission and Council; they use staff recommendations, application materials, public comment, and applicant and community testimony to make a recommendation and decision framed around the Decision Criteria. Objective information about background traffic conditions may be examined if the application moves forward for full review. It is important to note that the existing Neighborhood Business zoning also has traffic consequences, and that the City cannot "freeze" current conditions to avoid any traffic impacts.

3. I also notice that in Block 4b-paragraph E on page 5, the applicant makes the following statement: "The rezone certainly benefits the community as a whole. The community will benefit from the sensitive neighborhood-scale redevelopment of the underutilized property"

My question is: If the majority of the neighborhood residents can demonstrate their disagreement with the applicant that this is a "sensitive neighborhood-scale redevelopment" at the proposed density, will this be considered in a discussion of whether the requested rezone is inappropriate?

A CPA is a legislative action of the Planning Commission and Council; they use staff recommendations, application materials, public comment, and applicant and community testimony to make a recommendation and decision framed around the Decision Criteria. It is certainly staff's hope, expressed many times over the years, that if this site is redeveloped, it will be done in a manner that is very sensitive to the neighborhood context and continues to serve as a neighborhood asset.

I would greatly appreciate a timely answer to these questions because I want to prepare appropriate comments for the June 1 public hearing and I don't want to spend time on issues that will not be considered.

Thanks,

Kim Herman
4545- 119 Ave. SE
Bellevue, WA 98006
425-747-9996

Nicholas Matz AICP
Senior Planner
425 452-5371



One City

Committed to Excellence

May 22, 2016

Director of Development Services Department
P.O. Box 90012
Bellevue, WA 98009-9012

RE: Newport Hills, File Number-16-123752-AC, Map Change of a portion 5.9 acres from Neighborhood Business (NB) Multifamily-High (MF-H) R-30

Dear Director and Members of the Bellevue Planning Commission:

I am opposed to the requested change of a portion of 5.9 acres in the Newport Hills Shopping Center from Neighborhood Business to Multifamily-High/R-30. However, I would not be opposed to consideration of a Comprehensive Plan Amendment for the Newport Hills area that would encourage redevelopment of the Newport Hills Shopping Center to include affordable senior housing, lower density multifamily housing and that retained a greater number of the current commercial business owners.

I have reviewed the materials developed by Intra-corp and attended two of the neighborhood meetings that they hosted. I have discussed their conceptual development proposal with an Intra-corp representative and I have discussed their application and the development review process with Senior Planner Nicholas Matz. I have also reviewed all of the correspondence on record with regard to the current development proposal and the application for an amendment to the Comprehensive Plan and the rezone application referenced above.

Here is a summary of the opinions and concerns voiced in the communications on record to date:

7 communications voiced unqualified support for the proposal

8 communications voiced unqualified opposition to the proposal

10 communications voiced qualified support but raised some concerns among those listed below

32 communications voiced opposition to the proposal and raised the concerns listed below

Among the Concerns listed by persons in opposition or qualified support of the proposal are:

24 persons raised concerns about current traffic congestion/traffic safety in Newport Hills and the negative impact the proposal would have on future traffic congestion and safety.

16 persons raised concerns about the loss of current retail businesses/insufficient retail included in the proposal.

15 persons voiced concerns about the proposed multifamily housing density and/or lack of sufficient visitor parking.

12 persons voiced concerns about further school crowding in already crowded schools in Newport Hills and existing bus delays caused by existing traffic congestion

10 raised concerns about the existing lack of parks, potential loss of walkability/biking opportunities and other amenities

4 persons voiced concerns about the lack of senior housing being included in the plan.

I am also aware of a petition that will be presented to the Planning Commission that will contain hundreds of signatures of Newport Hills' residents and residents from surrounding neighborhoods that use the current retail businesses in Newport Hills, and others.

Clearly, the majority of the residents of Newport Hills are very concerned about the existing traffic congestion in the neighborhood and the fact that development in Newcastle and surrounding areas will only make that congestion worse as new residents of the area cut-through Newport Hills to avoid the congestion on Coal Creek Parkway and the already excess congestion at the 405 on-ramps from Coal Creek, as shown by Bellevue's own traffic studies.

Clearly, the majority of residents of Newport Hills are very concerned about our schools already having to use portable classrooms to house the existing student populations in our neighborhood without the potential of 110 new multifamily homes adding more students and lowering further the quality of the neighborhood schools and neighborhood life.

Clearly, the majority of the neighbors in Newport Hills support the existing retail businesses at the shopping center and do not want to see a reduction in the number and variety of retail that currently serve the neighborhood, some of which have been there for years.

Clearly, the density of the proposed multifamily housing is beyond what the neighborhood wants in a redevelopment process for the shopping center while less dense options and more suitable housing, such as affordable senior housing , was recommended in the 2010 study and is needed to keep aging residents in a community they love.

And, there were other concerns with the current proposed zoning change and redevelopment proposal that need to be considered and discussed before any high density zoning proposal is considered by the Planning Commission and the City Council.

Many of the residents of Newport Hills want to see redevelopment of the existing shopping center that is more in-keeping with the quality of life in Newport Hills and that will help solve the traffic congestion and school crowding problems that already exist rather than add to these problems and further degrade the neighborhood. However, the current rezoning request and the current redevelopment proposal are not in keeping with the desires of the residents living in Newport Hills.

Sincerely,

Kim Herman
4545 – 119th Ave. SE
Bellevue, WA 98006
425-747-9996

Cc: Nicholas Matz by email

Matz, Nicholas

From: donkarenw@comcast.net
Sent: Wednesday, May 25, 2016 2:20 PM
To: Matz, Nicholas
Subject: Newport Hill Shopping Center

Dear Mr. Matz,

My husband Donald Wolfe and I would like to be on record to receive information about upcoming meetings and current happenings with regards to the Newport Hills Shopping Center development.

Thank you,

Karen Wolfe
Donald Wolfe
425-865-9790

Matz, Nicholas

From: Larry Bartle <lnmbartle@comcast.net>
Sent: Wednesday, May 25, 2016 12:01 PM
To: PlanningCommission
Subject: Rezoning Newport Hills Shopping Center

PLEASE STOP !!! Those businesses are important to the people of Bellevue and Newport Hills in particular.

Larry Bartle

Matz, Nicholas

From: Sarah Mangold <sarah@mangoldonline.com>
Sent: Wednesday, May 25, 2016 11:31 AM
To: PlanningCommission
Subject: rezone of Newport Hills shopping district

While not a resident of Bellevue, I am a frequent user and benefit from the current services offered by this unique shopping area in Newport Hills. My son participates in Stod's baseball camps & winter conditioning programs and used the batting cages throughout the year, when the Pacific NW weather would otherwise prohibit baseball play. If the rezone is approved, the batting cages would likely go away and NOT reopen in Bellevue. My son's Stod's team this past summer & fall had kids from West Seattle, Mercer Island, Redmond, Issaquah, etc – it's a GREAT facility that supports kids from all over Seattle/Eastside and would be a significant loss to the kids from all over the area if it went away.

Being Stod's customers, we've also come to love and support the restaurants in the shopping center like Resonate. We dine at Resonate, a great pizza and brew pub, and feel lucky to have the opportunity to support a local small business. By rezoning and transitioning this to residential/condos, the broader community, not just those that reside in Newport Hills/Bellevue will suffer from the loss of this great shopping area.

I hope the Bellevue Planning Commission will take into consideration the impact on the broader surrounding communities with the loss of this shopping center as they consider rezoning of this area.

Sincerely,
Sarah Mangold
4518 W Mercer Way
Mercer Island, WA 98040

rmat="true" Name="h

Matz, Nicholas

From: Molly Clemons <mollyclemons@comcast.net>
Sent: Wednesday, May 25, 2016 9:42 AM
To: PlanningCommission
Subject: STOP REZONING OF NEWPORT HILLS SHOPPING CENTER

To whom this concerns:

Please stop the rezoning of the Newport Hills Shopping Center! My name is Molly Clemons, I live at 50 Skagit Key in Bellevue, WA, and strongly oppose any change.

My family and I frequent the facilities at the shopping center and do not want to see the businesses go away, specially the facilities used by kids. The restaurants are reliable, kid-friendly gathering spots for sports' teams and families and we use them often. It is nice to be able to send my kids to local restaurants on their bikes without having to head into the crowd and scene at Factoria. It would be an incalculable loss to the area if these restaurants were to disappear. Secondly, we often use the batting cages, and there is no other replacement within reasonable driving distance. Again, it would be the loss of another "safe" place for my kids to gather and engage in healthy activities.

My kids attend the Newport Schools and I can only imagine that this will drastically increase the strain on an already over-strained school system. There is simply no room to put that many additional school children! Additionally, traffic in the area is already bad, and will get worse with the developments that are already going up in Newcastle. Cut-through traffic on 60th and 119th to I-405 is already bad in the morning and will only get worse. Adding more housing in Newport Hills will make the traffic unbearable to those of us who live here and/or use the area.

Please stop the rezoning and allow the businesses there to thrive, and grant our kids safe places to get together.

I appreciate your time and commitment to this matter.

Very truly yours,
Molly Clemons

Public Comment received June 2 – June 9, 2016

16- 123752 AC Newport Hills Comprehensive Plan CPA

June 9, 2016

VIA Electronic Mail

Bellevue Planning Commission
City of Bellevue
450 110th Avenue NE
Bellevue, WA 98004

Re: Newport Hills Comprehensive Plan Amendment

Dear Commissioners:

Thank you again for listening to our presentation and public comment regarding our proposed comprehensive plan amendment that would change a portion of the Newport Hills Shopping Center from “NB” to “MF-H.”

Since the meeting on June 1 we have continued to reach out to community members and neighbors. We met with community members who offered comment at the meeting and discussed whether there is possibility to achieve better consensus regarding the future of the center that could include retail and some residential infill development. We feel that this is a positive development that supports the idea that our amendment should be studied while allowing for additional public outreach and facilitated community process beyond what “normally” occurs during the typical comprehensive plan amendment study process.

In this spirit, we want to be clear with you that we are open to participating in facilitated community outreach process while the comprehensive plan studies occur—we see a facilitated process utilizing the data provided by the various studies (retail market study, traffic study, school study, etc.) as a good way to make sure the community continues to be engaged while the study process is occurring.

As stated at the June 1 hearing, we also wanted to be clear that we are open to a Development Agreement that places conditions on what can be developed on the site under this amendment, so that the neighborhood can be assured that what is shown during this process is indeed what will actually be constructed in the future.

We believe the City has an opportunity here to utilize our amendment to once and for all do a comprehensive study with the neighborhood to determine the right development plan for the Newport Hills Shopping Center.

June 9, 2016
Page 2 of 2

We appreciate your consideration of the amendment and a recommendation that it warrants study.
Please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "David MacDuff". The signature is fluid and cursive, with the first name "David" and last name "MacDuff" clearly distinguishable.

David MacDuff
Intracorp Real Estate

Cc: Bellevue City Councilmembers

Matz, Nicholas

From: mitch.1717 <mitch.1717@gmail.com>
Sent: Wednesday, June 08, 2016 2:11 PM
To: PlanningCommission
Subject: Newport hills shopping center

Follow Up Flag: Follow up
Flag Status: Flagged

Please keep shopping center, huge part of our community

Mitch hopkins

Sent from my Verizon, Samsung Galaxy smartphone

Matz, Nicholas

From: Brian Bowers <brianjohnb@yahoo.com>
Sent: Wednesday, June 08, 2016 10:30 AM
To: PlanningCommission
Subject: save Newport hills shopping center

Follow Up Flag: Follow up
Flag Status: Flagged

Brian Bowers
Sent from Yahoo Mail on Android

Matz, Nicholas

From: cshen98@comcast.net
Sent: Wednesday, June 08, 2016 10:00 AM
To: PlanningCommission
Subject: Objection to rezone the Newport Hill Shopping Center

Follow Up Flag: Follow up
Flag Status: Flagged

We use the facilities at the hopping center and do not want to see the businesses go away, specially the facilities used by my 3 kids and their baseball teams.

If no option to rezone the shopping center, I strongly request to keep battling cages slot. All kids are depressed and upset when they heard the battling cages might go away.

For a sake of kids, please do consider the requests and make a right decision at the end. Your consideration would be highly appreciated. Thank you!

My name is Carol Shen, live in Bellevue.

Best regards,
Carol Shen

Matz, Nicholas

From: Madey Lope's <salsa332002@yahoo.com>
Sent: Wednesday, June 08, 2016 9:23 AM
To: PlanningCommission
Subject: Save Stod's Batting Cages

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Planning Commission,

My boys ages 8 and 11 along with their friends have been coming to Stod's for training for the past couple of years. We travel from Kirkland because we appreciate what the facility has to offer in coaching and equipment. There is already a shortage in these available facilities and taking Stod's down would exacerbate the situation. Young athletes need training and coaches to keep them safe and free from injury. As these young boys turn into men, having them involved in athletics is vital to teaching them life long skills.

Without Stod's, these boys which I transport up to 7 at a time will not have a training facility during winter or during the season.

Keeping kids in athletics keeps them off the street with idle time. Idle time is not what young pre-teens need.

Respectfully,
Madey Widmer
Kirkland WA

Matz, Nicholas

From: brad nicholson <brad827@hotmail.com>
Sent: Tuesday, June 07, 2016 9:49 PM
To: PlanningCommission
Subject: Newport Hills Comprehensive Plan 16-123752 AC
Attachments: jun7pdf.pdf

Distinguished Members of planning commission,

Please find attached comment letter

Thankyou Brad Nicholson

South End Gives Back

A Washington non-profit Corporation
Brad Nicholson, *President*

2302 N.E. 28th Street
Renton, Washington 98056
brad827@hotmail.com
(425)445-0658

June 7, 2016

City of Bellevue
4501 10th Ave. NE
P.O. Box 90012
Bellevue, WA 98009

TO: Planning Commission

Michelle Hilhorst
John deVadoss
Aaron Laing
Jeremy Barksdale
John Carlson
Anne Morisseau
Stephanie Walter

IN RE: uncorroborated "changed circumstances" and defective "open discussion"
RE: Newport Hills Comprehensive Plan 16-123752 AC (5600 119th Ave SE)
Staff recommendation: Include in CPA work program; do not expand geographic scope
Proposed map change from Neighborhood Business (NB) to Multifamily-High (MF-H) on 4.6
acres of 5.9 acre site

Dear Ladies and Gentlemen of the Planning Commission,

We are writing this letter as a follow up and continuation to the Hearing last week. SEGB and Brad Nicholson were able to review the audio recording of the proceeding. During the hearing, we noted that the "changed circumstances" deemed necessary to be proven to justify rezoning were identified by the applicant as economic in nature; i.e. increased competition, occupancy levels, and profitability etc. and are standing alone. The planning commission chair noted that the tenants are subject to confidentiality agreements. We were still not able to discern which elements of the comprehensive plan are proposed to be altered.

We did find out how offended we are by the applicant testimony because we attempted to discuss the proposal with tenant(s) in the Newport Hills NB land use designation and reached the same result as the commission. We were told by the tenant(s) that they could not comment or participate. We can only conclude that there are some kind of contracts in place whereby the applicant may contend that there may be no tenant disclosure of information during the hearing processes.

Comment letter Newport hills

Brad Nicholson

We assert that Brad Nicholson and SEGB want and need to hear tenant's views and relevant business information to facilitate our informed participation in the processes. Basic information about the general economic health of the businesses, number of jobs that might be lost, and estimated profitability and/or success are necessary to confirm the applicant's testimony, and facilitate intelligent comments and review by us and other members of the public and the legally required "open discussion" are absent. It is our intent to be as informed as we possibly can be, so that our comments can be intelligent and meaningfully considered. For example, we contend that the discussion of "changed circumstances" is entirely one sided and impossible to weigh and balance and is perfectly supported,

For example, See CPSGMHB, *"To have meaningful public participation and avoid "blindsiding" local governments, members of the public must explain their land use planning concerns to local government in sufficient detail to give the government the opportunity to consider these concerns as it weighs and balances its priorities and options under the GMA. Bremerton/Alpine 95-3-0039c/98-3-0032c, 10/7/98 Order, at 8.* The businesses of Newport Hills are not explaining anything. They are persons and members of the public gagged by non-disclosure agreements. The commission should certainly not find facts relating to "changed circumstances" in this instance.

In RCW 36.70A.140, *the Act envisions a "response" to public comments and "open discussion" to occur within a variety of forums including vision workshops, open houses, focus groups, opinion surveys, charettes, committee meetings and public hearings" see Robison, CPSGMHB 94-3-0025c, FDO, at 30.*

The true situation before you is one in which the businesses impacted most are in all likelihood contractually deprived of the right to petition the government for redress of grievance or speak up and in this case the hallmark requirement that we be able to meaningfully comment and participate in these processes is defective. The "open discussion" requirement has not been satisfied.

We request that the proposal be remanded for consistency with this interpretation.

Thankyou in advance for your thoughtful consideration,

Brad Nicholson, and SEGB, Brad Nicholson President



Brad Nicholson

Matz, Nicholas

From: Tammy <tammyandmichael@comcast.net>
Sent: Tuesday, June 07, 2016 3:49 PM
To: PlanningCommission
Subject: Rezoning Newport Hills Shopping center

Follow Up Flag: Follow up
Flag Status: Flagged

I oppose rezoning of the Newport Hills shopping center in Bellevue.
Tammy Alford

Tammy's iPhone

Matz, Nicholas

From: Sharon L <slevy34@aol.com>
Sent: Tuesday, June 07, 2016 2:01 PM
To: PlanningCommission
Cc: countrycruiser9@yahoo.com
Subject: No R-30/Multi-Family Residential Rezoning for Newport Hills Shopping Center

Importance: High

Follow Up Flag: Follow up

Flag Status: Flagged

To Whom It May Concern:

Newport Hill's existing businesses provide enjoyment and convenience to not only its current residents and schools, but for the surrounding neighborhoods of Renton, Newcastle and South Bellevue as well.

What Newport Hills needs is an anchor store, not more people. Perhaps a competing drug store or grocery store to those in Factoria and Newcastle. CVS might be an ideal option considering they have recently moved into our area.

While Bellevue is increasingly attractive to the influx of transients, new development should not be at the expense of our communities and schools. The school district's plans to build E18 only resolves overcrowding in other parts of Bellevue and will not relieve Newport Hill's already overcrowded schools.

Moreover, the two-lane roads in Newport Hills absolutely do not support existing traffic congestion that will presumably worsen w/new housing.

Thank you,

Sharon E. Levy

Sharon E. Levy

Matz, Nicholas

From: Lucynda Campbell <lucyndacampbell@yahoo.com>
Sent: Tuesday, June 07, 2016 1:22 PM
To: PlanningCommission
Subject: newcastle/ newport hills

Follow Up Flag: Follow up
Flag Status: Flagged

My name is Lucynda Campbell, I am a patron of Resonate, Mustard Seed and the Batting cages in new castle/ Newport hills, I live in Easgate- those facilities are close and convenient for myself and family. I teach at a school in Bellevue, we often meet in Newport Hills at places like Resonate for our social gatherings since it is close and in our community. Please do not rezone this area.



Matz, Nicholas

From: Joann Oshima <jolin2@hotmail.com>
Sent: Tuesday, June 07, 2016 12:17 PM
To: PlanningCommission
Subject: No to Newport Hills Shopping Center rezoning

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Committee Members,

I am asking you to vote "no" on rezoning Newport Hills Shopping Center. We live in Somerset and actively use the Stods batting cages and facilities. It would be a great loss to the surrounding area to lose Stods.

Thanks,
Joann

Matz, Nicholas

From: Chadrow, William (US - Seattle) <wchadrow@deloitte.com>
Sent: Tuesday, June 07, 2016 11:37 AM
To: PlanningCommission
Subject: Save the Newport Hills Shopping Center

Follow Up Flag: Follow up
Flag Status: Flagged

Hello,

Am writing to voice my concern over the planned condominiums that will reportedly wipe out the businesses in the Newport Hills Shopping Center. The batting cages currently there are of huge benefit to the children of the community and if the cages close, they are unlikely to reopen. In addition, the small businesses in the area will most assuredly incur a significant financial burden, if they are able to reopen at all. Last, traffic and overcrowding in the area is already untenable and the last thing we need is hundreds of more condos making matters worse. Please consider this a very strong vote against this development.

Yours,

William Chadrow
Renton Highlands..

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v.E.1

Matz, Nicholas

From: Carroll, Elisabeth CR - Staff <Carrolle@issaquah.wednet.edu>
Sent: Tuesday, June 07, 2016 11:09 AM
To: PlanningCommission
Subject: stop the rezoneing newport hills shopping center

Follow Up Flag: Follow up
Flag Status: Flagged

Hi,

I will be disappointed if Stods leaves. We play baseball there weekly.

Elisabeth Carroll

AM kindergarten teacher
Cougar Ridge Elementary School
[Mrs. Carroll's Class Website](#)

"Every child deserves a champion - an adult who will never give up on them, who understands the power of connection, and insists they become the best they can possibly be." ~ Rita Pierson

Matz, Nicholas

From: Bruce Hori <bubu206@earthlink.net>
Sent: Tuesday, June 07, 2016 10:50 AM
To: PlanningCommission
Subject: Rezone in Newport Hills

Follow Up Flag: Follow up
Flag Status: Flagged

The rezone of the Newport Hills shopping center is a bad idea. The center is just starting to be revitalized with the Resonate Brewery (only brew pub on the Eastside) and Stods baseball has been a Mecca for thousands of youth baseball players for years.

Moreover, the traffic issues created by a dense multifamily structure are immense. I can't imagine the SEPA traffic impacts will allow such a development without severe mitigation, such as a bridge from 124th Ave. SE to 119th Ave SE.

Sincerely,

Bruce Hori
206 790-9876

Sent from my iPhone

Matz, Nicholas

From: Lucy Regan <lucy.regan@gmail.com>
Sent: Tuesday, June 07, 2016 10:25 AM
To: PlanningCommission
Subject: Strongly against the rezoning of the shopping center at Newport Hills

Follow Up Flag: Follow up
Flag Status: Flagged

Hi there,

We are strongly against the rezoning of the Newport Hills shopping Center.

Even though we lives at Somerset neighborhood, the shopping Center is big part of live since we moved to Bellevue in 2003. My daughter is taking her dancing lesson there at corner stone studio, my son is going to Stods couple times a week, and we love the Teriyaki town, 9 clouds burger, previous Bill's place and Red Apple stores.

Please keep all this business center there enjoyed by the surrounding community.

sincerely,

Kevin & Lucy Regan

Matz, Nicholas

From: Scott Zilmer <thescottzilmer@gmail.com>
Sent: Tuesday, June 07, 2016 10:08 AM
To: PlanningCommission
Subject: opposition for the rezoning of the shopping center

Follow Up Flag: Follow up
Flag Status: Flagged

Scott Zilmer here. 7 year resident of Newport hills and a patron to mustard seed, stods and former red apple market for half my life.

Current traffic condition on the hill is stifling and seemingly getting worse by the day. New housing units on the hill would make it unbearable. The area, as it sits, is not ready for another increase in population.

Thanks,
Scott Zilmer
6812 129th pl SE
206-354-3307

Sent from my iPhone

Matz, Nicholas

From: Sarah Herr <Sarah.Herr@gatesfoundation.org>
Sent: Tuesday, June 07, 2016 10:02 AM
To: PlanningCommission
Subject: Strongly Oppose the Newport Hills ReZone

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Bellevue Planning Commission,

I strongly oppose the Rezone of the shopping center to build more housing.

My name is Sarah Herr and I live in Newport Hills. I sue the facilities at the shopping center and do not want to see the businesses go away, specifically the facilities used by my children. The batting cages are a very valuable resource for my two young boys, and losing the facility will be a huge loss for the generations to come.

Additionally, my children attend school here and for schools that are already at maximum capacity and stressed for space, adding more housing will only add to the overcrowding.

I would also like to reinforce the already over-crowded arterial streets 60th and 119th trying to get to I-405, is already very slow commute, leaving cars and school bus delays. The additional housing from the rezone of the shopping center will result in unbearable traffic for those of us who live here. Not to mention that the Newport Hills neighborhood also accommodates cut through traffic of the commuters trying to avoid the traffic on Coal Creek Parkway, furthermore, the additional housing currently being built in Newcastle will result in traffic to get worse.

Thank you for your time,
Sarah

Matz, Nicholas

From: URBANGROUPUSA <artechedesign@gmail.com>
Sent: Tuesday, June 07, 2016 10:02 AM
To: PlanningCommission
Subject: rezone of the Newport Hills shopping center

Follow Up Flag: Follow up
Flag Status: Flagged

Hi:

My son play baseball in "Stods" at the Newport Hill Shopping Center and like many parents we support the sport and also the help to kids to love Baseball and try to be better in the sport. I am against the Rezone of the Newport Hill Shopping Center area and as an Architect sometimes, change is not destroy our past and present.

I want to be clear and loud, I am not support the rezoning of the site and please help and support the small business that are in that area.

Thank you. Pedro Gonzalo Arteche.



Gonzalo Arteche | Designer
Architecture/3D

518 S TOBIN ST | RENTON, WA 98057

D: 425.281.6769

E: artechejobs@gmail.com

W: www.gonzaloarteche.com

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Matz, Nicholas

From: Trevor Daley <daley2284@gmail.com>
Sent: Tuesday, June 07, 2016 9:46 AM
To: PlanningCommission
Subject: STODS baseball

Follow Up Flag: Follow up
Flag Status: Flagged

Stods baseball has been a staple of Newport Hills my entire. Growing up in Snoqualmie Valley, our select team would drive to Newport Hills 3 days a week to use Stods facility. Now a resident in Newport Hills, my son and I have gone to stods almost every day for the past 4 years to practice where he is also a member of Stods 12U select team. Thousands of local youth baseball players frequent this facility every year and depend on it being open year round to continue to train and improve. Without stods baseball in Newport Hills, I guarantee many of those players will not see the inside of a batting cage again. Few families are going to be able and willing to drive 30 min each way, through gridlock, at the end of the day to take their kids to practice hitting and pitching. There are far too many young baseball players in our community for this facility to just not be here anymore and Newport Hills would be a lesser place without it.

Thank you for your consideration,
Trevor Daley

Matz, Nicholas

From: Stephen Herr <stephenh007@gmail.com>
Sent: Tuesday, June 07, 2016 9:43 AM
To: PlanningCommission
Subject: Newport hills rezone

Follow Up Flag: Follow up
Flag Status: Flagged

Grew up my whole life in this neighborhood and am now raising a family and am a homeowner here. This will make me move out of this area.

Steve

Matz, Nicholas

From: Erin and Rich McCaskill <erinandrich@msn.com>
Sent: Saturday, June 04, 2016 8:48 AM
To: PlanningCommission
Subject: Newport Hills

Follow Up Flag: Follow up
Flag Status: Flagged

I am a Bellevue resident of the Newport Hills neighborhood. I strongly oppose the rezoning of our neighborhood to remove businesses and add more high density housing. Our roads are already too crowded. The I-405 exit to our neighborhood is one of the worst in the city. Our schools are overcrowded, which really affects the quality of education. Please do not rezone this area.

Thank you,
Erin McCaskill
11803 se 65th street

Sent from my iPhone

Matz, Nicholas

From: PAT/SUSAN MORAN <moranjp2@q.com>
Sent: Friday, June 03, 2016 10:57 AM
To: PlanningCommission
Subject: Newport Hills Comprehensive Plan 16-123752 AC (5600 119th Ave SE) ~ Public Comment

Follow Up Flag: Follow up
Flag Status: Flagged

Planning Commission:

My wife and I have lived in Newport Hills since 1976 and consider it a special place. We believe the redevelopment of the Newport Hills shopping area is critical to the revitalization of our community.

We strongly support the staff recommendation to include the subject in the CPA work program.

The advocates from our community feel that the best approach is to proceed with study of the impacts of the project. The best decision can be made based upon facts & data.

Please do not stop the process based upon fear; that will only sacrifice a good project on the alter of perfection. Please VOTE to Proceed with the study to establish The Facts.

Sincerely,

James P (Pat) Moran and Susan Moran
5033 123rd Ave SE
Bellevue WA 98006

Matz, Nicholas

From: Brown <gregerbrown@gmail.com>
Sent: Thursday, June 02, 2016 7:00 PM
To: PlanningCommission
Subject: Fw: Newport Hills Rezone Request

Follow Up Flag: Follow up
Flag Status: Flagged

My first Planning Commission meeting ever in 48 years as a Newport Hills area resident. It was interesting. Things that stuck in my mind afterwards:

1. A benevolent orthodontist who wants to build much needed affordable housing in Bellevue but can't because zoning changes are impossible at this time. Red light.
2. A developer with potential projects in Eastgate that wants to ADD retail space and walkable access to the area to the benefit of nearby businesses and residents. Green light.
3. A developer that wants to DECREASE existing retail and add high density housing to the middle of a single family neighborhood and pretty much admits that they, even though they "want to work with the neighborhood and listen to their ideas", won't scale it back because they won't make any money from it if they do. Green light.

Now, isn't it too bad that the kindly doctor and Eastgate developer can't get together and buy the Newport Hills Shopping Center and give us our retail we want and also housing that fits with current zoning.

4. A proponent of the rezone who states on record that the opposition is a very small but vocal group. I must have missed something because I could only count 6-7 people who were there backing her up. I was sitting behind them so it was easy to see who was who. I think she got her numbers grossly wrong on the people who have signed the petition, too.
5. The same proponent stating that one of the oldest and busiest businesses in the center is not a viable, long term tenant for the owner. This is the business that has given more time and effort to the baseball skills development of the young people of the Eastside, as well as other cities. And it's not a viable renter? Also the same renter who wants more space in the center but can't get it because of who knows why but maybe it would skew the percentages of leased vs. vacant so you'll think it's not a going concern. Not hard to read something in to this one.

Anyway, it was an interesting meeting and a pleasure to attend. You'll be hearing more from me because one issue that doesn't seem to make it in to the records, except for my comments, is the traffic problem with Lake Washington Blvd.. Everyone is concentrating on 119th because they must live in that area. I live in the West part of the Newport area so I experience those area problems and I will be letting you know more about my concerns later. Thanks for all you do.

Patricia Brown

Matz, Nicholas

From: Bob Moon <popppmoon@gmail.com>
Sent: Thursday, June 02, 2016 10:18 AM
To: PlanningCommission; jsteadman@bellevuewagov
Cc: Bob Moon
Subject: Newport Hills Comprehensive Plan 16-123752 AC (5600 119th Ave SE) ~ Public Comment

Good morning,

My wife and I attended last night's meeting on the subject, but had to leave at 9:00 PM before speaking. Here is the summary of what I wanted to say:

- We strongly support the staff recommendation to include the subject in the CPA work program.
- The following facts & opinions buttress our recommendation
 - no one denies that the existing location, as a 1960s style retail shopping center, has been in decline for 15 years or more
 - no one denies that redevelopment will involve some impact to area schools and traffic patterns
 - the opponents feel that the proposed program is problematic, while the advocates feel that it has more benefits than costs to the local community
 - the advocates from our community as well as the developer's team feel that the best approach is to proceed with study of the impacts of the project. The best decision can be made based upon facts & data instead of fears.
 - if the study identifies traffic issues, that data will assist other agencies within the City of Bellevue to address those specific issues
 - if the study identifies issues with schools, that data will assist the Bellevue School Board to adjust their plans to address those specific issues
 - leaders of government agencies as well as business leadership can not plan & change infrastructure based upon fear; Data & Facts are the foundation for planning and progress.
 - maintaining the status quo will only allow the decline of this property to continue
 - proceeding with a study to obtain data & facts will support a good decision that works well for all parties in the long term.
- My wife & I have lived in Newport Hills since early 1975. Upon our arrival, the shopping center was vibrant, effective & efficient. In our view, the current stores & shops are a mere shadow of what we had years ago. Hoping for a return to those days denies the impacts from development of Factoria, Newcastle, and The Landing. All of those shopping areas have absorbed the business that occurred in Newport Hills from the 1980s to current. The redevelopment of the Newport Hills shopping area is critical to revitalization for the next decades.
- Please do not stop the process based upon fear; that will only sacrifice a good project on the altar of perfection. Please VOTE to Proceed with the study to establish The Facts. Data & Facts should engage other agencies (for traffic & schools) in the redevelopment.

Bob & Jan Moon
6358 114th Ave SE
Bellevue WA 98006 since 1998

formerly located at
4608 123rd Ave SE
Bellevue WA 98006 from 1975 to 1998

Matz, Nicholas

From: Landy Bowers <landylu@yahoo.com>
Sent: Wednesday, June 01, 2016 3:23 PM
To: PlanningCommission
Subject: Please stop the rezoning of Newport Hills Shopping Center

Follow Up Flag: Follow up
Flag Status: Flagged

Hi,

I understand that the shopping are will cease to exist in 2018. Why do we need more residential living space in the Newcastle/Bellevue area? Lake Boren is already destroyed by the onslaught of new construction not to mention the new homes being built off of 91st SE St going towards Newcastle Highlands. There are already plenty of construction of new multi-family units between the Coal Creek YMCA and through Coal Creek Parkway. Traffic is a nightmare for someone who works in downtown Seattle. I leave Seattle via 550 bus to drive home. I'm stuck in traffic trying to get off the exit at Coal Creek and then to sit in more traffic driving up Coal Creek to get home to Newcastle. It takes me up to 15 minutes just to get from Factoria Blvd to Newcastle Way. All the new construction that I mentioned above hasn't even been built yet and traffic will only get worse from there. It was great that Coal Creek Parkway was widen to two lanes to Renton Highlands years back but again with all the new construction since then, traffic has been progressively worse.

My son is also on the Stods Select baseball team and we utilize the facilities at its fullest and frequent Resonate and Teriyaki Town after his practices. And before Resonate was open, we were at the Mustard Seed. With these facilities being gone, there will be less tax revenue to the City as personal consumption will no longer exist. Tax dollars will go elsewhere or not at all. In our case, we had the option to join Stods or Dragons organization in Bellevue and chose Stods due to the close proximity of where we live. If Stods is gone, we won't be joining any other Select team and my son's personal development for the love of baseball will be gone as I can't take him to practice as I'm already stuck in traffic trying to get home.

Please rethink this decision and keep the center and/or upgrade for more patronage by the community.

Thank you,
Landy and Brian Bowers

7407 134th Ave SE
Newcastle, WA 98059

Matz, Nicholas

From: jlwhitelj@aol.com
Sent: Wednesday, June 01, 2016 11:51 AM
To: PlanningCommission
Subject: Newport Hills Shopping area rezone

Follow Up Flag: Follow up
Flag Status: Flagged

Please cancel the proposed rezone. The area is saturated with multi-occupied housing and will place an undesirable burden on traffic, schools, etc.

John White
Newcastle, WA

Matz, Nicholas

From: Steedman, Janna
Sent: Wednesday, June 01, 2016 11:19 AM
To: Cullen, Terry; Matz, Nicholas
Subject: Citizen email re: Newport Hills shopping center

Importance: High

Fyi

Janna Steedman
Director's Assistant
Department of Planning & Community Development
450 110th Avenue NE
Bellevue, WA 98004
425-452-6868
jstedman@bellevuewa.gov

From: chris christison [mailto:clchristison@gmail.com]
Sent: Saturday, May 28, 2016 3:09 PM
To: Steedman, Janna <JSteedman@bellevuewa.gov>
Subject: Newport Hills shopping center

Please pass along to the planning commission that the residents of Newport Hills do not want high density housing in our single family neighborhood. This development will adversely impact neighborhood traffic, schools, housing values and quality of life if this amendment to the comprehensive plan is granted. It is unfair to our neighborhood community to put profit for developers above the residents living in Newport Hills. Please deny this request for high density housing.

Thank you,

Chris Christison
5905 125th Ave SE
Bellevue, WA 98006

25 year resident of Newport Hills

Public Comment received June 2 – June 9, 2016

16- 123765 AC Eastgate Office Park CPA

McCULLOUGH HILL LEARY, PS

June 9, 2016

The Honorable Michelle Hilhorst, Chair
City of Bellevue Planning Commission
PO Box 90012
Bellevue, WA 98009
Email: planningcommission@bellevuewa.gov

VIA Electronic Mail

Re: Eastgate Office Park Comprehensive Plan Amendment Application

Dear Chair Hilhorst:

On behalf of Eastgate Office Park Property, LLC ("Applicant"), thank you for the opportunity to comment in support of the proposed Comprehensive Plan amendment to change the land use designation of its property located at 15325 – 15395 SE 30th Place in the City's Eastgate neighborhood from the existing Office to an Office Limited Business designation ("Proposal").

We concur with staff's recommendation to include the Proposal on the City's Comprehensive Plan work program. We agree that the City would benefit from a deeper evaluation of how this property may be able to better support the City's vision for a transit-oriented, walkable Eastgate. As you heard, when the City adopted the Eastgate vision, it relied on 2010-era studies which overlooked review of the property's potential; this Comprehensive Plan process can help align land use with the City's vision. In addition, the Applicant requests review of the Proposal because it:

- **Enhances Eastgate Green Space and Park Connections.** The Applicant's property is located next to Robinswood Park and trail network. The Proposal would encourage opportunities to protect green space, provide for transition buffer areas from residential uses and enhance pedestrian connections between Eastgate's existing and planned parks.
- **Supports Job Growth Opportunities.** The Applicant's property is uniquely situated to support some in-fill office space that could sensitively blend into the existing campus while protecting the green spaces and buffers with the residential uses to the north. This change would lead to new jobs and retail uses that could serve the nearby offices and residents.

Thank you in advance for your consideration. The Applicant agrees that the Proposal meets the threshold review criteria. We respectfully request that the Planning Commission recommend the Proposal for inclusion on the Comprehensive Plan work program for further review of its merits.

Sincerely,



cc: Planning Commission
Nicholas Matz, City of Bellevue

Matz, Nicholas

From: Gerald Hughes <ghughes@isomedia.com>
Sent: Thursday, June 02, 2016 6:47 PM
To: PlanningCommission; steph_rick_w@hotmail.com
Subject: Eastgate Development
Attachments: image1.JPG; ATT00001.txt; image2.PNG; ATT00002.txt; image1.JPG; ATT00003.txt; image2.JPG; ATT00004.txt; image3.JPG; ATT00005.txt; image4.JPG; ATT00006.txt; image5.JPG; ATT00007.txt; image6.JPG; ATT00008.txt

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Planning Commission

Last night there was a discussion of the development of a 14 acre parcel at Eastgate - west of the Washington Patrol and north of the Subaru dealer. At least, that was the description of the location I heard.

You should note that this property is adjacent east of the Mormon Church off 148th and also just East of the fire station. Even though I guess access would be from 156th near the Washington State patrol or between the Starbucks and the Veterinary hospital. I think it would be easier to describe the location as behind and east of the Mormon Church.

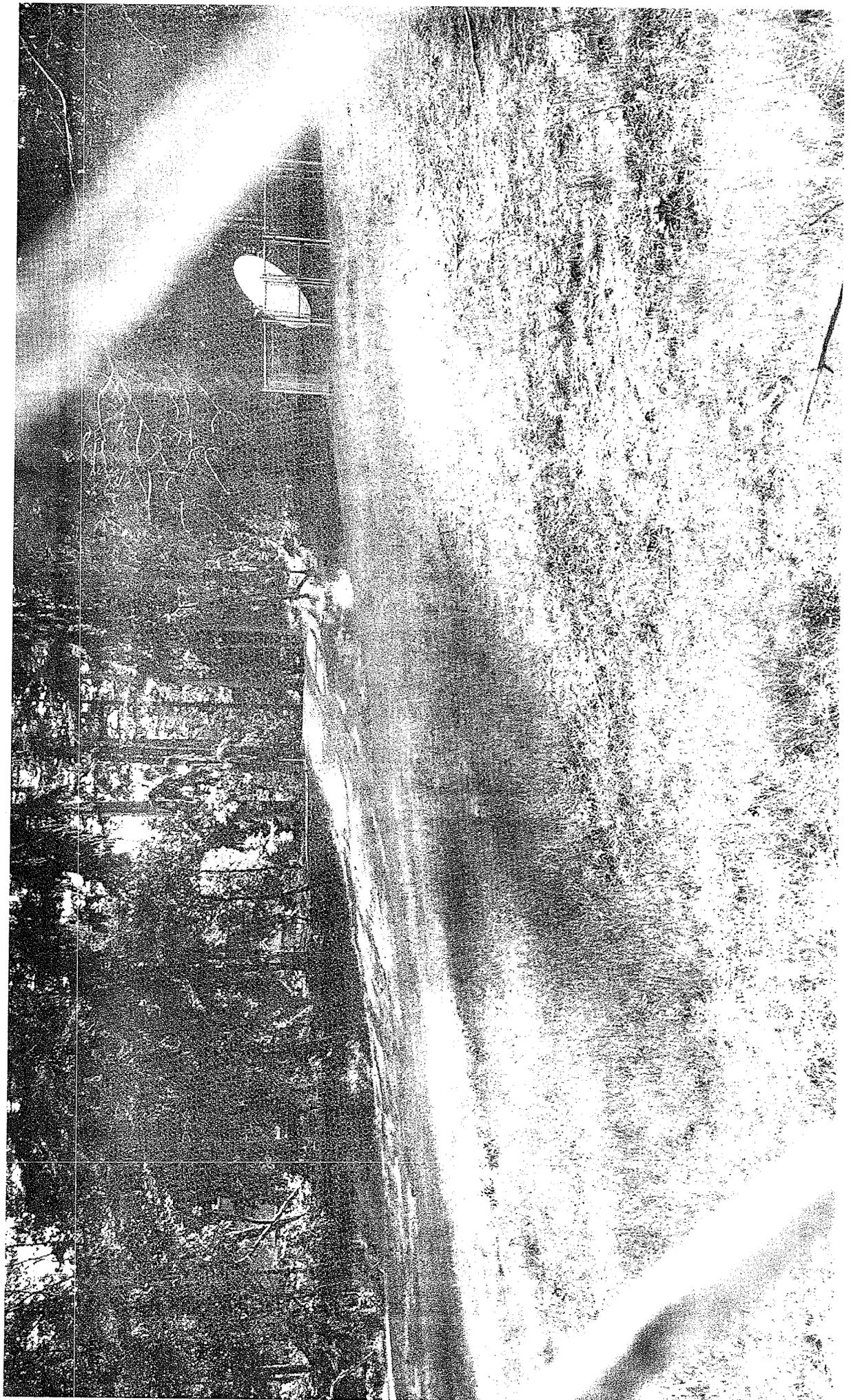
I walk this area often - in fact, I am going there in the next 15 minutes. You can walk through robinswood from the ball fields, through the woods south, then turn east and walk right across 156th to where the new park - yet to be completed - is planned.

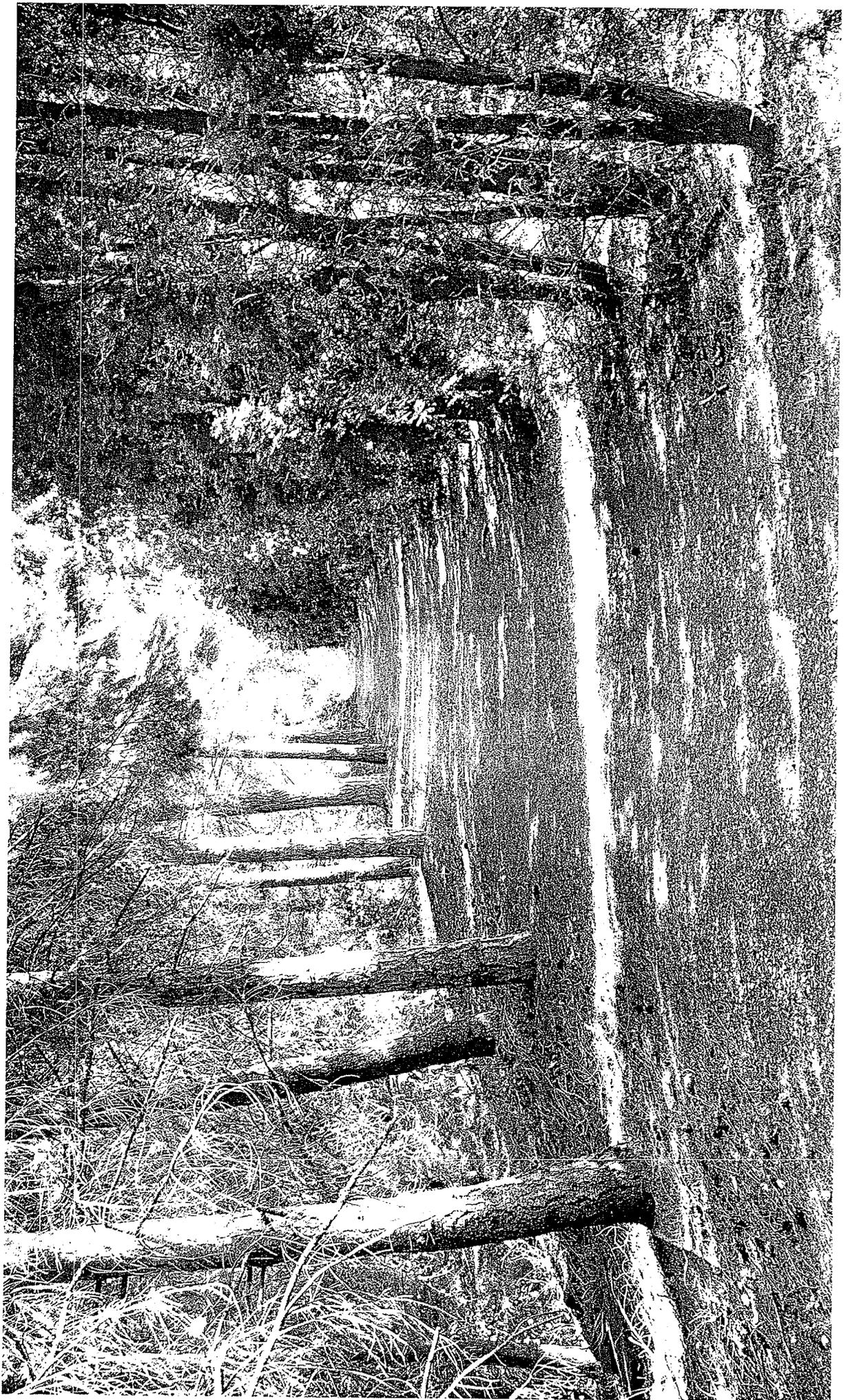
I should mention that the woods just behind the Mormon Property is a breeding ground for the great horned owl. Currently, there is a male and female nesting there and there are three youngsters. If you wish to see any of them, listen for the crows. If you hear a cacophony of crows, that means they are hassling the owls. So find the crows and you will see the owls.

Here are a couple of pictures taken by my friend Peter. Mum and Dad.

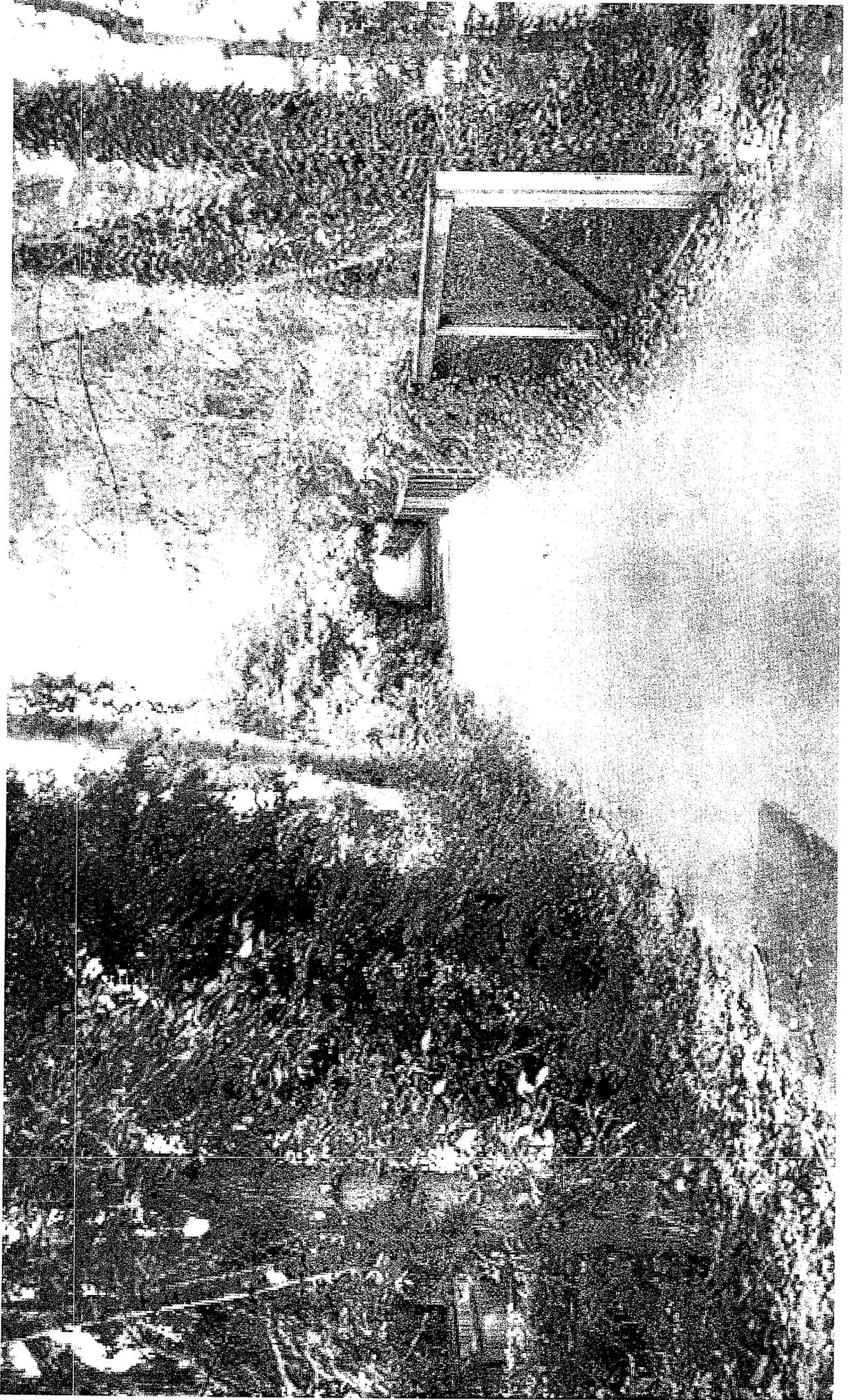


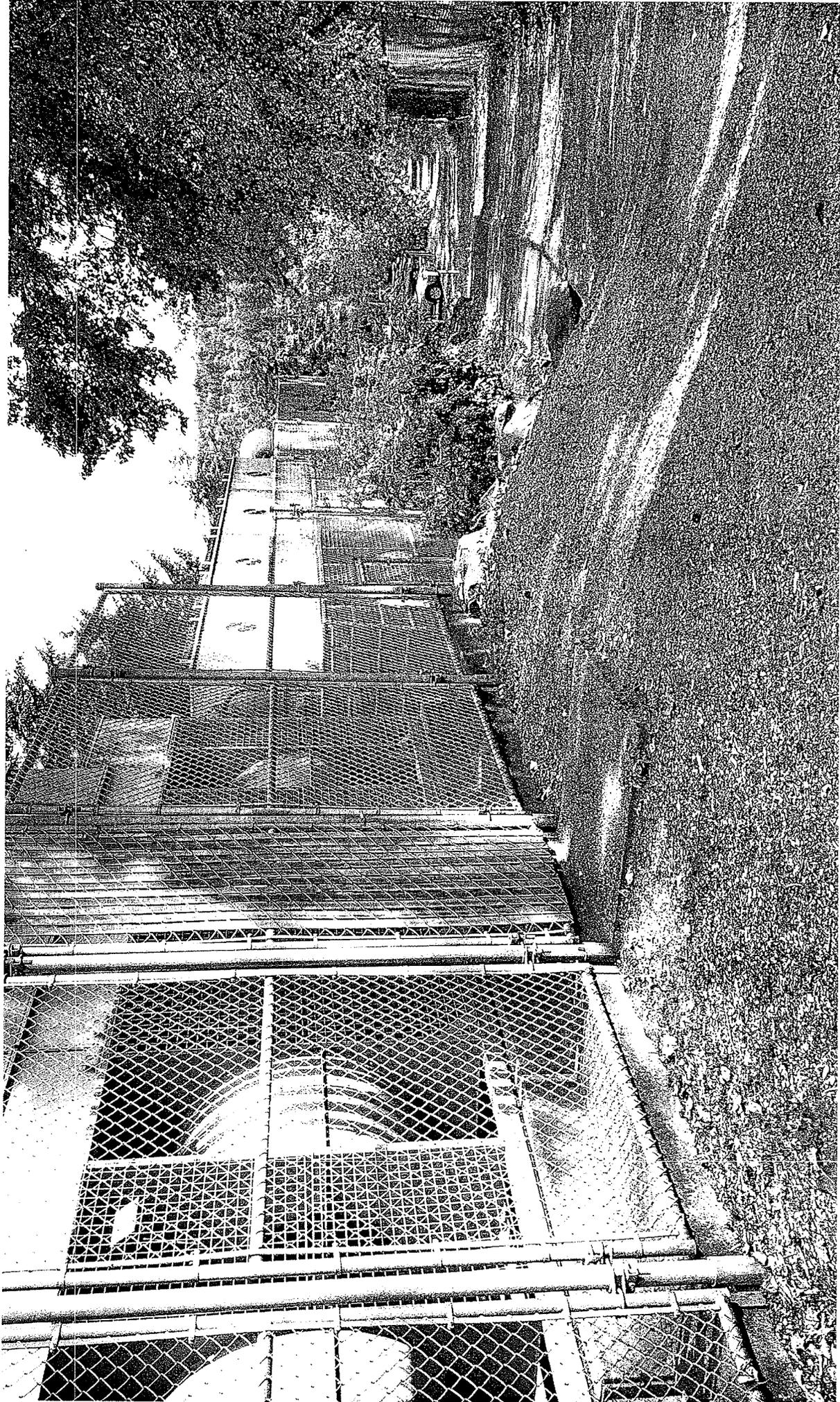
















Upcoming Meeting Schedule

Wednesday, June 22, 2016

4:30 PM – 6:00 PM	STUDY SESSION - LOW IMPACT DEVELOPMENT PRINCIPLES STUDY SESSION
6:30 PM	PLANNING COMMISSION OFFICER ELECTIONS PUBLIC HEARING – EASTGATE LAND USE & TRANSPORTATION PLAN PROPOSED LAND USE CODE AMENDMENTS STUDY SESSION – EASTGATE LAND USE & TRANSPORTATION PLAN PROPOSED LAND USE CODE AMENDMENTS

Both meetings will be held at Bellevue College, Room N201, 3000 Landerholm Circle SE, Bellevue WA

Wednesday, July 13, 2016

6:30 PM Room 113E-City Hall	PUBLIC HEARING - LOW IMPACT DEVELOPMENT PRINCIPLES PUBLIC HEARING STUDY SESSION - LOW IMPACT DEVELOPMENT PRINCIPLES
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Wednesday, July 27, 2016

6:30 PM Room 113E, City Hall	STUDY SESSION - DOWNTOWN LIVABILITY LAND USE CODE UPDATE
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Wednesday, August 10, 2016

NO MEETINGS DURING THE MONTH OF AUGUST. NEXT REGULAR MEETING IS SEPTEMBER 14, 2016.

Wednesday, August 24, 2016

NO MEETINGS DURING THE MONTH OF AUGUST. NEXT REGULAR MEETING IS SEPTEMBER 14, 2016.



Wednesday, September 14, 2016

6:30 PM
Room 113E, City Hall

STUDY SESSION - DOWNTOWN LIVABILITY LAND USE CODE UPDATE

Wednesday, September 28, 2016

6:30 PM
Room 113E, City Hall

AGENDA TO BE DETERMINED

Schedule Last Revised: 6/9/16

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
STUDY SESSION MINUTES

May 25, 2016
4:30 p.m.

Bellevue City Hall
City Council Conference Room 1E-113

COMMISSIONERS PRESENT: Chair Hilhorst, Commissioners Barksdale, deVadoss, Morisseau, Walter

COMMISSIONERS ABSENT: Commissioners Carlson, Laing

STAFF PRESENT: Terry Cullen, Department of Planning and Community Development; Catherine Drews, City Attorney's Office; Paul Bucich, Department of Utilities; Patricia Byers, Carol Helland, Liz Stead, Tony Craft, Department of Development Services

COUNCIL LIAISON: Not Present

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER

(4:35 p.m.)

The meeting was called to order at 4:35 p.m. by Chair Hilhorst who presided.

2. ROLL CALL

(4:35 p.m.)

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

3. APPROVAL OF AGENDA

(4:35 p.m.)

A motion to approve the agenda was made by Commissioner deVadoss. The motion was seconded by Commissioner Barksdale and the motion carried unanimously.

4. STUDY SESSION

(4:36 p.m.)

A. Low-Impact Development Principles Project

Assistant City Attorney Catherine Drews explained that the Council approved further exploring ways to integrate low-impact development (LID) principles into the city's code and standards.

She briefly reviewed the materials provided to the Commissioners, and explained that the goal of the LID principles is to minimize impervious surfaces and reducing the loss of vegetation to reduce the amount of storm water runoff.

Wayne Carlson with the consulting firm AHBL explained that integrating LID principles into the city's codes and enforceable standards is a requirement of the Clean Water Act under the city's NPDES municipal storm water permit, and the December 31 deadline is hard and fast. He said the city's codes and the standards in the Comprehensive Plan are very supportive of LID. An opportunity analysis was conducted to find areas in which the codes and standards are providing loopholes or challenges to the implementation of LID, specifically with respect to the permit goals of minimizing impervious surfaces and minimizing vegetation loss. He said the proposed amendments are consistent with the permit requirements as well as many other city initiatives, including the city's reputation as a city in a park, the Environmental Stewardship Initiative, the Downtown Livability Initiative, and the recent planning efforts involving Eastgate and the grand connection.

Mr. Carlson said the Council issued an interest statement as part of the project that said the city supports the objective of maintaining the region's quality of life by making LID the preferred and commonly used approach to site development. The term "preferred and commonly used" was pulled directly from the NPDES permit. The Council also approved principles to guide the work of identifying solutions that are Bellevue appropriate. There is no one-size-fits all approach with respect to impervious surface cover or vegetation given that each zone in the city has a different character; the proposals are intended to reflect that.

The proposals also recognize and seek to balance competing needs, including the needs of the permit with the needs under the Growth Management Act. There is a natural tension between minimizing impervious surfaces and vegetation loss and encouraging loss in urban areas. The permit is not intended to supplant the city's good planning work to date, rather it is intended to harmonize with it. The approach builds on existing information and programs, engaging stakeholders, and maintaining the city's compliance record under the permit.

Mr. Carlson said the opportunity analysis included reviewing a variety of development-related codes, rules, standards and development bulletins, as well as codes, for opportunities and impediments to the use of LID principles. The opportunities involved evaluating LID early in the process, reducing impervious surface coverage, preserving and enhancing tree canopy, and improving options for clustering. Some of the same options presented themselves in the transportation code.

In addition to providing briefings to the Council, the Commission and other groups, several community workshops and outreach efforts have been undertaken to solicit opinions and ideas about various options. There have also been meetings with the Master Builders Association. In all, just shy of 100 comments have been received to date. More recently, meetings have been held with the public to unveil the proposals.

Mr. Carlson said the process is coordinating with other city initiatives. From the start one of the key opportunities identified was to make sure that bioretention facilities are allowed and integrated within parking areas. That code update has already occurred as part of the Downtown Livability Initiative. The impervious hard surface standards are being evaluated for the new zones that will be created in the Eastgate corridor, and any proposed amendments will be consistent with the city's goals and vision for the grand connection.

According to the NPDES permit, low-impact development is a storm water and land use

management strategy that strives to mimic pre-disturbance hydrologic processes through the use of natural on-site features, site planning, and distributed management practices that are integrated into design. The concept is based on managing storm water in small distributed practices throughout sites, addressing storm water as close as possible to where it falls in ways that mimic natural hydrologic processes and functions. Directing everything to a large vault or pond is not really mirroring natural hydrologic processes. In the urban environment, there is some level of evaporation from rooftops and pavement, but there is far more surface runoff that contains associated pollutants.

The land use management strategies are essentially the LID principles. The LID best management practices, however, are engineered practices that most people commonly think of when they think of low-impact development, such as bioretention facilities, rain gardens and permeable pavement. The LID project focuses on the principles, though the best management practices are also being addressed by the city through updates to the storm water management manual that are being handled by the utilities department and which will also need to be completed by December 31.

With respect to land use management practices, the focus is on reducing impervious surfaces, reducing vegetation loss and reducing storm water runoff. The engineering practices of bioretention, permeable paving and dispersion are going to be required unless deemed to be infeasible. There will be included in the manual a lot of detail related to the technical infeasibility for various practices for the benefit of the engineering design community. Conventional practices such as ponds and vaults will still be seen under the new approach because there will be instances where LID practices are not feasible due to the underlying soils and so forth.

Mr. Carlson said a new standard for hard surfaces is being proposed to supplement the city's existing impervious surface standard. An analysis has been done of impervious surface coverage by zone in the city and the proposal is to realign the maximum amount of impervious surface allowed to be consistent with development patterns. By definition, hard surfaces in the proposal includes traditional things like pavement and rooftops, but will also include things like pavers, permeable concrete or asphalt, and vegetative roofs. The goal will be to move in the direction of looking for opportunities to reduce impervious surface coverage. The new standard for hard surfaces includes the existing standard for impervious surface as well as the newer permeable surfaces of pavers and porous concrete. The impervious surface limit is reduced in the proposal. The proposal allows property owners the same amount of coverage currently allowed, but it pushes folks toward using permeable surfaces where feasible.

The city currently has maximum lot coverage by structures requirements. In the R-1 zone, the maximum is 35 percent, while the maximum impervious surface allowed is 50 percent. The proposal recognizes maximum hard surfaces as a new standard; it combines permeable and impervious surfaces and set the maximum at 50 percent.

Ms. Drews commented that if a project is going to use impervious surface construction, the maximum coverage is 40 percent, whereas under the proposal, the hard surface approach, which mixes impervious surface and permeable surfaces, allows for increasing to 50 percent the coverage allowed.

Mr. Carlson added that where the application of permeable paving is infeasible, the proposed Footnote 48 allows the maximum impervious surface to be equal to the maximum hard surface. Where technically feasible, reaching the higher coverage limit will be achievable only through the use of permeable surfaces.

Commissioner deVadoss asked if an research has been done to see what other cities have done with respect to uncovering opportunities. Mr. Carlson said he is working with Bothell, Newcastle, Mukilteo and several other jurisdictions. The opportunities identified in those communities are very similar to the ones identified in Bellevue. One of the differences lies in the way significant trees are inventoried.

Commissioner Morisseau asked if the slope of a site is a factor. Mr. Carlson said it definitely is in that it makes permeable surfaces less feasible. In such cases the maximum impervious surface will become the maximum hard surface so that no development authority will be lost.

Mr. Carlson amendments are also being proposed to the transportation code to explicitly allow and encourage permeable surfaces for sidewalks and bioretention within landscaped areas along streets.

One of the goals will be to retain trees and vegetation for new and redevelopment projects. One thing found in the existing code that precludes that from happening is in the clearing and grading code. The current code has an exemption for up to a thousand square feet of clearing, and under the current approach a property owner could take down 20 trees and still fall under the threshold for a clearing permit. The proposal will remove the proxy of 50 square feet on average and allow for removing up to five trees without a clearing permit.

Chair Hilhorst said she has been raising the issue with staff for the past couple of years and expressed concerns that the city has not been following even the restrictions of the current code. Properties throughout the city are being overdeveloped without regard to retaining trees. Property owners should not be precluded from making decisions about removing trees because they are diseased or dangerous or because they are overshadowing a site. There should be a differentiation made between what a private property owner is allowed to do and what a developer is allowed to do; the developers need to be held to a higher standard. Mr. Carlson said diseased and dangerous trees can be removed by right, and in fact property owners will under the proposed approach be allowed to remove up to five trees without a clearing permit, provided they are not in a critical area, a native growth protection area, or an easement.

Ms. Drews said the city has in place tree retention requirements that apply when properties are developed or redeveloped. Chair Hilhorst said the problem is the loophole that current exists under which developers are asking the property owners to clear their properties as part of the purchase of the site. Ms. Drews said closing that loophole is in fact the purpose behind reducing the number of trees allowed to be removed without a clearing permit from 20 to six. Chair Hilhorst reiterated that she did not want a private property owner who does not intend to sell their property to be limited in what they can do relative to removing trees from their properties.

Mr. Carlson noted that under the current code, developers are required to retain 30 percent of the significant trees. The diameter of trees at chest height must be measured to determine if a tree is classified as significant. The proposed amendment seeks to assure that the trees that are retained in the development process will survive and thrive. All too often trees that are proposed for retention are in side yards or other places that make them susceptible to damage during construction. The proposal is to include some prioritization of the types of trees that are most apt to survive and thrive, including landmark trees and significant trees over 60 feet in height, and trees in rear yards where damage from construction excavation is likely to affect them. The proposal recommends removing from consideration trees that provide winter wind protection, summer shade, distinctive skyline features, and which are located adjacent to steep slopes or watercourses and wetlands, the latter of which is covered by the critical areas code. The proposal

also include that the director may require an assurance device to make sure trees live after construction. Additionally, where significant trees are required to be retained to meet the requirements of the chapter and as a condition of a project approval, they should be recorded as part of an instrument that will remain with the site as components of the project.

With regard to clustering, Mr. Carlson said the proposal includes management of on-site soils and minimization of impervious surfaces as required criteria, and allowing zero lot lines so long as the combined sideline setbacks meet the minimum requirement.

Commissioner deVadoss asked what the rationale is behind allowing zero lot lines. Mr. Carlson explained that clustering is sometimes a way to maintain significant trees by allowing for more flexibility in designing around natural topography and reducing site disturbance. Zero lot lines have nothing to do with the types of structures allowed, only their placement on sites. All setbacks when combined would still need to meet the minimums, and zero lot lines would only apply within a clustered planned unit development (PUD) project.

Commissioner Walter asked if a detached accessory dwelling unit could under the zero lot lines approach actually touch the lot line on one side of a site where the main house touches the lot line on the other side of the property. Ms. Drews said detached accessory dwelling units are not currently allowed in Bellevue. They are being discussed, but it would be appropriate as part of that discussion to determine whether or not attached accessory dwelling units should be allowed in a PUD. PUDs are allowed in Bellevue and often they include open spaces and play areas.

Mr. Carlson said the proposal also seeks to assure that some of the elements important to making determinations for the feasibility of the practices be submitted at the early phases of site design. Soils and hydrology information that supports the use of LID practices should be provided at the submittal requirement stage; information regarding the significant trees to be retained should also be part of that submittal.

Commissioner deVadoss said it seemed commonsense that such information would be submitted early in a project. Mr. Carlson said heretofore such submittals have not been made early on and specific requirements have been learned about later, sometimes requiring changes to site plans. It will be particularly important relative to landscape-based practices and decentralizing storm drainage in smaller facilities given the need to understand the soils and hydrology of the site. Commissioner deVadoss asked if the approach could be framed in the guise of guidance rather than being made a principle.

Commissioner Morisseau said a soils analysis will need to be done in any case. It is to the advantage of all to do it early on in the process. However, designers and architects who are not familiar with the local codes may not know they need to do it. Having it as a principle lets them know right from the start that it will need to be done.

Mr. Carlson briefly reviewed the next steps in the process leading to adoption of the work by the end of the year.

Chair Hilhorst asked what impact the proposed approach will have on the Shoreline Management Plan (SMP). Ms. Drews said it will apply to the general citywide requirements but will not reopen issues with the SMP, which has its own set of requirements.

5. PUBLIC COMMENT

(5:40 p.m.)

Ms. Pamela Johnston, 3741 122nd Avenue NE, said she serves as president of the Bridle Trails Community Club. She pointed out that the tree retention requirements that apply specifically to the Bridle Trails area are applicable only to R-1 properties. She voiced specific concerns pertaining to the proposed LID changes: how the city will reach the 40 percent tree canopy, who is driving the issue, why the LID is doing the easy thing in lieu of doing the right thing, who will pay for the LID, are the rules clear and do people know about them, and will it work. Development paying for development has been said to be a city practice, but there needs to be a balance and the impact on fees should be submitted as part of the LID changes analysis. The downtown is a done deal and it is impervious, but the tree retention provisions do not apply to the hospital or medical office areas. Bel-Red is not a done deal and there are many opportunities to do LID right there; Bel-Red should not be exempted from reducing the maximum impervious surface and including a hard surface limit/LID pervious surface requirement. LID should not just be for the neighborhoods. A permit should be required for every significant tree removed; there should be a requirement to maintain 20 percent of the significant trees on sites at a 1:1 or 3:1 ratio depending on the size of the tree; no permit costs; and no exceptions for unhealthy or hazardous trees. Redmond requires a no-cost permit for every tree removed. Every tree has an impact on the storm and surface water environment. The loophole for homeowners cutting down trees over time should be closed. The fees are a minimum of \$250 and can cost more. Tracking five trees at a time is not effective for tracking tree removal. More information is needed on the tree hierarchy mentioned. In the ordinance, "The director may require assurance devices to ensure the continual healthy life of retained trees..." should be changed to read "The director shall require...." One device would be to require mitigation for every tree removed under 40 percent of the canopy; mitigation could be in the form of storm water friendly vegetation. Another idea would be to have a tree coverage requirement similar to the hard surface requirement. Tree retention should be for every property. There should be incentives for homeowners to keep more trees. Planting should not be restricted to native plant species rather than native being preferred. Many non-native species have the same characteristics as native.

6. BREAK

(5:45 p.m.)

7. CALL TO ORDER

The meeting was called to order at 6:31 p.m. by Chair Hilhorst who presided.

(6:31 p.m.)

8. ROLL CALL

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

(6:32 p.m.)

9. PUBLIC COMMENT

Mr. Todd Woosley, PO Box 3325, spoke representing the Kramer family, owners of the Trailers Inn RV park in Eastgate. He noted that the *Seattle Times* recently printed an article about millennials staying home longer and in greater numbers than ever before. Folks aged 18 to 34 are staying home longer and for a variety of reasons. He said one solution is to create new housing units in the Eastgate area. He agreed with the recommendation of the staff to go to an FAR of 2.0 in the Neighborhood Mixed Use (NMU) zone, and to include an incentive for affordable

housing. The code provisions still need to be modified to meet some real world economic realities. The report that comprises Appendix 1 in the Commission packet makes it clear that unless enough density is allowed, nothing will happen. No uses that are already allowed in the area should be taken away, and that includes auto sales and service. If for whatever reason it is not feasible to redevelopment with multifamily, auto sales and service is the second best option for redeveloping the RV site. The market demand for the type of multifamily residential the Kramer family would like to see developed continues to outpace the ability of the market to supply it. The first incentive to go above a viable base FAR should be affordable housing, but a higher base FAR is needed along with a higher total FAR of 2.5 is needed to ensure a successful project. The city has an opportunity to obtain additional public amenities through an improved incentive system and the Commission was encouraged to add to and improve on the incentive system.

Ms. Helland asked if the Kramer family wants additional height to go along with additional FAR. Mr. Woosley said the recommendation of the CAC to allow height up to 75 feet is acceptable.

Mr. Clark Kramer, 1610 North 1st Street, Suite 1, Yakima, urged the Commission not to take away auto sales and repair as a use in the NMU district. He said in the last year and a half three major auto dealerships have approached him interested in purchasing the RV site property. Multifamily is a better fit for the site, but under the staff recommendation to allow only 40 percent lot coverage, it may not be possible to get full value from a Chair Hilhorst development with a height limit of 75 feet. The height limit would be fine if the 40 percent coverage were to be increased.

Mr. Ross Klinger with Kidder Matthews, 500 108th Avenue NE, Suite 2400, spoke representing the Kramer family. He said in the Eastgate neighborhood there are four or five sites that have improvement values that are less than the land values. Of those sites, only a couple are potential development sites; the others have long-term leases. Currently Bellevue has a 3.6 percent vacancy factor, which is razor thin and which is triggering great demand. The developer of the new development on the KFC site on Bellevue Way is seeing an absorption rate of 60 units per month, which is far more than the normal 20 units per month. While Seattle and Bellevue are different markets, there are similar rental categories and similar prices per square foot. In Seattle, the most common zones are NC and C. There is a base FAR of 4.25 and building height of 65 feet; the FAR can increase to 4.75 by adding ground floor retail. The proposed base FAR of 1.0 for the NMU in Eastgate is an outdated approach. The vision for the Kramer site is a six-story wood frame construction building with a fair number of multifamily units serving the community.

Mr. John Shaw with American Classic Homes, 9675 SE 36th St #105, Mercer Island, a local multifamily and single family developer, said the company has been talking with Mr. Kramer about the Eastgate RV site. With regard to incentive-based zoning, he said in order to produce more affordable units, there needs to be a collaborative win-win between the developer and the city. The staff proposal is for a base FAR of 1.0 and allowance of an additional 1.0 through the provision of affordable housing. The LIV project in Bel-Red also had a base FAR of 1.0, with an additional 1.25 allowed through the bonus amenity system. Within that 1.25, however, 4.6 of the bonus square feet was to market rate for every one square foot of affordable. In other words, about 22 percent of the additional bonus square footage went to affordable. The MU-R zone in Issaquah has a base FAR of 1.25 and allows through the bonus program up to 2.0. Within the first third of the bonus square footage, 20 percent is required to be affordable. For the remaining two-thirds, the developer is given the choice of paying a fee in-lieu, doing an additional 20 percent affordable, or providing public open space. The MU zone in Issaquah has a base FAR of

1.7 and through bonuses can achieve an additional 1.8 for a total of 3.5, and the same bonus criteria apply. Providing affordable housing is the right thing to do, but it really boils down to economics and finding the right balance.

Commissioner Walter asked if the LIV project includes affordable housing units. Mr. Shaw allowed that it does.

Mr. Brian Palidar with Group Architect, 1735 Westlake Avenue North, Seattle, said his office was the architect for the LIV project in Bel-Red. He said the economics worked with an FAR of about 2.25 in conjunction with the tiered amenity system. Getting more FAR on the site would have been possible but not easily accomplished. The LIV project is doing well and is 90 percent leased. Staff have indicated their expectations and hopes that the Bel-Red zoning would achieve more using the tiered amenity system. The tiering is structured in a specific order, with more things at the top of the order at the highest FAR tier, but the LIV project did not get to the second tier because it was not possible to get through the first tier. He proposed adding to the amenity system child care, live/work units, and senior housing. He proposed setting the base FAR at 1.5 and allowing it to increase through the incentive amenity system. The limit of 40 percent building structure coverage is a challenge architecturally. In the Bel-Red code, lot coverage by structure does not exist, and parking garages and some other uses are exempted from counting toward FAR. The part of the LIV project that counts toward coverage is at about 40 percent, but if the entire structure were to be counted it would come to 65 percent.

Mr. Dave Elliott, a resident of the Eastgate area, said he served on the 2003 Eastgate CAC as well as the 2012 Eastgate/I-90 CAC. The most recent CAC process highlighted the fact that there is no inexpensive housing left anywhere close to the Eastgate corridor. What is needed is additional workforce housing to accommodate many of those who work in the area, including at Bellevue College. Projects with an FAR of 1.0, a lot coverage of 40 percent, combined with a 50 percent affordable housing ratio, have never been built. The land costs too much, the building costs are too high and the process is too long to make such projects financially sustainable over time. There has to be a bottom line return for the developers. Eastgate is an office and business and an approach that includes sufficient FAR and allows for the provision of housing will take the pressure off of single family homes being used as de facto rooming houses, will help Bellevue College retain its instructors, will increase support for area businesses, will allow workforce workers to live close to the job centers, and will allow for housing adjacent to the future Mountains to Sound Greenway.

Ms. Michelle Wannamaker, 4045 149th Avenue SE, said many who live in the Northwest do so because of all the outdoor activities. To get to the activities requires having a vehicle. It is not safe to say that new housing units in the Eastgate corridor will be filled mostly by Bellevue College students. Ample and free parking should be provided in the transit-oriented development. She said she learned from transportation staff that the data they have been along with the transportation data used by the CAC in preparing the 2012 report, was from 2010, before the new round of growth started. Current data could change the CAC's recommendations. The CAC members included several from nearby neighborhood who come to Eastgate on a regular basis; one from Bellevue College; one from Hopelink; and four who had jobs in commercial real estate. More than a quarter of the group could benefit financially from growth in the area. A number of Comprehensive Plan policies will fail if the city moves forward without having the necessary transportation improvements completed ahead of the growth. That could put the onus on the residents of Eastgate to watch for every permit and property owners asking for exceptions, which would not be fair to the residents. The city has for many years been ignoring the need for transportation improvements in the corridor.

10. STAFF REPORTS

(7:02 p.m.)

Mr. Cullen allowed that there had been some issues in getting the Commission packets delivered on time and noted that he is working on correcting the problem.

The Commissioners were reminded that a public hearing is scheduled for June 1 on the threshold determination for the five proposed Comprehensive Plan amendments. They were also reminded that an open house on the Eastgate Land Use Code amendment is scheduled for June 8 from 5:00 p.m. to 7:30 p.m. in the Concourse of City Hall. The event will overlap the start of the Commission meeting that evening, and that a public hearing is scheduled for June 22 at Bellevue College.

11. DRAFT MINUTES REVIEW – None

(7:08 p.m.)

12. STUDY SESSION

(7:08 p.m.)

A. Proposed Eastgate Land Use Amendments

Code Development Manager Patricia Byers said three new zones are proposed for the Eastgate corridor: Eastgate Transit-Oriented Development (EG-TOD), Office Limited Business 2 (OLB 2), and Neighborhood Mixed Use (NMU). The Commission has already discussed uses for each of districts. The dimensional requirements involve details such as building height, setbacks and stepbacks. Development standards are directives that must be met, and design guidelines are more suggestive.

Land Use Director Carol Helland took a moment to introduce the Commissioners to the materials, some of which had been included in the binders and some of which she handed out. With regard to the dimensional requirements for the EG-TOD, she noted that many of them were drawn from the Bel-Red subarea, which was used as a model for the Eastgate area, so many of the setbacks are the same. In Bel-Red a stepback is required above 40 feet but it has been found difficult to implement in practice because of the ground floor retail or lobby space and because of site characteristics. The conclusion reached was that it would be better to have a separation requirement from the back of the sidewalk but not to dictate where the separation should occur. The approach is accommodated in Footnote 5. The maximum building height is 160 feet, which is consistent with the recommendation of the CAC for 12 floors, and the height limit for parking garages is identified as 45 feet.

Ms. Byers said the FAR for the EG-TOD is 2.0. Up to 1.0 can be excepted for affordable housing, open space, public restrooms, and special dedications and transfers.

Mr. Cullen referenced the economic analysis in Appendix 1 that was done by a consultant and completed in May 2015 based on information from the fall of 2014. The information was intended to help inform whether or not an incentive zoning system makes sense for the Eastgate corridor. The bottom line is that a traditional incentive zoning system does not make sense for the area. Many of the prototypes used were for infill development that does not involve scraping the site and fully rebuilding. There are also questions about how the report addresses parking; the

fact is structured parking is very expensive. The report does not include enough information to conclusively determine that it makes sense to include an incentive zoning system.

Mr. Cullen said the original CAC recommendation included starting off with a base FAR of 0.5 and going up to 2.0. One of the key findings identified in the report talks about the base FARs encouraging a continuation of the current auto-oriented development patterns. The new zoning districts NMU and OLB 2 both have a proposed base FAR of 1.0 rather than a 0.5 specifically to begin moving away from an auto-oriented development pattern. Accordingly, it was necessary to go back into the EG-TOD and increase the base FAR from 0.5 to 1.0. In conversations with the consultants and with property owners in the EG-TOD area, the conclusion reached was that there is not enough lift to go from an FAR of 1.0 to 2.0 to be able to buy one's way up. The only way it would make sense to have an incentive zoning system would be to dramatically increase the FAR. An incentive zoning system like the one in place in Bel-Red is a transaction between the city and the developer. The developer must have enough of an incentive to want to buy into the system, but the city must also be able to get enough out of the lift to make it worthwhile. For example, the base FAR in NMU is 1.0 and the proposal is to except up to another 1.0 for affordable housing; all the units would have to be affordable and provided on site as there would be no fee in-lieu. The exchange rate was calculated to be as low as \$11 per square foot for affordable housing which if paid as a fee in-lieu would yield very little affordable housing.

Mr. Cullen said it will be a requirement in the EG-TOD for the developer to provide the street and the streetscape. The infrastructure boost will benefit the city and will pretty much take up the 2.0 FAR. It would make no sense to put in an incentive zoning system on top, especially one that would work for all three new zones. With regard to just the infill opportunities, an incentive zoning system would yield a mixed bag of goods, with positive economic surpluses in some instances but not in others. The conclusion reached was that staff would not be recommending an incentive zoning system. Incentive zoning systems only work under certain conditions, and the values attached can quickly become outdated. It is already necessary to go back to the Bel-Red corridor with an eye on recalculating the values; the work will require an economic study that the city will have to pay for.

Very simply put, the proposal for the EG-TOD is an FAR of up to 2.0, a requirement to provide the street and the streetscape, and an allowance for an additional FAR of 1.0 to accommodate primarily affordable housing. Much of what came out of the Eastgate/I-90 CAC plan was adopted into the Comprehensive Plan, and the transportation improvements that were adopted into a transportation plan were calibrated for the different areas based on what had been proposed. For the EG-TOD, the proposal was for an FAR of up to 2.0, and that in the NMU the FAR would be up to about 1.0. Staff believes the recommendation strikes a good balance in lieu of the economics working in ways that make sense for both the city and the development community.

Ms. Helland noted that the work done by the transportation group was calibrated to the anticipated FAR, as was the environmental review. For instance, the CAC recommended a maximum FAR of between 0.7 and 1.0 for the Eastgate Plaza area, and that is consistent with what was analyzed for the environmental review and the transportation review. The only deviation was that the CAC also recommended an incentive zoning system, but because of the economics of the area, the incentive zoning piece does not work. However, the approach represents a way to achieve the FARs recommended by the CAC.

Mr. Cullen shared with the Commissioners photos of various office buildings and indicated their FARs for comparison purposes: T-Mobile, 1.26; Sunset Office campus; 0.85; Advanta building, 0.5; Group Health, 1.04; Bellevue Corporate Plaza, 1.5; Plaza Center West, 1.75; 112th @ 12th,

2.7. He also showed several housing developments for comparison purposes: 1200 Bellevue Way, 0.72; Palazzo Two, 3.5; Washington Square, 4.9. He stressed that the greatest intensity will be in the downtown and in the centers of Bel-Red, Factoria and Eastgate, though the areas outside of the downtown should not eclipse the downtown in terms of FAR. Transit-oriented development can be nicely accommodated with an FAR of 2.0, even going up an additional 1.0 for affordable housing. It would not make sense to allow for a high FAR in the NMU, which is a neighborhood district.

Ms. Helland noted that staff added the FAR exception for affordable housing in the NMU and EG-TOD sections after the Commission's conversation on Aegis. Additionally, no fee in-lieu is allowed in those locations so that the units will be built on site. There is less parking generally associated with affordable housing so the impact that might otherwise be associated with increasing the FAR is essentially ameliorated.

Mr. Cullen said an FAR of 1.0 in the EG-TOD area would yield an estimated 1.1 million square feet of office space. At 2.0, which is what is recommended, the yield would be 2.2 million square feet. For every additional 0.5 FAR increase, there would be roughly 552,000 square feet of office, which also equates to 823 extra trips during the evening peak period based on 1.49 trips per thousand square feet of office, or 6300 extra trips per day. He explained that 552,000 is the equivalent of 38 Walgreens stores, five super Walmarts, 1.7 Ikea stores, one Lincoln office tower, or one tower of the Bellevue Towers complex. Small incremental changes in FAR can add up very quickly.

Chair Hilhorst asked staff to comment on the issue of building site coverage, suggesting that the coverage limit would affect how much can be developed. Mr. Cullen said a FAR of 1.0 on 100,000 square feet of land with not coverage limits would yield a single story building of 100,000 square feet. If the site allows only 50 percent building coverage, it would take two stories to get the same 100,000 square feet of office. At 40 percent, it would be necessary to go a little higher in order to achieve the maximum FAR. Staff's initial conclusion was that the proposed FARs can be reached given the proposed dimensional, height and lot coverage requirements. To be sure, however, a consultant has been brought on board to do the acid test.

Ms. Helland added that the maximum lot coverage by structure approach is aligned with the low-impact development proposal. It is possible that some adjustments will be needed going forward. Forty percent limit is the maximum lot coverage by structure in the EG-TOD, while the maximum impervious surface limit is 80 percent, which is similar to Bel-Red. In the NMU the maximum impervious surface coverage will likely be 60 percent.

Ms. Byers addressed next the EG-TOD development standards. She noted that many of the general landscaping requirements will apply, including types of landscaping, species selection and maintenance. Street trees and landscaping are proposed for the area, and interior property lines are to be softened with landscaping. There are provisions regarding significant tree retention, and there is a provision relative to fencing that disallows barbed wire, electric or chain link fencing, and no site obstructions can be created by fencing. There will also be street standards. The idea with regard to parking is that in a transit-oriented development there is a less of a need for it. Using the Bel-Red nodes as the model, the requirements for parking are reduced from the general requirements for other districts. There is flexibility built in to allow for adjusting the amount of parking to fit the needs of an applicant through the provision of a parking demand analysis. Bicycle parking is addressed in the standards as well; the provisions indicate that half of the bicycle parking must be covered.

The transit-oriented development "main street" Ms. Byers noted that the roadway runs east and

west. There is a provision in the development standards that allows for the submittal of a master development plan that has a vision for the street. As envisioned, it will be possible to walk from the park and ride to the eastern end of the street past ground floor retail shops. The north-south street intersections will involve some kind of open space/placemaking gathering spaces. A hillclimb will connect Bellevue College to the heart of the TOD area.

With regard to the general use charts and the dimensional requirements, Ms. Byers said the reason OLB 2 and NMU have their dimensions in the general dimensional chart is because they can be applied citywide. With the FAR exception of affordable housing in NMU, the requirements for the two districts are much the same with zero setbacks and an FAR of 1.0.

Ms. Byers said the design guidelines include many similarities given a backdrop of green forested hills and an urban skyline. They include connections to the Mountains to Sound Greenway and walking trails. The green theme is intended to promote environmental sustainability and will fit nicely with the LID project. In the EG-TOD, the design guideline relative to integrating the natural environment is about ensuring that the green hill between Bellevue College and the TOD will be honored. Additionally, the CAC called for connectivity with the Mountains to Sound Greenway along with some wayfinding, so that element has been included in the guidelines. The guidelines call for development generally to be in harmony with the surrounding natural environment. Green walls, green roofs, rain gardens and other approaches that fit in with environment sustainability and energy efficiency are also called out. Enhancing the pedestrian system is called out in all three new districts and will also be included in the street standards. The pedestrian hillclimb is intended to connect the transit-oriented development with Bellevue College, all pedestrian routes are to be safely integrated with the streets, and pedestrian access connections are called for to link the public right-of-way, Eastgate park and ride and all areas of the TOD. All walkways should be wide, unobstructed, offer visibility, paved and lit with pedestrian-scale lighting.

The gateways are listed in the design guidelines. The guidelines call for buildings located at a gateway to include appropriate architectural treatments such as freestanding elements that celebrate the gateway, signage, landscaping, lighting that identifies the gateways, and markers or artistic inlays in the sidewalks. The guidelines also call for a creative variety of activated outdoor spaces, including courtyards and plazas, that can be defined with materials such as furniture, pavers or colored concrete, and landscaping. The pedestrian emphasis guidelines talk about building entrances being accessible from the street level, transparent windows at the street level, walls with visual interest through form and materials, the selection and coordination of streetscape furnishings, and pedestrian-scale signs and lighting.

The guidelines also call for the provision of continuous weather protection for pedestrians in the form of canopies, marquees and awnings. The incorporation of art that relates to TOD characteristics is also called for; works should utilize durable materials, should be designed for the site, and should be functional or interactive.

Ms. Byers said the architectural guidelines are similar for each district. They focus on the use of high-quality and durable materials; articulation with windows and storefront trim; compatibility with adjacent buildings and the surrounding natural environment; and being to scale. The guidelines also cover interesting building massing; having a base, middle and top for buildings over five stories; vertical articulation of windows, columns and bays; and building massing that maximizes solar access to publicly accessible open spaces.

Eastgate is an entrance into Bellevue from the east. The guidelines call for buildings visible from I-90 to have a distinctive silhouette to announce entry into the city. Any parking garages visible

from the freeway should have some kind of screening or green wall. Green roofs and rooftop terraces should be provided to reduce and treat storm water runoff and provide habitat. Rooftop mechanical equipment should not be visible and should be enclosed in a mechanical room that is architecturally integrated into the building.

Residential entries should have weather protection; transparent doors, windows and glazing; double or multiple doors; visibility and security; and high-quality door hardware. Windows should be operable, recessed from the building façade, and broken into multipane segments. The guidelines call for entries on the street frontage to each tenant space; doors with 50 percent window area or more; lighting that emphasizes the entry; large café or restaurant doors that open to the street; activated and emphasized corners; weather projection; special paving; architectural detailing; ground floor retail; and commercial windows with clear glazing providing visual access. Surface parking is suggested to be located behind buildings, and the first floor of parking structures should have habitable spaces, green walls or other screening, and be designed from the exterior to look like any other building.

The lighting guidelines call for lighting to be directed toward the interior of sites and designed to accommodate both pedestrians and vehicles. Lighting should be integrated into the design of the building; footlights for walkways and stairs are preferred; and the use of energy efficient lighting it also preferred. Decorative wall sconces, screened uplight fixtures, lighting with natural color, and adjustable brightness are also encouraged.

All signs must conform with the sign code; must be scaled and oriented to pedestrian movement; should be architecturally integrated with building design; and should be durable.

Ms. Byers turned next to the OLB 2 district and noted that many of the same provisions apply. She said the district is intended to have offices and businesses that provide amenities for office workers within walking distance. The design guidelines call for integrating the natural environment; maximizing the retention of existing vegetation; promoting the environmental sustainability using LID principles, green walls and green roofs; and promoting architectural compatibility. Multi-site developments should have a unity of design. Fences, walls and refuse receptacles should be consistent with the scale and architectural design of the primary structure. Rooftop equipment is to be fully screened, and no at-grade mechanical equipment will be permitted. Parking areas are to be landscaped, and parking structures are to be designed such that they will not be obvious or overwhelming.

The CAC wanted to ensure there would be a good pedestrian system through the office park. The outcome of enhancing the pedestrian system will be direct routes to places; safe integration with street systems; and convenient and safe connections with transit. All internal streets are to have street trees and sidewalks, weather protection, and building walkway entrances.

Ms. Byers said OLB will have its own chapter as a design district, and OLB 2 will be included in that chapter. NMU, however, is very similar to the community retail design district which already has building design guidelines, site design guidelines and design standards, all of which would apply to the new NMU. However, an NMU-specific area has been created for design guidelines in which integration of the natural environment is called for along with providing access points to local and regional trails; promoting environmental sustainability; community gathering spaces; incorporating public art; and compatible parking spaces. The guidelines are similar to the other areas with regard to the pedestrian system, street trees and sidewalks, and weather protection. They are also similar to the other areas with regard to interesting building massing; vertical articulation; tripartite façades; vertical articulation of windows; and creating an attractive silhouette and rooflines where visible from I-90.

Promoting welcoming residential entries is a little bit different. With ground-related individual entries, there should be a clear transition from the public realm in the form of porches, private open spaces, low-rail fences, landscaping or other transition design measures. Multifamily lobby entries should include weather protection, transparent doors and windows, double or multiple doors, visibility and security.

As in the EG-TOD, the portion of buildings that front on the street should include public entrances. High-use pedestrian entrances should be provided every 50 feet to generate pedestrian activities. Doors should have 50 percent or more window area. The lighting should emphasize the entries and there should be café or restaurant doors that open to the street, and the windows should be clear.

Ms. Byers said the transition area design district applies to the OLB 2 and the NMU where office uses abut single family zones. Ms. Helland said within the transition area height is to be limited, and some additional design criteria are imposed in the areas closest to the residential areas. Because of the topography of the area, there can be taller buildings closer to the freeway that actually do not block the views. The height limitation in the areas to the south of the freeway in NMU and OLB 2 essentially limits building height to the height of buildings allowed in the adjacent district.

Ms. Byers explained that there will need to be a number of conformance amendments needed to make sure that all parts of the code are in sync. The actual legislative rezones will essentially be really long legal descriptions of the areas to be rezoned. Ms. Helland said there is a small property at the very west end of the district that is shown to be rezoned from GC to CB and noted that that rezone has already occurred.

Mr. Cullen took a moment to thank the staff for the countless hours put into weaving together a package of amendments that honors the recommendations of the CAC. While there are still tweaks to be made, the package is essentially what will be taken to the public in an open house and eventually a public hearing.

Chair Hilhorst noted that earlier it had been stated that the OLB 2 provisions would apply citywide and she asked if that includes the OLB 2 in the downtown and if the two districts are consistent with each other. Ms. Helland explained that the downtown livability work is focused only on the downtown districts which exist solely in the subarea. The OLB in Eastgate is EG-OLB, while the OLB in the downtown is DT-OLB.

Chair Hilhorst asked for clarification regarding the requirement to locate refuse recycling inside the buildings. Ms. Helland explained that they are generally located in the loading areas, which are considered to be part of the building along with parking areas.

Commissioner deVadoss asked if it was the complexity of the model or the lack of economic value added that made the staff recommend against implementing incentive zoning in Eastgate. Mr. Cullen said it was actually both. The economic incentive is questionable, and the complexity involved is not fully addressed in terms of infill development versus scrape and build comparisons. The study also used different lifts between base and bonus which creates even more confusion. Incentive zoning works very well in high-value added areas of the city. With an FAR of 2.0 there is a basis to provide parking options. Whether or not they will be able to provide the street and the streetscape right away is debatable. Information from the consultant based on changes in land values, leasing rates and construction costs indicates that it will be expensive to provide the street and the streetscape, but the lift allows for increasing the area from

1.1 million square feet to 2.2 million square feet, and provides the opportunity to create a unique office product.

Commissioner deVadoss asked about the provision allowing developers to make the case for a different level of parking. Ms. Byers said the idea is to allow developers to provide more parking or less parking depending on a parking analysis. Ms. Helland said development in the downtown is able to assign a parking demand based on a special study that takes into account comparable uses in comparable jurisdictions, engineering literature, and other factors, including their own operation and how it either differs or is similar to the standardized characteristics.

Commissioner deVadoss asked if the design guidelines are mandates or recommendations. Ms. Helland explained that the code is set up with both standards and design guidelines. In putting together the package, staff was not able to go back and look through the guidelines with as much specificity as hoped, and some of the standards may have gotten inadvertently placed in the guidelines section. By definition, a standard is required to be met, and guidelines are more focused on design and style and are characterized by “should” rather than “shall.” Even so, while there is variability in the way guidelines are met, they must be met.

Commissioner Morisseau asked if economics from the developers perspective was taken into account in working with the consultant on allowing additional FAR in exchange for affordable housing. Mr. Cullen said the consultant was not asked that question but staff did talk with the owner of a large property in the TOD who was intrigued by the idea in light of a conceptual master plan that had been drawn up. Commissioner Morisseau suggested that going forward economics from the perspective of the developers should be considered.

Commissioner Morisseau said it was her understanding that a comprehensive parking plan for the entire city will be undertaken at a later date. Ms. Helland said the same standardized approach to parking that was used in Bel-Red was applied to the EG-TOD, along with a provision allowing for deviation from the standard with a parking study. The citywide parking study has been put on the back burner to allow for addressing all of the other issues assigned to the Commission by the Council. She stressed that Bel-Red is the model for how parking is to be addressed citywide, and the EG-TOD parking requirements are based on that model. Ms. Byers added that the minimum and maximum amount of parking that must be provided is based on the use.

Ms. Helland explained for the benefit of Commissioner Morisseau that in OLB 2 and NMU where increased height will be allowed, the mechanical equipment will need to be integrated into the architecture of the building. Oftentimes there is a disconnect in regard to the installation of mechanical equipment and it gets added later almost as an afterthought, along with screening. The desire is to have the equipment fully contained in a mechanical equipment room and not allow for mechanical equipment to be put on top of buildings and screened in exchange for increased building height.

Commissioner Walter commented that in the downtown there is a high demand by developers leading to more economic growth. The same is not true to the same extent in Eastgate. She asked what the driver is for developing the Eastgate area if there is no real demand on the part of developers, and suggested that it might be better to slow things down for the corridor until there is an actual demand. Mr. Cullen said the Eastgate area is an older suburban office district, a style that is very much outdated. The fact that the economics do not support an incentive zoning system does not mean the market demand is not there. In fact, market demand in the corridor is significant. Downtown office space is very expensive and cannot be afforded by all businesses. The city needs a variety of spaces affordable and with different types of amenities to appeal to a

broad range of users in order to stay competitive. The proposed approach increases the FAR and will yield an activated mix of office workers, commuters and college students.

Chair Hilhorst voiced concern about the apparent mixed signals relative to the incentive zoning system approach. On the one hand statements have been made that incentive zoning is a good thing, while on the other statements have been made about the approach not working in the EG-TOD. She said she hoped that at the open house developers would be encouraged to offer their feedback. Mr. Cullen said the EG-TOD property owner staff talked with included their economic consultant who made it clear the incentive zoning system would not work with a lift of only 1.0 FAR.

Chair Hilhorst also questioned why an increase in FAR would be offered for affordable housing in NMU but not in OLB 2. Ms. Helland said that goes back to the underlying purpose for each of the zones. OLB 2 is an office and business district, whereas NMU is a neighborhood and mixed use district.

Chair Hilhorst asked if the city has data on the amenity system in place in the downtown relative to what has worked, what has not worked, and who took advantage of what.

Mr. Cullen reiterated that there were issues with the economic study design in that it only looked at one type of development: infill. Given that limited information, it can be concluded that infill might generate some economic surplus in some areas, but not in others. The information is all well intentioned, but there are confusions and wide variables involved. Such studies are not typically done in conjunction with rezone actions. The reason the study was done was because the CAC suggested considering it.

A motion to set a public hearing date of June 22 was made by Commissioner deVadoss. The motion was seconded by Commissioner Morisseau and the motion carried unanimously.

13. PUBLIC COMMENT

(9:06 p.m.)

Mr. Todd Woosley, PO Box 3325, said he appreciates how complicated it is to create a new zoning category. He pointed out that as soon as the city gives the green light, the area he is looking to redevelopment is ready to go, which is evidence that the market is there. He suggested the Eastgate RV site should really be looked at as a transit-oriented development as well. The Mountains to Sound Greenway is adjacent, and just nearby at Crossroads Bible Church their 300-stall parking lot is used as a private park and ride for T-Mobile contract employees. Of the 12 park and rides in Bellevue, it is the third largest. The area is truly transit oriented. The economic study missed the mark completely with regard to scraping and rebuilding, which is what is usually looked at first. The Commission was asked to keep an open mind moving forward. With regard to the amenity incentive system, he said he was involved in the development of the Bel-Red corridor approach that is working to create new housing with an affordable incentive component. It is not a perfect plan, however, and some tweaks are needed. The Urban Land Institute was hired to do a technical report and their finding was that the incentives were too expensive and did not create enough economic value to provide the public benefits envisioned. The economic study for the Eastgate corridor encourages looking at catalyst provisions, and the RV site would be a perfect site to focus on in that regard.

Commissioner deVadoss said he would like to see a simple economic model built in conjunction with other property owners in the Eastgate area for the Commission to review. Commissioner

Woosley said he welcomed the opportunity and would be happy to comply.

Ms. Michelle Wannamaker, 4045 149th Avenue SE, said her objection to redevelopment of the RV park site is focused primarily on the transportation impacts. If there would be no transportation impacts, the site would be perfect for multifamily housing. Once WSDOT completes the extra lane on I-90, and once the city completes the three transportation projects in the corridor, her objections would be mostly addressed. She said she has been supplied with some of the plans for the site and was pleased to see the green buffer would be retained and that other green elements would be included. She asked at what point future residents and workers became more important than the existing residents and workers.

Mr. John Shaw, with American Classic Homes, 9675 SE 36th St #105, Mercer Island, said he was disappointed to hear that the incentive zoning system is a fad sweeping the region. He said all of his projects include affordable units by taking advantage of the programs offered. With a base FAR of 1.0, the extra 1.0 offered for affordable housing just does not pencil out. A lot of time has been spent in analyzing the RV site and there is a desire to include affordable housing units as part of the redevelopment, but it will need to make economic sense for the developer. A consultant was hired to peer review the 2010 transportation report that was predicated on an FAR of 1.0 for the site. The report was used along with some assumptions to extrapolate what the impacts would be with an FAR of 2.5. The result was that the intersection coming up the hill from T-Mobile by the Toyota dealership would experience an additional half-second delay.

Mr. Brian Palidar with Group Architect, 1735 Westlake Avenue North, Seattle, noted that a comment had been made about getting too specific with zoning and amenities in developing the NMU zoning and the need to make sure it is implementable across the city. The fact is, however, Bel-Red uses a variety of footnotes that are specific to specific areas. The same approach could be used in Eastgate. He said there is a clear demand for market-rate and affordable housing development in the Eastgate corridor. So long as there is a profit gap between construction costs and rents, for-profit development will occur; volatility occurs when the two numbers get too close together. With regard to the LIV project in Bel-Red, he said there are some 55 affordable units included, which is evidence of the fact that the incentive zoning system works. At one point before the fourth LIV tower went up, which is where the affordable units are, the site was on the slate to be sold to a non-profit developer that did affordable housing exclusively, but the project was never able to come together. In most instances, it would be better to have market-rate developers produce the affordable units and then turn them over to ARCH to administer.

14. ADJOURNMENT

(9:21 p.m.)

A motion to adjourn was made by Commissioner deVadoss. The motion was seconded by Commissioner Morisseau and the motion carried unanimously.

Chair Hilhorst adjourned the meeting at 9:21 p.m.

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
STUDY SESSION MINUTES

June 1, 2016
6:30 p.m.

Bellevue City Hall
City Council Conference Room 1E-113

COMMISSIONERS PRESENT: Chair Hilhorst, Commissioners Carlson, Barksdale, deVadoss, Laing, Morisseau, Walter

COMMISSIONERS ABSENT: None

STAFF PRESENT: Terry Cullen, Nicholas Matz, Department of Planning and Community Development

COUNCIL LIAISON: Not Present

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER

The meeting was called to order at 6:07 p.m. by Chair Hilhorst who presided.

2. ROLL CALL

(6:07 p.m.)

Upon the call of the roll, all Commissioners were present with the exception of Commissioner Carlson, who arrived at 6:09 p.m., and Commissioner Laing, who arrived at 6:21 p.m.

3. APPROVAL OF AGENDA

(6:07 p.m.)

A motion to approve the agenda was made by Commissioner deVadoss. The motion was seconded by Commissioner Morisseau and the motion carried unanimously.

4. PUBLIC COMMENT

(6:08 p.m.)

Ms. Marci Faith Hennis, a resident of Lake Heights, thanked the Commission for helping to keep the vision of neighborhood pride for Bellevue neighborhoods.

Ms. Cathy Louviere, a Bellevue Towers resident, reminded the Commissioners she had previously noted that the perimeter residents were promised that no building taller than five stories would be constructed across from them. Downtown Bellevue residents do not enjoy the same protection. Bellevue Towers residents are having to deal with the fallout from the Lincoln Square expansion and the Center 425 development as a result. She said since she last addressed the Commission, the residents have been subjected to more construction noise and more traffic

disruption along 106th Avenue NE. Light pollution is still an issue for many, though the issue has been improved somewhat. She said she continues to be concerned about how building height is reported and suggested it needs to be standardized. From her home on the 21st floor of Bellevue Towers, the view has been blocked by a rooftop garden atop the 16-story Center 425 building.

5. PUBLIC HEARING

(6:14 p.m.)

A. 2016 Proposed Comprehensive Plan Amendments – Threshold Review

Chair Hilhorst briefly reviewed the two-step Comprehensive Plan amendment process, noting that all proposed amendments are evaluated based on the threshold review decision criteria. Amendments that are found to be consistent with the criteria are recommended to move to the final review step.

Senior Planner Nicholas Matz explained that the Comprehensive Plan amendment process is the tool used to consider amendments to the Comprehensive Plan. Under the Growth Management Act, the Comprehensive Plan can only be amended once per calendar year. At the threshold review stage, a determination is made as to whether or not the individual applications submitted should be considered. The proposals that are passed on to final review are subjected to a different set of decision criteria. The process is arduous but is designed to respect the legislative nature of the decisions the Commission will be making about amending the Comprehensive Plan. The City Council weighs in at both phases, first to establish the work program and second to act on the amendments by ordinance. All of the decision criteria must be met in order to advance amendments to final review.

Comprehensive Planning Manager Terry Cullen said the process takes about a year to complete. The amendments that move forward to the final review phase will undergo a full analysis. Actions taken by the Commission at the threshold review stage are not tantamount to approval of the amendments up for consideration; they only recommend moving amendments into the next phase or recommend that they not be advanced.

Mr. Matz briefly outlined the threshold review decision criteria as established in LUC 20.30I.140. He noted that three site-specific amendments had been submitted, and that there were two non site-specific applications related to park lands policies that would apply citywide.

i. Naficy

(6:22 p.m.)

Mr. Matz said the amendment seeks to change the designation from Office (O) to Bel-Red Residential-Commercial Node 3 (BR-RC-3) for the half-acre site at 15700 Bel-Red Road. The site currently is developed with a medical office building and surface parking. A concurrent rezone application has been filed as well. The applicant has stated that the redesignation and rezone of the site and the neighboring properties in the vicinity from O to BR-RC-3 would allow for a denser mixed use center and allow for additional housing to support the growth stated in the Comprehensive Plan and add to pedestrian activity in the neighborhood. The nearest BR-RC-3 to the subject property is to the southwest in the Iron Triangle area in the Bel-Red subarea; to the south is O, there is PO across the street to the east, and beyond that is single family.

Mr. Matz said part of the staff recommendation is to expand the geographic scope to include the entire triangle area between Bel-Red Road, 156th Avenue NE and NE 28th Street.

Chair Hilhorst asked which subarea the subject property is in. Mr. Matz said it is in the Crossroads subarea, but the applicant would like the line redrawn to put the site in the Bel-Red subarea. That is in fact the only way the site could get the BR-RC-3 designation.

Mr. Matz said the staff recommendation is that the Naficy proposal does not meet the threshold review criteria and that it should not be recommended for inclusion in the work program. The proposal would require changing the subarea boundary, an issue that would be more appropriately addressed by the Bel-Red look back, an ongoing work program approved by the Council. The look back work includes a review of policy implementation and will result in a report to the Council that will include recommendations for what should be done next. The first phase of the look back, intended to be completed by August, is essentially an assessment of where things stand. The look back is the appropriate place to consider changing the subarea boundary, which the Naficy amendment proposes.

Commissioner Morisseau asked about the three-year rule regarding Comprehensive Plan amendments and Mr. Matz explained that applications for Comprehensive Plan amendments that are submitted but are not successful cannot be resubmitted for three years.

Chair Hilhorst asked if the applicant would have to wait three years if it is not moved to the next phase, or if the issue could be rolled into the look back. Mr. Matz said one option open to the Commission is to recommend to the Council including the Naficy site in the Bel-Red look back. The Council could approve that approach, which would then trigger the three-year rule.

Chair Hilhorst asked if the applicant could achieve the same density level if the site remains in the Crossroads subarea. Mr. Matz said the Bel-Red zone sought by the applicant is specifically described by statute to apply only within the Bel-Red subarea. Bel-Red zoning cannot be applied outside of the Bel-Red subarea. There is no designation in the Crossroads subarea that allows for the same density.

Chair Hilhorst opened the floor to comments from the applicant.

Rich Wagner with Baylis Architects, 10801 Main Street, spoke representing the applicant and pointed out that the urban environment to the north of the subject site is dominated by Microsoft. He said the application has been cast as an expansion of the subarea, but that has not been the goal of Dr. Naficy. The 6000-square-foot building on the site is forty years old and it would be almost impossible to rehabilitate it economically. The site is 25,000 square feet and the current zoning allows a maximum FAR of 0.5, which would yield 12,500 square feet. An expansion of only 6500 square feet simply does not pencil out. Dr. Naficy has practiced on the site for many years and many of his clients say they have to drive two hours to get to the office because they cannot afford to live in Bellevue. Dr. Naficy's goal from the start has been to achieve some affordable housing. The Assessment of Housing Needs in Bellevue, updated in March 2016, indicates that Dr. Naficy is on the right path. The desired project would come in at an FAR of about 2.5, would be 60 feet in height, and would have 60 or 70 units, which is far less than what the proposed BR-RC-3 zoning allows, but which is more than what the Crossroads zoning allows for. Redeveloping the site will result in traffic and bulk impacts, but most of the traffic in the area flows to Microsoft. The idea of putting affordable housing in the area to provide living units for those who would provide services to those who work at Microsoft and elsewhere makes sense. The subject property is only about five blocks away from a future light rail station. The applicant was not anticipating a staff recommendation that the proposal does not meet the

threshold criteria and that the issue should be made part of the look back process. Since 2009 there has been a commitment to do a look back of the area, but it has not happened yet. The applicant did not recommend expanding the geographic scoping, that is the recommendation of the staff. The timing of the look back is such that the research will be available to the Commission by the time a decision would be made on the Naficy application in final review. The Commission was asked to advance the application so it can at least be discussed.

The applicant Dr. Kevin Naficy said he has been a practicing orthodontist at the subject site for 31 years. He said all he has has come from the community, and he has been able to give back to the community. Beginning in May 2010, 80 percent of the practice has been dedicated at no charge to families below the poverty line. Patients travel to the site from as far away as Wenatchee and Bellingham. He said his desire is to redevelop the property so he can benefit from it in his retirement and to give back to the community. The plan is to include a commercial element by way of an office wing, and to include an affordable housing element. The limitations of the zoning has forced seeking the BR-RC-3 designation, which allows building height to 85 feet even though there is no intent to build that high. Those who would inhabit the affordable housing units would hopefully not have to drive to their jobs. Both to the north and the east there are much taller buildings than what is proposed by the site. He urged the Commission to forward the application to final review.

A motion to open the public hearing was made by Commissioner Carlson. The motion was seconded by Commissioner Laing and the motion carried unanimously.

Mr. Russ Paravecchio, 2495 158th Place NE, concurred with the staff recommendation. He suggested, however, that it would be good for the Council to hear from the great number of area residents who would vote against the proposal. The added traffic would add to the danger of the area by reducing access times by emergency vehicles, and the density would encroach on the borders of what for many years has been delineated for housing. Changing the subarea border would open even more sites to denser development. People should be allowed to develop their properties so long as they play within the rules. While over time changing the rules may be necessary, it is not always necessary to do so. Those who live in the single family homes close to the site purchased their homes on the understanding that the area would remain for families over time. They have seen numerous attempts to allow for more and more encroachment by higher intense uses and they need to be protected.

A motion to close the public hearing was made by Commissioner Laing. The motion was seconded by Commissioner Carlson and the motion carried unanimously.

ii. Eastgate Office Park

(6:54 p.m.)

Mr. Matz said the Eastgate Office Park amendment seeks to change the designation for the 14-acre site to the east of 156th Avenue SE at approximately SE 30th Place from Office (O) to Office Limited Business (OLB). The site is developed with 280,000 square feet of office in four buildings with surface parking. He said the recommendation of staff was to advance the proposal into the work program. The applicant asserts that the proposal will implement the city's Comprehensive Plan vision for the Eastgate subarea by encouraging continued economic vitality and development capacity. Staff also recommends expanding the geographic scoping to include the two properties to the east which are similarly situated in terms of their designation and the type and quantity of existing office buildings.

Mr. Matz said the applicant has made the case that they were missed by the Eastgate/I-90 land use and transportation project and would like to revisit the question of whether or not the site should have been included in the area. By advancing the amendment to final review, the door to digging deeper into the issue would be opened. It would also allow for looking at some of the economic issues that have been raised by the applicant.

Mr. Matz said staff have concluded that the decision criteria have been met. The area was part of the Eastgate study area, and the amendments from the Eastgate study have been adopted into the Comprehensive Plan. If for some reason the potential for the subject property and the geographically expanded area was overlooked, there is no other venue for reviewing the designation for the site other than the Comprehensive Plan amendment process. The proposal does address significantly changed conditions of the Eastgate process, namely the presence and the extent of the Eastgate changes that established the OLB and OLB 2 designations which allow for mixed use and transit-oriented development around the park and ride.

Commissioner Walter asked what the requested designation could yield on the site. Mr. Matz said the OLB designation allows for a slightly broader set of mixed uses, no limit on the residential component, and building height to 45 feet.

Chair Hilhorst said she wanted to be sure changing the designation to OLB would not set a precedent for siting the designation adjacent to a residential neighborhood. Mr. Matz said there is OLB to the west that borders the Tyee neighborhood and some that borders Bellevue College. The subject property borders residential on its northern edge as well. Mr. Cullen added that in the proposed dimensional charts for O and OLB, the FAR remains at 0.5. It is in OLB 2 that the FAR is increased to 1.0.

Mr. Matz said the Department of Natural Resources is the owner of one of the properties in the area in the proposed geographic expansion area. When contacted, their property manager expressed a willingness to be included for consideration. Additionally, a phone call was received from the manager of the Subaru dealership who also expressed an interest in the proposal without committing himself in any way.

Commissioner Walter asked what the buffer on the northern portion of the property be under the proposed designation. Mr. Matz said it would be subject to transition, which typically requires a larger buffer depth and more specific vegetation. Mr. Cullen said the rear yard setback would be 50 feet and the side yard setback would be 60 feet in addition to the transition buffer.

Chair Hilhorst opened the floor to comments from the applicant.

Ian Morrison with McCullough Hill Leary, 701 Fifth Avenue, Suite 6600, Seattle, spoke representing the applicant. He concurred with the staff recommendation to docket the application. In working through the Eastgate process in 2012, the Commission was focused on economic data that was created in 2010 and 2011. At that time it was reasonable to conclude the existing buildings on the site still had some useful economic life. Now that the Eastgate policies have been adopted along with a vision for transit-oriented development around the college and infill development involving more retail and pedestrian uses along 156th Avenue SE, the subject property should be reviewed in light of the adopted vision. Clearly the process is in its infancy and the applicant is intrigued by the vision of the OLB that involves pedestrian retail and the like. The Eastgate process included looking at opportunities to create additional pedestrian park connections, which trail connecting through to Robinswood Park represents. Having a pedestrian-oriented streetscape would improve mobility generally in the Eastgate neighborhood.

A motion to open the public hearing was made by Commissioner Walter. The motion was seconded by Commissioner Barksdale and the motion carried unanimously.

Ms. Michelle Wanamaker, 4045 149th Avenue SE, asked if the FAR would increase on the site under the proposed designation. Mr. Cullen said the proposal is to apply OLB to the site, and as currently envisioned, O and OLB would have an FAR of 0.5, and OLB 2 would have an FAR of 1.0.

A motion to close the public hearing was made by Commissioner Walter. The motion was seconded by Commissioner Laing and the motion carried unanimously.

Chair Hilhorst noted that one of the threshold decision criteria is that a proposed amendment does not raise policy or land use issues that are more appropriately addressed by an ongoing work program approved by the City Council. She asked why the proposed amendment is not rolled into the work currently under way in regard to the Eastgate corridor. Mr. Matz said the designation opportunities that exist for the site include OLB, and any subsequent rezone could involve any of the cluster of OLB zones that are currently being contemplated. The work under way by the Commission is focused on implementation of the zoning and land use regulations resulting from the work to update the Comprehensive Plan, which has been completed.

iii. Newport Hills

Mr. Matz said the application seeks to amend the map designation on the easternmost 4.6 acres of the 5.9-acre site at 5600 119th Avenue SE from Neighborhood Business (NB) to Multifamily High (MF-H). The remaining site area would retain its current NB designation along 119th Avenue SE. The site is currently developed with retail and business uses in one larger building and three small building. The applicant has stated that the change would enable redevelopment of the site into a mixed use residential and retail complex. The application suggests the opportunity is unique and would allow for a development consistent with the surrounding neighborhood. To the north and west of the site is NB and Professional Office (PO), and to the east and south are MF-H.

Mr. Matz said the staff recommendation was to advance the application to final review but to not expand the geographic scope. Although there is adjacent NB, those properties are not similarly situated in terms of the questions posed by the request of the applicant for the amendment. The application does address significantly changed conditions which include changing market patterns for neighborhood retail uses, challenging economic conditions faced by neighborhood centers citywide, and greatly increased competition from retail centers in Factoria and Newcastle.

Mr. Matz said there has been a great deal of public outreach regarding the proposal that has resulted in a great deal of thoughtful public comment. Those expressing disapproval have, in no particular order, highlighted the potential impacts of redevelopment to existing community retail and parking places that form a common bond for residents; adding traffic to a road system already constrained by Newport Hills' geography and access points; already crowded area schools; growth in the City of Newcastle; and displacement of current business owners/tenants of the existing center. The comments in support of the proposal included the need to redevelop the center because of the impact its current state is having on the community; and it is time to redevelop with an attractive and mixed use character that continues to serve the area. The majority of the comments received to date have been opposed to the proposed amendment.

Commissioner Barksdale asked if consideration has been given to any mitigation strategies that

might ease the concerns voiced by those opposed to the proposal. Mr. Matz said should the amendment be advanced to final review, the door will be opened to talking about the merits of the application and discussing the impacts.

Mr. Matz said staff believes the amendment addresses issues that have been identified in the Land Use Element and the Newport Hills subarea for aging commercial areas and neighborhood commercial centers.

Commissioner Carlson pointed out that when the neighborhood commercial centers issue came to the Commission a few years ago, the Newport Hills Shopping Center was hurting and trying hard to find tenants. He said it was his understanding that the center now has tenants and is doing much better than it was. Mr. Matz said the economic development conclusion reached by the Heartland study was that for the long term NB uses will not be viable to the extent they are allowed on the site. Since there the area has witnessed a marked economic recovery and spaces at the shopping center have been leased out. Commissioner Carlson suggested the criteria of changing market patterns and challenging economic conditions would have been appropriate to address the problems in play five years ago, but does not seem to be as relevant currently. Mr. Matz said if the amendment goes forward, it will allow for conducting more economic-based research on the state of the conditions. The fact is changing market patterns, challenging economic conditions and increased competition from Factoria and Newcastle is in fact accelerating and it is worthy taking a look at the extent to which those factors will affect redevelopment of the subject property. The fact that the site is fully leased currently is not enough to warrant ignoring what are significantly changed structural conditions.

Chair Hilhorst agreed that if it were 2009, the conversation would be much different. The fact is that many of the family oriented businesses weathered the economic storm. Bellevue is growing and more families and children are moving in and there is no reason to believe those businesses will not only stay but continue to thrive and grow. The economics of Newcastle is not part of the threshold review, but is part of the reality for Newport Hills. Mr. Matz made it clear that staff have reached no conclusions that what is going on currently in Newport Hills is not economically viable. The staff have looked at the Comprehensive Plan and have looked at the struggles neighborhood shopping centers have had citywide, including Northtowne, Lake Hills, Eastgate and Crossroads. The Heartland study serves as a starting point rather than a conclusion. The fact is that citywide neighborhood centers are experiencing changing market patterns, challenging economic conditions, and increased competition from areas outside of the city. The question before the Commission, which is supported by policies adopted in the Comprehensive Plan, is how to redevelop the centers to assure that they will continue to play the role they are currently playing.

Commissioner deVadoss pointed out that the Commission was recently updated with regard to low-impact development principles. One of the principles outlined was doing the analysis and homework up front to mitigate potential issues downstream. He asked if a full analysis could be done relative to the proposed amendment relative to the impacts on transportation and the schools before making a threshold determination. Mr. Matz said that could be done. Threshold review at its simplest is simply answering a question of whether or not a proposal should be considered, and the parameters under which the considerations are made are exactly those things identified, including traffic and school impacts. The threshold review stage is not, however, the time to drill down on the specifics; it is the stage at which a decision is made to drill down.

Mr. Cullen said the threshold hearing in most years is conducted in March and it involves a broad brush look as to whether or not proposed amendments should move forward. To spend the energy in doing a full analysis up front would negate the threshold review entirely. The way the

process is set up, the threshold review is the phase at which a determination is made as to whether or not a full analysis should be done during the final analysis phase.

David Macduff, vice president of development of Intercorp, the applicant for the Newport Hills Comprehensive Plan amendment. He said the project has history going back for many years and the proposed amendment will give the city and the community the opportunity to study and investigate the potential implications of redevelopment. Much has been said about the potential impacts to traffic and the schools, but the reality is there is no information in hand relative to those topics. Intercorp is excited about its idea and believes it to be well-grounded. The company is willing to spend the additional time and money to thoughtfully evaluate the merits. The Commission should recommend to the Council that the proposed amendment be moved forward. The site contains a 1960s vintage shopping center that formerly was anchored by a grocery store; it has both inline spaces and a couple of out parcels.

Mr. Macduff said conditions affecting the site are certainly changing. The evolution of Factoria and Newcastle has changed how people shop and has changed the type of retailers that can come into such shopping centers. The challenges being faced by the Newport Hills Shopping Center are being faced by other neighborhood centers citywide. The last grocery store to occupy the center left in 2009. Over a number of years, the property owner, the city and the neighborhood made a valiant effort to figure out how to revitalize the center, but those efforts have not worked. The center is only 64 percent leased; if the batting cage business were not there, the center would be only 41 percent leased.

The Heartland study included alternative uses that to date have not proven to be financially feasible for the market. The property owner is focused on a right-sized concept, with the right amount of retail and the right amount of residential, to balance the perspectives the community has voiced about what they want to see happen on the site. The outreach conducted to date has been focused on improving the concept. The owner's representatives have met with the current tenants to gain their thoughts; have met with individuals; have met with businesses; and have held five public outreach meetings attended by about 75 people. The concerns voiced to date have included traffic, schools, the continued provision of neighborhood services for the community, preserving the current set of tenants, and the loss of parking on the site from other businesses that do not have enough parking the community. Many voiced support for the proposed mix of uses, and for the fact that the housing would be ownership rather than rental.

Mr. Macduff said the vision is to simply right-size a redevelopment opportunity for the entire center driven by an understanding of the commercial demand. The research done indicates there should be between 15,000 and 20,000 square feet of commercial, and a townhome residential component at a lower density than what was highlighted in the Heartland study. The provision of neighborhood services will be critical to success, as will sidewalks and open space. The property owner is willing to commit to entering into a development agreement with the city as part of the process to guarantee development will occur as promised. The property owner is willing to commit to building new commercial space before allowing occupancy in the residential component. The property owner is also willing to commit continuing the dialog that has been opened with the community.

Jessie Clauson with McCullough Hill Leary spoke representing Intercorp. She stressed that at the threshold stage the property owner is not asking for a yes on the proposed amendment, rather concurrence that the proposal warrants study. Real estate and retail markets go up and down over time, and there have been discussions about the center for a very long time. The opportunity is finally at hand to usher in a full study, including potential impacts on traffic and schools, and an up-do-date retail study to determine the right-size retail component for Newport Hills. Once the

study data is in hand, it will be possible to make an informed decision regarding the proposed amendment.

Chair Hilhorst noted that she has been part of the process for a long time. In the discussion about right-sizing the commercial, it was clear that some of the current uses, including the batting cage, will not fit in the future. Many of the family recreation businesses have survived and thrived. Additionally, the Heartland study envisioned more than 100 residential units, but they were for assisted living, the residents of which would create far fewer trips on the roads. She asked if there were any potential for a compromise in which there would be less housing and more commercial. Mr. Macduff said the amount of commercial in the proposal is based on relatively newcomer knowledge of the studies that have been done and the conversations that have taken place to date. When it comes to determining the right size, studies are needed to determine what the market will accept. If the studies show the demand for commercial is higher, there is the ability to expand some of the buildings, though that could restrict the open space and gathering areas. The issue of housing type really goes to the types of buildings constructed. Intercorp has developed five-over-one multifamily apartment housing in downtown Seattle, but the economics of that kind of a structure would likely not work in Newport Hills. Intercorp is, however, open to looking at new ideas. The proposed ownership townhouse approach would have less of an impact than market-rate rental housing.

Mr. Macduff said as envisioned, the new commercial to be developed would be on the part of the site that would remain NB. He allowed that for purposes of the amendment, lines were drawn on the map without having a plan in hand. As the site plan gets refined, the percentages of commercial and residential could change.

Ms. Clauson said the density shown in the amendment documents actually works out to R-23. However, that would require self-limiting under R-30. Mr. Macduff added that townhomes are not permitted in the NB zone, which is why an amendment is needed for a portion of the property. Commercial is the driver.

Commissioner Morisseau asked why the larger percentage of the site is shown as having multifamily if in fact commercial is the driver for the site. Mr. Macduff said it is the amount of demand for new commercial that has determined the split between residential and commercial. Commissioner Morisseau asked if there is an acceptable middle ground that would have less commercial. Mr. Macduff said that would need to be determined after the studies are done. Intercorp is certainly open to new information but does not believe the site should remain predominantly commercial. The level of flexibility will be informed by the studies, but Intercorp does not believe the studies will show a dramatically different demand for retail on the site. Commercial is a driver because it is important, but that does not mean it will be the predominant use.

David Hsiao spoke representing the ownership group of the Newport Hills Shopping Center. He said the group has owned the shopping center for over 30 years. He voiced support for moving the amendment forward for further study. He said when purchased, the center was thriving and had no issues with vacancies. In more recent times, however, the center has experienced a steady economic decline. The center has been aggressively marketed but with very little success. The rental rates that can be achieved are simply too low to justify any capital investment in the existing layout. In its current form, the center no longer fills a need for both retailers and customers. The center faces stiff competition from areas in close proximity, including Factoria, Newcastle and Coal Creek; it suffers from outdated NB zoning; and it experiences very low traffic counts. The center is not, in fact, currently thriving. It has a 40 percent vacancy rate, something that has been as high as 60 percent. From the standpoint of tenants, the center has

experienced an increasingly high rate of defaults, and a steady and consistent increase in delinquent rent payments. A number of potential tenants have unfortunately not met the criteria of the NB zone. Redevelopment is the only viable option for revitalizing the center and making it into a community asset.

Commissioner Carlson asked if the Newport Hills Shopping Center can make it as a standalone shopping center. Mr. Hsiao said it cannot. The only way to succeed will be to have housing become a component. A serious attempt was made to sell the property using the services of CBRE. Over 500 perspective purchasers were contacted, and of all those who expressed an interest, not one voiced an interest in maintaining the center as a shopping center. Commissioner Carlson asked if there are limits on kind of commercial activities allowed that are preventing the center from being profitable. Mr. Hsiao said there are impediments involved with attracting certain types of businesses, but the bigger issue that anyone wanting to provide retail services to a community needs a certain amount of traffic, and the center is simply not providing that.

Commissioner Walter asked about the efforts to aggressively market the shopping center. Mr. Hsiao said over the course of ownership, the services of three real estate brokers have been retained to find tenants.

Chair Hilhorst said she was able to attest to the fact that there have been viable businesses that wanted to locate at the shopping center but were precluded from doing so because of the NB zone restrictions. Requests were made to allow for flexibility in the code to entice more tenants, but because such flexibility would need to be applicable citywide, the staff chose not to proceed.

Mr. Hsiao reiterated that to some degree, the current code restrictions are preventing the center from being viable. However, the bigger impediment to success is the low traffic count realities.

Chair Hilhorst said it was her understanding that the only vacancies currently are the old Hallmark site, the bank, and the space adjacent to the batting cage use. Mr. Hsiao stressed the need to respond in a delicate fashion owing to issues of confidentiality. He reiterated the fact that the current vacancy rate is 40 percent and that there has been an increase in rent delinquencies to the point where the center is losing money annually. The owners have in fact become creditors for the tenant in an attempt to help them out.

Commissioner Carlson asked what changed that resulted in less traffic for the site. Mr. Hsiao said change has come in the form of competing shopping centers but also in terms of the way people shop. Consumer habits have changed, not the least of which is the move toward online shopping.

Commissioner Walter asked if the owners have watched the Lake Hills Village shopping center and the difficulties they had until finding a large anchor tenant. Mr. Hsiao allowed that he has followed that center, though not in great detail. He said getting an anchor tenant in the NB 5000 zone is challenging because of the limitations on who can occupy a 20,000-square-foot space. It is not possible to just sign up any tenant who might have an interest.

A motion to open the public hearing was made by Commissioner Laing. The motion was seconded by Commissioner Barksdale and the motion carried unanimously.

Mr. Kim Herman, 4545 119th Avenue SE, voiced support for the staff recommendation to include the Newport Hills Comprehensive Plan amendment in the 2016 work program. It is necessary to have a community discussion about the potential redevelopment of the shopping center to determine what is best for the community. The current redevelopment proposal,

however, is concerning. Traffic congestion in Newport Hills is terrible and there are safety concerns regarding ambulances, school buses and residents. Peak time traffic congestion would only get worse by adding 110 new townhomes. On Coal Creek Parkway there was one intersection in 2014 that did not meet the city's traffic standards, and the intersection of Coal Creek Parkway and I-405 just barely met the standard. Traffic goes through the neighborhoods to avoid the congestion and will only get worse with Newcastle development. The community is concerned that the current neighborhood businesses in Newport Hills will be lost by lowering the amount of retail space from 38,000 square feet to \$17,000 square feet, some of which will be live/work space. The amount of retail occupancy is the best it has been in the last ten years or so and it would be a shame to lose some of the popular neighborhood businesses due to poor redevelopment planning. The neighborhood is concerned about the density of the proposed redevelopment, which includes 110 new townhomes. He provided the Commissioners with a schematic outlining some minor changes to the proposed redevelopment submitted by Intercorp that would address some of the community concerns, including an additional 500 square feet of retail space. He pointed out that little visitor parking is shown for the townhomes, and that the Chevron station needs additional parking in order to continue operating. The schematic included one acre of the site for independent senior housing. Bellevue is lacking in senior housing options. Including more commercial space along with senior housing would have several positive benefits. The proposed Comprehensive Plan amendment should be moved forward for a full study.

There were about 25 hands raised in support of the comments made regarding traffic and school impacts, and about six hands raised in support of moving the amendment forward to final review.

Ms. Marci Faith Hennes, 4715 119th Avenue SE, said when it comes to the Newport Hills Shopping Center everyone has the same goal. The issues have been studied by brilliant planners, sociologists and others. The goal is socially critical, the goal is simple, the goal is to create and nurture community. Within that construct, people need to feel they have space. Crowding humans in creates a distressed ecosystem in which people do not function optimally and in which they become disparate. Newport Hills is building a beautiful momentum in which all can profit. The area has an abundance of neighborhood pride and the neighborhood will continue to thrive if not boxed in. The community has worked together in getting people to drive slower on 119th Avenue SE, and it has worked to see sidewalks built through the neighborhood. She thanked the Commission for working with the community to keep the vision alive.

Ten hands were raised in support.

Ms. Carolina Silverberg, 11667 SE 58th Street, said she has been a resident of Newport Hills for 16 years and has seen a lot of change. She said replacing the shopping center with multifamily residential will have a negative impact on the neighborhood in terms of school crowding and increased traffic, and the loss of local businesses and gathering spaces. Newport Heights Elementary School has 675 students and a second portable classroom is coming. Additional housing will bring more children to the already overcrowded schools. Tyee Middle School with almost a thousand students, and Newport High School with 1744 students, are both overcrowded. With regard to traffic, the arterial 119th Avenue SE gets backed up during commute peak hours and school drop-off and pick-up hours, and residents along the roadway struggle with getting into and out of their driveways. The Newport Hills Shopping Center is a valuable part of the neighborhood. It is a great gathering space for the community and losing it to multifamily housing would substantially burden the neighborhood and schools while providing no benefit. She said 947 signatures against the proposed R-30 rezone have been obtained from Newport Hills residents and business owners, and more signatures will continue to be collected.

About 25 hands were raised in support.

Ms. Judy Brennan, 5611 118th Avenue SE, said she has been a resident of Newport Hills for three years. She said one of her biggest concerns is school overcrowding, which was a problem even before the issue of rezoning arose. The elementary school saw an increase of 54 students just within the current school year.

Ms. Marianne Lee, 11627 SE 58th Street, said she has been a Newport Hills resident since 2007 and has two children at Jing Mei Elementary School. She urged the Commission to reject adding the R-30 amendment to the work program. Rezoning the Newport Hills Shopping Center space to R-30 will dramatically increase traffic and school crowding while removing local retail stores. The majority of those moving into the Newport Hills area have children and they choose the neighborhood because of the schools and because the neighborhood offers the rare chance to live within walking distance of restaurants and kid-friendly retail shops. Newcastle grocery stores are already very crowded. The Newport Hills Shopping Center is not like Eastgate and it is not like Lake Hills. The arterial 119th Avenue SE is the main access point to Newport Hills. Newport Heights Elementary School is on 119th Avenue SE, while Ringdall Junior High and Jing Mei Elementary are accessed from 119th Avenue SE. Building multifamily housing units on 119th Avenue SE will increase the already dangerous driving and pedestrian conditions, and will contribute to overcrowded schools. The neighborhood will lose the walkability it currently has if the rezone happens. Removing or greatly reducing the retail area and replacing it with multifamily housing will destroy walkability, increase school crowding, and increase the likelihood of a pedestrian fatality in the neighborhood. The retail center property owner made it very difficult for Bill Pace when he tried to make a go of it there. The current landowner is the biggest impediment to being a fully leased retail space. Flexibility is needed to increase opportunities for recreational retailers.

About 25 hands were raised in support.

Ms. Nicole Seakules, 5212 125th Avenue SE, said her top two concerns are the schools and traffic. She agreed with the previous speakers about current traffic conditions that include backups on 119th Avenue SE and SE 56th Street. The backups are often such that no one can get to the schools. Teachers often have to be told not to mark students tardy when buses arrive late. She said she attended the Bellevue School District overcrowding meeting in 2015 and learned that people are moving into the neighborhood because of the schools and the local community. The district made it clear how tight things are relative to attendance, and noted that should the schools reach capacity, people moving into the neighborhood could be locked out from sending their students to the local schools. She urged the Commission to vote against the proposed amendment. She said she would love to see the commercial center revitalized with other businesses.

About 18 hands were raised in support.

Mr. Barry Heimbegner, 5804 119th Avenue SE, said he owns and operates the Chevron station in Newport Hills. He noted that the hill is getting very crowded with traffic, and the schools are overcrowded as well. He said he agreed with those in the neighborhood who would like to see the shopping center upgraded, but he said he was not sure the proposed approach would be the right one. The center should have been upgraded before with an improved parking lot and lighting. Many of the businesses appear to be doing fine.

Commissioner Carlson said it was clear from the testimony that more people are moving to Newport Hills causing more traffic and overcrowded schools and said it would seem there are a

lot of people who could be serving as a customer base for the shopping center. However, the shopping center owner claims the center cannot make it. He asked what needs to happen in order for the shopping center to be successful. Mr. Heimbegner said the building and parking lots need to be upgraded along with the lighting. He said he sees new customers daily and by late afternoon the parking lot is pretty full. It is a great neighborhood.

There were 25 hands raised in support.

Ms. Suzanne Baugh, 4728 116th Avenue SE, said she is a retired commercial real estate broker and currently serves as president of the Lake Heights Community Club. She said the community club board of directors strongly supported continuing the Comprehensive Plan amendment process for the Newport Hills Shopping Center. The center has been in decline and disrepair for years and until the last few years had a high vacancy rate and suffered significant vandalism. Recently Intercorp expressed an interest in purchasing the center and redeveloping it into a mix of townhomes, live/work units, and commercial space. To do so, the Comprehensive Plan will need to be amended to allow for greater density. There is a very small but very vocal outspoken group that is opposed to even discussing a Comprehensive Plan amendment citing traffic problems, overcrowded schools, loss of commercial space, and loss of parking for the Newport Swim and Tennis Club. What the group does not mention is that the Newport Hills Shopping Center has been in decline for at least 15 years and the current owner has neither the means nor the desire to remediate the situation. It is not known if the initial outline of the plan proposed by Intercorp will be the best or the final plan, nor are the impacts on traffic and the schools fully known. The only way to answer the questions factually will be by doing the research that is the point of the Comprehensive Plan amendment process. Times have changed and with it retail patterns. The Red Apple grocery store did not survive, and neither did Bill Pace or the Newport Hills pharmacy. Uses such as Stods baseball cages, which pays below-market rental rates, are temporary, fill-in uses. Stods as a tenant is not a viable long-term strategy for any owner. The study is needed to gain factual data with regard to traffic counts, future school enrollment versus capacity, the actual number of residential units, outdoor common space, and possible relocation of existing commercial tenants within the redeveloped project. The facts should be reviewed before unequivocally throwing out the proposed amendment. There are some who are opposed, but they are not in the majority. The current situation faced by the shopping center will become significantly worse when the next real estate decline happens. The shopping center is important to the neighborhood and the area needs to be redeveloped in order to save it.

Ten hands were raised in support.

Mr. Don Wolfe, 4546 119th Avenue SE, said he has been a resident of Newport Hills since 1972. He said he has been to the outreach meetings and has heard Intercorp's representatives give whatever answer people wanted to hear. During peak traffic times, it is not possible for residents of 119th Avenue SE to get out of their driveways. He said he was not opposed getting more data, but said it would be ridiculous to say that adding more houses will not increase the traffic impacts or the impact on the schools. The streets near the large townhome units like the ones in Newcastle are jammed full of cars, even where development has not occurred on both sides of the street. That is often because people in townhomes have two-car garages that they used for storage, choosing to park instead on the street. Intercorp was asked where people will park if they have more than two cars, and the answer given before they equivocated was that there will be 115 retail spots people will use.

Eighteen hands were raised in support.

Ms. Jeanie Marquardson, 11808 SE 49th Place, said when she moved to the community in 1979

there were two viable elementary schools and one middle school. There was also an orthodontist and two grocery stores. In the face of a downturn in enrollment, the school district closed what is now Newport Heights Elementary School, which in turn closed the feeder school of Ringdall Junior High School. There was a lot of traffic on the streets. Factoria was under construction, and there was no Coal Creek. There was plenty of foot traffic and the businesses were thriving, until the schools closed, after which the businesses dropped off. She voiced concern over the fact that the Newport Hills community does not have much by way of parks space. There was a neighborhood park along SE 60th Street opposite Ringdall Junior High School, but the city decided to make it into an athletic field with scheduled formal activities. There is a small area with play equipment for younger children. The city owns a couple of sites for potential park development, one of which is currently being used for a dog run. There are several multifamily housing developments in the Newport Hills area that are centralized near the business area, but most of them do not have areas for children to play. Bringing more multifamily units in and intensifying the population will stretch the limited parks space. The city is developing parks in other parts of the city, but Newport Hills has been ignored. It may not be realistic, but the portion of the Newport Hills Shopping Center site on which multifamily homes are proposed would be a good place for a park or a small community senior center.

Twenty-two hands were raised in support.

Mr. Chris Trentham, 5411 118th Avenue SE, said he has been a resident of the area since 2012 and patronizes the Newport Hills Shopping Center daily with his family members. He said he opposes the potential rezone because it will provide no benefit for the community. The addition of roughly five acres of R-30 and the removal of all existing neighborhood businesses will not be a net gain for the community. The rezone would result in the removal of the bulk of the community gathering space. The shopping center needs improvements and could benefit from some redevelopment, but not as proposed. The community would prefer to see senior housing included, a much less dense residential rezoning, or more neighborhood businesses, none of which Intercorp is proposing. Traffic impacts, school overcrowding, and loss of community center are the reasons for opposing the amendment.

Twenty hands were raised in support.

Mr. Kenny Tan, 11093 SE 54th Lane, said he was hearing mixed messages from Intercorp and the neighborhood. Everyone seems to be in favor of revitalizing the center, but doing so will mean more traffic regardless of how it is done. Intercorp has a new development in Newcastle called Lakehouse on a site that is 5.25 acres, but the development has only 41 townhomes. If they can be financially successful building only 41 townhomes on 5.25 acres, they do not need 110 townhomes on the 4.6-acre Newport Hills site as proposed. The property owner has claimed vacancy rates as high as 60 percent, but wants to reduce the square footage of the commercial area. Revitalizing the center would make it more appealing, and that would lead to a lower vacancy rate. If it is possible to make a profit on 41 townhomes, Intercorp should be allowed to build that many units on the Newport Hills site, and all they should need is 1.3 acres. Additionally, as proposed, Intercorp intends to put commercial uses on only a quarter of the site, so they should be allowed to do that. That would mean the site would be developed 25 percent with residential and 75 percent with commercial.

Fifteen hands were raised in support.

Ms. Heidi Dean, 11661 SE 56th Street, said she has lived in Newport Hills for 16 years, served two terms as president of the Newport Hills Community Club, and currently serves as the club's merchant liaison and chair of the shopping center revitalization committee. She noted, however,

that she was not present to speak on behalf of the club. She said the statements made about the valiant efforts to tenant the center were untrue. The property manager indicated the owner fired the property manager in 2011 or 2012 because he had done a poor job, and since then there has not been a realtor out marketing the site. Clearly there have been no aggressive marketing efforts. She said many have come to her given her position as merchant liaison who were wanting to rent spaces, but they have either been turned away by Rainier Northwest, or they have faced such a difficult process that many have just walked away. The spaces are in poor condition and are very unattractive. It is not possible to charge market-rate rents given the shape the spaces are in. The martial arts and nails units have not had heat for two years. Site maintenance has been so bad that many neighbors have called code compliance about it. The site has deteriorated, especially over the last seven years. Even so, there are still businesses interested in renting there. Bill Pace was supposed to go in one-third of the Red Apple space, but at the last minute the realtor suggested the space should not be rented to him otherwise it would not be possible to rent out the other two-thirds of the site, which now Stods is in. Mr. Pace took the pharmacy space which was really too big for him and cost him too much in tenant improvements, contributing to the demise of his business. The fact is retail does not equal more traffic than residential. None of the current retail spaces, with the exception of the mail box store, open before 10:00 a.m., well after the morning crunch. There is a peak between 5:00 p.m. and 7:30 p.m., after which everything is good. Much of the traffic is just passing through going to Newcastle and Renton, and an attempt should be made to capture that traffic by having an attractive NB-zoned center in the heart of Newport Hills. Those who are opposed to the proposed action are not small in number, rather they are large and vocal. The property owner is clearly more concerned about his property values.

Thirty hands were raised in support.

Ms. Judy Brennan, 5611 118th Avenue SE, said she was one of the people who collected signatures. She said she talked with parents after school as they came to pick up their kids, and twice collected signatures at the shopping center, and found many willing to sign their names. The vast majority of those at the shopping center agreed the proposal would be a bad idea, and 99 percent of the parents talked to felt the same way. Lake Heights Elementary School hosts the Pacific Program, one of only two elementary schools in the district to serve the special needs community. They have four classrooms in the school. The school has 675 students and has a maximum student count of 690, but in fact the school is currently operating beyond its maximum.

Fifteen hands were raised in support. Chair Hilhorst also noted that about 25 percent of the attendees had left the meeting.

Mr. Gerry Albert, 5026 123rd Avenue SE, said he has lived in Newport Hills for 25 years and along with his wife raised two children who went to the schools in the neighborhood. He agreed that the Newport Hills Shopping Center is a mess and has been decaying for years. It has gotten especially bad in the last five years. Those who live in Newport Hills love the neighborhood and the shopping center and the businesses that are there. The multifamily mixed use retail/residential scenario is in fact what works. Those who oppose moving forward with even the analysis phase in fact favor an alternative development scenario that would also add pressure on the transportation system. Crowding of the schools is nothing new, it has happened before. Traffic is bad during commute times and school start times, just as it was 25 years ago, 15 years ago and five years ago. Once the peak is passed, however, traffic dissipates and the roads are easy to travel. Something absolutely needs to be done with the shopping center; it will simply not be possible to put new retail uses in buildings that are 50 years old and make a go of it because that model has passed by. The Bellevue School District is very popular and will continue to draw

students to the area; that is not a new problem.

****BREAK****

(9:27 p.m. to 9:37 p.m.)

Mr. Nathan Anderson, 5009 119th Avenue SE, agreed that traffic in the area has always been bad, but said nothing should be done to make it worse by adding more residences. There is also the issue of safety to consider given that 119th Avenue SE has sidewalks on only one side of the street, and children walking to school must cross the street to avoid walking where there is no sidewalk. There are, however, no crosswalks until close to the school. The Newport Hills Shopping Center owner has compared the center to other area centers and what they are able to charge in rent, but those centers are zoned and built differently. The Newport Hills Shopping Center is and has been for the last 30 years a neighborhood business center model.

Fourteen hands were raised in support. Chair Hilhorst noted that half of those present prior to the break had left the meeting.

Ms. Patti Mann, 4508 116th Avenue SE, said she has lived in Newport Hills for 30 years. She said the history of the neighborhood is family. She said when she moved in there were elderly people whose children had moved out, and shortly after the children started buying their parents out. Coming back to the neighborhood is a trend. The businesses have over time been an integral part of the community. They have sponsored car shows, the Santa Claus tour and the Fourth of July picnic. The business owners have traditionally been a part of the neighborhood. The center should continue playing the role it is already playing. Removing the retail would be changing the community gathering space, and would change the role of the center. Individuals from the neighborhood have gotten together to get rid of the graffiti on the walls. The poor lighting at the center has encouraged skateboarders and drug dealers, but until there were people willing to contribute to center by coming in with things like a brewery, nothing was done about it. The city needs to address the traffic issues whether the proposed amendment goes forward or not. Most of the traffic is coming from Newcastle, and the neighborhood backs up because the lights are set to allow Coal Creek Parkway to flow. It is not the idea of revitalizing the shopping center that the neighborhood is opposed to, it is the plan that has been offered; it does not offer the retail uses the neighborhood wants. She said her preference would be to see a development with four floors of residential over one floor of retail that seems to work in every neighborhood in Seattle from Ballard to Rainier Valley. While that may be more height than the neighborhood is used to, it may be just the right compromise needed to keep the neighborhood businesses.

Sixteen hands were raised in support.

Ms. Karlene Johnson, 5125 127th Place SE, said she and her husband submitted a letter on May 16 that echoed much of what others have already said. She noted that the speakers have both opposed and supported the proposed amendment, but in fact all want the same outcome, which is a vibrant neighborhood center that has a viable commercial district that enhances the livability of the Newport Hills community that is in keeping with the character of the neighborhood. Everyone understands that will require change. The neighborhood is not opposed to change, but they want change that is right for the neighborhood. She said she personally was opposed to the level of density envisioned by the proposed amendment, and the fact that it would not address the needs of the older neighbors who may need to live somewhere else in the neighborhood because they can no longer keep up their large homes. There have been impacts resulting from the center not being maintained; the lack of maintenance certainly does not evoke the notion of being committed to the community in the same way those who live in the neighborhood are

committed to the community. The neighborhood center is needed to provide the community with an engaging third place; it needs to be home to spaces and businesses where people can meaningfully gather. The idea of reducing the available commercial space is in conflict with that vision. She rejected the idea that the only choice is between MF-H for the majority of the site and keeping the site as it is indefinitely and watching it continue to decline.

Sixteen hands were raised in support.

Mr. William Dennis, 5611 125th Avenue SE, said he has been a Newport Hills homeowner for 13 years and has no intention of leaving. He said his home is within walking distance of the shopping center and the pool. There are a lot of homes in the area that are rentals, but they are usually rented out by resident landlords. He noted that Mr. Hsiao had said the NB zoning is outdated, however what makes cities viable is walkable communities where there are restaurants and public spaces. Taking away the commercial core from Newport Hills will take the residents out of a walking mindset and put them back in their cars. There is a clear need to revitalize the Newport Hills Shopping Center, but the fact that the center is run down has to do with its ownership, not with whether or not it is a viable space.

Sixteen hands were raised in support.

Ms. Jane Landford, 4943 126th Avenue SE, said she has been a resident of Newport Hills for 11 years and works as a commercial real estate broker specializing in retail. She said she has repeatedly attempted to bring tenants to the shopping center, but mostly there has been no response. It is not factual that the center has been aggressively marketed. There is a sign in the Bank of America window but the site cannot be found on any listing site. She said she and potential investors have met at least twice with the owners, two of which would have revitalized the shopping center by keeping it largely as it is except for the addition of some townhomes. The proposed action has been timed quite well by the property owners to address the hot commodity of residential. The site is not suitable to four-over-one. The center can be viable by adding a little multifamily. It cannot be believed that 110 ownership townhomes will only have two cars each; there will be three or four cars per unit and they will be parked out on the streets and in the commercial areas. The Heartland study is outdated and should not even be referred to. The economics have changed and a new study is needed, with the applicant paying for it. With regard to tenants being late in their rent payments, she said tenants will stop paying their rents when landlords are not doing their jobs; it is one of the only ways they can protect themselves on a lease.

Ms. Valerie Barber, 4644 121st Avenue SE, voiced opposition to the proposed rezone. The question on the table is whether or not the threshold criteria have been met. The fact is the criteria have changed since the previous discussion. At first it was said the neighborhood is older and has aged buildings, vacancies and deferred maintenance, and that single-purpose retail is not supported in Newport Hills. Now it is being said that is a change in condition when in fact the condition has been the same for 30 years under the same landowner. The issue is a landowner who has not taken responsibility for the site and keeping it up. The result is an older neighborhood with aged buildings and deferred maintenance. The change was created intentionally by the landowner to where the neighborhood has come to see the site as an eyesore and that something needs to be done about it. That something does not necessarily mean a rezone. The threshold review criteria have not in fact been met. The requirements of the neighborhood have not changed. There is bad traffic in the neighborhood and the schools are crowded, and no study is needed to prove what is already known. The only change is the property owner has not chosen to invest under the current zoning criteria. There are tenants interested in the property under the current zoning, so a different zoning is not needed. The

issues that need to be addressed should not be addressed by changing the zoning. The way to change the issues will be by keeping the zoning and changing the owner. The Comprehensive Plan amendment should not be moved forward to the next phase.

Twelve hands were raised in support.

Mr. Dan Brennan, 5611 118th Avenue SE, challenged the finding of staff that there are significantly changed conditions. Rather than having a shopping center in decline, the center is in fact on the rise organically with new tenants and new retail development under way. The explosive residential growth that is currently under way in the Coal Creek and Newcastle areas will certainly increase demand on all retail in the area, including the Newport Hills Shopping Center. In fact, the Newport Hills Shopping Center is such a draw that it is included in promotional materials for Intercorp's Lakehouse development in Newcastle. The changing residential landscape in the nearby neighborhoods should be considered in deciding whether to continue with the amendment. There is already sufficient freedom under the current NB for mixed use development that will keep the central retail core in place. If the change to MF-H were allowed to go forward with a promise from developers to study the impacts later, there would be no reversing the change and the retail core would be lost. The fact that Rainier Northwest has neglected its duty to maintain the parking lot and let the property fall into decay is not a reflection on the demand for the center and its businesses.

Twelve hands were raised in support.

Mr. John Eliason, 5611 129th Avenue SE, said he has lived in Newport Hills for 30 years and is a member of the community club, though he stressed that the current president does not speak for him. He said he frequents the Newport Hills Shopping Center. It serves to get residents out of their cars and offers a community environment even in its current state. Improvements are needed, but significant changes are not needed. He said as a planner he has worked on some of the largest master plan communities in the Northwest. Newport Hills was a master plan community built in the 1960s and it is set up with very specific ratios of residential to services, schools and parks. In considering the proposed rezone, the Commission needs to take into account the larger picture, particularly the ratios on which the community was laid out. The reason Newport Hills is studied as a model is that it has been successful for 60 years and continues to be successful. Just as homes require upkeep and updating over time, so do commercial buildings. To keep the original ratios, it would be necessary to increase the amount of retail. The ratios are designed to keep traffic internal to the community as much as possible. The fact is, 110 townhomes will generate up to 180 school children, which is a third of a school site, and to build another school would be very expensive. Additionally, the money needed to fix the transportation issues on a larger scale would also be very expensive. The same is true of parks in order to keep the same ratios. He pointed out that the land use action sign that is posted on the subject property indicates MF-H on 5.9 acres, when in fact what is under contemplation is 4.6 acres, so there is a procedural issue to be addressed.

Twelve hands were raised in support.

Mr. Robert Donahue, 11627 SE 50th Place, said his family has been part of Newport Hills since 1979. He said the Newport Hills Shopping Center site has been allowed to run down to the point where woodpeckers have disintegrated part of the siding on the old bank. He said on Memorial Day weekend he visited the site and took pictures of the completely empty parking lot and suggested that to call the center vital and enthusiastic is not fully correct. Much has been said about the site being beloved and valued by the neighborhood. Those are emotions. What the city really needs to do is consider what is behind the emotions, and more data is needed before an

educated decision can be made with regard to what should be done with the site. That can only be done by agreeing to move forward with the next phase of the process. Emotion should be set aside and the facts should be considered logically. Intercorp has on multiple occasions held talks with the community and the process should be allowed to continue.

One hand was raised in support.

A motion to close the public hearing was made by Commissioner Laing. The motion was seconded by Commissioner Walter and the motion carried 6-1, with Commissioner Carlson voting no.

- iv. Parks Element #1
- v. Parks Element #2

Mr. Matz clarified that site-specific Comprehensive Plan amendments are made by or on the behalf of property owners, whereas non site-specific amendments apply citywide. The two proposals that have been brought forward are similar in nature but there are some differences. Parklands Policy #1 would amend the text of the Comprehensive Plan by adding three policies to the Parks Element that would restrict or regulate review and changes to the use of acquired park lands and properties variously by citizens, the Parks and Community Services Board and the city's formal rezone process.

Parkland #1 addresses the general framework of restricting or regulating the review process by which the city regulates publicly owned park land. Parkland #2 adds an additional component that calls for zoning all park properties in the city with a Park zone, which does not currently exist.

Mr. Matz said the recommendation of staff was that neither of the proposed parklands policies meets the threshold review decision criteria and should not be moved forward into the work program. Both intend restrictions to the City Council's legislative authority and would restrict the Council from engaging in contract execution. That is a matter of law rather than policy.

In the case of Parkland #1, the applicant has suggested that the implementation efforts around the East Link Memorandum of Agreement have violated the rules about how the city can act in disposing of park property. That question is not appropriate for a Comprehensive Plan amendment. Staff does not believe they can provide a reasonable review of the proposals because they imply statutory changes to the relationship between the city, an issuing jurisdiction, and taxpayers, whose taxes are pledged to the payment of bonds. One issue raised by the application is that the stipulation around the issuance of bonds to buy park property in the first place should be differently regulated through new policy, which gets back to the concern of interfering with the Council's legislative authority to enter into and implement contracts.

With regard to significantly changed conditions, Mr. Matz said Policy PA-37 in the Parks Element has been in place since 1974 and has been implemented with regard to the city's review procedures for park and parkland uses. There has been no unanticipated consequence or significantly changed condition warranting a policy review. The proposal is inconsistent with the larger policy framework of the general Comprehensive Plan as well as the Countywide Planning Policies in the Growth Management Act.

Parkland #2, which calls for zoning parkland with a Park zone, carries with it the implication that existing policies need restrictions. That was not tested in the recent Comprehensive Plan update. The Comprehensive Plan already designates publicly owned lands with a P or PF.

Chair Hilhorst asked why the Parks and Community Services Board was not involved. Mr. Matz explained that the proposal involves Comprehensive Plan amendments, which are addressed by the Commission. Should the amendments go forward to final review, the Parks and Community Services Board will have a role to play relative to reviewing and providing a recommendation to the Commission.

Commissioner deVadoss asked what the right forum would be to effect the proposed changes. Mr. Matz said as a matter of law, the issue would need to be submitted directly to the Council or by legal action.

Mary Smith, 1632 109th Avenue SE, spoke as applicant for the Parklands #2 application. She said she is one of the original members of the Save the Mercer Slough Committee that was instrumental in saving the land for Mercer Slough to become part of the Mercer Slough Nature Park. She said land for more parks is becoming scarce, and the city should treasure the parks it has. No one can see into the future and changes in use may be considered, it should be required that the public who paid for the parklands must be involved in any decision to change them. Parklands required through bond measures should remain parklands unless the public votes to change the usage. Any parklands used for six months or longer should be considered permanent consistent with state law. Parklands should have their own designation so citizens can be aware of zoning for parks only. Under extreme conditions where parks are to be used for non-park uses, the Comprehensive Plan should be amended appropriately. Parklands acquired through citywide bond measures should be prohibited from being used for non-park purposes unless such uses are approved through a citywide ballot measure. The use of any park property for non-park uses that exceeds the access for longer than a six-month duration should be deemed permanent and should require approval by the city Parks and Community Services Board and the City Council. City owned park lands should be designated as such in the Comprehensive Plan and zoned with a Park zoning designation, limiting solely to active and passive recreation and open space. Prior to using any dedicated public park land for non-recreational or open space use, the Comprehensive Plan should be amended and the property rezoned as a condition of such use.

Ms. Smith urged the Commission to move forward the parklands amendments so they can be addressed more fully.

All hands save one were raised in support.

A motion to open the public hearing for both parklands amendments was made by Commissioner Morisseau. The motion was seconded by Commissioner deVadoss and the motion carried unanimously.

Ms. Renay Bennett, 826 108th Avenue SE, provided the Commissioners with printed materials relative to the 1988 park bond. She explained that bond came about because citizens realized what was going on in the Mercer Slough and that there were a lot of developers wanting to develop in there. The focus was on saving the land for the future and the bond measure passed by almost 80 percent. The materials handed out also showed the trailhead just south of the park and ride, the Council agenda memorandum with the resolution passed to buy the Balitico property, and the statement that the site was selected as having the highest priority for land acquisition and the need for the property to maintain views of the Slough from Bellevue Way and to provide an appropriate entrance to the park. The Trust for Public Lands was involved in the process in that it purchased the property first with the intent of holding it until the park bond was approved. Now the Council has chosen to sell the land in order to pay for the downtown light rail tunnel, and the Trust for Public Lands was shocked to learn of it. The record includes a draft assessor report but

no final report for the Balitico property. The draft report describes the site as being unimproved with an R-1 zoning. The assessment also grossly underestimates the value of the site. Once the light rail project is completed, it will not be possible to see the Slough when coming off of I-90 because the structure will block it. Construction will require digging deep and dewatering the Slough. It is outrageous that the Council is able to sell parklands to pay for the downtown tunnel and to put a train in the Mercer Slough Nature Park. The issue is a moral one and the citizens who taxed themselves to pay for the land should have the right to decide whether or not the Council has the right to sell parklands. The Commission was urged to forward the proposed amendments into the work program.

All hands save one were raised in support.

Ms. Marianne Lee, 11627 SE 58th Street, suggested that the Newport Hills and the parklands issues are much the same in that they both address space for people. The Mercer Slough parklands were paid for by those who elected to tax themselves, in part to protect those lands and in part to give people space to enjoy. To have the lands be sold and drained is unthinkable. Even if the water returns, the ecosystem will be devastated. It will be a huge loss to the city and the environment.

Eight hands were raised in support.

Ms. Valarie Barber, 4644 121st Avenue SE, voiced concern over the fact that the issue was being addressed at such a late hour. She said the legalese thrown around by the staff was also concerning. The fact that people do not understand what is happening to the park is concerning. It is doubling concerning that staff have recommended against even studying the issue any further. People consider parks to be untouchable, especially where the funds to buy them were voted by the citizens. It should not be necessary to sue the city in order to preserve parkland. There should at the very least be a full review. The fact that the citizens do not understand what is happening, the fact that it will not be going forward for a full review, and the fact that the issue was addressed so late at night is concerning and will reflect poorly on the City Council. The Commission was urged to move the amendments forward for additional review and to bring the issue to light.

A motion to close the public hearings was made by Commissioner Morisseau. The motion was seconded by Commissioner deVadoss and the motion carried unanimously.

6. STUDY SESSION

Given the lateness of the hour, the Commission concluded to continue the study session on the five Comprehensive Plan amendments to another date.

7. PUBLIC COMMENT – None

8. ADJOURN

A motion to adjourn was made by Commissioner deVadoss. The motion was seconded by Commissioner Walter and the motion carried unanimously.

Chair Hilhorst adjourned the meeting at 10:57 p.m.

