

CITY OF BELLEVUE  
BELLEVUE PLANNING COMMISSION  
STUDY SESSION MINUTES

October 28, 2015  
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: Mike Kattermann, Emil King, Patti Wilma, Department of Planning and Community Development; Patricia Byers, Department of Development Services; Tom Kuykendall, Jacob Pederson, Department of Parks and Community Services

COUNCIL LIAISON: Councilmember Stokes

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER

The meeting was called to order at 6:34 p.m. by Chair Hilhorst who presided.

2. ROLL CALL

Upon the call of the roll, all Commissioners were present with the exception of Commissioner Carlson who arrived at 7:40 p.m.

3. APPROVAL OF AGENDA

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

4. PUBLIC COMMENT

Mr. Andrew Miller, 11100 Main Street, referred to the first page of the minutes of the September 23 meeting and noted that John L. Scott Real Estate is located the northwest corner of 112th Avenue SE and Main Street. He said a significant amount of the properties at that intersection are owned by his company BDR and John L. Scott Real Estate. Both companies share the vision that with some appropriate zoning the location would support a great transit-oriented

development and would serve as a gateway intersection having a mix of commercial, retail and residential uses.

Mr. Patrick Bannon, 400 108th Avenue NE, spoke as president of the Bellevue Downtown Association. He thanked the Commission for the work it is doing on the Downtown Livability Initiative. He said the BDA's land use and livability committee represents a fairly diverse group of property owners and managers, commercial real estate brokers, retail business owners, architects, attorneys and others, all of whom are customers of the downtown and as such know the market place very well. The committee is encouraged that the permitted use charts are being scrubbed as part of the process. The committee is in agreement that flexibility and permissiveness is needed. Several of the changes outlined in the Commission packet reflect what residents and visitors alike would warmly welcome as promoting downtown livability. However, a key concern has come up around editing and updating the tables and cleaning up the charts, and that is that there remains a potential risk of the criteria leading to outdated interpretations that would prevent viable uses that would otherwise fill vacancies. It will be vitally important for the Commission to pursue a mechanism around flexibility to allow for important consideration of the benefits of flexibility. The BDA desires to work with the Commission, the Council and the residents of the community to get it right the first time.

#### 5. COMMUNICATIONS FROM CITY COUNCIL, COMMUNITY COUNCILS, BOARDS AND COMMISSIONS

Councilmember Stokes commended the Commission for the work it has done to date regarding the Downtown Livability Initiative early wins. Downtown livability is a big issue that will take time to work through, but by tackling the early wins the community will see the city intends to work through the issues.

Councilmember Stokes said the upcoming joint meeting between the Commission and the City Council will be the first of its kind. The focus will be on the amenities incentive system, which is one very important element of the Downtown Livability Initiative. It will be a unique opportunity for the Commission and the Council to take a substantial look at a vitally important element of development in the downtown.

Calling attention to correspondence in the Commission packet received from an individual regarding the Northtowne Community Club and the issue of affordable housing, Councilmember Stokes pointed out that because it relates to a quasi-judicial process, it is not appropriate for the Council, the Commission or anyone associated with the city to comment on it.

Chair Hilhorst stated that Commissioners not able to attend an upcoming meeting should submit to staff any changes they have to the meeting minutes set for approval at the meeting from which they will be absent.

Chair Hilhorst said her intent is to make sure Commission meetings start on time at 6:30 p.m. and end by 8:30 p.m. She noted, however, that occasionally a meeting will run longer than expected and Commissioners should make themselves available to stay until 9:00 p.m. to avoid

the loss of a quorum as the meeting proceeds.

With regard to the discussion at the Commission retreat about public comment, Chair Hilhorst noted that historically the Commission has asked questions of the speakers. Going forward, questions Commissioners have of speakers should be addressed to the Chair who will determine the best way to follow-up in getting an answer to the questions.

## 6. STAFF REPORTS

Senior Planner Mike Kattermann reminded the Commissioners about the upcoming cultural competence training sessions. He noted that two Commissioners have signed up for the December 12 session and added that there is still time to sign up for that session.

Mr. Kattermann reported that Strategic Planning Manager Emil King has been working with the state Department of Commerce to schedule a planning commissioner short course training session on March 2. He asked the Commissioners to put that date on their calendars.

Mr. Kattermann took a few minutes to explain the role of Citizen Advisory Committees (CAC) and how it meshes with the role of the Commission. He said CACs are appointed by the Council and are usually project specific with a limited charge and a limited time spelled out at the time they are established. The CAC process is one of the best ways to facilitate ongoing stakeholder involvement. Typically, CAC members are chosen because they have a representative stake in the particular subject. CACs generally work at a very high level and avoid getting into the minute details the Commission generally addresses in terms of developing code, specific design standards and regulations. The exception to that rule is the East Link Light Rail Permitting CAC that is charged with looking at specific code applications.

The recommendations of CACs are forwarded to the Council, and the work subsequently taken up by the Commission is at the direction of the Council. The Commission flushes out the code or policy issues. By way of example, Mr. Kattermann noted that the Light Rail Best Practices CAC was established several years ago to look at light rail development from around the country and how cities have dealt with the issue. A set of recommended Comprehensive Plan policies came out of the work of the CAC. They were sent to the Council which in turn sent them to the Commission to review and make sure the policies fit within the overall context. Once the work of a CAC is done, their work is ended and it is up to the Council and the Commission take their work in all good faith, look at it in the greater context, and make a recommendation back to the Council. Currently, the work of the East Main Station Area CAC is underway. One thing they are charged with is looking at redevelopment on the east side of 112th Avenue SE. They are working at the vision level and are focused on types of uses rather than specific land uses. It will ultimately be up to the Commission to decide what should be recommended to the Council with regard to specific land uses. In all instances, the Council has the last word.

Commissioner deVadoss asked how long CACs serve. Mr. Kattermann answered that it all depends on the project. Sometimes there is direction given to a CAC to complete their work within a specific time, and most operate for between one and two years depending on the

complexity of the issues on which they are focused. Commissioner deVadoss suggested it would be helpful for CACs to include along with their overall recommendations a list of early wins they identified. Mr. Kattermann said in some cases that might be a good approach, but it would depend what they are working on.

Chair Hilhorst thanked staff for the clarification and noted that as outlined once a CAC completes its work, individual members wanting to follow the process through to its ultimate end will need to work on their own initiative since the city will not be calling them back together to provide regular updates.

Commissioner Laing commented that he served as co-chair of the Downtown Livability Initiative CAC. He admonished the Commissioners to look back at the report published by the CAC at the conclusion of its work. He informed the Commissioners that in May he sent to Councilmember Stokes an email in which he identified from the CAC's final report several items the group had been unanimous in recommending. The suggestion was made in the email that those items represented low-hanging fruit that could be moved forward and adopted/acted on by the Commission and the Council very quickly.

## 7. DRAFT MINUTES REVIEW

### A. September 9, 2015

Chair Hilhorst noted that there are several references in the minutes in which the minutes taker notes an answer to a question without indicating what the question was. She said she would like the questions to be stated for purposes of clarity.

A motion to approve the minutes as submitted was made by Commissioner Laing. The motion was seconded by Commissioner deVadoss and the motion carried unanimously.

### B. September 23, 2015

Calling attention to the first page and the comments made by Mr. McBride, Chair Hilhorst asked that the minutes be amended to indicate that John L. Scott Real Estate is located on the northwest corner of the intersection of Main Street and 112th Avenue SE.

A motion to approve the minutes as amended was made by Commissioner Laing. The motion was seconded by Commissioner Barksdale and the motion carried without dissent; Commissioners Laing and deVadoss abstained from voting as they had not been present at the meeting.

### C. October 14, 2015

A motion to approve the minutes as submitted was made by Commissioner Laing. The motion was seconded by Commissioner deVadoss and the motion carried without dissent; Commissioners Laing and Morisseau abstained from voting as they had not been present at the

meeting.

## 8. STUDY SESSION

### A. Downtown Livability

Code Development Manager Trish Byers said the Downtown Livability Initiative CAC worked diligently to come up with a vision for what the downtown should look like and what makes it more livable. The role of the Commission is to take the broad ideas from the CAC and boiling them down into code language the Council can work with. The early wins are merely a subset of the overall project.

Ms. Byers briefly reviewed the work done by the Commission to date. She said the Commissioners agreed the downtown should continue to be a vibrant mixed use center. To that end there was agreement the pedestrian environment should be enhanced, that the area should be improved as a residential setting, and that the identity and character of the downtown neighborhood should be enhanced.

The Commissioners were reminded that the work to update the Comprehensive Plan included a change to the legal description of the boundary of the downtown. Strategic Planning Manager Emil King explained that the boundary line was expanded in very small portions in three areas around Old Bellevue and the east side of Main Street. Additionally, the old description in the Zoning Code along I-405 specifically referenced the center of the freeway, but those who write legal descriptions were not able to clearly see what that meant, so a more legally definable boundary description was drafted.

With regard to street trees and planter strips, Ms. Byers said the goal is to enhance the pedestrian experience and to reduce damage to sidewalks by providing healthier trees. Roots that do not have sufficient room tend to buckle sidewalks, triggering a public safety issue and the need for repairs. The Land Use Code section relative to street trees has not been updated for some time. Parks has been working to update the tree species list. They have also proposed increasing the tree pit size. Tree spacing is currently at 25 feet and the suggestion is to make that 20, 25 and 30 feet depending on the size of the trees at maturity. The width of planter strips should be five feet rather than four feet to give the trees more room, and the minimum caliber of trees should be reduced from three inches to two and a half inches because trees that are smaller at the time of planting do better over time. Installation should be carried out in accord with the best management practices put in place by Parks. Permanent irrigation should also be installed at the time of planting.

There are a number of provisions in the Comprehensive Plan that relate to trees. There are provisions regarding Bellevue as a city in a park. There is also a policy calling for a 40 percent tree canopy citywide, which far exceeds the less than eight percent that is currently in the downtown. One provision calls for providing appropriate street tree species and providing adequate rooting space. Another provision references trees as a way to give identity and continuity to street corridors. The CAC's final report also suggested adding landscaping and

green elements along the pedestrian corridor, including trees. Street trees serve several functions. They provide a buffer between pedestrians and traffic; they provide shade; they reduce the percentage of impervious surfaces; and they are pleasant to look at.

The old tree palette for downtown street trees was drafted in 1998 and was updated in 2007. The new trees on the list were selected because they had tested better for disease resistance and were more suitable for the urban environment. Additionally, the updated list included species that are readily available at local nurseries, and was written to be as consistent as possible with the trees that already have been planted in the downtown area.

Ms. Byers informed the Commissioners that between January and September the city spent more than \$360,000 to effect sidewalk repairs citywide. Ninety-five percent of the repairs were triggered by tree root problems.

Currently the tree spacing requirement is 25 feet, and that is for every kind of tree. The proposal is to change that to 20, 25 and 30 depending on the side of the tree at maturity. Additionally, the suggestion is to increase the size of planter strips to allow for more room for trees and their roots.

The Commissioners were shown a map indicating the location of the planter strips suggested in the Downtown Transportation Plan, the Downtown Livability Initiative CAC report, and the code as it currently exists. Ms. Byers noted that tree pits, which are trees with grates, were shown in the downtown core, Old Bellevue, and along 108th Avenue NE. As part of the early wins process, those areas will be required to create planter strips rather than tree pits.

Tom Kuykendall with Parks explained that in general young trees bounce back from the shock of replanting quicker than older trees. Parks has found trees with a diameter of 2.5 inches do the best. Within about three years they will be as tall as three-inch trees planted at the same time, and from there on they actually grow faster. The root ball for a three-inch tree will not fit in a four-foot planter, making it necessary to shave off the sides of the root ball, which stresses the tree.

Ms. Byers said the proposal with respect to street trees is that they be planted in accord with the Park's environmental best management practices.

Mr. Kuykendall noted that most developers elect to install permanent irrigation systems as part of their landscaping. The downtown environment is no longer a natural environment. There are lots of hard spaces, very little room for rain to percolate, and there are wind tunnel situations that form, all of which makes for a hostile environment for trees and other plants. Absent permanent irrigation, they dry out very quickly.

Commissioner Laing asked if permanent irrigation systems help keep tree roots from coming up toward the surface. Mr. Kuykendall said that is indeed the case. He added that in addition to having permanent irrigation, it is vitally important to use it correctly. In order to keep roots from coming up toward the surface, the watering should be done infrequently but very deep.

Commissioner deVadoss asked if it will be necessary to retrofit permanent irrigation for existing

street trees that do not have it. Ms. Byers said the new requirements would apply only to new development; they will not be required of existing installations.

Community Development Manager Patti Wilma commented that there are some street trees with tree grates that were installed 25 years ago that do not have irrigation. Many of them are associated with properties that are likely to redevelop, and when that occurs the new regulations would apply.

Answering a question asked by Commissioner Morisseau about the proposed tree spacing, Jacob Pederson with Parks said the recommended spacing is all about being more efficient with the space in the downtown. The ultimate size of trees at maturity is very predictable both under ideal conditions and in urban locations. Allowing for some flexibility in tree spacing will make it easier for landscape architects to site trees in conjunction with all the other components of the streetscape.

Commissioner Morisseau asked if it would be possible to have a big tree that based on its species will not require a spacing of 25 feet. Mr. Kuykendall said one way to get to that point is to consider the overall tree canopy. If large trees are planted fairly close together, their canopies will merge. That can be a desired approach. The idea behind the proposed approach is to give the landscape architects flexibility to meet both his design needs and the code requirements. Ms. Byers added that the proposal includes the possibility for minor modifications from the requirements. For instance, where there is a legacy tree that has been where it is for a very long time and is large enough to require building around it, the tree can be saved by utilizing minor modifications.

Ms. Byers noted that the list of early wins includes making weather protection a development requirement. The Downtown Livability Initiative CAC recommended weather protection for between 50 and 75 percent of building faces on most streets and along the pedestrian corridor; for the perimeter streets, weather protection would be required over building entries.

Commissioner Laing commented that weather protection was on the list he circulated along with extending the pedestrian corridor to the east and rezoning the DT-OLB district along 112th Avenue NE and I-405 by extending the existing zoning on the west side of the district to the freeway. All three issues were unanimously recommended by the Downtown Livability Initiative CAC.

Commissioner deVadoss asked if the weather protection requirement would apply only to new development or to existing development as well. Ms. Wilma said changes to code apply only to new development, unless there is a special provision included that applies the changes retroactively. Commissioner deVadoss asked how comparable cities have approached the issue of weather protection. Ms. Wilma said weather protection is required by many cities, especially in high-pedestrian areas. It is required more often than it is incentivized. Under the current code, weather protection is recommended but is only incentivized.

Commissioner Laing said it is shocking that Bellevue does not already require weather

protection in line with what most other cities do, particularly in western Washington. The CAC was actually surprised to learn that weather protection is not outright required.

Commissioner Morisseau asked what incentives exist for developers to include weather protection. Ms. Wilma said they earn bonus square footage by including it in their projects. Commissioner Morisseau asked if the city also offers incentives for developers who use rainwater in their irrigation systems. Ms. Wilma said that is in fact a requirement.

There were no objections to the notion of extending the pedestrian corridor to the east as proposed by the Downtown Livability Initiative CAC, and there was consensus to moving that issue forward along with the weatherization issue.

With regard to rezoning the DT-OLB district as proposed by the Downtown Livability Initiative CAC, Chair Hilhorst said her opinion was that the action felt quite different and much bigger from the other items.

Commissioner Laing said the CAC in studying the issue concluded that the OLB district in question is the face of the downtown from the freeway. In talking about a vision for the future of the downtown, the CAC agreed the area as currently developed evokes more of an image of a bygone era rather than an iconic skyline. From the freeway into the downtown there is a fairly significant difference in elevation, and the thinking of the CAC was that simply taking the zoning on the west side of 112th Avenue NE and extending it all the way to the freeway would make sense. Building height would not be impactful given the lower elevation, and increased density in terms of traffic would be far less of a concern given good access to the freeway and the coming light rail stations. He reminded the Commission that the Downtown Livability Initiative CAC process kicked off in the spring of 2013 and was initially envisioned as being a relatively short study. While it took longer than first anticipated, the thinking was that recommendations along the lines of the early wins could actually come to fruition during the current development cycle. Commissioner Laing added that the concern voiced by staff about allowing increased height in the DT-OLB could obstruct the view corridor from City Hall toward Mt. Rainier.

Mr. King said the CAC had a robust and supportive discussion about re-envisioning the DT-OLB district and potentially allowing more height in the area between 112th Avenue NE and the freeway from Main Street to NE 8th Street. He suggested there would be benefit in taking a little more time to make sure any changes are done right. In addition to the view issue, there are a host of design guidelines that should be refreshed, including the required 20-foot setback from 112th Avenue NE that dictates a suburban style. There are also tower spacing issues to be addressed. The CAC recommended examining up to a certain height and certain FAR, but like all the other zones in the downtown, homework needs to be done to determine exactly what amount of height and density makes sense.

Chair Hilhorst said the apparent complexities involved will need to be thoroughly investigated, something that cannot be accomplished in time to include the issue in the list of early wins. She said she would not object to tackling the DT-OLB zone first going forward.



Commissioner Laing concurred. On behalf of the CAC and the stakeholders involved, some of whom continue to reach out to him, he said it was disappointing to be finally taking up the issue a full year after the group published its report. He said he recognized, however, that the delay should not be viewed as a criticism of the staff, rather it is something triggered by how full the Council's and the Commission's plates have been with other issues. Ultimately it will be a win for all involved if the city honors the investment the stakeholders put into the process.

Mr. King briefly reviewed the schedule and agendas for upcoming Commission meetings, including the joint meeting with the Council on November 9 and the public hearing for the early win topics on December 9.

9. PUBLIC COMMENT

Ms. Katherine Hughes, 10203 NE 31st Place, allowed that she would not be able to speak directly to the Commission about the specifics involved in the rezone of the St. Luke's property in Northtowne. She noted, however, that Northtowne has been asking for a subarea plan for more than a year. At first the residents were told the area has been put on a list, but now that the complexities involved with the Downtown Livability Initiative are clear, the list has gone away. Northtowne is stymied in terms of how to work within the system to effect some changes that have to do with redevelopment. The neighborhood has highlighted as its three biggest concerns pedestrian and vehicle safety, and speed on Bellevue Way. Speeding is happening but it is not being addressed. The big house issue is something the residents are having to live with. The loss of tree canopy is another issue facing the neighborhood. The issues could be addressed through a subarea plan, and that work should go forward as soon as possible. The speed limit on Bellevue Way should be lowered to 30 miles per hour, particularly since there is only one stoplight in a three-mile stretch.

10. ADJOURN

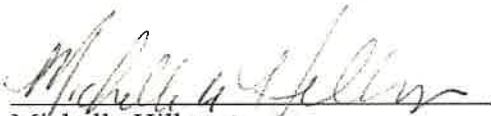
A motion to adjourn was made by Commissioner Laing. The motion was seconded by Commissioner Walter and the motion carried unanimously.

Chair Hilhorst adjourned the meeting at 8:04 p.m.



Michael Kattermann  
Staff to the Planning Commission

1-13-2016  
Date



Michelle Hilhorst  
Chair of the Planning Commission

1/13/2016  
Date

