

2016 PLANNING COMMISSION



BELLEVUE

Meeting
4:30 pm July 27

Location

Commission meetings are held in the Council Conference Room unless otherwise posted.

Public Access

All meetings are open to the public and include opportunities for public comment.

425-452-6800
planningcommission@bellevuewa.gov

www.bellevuewa.gov

JULY 27



Bellevue Planning Commission

AGENDA

Regular Meeting

July 27, 2016

4:30 PM - Regular Meeting - PLEASE NOTE THE EARLIER START TIME

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

4:30 PM – 4:35 PM	Call to Order	
4:35 PM – 4:40 PM	Roll Call	
4:45 PM – 4:50 PM	Approval of Agenda	
4:50 PM – 5:00 PM	Public Comment	
5:00 PM – 6:00 PM	Study Session	1
	A. Proposed Land Use Code Amendments – Eastgate/I-90 Land Use and Transportation Project	
	Land Use Code Amendments Patricia Byers, Code Writing Manager, Development Services Department Terry Cullen, Comprehensive Planning Manager, Planning & Community Development <i>To deliberate, take action and make a recommendation to City Council.</i>	
6:00 PM – 6:30 PM	Break	
6:30 PM – 7:30 PM	Public Hearing Low Impact Development Principles Project	31
	<i>Proposed code amendments to implement the Low Impact Development Principles Project will be discussed.</i> Category: Land Use Code Amendments	



Bellevue Planning Commission

Staff: Catherine Drews, Assistant City Attorney, City Legal Dept.

Staff: Paul Bucich, Assistant Director of Engineering, Utilities Dept.

To take testimony from the public on this project.

7:30 PM – 8:30 PM

Study Session
Low Impact Development Principles Project

Proposed code amendments to implement the Low Impact Development Principles Project will be discussed.

Category: Land Use Code Amendments

Staff: Catherine Drews, Assistant City Attorney, City Legal Dept.

Staff: Paul Bucich, Assistant Director of Engineering, Utilities Dept.

To deliberate, take action and make a recommendation to City Council.

8:30 PM – 9:30 PM

Study Session
Downtown Livability

115

Update on incentive zoning work, remaining height and form issues, and transportation-related policy amendments to Downtown Subarea Plan

Category: Land Use Code Amendments

Staff: Emil King AICP, Strategic Planning Manager, Planning & Community Development Dept.

Staff: Kevin McDonald AICP, Senior Transportation Planner, Transportation Dept.

To continue study.

9:30 PM – 9:35 PM

Communications from City Council, Community Council, Boards and Commissions

9:35 PM – 9:40 PM

Staff Reports

9:40 PM – 9:55 PM

Draft Minutes Review

June 1, 2015



Bellevue Planning Commission

June 8, 2015

June 15, 2015

June 22, 2015

July 13, 2015

9:55 PM – 10:00 PM Public Comment

10:00 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

Emil King, Strategic Planning Manager 425-452-7223

Janna Steedman, Administrative Services Supervisor 425-452-6868

Kristin Gullledge, Administrative Assistant 425-452-4174

** 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).*

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Chapter 20.20 General Development Requirements.

20.20.010 Uses in land use districts dimensional requirements.

Chart 20.20.010

Uses in land use districts Dimensional Requirements

LAND USE CLASSIFICATION	RESIDENTIAL										
	R-1	R-1.8	R-2.5	R-3.5	R-4	R-5	R-7.5*	R-10	R-15	R-20	R-30
DIMENSIONS	(43)	(43)	(43)	(43)	(43)	(43)	(43)				
...											
Maximum Lot Coverage by Structures (percent) (13) (14) (16) (26) (27) (37) (39)	35	35	35	35	35	40	40	35	35	35	35
Maximum Impervious Surface (percent) (35) (37) (39) (50)	<u>5040</u> (36)	<u>5040</u> (36)	<u>5040</u> (36)	<u>5040</u> (36)	<u>5040</u> (36)	<u>5545</u> (36)	<u>5545</u> (36)	<u>8060</u>	<u>8060</u>	<u>8060</u>	<u>8060</u>
Maximum Hard Surface Coverage (percent) (37) (39) (49) (50)	<u>50</u>	<u>50</u>	<u>50</u>	<u>50</u>	<u>50</u>	<u>55</u>	<u>55</u>	<u>80</u>	<u>80</u>	<u>80</u>	<u>80</u>

[...]

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[...]

Uses in land use districts Dimensional Requirements

LAND USE CLASSIFICATION	Professional Office		Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Mixed Use	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
	PO	O	OLB	OLB 2	LI	GC	NMU	NB	CB	F1	F2	F3	
...	(21)	(21)	(21)	(21)	(21)	(21)	(21)	(21)	(21)	(21)	(28)	(21, 31)	(21, 32)
Maximum Lot Coverage by Structures (percent) (13) (14) (16)	35 (24)	35 (24)	35 (24)	35	50		35	35 (24)				35 (24)	40 (24)
Maximum Impervious Surface (percent) (35) (37) (50)	80 80	80 80	80 80	80 80	85 85	85 85	80 80	80 80	80 80	85 85		80 80	80 80
Maximum Hard Surface Coverage (37) (49) (50)	80	80	80	80	85	85	80	80	85	85		80	80

[...]

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[...]

- (13) Lot coverage is calculated after subtracting all critical areas and stream critical area buffers; provided, that coal mine hazards (20.25H.130) and habitat associated with species of local importance (20.25H.150) shall not be subtracted.
- (14) Maximum lot coverage by structures is determined after public right-of-way and private roads are subtracted from the gross land area.

[...]

- (16) Exceptions to Lot Coverage. Although not considered structures for purposes of calculating lot coverage, the following may be considered impervious surfaces subject to the impervious surface limits. See LUC 20.20.460 and 20.50.026.
 - (a) Underground buildings as defined in LUC 20.50.050 are not structures for the purpose of calculating lot coverage.
 - (b) Buildings constructed partially below grade and not higher than 30 inches above existing or finished grade, whichever is lower, are not structures for the purpose of calculating lot coverage subject to the following conditions:
 - (i) The 30-inch height limit must be met at all points along the building excluding those areas necessary to provide reasonable ingress and egress to the underground portions of the building; and
 - (ii) The rooftop of the building shall be screened from abutting properties with 10 feet of Type II landscaping as described in LUC 20.20.520.G.2 except that the required trees shall be a minimum of 10 feet in height at planting; or, if a use is proposed for the rooftop, the rooftop may be landscaped consistent with the planting requirements for the specific use that is proposed and for the land use district in which the use is located. All landscaping shall comply with standards set forth in LUC 20.20.520. The provisions of LUC 20.20.520.J (Alternative Landscaping Option) are applicable.

[...]

- (26) See LUC 20.20.125 for specific requirements applicable to detached accessory structures.
- (27) Lot coverage for schools located in residential land use districts is limited to 35 percent of the site area (refer to LUC 20.20.740).

[...]

- (35) See LUC 20.20.460 for exceptions and performance standards relating to impervious surface.
- (36) Impervious surface limits for legally established nonconforming nonresidential uses and for new allowed nonresidential uses in these residential land use districts shall be 80 percent.

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(37) Maximum hard surface, maximum impervious surface and maximum lot coverage by structures are independent limitations on allowed development. All areas of lot coverage by structures are included in the calculation of total maximum impervious surface, unless such structures are excepted under LUC 20.20.460. All areas of impervious surface coverage shall be included in the calculation of total maximum hard surface coverage.

[...]

(49) See LUC 20.20.425 for exceptions and performance standards relating to hard surfaces.

(50) Where the use of permeable pavement is determined to be infeasible using the infeasibility criteria in the 2014 Department of Ecology Stormwater Management Manual for Western Washington, now or as hereafter amended, the maximum impervious surface coverage may be exceeded, up to the maximum hard surface coverage allotment.

[...]

20.20.025 Intrusions into required setbacks.

[...]

F. LID Elements. Where feasible, LID BMPs such as bioretention facilities may be located within setbacks required in LUC 20.20.010, provided they conform to the setback requirements in the City of Bellevue Storm and Surface Water Engineering Standards.

[...]

20.20.425 Hard surface.

A. Purpose.

Limits on the total amount of hard surfaces associated with site development are desirable to minimize vegetation loss and limit stormwater runoff, which are impacted by the increased level of surface flow generated by hard surfaces. Live plant foliage and groundcover intercept stormwater by retaining or slowing the flow of precipitation to the ground, and their plant roots protect soil from erosion. Preserving naturally vegetated areas is a passive stormwater management tool that effectively reduces watershed function deterioration.

B. Applicability.

Hard surfaces are defined in LUC 20.50.024, and shall include all surfaces considered impervious under LUC 20.20.460, as well as permeable pavement surfaces and vegetated roofs. The hard surface limits contained in LUC 20.20.010 and the standards of this section, shall be imposed any time a permit, approval, or review including land alteration or land development including subdivisions, short subdivisions or planned unit developments, a change in lot coverage, or a

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change in the area devoted to parking and circulation is required by this Code, or by the International Building Code.

C. Modifications to Hard Surface Limits.

The hard surface limits contained in LUC 20.20.010 and Chapter 20.25 LUC may be modified pursuant to a critical areas report, LUC 20.25H.230, so long as the critical areas report demonstrates that the effective impervious surface on the site does not exceed the limit established in LUC 20.20.010 and Chapter 20.25 LUC.

1. Garages on sites sloping uphill should be placed below the main floor elevation where feasible to reduce grading and to fit structures into existing topography. Garages on sites sloping downhill from the street may be required to be placed as close to the right-of-way as feasible and at or near street grade. Intrusion into the front setback, as provided in LUC 20.20.025.B, may be required. On slopes in excess of 25 percent, driveways shall be designed to minimize disturbance and should provide the most direct connection between the building and the public or private street; and
2. Changes in existing grade outside the building footprint shall be minimized. Excavation shall not exceed 10 feet. Fill shall not exceed five feet subject to the following provisions: all fill in excess of four feet shall be engineered; and engineered fill may be approved in exceptional circumstances to exceed five feet to a maximum of eight feet. Exceptional circumstances are: (1) instances where driveway access would exceed 15 percent slope if additional fill retained by the building foundation is not permitted; or (2) where the five-foot fill maximum generally is observed but limited additional fill is necessary to accommodate localized variations in topography.

D. Exemptions.

The following are exempted from determining maximum hard surface. These exemptions do not apply to any other Land Use Code requirement, including setbacks and limits on maximum lot coverage by structure, building code, utilities code or other applicable City of Bellevue codes or regulations.

1. Decks/Platforms. Decks and platforms constructed with gaps measuring one-eighth inch or greater between boards, so long as the surface below the deck or platform is pervious;
2. Rockeries/Retaining Walls. Rockeries and retaining walls shall be exempt from the maximum hard surface limits;
3. Stabilization Measures. Shoreline stabilization measures shall be exempt from the maximum hard surface limits; and
4. Landscape Features. Fences, arbors with lattice or open roof materials and similar structures, individual stepping stones placed in the ground but not interlocking, cemented or held together with an impervious material, and organic mulch shall be exempt from the maximum hard surface limits.

E. Performance Standards.

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1. Design shall minimize topographic modification. Structures shall conform to the natural contour of the slope. The foundation shall be tiered to conform to the existing topography and step down the slope with earth retention incorporated into the structure where feasible. Standard prepared building pads, i.e., slab on grade, shall be avoided; and
 2. Garages on sites sloping uphill should be placed below the main floor elevation where feasible to reduce grading and to fit structures into existing topography. Garages on sites sloping downhill from the street may be required to be placed as close to the right-of-way as feasible and at or near street grade. Intrusion into the front setback, as provided in LUC 20.20.025.B, may be required. On slopes in excess of 25 percent, driveways shall be designed to minimize disturbance and should provide the most direct connection between the building and the public or private street; and
 3. Changes in existing grade outside the building footprint shall be minimized. Excavation shall not exceed 10 feet. Fill shall not exceed five feet subject to the following provisions: all fill in excess of four feet shall be engineered; and engineered fill may be approved in exceptional circumstances to exceed five feet to a maximum of eight feet. Exceptional circumstances are: (1) instances where driveway access would exceed 15 percent slope if additional fill retained by the building foundation is not permitted; or (2) where the five-foot fill maximum generally is observed but limited additional fill is necessary to accommodate localized variations in topography.
- F. Maintenance and Assurance.
1. Pervious pavement and other hard surface techniques designed to mimic shall be designed by a professional engineer licensed by the State of Washington and the plans are approved by the Director. The Director may require a maintenance plan and long-term performance assurance device to ensure the continued function of the pervious pavement or other technique.
- G. Existing Hard Surfaces.
1. Hard surfaces legally established on a site prior to [INSERT EFFECTIVE DATE], and which exceed the limits set forth in LUC 20.20.010 and Chapter 20.25 LUC shall not be considered nonconforming. Proposals to increase hard surface on a site shall conform to the limits of LUC 20.20.010 and Chapter 20.25 LUC; where a site already exceeds the allowed amount of hard surface, the additional hard surface shall not be approved unless an equal amount of existing hard surface is removed such that the net amount of hard surface is unchanged.

[...]

20.20.460 Impervious surface.

A. Purpose.

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Limits on the total amount of impervious surfaces associated with site development are desirable to protect critical areas and limit stormwater runoff, which are impacted by the increased levels and rates of surface flow generated by impervious surfaces.

B. Applicability.

The impervious surface limits contained in LUC 20.20.010 and Chapter 20.25 LUC, and the standards of this section, shall be imposed any time a permit, approval, or review including land alteration or land development including subdivisions, short subdivisions or planned unit developments, a change in lot coverage, or a change in the area devoted to parking and circulation is required by this Code, or by the International Building Code.

C. Modifications to Impervious Surface Limits.

The impervious surface limits contained in LUC 20.20.010 and Chapter 20.25 LUC may be modified pursuant to a critical areas report, LUC 20.25H.230, so long as the critical areas report demonstrates that the effective impervious surface on the site does not exceed the limit established in LUC 20.20.010 and Chapter 20.25 LUC.

1. Garages on sites sloping uphill should be placed below the main floor elevation where feasible to reduce grading and to fit structures into existing topography. Garages on sites sloping downhill from the street may be required to be placed as close to the right-of-way as feasible and at or near street grade. Intrusion into the front setback, as provided in LUC 20.20.025.B, may be required. On slopes in excess of 25 percent, driveways shall be designed to minimize disturbance and should provide the most direct connection between the building and the public or private street; and
2. Changes in existing grade outside the building footprint shall be minimized. Excavation shall not exceed 10 feet. Fill shall not exceed five feet subject to the following provisions: all fill in excess of four feet shall be engineered; and engineered fill may be approved in exceptional circumstances to exceed five feet to a maximum of eight feet. Exceptional circumstances are: (1) instances where driveway access would exceed 15 percent slope if additional fill retained by the building foundation is not permitted; or (2) where the five-foot fill maximum generally is observed but limited additional fill is necessary to accommodate localized variations in topography.

D. Exemptions.

The following are exempted from determining maximum impervious surface. These exemptions do not apply to any other Land Use Code requirement, including setbacks and limits on maximum lot coverage by structure, building code, utilities code or other applicable City of Bellevue codes or regulations.

1. Decks/Platforms. Decks and platforms constructed with gaps measuring one-eighth inch or greater between boards, so long as the surface below the deck or platform is pervious;
2. Rockeries/Retaining Walls. Rockeries and retaining walls shall be exempt from the maximum impervious surface limits;

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3. Stabilization Measures. Shoreline stabilization measures shall be exempt from the maximum impervious surface limits; and
 4. Landscape Features. Fences, arbors with lattice or open roof materials and similar structures, individual stepping stones placed in the ground but not interlocking, cemented or held together with an impervious material, and gravel mulch shall be exempt from the maximum impervious surface limits.
- E. Performance Standards.
1. Design shall minimize topographic modification. Structures shall conform to the natural contour of the slope. The foundation shall be tiered to conform to the existing topography and step down the slope with earth retention incorporated into the structure where feasible. Standard prepared building pads, i.e., slab on grade, shall be avoided; and
 2. Garages on sites sloping uphill should be placed below the main floor elevation where feasible to reduce grading and to fit structures into existing topography. Garages on sites sloping downhill from the street may be required to be placed as close to the right-of-way as feasible and at or near street grade. Intrusion into the front setback, as provided in LUC 20.20.025.B, may be required. On slopes in excess of 25 percent, driveways shall be designed to minimize disturbance and should provide the most direct connection between the building and the public or private street; and
 3. Changes in existing grade outside the building footprint shall be minimized. Excavation shall not exceed 10 feet. Fill shall not exceed five feet subject to the following provisions: all fill in excess of four feet shall be engineered; and engineered fill may be approved in exceptional circumstances to exceed five feet to a maximum of eight feet. Exceptional circumstances are: (1) instances where driveway access would exceed 15 percent slope if additional fill retained by the building foundation is not permitted; or (2) where the five-foot fill maximum generally is observed but limited additional fill is necessary to accommodate localized variations in topography.
- F. Existing Impervious Surfaces.
- Impervious surfaces legally established on a site prior to **August 1, 2006**, and which exceed the limits set forth in LUC 20.20.010 and Chapter 20.25 LUC shall not be considered nonconforming. Proposals to increase impervious surface on a site shall conform to the limits of LUC 20.20.010 and Chapter 20.25 LUC; where a site already exceeds the allowed amount of impervious surface, the additional impervious surface shall not be approved unless an equal amount of existing impervious surface is removed such that the net amount of impervious surface is unchanged.
- G. Innovative Techniques.
- Surfaces paved with ~~pervious permeable~~ pavement or other innovative techniques designed to mimic the function of a pervious surface shall not be included in the calculation of impervious surface areas. These surfaces, however, they shall be included in the calculation of maximum hard surface areas, but not including the exemptions listed in LUC 20.20.425.C. so long as the technique

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~~is designed by a professional engineer licensed by the State of Washington and the plans are approved by the Director. The Director may require a maintenance plan and long term performance assurance device to ensure the continued function of the pervious pavement or other technique.~~

[...]

20.20.590 Parking, circulation, and walkway requirements.

[...]

K. Parking Area and Circulation Improvements and Design

[...]

8. Internal Walkways

[...]

- c. Design Criteria. Except as otherwise specified in Part 20.25A LUC, internal walkways provided pursuant to this section must be designed and installed in conformance with the following:
 - i. Surface Materials. Internal walkways must be paved with hard-surfaced material such as concrete, asphalt, stone, brick, tile, pervious pavement, etc. Only nonskid paving may be used in walkways construction.

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Chapter 20.25 Special and Overlay Districts

Part 20.25A Downtown

[...]

20.25A.060 Walkways and sidewalks.

A. Walkways and Sidewalks – Perimeter.

1. Minimum Width.

- a. The minimum width of perimeter walkway or sidewalk on the streets identified in this paragraph is 16 feet plus a 6-inch curb. Included within that 16 feet and adjacent to the curb, there shall be a planter strip or tree pit as prescribed by Plate A of this section:
 - i. NE 6th between 110th Avenue NE and 112th Avenue NE; and
 - ii. 106th Avenue NE between NE 4th and NE 8th; and
 - iii. 108th Avenue NE between NE 4th and NE 8th; and
 - iv. 110th Avenue NE between NE 4th and NE 8th; and
 - v. Bellevue Way between Main and NE 12th; and
 - vi. NE 4th between 100th Avenue NE and 112th Avenue NE; and
 - vii. NE 8th between 100th Avenue NE and 112th Avenue NE.
- b. Along any other street not listed in subsection A.1.a of this section, the minimum width of a perimeter walkway or sidewalk is 12 feet plus a 6-inch curb. Included in that 12 feet and adjacent to the curb, there shall be a planter strip or tree pit as prescribed in Plate A of this section.
- c. Within the width of the walkway or sidewalk, at least six feet of unobstructed travel path shall be maintained for safe pedestrian access.

d. Planter Strips and Tree Pits.

Planter strips shall be at least five feet wide and as long as the street frontage, excluding curb cuts, driveways and spacing for utilities. Planter strips and tree pits shall be located adjacent to the curb unless precluded by existing utilities which cannot be reasonably relocated. Tree pits ~~may~~ shall be covered with protective grates or pavers. Where stormwater facilities are used in conjunction with tree pits, removable grates shall be utilized.

2. Street Trees and Landscaping – Perimeter.

- a. Tree Species. The property owner shall install street trees, in addition to any landscaping required by LUC 20.25A.040, according to the requirements of Plate B of this section as now or hereafter amended and this section.

Comment [BP1]: New code language from Downtown Livability early wins code amendments.

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- b. Installation. Street trees, at least 2.5 inches in caliper or as approved by the Director, must be planted at least 3 feet from the face of the street curb, and a maximum of 20 feet for small trees, 25 feet for medium trees, and 30 feet for large trees. The size of the tree shall be determined by Plate B of this section, as now or hereafter amended. A street tree planting area may also include decorative paving and other native plant materials except grass that requires mowing. The use of planter strips for stormwater treatment is encouraged. Installation shall be in accordance with the Parks and Community Services Department Environmental Best Management Practices and Design Standards, as now or hereafter amended.
- c. Irrigation. A permanent automatic irrigation system shall be provided at the time of installation of street trees and sidewalk planting strip landscaping located in a required planter strip or tree pit. The irrigation system shall be served by a separate water meter installed by the applicant and served by City-owned water supply with 24-hour access by the City. The use of rainwater to supplement irrigation is encouraged. Irrigation system shall be designed per the Parks and Community Services Department Environmental Best Management Practices and Design Standards, as now or hereafter amended.
- d. Street Landscaping. Street trees together with shrubbery, groundcover and other approved plantings are required in a planter strip along the length of the frontage. Vegetation included in the planter strip shall be able to withstand urban conditions, shall be compatible with other plantings along the same street, and shall reflect the character of the area within which they are planted, as approved by the Director.

Comment [BP2]: Does this refer to spacing of trees? Seems to be missing some language.

[...]

Plate A – Downtown Bellevue Planter Strip/Tree Pits Required

Comment [BP3]: Is there any interest in specifying streets where bioretention planters shall be utilized?

East-West	Planter Strip/Tree Pits
NE 12th (102nd to I-405)	Planter Strip
NE 11th (110th to 112th)	Planter Strip
NE 10th (100th to 106th)	Planter Strip
NE 10th (106 to I-405)	Planter Strip
NE 9th (110th to 111th)	Tree Pits
NE 8th (100th to 106th)	Planter Strip

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NE 8th (106th to 112th)	Planter Strip
NE 6th (Bellevue Way to 106th)	See Pedestrian Corridor Design Guidelines
NE 6th (106th to 108th)	See Pedestrian Corridor Design Guidelines
NE 6th (108th to 110th)	Tree Pits
NE 6th (110th to 112th)	Planter Strip on the south side, Tree Pits on the north side
NE 4th (100th to I-405)	Planter Strip
NE 3rd Pl (110th to 111th)	Tree Pits
NE 2nd Pl (108th to 111th)	Planter Strip
NE 2nd (Bellevue Way to I-405)	Planter Strip
NE 1st/2nd (100th to Bellevue Way)	Planter Strip
NE 1st (103rd to Bellevue Way)	Tree Pits
Main St (100th to Bellevue Way)	Tree Pits
Main St (Bellevue Way to I-405)	Planter Strip
North-South	
100th (NE 12th to Main)	Planter Strip
100th (NE 10th to NE 1st)	Planter Strip
100th (NE 1st to Main)	Planter Strip
101st (near NE 10th)	Tree Pits
101st Ave SE (south of Main St)	Tree Pits
102nd (NE 12th to NE 8th)	Planter Strip
102nd (NE 1st to south of Main St)	Tree Pits
103rd (near NE 10th)	Tree Pits
103rd (NE 2nd to Main St)	Tree Pits

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Bellevue Way (NE 12th to NE 10th)	Planter Strip
Bellevue Way (NE 10th to NE 4th)	Planter Strip
Bellevue Way (NE 4th to Main)	Planter Strip
Bellevue Way (Main to Downtown Boundary)	Planter Strip
105th (NE 4th to NE 2nd)	Planter Strip
105th SE (near Main St)	Planter Strip
106th (NE 12th to NE 8th)	Planter Strip
106th (NE 8th to NE 4th)	Tree Pits
106th (NE 4th to Main)	Planter Strip
106th PI NE (near NE 12th)	Tree Pits
107th (NE 2nd to south of Main)	Tree Pits
108th (NE 12th to NE 8th)	Tree Pits
108th (NE 8th to NE 4th)	Tree Pits
108th (NE 4th to south of Main)	Tree Pits
109th (near NE 10th)	Planter Strip
110th (NE 12th to NE 8th)	Planter Strip
110th (NE 8th to NE 4th)	Planter Strip
110th (NE 4th to Main)	Planter Strip
111th (NE 11th to NE 9th)	Planter Strip
111th (NE 4th to NE 2nd)	Planter Strip
112th (NE 12th to Main)	Planter Strip

Plate B – Downtown Bellevue Street Tree Species Plan

Comment [BP4]: Including for reference, ensure that tree species are compatible with bioretention, or specify spacing for bioretention?

East-West	Proposed Street Trees	Tree Size
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NE 12th (102nd to I-405)	Pear: <i>Pyrus calleryana</i> 'Glens form'	Small
NE 11th (110th to 112th)	'Katsura: <i>Cercidiphyllum japonicum</i> '	Large
NE 10th (100th to 106th)	Tupelo: <i>Nyssa sylvatica</i> 'Firestarter'	Medium
NE 10th (106 to I-405)	Zelkova serrata 'Village Green'	Medium
NE 9th (110th to 111th)	Katsura: <i>Cercidiphyllum japonicum</i>	Large
NE 8th (100th to 106th)	Honeylocust: <i>Gleditsia tricanthos</i> 'Shademaster'	Medium
NE 8th (106th to 112th)	Pac Sunset Maple: <i>Acer truncatum</i> x <i>platanoides</i> 'Warrenred'	Medium
NE 6th (Bellevue Way to 106th)	Honeylocust: <i>Gleditsia tricanthos</i> 'Shademaster'	Medium
NE 6th (106th to I-405)	Katsura: <i>Cercidiphyllum japonicum</i>	Large
NE 4th (100th to I-405)	Autumn Blaze Maple: <i>Acer</i> x <i>Freemanii</i> 'Jeffersred'	Large
NE 3rd Pl (110th to 111th)	Tupelo: <i>Nyssa sylvatica</i> 'Firestarter'	Large
NE 2nd Pl (108th to 111th)	Persian ironwood: <i>Parrotia persica</i> 'Vanessa'	Medium
NE 2nd (Bellevue Way to I-405)	English oak: <i>Quercus robur</i> 'Pyramich'	Large
NE 1st/2nd (100th to Bellevue Way)	Hungarian oak: <i>Quercus frainetto</i> 'Schmidt'	Large
NE 1st (103rd to Bellevue Way)	Ginkgo: <i>Ginkgo biloba</i> 'Magyar'	Medium
Main St (100th to Bellevue Way)	Ginkgo: <i>Ginkgo biloba</i> 'Magyar'	Medium
Main St (Bellevue Way to I-405)	Tupelo: <i>Nyssa sylvatica</i> 'Afterburner'	Medium
North-South	Proposed Street Trees	Tree Size
100th (NE 12th to NE 10th)	Pear: <i>Pyrus calleryana</i> 'Aristocrat'	Small
100th (NE 10th to NE 1st)	Scarlet oak: <i>Quercus coccinea</i>	Large
100th (NE 1st to Main)	Ginkgo: <i>Ginkgo biloba</i> 'Magyar'	Medium
101st (near NE 10th)	Ginkgo: <i>Ginkgo biloba</i> 'Autumn Gold'	Medium
101st Ave SE (south of Main St)	Katsura: <i>Cercidiphyllum japonicum</i>	Large

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102nd (NE 12th to NE 8th)	Miyabe maple: <i>Acer miyabei</i> 'Rugged Ridge'	Large
102nd (NE 1st to south of Main St)	Katsura: <i>Cercidiphyllum japonicum</i>	Large
103rd (near NE 10th)	Ginkgo: <i>Ginkgo biloba</i> 'Autumn Gold'	Medium
103rd (NE 2nd to Main St)	Katsura: <i>Cercidiphyllum japonicum</i>	Large
Bellevue Way (NE 12th to NE 10th)	Tulip tree: <i>Liriodendron tulipifera</i> 'JFS-oz'	Large
Bellevue Way (NE 10th to NE 4th)	Honeylocust: <i>Gleditsia tricanthos</i> 'Shademaster'	Medium
Bellevue Way (NE 4th to Main)	Tulip tree: <i>Liriodendron tulipifera</i> 'JFS-oz'	Large
105th (NE 4th to NE 2nd)	Sweetgum: <i>Liquidambar styraciflua</i> 'Worplesdon'	Large
105th SE (near Main St)	London planetree: <i>Platanus x acerifolia</i> 'Bloodgood'	Large
106th (NE 12th to NE 8th)	Elm: <i>Ulmus propinqua</i> 'Emerald Sunshine'	Large
106th (NE 8th to NE 4th)	Elm: <i>Ulmus Americana</i> 'Jefferson'	Large
106th (NE 4th to Main)	Elm: <i>Ulmus</i> 'Morton Glossy'	Large
106th PI NE (near NE 12th)	London planetree: <i>Platanus x acerifolia</i> 'Bloodgood'	Large
107th (NE 2nd to south of Main)	Hornbeam: <i>Carpinus caroliniana</i> 'Palisade'	Medium
108th (NE 12th to NE 8th)	Persian ironwood: <i>Parrotia persica</i> 'Ruby Vase'	Medium
108th (NE 8th to NE 4th)	Sweetgum: <i>Liquidambar styraciflua</i> 'Worplesdon'	Large
108th (NE 4th to south of Main)	Zelkova serrata 'Green Vase'	Medium
109th (near NE 10th)	Linden: <i>Tilia cordata</i> 'Chancole'	Large
110th (NE 12th to NE 8th)	Linden: <i>Tilia americana</i> 'Redmond'	Large
110th (NE 8th to NE 4th)	Zelkova serrata 'Village Green'	Medium
110th (NE 4th to Main)	Red maple: <i>Acer rubrum</i> 'Somerset'	Large
111th (NE 11th to NE 9th)	Ginkgo: <i>Ginkgo biloba</i> 'Autumn Gold'	Medium

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111th (NE 4th to NE 2nd)	Ginkgo: Ginkgo biloba 'Autumn Gold'	Medium
112th (NE 12th to Main)	Scarlet oak: Quercus coccinia	Large

20.25A.090 Perimeter Design District

[...]

D. Development Standards

[...]

4. Landscape Development

[...]

b. Linear Buffers.

- i. General. Any development situated within Perimeter Design District – Subdistrict A shall provide a “linear buffer” within the minimum setback adjacent to the Downtown boundary required by paragraph D.2 of this section. The purpose of this feature is to produce a green buffer that will soften the visual impact of the relatively larger buildings. These design standards are minimum requirements for the size and quantity of trees, shrubs and other “linear buffer” elements. The specific design of the “linear buffer” for each project site will be determined through the Design Review Process. Design considerations include but are not limited to the placement of elements and their relationship to adjacent property as well as to the proposed development. Different sets of design standards apply to each of the locational conditions.
- ii. Where the Downtown boundary falls within the Main Street, 100th Avenue NE or NE 12th Street right-of-way, the minimum setback from the Downtown boundary shall be landscaped according to the basic requirements and either Alternative A or B of the supplemental requirement.
 - (1) Basic Requirements (applicable in all cases):
 - (a) Must have a minimum width of 20 feet;
 - (b) Must abut and be within three feet in elevation of a sidewalk, so as to be visually and physically accessible;
 - (c) Must provide at least one sitting space for each 200 square feet of the perimeter setback area;
 - (d) May not be used for parking; vehicular access drives shall be kept to a minimum;
 - (e) Must be readily accessible to the public at all times;

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(f) Must include seasonal color in an amount of at least 10 percent of the perimeter setback area;

(g) Must utilize native species for at least 50 percent of the plantings located within the perimeter setback area.

(2) Supplemental Requirements:

(a) Alternative A:

- (i) Three deciduous trees, with a minimum caliper of three inches, per each 1,000 square feet of the perimeter setback area; and
- (ii) Two flowering trees, with a minimum caliper of two inches, per each 1,000 square feet of perimeter setback area; and
- (iii) Ten evergreen shrubs, minimum five-gallon size, per 1,000 square feet of the perimeter setback area; and
- (iv) Any paved surfaces shall be no more than 10 percent of the perimeter setback area; and
- (v) Planting area must either be raised or sloped. If raised, the planting area shall be surrounded by a wall with a minimum height of 18 inches and a maximum height of 24 inches to allow for sitting.

(b) Alternative B:

- (i) Three deciduous trees, with a minimum caliper of three inches, per each 1,000 square feet of the perimeter setback area; and
- (ii) Lawn greater than five feet in width or ground cover on at least 25 percent of the perimeter setback area; and
- (iii) Any paved surfaces shall be no more than 75 percent of the perimeter setback area; and
- (iv) Paved areas shall use pervious pavement, brick, stone or tile in a pattern and texture that is level and slip-resistant; and
- (v) Opportunities for pedestrian flow from the sidewalk shall be frequent and direct. Changes in grade between the linear buffer and sidewalk shall be accommodated by steps or terraces, rather than walls.

- iii. Where the Downtown boundary abuts property outside the Downtown other than right-of-way described in paragraph D.4.b.ii of this section, the minimum setback from the Downtown boundary (or perimeter property lines when the setback has been relocated pursuant to Note 10 of subsection 20.25A.090.D.2) shall be landscaped as follows:

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- (1) The entire setback (20 feet) shall be planted. No portion may be paved except for vehicular entrance drives and required mid-block pedestrian connections.
 - (2) The setback must incorporate a berm having a minimum height of three and one-half feet.
 - (3) The setback must be planted with:
 - (a) Evergreen and deciduous trees, with no more than 30 percent deciduous, a minimum of 10 feet in height, at intervals no greater than 20 feet on center; and
 - (b) Evergreen shrubs, a minimum of two-gallon in size, at a spacing of three feet on center; and
 - (c) Living ground cover so that the entire remaining area will be covered in three years.
- c. Street Trees. Street trees required by LUC 20.25A.060.C along Main Street, 100th Avenue NE or NE 12th Street must be at least four inches in caliper.

20.25A.110 Design Review Criteria

B. Downtown Patterns and Context.

[...]

4. Landscape Design

[...]

- B. **Encourage Require** retention of significant existing vegetation, where it can be incorporated into efficient site design and maintained in a safe and healthful condition.

Part 20.25B Transition Area Design District

20.25B.040 Development Standards

[...]

C. Landscaping, Open Space and Buffers

1. Landscaping. All landscaping shall comply with standards set forth in LUC 20.20.520. The provisions of LUC 20.20.520.J (Alternative Landscaping Option) are applicable and, in addition, may be used to modify up to 10 feet of required street frontage landscaping.
2. Buffer
 - a. A landscaped buffer, at least 20 feet in width, shall be provided along the entire street frontage where any portion of the street frontage is abutting a district receiving transition and along the interior property line abutting the district receiving transition. **Where feasible, bioretention swales and planters may be located within landscape buffers.**

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- b. All significant trees within 15 feet of the property line shall be retained as required by LUC 20.20.520.E.
- c. The buffer shall be planted with the following, and shall include at least 50 percent native species in the required plantings:
 - i. Evergreen and deciduous trees, of which no more than 40 percent can be deciduous. There shall be a minimum of five trees per 1,000 square feet of buffer area, which shall be a minimum of 10 feet high at planting, along with the evergreen shrubs and living groundcover as described in paragraphs C.2.c.ii and iii of this section to effectively buffer development from adjacent residential properties; and
 - ii. Evergreen shrubs, a minimum 42 inches in height at planting, at a spacing no greater than three feet on center; and
 - iii. Living groundcover planted to cover the ground within three years; and
 - iv. Alternatively, where the street frontage landscaping will be planted to buffer a building elevation and not a parking area, driveway or site development other than a building, a lawn no less than five feet in width may be substituted for the shrubs and groundcover required in paragraphs C.2.c.ii and iii of this section; provided, that the soil in the entire area of lawn is amended in accordance with LUC 20.20.520.F.8. This paragraph does not apply in LI and GC Districts.
- d. Where an LI, GC or CB zoned property abuts a residential district on an interior property line, an evergreen hedge a minimum of four feet in height at planting and capable of achieving a continued visual screen with a height of five feet within a three-year period or a combination of shrubs and fence shall be added within the required planting area to achieve the effect of a hedge.
- e. Patios and other similar ground level features and trails may be incorporated into the buffer area, except that no more than 20 percent of the area may be used for such features. Patios shall not be located within 10 feet of the property line.

[...]

Part 20.25D Bel-Red

[...]

20.25D.150 Design Guidelines

[...]

B. Character and Site Guidelines.

Purpose

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These guidelines address the qualities that make the Bel-Red subarea unique. They consider what makes an area a special, distinct “place,” not simply a group of individual buildings and streets.

1. Integrate the Natural Environment.

a. Intent.

Reinforce linkages and orient buildings to the Bel-Red Subarea’s natural and landscaped features.

b. Guideline.

Site and building design should capitalize on significant elements of the natural environment, Highland Community Park and planned park and open space, riparian corridors and wetlands. Designs should incorporate open space amenities for residents, employees and visitors. Depending on the location, this may be accomplished through integration of the natural environment with new development or providing a smooth transition between the natural and built environments.

c. Recommended.

- i. Active and passive gathering places and walkways oriented toward parks and open, natural spaces.
- ii. Clear and convenient public access to open space amenities.
- iii. Elements that engage the natural environment where the sight, sound and feel of nature can be directly experienced.
- iv. Buildings sited to take maximum advantage of adjacent public amenities.
- v. Walkways and plazas paved with high-quality materials (such as brick or stone), and other architectural elements that use materials, colors and forms that are harmonious with the natural surroundings.

d. Not recommended.

- i. Buildings that turn their back on open space amenities.
- ii. Stands of “native” planting schemes within large, automobile-oriented parking lots.

[...]

4. Protect and Enhance Surface Water Resources.

a. Intent.

Conserve water quality, natural hydrology and habitat, and preserve biodiversity through protection of water bodies and wetlands.

b. Guideline.

Natural water systems regulate water supply, provide biological habitat and may provide recreational opportunities. Undeveloped ecosystems absorb the precipitation and convey only a small portion of rainfall as surface runoff. New and infill development should minimize disturbances to the on-site, adjacent, and regional natural water systems. Use of natural drainage practices are required unless infeasible.

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- c. Recommended.
 - i. Grading and plan layout that captures and slows runoff.
 - ii. Pervious or semi-pervious surfaces that allow water to infiltrate soil.
 - iii. ~~On-site landscape-based water treatment methods that treat rainwater runoff from all surfaces, including parking lots, roofs and sidewalks.~~
- d. Not Recommended.
 - i. Buried, piped or culverted stream channels.
 - ii. Water quality enhancement projects that detract from the urban character of the area.

[...]

Part 20.25F Evergreen Highlands Design District

20.25F.040 Site and Design Requirements

[...]

C. Design Requirements

[...]

- 2. Landscaping and Vegetation Preservation.
 - a. The applicant must provide landscaping between structures, as a setting for structures, and within and around parking areas. This landscaping must enhance the coordinated project design, and provide a pleasing environment between structures. All pervious surface must be landscaped, except those areas specified under other provisions of this Code for natural vegetation, or determined by the Technical Committee as desirable for retention in its natural state.
 - b. If landscaping is located between uses, the type and intensity of planting must reflect the variation in use category and intensity. The larger the variation, the more the planting must serve as a solid screen.
 - c. Particular attention must be given to street frontage landscaping which will visually separate the development from the street, and create a soft edge condition.
 - d. Landscaping shall create a setting which enhances pedestrian use of open space and which provides a sense of place and scale for the proposed development.
 - e. A significant number of trees at least 12 feet to 14 feet in height or two and one-half inches to three inches in caliper, in conformance with the American Standard for Nursery Stock, and predominantly evergreen, must be included in each planted area. Caliper is measured four feet above existing grade. Shrubs at least three and one-half feet in height along a parking area or site perimeter and at least two feet in height at any other location must be interspersed among the trees, and the majority of the remaining area planted with living ground cover so that the ground will be covered in three years.

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- f. Wherever practical and consistent with proposed site design, tree line and existing trees at least six inches in caliper must be retained. Caliper is measured four feet above existing grade. Tree protection techniques, approved by the Technical Committee must be utilized during construction. Where changes in grade have occurred, permanent tree preservation methods, approved by the Technical Committee must be utilized.
- g. The applicant must install street trees at least three inches in caliper along the street frontage. Caliper is measured four feet above existing grade. The location and species installed are subject to approval of the Technical Committee.
- h. The applicant must install interior parking area landscaping equal to at least 10 percent of the area devoted to parking and circulation. Planting areas must be at least 100 square feet and no more than 1,000 square feet. The minimum dimension in any direction is four feet. Each planting area must contain at least one tree combined with shrubs and ground cover which meet the minimum size requirements of paragraph C.2.e of this section.
- i. The provisions of LUC 20.20.520 do not apply in the Evergreen Highlands Design District, except for those requirements contained in LUC 20.20.520.K and L.

[...]

4. Drainage

The applicant must submit a drainage plan consistent with the development standards of the City of Redmond and the City of Bellevue which produce the more protective drainage system as determined by the Redmond Public Works Director and the Bellevue Utilities Director. [The use of LID stormwater management techniques is required unless infeasible.](#)

[...]

Part 20.25F1 Factoria 1

20.25F1.070 Sidewalks and Pedestrian Paths

A. Perimeter Sidewalks.

- 1. Minimum Width. The minimum width of perimeter street sidewalks shall be 12 feet inclusive of the planter strip plus six inches for curb, except as necessary to retain mature trees pursuant to paragraph A.2.e below.
- 2. Street Trees And Planter Strip Design.
 - a. Installation. The property owner shall install street trees and planter strips, in addition to any landscaping required by LUC 20.25F1.050, pursuant to the City of Bellevue Environmental Best Management Practices and Design Standards, now or as hereafter amended. Street tree and planter strips shall be irrigated. Appropriate tree species will be determined through the Master Development Plan process.

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- b. Location. The area in which planter strips are installed must be located between the street and the sidewalk unless precluded by existing utilities which cannot reasonably be relocated or as necessary to retain mature trees pursuant to paragraph A.2.e below.
 - c. Design. Required street trees should be placed in predominantly continuous planter strips together with shrubbery, ground cover and other plantings approved by the Director. The area in which street trees are planted must be at least four feet wide by six feet wide. Vegetation approved for a planter strip must be compatible with the F1 Design Guidelines for the development area within which the planter strip is located. A street planter strip may also include decorative paving and other plant materials except turf. Where feasible, bioretention swales and planters may be located within the planter strip.
 - d. Size and Spacing. Large growing deciduous street trees, at least three inches in caliper or as approved by the Director, shall be planted at least three feet from the street curb, and a maximum of 30 feet on center, and shall conform to the sight distance requirements of BCC 14.60.240.
 - e. Mature Tree Retention. The existing mature street trees located on the perimeter street frontages shall be maintained to the extent feasible. Sidewalks and planter strips may be reduced and/or relocated to the back of sidewalk if necessary to accommodate retention of the mature trees.
- B. On-Site Sidewalks.
1. Minimum Width. The minimum width of on-site street sidewalks shall be 12 feet inclusive of the street tree planting wells.
 2. Street Trees and Plantings.
 - a. Installation. The property owner shall install street trees and plantings, in addition to any landscaping required by LUC 20.25F1.050, pursuant to the City of Bellevue Environmental Best Management Practices and Design Standards, now or as hereafter amended. Street trees and required landscaping shall be irrigated. Appropriate tree species will be determined through the Master Development Plan process.
 - b. Location. Street trees shall be planted in a continuous, rhythmic pattern. Street trees must be located between the street and the sidewalk.
 - c. Design. Required street trees shall be planted in tree pits with grates. The area in which street trees are planted must be at least four feet wide by six feet wide. Where stormwater facilities are used in conjunction with tree pits, removable grates shall be utilized.
 - d. Size and Spacing. Small growing pedestrian-scale deciduous street trees, at least three inches in caliper or as approved by the Director, shall be planted at least three feet from the street curb, and a maximum of 25 feet on center, and shall conform to the sight distance requirements of BCC 14.60.240.

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C. Pedestrian Paths.

1. **Minimum Width.** The minimum width of pedestrian paths shall be 12 feet inclusive of the planter strip. Parking spaces adjacent to pedestrian paths must be designed to ensure that the minimum sidewalk width is maintained free of vehicle encroachments.
2. **Location.** Pedestrian path locations and phasing shall be determined through the Master Development Plan process consistent with the site design guidelines.
3. **Landscape Strips.**
 - a. **Installation.** The property owner shall install trees and plantings, in addition to any landscaping required by LUC 20.25F1.050, pursuant to the City of Bellevue Environmental Best Management Practices and Design Standards, now or as hereafter amended. Tree and planter strips shall be irrigated.
 - b. **Design.** Appropriate tree species and landscaping shall be determined through the Master Development Plan process. Street trees, shrubbery, ground cover and other plantings approved by the Director shall be provided in continuous planter strips along the length of a pedestrian path. The area in which street trees are planted must be at least four feet wide by six feet wide. Vegetation approved for a planter strip must be compatible with the F1 Design Guidelines for the development area within which the planter strip is located. (Ord. 5726, 3-19-07, § 3)

Part 20.25H Critical Areas Overlay District

20.25H.080 Performance standards.

D. General.

Development on sites with a type S or F stream or associated critical area buffer shall incorporate the following performance standards in design of the development, as applicable:

[...]

4. Toxic runoff from new impervious area shall be routed away from the stream.
5. Treated water may be allowed to enter the stream critical area buffer.
6. The outer edge of the stream critical area buffer shall be planted with dense vegetation to limit pet or human use. Preference shall be given to native species.

Part 20.25J Medical Institution District

20.25J.070 Streetscape Design Requirements

A. Sidewalks

[...]

2. **Street Trees and Plantings**
 - a. The property owner shall install street trees and plantings, in addition to any landscaping required by LUC 20.25J.060. Appropriate tree species will be determined

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through the Master Development Plan or Design Review where Master Development Plan approval is not required.

- b. The area in which street plantings are installed must be located between the street and the sidewalk unless precluded by existing utilities which cannot reasonably be relocated. Required street trees together with shrubbery, groundcover and other approved plantings must be placed in a planter strip along the length of the frontage. Where feasible, bioretention swales and planters may be located within the planter strip. The planter strip must be at least four feet wide unless a smaller strip is approved by the Director. Vegetation included in the planter strip shall be urban in character, shall be compatible with other plantings within the property and along the same street, and shall reflect the character of the area in which they are planted. Designs should prioritize the selection of native plant species.
- c. Street trees, at least three inches in caliper or as approved by the Director, must be planted at least three feet from the street curb, and a maximum of 25 feet on center, unless upon request of the applicant minor modification of this requirement is approved by the Director, and conforms to the sight distance requirements of BCC 14.60.240. A street tree planting area may also include decorative paving and other plant materials except turf.
- d. Street trees and plantings shall be irrigated.

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Part 20.30D Planned Unit Development

20.30D.110 Scope.

This Part 20.30D establishes the procedure and criteria that the City will use in making a decision upon an application for a Planned Unit Development.

20.30D.115 Applicability.

- A. This part applies to each application for a Planned Unit Development.
- B. An applicant may submit an application for a Planned Unit Development for a residential or mixed residential and commercial use project.
- C. In no case may a Planned Unit Development include uses which are not permitted by the zoning of the subject property. For purposes of this Part 20.30D, however, a single-family dwelling as defined in LUC 20.50.016 includes dwellings attached by common walls, floors and ceilings. (Ord. 5089, 8-3-98, § 31; Ord. 4972, 3-3-97, § 42; Ord. 4816, 12-4-95, § 141)

20.30D.120 Purpose.

A Planned Unit Development is a mechanism by which the City may permit a variety in type, design, and arrangement of structures; and enable the coordination of project characteristics with features of a particular site in a manner consistent with the public health, safety and welfare. A Planned Unit Development allows for innovations and special features in site development, including the location of structures, conservation of natural land features, protection of critical areas and critical area buffers, the use of low impact development techniques, conservation of energy, and efficient utilization of open space. (Ord. 5682, 6-26-06, § 9)

20.30D.150 Planned Unit Development plan – Decision criteria.

The City may approve or approve with modifications a Planned Unit Development plan if:

- A. The Planned Unit Development is consistent with the Comprehensive Plan; and
- B. The Planned Unit Development accomplishes, by the use of permitted flexibility and variation in design, a development that is better than that resulting from traditional development. Net benefit to the City may be demonstrated by one or more of the following:
 - 1. Placement, type or reduced bulk of structures, or
 - 2. Interconnected usable open space, or
 - 3. Recreation facilities, or
 - 4. Other public facilities, or
 - 5. Conservation of natural features, [vegetation and on-site soils](#), or
 - 5-6. Reduction in hard surfaces, or

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- ~~6-7.~~ Conservation of critical areas and critical area buffers beyond that required under Part 20.25H LUC, or
- ~~7-8.~~ Aesthetic features and harmonious design, or
- ~~8-9.~~ Energy efficient site design or building features, or
- ~~9-10.~~ Use of low impact development techniques; and
- C. The Planned Unit Development results in no greater burden on present and projected public utilities and services than would result from traditional development and the Planned Unit Development will be served by adequate public or private facilities including streets, fire protection, and utilities; and
- D. The perimeter of the Planned Unit Development is compatible with the existing land use or property that abuts or is directly across the street from the subject property. Compatibility includes but is not limited to size, scale, mass and architectural design of proposed structures; and
- E. Landscaping within and along the perimeter of the Planned Unit Development is superior to that required by this code, LUC 20.20.520 and landscaping requirements applicable to specific districts contained in Chapter 20.25 LUC, and enhances the visual compatibility of the development with the surrounding neighborhood; and
- F. At least one major circulation point is functionally connected to a public right-of-way; and
- G. Open space, where provided to meet the requirements of LUC 20.30D.160.A.1, within the Planned Unit Development is an integrated part of the project rather than an isolated element of the project; and
- H. The design is compatible with and responds to the existing or intended character, appearance, quality of development and physical characteristics of the subject property and immediate vicinity; and
- I. That part of a Planned Unit Development in a transition area meets the intent of the transition area requirements, Part 20.25B LUC, although the specific dimensional requirements of Part 20.25B LUC may be modified through the Planned Unit Development process; and
- J. Roads and streets, whether public or private, within and contiguous to the site comply with Transportation Department guidelines for construction of streets; and
- K. Streets and sidewalks, existing and proposed, are suitable and adequate to carry anticipated traffic within the proposed project and in the vicinity of the proposed project; and
- L. Each phase of the proposed development, as it is planned to be completed, contains the required parking spaces, open space, recreation space, landscaping and utility area necessary for creating and sustaining a desirable and stable environment. (Ord. 5876, 5-18-09, § 26; Ord. 5682, 6-26-06, § 10; Ord. 4972, 3-3-97, § 48; Ord. 4816, 12-4-95, § 147)

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20.30D.160 Planned Unit Development plan – Conservation feature and recreation space requirement.

A. General.

Within a Planned Unit Development including residential uses:

1. Through the conservation design features included in subsection B of this section, the proposal must earn square footage credit totaling at least 40 percent of the gross land area, which includes any critical area or critical area buffer; and
2. At least 10 percent of the gross land area, which includes any critical area or critical area buffer, of the subject property must be retained or developed as common recreation space as defined by LUC 20.50.044; provided, however, that the requirement for recreation space may be waived if the total of critical area and critical area buffer equals at least 40 percent of the gross land area; and
3. Recreation space as required by subsection A.2 of this section may be included within non-critical area conservation design features required by subsection A.1 of this section if:
 - a. The common recreation space does not interfere with the purposes and functions of the conservation design feature; and
 - b. At least 20 percent of the gross land area is nonrecreation open space. Provided, however, that recreation space may not occur in a critical area or a critical area buffer; and
4. The area of the site devoted to pedestrian trails shall not be included in the required common recreation space unless public trails are specifically required by the City; and
5. An outdoor children’s play area meeting the requirements of LUC 20.20.540 may be included in the above-described common recreation space requirement; and
6. For mixed use projects, the required open and recreation space shall be designed to meet the needs of both the residential and commercial uses.

B. Conservation Design Features.

To satisfy the requirements of subsection A of this section, a proposal shall include any combination of the following factors. The total square footage credit required in subsection A of this section is calculated by multiplying the square footage actually dedicated to the conservation design feature by the conservation factor set forth below. Where noted, certain conservation design features are not eligible to earn square footage credit unless the minimum size requirements are met. After the minimum size requirement is met, each square foot provided may be used to calculate the square footage credit earned by the feature.

Conservation Design Feature	Conservation Factor	Minimum Size of Retained Area Before Credit Earned
Critical area or areas placed in a tract	1.0	

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(connection between isolated critical areas credited as corridor below)		
Preservation of Westside lowland conifer hardwood forest not already in critical area and/or preservation of recommended forest habitat to protect species of local importance	1.2	20,000 sq. ft.
Designated wildlife corridor, trail or other essential connection set aside in a tract	1.2	
Critical area buffer increased by 15% or more and placed in tract	1.2	
Preservation of native soils and mature trees on required open space or combination of preservation with hydrologic enhancement (soil amendment and tree such that vegetative areas are connected to soil below)	1.1	10,000 sq. ft. canopy cover or amended and planted area
Site area set aside in separate tract to achieve bio-retention and runoff dispersion to natural areas or to soil layer below; e.g., community rain garden, downspout dispersion or similar LID techniques. Must serve more than one residence.	1.1	5,000 sq. ft. reserved for rain garden or dispersion
Landscaped or grass open space in separate tract for active or passive recreation but only partially connected to soil below	1.0	2,500 sq. ft. contiguous area
Paved but pervious open space; e.g., court yards and similar facilities	1.0	1,500 sq. ft.
Impervious paved court yards and similar facilities that meet minimum definition of open space	1.0	2,500 sq. ft.
Built Green certification for green communities	1.0	200 points earned under Built Green's "Site Design Criteria." For sites with critical areas, proposal must achieve all of the available points from the open space and habitat preservation sections as part of the total 200 points

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C. Maintenance.

In appropriate circumstances the City may require a reasonable performance or maintenance assurance device in conformance with LUC 20.40.490 to assure the retention and continued maintenance of all open and recreation space or conservation design feature in conformance with the Land Use Code and the Planned Unit Development plan approval. (Ord. 5682, 6-26-06, § 11; Ord. 4972, 3-3-97, § 50; Ord. 4816, 12-4-95, § 149; Ord. 3775, 5-26-87, § 20)

20.30D.165 Planned Unit Development plan – Request for modification of zoning requirements.

The applicant may request a modification of the requirements and standards of the Land Use Code as follows:

A. Density and Floor Area Ratio (FAR).

1. General. The applicant may request a bonus in the number of dwelling units permitted by the underlying land use district or the maximum FAR (see general dimensional requirements contained in LUC 20.20.010, and district-specific requirements contained in Chapter 20.25 LUC.
2. Bonus Decision Criteria. The City may approve a bonus in the number of dwelling units allowed by no more than 10 percent over the base density for proposals complying with this subsection A.2. Base density shall be determined on sites with critical areas or critical area buffers pursuant to LUC 20.25H.045. Base density on all other sites shall be determined based on the gross land area of the property excluding either that area utilized for traffic circulation roads or 20 percent, whichever is less. The bonus allowed by this section may be approved only if:
 - a. The design of the development offsets the impact of the increase in density; and
 - b. The increase in density is compatible with existing uses in the immediate vicinity of the subject property.
3. Senior Citizen Dwelling. An additional 10 percent density bonus may be approved for senior citizen dwellings if the criteria in subsection A.2 of this section are met and if the average dwelling unit size does not exceed 600 square feet.

B. Height.

The applicant may request a modification of height from that allowed by the land use district, provided topography and arrangement of structures does not unreasonably impair primary scenic views (e.g., mountains, lakes, unique skylines) of the surrounding area, as compared to lot-by-lot development. Proposals earning bonus density pursuant to this section or LUC 20.30D.167 may only receive an increase in height if the requirements of subsection A.2 of this section are met, considering the impact of increased height.

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C. Zero Lot Line. This is a configuration where the house and/or garage is built up to one of the side lot lines, providing the opportunity for more usable space in the opposing side yard.

1. General. The applicant may request a reduction in the required side setback from that required by the land use district and district specific requirements. Zero lot line setbacks are not permitted for side yards along the perimeter of the PUD.

2. Setback Reduction Decision Criteria. The City may approve a reduction in the setback of up to one side setback. The reduction in side setback shall be approved only if:

a. The opposing side setback shall be at least 10 feet.

b. In order to maintain privacy, no windows, doors, air conditioning units, or any other types of openings in the walls along the zero lot line wall, except for windows that do not allow for visibility into the side yard of the adjacent lot.

C.D. Other.

The City may approve a modification of any provision of the Land Use Code, except as provided in LUC 20.30D.170, if the resulting site development complies with the criteria of this part. (Ord. 5876, 5-18-09, § 27; Ord. 5682, 6-26-06, § 12; Ord. 5480, 10-20-03, § 24; Ord. 5089, 8-3-98, § 33; Ord. 4972, 3-3-97, § 51; Ord. 4816, 12-4-95, § 150; Ord. 4065, 10-23-89, § 6; Ord. 3690, 8-4-86, § 19)

20.30D.167 Planned Unit Development – Additional bonus density for large-parcel projects.

A. Purpose.

The City desires to offer incentives to property owners to develop multi-unit residential projects with site features and site designs that minimize impacts to critical area functions and values. Many of these techniques are new, and their effectiveness is uncertain. The City desires additional information about the impact of these design techniques and features, to determine the appropriate amount of density bonus and other incentives to offer for their use, and to determine what, if any, design features are required to offset the impact of the increased density. The projects allowed under this section are mechanisms to allow the City to gather such information prior to making additional density available to all projects.

B. Eligible Sites.

Projects will only be authorized on sites of five acres or more.

C. Applicable Procedure.

A project will be approved as part of the PUD approval for the underlying proposal.

D. Additional Bonus.

The City may authorize additional bonus density, up to 30 percent of the base density, for proposals including additional conservation design features above the amount required in LUC 20.30D.160.A. Base density shall be determined on sites with critical areas or critical area buffers pursuant to LUC 20.25H.045. Base density on all other sites shall be determined based on the gross land area of the property excluding either that area utilized for traffic circulation

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roads or 20 percent, whichever is less. Bonus density shall be based on the square footage credit earned divided by the minimum lot size of the underlying land use district. Bonus density may be approved only if the proposal meets the criteria of LUC 20.30D.165.A.2.a and A.2.b. (Ord. 5682, 6-26-06, § 13)

20.30D.170 Planned Unit Development plan – Limitation on authority to modify zoning.

The following provisions of the Land Use Code may not be modified pursuant to LUC 20.30D.165:

- A. Any provision of this Part 20.30D, Planned Unit Development; or
- B. Any provision of LUC 20.10.440, Land Use Chart, and district-specific requirements contained in Chapter 20.25 LUC, except where district-specific requirements would prohibit Zero Lot-Line development, as provided for in section 20.30D.165.C (Zero Lot-Line); or
- C. Any provision of Part 20.25E LUC, the Shoreline Overlay District; however, requests for modifications to the requirements of Part 20.25E LUC, where allowed under the provisions of that part, may be considered together with an application for a Planned Unit Development; or
- D. Any provision of the Land Use Code which specifically states that it is not subject to modification; or
- E. The procedural, enforcement and administrative provisions of the Land Use Code or any other applicable City Code; or
- F. Any provision of Part 20.25H LUC, the Critical Areas Overlay District, except as specifically provided for in that part; however, requests for modifications to the requirements of Part 20.25H LUC, where allowed under the provisions of that part, may be considered together with an application for a Planned Unit Development. (Ord. 5876, 5-18-09, § 28; Ord. 5682, 6-26-06, § 14; Ord. 5089, 8-3-98, § 34; Ord. 4972, 3-3-97, § 52; Ord. 4816, 12-4-95, § 151; Ord. 3775, 5-26-87, § 21)

20.30D.175 Planned Unit Development plan – Authorized activity.

Following approval of the Planned Unit Development plan, the applicant may begin any work that is specifically authorized in the Planned Unit Development approval and is not prohibited by any other applicable regulation. No other work may be done until the final development plan is approved. (Ord. 4972, 3-3-97, § 53; Ord. 4816, 12-4-95, § 152)

20.30D.195 Planned Unit Development plan – Merger with subdivision.

- A. General.
The applicant may request that the City process a preliminary plat in conjunction with a Planned Unit Development plan. Platting is required for all projects which involve or contemplate the subdivision of land.
- B. Procedure.

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The City may review and decide upon a preliminary plat at the same hearing as the preliminary development plan to the extent allowed by such procedures.

C. Plat Requirements.

The preliminary plat must comply with the procedures, standards and criteria of Chapters 20.45A and 20.45B LUC and must conform to the Planned Unit Development plan. (Ord. 5232, 7-17-00, § 12; Ord. 4972, 3-3-97, § 57; Ord. 4816, 12-4-95, § 156)

20.30D.200 Planned Unit Development plan – Effect of approval.

A. Recording Required.

The approval of the Planned Unit Development plan constitutes the City's acceptance of the general project, including its density, intensity, arrangement and design. Upon final Planned Unit Development approval that is not merged with a subdivision, the Development Services Department will forward an approved Planned Unit Development to the King County Department of Records and Elections for recording. No administrative approval of a Planned Unit Development is deemed final until the Planned Unit Development is recorded and proof of recording is received by the Development Services Department. See Chapter 20.45 LUC for recording requirements of Planned Unit Developments merged with subdivisions.

B. Planned Unit Development in the Critical Area Overlay District.

Where a Planned Unit Development within the Critical Area Overlay District is not merged with a subdivision, the Planned Unit Development recorded under this section shall have designated on the face of the final document a Native Growth Protection Easement(s) (NGPE). The NGPE(s) shall contain all critical areas, critical area buffers, and retained significant trees. The final Planned Unit Development shall contain the following restrictions for use, development and disturbance of the NGPE in a format approved by the City Attorney:

1. An assurance that: the NGPE will be kept free from all development and disturbance except where allowed or required for habitat improvement projects, vegetation management, and new or expanded city parks pursuant to LUC 20.25H.055; and that native vegetation, existing topography, and other natural features will be preserved for the purpose of preventing harm to property and the environment, including, but not limited to, controlling surface water runoff and erosion, maintaining slope stability, buffering and protecting plants and animal habitat;
2. The right of the City of Bellevue to enter the property to investigate the condition of the NGPE upon reasonable notice;
3. The right of the City of Bellevue to enforce the terms of the NGPE; and
4. A management plan for the NGPE designating future management responsibility. (Ord. 5682, 6-26-06, § 15; Ord. 5481, 10-20-03, § 6; Ord. 4972, 3-3-97, § 58; Ord. 4816, 12-4-95, § 157)

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20.30D.250 Planned Unit Development plan – Phased development.

If developed in phases, each phase of an approved Planned Unit Development must contain the required number of parking spaces, the required open space, recreation space, landscaping, and utility areas necessary to create a desirable and stable environment pending completion of the total Planned Unit Development as approved. Each phase must also contain any of the approved conservation factor project design features necessary to support bonus density constructed in that phase. (Ord. 5682, 6-26-06, § 16; Ord. 4972, 3-3-97, § 68; Ord. 4816, 12-4-95, § 167)

20.30D.255 Planned Unit Development plan – Map designation.

A. General.

Upon approval of the development plan the City will place the file number of the Planned Unit Development on the location of the subject property on the City of Bellevue Zoning Map.

B. Effect.

Redevelopment of property for which a Planned Unit Development has been approved must be consistent with the Planned Unit Development plan and any amendments to that plan. (Ord. 4972, 3-3-97, § 69; Ord. 4816, 12-4-95, § 168)

20.30D.280 Merger with Binding Site Plan.

A. General.

The applicant may request that the site plan approved with the Planned Unit Development constitute a Binding Site Plan pursuant to Chapter 58.17 RCW.

B. Survey and Recording Required.

If a site plan is approved as a Binding Site Plan, the applicant shall provide a recorded survey depicting all lot lines and shall record the approved site plan and survey with the King County Department of Records and Elections. No document shall be presented for recording without the signature of each owner of the subject property.

C. Effect of Binding Site Plan.

Upon the approval and recording of a Binding Site Plan the applicant may develop the subject property in conformance with the approved and recorded Binding Site Plan and without regard to lot lines internal to the subject property. Any sale or lease of lots or parcels within the subject property shall be subject to the approved and recorded Binding Site Plan and the requirements of state law. (Ord. 4972, 3-3-97, § 74; Ord. 4816, 12-4-95, § 173; Ord. 3848, 11-16-88, § 3)

20.30D.285 Amendment of an approved Planned Unit Development.

A. There are three ways to modify or add to an approved Planned Unit Development: process as a new decision, process as a Land Use Exemption, or process as an administrative amendment.

B. Except as provided in subsections C and D of this section, modification of a previously approved Planned Unit Development shall be treated as a new application.

C. Land Use Exemption for a Planned Unit Development.

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The Director may determine that a modification to a previously approved Planned Unit Development is exempt from further review under the administrative amendment process or as a new application, provided the following criteria are met:

1. The change is necessary because of natural features of the subject property; and
 2. The change will not have the effect of significantly reducing any area of landscaping, open space, natural area or parking; and
 3. The change will not have the effect of increasing the density of the Planned Unit Development; and
 4. The change will not add square footage that is more than 20 percent of the existing gross square footage of the Planned Unit Development; and
 5. If an addition or expansion has been approved within the preceding 24-month period, the combined additions will not add square footage that exceeds 20 percent of existing gross square footage of the Planned Unit Development; and
 6. The change will not result in any structure, circulation or parking area being moved significantly in any direction; and
 7. The change will not reduce any approved setback by more than 10 percent; and
 8. The change will not result in a significant increase in the height of any structure; and
 9. The change does not result in any significant adverse impacts beyond the site.
- D. Administrative Amendment of Planned Unit Development.

The Director may approve modifications to an approved Planned Unit Development as an administrative amendment subject to the procedures set forth in LUC 20.35.200 et seq., if the following criteria are met:

1. The amendment maintains the design intent or purpose of the original approval; and
 2. The amendment maintains the quality of design or product established by the original approval; and
 3. The amendment is not materially detrimental to uses or property in the immediate vicinity of the subject property.
- E. The Director may impose conditions upon any administrative amendment to ensure the proposal complies with the decision criteria and the purpose and intent of the original approval. (Ord. 6197, 11-17-14, § 23; Ord. 5790, 12-3-07, § 2; Ord. 5481, 10-20-03, § 7; Ord. 4972, 3-3-97, § 75; Ord. 4816, 12-4-95, § 174)

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Chapter 20.50 DEFINITIONS

20.50.024 H definitions.

[...]

Hard Surface. An impervious surface, a permeable pavement, or a vegetated roof.

[...]

20.50.032 L definitions.

[...]

Landmark Tree. Certain significant trees are considered landmark trees based on their size, species, condition, cultural/historic importance or age. The Director shall specify thresholds for trees to be considered for landmark status.

20.50.046 S definitions.

[...]

Significant Tree. Any healthy evergreen or deciduous tree, eight-six inches or greater in diameter at breast height (DBH), or greater, Diameter at breast height shall be measured four and one half feet above existing grade. The Director of the Development Services Department may authorize the exclusion of any tree which for reasons of health, age or site development is not desirable to retain. (Ord. 4973, 3-3-97, § 202; Ord. 4816, 12-4-95, § 302; Ord. 4654, 6-6-94, § 82; Ord. 3498, 5-27-85, § 132)

[...]

Comment Number	Stakeholder Type	Comment	Area of Focus	Date Received	Format Received
1.1	Resident	Details: Site Design: we need education available to homeowners at the time of purchase. Work with realtors to educate them on an ongoing basis, provide brochures to realtors, create a metric and incentive to measure and keep ongoing process.	Site Design	10/1/2015	Website
1.2	Resident	Details: Impervious Surfaces: Allow an extra story of building height for single family residential building if A. No surrounding properties have view recorded on King Country property detail B. A vertical survey shows no substantial change in recorded views. Allow an extra of building height for if the residential footprint 25% less than the max footprint and A. A vertical survey shows 20% or less substantial change in recorded views B. A vertical survey shows extra story height matches the tree canopy average height of the property. Allow an extra story of building height for 25% of residential footprint if A. A vertical survey shows 10% or less substantial change in recorded views B. A vertical survey shows extra story height matches the tree canopy average height of the property. Zoning change by neighborhood and use.	Impervious Surfaces	10/1/2015	Website
1.3	Resident	Details: Impervious Surface: Change quantified residential streets to be one way streets. Extend right of way into street and plant trees on both sides of the street. Provide pervious footpath on one side of the road.	Impervious Surfaces	10/1/2015	Website
1.4	Resident	Details: Wetlands have diminished in the building of Bellevue before protections were put in place. Purchase suitable land to create new wetlands for stormwater pollution control. http://www.researchgate.net/profile/Tony_Wong4/publication/250140687_A_stochastic_approach_to_designing_wetlands_for_stormwater_pollution_control/links/540db270cf2b29a39f6c4.pdf	Project Principles	10/3/2015	Website
1.5	Resident	Purchase and restore wetlands so that they do their complete job in the stormwater system.	Project Principles	10/3/2015	Website
1.6	Resident	Create an innovative design for pedestrians that does not require curb/gutter + cement sidewalks in residential neighborhoods. Maybe: Smooth crusher fines trails (accessible); and planting section in higher traffic areas; trails along side streets with proteq surfacing in lower traffic areas http://www.proteqsurfacing.com/pathways-collection/	Site Design	10/3/2015	Website
1.7	Resident	Give away 5000 trees, tree watering bags, and tree dedication marker every year for 10years to residents who pledge to care for the tree, water for 3 years, and make a dedication to a loved one for the tree. Start with low income, low canopy areas first.	Tree Retention and Canopy	10/3/2015	Website
1.8	Resident	Create a certification similar to Built Green for tree companies and landscapers that are trained in proper tree retention and always use proper permits.	Tree Retention and Canopy	10/3/2015	Website
1.9	Resident	Close the loophole in tree cutting.	Tree Retention and Canopy	10/3/2015	Website
1.10	Resident	Work with schools to create orchards.	Tree Retention and Canopy	10/3/2015	Website
1.11	Resident	Require tree permit number and project overview sign is clearly posted in right of way for 10 days as notice before tree removal	Tree Retention and Canopy	10/3/2015	Website
1.12	Resident	Offer free tree assessments for all trees every 5 years for single family	Tree Retention and Canopy	10/3/2015	Website
1.13	Resident	Create a health record for every City tree and learn what works best for our trees	Tree Retention and Canopy	10/3/2015	Website
1.14	Resident	Create a campaign to show how precious trees are and that people need to call in when trees are being down without notice and a permit.	Tree Retention and Canopy	10/3/2015	Website
1.15	Resident	Make a permit and notice required for all tree removal over x inches or x feet high, but make a free assessment for trees that owner are not sure need to be removed for health reasons.	Tree Retention and Canopy	10/3/2015	Website
1.16	Resident	Create a Heritage Tree code that requires mitigation that requires multiple and large replacement trees.	Tree Retention and Canopy	10/3/2015	Website
1.17	Resident	Details: Tree Retention - home loan program Add trees to the home repair assistance loan program. Require tree maintenance as part of the other loans. Add new trees additions up the City of Bellevue tree canopy goal. Provide grants for street trees	Tree Retention and Canopy	10/3/2015	Website
1.18	Resident	Require Utilities to get proper permits, provide notice, and use approved tree maintenance methods for trimming trees. That enhance not diminish the health of the tree.	Tree Retention and Canopy	10/3/2015	Website

Comment Number	Stakeholder Type	Comment	Area of Focus	Date Received	Format Received
1.19	Resident	Provide free tree watering bags with a coupon in the water bill along with watering instructions. See http://www.bridgetrailscommunity.org/announcement.asp?id=112 for watering in a drought. I had contacted both Bellevue Botanical Garden and Seattle Tibh. They agreed that Colorado state has the best information.	Tree Retention and Canopy	10/3/2015	Website
1.20	Resident	Establish an emergency tree fund for trees severely damaged in storms. Homeowners can apply for replacement trees at reduced rates and free street trees.	Tree Retention and Canopy	10/3/2015	Website
1.21	Resident	Determine the difference that trees make to a site by having volunteer bird watchers monitor sites before and after development.	Tree Retention and Canopy	10/3/2015	Website
1.22	Resident	Details: Tree Retention - "social worker" position that gives families recognition for new trees planted (bumper sticker), is on call for questions, and follows up with the family and their arboreal babies at 1 and 3 years	Tree Retention and Canopy	10/3/2015	Website
1.23	Resident	Require new large development to build in engineered or natural bio filter systems that remove pollutants. Check-ups similar to backflow checks required to show system is working at outlet. See http://www.conteches.com/Products/Stormwater-Management/Biofiltration-Bioretentation/Filtera	Site Design	10/3/2015	Website
1.24	Resident	Establish a green wall code that incorporates green as a stormwater filter and runoff minimizer. http://www.filterxx.com/wp-content/uploads/2015/01/Stormwater-Benefits-%E2%80%93-GRHC-2011-Paper.pdf	Site Design	10/3/2015	Website
1.25	Resident	Educate about the importance of big trees with a treasure hunt to find trees up for Champion trees submissions http://www.americanforests.org/our-programs/bigtree/	Tree Retention and Canopy	10/4/2015	Website
1.26	Resident	Require Sound transit to landscape retaining walls use green walls or stepped plantings	Impervious Surfaces	10/4/2015	Website
1.27	Resident	Details: Pervious Surfaces - Green the rails Create more pervious surfaces through the incorporation of greenery along the corridors on which the trains run http://landscapeandurbanism.blogspot.com/2009/01/greentoo-rails.html	Impervious Surfaces	10/4/2015	Website
1.28	Resident	Encourage the use of paving grids over more pervious surfaces to make less driveway	Impervious Surfaces	10/4/2015	Website
1.29	Resident	Details: Pervious Surfaces - Less Driveway Encourage people to clean out their garages, park their cars in the garage, and turn parts of the driveway into planting or grid systems with planting	Impervious Surfaces	10/4/2015	website
1.30	Resident	Details: Tree Retention non-profit partnership Free trees: Create a private-public non-profit partnership to plant trees on private land. Stretch dollars by engaging volunteers to plant and take care of trees.	Tree Retention and Canopy	10/4/2015	Website
1.31	Resident	Beat Charlotte's tree canopy of 43% and goal of 50%. Use their best practices and best ordinances. http://charmeck.org/city/charlotte/perm/Services/LandDevelopment/trees/Pages/City%20of%20Charlotte%20Tree%20Ordinance%20and%20Guidelines.aspx	Tree Retention and Canopy	10/4/2015	Website
1.32	Resident	Host large-scale, free tree events involving volunteers from both within and outside the neighborhood. Residents choose from a variety of trees beforehand. The trees are delivered to a central location. Volunteers and master gardeners/arborists answer questions on site and via phone later that day and the next. Residents go through a tree planting and care training session and are asked to sign a stewardship pledge form.	Tree Retention and Canopy	10/4/2015	Website
1.33	Resident	Allow clustering only on major arterials using courtyard type plans.	Clustering	10/4/2015	Website
1.34	Resident	Details: Change areas to positives and focused to meet city goal Impervious Surfaces -> Pervious Surfaces Tree Retention-> Tree Canopy Clustering -> Clustering for Open Space Site Design -> Wastewater Management Planning	Project Principles	10/4/2015	Website
1.35	Resident	Add under-plantings are a requirement for tree replacement so that immature tree + planting make up for mature tree in first 5 years.	Tree Retention and Canopy	10/4/2015	Website
1.36	Resident	Require a tree permit for pruning or root pruning of all big trees. Permit should include restrictions on not topping trees.	Tree Retention and Canopy	10/6/2015	Website
1.37	Resident	Establish a code for species of trees that are determined to be not appropriate for this area. Require a tree planting permit in the right away so these trees are not allowed there.	Tree Retention and Canopy	10/6/2015	Website
1.38	Resident	Require a permit for pruning root pruning, permanently attaching items, and chemical applications for all street trees and heritage trees.	Tree Retention and Canopy	10/6/2015	Website

Comment Number	Stakeholder Type	Comment	Area of Focus	Date Received	Format Received
1.39	Resident	Create a program to infill large street trees with smaller street trees that will be mature enough to take over when the older ones get too old or damaged. Older trees are not replaceable with 1 to 1. There needs to be a steady line of newcomers at different stages planned to take their place.	Tree Retention and Canopy	10/7/2015	Website
1.40	Resident	Work with all Eastside cities to issue a tree care and cutting manual/website so that all tree services have one place to go to determine if they are doing the work to code.	Tree Retention and Canopy	10/6/2015	Website
1.41	Resident	Work with all Eastside cities to see where codes could be changed to have uniformity	Tree Retention and Canopy	10/6/2015	Website
1.42	Resident	Fine tree services if they did not verify that a permit was issued	Tree Retention and Canopy	10/6/2015	Website
1.43	Resident	Add special protections for tree groves.	Tree Retention and Canopy	10/6/2015	Website
1.44	Resident	Make tree permitting process transparent and predictable. Make the rules easy to understand and follow. Don't make it difficult to know if you are following the rules.	Tree Retention and Canopy	10/6/2015	Website
1.45	Resident	Allow photographic evidence for tree health inspection to all tree removal. Photos must also show relationship to street and buildings or gps location!	Tree Retention and Canopy	10/6/2015	Website
1.46	Resident	Supply grants to organizations providing tree education for citizens and professionals	Tree Retention and Canopy	10/6/2015	Website
1.47	Resident	When there is a historic tree that can't be saved, create a memorial for it. Maybe even replacing city hall tables in the common areas (like Urbanandwoods).	Tree Retention and Canopy	10/7/2015	Website
1.48	Resident	Give free check-ups for accessing the health of trees over 12 inches round	Tree Retention and Canopy	10/7/2015	Website
1.49	Resident	Create a set of tips or referrals for care of unhealthy trees. Refers could be from a built green type certification or at least a list of questions to ask to verify a good tree service.	Tree Retention and Canopy	10/7/2015	Website
1.50	Resident	Details: Tree Retention - Require new development to have a tree inspection for health of trees (not just numbers an how to reject them during construction). Require replacement of large unhealthy trees.	Tree Retention and Canopy	10/7/2015	Website
1.51	Resident	Yes - higher building height to increase permeable surfaces. Compare/tie building height to normal tree height	Impervious Surfaces	9/30/2015	Workshop
1.52	Resident	#4 Impervious Surfaces - Not on snow routes, use extra for rain garden and tree canopy	Impervious Surfaces	9/30/2015	Workshop
1.53	Resident	Bridal Trails R1 Bellevue permit cost ~\$350, Redmond \$0 (waves for residential) Code - good (should explore for all R-1) Expense - bad	Tree Retention and Canopy	9/30/2015	Workshop
1.54	Resident	FY1 Study on differences in tree regulations in s Portland, Vancouver, BC, Bellevue, Olympia, Kirkland, Shoreline, Redmond, Issaquah, Lake Forest, Beaux Arts, Woodinville http://www.seattle.gov/dpd/cs/groups/ban/@pan/documents/web_informational/dpdd016733.pdf List of NW regulations links http://app.leq.wa.gov/ReportsToTheLegislature/Home/GetPDF?fileName=ECA%20Report%20Final_1553cd36-c196-4468-8528-df4952140f50.pdf	Tree Retention and Canopy	10/7/2015	Website
1.55	Resident	Details: Plans for increasing tree canopy need to support a healthy forest.1. a full spectrum of young, mature, and ancient trees to prevent age related death spikes 2. a diverse set of species to prevent disease related epidemics from taking the whole forest (too much diversity in the canopy is not helpful) 3. tree companion species that give support to young trees as they grow and the understory to support them as they age.	Tree Retention and Canopy	1/11/2016	Website

Comment Number	Stakeholder Type	Comment	Area of Focus	Date Received	Format Received
1.56	Resident	<p>Details: Right of way - Right-of-ways that are safe and respect the rural and equestrian nature of Bridle Trails is important. Standard sidewalks and bike lanes are not often compatible.</p> <p>Details: Tree Retention-Adhere to the Bridle Trails Subarea Plan Policies such as: POLICY S-BT-3. Preserve the wooded, natural, rural, and equestrian character of the Subarea and encourage horse keeping in low density residential areas. POLICY S-BT-7. Where natural vegetation is removed, placement with similar plant materials should be required. POLICY S-BT-19. Acquire equestrian/pedestrian easements through the development review process on new development and redevelopment. POLICY S-BT-20. Work with utility companies to gain public nonmotorized trail easements along power line corridors to complete the equestrian trail facilities plan. POLICY SBT-25. Encourage the City to make nonmotorized interim improvements where major capital projects are not imminent. POLICY S-BT-26. Ensure that public nonmotorized easements remain open for public access. POLICY S-BT-39. Encourage low density lots and short platted subdivisions to be configured to accept and accommodate a horse paddock(s). POLICY S-BT-40. Natural vegetation should be protected and reserved to provide buffers between land uses. POLICY S-BT-42. encourage retention of vegetation on the lower slopes of the bluff adjacent to SR 520 at approximately 136th Avenue N.E. to provide a visual separator between residential areas and the freeway.</p>	Right of Way	1/17/2016	Website
1.57	Resident	<p>Details: Right of Way</p> <p>Adhere to the Bridle Trails Subarea Plan Policies such as:</p> <p>POLICY S-BT-11. The retention and protection of open drainage courses and de facto storm water detention areas should be promoted through land acquisition, acquisition of easements, or the encouragement, through incentives, of their incorporation into the design of private development.</p> <p>POLICY S-BT-27. Develop a safe, balanced circulation system that accommodates both motorized and nonmotorized users in the planning, design, and implementation of transportation projects. Discussion: Wide streets create a barrier to pedestrian movement. The needs of pedes trians should be balanced with the needs of the automobile.</p> <p>POLICY S-BT-28. Develop meandering sidewalks and/or trails where needed to preserve existing significant trees.</p> <p>POLICY S-BT-29. Develop and implement a systems plan to provide safe nonmotorized circulation within superblocks.</p> <p>POLICY S-BT-38. Encourage the adoption of development standards which will maintain the existing character of the area. For instance, encourage developers of small land divisions (short plats) to: 1. Maintain as much vegetation and topsoil on each building site as possible; 2. Design access drives to retain vegetation; 3. Minimize the visibility of the subdivision as seen from arterials; and 4. Allow variation in street standards, curbs, and gutters so that they can be informal. POLICY S-BT-43. Maintain and enhance the existing character of the Subarea by retaining elements associated with equestrian use. Improve roadsides to create a unified visual appearance.</p>	Tree Retention	1/17/2016	Website
1.58	Resident	<p>Details: Right of Way</p> <p>Adhere to the Bridle Trails Subarea Plan Policies such as:</p> <p>POLICY S-BT-11. The retention and protection of open drainage courses and de facto storm water detention areas should be promoted through land acquisition, acquisition of easements, or the encouragement, through incentives, of their incorporation into the design of private development.</p> <p>POLICY S-BT-27. Develop a safe, balanced circulation system that accommodates both motorized and nonmotorized users in the planning, design, and implementation of transportation projects. Discussion: Wide streets create a barrier to pedestrian movement. The needs of pedes trians should be balanced with the needs of the automobile.</p> <p>POLICY S-BT-28. Develop meandering sidewalks and/or trails where needed to preserve existing significant trees.</p> <p>POLICY S-BT-29. Develop and implement a systems plan to provide safe nonmotorized circulation within superblocks.</p> <p>POLICY S-BT-38. Encourage the adoption of development standards which will maintain the existing character of the area. For instance, encourage developers of small land divisions (short plats) to: 1. Maintain as much vegetation and topsoil on each building site as possible; 2. Design access drives to retain vegetation; 3. Minimize the visibility of the subdivision as seen from arterials; and 4. Allow variation in street standards, curbs, and gutters so that they can be informal. POLICY S-BT-43. Maintain and enhance the existing character of the Subarea by retaining elements associated with equestrian use. Improve roadsides to create a unified visual appearance.</p>	Right of Way	1/17/2016	Website
1.59	Resident	<p>Details: Tree Canopy within Transportation Facilities Adhere to the Bridle Trails Subarea Plan Policies such as:</p> <p>POLICY S-BT-38. Encourage the adoption of development standards which will maintain the existing character of the area. For instance, encourage developers of small land divisions (short plats) to: 1. Maintain as much vegetation and topsoil on each building site as possible; 2. Design access drives to retain vegetation; 3. Minimize the visibility of the subdivision as seen from arterials; and 4. Allow variation in street standards, curbs, and gutters so that they can be informal.</p>	Tree Canopy	1/17/2016	Website
2.1	Resident	<p>Will any consideration be given to reducing the semi-monthly stormwater charges for properties that maintain heavy canopy and natural vegetation? For example, I have a 2.6 acre parcel on Cougar Mountain that is primarily native vegetation and large trees. The only impervious components are the roofs of the house and garage. A large parcel that retains vegetation should get some kind of break in how stormwater charges are assessed. Right now our charges are about \$1,800 a year, a not insignificant amount. Thanks for your consideration.</p>	Project Principles	10/20/2015	Email
3.1	Engineer/Designer	<p>Keep allowing small test for rain gardens and infiltration on single family homes</p>	Site Design	9/30/2015	Workshop

Comment Number	Stakeholder Type	Comment	Area of Focus	Date Received	Format Received
3.2	Engineer/Designer	<ul style="list-style-type: none"> - When coming up with ways to do infiltration tests, please allow septic designers to do this testing - Eliminating the ability to use permeable surfaces is a bad thing - Allowing LID in the setbacks - Hard surface eliminates the incentive to make overflow parking "green" - Some jurisdictions give incentives for permeable pavement not 100%, only 50% that way the whole lot is not covered - Allow a permittee to get permit and give a time frame for when trees are counted, don't make contractor look at tree again if permit takes a while to get. Same with wetlands, once agreed upon, it should 	Impervious Surfaces	9/30/2015	Workshop
4.1	Resident	<ol style="list-style-type: none"> 1. Establish some specific quantitative criteria to allow residents to evaluate the expected benefits from implementation of LID 'principles' 2. For each 'principle', identify the life cycle costs and expected benefits resulting from implementation of the LID 'principles' 	Impervious Surfaces	9/30/2015	Workshop
4.2	Resident	<ol style="list-style-type: none"> 1. Could you email me a copy of the City's LID Work Plan that was approved by the City Council on 6 July 2015? If necessary to submit a PRR to obtain a copy, could you please advise the correct title and date of the plan? 2. Have the September 2015 public workshops mentioned on page 3 of the LID Principles Project draft public participation plan been scheduled (or occurred); if so when and where did they take place; if not, what are the dates/locations for these meetings? 	Project Principles	9/15/2015	Email
5.1	Resident	<p>Wanted to check and see what impact this would have on the Vucrest neighborhood. We have had rules limiting the height of vegetation in our neighborhood for almost 70 years (predating the the City of Bellevue itself), and we'd be concerned if there were conflicts with our covenants.</p>	Tree Retention and Canopy	9/30/2015	Website
6.1	Resident	<p>We built a house as a 5-Star rated BuiltGreen home. We used Eco Pavers for the drive, front and rear walks and patios....this type of product acts as a water retention and filtration system, and handles massive amounts of water, but the city of Bellevue, Clyde Hill and Medina would not recognize it as a substitute for their water detention tanks! This house is at/near the bottom corner of the neighborhood and a lot of water used to flow across this property and down the alley way next door, and homes below used to flood periodically. Between the Kelsey Creek storm drainage system just north of NE 8th, and our system (also included french drains at the bottom and sides along driveway, we were able to eliminate 100% of runoff from this property, AND handle much of the water coming from uphill, and to my knowledge the homes below have not flooded since. These paver systems have over 19 inches of various rocks and gravel supporting them and the loads are commercially rated (20,000PSI) Here are some links of similar syastem: http://www.uni-groupusa.org/green-LID.html http://commercial.umilock.com/products/permeable-pavement/?region=1 - I believe ALL commercial parking lots in this city should be required to be built with this type of system and drainage from buildings should be run to them for filtration and retention.</p>	Project Principles		
7.1	Resident	<p>I really wish the City of Bellevue would take a hard look at this information regarding street runoff and damage to salmon (e.g. fish and wildlife)! Instead of spending hundreds of hours hassling homeowners over putting in mitigation to offset small remodels along the local lakes, much could be done to improve this road runoff problem. There are countless pipes that empty directing into our lakes and stream with NO filtering! This where the true danger to fish and water quality lies as noted in this article from today's Seattle Times. http://www.seattletimes.com/seattle-news/environment/whats-killing-coho-study-points-to-urban-road-runoff/. I'd be happy to show you the four foot culvert that dumps directly into Lake Sammamish near my home with no filtering - it's very depressing to see on a rainy day.</p>	Project Principles		
8.1	Resident	<p>I missed the first meetings but I am very interested and would like to get on any email listing for information. 1. Does the City of Bellevue have a tree planting day and trees to plant to help slow down drainage heading towards our creeks and lakes? 2. Have you collaborated with other nearby communities to see what they have been working on? Some neighborhoods in Seattle are being very progressive and are able to give rebates for all sorts of things like rain garden installation and permeable drives and sidewalks, ect. This may be city movies or even stat monies. 3. I know that Seattle has had to create huge retention ponds to hold back water otherwise sewage leakage would occur into Lake Washington. Does Bellevue have such a situation like this? 4. If there is a power point or outline that was covered at the meeting I would like to see it if you can forward it to me.</p>	Project Principles	10/7/2015	Email

Comment Number	Stakeholder Type Comment	Area of Focus	Date Received	Format Received
9.1	Engineer/Designer	Impervious Surfaces	10/6/2015	Workshop
10.1	Resident	Tree Retention and Canopy	10/6/2015	Workshop
11.1	Neighborhood Association	Clustering	10/6/2015	Workshop
12.1	Resident/Engineer	Site Design	10/6/2015	Workshop
13.1	Resident	Clustering	9/30/2015	Workshop
13.2	Resident	Tree Retention and Canopy	10/6/2015	Workshop
13.2	Resident	Project Principles		NextDoor
14.1	N/A	Impervious Surfaces	10/6/2015	Workshop
15.1	Resident	Tree Retention and Canopy	10/15/2015	Workshop
16.1	Resident	Project Principles	10/6/2015	Website
17.1	Resident	Project Principles		NextDoor

Re: Proposal to modify the Transportation Code to allow narrower street (i.e. less impervious surface). I believe that street width should not be reduced as the importance of "ingress & egress" can not be overlooked (particularly regarding fire & life safety). Also one must consider the "parking" issue. The narrow street can easily create congestion and confusion, all "unsafe" conditions!

Transportation - suggest expanding use of swales, interrupted curbs (let water through) and tree lawns between sidewalks and streets, medians Concern with maintaining existing swales to function properly, vs. curb and gutter. Who maintains over time? Clear defined edge (people park on it), protecting the functions.

Preserving our natural soil conditions/quality (infiltrating capacity) is vital to minimizing stormwater runoff, and is difficult, if not impossible, "recapture" if destroyed with traditional construction approaches. For this reason, LID considerations (and site design) must be evaluated at project initiation.

Eastgate's definition of its character is really big yards with lots of large, mature trees. So clustering in any redevelopment in Eastgate would be destroying the neighborhoods character. Please don't! Need to have enough of a yard that Mom can send kids out to play while she continues doing chore and watches them. Allows our busy families to multi-task.

Retain contiguous tree corridor for wildlife.

Eastgates character is: really big yards with lots of large trees. These trees need to be retained in redevelopment and existing development Create a list of preferred trees and/or define situations where certain trees are not recommended. Ex: Don't put willows near water lines, but good for areas with drainage problems.

Manju, thanks for the video link. The video said this product "would be infeasible in cold weather locations because as freezing water expands, it will damage the concrete." But at an earlier LID presentation, the wall posters mentioned porous concrete & talked with a city staff person about it's use. I wonder if they don't know this or if there is another product that doesn't have this problem. If someone attends this event, it would be great if you could ask this & report back to us.

Re: Permeable/impervious surfaces vs. hard surfaces
1. Vegetation is greatly preferable. Why not provide some financial incentive to use the LID-friendly surface and have greater vegetation?

I would like to see a city-sponsored, rebate program for installing rain gardens (similar to the Rainwise program of Seattle.) I think Bellevue needs more education about LID for its citizens. I have talked to several gardeners who promote sustainability but don't know anything about LID.

Details: It's wonderful - and crucial - that you're doing this, but to some extent it's closing the barn door after the horse has fled. In the last three years, Bellevue has seen a massive amount of development, both civic and private, that shows no concern for "niceties" like LID. One end of town has turned into an unmitigated mass of concrete. Our green space is disappearing daily. We need: -Planted freeway topovers (think Mercer Island) -More green space and wetland between the street and development, not less -if there must be gigantic walls, top them with planters and include permeable pavers at the bottom -Create incentives for green roofs, green space, planted setbacks, permeable paving - or simply don't give permits without them. -Cluster development is fine, but encouraging non-lawn permeable principles - including water retention on personal property - throughout the community mitigates the need. -Tighter regulations about tree removal and clearing. Obviously people want to control their property, but we need to attain minimal standards of flora retention. -Street trees that actually grow and create a canopy. -if we're to mitigate some of the effects of climate change and subsequent droughts, we must maintain a diverse bioculture that captures and retains water...but I think you probably know this. :-) thank you for making these efforts. It's a great stride forward.

This should have been done 25 years ago?????

Comment Number	Stakeholder Type	Comment	Area of Focus	Date Received	Format Received
18.1	Resident	Not so boring! It will have huge influences on how our neighborhoods develop-zero lot lines, cluster housing? Maybe it would be like this link (link not available)...or maybe something different. Input is important, as is listening and attending Board and Commission meetings-Transportation, Planning, Parks, Environmental Services. For examples that work, look at the sidewalk on 145 POL SE between SE 18 and 24, as well as the Kelsey Creek Shopping Center Parking Lot	Project Principles		NextDoor
18.2	Resident	What are the current principles?	Project Principles		
19.1	Resident	I will be there. There are simple ways to accomplish this without adding to development costs.	Project Principles		NextDoor
20.1	Resident	Finally! When I built my house 25 years ago they forced me connect my downspouts to the street drains instead of letting it soak in on site. Of course this washes stuff right into the creek and causes large fluctuations in creek flow when it rains which can wash out spawning beds.	Project Principles		NextDoor
21.1	Resident	How does this tie in with lake inflow rates? Water pollution from surface runoff? Lake level and outflow control i.e. Willowmoor Project? (Link unavailable)	Project Principles		Nextdoor
22.1	Resident	Will this also apply to WSDOT and the construction they will do thru Bellevue on 1405?	Project Principles		NextDoor
23.1	Resident	In Sherwood Forest we don't have street drainage in most of our streets, rain water goes into the yard...how does that work for us? We've been paying our share of the storm water drainage.	Project Principles		NextDoor
24.1	Resident	We had to comply with WA Ecology standards for storm water which Bellevue and in theory all cities need to enforce when developing a property. Rain garden in my case and ironically it actually works :)	Project Principles		NextDoor
25.1	Engineer	One of the best posts I've seen! I am a contaminant chemist and Water Engineer, so slightly biased. Thx. Very appropriate endeavor!	Project Principles		NextDoor
26.1	Resident	Not boring for me! Every time it rains hard my back yard floods as the storm drains pour out at my property line into the green belt. This has been a huge problem for years. I hope to hear some good solutions and glad to see there are meetings to attend.	Project Principles		NextDoor
27.1	Resident	Rain gardens and lots of organic matter in your soil. If you're able, burying trees, shrubs, prunings, lawn clipping makes the soil retain the water gracefully. A pond helped us, too. I don't really want water to run into the street, as I think we'll be needing it going forward, so I'm actually trying to find ways to keep water that hits our property from going into the street drainage that we do have here.	Project Principles		NextDoor
28.1	Resident	Hi Mike or anyone, Just curious about the picture in the post. Is that at the Mercer Environmental Center or where? Thanks! =)	Project Principles		NextDoor
29.1	Resident	LID in itself is a good idea. If we can reduce the amount of storm water entering our drainageways, all the better. But, as L.sake Samm. Yacht Club points out, there are cascading effects that must be looked at. Simply directing storm water from downspouts and driveways into rain gardens needs to be done carefully. Where does the excess go when the capacity of the garden is exceeded? For years the approach to storm water was to simply dump it into streams, rivers, and lakes. This approach had major impacts. Then detention and retention systems were in vogue, which can be thought of as large rain gardens. These have fallen out of favor because they are costly to maintain and have other associated problems. Low Impact Development has potential, by dispersing and delaying the accumulation of water's gift, but, as many of the comments suggest, LID will not solve the problems we have today with our downspout systems going directly to the street. From there many roads drain into the piped network and dump accumulated pollutants into our waterways. In other instances, the flow becomes a problem for homeowners when it runs onto their property. Consultants to the City have reported some 70% of pollutants entering Lake Sammamish, for example, come from our road system. The LID approach has merit, but we still need to find solutions to deal with the impacts of existing development, including our road runoff. And, how we handle that runoff must "fit" into a well thought out, updated approach which avoids "downstream" impacts such as flooding - whether to your neighbor or to our lakes.	Project Principles		Nextdoor
30.1	Resident	Anything but boring! Will definitely be at one of these meetings - thanks for the post! :->	Project Principles		NextDoor

Low Impact Development Principles Project

Comment Number	Stakeholder Type	Comment	Area of Focus	Date Received	Format Received
31.1	Resident	Good job Mike. City needs more of this. Just reading this post educated me to the point that I'm interested enough as a citizen to get involved. Bravo.	Project Principles		NextDoor
32.1	Resident	UNTREATED STORM WATER RUNOFF ARE KILLING COHO SALMONS WITHIN HOURS! This is EXTREMELY IMPORTANT for our Coho Salmon Habitat! I just heard on the radio and read this Seattle Times article titled, "Toxic road runoff kills adult coho salmon within hours, latest scientific study finds". Please READ: http://seattletimes.com/seattle-news .	Project Principles		NextDoor
33.1	Resident	I have no clue about the cost. But it looks fantastic. Hope it helps. https://www.facebook.com/techinsider/videos/419013808296981/	Impervious Surfaces		NextDoor
34.1	Residents	Do other communities have effective strategies for managing runoff? We have been looking for grey water applications (potty flushing, gardens, etc.). Don't see why the city couldn't provide some encouragement/incentive for developers to incorporate similar strategies.	Project Principles		NextDoor
34.2	Residents	Or perhaps something like this (on a larger scale for larger buildings . . .) http://extension.psu.edu/natural-resources/water/drinking-water/cisterns-and-soxinos/rainwater-cisterns-design-construction-and-water-treatment	Project Principles		NextDoor
35.1	Resident	I just saw this and wondered if this has anything to do with a Local Improvement District? Also, do you have minutes from the meeting?	Project Principles		36.1
36.1	Resident / Engineer/ Designer	The new manual and regulations make it onerous for home owners on the design of infiltration systems. We need an economical test method for sizing infiltration systems for a single family residence.	Project Principles	05/18/2016	Open House



DEVELOPMENT SERVICES DEPARTMENT
 ENVIRONMENTAL COORDINATOR
 450 110th Ave NE
 BELLEVUE, WA 98009-9012

DETERMINATION OF NON-SIGNIFICANCE

PROPONENT: Low Impact Development Principles Project

LOCATION OF PROPOSAL: City-Wide

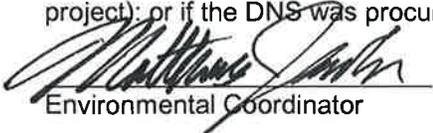
DESCRIPTION OF PROPOSAL: Land Use Code and City Code Amendments incorporating low impact development principles into the City's development standards and regulations, specifically, Title 14 (Transportation Development Code) Title 20 (Land Use Code); Title 23 (Clearing and Grading Code); Title 24 (Storm and Surface Water Code) and certain engineering and development standards.

FILE NUMBERS: 15-102686-AD & 15-102687-AB **PLANNER:** Heidi Bedwell

The Environmental Coordinator of the City of Bellevue has determined that this proposal does not have a probable significant adverse impact upon the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(C). This decision was made after the Bellevue Environmental Coordinator reviewed the completed environmental checklist and information filed with the Land Use Division of the Development Services Department. This information is available to the public on request.

- There is no comment period for this DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision. A written appeal must be filed in the City Clerk's office by 5:00 p.m. on _____.
- This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision. A written appeal must be filed in the City Clerk's Office by 5 p.m. on **7/21/2016**
- This DNS is issued under WAC 197-11-340(2) and is subject to a 14-day comment period from the date below. Comments must be submitted by 5 p.m. on _____. This DNS is also subject to appeal. A written appeal must be filed in the City Clerk's Office by 5:00 p.m. on _____.

This DNS may be withdrawn at any time if the proposal is modified so as to have significant adverse environmental impacts; if there is significant new information indicating a proposals probable significant adverse environmental impacts (unless a non-exempt license has been issued if the proposal is a private project); or if the DNS was procured by misrepresentation or lack of material disclosure.


 Environmental Coordinator

7/7/2016
 Date

OTHERS TO RECEIVE THIS DOCUMENT:

- State Department of Fish and Wildlife / Stewart.Reinbold@dfw.gov; Christa.Heller@dfw.wa.gov;
- State Department of Ecology, Shoreline Planner N.W. Region / Jobu461@ecy.wa.gov; sepaunit@ecy.wa.gov
- Army Corps of Engineers Susan.M.Powell@nws02.usace.army.mil
- Attorney General ecyolyef@atg.wa.gov
- Muckleshoot Indian Tribe Karen.Walter@muckleshoot.nsn.us; Fisheries.fileroom@muckleshoot.nsn.us



July 21, 2016

SUBJECT

Downtown Livability Initiative – Update on Incentive Zoning System; Remaining Height and Form Issues; Transportation-Related Policy Amendments to Downtown Subarea Plan

STAFF CONTACT

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Planning and Community Development

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Transportation Department

DIRECTION NEEDED FROM PLANNING COMMISSION

- Action
- Discussion
- Information

DISCUSSION

Recommendations from the Citizen Advisory Committee

The Planning Commission is working through the Downtown Livability Citizen Advisory Committee's (CAC) recommendations for a targeted set of Land Use Code topics including public open space, landscaping, walkability and the Pedestrian Corridor, design guidelines, incentive zoning, and building height and form. Direction for the CAC's recommendations drew heavily from a set of Land Use Code audits and focus groups that analyzed what was working regarding each topic, what wasn't working, and areas for improvement. The current Commission work on updating the Downtown Land Use Code through the Livability Initiative is part of a broader agenda to make Downtown more people-friendly, vibrant and memorable, and add to the amenities that make for a great city center.

Focus of Study Session

The Planning Commission's July 27 Study Session will focus on the following three topics:

1. Update on Incentive Zoning System Work
2. Remaining Height and Form Issues
3. Transportation-Related Policy Amendments to the Comprehensive Plan

1. Update on Incentive Zoning System Work

The City's consultant, Berk, is underway with work on the economic analysis for updating the incentive zoning system. Berk encountered some internal delays and are behind staff's schedule put forward for their work. Staff is attempting to make up the time without compromising any stakeholder review and engagement for this important analysis.

Staff presented a proposed structure and approach for updating the system and received feedback from the Planning Commission on June 8 and City Council on June 20. Staff also highlighted that the system would include a process "off-ramp." It would allow developers to suggest bonusable amenities not on the formal list and pursue an alternative approach that provides an equal or greater contribution to meeting the intent of the incentive system, and results in a significant public benefit or amenity that would not otherwise be provided absent the departure.

A compilation of Commission and Council comments from June 8 and June 20 includes:

- **Affordable Housing:** A commissioner recommended to explore an option where the affordable housing incentive is included with the rest of the bonusable amenities, and not a new FAR exemption. Council wanted to acknowledge the work of the City's recently appointed Affordable Housing Technical Advisory Group with this ongoing work on the Downtown Livability Code Update.
- **Residential Bonus:** The Commission wanted to ensure that staff's suggestion to withdraw "residential use" as a bonusable amenity with an associated increase to the base FAR is fully assessed, including how it might affect project economics and the amount of residential development produced compared with residential remaining bonused.
- **Parking:** The Commission wanted to ensure that staff's suggestion to withdraw parking as a bonusable amenity with an associated increase to the base FAR is fully assessed, including how it would affect project economics and how it might impact the development of parking (above vs. below grade and amount). It was suggested by a Councilmember to explore mandating underground parking while also adjusting the base FAR upwards.
- **Neighborhood Serving Uses:** Commissioners wanted to explore a bonusable category for "neighborhood serving uses" with built-in flexibility to include items such as public meeting rooms, child care, and non-profit space as examples.
- **Public Safety:** A Commissioner wanted to explore a new bonus relating to "public safety." The example given was land dedication or space allowance for a public safety use as part of a development project. A Councilmember desired to have this item further defined.
- **Sustainability Features:** Commissioners wanted to explore having green building and sustainability added as a bonusable amenities. This might include LEED, Built Green, or Living Building certifications as well as sustainable site features or certifications. A Councilmember wanted to make sure that bonuses in this category would not be given to items the market is likely to produce without an incentive.

The work of Berk and staff will address specific questions identified above, in addition to the major points of the economic analysis, including:

- How much upward adjustment to basic FAR is needed for moving some incentives to development requirements, such as weather protection, green factor elements (landscape features, green roofs, vegetated walls, enhanced tree canopy, etc.) and pedestrian-oriented frontage, and for removing residential and structured parking as bonusable amenities?
- What is the value of the incentive system lift available (in \$/square foot of bonus) based on economic modeling of development scenarios? This will be a combination of remaining bonus after basic FAR adjustments and new incentive system lift from additional FAR?
- What is the value of increased height alone, when not coupled with an FAR increase?
- What incentive is needed for the 1.0 FAR affordable housing exemption to be used? What are the pros and cons of using a new 1.0 FAR exemption for affordable housing incentive as opposed to including it with the rest of the bonus system?

There are currently close to two dozen different zoning designations or perimeter design districts that have unique height and density provisions. The following prototype developments have been identified for the initial modeling effort. Varying size parcels will be used to address unique development issues in the proformas.

Prototype Developments:

Zoning	Use	Height or Form Change
Downtown O-1	Office	Building height increase to 600'
	Residential	
Downtown O-2 (north of NE 8th)	Office	Building height increase to 400'
	Residential	
Downtown MU	Office	Building height and FAR increases
	Residential	Building height increase to 250'
Downtown OLB (between NE 4th and NE 8th Streets)	Office	Building height and FAR increases
	Residential	
Perimeter "A" District (in select locations, not adjacent to single family)	Residential	Building height increase to 70'

Staff will be working with interested stakeholders to include their thoughts as the economic modeling progresses. Once the initial economic modeling is complete, there was interest expressed by Council to have third party technical review by a group such as the Urban Land Institute. Staff is in the process of exploring the timing of such an effort with ULI Seattle.

Tonight, staff is seeking any Commission input on the proposed methodology, prototype development, and key questions being addressed with the economic analysis for the incentive zoning system.

2. Remaining Height and Form Issues

While the Commission made preliminary building height and form recommendations on April 13 and May 11, there are still a few remaining geographic areas to discuss. For a number of these, property owners are asking for reconsideration of previous Commission recommendations.

Tonight staff is seeking direction from the Planning Commission for these remaining height and form issues. Direction from the Commission will be incorporated into the consolidated Land Use Code package to go to public hearing.

1) Downtown OLB District between Main Street and NE 4th Street

The Downtown CAC's Final Report recommended changes to the Downtown OLB District. The portion of the OLB District between Main Street and NE 4th Street, as well as part of the East Main Station Area Planning study, were the subject of Council discussion on March 21 and June 20 relating to public views of Mount Rainier from public spaces at City Hall. Councilmembers discussed the impacts of upzoning property in these areas for denser, transit-oriented development and provided policy direction on June 20 by a 5-1 vote to not further pursue options to retain the view corridor. The Commission has not yet formally recommended height and FAR changes for this area. **Staff recommends that the Downtown OLB District between Main Street and NE 4th Street allow 200-foot tall residential and nonresidential buildings and 5.0 FAR (floor area ratio) of development potential, along with other associated floor plate, setback and lot coverage modifications.** Please see Attachment B for additional detail.

2) CD Heritage LLC

CD Heritage LLC has requested that the Downtown O-2 boundary be shifted to include property they own at 888 108th Avenue NE currently within the Downtown Residential (R) designation. **Staff recommends that the current Downtown O-2 boundary remain in place.** Please see Attachment B for additional detail.

3) Fortress Development Group LLC

Fortress Development Group LLC has requested that five parcels they represent which straddle the Downtown Mixed Use (DT-MU) District and "Deep B" Perimeter District be reconsidered regarding their height and form recommendations. They suggest that a maximum of 300 feet be allowed for residential buildings in this portion of the Downtown MU District near Bellevue Way and NE 8th Street (current Planning Commission recommendation is for 250-foot maximum and 5.0 FAR for the entire MU District). They also ask that the "Deep B" Perimeter District be shifted to the west to exclude three of their parcels so that there is consistent zoning (DT-MU with no B overlay) applied to their entire development site. **The Planning Commission previously recommended a maximum residential building height of 250 feet and 5.0 FAR for the entire MU District. Fortress is asking for Commission reconsideration of this recommendation specific to the block in which their property is located. Staff does not recommend shifting the "Deep B" District to the west.** Please see Attachment B for additional detail.

4) McAusland Real Property LLC, Rod Bindon, MD Investments

Three property owners (McAusland Real Property LLC, Rod Bindon, and MD Investments) who own four individual parcels located at the northeast corner of NE 8th Street and 102nd Avenue NE have requested a modification to recommended maximum building heights in the "Deep B" District. They suggest that the allowed maximum residential tower height for single tower projects be 240 feet. The Planning Commission's current recommendation is for

a range from 160-240 feet (with a 200-foot average) for multiple tower projects and 160 feet for single tower projects. **The Commission previously recommended a single tower height of 160 feet. If the Commission were to increase the single tower project height, it is suggested that it apply only east of 102nd Avenue NE within the “Deep B” District.** Please see Attachment B for additional detail.

5) Carl Vander Hoek/Old Bellevue Perimeter Districts

Mr. Vander Hoek has requested consideration of increased maximum height and FAR in the Downtown OB (Old Bellevue) District and associated Perimeter A and Perimeter B overlay districts. A maximum residential building height of 160 feet and 6.0 FAR (with a base FAR of 4.0) is requested for the Perimeter B district in Old Bellevue (it is currently 90 feet and 5.0 FAR). In the Perimeter A district, maximum residential building heights of 75 feet (70 feet is currently recommended by the Commission) and a 1.0 FAR increase in both maximum and base FAR are requested. **Staff recommends that the current CAC and Commission recommendations for the Perimeter A and Perimeter B District in Old Bellevue remain in place.** Please see Attachment B for additional detail.

3. Transportation-Related Comprehensive Plan Policy Amendments

The Transportation Commission is recommending Downtown-specific transportation policy amendments for Planning Commission review tonight as a result of City Council direction from the Downtown Transportation Plan Update.

The Downtown Transportation Plan is a functional plan supporting the Comprehensive Plan. The City Council in 2010 tasked the Transportation Commission with updating that plan, directing a purposeful focus on the transportation policy portions of the 2004 Downtown Subarea Plan in order to extend the planning horizon to 2030, recommend transportation system improvements in support of multimodal strategies and growth in jobs and housing, and enhance livability.

The Transportation Commission presented its findings to the City Council in October 2013. The Council then initiated policy and project list amendments to the Comprehensive Plan resulting from the Downtown Transportation Plan Update findings. The recommendations before the Planning Commission tonight are the Downtown-specific transportation policy amendments that were developed by the Transportation Commission. Both Downtown and citywide transportation project list amendments were included in the 2015 Comprehensive Plan Update (CPU) as the newly consolidated Comprehensive Transportation Project List, along with Transportation Element policies applicable citywide.

Tonight’s recommended Downtown-specific transportation policy amendments retain the fundamental Transportation Element support for an integrated multimodal transportation system updated through the CPU, while providing enhanced or new policy direction to achieve these Downtown-specific mobility objectives:

- Transportation facilities and services provide mobility options to support a growing Downtown residential and employment population and visitors for shopping and recreation;

- Pedestrian and bicycle access is easy for short trips to and through the Downtown Bellevue Transit Center and to planned light rail stations at the Transit Center and at East Main Street.
- Walking becomes one of the easiest ways to get around in Downtown Bellevue, and intersections and mid-block crossings are comfortable and safe places for people to cross;
- Transit on the frequent transit network will serve 97 percent of Downtown residents and employees by 2030, up from about 87 percent in 2010. Nearly everyone who lives or works in Downtown Bellevue will be within a 600-foot walk of a bus stop on the frequent transit network;
- Intelligent Transportation System investments provide efficiencies and transportation system capacity for vehicles of all types, as well as pedestrians; and
- Curbside space is used for many purposes, including such things as parking, parcel loading/unloading, taxi-stands, and electric vehicle charging stations.

Tonight staff seeks Planning Commission concurrence with the Transportation Commission’s recommended Downtown-specific transportation policy amendments. These will be then be brought before the Planning Commission during Final Review as one of the annual Comprehensive Plan amendments in the 2016 CPA Work Program.

NEXT STEPS FOR DOWNTOWN LIVABILITY

It is a Council priority to complete the work on Downtown Livability implementation in 2016. The Planning Commission will continue its work on the remaining Downtown Livability implementation topics as per the proposed Council/Commission schedule below.

Staff will be working with interested stakeholders to include their thoughts as the incentive zoning economic modeling progresses. Staff is also in the process of scheduling third party technical review of the incentive zoning by ULI Seattle. This work will collectively inform the recommended calibration for the incentive zoning system.

The Commission’s recommendations to date remain *preliminary*. A set of draft Land Use Code amendments are intended for a public Open House, tentatively planned for September 21, 2016, to allow for interaction with the Commission and staff prior to a proposed October 12, 2016, public hearing. The Commission will then prepare a recommended Land Use Code amendment and Design Guideline package to transmit to Council for final action.

Commission and Council Downtown Livability Milestones for Remainder of 2016

City Council Milestones		Planning Commission Milestones	
		July 27	<i>Commission Review: Update on Incentive Zoning Work; Remaining Height and Form Issues; Transportation-Related Policy Amendments to Downtown Subarea Plan</i>
Fall 2016	<i>Council check-in on Incentive Zoning</i>	Sept. 14 (tentative)	<i>Commission Review: Code Package Review; Incentive Zoning Modeling</i>

City Council Milestones	Planning Commission Milestones
	Sept. 21 (tentative) <i>Open House on Code Package, Incentive Zoning</i>
	Oct. 12 (tentative) <i>Target Date for Public Hearing</i>
	Oct. 26 <i>Commission Deliberations</i>
	Nov. 9 <i>Finalize Commission Recommendations on Land Use Code Amendments</i>
	Nov. 16 <i>Finalize Commission Recommendations on Land Use Code Amendments</i>
December 2016 <i>Target for Commission transmittal of Code Recommendations to City Council</i>	

ATTACHMENTS

- A. Council Principles for Incentive Zoning
- B. Remaining Height and Form Issues
- C. Transportation-Related Policy Amendments to Downtown Subarea Plan

**Council Guidance for Updating Downtown Incentive Zoning
Adopted by Council 1-19-16**

For many years incentive zoning has been part of Bellevue's strategy for implementing the Downtown Plan. Through the Amenity Incentive System, development is offered additional density (FAR) in exchange for providing certain public amenities. The Downtown Livability CAC report calls for a number of revisions to the system. The Council is providing the following direction to staff and the Planning Commission as they consider the CAC recommendations and move forward to develop the specific Land Use Code amendments to update the incentive zoning system.

1. Focus the system on making Downtown more livable for people. This should include incentivizing public open space, walkability/connectivity, affordable housing in recognition of the City's broader work on affordable housing, and other amenities that are most important to achieving Downtown livability.
2. Be forward-looking and aspirational, reflecting the evolving needs of a 21st century city.
3. Design the incentive system to help reinforce Downtown neighborhood identity.
4. Recognize that incentive zoning is one part of the broader Downtown land use code, and will work together with development standards, design guidelines and other code elements to collectively address impacts of development and ensure Downtown is a great place for people.
5. Simplify and streamline the incentive system with a clear structure and desired outcomes. This includes narrowing the list of incentives by mandating appropriate elements, incentivizing what would not otherwise happen, and increasing the base FAR to account for any current incentive that is converted to a mandate.
6. Ensure that the amenity incentive system is consistent with state and federal law. In particular, the process should be sensitive to the requirements of RCW 82.02.020, and to nexus and rough proportionality.
7. Design the amenity incentive system to act as a real incentive for developers, and ensure that modifications to the incentive system don't effectively result in a downzoning of land, in particular for current incentives converted to mandates.
8. Ensure that participation in the updated incentive system is required for any increases to currently permitted maximum density (FAR) and/or height.
9. Consider potential unintended consequences of the update, specifically: a) the effect of incentive zoning changes on the ability to continue to provide transit-oriented, workforce housing in Downtown, including the anticipated effect of the MFTE on producing such housing; b) the effect of incentive zoning changes on small lots, to ensure that their redevelopment remains viable and not contingent upon becoming part of an assemblage with other properties; and c) special sensitivity to Perimeter neighborhoods.

10. Provide for a reasonable “fee-in-lieu” alternative to ensure that the amenity incentive system does not unduly hinder development or result in building designs that lack market viability.
11. Consider an “off-ramp” option, with an approval process, providing flexibility for incentivizing elements that were not identified in this update but add equal or greater value.
12. Include a mechanism for future periodic updates of the incentive system to address Downtown needs as they change.

Downtown Livability – Remaining Height and Form Issues (July 27, 2016)

1) Downtown OLB District between Main Street and NE 4th Street (see map on following page for geographic location #1)

CURRENT CODE:

- **Floor Area Ratio (FAR):** 3.0 FAR residential & nonresidential / NA parking
- **Height:** 90 feet residential / 75 feet nonresidential / 45 feet parking
- **Setbacks:** 20 feet all sides
- **Lot coverage:** 75% residential / 60% nonresidential / 75% parking

Floor Area Ratio

Direction from CAC:

- Consider up to 5.0 FAR residential / nonresidential
- Take advantage of freeway access and proximity to light rail
- Planning Commission to identify appropriate mitigation to address tower design and separation, permeability from freeway, connectivity with Wilburton, effect on pedestrian level and localized transportation impacts

Staff Analysis and Recommendation:

- Supports CAC direction.

Building Heights

Direction from CAC:

- Consider up to 200 feet residential / nonresidential.
- Use appropriate mitigation to address tower design, separation, and transition issues and the effect of added height at pedestrian level and at larger scale.
- Building off the 15%/15 feet¹ rule, allow departure for increased building height if it is needed to accommodate mechanical equipment and/or interesting roof form.

Staff Analysis and Recommendation:

- Supports CAC direction with the provision that any building exceeding current code maximum (90 feet residential and 75 feet nonresidential) is subject to additional tower spacing, diminishing floor plate, and special open space requirements.
- Current code allows 15 feet additional height for mechanical equipment which can take up between 25% and 50% of the roof area for elevator overrun, cooling towers, etc. Staff recommendation is to allow a new departure for up to 25 feet for high-rise buildings relying on LUC criteria for Mechanical Equipment Screening and Location.

Floor Plates

Direction from CAC:

- Consider opportunities to expand floor plate allowances where topography drops away towards I-405

Staff Analysis and Recommendation:

- Supports CAC direction
- Allow 30,000 square foot floor plates between 40 feet and 80 feet.

¹ 15%/15 feet rule = Height may be increased by 15% or 15 feet, whichever is greater, if the additional height provides architecturally integrated mechanical equipment, interesting roof form, significant floor plate modulation, façade modulation, or other unique architectural features. Not applicable in "A" overlay and limited to 10% (9 feet) in "B" overlay.

Setbacks / Stepbacks

Direction from CAC:

- Not addressed

Staff Analysis and Recommendation:

- Eliminate 20-foot setback all sides to accommodate recommended density increase and accommodate Building Sidewalk Right-of-Way Designation Guidelines.

Lot Coverage

Direction from CAC:

- Not addressed

Staff Analysis and Recommendations:

- Increase to 100% residential/nonresidential 60% parking to align with MU across 112th Avenue NE and accommodate density increase and Building Sidewalk Right-of-Way Designation Guidelines.

2) CD Heritage LLC

(see map on following page for geographic location #2)

Request:

- Request that the Downtown O-2 boundary be shifted to include property at 888 108th Avenue NE currently within the Downtown Residential (R) designation.

Staff Analysis and Recommendation:

- **Staff recommends that the current Downtown O-2 boundary remain in place.**
- The Downtown CAC discussed, but recommended no changes to the Downtown R zone outside of the Perimeter A District.
- While the CD Heritage LLC site is located adjacent to Downtown O-2 property, it is also part of a superblock which is zoned nearly 50 percent Downtown R with both existing and planned residential projects. Staff feels that the current boundary for the Ashwood Neighborhood, including the location of the Downtown R zoning provides a sense of cohesion and is appropriately located.
- While CD Heritage LLC has submitted previous plans for intensive residential use of the property, the character of development in the O-2 district could be quite different from the R district. For example, the O-2 district allows up to 6.0 FAR of office development, while the R district is limited to 0.5 FAR of office.
- CD Heritage LCC desires to have a maximum FAR of 6.0 and maximum height of 250 feet applied to their property. The Planning Commission has previously recommended building heights of 400 feet along with the current 6.0 FAR maximum in the Downtown O-2 north on NE 8th Street.

3) Fortress Development Group LLC

(see map on following page for geographic location #3)

Request:

- Change DT-MU zoning applicable to the portion of superblock at the northwest corner of Bellevue Way and NE 8th Street outside the “Deep B” Perimeter District to allow a maximum residential building height of 300 feet.
- Shift the “Deep B” Perimeter District to the west to exclude three of Fortress Development Group parcels so that there is consistent zoning (DT-MU with no B overlay) applied to their entire development site.

Staff Analysis and Recommendation:

- **The Planning Commission previously recommended a maximum residential building height of 250 feet and 5.0 FAR for the entire MU District. Fortress is asking for Commission reconsideration of this recommendation specific to the block in which their property is located. They are asking for a 300-**

foot maximum residential building height.

- **Staff recommends the “Deep B” Perimeter District remain in its current location and not be shifted to the west.**
- There are City processes in place that allow for development projects to occur on parcels or sites that may have different zoning designations or overlays. In this case, two of the Fortress parcels have Downtown MU zoning and three are Downtown MU with the “B” Perimeter District overlay. A single zoning designation is not needed for development to occur on these properties.
- The CAC process and Planning Commission’s work to date has spent considerable time discussing height and form provisions for the “Deep B” District. The current Commission recommendation is to allow variable residential tower heights from 160-240 feet (200-foot average) to add character and interest to the area. This is a sensitive location with regard to its relationship to the nearby Vuecrest Neighborhood. Shifting the “Deep B” geography does not seem appropriate based on the significant stakeholder and community engagement to date.

4) McAusland Real Property LLC, Rod Bindon, MD Investments (see map on following page for geographic location #4)

Request:

- Change maximum building heights in the “Deep B” District to allow single tower residential projects be 240 feet. The Planning Commission’s current recommendation is for a range from 160-240 feet (with a 200-foot average) for multiple tower projects and 160 feet for single tower projects.

Staff Analysis and Recommendation:

- **The Commission’s current recommendation is for single tower projects to have a maximum height of 160 feet in the “Deep B” District.**
- The CAC process and Planning Commission’s work to date has spent considerable time discussing height and form provisions for the “Deep B” District. The current recommendation is to allow variable residential tower heights from 160-240 feet (200-foot average) to add character and interest to the area. This is a sensitive location with regard to its relationship to the nearby Vuecrest Neighborhood.
- The lot sizes and parcel ownership west and east of 102nd Avenue NE are very different. West of 102nd Avenue NE are larger parcels under a single ownership where multiple tower projects are likely. East of 102nd Avenue NE, the lot sizes are smaller with numerous property owners. This may lead to a greater chance of single tower projects east of 102nd Avenue NE within the “Deep B” District.
- If the Commission were to increase the single tower project height, it is suggested that it apply only east of 102nd Avenue NE within the “Deep B” District.

5) Carl Vander Hoek/Old Bellevue (see map on following page for geographic location #5)

Request:

- In Old Bellevue Perimeter B District, increase maximum residential building height to 160 feet and density to 6.0 FAR (it is currently 90 feet and 5.0 FAR maximum).
- In Old Bellevue Perimeter A District, increase maximum residential building height to 75 feet and increase FAR by 1.0 to 4.5

Staff Analysis and Recommendation:

- **Staff recommends that the current CAC and Commission recommendations for the Perimeter A and Perimeter B District in Old Bellevue remain in place.**
- The Commission’s current recommendation for the Perimeter A is for an increase from 55 feet to 70 feet to allow for design flexibility and ample floor-to-ceiling heights.

- The CAC analyzed, but did not recommend changes to the Perimeter B District in Old Bellevue. Residential building heights up to 125 feet were examined as part of the CAC process. Under the current code, there has been both apartment and condo development within the 90-foot height limit.
- This is a very sensitive part of Downtown Bellevue. Residential heights and densities can have a large impact on district character and scale. Taller buildings in the Perimeter “B” District could also cast additional shadows on Downtown Park.

Downtown Height and Form Review

Commission's Height and Form Recommendations as of July 20, 2016

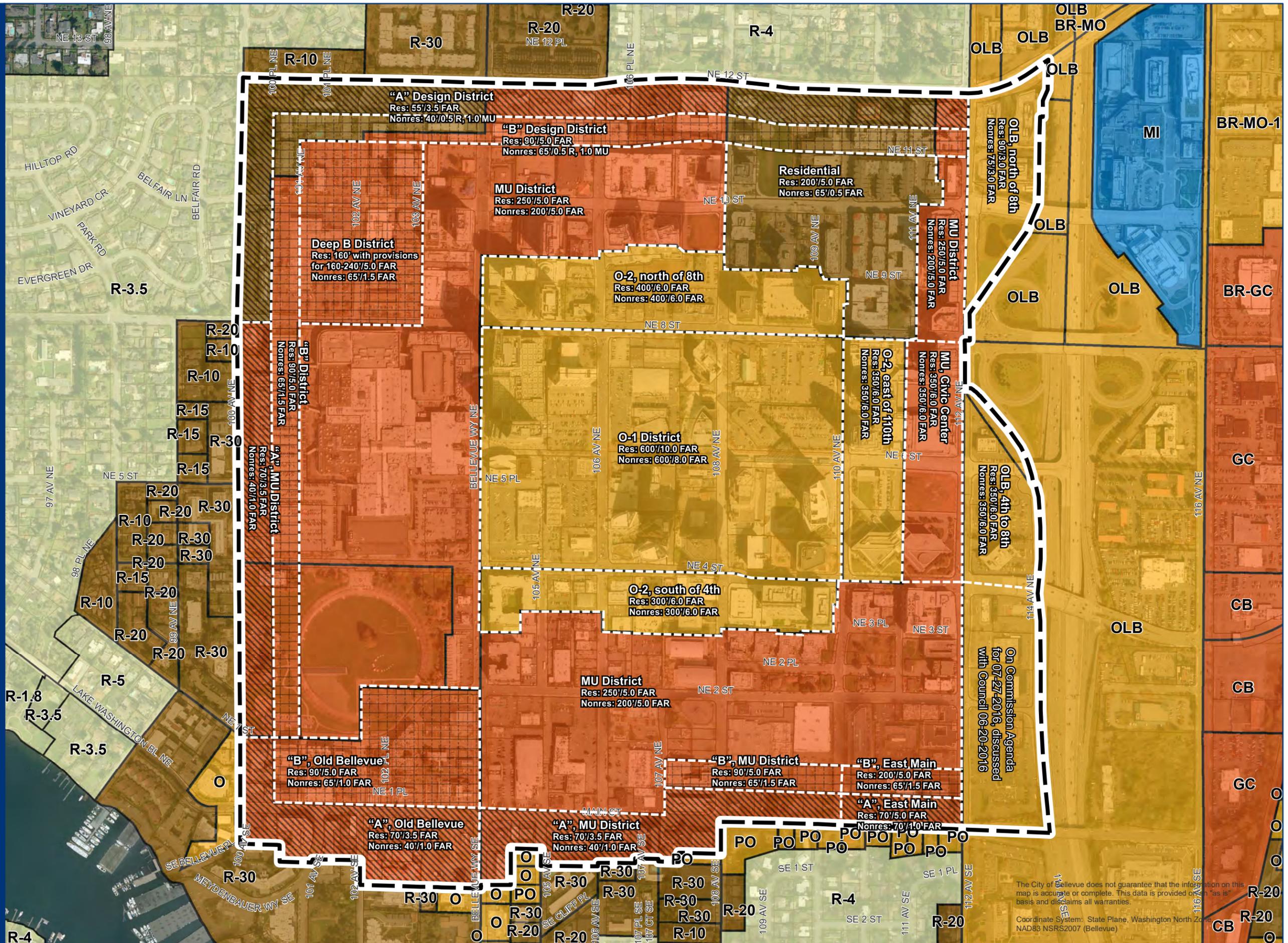
Note: Land Use Code to include provisions for increased height and FAR exemptions under certain circumstances.

Legend

- Downtown
- Single Family
- Multi-Family
- Office
- Commercial
- Light Industrial
- Evergreen Highlands
- Medical Institution



Sources:
City of Bellevue



The City of Bellevue does not guarantee that the information on this map is accurate or complete. This data is provided on an "as is" basis and disclaims all warranties.
Coordinate System: State Plane, Washington North Zone, NAD83 NSRS2007 (Bellevue)

Downtown Subarea Plan

GOAL:

The Great Place Strategy

To be a great place for people~~remain competitive in the next generation,~~ Downtown Bellevue must be viable, livable, memorable, and accessible. ~~It must become the symbolic as well as functional~~ As the heart of the Eastside, ~~Region through the continued location of~~ Downtown Bellevue has cultural, commercial, entertainment, residential, and regional uses located in distinct, mixed-use neighborhoods connected by a variety of unique public places, ~~and~~ great public infrastructure, and accessible mobility options.

OVERVIEW

A Community's Vision

Between 2001 and 2003, the city worked with Bellevue residents and business interests to strengthen the community's vision for Downtown while focusing on planning issues that face a maturing urban center with many of the basic elements already in place. This second generation of planning addressed solutions for increased transportation demand as well as the character of future Downtown development over the next twenty years.

This document provides the policy framework and list of associated projects to support development of Downtown Bellevue as the primary urban center of the Eastside, consistent with countywide and regional plans. This Subarea Plan is implemented through regulations that guide the scale and character of new development, targeted public investments such as roadway, transit and pedestrian improvements, new parks and public buildings, as well as private-sector investments such as entertainment and cultural attractions that continue to further the vision for Downtown.



New dining, business and gathering places are helping to create a lively, vibrant Downtown.

Evolution of Downtown Bellevue

Downtown Bellevue has been dramatically transformed over the past century. A ferry landing at Meydenbauer Bay just west of the present Downtown boundary was the early impetus for commercial development of the area. By the early 1900s, a small amount of retail and other services had sprouted on Main Street near the Bay, in the area known today as Old Bellevue.

Significant development in Downtown Bellevue awaited completion of the first bridge across Lake Washington in 1940. This growth was stimulated by the removal of the bridge toll in 1949. When Bellevue was incorporated in 1953, Downtown was a cluster of structures along Main Street and Bellevue Square was a modest strip mall. The city's first Planning Commission embraced the idea of planned Downtown growth done in an orderly and efficient manner.



Photograph of downtown area just prior to incorporation in 1953.

Downtown experienced rapid growth during the 1960s. By the mid-1970s, the area had emerged as a major business center, though much of the development was suburban in nature with acres of surface parking. During this period, the city, jointly with Downtown business interests, launched a series of planning studies focusing on the future of Downtown Bellevue. This was partially in response to a major threat of a competing regional mall planned for the Redmond area. These studies resulted in a major new vision for the area, adopted by the city as the Central Business District Subarea Plan in 1979. It called for Downtown to be the financial and business hub of the community, and the place to concentrate regional retail, major office, residential, hotel and institutional uses.

The 1980s saw an unprecedented level of office construction in King County, and Downtown Bellevue was in a position to receive a major amount of the Eastside's growth. Numerous high-rise office towers were built in Downtown Bellevue, shaping the skyline as well as nearly doubling employment. This period also saw the loss of some of the commercial establishments that functioned as neighborhood retail to the surrounding residences as Downtown became a much more urban place.

During the 1990s, Downtown added signature public open spaces, including the 20-acre Downtown Park and centrally located Compass Plaza. A high-rise office presence emerged around 108th Avenue NE. Major civic projects were constructed, including King County's flagship regional library, the Meydenbauer Convention Center & Theater, and a new building for the Bellevue Arts Museum. Private and public investment has helped to shape the NE 6th Street pedestrian corridor. Downtown housing began to really blossom into a major Downtown land use beginning in the late 1990s, with new multifamily developments springing up throughout the subarea. Regional retail continued to expand with new and exciting uses that are continuing to enliven the Downtown streetscape.

During the 2000s mixed use development took off in Downtown with two major mixed projects, Lincoln Square and The Bravern, including a mix of office, retail, residential, and in the case of Lincoln Square, hotel. Avalon Meydenbauer was another large mixed residential and retail project. There were several other smaller residential, retail and in some cases office mixed-use projects. Over the decade, nearly 4.4 million square feet of office was constructed featuring buildings such as The Bravern, City Center Plaza, Lincoln Square, Summit Buildings I & II (PSE), One Twelfth Place, Key Center, The Expedia Building and Civica Office Commons. Another 1.2 million square feet of retail was also constructed primarily at The Bravern and Lincoln Square, but also at many smaller mixed use residential buildings. This Subarea Plan now continues with the evolution of the 1979 Plan, as the vision for Downtown Bellevue is strengthened for the next century based on lessons learned and the many successes that have already taken place.



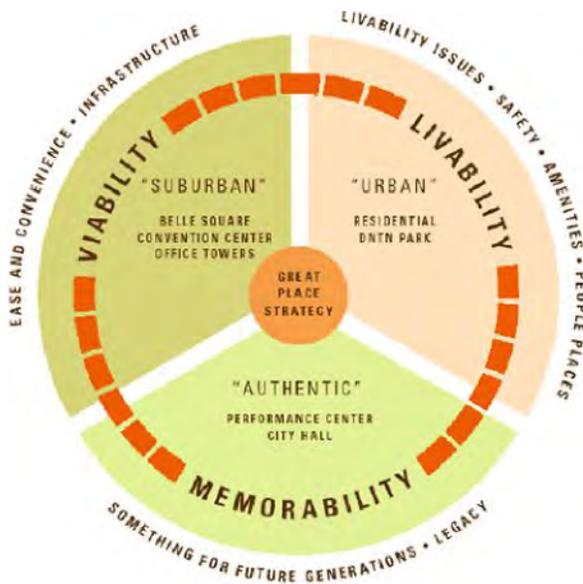
Downtown Park is a regional attraction. [\[Outdated photo to be replaced\]](#)

Viability, Livability, Memorability

Downtowns evolve through a dynamic process as shown by the graphic below. This is a non-linear progression in which cities are relatively more viable, livable, or memorable during different stages of their growth. It is a constantly changing response to an array of influences. As Downtown Bellevue enters the 21st century, it sits on the threshold between viable and livable in its evolution.

Viability is about quantity; about creating critical mass. Viability is achieved through large-scale, single-action projects and factors such as freeway interchanges, regional shopping, high-rise zoning, and the addition of jobs.

Livability is about quality; about weaving an urban fabric rich in resources and quality of life. Livable cities provide welcoming places to eat and sources of entertainment. Livable cities develop parks and open space. Truly great cities are also memorable. Memorable cities impart an unforgettable experience from having visited there. Memorable cities have strong, clear identities.



Downtowns evolve through a non-linear process.

Downtown Bellevue should work to make progress on all three of these dimensions. But at today's point in Downtown Bellevue's evolution, it is important to focus extra attention on graduating to a higher level of livability.

Regional Role

Downtown Bellevue is the hub of activity for the City of Bellevue as well as the greater Eastside, providing office and residential concentrations as well as retail and cultural attractions. Extending from NE 12th Street south to the Main Street area and from 100th Avenue NE to Interstate 405, Downtown covers nearly 410 acres, or two percent of the city's land area.

As of ~~2004~~2013, there were ~~35,000~~46,200 workers and over ~~4,000~~10,500 residents housed in Downtown Bellevue. The ~~2020-2035~~ forecast is for an additional ~~28~~30,000 jobs and 10,000 residents, or roughly ~~three-quarters~~half of the city's future employment and residential growth. This focus of future development within Downtown takes pressure off existing residential areas within Bellevue.

Planned growth in Downtown Bellevue is an important part of the Central Puget Sound's growth management strategy. The Puget Sound Regional Council's Vision ~~2020-2040~~ and King County's Countywide Planning Policies identify Downtown Bellevue as an urban center. Downtown Bellevue is a place where growth should be focused if the region is to further growth management goals, such as reducing sprawl and retaining open space.

The ~~2004-2015~~6 update of this Plan coincides with several major regional transportation enhancement projects, such as ~~improvements to the I-405, -and-I-90, SR 520 (including a~~

new floating bridge) as well as Sound Transit’s East Link project. ~~Corridor Programs, the Trans-Lake Washington Project, and Sound Transit’s Sound Move Plan, all of which will have major benefits for and impacts on Downtown Bellevue.~~ The relationship between these 20 to 30 year transportation planning efforts have been considered in the development of this Plan due to the important role of regional accessibility in a major commercial employment center like Downtown Bellevue.

Major Focal Points of the Subarea Plan

The future success of Downtown Bellevue rests on first being a livable place and slowly evolving into a truly memorable place. This will be accomplished through a series of coordinated urban design and transportation initiatives.

Downtown Bellevue is beginning to take on the features of a true city center; an exciting place to work, shop, visit, or call home. The focus of urban design within this Plan is to create a series of distinct, mixed-use neighborhoods tied together by a series of “signature streets” and great public infrastructure. Each district will be unique and have the urban amenities to support an active, fulfilling lifestyle and make it a great urban place.



Downtown Bellevue will continue to be a place to focus job and housing growth.

Transportation planning in Bellevue requires multiple approaches to be undertaken simultaneously. The transportation vision is to provide regional access to Downtown via regional roadway and transit systems; mobility between Downtown and other parts of Bellevue; and safe circulation within Downtown for motorized and non-motorized modes as population and employment increase over time.

General

Goal:

To become the symbolic and functional heart of the Eastside Region through the continued location of cultural, entertainment, residential, and regional uses.

The vision for Downtown Bellevue is a dense, mixed-use urban center that has a high pedestrian orientation and range of complementary land uses. These policies generally reinforce that vision while providing direction covering the entire Downtown Subarea.

Policies

Land Use

POLICY S-DT-1. Emphasis shall be placed on Downtown livability, with provisions made for the needs, activities, and interests of Downtown residents, employees, shoppers, and visitors.



The city encourages combining residential and retail in the same building to achieve housing, urban design, and transportation goals.

POLICY S-DT-2. Encourage a variety of land uses to occur in mixed-use buildings or complexes where appropriate.

POLICY S-DT-3. Develop Downtown as an aesthetically attractive area.

POLICY S-DT-4. The highest intensity development shall be located in the core of Downtown, with diminishing intensities towards the edges of Downtown (see Figure A for delineation of Core Area and Perimeter Area).

POLICY S-DT-5. Organize Downtown to provide complementary functional relationships between various land uses.

POLICY S-DT-6. Develop Downtown as the Eastside’s most concentrated and diverse regional retail district.

POLICY S-DT-7. Encourage Downtown to continue to serve surrounding residential areas as a neighborhood retail district.

POLICY S-DT-8. Locate major office development in the Downtown core in order to complement retail activities and facilitate public transportation (see Figure A).

POLICY S-DT-9. Provide bonus incentives (related to permitted intensity, height, etc.) for private developments to accomplish the public objectives outlined in this Plan.

POLICY S-DT-10. Require design review to ensure high quality, aesthetically pleasing Downtown development.

POLICY S-DT-11. Encourage the development of major civic, convention, and cultural uses within Downtown.



The annual Bellevue Arts and Crafts Fair draws more than 300,000 people to Downtown each summer.

POLICY S-DT-12. Expand the convention center as a resource for convention and community uses, and explore opportunities for complementary uses.

POLICY S-DT-13. Encourage private participation in development of Downtown community facilities.

POLICY S-DT-14. Encourage visual and performing arts organizations to locate Downtown.

POLICY S-DT-15. Encourage the assembly of land or coordination of development as appropriate to facilitate a quality built environment.

POLICY S-DT-16. Restrict the location of drive-in and drive-through activities within the Downtown Subarea.

Economics

POLICY S-DT-17. Promote economic development strategies that further Downtown Bellevue as an Urban Center, consistent with regional plans.

POLICY LU-29. Promote Downtown as the primary commercial area to provide local goods and services to the residents and employees within the district and to the residents of surrounding neighborhoods.

POLICY S-DT-18. Strengthen Downtown’s role as the Eastside’s major business and commercial center and as an important revenue source for the City of Bellevue.

POLICY S-DT-19. Maintain an attractive economic environment to encourage private investment through stable tax rates and a predictable regulatory framework.

Historic Resources

POLICY S-DT-20. Recognize the importance of Downtown’s historic resources as identified in the Bellevue Historic and Cultural Resources Survey.

POLICY S-DT-21. Work with local heritage groups to:

1. Collect, preserve, interpret, and exhibit items that document the history of Downtown Bellevue;
2. Use plaques and interpretive markers to identify existing and past sites of historic and cultural importance;
3. Develop a contingency plan and prioritization for Downtown’s historic resources, which may include voluntary relocation of significant historic structures to Bellevue parks property.

POLICY S-DT-22. Provide voluntary incentives for the replication or protection of historic façades or other significant design features when redevelopment occurs.

POLICY S-DT-23. Develop a voluntary mechanism to allow air rights to be transferred from historic properties to other Downtown property.

Residential Development

POLICY S-DT-24. Provide density incentives to encourage urban residential development throughout Downtown.

POLICY LU-30. Encourage the development of housing within the Downtown including units targeted to workers who are expected to fill jobs to be created in the Downtown.

POLICY S-DT-25. Provide for a range of Downtown urban residential types and densities.



Density incentives encourage residential development throughout Downtown.

POLICY S-DT-26. Encourage residential uses to occur in mixed-use structures or complexes.

POLICY S-DT-27. Explore the use of tax incentives to encourage additional work-force housing within the Downtown Subarea.

POLICY S-DT-28. Work with regional housing organizations such as A Regional Coalition of Housing (ARCH) and the Downtown Action to Save Housing (DASH) to develop additional Downtown residential projects.



Residential uses are encouraged as part of mixed-use structures.

Public Safety

As Downtown densities and uses increase over time, it is important to maintain adequate response times for public safety functions. This may be delivered in a number of ways and will be further explored by the city when the need arises.

POLICY S-DT-29. Provide adequate fire and life safety services for the Downtown Subarea as population and employment increase over time.

Utilities

POLICY S-DT-30. Require undergrounding of all utility distribution lines.

POLICY S-DT-31. Where possible, combine utility and transportation rights-of-way into common corridors.

POLICY S-DT-32. Require developer funding for extensions of collection and distribution lines.

POLICY S-DT-33. Minimize potential impacts to pedestrians caused by utility equipment, such as cabinets, within the sidewalk where possible.

POLICY S-DT-34. Utility installations visible in the public right-of-way should be consistent with Downtown design guidelines.

Urban Design

Goal:

To develop a functional and aesthetically pleasing Downtown which creates a livable and highly pedestrian-oriented urban environment that is compatible with adjacent neighborhoods.

Downtown Bellevue has been evolving from the commercial center of a suburban bedroom community into the multi-faceted heart of the Eastside region. To continue this evolution as a great urban place and to remain economically healthy over the coming growth cycles, a number of strategies are needed to take the next step in becoming a livable and memorable place. These strategies will nurture a sense of place in a series of Downtown neighborhoods. They will recognize the importance of the pedestrian, and establish a high level of significance on the design of buildings and public spaces.

Policies

General Design and Function

Design and function in Downtown Bellevue is guided by policy direction in concert with development standards and design guidelines. These all seek to ensure an aesthetically pleasing urban environment with a high level of pedestrian orientation.

POLICY S-DT-35. Create a pedestrian environment with a sense of activity, enclosure, and protection.



The pedestrian corridor flows into inviting open public spaces.

POLICY S-DT-36. Utilize development standards for building bulk, heights, setbacks, landscaping requirements, stepbacks, floor area ratios, open space requirements, and development incentives.

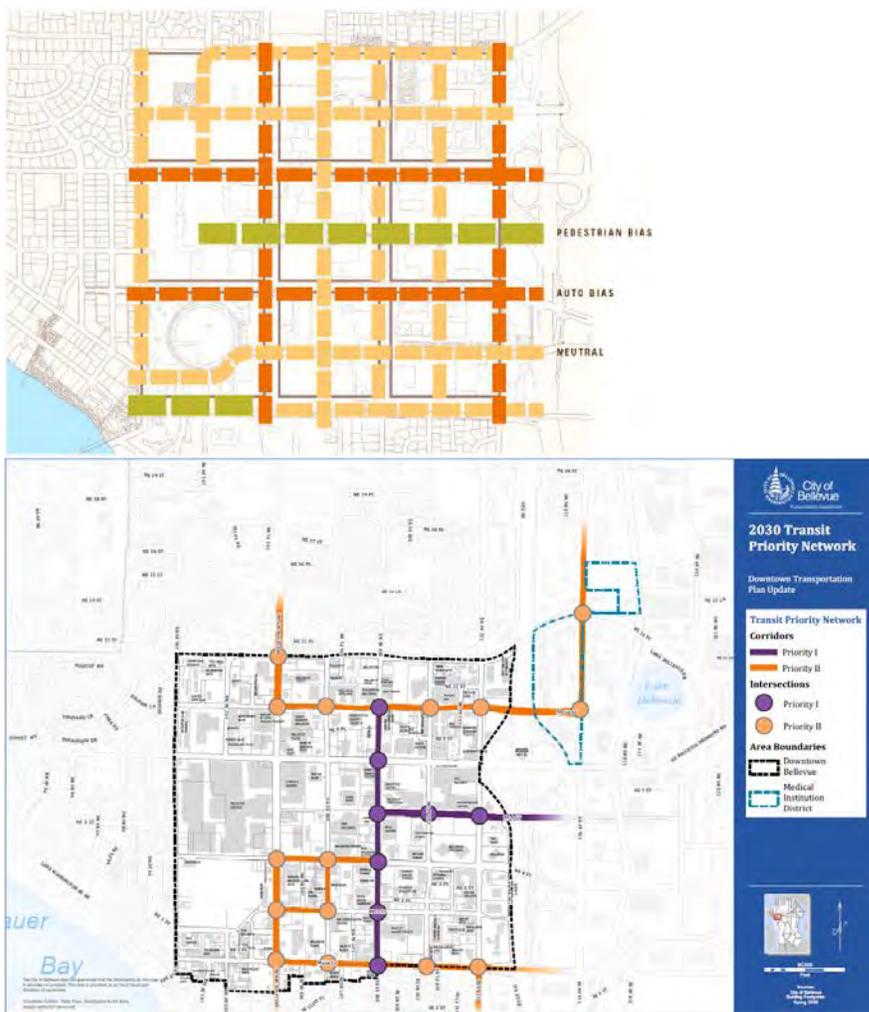
POLICY S-DT-37. Link building intensity to design guidelines relating to building appearance, amenities, pedestrian orientation and connections, impact on adjacent properties, and maintenance of view corridors. These guidelines will seek to enhance the appearance, image, and design character of the Downtown.

POLICY S-DT-38. Minimize the adverse impact of Downtown development on residential neighborhoods with consideration of through-traffic, views, scale, and land use relationships.

Hierarchy of Downtown Streets

The streets in Downtown Bellevue ~~may be~~ placed in a hierarchy ~~designed and managed~~ based on their connectivity, cross-section, and current and future traffic and transit volume. As the graphic below shows, there ~~are~~ is a range of street types in Downtown Bellevue. The pedestrian-~~bias~~ priority streets of NE 6th Street and the portion of Main Street in Old Bellevue are unique in Downtown Bellevue. The NE 6th Street Pedestrian Corridor ~~shifts~~ morphs through a series of “rooms” -from west to east from a limited auto-access street (street as plaza), to no auto access (garden hillclimb), to a transit mall (transit central), and extends to the eastern edge of Downtown with a mix of modes in a new “civic center” segment. Eventually a “Grand Connection” ~~the pedestrian connection~~ will extend across I-405 and link Downtown and Wilburton. Old Bellevue has a two-lane Main Street with on-street parking, small retail shops, and high levels of pedestrian activity that ~~provide~~ create a

the signature look and feel. ~~At the other end of the spectrum are a~~Auto-bias priority streets . They will provide a pleasant pedestrian environments, but are designed and intended to accommodate a large numbers of ~~for current high v~~ vehicles volumes, and will be required to serve similar and increasing volumes in the future. Bellevue Way, NE 4th Street, NE 8th Street, and 112th Avenue NE are ~~examples~~the auto-priority streets. Transit priority streets - 108th Avenue NE, Main Street, NE 6th Street, NE 10th Street - are essential components of the frequent transit network and they carry large numbers of passengers on buses, especially during the peak commute hours. ~~The Other Downtown~~ streets ~~in between auto-bias and pedestrian-bias~~ are said to be mode- neutral. ~~They~~ These streets will evolve over time to serve both pedestrians, bicycles, transit and automobiles in a manner that reinforces the adjacent land uses, urban design character, and travel demands ~~of future development.~~ .



Downtown Bellevue has a clear hierarchy of streets. [Need to update or supplement this map with the Transit Priority Corridors.]

POLICY S-DT-39. Utilize the intended street character and function a hierarchy of streets to guide right-of-way design and use in a manner that will promote a safe,

attractive environment for persons traveling in ~~both motorized and non-motorized users~~ any mode.

POLICY S-DT-40. Enhance the appearance and function of all types of streets and adjoining sidewalks with street trees, landscaping, water features, pedestrian-scaled lighting, street furniture, bicycle parking, paving treatments, medians, or other softening and design treatments as appropriate.

POLICY S-DT-41. ~~Minimize disruption of~~ Prioritize vehicular flow in the design and management of ~~on~~ auto-~~bias-focused~~ streets.

POLICY S-DT-A. Prioritize pedestrian activity, access and comfort in the design and management of pedestrian-focused streets.

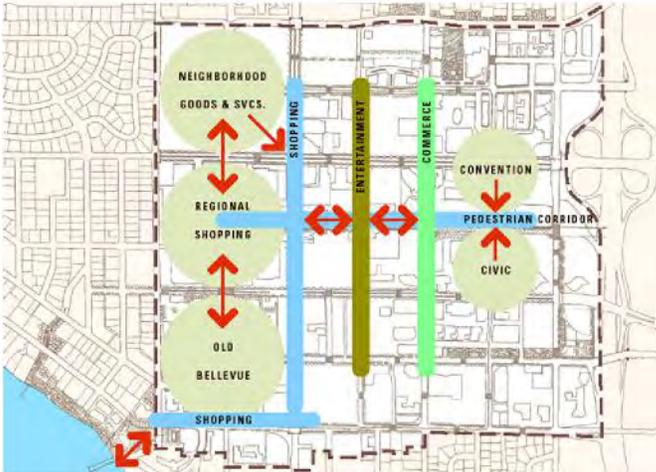
POLICY S-DT-B. Prioritize the movement of people on buses, especially during peak commuting periods, in the design and management of transit priority streets.



All roadways should promote a safe and attractive environment for motorized and non-motorized users.

Signature Streets

The functional aspect of Downtown Bellevue's streets can be refined around a set of signature themes. The graphic below shows three types of signature streets. Bellevue Way, Main Street in Old Bellevue, and the NE 6th Street Pedestrian Corridor are identified as Shopping Streets. The others are 106th Avenue NE as Entertainment Avenue, and 108th Avenue NE as Downtown's Commerce Avenue. These streets ~~will~~ help tie Downtown together with complementary uses and design elements. All these streets will continue to support multiple uses and modes of travel, with evolving functions and identities ~~the unique identities evolving over time~~.



Signature streets will help tie the Downtown districts together.

POLICY S-DT-42. Reinforce the emerging identity of 108th Avenue NE as the Eastside’s business address. Provide incentives for private development and utilize public funds to create a dense office environment with supporting transit service and retail uses.

POLICY S-DT-43. Encourage new development on Main Street in Old Bellevue to embrace the character of the small-scale, pedestrian-friendly street frontage that has developed there over time.



Main Street in Old Bellevue is comprised of small-scale, pedestrian-friendly uses along the street edge.

POLICY S-DT-44. Provide incentives for 106th Avenue NE to develop as Downtown’s Entertainment Avenue. This area will include a concentration of shops, cafés, restaurants, and clubs that provide for an active pedestrian environment during the day and after-hours venues for residents and workers by night.

POLICY S-DT-45. Continue to ~~encourage the develop the~~ NE 6th Street Pedestrian Corridor as a major unifying feature for Downtown Bellevue through public and private-sector investments

POLICY S-DT-45.1. Implement design components and wayfinding along the NE 6th Street Pedestrian Corridor to create an accessible connection.

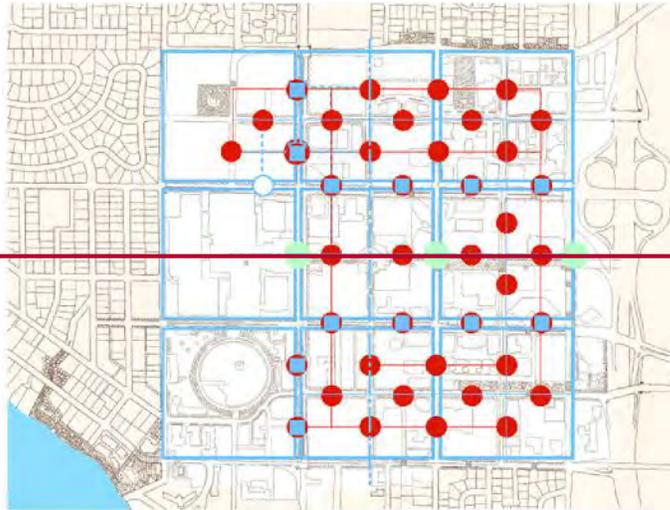
POLICY S-DT-46. Provide incentives for Bellevue Way to realize its vision as a Grand Shopping Street, with an exciting mix of retail shops, restaurants, hotels, offices and residential units.



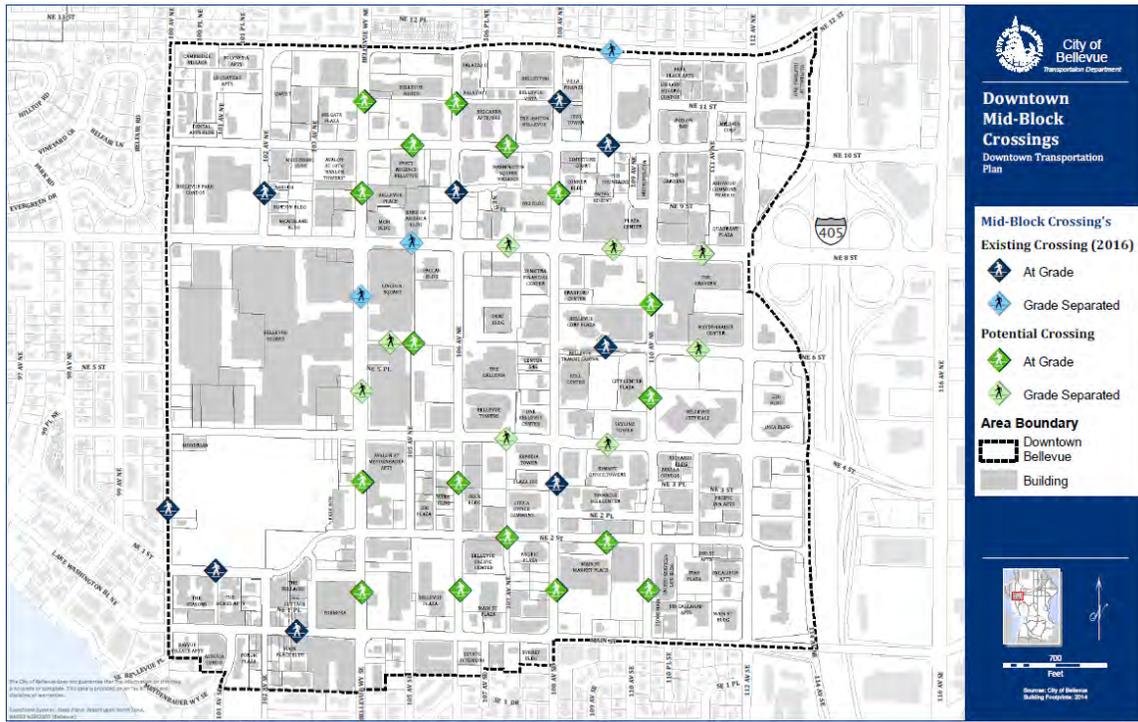
The vision for Bellevue Way is a Grand Shopping Street. [\[Insert new photo.\]](#)

~~Mid-Block Pedestrian Crossings~~

~~The scale of Downtown’s 600-foot long superblocks provides a challenge in creating a fine-grained pedestrian environment. In select locations, there may be opportunities to improve pedestrian mobility across arterial streets with signalized mid-block pedestrian crossings. The graphic below shows the concept for a series of these connections and the impact they could have as a system. The precise location and number of these crossings will be determined by the design of adjacent superblocks, consideration of traffic flow, and the quality of the pedestrian environment. Mid-block crossings would not be appropriate on auto-biased streets, but may be possible on auto-neutral streets and pedestrian-biased streets.~~

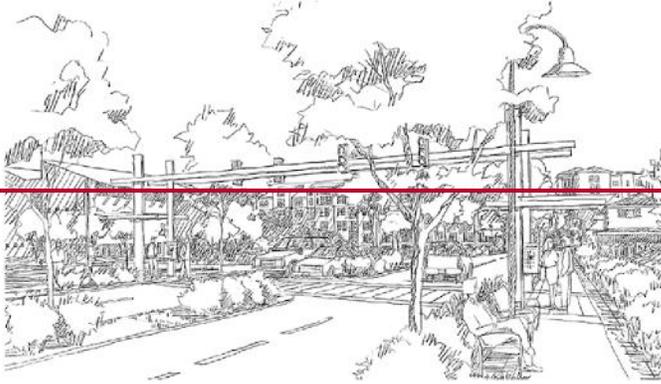


~~Concept for a series of signalized, mid-block pedestrian crossings. [To be replaced with new map from Downtown Transportation Plan Update.]~~

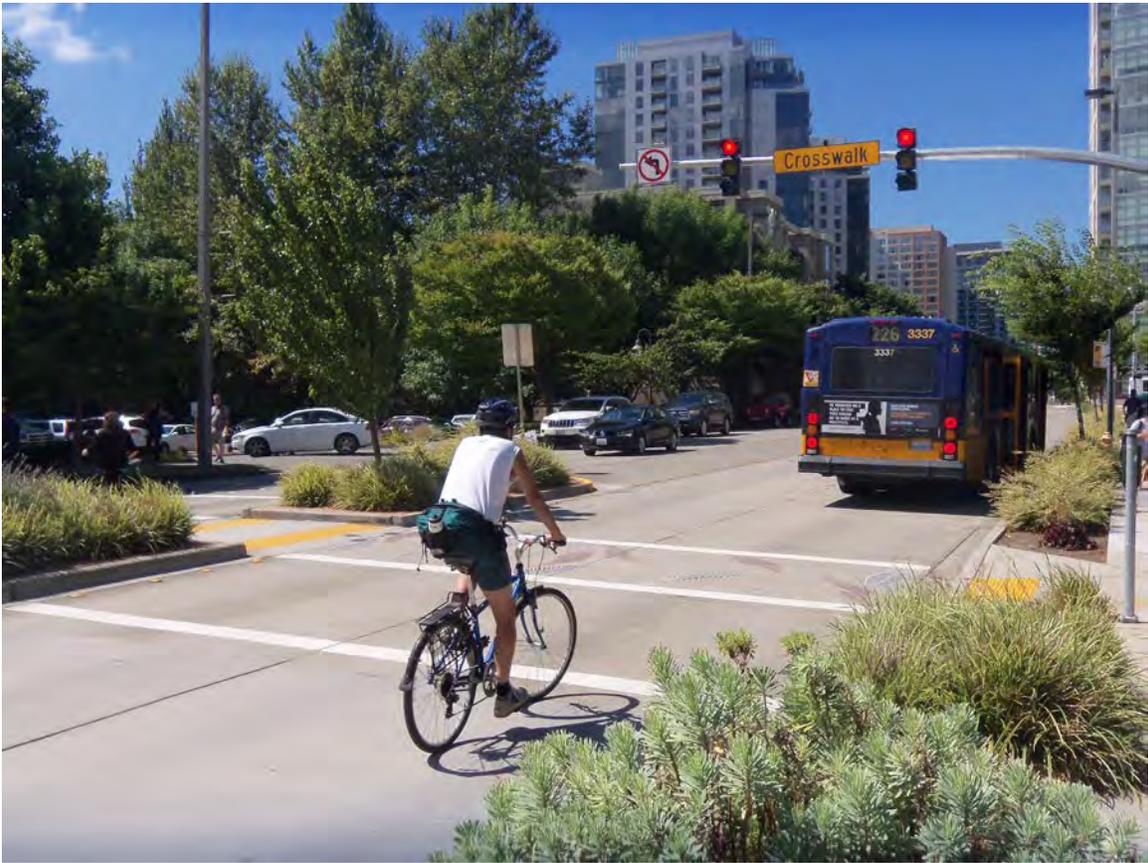


POLICY S-DT-47. Reinforce the importance of the pedestrian in Downtown Bellevue with the use of Implement **a series of signalized, unsignalized and grade-separated mid-block crossings, the unique design of each crafted in c.** ~~Consideration should be given to the design~~ **of adjacent superblocks, consideration of** ~~traffic flow, and the~~ intended **quality**

of the pedestrian environment ~~when implementing mid-block crossings.~~



Artist's sketch of possible design treatment of mid-block crossing. [Replace concept sketch with photo of actual mid-block crossing.]

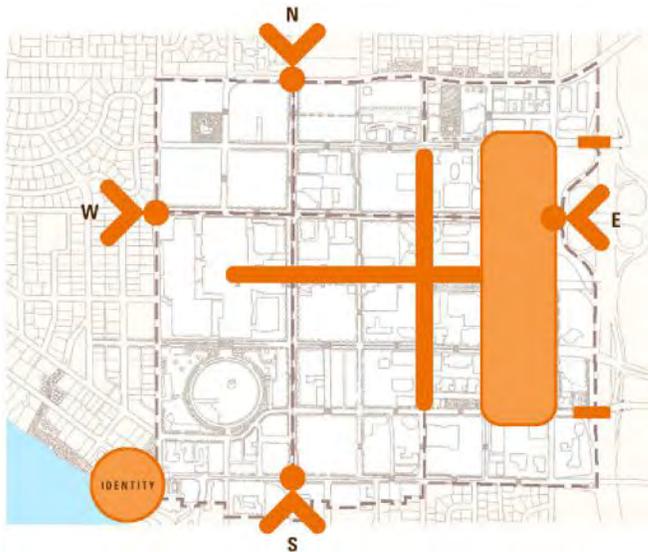


Gateways and Wayfinding

There are a number of ways to express a gateway into Downtown Bellevue. They could incorporate architectural elements, a variety of vegetation, water features, decorative paving, and interpretive or directional signage. Wayfinding is a key element in a maturing, complex

Downtown. Wayfinding not only helps people navigate from point A to point B on foot, bicycle or car, but also contributes to the design character of the public realm.

The graphic below shows gateway and identity opportunities for the Downtown Subarea. Major gateway locations for Downtown are on Bellevue Way from the north and south, and on NE 8th from the east and west. Major identity opportunities are shown at Meydenbauer Bay, the Pedestrian Corridor, the ridge along 108th Avenue (the highest point in Downtown, with some of the tallest buildings), the properties directly visible from I-405, and new bridges to be constructed across I-405 at NE 10th Street and NE 2nd Street.



Gateway and identity opportunities.

POLICY S-DT-48. Provide for a sense of approach to Downtown at key entry points through the use of gateways and identity treatments that convey a sense of quality and permanence.

POLICY S-DT-49. Enhance the attractiveness of the I-405 right-of-way in accordance with its role as a gateway to the City of Bellevue and the Downtown Subarea.

POLICY S-DT-50. Develop a comprehensive wayfinding system geared for a range of users (i.e. pedestrians, bicyclists, and automobiles). The system should be built around a set of common design elements, but also includes unique components that vary by Downtown neighborhood as appropriate.

Unifying Urban Design Feature

In the coming years, Bellevue will have a number of opportunities to develop a unifying urban design feature or features that will add to Downtown livability and memorability. The evolution of Downtown neighborhoods will present an opportunity to gracefully link a literal and symbolic expression throughout the entire Downtown. An example may be the use of water. Water can be

expressed in many ways. There are a number of instances of water already in Downtown. Downtown Park has the canal and waterfall. Many fountains are within the public realm, and many more are within private developments just off the sidewalk.



The expression of water is evident in ~~downtown's~~ [Downtown's](#) many fountains and water features.

POLICY S-DT-51. Develop a strategy on how to link Downtown together through the use of literal and/or symbolic major design features that vary by district.

POLICY S-DT-52. Provide incentives to assist developers in implementing a major unifying design feature.

POLICY S-DT-53. Incorporate the unifying design feature in public projects whenever possible.

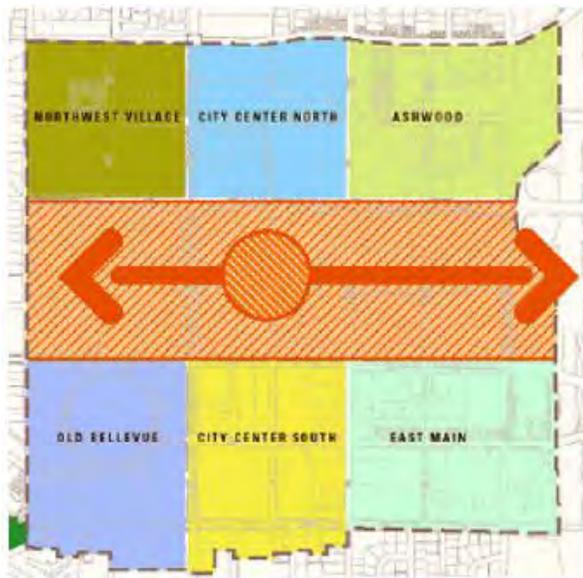
Downtown Districts

A key piece of the Great Place Strategy that guides this Subarea Plan is development of a series of distinct, mixed-use neighborhoods (or districts) within Downtown that each capitalize on their locations and unique identities. Downtown was originally laid out in a manner that is defined by its street grid and system of 600-foot superblocks. Rather than one homogenous Downtown, the superblocks may be grouped together to form nine districts. Each district has clear boundaries formed by major arterials that extend outside of Downtown. Each district is pedestrian-friendly in size, and easily traversed in a ten-minute walk.



Downtown divided into a nine-square grid.

By connecting the center row into a common district as shown in the graphic below, the symbolic and functional center of the Eastside is created. This will be known as Bellevue’s City Center District. To the north and south of the City Center are three districts. Some of the districts such as Ashwood and Old Bellevue already have clear identities. The identity of others is not as clear and will evolve over time.



Three center squares are connected to form a single district.

POLICY S-DT-54. Provide incentives to reinforce unique characteristics of Downtown Districts to create pedestrian-scaled, diverse, and unique urban lifestyle experiences and options

POLICY S-DT-55. Utilize design guidelines to help differentiate development within each of the Downtown Districts as they evolve over time.

POLICY S-DT-56. Differentiate Downtown Districts through streetscape improvements such as wayfinding elements, gateways, mid-block pedestrian crossings, public art, landscaping and street trees, lighting, and street furniture.

POLICY S-DT-57. Create pedestrian linkages within and between the Downtown Districts as well as to surrounding residential and commercial areas outside Downtown.

Northwest Village

The Northwest Village District currently provides a wide array of primarily neighborhood-oriented retail and service uses. It is a neighborhood shopping area for both Bellevue and the Points communities of Medina, Clyde Hill, Yarrow Point, and Hunts Point. This district is somewhat isolated from the rest of Downtown. No large-scale development has occurred in this district during the growth cycles of the 1980s and 1990s. The district will evolve over time as it has a significant amount of growth potential. There will need to be public investments for parks and open space. Additional housing will add to the village feel that currently exists in and around the pedestrian-scaled 102nd Avenue NE area. The development of “alleys with addresses” will add to the village feel of the area. With both infill development and large-scale redevelopment this area will evolve into a vibrant urban neighborhood.

POLICY S-DT-58. Create intimacy for the pedestrian through the development of “alleys with addresses.” These are small-scale pedestrian frontages accessed off of mid-block connections.

~~**POLICY S-DT-59.** Continue to provide neighborhood-oriented retail and service uses for the Northwest Village District as well as for the surrounding neighborhoods both within and outside Downtown.~~

~~**POLICY S-DT-60.** Enhance the connection and interface for the pedestrian from the Northwest Village District to Bellevue Square.~~

~~**POLICY S-DT-61.** Examine additional opportunities for on-street parking in the district.~~

~~**POLICY S-DT-62.** Explore opportunities for shared parking, or a park-once district concept for short term parking.~~

POLICY S-DT-63. Develop a neighborhood park in the Northwest Village District.

POLICY S-DT-64. Emphasize the intersection of 102nd Avenue NE and NE 10th Street as a central gathering place for the district.

City Center North

The City Center North District is home to the Bellevue Place mixed-use development. It currently provides the defining character for the district. As it expands with additional uses, such as a large performing arts center, more activity will be centered around the intersection of 106th Avenue NE and NE 10th Street. North of NE 10th Street, multifamily development has recently occurred, and more is planned. There is a great opportunity to develop a high-rise housing row in this district.



Bellevue Place, a major mixed-use development, helps define the character of City Center North.

POLICY S-DT-65. Encourage the development of high-rise housing along NE 10th Street within this district.

~~**POLICY S-DT-66.** Improve pedestrian connectivity from City Center North to the Ashwood District to the east, Northwest Village to the west, and across NE 8th Street to the south.~~

POLICY S-DT-67. Develop a soft or hard open space amenity in the vicinity of 106th Avenue NE and NE 10th Street.

Ashwood

The Ashwood District is defined by the King County Regional Library, Ashwood Park, and the concentration of dense urban housing. The area currently lacks some of the neighborhood-serving uses that are desirable for a Downtown neighborhood such as small grocery and drug stores, but they are likely to emerge over time. Future improvements to Ashwood Park will also play a large role in the maturation process for this district.

POLICY S-DT-68. Explore opportunities to unite the district by bridging a perceived gap formed by NE 10th Street.

POLICY S-DT-69. Encourage other civic uses to locate in this district, using the King County Library as an anchor.



The King County Regional Library is an anchor for the Ashwood District.

POLICY S-DT-70. Encourage uses that will bring additional pedestrian activity to the area.

~~**POLICY S-DT-71.** Examine additional opportunities for on-street parking in the district.~~

POLICY S-DT-72. Encourage expansion of the King County Library to the north. Explore a potential partnership to develop appropriate community center facilities as part of the expansion.

~~**POLICY S-DT-73.** Provide pedestrian and bicycle connectivity across I-405 at NE 10th Street.~~

POLICY S-DT-74. Encourage ground-level residential units on 109th Avenue NE, 111th Avenue NE, and NE 11th Street.

POLICY S-DT-75. Encourage a unified, high density urban residential community with supporting neighborhood retail and service uses.

POLICY S-DT-76. Limit the amount of office and retail development in the area to take into account the predominantly residential character of the area.

POLICY S-DT-77. Use of Ashwood Park site as an urban park or community facility should work in conjunction with residential uses in the area.

Eastside Center District

The Eastside Center District is comprised of three smaller districts: Bellevue Square, City Center, and the Civic/Convention District. The Eastside Center is within walking distance to all of Downtown’s key features. The key to the Eastside Center District is tying it together from east to west along the NE 6th Pedestrian Corridor, and having it become the symbolic and functional heart of the Eastside Region.



Meydenbauer Center helps form the eastern portal of the Eastside Center District.

POLICY S-DT-78. Capitalize on the relocation of City Hall to Downtown to help nurture a strong civic and convention center presence on the eastern portion of the Eastside Center District.

POLICY S-DT-79. Provide incentives to develop the intersection of 106th Avenue NE and NE 6th Street as a central location for public gatherings.

POLICY S-DT-80. Pedestrian ~~Crossings~~ bridges may be appropriate over the public right-of-way only on Bellevue Way between NE 4th Street and NE ~~8th~~ 10th Street, ~~and over~~ NE 4th Street between Bellevue Way and 110th Avenue NE, and NE 8th Street between Bellevue Way and ~~110th~~ 112th Avenue NE, provided that there is a clear demonstration of public benefit, and design criteria are fully met.

POLICY S-DT-81. Develop the NE 6th Street Pedestrian Corridor as a unifying feature for Downtown Bellevue by siting buildings and encouraging uses that add to pedestrian movement and ~~activity~~ activate the corridor, and incorporate design components that ensure accessibility.

POLICY S-DT-82. A range of activities shall be permitted, including office, urban residential, hotel, retail, civic, and entertainment uses.

POLICY S-DT-83. Day-time and night-time activities should be encouraged.

POLICY S-DT-84. Encourage pedestrian-oriented post office facilities to be located in this area.

POLICY S-DT-85. Allow uses and development intensity that is supportive of transit and day/night activity.

~~**POLICY S-DT-86.** Discourage use of the eastern portion of this District for large-scale, stand-alone transit parking. Transit parking may be appropriate if combined with other uses.~~

Old Bellevue

The Old Bellevue District sits above Meydenbauer Bay and proudly displays the roots of Downtown. This area is home to many small shops and Downtown’s oldest buildings. This district is also home to the 20-acre Downtown Park. Main Street functions like the traditional “Main Street USA”, with low traffic speeds, comfortable sidewalks, and on-street parking — elements that together make this a very safe and enjoyable place to walk.



Downtown Park should be a visible presence on Bellevue Way.

POLICY S-DT-87. Provide a graceful pedestrian connection from Downtown Park through Old Bellevue to Meydenbauer Bay.

POLICY S-DT-88. Encourage redevelopment to maintain some of the historic façade treatments of older buildings in this district.

POLICY S-DT-89. Explore opportunities for shared parking, or a park-once district concept, to improve utilization of the ~~availability of the~~ short term off-street parking supply. ~~for retail and service users~~

POLICY S-DT-90. Establish a heightened presence of Downtown Park as seen from Bellevue Way.

POLICY S-DT-91. Reinforce the unique character of the Old Bellevue area by encouraging residential development, specialty retail, and other development with an emphasis on pedestrian activity.

City Center South

The City Center South District is emerging as a true mixed-use neighborhood. New and exciting restaurant, retail, and residential uses are adding a greater level of activity in this area. The proximity to the Surrey Downs and 108th Avenue Neighborhoods provides an opportunity to have appropriately-scaled transitional uses along the edge of Downtown.



Artist's sketch of the view looking west on Main Street compatible with the vision for the district.

POLICY S-DT-92. Encourage development of neighborhood-serving retail uses.

POLICY S-DT-93. Explore opportunities for “live/ work” spaces in this district.

POLICY S-DT-94. Encourage new development to provide open space amenities that are accessible to the public and function as neighborhood gathering places on the south side of Main Street, between 108th Avenue SE and Bellevue Way SE.

East Main

The East Main District experienced a significant amount of office and residential development in the 1990s, but still lacks a single defining feature. The district has a great deal of potential. Development of a needed open space amenity could provide a focus point and function as a catalyst for additional high-quality development.



Concept for a new neighborhood park in the vicinity of NE 2nd Place.

POLICY S-DT-95. Develop a linear neighborhood park in the vicinity of NE 2nd Place that acts as a defining feature for the district.

POLICY S-DT-96. Take advantage of the topography of the area for views as well as for visibility from I-405.

POLICY S-DT-97. Enhance the transition from this district [South Main] to the adjacent neighborhoods by providing a lineal green open space buffer in the vicinity of the southeast corner of Downtown.

POLICY S-DT-98. Explore opportunities to showcase the historic Sacred Heart Catholic Church on Main Street.

Parks, Recreation & Open Space

Open space provided by both the public and the private sectors is a key component of being a livable city. Throughout Bellevue, open space punctuates, accents, and highlights the fabric of a city. Parks, recreation, and open space amenities within Downtown will function as a system that reinforces the notion of Bellevue as a “city in a park.” Some pieces, like the 20-acre Downtown Park, serve a regional need, while others are oriented to a particular neighborhood or district. The character of Downtown’s amenities will vary from quiet, contemplative and green, to crowded, high energy and more architectural. The system will be tied together in a planned and deliberate way by creating connections along Downtown’s sidewalks and mid-block pedestrian connections.



Concept for Downtown parks and open space network.

Downtown Park will continue to be one of Bellevue’s finest public assets. It is an important gathering place for people, a venue for special events and a key factor in the developing identity of Downtown. The Park plays a pivotal role in making Downtown an appealing place to live, work and play.

Major new features of the system will be neighborhood parks in the northwest and southeast quadrants of Downtown as well as a visual and physical connection from Downtown Park to Meydenbauer Bay. People naturally gravitate to areas with water to enjoy the aesthetics and unique recreational opportunities. This connection is imperative if Bellevue intends to identify itself as a waterfront city and provides an opportunity to recognize the Meydenbauer Bay’s historical significance in the region’s development.

Goal:

To provide urban parks, recreation opportunities, and open space within Downtown.

Policies

General

POLICY S-DT-99. Emphasize the street and sidewalk environment as a key components of the Downtown open space network.

POLICY S-DT-100. Encourage active and passive recreational activities to locate throughout Downtown.

POLICY S-DT-101. Provide appropriately scaled parks and open spaces throughout Downtown.



Both public and private open spaces help make Downtown Bellevue a livable place.

POLICY S-DT-102. Analyze alternative locations and explore potential partnerships to provide community center space and functions for the Downtown Subarea and surrounding neighborhoods.

POLICY S-DT-103. Encourage developers to provide open space amenities accessible to the public such as mini-parks, plazas, rooftop gardens, and courtyards in private developments. Such amenities must be clearly identified and maintained for public use.

POLICY S-DT-104. Require developer contributions for a coordinated system of major and minor public open spaces along the pedestrian corridor and at designated intersections. These could include areas for seating, fountains, courtyards, gardens, places to eat, and public art.

POLICY S-DT-105. Provide a visual and physical connection from Downtown to Meydenbauer Bay that terminates in a significant waterfront presence. The connection will provide unique recreation, retail, and tourism opportunities.



The proposed open space network will provide both visual and physical connections between the Downtown and beautiful Meydenbauer Bay.

POLICY S-DT-106. Encourage new residential development to include open space and recreation amenities targeted to growing Downtown population.



The proposed open space network will provide both visual and physical connections between downtown and beautiful Meydenbauer Bay.

POLICY S-DT-107. Create connections along public sidewalks and mid-block connections that link key parks and open spaces and include dispersed recreation opportunities and urban plazas where appropriate.

POLICY S-DT-108. Provide a lineal green open space buffer in the vicinity of the southeast corner of Downtown to transition from single family residential uses to higher density residential and commercial uses north of Main Street within Downtown.

~~**POLICY S-DT-109.** Provide an east-west connection through the Downtown Subarea for the Lake to Lake Trail system.~~

POLICY S-DT-110. Continue to preserve significant older trees within the Downtown Subarea.

Downtown Park

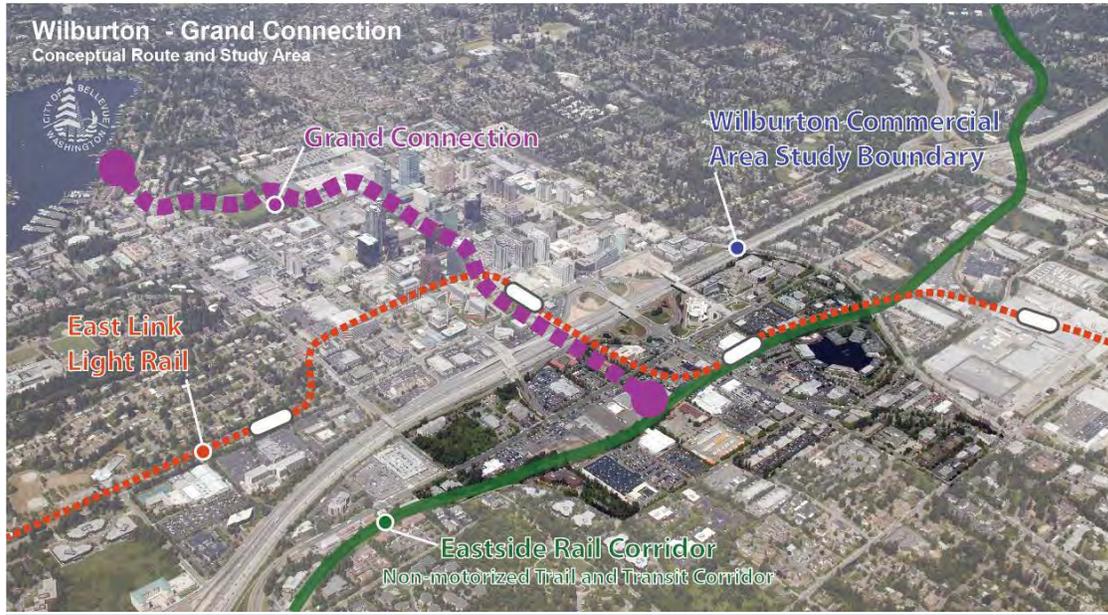
POLICY S-DT-111. Develop and operate Downtown Park within the framework of the Council approved Downtown Park master plan.

POLICY S-DT-112. Complete the phased development of Downtown Park, and enhance its visual and functional presence on Bellevue Way.

POLICY S-DT-113. Utilize Downtown Park as the prime location for special events and gatherings throughout the year.

POLICY S-DT-114. Strengthen pedestrian connections along the Grand Connection between the Downtown Park and ~~other Downtown features, such as~~ Meydenbauer Beach Park, Bellevue Square, the NE 6th Street ~~pedestrian~~ Pedestrian eCorridor, Bellevue Way, and ~~Main Street~~ Old Bellevue, and Meydenbauer Bay. ~~This will enhance the role of the~~

~~Park as a major pedestrian destination and as a pedestrian linkage with other areas of Downtown.~~ Refer to Grand Connection map Figure XX.



POLICY S-DT-115. Within density and height limits permitted in the Land Use Code, work with adjoining property owners through the Design Review process to ensure a graceful transition between the Park and future development. The ground level of buildings facing Downtown Park should include pedestrian oriented uses, be visually accessible, and where appropriate, provide pedestrian connections for the general public and for commercial uses that complement the Park. A continuous north-south pathway on private properties separating adjoining development from the Park shall not be required.

Neighborhood Parks

POLICY S-DT-116. Provide an equitable distribution of neighborhood-serving parks and open spaces throughout Downtown. These amenities should include a mix of passive, green open space along with more formalized hardscape areas.

POLICY S-DT-117. Update the Ashwood Park master plan to reflect a contemporary vision for the site that considers some community center functions while retaining significant passive open space use. Explore partnerships for development consistent with the vision.

Edges & Transitions

Downtown Bellevue is unlike many other urban centers in that it is directly adjacent to vibrant single family neighborhoods on three of its four edges (north, west, and south; I-405

lies to the east). The city is committed to protecting these neighborhoods by utilizing traffic and parking management outside Downtown, and defining Perimeter Areas through zoning within Downtown to reduce potential spillover impacts.

Policies

Neighborhood Traffic & Parking Management

~~Existing programs~~ Programs to protect neighborhoods adjacent to Downtown Bellevue from significant adverse transportation impacts will be enhanced and expanded as the need arises. Such programs ~~will~~ include a traffic management program to discourage cut-through traffic and a residential parking zone program to discourage commercial parking in residential areas. Traffic calming measures may be implemented to remedy specific situations.



Traffic control measures may be used to reduce spillover impacts.

POLICY S-DT-118. ~~Protect the residential neighborhoods surrounding Downtown from traffic impacts by monitoring~~ Monitor traffic volume ~~levels~~ on residential streets and ~~establishing~~ appropriate traffic control measures with residents' concurrence.

POLICY S-DT-119. Establish residential parking permit programs where ~~ver~~ appropriate in ~~the residential communities surrounding neighborhoods Downtown~~ and enforce parking violations to eliminate non-residential parking ~~spillover on residential streets~~.

Perimeter Areas

POLICY S-DT-120. Provide an equitable distribution of Perimeter Areas along the north, west, and south boundaries of Downtown, based on their potential for protecting surrounding residential neighborhoods.

POLICY S-DT-121. Provide incentives for multifamily residential uses and neighborhood-serving retail and service uses within Perimeter Areas to provide stability both within the Downtown Subarea and within surrounding residential neighborhoods.

POLICY S-DT-122. Require development occurring within Perimeter Areas to participate in traffic mitigation measures to reduce impacts on surrounding residential neighborhoods.

POLICY S-DT-123. Establish development standards and design guidelines for Perimeter Areas that will break down the scale of new development and add activities and physical features that will be compatible both with the Downtown Subarea and surrounding residential areas.



Linear buffers, complete with art and landscaping, help define and protect surrounding neighborhoods.

POLICY S-DT-124. Utilize sidewalk, landscaping, and green space treatments within Perimeter Areas to provide a transition from Downtown to surrounding residential neighborhoods.

Linear Buffers

POLICY S-DT-125. Utilize lineal green open space buffers directly outside Downtown (north of NE 12th Street between 106th Place NE and 112th Avenue NE, and in the vicinity of the southeast corner of Downtown) to provide a graceful transition from Downtown to surrounding residential neighborhoods.

Downtown Mobility ~~Transportation & Circulation~~

Goals:

To provide a transportation network with options for people to get around on foot, on bicycle, riding transit, or in a private vehicle.

~~To provide an accessible transportation network for motor vehicle circulation, public transportation, high-occupancy vehicles, pedestrian circulation, bicycle circulation, and integrated parking.~~

~~To identify the road and transit improvements needed to implement the city's vision for Downtown Bellevue as a dense, mixed-use urban center.~~

Policies

Downtown Land Use and Transportation Implementation

The Downtown land use forecast for 2035 anticipates approximately 76,300 jobs and 20,500 residents. Attractive Downtown mobility options make it easy for people to get around Downtown. Within Downtown, the planned expansions of NE 2nd Street and 110th Avenue NE provide additional vehicular capacity. Roadway projects outside of Downtown improve overall circulation for vehicles, pedestrians and bicyclists. Regional projects provide better access to points beyond Bellevue for both motorists and transit riders.

Travel demand modeling and Downtown vehicular level of service (LOS) analysis inform decisions regarding roadway capacity projects. The projected average vehicle delay of 56 seconds at Downtown intersections in the 2030 “Baseline” scenario is reasonable for a multi-modal mixed use urban setting. A delay of 48 seconds is projected in the 2030 “Build” scenario. This level-of-service outcome indicates that roadway capacity projects beyond those assumed in the model will not be necessary in the 2030 timeframe. Please refer to the Consolidated Transportation Project List for roadway capacity project descriptions and project maps.

Attractive Downtown mobility options result in levels of transit use, walking and bicycling sufficient to reduce the need to expand vehicular capacity. Modeling projects a 2030 commuter mode share in Downtown Bellevue of 50% single occupant vehicles, 17% high occupancy vehicles, 32% transit and about 1% walk and bicycle. This projection is based on a myriad of assumptions as varied as the price of gas and parking, freeway tolling and transit availability. Changes in these assumptions may result in shifts in the mode share. History bears this out. Between 1990 and 2015, daily traffic volume on arterials in Downtown Bellevue remained nearly constant, while new office buildings and residential towers pierced the skyline and retail occupied a larger footprint. While the number of person trips increased from about 250,000 in 1990 to 385,000 in 2010, traffic volume remained constant, and daily transit ridership increased 8-fold.

Downtown Roadway Access

Downtown Bellevue relies on regional roadway access to prosper from both an economic and cultural standpoint. ~~This requires a significant amount of coordination with other local, state, and federal partners. Improvements to function of the regional roadway system help Downtown vehicle circulation and level of service.~~ Implementation of regional roadway projects that support Downtown Bellevue requires coordination with local, state, and federal partners. Maintaining and enhancing regional roadway access is essential to minimize regional traffic impacts on Bellevue’s arterial and local streets.

POLICY S-DT-126. ~~Aggressively pursue~~ Pursue and actively participate in local, state, and federal action to ~~implement improved automobile general purpose~~ and high occupancy vehicle (HOV) access to and from ~~the Downtown Subarea from I-405 at NE 6th Street.~~

POLICY S-DT-127. ~~Actively participate in the SR-520 bridge replacement and HOV project. Evaluate access needs in the SR-520 corridor including the recommended new on-ramp at Bellevue Way NE.~~

POLICY S-DT-128. Minimize growth of traffic on arterial streets in residential areas north, west and south of Downtown by ~~encouraging~~ discouraging the use of local streets ~~freeway facilities~~ for regional trips. ~~Arterial streets should not function as alternative routes to freeways. Traffic flow should be managed in accordance with the relevant Subarea Plan policies and should be distributed among arterial streets.~~

POLICY S-DT-129. ~~Emphasize the use of 114th Avenue SE as the primary arterial street between SE 8th and Main Street. Provide direct access from 114th Avenue SE to I-405 through the SE 8th interchange modification so as to minimize traffic impacts on the residential neighborhood south of Downtown.~~

Regional and Local Downtown Transit Mobility

~~The 2020 growth forecast for Downtown Bellevue shows a significant increase in transit demand. To meet this demand, a doubling of overall transit frequency will be required to ensure sufficient local and regional service for workers, residents, and visitors. This increase in transit service will result in a quadrupling of transit ridership. High capacity transit is a key component of the long-range vision for Downtown. Achieving high levels of transit ridership to Downtown Bellevue will also depend on a significant expansion of service for local and regional routes and Park and Ride capacity for trips that originate outside the city. These improvements will seek to provide a competitive trip frequency and travel time advantage, as well as locate parking in areas where a significant increase in ridership is expected to originate. Dedicated transit lanes on 108th Avenue NE and the 106th/108th one-way couplet would improve transit service and schedule reliability. Revisions to simplify and speed service within Downtown are recommended to achieve the large increase in transit trips internal to Downtown—30 percent of the total ridership increase. To maintain Downtown mobility, transit should be targeted to connect the Bellevue Transit Center, major retail and office areas, and activity areas adjacent to Downtown such as Overlake Hospital.~~

Essential components of Downtown transit service are found both on the bus and along the streets, as described below:

Transit Coverage: Well distributed frequent transit service routes will be accessible within a short walk to an estimated 97% of Downtown residents and employees in 2030 (up from 86% in 2010).

Transit Capacity: While Bellevue does not provide transit service, the City advocates to the transit agencies for incremental enhancements to Downtown transit service to support the projected daily Downtown transit riders.

Transit Speed and Reliability: Using technology and prioritizing streets for transit will help to expeditiously move bus passengers to and through Downtown Bellevue. Speed and reliability improvements along designated transit corridors and at intersections will benefit transit passengers and overall mobility.

Transit Passenger Access, Comfort and Information: Transit passengers are pedestrians or bicyclists before and after their ride the bus or train. Context-appropriate components for transit stops are implemented by the city, the transit agencies, or incorporated into new projects through development review. Comfortable pedestrian and bicycle access to and from transit stops and light rail stations will enhance ridership.



Bellevue works with transit providers to improve connections between Downtown, urban centers and neighborhoods.[KDM1]

~~POLICY S-DT-130.~~ Encourage transit service providers to improve transit connections between Downtown and the city's neighborhoods.

~~POLICY S-DT-131.~~ Work with transit providers to significantly expand transit service, including express bus transit, to Downtown Bellevue to accommodate anticipated increases in ridership.

~~POLICY S-DT-132.~~ Explore ways of providing the most effective transportation services and marketing programs for trips between major retail, office, and transit facilities Downtown, as well as activity areas on the edge of Downtown such as Overlake Hospital.

~~POLICY S-DT-133.~~ Encourage transit service providers to improve transit connections between Downtown Bellevue and other designated urban centers.

~~POLICY S-DT-134.~~ Support transit ridership to Downtown Bellevue by encouraging the regional transit providers to expand Park and Ride capacity outside of Bellevue.

POLICY S-DT-135. Provide space within or near Downtown for bus layovers and other bus transit facilities needed to support projected levels of transit service ~~and ridership~~.

~~Layover space and other facilities, whether developed within the right of way or off street, must be located and developed in a manner that minimizes impacts on residential areas, provides an active pedestrian environment and is consistent with the district character direction in this Plan.~~

POLICY S-DT-135.1 Locate and developed bus layover space and other transit facilities in partnership with transit agencies to support Downtown transit service while~~in a manner that minimizes-~~ minimizing impacts on residential areas and the pedestrian, bicycle and auto environment, provides an active pedestrian environment and is consistent with~~complementing the Downtown district character direction in this Plan.~~

POLICY S-DT-136. Support transit ridership by providing or encouraging others to provide passenger comfort, access and information as needed at each Downtown transit stop. ~~Encourage convenient and frequent transit services and provide incentives for attractive waiting areas in Downtown in recognition that transit extends the range of the pedestrian.~~

~~**POLICY S-DT-137.** Coordinate with transit providers to enhance information and incentives available to transit riders and potential transit riders to encourage and facilitate transit use.~~

~~**POLICY S-DT-138.** Work with Sound Transit and other regional partners to develop a High Capacity Transit system that connects Downtown Bellevue to other key activity centers.~~

POLICY S-DT-138.1 Advocate to transit agencies to establish a Downtown frequent transit network in accord with the Transit Master Plan that provides transit service routing and stops proximate to Downtown employees and residents and to the Medical Institution District

POLICY S-DT-138.2 Advocate to the transit agencies for incremental enhancements to Downtown transit service to support the projected 2030 daily Downtown transit ridership.

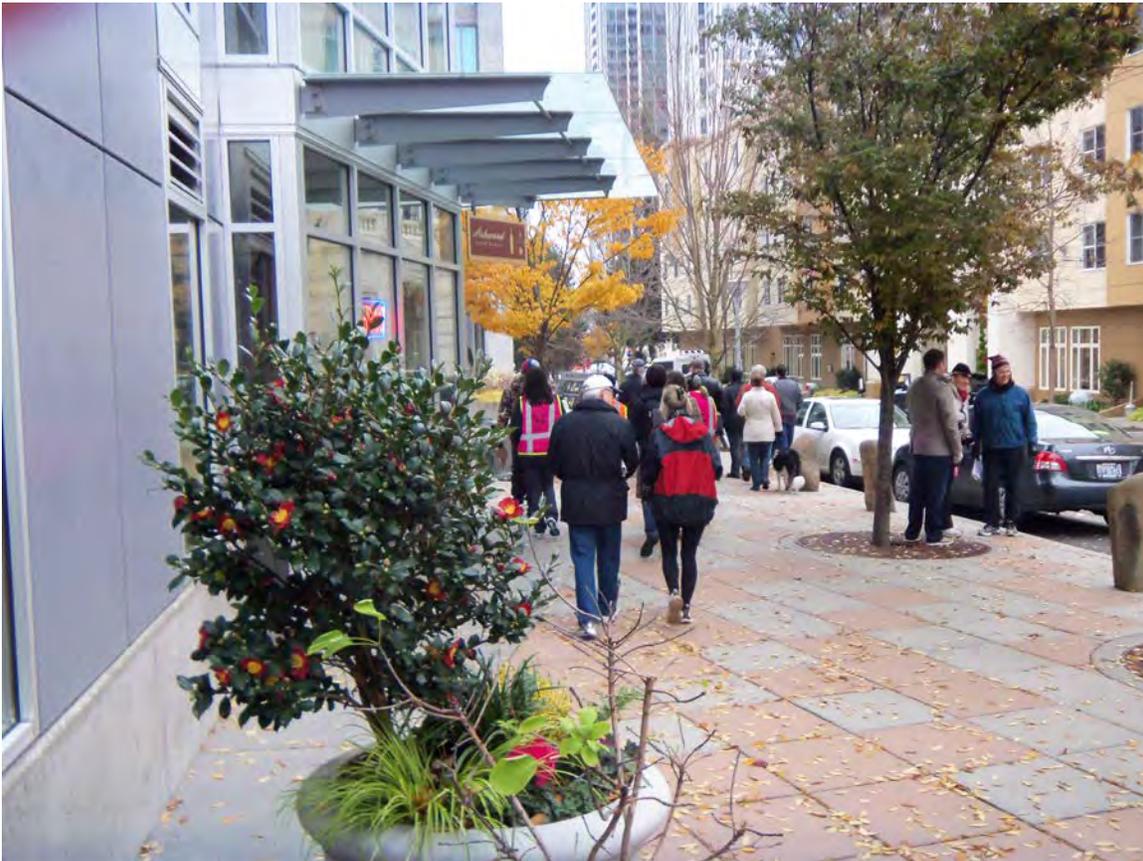
POLICY S-DT-138.3 Implement transit speed and reliability improvements along Downtown priority transit corridors when there is a demonstrated benefit to transit passengers and overall mobility.

POLICY S-DT-138.4 Improve the pedestrian and bicycling environment for access to the two light rail stations that serve Downtown, particularly between the Bellevue Transit Center and the nearby station.

Downtown Roadways

Downtown roadways will be increasingly required to accommodate walking, bicycling, and transit, as well as private vehicles. Maximizing the To achieve greater efficiency capacity to move accommodate vehicles and people will require constant adjustments and improvements to traffic some significant changes over the next 20 years operations because most roadways will not be widened. These include operational changes, including a one-way couplet on 106th and 108th Ave NE, and extensions of NE 2nd and NE 10th Street across I-405 to 116th Ave NE. These changes will help relieve pressure on NE 4th and NE 8th Street in providing east-west access by more equally distributing volumes over the full network. Substantial efficiency in traffic operations is achieved through investments in intelligent transportation system (ITS) infrastructure and technology that allow for demand-based adaptive mobility management. Continued ITS improvements will help the City to manage traffic and transit operations, and to enhance the pedestrian environment. Improved connections to the regional transportation system and across I-405 can help Downtown traffic circulation. Project concepts, such as a NE 6th Street subterranean arterial and grade-separation of Bellevue Way at major intersections may be analyzed in the future.

On-street parking will be in increasingly high demand for short-term use. Opportunities exist to expand the supply, and parking management may be flexible depending on the time of day, transit use, character and function of the roadway, and the nearby land uses.



Odd-numbered streets offer opportunities for pleasant pedestrian and vehicular movement. [\[Add new photo and caption.\]](#)

POLICY S-DT-139. Retain the existing odd-numbered streets for vehicular and pedestrian circulation in Downtown. Consider vacating those streets only if such vacation would improve overall circulation in Downtown.

POLICY S-DT-140. Improve Downtown circulation and arterial continuity to points [beyond east of Downtown with roadway extensions and improvements across I-405, including envisioned extensions of NE 2nd Street and NE 6th Street.](#)

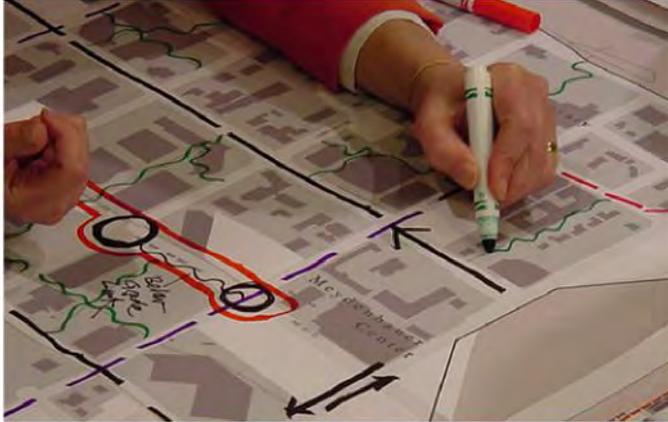
POLICY S-DT-141. ~~Improve traffic flow within Downtown by creating a one-way couplet consisting of 106th Avenue NE (northbound) and 108th Avenue NE (southbound) between Main Street and NE 12th Street. Provide contraflow transit operations on 108th Ave NE between NE 4th and NE 8th Street.~~

POLICY S-DT-142. Restrict left turns ~~at mid-block locations and at major intersections~~ where needed to improve traffic operations, safety, and/or capacity.

POLICY S-DT-143. Enhance the city's ~~computerized~~ intelligent transportation ~~traffic control~~ system to maximize the ~~operation~~ efficient use of the Downtown streets ~~traffic signals in Downtown~~, and ~~to encourage use of transit through~~ improved transit speed and reliability ~~for transit coaches~~.

Mid-Block Access Connections

Mid-block access connections ~~are necessary to function much like alleys in that they~~ provide vehicular access to parking garages and loading/delivery areas ~~access~~ without disrupting traffic flow, transit, walking or bicycling on the ~~major~~ arterial streets. Design enhancements to mid-block access connections ~~on private property will be~~ are part of the overall Downtown aesthetics, viability, and multimodal mobility ~~of the superb block development, and could create attractive physical environments for the pedestrian while still providing vehicular access~~. Mid-block access connections ~~are~~ should be developed under flexible design standards in keeping with the context and intended function. Development projects will incorporate mid-block access connections for vehicles and/or pedestrians and bicycles as determined through ~~the~~ development review ~~process~~. ~~Traffic flow and capacity constraints on adjacent streets will be important factors. Mid-block connections must be shown to serve a reasonable transportation or planning purpose for serving the developments that contain them; they should not be used as a regulation to create through-grid streets on private property. The exact alignment and location of mid-block connections is subject to the design process on private property.~~ Mid-block access connections are intended for portions of the alignments of 103rd, 105th, ~~and~~ 107th, 109th and 111th Avenues NE, and NE 5th and NE 7th Streets (see Figure B).



Mid-block connections create attractive pedestrian environments and improve traffic flow.

POLICY S-DT-144. Provide mid-block access ~~corridors~~ connections within ~~a~~ Downtown superblocks which designed in context to accommodates vehicle access to parking areas, loading/delivery access, and or to augment pedestrian circulation. ~~Develop specific design concepts and implement them as development occurs in each superblock~~

Pedestrian Corridor

The NE 6th Street Pedestrian Corridor is a high priority route for both walking and bicycling. Incremental improvements through private developments and public investments will upgrade the Corridor to eventually eliminate narrow passages, steep sections, tight turns, and poor lighting and sightlines. The Pedestrian Corridor will be an increasingly important amenity to new development and will provide exceptional pedestrian access to the light rail station and to a Grand Connection across I-405.

POLICY S-DT-144.1 Develop and implement a concept design to better accommodate accessible travel through appropriate grades and the use of special paving treatments, wayfinding and widening

POLICY S-DT-144.2 Extend the Pedestrian Corridor designation along the sides of NE 6th Street between 110th Avenue NE and 112th Avenue NE to enhance non-motorized access to the light rail station and to provide a connection to the planned crossing of I-405.

POLICY S-DT-81. Develop the NE 6th Street Pedestrian Corridor as a unifying feature for Downtown Bellevue by siting buildings and encouraging uses that ~~add to pedestrian movement and activity~~ activate the corridor, and incorporate design components that ensure accessibility.

Downtown Transportation Demand Management

Transportation demand management (TDM) ~~strategies require coordination between the city, transit agencies and the private sector, and focus on reducing peak hour, single occupant vehicle (SOV) commute trips~~ reduces the demand side of the mobility equation

and provides opportunities to more efficiently use the ~~existing and planned~~ capacity in the transportation system. TDM strategies focus on reducing drive-alone trips, especially at peak hours. Implementation requires coordination between the City, transit agencies and the private sector, and includes providing information and incentives to encourage commuters and other travelers to try one of the many available mobility options as an alternative to driving alone. The Bellevue Transportation Management Association (TMA) and the programs that it manages promote the use of non-single-occupant vehicle (non-SOV) mobility options for commute trips. Refer to the Transportation Element for policies that address transportation demand management on a citywide basis. Table TR-3 designates targets for non-SOV commute trips. ~~TDM strategies to provide information and incentives will encourage commuters and other travelers to try an SOV alternative for trips to Downtown.~~

~~**POLICY S-DT-145.** Promote provision of high-occupancy vehicle (HOV) transportation services including transit, carpools, and vanpools to, from, and within the Downtown Subarea.~~

POLICY S-DT-146. Support the Bellevue ~~Downtown~~ Transportation Management Association

POLICY S-DT-147. Support the Downtown Transportation Management Program.

POLICY S-DT-148. Minimize drive-alone trips in Downtown ~~SOV commute trips and~~ take steps to increase the proportion of Downtown non-drive-alone commute trips to target levels in Table TR-3, by coordinating with the Bellevue Transportation Management Association, ~~and~~ transit agencies, building managers, employers and the general public to provide incentives, subsidies, and promotional materials that encourage the use of transit, and rideshare ~~carpooling, vanpooling, bicycling, walking and alternative work schedules incentives, subsidies, and promotional materials to by~~ Downtown employers and employees and residents.

Downtown Off-Street Parking Demand and Utilization

~~The parking situation in~~ Downtown Bellevue ~~has is characterized by an adequate abundant~~ overall supply of off-street parking, supplemented by a ~~with limited~~ amount of ~~short-term on-street~~ parking ~~in a few areas~~. This situation is dynamic and will change over time ~~with Downtown land use~~. Parking industry standards suggest that when ~~a local area's~~ parking supply ~~(within a 700-foot radius)~~ exceeds 85 percent occupancy in the peak parking demand hour, the supply is constrained and does not provide visitors with convenient ~~access to visitors who require space for short-time-term periods~~ parking. Visitors who arrive by car ~~These help~~ ensuring ensure the economic vitality of the area. When ~~surveys show that the~~ peak hour parking occupancy routinely exceeds 85 percent, a variety of strategies may be implemented to reduce occupancy ~~bring peak hour occupancies below~~

~~the 85 percent criteria.~~ More effective management of the parking supply is the first priority, ~~and if management steps do not lower the utilization rate to under 85 percent, then strategic additions to the parking supply may be warranted.~~ The first management approach ~~should be~~ is to shift ~~as many~~ commuters ~~as possible~~ toward transit and other ~~alternative modes~~ mobility options through enforcement, pricing, and/or incentives, so they do not compete with visitors for the most convenient parking spaces. ~~Another needed management action is to~~ could improve information and signage to direct visiting motorists to the available public parking supply, and to charge for the use of a public parking space. If management does not lower the utilization rate to under 85 percent, then additions to the parking supply may be warranted. Strategies to supplement the parking supply for short term users, ~~where warranted,~~ may include creating more on-street parking, cooperating with private property owners to develop ~~more~~ shared use of existing spaces, or as a last resort, constructing public parking structures ~~at critical locations.~~ ~~Another needed management action is to improve signage to direct visiting motorists to the available public parking supply.~~

POLICY S-DT-149. Establish parking requirements specific to the range of uses intended for the Downtown Subarea.

POLICY S-DT-150. Develop Downtown parking facilities and systems that are coordinated with a public transportation system and an improved vehicular circulation system.

POLICY S-DT-151. Encourage the joint use of parking and permit the limitation of parking supply.

POLICY S-DT-152. Evaluate the parking requirements in the Land Use Code and regularly monitor the transportation management program, employee population, parking utilization, parking costs paid by commuters and the percentage of those who directly pay for parking. If monitoring indicates that the use of transit and carpool is not approaching the forecast level assumed for this Plan, revise existing parking and transportation demand management requirements as needed to achieve forecast mode split targets found in the Transportation Element of the Comprehensive Plan.

~~**POLICY S-DT-153.** Permit short term on-street parking on Downtown streets if such action does not create significant traffic problems.~~



Appropriately placed on-street parking can benefit adjacent residential and commercial uses.

POLICY S-DT-154. Initiate a public/private comprehensive examination of short-term parking problems Downtown, and develop a work plan to implement solutions.

POLICY S-DT-155. Utilize quantitative measures to analyze the short-term parking supply for neighborhood-scale retail and services, and implement parking management strategies or increase the parking supply as appropriate, and as resources allow.

POLICY S-DT-156. Investigate allowing Downtown developers to pay a fee into a ~~a “pool”~~ an account in lieu of providing parking on-site. ~~Pooled~~ Parking account funds would be used to provide short-term public parking where it is in shortest supply. Land Use Code amendments would be required to provide for the collection and administration of a fee in lieu of parking program.

POLICY S-DT-157. Explore opportunities to implement a parking guidance system to more efficiently utilize the Downtown parking supply.

POLICY S-DT-157.1. Add new permanent on-street parking spaces in high-opportunity locations that meet engineering standards for traffic safety

POLICY S-DT-157.2. Explore adding moderate-opportunity on-street parking spaces for use during off-peak hours.

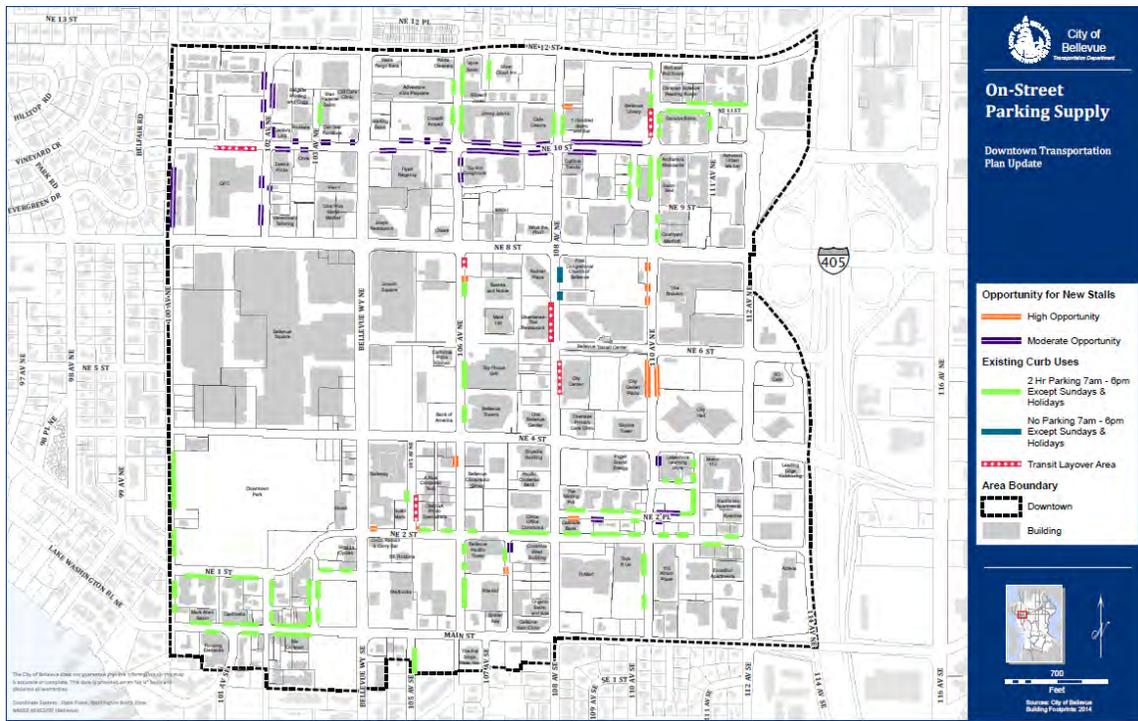
POLICY S-DT-157.3. Develop a proposal to implement a pay for on-street parking program.

Downtown Curbside Uses: On-Street Parking; Taxi Stands; Electric Vehicle Charging Stations

On-Street Parking

On-street parking supports businesses and residents with convenient short-term parking opportunities for customers and visitors. This is particularly true in Ashwood, Northwest Bellevue, and Old Bellevue neighborhoods where handy off-street parking is limited. A

parking evaluation conducted in 2013 determined that some permanent or off-peak parking spaces could be added to the inventory. **Figure XX** below is a map of the 2013 on-street parking inventory and potential future parking supply.



Pay-for-Parking

A Downtown pay-for-parking program would utilize electronic pay stations where drivers pay a fee for the short-term use of an on-street public parking space. Parking program revenue that exceeds what is needed for enforcement and maintenance would be invested in Downtown streetscape improvements.

Curbside Parcel/Freight Loading/Unloading

Within Downtown, large-scale loading/unloading typically occurs within on-site locations that are designed and designated for that purpose. Smaller deliveries may occur randomly curbside or from the center turn lane. Through development review, the design and location of on-site loading docks and circulation and curbside loading zones can help ensure an expeditious loading process.

Curbside Passenger Pick-Up/Drop-Off

Part of the unscripted urbanism of a vibrant mixed-use urban center is the transfer of pedestrians between vehicles and the sidewalks. While there is no specific “best practice” guidance for managing this activity, active loading or unloading is typically accommodated in designated curbside areas. Through development review or repurposing curbside parking, pick-up/drop-off space may be designated.

Taxi Stands

Taxi stands are typically established at major attractions such as hotels, convention venues, shopping/entertainment centers, and transit/light rail stations. Taxi stands work as a first-come, first-served queue, with the taxicab at the front of the line serving the first passenger to arrive, then each taxicab behind it moves ahead. Currently there are no designated on-street taxi stands in Downtown Bellevue. Off-street taxi stands are incorporated at major hotels. Temporary taxi-stand use of the curbside may be desirable during evenings and weekends to support nearby entertainment venues.

Electric Vehicle Charging Stations

Transportation sources contribute significantly to the greenhouse gas (GHG) emissions in Bellevue. Hybrid and electric vehicle technology can reduce GHG emissions. Electric vehicle charging stations are installed within downtown Bellevue buildings for the use of tenants. Public curbside electric vehicle charging stations support the general use of electric vehicles and may be installed in a designated curbside space in a manner similar to an electronic pay station.

POLICY S-DT-157.4. Integrate on-site loading space and/or create designated curbside loading space through development review.

POLICY S-DT-157.5. Integrate time-limited curbside space for passenger pick-up and drop-off through development review.

POLICY S-DT-157.6. Designate permanent or off-peak curbside taxi stands in high-demand locations.

POLICY S-DT-157.7. Allow restricted use of on-street parking spaces for electric vehicle charging stations

Downtown Pedestrian and Bicycle Facilities

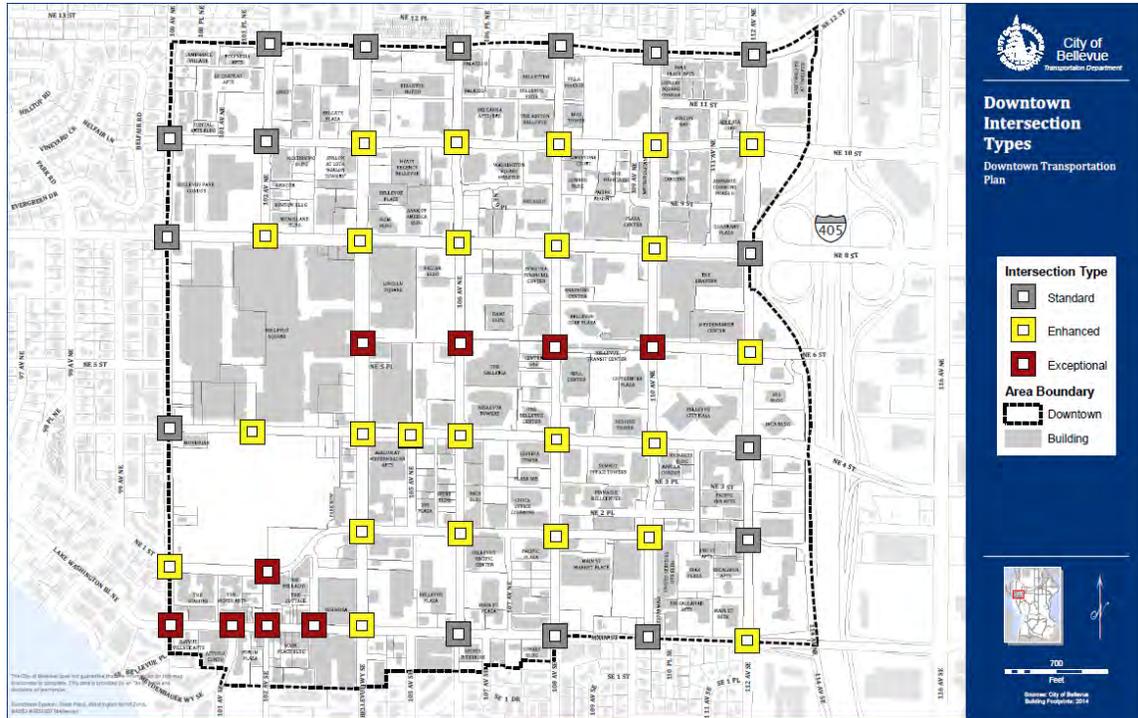
Walking should be the easiest way to get around in Downtown Bellevue. Walking is an increasingly important element of economic vitality, Downtown livability, and personal health. Pedestrians need places to walk that are safe and accessible, comfortable and convenient. New facilities will augment decades of improvements to the pedestrian environment through public and private investments. In Downtown Bellevue, 2s 600-foot long superblocks present both challenges and opportunities for a safe, fine-grained and cohesive pedestrian and bicycle movement environment.

~~These transportation modes are addressed in detail in the Pedestrian and Bicycle Transportation Plan. In accordance with the Plan, private development and public capital investments will enhance the environment for pedestrians and bicyclists.~~Breaking down the walk trip into its essential components defines the nature of specific enhancements to benefit walking: intersections and crosswalks designed to accommodate increasing numbers of pedestrians; mid-block crossings to facilitate pedestrian crossings of arterials

between signalized intersections; sidewalks and curbside landscaping that form the fundamental pedestrian infrastructure, and through-block connections that provide walkable corridors through Downtown superblocks. The Downtown urban environment and the anticipated pedestrian demand dictate a context-sensitive design approach for each type of pedestrian facility.

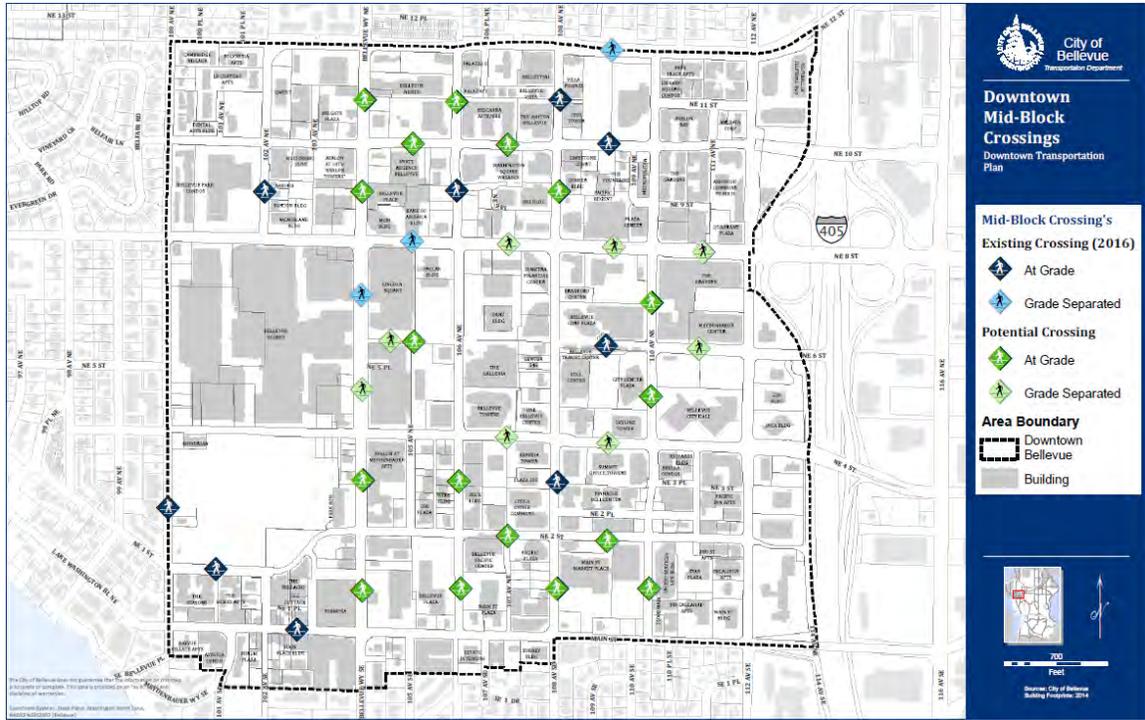
Intersections/Crosswalks

Three types of Downtown intersections are intended to fit the needs of pedestrians: Standard Intersections; Enhanced Intersections; and Exceptional Intersections. Refer to intersection map below, Figure XX. Standard Intersections consist of two parallel white bars that are spaced 8-feet apart and a pedestrian actuated signal that provides both audible and countdown indicators. The standard design may not be suitable at all intersections due to the high volume of pedestrians, the urban design character, or the traffic conditions. At such locations the features of either Enhanced or Exceptional Intersections are integrated. Enhanced Intersections are used where there are high numbers of pedestrians or vehicles, or both, and where streetscape improvements can be carried through the intersection. Enhanced Intersections are wider than Standard with special paving or striping, include neighborhood wayfinding and weather protection at corners, and curb bump outs or tighter radius to shorten crossing distance, calm traffic and provide pedestrian queuing areas. Intersections that merit “exceptional” treatment are along the Pedestrian Corridor and in Old Bellevue. Exceptional Intersections may include a pedestrian scramble signal phase, raised crossings, and significant/landmark wayfinding such as the popular kiosks that are located throughout Downtown. Exceptional Intersection design features incorporated in the crossing of 110th Avenue NE at NE 6th Street will create a near-seamless connection between the Transit Center and the light rail station.



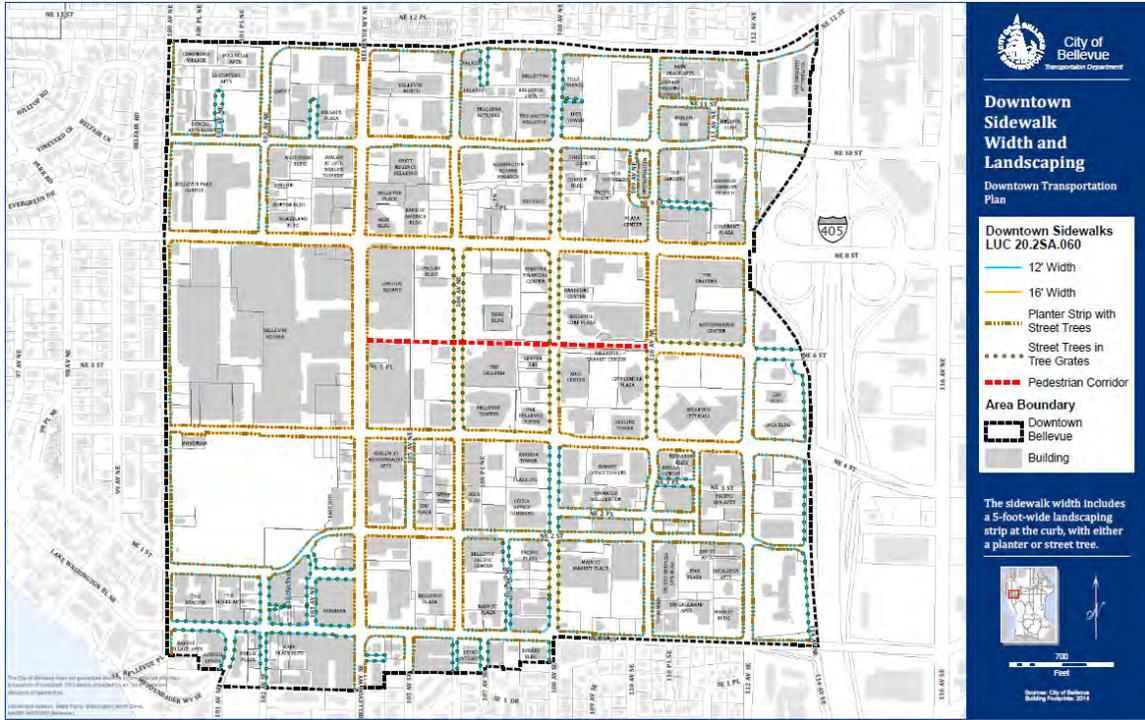
Mid-Block Crossings

Mid-block crossings may include signalization, median islands, and pedestrian bridges. While each mid-block location is a potential candidate for a crossing, a number of higher priority mid-block crossing locations are identified for near-term implementation subject to design and traffic analysis. Refer to mid-block crossing map below, Figure XX. Most mid-block crossings are intended to be “at-grade”. In consideration of traffic volume, street width, and potential impacts to vehicle travel time of an at-grade crossing, any new mid-block crossing on NE 4th Street and NE 8th Street between Bellevue Way and 112th Avenue NE, and on Bellevue Way between NE 4th Street and NE 8th Street may be designed as a grade-separated facility.



Sidewalks/Curbside Landscaping

Sidewalks provide the fundamental infrastructure for pedestrian mobility and incorporate streetscape features that enhance livability. The Downtown Land Use Code prescribes the width of sidewalks and the landscaping treatment adjacent to the street. Refer to sidewalk and landscaping map below, **Figure XX**. Along some streets a continuous landscape planter with street trees along the curbside edge of the sidewalk is installed where pedestrians need a buffer from traffic. This type of treatment is popular with pedestrians and it is a healthier growing environment for street trees.



Through-Block Connections

Through-block connections break up the Downtown superblocks by providing walkways between or sometimes through buildings. The Land Use Code requires that through-block connections be implemented as part of new development. The design of through-block connections should include public access wayfinding, utilize commonly recognizable paving material or inlays, and incorporate accessibility according to ADA standards.



The Pedestrian Corridor provides a safe, convenient connection through Downtown Bellevue. Through-lock connections break-up the large Downtown superblocks and provide pleasant and convenient pedestrian passages.

POLICY S-DT-158. ~~Provide for~~ Provide for the needs of bicycles and pedestrians in the design and construction sidewalks and landscaping in accordance with Downtown Land Use Code standards ~~of new facilities in Downtown, especially in the vicinity of the Transit Center, along the NE 6th Street pedestrian corridor, and on 106th Avenue NE where on-street parking and/ or wider sidewalks may be appropriate.~~

POLICY S-DT-159. ~~Enhance the mobility of pedestrians and bicyclists Downtown by improving~~ Provide for Intersections signals and crosswalks that incorporate “standard”, “enhanced” or “exceptional” design components in accordance with crosswalk intersection types shown on Figure XX at intersections and mid-block locations.

POLICY S-DT-160. ~~Improve the pedestrian experience by providing street trees and other landscaping in sidewalk construction, especially along the edges of Downtown.~~



Street trees and landscaping, together with active sidewalk-oriented uses, enhance the pedestrian experience.

POLICY S-DT-161. Provide safe and convenient pedestrian linkages to adjacent neighborhoods to the north, south and west of Downtown, as well as to the east across I-405 ~~to the east~~.

POLICY S-DT-162. Provide ~~for pedestrian through-block pedestrian connections through superblocks that help~~ to create a finer grained well-connected and accessible pedestrian network.

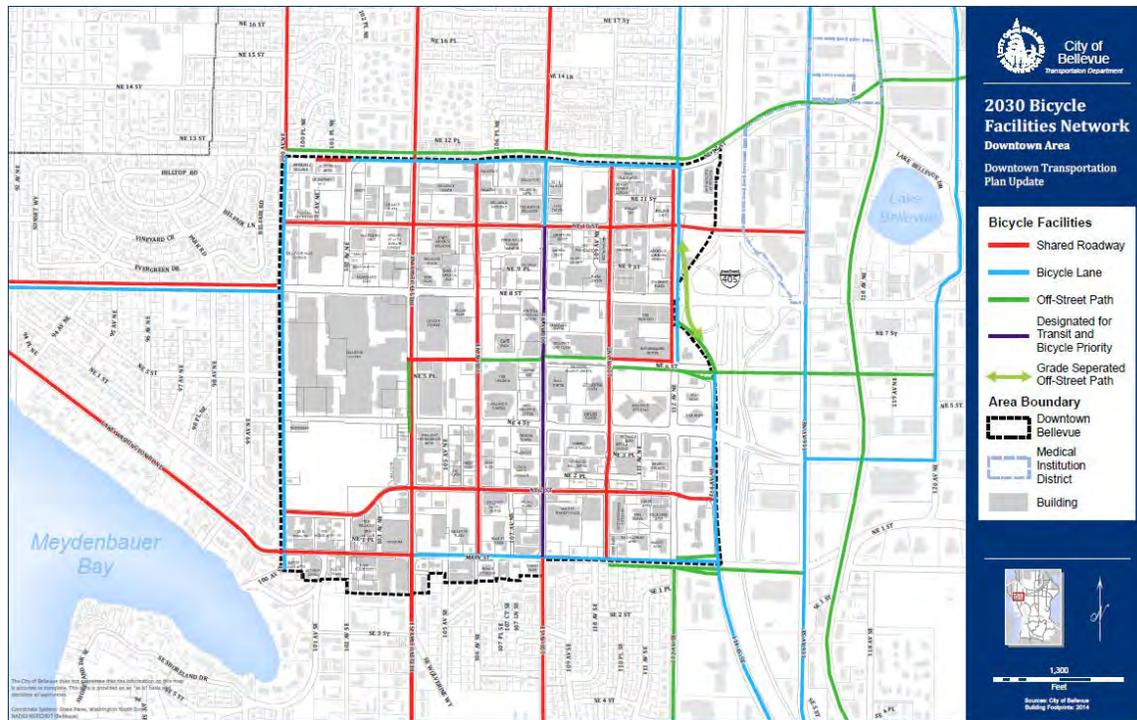
~~**POLICY S-DT-163.** Designate and enhance bicycle routes through Downtown to create a more pleasant and safe environment for bicycling~~

~~**POLICY S-DT-164.** Encourage the developers and owners of Downtown buildings to provide long-term bicycle parking and storage for employees and short-term bicycle parking for visitors.~~

POLICY S-DT-162.1 Provide mid-block crossings designed to meet the pedestrian needs and the context at locations shown in Figure XX

Downtown Bicycle Mobility

Bicycling as an attractive mobility option for all ages and abilities depends on a comprehensive network of on-street and off-street bicycle facilities, wayfinding, sidewalk bike racks, bike corrals and long-term, secured commuter parking. Bicycle facilities provide an important mobility option within Downtown and to neighborhoods and regional facilities such as the Mountains to Sound Greenway/I-90 Trail, the SR 520 Trail and the future Eastside Rail Corridor Trail, as shown below in **Figure XX**.



Bicycle facilities are designed to accommodate the need and reflect the context. Dedicated on-street bicycle facilities may include traditional bicycle lanes, and buffered or protected bicycle lanes. Shared roadway lanes are typically wide outside lanes and may be marked with “sharrow” lane markings and signage to indicate that bicycles and motor vehicles share the space. Off-street bicycle facilities are separated from motorized use and are typically shared with pedestrians. Wayfinding may accompany any bicycle facility type. At signalized intersections, clearly marked detectors in the roadway advise bicyclists where to position their bicycles to trigger the signal.



POLICY S-DT-163. Designate and enhance bicycle routes through Downtown to create a **more** pleasant and safe environment for bicycling

POLICY S-DT-164. Encourage the developers, ~~and~~ owners and managers of Downtown buildings to provide secure end-of-ride facilities for bicycle commuters ~~long-term bicycle parking and storage for employees and~~ as well as short-term bicycle parking for visitors.

POLICY S-DT-164.1 Provide bicycle facility connections and wayfinding to neighborhoods and regional facilities such as the Mountains to Sound Greenway/I-90 Trail, the SR 520 Trail and the future Eastside Rail Corridor Trail.

POLICY S-DT-164.2 Install public end-of-ride bicycle facilities such as bicycle racks, bicycle corrals or bike share docking stations to meet the demonstrated or anticipated need.

Transportation Implementation

~~**POLICY S-DT-165.** Implement the transportation facility improvements listed in Table 1 and shown on Figures B and C.~~

~~**POLICY S-DT-166.** Aggressively work with King County Metro, Sound Transit, the Washington State Department of Transportation, and the Federal Highway Administration to implement the adopted capital facility component in this Plan where they have jurisdiction. The highest priority items in the Plan are state projects on I-405, including modifications to the NE 4th and NE 8th Street interchanges, construction of the NE 6th Street interchange, construction of new I-405/SR-520 access at NE 2nd and NE 10th Streets via collector/distributor lanes, and the widening of I-405 with general purpose and HOV lanes. The city will work to maintain design flexibility and to minimize inconveniences, economic disruption and other construction-related impacts.~~

~~**POLICY S-DT-167.** Annually review the progress of improvement projects and phasing.~~

~~**POLICY S-DT-168.** Support programs to meet air quality standards including the continuation and expansion of the state vehicle emission inspection and maintenance program.~~

~~**POLICY S-DT-169.** Consider physical design treatments to reduce noise in residential neighborhoods before a major street construction program is implemented.~~

POLICY S-DT-170. The Downtown Future Land Use Plan Map (Figure A) is intended to show the major land use and character elements outlined by the goals and policies contained in the Downtown Subarea Plan. It is not intended to show specific densities or dimensions of future development. The Bellevue Land Use Code should be referenced for specific development standards.^[KDM2]

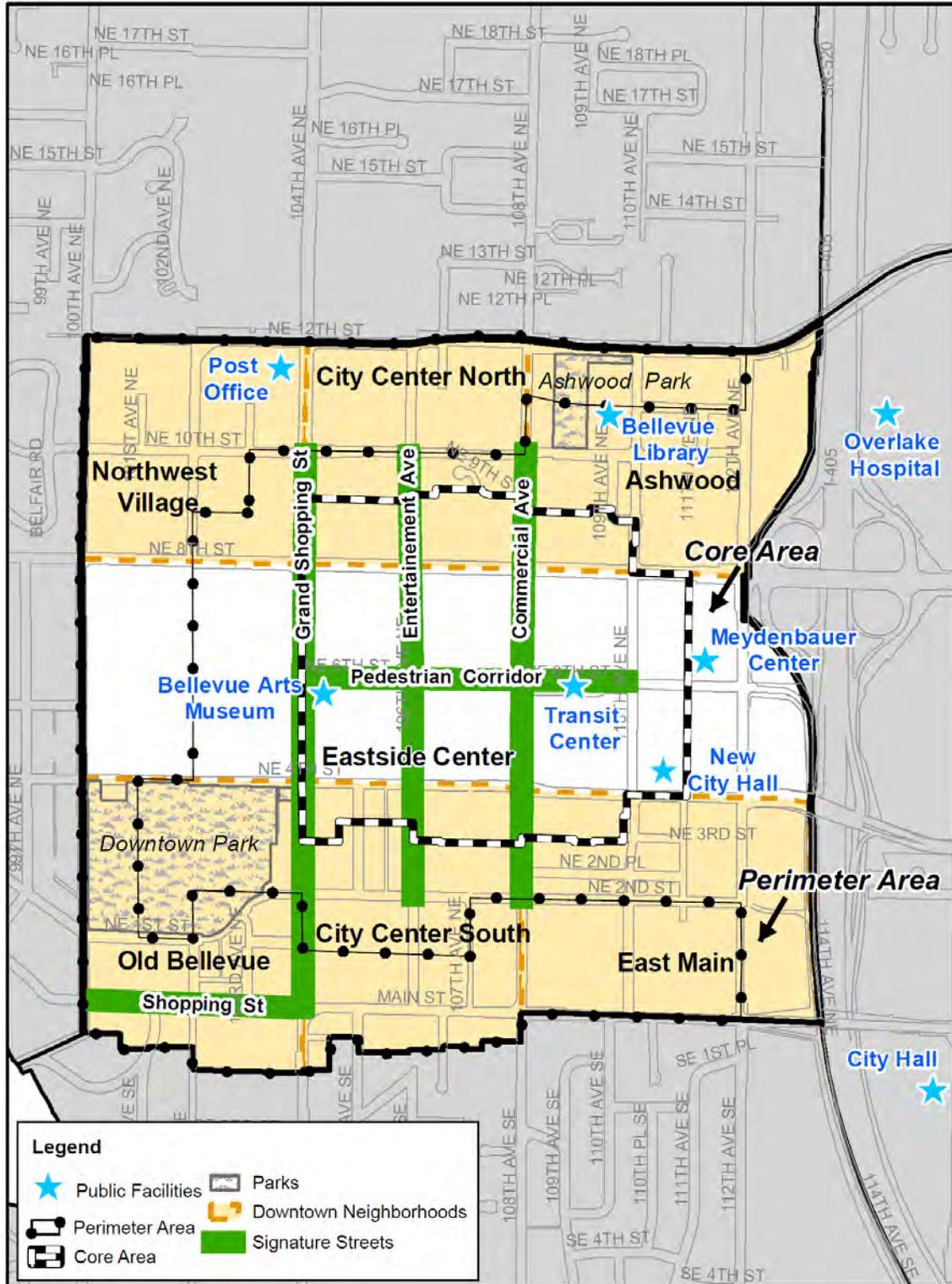


FIGURE A
Downtown Future Land Use Plan



[Update map to correct for City Hall and to add East Link, add Group Health, extend Pedestrian Corridor, extend NE 10th Street, overlay Grand Connection, remove Post Office, etc.]

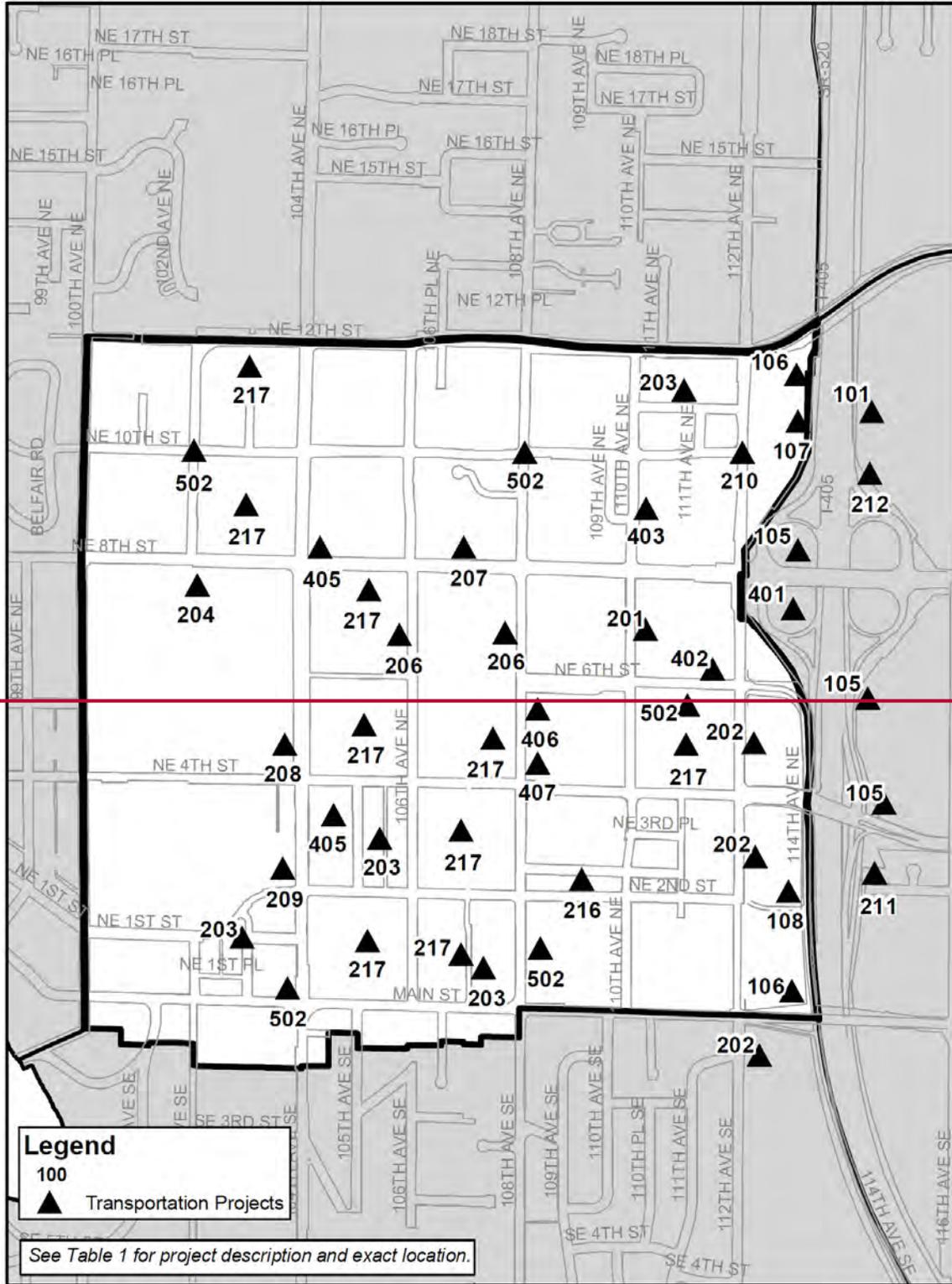


FIGURE B
Downtown Transportation Map



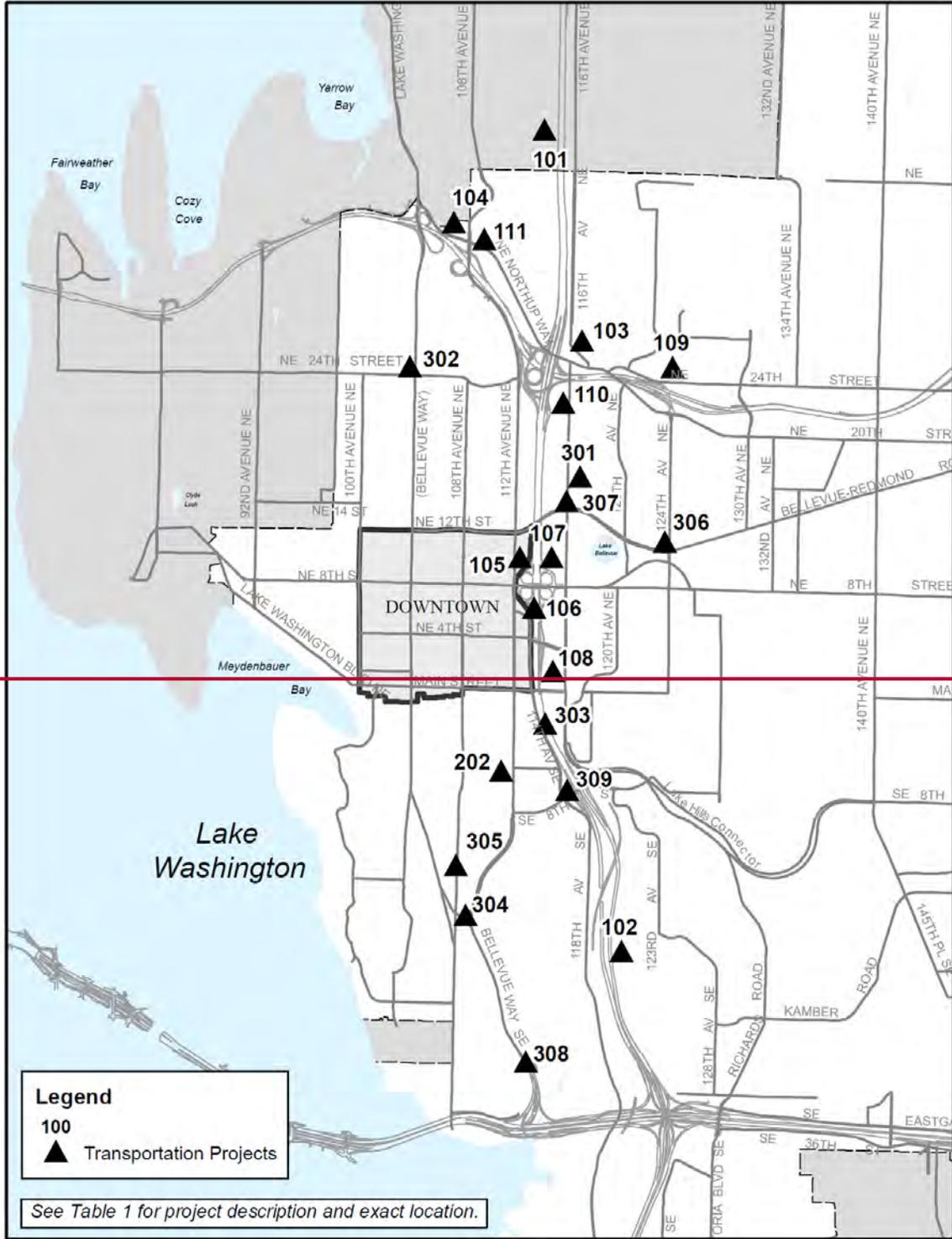


FIGURE C
Outside Downtown Transportation Map



Table 1
Downtown Plan Project List

Note: All Site-Specific Downtown Transportation Projects are moved to the Comprehensive Transportation Project List

Project Number	Project Location/Description
Freeways	
101	<p>I-405 from NE 8th Street to NE 70th Street Construct an HOV lane and one or more additional lanes (general purpose, HOV, and/or HCT) in each direction to improve the person-carrying capacity of the corridor with final designation of usage and number of lanes dependent on the results of the Growth Management Act, implementation of Transportation Demand Management legislation and analysis performed in the High Capacity Transit study.</p>
102	<p>I-405 from SE 8th Street to I-90 Construct an HOV lane and one or more additional lanes (general purpose, HOV and/or HCT) in each direction to improve the person-carrying capacity of the corridor with final designation of usage and number of lanes dependent on the results of the Growth Management Act, implementation of Transportation Demand Management legislation and analysis performed in the High Capacity Transit study.</p>
103	<p>I-405 at Northrup Way and 116th Avenue NE Construct a northbound on-ramp and a southbound off-ramp connecting the intersection of 116th NE and Northrup Way with I-405.</p>
104	<p>SR-520 at Bellevue Way NE Construct an eastbound on-ramp to SR-520 from Bellevue Way NE.</p>
105	<p>I-405 at NE 4th, NE 6th and NE 8th Street Construct freeway interchange and access improvements between I-405 and Downtown Bellevue in the vicinity of NE 4th, 6th and 8th. Principal features of the improvements are:</p> <ul style="list-style-type: none"> a. A new 4-lane HOV ramp on NE 6th between 112th NE and I-405, connecting to a new HOV interchange at NE 6th and I-405 to serve transit, carpools and vanpools. Cul-de-sac 114th NE at NE 6th. b. Widen NE 8th from 110th NE to just east of 116th NE; with intersection improvements at NE 8th/112th NE and NE 8th/116th NE. c. Widen NE 4th overpass for an additional eastbound lane; remove HOV restrictions. d. Widen NE 6th to five lanes between 110th and 112th NE. e. Widen I-405 from Main Street to NE 12th to accommodate the HOV/Transit interchange at NE 6th and design the interchange modification to allow for an additional travel lane in each direction.
106	<p>I-405 Add two general purpose lanes on I-405 in each direction north of NE 10th and south of NE 2nd, with one additional lane in each direction between these streets.</p>
107	<p>I-405 Add new I-405/SR-520 access at NE 10th via collector-distributor lanes from and to the north.</p>

- 108** ————— **I-405**
Add new I-405 access at NE 2nd via collector-distributor lanes from and to the south.
- 109** ————— **SR-520/124th Avenue NE**
Create a new full interchange at SR-520 near 124th NE.
- 110** ————— **I-405/116th Avenue NE**
Provide new ramps to/from 116th NE/Northrup Way.
- 111** ————— **SR-520/Bellevue Way**
Add eastbound off-ramp from SR-520 to 108th NE/112th NE at Bellevue Way.

Roadways(Downtown)

- 201** ————— **110th Avenue NE from NE 4th Street to NE 9th Street**
Widen this section from three lanes to four or five lanes, including traffic signal at NE 6th.
- 202** ————— **112th Avenue SE/NE from SE 8th Street to NE 12th Street**
Widen this section to provide additional turn lanes at all intersections. This widening would provide the following:
a. Left turn lanes on 112th at SE 4th, SE 6th, NE 2nd, NE 6th and NE 10th.
b. Dual left turn lanes on 112th NE at NE 8th.
c. Northbound to eastbound right turn lanes on 112th NE at NE 4th.
- 203** ————— **103rd Avenue NE/105th Avenue NE/107th Avenue NE/NE 11th Street**
Reconstruct the following sections within Downtown to meet city design standards (i.e., sidewalks, lane width, etc.):
a. 103rd NE between Main and NE 1st.
b. 105th NE between NE 2nd and NE 4th.
c. 107th NE between Main and NE 2nd.
d. NE 11th between 110th NE and 112th NE.
- 204** ————— **Downtown**
Restrict left turns on major arterials to signalized intersections.
- 205** ————— **Downtown**
Ongoing optimization of traffic signals on major arterials.
- 206** ————— **106th & 108th Avenue NE**
Implement a one-way couplet (106th NE northbound and 108th NE southbound) between Main and NE 12th.
- 207** ————— **NE 8th Street**
Add one westbound lane on NE 8th St between 105th NE and 108th NE (while preserving the large sequoia).
- 207.5** ————— **NE 8th Street / Bellevue Way**
Add new southbound to westbound right turn lane.
- 208** ————— **NE 4th Street / Bellevue Way**
Provide dedicated southbound to westbound and westbound to northbound right turn lanes. Add new dual northbound to westbound left turn lanes on Bellevue Way.

- ~~209~~ ~~**NE 2nd Street / Bellevue Way**~~
~~Add new southbound left turn lane on westbound NE 2nd. Add new northbound to eastbound right turn lane on Bellevue Way. Add new southbound to eastbound dual left turn lanes on Bellevue Way.~~
- ~~210~~ ~~**NE 10th Street / 112th Avenue NE**~~
~~Configure the intersection for one left turn only, one thru lane and one thru/ right turn for each approach with the extension of NE 10th.~~
- ~~211~~ ~~**NE 2nd Street**~~
~~Extend NE 2nd Street from 112th NE across I 405 to 116th NE, including intersection improvements at 112th NE and 116th NE. Add new dual dula southbound to eastbound left turn lanes on 112th at NE 2nd.~~
- ~~212~~ ~~**NE 10th Street**~~
~~Extend NE 10th Street from 112th NE across I 405 to 116th NE. Development related road & access improvements.~~
- ~~213~~ ~~**106th Avenue NE from Main Street to NE 12th Street**~~
~~Widen this section from 4 to 5 lanes.~~
- ~~214~~ ~~**108th Avenue NE from NE 8th Street to NE 12th Street**~~
~~Widen this section from 4 to 5 lanes.~~
- ~~215~~ ~~**108th Avenue NE from Main Street to NE 4th Street**~~
~~Widen this section from 4 to 5 lanes.~~
- ~~216~~ ~~**NE 2nd Street from Bellevue Way to 112th Avenue NE**~~
~~Widen this section from 3 or 4 to 5 lanes.~~
- ~~217~~ ~~**Portions of the 103rd, 105th, and 107th Avenue, and NE 5th and NE 7th Street alignments**~~
~~Provide mid block access corridors within a Downtown superblock which accommodates vehicle access to parking areas, loading/delivery access, and pedestrian circulation. Develop specific design concepts and implement them as development occurs in each superblock.~~

Roadways (outside of Downtown)

- ~~301~~ ~~**116th Avenue NE from NE 12th Street to Northrup Way**~~
~~Widen this section from 3 lanes to 5 lanes.~~
- ~~302~~ ~~**NE 24th Street at Bellevue Way**~~
~~Provide a westbound to northbound right turn lane and prohibit north to west and south to east turning movements during the p.m. peak period on Bellevue Way NE.~~
- ~~303~~ ~~**114th Avenue SE from Main Street to SE 8th Street**~~
~~Widen this section from 2 to 3 lanes and provide an additional southbound lane on 114th Avenue SE at the SE 8th Street intersection, in coordination with I 405 widening.~~
- ~~304~~ ~~**112th Avenue SE/Bellevue Way Intersection**~~
~~Extend the northbound right turn lane and rechannelize the intersection to favor traffic flow to 112th Avenue SE.~~

- 305** — **108th Avenue SE between Main Street and Bellevue Way**
Provide traffic control measures on 108th SE to discourage through traffic on this street. Specific measures should be developed through a neighborhood traffic control program involving residents of that area.
- 306** — **124th Avenue NE at Bel-Red Road**
Provide northbound to westbound and southbound to eastbound left turn lanes (as proposed in the Bel-Red Subarea Plan).
- 307** — **NE 12th Street/116th Avenue NE Intersection**
Provide a northbound to eastbound right turn lane and eastbound to northbound dual left turn lanes.
- 308** — **Bellevue Way SE 30th Street to I-90**
Provide additional southbound and northbound thru lanes when a traffic signal is installed at the SE 30th Street/Bellevue Way intersection.
- 309** — **SE 8th Street at 114th Avenue SE/118th Avenue SE**
Provide HOV and other traffic improvements.

Transit

- 401** — **Downtown**
Construct the transit facilities within Downtown needed to support the projected level of transit service and ridership consistent with the Downtown Implementation Plan.
- 402** — **NE 6th Street between 112th Avenue NE and I-405**
Construct a new transit center.
- 403** — **Downtown**
Provide a transit circulator for access to restaurants, shopping, parking and places of employment throughout Downtown and possibly to adjacent activity areas.
- 404** — **Region**
Construct new park and ride lots specifically aimed at providing transit service to Downtown Bellevue.
- 405** — **Downtown**
Improve transit stop facilities and amenities for transit riders.
- 406** — **108th Avenue NE**
Add a northbound contraflow curb lane for buses only between NE 4th and NE 8th.
- 407** — **108th Avenue NE**
Add a southbound curb lane for buses only between NE 10th and Main.

Parking

- 501** — **Downtown**
Allow on-site parking requirements for new buildings to be met by off-site parking facilities. Such facilities should be strategically located to reduce traffic congestion.
- 502** — **Downtown**
Facilitate the construction of garages for short-term parking (if, following study, such facilities are determined to be the most appropriate option to address to short-term parking problems).

- 503** **Downtown**
Implement a parking guidance system to more efficiently utilize the Downtown parking supply.

Pedestrian & Bicycle Facilities

- ~~**601** **Downtown**
Improve pedestrian facilities by completing a network of sidewalks in Downtown where they are missing, providing connections from surrounding neighborhoods, enhancing pedestrian signals and crosswalks, and removing obstacles on sidewalks. The interim sidewalk width where they are currently missing should be at least 8 feet.~~
- ~~**602** **Downtown**
Develop policies and standards which can be used to identify and evaluate appropriate locations for mid-block pedestrian crossings. Provide mid-block pedestrian crossings with a signal as a need arises.~~
- ~~**603** **Downtown**
Designate bicycle routes through Downtown, as shown on the Pedestrian and Bicycle Transportation Plan, and including routes on Main (as part of the Lake to Lake Trail), on or adjacent to NE 6th from Bellevue Way to 114th NE, 100th NE, 106th NE from Main to NE 10th, 108th NE, 112th NE, 114th NE south of NE 6th, and Bellevue Way north and south of Downtown.~~
- 604** **Downtown**
Implement provisions to encourage the developers and owners of Downtown buildings to provide long-term bicycle parking and storage and showers/lockers for employees and short-term bicycle parking for visitors.

Parks and Open Space

- 701** **Downtown**
Complete development of Downtown Park in accordance with adopted Master Plan.
- 702** **Downtown**
Improve Ashwood Park with guidance from an updated master planning process when funding becomes available.
- 703** **Downtown**
Acquire land and develop a neighborhood park in the Northwest Village District.
- 704** **Downtown**
Acquire land and develop a neighborhood park in the East Main District.
- 705** **Downtown**
Develop a graceful connection from Downtown to Meydenbauer Bay.
- 706** **Downtown**
Acquire land and development a linear green buffer on the south side of Main Street between 112th SE and 110th SE.

Gateways & Wayfinding

- 801** **Downtown**
Implement a phased Downtown wayfinding system for pedestrians, bicycles, and automobiles that reinforces city identity as well as unique characteristics of Downtown neighborhoods as appropriate.
- 802** **Downtown**
Develop gateways into Downtown at identified locations through private development and public investment.

Municipal Buildings

- 901** **Downtown**
Relocate civic functions to a Downtown campus.

Planning Commission Correspondence

The following correspondence was received between July 14, 2016 and July 20, 2016. Correspondence received on, or after, this date up to noon the day of the next meeting, July 27, 2016 will be printed and placed into the Planning Commission's desk packets and emailed out individually to the Commission before the meeting.

Cullen, Terry

From: Cullen, Terry
Sent: Friday, July 15, 2016 10:01 AM
To: 'Leslie Geller'
Cc: Trish (Patricia) Byers (PByers@bellevuewa.gov); Terry Cullen (TCullen@bellevuewa.gov)
Subject: RE: Public Notice - Planning Commission - Eastgate Study Session - July 13, 2016 6:30 PM

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Leslie

I'm sorry you had such a difficult time getting to City Hall. The garage access is open on 110th Ave. The work being done on the road out front is preparation work for the tunneling that will begin for the light rail project.

The Planning Commission deliberated but did not make a final decision on July 13. Only 4 of the 7 Commissioners were present, and they wanted to wait until July 27 when they expected to have more Commissioners present.

I am going to include your email (below) in the Planning Commission's agenda packet for July 27.

I'm sorry you don't think the City has handled the Eastgate/I-90 Land Use and Transportation Project very well. Please let me know if there is anything I can do to help you.

Sincerely

Terry Cullen, AICP
Comprehensive Planning Manager
City of Bellevue Planning and Community Development Department
450 110th Ave NE
Bellevue, WA 98004

TCullen@bellevuewa.gov
(425) 452-4070

From: Leslie Geller [mailto:lesliegeller@gmail.com]
Sent: Wednesday, July 13, 2016 9:22 PM
To: Cullen, Terry <TCullen@bellevuewa.gov>
Cc: PlanningCommission <PlanningCommission@bellevuewa.gov>
Subject: RE: Public Notice - Planning Commission - Eastgate Study Session - July 13, 2016 6:30 PM

Hi Terry,

I tried valiantly to get to this meeting. I could not find a way to enter the City Hall parking lot. I drove around the area for more than 15 minutes, trying to find an entrance not blocked by construction, closed streets, or detours. I gave up in total frustration and anger. It was a total waste of an hour of my life, getting to City Hall and back home. I really wanted to be at this meeting. I spoke at the public hearing at Bellevue College. I, as most of the Eastgate residents, are opposed

to any new development without infrastructure improvements, specifically transportation, in place and fully functional, before development begins.

I am very disappointed in the City's handling of this whole Eastgate/I-90 project with respect to the lack of both communication and general participation of all of the residents of Eastgate.

Sincerely,

Leslie Geller

From: TCullen@bellevuewa.gov [mailto:TCullen@bellevuewa.gov]

Sent: Friday, July 8, 2016 8:00 PM

To: TCullen@bellevuewa.gov

Subject: Public Notice - Planning Commission - Eastgate Study Session - July 13, 2016 6:30 PM

Hello

The Planning Commission will be holding a study session for the purposes of making a recommendation to Bellevue City Council on the proposed land use code amendments to implement the Eastgate/I-90 Land Use and Transportation Plan. This study session is a follow-up to the public hearing that was held June 22, 2016 at Bellevue College. The public is invited and welcome to attend.

The Planning Commission will be meeting on July 13, 2016 beginning at 6:30 PM in Room 113-E, Bellevue City Hall, 450 110th Avenue NE, Bellevue, WA 98004. The agenda packet is posted on-line and can be found at <http://www.ci.bellevue.wa.us/planning-commission-agendas-2016.htm>. Please click on the materials listed under July 13, 2016.

Sincerely

Terry Cullen, AICP
Comprehensive Planning Manager
City of Bellevue Planning and Community Development Department
450 110th Ave NE
Bellevue, WA 98004

TCullen@bellevuewa.gov

(425) 452-4070

Cullen, Terry

From: Nunnelee, Sandra J.
Sent: Monday, July 18, 2016 3:00 PM
To: Cullen, Terry
Subject: FW: Proposed NMU zoning

Terry – if you could please answer Mr. Kramer and copy Council using the council@bellevuewa.gov email on the reply.

Thanks!

Sandy
City Council Office
452-4088

From: Clark Kramer [mailto:bizzybee50@hotmail.com]
Sent: Monday, July 18, 2016 14:40
To: Council <Council@bellevuewa.gov>
Subject: Proposed NMU zoning



TRAILER INNS LIVE.

A Luxury Concept in Recreational Vehicle Parks

1610 N. 1st Street, Suite 1 Yakima, Washington 98901 Phone 509-248-1142

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

RE: Eastgate/T-90 Neighborhood Mixed Use Zoning

Dear Commissioners,

We are very concerned about the negative impacts to our property's value and operations the current draft ordinance for Eastgate's proposed Neighborhood Mixed Use (NMU) zoning would impose.

In spite of over a year's direct interactions with the City of Bellevue requesting the City:

1. Do no harm (and retain all currently Permitted Uses) in the area, and
2. Adopt economically feasible Land Use Code provisions that support redevelopment of both market rate and affordable multifamily housing units,

We believe the current draft Code language eliminates economically viable Permitted Uses, could infringe on our existing RV Park operations, and significantly diminishes the viability of redeveloping the site into the multifamily residential use the Citizens Advisory Committee recommended.

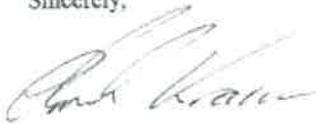
It is remarkable that the Planning staff continues to state there is not a market for housing in the NMU area. We have a willing buyer who is ready to build new housing, if the Code makes economic sense. Furthermore, we find the Staff's position that the City could "do a lookback in five years" unacceptable. You have the ability and responsibility to adopt a functional Code Update as part of this process. Waiting at least another five years would be a disservice to all, especially the people who would be accommodated with the new housing we would like to see built.

If it is the Planning Commission's position that the Neighborhood Mixed Use zoning district is not where Bellevue wants growth, then please just let us know. If that remains the City's position, as told to us by Planning Director Dan Stroh, we respectfully ask that you do not take away any existing Permitted Uses allowed under current zoning.

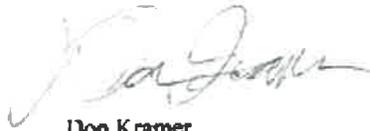
If, on the other hand, Bellevue is truly interested in addressing the City's housing affordability challenges, we encourage the Planning Commission to adopt the Feasible Land Use Code language we have submitted for your consideration. This language, modeled after existing Bellevue's current code, would create the economic incentive for desperately needed new housing in a part of the City that is currently grossly underserved by the lack of workforce housing.

Bellevue has a great opportunity to move forward by adopting an economically feasible Code for new housing to be built in a timely fashion. The Eastgate/I-90 Neighborhood Mixed Use zoning district is well positioned to provide close-in housing in a area with expanding multi-modal transportation infrastructure. Please don't let this opportunity go to waste.

Sincerely,



Clark Kramer



Don Kramer



Upcoming Meeting Schedule

	August	NO MEETINGS - August Break	
17	14-Sep-16	Standard Items Downtown Livability Land Use Code	Roll Call, Agenda, Minutes, Public Comment, Staff Reports, etc. Tentative Date for Review of Code Package
	TBD	Downtown Livability Land Use Code	Tentative Date for Downtown Livability Open House
18	28-Sep-16	Standard Items Demographics/Population/Employment Update	Roll Call, Agenda, Minutes, Public Comment, Staff Reports, etc. Information Only - Gwen Rousseau (tentative)
19	12-Oct-16	Standard Items Downtown Livability Land Use Code	Roll Call, Agenda, Minutes, Public Comment, Staff Reports, etc. Tentative Date for Public Hearing on Code Package
20	19-Oct-16	Annual Commission Retreat (Placeholder)	To include special topic with guest speaker(s); functions as quarterly check-in
21	26-Oct-16	Standard Items Downtown Livability Land Use Code	Roll Call, Agenda, Minutes, Public Comment, Staff Reports, etc. Tentative Date for Commission Deliberations

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~~Intracorp, 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 ~~Clawson~~Clawson with McCullough Hill Leary spoke representing ~~Intercorp~~Intracorp. 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-to-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, ~~Intracorp made it 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. ~~Intereorp~~~~Intracorp~~ 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. ~~Intereorp~~~~Intracorp~~ 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. ~~Clawson~~~~Clawson~~ 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 said Intracorp's response is inconsistent. Commercial uses will only be a small portion of the redevelopment but Intracorp considers it to be the driver. [Commissioner Morisseau asked if commercial is the driver why is Intracorp asking for 78% of the site to be multi-family? 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 be less than 78% residential use? Id have less commercial. Mr. Macduff said that would need to be determined after the studies are done. Intereorp~~~~Intracorp~~ is certainly open to new information. ~~Commissioner Hilhorst stated she understood that Intracorp would not agree to flipping the percentages around where commercial would be the predominant use based on percentage use of the land. -Mr Macduff agreed that Intracorp~~~~but~~ does not believe the site should remain predominantly commercial based on what they know today. Mr Macduff stated Intracorp is open minded but they just don't know without doing studies. -The level of flexibility will be informed by the studies, but Intercorp does not believe that ~~newe~~ studies ~~done today~~ will show a dramatically different demand for retail on the site. That is their sense of it today but they acknowledge, they could be proven wrong. Commercial is a driver in the respect that determining a viable amount is critical to determine how much will have to be residential, 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. Commissioner Carlson asked if it would be financially prosperous. ~~It would be to have a housing become a component as part of the shopping center. Mr. Hsiao responded yes.~~ 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, such as regulations, on the kind of commercial activities allowed that are preventing the center from being profitable. Mr. Hsiao said that is an impediment but a bigger there are impediment is the traffic counts needed to attracts involved with attracting certain types of businesses are not high enough, 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 Mr. Hsiao how he would describe his relationship with the community. Mr. Hsiao apologized and asked for the question again. Commissioner Walter said she heard about public outreach with this plan amendment but she wanted to know how Mr. Hsiao would describe his relationship with the community. Mr. Hsiao said he wasn't sure he understood the question and Commissioner Walter said that was okay and she would move on. Commissioner Walter asked if the Mr. Hsiao's goal was to sell the shopping center. Mr. Hsiao said yes. Commissioner Walter asked for examples 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 ~~Intereorp~~Intracorp 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 ~~Intereorp~~Intracorp 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 ~~Intereorp~~Intracorp 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 ~~Intereorp~~Intracorp'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. ~~Intereorp~~Intracorp 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 ~~Intereorp~~Intracorp 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

~~Intereorp~~Intracorp 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. ~~Intereorp~~Intracorp 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, ~~Intereorp~~Intracorp 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, ~~Intereorp~~Intracorp 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 ~~Intereorp~~Intracorp'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. ~~Intereorp~~Intracorp 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.

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
STUDY SESSION MINUTES

June 8, 2016
6:30 p.m.

Bellevue City Hall
City Council Conference Room 1E-113

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

COMMISSIONERS ABSENT: Commissioner Laing

STAFF PRESENT: Terry Cullen, Emil King, Scott MacDonald, 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 6:35 p.m. by Chair Hilhorst who presided.

2. ROLL CALL

(6:35 p.m.)

Upon the call of the roll, all Commissioners were present with the exception of Commissioner Laing.

3. APPROVAL OF AGENDA

(6:36 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

(6:37 p.m.)

Mr. Todd Woosley, PO Box 3325, spoke representing the Kramer family in regard to the Eastgate land use update. He invited the Commissioners to tour the LIV project in Bel-Red, which is the closest to what is envisioned for the RV site in Eastgate. To accomplish the vision will take different zoning from what is being proposed and he said at a future meeting he would be submitting alternative language for the Neighborhood Mixed Use (NMU) with an FAR of up to 2.5 and an incentive to include affordable housing and other public amenities.

Ms. Misha Averil, 400 112th Avenue NE, suggested that having affordable housing adjacent to I-405 in the downtown could be problematic from a livability point of view. There are

technologies that have been proven to reduce noise. With regard to parking in the downtown, she said there is a need for parking close to Meydenbauer Bay, the light rail station and the downtown transit center that is not being addressed, and if required to be underground it could be quite costly, up to \$75,000 per stall. With regard to the light rail station, she said because it will be elevated it could be problematic for bicyclists coming from Eastgate and other areas to access it quickly and easily. It would be great if a lid were to be created over the freeway to allow bicyclists to connect and to make the downtown more livable.

Mr. Larry Martin with Davis Wright Tremaine, 777 108th Avenue NE, Suite 2300, spoke representing Alex Smith, owner of the triangle-shaped property on 112th Avenue NE across from the Bravern, Meydenbauer Center, the downtown light rail station site and City Hall. He said the Council's guidance for updating the downtown incentive zoning encourages the Commission to be bold, forward looking and aspirational, reflecting the evolving needs of a 21st Century city. He encouraged the Commission to think about the Civic Center neighborhood in thinking about the future. Much will be happening in the area, including the new downtown light rail station and the light rail crossing of I-405; the extension of the pedestrian corridor to the south of the present NE 6th Street alignment; expansion of the convention center; and the vision for the Grand Connection. Mr. Smith is taking to heart the direction to be aspirational and he is planning a major redevelopment of the site to include a mix of uses that will activate the neighborhood day and night. The vision includes a convention hotel connected to Meydenbauer Center and the Bravern via a pedestrian skybridge; a second tower with office spaces, restaurants and other retail uses with an activated public plaza at the base of both buildings; connections with the regional bicycle pathway that runs along the east edge of the site; and redevelopment of the intersection of 112th Avenue NE and NE 6th Street with a pedestrian-friendly design with enhanced access to the transit station and the light rail station. Proposed code amendments have been submitted that will add flexibility to earn increased FAR by providing public benefits. Increased FAR should be awarded by providing a convention hotel with a direct pedestrian bridge connection with Meydenbauer Center. The definition of conference facilities and exhibition facilities as used in the Civic Center design district regulations should be expanded to include the connected convention hotel. FAR should be awarded by providing a public rooftop viewing area. Incentive FAR should be allowed for density that exceeds the proposed FAR cap of 6.0 for the DT-OLB zone; increased density is needed to fit in with the large neighboring development, and to pay for significant public amenities, and is warranted to leverage the public investment in the transit center, the convention center, and the new light rail facilities. Staff should be directed to specifically review the proposal and provide a response.

Commissioner Carlson asked if changes in the parking requirements were being requested. Mr. Martin said no such changes have been proposed.

Commissioner Walter asked if the list of current and proposed incentives are of any value. Mr. Martin said in the final analysis all development will still be required to earn some FAR through the incentive system. A convention hotel connected to the convention center should be seen as an item that qualifies as an amenity under the system. Commissioner Walter asked if any other group would also take advantage of such an incentive. Mr. Martin said he did not know, adding that his client is in the best position to take advantage of it.

Mr. Patrick Bannon, president of the Bellevue Downtown Association, noted that the packet materials go into some detail regarding a development agreement off-ramp option. He said that is a positive step that is responsive to the Downtown Livability Initiative CAC and the City Council. There is some question, however, about whether or not a development agreement process is necessary in all cases for a departure for an amenity that is not on the list. A development agreement certainly is potentially the right process in the case where a developer

has a project and wants to take an alternative path relative to amenities, in which case it would be on them to prove what they have in mind has equal or greater value. One possible option would be an amenity departure option within a category where a project applicant could say that within the realm of open space their suggestion may not meet the specific design criteria but is meeting the intent. There should be flexibility in the code language to consider such options through administrative design review. If development agreements are looked at as a tool, further consideration should be given to allowing consultants or a volunteer committee to provide guidance in reviewing and helping to facilitate the interaction between the project applicant and the city. In the incentive system there are assigned percentages as targets for weighting, but the Commission should consider holding off on assigning weights to avoid being too prescriptive so early in the process. The economic modeling should instead have a range of options to evaluate. It is good to have affordable housing included as an incentive so it can be evaluated as an incentive with the FAR exemption. As the consultant work on the economic modeling kicks off, the BDA would invite the opportunity to meet with the consultant early on to assure an open and transparent process with all inputs and assumptions clearly understood to avoid surprises in the end. As the code development process kicks off, the BDA is hopeful that the outcome will be design guidelines and code that is enjoyable, easy to read, short, simple and to the point.

Mr. Jack McCullough, 701 5th Avenue, Seattle, Suite 6600, briefly reviewed the key elements that affect the Fortress site, including NE 8th Street that has become increasingly dense, the notion of the Grand Connection, and Bellevue Way as the grand shopping street. The intersection of NE 8th Street and Bellevue Way in many respects serves as the center point of the downtown. Three of the four corners are well established and well developed, but the fourth corner is not and it is the missing piece of the puzzle. The Fortress site is burdened by its split zoning, with DT-MU on the east side, and DT-MU District B on the west side. The B district line should be moved to the west to circumscribe the Fortress property, which is all under a single ownership. If developed on just the DT-MU portion, the result will be a small tower that cannot use the available FAR, certainly nothing that would be iconic. There has been talk about concerns about height in the B district, particularly relating to the north edge of the downtown. The CAC recommended 300 feet but the Commission has discussed lowering it to 250 in deference to the area to the north. District B is close to the northern boundary of the downtown, but there is plenty of buffer to allow for an expansion of the DT-MU by moving the B district boundary. The appropriate height for the site is 300 feet and fits better with the overall massing of the downtown. The Fortress site is also burdened by two midblock connectors in that they reduce the opportunity for development. He shared with the Commission a design that would be appropriate for the site along with a site plan. A certain amount of height is needed to reflect the architecture of iconic towers.

Mr. Andy Lakha, 500 108th Avenue NE, said the Fortress project is one the citizens of Bellevue would both like and appreciate. NE 8th Street is not currently pedestrian friendly but more amenities will be needed to encourage people to walk. The site is highly burdened by the split zoning and the Commission was encouraged to recommend moving the boundary line.

Commissioner Carlson agreed that the NE 8th Street area has become more dense over time and agreed that the intersection of NE 8th Street and Bellevue Way is the epicenter of the downtown. However, the request made includes a reduction in the parking requirement for the site. Mr. Lakha said reducing the parking requirement would help the project economically, but it is not a make or break for the project. The split zoning is the prime issue that needs to be resolved.

Ms. Jessica Powers, 701 5th Avenue, Seattle, voiced appreciation for the work of the Commission on downtown livability. With regard to the amenity system, she allowed that more information is needed to fully understand the specifics, particularly with regard to the economic

component. She noted that there is no bonus related to parking and the Commission was encouraged to consider bonusing the relocation of existing structured parking to below grade. The existing structures in the downtown will eventually redevelop and providing a bonus for parking could have a significant impact on the development plans, particularly the amount of ground floor open space that can be provided. Relocating to below grade will put parked automobiles out of site and will allow for more active and interesting ground floor uses. The parking structure to the north of the transit center has the opportunity to transform into something that will include a unique and memorable open space. Parking structures located in the heart of the downtown are income-producing assets, and deciding to take them out of service will be challenging. The goal of relocating the existing park is worth incentivizing to help achieve the shared goals of a vibrant and livable downtown.

Mr. Brian Brand said he is a board member of the BDA and serves as co-chair of the livability committee. Part of the design review process involves assigning projects to planners. It might be better to evaluate urban and architectural design issues by either a committee of staff persons or a consultant. That approach could allow off-ramp processes to be more successful. The committee has had a lot of discussion around how to end up with the most livable city and believes the amenity incentive system needs flexibility. The current approach is very tightly written and if a certain criteria for incentive points is not met, it is hard to get those points. There could be a whole realm of things not specifically mentioned in the code, like skybridges, and the code should be written in a way that will allow for a creative process to suggest ways to get points for creative ideas.

Ms. Betsy Hummer, a member of the East Bellevue Community Council, reported that at the meeting on June 7 several issues were discussed, including affordable housing. She noted that in the East Bellevue area a 1970s era apartment complex at NE 8th Street and 146th Avenue NE is being torn down because of its condition and location. The structure is currently home to several lower-income residents, some of whom have Section 8 vouchers. The new building will be condominiums rather than apartments and they will go for market rate. It is concerning that affordable housing is being touted as an incentive, but existing units are being completely dismissed. Ten years ago when Lake Hills Villages was first being developed, affordable housing was brought up and heads nodded, but the units came online at market rate. Bellevue College is currently building the first of three residents halls and it will be home to some 300 students. Assurances have been given that there will be residential monitors on site, but the units will be offered at market rates as well. There is a clear need for affordable housing in Bellevue.

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

(7:19 p.m.)

Chair Hilhorst reported that she addressed the City Council with a quick update at its study session on June 6 and provided them with the Commission's recommendation regarding the Aegis amendment. She also shared with the Council the fact that the Commission recognizes the need for affordable housing, including senior housing, and that the Commission would like the affordable housing technical advisory group and the Council to give consideration to a funding model should the fee in-lieu scenario is ushered in. The Council expressed appreciation for the work of the Commission on the amendment.

6. STAFF REPORTS

(7:21 p.m.)

Comprehensive Planning Manager Terry Cullen briefly reviewed with the Commission the upcoming schedule. He noted that an additional study session had been scheduled for June 15 beginning at 6:30 p.m., and stressed that the meeting on June 22 will take place at Bellevue College and will begin at 4:30 p.m.; the meeting will include election of the chair and vice-chair.

Mr. Cullen called attention to the memo in the packet regarding the Bel-Red look back. He said three focus group sessions have been scheduled to hear from the community and stakeholders what has been successful and what could be working better.

Mr. Cullen explained that according to the Commission's by-laws, the Commission will not meet after 11:00 p.m. unless a decision is made to do so. He said no motion to extend the meeting is necessary until the meeting extends beyond 11:00 p.m.

7. DRAFT MINUTES REVIEW

(7:27 p.m.)

A. May 11, 2016

Commissioner Walter called attention to the seventh paragraph on page 19 and noted in the first sentence that the word "existing" should read "exiting."

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

8. STUDY SESSION

(7:30 p.m.)

A. Downtown Livability Land Use Code Update

Strategic Planning Manager Emil King said the Council will be given an overall downtown livability process update on June 20 along with the policy issue relating to the view corridor and the incentive zoning structure. The incentive system numbers will be shared with the Commission on July 27. At that meeting some of the outstanding height and form issues will be addressed, including the Lahka request, the Conner building between the O-2 and residential zone, and the B district in Old Bellevue. Some proposed amendments for consistency in the downtown subarea plan will also be brought forward on the 27th along with a wrap-up discussion on some of the design guideline issues, including the definition of pedestrian-oriented frontage. He reminded the Commissioners that the goal is to complete the work by the end of the year.

Mr. King indicated that the staff were not ready to go into the details about calibrations and the like, but sought from the Commissioners input on the proposed structure and approach for updating the incentive zoning system to allow for proceeding with detailed modeling efforts.

Mr. King reminded the Commissioners that the development standards are mandatory elements and requirements. He noted that while the design guidelines must also be followed, there is built-in flexibility. The Commission has discussed allowing for departures within the mandatory elements, and the bonus incentive system allows for earning additional height and intensity in exchange for the provision of certain amenities.

Under the current incentive zoning system, some FAR is exempted from being countered toward the total. It is part of the building and it is leasable space. The primary exemptions in the downtown are ground floor retail space and in certain instances second level retail. Some developments have taken advantage of the exemption, while others have chosen not to. Beyond the exempted FAR, there is a set amount of FAR allowed by right of the zone. In the O-1 district, the basic FAR is 5.0 and the maximum is 8.0. The maximum can only be achieved through the bonus system. There are also basic amenity requirements built into the system which are essentially a subset of the full list of 23 amenities. The calculation involves 20 percent of the site area multiplied by the non-residential basic FAR and plays out differently in each zone, and developers must choose from seven of the 23 amenities.

Mr. King called attention to the table included in the packet showing 44 representative projects and which of the bonus amenities they utilized.

Commissioner Walter asked if the list could be arranged by date. Mr. King said that could be done. As printed, the list is arranged by zoning district. In compiling the list, staff did take a particular look at some of the newer projects to see what choices they made, but a stronger correlation to particular amenities was found relative to where they are in the city. He agreed to include date to the matrix.

With regard to the proposed system, Mr. King noted that the exempt FAR should allow an additional 1.0 for affordable housing. The currently allowed exemption for ground floor retail and some second floor retail would be expanded to include up to a 1.0 FAR for a combination of affordable units and a bonus of market units granted the developer for doing the affordable units.

Commissioner Carlson asked how much revenue the additional 1.0 in FAR would generate. Mr. King said the exemption would be for residential projects only. An analysis would be needed to determine the remaining developable sites on which residential is anticipated to happen. The analysis would need to include an estimate of how many of the total sites could be enticed or incentivized enough to include affordable housing. Additionally, an economic analysis will be needed to determine how much of an incentive is needed in market units to have projects pencil out. The 1.0 FAR would be reserved for an affordable housing incentive program that would be separate from the rest of the incentive system.

Mr. King clarified for Commissioner Morisseau that the existing exemption of 1.0 FAR for ground floor retail would remain under the proposed approach, and that an additional 1.0 FAR for affordable housing would be on top of that.

The Commissioners were reminded that one of the early wins was moving weather protection from being an incentive to being a requirement or a standard. Mr. King said staff acknowledges that there needs to be an adjustment for new requirements, and some landscape features should be moved to become development requirements. Additionally, the consultant will look at the notion of deleting the basic amenity requirements, shifting some of them to no longer being standards. The chart will be adjusted to include new requirements, which will be offset by no longer having the basic amenity requirements, and there will be an adjustment for withdrawing some of the amenities, including bonuses for underground parking, residential uses, and neighborhood-serving uses.

Under the proposed system, there is an increased basic FAR, and given that for most areas the Commission is recommending not to increase the maximum FAR, the bonus portion becomes much more focused on a smaller set of amenities. For those areas where additional height is

recommended, the consultant will be tasked with determining how the bonus should be worked in.

Commissioner Morisseau asked why it is necessary to make adjustments for withdrawing incentives given that adjustment will be made for providing new requirements. Mr. King said the first set of adjustments are clearly becoming new standards. When the code was put in place in 1981, there was a clear need to bonus residential, underground parking and structured above-ground parking in the downtown. Those items are being withdrawn from the incentive system. One adjustment is needed to shift actual features that have been requirements, including weather protection and landscaping, and the residential use and parking items are being withdrawn because the market is wanting to deliver those types of uses. That being said, staff fully acknowledges that land transaction and landowner expectations in many ways have assumed that development projects happen in the way depicted in the table. The Land Use Code audit showed that 30 of the 33 projects pursued structured or underground parking, and most every residential project basically fulfills most if not all of their amenity requirements. There are adjustments that need to be made, but the detailed work of what those adjustments need to be will be the focus of the consultant's work.

Commissioner Walter asked if it would be correct to say that without making adjustments for the withdrawn incentives an effective downzone will occur. Mr. King said one of the Council requirements was to avoid any type of downzoning. The new framework will meet all of the Council priorities.

Commissioner Carlson asked for a reminder regarding which downtown districts were targeted for both height and FAR increases. Chair Hilhorst said in most instances where additional height has been discussed, the opinion of the Commission has been that the FAR should not be increased. The DT-OLB-2 near I-405 is one exception. Mr. King said the DT-MU district currently has an FAR discrepancy in that office buildings are allowed 3.0 and residential is allowed 5.0, and he noted the Commission had concluded the two uses should be equalized at 5.0, and that height should be increased to 200 feet.

Commissioner Walter asked if the proposed approach changes the FAR caps or just redistributing it. Mr. King explained that the proposed new exemption would allow for more developable square footage onsite in exchange for affordable housing. Currently a zone with a maximum FAR of 6.0 can pursue exempting ground floor retail from counting toward the maximum. Staff is proposing to expand the exemption target to include affordable housing, allowing for an increase of up to 1.0 FAR that would not count toward the maximum. If that direction is taken, it will be necessary to conduct an appropriate SEPA analysis to make sure the approach will not trigger anything from an environmental standpoint. The affordable housing exemption would not apply to office development.

Chair Hilhorst pointed out that the proposed approach would allow buildings in the O-1 zone to be 600 feet tall with an FAR of 11.0. She said it had been her understanding that the incentive to go higher and increase the FAR beyond the base was in part to accommodate for the inclusion of affordable housing units, and that the 10.0 FAR in the O-1 would be the absolute maximum. The proposal represents an invisible increase. Mr. King said staff will investigate all options proposed by the Commission for accommodating affordable housing.

Commissioner deVadoss asked for clarification on the fee in-lieu approach. Mr. King said as proposed the affordable housing would need to be constructed on site in order to qualify for the 1.0 FAR exemption. There would not be a fee in-lieu provision for the affordable housing. It may make sense to include a fee in-lieu for the rest of the bonus system.

Commissioner deVadoss also asked if it would be feasible to reach out to the development community for suggestions regarding the process off-ramp. Mr. King said the process off-ramp and the ability to express new ideas was been suggested by the CAC and has come up during the Commission's discussions. It will be wise to gain insight from stakeholders, the community and the BDA on the list of bonusable amenities, but there will still be a need for an off-ramp to cover issues not previously considered.

Commissioner deVadoss suggested it would be a missed opportunity to do nothing around the elements of sustainability with respect to energy, waste, water and connectivity. Mr. King said the proposed approach acknowledges the importance of promoting green and sustainable building practices. One approach might be to include incentives for green or sustainability features. Caution is needed, however, to avoid incentivizing too many things.

Mr. King said the part 2 step that will occur in July is where neighborhood identity will be promoted. Once the overall system is figured out, it will be possible to incentivize things in different ways in different zoning districts. He said it will also be important to build in a periodic Consumer Price Index adjustment factor as well as a periodic review of the system.

Commissioner Barksdale agreed with the need to periodically review the system and stressed the need to regularly collect data to inform the review.

Mr. King called attention to a matrix listing the existing and proposed features. With regard to placemaking, he noted that the major pedestrian corridor feature applies to properties fronting the pedestrian corridor. Frontage improvements made to the corridor are afforded a bonus and the proposal is to carry the approach forward by incorporating the Grand Connection.

Chair Hilhorst asked what the placemaking amenity will yield for the developer. Mr. King explained that the difference between the base FAR and the maximum FAR varies by zone. Currently the difference in the O-1 district is 3.0, but in the O-2 district the difference is 2.0, and in the DT-MU district the difference is 2.5. The allowance for placemaking will be different for each zone based on what the maximum and minimum FAR. Staff is suggesting that one way to prioritize the amenities will be to target 75 percent of the bonus a project goes after on placemaking and open space features.

Mr. King said pedestrian-oriented frontage is the other current placemaking element. He said staff are proposing that things like throughblock connections, frontage improvements and building/sidewalk relationships guidelines should become standards rather than bonusable amenities.

With regard to neighborhood-serving uses, Mr. King said under the current system they include public meeting rooms, child care services, retail food, and space for non-profit social services. The Land Use Code audit found that several of the elements have only rarely been used. The CAC concluded that bonusing space set aside for a specific use can be tantamount to setting a developer up for failure and result in vacant space. The recommendation of the staff is to withdraw the bonuses.

Commissioner Walter argued against eliminating the bonus. She noted that affordable housing is being added to the downtown and the fact that the bonuses have not previously been used could mean they did not come with a high enough tradeoff. Affordable housing could trigger the need for places to go and things to do that do not cost money. There should be a broad category of neighborhood-serving uses that would allow for space developed for a daycare could be

converted to a meeting room or something else in the category.

Commissioner Barksdale suggested a needs assessment should be done before ruling things out completely. Chair Hilhorst agreed with the need to give developers more flexibility.

Mr. King said there are a number of items in the incentive system in the parks and open space category, including outdoor plaza, donation of park property, residential entry courtyard, active recreation and enclosed plaza. Those elements remain consistent with the CAC priorities and moving them over to the new system makes sense. However, the landscape feature and landscape area element relates to the green and sustainability factor and the idea is to move the elements to that category.

Currently a bonus is given for underground parking and above-grade structured parking. The staff proposal is to withdraw parking as a bonusable amenity in exchange for an adjustment to the basic FAR.

Chair Hilhorst asked where the development community stands in regard to the proposal. Mr. King said parking was included as a bonusable element in the 1981 code as a way to encourage structured or underground facilities. Most developments pursue the approach for land economics reasons, and that has been the case for a number of years. The development community has voiced concern about changing the current system, and the last thing the city's planning department wants to do is anything that would inhibit development in the downtown. If the bonus is taken away, it will need to be done in a way that does not upset development economics. Chair Hilhorst said she was intrigued by the suggestion made by the public earlier in the meeting about incentivizing the conversion of above-grade parking to below-grade parking. Mr. King said modeling and due diligence will need to be done.

Commissioner deVadoss said he had some reservations about making the change. He said there are two types of developers, those with a deep commitment to the community and those with less of a commitment to the sustained longevity of the city. He suggested there could be some unintended side effects. Clearly the issue should be fully thought through first.

Commissioner Walter asked if the new approach will mean parking is no longer required at all. Mr. King said the proposal is to remove parking from being a bonusable amenity. Of the 33 projects studied as part of the Land Use Code audit, 30 of them chose the underground parking amenity because they were essentially going to do it anyway. There will still be minimum and maximum parking ratios for all of the downtown, nor will the ratios themselves change. Commissioner Walter said it is conceivable that a developer could choose to put in surface parking in place of a plaza. Mr. King said there have been some above-grade garages built, and the discussion going forward will include how to properly screen them. Under the current system, developers can choose not to put parking underground.

Commissioner Carlson asked if there will in ten years be more parking place or fewer parking places in the downtown if the change is made as proposed. Mr. King said that certainly should be part of the economic analysis. Commissioner Carlson said it would be naïve to think that as the downtown continues to densify, less parking will be needed, even as transit ridership increases and more people choose to live in the downtown where they can simply walk to work. Mr. King agreed the economic consultant should be asked if the potential to not have parking as a bonusable amenity would influence the amount of parking.

Commissioner Carlson agreed with Commissioner deVadoss about there being two kinds of developers, those with a strong stake in the community and those without. The former group is

more likely to supply parking.

Commissioner Morisseau said she could support retaining the bonus for underground parking but removing it for above-ground parking.

Turning to housing, Mr. King noted that under the current system there is a bonus available for doing residential. The bonus was initiated in the early 1980s as a way to encourage the construction of housing units in the downtown. Between the bonuses allowed for residential and parking, in many cases those are all of the points that are needed. The market is now wanting to deliver residential. The consultant will be asked to consider whether or not removing the bonus for residential uses will have a discernible impact on the amount of residential developed in the downtown.

Mr. King said a number of items are included as bonusable under the arts and culture category, including performing arts space, sculpture and water feature. Staff believes the elements should be retained and moved over to the new system and that historic preservation and cultural resources should be added in line with the recommendation from the CAC.

Mr. King noted that the walkability category had been broken down into two line items, including freestanding canopies at street corners, some of which are already in place near the Bellevue Collection that have been viewed as positive things. The second is pedestrian bridges that meet the city's specific criteria.

Chair Hilhorst asked if the Commission will have the opportunity to comment on expanding the locations where skybridges are currently allowed. Mr. King said the current allowed locations were determined after a number of meetings with the Commission and the Council. Where they are allowed under the current system is on the wide busy streets in the core of the downtown where at-grade crossings cannot necessarily be done in a safe way. Feedback from the Commission will be welcomed.

Commissioner Carlson commented that when first proposed, there was a detailed and some would say exhaustive debate over skybridges. There is a plethora of data about how they have worked out, which is by and large extremely well. He agreed that the Commission should speak about moving forward with skybridges. Mr. King said he would queue up the discussion at a future meeting.

Commissioner Barksdale suggested there are three criteria on which to weigh bonusable amenities: developer economics, what fits best in the community, and what aligns with the recommendations of the CAC and the Commission's plans for livability. The Commission should not, however, leave out understanding the outcome of what is currently allowed. Attention should be given to understanding why amenities like neighborhood-serving uses have not been widely used to date to better inform and nudge development in the right direction.

Commissioner Morisseau returned to the arts and culture category and highlighted the need for historic preservation. Mr. King said as a starting point, some draft definitions and design criteria were included in the packet, including voluntary replication or protection of historic façades or other significant design features as redevelopment occurs.

Chair Hilhorst said she would like to see included an amenity for public safety, specifically a downtown fire station. The need is clear but finding a site will be difficult and holding out an amenity to any developer willing to site a new fire station on their property would be a great public benefit. Other public safety needs, such as a police station, may also be bonusable.

Mr. King said feedback will be given to the Council on June 20 with regard to where the Commission stands on the overall structure and approach for the incentive system update. The consultant work is ramping up and the scope will reflect direction from the Commission. A review of the preliminary work on the calibration is on the Commission's calendar for July 27. Additionally, third-party stakeholder review will occur as a part of the process. It will be better to come back to the detailed proposed definitions and criteria at a future meeting.

Commissioner Walter called attention to the placemaking and public open space category and said she could see some problems with the notion of alleys with addresses being cast in stone. Flexibility will be needed given that the alleys are private property. Additionally, pocket parks, if open to the public all night, can attract a negative criminal element, whereas if they are closed between dusk and dawn, anyone in them during those hours can be cited. She said if she had a residence near such a place, she would want to have some control over it. Mr. King said normal business hours might be a better way to go. Commissioner Walter added that some neighborhoods might not have a problem at all, which is where allowing for flexibility would come in.

With regard to a downtown green and sustainability factor, Commissioner Morisseau asked if it would make sense to have LEED as an amenity incentive. Building LEED buildings is very expensive and it might make sense to give some bonus for any of the LEED levels. Mr. King said he would suggest starting at the gold and platinum levels.

Commissioner Morisseau returned to the FAR exemption for affordable housing and commented that affordable housing is a clear need in the city that is not being met quickly enough under the current system. Developers tend to use the fee in-lieu instead of building affordable units on site, and that approach can result in additional delays before the actual units come online elsewhere. She asked the Commissioners to keep an open mind about approaches that would get affordable units built sooner rather than later.

Chair Hilhorst said she supports the exemption of 1.0 FAR for affordable housing. She said she had been surprised to learn that the exempted FAR would in effect be added to the maximum FAR, thus increasing the maximum by that amount.

Commissioner Carlson asked for a clarification of what is meant by the term "affordable housing." Mr. King said affordable housing is measured with regard to King County area median income and what persons earning certain percentages of the average can afford paying no more than 30 percent of their income for housing. The typical levels are 30 percent of median income, 50 percent of median income, 80 percent of median income and 100 percent of median income. A specific level of affordability will not be included in the proposed definition. A citywide effort is under way to develop an affordable housing strategy, so it makes sense to include a placeholder without being specific to targeted income levels.

Commissioner Walter said her preference would be to have the affordable housing FAR exemption be countered toward the maximum, and to have the affordable units built in the downtown rather than in some other location.

Chair Hilhorst asked if the suggestion of Commissioner Morisseau regarding LEED buildings could potentially open up a sustainable amenity box. Mr. King said staff will do some analysis on the implications. The Bel-Red system has LEED as an amenity developers can pursue, though it is one of the latter ones on the tiered system there. He reiterated the need to keep the number of bonusable items down in order to avoid diluting the number of things received in return.

Associate Planner Scott MacDonald explained that at the beginning of the Downtown Livability Initiative, the Council provided the CAC and staff with a number of key principles. Two of those principles directed sustainability and the greening of the downtown. He presented to the Commission a draft program called the downtown green and sustainability factor and sought concurrence on the proposed framework. He said a detailed proposal will ultimately be included in the consolidated code package public hearing. As envisioned, the green and sustainability factor would be part of the mandatory requirements and would live somewhere between the required landscape requirements and the et cetera category of the development standards.

The system recognizes that every site and development has different objectives and that there is a need for a high degree of flexibility and a wide menu of options, such as landscape elements, green roofs, green walls, food production areas, permeable paving, bicycle parking, electric vehicle charging stations, and rooftop solar installations. The green and sustainable features within the entire parcel, including frontage areas, can count towards the factor, as can frontage improvements, other code requirements and incentivized elements.

Mr. MacDonald walked the Commissioners through an example scenario and explained how the green and sustainability factor works. He said landscape area, shrubs and groundcover, bioretention facilities, tree canopy, green walls and green roofs are possible elements. Other possible elements include landscape features in public and private plazas, permeable paving, bicycle racks and lockers, electric vehicle charging stations, rooftop solar installations, and food production areas.

Chair Hilhorst asked for a definition of food production areas. Mr. MacDonald said they could include pea patches but generally are intended to mean edible landscaping.

Mr. King said the green and sustainability factor will be folded into the overall code package that will come to the Commission in the fall. Still to be determined is the goal number each development would need to get to by choosing from any of the individual elements.

Commissioner Walter said deciduous trees are okay, but it would be nice if a certain percentage of the ground cover were evergreen. Additionally, the vegetation on green walls should not just be sticks for part of the year.

Commissioner Morisseau asked if the green and sustainability factor would be a design guideline or a requirement to be met. Mr. King said the approach would be a development standard making it necessary for developers to comply. The way in which developers choose to meet the standard, however, would include a great deal of flexibility. Mr. MacDonald explained that every element will be calibrated based on cost, desirability and the like.

Commissioner Morisseau asked how the specific elements were selected. Mr. King said the list was largely drawn from the recommendations of the CAC, as well as from the best practices of other cities. Mr. MacDonald allowed that the proposed list is longer than what most cities have.

9. PUBLIC COMMENT

(9:36 p.m.)

Mr. Jonathan Kagle, PO Box 312, spoke as president of the Vuecrest Community Association. With regard to the FAR bonuses for commercial and affordable housing, he suggested there should be some scaling based on the FAR allowed in the district. Clearly the addition of 1.0 FAR

in an area that has an FAR of 8.0 would have less impact than an area where the allowed FAR is only 3.5. He noted that over the years the amount of street parking in the downtown area has been reduced and as density has continued to increase, the result has been spillover parking in residential areas. There should be some discussion about incentives for guest or flexible parking as well as parking in general. Additionally, consideration should be given to the economics of the leftover bonus credits. Bellevue Towers used only one-fifth of the credits it received and some thought should be given to how the balance of the credits can be sold or transferred. While the Council has expressed concerns about inadvertent backdoor downzones, there should also be careful consideration given to any inadvertent backdoor upzones that could impact those who already live in the downtown and those who live in neighborhoods adjacent to the downtown.

10. ADJOURN

(9:41 p.m.)

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

Chair Hilhorst adjourned the meeting at 9:41 p.m.

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
STUDY SESSION VERBATIM TRANSCRIPT

June 15, 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, Department of Planning and Community Development

COUNCIL LIAISON: Not Present

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER

(6:41 p.m.)

Chair Hilhorst: Good evening everyone. I apologize for the late start. Welcome to the Bellevue Planning Commission. My name is Michelle Hilhorst, I'm the chair of the Commission. We're going to go ahead and get started this evening.

2. ROLL CALL

(6:41 p.m.)

Chair Hilhorst: The first thing is our roll call. We have all Commissioners present except for Commissioner Laing who will be arriving late. And we do not have our Council liaison John Stokes.

3. APPROVAL OF AGENDA

(6:42 p.m.)

Chair Hilhorst: And then our next order would be for the approval of the agenda. And so I would entertain a motion to approve the agenda.

Commissioner deVadoss: So moved.

Commissioner Carlson: If I may, can I make one slight suggestion?

Chair Hilhorst: Okay.

Commissioner Carlson: We have been pushing these poor parks people to the end of every meeting, and I'm wondering if it would be alright, at the pleasure of my fellow Commissioners, if we let them go first this time.

Chair Hilhorst: Okay, because that was a pretty late night.

Commissioner Carlson: Yeah.

Commissioner Walter: I too have a recommendation. Could we, since this is an additional meeting, could we move the draft minutes review until late at the end, till the end?

Commissioner Carlson: Yeah.

Chair Hilhorst: Okay. Okay. So, alright, Commissioner Carlson, your recommendation is to move the two parks land policy items to the beginning since they were here at the end last time? To the beginning of the agenda? And just to move everybody kind of behind them?

Commissioner Carlson: If that's okay, as a gesture that we fully understand they've been put upon several times now.

Chair Hilhorst: Okay, alright. And then your suggestion is to move our draft minutes review to the end of the evening.

Commissioner Walter: Yes.

Commissioner Morisseau: You mean to have them at the beginning of the study session, at the beginning of the agenda?

Commissioner Carlson: Right.

Chair Hilhorst: Correct, yeah. Okay, so the proposal on the table is that we change the agenda to allow the items number four and number five to come to the beginning of the meeting, and to move our draft minutes review to the end of the meeting. So that is the proposal on the table. So do I hear a motion to approve the proposal on the table?

Commissioner Walter: So moved.

Chair Hilhorst: Okay, I hear a motion to approve. Do I hear a second?

Commissioner Carlson: Second.

Chair Hilhorst: I hear a second. Any other discussion? Okay, all in favor of the proposal on the table say aye.

(All Commissioners said aye.)

Chair Hilhorst: Any opposed to say nay.

(No Commissioner said nay.)

Chair Hilhorst: Alright. So Mr. Cullen, we're going to make that change to our draft. Mr. Matz, we're going to make that change to our draft. Okay. Alright, so we will move them up and end of meeting. I will make a note. Okay, alright. Thank you for the approval of the agenda.

4. PUBLIC COMMENT

(6:44 p.m.)

Chair Hilhorst: So we are going to move on to public comment. So I do want to reiterate there are five comp plan amendments on the agenda for this evening. The public hearing portion for those five plan amendments is closed, so we are not going to do public hearing. Okay? So what I would propose is I see familiar names on these sign-in sheets. I do not want to squash public comment, but I also don't want to reopen a public hearing, okay? Because we've had that already. So what I would like to do is reduce the public comment time to three minutes per person, okay? And I would suggest if somebody has already spoken and they've made all the points that you would like to make, I ask you to not speak if that's possible. Because the longer we go, we may not get to items at the end of the agenda yet again. Okay? Because that's kind of been our theme unfortunately. We definitely want to welcome public comment, but we definitely have to move on with our agenda. So, I will entertain up to three minutes, and that's how we're going to do this. So if you have a pal that's going to speak, you may want to talk and say I'll go, but, you know, I won't go, and maybe kind of make that deal or something like that to allow us to get through our extra meeting that we're holding tonight that the Commissioners are donating their time to this evening.

So, alright, with that I do have a sign-in sheet. And I'm going to go through the sign-in sheet. So, if you marked public comment – I'm going to go through the sheet, and if you marked or didn't mark public comment, just let me know. I have them, but some people forget to mark that, so I definitely want to be respectful if you marked it or not. So the first person on the agenda is Dr. Naficy.

Dr. Naficy: I don't want to talk. I was just checking.

Chair Hilhorst: Okay, check, thank you, sir. Alright, Mr. Sean Bentley, you signed in but not noted to speak.

Mr. Bentley: Right.

Chair Hilhorst: Alright. Great. Michelle Wannamaker, you've noted to speak.

Ms. Wannamaker: Yes.

Chair Hilhorst: Alright. Okay. Three minutes. And you have your items there. And I also just want to reiterate to the public, please state your name and your address, and it can be a business address as well. We need to have that for public record. Thank you.

Ms. Wannamaker: (Distributes handouts)

Chair Hilhorst: Alright, Ms. Wannamaker, if you could go ahead and get started please. We need to move on. Thank you.

Ms. Wannamaker: My name is Michelle Wannamaker. I live in Eastgate at 4045 159th Avenue SE. And real quick, I just wanted to let you know that absolutely no Bellevue residents have been notified by snail mail about the Eastgate/I-90 land use project for the open house. And I'm told that that's going to be the same distribution list for the hearing coming up. When you consider that only 18 percent of Eastgate people are on Nextdoor, it's very troubling. So, moving on. On the Eastgate Office Park, the Sunset Village is immediately next to the Eastgate Office Park. And these are printouts right out of the CAC report. And they're requiring that certain transportation projects that we've already talked about be completed. And so by not doing – by putting forth the land use project now before transportation improvements have been put in, I think is violating the CAC's direction. So I just wanted to bring that up real quick, and show you – I talked a lot about traffic, so these are some printouts I just happened to do one afternoon, I happened to be home and remembered it at the right time. I listened to the traffic reports, you know, every ten minutes on the radio throughout, and there were no accidents or anything nearby that would have impacted this. And so real quick – well, I guess one other thing I just want to remind you that Metro has said that there will be no improvements or additions put in until 2025, which is nine years from now. And the city has said that no transportation projects will be constructed, even started construction, let alone completed, within the next 12 years in the Eastgate area. So this is the condition. So these are the conditions that that growth is going to enter upon. And I want you – I hope that you'll spend some time and look at this throughout the next week, too, for the coming hearing, and just kind of consider where the growth is going to happen, and look north, south, east and west, which direction do they live in, how are they going to get there and how's that going to impact traffic.

Commissioner Morisseau: I don't want to interrupt you, Ms. Wannamaker, but this traffic. I don't want to assume what the colors mean.

Ms. Wannamaker: Oh, I'm sorry.

Commissioner Morisseau: What does red, yellow and green mean?

Ms. Wannamaker: The green means it's moving just fine. Yellow is it's slowing

down. Yellow or orange. I guess it's more orange it's starting to slow down. Red is it's coming to almost a complete standstill. And the darkest red is at a stop.

Commissioner Morisseau: That's what I thought, I just didn't want to assume.

Ms. Wannamaker: Thank you. So I guess I should keep going, I've still got some time. Just real quick, I've put in the Eastgate Office Park, the TOD, the RV park, and so this is part of an overview going into the east. Zooming in to the west, zooming in. Look, already where the TOD is going to go, that's the backup starting already. And that's where the growth is planned for, the most growth is planned for. So anyway, I guess I don't need to say any more, other than to just ask you to spend time with it.

Chair Hilhorst: Alright, thank you very much. Thank you. So next on the agenda we have Carolina Silverberg. Did you want to speak?

Ms. Silverberg: Yes.

Chair Hilhorst: Okay. And then after Ms. Silverberg Dan Brannan. Did you sign up to speak, sir?

Mr. Brannan: No.

Chair Hilhorst: Okay, thank you. So then Marianne Lee will be coming after Ms. Silberberg.

Ms. Silverberg: I'll be brief. My name is Carolina Silverberg. My address is 11667 SE 58th Street. At the last meeting I introduced the petition against the rezoning of the Newport Hills Shopping Center property. And I want to present an additional 111 signatures we've gotten since. And we now have over a thousand signatures. Thank you for your consideration. I won't take up any more time.

Chair Hilhorst: Okay, thank you.

Commissioner Carlson: Quick question. Where'd you gather them?

Ms. Silverberg: Online. The additional ones are online. The package that was previously submitted we had 506 that were handwritten, that were gathered by different people. A group of neighbors who were working together. And the other five hundred something, there's an online petition.

Commissioner Carlson: Thank you.

Ms. Silverberg: And there's all the details right there. Newport Hills petition. Thank you.

Chair Hilhorst: Alright, thank you very much. Alright, so Ms. Lee, are you here?

Ms. Lee: Yes.

Chair Hilhorst: Okay.

Ms. Lee: Not only am I here, but tonight I have no childcare so my kids are here.

Chair Hilhorst: Okay, great. And after Ms. Lee it's going to be to Margaret Santjer. So that will be the next on the list.

Ms. Lee: Okay. My name is Marianne Lee. I live in Newport Hills at 11627 SE 58th Street. I'm speaking on behalf of myself, the PTSA's of Jing Mai and Newport Hills Elementary and others who could not be here tonight. I just wanted to point out that if I decided I wanted to raze my house and put in a few townhomes, nobody would be scheduling meetings to find a compromise. The city would point out the zoning that exists and send me on my way. With the proposed rezoning of the commercial property, the same rules should apply. In order to even entertain the concept of a rezone, certain conditions need to be met. And the conditions necessary for this rezone have not been demonstrated, and in fact have been successfully refuted. This is a viable property under existing zoning, and sure the world has changed, we no longer have a need for a grocery store in our neighborhood right now. But this does not mean we do not mean that we don't have needs that fit the modern age. Currently those needs are dining and family services. And the next generation will likely modify this again and we need to make sure we have the space available to them as well. The success of this property in spite of the current owner's neglect proves that the center continues to serve the citizens of this neighborhood as it was designed. And the proposal to rezone should be thrown out on this alone. Let's see. Once you give a rezone to R-30, there'll be no way to hold any developers to any vague promises made or protect the needs of the community. It will become all about money, multifamily housing – the money the multifamily housing will bring to the developer and the owner. And then finally, I wanted to make two points. This is – I don't want this to be divisive for our neighborhood or our city, but most of the residents in favor of the rezoning, they don't have children. They live on the northwest side of the hill with no traffic impacts, and they don't usually shop in the Newport Hills center. If they do go to the nail shop and they're unhappy, they should be upset with the landlord who refuses to maintain the property, instead of with the retailers who are doing their best with the existing conditions. And two, some of our Newport Hills businesses have already been contacted by the new development in Newcastle offering them leases. So if the City Council keeps pulling this out and dragging this out, we could lose our existing successful retailers that we have, and then we'll be in a worse position. Which will satisfy the people that want to rezone it. So our community needs a definitive answer, and I hope that tonight it will be put to bed. The next point I have is that continuing the process of discussing the R-30 rezone

is kind of destroying some of our neighborhood community and the environment that we're trying to preserve. It will damage the city of Bellevue and reduce the number of viable businesses and the community spaces that we have. Thank you.

Chair Hilhorst: Alright, thank you. So I do want to have some decorum, so I would ask that nobody applaud going forward for any speakers. If you like what the speaker is saying, please raise your hands. I'm not going to do a visual count like we did at the public hearing, but raise your hands so the other Commissioners can definitely see. So, we definitely want to just have a little bit of decorum going forward. So, thank you for respecting that. I appreciate it.

Ms. Santjer: Hi. My name is Margaret Santjer and I live at 4622 123th Avenue SE in Newport Hills. Thank you, Chair Hilhorst, and Commissioners. I've written before just to express my concerns about the impacts of the proposed rezone mainly being traffic, overcrowding of the elementary schools, and the potential loss of our retailers. So my new concern is the proposal that I saw in the staff materials about a possible facilitated community planning process that would involve twelve to fifteen people representing the neighborhood. So my concerns about that are who would be on that and how they would be chosen. Would it be a split between people who oppose the rezone and who support it? And then secondly, it's described as a way to come to a compromise that would fit both the developer's needs and the community's needs. And what we've heard before is that Intracorp has – does not have plans to reduce their density and they still want the R-30 rezoning. So I'm concerned that we wouldn't – where is the room for the compromise? So I guess my main concern is is this just a way to push through the rezoning in a different way that looks like a community compromise when it's not. So would urge the Commission to not go forward with the Comprehensive Plan amendment, to not rezone it, and to retain the Neighborhood Business zoning so that redevelopment can happen in a thoughtful way that truly benefits our community. Thank you.

Chair Hilhorst: Alright. Thank you very much. So, Mr. Santjer, you're not going to speak? You signed up but you didn't checkmark.

Mr. Santjer: I didn't checkmark. No. I don't normally speak in public like this. My name is Daniel Santjer and I live at 4622 123rd Avenue SE in Bellevue. And I oppose the R-30 also. I feel that if we lose that land to just residential, we'll never be able to go back and have access for stores and stuff. Everything just keeps growing and growing and growing. I understand that the land right now actually has a zoning that we can put some residential if we wanted to, if that was what's needed. I don't think we need to go with a heavy hammer and do like R-30 and bring so many people in there when it is an area that people love to go to. There's – I took pictures and I submitted them about how many people are there on a Wednesday night and stuff. It's a phenomenal amount. And when

they have swim meets there's a phenomenal amount of people there. I don't want to lose that for all the kids around there. I know everybody talks about the schools and stuff, and that's true, we don't need any more, we already have extra rooms in the back, you know, the portables. So I really oppose it because of all those reasons. I think we could even take and find somebody that could redesign it where we could have space so maybe the school could come over and use for science classes or something. Because we're already pressing for space for school. Why couldn't we keep the businesses there and build something that could be a place for more gathering, more of a, I don't know, a community center or something, you know? So, anyway. So I do oppose it the way it is. I think it could be re-thought out. And something better could be pushed forward instead of just massive amount of people. So, that's my points.

Chair Hilhorst: Alright, thank you. Thank you very much. So next on the list I have Marci Hennes. And after Ms. Hennes I have Kelly Farrell. You signed up. Did you want to speak, or not speak?

Ms. Farrell: No.

Chair Hilhorst: Ok, after Kelly I have Greg Lovern.

Mr. Lovern: I'll speak.

Chair Hilhorst: You'll speak, okay. So you'll be after this current speaker. Thank you.

Ms. Hennes: Good evening. Hello. Marci Faith Hennes, 4715 119th Avenue SE, Bellevue, 98002. I'm proud of our double zero six zip code for sure. High density will not foster community. In light of the recent events, we really need community more than ever. We're not New York City. We're not going to be waiting for subways out on 119th to go to Brooklyn or the Lincoln Center, you know, all those fun things they get to do in a big city. We're car dependents over on Newport Hills. I'm not going to talk about the obvious schools, traffic, congestion. I don't have any grand idea of a park or skateboard parks or Zen gardens. We just need space. We need gathering spots, we need room to stretch, we need to walk. Maybe take a little lesson from our neighbors over in Oregon in Portland, all those cool little neighborhoods. We've all been down there, right, on weekends? Wow, we're going to Portland and we see how that buy this over there. It's beautiful, it works. They have their problems, too, of course, but it kind of works. They have a little neighborhood, each one has a distinct characteristic. We're just getting momentum in our community in Newport Hills. A lot of new families are moving in. Our elderly people are moving and are, you know, passing, whatever the case may be. But I'm not saying we won't continue our momentum, but it's going to make it a lot more difficult if we're just crowded in up there on the hill. So, no to R-30. Thank you.

Chair Hilhorst: Alright. Thank you very much. So Mr. Lovern, you're next. And then Valerie Barber, are you here?

Ms. Barber: Yes.

Chair Hilhorst: Okay, you'll be after this speaker.

Mr. Lovern: I'm Greg Lovern. I live at 12460 SE 60th, just around the corner from the shopping center. About three times a week I take my boys to the taekwon do martial arts there, and when I go there I see lots and lots of cars, lots and lots of people walking around, customers walking around the other businesses, the dance studio. We often go to the Cloud 9, to the teriyaki and to Resonate. Those places are busy. I can rent U-Hauls at the mail center. I go to the cleaners sometimes. There's plenty of business going on there. When I go there I wouldn't guess that this is a place that needs to be turned into residential. I'm concerned that the current zoning allows 15 residential units per acre. That would be 88 units just as it is. They have to be in the second floor above commercial, but if we did that, we could keep the entire shopping center, all 5.29 acres, and have 88 residential units above it. And so if we need those residential units – I'm not saying that we do, but if we need them, we could have them and we could keep the shopping center. We could have both. And if there's time, one last concern is that the 2010 Heartland study was done at a time when we were – when the economy was still struggling under the great recession, America's second-worst economic downturn. We're not likely to see one of those in the near future. There will be downturns, sure, but we're not likely to see another great depression or great recession in the near future, right? I remember about 2010 economists telling us this is the new normal, the economy was the new normal, and that we wouldn't see the likes of 2007 again for – 2006 again for 50 years. The economists telling us that. Today the economy is – it's hard to remember how pessimistic everyone was about the economy in 2010. And it was that environment, that pessimistic environment, where economists were telling us that this doom and gloom was going to extend for generations, that that study was done, and determined that there was a certain amount of square footages that the neighborhood would support. And I would say if the neighborhood would support that in that doom and gloom environment, where economist were telling us it was all doom and gloom for generations to come, surely one thing we can learn from that 2010 study is that today with the economy so much better, at least in that area, it'll support far more than that study thought it – said it would. Thank you.

Chair Hilhorst: Alright. Thank you very much. Valerie Barber, and then after Valerie Erin Powell signed up. Is Erin here?

Ms. Powell: (raised her hand)

Chair Hilhorst:

Okay, so you'll be after this speaker. Thank you.

Ms. Barber:

Hi. Valerie Barber, 4644 121st Avenue SE in Bellevue. First of all I wanted to thank everybody for staying late the last time we met. I ended up staying late and I heard some discussion around what would happen in the scenario that things move forward. And one of the discussion topics was having studies – and I don't know if I heard this correctly, so I would love it if someone would clarify for me – having the studies completed in August and maybe the beginning of September. I would like to recommend and emphasize that any traffic studies that are completed should not be completed during the summer months because the school traffic has been so integral to this discussion. I also would like to emphasize that we should – included in that traffic study there should be a forecast of the implications that our neighboring communities might have and the developments that there're doing there. So hopefully the Commission will take it under advisement to make sure that that study, if we do move forward, is taken in an appropriate time. So thank you for that. The second part is, if we move forward with some – the next phase of this two-step study phase, again colleagues have pointed out that there are implications to moving forward, negative implications to that shopping center that will damage the neighborhood. But I also think it will damage the planning process, right, because you've not set a precedent as to what constitutes a change of condition. So we are saying now that a change of condition could mean that other neighborhoods or other shopping centers are able to charge more for their sites, and therefore if I don't get the same amount, I can then get a planning change. And to me that's just the wrong philosophy around the way that we should look at our zoning regulations, and the wrong messages that we're sending to people. So it's something to think about and consider. So thank you. Appreciate your time.

Chair Hilhorst:

Alright, thank you very much. So after Erin Powell I have B&T Brown signed up. I don't know who that is. Are they – no? Alright.

Ms. Powell:

Good evening. My name is Erin Powell. I live at 1015 106th Avenue SE in Bellevue. I'm here tonight to support and enthusiastically suggest that you support the amendments regarding the parks, all of them in its entirety. I was here a few – a couple of weeks ago, couldn't quite hang in there until 11:30 at night. I had to go home, so sorry about that. I just want to speak on behalf of the parks. Parks needs to be – parks need to be protected from the pressures experienced from Bellevue's increasing urban population demands. Parks are the necessary human service commodity that all people of all ages and abilities and interests can enjoy equally. Bellevue city government needs to protect and keep parks as parks for all people, including wildlife, trees, wetlands and the health of us all. This will help the city of Bellevue achieve the goal of a 40 percent tree canopy retention goal that's in our Comprehensive Plan right now. Parks are for recreation uses and we should really remember that, that there are recreation uses that

will help communities grow, stay together, form cohesive neighborhoods, and people get to know each other. Those things are youth theaters, swimming pools, community centers, nature trails, soccer fields and nature parks. Parks should not be sold or bargained away for uses that are not for parks or recreation uses. Parks lands should not be used for light rail railroad facilities as we have East Link coming along the whole western edge of the Mercer Slough Nature Park. Or high-power electric lines. Or any other purpose other than where people can have places to play, gather, enjoy open space, and community building places. Parks should not be seen as – parks should be seen as priceless jewels that a civil city maintains and keeps for future generations and environmental health. I was recently on the Parks Board and I'm sad to say that the whole western border of the Mercer Slough Nature Park will be devastated. This big box back here, the black box, represents land that will be excavated and removed. Renay Bennett will speak more eloquently about the devastation of the land removal for the tracks and the train. But you know Mercer Slough is a nature park and it's not going to be the nature park that it is right now. Thank you.

Chair Hilhorst: Thank you very much.

Commissioner Carlson: A point of inquiry, madam chair.

Chair Hilhorst: Point of inquiry, yes.

Commissioner Carlson: Has the Parks Board sounded off on this? Have they expressed an opinion about this?

Chair Hilhorst: To my knowledge – I asked that question – is because this is Comprehensive Plan, it has not yet gone to the Parks Board. They have no knowledge unless it goes next. To my knowledge, Parks Board has not been apprised.

Ms. Powell: I'm not on the Parks Board anymore. I was recently on the Parks Board.

Commissioner Carlson: Right. But I mean just, you know, by way of resolution, just expressing an opinion.

Mr. Matz: I'd be happy to engage that issue in study session.

Chair Hilhorst: Okay, yeah, because I know I asked that question last time. And I think because its Comprehensive Plan, it comes to the Commission first, so I don't believe Parks has been engaged yet –

Commissioner Carlson: Okay.

Chair Hilhorst: – to answer your question to the best of my knowledge. Alright. So we have – okay, so we have Pat and Jack Hunter signed up. Speaking?

Mr. Hunter: No.

Chair Hilhorst: No. Ritchie Ron?

Mr. Ron: No.

Chair Hilhorst: No. Geoff Bidwell signed up. Speaking no?

Mr. Bidwell: Yes.

Chair Hilhorst: I'm sorry, you didn't sign a note to speak, sorry.

Mr. Bidwell: Oh I'm sorry, I goofed up.

Chair Hilhorst: Okay, alright. So run on up here. And then Renay Bennett, you'll be after Mr. Bidwell.

Mr. Bidwell: My name is Geoff Bidwell, I live at 1600 109th Avenue SE in Bellevue, and I've lived there for 39 years. And I'm here to speak in support of preserving our parks, in particular the Mercer Slough. And I just want to give you some background information. I know staff has presented information to you regarding the CPA proposal, and staff has incorrectly provided you with infactual information. And I'll go over that. I want to bring – rather than go over the details of what's in the report that staff has put together for you, I want to give you a real example of how this process has worked, or has not worked. Twenty-eight years ago the citizens of Bellevue got together, lobbied City Council, to put the issue of preserving Mercer Slough on the – as a park bond issue. We lobbied, Council agreed, put it on as a bond issue. We went out there and sold this as a desirable feature of Bellevue, to preserve the Mercer Slough. Eventually, people of Bellevue voted for that, 70 percent overall, 85 percent in the district of Enatai. Now the city of Bellevue – that was 28 years ago – now the city of Bellevue wants to sell part of those Mercer Slough park lands, lands that we paid for with our tax dollars, to promote or finance a tunnel in the downtown. These lands were paid for, it's our lands. Morally, I think that's unethical. This was approached to the city of Bellevue, and they came back with a ruling saying – and they quoted, I can quote in a name now, because it's in the staff report, Monica Buck, she came back and said because this is subject to BCC code, she quoted 4.32.060 – oh six oh – a public hearing on the proposed sell is not required. So, there's no public process involved, we don't have a say in this, she quoted a BCC code that was put in place years ago. So we have – we voted for it, we paid for it, and city staff says we don't have a say in what's going to happen to it. What they did say is that you should be looking at 4.320 into government transfer of real property. That's what we say. Under that condition, the city shall hold a public hearing. We believe that's the process we should be going through. This city doesn't agree with that. They're saying they can sell our public lands away after we paid for them, after we

worked and slaved and lobbied like crazy. We think that's immoral. The other thing that's in error is the RCO board – state board – disagrees with what the city of Bellevue has stated in their memo. I'm talking about the Monica Buck memo that was quoted in the staff report. We have all the documentation to show that what they put in that memo is wrong, it's in error. It's factually incorrect. There is no process in place to protect city park lands, and that's why we believe the CPA amendment that we're proposing should be enacted upon, or at least studied in some depth so everybody can have an input in this. We've got a lot of information, and I don't have the time, and you surely don't have the time either, to go over at this point in time. So what I'm recommending is that the – your Commission should continue this process so we have the opportunity to present this information so you understand fully what's happening to these very precious lands that we worked so hard to preserve. And I've got some background information I'm going to pass out to you that sort of summarizes some of these issues I just brought to your attention.

Chair Hilhorst:

Time, Mr. Bidwell.

Mr. Bidwell:

Yeah, okay. I've got such a lot to say about this. I'm just going to pass out this.

Chair Hilhorst:

Alright. Thank you very much, Mr. Bidwell. Alright. So next, Renay Bennett, and then after Renay Bennett I have Karlene Johnson. Do I have Karlene in the room? Did you want to speak?

Ms. Johnson:

I have something very brief to say.

Chair Hilhorst:

Okay, okay, alright. So you'll be after Ms. Bennett.

Ms. Johnson:

Okay.

Chair Hilhorst:

Alright. Thank you.

Ms. Bennett:

And more paper. Just what you needed, more paper.

Mr. Cullen:

I need one for the record.

Ms. Bennett:

Over here. I can go over here. Good evening, members of the Commission. Thank you very much for moving the park policies up for us. I appreciate that. My name is Renay Bennett. My address is 826 108th Avenue SE and I'm a long-time resident here in Bellevue. A couple of quick items. Last time the Commission met, the parks policies were at the very end of the agenda. And we believe that in order to be consistent with all of the presentations that our presentation also be given the same kind of consideration that all of the other presentations were given. You could not see our park plan policies up there, the proposed amendments. All you heard about is why staff didn't really want to have them. So we would like them up for all of the people in the audience to see so

everybody knows when you do the presentation on that, so everybody can see these park plan policies and what is being proposed. Second, I'd like to bring to your attention the second handout I gave you. And this is new information. This box represents one cubic yard, and this one cubic yard is – if you times it by 260,700, that's how much soil will be removed from the Mercer Slough Nature Park. Two hundred sixty thousand seven hundred cubic yards, and that's – that's a – that's a lot of soil and a lot of material. And if you put them in dump trucks, as an example, and put them end to end, it would reach from Mercer Slough to Kelso, Washington. That's 125 miles of material out of our park land. I bring this to your attention because the city staff have gone on record as saying that park land will not be used for staging for Sound Transit. And as you can see clearly by this email memo from the Sound Transit legal department, they say that park land will be used as staging, and they give an estimated amount of acreage. And I've given you previously that information about how many acres are going to be taken. It's almost 30 acres will be used for staging, for construction, and for wetlands taking. I just wanted to bring these to your attention because I think you guys should know about it. I think that all of these policies meet threshold review. One of the issues that staff brought up was that there are no changed conditions. I would have to say that a train in our park land is quite a changed condition. So I thoroughly disagree with staff's review of this. And I hope you do too and give it the airing and the public viewing that it deserves. We need to protect our parks, and this is the first step in doing this. This is not hampering the Council's legislative ability in any way. This is about involving the citizens in lands they purchased for their parks and keeping these as the treasured jewel that they are for now and forever. Thank you.

- Chair Hilhorst: Alright. Thank you, Ms. Bennett.
- Mr. Bidwell: This box is made out of recyclable materials.
- Chair Hilhorst: Excellent. We were going to ask. Alright. So Ms. Johnson. And after Ms. Johnson, do I have a Mary Smith in the room?
- Ms. Smith: I'm Mary.
- Chair Hilhorst: Did you want to speak?
- Ms. Smith: No, thank you.
- Chair Hilhorst: Okay, thank you.
- Commissioner Carlson: Madam Chair, if I may.
- Chair Hilhorst: Yes.
- Commissioner Carlson: This is beginning to look suspiciously like a public hearing.

Chair Hilhorst: We have one more public speaker and then we are done with public comment.

Commissioner Carlson: Okay.

Chair Hilhorst: Thank you. It does. Thank you. Alright.

Ms. Johnson: My name is Karlene Johnson. I live at 5125 127th Place SE in Newport Hills. And I'm giving comment this evening about something that came out after the last meeting. So this is the memorandum that was attached to the agenda for tonight's meeting, which I'm guessing you guys all have. I know I got it in my packet. And so there was a new recommendation for the Newport Hills Comprehensive Plan amendment, and the recommendation was to do a facilitated community planning process, which sounds really good. The goal is to find common ground and to seek to find mutually agreed upon site plans. So I went back to my notes and to the audio recording from the meeting that we had two weeks ago where Chair Hilhorst asked Mr. McDuff is there a potential for a change or compromise that's not an R-30 but less housing and more commercial, is there a compromise available that can become more of a win-win and not one versus the other. It was a long meeting, but I'm sure you guys remember some of that discussion. And Mr. McDuff's comment was, in the gist of it, there's some room for us to work with this concept, but I just don't know that we can move a lot on the residential, and I don't think we believe the retail necessarily would change a lot. Would we look at it? Would we study it? Absolutely. Do I see big moves? I don't think so. And so the reason I'm calling this to your attention is because I want to know if there new information since two weeks ago that there is room to move, because if there isn't it does seem like a bit of a setup for the people who are put on that committee, or volunteer to be on that committee, if they're coming into a process where there isn't actually much room to move. If there is room to move, wonderful, let's have a process to discuss it. Thank you so much for your time on hearing additional comments.

Chair Hilhorst: Alright. Thank you very much. Alright, our final speaker of the evening – I will not take any more speakers after this – Heidi Dean. Did you want to speak?

Ms. Dean: Yes.

Chair Hilhorst: Okay.

Ms. Dean: Good evening, Chair Hilhorst and Commissioners. My name is Heidi Dean. I reside in Newport Hills at 11661 SE 56th Street. And I wanted to agree with some of the points made about the recommendation to go forth with the community planning process. I actually don't know anybody who was contacted by Intracorp

after that meeting to get some input on that process as they put forth in their memorandum. My concern is, again, this feels like a last-ditch effort to ram this through under it looks like, it sounds nice, but how would this stack up? If the applications are coming in and the city's deciding who's going to be on that committee, I don't know, it just doesn't feel right to me. And I feel like it's a setup to make those who oppose it appear unreasonable. So that's all I'm going to say on that. I wanted to do a couple of reminders to the Commission about a couple of things. Number one was Greg touched on the Neighborhood Business zoning and I wanted to remind folks that in 2011 Chair Hilhorst and a couple other members of the community club of Newport Hills were working with the Planning Commission on the possibility of changing the square footage allowance in the Neighborhood Business zoning, and that would allow different kinds of businesses to come in and revitalize. And there was some interest. Northtowne was worried about how it would affect them. And then there was some talk about carving out Newport Hills under Neighborhood Business zoning, because we are kind of a different and unique setup up there. And unfortunately Rainier Northwest's realtor got a little greedy and asked for too much space, and it should that all down. It put the kibosh on it. And that got put back on the back burner. It's never been – nobody's talked about it since. So I'd like to propose that we actually look at updating the Neighborhood Business zoning or doing a carve out for Newport Hills rather than doing the R-30 CPA and rezone. And the other thing is, I wanted to remind you about all of the work that you did on the comp plan, and under neighborhoods, and under the land use. And what – you actually asked me to come and speak to you in January 2014 and talk about the roles and importance of gathering places in neighborhoods. And you also asked Mr. Ron Sher to talk about the roles of neighborhood shopping centers. And I want to remind you about that. Because if this gets pushed through, there will be no more gathering places in Newport Hills. Thank you.

Chair Hilhorst:

Alright. Thank you, Ms. Dean. Alright.

Mr. Seward:

Madam Chair. I know you asked for no more speakers. I didn't sign up. I would like to have three minutes if I may. I would speak in support of it. No one has spoken in support, and I just want to make a fairly brief comment.

Chair Hilhorst:

I will allow one speaker for, and then we do have to move on, sir. Thank you very much.

Mr. Seward:

Thank you, I appreciate it. My name is Bob Seward. I live at 4777 116th Avenue SE. Historically, I came to Bellevue in 1958. I started teaching school here. I was principal at Newport Hills from 1970 to 1979, now Jing Mai. I retired from the school system in 1988, built a home in Lake Heights, which some folks have referred to as the northwest corner of the area where the older folks are waiting to sell their homes to the highest bidder. If you talk to

my wife, our ashes plan to be left on our building site, our home. I've seen and lived and worked in that community since 1970. The Chair, Ms. Hilhorst and myself, met with some city staff four years ago, perhaps, five years ago, trying to initiate and see what we could do with the city at that time to generate some interest in improving the shopping center. The Chair went on to get deeply, more deeply, involved, and I appreciate that, Michelle. If the people that have spoken in support allude to the businesses and the – and I know that there are elements there that are important to them – however, look at that facility or that site from six in the morning until midnight and you see lots and lots of time when there are no cars there, or one or two cars. Most of the cars that are there are being serviced by the service station. The pub has a big crowd for sports shows or sporting events. But I would ask that the Commission consider the planning that's gone into this and consider approving this so at least you can look at the option of something happening positive up there. As a group, over the years you've done a great job of keeping the business downtown. That was achieved many years ago, and the Commission and the Council have done a great job. I hope you'll support this move.

Chair Hilhorst: Alright. Thank you very much. Okay, so we are going to close out our public comments. We're about 15 minutes behind schedule.

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

(7:30 p.m.)

Chair Hilhorst: We're going to move on to Communications from City Council, Community Councils, Boards and Commissions. We do not have our liaison with us this evening. I don't think any board or commission members are here.

6. STAFF REPORTS

(7:31 p.m.)

Chair Hilhorst: So we're going to move on to staff reports. Mr. Cullen?

Mr. Cullen: Thank you, Madam Chair. Terry Cullen, staff liaison with the Bellevue city planning department. Just a quick reminder that next week's meeting is a public hearing on the Eastgate proposed Land Use Code amendments. And also you'll be doing a short regular study session on low-impact development standards. And you will be having officer elections. And that's going to be held out at Bellevue College. So, you will get a notice of that. Your packet's going out probably tomorrow. But Bellevue College. And it'll identify where at Bellevue College, and we're getting that all set up and put in the works. So you'll be starting at 4:30 with your regular session, and that will be low-impact development standards. Elections. Then you'll take a break and then the evening

is dedicated to the Eastgate public hearing for the proposed Land Use Code amendments. That's all I wanted to share tonight.

Chair Hilhorst: Yeah, Commissioner.

Commissioner Walter: When this meeting was discussed before, it was either going to be at Eastgate school or potentially at the South Bellevue Community Center. Can you tell me why it's not being held at one of those?

Mr. Cullen: We went to the Eastgate school. The parking is too constrained, it's in the middle of a neighborhood and the facility just wasn't adequate for the crowd we thought we might get. The South Bellevue Community Center with school being out is very noisy, there's a lot of recreation programs going on. And we talked to several different people and they said there would be a lot of background noise. So we went to a place where we knew we could have the space and at least get the parking and that was recognized people know more where it was, and that's why we went with Bellevue Community College.

Chair Hilhorst: Okay. Do you have any other questions for Mr. Cullen? Okay. Alright. Thank you very much.

8. STUDY SESSIONS

(7:33 p.m.)

A. 2016 Proposed Comprehensive Plan Amendments – Threshold Review

Chair Hilhorst: So since we changed Draft Minutes Review to the end of the meeting, we are going to jump into our study session. Mr. Matz will be speaking to us. Mr. Matz, per the change earlier, we will do the Park Lands Policy #1 first. And so you will do a presentation, and then we will have discussion. Is that correct, sir, on each one?

Mr. Matz: That's correct. So I have the same slide show that we had at the hearing. Just to touch base on the procedures and the conventions that you're dealing with tonight to frame the conversation at the beginning of the study session, we will continue to focus on the staff recommendation that we presented to you at the hearing. With the changes and some of the details around – that you've heard addressed in public comment tonight. So if you would indulge me on that, I'll be flying around –

Chair Hilhorst: Do you want to do an overall summary first and then go into each one?

Mr. Matz: Yes. I'll walk you back through the threshold review process, only once a year, di-dah, di-dah, di-dah.

Chair Hilhorst: Okay.

Mr. Matz: And as many of you know, I can go fast. So with the Commission's indulgence, I'll speed through the preliminary –

Chair Hilhorst: Not too fast.

Mr. Matz: Fair enough, Commissioner. I'll briefly go over the 2016 annual Comprehensive Plan amendments review process. Tonight is your threshold review and geographic scoping study session. You did hold your hearing on June 1 under threshold review. An overview, these are the initiated applications, or the tool the city uses to consider these proposals. It's limited to an annual process under the Growth Management Act, which requires the cumulative impacts and a cumulative analysis of all the proposed amendments to the plan. Threshold review action does produce amendments for the work program itself. Threshold review decision criteria that are used in reaching a decision about moving forward – and it's going to be a lot of real estate here – a matter appropriately addressed through the Comprehensive Plan. Compliance with the three-year limitation rules – happy to explain that in detail. Does not raise policy or land use issues that are more appropriately addressed by an ongoing work program that's already approved by the Council. Reasonably reviewed within the resources and timeframe of the annual Comprehensive Plan amendment program. Addresses significantly changed conditions since the last time the pertinent Comprehensive Plan map or text was amended, defined here in the Land Use Code finding that one of these – essentially there are three different versions of significantly changed condition and we frequently hear people comment that it's something that the plan itself did not anticipate when the pertinent plan piece was adopted. At threshold review we also talk about geographic scope and expansion of the geographic scope. The staff recommendations have been presented to you. You've directed consideration of the expansion of the geographic scope for some of these and not others. And we present that to you in our recommendation. In other words, if a single site is expanded to contain similarly situated sites, that the application goes forward and consideration of those additional sites as part of the proposal. And finally, we look to see that the amendment is consistent with current general policies in the plan for site-specific proposals, and consistent with policy implementation and other tools which are the Countywide Planning Policies, the Growth Management Act, state or federal law, the Washington Administrative Code, and that last or that floats out there leaves us with the last one, which is that state law has required us to direct such a change.

Commissioner Barksdale: Just to clarify one point.

Chair Hilhorst: Commissioner Barksdale.

Commissioner Barksdale: So, for threshold review, all of these have to be true in order to proceed? But just because all of them are true doesn't mean we have to proceed?

Mr. Matz: That's correct.

Commissioner Barksdale: Okay.

Mr. Matz: Alright. Continuing our overview. The annual work program is established when City Council acts on planning recommendations to establish the annual work program. We will ask you tonight to make recommendations on each of the individual Comprehensive Plan amendments before you. We will package that up into a transmittal which we will forward to the Council, City Council, for their action. They will take your recommendation, the testimony, and all of the other materials under advisement and then take action to direct back to you a work program which consists of Comprehensive Plan amendments for a final review. As noted, direction to approve threshold review moves an application forward for what people typically consider to be merit-based review. It does not signal an outcome for the full amendment itself. Tonight, we will ask you to do this, recommend whether the applications should be initiated. We've provided you with some boilerplate language that you can use to make your – when you get to that point, when you can make that motion. And that is found in your packet materials. And we will ask you to hold a separate study session for each application.

With that, quickly we'll go through the five that have been presented this year. We have three site-specific applications: Naficy, Eastgate Office Park, Newport Hills Comprehensive Plan. And we will also convey two non site-specific, what are called Park Lands Policy #1 and Park Lands Policy #2. They are non site-specific because they would apply to the entire city. So I'm going to find where we want to go to –

Chair Hilhorst: So any questions on the overall? Comments on the overall?
Commissioner Laing.

Commissioner Laing: Madam Chair, if you would indulge me for a moment. I just – there wasn't really an opportunity to make a kind of a general comment about this process at the outset of this, but if I could make an observation about this process?

Chair Hilhorst: Okay.

Commissioner Laing: So, this is – these comments are not directed at any of the amendments, but really just the process. I've been a part of this Commission for four and a half years. As everybody knows, I'm a practicing land use attorney. I've practiced in the city of Bellevue, I've practiced statewide. And I can tell you that every single year that I've been on the Commission, and every year that I've been a land use practitioner – obviously not practicing in Bellevue in front of the Commission when I'm on the Commission, let's be really clear about that, but going back a number of years, I've watched

this process that Bellevue has, this unique Comprehensive Plan process that Bellevue has, that is unique in that nobody else in the state to my knowledge does it this way. It is like square dancing, a couple steps forward, a couple steps back, kind of goes through. It's a confusing process, it's a protracted process. Basically, everybody else in the state, you submit your application by the deadline in January or February. There's a hearing, a substantive hearing, on the merits in front of a planning commission or the city council or county council in like September or October, and if it gets a thumbs up it goes on for approval.

What we do here is we are asked, and the public is asked, to come in and participate in this process that has these criteria, only at this part in the process we're not supposed to be judging the merits of the application. So what's the point of having the criteria? You should ask yourself that, because they're basically the same criteria as the criteria on the merits. And the public comes in and provides us all of this information, and the applicants say the same thing every year, and they're correct in saying this, and the staff says the same thing every year, and they're correct in saying this, well, nobody would have a traffic study, and nobody would have a massing study, and nobody would look at any of these things at this point in the process because that's not where we are in the process.

The other thing that comes up every single year with this, and it becomes just this sort of nebulous, like spin this all around, is this idea of changed conditions. Changed conditions seems to mean whatever somebody wants it to mean, or whatever people don't want it to mean. And it becomes this sort of focal point necessarily, because it's the only thing among the criteria that isn't really readily discernible. And so every year that I've been on the Commission I've heard my fellow Commissioners as well as staff lament like, this changed conditions thing really means everything and nothing all at the same time. And we have even as a Commission, and staff previously have suggested, maybe we need to get on our work plan to tell the City Council to tell us to change what changed conditions means so that it actually means something. And so, as we get into the process tonight, and after listening to a lot of heartfelt and thoughtful comment last week, and actually having done that for the last four and a half years, it just keeps bringing it back that we're being asked to judge things without the information now, as we are every time, and we are going to be asked to spin around on this changed conditions thing. So one thing that I would hope come out of whatever comes out of tonight is that this Planning Commission will finally for once and all say to the City Council, we need to change this process. It takes an inordinate amount of our time and the community's time, and we need to change or define changed circumstances. So thank you for indulging me.

Commissioner Carlson:

Hear, hear.

Chair Hilhorst:

Alright. Okay. So thank you, Commissioner Laing. So one question I do have a little bit along those lines of consistency is one of our plan amendments has a new component to it about a community planning process. So, and that is based on the merit if that amendment passes threshold review tonight. All the plan amendments are being asked to be judged by the same criteria on whether they pass threshold review to move forward. So if anyone moves forward tonight, shouldn't they all be allowed the same process of a community planning process to be added to their amendment? Where the facilitator will be provided and members of the community be solicited for input to – I mean, it seems we've picked and chosen, so one gets it but the others don't, but they're all under the same criteria. So, can we apply that to anybody that passes threshold review to be fair?

Mr. Matz:

I don't know whether you consider it fair or not, but what we've proposed to you we own in terms of the staff recommendation. The staff is suggesting to you that attached to the Newport Hills CPA is this recommendation for a facilitated community planning process. That's our recommendation that we are presenting to you. So it's not a question of fairness or not fairness to the others. In part – I mean you have several hundred public comments on the Newport Hills CPA, and you have one on Eastgate and you have three on Naficy. So I don't know if fairness is the issue your striving for. But in terms of what we're recommending to you, we've seen a significant concern and a significant conflict in this community, and for us it's offering a tool as part of your recommendation to address how we can deal with this process. I don't know how you would characterize that as fair or not, but it is the Commission's choice to do what you'd like, but I wanted to be very clear that the facilitated community planning process we are attaching to the staff recommendation for the Newport Hills CPA because of what you've heard, because of the record, and because of the conflict that we'd like to not have explode in terms of this thing. I don't know if that's fair or not, but it's specific to the Newport Hills CPA.

Chair Hilhorst:

Well I'm just looking holistically, could some applicant come back and say you offered this to one applicant yet you didn't offer it to me? If they pass or don't pass or whatever.

Mr. Matz:

I can't speak to what an applicant would or wouldn't do, but I can speak to what the staff is recommending to you tonight in regards to this particular site-specific CPA.

Chair Hilhorst:

Okay. If everybody's being held to the same criteria, then I feel that should be almost across the board. I understand what you're saying, why staff recommended, but it just – if we're going to be fair, let's be consistent.

Mr. Matz:

Our staff recommendations to you on every one of these five have

been held to the same criteria. I'm not going to be able to address Commissioner Laing's concerns. We've presented these to you with an application of the criteria to them in a fair and impartial manner as a staff recommendation to you.

Chair Hilhorst:

Okay, so I appreciate that. And I would just say maybe the Commissioners set this open, if we – anyone passes, to me I feel it's fair game if it's offered to one amendment, I feel like it might be offered to others. I feel we can discuss that if somebody passes. So I just want to be consistent.

Mr. Cullen:

Madam Chair, if I may add a few other remarks to the record. It's not unlike any other recommendation you make to City Council. Or you may have additional recommendations to make. You did that with the Aegis code amendment. You didn't just make it a decision whether or not it was consistent, but you also added some other variables into it that you wanted Council to consider. And that's what we're presenting here. It's not that one is contingent upon the other, it's that staff's recommending that we find it consistent with the threshold criteria and that we're also recommending that you consider putting in this facilitated community planning process. The reason simply is that we know the community has really struggled for several years over this amendment, and that we've seen a lot of division created because of this plan amendment. And what we wanted to do is be absolutely sure, you know, that this – there was no opportunity for a win-win situation. Because right now there is no win-win situation perhaps in that, but we wanted to be sure that you had the opportunity should you so choose. And that's what staff put out there for you as an additional recommendation along with the determination of making the threshold criteria, meeting the threshold criteria. So that was the perspective and context from which we came.

Chair Hilhorst:

No, and I appreciate that and I understand how it got here, but I'm looking at Chair, I have five applicants essentially. Five code plan amendments. I want to be fair to everybody, and that's kind of just what I'm pointing out, is we have five that we're reviewing this evening. So I understand what we've got here with one, I just want to be consistent. So, Vice Chair, did you have a comment?

Commissioner deVadoss:

A question if I may. I'm not a land use attorney, but I would like some context on the evolution of the threshold review criteria. Just some context on, you know, how often do we go back and review those criteria, and what is the nature of the changed management for those.

Mr. Matz:

Okay. We've had these in place since the early 2000s in response to Growth Management Hearings Board direction that our – hold the laughter – that our process was opaque and was not treating people in a manner consistent with the Growth Management Act. We have certainly heard variations on the theme, but as far as staff

is concerned, this is statute, this is the Bellevue Land Use Code, this is what we've been asked and tasked with implementing. If Council desires to explore the issues Commissioner Laing has addressed in your questioning, then we would look to Council to direct that for us.

Commissioner Carlson: Did Council direct the process to change in the first place to what it is now?

Mr. Matz: The Council had a significant role to play in the adoption of the current Land Use Code requirements for Comprehensive Plan amendments.

Mr. Cullen: And if I may, Nicholas, the actual ordinance which is embedded in the code, the Land Use Code, was passed by City Council January 3, 2006.

Commissioner deVadoss: Thank you.

Chair Hilhorst: Good update. Maybe it's time to revisit.

Commissioner Walter: May I make a comment?

Chair Hilhorst: Commissioner.

Commissioner Walter: Thank you for all you do for us and coming and talking to us. But the code is written – and you said Council's direction – but the public can approach Council to have code changed. And I know one particular group near and dear to me who did exactly that who had like no foundational knowledge of how to do that. I think in the digital age and everything moving so much faster and so much more ability, I wouldn't be at all surprised if someone from the public contacted Council and asked for just that. There have been comments about what appears to be a lack of transparency, and I think that that's unfortunate that it gets perceived that way, but when you're trying to do too many things too often, too many pressures, getting it all communicated adequately has got to be an inordinate task. So to streamline the process, make it really easy to understand, wrap some communication mechanism within it that makes sure everyone is included, no one is left out unless they choose to be left out, I would highly recommend going that direction. And I hope someone does. Because I don't have time.

Chair Hilhorst: Alright. Any other comments on the overall before we go into out specific? Okay, so Mr. Matz, we can start with our first Comprehensive Plan amendment.

iv. Park Lands Policy #1

Mr. Matz: Alright, so we'll go to Park Lands Policy #1. Certainly attendant to the effect that is up on the screen. It's also available in the staff report packet, it's available online and it's available in print in our

application file folder that's kept as a public record at City Hall.

Ms. Bennett:

We can't hear out here.

Mr. Matz:

I know you can't. So this is – and I'll direct you to – if you've all brought your books there, the spiral books – I'll direct you to the staff report that's in there. This is the threshold review stage of the annual amendment process. I'm going to reiterated what we presented to you in terms of the hearing just to ground you in terms of the discussion you'll have around the study session. This privately initiated application would amend policy or text in the Comprehensive Plan. Three new policies are proposed in the Parks, Recreation and Open Space element. These policies would restrict or regulate review or changes of use of acquired park lands and park properties by citizens, the Parks Board, and in the city's formal rezone process. Staff recommends not including this Comprehensive Plan amendment application in the 2016 work program. So I'll briefly touch –

Chair Hilhorst:

Mr. Matz, refresh me. The policies that you just had, that's existing or is that the recommended?

Mr. Matz:

These are new policies that have been proposed with the application.

Chair Hilhorst:

Okay, so they don't exist today.

Mr. Matz:

They don't exist today, that's correct.

Commissioner Carlson:

Proposed by?

Mr. Matz:

Sorry?

Commissioner Carlson:

Proposed by?

Ms. Bennett:

Can you guys show us what the staff is refusing to show to the audience. Can you make copies?

Mr. Bidwell:

Because what we're –

Chair Hilhorst:

Alright, alright, alright –

Ms. Bennett:

They are not –

Chair Hilhorst:

– alright, alright. Alright, Ms. Bennett, thank you. Can we go back please and just read those clearly for everybody in the audience so there's no question?

Mr. Matz:

These three proposed policies, which again were submitted and referenced. Protect and prevent park lands, acquired through city wide bond measures, i.e. Bellevue taxpayers, from being used for purposes that are inconsistent with park dedicated used, unless

such uses are approved by citizens of the city. The second proposal, require park property restricting public use and/or park access for longer than a six month duration, shall be deemed permanent and require review and approval by the city Parks and Community Services Board for closures related to non-park uses. The third proposed policy, require park lands that are to be converted or partially converted for uses other than park dedicated use shall be formally rezoned and subject to the city public review process.

- Chair Hilhorst: So these don't exist today, these are recommended with the amendment that's been proposed.
- Mr. Matz: That's correct.
- Commissioner Carlson: And again, recommended by?
- Mr. Matz: Private citizens.
- Commissioner Carlson: Great, thank you.
- Chair Hilhorst: Alright, thank you.
- Commissioner Carlson: Can I propose, Madam Chair, that we all go around the table since we've heard the testimony, we've reviewed the documents, we've heard from staff, express an opinion and then vote?
- Chair Hilhorst: Okay. Is there anything else you need to present before we have a discussion, Mr. Matz?
- Mr. Matz: Let me get back to where I need to be, my apologies.
- Chair Hilhorst: I just want to make sure we have all the information, then yes, we'll go around the table.
- Mr. Matz: Where is that? Okay. Bear with me here. Nothing like technology. That's what I'm looking for. We're recommending that it does not meet threshold review and to not include it in the work program. We've outlined for you those decision criteria that we're discussing tonight as a basis for our recommendation to you.
- Chair Hilhorst: So can we put all that in black so the people in the audience can see it? I don't know why it's grayed out. Because we're not done with it, right?
- Mr. Matz: I'd have to go open up the slide. I can make copies and –
- Commissioner Barksdale: Just hit escape and then you'll be on the slide.
- Chair Hilhorst: Because that's hard to read for the audience.
- Commissioner Barksdale: And then you can hide the top bar and – you want me to –

Commissioner Laing: I'm learning something here from Commissioner Barksdale.

Commissioner Carlson: He's amazing.

Commissioner Laing: Yes, he is.

Chair Hilhorst: Okay, so can the back row see that? It's black now, can you see that? Okay. So the staff recommendation – Mr. Matz do you want to just read that?

Mr. Matz: The staff recommendation is that this application before you does not meet the threshold review decision criteria, and we recommend that you do not include it in the work program. And these follow essentially the decision criteria for threshold review. The proposal intends restrictions to the City Council's legislative authority. This is a matter of law, not policy. The three-year rule does not apply. The Comprehensive Plan amendment process is not the place to examine how a work program, in this case the East Link Memorandum of Agreement, is implemented. And you have materials in your packets both from the applicant and from the City Attorney attesting to that process. This is a policy that – the Comprehensive Plan is a citywide document, and this policy is directed at parks. This isn't about East Link. The proposal cannot be reasonably reviewed because it implies statutory change to the relationship between an issuing jurisdiction and the taxpayers who's taxes are pledged to the payment of bonds. And again, making reference to the material in your packets, the statutory change is a matter of law, not policy. That's not what the Comprehensive Plan exists to do. The policy implementation, in this case we have an existing policy, PA-37, did not create an unanticipated consequence – this is the significantly changed conditions aspect – suggesting that we need additional policy in order to address these issues. The proposal is inconsistent with both the Countywide Planning Policies and the Growth Management Act. Happy to spend some detail on that with you in the staff report. And we have not had any law or legal decision that has directed consideration of this change. So it meets the three-year rule but that's it.

Chair Hilhorst: It meets the three-year rule but that's it?

Mr. Matz: Happy to explain that. The idea behind the three-year rule is if you make an application and consideration is given by Council, either at threshold review or final review, if that consideration is not favorable, that you cannot come back for a period of three years and raise the same question or the same issue. This proposal has not been presented to you or to the Council within the last three years. But that's it.

Chair Hilhorst: Alright. So, Commissioner Morisseau, and then who would like to go next?

Commissioner Morisseau: Mr. Matz, could you – I’m not a lawyer – could you elaborate a little bit more for me on the difference between established statute of law versus a policy? That it’s a matter of law and not policy? Could you elaborate a little bit for me on that so I can understand it better?

Mr. Matz: I’m not an attorney, either, but what’s before you are policies that would in the Comprehensive Plan force a change that is – the issue of that change is directed through a matter of law, the Council’s legislative authority, not the policy basis by which we consider land use decisions.

Commissioner Morisseau: Thank you.

Chair Hilhorst: Commissioner Carlson.

Commissioner Carlson: Just a quick question for the one member of the Planning Commission that is a land use attorney, Mr. Laing. How is it legal, Aaron, for the city to buy park land with taxpayer financing and then use said park land for a different purpose?

Commissioner Laing: That’s a good question, Commissioner Carlson, and I’m not going to give legal advice to the Commission. But having been through – having watched cities around the state of Washington try to sell park land to private developers, and watch the ensuing lawsuits, it’s kind of surprising to me that – it was a surprise to me reading the staff analysis in the memo, and I did take the time to look at the cases, especially the stuff on the bonds, which is really an apples/oranges issue here. Really, what I look at here – and I’m getting into my kind of comments on this – this is really just about, like we call ourselves a city in a park, right? We have all these discussions as a community, we have these discussions as a planning commission about oh, we need to increase our tree canopy and all the rest of this good stuff. Well, what we have right now, and what we have as a consequence – and these are things that this Commission has talked about before, we’ve talked about the fact that we don’t zone property park in the city. It’s just like whatever, if it’s in a neighborhood it’s going to be single family zoning and the rest of it. We don’t do that. We’ve talked about how we don’t designate as park property in our Comprehensive Plan, and one of the consequences of that is that when park land goes to be disposed of, there’s no public process like this. That’s exactly what’s happening right now with the light rail project. And the issue of the bond – the issue between the bond – this is like that doesn’t have anything to do with the question of the disposition of the property. The issue with the bond is, when the city borrowed money and bought the property, and was using tax revenue to pay off that bond, did it default on its bond obligations just like somebody might default on a car payment or a mortgage payment. It’s a different issue there.

Commissioner Carlson: Well, how is it not bait and switch?

Commissioner Laing: Well, I'm not going to get into whether it's bait and switch as a matter of black letter law. What I'll simply say is I think that the community, especially a community that calls itself a city in a park, it feels an awful lot like bait and switch when you create a behind-closed-doors administrative – not legislative, not – this is an executive process set forth in the city's code. And by the way, the city code says before disposing of surplus real property dot dot dot with an estimated value of more than \$50,000, or an – the city shall hold a public hearing. And I'm going to guess that 260,700 cubic yards of the Mercer Slough is more valuable, is worth more than \$50,000, not to mention the acres of park land there. So what I see here, when I read the staff report was, this is an effort to preserve the status quo, which is the city can do exactly what Mr. Bidwell described, which is go out, do a big park levy, get everybody excited, get their tax dollars, but when something comes along that they think is a higher priority for them – in this case, the light rail project, who knows what it will be next time – that they can quietly behind closed doors go ahead and dispose of the property.

Commissioner Carlson: And I'm aware of these, in other communities, where say park land that had been bequeathed by a family many years ago as a park ends up being sold. This is far more recent. I remember that bond issue, I voted for that bond issue when I lived in Enatai. And again, this seems to me to be a classic case of give us this money, we will buy this land and use it for this purpose, and now they're saying except now we don't want to. I'm voting for these amendments.

Commissioner Laing: I believe the amendments satisfy. I think changed circumstances, again, boy, let's see, my first year on the Commission we heard that when a church decides it wants to provide housing for the needy that's a changed circumstance because that's a new mission for the church, even though the church's that I've attended and the churches I believe in have been doing that for millennia. So I'm not going to get caught up in the whole changed circumstance thing. I think this is a policy consideration for the City Council and I think the only way the City Council is going to hear the message that it's not okay to take our tax dollars for one purpose and then allow for the city's executive side, the staff, to go and dispose of it for another purpose. This is how we get that conversation going. And I would support this as well.

Mr. Matz: If I could focus the Commission's attention on the Comprehensive Plan amendment. Yes, you are seeing material that was provided to us by the City Attorney's Office. This is about the tool that you are proposing to effect change. Whether or not you agree or disagree with the issues around bonds and park lands and stuff, the tool that's being proposed before you is to write policies into the Comprehensive Plan to address a matter of law, when the Comprehensive Plan exists to address matters of policy. That's the

framework that we're presenting to you, whether or not you want to revisit the circumstances of the bond issue itself. I would also point out that in the materials, the amended MOU, the East Link MOU, is conveying approximately two acres of property within the Mercer Slough Nature Park –

Audience: No. Wrong. (General murmuring.)

Mr. Matz: – and replacing that where the city is acquiring approximately 6.1 acres of replacement property in the Mercer Slough.

Mr. Bidwell: Wrong.

Audience: (General murmuring.)

Mr. Matz: So, numbers don't lie.

Chair Hilhorst: I am going to ask one more time for the audience, raise your hands if you agree. If you disagree, please don't say anything. We're going to keep going, and if we keep getting verbal comments to anything, I will adjourn the meeting and we won't get any further this evening. So I'm going to ask everybody to be respectful, please. So we can continue on and get this done. Thank you.

Any other comments or discussion? Commissioner Walter.

Commissioner Walter: So, Mr. Matz, if we wanted to get a zone for a park, what would be the appropriate approach to take? Would it be to approach having a code change? Is that how it becomes law, as opposed to policy?

Mr. Matz: For purposes of clarification, Commissioner Walter, this does not contain that proposal, the other one does. The other park lands policy actually is suggesting that we rezone park lands.

Commissioner Walter: Yes, yes. I lost my packet because it wasn't bound. So.

Mr. Matz: And I just lost my picture.

Commissioner Walter: A lot of losing happening.

Mr. Matz: There. In terms of establishing a new zone, you would have to go back and visit it through the Comprehensive Plan amendment process in terms of the designation that would exist. If you started out with a zone for which you had not consistency within the Comprehensive Plan, you would be putting the cart before the horse. So the question, again, a question posed to the City Council would be is this something desirable? And in fact, that's what's being asked here is to develop such a policy that would direct that future rezone to establish a park zone in the city.

Chair Hilhorst: That's the second one.

Mr. Matz: That's the second one, yes.

Commissioner Walter: I thought we were talking about both together.

Chair Hilhorst: It's very confusing.

Mr. Matz: They're both very similar, but the way that they've been presented by different individuals, and the way that they're distinguished for you, the second one is worded slightly differently. And I'll read those policies when we get to it. But it also adds in that component that you would be directed specifically to go out and zone all the park lands in the city with a park zone. And in order to do that, you would require additional work around the Comprehensive Plan, and since you've just gone through a major update, it would be an issue for the Council to bring up. We're also suggesting that that is outside the resources of the annual Comprehensive Plan amendment framework, another reason that we find it does not meet that specific criteria, the reasonably reviewed.

Commissioner Walter: Okay.

Mr. Matz: It leads to bigger things, in other words.

Chair Hilhorst: Commissioner Barksdale.

Commissioner Barksdale: Would this first part amendment proposal, application, be addressed in providing a park zone? Does that make any sense? Part of the park zone we could specify the review process required for that zone?

Mr. Matz: You could. I think you'd have to get through to where you're amending the development regulations, which is called the Land Use Code amendment. You'd have to get through the Comprehensive Plan issue and then get to the LUCA part, which would actually put in place the development regulations that would be associated with a park zone.

Commissioner Barksdale: Okay, right.

Chair Hilhorst: Any other questions or discussion? Okay, so kind of final call, discussions. I want to kind of get a consensus if people are ready to go for a vote to pass threshold review to move this to the next phase. I think that's where we are, unless any more discussion is going to happen. Okay, so I have Commissioner Barksdale and Commissioner Morisseau.

Commissioner Barksdale: Alright, so one question about these criteria. Are you suggesting, then, that we would have to provide an alternate explanation for each of the criteria that you're saying that isn't met in order to proceed?

Mr. Matz: I do not. The staff recommendation before you is to not advance

this out of threshold review. The language that's at the bottom of page one of your packet materials tonight allows you to simply state that preference, if you're recommending – if you're recognizing that the staff recommendation is how you want to advance your decision.

Commissioner Barksdale: Right. But I guess my question is, when Council gets it, essentially, if the recommendation provided by staff on all but one of the criteria shows that it doesn't meet the criteria, then we would essentially have to say it does in fact meet the criteria.

Mr. Matz: If you chose to do that, the transmittal document that you would convey would say –

Chair Hilhorst: Why.

Mr. Matz: – we accepted the staff recommendation and here's why we think it should not be advanced to threshold review. And because this is part of the recommendation that's before you right now, you could include that. Obviously you could include anything else that you believe is important in your recommendation to convey that. It is a legislative matter.

Chair Hilhorst: Well, I think you were saying or move it forward but explain why.

Commissioner Barksdale: Yeah. So if we move it forward, does the explanation or the rationale have to show that it meets threshold in the transmittal document.

Mr. Matz: I would suggest that the charge to you in the Land Use Code is that you advance a recommendation of approval or denial based on the decision criteria.

Commissioner Barksdale: Sure, sure.

Chair Hilhorst: Commissioner Morisseau.

Commissioner Morisseau: Well I think based on the conversation we heard tonight is that most of us agreed that the process needs to be improved. That being said, sadly what we have in front of us is to decide whether or not to move forward based on these seven criteria. Whether or not we agree with the process, what we need to do tonight is decide to move forward based on these seven criteria. And with respect of the first criteria being a statute of law and not of policy, I think it shows that this particular amendment does not meet six of the seven. That being said, I still think we need to send – as we move forward, whether we decide to approve it or not, as we move forward and we make our presentation to the Council, we find a way to make it clear to them that we'd like the process revisited. And I welcome that overall communication.

Mr. Matz: Your transmittal document allows you to address that.

Chair Hilhorst: I think we'll do that in our overall. I agree with you, we should do that for sure.

Commissioner Morisseau: But my point is, we all have to remember tonight our purpose is to move forward – make a decision to move forward or not based on these seven criteria, not that we agree or not agree with the process itself. That's the sad reality that we're all confronted with tonight.

Chair Hilhorst: Right, yeah. So, Mr. Matz, I have one question. All the other applications showed kind of the applicant document in the – but these two don't have the applicant document.

Mr. Matz: Yeah, they –

Chair Hilhorst: Does it show that they've been received by the city?

Mr. Matz: – do, we gave it to you separately. So it's attached to the materials that we provided to you subsequent to that.

Chair Hilhorst: They were in there?

Mr. Matz: Yeah, we shared that with you in advance of the hearing. They're not in the spiral bound, they're in the – we provided them to you in advance of the hearing.

Chair Hilhorst: Okay.

Mr. Matz: And we put them online and they're already part of the application record that's available at City Hall. We have them in three different places.

Chair Hilhorst: Okay. I was just looking for the specifics on the description, because we keep kind of getting a little confused on the description.

Mr. Matz: The description that was submitted to us was that single page of the three, of the policy language that was proposed, in addition to the application form and the environmental checklist. The material that was submitted by Mr. Bidwell subsequent to that we've provided in your packets tonight.

Chair Hilhorst: Alright. So, any other final discussion on this so we can move on? Okay. So, with that, with the discussion, with the criteria, I guess I will, instead of a verbal, do a show of hands. Who approves that this should move forward –

Mr. Matz: Madam Chair, could you do a motion and a second.

Chair Hilhorst: Okay, I will do a motion and a second.

Mr. Matz: Sorry.

Chair Hilhorst: Okay, thank you for reminding me of the rules. So, I will entertain a motion to approve –

Mr. Matz: I would say I would entertain a motion and stop there.

Chair Hilhorst: Okay. I would entertain a motion, and stop there. Commissioner Laing.

Commissioner Laing: Madam Chair, I move to recommend initiation of the Park Lands Policy #1 Comprehensive Plan amendment application for the 2016 annual Comprehensive Plan work program.

Chair Hilhorst: Your motion is to move forward on the Park Policy #1 presented before us.

Commissioner Laing: Yes.

Chair Hilhorst: Thank you. Okay, I hear a motion to approve to move forward on threshold review. Do I hear a second?

Commissioner deVadoss: Second.

Chair Hilhorst: I hear a second to move forward. Any discussion?

Commissioner Laing: May I speak to my motion?

Chair Hilhorst: Yes, Commissioner Laing.

Commissioner Laing: So, I'm just going to go through the bullet points up here and give the counterpoint, right? The proposal intends restrictions on the City Council legislative authority. Hey, guess what, so does every single policy in our Comprehensive Plan. Okay? Remember, all of the Land Use Code, everything that the city adopts, has to be consistent with the Comprehensive Plan. The Comprehensive Plan is the umbrella. Everything has – all of the actual implementing regulations, the zoning code and the rest of it, have to be consistent with that and implement it. The Comprehensive Plan is necessarily by its just being a restriction on the Council's otherwise unbridled legislative authority. Okay? So, I don't know what that means, but to me it's no different than if you'd designate – if you put the Comprehensive Plan designation of park, yeah, it says you have to zone it park. If you put the Comprehensive Plan designation of Neighborhood Business, you have to zone it Neighborhood Business. So this is not unique, this is not different than anything else in our Comprehensive Plan or how it works. Mr. Matz, I'm losing my slides.

Mr. Matz: Sorry, I know.

Commissioner Laing: Thank you.

Mr. Matz:

Well, you're talking.

Commissioner Laing:

I know, but I need my bullet points. Okay, we already agree the three-year rule doesn't apply. The Comprehensive Plan amendment process is not the place to examine how the work program East Link MOU is implemented. That's not what they're asking for here. That's not what's being proposed. This is a general policy that says, hey, this is what the process is going to look like, and this is what the policy – the policy is going to be going forward, right? So the East Link MOU, that might be in our packet. Certainly there's been some public testimony about it, but the East Link thing is a done deal, or at least until they acknowledge that they can't get across the bridge. This is a prospective thing. This is looking to avoid having this happen again. So that to me is a red herring. Fourth bullet point, proposal cannot be reasonably reviewed because it implies statutory change to the relationship between an issuing jurisdiction and the taxpayers whose taxes are pledged to the payment of the bonds. Wow. When I read that in my packet and then I went and looked at the cases, it's like, again, another red herring. It doesn't have anything to do with the relationship between us as the taxpayers and the issuing jurisdiction, the city, about paying off the debt that we authorized the city to incur to buy us a park. Okay? So I don't understand why that's even in here. Next bullet point. Policy implementation, and then parentheses PA-37 closed parentheses – this is in our current Comprehensive Plan – did not create an unanticipated consequence suggesting that additional policy is necessary. Again, another red herring. Let's all focus down on just one policy, PA-37, and say that's the issue. No, that's not the issue. The unintended consequence is that policy PA-37 as well as the rest of the policies in the city's park Comprehensive Plan element did not anticipate that the city would dispose of massive amounts of park land in a city in a park behind closed doors. That's what this is about going forward. It's not about the East Link project. Finally, proposal is inconsistent with both CPP and GMA. The Countywide Planning Policies and the GMA? Okay, so I can't find a single Countywide Planning Policy that says the city of Bellevue's legislative body couldn't adopt a Comprehensive Plan policy that says, hey, when we go forward and we deal with park property, and the disposition of park property, we're going to do a few things, we're going to zone it park property, we're going to make sure that we're not using park property for things that are not recreational purposes, that if we're going to allow for park property to be encumbered, like as a construction site or anything else that isn't a park purpose for more than six months, it should be – it's going to be deemed permanent – which by the way is what state law says, so this actually makes it consistent – or prohibit park lands acquired from citywide bond measures from being used for non-park purposes unless they go through a ballot measure. I don't see why the City Council couldn't adopt any and all of those policies. And I know that I'm speaking to both of them in the one, but again I'm not aware of a single policy that this – in state law or the Countywide

Planning Policies, which – we’re the city of Bellevue, we’re an independent jurisdiction, but anyway – have any bearing here. And yes, it’s true that no law or legal decision has directed this change, but the same is also true, which is that no law or legal decision says that we couldn’t recommend that our City Council take an honest look at this.

Commissioner Carlson: Doesn’t disallow it either.

Commissioner Laing: Yeah. So, we have a big change. We have recently experienced what happens under our current Comprehensive Plan when an agency comes in and decides to acquire a bunch of park property that was acquired through a bond measure. This is an opportunity to push this on for substantive review. And that’s why – thank you for allowing me to speak to my motion.

Chair Hilhorst: Alright. So you’re not changing your motion. Comment on the motion. Any other comment? Okay, I have a motion, I have a second to move this forward past this stage of threshold review and request City Council include this in the 2016 annual CPA review. So with that motion on the floor, how many in favor say aye.

(All Commissioners said aye.)

Chair Hilhorst: Any opposed say nay.

(There were no Commissioners opposed.)

Chair Hilhorst: So I have unanimous approval to move this forward. Okay, alright, thank you.

v. Park Lands Policy #2

Chair Hilhorst: Alright, Mr. Matz, we’ll move on to the second one. And hopefully it will be similar enough that maybe some of the discussion has already occurred for that one. So we can – I have pumpkins, or coaches turning into pumpkins. So I don’t want to go too late into the evening. So, thank you. Okay.

Mr. Matz: Park Lands Policy #2 before you. Caution that while similar it does have a different set of components to it, primarily in that it includes a fourth policy. This would amend text in the Comprehensive Plan with three new policies in the Park, Recreation and Open Space Element. The fourth policy would require city owned park lands to be designated with new park designation, limiting uses on these lands solely to active and passive recreation and open space. It would restrict to regulate, review and changes in use of acquired park lands and park appropriated by citizens, park boards and the city’s formal rezoning process. I’ll go back and read it. Prohibit park lands acquired through citywide bond measures, i.e. Bellevue taxpayers, from being used for non-park purposes unless such uses are approved

through a citywide ballot measure. Per RCW 79A.25.100 and RCFB Manual 7 use of any park property for non-park uses that exceeds access for longer than six months duration shall be deemed permanent and shall require approval by the city Parks and Community Services Board and City Council. Require city owned park lands to be designated as such in the Comprehensive Plan and zoned with a park zoning designation, limiting uses solely to active and passive recreation and open space. And the fourth policy, prior to using any dedicated public park land for non-recreational or open space use, the Comprehensive Plan shall be amended and the property shall be rezoned as a condition of such use. And I'll turn this off again so that we can see it in black.

Chair Hilhorst: Thank you for that.

Commissioner Barksdale: Hit escape.

Mr. Matz: Escape

Chair Hilhorst: Thank you. Okay.

Mr. Matz: Clarify for you since Commissioner Laing will already go through it for us again, that the third criterion addresses the fourth policy in regards to the adequacy of existing policies to designate park lands with a park designation, pointing out that the Comprehensive Plan already has a designation for public lands with a P or a PF, and that is public or public facility.

Chair Hilhorst: Okay. So I guess my question is, the city already has a P designating parks, then the proposal is asking for what? Where's the gap? What parks are –

Mr. Matz: Are you addressing that to me?

Chair Hilhorst: I guess I am addressing – just trying to understand the gaps if we're asking for everything to be designated parks, but you're saying we have a designation –

Mr. Matz: We have the designations and we have zoning, and the Growth Management Act requires them to be consistent. And what the city has accomplished with the P or the PF is to designate those park lands with that specific designation so that they can apply policy to it. The zoning that underlies those is the zoning that is consistent across the city in terms of other uses. They are predominantly zoned for residential uses in deference usually to the fact that these facilities exist with other similar uses, similar residential uses, and so the idea that the protections that are extended to a residential zone also apply to a park use. So it's been the city's longstanding policy process in law to have the underlying zoning for these public facilities be consistent with what's going on around it. I can switch to the Comprehensive Plan map if you want, we just got it on our phones today. So, that idea that you are protecting park

lands through zoning implementation in relation existing in policy and law for the city to be able to say we need to be able to ensure that these facilities, which sit in residential areas, which sit in commercial areas, which sit in downtown areas, are treated appropriately and consistently with the zoning around them.

Chair Hilhorst: Okay. Commissioner Carlson and then Commissioner Laing.

Commissioner Carlson: No, Commissioner Laing.

Commissioner Laing: So, just to speak to this nuance in this one. And I believe that Mr. Cullen has the Comprehensive Plan map up. And I thought it would probably be easy to just look at the Slough because it's a huge swath.

Mr. Matz: I think we can do it here, too.

Commissioner Laing: Oh, okay. Or throw it up here.

Mr. Matz: I can see the arrow. Oh, come on.

Chair Hilhorst: Do you want to make your comments quickly?

Commissioner Laing: Alright, just quick comments. So the city has the little P there, but the point here is this. If you have a zone, a zoning designation, that is park, and the only thing that's allowed in that zone is park, then in order to allow something else, you have to rezone it. Which is a public process. So what this proposal does, at least in my mind – and I didn't hear all of the testimony from the proponents, but I've read the minutes – is what it does is it's a stop and pause to let the public know, hey, the city wants to do something else with a park and is changing the zoning on the park so it can do something else on the park. And it's really just about, it's the transparency. It's a stop and pause thing. And so while there is this little – and you can see it up on the map, the P there – the P designation, the park or – pardon me, the public designation – doesn't require like any additional public process. It doesn't require, it just allows – on some level it doesn't do anything. And so this Comprehensive Plan amendment that would basically require all parks to be zoned parks would then necessarily by implication, if they were going to be changed from parks to something else, would require them to be unzoned parks. And that's the point.

Commissioner Carlson: It guarantees a public process that the proponents here said was lacking.

Chair Hilhorst: Okay. Any other comments? Any discussion?

Commissioner Walter: I just want to highlight something, and of course I don't have the document in front of me, but in one of the documents we got within the last few weeks it used the example of how the park got changed, how this transaction happened. And in the legal

document, it said that it was zoned R-1 unimproved. So if you're reading that and not checking the maps and not doing any other research, you think it's a vacant lot as opposed to a park. And so to me that's the significance of this, is that it can't accidentally have happen to it because somebody didn't look in multiple places.

Chair Hilhorst: Yeah, and I'm glad you brought that up, because I know that at this Commission we've specifically asked for parks designation when we were doing the siting of the marijuana shops. One of the data points we specifically asked for was parks, right? And so we definitely need to have that data clear and accurate, so when people are pulling that data to make other decisions, it needs to be accurate as to what the designations. I agree with that and I can use that as an example of how we've pulled requests for parks to make decisions.

Commissioner Walter: I think consistency is too.

Chair Hilhorst: Agreed. Any other questions on this item? Okay, so with that I would entertain a motion and stop there. I'm nothing but consistent.

Mr. Matz: Oh, I heard it.

Chair Hilhorst: Oh, I'm sorry. Commissioner Laing.

Commissioner Laing: I move to recommend initiation of the Parks Land Policy #2 Comprehensive Plan amendment application for the 2016 annual Comprehensive Plan work program.

Chair Hilhorst: Okay. I have a motion on the floor. Do I hear a second for the motion?

Commissioner deVadoss: Second.

Commissioner Carlson: Second.

Chair Hilhorst: I hear two seconds, so you guys will have to fight over it, or the people doing the minutes will. Alright, so I hear a motion and a second, do I hear any discussion? Any further discussion? Yes, but brief.

Commissioner Laing: I simply incorporate my prior comments.

Chair Hilhorst: Thank you. Any other discussion? Okay, so I hear a motion to approve the move this forward to Council to recommend to include this in the 2016 CPA review. I hear a second. All in favor say aye.

(All Commissioners said aye.)

Chair Hilhorst: All opposed say nay.

(There were no Commissioners opposed.)

Chair Hilhorst: I hear none. The ayes have it. This moves forward unanimously. Alright, thank you, Commissioners. Okay.

i. Naficy

Chair Hilhorst: Mr. Matz, we are now on our next item.

Mr. Matz: Direct the Commission to the Naficy mixed use threshold review application.

Chair Hilhorst: Mr. Matz, one moment, I apologize.

Commissioner Laing: So I apologize to the public hear because I feel a little bit like I'm leaving my duties. This is Commissioner Laing for the record. I have to recuse myself from the remaining discussions, remaining amendments this evening. I will represent to the Commission and for the public that I do not and my firm does not represent any of the remaining applicants. No financial interest. But there has been an issue that has been raised and it would – it's just my preference, and for those of you who have served with me for the last four and a half years, you know that I recuse myself even if there's the slightest hint of anything, and in this instance I'm going to have to recuse myself for the remainder of this discussion. So my apologies to the Commission, leaving you a vote short, but the public can probably appreciate that you don't have to listen to me anymore, at least this evening.

(Commissioner Laing left the meeting.)

Chair Hilhorst: Okay, Mr. Matz. Thank you.

Mr. Matz: Direct your attention to the Naficy mixed use application at 15700 Bel-Red Road. The staff recommendation is to not include this in the CPA work program, but if you do choose to include it, to expand the geographic scope to include all of the property located between Bel-Red Road, NE 28th and 156th Avenue NE in the Crossroads subarea. The proposed map change is from the existing designation of Office to the Bel-Red Residential/Commercial Node 3, which is the BR-RC 3. The site is just over half an acre. Some context for you here. Naficy is right there. Right there. Everybody can see that. The staff recommendation to you is that this does not meet the threshold review decision criteria and that you should not include it in the Comprehensive Plan amendment work program. The proposal would require changing the subarea boundary and you simply can't assign new zoning and you can't assign a new designation, in part because the Bel-Red subarea is legally described, and zones in the Bel-Red subarea and designations in the Bel-Red subarea have to be within the boundaries of the Bel-Red subarea. So were you to advance this, you actually wouldn't be able to do it. It does raise issues that are more appropriately

addresses by an ongoing work program approved by the Council. You've heard that referred to as the Bel-Red look back. We had our first focus group discussion today. The Bel-Red look back is set in statute to essentially have us go back and look at the Bel-Red subarea and the Bel-Red regulations since their adoption in 2009 to see how things are going. If this is an issue, it's warranted for that kind of review, then you could direct that this application be considered as the Bel-Red look back in turn creates its sets of recommendations for Council to take action. A cautionary note, the look back is an analysis of what's going on, what people think is right and what's wrong. The recommendation of staff that would come forward to Council, Council would consider those recommendations and direct additional work if necessary. You would then see applications like this as part of that. Because it's requiring a subarea boundary, and raises these issues, they are more appropriately addressed somewhere else than the Comprehensive Plan amendment process. Oops, just got a little trigger happy there. And I'm going to stop there.

Chair Hilhorst:

Alright. No worries. I think we got the gist.

Mr. Matz:

Okay, I'll stop.

Chair Hilhorst:

So, Mr. Matz, if I asked this question before I apologize. So, the Bel-Red look back just kicked off, I believe like this month, correct?

Mr. Matz:

Actually we've been at it for a while, but it's gone public this month. We had our first set of – we have two focus groups –

Chair Hilhorst:

Today.

Mr. Matz:

– today, tomorrow and Friday.

Chair Hilhorst:

Okay. With that, what is the timing of that review to be done? And then, if the Naficy amendment is to be part of that work program, when does that applicant know whether or not their proposal could – to change the subarea – happen for them.

Mr. Matz:

A good set of questions. So, the Bel-Red look back right now, the charge is to deliver a report to Council before their August break. They will take the report recommendations under consideration in the fall. I can't speak to what they're going to do with them, but it's clearly been directed by them as a work program issue to advance. If you identify things that are going on in the Bel-Red subarea, then you're going to want to identify solutions to problems that have come up. This particular application as a Comprehensive Plan amendment would not continue as a Comprehensive Plan amendment, but the property would be considered as to whether or not appropriate designation and zoning exists, along with that question posed to other areas. We're certainly already hearing in the focus groups today that people feel

that their properties are designated and zoned in a manner that doesn't accomplish what the Bel-Red vision wants it to accomplish. We would pose that question, Council could direct that question, for other properties that are currently outside of the Bel-Red subarea for consideration to do that. I can't tell you how that would be going forward, I think that's a decision of the Council in terms of how they do that. It would certainly be no quicker or slower depending on your perspective than were this process to go forward and a rezone be necessary to accomplish what Dr. Naficy is seeking. The two processes are probably going to put you in the same place.

Chair Hilhorst: Okay, so timing-wise, about the same. Say Dr. Naficy's proposal goes in the Bel-Red look back. Say as they go through the next 60 days, you said kind of in August of where we're going to know, their proposal's deemed not to consider a change in the Bel-Red look back. Where does that leave the applicant? Are they dinged by the three-year, or could they come back to us and request another look?

Mr. Matz: The stuff happening over the next two months is not going to recommend a site-specific change in designation. We would suggest that the process has to address the appropriate land use designations and zoning on property, and Council in their action, should they choose to convey this to that work program, would say, and we want you to look at this site. But they're not going to direct a recommendation on that site. When the Council takes action on a threshold review application, then they have those choices in the Land Use Code. When they take that action, that shuts – that turns off the three-year window. So if this were directed to go into final review, obviously it would continue. If it were directed to stop, that would turn on the three-year rule. If it were directed into an appropriately address work program approved by the Council, it would turn on the three-year window.

Chair Hilhorst: Because I definitely – I understand the logic of including it in the Bel-Red look back because of all the changes happening, the transit coming through, all the affordable housing, TOD and everything going in. That makes sense.

Mr. Matz: Chair, we're recommending that because the act of doing this would require changing the subarea boundary –

Chair Hilhorst: I know.

Mr. Matz: – which you can't do.

Chair Hilhorst: Yeah, or right. Right. Absolutely. So I understand that change. I don't want the applicant to necessarily get dinged. If this doesn't move forward, I don't want them dinged because their timing was just bad because the Council is looking at the Bel-Red review right now, right? I don't want that person to lose out if it doesn't cross

threshold. That's why I'm just asking these questions.

Mr. Matz: So, applicants do have the opportunity to withdraw their applications before the Council takes that action.

Chair Hilhorst: And then – okay.

Mr. Matz: That doesn't turn on the three-year rule.

Chair Hilhorst: Okay, okay. Alright. What other discussions or questions, I'm sorry, do we have on this application? No discussions? Okay, so then I would entertain a motion and leave it at that. Vice Chair.

Commissioner deVadoss: Thank you, Chair. Thank you, staff. Thank you, Mr. Matz. It's been a really logically put argument. I move that we recommend no further consideration of this amendment for the 2016 Comprehensive Plan plan.

Chair Hilhorst: Alright. I have a motion on the floor to not move forward. Do I hear a second?

Commissioner Walter: Can I ask a question first?

Chair Hilhorst: I would ask for a second first.

Commissioner Carlson: I'll second it.

Chair Hilhorst: Second it for discussion? Okay I hear a motion and a second. Open for discussion now. Commissioner Walter.

Commissioner Walter: Okay. So when you said the applicant can withdraw their application, if we don't take it forward, would he withdraw his Comprehensive Plan amendment request? And then it's like a fresh slate for him after the Bel-Red?

Mr. Matz: I can't speak to what the applicant could or couldn't do.

Commissioner Walter: I'm saying what he could do.

Mr. Matz: The action that turns on the three-year rule is action by Council, not by the Commission.

Commissioner Walter: Okay.

Mr. Matz: The applicant could choose with withdraw his application and submit it next year. He could choose to withdraw his application and pitch it to the Bel-Red look back when those recommendations are presented to the Council, because they will address appropriate designations and land uses in the Bel-Red subarea. He could independently make that pitch to Council and that would certainly be part of the consideration for that to happen.

Chair Hilhorst: Thank you. Any other discussion on the motion on the table? Okay, so I have a motion, I have a second. We've had discussion. All in favor of the motion to not move the Naficy amendment forward to City Council to recommend for the CPA for 2016 review, all in favor say aye.

(All Commissioners said aye.)

Chair Hilhorst: All opposed say nay.

(There were no Commissioners opposed.)

Chair Hilhorst: Alright, the ayes have it. This does not move forward for threshold review.

ii. Eastgate Office Park

Mr. Matz: Okay, let's go find another one. The next application before you tonight is the second of our site-specific applications, the Eastgate Office Park threshold review application. This is property that is located at 15325-15395 SE 30th Place, it's behind the state patrol, behind the McDonalds, it's behind the two-story Starbucks, it's behind the place that treats animals.

Chair Hilhorst: Aerowood Veterinary Hospital.

Mr. Matz: Aerowood Veterinarian. The recommendation, the staff recommendation, is that you include this in the Comprehensive Plan amendment work program and that you expand the geographic scope to include two similarly situated properties which lie between the subject property and 156th Avenue SE. As noted in your packet materials, the Department of Natural Resources is an owner of those properties, and they have conveyed their interest in being part of the application, and have conveyed their interest to you in the recommendation that you make. The proposed change is from Office to Office/Limited Business on a 14-acre site here, and to essentially take another look at including this in some of the material that came out of the Eastgate land use and transportation plan. That process is closed. This is a direct Comprehensive Plan amendment process, but the applicant's case, and we believe they've identified it, and we consider it within the threshold criteria, is that it's worth looking at the issues that brought this to where it is. What they're hoping to get is an OLB designation that would be considered for other zones that are being contemplated to the Eastgate land use and transportation – the Land Use Code amendment process, the public hearing you're holding next week. Terry can convey more about the consequence of this decision.

Mr. Cullen: Madam Chair, members of the Commission, I want to add some additional information into the record. At your public hearing on July 1, one of the interested citizens out there, Michelle

Wannamaker, who's been attending all your sessions on the Eastgate Land Use Code amendment process, declined participating. And it's puzzled me. So I talked with her afterwards because I thought without her participating I think she – there may have been some confusion in some of the responses given, and sure enough there was. So I want to clarify the record. It is currently planned O for Office, and what the applicant would like to do is re-plan it to OLB, which is Office/Limited Business. Now, if that were to get approved, it would open up possible consideration of other zoning districts, which if deemed to be consistent with the Comprehensive Plan, may include, or would likely include, Office/Limited Business. And therein is part of the confusion, the planning category and the zoning district are named the same. So an Office/Limited Business permits a point five floor/area ratio. And then up for consideration is a new zoning district in the Eastgate Land Use Code amendment called OLB-2, Office/Limited Business-2, which is likely to be, if approved, is likely to be a zoning district that would be considered under the OLB plan umbrella. Did I –

Chair Hilhorst:

Got that.

Mr. Cullen:

So, once again, I'll try – I'll do it again. Picture you have an umbrella. I look at the plan categories as being an umbrella, and under each one of those umbrellas you have a variety of zoning districts that when rezoning occur are intended to implement the long-term development direction of the plan category, the umbrella. So, the applicant wants to re-plan from Office to Office/Limited Business, which then allows for a different set of zoning districts that could be considered. And likely – the likely possibility, assuming that those get approved, is that would permit consideration of OLB zoning and OLB-2 zoning. But because the plan category to which they want to change over to has the same name as a zoning district – they want to go from O, Office, to OLB, Office/Limited Business plan category. And then there's an Office/Limited Business zoning district that can be considered under there. The citizen that wanted to testify thought that was what the petitioner was applying for, was for the zoning district of OLB. No, it's to apply for the plan category of OLB. So there is a distinction there. And I did speak with Ms. Wannamaker and I said that – and thank you for your indulgence – that I would clarify that for the public, for the record and for the Commission. And that could permit consideration, if the zoning district of OLB-2 is approved, as part of the Eastgate code amendments, that could permit consideration of a floor/area ratio of one. And right now they have point five with the zoning that they're allowed.

Mr. Matz:

So what we'll test in final review is whether the potential of this area was overlooked, and then look at – because that's what we do with final review, we look at all the possible consequences of that designation decision on the potentially relevant zoning.

Chair Hilhorst: Right. And again, OLB planning changes – so it’s a point five FAR, but it goes from Office to residential can now be in that as well, correct? And if I read correctly, residential is unlimited in that?

Mr. Cullen: No –

Chair Hilhorst: Did I misread that?

Mr. Cullen: – I thought we were limiting the residential in the Office/Limited Business. There’s going to be retail and commercial.

Chair Hilhorst: Right, but wasn’t residential in there as well potentially, and that was part of the change, or just retail?

Mr. Cullen: I thought it was just retail, but I can check that if you give me a moment or so.

Chair Hilhorst: Okay. Alright, I thought I read unlimited residential. Okay.

Mr. Cullen: In OLB-2.

Chair Hilhorst: In OLB-2 – well, maybe that’s where I’m getting mixed up. OLB-2 allows residential.

Mr. Cullen: I’ll double-check that for you.

Chair Hilhorst: Okay. So OLB is really, for what we’re talking about for this Eastgate, the planning OLB, is just business, and we’re allowing for business in commercial to now reside.

Mr. Matz: It’s like the OLB that east of 156th, most of the yellow area that you see there.

Chair Hilhorst: So one of the questions I have is with this application, and the potential zone is, it’s a very heavily wooded business park. It’s basically a forest and there happens to be a bunch of buildings within it. It’s lovely, actually. Does the zoning change the amount of tree canopy that will be preserved?

Mr. Matz: There are limits to the impervious surface that’s allowed to be created. Those would continue to exist.

Chair Hilhorst: So, same? Changes?

Mr. Matz: There are, because of the effective transition, you’re going to have enhanced landscape buffers around the perimeter of the property.

Chair Hilhorst: Enhanced?

Mr. Matz: On the northern perimeter of the property. But the landscaping requirements for Office and OLB are comparable in terms of that

exterior, the perimeter landscaping that would be required. I can't tell you that the trees that are there now would continue to exist in that landscaping. It does have surface parking through the area, but you do have limits on what are called impervious surface, the parking and the building impervious surface.

Chair Hilhorst: But what about the tree canopy?

Mr. Matz: To the extent that you have significant trees that are identified, they would be required to be retained. And so your site design would address the retention of significant trees.

Chair Hilhorst: Okay. I just wanted to see if a percentage of the canopy with that would change, with this zone change.

Mr. Matz: I know it's frustrating, but that's threshold review. But that's certainly something in terms of the potential of this area redevelopment. We would address that in a manner consistent with how we looked at other Eastgate properties that also have that potential for redevelopment and are currently developed with tree canopy as a component of their site.

Commissioner Carlson: Would it be fair to say that it sets the standard for what would go forward?

Mr. Matz: I'm sorry?

Commissioner Carlson: Would it be fair to say that it sets the standard for what would go forward in terms of additional development?

Mr. Matz: I'm not sure what you mean by standard, Commissioner.

Commissioner Carlson: Well, the tree canopy that she's referring to.

Mr. Matz: Okay. Would the entire tree canopy be retained?

Commissioner Carlson: No, it wouldn't, right.

Mr. Matz: No. If they were to redevelop it tomorrow with a building permit, the entire tree canopy wouldn't be retained, but it would be subject to landscaping, significant tree retention, additional buffers along the transition zone to the north.

Mr. Cullen: And if I may add to that, the low-impact development standards is something that you're going through right now that will be approved, if they are able to hold to their schedule, which they are required to get something done for the National Pollution Discharge Elimination System, is driving this. So that is going to be – any changes to that is going to affect this, and some of the proposed changes in there will, are talking about increased tree retention and some other factors too. So there's a lot, there's a couple of other pieces that are moving in play that could impact

this too.

Chair Hilhorst: Mr. Matz, what's been the notification boundary to get to this point? Five hundred feet?

Mr. Matz: Five hundred feet, plus anybody who writes in as a party of record.

Chair Hilhorst: Ok, so the property has other businesses surrounding it. So, neighborhoods are well past 500 feet, so neighborhoods have not been communicated to.

Mr. Matz: Well, no, the 500 feet to the north there, that all got noticed.

Chair Hilhorst: They all got notice on that north?

Mr. Matz: What we do is we do it three different ways. We notify 500 feet. Sometimes it's the luck of the draw, but when we expanded the geographic scope, we extended that notice in all directions so that 500 feet goes from the outside boundaries of the expanded area. We signed the property – in this case we signed it in two places so that people drive by it on their way to and from their homes see the signage. And we put that notice in the weekly permit bulletin and also make reference to the newspaper of record, which is the *Seattle Times*. And of course that exists by mailing it out to people who asked for it to be mailed, to the people within 500 feet, anybody else who wants to become a party of record. We also put that information online.

Chair Hilhorst: Okay. And if it were to move forward threshold review, what is the boundary of notification?

Mr. Matz: We would do the same 500 foot, but we would also add in parties of record. So if you live in Northeast Bellevue and you want to be a party of record to this, you get notice.

Chair Hilhorst: Okay. Alright.

Mr. Matz: So now it's 500 feet plus.

Chair Hilhorst: Okay. Alright. Any other questions on this item?

Mr. Cullen: Madam Chair, I can answer your question about the residential if you like. In Office, it is 50 percent of the land can be used for single family, two to four dwelling units per structure, or five or more dwelling units per structure. In OLB, it's two to four dwelling units per structure, five or more dwelling units per structure are permitted uses. In OLB-2, it's the same situation. So yes, all three districts permit consideration of residential them, the zoning districts.

Chair Hilhorst: Okay, right. So we're adding residential. And I wanted to make that point and confirm that point because right now the traffic

pattern is the people from Lake Hills are all leaving to get to four oh five, right? And the people coming to the business park are all coming in. So the traffic patterns like this, when you put houses, you've now added all that congestion for all those people trying to get out of the neighborhood, and that's why I wanted to —

Mr. Matz: Whether or not it's congestion, we'll measure it with final review. We'll look at the potential PM peak trips to address those.

Chair Hilhorst: Correct. But again, that's kind of where I'm going with the notification of — I understand the 500 foot, but the people so much farther are not going to get that notification, and that's where I'm just concerned. That communication isn't going to be adequate before the zoning could potentially change if it moves forward.

Mr. Matz: We also had a bunch of people call in because they saw the signs.

Commissioner Walter: And what did they say?

Mr. Matz: They've called in asking about what's going on.

Commissioner Walter: Did they ask to be parties of record?

Mr. Matz: If they submit something in writing —

Commissioner Walter: No, do you recall if they asked —

Mr. Matz: If they asked to be, none of these people did. They were seeking information.

Commissioner Walter: And you just told them what was going on and they were —

Mr. Matz: I always offer folks, if you want to become a party of record, send me an email, write me a letter, you're a party of record when you do that. And I always offer that whether they ask or not.

Commissioner Walter: It's always — for me, it's always the best to hear from the people who are right there because they have a far superior perspective to —

Mr. Matz: That's why we do the 500 feet.

Chair Hilhorst: Well, what's your perspective as a resident of that area?

Commissioner Walter: I'm concerned. I'm concerned about the traffic on 156th. It goes to and from Microsoft. No fault of Microsoft, it's just a really good employer. And it's a back road to and from the freeway, and then it goes through neighborhoods, and it drops down to 25 miles per hour, which it's hard to ever see anybody adhering to that, even though it goes right by the Washington State Patrol. The top northwest corner backs onto Robinswood Park, and that's really well wooded and it's just going to add a lot of pedestrian traffic

through there. And I remember Mr. Hughes came and talked about the owls that were in those trees, et cetera, et cetera. And so it's just going to create a different kind of traffic, it's going to, I believe, create a lot of foot traffic if you put business there and residences there. And the wildlife isn't going to like it. But they don't get to come and talk. So I have concerns, but not anything that would hold up taking it forward. But I really would love to hear from the public if it goes forward.

Commissioner Carlson: Well, you certainly will. This is just threshold review. This is exactly, do we move it forward so we can start entertaining the exact feedback that you're previewing.

Commissioner Walter: And that's an excellent point, hearing from the people who are directly there.

Commissioner Carlson: Right. That will happen.

Chair Hilhorst: Okay. And the significantly changed conditions is essentially that we were doing work on Eastgate and this kind of got missed. Is that the significantly changed conditions?

Mr. Matz: Yes, ma'am. I'll point you to the staff report. It's not paginated. Significantly changed conditions on the subject property where such a change has implications of a magnitude that need to be addressed for the plan to function as an integrated whole. The applicant states that the Eastgate/I-90 land use and transportation study visioning missed a major opportunity to incorporate the project's transportation-oriented, walkable and neighborhood-sensitive policies to add moderate density at the Eastgate Office Park. The changes in the Eastgate area that make this designation timely include the establishment of OLB and OLB-2 designations allowing for more mixed use density, as well as the establishment of a true transit-oriented development designation around the park and ride. Additional policies to increase mobility, access and land use relationships to the surrounding areas were adopted as well. Essentially what we're saying is, the fact is – if that's a potential, if that was overlooked for the site, then they deserve the chance to test against that, and that was something the Comprehensive Plan did not anticipate with this site.

Chair Hilhorst: And if this passes threshold review, can we include this in our Eastgate open house where we will have members of the public, have transparency as to what's going on in that area?

Mr. Cullen: Well, no. The open house, first of all, was last week, so we're heading into public hearings. And that's already been put out there. This property was not included in any of those discussions. The original plan as it was put together that followed through with it analyzed the traffic and other impacts based on that being Office. So this is going to go through as a standalone plan amendment. Probably if it gets all the way to the end of the process, the

decision will be made after Eastgate. I anticipate the Eastgate code amendments will probably be approved sometime in the fall. And also, the big thing is that one is a plan amendment and the other is a code amendment. So, that's the challenge.

Chair Hilhorst: Alright. Thank you for that. Okay, so any other questions, otherwise I will entertain a motion on the floor. Vice Chair.

Commissioner deVadoss: Chair, I'll make a motion to include the application in the work program. I believe that staff has made a very clean argument, and I do believe that it was a miss as part of the earlier initiative with respect to Eastgate.

Chair Hilhorst: Okay, I have a –

Commissioner Carlson: I'll second –

Chair Hilhorst: – motion on the floor.

Commissioner Carlson: – Commissioner deVadoss' motion, and I concur with the sentiments. I think staff laid this out very clearly, very persuasively.

Chair Hilhorst: Okay. I have a motion, I have a second. Any discussion? Commissioner Morisseau.

Commissioner Morisseau: I heard Vice-Chair deVadoss' recommendation. Are we also expanding the geographic scope, since that was not stated?

Chair Hilhorst: Great question to clarify. I think it was implied. The motion was what's on the table, but that's a great question. So the discussion is, I guess, to ensure, do all the Commissioners know the motion on the floor is to not only move forward with this Comprehensive Plan amendment to the 2016 work plan, but to expand the geographic scope of the proposal. Is everyone aware that is the motion on the floor? Okay, alright. Thank you Commissioner. Alright, so that is the motion on the floor. No discussion? All in favor say aye.

(All Commissioners said aye.)

Chair Hilhorst: Any opposed say nay.

(No Commissioners said nay.)

Chair Hilhorst: Okay. It moves forward to be included. The Eastgate application moves forward to be included in the 2016 work plan recommendation to Council. Okay. Thank you, Commissioners. Okay.

iii. Newport Hills CP

Chair Hilhorst:

Alright, Mr. Matz. Let's move on to our next one.

Mr. Matz:

Madam Chair, the third application, the third of the three site-specific applications before you tonight, is the Newport Hills Comprehensive Plan Comprehensive Plan amendment. It is a proposed map change from Neighborhood Business to Multifamily-High on some portion, 4.6 acres, of a 5.9-acre site in Newport Hills located at 5600 119th Avenue SE. Two errata for you to have in terms of the application, and we did convey this. The staff summary, the recommendation summary, says expand the geographic scope. We are not recommending you expand the geographic scope of this application. And the two sets of public comments that you have in the packet tonight, which are on page 45 and page 88, everything's in chronological order, those were reversed. But they're all there. As I mentioned, the recommendation is – the proposal is from Neighborhood to MF-H.

The staff recommendation is to include this in the work program, and that it meets the threshold criteria. I will go over – we've refreshed the numerous public comments, you have all of the public comments that we've received up to this afternoon. We have posted those online so that those are accessible, and they're also available in the application file itself. Our recommendation to you does include a requirement for a city facilitated community planning process built around the framework that's identified in the staff report. And I have a slide that we'll go over with you on that. Just to clarify – and you have seen this before, we've updated – comments expressing disapproval – an extraordinary number of public comments, so I'll summarize them for you, not trying to belittle the comments, we've certainly read every one of them and looked at them. 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 its access points. Already crowded area schools. Growth in the city of Newcastle. And the displacement of current business owners and tenants of the existing center. Comments expressing support. The need to redevelopment the center because of the impact of its current status having on this community. And that it's time to redevelop with an attractive and mixed use character that continues to serve the area.

Our recommendation to you is that it does meet the threshold review decision criteria and that you should include it in the work program, that the Council should include it in the work program, because it addresses significantly changed conditions of changing market patterns for neighborhood retail uses, challenging economic conditions that neighborhood centers have experienced citywide, and increased competition from nearby retail centers in Factoria and Newcastle. It also addresses issues in the Land Use Element and Newport Hills subarea plan for aging commercial areas and neighborhood commercial centers, and the consideration of this is not inconsistent with general plan policies. We're suggesting to

you that as part of your recommendation you include a requirement for what's called a facilitated community planning process. And yes, that's our name. The point there, to be direct with you, we have a problem here and we'd like to offer an opportunity for all parties – the community who's clearly expressed their concerns and preferences, and the applicant, who has also expressed their concerns and preferences – we'd like to have an opportunity to see if we can figure this one out. I think it's important to convey that both for the benefit of the community, for the benefit of the city, and for the benefit of other areas. Certainly with direct consideration of what's going on in Newport Hills. But it seems to us that, again, in reference to the comments made at the beginning of the meeting, this is part of the staff recommendation we are making to you. We think this is the solution that needs to be explored in order to advance this conversation in a healthy manner.

The components of a facilitated community planning process, the objective of such a process, would be to work together within the process to develop a site plan for the Newport Hills Shopping Center that has three components to it, mutually acceptable, financially viable and consistent with the Comprehensive Plan's policy elements. We would update the feasibility data that is required to give you the tools you need to assess whether or not the proposal is mutually acceptable and financially viable. Those would include neighborhood demographics, retail economics, transportation analysis and school attendance. We would go out and get outside expertise to accomplish at the very least the retail economics component of that. We would not look to the applicant to provide that, we would look to find that expertise outside of the city.

Commissioner Carlson: Is there a reason why this hasn't already happened?

Mr. Matz: The applicant has obviously done their due diligence in terms of what they presented to us, but we think we need to, in part, we need to go test the 2011 conclusions, the Heartland study, the retail market component piece that was done. Much has been provided in testimony to you about those conditions don't exist anymore and that things have changed. We'd like to be able to independently go out and, we'd like to be able to independently go out and update that information to see how relevant it remains for the questions surrounding this community, and our believe that significantly changed conditions exist in these land use components.

Commissioner Carlson: So, is the property owner, then, pulling his proposal off the table?

Mr. Matz: No. As part of the recommendation to advance this from threshold review, we are suggesting that you attach a process that seeks to come up with a site plan that is mutually acceptable, financially viable and consistent with the Comprehensive Plan. In order to do that, we need to get more data. And one of those pieces of data is to update the existing retail and economic information that we have

about the success of redeveloping the center and what that success would look like from an economic perspective.

Commissioner Carlson: Okay. Thanks.

Chair Hilhorst: Commissioner Morisseau, and the Commissioner Barksdale.

Commissioner Morisseau: Mr. Matz, how is this process different from a development agreement? I would believe that the end result that we'd like to achieve is the same, mutually acceptable, financially viable. Why couldn't we do the same thing with a development agreement here?

Mr. Matz: That's correct, Commissioner. In fact, one of the intents – and it's my last bullet here – is to get to a framework that we could provide for the consideration of a development agreement. A development agreement is typically attached to a rezone action in statute and in intent, and it would have the specific outcomes that would be sought for site plan review. So this is designed to get us to a development agreement as one of those tools, should the site be ultimately rezoned.

Chair Hilhorst: Commissioner Barksdale.

Commissioner Barksdale: So I like the idea of a facilitated community planning process, you know, in general. I think any time we can get the developer or the owner and the community engaging, that's healthy for the community. We're going to be moving into neighborhood planning at some point soon, right?

Chair Hilhorst: Subarea planning.

Commissioner Barksdale: Subarea planning.

Chair Hilhorst: Correct.

Commissioner Barksdale: And would it not be possible to get these data in preparation for the neighborhood, I mean the subarea, plan work that we're going to be doing? So, does this have to happen as a result of the threshold – as a result of threshold review, can it happen anyway, given that we're going to be studying this area?

Mr. Matz: Well, we think you need this now.

Commissioner Barksdale: I understand. But can it happen then?

Mr. Matz: It would certainly happen in general as a component of neighborhood subarea planning review. That is on hold right now, so I couldn't tell you when that will happen. But those would definitely be standard components of a review.

Commissioner Barksdale: And a facilitated process could be part of that as well?

Mr. Matz: We think that a facilitated process here allows you to keep people engaged. I don't necessarily know that a facilitated process is what's associated with the neighborhood subarea planning, but in that case some of the more conventional tools that are available to you are a citizen advisory committee and that sort of thing. We think that the facilitation that we're proposing here is extraordinary and is responsive to the issues that have been raised by the community.

Commissioner Barksdale: Okay.

Chair Hilhorst: Okay, Commissioner.

Commissioner Walter: Mr. Matz, you said pretty emphatically you think this needs to happen now. Why do you – why right now? I mean, what's the urgency with now?

Mr. Matz: I meant the ability to acquire the data. Because people have rightly raised issues about the efficacy of the conclusions that have been reached around economic development, and we haven't looked – in terms of neighborhood demographics, let's see what the neighborhood is these days. Transportation analysis, the latest figures around traffic impact studies and things like that.

Commissioner Walter: Okay.

Mr. Matz: In order to inform your decision about going forward, the data needs to be updated now.

Commissioner Walter: Okay. Some of the things that I've been hearing and reading, and I can't even say I've read everything, I don't know if I have the entire flavor, but it really seems like before now there's been a miscommunication of who should be communicating with who, and it feels like perhaps the developers are communicating really effectively with the city and maybe less effectively with the community. And we've got a developer who doesn't even own the property yet making an application on behalf in order to purchase a property. So to me it just feels very disjointed. I'm trying to understand what's really happening, what's really wanted. And when we talk about individual property rights, as much as I really want to say that should really matter, but then there's always the community impacted and then there's the city at large. And they all have to be really good partners, and part of that partnership is really solid communication, two-way communication. And when I hear the question, there was at least one commenter tonight that commented about this – and maybe I'm reading between the lines – I felt like there was a lack of trust in the last bullet, the outside facilitation process. That to me says something's pretty broken. And I wonder if we just need a reset, like Commissioner Barksdale is – and maybe I'm inferring from what you said – to put the process somewhere else, to say this one is almost, it feels to be,

irreparably broken. And I as a neighborhood advocator, I just want to say it hurts my heart. Those are more feelings than concrete thoughts.

Mr. Stroh: If I could make a few comments, Madam Chair.

Chair Hilhorst: Let me just make sure. Has everybody asked – can we do that now? Thank you. I just want to make sure we get through this tonight.

Commissioner Morisseau: I remember the last time the applicant was here I had asked him about his being potentially flexible. And his response to me, I don't recall the exact words, but the gist of it was he didn't think it would be much flexibility. So when I read this packet, I was happy to see, it says here the applicant has specified a willingness to work with the neighborhood communities. Has something happened between the last meeting and now that has given staff that impression? Hence this new report that we have here? Can you help me with that a little bit?

Mr. Stroh: Sure. So, well, thanks for a chance to sort of bring you up to date on what we know since we last talked about this application. To start with, there is an application here that we are obliged to process. So there's a current vehicle in place and there's a decision in front of the Commission about this particular Comprehensive Plan amendment.

Commissioner Carlson: Dan, identify yourself for the record.

Mr. Stroh: Dan Stroh, planning director. There's a particular process we need to go through here to resolve whether this meets the decision criteria for threshold review for a Comprehensive Plan amendment. So, that's the question before you tonight. Staff is recommending this additional process that you add on to your recommendation for this facilitated process. And it is really in part to address what Commissioner Walter is mentioning. We do think that the communication on this one is not what we would want it to be. And we think that there's a process here that we can go through the hopefully will clean up that communication and get some good dialog flowing. I've been involved with the this site over the years when it was part of a larger neighborhood shopping center renewal process that we were going through. And we had issues that were facing neighborhood shopping centers almost all over the city. And the city actually had a proactive program to go in and figure out what we could do to help breathe some life back into these centers that really because of changed economic circumstances, and many factors affecting the retail climate, caused many of them actually to just not be working anymore the way they're intended. And I remember talking to this community and the others basically saying, the goal for this has to be it's a neighborhood gathering center. It's not to convert it into something else. And the question has been, how do you breathe life back into it that reinvigorates it

as a neighborhood gathering place. Not to convert it to something other than that. What might you do to actually get the right mix of retail and mixed uses in there that breathe that life back into it. We've always said it has to be essentially a process of engagement between a willing owner, the neighborhood and the city helping to make that happen. So not one party alone. And I'll pause there because I see a question.

Commissioner Carlson: Well, maybe what you don't need is an additional layer of government process here, Dan. Maybe what you just need is a new owner of the shopping center.

Mr. Stroh: And that's what we have potential for.

Commissioner Carlson: And I want to make some history here. Back in the early 1980s there was a dilapidated shopping center, 156th and NE 8th, festooned with graffiti, become kind of a gathering place for undesirable elements in the community. Crime began to go up. And then a guy who basically was a former hippie with a brilliant business mind name Ron Sher steps forward and remakes Crossroads Mall. And he aimed at a different demographic, you know, not Nordstrom but Old Navy. He invited the police department to put a substation in the mall itself. He designed it with a food court to be a neighborhood gathering place. And it became one. It was because you had a visionary who owned the property. So, one entrepreneur can make a huge difference here. And I think the question on the table for the Commission tonight is, can this area of Newport Hills, can this commercial shopping center, make it as a commercial shopping center? Or does it have to be flipped to residential? That's what I see as the question before us.

Mr. Stroh: Thank you for that question. That's a great question. And I think part of that will be, if this moves forward, in the final review, to do the studies and understand whether in fact the current model works, or whether another model is going to be more successful. I can tell you, I consider Ron Sher to be a friend, and the spectacular makeover of Crossroads into a real community gathering place has been wonderful for the community, and it's a process that has unfolded over 25 years now. That site, too, is actually seeing mixed use/residential on the site. As you know, the Top Foods project is moving forward on a piece of it, and next door the senior housing going on that site. So mixed use has been the direction a lot of centers have gone. That doesn't mean necessarily that's the right answer here, but I think the question for us is, does this need to be studied and go forward to the next level of review? And if it does, we recommend that we set up a facilitated dialog with the community so it doesn't feel like this is something where there's no dialog possible, it's either this or nothing. As far as change of ownership, that's exactly what you have the potential of. For many years, the current owner has not been interested in doing anything significant with the center. And I know that's been a point of

frustration with some. There is some life in the center now. We don't know how long that will last and how sustainable that model is. And hopefully we'll have some good information about that with the studies that will be done to help feed this process. But that's kind of where we are right now.

We're really trying to, as Commissioner Walter said, kind of reset this so a real honest dialog does take place. And in regards to the question about, is the prospective owner interested in a real dialog, is there room for movement here, what's changed is we have had a conversation with that ownership group and they've convinced at least staff that they are willing to at least honestly engage in the process. It means it has to be financially viable, obviously, if they're going to invest in it. So we will have to further understand that, but they've convinced us that they are willing – it's not a done deal – they are willing to actually honestly engage in a dialog with the neighborhood about what that future could be.

So again, really you have two questions before you tonight. One is, does this meet the threshold review criteria to move forward for final review and get a full evaluation through that process? And number two, do you also want to recommend a facilitated community dialog as a way to help reset the stage for the right kind of communications to take place in this?

Chair Hilhorst:

So, thank you for that. And I was a partner with you on that history. That's where our relationship began and so I know that history quite well and bringing everybody together, and the purpose was to breathe life. Again, that was 2009, 2010, economic downturn, pretty severe. And some of the points I made at the last meeting that I'll make again is, many of those businesses stayed and survived. The family businesses, the family oriented businesses, the third places if you will, those are the places that survived. And we do have new life. The Hsiao family, Rainier Northwest, brought Stods from another property in two years ago and signed a ten-year lease with them. So – and they were thrilled about it, they told me, we're thrilled, we have somebody ten years, this is great. Stods has been here a long time, they're really known in the area. You know, they're going to do – they did – capital improvements in the space. So it's like that was great news. They brought in Resonate and signed a seven-year lease with them last year. Microbreweries are one of the things that we talk about when we talk about zoning downtown and Eastgate. Some of the new, the hip upcoming businesses that are coming, and we now have that. And so I don't see that as a negative economic change, or a negative market environment. In fact, it's improved significantly. And the other businesses, the family businesses, will stay because as I stated last meeting, Newport Hills demographic is changing, many people have lived there and they are either downsizing in Newport Hills or they are downsizing and they're retiring other places. So we're getting an influx of families, which is exactly what will support that business. And again, too, talking about the

Comprehensive Plan and you know, we wrote in there, protecting neighborhoods, and you know, meeting places. And, you know, one of the great things, too, I don't think anybody would know, but if you walk through Stods, it's not just baseball players, there's cricket teams. You know, our demographic is changing and Newport Hills is embracing that change. I mean, you have kids playing baseball in one cage and kids playing cricket in another. It's awesome. And so we're just such a great conduit for the changing face of Bellevue. And if we kill it, we kill it. Welcome to Bellevue, we embrace, you know, welcome the world. But this is a great place where we're welcoming the world.

And, you know, to Commissioner Morisseau's question, which I don't think got answered, what changed from the last meeting to this meeting? We opened the door for the developer to try to find the middle ground. I know I've had a discussion with the developer. Some of the primary anchors are not going to be in the plan, it's not economically viable for the plan. And I do not begrudge that developer. If they're going to invest, they should get money back. I have no issue with that. However, what is good for the developer, what they need for their bottom dollar is not necessarily matching up with what's good for the community. And I appreciate the new discussion, the planning process that was thrown in, but what I also know is it doesn't have to happen within a Comprehensive Plan amendment. That can happen outside of a Comprehensive Plan amendment. Development agreements have happened outside of Comprehensive Plan amendments. Heartland study, there was no Comprehensive Plan amendment on the table when the property owner, the city and the neighborhood came together for those discussions. And so, it does feel forced, and my concern is, one of the things this Commission has been under pressure is to hurry, to hurry, to hurry. We have to get it – we're having an extra meeting tonight because we were asked to do so to get things in by the timeline needed for the Comprehensive Plan deadlines. There is not going to be a good honest data-driven discussion rushing through it to meet the deadlines. That is not going to happen. And what's going to happen, this is already hot, there is steam in the pot, and picking people from the community, I've been part of a process where the city facilitated people putting in an application and who got to go on a committee, and I will tell you that ended badly. And there are still riffs in the community from that from years ago. Neighbors yelling at each other at the gas station while they were gassing. It was awful. And so, I've seen what happens with that. And we've got to let the steam off.

The discussion should have happened before. Unfortunately, I think Intracorp got in a position where there was so much history and they're taking the backlash for that, and for that I'm sorry, because there is a longer history than when you were here. But that discussion of what was right for the community needs to happen outside. Because the Comprehensive Plan, the billboard that's at the shopping center says 5.9 acres. Then at the last meeting they

said, well, we're going to reduce it to four point something acres. Now here we've got the suggestion of the community planning process, after the public hearing. So the public didn't get to comment on this sufficiently, because we had to have limited time. So I feel like somebody, and I don't know who, is driving this and pushing this through. And nobody disagrees that that shopping center is in deplorable conditions. Nobody disagrees with that. Nobody will tell you they don't want it revitalized and they don't want it better. And yes, it is the ownership of that property owner. And what many people have asked is, we want the city to help us to keep those conditions from deteriorating. How does the city help change that and make it better and nicer and not allow places where children are taking classes to not have heat for years. How do those codes get implemented? That has been the request. And so there's a bigger thing kind of at hand. And so I feel that the discussion should happen. Nobody questions revitalization, but we've got to find a right plan. I don't think we're going to find the right plan in 30 to 45 days. I don't know how that's going to happen. And so it needs to happen, but the pressure of the Comprehensive Plan, this is going to explode. And it's not going to explode here, it's going to explode around the corner in Council Chambers. That is where it's going to explode.

Commissioner Barksdale: Make a motion.

Chair Hilhorst: Okay. You want to make a motion?

Commissioner Barksdale: I move that his application does not proceed. And I want to just mention three things. One, the testimony that we did here in favor of it, of the threshold, of it proceeding through the threshold to me sounded more along the lines of, it needs to be improved. Not necessarily that it necessitated a change in the zoning. Secondly, I think if we're going to ask for community input, and there's been quite a bit of community input, and we ignore it, it doesn't empower the community. And we want to make sure that we're still empowering the community. Also, like I mentioned before, I think the engagement with the community between the developer and the community is healthy. I do agree that it should have happened before now, and I think it should happen even if this doesn't make it past threshold review.

Chair Hilhorst: Okay. So we have a motion on the table to not proceed. Do I hear a second?

Commissioner Walter: Second.

Chair Hilhorst: I hear a second. Any discussion? Vice-Chair.

Commissioner deVadoss: Could I make a comment, please? So, I want to thank staff for the long hours and time and the analysis. I do believe that, like you said, the current status is not acceptable. I also – technically I believe that the criteria are met. But my argument is the threshold

criteria are not practical today. To go through this entire process without the data, without the analysis of the school districts, around transportation, and to push it downhill to me just seems fundamentally flawed. And on that basis is where I would say this is not something we should take forward. Better go back and rethink the threshold criteria.

Chair Hilhorst:

Okay. Any other comments or discussion? Commissioner Carlson.

Commissioner Carlson:

I have in front of me here one of many, many public comments that we've received. This is from someone who supports going forward, Mr. Frank Kline. He says, I have been here long enough in Newport Hills to remember a much more vibrant community with more children, two public schools, two food markets, full parking lots, et cetera, et cetera. Leaving the shopping center as it is will only assure a continuation of the current deteriorating trend. From what I've gathered from listening to staff, examining the data, listening to public comment, is that Newport Hills is actually cycling back in with more kids, more families, more traffic. And again, we get to the issue of this area as a public shopping center, or is it more appropriately residential. I think the property owner would like to sell this property for a very healthy profit. I don't think they can sell it as a shopping center in the deplorable condition it is in for a healthy profit. But, if they can flip and rezone from commercial shopping center to residential, and the developer can cram enough units in there to justify, then he can get his price. Unfortunately, what is lost is Newport Hills as a shopping center and as a central gathering spot. So in looking at all this, you know the out-of-town property owner comes out of this ahead. Government would come out ahead in terms of additional tax revenue. Everybody would be paid who doesn't live there, but the people would be left with, I think, a deteriorating quality of life in terms of traffic, in terms of losing a gathering place. And I think that in looking at this in great detail, fundamentally, can it make it as a shopping center? The very fact that you have these additional businesses moving into this dilapidated mall tells me yes. Imagine if it were fixed up what you can do with it. So I'm going to be voting with Commissioner Barksdale's resolution. Motion rather.

Chair Hilhorst:

Any other discussion?

Commissioner Walter:

I would be very concerned about the precedent that could be being set for other shopping centers that are older. I'd rather have a Crossroads example happen to a shopping center like that as opposed to that there be some sort of a pot of gold at the end of the rainbow after you let it rain and your properties fall down and then you get a pot of gold. I'd rather see people have the incentive to make their shopping centers a success. And I really think a large part of the responsibility is with the shopping center. We have a really big one just down the street here, and that was because somebody designed it and set it up, and the people came. So, I mean, I know it's part of the community, but you really got to sell

something people want.

Chair Hilhorst: Alright. We have a motion to not proceed. I have a second. All in favor say aye.

(All Commissioners said aye.)

Chair Hilhorst: Any dissent say no.

(No Commissioners said no.)

Chair Hilhorst: Alright, we will not be moving forward with this on the threshold review.

(Audience applause.)

Mr. Matz: Just some clarification. We will be providing a transmittal to you to convey your recommendations to Council. We'll ask the Chair to present those. In terms of the issue you addressed about the agedness of the threshold review decision criteria, I would ask you to offer up some comment. We're happy to collect that and help you edit that if that's the intent you want to convey. The transmittal document is the tool that you would use to do that. But we will be writing up the recommendations that you've done, and we'll be providing those to the Chair and anybody else who'd like to look at those in anticipation of presenting those to Council.

Chair Hilhorst: Okay. So, Mr. Matz, let me just ask you a quick follow up before we move off of this topic. I think there is true sincerity on my part and others that a discussion happens with the current and potential future property owner. So would the city be in a position to facilitate that if the public comes forward saying they would be interested, or what is the path forward for that conversation?

Mr. Matz: That question is why Dan is here.

Chair Hilhorst: Okay.

Mr. Stroh: You know, we've always looked forward to that moment in time when we had a willing party to talk to, and to facilitate that dialog. We haven't had that, to be honest, with the current owner. So what we've been looking for is to have someone step forward who would be in a position to want to have that conversation with the community and the city. So I can't answer that question. The current owner has not been interested in that conversation, has not been interested in that dialog, has not been present or willing to be present for that dialog. So, I can't answer that question when that would happen. We have to have a willing owner to participate in that and have it go anywhere.

Chair Hilhorst: So, if a willing owner comes forward to the city, whether this current or other, can the city notify the community that an owner

has come forward and would like to have that dialog?

Mr. Stroh: Oh yeah, indeed, yeah.

Chair Hilhorst: And use the party of record for everything on this Comprehensive Plan to notify them of that?

Mr. Stroh: If that happens, we can do that. If there's some other owner who steps forward and wants to do that, or if the current owner, if the current prospective owner, wants to stay in the game – depending on where this goes with the Council. That's the next step. Because it now goes forward to the Council with the Commission's recommendation on threshold review. If the current prospective owner doesn't proceed and some other owner comes forward, or prospective owner comes forward, you know, we're available to facilitate the conversation. We don't know, we've had years and years go by without an owner or a party that's interested in taking this on. So, we've been waiting for that point in time and the right vehicle to have the conversation with an ownership that's interested, and the neighborhood and the city.

Chair Hilhorst: Okay. But if someone steps forward –

Mr. Stroh: We're here.

Chair Hilhorst: – you will notify the public using the plan of record from this.

Mr. Stroh: We can do that, yeah.

Chair Hilhorst: That's what I'm asking.

Mr. Stroh: We can do that, yeah.

Chair Hilhorst: Okay, alright.

Audience member: We weren't notified before when they put their application in.

Chair Hilhorst: Any other questions? Alright, thank you very much.

Commissioner Walter: Oh, my apology. That could still be Intracorp, right? They could revise what they do and then come forward with a dialog, just a little bit different –

Chair Hilhorst: Have that discussion.

Commissioner Walter: Maybe that's the reset.

Chair Hilhorst: Well, it would be if they – we would have a longer time to have that discussion. And they could reapply. With concurrence. And then it would be very smooth. Okay, alright, thank you.

Mr. Matz: Thank you.

7. DRAFT MINUTES REVIEW

(9:42 p.m.)

Chair Hilhorst: Alright, we need to do our draft minutes review. Let me see here. Okay. I'm going to kindly request that the public, if you're going to be talking, if you please go out into the hall for your discussion so we can continue with the meeting.

A. May 25, 2016

Chair Hilhorst: Alright, so, May 25th, 2016. Do we have any changes to those meeting minutes? Okay. I'm going through. I don't have any. I have no notes. Anything? Okay, so I would entertain a motion to approve the minutes as written for May 25, 2016.

Commissioner Walter: So moved.

Chair Hilhorst: I hear a motion to approve. Do I hear a second?

Commissioner Barksdale: Second.

Chair Hilhorst: I hear a second. All in favor say aye.

(All Commissioners said aye.)

Chair Hilhorst: Any opposed say nay.

(No Commissioners said nay.)

Chair Hilhorst: Okay, minutes approved.

B. June 1, 2016

Chair Hilhorst: Okay, so June 1st, those minutes. I did have – let me see. So on page 30, down at the bottom, I don't think we have the right input. Jessie Clawson with McCullough Hill, I believe her name is spelled incorrect.

Mr. Matz: C-L-A-W-S-O-N.

Chair Hilhorst: Yeah. It's spelled C-L-A-U-S-O-N in the meeting minutes, so I thought that looked wrong.

Mr. Cullen: Okay, hold on one moment. Page 30, I'm not following you.

Commissioner Morisseau: It would be page 150 for you, Terry. Because they have the minutes twice in the packet.

Mr. Cullen: Okay. Alright, I'm sorry. You were saying?

Mr. Matz: It is a W.

Chair Hilhorst: Yeah, okay, I thought it was a W, so I just wanted to, I mean –

Commissioner Morisseau: So page 157, I'm sorry, Terry. Last paragraph on the bottom.

Mr. Cullen: Okay, it should be C-L-A-W, is that right?

Chair Hilhorst: C-L-A-W-S-O-N. Yes.

Mr. Cullen: Okay, good. Got it.

Chair Hilhorst: So then, my other note, up at the top – okay, go to the top right, first paragraph. It talks about me noting the process for a long time in the discussion about rezoning commercial, it was clear that some of the current uses, including – I thought I had said in discussion with either Intracorp or Mr. McDuff. Could you check, because it doesn't look like who I was talking to to get that data.

Mr. Cullen: Okay.

Chair Hilhorst: And I just want to be clear.

Mr. Cullen: Okay. I will check the audio.

Chair Hilhorst: Okay. And then if we move down a few paragraphs, the second to the bottom paragraph to the right, under the Commissioner Morisseau discussion, there's a Commissioner Morisseau asked if there was an acceptable middle ground that would have less commercial. My understanding, the spirit was, you were asking if there was middle ground for more commercial. Not less commercial.

Commissioner Morisseau: Let me re-read that. I'm sorry.

Chair Hilhorst: Because you were, we were, yeah.

Commissioner Morisseau: I think the middle ground was between the existing condition and what they were asking for.

Chair Hilhorst: Right.

Commissioner Morisseau: Not less commercial.

Chair Hilhorst: Yeah. So you were asking if there's a middle ground that would have more or –

Commissioner Morisseau: Not more or less, just middle ground between the current existing condition versus what they are asking for in the application.

Chair Hilhorst: Right. So you weren't asking for less commercial?

Commissioner Morisseau: No.

Chair Hilhorst: Okay, so I think if we can just listen and get clarification on that. Because I remember the conversation and I don't think you were asking for less. So I wanted to point that out. And then – a lot of meeting minutes, I know I had some other notes. I think that's all the notes I had on mine.

Commissioner Walter: I have one.

Chair Hilhorst: Commissioner Walter.

Commissioner Walter: On the bottom of page 31, David Hsiao, I asked him about community and his relationship with the community, and I asked that question on purpose in terms of just to get an idea of what the owner's vision of the community was, or understanding. And he was not able to understand or answer the question. I posed it twice. I'd like that included. It's on the bottom of page 31. Oh, sorry, it starts on the bottom of page 31 and then goes to page 32. And I don't see any reference to the question was asked. And other discussion I had with him were covered.

Mr. Cullen: So, I'm sorry, something to the effect that –

Chair Hilhorst: There was a specific line of questioning that wasn't included. A specific question with the applicant.

Commissioner Walter: What I was after is finding out the engagement with the community. They talked about aggressively seeking tenants, and I asked what the work was with the community, and there was no answer.

Mr. Cullen: Okay. Alright, I will check the audio and clear that up.

Commissioner Walter: I wish I could remember exactly what I said.

Mr. Cullen: Oh, that's okay. It's easy enough to find out. Page 32. Got it.

Chair Hilhorst: Any other comments? Commissioner Morisseau.

Commissioner Morisseau: Throughout the whole thing, it says Intercorp. Is it Intercorp or Intracorp?

Mr. Matz: I-N-T-R-A-C-O-R-P.

Commissioner Morisseau: So the minutes are not right.

Chair Hilhorst: We need a find and replace Intercorp with Intracorp.

Commissioner Walter: Good catch.

Mr. Cullen: Okay.

Commissioner Morisseau: Because I've been saying Intra.

Chair Hilhorst: No, that's correct.

Mr. Cullen: Yup, you were saying it correct. Alright, so we'll make those corrections because it will require us to listen to the audio and we'll bring them back to the next meeting we send you a mail out.

Chair Hilhorst: So what we will do, we don't approve these minutes. If you want to just send us a revised. Okay. So is everybody okay, we won't approve these? Okay. Alright. So we're done with meeting minutes.

9. PUBLIC COMMENT

(9:49 p.m.)

Chair Hilhorst: Okay, so public comment. I don't have a sign-in sheet, so if anybody wants to comment, you can come address the commission. You have three minutes. Anybody want to talk? Nobody?

Ms. Barber: (From the audience, inaudible)

Mr. Cullen: You've got to come to the front to get that on the record.

Chair Hilhorst: Yeah, come on up and ask real quick with your name and address so it's public record. That will help you.

Ms. Barber: Hi. Valerie Barber, 4644 121st Avenue SE. I want to understand a little bit more about the process. We're asking questions when we're in one of these meetings, or getting clarification on some things that are said that are inaccurate, or things in the notes that are inaccurate, or the communications. How does the public go about a, finding out if it is indeed inaccurate and then getting it corrected?

Chair Hilhorst: So if you see meeting minutes or items in a book, you can, you know, either come to public comment like you're doing and say, you know, here's what I see is not correct, I'd like to clarify. You can also email staff, email us at planningcommission@bellevue.wa.gov. And that will go and you can – and that will be public record as well, but you can ask for clarifications. Those are the best ways to communicate in if you see something or if you want to get clarification, anything like that. Many times when you speak to the Commission, it's rare that there'll be a dialog because we have to get through so much. So you're probably not going to get a lot of your answers here. It's going to be let us know and then send an email to staff, or if you stick around at the end of the meeting, sometimes you can ask staff at the end of the meeting.

Ms. Barber: And then does that thing get communicated in the meeting at any time, like the next meeting, hey, here were the things that were said that were inaccurate in the documentation or whatnot. Does that ever get clarified for the public?

Chair Hilhorst: Anything you – so when you're talking right now, you're going to be in the meeting minutes the next time. So that's how we hear, because we heard you, and that's going to be in there next time for the public. Any email that you send, that will be public record. And if you send anything to planningcommission@bellevuewa.gov, that will also come to us at the next meeting. We get copies of everything, every email sent to us.

Ms. Barber: Perfect. Thanks so much.

Chair Hilhorst: Okay. Alright. No? Yes? Alright.

10. ADJOURN

(9:52 p.m.)

Chair Hilhorst: So with that, I will entertain a motion to adjourn.

Commissioner deVadoss: So moved.

Chair Hilhorst: Alright. I hear a motion. Do I hear a second?

Commissioner Barksdale: Second.

Chair Hilhorst: I hear a second. All in favor say aye.

(All Commissioners said aye.)

Chair Hilhorst: Any opposed say nay.

(No Commissioners said nay.)

Chair Hilhorst: The ayes have it. We're adjourned.

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
STUDY SESSION MINUTES

June 22, 2016
4:30 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, Department of Planning and Community Development; Patricia Byers, Department of Development Services; Catherine Drews, City Attorney's Office; Paul Bucich, Department of Utilities; Eric Miller, Department of Transportation

COUNCIL LIAISON: Not Present

GUEST SPEAKERS: Brittany Port, Wayne Carlson, AHBL

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER

(4:48 p.m.)

The meeting was called to order at 4:48 p.m. by Chair Hilhorst who presided.

2. ROLL CALL

(4:50 p.m.)

Upon the call of the roll, all Commissioners were present with the exception of Commissioner Barksdale, who arrived at 5:08 p.m., and Commissioner Laing, who was excused.

3. APPROVAL OF AGENDA

(4:51 p.m.)

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

4. PUBLIC COMMENT – None

(4:51 p.m.)

5. STUDY SESSION

(4:51 p.m.)

A. Low-Impact Development Principles Project

Consultant Wane Carlson with AHBL briefly reviewed the reason for the low-impact development project, including the Council's support for the objective of maintaining the region's quality of life, including that of making low-impact development (LID) the preferred and commonly used approach to site development, which is language taken from the National Pollutant Discharge Elimination System (NPDES) permit. He noted that the Council had also approved various principles to guide the work, including being Bellevue appropriate, recognizing and balancing competing needs, building on existing information programs, engaging stakeholders, and maintaining the city's compliance record with the NPDES permit. Integrating LID into the city's codes and standards will involve both the LID best management practices and the LID principles. The Commission will focus on the principles, while the best management practices will be incorporated through an update to the city's storm water management manual. The goals related to the principles are to minimize native vegetation loss, minimize impervious surface coverage, and minimize storm water runoff. Over the past year an evaluation was done to determine the opportunities to work toward the goals and the areas of focus in the Land Use Code identified included evaluating the use of LID early in the process, reducing impervious surface coverage, preserving and enhancing tree canopy, and looking for opportunities to make the city's existing clustering provisions more attractive to applicants.

Mr. Carlson stressed that the proposed amendments do not involve any changes in the amount of building coverage. The city currently has a standard for building coverage and another for impervious surfaces. The proposed approach does not change the allowed structure footprint. Driveways, patios, walkways, sport courts and parking lots are hard surfaces and a new standard is proposed for hard surface coverage that will supplement the existing impervious surface standard. The new standards are consistent with development that has occurred in each zone and were established both through GIS investigation and development permit research. The proposal allows for the same coverage using permeable surfaces.

A hard surface is an umbrella term that includes both structures, traditional impervious surfaces, and permeable paving and vegetative roofs. In the R-1 zone, the maximum structure lot coverage is 35 percent. No change to that is indicated. The current standard for maximum impervious surface coverage in the R-1 zone is 50 percent. The proposal is to reduce the maximum impervious surface coverage to 40 percent, which is actually higher than the existing development patterns; the GIS and permit research determined what is realized on the ground is close to 22 percent in the R-1 zone.

Commissioner Walter asked if reducing the allowed coverage to 40 percent from 50 percent could be considered to be a downzone. Mr. Carlson said property owners could still get to 50 percent coverage, but where feasible permeable surfaces must be employed beyond the allowed 40 percent impervious surface coverage.

Commissioner deVadoss asked about the comparability between traditional hard surfaces and pervious surfaces. Department of Utilities Assistant Director for Engineering Paul Bucich explained that significant strides have been made over the past 15 years to bring the cost of pervious concrete and asphalt down. Plants are now set up to run that type of material. While the cost is still incrementally higher, it is more than offset by a reduction in the amount of storm water controls that have to be built and maintained. For single family residential, it will cost

somewhat more for a permeable driveway, but with less water running off the site there is less storm water infrastructure needed for the neighborhood, and that theoretically reduces costs to property owners. The developer may actually net an extra lot or larger lots by freeing up what would otherwise be used for storm water facilities.

Ms. Drews noted that some cost information had been included in the EPA fact sheet that was included in the packet, as well as on low-impact development project website.

Chair Hilhorst suggested that the aesthetics of a community could be negatively impacted by not having retention ponds, which often serve as the only green areas within a neighborhood. She asked what homeowners can do under the current approach that they would not be able to do under the proposed approach. Mr. Bucich said tennis courts do not work well with pervious surfaces, and swimming pools are impervious surfaces in that they do not infiltrate into the soil. In reality, however, rainwater that falls on swimming pools and triggers an overflow will in most cases drain into the sewer system. The fact is that on-the-ground residential developments fall far below what is currently allowed in terms of impervious surface, so in most cases the new approach will not represent any constraints. The proposed target is 40 percent impervious surface, and with the extra ten percent, pervious surfaces must be used to the degree possible. There are provisions spelled out in the footnotes that allow for an out where the use of pervious surfaces is not feasible.

Commissioner Barksdale asked about the relative cost differences with regard to maintenance between pervious surfaces and impervious surfaces. Mr. Bucich said the answer is complicated. Porous asphalt can look very similar to regular asphalt. It has a very high porosity level and if used as a residential sidewalk it is necessary to make sure it is not under a lot of trees. Over the long term it is necessary to vacuum it; if really clogged up, jet blasting is required to clean it out. The same is true of porous concrete. Developers of large developments have found it is far more cost effectively to build with LID techniques. For the average homeowner, cleaning by sweeping or with a leaf blower is generally sufficient.

Commissioner Carlson asked about the costs of installing pervious surfaces over pervious surfaces. Mr. Bucich said generally speaking both are fairly comparable depending on a few factors, including the type of pavers and any desired aesthetic pattern.

Chair Hilhorst asked staff to gather and bring to a future Commission meeting data regarding the costs of both installation and maintenance.

Mr. Bucich said there are direct construction costs to homeowners and developers. The Department of Utilities works closely with the Department of Ecology to keep them from going down paths that would result in costs to homeowners in the form of evaluations and studies. What often gets lost in the conversations is the cost to the environment, and that is why Ecology has put the issue into the NPDES permit. The cost to the environment of development activities over time can be very high, and where it is most often seen is in storm water facility fees. It is often difficult to explain to individual property owners how what they do with their properties will benefit them over time, but reducing runoff will reduce stream degradation and will result in lower net costs, all of which play into utility rates.

Commissioner Morisseau asked if the design principles and guidelines as is meet the requirements needed for the permit. Mr. Bucich said they do and the intention is that the same will be true as 2017 begins. To get there will require making changes to the design standards.

The Department of Ecology and others are recognizing that by the time a developer or a homeowner is looking at how to address their storm water problems, they have already made decisions about how they want to develop their sites. The tools that are in place to address that are insufficient to prevent damages to the natural ecosystem. The idea of thinking about site development before design and before any dirt is turned is the next generation of storm water management, and that is what the principles are all about.

Mr. Carlson called attention to footnotes 49 and 50 associated with the maximum hard surface coverage percentages. He explained that footnote 49 calls attention to LUC 20.20.425 and exceptions and performance standards relating to hard surfaces, and footnote 50 indicates that where the application of permeable pavement has been determined to be infeasible using the infeasibility criteria in the Department of Ecology's storm water management manual, the maximum impervious surface coverage may be exceeded, up to the maximum hard surface coverage allotment.

Mr. Bucich pointed out that the work to revise the codes compliments the work being done to revise the engineering standards. Even if after all is said and done the pervious surface limits are not reduced from 50 percent to 40 percent, anyone coming in to develop a site will have to do the feasibility/infeasibility analysis according to the permit and the engineering standards.

Chair Hilhorst commented that it is always better to offer incentives for compliance, possibly in the form of lower permit costs for utilizing LID principles. She said she would not want to do anything that would take away from what property owners can do or to make it harder to improve their properties.

Commissioner Morisseau asked if property owners will have an avenue to dispute or challenge a finding that the criteria either are or are not met. Ms. Drews allowed that decisions are appealable to the hearing examiner and there is due process provided for that.

Commissioner Walter observed that no new ramblers are being built even though there is a growing demand as people age. The proposed approach will make it even more difficult to build that style of home. Ms. Drews reminded her that the GIS study looked at all of the development done throughout the city, including ramblers that were built back in the 1950s and 1960s. Staff believe that the proposed limits will accommodate anyone building a Rambler on their property. Commissioner Walter said it would be more expensive to build under the new approach. Mr. Bucich stressed that nothing in the proposal will change the percentage of structure square footage allowed on a site.

Mr. Carlson said the proposed new section related to hard surfaces describes the intent and applicability. In some ways it replicates the existing language of 20.20.460 related to performance standards, exceptions and modifications as they apply to pervious surfaces.

Commissioner Barksdale asked if the maintenance and assurance item F under 20.20.425 applies only to commercial properties. Consultant Brittany Port said it applies to any permeable surface installed on a residential or commercial property. As drafted, should permeable pavement be

implemented optionally, the Director could require a maintenance plan or long-term performance assurance. Mr. Bucich added that it would be a rare occasion to require a maintenance plan of a single family property owner. The exception might be a very large lot where a lot of impervious surface would trigger the need for a tank, vault or pond for which there would be a maintenance plan required. Ms. Drews said the Department of Development Services has a prepared template for maintenance plans that spells out what needs to be done; for homeowners, it is a simplified version of what is asked of commercial developers.

Mr. Carlson said paragraph G relating to existing hard surfaces is also similar to the existing language for impervious surfaces. It spells out that instances where legally established hard surfaces exceed the allowable limits, applicants can replace but cannot add additional hard surface. Currently, surfaces paved with pervious pavement or other innovative techniques are not included in the calculation of pervious surface areas. The proposal is to revise the language to make it clear that all permeable pavement will be included in calculating the maximum hard surface areas. Ms. Drews said the new approach seeks to balance the use of permeable surfaces with the loss of vegetation.

Chair Hilhorst asked how the use of Astroturf comes into play. Mr. Carlson said it depends on what lies beneath it. Rain will soak through Astroturf, but if the structure beneath it is impervious, the entire area would be considered to be impervious, whereas if there is no structure beneath, it would be considered permeable. An coverage exemption is included for non-residential uses such as parks, schools and churches in residential districts that allows up to 80 percent pervious surfaces.

Chair Hilhorst said when the single room rental issue was on the Commission's table, it was found that some homeowner's were paving their front lawns to accommodate parking for the residents' cars. While that should not be allowed, there may be instances in which homeowners may need to expand their driveways to keep extra cars from being parked on residential streets. She asked if any exceptions could be included to accommodate that need. Ms. Drews reiterated that the amount of hard surface coverage is not changed by the proposal. As proposed, up to 40 percent of sites can be covered with pervious surfaces, and permeable options are required to get all the way up to 50 percent. Where permeable solutions are not feasible, up to 50 percent can be covered with pervious surfaces.

Commissioner Walter asked if there is any chance the proposed approach could lead to land being considered developable that would not be under the current system. Ms. Drews said the proposal does not change anything about the critical areas ordinance.

6. PLANNING COMMISSION OFFICER ELECTIONS

(5:57 p.m.)

Chair Hilhorst opened the floor to nominations for Chair.

A motion to have Commissioner deVadoss serve as Chair was made by Commissioner Morisseau. The motion was seconded by Commissioner Carlson and the motion carried unanimously.

A motion to ask the current Chair to continue serving through the end of July was made by Commissioner deVadoss. The motion was seconded by Chair Hilhorst and the motion carried unanimously.

Chair Hilhorst opened the floor to nominations for Vice Chair.

A motion to nominate Commissioner Walter to serve as Vice Chair was made by Commissioner deVadoss. The motion was seconded by Commissioner Carlson.

A motion to nominate Commissioner Carlson to serve as Vice Chair was made by Commissioner Morisseau. The motion died for lack of a second.

The motion to nominate Commissioner Walter to serve as Vice Chair carried unanimously.

7. ADJOURN REGULAR MEETING

(6:01 p.m.)

Chair Hilhorst adjourned the meeting at 6:01 p.m.

8. CALL TO ORDER

(6:33 p.m.)

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

9. ROLL CALL

(6:33 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.

10. APPROVAL OF AGENDA

(6:34 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.

11. PUBLIC COMMENT

(6:34 p.m.)

Ms. Pamela Johnson, 3741 122nd Avenue NE, addressed the tree canopy issue relating to low-impact development. She said if things are to be changed, it should be done right. The city should develop a policy for a 40 percent tree canopy as an important environmental resource. The lack of trees is a significant environmental justice issue that should be addressed right away. A strategic focused investment is needed to ensure the health of the urban forest. An urban forestry commission should be created focused on improving the health and sustainability of the urban forest. Portland, Seattle and Vancouver have adopted urban forestry commissions. Trees should be planted or retained as part of development and redevelopment. Single family developments have no requirement to retain trees, while short divisions, subdivisions and new planning and development are required to put trees on a map. Landmark trees should be retained and should be considered important community resources, and there should be community input. Notice to the public should be required for any tree retention issues where trees meet minimal standards. Historical significance and cultural importance should not be determined by staff. Currently, there is no public input into which trees should be saved. There should be 50 percent tree canopy for parking; one tree for every 20 stalls is not enough, even in the downtown. Trees provide shade, visual relief, and aid in storm water management.

12. PUBLIC HEARING

A. Proposed Land Use Code Amendments: Eastgate/I-90 Land Use and Transportation Project

(6:39 p.m.)

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

Code Development Manager Patricia Byers said the Eastgate/I-90 CAC worked on the Eastgate issues between 2010 and 2012 in relation to both transportation and land use. The purpose was to evaluate land use and transportation conditions, policies and regulations in the Eastgate/I-90 commercial corridor, and produce a plan that builds on the area's assets of accessibility, visibility, job diversity, and stable nearby residential neighborhoods. The CAC's final report included recommendations for amendments to the Comprehensive Plan/subarea plan, the transportation plan, and the Land Use Code.

Ms. Byers explained that Volume 1 of the Comprehensive Plan contains the framework goals and the general elements, and that Volume 2 contains the subarea plans and the transportation facility plans. At the more specific level, the Comprehensive Plan contains regulations, including the Land Use Code, and plans, such as transportation facilities plans and capital facilities plans.

As development projects are submitted to the city, they are subject to review by different departments to make sure all of the requirements are met. At the end, the projects get implemented.

An environmental review is conducted at each stage under SEPA. The reviews are aimed at determining if a proposed action will result in probable significant adverse impacts, and whether the impacts can be mitigated. The SEPA review addresses things not covered by other ordinances or laws. One of those things is traffic.

The new zones Neighborhood Mixed Use (NMU) and Office/Limited Business 2 (OLB-2) were created as part of the Comprehensive Plan amendment in 2015 as recommended by the Eastgate/I-90 CAC. Both were subject to the notice process as required. The Transportation Facilities Plan is also subject to SEPA review. If the changes recommended by the CAC were not implemented, there would still be a 21 percent increase in traffic volumes in the Eastgate corridor by 2030. The preferred alternative is projected to result in a 27 percent increase in traffic volumes by 2030, but if the land use alternative is implemented without the proposed transportation changes recommended by the CAC, there will be a 26 percent increase in traffic volumes by 2030. The incremental increase tied to the recommendations of the CAC are not as much as will occur with just general growth. Growth is coming and there is a need to manage it in a way that will work for people. Where the rubber hits the road is during project review, because that is where it can be determined how trips will be generated and what mitigations are needed.

The three new districts proposed for Eastgate are the Eastgate Transit Oriented Development (TOD), OLB 2 and NMU. The TOD is intended to leverage the park and ride. The OLB 2 responds to the need to accommodate services employees want, such as restaurants and dry cleaners, close to where they work. The NMU contains a mix of residential and commercial/retail serving the local neighborhood. Within each zone there are specific uses allowed, along with specific dimensional requirements, development standards, and design guidelines.

Ms. Byers shared with the Commissioners a map of the Eastgate/I-90 area that showed the existing and proposed land use districts. She noted that the TOD is intended to provide for a mix of housing, retail, office and service uses, with an emphasis on housing. It covers about 40 acres adjacent to the existing park and ride. The FAR is proposed to be 2.0, with an exception of up to 1.0 for affordable housing, open space, public restrooms, special dedications and transfers. The maximum building height is 160 feet, except that parking garages would be limited to 45 feet. The parking requirement is reduced for the area

The OLB 2 district is intended as the location of offices, hotel/motel and eating and drinking establishments. The district is applied in areas that have convenient access to freeways, major highways and transit. The FAR is limited to 1.0 and the maximum building height is 75 feet. Residential uses are not allowed in the district, so there is no affordable housing bonus proposed.

The vision for the NMU is for a district with a mix of retail, service, office and residential uses. The retail uses would be on the first floor of buildings with residential above. The district is designed to be compatible with nearby neighborhoods and easily accessible by nearby office and residential uses. The FAR is 1.0 and the maximum building height is 75 feet. The affordable housing exception of up to 1.0 FAR is available in the district.

Ms. Byers said where there are NMU properties that takes advantage of the affordable housing exception, the overall building height should not exceed that of a house on a hill in a residential zone adjacent to it. The notion plays into the idea of the transition area design district which provides for buffers and other types of mitigation to ensure that the impacts of development in the more dense neighborhoods play nice with abutting residential districts.

Conformance amendments will be included to ensure that the new amendments conform with the code.

Implementation Planning Manager Eric Miller for the city's Department of Transportation. He explained that the Comprehensive Plan serves as the vision for the city. Within it are the Transportation Element in which are housed the long-range transportation facility plans. Those plans are used to inform the Transportation Facilities Plan (TFP) and the Capital Investment Program (CIP). The 12-year TFP is a citywide prioritization of projects; it involves a programmatic environmental analysis, and it forms the basis for the transportation impact fee program, which are fees development pays to help build facilities that serve their traffic impacts on the transportation system. The current TFP was adopted in December 2015 and covers the years 2016-2027. The CIP is the funded budget for capital improvements, including transportation projects.

The Commission was shown a map with suggested Eastgate improvements that included roadway/intersection projects, ped/bike projects, freeway projects, and transit projects.

Mr. Miller explained that under the Growth Management Act, jurisdictions are required to adopt concurrency ordinances. Concurrency is a system to determine the ability of the transportation system to support growth that is caused by new development. An analysis is made of each new development proposal submitted to determine the new trips the development will generate, and a determination is made as to whether or not the existing and funded transportation improvements can accommodate them. The analysis takes into account all existing land uses and factors in all approved development and adopted CIP projects. Each development proposal must meet the minimum thresholds tested for. Within the Transportation Element of the Comprehensive Plan, there are concurrency standards for each of the individual Mobility Management Areas, of which Eastgate is one that has an adopted V/C standard of 0.9, which is a measure of traffic going through system intersections identified in the transportation code and the volume those intersections can handle. The average of the seven system intersections must be within the standard; up to four of the intersections can exceed the standard so long as the average remains below the 0.9.

Each year, or as otherwise directed, an analysis is done of the city's concurrency system. The 2016 iteration was recently completed and it found that currently the overall average within the Eastgate MMA is 0.64, well under the standard. Only one of the seven system intersections is currently exceeding the standard.

Ms. Byers said the SEPA analysis that happens at the project level has three tiers. The first standard under state law is significant probable adverse impact. If it is determined there is that kind of an impact, the focus turns to whether or not it can be mitigated. Mitigation for long-range concurrency can include reducing the size of the development to generate fewer trips; delaying development until the city or others provide the needed improvements; constructing the needed improvements; or paying the money for the improvements. For mid-range mitigation, developers can pay traffic impact fees at the rate of \$4703 per net trip generated. Short-range mitigation can include a review of intersection operation, trip generation, and other transportation issues.

Ms. Byers said the issues raised by the public during the open house and as the study moved forward centered included the degree to which the park and ride is full and what will be done about transit. She said she raised the issue with King County Metro planners and found that the document they have posted to their website is only a visioning document that represents the first step in their planning process. It is a very general document that does not even include projects. No mention is made of expanding the Eastgate park and ride, but that does not mean it will not happen. She said she learned that the cost of a new park and ride facility runs approximately \$80,000 per space, so Metro is looking at ways to use the space they have more effectively, including encouraging walking and biking to the park and ride, and permitting carpool parking. It is true that some who are parking at the Eastgate facility are actually going to Bellevue College, and the college is taking steps to keep that from happening.

Metro continually reviews its routes for crowding, levels of service and on-time service. Changes are formally made on an annual basis, but they also adjust in response to customer input. Metro has a regional grant to increase the speed and reliability for Route 245 that runs between Factoria and Kirkland, and improvements there may help with the Eastgate corridor as well. Currently, Route 271 makes a circuitous route using Eastgate Way and 148th Avenue SE before going through the Bellevue College campus. The Bellevue College connector plan would have the buses using Kelsey Creek Road, Snoqualmie River Road and 142nd Place, reducing the county about \$500,000 annually, decreasing the time it takes to get to the campus, and decreasing the amount of bus traffic on 148th Avenue SE.

Mr. Cullen said the CAC put an enormous amount of work into developing the Eastgate/I-90 land use and transportation project. One of the concerns raised early on was wanting to see the corridor revitalized in a way that would result in a minimal need for additional transportation improvements. Since the CAC completed its recommendations, there have been no less than 35 presentations made to various groups, including the City Council and the Planning Commission, regarding the project. All of that work has brought the project to its final phase, which is the Land Use Code amendments. The proposed amendments clearly address what the CAC recommended relative to the physical constraints, the need for economic vitality, mobility, land

use and transportation integration, connectivity, transportation infrastructure, environmental sustainability, urban design quality and coherence, and incorporation of the Mountains to Sound Greenway. A large number of groups were involved ranging from businesses to residents.

A great deal of technical analyses were done and background reports were drafted. Taken together, the work shows the proposal does not represent a casual thought to change some land use zoning districts and to create some new ones; there is an enormous amount of weight and planning that has gone into it. The proposal represents the work to translate the direction given into zoning districts and Land Use Code amendments.

Mr. Cullen briefly reviewed the FAR and maximum building height for each of the new proposed zoning districts and demonstrated how the proposal reflects what the CAC called for. He allowed that transportation is currently an issue for the area but stressed that it has been accounted for in the transportation facilities work program. Improvements have been put into the financially constrained 12-year TFP that will eventually end up in the seven-year fully funded CIP.

(7:34 p.m.)

Mr. Pat Callahan, CEO of Urban Renaissance Group and Touchstone, 215 River Road Northwest, Bainbridge Island, said he has been involved in the local office market for about 19 years. He said he has been advocating for zoning changes in the Eastgate/I-90 corridor since 2008. He noted that he had attended every single one of the CAC meetings. Currently, what is proposed to be the TOD zone is a sea of parking. The investments made in the transit center total some \$65 million and the proposed land use changes are designed to take advantage of that significant investment. As proposed, however, there is a requirement for residential to be included in the master development plan, but including that requirement would be a mistake. Allowing for residential is a good idea, but going from what is there now, where there are absolutely no amenities, to an amenity rich walkable environment is going to be challenging to achieve economically. The concept talked about with the CAC included making sure density can be gradually increased through the construction of two 12-story buildings, thus producing enough mass to have the amenities and enough income to invest in a pedestrian corridor in the zone. Once that is done, residential can be considered in the zone. It will be too difficult to finance a residential tower in the middle of an office park in the initial phase. Building height to allow for 12-story buildings will be needed to support all of the costs of getting to the next phase of development. The stories above the fourth floor will have commanding views of the Mountains to Sound Greenway and that will bring in rents that justify the development. In practice, that will require building heights of 170 feet, including rooftop equipment. Additionally, driveways should be added to the list of permissible interruptions given the importance of driveways to the flow of traffic in the corridor. The street grid that is in the development actually conflicts with some of the street grid that is in the planning documents, and it would be preferable to have some consistency.

Mr. Jack McCullough, 701 5th Avenue, Suite 660, Seattle, said the penultimate page of the packet distributed to the Commissioners shows the street grid that is included presently in the plan. He pointed out that one of the streets intersects with the probable location of a future tower. He noted that also included in his handout were specific recommendations for change to the proposed Land Use Code amendments. He said the 45-foot allowance for parking structures needs to be increased by about ten feet to allow for retail on the ground floor. With regard to residential, he noted that the language of 20.25P.020.B.1.a says the master development plan must indicate where residential will go, and in fact says it must guarantee that residential will be developed. The guarantee is the issue. There is no historic market for multifamily in Eastgate, so there is no demand and no proven ability to get it done. The guarantee could result in having the opposite effect of what is intended. The CAC report includes a section that suggests a policy requiring some residential, but the report provides the foundation for the Comprehensive Plan amendments looked at by the Commission about 18 months ago and which the Council adopted about a year ago. Those Comprehensive Plan amendments, S-EG-1, S-EG-2, S-EG-3 and others, talk about ensuring that the TOD center can be developed with significant density. To require a guarantee up front would be inconsistent with those policies in that it will prevent the development of the TOD in the near term. Alternative language should be included that calls for preserving locations for future multifamily development, and for not precluding multifamily development.

Chair Hilhorst pointed out that the discussions to date have included the need for housing close to the college. She asked where the break point is. Mr. Callahan said Bellevue College was well represented during the CAC process, and that triggered several discussions about the college's plans. The space by the south entry was identified as a potential location for housing. The problem with the TOD site is that there is not enough density yet to support a six-story residential building. The idea is that once the college finished building out its residential plan for the campus, the TOD site will become a natural site for more housing, including the bridge to the campus from a parking structure, but that is 20 or 30 years in the future.

Commissioner Walter said much has been said about the cost per parking stall and the need for additional height to support the investment. She asked where the revenue source would be if the garages were built with no surrounding development to support it. Mr. Callahan said there are currently five buildings that collectively equal 250,000 square feet. The thinking is that the two additional towers totaling 500,000 square feet in the middle of the project will help to create a place. Support for the parking garage would come from the 750,000 square feet, and that level of density would in turn support coffee shops, lunch places and other amenities.

Mr. Dan Phillips, 4211 135th Place SE, said an increase in commute delay is an increase in commute delay. Concurrency should be targeting improvements. An A would be holding the line, and a C would be not making things any worse than it would be through normal growth in the region, maybe one percent. Allowing an increase of 26 percent or so would not be any better over leaving things as they are. It is not clear as to where all the data is coming from or its timing. During the summer months traffic is always lighter because school is out, and if the studies are done in the summer things could seem okay. Transportation improvements need to be

made before the construction happens, but it looks more like the city is hoping it will happen. If the cornerstone of supporting more automobiles is adding an additional lane on each side of I-90 between 150th Avenue SE and Issaquah, there is a problem. More development will mean more people coming into the area by car. There is hope that some will come by bike and some will come by bus, but the transit center is near capacity already and the park and ride is full. There are quite a few amenities already in place for people who work in the area, and food trucks pick up a lot of the slack. Changing the OLB to allow for more people and more traffic in the area should certainly be support for the businesses that are there. More businesses could be added to the first floor of buildings. One concern is having bigger buildings that will require more energy to be used, and with more HVAC systems running there will be more noise, all of which will impact people immediately adjacent to the area. It is a good proposal to keep building heights down so they do not interfere with existing residences, but there are other considerations, including traffic. Any parking garages put in should have direct access to the freeway to reduce traffic on surface streets.

Chair Hilhorst noted that 20 hands were raised in support.

Mr. Clark Kramer, 15531 SE 37th Street, spoke representing the Trailer's Inn RV Park. He noted that the site is under consideration for a zoning change to NMU. He said he has been involved in seeking a zoning change since 2007. As proposed, the site will be afforded an FAR of 2.0, but the limitation of having 1.0 FAR being for affordable housing bring everything to a halt. From the economic standpoint, no one will redevelopment the site. The site should be given an FAR of 2.5. The site is unique in that it was originally a gravel pit and is currently zoned General Commercial (GC). The site stands ready to be redeveloped. With an FAR of 2.5, it would be possible to include between 65 and 75 affordable housing units in the project. Under GC, the site is allowed to do a number of different things. Going to NMU will take away the ability to have auto dealerships, paid parking lots, auto garages and other uses from a site that is directly adjacent to the freeway. If there are to be restrictions relative to lot coverage, and 1.0 FAR for affordable housing, and a removal of the currently allowed uses, the property will actually be devalued. The currently allowed uses should continue to be permitted.

Mr. Ross Klinger, 500 108th Avenue NE, Suite 2400, said he is the listing broker for the Kramer family's Eastgate RV site. He said he has an unprecedented number of buyers interested in property of that type. The city and the region needs new apartment units and it is up to the Planning Commission to adopt a reasonable land use alternative that allows an FAR of 2.0 and a new zoning district. The Puget Sound vacancy rates are at 3.3 percent, which is below the 20-year standard of 5.0 percent. The Puget Sound area added 61,373 residents in the last year, surpassing the seven million mark. In January 2016, 10,700 people moved to the area, which is 600 more than the same month in 2015. The Puget Sound economic forecast is for the region to add 125,500 jobs over the next three years. A total of 12,500 new residential units came online in 2015, and 15,000 new units are expected in 2016. The unknown is where all those people are going to go. More units available will mean fewer rent increases. The market can easily support a residential project on the RV site.

For the benefit of Chair Hilhorst, Mr. Klinger clarified that there is enough of a market demand for housing. He added that in the past nine months the LIV project in Bel-Red has gone from 92 units leased to 408 units leased, an average of 35 units per month. The demand is there.

Mr. John Shaw, 4555 193rd Place SE, Issaquah, spoke as director of multifamily acquisition for American Classic Homes. He said while close, the proposed NMU zoning misses the mark. The proposal for an FAR of 1.0 for market-rate housing and 1.0 for affordable housing, there is no economic viability for the developer, primarily because it costs the same to build the affordable units but the allowed rents are lower. As proposed, the NMU zoning on the RV site will yield a very skinny seven-story structure with no affordable housing. American Classic Homes builds affordable units into every one of its projects, and it can do so because of incentive-based zoning. In Seattle the multifamily tax exemption program allows for up to 25 percent of the building to be affordable because of the tax credits. In Bel-Red, essentially 20 percent of the bonus FAR goes to affordable, making it economically viable to build them. There is a clear demand and the company wants to build a project on the RV property, but the limitations are a concern. The site is viable since it will be five stories of wood over two stories of concrete, an approach that supports where rents currently are. However, ten- or twelve-story buildings require solid concrete and the rents in the Eastgate area will not support the cost. American Classic Homes wants to provide affordable housing, but as proposed that would not be possible. A traffic engineer was hired to do a peer review of the report done, but was directed to consider an FAR of 2.5 on the RV site. He found the net result of going from an FAR of 1.0 to 2.5 would be a half second delay at the intersection by the car dealership.

Chair Hilhorst asked about the site coverage percentages. Mr. Shaw said as written structures can cover 35 percent of the 3.3-acre site. It is also being proposed that the maximum pervious surface coverage should be 60 percent, and up to 80 percent if pervious surface, but the pervious surface installation costs are about double. Chair Hilhorst asked if more of the site were allowed to be developed with structure if there would be any advantage to a larger footprint coupled with a shorter building. Mr. Shaw said going that route would preserve views for nearby properties. Issaquah allows up to 80 percent pervious surface coverage but allows less height.

Commissioner Walter asked for a response to the comments from the public regarding traffic concerns. Mr. Shaw said traffic is always one of the first things analyzed in looking at doing a project. That is why at such an early phase a peer review has already been conducted. A number of things will be required as part of getting a building permit, including improvements to the intersection.

Mr. Brian Palidar with Group Architect, 1735 Westlake Avenue North, Seattle, said he served as principal in charge and the primary designer for the LIV project in Bel-Red. He provided the Commissioners with copies of alternative code language for the NMU zone. He said the FAR needs to be in the 2.5 range in order to be feasible, but there are also details that come with that number in order to make it all work. He proposed setting a base FAR of 1.25, and allowing an additional FAR of 1.25 through the provision of amenities such as affordable housing, at a ratio of five square feet for every square foot of affordable housing; senior housing; trail dedication;

improving pedestrian connectivity; parks and open spaces; and sustainable certifications. He said while the developer wants to see affordable housing included, not every development would choose to utilize all of the elements of the amenity system and as such they should be allowed to pay a fee in-lieu. Some of the proposed footnotes are items of concern. With regard to the LIV project, counting the cross sectional tower area, comes in at right about 40 percent lot coverage, which is more than the proposed 35 percent in the NMU. In Bel-Red, there is an allowance for up to 75 percent impervious surface pervious surface, whereas the proposal for the NMU is only 60 percent. It makes sense to have commercial and retail uses at the ground level, but it should be done where it makes sense; forcing everyone to do retail or office space could result in a lot of empty space.

Mr. Anthony Allison, 15053 SE 44th Street, said the concerns he and his wife have is the RV site that could end up being a site for affordable housing. The big issue is traffic and it does not seem that an R-20 site in that area will help what has been a problem for years. The schools are at maximum capacity already which means the teachers, students and parents are all stressed. He said his son's teacher has had enough and is moving. Until the school's catch up with the density, the kids will continue to suffer. There is no funding or plans to address the current bottleneck, so it will get worse. The zoning should not be changed until traffic is addressed. The area has seen an increase in crime as well, and he noted that he personally has been robbed three times in the last three weeks; increasing density will increase the crime. There is a clear demand for the housing, but the facilities are not in place to accommodate it. The RV site should be changed to R-20.

Ms. Angela Allison, 15053 SE 44th Street, said she has lived there for 15 years and every year has seen more and more traffic in the intersections, largely due to overcrowded freeways. She said every day in going to work she has to maneuver around the bottlenecks. She said she lives only seven miles from where she works, but the commute can take up to 45 minutes, especially to get home. She said her son's kindergarten and first grade teachers have both said they were moving away because the number of kids they have to deal with is just too much for them. The question is how many years it will take for school services to catch up with the demand.

Chair Hilhorst noted that 12 hands were raised in support.

Ms. Leslie Geller, 15102 SE 43rd Street, commented that Bellevue calls itself a city in a park, but often it feels more like a city in a parking lot. She said he has been in her home for 22 years and just completed a full remodel. She said she has always been happy with the neighborhood but after attending the open house and finding out what is being planned for the Eastgate corridor, frustration and anger set in. She said she would have reconsidered her remodel had she known. Traffic is a huge challenge. If there is going to be a 21 percent increase in traffic even if nothing is done, something should be done to mitigate that increase. The established neighborhoods will be the losers if the plans go forward.

Chair Hilhorst noted that 12 hands were raised in support.

Ms. Sue Israel, 1709 134th Avenue SE #9, said her main concern is traffic. It can take 15 to 20 minutes to travel from Factoria to Eastgate when in fact it should take less than five minutes. Coming down 148th Avenue SE to go to 150th Avenue SE in front of Albertsons, it can take 15 minutes, but it should not take that long. The city should look at the traffic before approving a rezone. The city and the state should work together to get rid of the traffic before allowing more people into the area. She said where she wants to go she cannot take a bus or ride a bicycle.

Chair Hilhorst noted that 14 hands were raised in support.

Ms. Esther Drukman, 1709 134th Avenue SE, #15 said she loves the vision for the Eastgate area, but there has been no evidence presented for how the plans could be carried out with the amount of cars on the streets. She said she was told at the open house that she did not need a car, that she could take a bus, but she said at her age taking the bus or riding are not options. Nothing has been said about where those who will work in the big buildings will be able to park. The public is confused and angered for the fact that they cannot get around the streets quickly and efficiently. It takes 30 minutes to get to work three miles away.

Chair Hilhorst noted that ten hands were raised in support.

Ms. Linda Nohavec Belliveau, 3273 163rd Place SE, said she understands that a great deal of work goes into planning, but said she was just learning about the process. She said she and many of her neighbors were not notified, so it is alarming to find out the work has been going on for six years. The map shows no greenbelts, no wetlands and no parks other than Robinswood Park. With regard to traffic, she asked what the 0.9 LOS equates to in terms of seconds of delay per stoplight. Traffic mitigation usually means just putting in one more stoplight somewhere. It appears that no one has looked at or addressed the cumulative impacts. She said she no longer commutes but chooses to work out of her home, and when she does go out she makes sure it is between the hours of 10:00 a.m. and 3:00 p.m.

Chair Hilhorst noted that 14 hands were raised in support.

Mr. Brian Hartman, 2969 14nd Place SE, #9, said his home is very close to Bellevue College and his concerns are primarily in regard to transportation changes in the area. He said he is not opposed to many of the changes as proposed but are concerned with many of the details, including the increased traffic. The road that goes through the college campus is already close to housing units and the increased traffic will need to be buffered. The intersection off of 142nd Avenue SE that provides access to the college is a multiway stop and some changes are proposed to it, though it is unclear how that might change the entryway into his residential complex. Residents of the complex have seen an increase in crime and it is unclear what will happen if more students are moved through the area. He said he also did not receive notice of the process.

Chair Hilhorst noted that eight hands were raised in support.

Mr. Jonathan Loch, 6129 127th Place SE, said it is a privilege to be part of a community discussion where everyone can express their view. He said he is not a resident of the Eastgate area but rather lives in Newport Hills but certainly is a member of the larger Bellevue area. He said it has been said that affordable housing will only be feasible if an FAR of 2.5 is allowed due to economics. He said he and his wife grew up in south Bellevue, met and got married, sought graduate degrees out of state, and returned to the area to be close to family. However, it has not been possible to find any housing that is affordable, so the decision was made to move in with his parents. He said the desire is still to have a place of their own, and that will require having housing that is affordable, and to have it in the Eastgate corridor would be very convenient. Having transit options would be very important, including bike options.

Chair Hilhorst noted that five hands were raised in support.

Ms. Michelle Wannamaker, 4045 149th Avenue SE, said traffic and transit is an important part of the Eastgate project. The CAC even put it in the name of its report. Much has been heard about the Land Use Code, but the CAC recommendation included city street improvements, Metro improvements, Sound Transit improvements, WSDOT additional lanes on I-90 in addition to the Land Use Code. The city is ignoring all the rest of it and is just going ahead with the Land Use Code. The need for infrastructure is clear and it feels like the city cares enough about Eastgate to exploit it but not enough to invest in it, and not enough to invest in the CAC-recommended surface street improvements. In the Transportation Facilities Plan, the projects shown in red represent capacity improvements, and there are no red projects anywhere near Eastgate. No work will be done on any of the projects identified in the TFP in Eastgate in the next 12 years. The proposed levy does not include any Eastgate projects either. The city does not care enough about Eastgate to pressure Metro to make improvements in a timely manner. The Eastgate project is based on transit, which is Metro, and Metro's recently released draft long-range plan does not have any enhancements starting for another nine years. Transit cannot be used if there is no room to get on the bus, so that means the 9000 to 10,000 additional residents will be driving to and from work on Eastgate's roads. Little has been said about Appendix B, the transportation strategic report. It has been said that the LOS standard for the area is 0.9, and according to the Comprehensive Plan that is a D-. According to LUC 14.10.30, Eastgate is allowed to be a D- and that up to four intersections can exceed that level. The strategy report identifies the congested intersections. Staff talked about the LOS conditions as of 2009 but did not say that four of the intersections at that time would violate the standard even without growth, and that another four were close to violating the standard. Traffic is much worse now than it was in 2009 so those additional intersections have to be over the level of service. The intersection of 150th Avenue SE and SE 38th Street is shown at level A, the best possible, but the map in Appendix B shows the same intersection as red or heavily congested. That is an indication of how much worse traffic has gotten. Without traffic and infrastructure improvements to mitigate the Eastgate project, it would violate the city law.

Chair Hilhorst noted that 13 hands were raised in support.

Ms. Betsy Hummer, 14541 SE 26th Street, voiced appreciation for the work of Michelle Wannamaker on NextDoor to get such a great turnout. It is unfortunate that the city notification process is lacking at so many levels. It is something that needs to be addressed on a citywide basis. Traffic is the issue most talked about. She said it sometimes takes her 30 minutes to go from her house to the South Bellevue Community Center, a distance of only two miles. It is not just those who live and work in Eastgate, it is the surrounding areas. It is known that there is cut-through traffic from the south end of the county over to 150th Avenue SE trying to avoid I-405. There is also cut-through traffic on Newport Way that impacts the Eastgate area. People in Factoria, many of whom work at T-Mobile, use different church parking lots in the Eastgate area, which brings in additional traffic. Part of the problem is the limited options for getting across the freeway; more overpasses are needed.

Chair Hilhorst noted that 13 hands were raised in support.

Mr. Todd Woosley, PO Box 3325, spoke representing the Kramer family. He spoke in favor of the alternative feasible zoning code. He agreed that traffic in the area is awful and said he hates congestion as much as anyone. It will be necessary to work together to solve the issues. He said the state has agreed to fund a pair of new lanes on I-90 between Eastgate and Issaquah. The project, which was not anticipated by the CAC, is in design and will help to relieve the morning and evening commutes. It is not the only improvement needed, however. The intersections that have been identified in city plans need to be improved, but there is no funding currently identified for them. The Council is considering a levy that would in part generate funds for transportation improvements, and there will be three open houses next week. He said he would not be supporting the project for the Eastgate RV site if it did not fit in. Statistically, the potential half-second delay at intersections is not the problem. He shared with the Commission a short video showing how the proposed project would fit in with the NMU zoning. He noted there would be up to 75 affordable units and many more market-rate units. The site is one of two that was identified in the CAC report as having become economically obsolete. The site is nicely buffered from the neighbors by the existing trees. The existing city right-of-way on the property could be improved to provide access to the Mountains to Sound Greenway. He also shared with the Commissioners a rendering showing what a project with an FAR of 2.5 could look like.

Chair Hilhorst noted five hands raised in support.

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

****BREAK****

(9:01 p.m. to 9:05 p.m.)

13. STUDY SESSION

A. Proposed Land Use Code Amendments: Eastgate/I-90 Land Use and Transportation Project

(9:05 p.m.)

Chair Hilhorst reported that given the time the study session would be postponed to the Commission meeting on July 13.

14. PUBLIC COMMENT – None

(9:06 p.m.)

15. ADJOURN

(9:07)

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

Chair Hilhorst adjourned the meeting at 9:07 p.m.