

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
STUDY SESSION MINUTES

March 23, 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, Patricia Byers, Carol Helland, Department of Planning and Community Development; Franz Loewenherz, Kevin McDonald, Department of Transportation

COUNCIL LIAISON: Mayor Stokes

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

Upon the call of the roll, all Commissioners were present with the exception of Commissioner Carlson, who arrived at 6:37 p.m., and Commissioner Morisseau, who arrived at 6:58 p.m. Mayor Stokes arrived at 6:56 p.m.

3. APPROVAL OF AGENDA

A motion to move 8B follow 8C and to approve the agenda as revised was made by Commissioner Laing. The motion was seconded by Commissioner deVadoss and the motion carried unanimously.

4. PUBLIC COMMENT

Ms. Nicole DeLeon, 524 Second Avenue, Seattle, spoke as a land use attorney with Cairncross & Hemplemann representing Aegis Living. She thanked the Commission for its focus on expanding the floor area exception for assisted living uses. She said Aegis supports the proposal and encourages the Commission and the Council to move forward in processing the Land Use Code amendment. Cairncross & Hemplemann is willing to help shoulder any of the burden city staff may have in processing the amendment.

Mr. Walter Braun, 1812 10th Street West, Kirkland, senior vice president of development for Aegis Living, said he was present and willing to answer any questions that might arise during the study session. A project that is essentially ready to go depends on having the amendment approved, so there is a sense of urgency involved.

Ms. Michelle Wannamaker, 4045 149th Avenue SE, said the Eastgate/I-90 project is based in part on the premise that new residents and workers will use mass transit. At the previous Commission meeting, however, there was discussion of how King County Metro is not meeting the current need and that the park and ride facility routinely exceeds its capacity. She questioned proceeding with the amendment given that information. She said she was anxious to hear a response from Metro. While Eastgate was only annexed in 2012, it has always been surrounded by the city of Bellevue and there has not been any significant growth in Eastgate for decades; it is growth in Bellevue that has created the current Eastgate traffic nightmare. The city is working to alleviate the impacts of growth on traffic with multimodal approaches that encourage walking to stores and restaurants rather than driving, but with the shortage of housing in both Bellevue and greater Seattle, and the lack of affordable housing, people are limited as to where they can find housing and they may end up living nowhere near where they work. Traffic problems are regional and people are always looking for the quickest route to their destination, whether or not it is the most direct route; surface streets are often used to avoid freeway backups, and with 148th Avenue SE serving as an alternative north-south route, Eastgate is often part of people's Plan B for getting to their destinations. When growth is allowed in other parts of Bellevue, traffic worsens in Eastgate. Adding growth that includes housing and jobs in Eastgate will certainly make things worse. The city and the Commission are part of the problem of allowing growth to occur before the necessary infrastructure is in place to support the growth. For every additional worker and resident, the quality of life will be reduced for those who already live in Eastgate, and business productivity will also be reduced.

Mr. Andy Lahka, 500 108th Avenue NE, Suite 2050, spoke on behalf of Office Development Group which specializes nationally in urban mixed use developments. He addressed a property midblock on NE 8th Street between Bellevue Way and 102nd Avenue NE and across the street from Bellevue Square which is comprised of 2.7 acres on five separate parcels having both DTMU and DTMU-B zoning. He said the proposed development program for the site includes ground floor retail with a four-star hotel and urban residential units over subterranean parking. He thanked the city for being allowed to participate in the March 9 Downtown Livability Initiative stakeholders open house where there was great energy and a remarkable high-quality projects on display. He voiced strong support for the recommendation of the CAC for 300-foot building height in the MU zone, but unless additional FAR is allowed the additional height will not be used. To go higher will require the floor plates to be smaller, and smaller floor plates are less efficient and more expensive to build. The site currently has an existing income-producing asset with tenants in place, and return on the property will continue to be maximized until such time as redevelopment makes financial sense. At a minimum, an additional FAR of 1.5 should be considered for the MU zone. Development is the result of persistent and numerous negotiations to assemble a desirable midblock urban infill development site and the property is currently subject to strip zoning and it should be zoned to reflect current conditions, with DTMU for the entire site. Being subject to only one zone will allow for development most consistent with the vision of the city of the wedding cake form for the downtown. The vision for a sustainable vibrant downtown will only be realized through the solid transportation plan that is in place, which includes transit and light rail. The Commission was encouraged to reduce the minimum parking ratios in the downtown. The project is prepared to incorporate the proposed midblock crossing on NE 8th Street between 102nd Avenue NE and Bellevue Way, but to make it effective it will be important to include a traffic signal for vehicles, cyclists and pedestrians. The Commission was encouraged to provide significant flexibility in staff's seven recommended elements of urban form, including items such as tower spacing, building orientation, and floor plate reduction. Each site is unique and mandating regulations that apply everywhere could result in significant unintended consequences on a site-by-site basis.

Mr. Jack McCullough, 701 5th Avenue, Suite 6600, Seattle, stressed the importance of additional FAR in the downtown. He said the Commission likely will be told that there are process issues involved in considering additional FAR, but he reminded the Commissioners that the decisions the Commission and the Council make will result in the construction of buildings that will be in place for a hundred years. The problems associated with developing in high-capacity transit locations is underdevelopment, not overdevelopment. In making hundred-year commitments, it is necessary to make sure the assets brought online will be those the community will need for the long term. With regard to the view corridor issue, the Council received a briefing on March 21 and some concerns were voiced. The Sheraton site, which is completely impacted by the view corridor, is under new ownership. The Red Lion property is also impacted, and both properties are directly across the street from the East Main light rail station. The Council directed staff to sit down with the property owners and evaluate the impacts.

Ms. Cathy Louviere, a resident of Bellevue Towers, said she has personally been impacted by the 425 Center project and the Lincoln Square expansion project. Of great importance are the promises and policies that have been put in place for the perimeter areas. The Comprehensive Plan states that the downtown is unlike many other urban centers in that it is directly adjacent to vibrant single family neighborhoods on three of its four edges, the city is committed to protecting those neighborhoods through utilizing traffic parking management outside the downtown and defining perimeter areas through zoning within the downtown to reduce potential spillover impacts. By policy, the city has promised to protect the adjacent neighborhoods from significant adverse transportation impacts as the need arises. Those with residences in the downtown should not be forgotten; their needs should also be considered. It is somewhat discriminatory to separate residents on the perimeter from residents in the downtown and treat them differently. She shared with the Commissioners pictures showing how her residence has been impacted by the ongoing construction in the downtown. While construction does not begin until after 7:00 a.m., those who set up the traffic control measures begin their work between 6:00 a.m. and 6:30 a.m. There is noise and there is dust in the air from the construction work, and at night there is light pollution, particularly from the Lincoln Square tower project. Development is a good thing but those who live in the downtown should be taken into consideration.

Mr. Patrick Bannon with the Bellevue Downtown Association (BDA), 400 108th Avenue NE, Suite 110, thanked the Commission for hosting the recent open house focused on the Downtown Livability Initiative. He said the BDA has been a part of the process from the start and that he had served as a member of the CAC. He noted that the BDA had offered a number of comments in the form of a letter dated March 9 that was delivered prior to the Commission's last meeting. The letter reiterated the support of the BDA for the recommendations made by the CAC, with a strong emphasis on the opportunities that come with flexibility. The BDA continues to support a potential alternative path for development review that would allow for innovative project plans and designs that a more formulaic code may be too constrained to consider. At the same time, the community needs to be provided with some level of predictability.

Mr. Todd Woosley with Hal Woosley Properties, PO Box 3325, spoke on behalf of the Kramer family, owners of the Eastgate RV site who are desirous of seeing the property rezoned to support a new multifamily housing facility. He agreed with the need to have a sufficient amount of transportation capacity to accommodate all new development. An independent analysis has been done regarding the impacts of trip generation at the 2.5 FAR level and the finding was that current levels of service would not be degraded, adding no more than two seconds of delay at the absolute worst. There are capacity improvements on the way, some of which the city is investing in and some of which will be funded by the state in the form of an additional lane in each direction on I-90. The Liv Bel-Red development on 156th Avenue NE is built at an FAR of 2.25 and serves as a good example of what could be constructed on the RV site. At that density and

with the current incentive system, 75 affordable housing units could be provided as part of the overall development.

Comprehensive Planning Manager Terry Cullen pointed out that written correspondence received after the packet was mailed out was included in the Commission desk packet, including seven related to the downtown and one related to plan amendments.

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

Mayor Stokes said the meeting on March 22 with the Commission chair, vice-chair and staff focused on the fact that the Commission's work plan is extremely aggressive. It is fair to say the Council is expecting a lot from the Commission, though it will be a challenge to get things done in a reasonable fashion while allowing for adequate public input. The Council is hoping the work on the Downtown Livability Initiative piece will be wrapped up by the end of the year. He noted that the Eastgate/I-90 CAC work was completed some time ago and the Commission is focusing on pieces of it now. Vision Zero is exciting and different and it will be interesting to see what the Commission's response to it is. He noted prior to the Commission meeting he attended a meeting focused on bicycle facilities in the city, which are growing in importance and acceptance. The Vision Zero strategies will be needed in order to make biking and walking as safe as possible. The Council is also very interested to see the outcome of the affordable housing action plans being put in place by the Council. One of the elements involves expansion of the floor area exception for assisted living uses. He also stressed that how the city deals with downtown livability will be very important. The needs of the development community and the residents living in what is clearly an urban center will need to be addressed.

Chair Hilhorst said the meeting with Mayor Stokes and staff on March 22 focused on the list of items on the Commission's plate that are critical and time sensitive. She said she recommended conducting additional meetings as a way of working through the list. She said she would work with staff to determine the topics to be addressed at any additional meetings. Staff is working to schedule a joint meeting with the Transportation Commission to discuss topics of interest to both groups.

Commissioner Barksdale suggested that holding additional meetings on Saturdays might be the best option for getting more community members to attend. Holding meetings away from City Hall might also be a good idea.

Chair Hilhorst said she pitched to staff the idea of having someone from the Bellevue School District address the Commission. The work of the Commission results in additional density and changes to neighborhoods, and it would be good to hear what the impact is on the schools. The Commission would benefit from understanding what the school district's plan for growth is. Of course, other school districts serve Bellevue and they may also need to be brought to the table. Staff has contacted the Bellevue School District and April 27 has been identified as a possibility.

6. STAFF REPORTS

Mr. Cullen reported that there have been some exciting developments relative to the Grant Connection project. A design firm has been chosen and a charrette has been planned for April 7, 8 and 9. A few representatives from the city's boards and commissions will be invited to attend two events over that weekend, a stakeholder open house on April 8 from noon to 2:00 p.m., and a roundtable discussion on April 9 from 2:00 p.m. to 4:00 p.m. There will also be an open house on April 9. It will be exciting to see well-known designers working together with business

owners and citizens.

Chair Hilhorst asked staff to send out the agenda for the weekend and noted that she would select three Commissioners to attend.

Mr. Cullen announced that the city would be hosting a citywide neighborhoods conference on May 21. The all-day conference will be very informative and will serve as a good way to get grounded into the neighborhoods served by the city.

7. DRAFT MINUTES REVIEW

A. February 24, 2016

Commissioner Laing called attention to the third paragraph on page 6 and asked to have the first sentence amended to read "...allowed by conditional use instead of as an outright permitted use."

A motion to approve the minutes as amended was made by Commissioner Laing. The motion was seconded by Commissioner deVadoss and the motion carried without dissent; Commissioner Morisseau abstained from voting because she was not present at the meeting.

Commissioner deVadoss noted that emails sent to the Commissioners using a bellevuewa.gov address do not go directly to the Commissioners. Mr. Cullen said the emails using those addresses should bounce back as not deliverable. Commissioner deVadoss said he did not want the public to have the expectation that emails sent to Commissioners at that address are actually being read and that a response should be anticipated.

B. March 9, 2016

Chair Hilhorst called attention to the last penultimate paragraph on page 11 and noted that it should be deleted given that the Commission had not in fact elected to expand the geographic scope of the Newport Hills Comprehensive Plan amendment. She directed staff to confirm the action taken before approving the minutes.

Commissioner Morisseau referred to the fifth paragraph on page 14 and suggested that as drafted the first sentence takes her statement out of context. She asked staff to listen to the meeting recording to clarify if the statement she made was in light of the fact that the FAR for the site across the street is 8.0.

8. STUDY SESSION

A. Eastgate/I-90 Corridor Implementing Regulations

i. Review of Concomitant Agreements in Proposed OLB2 Zoned Areas

Code Development Manager Patricia Byers explained that concomitant agreements are used to protect neighboring properties from the impacts of a proposed development. When sites are legislatively rezoned, the concomitant agreements can either be left in place or they can be removed. There are a number of concomitant agreements in effect in Eastgate. Many of the provisions spelled out in the agreements have been codified, while in other instances, the requirements or the conditions have already been met. The agreements are very narrow in defining what uses are allowed, and the vision for the OLB includes a far more expansive number of uses to support those who will work in the area.

The Comprehensive Plan calls for providing graceful transitions between more intense development and existing residential land uses by maximizing the use of existing vegetation and topography to buffer and maintain the compatibility between different land uses. It also calls for protecting the surrounding neighborhoods from future development in the I-90 Business Park by observing the transition area requirements from residential uses.

The proposed OLB-2 zone is envisioned as having hotels, motels, offices, eating establishments and retail sales within walking distances of employment centers and is intended to serve those who work in the area. The OLB-2 zone has a greater intensity and mix of uses than the OLB zone; OLB-2 is intended to be a new district that started as part of the Comprehensive Plan update. The districts are located in areas that abut and have convenient access to freeways, major highways and transit.

Ms. Byers said the proposal includes rezoning the southern portion of the I-90 Business Park to OLB-2, and leaving the northern portion as OLB with the existing concomitant agreements in place. The biggest issue involves the five residential parcels and the fact that the buffer could be reduced from 60 feet to 20 feet upon redevelopment.

Commissioner Laing pointed out that in addition to the buffer between the southern portion of the I-90 Business Park and the five residential parcels, there is the 161st Avenue SE right-of-way. He commented that if the right-of-way is 30 feet, then the effective separation between the land uses would be 50 feet even with the buffer reduction. Ms. Byers confirmed that.

Commissioner Walter said she was under the impression that the 20 feet versus 60 feet applied to the entire perimeter along 161st Avenue SE. Ms. Byers clarified that only the southern portion was proposed to be rezoned to OLB-2, so the buffer reduction resulting from removing the concomitant agreement and applying the transition area design district would be effective only for the southern portion. The buffer for the northern portion would remain unchanged and the existing concomitant agreement would continue in place.

Ms. Byers said several uses are prohibited by the concomitant agreement in place for the parcel to the southwest of the I-90 Business Park. The proposed more expansive vision for Eastgate is not consistent with that agreement. She recommended the concomitant agreement, 11390, should go away. To the south of I-90, all of the requirements of concomitant agreement 8532 have been codified, thus the agreement should be deleted. Additionally, concomitant agreement 18767 includes a requirement for affordable housing should the site be developed with residential uses; the fact that a motel was developed instead, the agreement is outdated and should be deleted. Concomitant agreement 7930 restricts uses to wholesale and office, an approach that is not consistent with the Eastgate vision and the agreement should go away. Should the concomitant agreements be eliminated, adjacent residential districts would be buffered through the requirements of the transition area design district. Additionally, any sites at the toe of a steep slope would be required to maintain a 75-foot setback.

Chair Hilhorst asked if removing the concomitant agreement 7930 where Root Sports is located would affect the type of business or current use. Ms. Byers said the current use would not go away, but the site would no longer be restricted to just wholesale and office uses.

Commissioner Morisseau allowed that it is highly unlikely the concomitant agreement site 18767 will be converted from a motel use to a residential development by the time an incentive system for affordable housing is put in place. She asked if the city had anything in place that would ensure the provision of affordable housing should that happen. Ms. Byers said there are no

provisions currently in place.

There was agreement with the recommendation to eliminate concomitant agreements 7930, 6015, 8532 and 33217.

Commissioner Morisseau asked what the possible downside would be of leaving concomitant agreement 18767 in place. Ms. Byers said the proposal is to rezone the site to OLB-2, allowing for more density than what is currently allowed. If the concomitant agreement is not eliminated, the requirement to provide affordable housing as part of a residential development would remain in effect. Commissioner Morisseau said she wants to see more affordable housing developed and as such would like to retain the agreement along with the rezone to OLB-2. Ms. Byers said the Council is currently working on new affordable housing provisions. If 18767 is retained, its provisions relative to affordable housing would apply rather than whatever provisions the Council puts in place later on.

Commissioner Carlson said it is very likely the Council will have something on affordable housing on the books that will apply citywide sooner rather than later, so ultimately the site will be covered.

Land Use Director Carol Helland explained that in the past the city had an inclusionary zoning provision which mandated the inclusion of affordable housing. That provision was eliminated and the inclusion of affordable housing became optional. The Council has always provided an option for buyout which the owner of the 18767 site did not have to go through because a hotel was developed rather than housing. In every instance where a code has been reduced relative to affordable housing, the Council has created a path to align with the new direction for the people who had prior affordable housing restrictions placed on them. She said with the concomitant agreement eliminated, the site would still receive the benefit of any citywide affordable housing provision that would apply, simplifying matters. There is a small risk the hotel use will redevelop before citywide affordable housing provisions are put in place, but the risk is very small, particularly since applicants do not vest in the regulations in place at the time a design review application is submitted. The Council has set affordable housing as one of its priorities to be done before the end of 2018, and it is highly unlikely the hotel use could be converted in that timeframe.

There was majority consensus to eliminate concomitant agreement 18767, though Commissioners Morisseau and Barksdale were hesitant to do so.

Commissioner deVadoss commented that concomitant agreements are a part of the city's legacy, but their usage should be minimized in favor of citywide approaches.

ii. Review of Current and Planned Transportation Improvements in Eastgate

Commissioner Carlson asked if the recommended changes include an expansion of the Eastgate park and ride lot. Senior Transportation Planner Franz Loewenherz said there are no plans to expand it beyond its current configuration of 1600 stalls. He noted that between 2010 and 2012 the Eastgate/I-90 CAC worked to develop and recommend a preferred alternative to enhance the economic vitality of the I-90 corridor, provide for neighborhood retail services, improve transportation and mobility, upgrade the area's environmental quality and visual character, and support the institutional mission of Bellevue College. Their planning horizon year was 2030. Development of the city's Transit Master Plan also took into account the I-90 corridor, including access to transit. In Bellevue, 16 percent of all daily boardings and alightings occur at commuter

parking facilities; the vast majority of people access transit by walking and biking. There are currently 56,000 daily person transit boardings and alightings. Commuter parking is important as an element of accessing transit, but expanding the Eastgate lot is not part of the Eastgate/I-90 vision.

Commissioner Laing said the fact is people do access transit by driving to park and ride facilities such as the Eastgate park and ride, the South Bellevue park and ride, and the proposed Bel-Red park and ride. There can be no honest discussion about transportation planning and transportation facilities and mass transit master planning if the park and rides will be deliberately undersized based on using statistics for every bus stop in the city. The Eastgate park and ride is completely oversubscribed, and Sound Transit is already predicting the South Bellevue park and ride will be oversubscribed the day it opens based on the projected demand when light rail opens. Mr. Loewenherz pointed out that the Transit Master Plan includes a commuter parking strategy that is primarily focused on leased lots that are available for a lower cost, can be implemented rapidly, and which are distributed around the city to make them easier to access.

Continuing, Mr. Loewenherz said the Transit Master Plan looks at a variety of improvements to the freeways, arterials, transit facilities, and ped/bike facilities. With regard to freeway improvements, he noted that one of the challenges facing the Eastgate corridor is the queuing that occurs during the evening peak that backs up onto SE 37th Street down to SE 38th Street. The Washington State Department of Transportation coordinated with city staff as well as Sound Transit and King County Metro as the plan ideas were developed. The notion of an auxiliary lane improvement in the eastbound direction on I-90 was identified; it will add substantial capacity and will mitigate a lot of the queuing that impacts the Eastgate area arterial system. During the last legislative session, funding was set aside for design and construction of the auxiliary lane improvement; design work is under way and construction could happen in 2017. More information will be shared with the Commission as it becomes available.

Mr. Loewenherz said the city's Transportation Facilities Plan is a 12-year package of improvements. The projects in the TFP are funded, though in some cases only for design work. He shared with the Commissioners the list of improvements earmarked for the Eastgate corridor, including a study of how best to mitigate the congestion occurring at Eastgate Way and 148th Avenue SE. The intersections on 150th Avenue SE at SE 37th Street and SE 38th Street will be significantly mitigated with the I-90 auxiliary lane improvement.

Answering a question asked by Commissioner deVadoss about the development of the TFP, Mr. Loewenherz explained that the TFP is developed by the Transportation Commission with citizen input and handed off to the Council for approval. The projects in the plan are drawn from a number of sources, not the least of which are the subarea studies, and are those deemed to have the highest priority within the 12-year time horizon. With regard to transportation planning studies, he said they are typically done on a subarea basis and take the high view; micro-simulation modeling is needed to determine where to add lanes or effect operational improvements. All of the work is done as part of design projects funded with city dollars. Commissioner deVadoss pointed out that the plan has a long-term horizon. The fact is things are very dynamic and it cannot be said with any degree of certainty what will happen in just three or

four years. He asked if there is room to make adjustments to the analysis and the modeling over time. Mr. Loewenherz said the programming of funds allows for updating as needed. Planning work represents a snapshot in time. The work to develop the Eastgate/I-90 plan, staff came up with population and employment projections for the corridor, all of which was loaded into the model which then pointed out where intersection degradation would occur. The model was then populated with improvements to provide a with and without comparison at a gross level. The assumptions that go into the modeling work are regularly updated.

Chair Hilhorst asked what planning studies cost. Mr. Loewenherz said the Bellevue Way HOV lane study has a budget of many millions of dollars. The work includes environmental assessments and multiple assessments in addition to modeling work. While planning work is expensive, it is more expensive to do a project wrong and have to redo it later.

Turning to transit, Mr. Loewenherz said the Bellevue College connection project was identified several years ago and was followed up on in developing the Transit Master Plan. The transit Route 271 that comes from Issaquah serves Eastgate by coming up 150th Avenue SE, going under I-90, backtracking on Eastgate Way to serve the park and ride, then making several turning movements to onto 148th Avenue SE to access and serve the Bellevue College campus. In trying to serve both the park and ride and the college campus, the route is losing operational time. The Bellevue College connection project greatly simplifies operations by having the bus crossing the 142nd Place SE bridge structure, traveling along Snoqualmie River Road on the west side of the campus, and then progressing on. The estimates are that this new routing will save Metro \$500,000 annually in operating costs. Bellevue College is very interested in the project. An alternatives analysis project in conjunction with Bellevue College and Metro is under way to vet the concept further. Additionally, part of the 142nd Place SE bridge structure is envisioned as a potential ST-3 improvement.

Commissioner Carlson asked if any of the proposed changes result in less roadway capacity. Mr. Loewenherz said if anything operations for car drivers will be improved by taking buses off the very congested intersections of 148th Avenue SE and Eastgate Way. Because of who bogged down the bus gets using the current route, in 2014 as Metro was considering service cuts they were on the verge of pulling the bus out of the campus entirely and keeping it on 148th Avenue SE. The connection project will keep buses off the congested roadways and still serve the campus directly.

Mr. Loewenherz explained that the seven-year CIP projects are fully funded. The Mountains to Sound Greenway trail is included in the CIP. The Eastgate/I-90 work confirmed the alignment for the trail and resulted in securing \$150,000 to advance the preliminary design, and a year later a million dollars was secured to finalize the design. In the past legislative session, \$14 million was secured to advance construction of a portion of the trail, though when the work will begin is still being determined. To fully fund the project will take some \$30 million.

Chair Hilhorst asked if there has been any discussion around widening the heavily used sidewalk on the 142nd Place SE overpass. Mr. Loewenherz said that is precisely what hopefully will be accomplished with ST-3 funding. The sidewalk is some six feet wide and there frequently are

people spilling over into the roadway. The intent is to not only widen the sidewalk but to also create a covered walkway.

Mr. Cullen said because of the elongated planning process for Eastgate, and in listening to comments made by the public, the perception has come through that somehow transportation planning has become disconnected from the Eastgate planning process. The fact is nothing could be further from the truth. The planning efforts under way are flowing from the planning efforts of the past, and they are focused on the future. Transportation planning is extremely complex and the process is iterative, but it is fully interlinked with land use planning. What ultimately comes out of the Eastgate land use planning process will be incorporated into future transportation modeling. The process is admittedly not perfect but it has resulted in some good outcomes.

Commissioner Barksdale said one way to alleviate traffic is to provide people a place to pull off and shop at the end of the day. He said he saw in Washington, D.C. a large number of happy hours close to where people work, and people were going there to wait for traffic to die down. While a happy hour may not be the right approach, something similar might be. Mr. Loewenherz said the design process that has been worked through relative to the Mountains to Sound Greenway trail will result in significant positive benefits. Beyond offering alternative travel options, the trail will also improve the aesthetic quality of the I-90 corridor. The Eastgate/I-90 CAC process included a lot of back and forth on how much development should be allowed, but one thing everyone agreed on was the need to improve the aesthetics of the corridor. There will also be options for people to pull off the road and enjoy the trail, particularly at the 142nd Place SE location.

Chair Hilhorst said one big unknown is exactly when or even if light rail will come to I-90 and continue on to Issaquah. In the meantime, it would be a disservice to Bellevue citizens to not expand the Eastgate park and ride. A large number of those using the facility are coming from Issaquah and North Bend to take the bus into the downtown or into Seattle, and they need to be accommodated to prevent them from just driving to their ultimate destination, adding to the congestion levels.

Commissioner Carlson agreed and pointed out that even if light rail comes to the corridor, it will be a very long time before it does. The existing Eastgate park and ride is already too small, and the envisioned expansion of the corridor with retail, office and residential uses will only be accommodated by enlarging the facility. Commissioner Walter concurred and to disregard the public outcry would do everyone a disservice.

****BREAK****

A motion to extend the meeting to 10:00 p.m. was made by Commissioner Barksdale. The motion was seconded by Commissioner Walter and the motion carried unanimously.

C. Expansion of Floor Area Exception for Assisted Living Uses Through Provisions of Affordable Housing

Ms. Helland said the proposed Land Use Code amendment (LUCA) was submitted by Aegis Living specifically for its assisted living project in Bel-Red called Genesis. In reviewing the application on February 1, the Council concluded that the issue is much broader and on February 22 initiated the LUCA to enable increased density in multifamily districts citywide for assisted living where it is combined with on-site or the fee in-lieu provision of affordable housing.

Aegis seeks additional FAR for its project located on 116th Avenue NE in the Medical Office district (BR-MO). They already have an approved design review which was issued in June 2015. Their request is for an increase in the base FAR from 1.0 to 2.0 in light of the anticipated demand for their services, specifically assisted living but also for congregate care and nursing homes. The Council's direction to the Commission is to look at application of the amendment anywhere in the city where FAR is not governed by a density requirement. The locations in the city where that is the practice are in Bel-Red and the downtown, and it may ultimately be applicable in Eastgate if the decision is made to regulate density for residential units. Specifically, the amendment would allow the use to exempt out from being counted 1.0 FAR in return for either providing affordable assisted living/congregate care/nursing home care on-site, or providing affordable housing off-site through a fee in-lieu. Fees in-lieu must be expended in the district in which the fees are collected.

The recommendation for accommodating affordable units on-site is to utilize the development agreement process to negotiate the terms of what would be necessary to achieve affordable units as a component of the development. That is not the approach Aegis has asked for. It is a very complex thing to determine unit affordability given all the assumptions that go into long-term care, and to come up with a square footage formula that can be converted to a direct amenity entitlement. The recommendation is for developers wanting to provide affordable assisted living/congregate care/nursing home care to negotiate a development agreement that ultimately would have to go before the Council for a public hearing and be approved by the Council; the agreement would determine how much additional FAR should be allowed in return for a set number of affordable units. The approach would apply in both Bel-Red and the downtown.

What Aegis has requested is to be allowed up to 1.0 additional FAR and to exempt it from being counted against their project in exchange for paying a fee in-lieu into the affordable housing program to construct units off site. The result would not be affordable assisted living/congregate care/nursing home units but rather a contribution to affordable housing. Effectively, the funds would flow to A Regional Coalition for Housing (ARCH). The interesting thing is that Bel-Red already has a fee in-lieu table and structure, but it only applies in areas where the amenity system applies, namely in the Bel-Red nodes, in the residential district, and in one other district. The BR-MO and Bel-Red-Office Residential (BR-OR) districts do not currently allow for taking advantage of the amenity chart, which includes a fee in-lieu rate for affordable housing.

Affordable housing is not currently included as an amenity in the downtown. That is largely because the downtown amenities have been in place for a very long time. The affordable housing amenities that were integrated into Bel-Red were considered to be a model to be mirrored in the downtown during the downtown livability update. In the interim, developers interested in doing

an affordable assisted living/congregate care/nursing home care in the downtown could negotiate a rate specific to the downtown.

Commissioner Laing said he was surprised by the reference to the development agreement. He said the requirement for a public benefit to be derived is subsumed in RCW 36.70B. The way a land use code is supposed to work is a developer receives a permit in exchange for doing certain specific things. The problem with the proposed approach is that the developer must sit down and negotiate with staff for a permit, without having any set parameters. There is also no way for the public to really evaluate the benefits of the exchange. There should be something more specific guiding the process, and it should apply citywide rather than just to Bel-Red. Ms. Helland clarified that that the application to Bel-Red is the piece that addresses just the Aegis proposal. In the BR-MO and BR-OR land use districts, they can get up to 1.0 FAR for the assisted living use, and because they are not providing it on-site, they simply must pay the fee in-lieu. There is no requirement for them to do a development agreement. There is a direct tie to the fee in-lieu table that is already in place in Bel-Red. One of the Council's objectives was to make the amendment applicable citywide. In the conversations about how best to accomplish that, there were two trains of thought: pay attention to Bel-Red where there is already a framework in place, and integrate the framework into Eastgate as the work there is done, and then into the downtown as the work is done there. The Council voiced concern about not losing the opportunity, and that is where the development agreement comes into play. Nothing would be done behind closed doors as ultimately there would be a public hearing before the Council, and the developer would know the rate before design work on the project begins.

Commissioner deVadoss stressed the need to apply the approach citywide. He asked where fees collected in-lieu go. Ms. Helland said they flow into the affordable housing trust fund which is administered by ARCH.

Commissioner Walter commented that as the Bellevue population continues to age, there will be an increased need for congregate care facilities, including affordable options. She asked if fees collected in-lieu from affordable assisted living/congregate care/nursing home care units could be set aside specifically for affordable senior housing in any format. Ms. Helland said that topic will be talked about more in-depth as part of the affordable housing action plan. The current issue is very targeted and the direction from the Council was to find a way to achieve some affordable housing in the interim.

Chair Hilhorst asked if any opposition to the issue has been voiced from any source. Ms. Helland allowed that there has been none. The public hearing will be the opportunity for concerns and support to be made known. She also clarified that the proposed amendment will weave the approach into the Bel-Red code so that Aegis and any other proposal for assisted living/congregate care/nursing home care could take advantage of the rules according to the framework that is already in the Bel-Red code for fee in-lieu and exempting affordable housing. Because there is currently no such framework in the downtown, the amendment would allow an applicant to negotiate a development agreement to determine a rate. At the point in time when the downtown livability amendments are adopted, the rate would be adopted and the interim requirement would be repealed.

There was consensus to give staff direction to move forward with scheduling a public hearing on the topic.

B. Vision Zero Comprehensive Plan Amendment

Senior Transportation Planner Kevin McDonald shared with the Commission the recommendation of the Transportation Commission regarding the Vision Zero policies for the Comprehensive Plan. He explained that the idea behind Vision Zero is to eliminate traffic deaths and serious injuries by 2030. The concept began in Sweden and has been picked up by countries around the world. In the United States, a number of cities have adopted the approach as well. Washington state's version of the program is called Target Zero.

Under Vision Zero, deaths and serious injuries due to collisions are unacceptable and essentially preventable. One of the largest determinants is the speed of a vehicle intersecting with a vulnerable user. Vision Zero involves developing a framework for making changes to improve the picture. In December the Council approved the Vision Zero resolution which strives to reduce deaths and serious injuries to none by 2030. The resolution directed the Transportation Commission to review the existing Comprehensive Plan to determine if any updates, revisions or policies are warranted to move Vision Zero forward.

Mr. McDonald said there are a number of things the city already does by way of policy, engineering, enforcing traffic laws, and educating the community to be safe on the roadways. Despite the best efforts, collisions still happen. Injuries are incurred in between 20 and 30 percent of the total number of collisions. However, pedestrian collisions occur at twice the rate of bicycle collisions, and about 95 percent of collisions involving pedestrians and bicycles result in injuries. On average, there have been two or three fatalities annually over the past decade in collisions involving a car hitting an object, a car hitting another car, or a car hitting a pedestrian or bicycle. Additionally, the geographic dispersion of the collisions is citywide.

Commissioner Barksdale asked if staff could explain the increases and decreases in the number of collisions by year. Mr. McDonald said he could not. He said one of the reasons the Council directed the Transportation Commission to dig deeper into the Vision Zero concept was to look deeper at the data behind the figures to see if anything can be done via engineering, enforcement and education to prevent collisions. Collisions occur for a variety of reasons ranging from time of day to weather and inattentive driving. Better access to the data, particular the contributing factors, will allow for intelligently adjusting designs and programs to address the problems. While the data is available, it is deeply buried in reports and the resources are not available to dig through those reports to identify any cause and effect elements.

Commissioner deVadoss voiced his full support for the Vision Zero concept but cautioned against engaging in a simplistic analysis. No particular motivations should be ascribed to the data without a high degree of confidence. Mr. McDonald agreed with the need to dig deeper and fully analyze the raw data, and the Vision Zero program will allow for that. In the realm of the Transportation Commission, the approach will provide a framework for all of the separate things

the city is already doing, including education, encouragement, enforcement, engineering, equitable distribution of resources, and evaluation of programs for effectiveness. Vision Zero will provide both a framework and a goal for implementation of the different programs. The Transportation Commission has endorsed developing a Vision Zero action plan that will include digging into the data to better inform actions to reduce the number of collisions that result in injuries and deaths.

The Transportation Commission identified the need for specific policy amendments to be included in the 2016 Comprehensive Plan amendment package. The Council received the Transportation Commission's transmittal and initiated a Comprehensive Plan amendment for the Planning Commission's consideration that includes new policies TR-A, TR-B, TR-C and TR-D, and amendments to existing policies TR-53 and TR-55.

Commissioner Walter recommended that the data should be analyzed with an eye on establishing a baseline against which to measure future data. Commissioner Barksdale agreed and recommended getting to a fuller understanding of both the problems and the solutions so that as changes are made it will be possible to know they will be effective. Mr. McDonald said the Transportation Commission called for the same processes and outcomes and highlighted the need to embed them in the Vision Zero action plan. To do the work will require resources, and resources are allocated only where there is policy support.

A motion to extend the meeting by five minutes was made by Commissioner deVadoss. The motion was seconded by Commissioner Walter and the motion carried unanimously.

Commissioner Barksdale said it would be helpful to align the policy changes to the outcomes to make it easier to track progress and success. Mr. McDonald said the six E's of education, encouragement, enforcement, engineering, equity and evaluation are embedded in new policy TR-B and they will inform the Vision Zero action plan as it is developed. The ultimate outcome will be zero collisions, zero serious injuries and zero deaths, but how those E's get apportioned will be determined going forward.

9. PUBLIC COMMENT

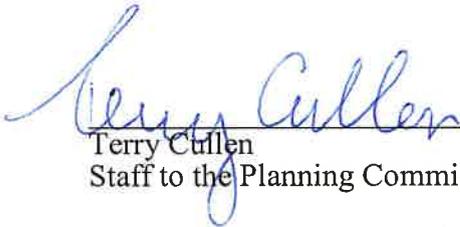
Ms. Michelle Wannamaker, 4045 149th Avenue SE, urged the Commission to be cautious in reaching decisions relative to the Eastgate corridor. She stressed that the decisions the Commission makes can contribute to the problem or they can be part of the solution. Instead of having people standing around the water cooler or neighbors talking over the fence talk about the city being part of the traffic problem by allowing growth, it would be great if they were talking about how Bellevue is seen as a leader in developing and implementing solutions for the city and the region as a whole. Infrastructure must be in place at a level that will support the new growth before the new growth is allowed. She asked if the Land Use Code could be changed to reflect that approach.

Chair Hilhorst agreed to explore at a future meeting the issue of concurrency.

10. ADJOURN

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

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



Terry Cullen
Staff to the Planning Commission

4/28/16
Date



Michelle Hilhorst
Chair of the Planning Commission

4/27/16
Date

*Approved as corrected, April 13, 2016

