

2016 PLANNING COMMISSION



BELLEVUE

Meeting
6:30 pm December 7

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

DECEMBER 7



Bellevue Planning Commission

AGENDA

Regular Meeting

December 7, 2016

6:30 PM - Regular Meeting

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

6:30 PM – 6:35 PM Call to Order

6:35 PM – 6:40 PM Roll Call

6:40 PM – 6:45 PM Approval of Agenda

6:45 PM – 6:50 PM Communications from City Council, Community Council,
Boards and Commissions

6:50 PM – 7:10 PM Staff Reports (See Information section of the packet)

- *Eastgate-Transient Lodging Use Correction*

7:10 PM – 7:40 PM Public Comment

7:40 PM – 8:40 PM Study Session (See attached materials)

Downtown Livability – Review of Draft Downtown Land Use Code Amendment (LUCA)

Land Use Code Amendments

Staff: Carol Helland, Land Use Division Director, Development Services Dept.

General Order of Business – Staff will present the proposed code amendments. The Planning Commission will ask questions and discuss the consistency of the amendments with the overall policy direction of the Bellevue Comprehensive Plan.

Anticipated Outcome – Based on this policy discussion, the Planning Commission will provide staff direction for any

additional information needs for the Commission and staff to consider as part of the overall code amendment package.

| | |
|-------------------|---|
| 8:40 PM – 8:50 PM | Minutes to be Signed (Chair): September 14, 2016 Draft Minutes Previously Reviewed & Now Edited: October 12, 2016 New Draft Minutes to be Reviewed: October 26, 2016 November 9, 2016 |
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|-------------------|----------------|
| 8:50 PM – 9:00 PM | Public Comment |
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|---------|---------|
| 9:00 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:

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

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).*

Agenda Materials
are under separate
cover



Bellevue Planning Commission

Upcoming Meeting Schedule

| <u>Mtg</u> | <u>Date</u> | <u>Agenda Item Topic</u> | <u>Priority</u> | <u>Agenda Type</u> | <u>Location</u> |
|------------|-------------|--|-----------------|--|-----------------|
| 24 | 14-Dec-16 | Standard Items | | Roll Call, Agenda, Minutes, Public Comment, Staff Reports, etc. | City Hall |
| | | Downtown Livability Land Use Code | 2 | Commission deliberates on proposed code amendments. | |
| | | Single Family Room Rental Enforcement Update | 3 | Information brief only. | |
| | | | | | |
| | 28-Dec-16 | NO MEETING - End of Year. | | | |
| | | | | | |
| 1 | 11-Jan-17 | Downtown Livability Land Use Code | 2 | Commission deliberates on proposed code amendments; review of incentive system economic analysis. | City Hall |
| | | | | | |
| 2 | 25-Jan-17 | Downtown Livability Land Use Code | 2 | Commission deliberates on proposed code amendments; review of incentive system economic analysis/ULI recommendations. | City Hall |
| | | | | | |
| 3 | 8-Feb-17 | Downtown Livability Land Use Code | 2 | Commission continues deliberation on proposed code amendments. | City Hall |
| | | | | | |
| 4 | 22-Feb-17 | Downtown Livability Land Use Code | 2 | Commission continues deliberation on proposed code amendments. | City Hall |
| | | | | | |
| | | | | The Planning Commission will set public hearings, as needed, when the Commission approaches the conclusion of their deliberations. | |

Priority-1 (Red) Public Hearing; 2 (Yellow) PC mandated item; 3 (Green) Information only.



MEMORANDUM

DATE: December 7, 2016

TO: Members of the Planning Commission

FROM: Terry Cullen, AICP, Comprehensive Planning Manager 452-4070
tcullen@bellevuewa.gov *Planning and Community Development*

SUBJECT: Eastgate -Transient Lodging Use Corrections

The Planning Commission recommended a package of land use code amendments on July 27, 2016 for adoption by City Council for the purpose of implementing the Eastgate/I-90 Land Use & Transportation Project and to bring the zoning into conformance with the Comprehensive Plan per State Growth Management Act requirements.

The code amendments that were transmitted to City Council contained inadvertent errors in the boxes regarding Transient Lodging. The Planning Commission recommended a Conditional Use Permit for Transient Lodging in both the Office Limited Business 2 District (OLB 2) and the Eastgate Transit Oriented Development Districts (EG-TOD). However, when the Planning Commission's recommendation was transmitted to the City Council, staff incorrectly indicated that Transient Lodging was permitted outright in the OLB 2 District and required an Administrative Conditional Use Permit in the EG-TOD District. Staff discussed this matter with the Planning Commission on November 9.

Because the Planning Commission's intent was clear, and the error was in staff's transmittal to the City Council, the City Attorney's Office has now advised staff that the appropriate corrective action is for staff to notify the Council of the error and communicate the correction to Council. That action was accomplished by a staff memorandum.

Below are some excerpts from the Planning Commission's minutes that make the Planning Commission's intent clear.

Planning Commission Minutes, February 24, 2016, p. 6. The topic of the meeting was the OLB 2 District.

Chair Hilhorst drew attention to the transient lodging use and noted that while a hostel might be a good fit in the zone, a homeless shelter may not be. Ms. Byers said

requiring a conditional use permit might be the way to go for homeless shelters; it would certainly allow for addressing all of the impacts.

Commissioner Laing noted that Seattle requires a conditional use permit for homeless shelters even if they are located in an industrial area. One of the impacts that should be considered is the queuing that often associates the use given the shelters are not generally open 24 hours a day, and that can be addressed through a conditional use permit. Hotels and motels should be permitted uses. The Commissioners agreed.

Planning Commission Minutes, April 27, 2016, p. 14. The topic of the discussion was the EG-TOD District.

Continuing, Ms. Byers suggested that hotels, motels and transient lodging should be permitted uses on the residential use chart. Chair Hillhorst said the argument previously made by the Commission was that transient lodging could include a homeless shelter, which is why a more stringent permitting process would be in order, particularly in what is intended to become a neighborhood. Ms. Byers agreed to retain the requirement for administrative conditional use for the use.

Ms. Byers misspoke when she stated that the recommendations would “retain” the Administrative Conditional Use Permit, because the Planning Commission had previously indicated their direction to make this a Conditional Use Permit.

At the November 9, 2016, meeting, Terry Cullen, Comprehensive Planning Manager, discussed the matter with the Planning Commission. Based on earlier discussions with the City Attorney’s Office, Mr. Cullen reported there were two ways to correct the mistake. One was to send a letter to the Council clarifying the Commission’s true intent. The other method would require the Commission to re-open the Eastgate Land Use Code Amendments and take action to make the correction.

Further discussion subsequently was held with the City Attorney’s Office. The initial recommendation from that Office was based upon a misunderstanding of the nature of the correction needed, i.e., that the Planning Commission’s intent on the topic was unclear. If the Commission’s intent was not clear, then there was a case to be made that the Commission should re-open the Eastgate code amendments in order to provide clear direction.

However, as noted above the Commission’s intent was quite clear. There is no uncertainty that the Planning Commission intended Conditional Use Permits to be required for the transient lodging uses in the OLB 2 and EG-TOD Districts. The issue was the staff error in transmitting the Planning Commission’s clear intent to the City Council. Given that the Commission’s intent was clear on the record, the City Attorney’s Office has now concluded that the appropriate way to correct the record is a communication to Council from staff pointing out the inadvertent staff error and correcting it. There is no need to re-open the code amendments because there is

nothing for the Planning Commission to correct or clarify. The mistake was appropriately corrected by a memorandum from staff to the City Council.

CONCLUSION

A review of the record indicates that the Planning Commission's recommendation on this matter was clear, that there was a staff error in transmitting the Commission's recommendation to Council, and that this error was corrected by a staff memo to Council reflecting the Planning Commission's original intent.

Correspondence Received for Planning Commission Meeting

December 07, 2016

Cullen, Terry

From: Nunnelee, Sandra J.
Sent: Tuesday, November 29, 2016 3:49 PM
To: Cullen, Terry
Subject: FW: Betsi Hummer Eastgate Shelter FAQs

Terry, I am forwarding the below email at the request of Betsi Hummer. Can you please share this with the Planning Commission?

Thank you,

Sandy
City Council Office
452-4088

From: Betsi Hummer [mailto:betsihummer@yahoo.com]
Sent: Tuesday, November 29, 2016 15:27
To: Nunnelee, Sandra J. <SJNunnelee@bellevuewa.gov>
Subject: RE: Betsi Hummer Eastgate Shelter FAQs

Thank you Sandra I appreciate the reply. Could you also forward my email to the Planning Commission and Terry Cullen? Please let me know if you can't .
Happy

[Sent from Yahoo Mail on Android](#)

On Wed, Nov 23, 2016 at 8:21 AM, SJNunnelee@bellevuewa.gov
<SJNunnelee@bellevuewa.gov> wrote:

Ms. Hummer

Thank you for emailing the Bellevue City Council. This email is to let you know that Council has received your email and appreciates citizens like you who take the time to engage with leadership and become part of the solution. Your email has also been shared with key staff in the city working on this issue.

Regards,

Sandra Nunnelee | Executive Assistant to City Council | City of Bellevue

425-452-4088 : sjnunnelee@bellevuewa.gov : 450 110th Ave NE, Bellevue 98004

From: Betsi Hummer [<mailto:betsihummer@yahoo.com>]
Sent: Friday, November 18, 2016 19:49
To: Council <Council@bellevuewa.gov>
Subject: Betsi Hummer Eastgate Shelter FAQs

Why did the City take the responsibility of Homeless services away from the agencies that were already coordinating them

Where did the first direction to investigate a permanent Men's shelter come from

When did the conversations between the City, Congregations for the homeless and others begin

Who was involved in those conversations

Why were those meetings not made known to the Planning and Human Services Commissions or the public

Why was a Citizens Advisory Committee not set up then

Why was it not incorporated into the city wide subarea plans

Why was the Eastgate CAC not informed of the plans for the Public Health site

Why does such an enormous, homogeneous campus have to be housed all in one area when the homeless are found throughout the city, in every neighborhood

Why was Council unaware of the conversations until August 2016

Will the Downtown, BelRed and Eastgate CACs, subarea plans and Land Use Code Amendments be scrapped and restarted since this is a difference maker

When will the Council send the Eastgate LUCA back to the Planning Commission

This seems to impact the landowner who wants to expand his office park and build a parking garage, has he been contacted

Has CFH ever operated a permanent shelter before

What is the greatest number of people CFH has assisted at one location

What do the businesses on 120th say about the crime rate during the winter when the homeless shelter was at the International Paper site

Has CFH ever operated a low barrier, permanent shelter with housing

What is the track record of low barrier shelters throughout the rest of the country, in particular cities similar to Bellevue

What do drug recovery professional say about rehabilitation in a situation like this

How much money has the city, including staff and volunteer time, already spent on this plan

Why is there not an inventory of Homeless assistance that is already ongoing in Bellevue, including churches, government, and other agencies

Why was City Council non responsive to the neighbors of St Peters when the Homeless Shelter was housed there

Why the St Peter neighbors have to coordinate the CFH and police on their own to find solutions to problems

Why did the Human Services Commission or Parks help the St Peter neighbors out

When will the City initiate a Homeless Services Initiative that takes into account all activities currently serving this population and integrate the Initiative into all Subarea planning

I hope to see these answers in the FAQs

Betsi Hummer 425.591.4784 betsihummer@yahoo.com

Cullen, Terry

From: Alex Smith <Alex.Smith@kayesmith.com>
Sent: Wednesday, November 30, 2016 5:28 PM
To: King, Emil A.; Stroh, Dan; Byers, Trish (Patricia); Cullen, Terry
Cc: Joan St. Marie; Martin, Larry (LarryMartin@dwt.com)
Subject: DT-OLB Central Civic District Proposed Code Amendments for City of Bellevue
Attachments: 700 112th LLC Central Civic District Area Code Amendments.pdf

Emil, Dan & Trish,

Attached is our latest submission arguing for more flexibility as it relates specifically to the DT-OLB Central code amendments as part of the Livability Initiative. Any feedback would be welcomed.

Terry,
Please include the attached PDF in the Planning Commission packet materials for December 7th & 14th.

Regards,

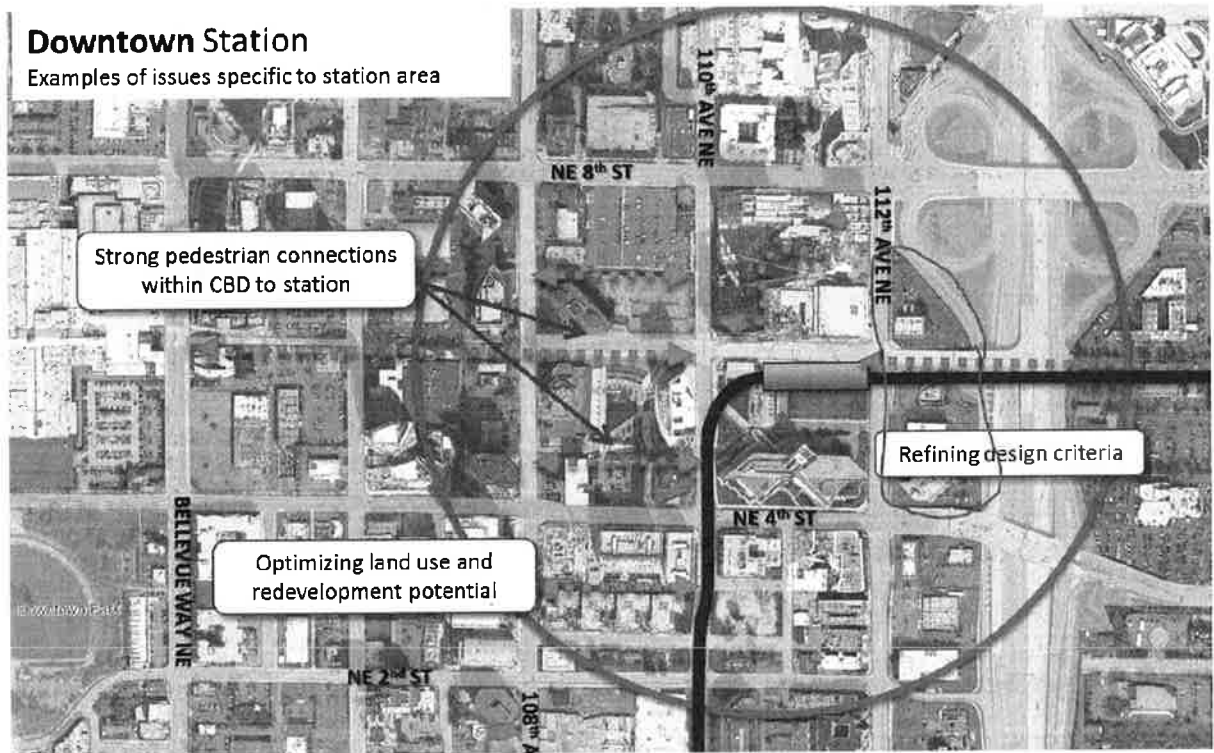
Alex Smith
Manager

700 112th LLC

700 112th Ave NE, Suite 302, Bellevue, WA 98004
direct 425-455-0934 | main 425-455-0923 | www.kayesmith.com

Downtown Livability Process Convention Center/Station Area Code Amendments

New Code Section: Development in the OLB zoned area near the Downtown Light Rail Station, Meydenbauer Center and the light rail crossing of I-405 that substantially promotes public objectives identified in the Downtown Subarea Plan is eligible for an increase of 2.0 in maximum FAR. The increase must be authorized through a development agreement approved by the City Council.

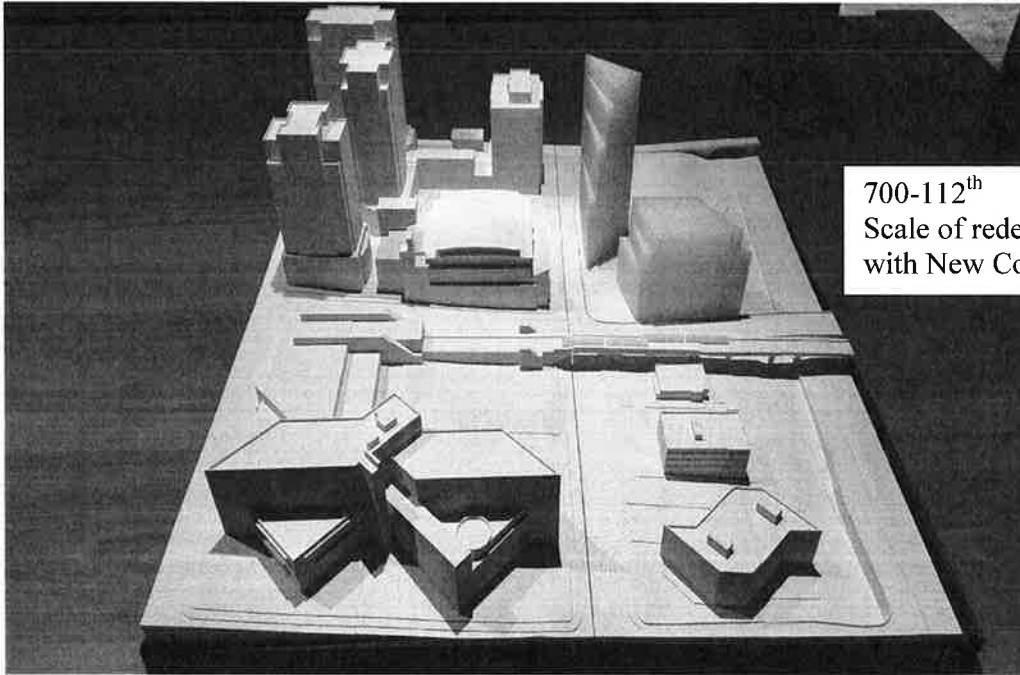


[Graphic from Citizens Advisory Committee final report –1/4 mile radius of Rail Station—subject area circled in red]

Factors to be considered in awarding the increase in FAR include the extent to which the proposed project:

- Supports planned and existing Civic Center land uses such as Meydenbauer Center, the Downtown Light Rail Station, the light rail crossing over I-405 and neighboring retail and service businesses;
- Constructs the Pedestrian Corridor or provides other pedestrian or bicycle facilities such as a connection to the regional bike trail along I-405 or the extension of a pedestrian connection along the NE 6th Street alignment across I-405;
- Provides a mix of transit oriented land uses that contribute vitality to the neighborhood throughout the day and into the evening.

New Code Section: Facilities included in a private development project that are designed and programmed for joint use with Meydenbauer Center, such as banquet and meeting room facilities and access to joint-use parking areas, are exempt from being counted against the project's FAR.



700-112th
Scale of redevelopment consistent
with New Code Sections

The New Code Sections Implement City Policies:

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

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

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

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

Policy S-DT-158: Provide for the needs of bicycles and pedestrians in the design and construction of new facilities in Downtown, especially in the vicinity of the Transit Center, along the NE 6th Street pedestrian corridor, and on 6th Avenue NE where on-street parking and/or wider sidewalks may be appropriate.

What the New Code Sections Will Achieve: The new code sections will facilitate development of a convention hotel with immediate proximity to Meydenbauer Center, together with a second tower for office or residential use. Shared facilities such as parking, and banquet and meeting rooms, restaurants and retail amenities will result in efficiencies for all facilities, making them more feasible. The potential for pedestrian bridge connections linking the hotel, Meydenbauer Center and the Downtown Light Rail Station creates an opportunity to significantly improve pedestrian circulation that will provide added support for these facilities.

Why these New Code Sections are Needed: The best location for a convention center hotel with immediate proximity to the convention center is the 700-112th site (90003 on the graphic, below). This site is not typical of Downtown development sites that tend to be relatively large and regularly shaped.



Typically, on large single parcel mixed-use development sites, or sites formed through an assemblage of parcels, the recommended maximum FAR of 6.0 will result in enough development capacity for a well-designed multiple tower project. Here, the once larger parcel has been reduced in size to make way for freeway ramps. The surrounding ramps and streets leave no potential for expansion through combination with other parcels. The triangular shape adds additional site design challenges. On this site, a 6.0 FAR does not allow enough development capacity to achieve two attractively designed buildings. It is important that a two-tower complex be developed on the site to achieve a mix of uses. Large scale development that attempts to combine hotel or residential uses with office uses in one structure doesn't work well. Two towers are needed to achieve a successful mixed-use complex. The towers should be substantial in scale to result in taller, more attractive buildings, and to take best advantage of public investment in nearby transit, light rail and freeway infrastructure.

A limit of 6.0 FAR on this site does not allow for a scale of development that fits well when compared to the existing large buildings constructed at higher elevations to the west. It is also significant that development across the street has "turned its back" on this site by locating blank walls and parking access along 112th. There is a very real need to encourage significant mixed use development that adds vitality to this part of Downtown to avoid a future "dead spot" in Downtown adjacent to the light rail station, convention center and City Hall. Fostering fairly intense mixed-use development at this location is critical to creating a quality neighborhood.

While the freeway ramps limit development capacity of the site, they also provide superior, immediate vehicular access to and from I-405. Combined with the extremely close proximity to the Downtown Light Rail Station and Transit Center, this unique location can accommodate robust development with proportionately less traffic impacts. Employees, occupants and visitors will tend to use transit because of the close proximity and high levels of service. Those who drive will produce disproportionately small traffic impacts because they will travel through very few Downtown intersections in arriving at, and exiting from the site via I-405. The site can handle more density without increasing traffic impacts compared to more centrally located Downtown sites.

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
STUDY SESSION MINUTES

October 12, 2016
6:30 p.m.

Bellevue City Hall
City Council Conference Room 1E-113

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

COMMISSIONERS ABSENT: Commissioner Laing

STAFF PRESENT: Terry Cullen, Emil King, Scott MacDonald, Department of Planning and Community Development; Patricia Byers, Liz Stead, Department of Development Services

COUNCIL LIAISON: Mayor Stokes

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

CALL TO ORDER
(6:36 p.m.)

The meeting was called to order at 6:36 p.m. by Chair deVadoss who presided.

ROLL CALL
(6:36 p.m.)

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

APPROVAL OF AGENDA
(6:36 p.m.)

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

COMMUNICATIONS FROM CITY COUNCIL, COMMUNITY COUNCILS, BOARDS AND COMMISSIONS
(6:37 p.m.)

Commissioner Barksdale reported that the community meeting enjoyed a very good turnout from the neighborhoods throughout the city. The input received was excellent and will aid the work of the Commission.

STAFF REPORTS
(6:38 p.m.)

Comprehensive Planning Manager Terry Cullen reported that the concerns voiced by the

Commission regarding the neighborhood planning issue were shared with Mayor Stokes who echoed the concerns. Mayor Stokes stressed that neighborhood planning is a high priority for the City Council, but the Council is currently focused on getting through other priorities. Mayor Stokes agreed that the Commission could suggest an order for which neighborhoods should be addressed first.

Commissioner Carlson asked for a status update regarding the proposed homeless shelter in Eastgate. Mr. Cullen said he did not have the latest information but would seek it out.

With regard to the Commission's annual retreat, Mr. Cullen said Mayor Stokes has asked that it be scheduled as soon as possible. Accordingly, November 16 has been chosen with a start time of 5:00 p.m. The meeting will be facilitated by a neutral party, the logistics of which are still being worked out.

PUBLIC COMMENT (6:44 p.m.)

Mr. Andrew Miller spoke representing the property at 11100 Main Street known as the BDR building. He said the work of the Commission relative to the downtown rezone work has been appreciated. Things are on the right track but there are still issues to be worked out, including stepback depth on shorter buildings and stepback height generally. The goal is to get as many floors as possible under the lid before the stepback transition occurs, and sometimes it is not done gracefully, with a stepback that is either too short or too deep. Ideally there should be a range offered to allow for flexibility. Currently, the property lines go to the curb, but in the future there will be a planter strip, then a sidewalk, and then a landscape buffer between the street and the buildings; adding that all up will account for 12 percent of the BDR site and 14 percent of the John L Scott site. The concept is good, but the sizes are questionable and evoke what could be termed a suburban solution. The Masons building in Old Bellevue has the building meeting the sidewalk edge with not stepback at all, which is a very urban approach. If a large percentage of the two sites are to be given away for sidewalks and landscaping, there should be some level of compensation provided. He reiterated his belief that things are moving in the right direction and that the result will be something everyone can be proud of.

Mr. Phil McBride spoke representing John L Scott and the property at 11040 Main Street. He said the owners of the BDR and John L Scott properties have been working together on a shared vision for the two properties, which are situated at a very important corner. The Commission and staff have been very open and receptive to input throughout the process. He concurred with the comments made by Mr. Miller.

Mr. Cal McAusland, 10210 NE 8th Street, agreed with the previous speakers. He noted that he along with the Commission had sat through a number of presentations by the Fortress Group relative to their project on NE 8th Street. There were some hot buttons for the CAC, specifically staying with the recommended heights, not messing with parking and traffic, not increasing the FAR, and not moving any zoning lines. Fortress Group has asked that the zoning line be moved, to reduce their parking count, to increase their FAR, and to increase their height without regard to the work of the CAC. Their property has two different zonings, DT-MU and DT-MU-B. In the B district, the current height for residential is 90 feet. The proposal is to increase height in that zone to 160 feet, but Fortress Group has asked for 300 feet in a part of the downtown that should not have two towering buildings at that height. He objected to any process that would allow Fortress Group to gain a special zoning for their property, even through the use of a development agreement.

Mr. Rod Bindon, owner of the Burton Building at 810 102nd Avenue NE adjacent to Mr. McAusland's building, said he agreed with the comments made about Fortress Group not receiving special treatment for their site. He agreed that building heights as proposed should not be allowed to increase. Building height as requested by Fortress Group is unwarranted for the area and would create more traffic and other issues that will adversely affect the area.

Mr. Lance Ramsay, a resident of Bellevue Towers at 500 106th Avenue NE, reinforced the comments of the previous two speakers. He said Bellevue Towers residents have been following the process for a little over three years. Traffic and congestion have increased for various reasons and if the zoning is changed to allow for more tall buildings, the increased density will only make things worse. The increase in both vehicle and pedestrian traffic is creating a dangerous situation. The issue is related to quality of life rather than to views.

Ms. Betsi Hummer spoke representing the East Bellevue Community Council regarding the Larson Lake restrooms. She said the East Bellevue Community Council has jurisdiction over certain land use permits in the Lake Hills area. During the last winter several constituents came before the East Bellevue Community Council, the Parks and Community Services Board and the City Council asking that the restrooms at Larson Lake remain open during the winter. Larson Lake's soft trails are easily accessible from a variety of points and are used year round. Those asking for the restrooms to remain open during the winter were told the closure was due to a budget cut during the recession and that nothing could be done until a new budget was approved. The Council and anyone else with any input is being asked to include in the next budget a provision to keep the restrooms at the popular year-round park open. Larson Lake was one of the first land use decisions made by the East Bellevue Community Council. Larson Lake is the headwater for the Kelsey Creek drainage system that threads throughout the city. Originally slated by the county for high-density housing, the East Bellevue Community Council helped direct parks to purchase the Kelley family blueberry farm for use as the Lake Hills Greenbelt connecting Larson Lake to Phantom Lake. The iconic greenbelt, combined with the 148th Avenue SE urban boulevard, has established Bellevue nationally as a city in a park that welcomes the world. Providing basic amenities for the year-round visitors makes the park more welcoming and safer. All elected and appointed public servants owe residents more than a pat "it's not in the budget" answer.

Commissioner Hilhorst asked if the Commission has the authority to make a recommendation to the Council to consider including funding in the budget to keep the Larson Lake restrooms open year-round. Mr. Cullen said he would have to check with the City Attorney's office. He allowed that the Commission is free to make suggestions and pass things along to the Council at any time, but making specific budget recommendations may not be part of the Commission's charge. Commissioner Hilhorst said if possible, the Commission should recommend to the Council that more of the city's parks remain open later in the season. Many parks facilities close after October 1 even though use of the parks does not stop after that date.

Ms. Hummer pointed out that Larson Lake is divided into about five parcels, all of which are zoned R-1. It is very concerning that a house per acre could be built there, and that the greenbelt could inadvertently be turned into a parking lot, a train station, a staging area or some other non-park use. In the years before all the wetlands regulations came into play, a stream committee in Bellevue recognized the importance of Kelsey Creek.

Commissioner Barksdale suggested the issue should be raised before the Parks and Community Services Board as well. Ms. Hummer said she has addressed members of that board informally

and said she intends to address them and the Council formally.

Speaking as a citizen and not on behalf of the East Bellevue Community Council, Ms. Hummer provided the Commissioners with copies of a letter by Dexter Johnson sent to residents regarding the dorms at Bellevue College. She said a meeting is slated for October 22 at 5:00 p.m. at Bellevue College and she invited the Commissioners to attend. Ground has been broken for the project and a number of trees have been removed. The college is zoned R-5, which does not match the project. Zoning should match the purpose. She said she attended the homeless shelter meeting on September 29. She said her biggest concern was that during the Eastgate/I-90 CAC process, the public health center site in Eastgate was tossed off to the side. All the nice amenities were touted. For the presentation about the homeless shelter to be held only five days after the Commission passed the Land Use Code amendment for Eastgate does not seem right. The homeless shelter was not in any of the discussions. There is no need for citizen involvement if the city is simply going to do what it wants to do anyway. The lack of transparency is troubling. There are already shelters in Bellevue that are providing help to those who need it so it cannot be said that nothing is being done about homelessness in Bellevue.

Ms. Renay Bennett, 826 108th Avenue SE, thanked the Commissioners for its discussion and vote to support the citizen-initiated Comprehensive Plan amendments that would have dealt with some of the issues raised by Ms. Hummer about protecting park lands. One of the suggested amendments was to hold a public hearing whenever the Council decides there is a need to sell park lands for uses other than a park. Another was to actually zone parks as parks to have the use match the zoning. The Commission agreed with that, but the Council did not. The issue came about because the Council behind closed doors chose to sell Mercer Slough Nature Park land. The lands were purchased with taxpayer bonds in 1988 and they were sold out from under the public without any knowledge or input. A couple of weeks ago a notice was posted to NextDoor talking about a meeting hosted by the city and Sound Transit regarding a 20- to 30-month partial closure of the Enatai beach park to allow the site to be used for staging while the work of developing the columns that support I-90 is undertaken. That approach was not part of the Final Environmental Impact Statement (FEIS). On the second page of chapter 4 of the FEIS under parks impacts, it is specifically stated that Enatai Beach Park will not be impacted by the project. It is not right and may not even be legal that the park will in fact be impacted. Once again park lands are being sold without any public knowledge, and this time without even a proper public process. The information was presented to the Parks and Community Services Board on October 11 and they were unaware of the action.

Commissioner Walter asked Ms. Bennett if she were asking the clock to be turned back on ST-1 and ST-2, or if different mitigating circumstances were being sought relative to where the traffic is going to go; she noted that at the Council meeting some of the Councilmembers appeared to conclude that the latter was the case. Ms. Bennett said there were Comprehensive Plan amendments in place that would prevent the kind of proposed action from happening ever again, and some members of the Council decided that was not what it was about, which is unfortunate because it is not true. She said she could not help their misinterpretations. The Commissioners were asked to recommend to the Council that an addendum to the FEIS be made since use of the Enatai Beach Park was never disclosed and never discussed.

Mr. Patrick Bannon, 400 108th Avenue NE, Suite 110, spoke representing the Bellevue Downtown Association. He noted that several stakeholders of the BDA will continue to review the Land Use Code changes as they are expressed. There are a few topics that have come up to date that are in need of further clarification. With regard to the review process, there is a proposed change outlined in Attachment A. He said some clarification is needed as to the origin

of, the rationale for and the potential effect of the change. There is also a proposed change to the floorplate size above the existing height and as the recommended, and as the initial recommendations of additional height in certain areas are contemplated, the recommendation for a floorplate reduction needs to be very clearly understood with regard to intent and consequences. With regard to the green factor, there is a score card that is some two pages long that involves a desired outcome of .3; that issue needs to be thoroughly explained with regard to where it came from and why it is believed it will make a difference.

Commissioner Carlson asked if the BDA had any comment relative to the proposal to allow 300-foot towers as part of the Fortress Group development. Mr. Bannon said the BDA has lined up strongly in support of the recommendations of the CAC. An exploration of both height and FAR opportunities in the downtown was made and the BDA concluded that the OLB is ripe for potential changes and that there should be added flexibility and allowances for height so long as there are mitigating factors that address the resulting impacts in other zones. The BDA has not, however, recommended any specific height change limits.

Mr. Cullen reflected for the record that email correspondence had been received from Bill Herman, Murat Divringi, Barbara Taylor and Michele Herman, all in regard to downtown livability.

STUDY SESSION (7:21 p.m.)

Downtown Livability – Part 1 of the Land Use Code Amendment Package

Strategic Planning Manager Emil King informed the Commissioners that the downtown livability topic would be on the Commission's agenda for every study session for the remainder of the year. He said staff are working diligently to serve out installments of the Land Use Code in a timely manner, leading to the scheduling of a public hearing at which the public and stakeholders will comment on the consolidated code. It is looking like it will not be possible to fully complete all of the work by the end of the calendar year and having it transmitted to the Council; the work will probably not be completed until the early part of 2017. The Council has expressed an interest in having an Urban Land Institute technical assistance panel help with the issue of incentive zoning, and if all goes well that will be slated for a date in December.

Code Development Manager Trish Byers said one member of the staff team focused on downtown livability is Liz Stead. She said Ms. Stead has been the Urban Design Manager for the city for the last eight years. Ms. Stead has a master's degree in architecture and is working toward a master's degree in public administration.

Mr. Byers explained that Installment 1 was originally supposed to be the general provisions, the land use chart, the dimensional requirements, the parking standards, the street and pedestrian standards, landscape development, and mechanical screening. To that the review process has been added. Installment 2a includes the definitions, additional requirements for height triggers, the green and sustainability factors, and a few other technical issues, including exceptions. Installment 2b involves the actual amenities suggested for the amenity incentive system and some of the required conditions, and the design guidelines. Currently the design guidelines are not in the code, but the process will include codifying them. Installment 3 includes the amenity incentive system.

Mr. King explained that BERK Consulting, a local economic consulting firm, has been the

consultant for the project to date and will continue to be through the end of the project. The Urban Land Institute (ULI) is a national organization that has a Seattle office. The ULI operates a local technical assistance panel program in which they convene third-party experts to provide feedback. The ULI technical assistance panel will provide specific feedback on the work done by BERK Consulting and the city. The same mechanism was used in forming the Bel-Red incentive zoning system, and other jurisdictions use ULI in reviewing various planning efforts. The Council has directed incorporating the tried and true process, which is open to the public in the form of a presentation.

Ms. Byers called attention to section 20.25A.030.A, applicable review and pointed out that subsequent to the September 14 meeting the language was reworked to be the same as what is currently required. That was not clear in the previous discussion. The new language should solve the problem about the master development plan only being required when there is more than one building or a phased project, and clarify that for every project in the downtown a design review is required.

With regard to the definitions, Ms. Byers pointed out that the dimensions help to define the box in which development can occur, but the dimensions cannot be understood unless the definitions are clear. She explained that most buildings are constructed up to the Build-To line, which is usually the property line or the back of the required sidewalk. The setback is an area that is unoccupied and is measured from the back of the sidewalk to the face of the building; in the downtown there is often no setback required and buildings are constructed to the back of the sidewalk. Certain intrusions are allowed into the setback and the stepback areas. The stepback is space unoccupied by the structure that is stepped back from the face of the building. The public right-of-way is the area dedicated to public use for streets and public utilities. Many of the streetscape features are allowed to be located in the public right-of-way but they are still regulated; they include street furniture, street trees and the like.

Buildings that are taller than 75 feet must step back 20 feet as measured from the back of the sidewalk; the stepback occurs at 45 feet. Stepbacks provide light and air for pedestrians and avoid the canyon effect at the sidewalk level.

Commissioner Hilhorst asked if the stepback depths and heights will be explored with regard to providing a range rather than hard and fast numbers. Mr. King said staff have not recently heard any specific numbers that vary from what has been proposed. The question is whether the numbers should be changed up front or if it would be better to wait for the public hearing to allow people to weigh in in a more detailed way. He said numbers as low as 15 feet might be suggested for the depths of the stepback. Historically the upper level stepback has occurred at the first floor above 40 feet; while that could be at 41 feet, in some cases it could be as high as 60 feet. Establishing certainty at 45 feet is a new approach.

Ms. Byers reminded the Commissioners that there are exceptions allowed in most cases. For the stepback, intrusions of up to 60 percent are allowed to accommodate such things as louvers over windows. Ms. Stead said an exception is also included which allows for eliminating the stepback altogether for buildings adjacent to streets that are over 70 feet and width, provided building modulation is incorporated.

¹Commissioner Barksdale said we are talking about numbers and asked what the significance is

¹ On November 9, 2016 Commissioner Barksdale asked that staff listen to the audio of this paragraph to clarify the exchange. The changes reflect the exchange with some additional detail.

factors are on both sides of the coin, and maybe there are more than two sides. There is the developer side and the pedestrian side. Commissioner Barksdale asked for some analysis that leads to these stepbacks. Ms. Stead said stepbacks are primarily intended to improve the pedestrian experience by increasing light and air and avoiding the canyon effect at the sidewalk level. In some areas of the downtown where the streets are very wide, the stepback is not as important in fulfilling that role. Stepbacks, however, add to the elegance of buildings, and they help to create a base at the street level to which pedestrians can relate. Commissioner Barksdale asked more specifically that developers are asking for changes in stepbacks and he wanted to know what is the significance or impact of that change. Ms Stead said if you went to a lesser stepback there would be less light and air at the street. In terms of height, there is not a significant difference between requiring the stepback to occur at 40 feet or 45 feet. The appropriate place to begin the stepback is above the second level adjacent to pedestrians.

Commissioner Walter suggested that if every building were to be stepped back at 45 feet the overall effect could be somewhat monotonous. She asked if there are cities that require stepbacks at 45 feet where monotony is avoided for one reason or another, such as the topography of the land, the use of visually interesting elements, or requiring the stepback to be proportional to the height of the building. Ms. Stead said topography certainly plays a strong role. Additionally, because of the way buildings are designed relative to their floor-to-floor heights, the stepbacks do not all occur at exactly the same height. The proposed approach differs only by five feet from what is currently required but allows for greater flexibility.

With regard to how the zoning and design guidelines work, Ms. Byers explained that one starts with the zoning districts then moves on to the perimeter overlay districts, the neighborhood design districts, the right-of-way designations, and the pedestrian corridor. She said the intent is to describe the layering in the code to make it easier for people to understand. The DT-O2 district is divided three ways, north, east and south. The DT-MU is divided into the DT-MU and the DT-MU/Civic Center. The neighborhood design districts have guidelines specific to specific downtown neighborhoods. There are specific requirements based on the right-of-way designations that vary by street type. The location of a property within the downtown determines which layers apply. Each layer involves specific requirements, but beyond that, there are notes and exceptions that also apply.

The dimensional chart outlines the box in which development can occur. The perimeter overlay districts ring the outside the downtown boundary and serve the purpose of creating an elegant transition to the surrounding residential areas. For the most part, they have lower FARs and lower building heights.

Commissioner Morisseau asked what the recommendation was for building height for the DT-MU and Mr. King said the proposal is to allow residential building height up to 250 feet.

With regard to dimensions and tower separation, Ms. Byers said as proposed there would be 80 feet between towers above 45 feet. Currently no separation is required. The intent is to provide sunlight and sky views, as well as privacy for neighboring residential buildings. The design guidelines will outline a tripartite of base, middle and top.

Ms. Byers drew the attention of the Commissioners to building height considerations. She noted that as proposed, the height limit in the perimeter overlay B-2 would be 160 feet for a single tower and between 160 and 240 feet for multiple towers, provided the average does not exceed 200 feet. Additionally, a master development plan is proposed to be required. The B-2 district was previously referred to as Deep B.

Mr. King reminded the Commissioners that they had previously expressed a desire to revisit the 160-foot limit for single towers in the B-2 district. He allowed that the issue could simply be acknowledged as an outstanding item that will likely be addressed by affected property owners as the upcoming meeting. Staff focused on the area to the north of NE 8th Street and east of 102nd Avenue NE and concluded that the likely number of single tower projects that could occur there would be no more than four. If the decision is made not to go with the multiple tower approach that averages building height, single tower projects would come in at the currently recommended limit of 160 feet. Staff believe there are three logical options: stay with the 160-foot height limit; set the limit at 200 feet; or allow buildings up to 240 feet.

With regard to the issue of public benefit versus additional building height, Ms. Byers noted that the Commission had previously discussed imposing additional requirements in exchange for additional height. The discussion included setting the trigger point at the current maximum height limit, which is 450 feet. Beyond that point the extra requirements would kick in, including extra open space, a smaller floor plate size and increased tower spacing. The special open space requirement would be for an at-grade area that is publicly accessible. Developers would need to participate in the amenity system with respect to the open space requirement to ensure the space is of adequate size and publicly accessible, and to assure that other amenities are provided. The open space would be determined as a percentage of the project limits. The proposal for the smaller floor plate size is for a ten percent reduction to address building elegance as well as the issues of light and air. There is currently no requirement relative to tower spacing, but 80 feet is already proposed in the dimensional chart. Staff believes that no additional tower spacing is needed where buildings exceed the current height limit of 450 feet.

Mr. King said the three extra requirements were common threads of the CAC and Commission discussions regarding additional building height.

Commissioner Hilhorst noted that during public comments a question was raised with regard to the why behind restricting floor plate sizes. Mr. King said staff intends to delve more deeply into the specific issues that were raised.

Commissioner Morisseau called attention to page 30 of Attachment A and noted that the maximum building height in the DT-R district is 65 feet for nonresidential and asked if development can actually go higher under the 15 feet/15 percent approach. Mr. King suggested that an N/A is needed in that box and in any box where there is no opportunity to go above the current maximum height. The philosophy behind allowing additional building height in the downtown is to see a few new things happen, and clearly where building height will not be increased, there should be no requirement for a special open space.

Ms. Byers explained that the height increase for the public benefit is different from the 15 feet/15 percent approach. Currently, some districts allow development to exceed the maximum building height by either 15 feet or 15 percent, whichever is higher. It is handled as an exception. She asked the Commissioners if they would prefer to see the approach included as an exception, or if the 15 percent/15 foot increase should be included in the maximum building height in the dimensional requirements. That would mean that where the maximum building height is currently 250 feet, the maximum would be ramped up to 288 feet.

Commissioner Hilhorst argued in favor of having a single maximum height number. She said it is too confusing to say the maximum height is 250 and then to allow 15 percent or 15 feet more through an exception. The maximum height limit should be the maximum height limit.

Commissioner Morisseau asked why the exceptions are allowed to begin with. Ms. Stead said the exception is housed in the existing code. There are criteria that must be met in order to gain the exception, including interesting roof form, including mechanical equipment in the building design, and building modulation. Almost every building in the downtown has taken advantage of the 15 percent/15 feet exception. The exception does not, however, apply in the DT-O1 and Perimeter A districts; in the Perimeter B district the exception is lowered down to 10 percent or nine feet. Commissioner Morisseau recommended for the sake of consistency and clarification having a single maximum height number.

Commissioner Carlson agreed it would be better to have a single standard everywhere so that the public will have a clear idea of what the maximums are.

Commissioner Walter said she would argue against adding the 15 percent/15 foot increase to the current maximum height. A zone with a maximum building height of 250 feet should not allow buildings that are 288 feet high. Ms. Stead pointed out that if the exception is taken away in favor of the maximum height being the maximum height, there would be the unintended consequence of a reduction in height for those districts for which there is no recommendation to increase height, because currently they are eligible for the additional 15 percent/15 feet. Commissioner Walter said she could support increasing the height in those specific districts in line with the 15 percent/15 feet exception and labeling the new height as the maximum.

Mr. King noted that during the CAC process every step was taken to be clear every time height was talked about; the 15 percent/15 feet exception was clearly spelled out in the written materials and was made clear in the presentations made. Staff also tried to be clear in the earlier Planning Commission materials and discussions. The building height exception has been on the books for 35 years. He concurred with Ms. Stead about the unintended consequence about doing away with the exception in those areas for which additional height has not been proposed.

Commissioner Carlson suggested the policy should continue to exist, but where maximum height is listed, the 15 percent/15 feet additional height should also be listed.

Chair deVadoss commented that in the context that the de facto maximum height is based on the exception, it would be better to simplify the code by not having the exception. Commissioner Walter suggested the same argument would be made by residents of places like Northtowne and other perimeter areas. Mr. King pointed out that in the zones visible from Northtowne where buildings are allowed to be up to 200 feet tall, the buildings are actually 230 feet tall because they have taken advantage of the 15 percent/15 foot exception. Chair deVadoss said he saw among the Commissioners agreement about not wanting the complexity of the exceptions. He asked staff to come back with an approach that would be simpler for all involved.

Ms. Byers noted that there is an exception in place for mechanical equipment as well, such as elevator overruns. Mechanical equipment can intrude 20 feet, or the minimum necessary, to accommodate elevator overruns. The proposed language includes allowance for new technology as it becomes available to allow it the minimum necessary to accommodate it. Additionally, mechanical equipment must be integrated into the design of the rooftop and clustered in the center in order to screen it from anyone in a taller building looking down on it.

There are also exceptions in place that allow intrusions into the rights-of-way or setbacks. The allowed intrusions into the rights-of-way are for marquees, awnings, external decks and balconies. The allowed intrusions into the setbacks are for building modulation and weather

protection, and they can be up to 60 percent of the depth of the setback.

With regard to parking standards, Ms. Byers said they involve requirements for bicycle parking and screening parking structures from above. One item developers have been asking for is giving the Director the authority to increase or reduce the required parking based on a parking demand analysis. The proposal includes providing residential visitor parking at a rate of one space per 20 units, with a minimum of one space. No visitor parking is currently required.

Commissioner Carlson raised the possibility of a few years down the road having a land use Director who is ideologically opposed to the concept of parking. That person could make it clear to developers that he or she supports having minimal parking, or not parking at all. The proposal could give such a Director the green light to do just that. Ms. Stead pointed out that even though the code currently allows for zero parking in the DT-O1, no developer has ever elected to do so. Developers are incorporating the level of parking they believe they need. The proposed authority is already in place in Bel-Red. Applicants are required to provide a parking study showing what the parking need is, and to provide different levels of evidence, such as parking requirements from other cities, and similar projects in different districts.

Commissioner Carlson commented that structured parking is expensive to develop, so there is a built-in incentive to sidestep the expense where possible. The driving public will pay the price where there is insufficient parking provided. Downtown Bellevue is a retail-oriented economy that requires free and plentiful parking. Ms. Stead said she understands the concerns, but stressed that the development community is continuing to develop projects that include parking to accommodate their users, even though they do not have to.

Commissioner Hilhorst voiced concern about providing the Director with too much authority. She suggested that if there is a need to change the code relative to parking, the issue will be brought before the Commission for study, assessment and recommendation.

Chair deVadoss said his concern was that without a timeline for the parking demand analysis, things would be very open ended. The need for parking could vary depending on when the demand analysis is conducted. He said he would prefer to have requests to increase or reduce the required parking come before the Commission for validation.

Commissioner Barksdale said he would be comfortable with putting a range on the amount of parking the Director would be allowed to increase or decrease, and calling for anything that falls outside the range to come back before the Commission.

Ms. Byers agreed to redraft the proposal and bring it back to the Commission for additional review.

Ms. Byers said the proposed bike parking requirements were lifted from the Bel-Red code. One space is required for every 10,000 net square feet for non-residential uses, over 20,000 net square feet, or one space for every ten dwelling units for residential uses. At least half of the parking must be protected from rainfall. The parking must be in secure locations, and the racks must be securely anchored.

The street and pedestrian circulation standards indicate sidewalk widths, which are 20, 16 and 12 feet. The standards indicate the sidewalk widths for various streets in the downtown and are intended to provide a streetscape for pedestrians that is easy to navigate and which provides for amenities such as sidewalk cafés.

Mr. King added that the provisions change what is currently required in only a few targeted areas.

Commissioner Barksdale asked if the standards address bike traffic and call for barriers between auto traffic and pedestrians. Ms. Byers said the planter strips and street trees are intended to provide a protective buffer. Bicycle facilities standards are addressed in the design guidelines to some degree, but they are largely the domain of the Transportation Commission.

Commissioner Hilhorst pointed out that during public comments concern was voiced about the wider sidewalks taking up to 14 percent of the developable property. She asked if staff had heard those concerns or the notion of compensating property owners for any loss. Mr. King said the specific area in question is on the edge of the downtown and involves two things coming together, a 16-foot sidewalk and a 20-foot linear landscape buffer. The circumstance is fairly unique and consideration should be given to mitigating measures that would not take up so much of the specific property.

Commissioner Walter suggested the city should revisit the law that allows bicycles on sidewalks. As the city gets denser, pedestrians and bicyclists will increase and compete for space on the sidewalks. Mr. King said staff would follow up on who has the authority to make those decisions. He allowed that currently bicycles are permitted to operate on sidewalks.

Turning to the street and pedestrian circulation requirements, Ms. Byers said most of the items previously existed but are proposed to be moved. Pedestrian bridges, tree pits, planter strips, street tree species, installation and irrigation all remain the same, but have been moved to a different part of the code. The proposal does include adding flexibility to change tree species if necessary for reasons such as disease, pest infestation or availability.

In the landscape development regulations, there is a required 20-foot buffer between the downtown buffer and the Perimeter A district. The buffer is primarily intended to separate the residential areas from the downtown. Where the buffer is adjacent to a right-of-way or a public place, it can be used for private recreation and can be paved up to 25 percent. If adjacent to public property, 25 percent of the area can be paved and it can be used for patios and residential entries. The paving can include pavers and the like.

Ms. Byers said the green and sustainability factor is modeled after the Green Factor in Seattle. It utilizes a scoring system to increase the use of green and sustainable elements in urban developments. The system requires the equivalent of 30 percent of a parcel to have green or sustainable elements. The factors allow for the prioritization of the elements, which are bioretention facilities and soil cells, trees, shrubs, groundcover, green roofs, green walls, landscape bonuses such as landscaped areas for food cultivation, permeable paving, bike parking, and green building incentives. The program has met with great success in Seattle.

Green and sustainability factors create a better pedestrian experience and reduce the effects of living in an urban environment. They also reduce storm water runoff, and helps to increase the tree canopy.

Commissioner Walter asked what a soil cell system is. Associate Planner Scott MacDonald said it is a structural system that accommodates driving and walking and includes channels for roots under the sidewalks. Tree roots are not pre-inclined to push up sidewalks, they are simply trying to find soil. In many downtown areas, they simply cannot find the soil they need, and a soil cell

system provides them with what they need as well as a path of least resistance. The root vaults can be located under either permeable or impervious surfaces.

Commissioner Carlson asked who must deal with the results of the roots of a tree on public property that kicks up pavement and adversely affects private property. Mr. MacDonald said public sidewalks in the city are repaired by the city's Department of Transportation. He said he did not know who would have the responsibility where a public trees creates issues on private property.

Mr. MacDonald added that while the proposal for Bellevue is modeled on Seattle's green and sustainability program, it is more focused on the livability benefits. Seattle's program is primarily focused on having more green. The benefits of the program include green roofs and green walls, reduced storm water runoff, increased tree canopy, and improved livability overall.

Commissioner Morisseau asked if developers that meet the 30 percent are given any allowances in terms of FAR. Mr. MacDonald said the green and sustainability approach would be a requirement, not an incentive.

Commissioner Barksdale observed that some elements in the Seattle program tend to get used more often than others, particularly those things that are visible. He asked if the Bellevue program will build in some way of dynamically adjusting the chosen elements. Mr. MacDonald said he has had some extensive conversations with Seattle staff who are in charge of the program. They indicated a number of things on their list that people are not taking advantage of. He said the multipliers for Bellevue were modified to increase those uses. Seattle in fact made a number of adjustments to the program after launching it. Commissioner Barksdale asked if the Bellevue program will guard against those who would take advantage of the system. Mr. MacDonald said that will require making adjustments as needed.

Commissioner Morisseau asked if the 30 percent is based on the experiences of other cities or on developers in Bellevue. Mr. MacDonald said the original idea for Bellevue adopting a green factor came from Councilmember Wallace. He sees benefit in being consistent on some level with the local development community, and he has suggested being consistent with the Seattle approach. The 30 percent threshold is consistent with Seattle, but with multipliers being calculated differently, it will be easier for the average development to get to 30 percent. Ms. Byers added that staff made calculations using various developments and different development types in Bellevue to see how the proposal would play out and were satisfied with the results. She stressed, however, the need to make sure developers have to stretch in order to get more of the benefits.

DRAFT MINUTES REVIEW (9:09 p.m.)

A. September 14, 2016

Commissioner Hilhorst called attention to the second page of the minutes and pointed out that the word "None" after the heading "Public Comment" should be deleted. She also referred to page 3 and noted that "Betsy" should be spelled "Betsi." Calling attention to the third paragraph on page 6, she said she did not recall identifying the differences associated with pavers. With regard to the very last paragraph on page 6, she suggested the shift from talking about grasscrete to the issue of tree retention appears to be abrupt and she asked staff to verify that nothing was skipped.

Commissioner Carlson commented that in reading through the minutes he had been confused about the comments attributed to Mr. Carlson, the consultant, and himself. He suggested that for purposes of clarity would be better to refer to the consultant as Mr. Wayne Carlson.

Commissioner Walter stated that the comments she made with regard to the homeless shelter in Eastgate were far more robust than what appear in the minutes. She asked staff to review the recording to see if any salient points were left out.

PUBLIC COMMENT

(9:15 p.m.)

Mr. Alex Smith spoke representing 700 112th LLC located at 700 112th Avenue NE, the northeast corner of NE 6th Street and 112th Avenue NE. He said to provide flexibility for constrained sites surrounded by transportation and open space corridors, FAR earned through the incentive amenity system should be allowed to exceed the maximum FAR. The approach should only apply to development sites that due to the presence of adjacent land devoted to public transportation facilities have development constraints due to irregular shape. The approach should not be allowed to be expanded by being combined with one or more adjacent parcels. The applicable sites should be separated on all sides by other current and future development sites by public transportation facilities that create open corridors. The sites should not be allowed to be expanded by combining with other properties due to boundaries formed by the transportation facilities. The property at 700 112th Avenue NE is a key location for which city policy calls for significant urban development with very high quality public amenities. The site is perfectly situated for housing a Meydenbauer Center-serving hotel. Restricting the ability to earn FAR to the stated maximum in the DT-OLB zoning classification would not achieve any public purpose in the case of the site. Generally limiting development intensity by FAR can help prevent too much development from occurring on multiple sites in close proximity to one another. The collective result of multiple adjacent intense developments can cause pedestrians to feel hemmed in. The criteria of the proposed Land Use Code amendment ensures that development will not contribute to that condition. The proposal could be applied to other smaller irregular sites, such as the B-2 site, but the assumption for the 700 112th Avenue NE site is that the highest and best use would be achieved with an FAR of 8.0, which should be achievable through the bonus amenity system and the ability to allow the city to go above the maximum. The result could be a 325-foot tower for the hotel and residential uses, and an adjacent tower on the same site at a much lower height and properly spaced. With regard to downtown pedestrian bridges, it would make sense to add one more location to allow access directly across 112th Avenue NE to the Meydenbauer Center if a hotel use is built on the site.

Mr. Andrew Miller, a resident of Seattle, said what he loves most about Bellevue is that it is not Seattle. With regard to the 15 percent/15 feet issue, he said most projects that have been built using that factor had to go through the process of convincing staff that their rooftops were more interesting. If the approach is not utilized at all, developers will take the shortcut and not bother providing for interesting rooftops. That is why the buildings in downtown Seattle do not look as nice as the buildings in downtown Bellevue. He also said he spent some time in California several years ago where bicycles were regulated as though they were motor vehicles. Bike riders had to obey all the rules of the road, and they were not allowed to ride on the sidewalks. Seattle goes to the other extreme. Bellevue should not follow Seattle's lead in that regard. With regard to the green factor, he said from the developer's perspective a base of about .1 should be created and the rest should be left to incentive zoning.

ADJOURN
(9:23 p.m.)

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

Chair deVadoss adjourned the meeting at 9:23 p.m.

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
STUDY SESSION MINUTES

October 26, 2016
6:30 p.m.

Bellevue City Hall
City Council Conference Room 1E-113

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

COMMISSIONERS ABSENT: None

STAFF PRESENT: Terry Cullen, Emil King, Bradley Calvert, Department of Planning and Community Development

COUNCIL LIAISON: Not Present

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

CALL TO ORDER
(6:46 p.m.)

The meeting was called to order at 6:46 p.m. by Chair deVadoss who presided.

ROLL CALL
(6:46 p.m.)

Upon the call of the roll, all Commissioners were present with the exception of Commissioner Hilhorst, who arrived at 6:56 p.m., and Commissioners Barksdale and Carlson, both of whom were excused.

APPROVAL OF AGENDA
(6:47 p.m.)

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

COMMUNICATIONS FROM CITY COUNCIL, COMMUNITY COUNCILS, BOARDS AND COMMISSIONS – None
(6:47 p.m.)

Commissioner Walter said it was her recollection that any shelter or group dormitory-type housing in the Eastgate transit-oriented development area would be by conditional use permit. The packet for July 27, the meeting at which the Commission approved the transit-oriented development and the rest of the Eastgate land use plan, specifically says a shelter would be allowed by administrative conditional use. She suggested the Commission should take up the matter and clarify the required approval process.

STAFF REPORTS

(6:48 p.m.)

Comprehensive Planning Manager Terry Cullen briefly reviewed with the Commissioners the upcoming schedule. He noted that a regular meeting was scheduled for November 9 and that the Commission's annual retreat was scheduled for November 16. He also noted that meetings are scheduled for December 7 and December 14 and both will focus on downtown livability. January 25 is tentatively set as the public hearing date for the downtown livability code amendments. The recommendations will be finalized in February and transmitted to the Council in March.

PUBLIC COMMENT

(6:51 p.m.)

Mr. Andrew Miller, 11100 Main Street, spoke representing the BDR and John L Scott properties at the corner of 112th Avenue NE and Main Street. He asked the Commission to revisit the 20-foot landscape buffer requirement for the A-3 Perimeter Overlay District. He noted that the proposed 16-foot sidewalk and a 20-foot landscape buffer is wider than the room in which the Commission meets. It is a lot of property to give up, and it is not necessarily the right solution for a transit-oriented development. It is really more of a suburban solution. With the building pushed back that far, it does not engage well with the sidewalk or the street and feels very separated. Photos of buildings that meet the sidewalk in an engaging way were shown to the Commissioners.

STUDY SESSION

(6:56 p.m.)

Strategic Planning Manager Emil King stated that the Land Use Code is just one part of the broader livability strategy the city has for the downtown. The strategy includes things like events, parks and open space, mobility, and things like the Grand Connection.

Planner Bradley Calvert with the Planning and Community Development said the original estimate was that code amendments for the Grand Connection would be brought forward in early 2018. The issue is moving forward, however, and the land use and urban design consultant has been selected already. Several significant milestones have also been passed, including a Urban Land Institute (ULI) national review panel for the Wilburton commercial area; selection of consultants for both the Grand Connection visioning and the land use and urban design for the commercial area; and conducting the design charrette.

Mr. Calvert said the Grand Connection is intended to be a non-motorized route starting at Meydenbauer Bay, snaking through Old Bellevue and Downtown Park, the downtown itself, and connecting across I-405 to the Wilburton commercial area and the Eastside Rail Corridor. Beyond just the creation of a non-motorized route is the notion of placemaking, identity, safety improvements, and overall aesthetics and improved public spaces. The Grand Connection will create new opportunities for social engagement, recreation, public space and the arts, as well as development potential, particularly in the Wilburton commercial area. The project has been established as a Council priority.

A graphic showing all planned infrastructure improvements and a conceptual route for the Grand Connection was shared with the Commission. Mr. Calvert noted that one East Link station will be located in the center of the study area within walking distance from all areas of the study area.

The design charrette was conducted in April in partnership with the Bellevue Arts Museum.

There were 72 architects, urban designers, planners, engineers and artists who volunteered three days of their time to generate ideas and concepts for the Grand Connection. The charrette was a key moment in that it was the first opportunity to provide visualization. A public open house was held on the final night of the charrette. A project website was subsequently launched to exhibit some of the work. Since there interviews have been conducted with users of the Downtown Park, the transit center, Compass Plaza and the food trucks. The series of questions asked were aimed at discovering how people use the space now, how they would like to use it, and what would make them come in the first place and what would make them come back. Some 300 comments have been received.

After the release of some of the design concepts, a series of online open houses have been hosted. They have generated more than 1500 views. Additionally, outreach and discussions have been held with stakeholders, including key landowners and business owners along the route.

Chair deVadoss asked if any of the public feedback was surprising. Mr. Calvert said several people called for programming and public space improvements. There was a distinct separation, however, between those interviewed in person and those who tabbed the map online and in City Hall. Those who were interviewed highlighted a desire to see infrastructure improvements, while those who put tabs on the map were more focused on programming. A farmers market was by and large the overwhelming response. Creating a connection with the Botanical Garden was somewhat surprising initially but kept coming up. Other comments made were in regard to improving the natural character with improved vegetation, activities such as music and more food trucks, and improved pedestrian safety at key intersections.

Commissioner Hilhorst pointed out that Bellevue already has a farmers market and asked if it needs to be marketed better or if it needs to be moved. Mr. Calvert said the public made it clear that things like the food trucks and the farmers market are what everyone wants, but they should be located in places that are made for people rather than cars, public plazas instead of parking lots.

Mr. Calvert said Balmorie Associates, a landscape and urban design firm, was selected to do the project visioning. They have assembled a phenomenal team of engineers, transportation advisors and environmental sub-consultants. The scope of work has two distinct elements: the existing infrastructure between the downtown and the transit center, and the element that crosses I-405. The first part of the work will focus establishing an overall identity and identifying opportunities to support the route with cohesive design strategies. The second part will focus on I-405, how to cross it, how to interface with the future land use of the Wilburton commercial area, and how to tie it all in to the Eastside Rail Corridor.

The first step of the visioning process is aimed at establishing the route. The start and finish points are clear, and how the route will move through the downtown is fairly clear, but how it would work needs to be defined. There is also a clear need to understand the identity of the route. Cohesive design strategies will be identified in the form of vegetation and canopies that are unique and responsive to specific context. Improved placemaking and nodes throughout the downtown will also be considered.

With regard to the route, Mr. Calvert said the concept has been to run from Meydenbauer Bay through Old Bellevue and Downtown Park to the pedestrian corridor and then cross I-405. Many, however, have called for expanding the route and having it serve as the missing link in Bellevue's green spaces, and for having it serve as a key lynch point for a regional network of non-motorized transportation and green spaces. The public has also called for considering the use

of Main Street as a secondary route. Bikes will be welcome on the Grand Connection, but given the grade changes that occur in places like Compass Plaza, an alternative route for bikes should be included.

With regard to identity, Mr. Calvert said the consultant was asked to come up with three high-level concepts for how to brand the route. The natural landscape was considered first in the form of blending hardscape with landscape in the downtown proper. Moving toward Meydenbauer Bay, the environment becomes less urban and the focus should be a little more fluid, creating ribbons of greenscape and hardscape. The notion of creating a playful landscape has also been considered. There are a lot of kids living in the downtown and the downtown generally could use a bit more whimsy in the form of things like water-based play, more active exercise and play equipment in Downtown Park, playing off the vibrancy of Bellevue Square and getting everyone involved in fun and playful ways for all ages. The historic landscape will also be given consideration along with the notion of creating small living rooms through public nodes along the route. The three overarching identities are not meant to be mutually exclusive.

Mr. Calvert said the cohesive design strategies will be elements to stitch everything together. The ideas will brand the entire route, reflect Bellevue's culture and business climate. Vegetation will be key. Along the corridor, places will be sought to enhance the vegetation by providing rain gardens, trellises and green walls. Weather protection will also be incorporated where appropriate. Paving is another cohesive strategy. Paving can incorporate elements from greenery to art. One possible approach would be to raise the intersections along the route by six inches, bringing it to the level of the sidewalk. The risk to pedestrians is thus reduced because drivers are made more aware when they enter an intersection. Art will be incorporated as a cohesive design element. The Seattle collaborative SuttonBeresCuller has been brought on as a sub-consultant to develop an arts and culture element for the project. They are looking for opportunities to incorporate both temporary and permanent art, and they are looking at ways to use art as an opportunity for education relative to the environment or the history of Bellevue.

With regard to placemaking and public space improvements, Mr. Calvert said there are a number of assets already in place, including Meydenbauer Bay, Old Bellevue, the retail core and the future of Wilburton. There are opportunities for improving some of the spaces in between, such as Downtown Park, Compass Plaza, the transit center and ultimately the I-405 crossing. Most people who use the corridor will be moving from place to place rather than the entire length of the corridor. Through placemaking, people can be encouraged to continue moving through the downtown.

There are three key locations in Downtown Park that could be improved. The first is the parking lot on the far west side. The parking would not need to be removed, rather it should be concealed to avoid the visual impact of cars and to increase new park land at the same time.

Commissioner Laing pointed out that Downtown Park is completely torn up presently, including the west parking lot, and said the notion of hiding the parking was turned down by the city. Mr. Calvert reminded Commissioner Laing that the work to date has all been focused on high-level visioning. All of the ideas generated will require additional deliberation and consideration of cost and other impacts.

Mr. Calvert said one idea related to Downtown Park involves re-jigging the midblock entrance from NE 4th Street. Currently those approaching from that location face a large stone wall that obstructs the view of the park. The consultants have suggested the entry to the park should be about the park and not the wall. By raising the level of the crosswalk to that of the plaza, a large

continuous space could be created from Bellevue Square into Downtown Park, and the wall would no longer obstruct the view. Additionally, the corner of NE 4th Street and Bellevue Way is a major intersection, but with the exception of a small sign, visitors are unaware that it is the location of Downtown Park, though entrance to the park is midblock on NE 4th Street or down Bellevue Way and through a parking lot. If the intersection were to be raised, a small plaza could be created along with an alley of trees formally leading into the park, drawing people in.

Bellevue Way and NE 6th Street has long been associated with the street as plaza concept. More needs to be done to make it more like a plaza. Currently there is a hard line of separation between the existing terraces, the outdoor dining and the sidewalk. By making slight elevation changes with berms and additional vegetation, more of a gentle transition could be created from the street level to the terraced cafés.

The redesigning of Compass Plaza is one of the larger changes that has been proposed. As currently developed, it is not a large programmable space. The current oval space can accommodate only 50 chairs. The grade and elevation changes are addressed by chopping up the space, and make it necessary to have two distinct routes for those on foot and those in wheelchairs or pushing strollers. The idea is that over the long term the area would be cleared up to create an integrated ramp and stair that would also serve as an amphitheater space. Once the properties to the north and west redevelop, the public plaza could be expanded. Raising the intersection would allow for a continuous flow of pedestrians during times when the street is closed. The expanded space would be large enough to host the ice rink every winter in the geographic heart of the downtown.

Mr. Calvert said the consultants have also looked at ways to improve the flow of pedestrians in and out of the downtown transit center while also preserving and making more efficient the flow of buses. One idea would be to remove one of the lanes to simplify the bus movements while creating additional open space and integrating the space into the public realm. There are currently ten bus bays, but one of them will be lost with the completion of East Link. Routes to and from the transit center could also change. If all the buses were to be brought in from the west side onto the north side of the transit center, the south side could be turned into a public space that would better connect the two spaces while retaining seven to eight bus bays.

The team has also looked at connectivity and range and have studied the distance a pedestrian can get in ten minutes at the average walking speed. Currently, Meydenbauer Bay, the transit center and the Wilburton commercial area are islands that are not well connected, and it is not possible to get from one to another within ten minutes by walking. By making a few modest improvements, such as improved signal timing, the network could be expanded and much better connected, making it possible to get much further in ten minutes. The goal should be to have a city that is safe and easy to navigate and accessible for everyone between the ages of eight and 80. One of the ideas that emerged from the ULI and the design consultant is the need to embrace technology, including group rapid transit autonomous vehicles that hold from six to eight people and operate in bike or traffic lanes. They could be programmed to run designated routes with set stops, or they could be controlled by the users. The low-cost, low-risk approach would improve mobility and would greatly increase the distance one can travel in ten minutes. Implementation could be phased in over time through partnerships.

Mr. Calvert reminded the Commissioners that the consultants are just starting the process of digging into the I-405 crossing piece of the puzzle. The main objective is to create a place and a safe and comfortable connection between the downtown and Wilburton. The crossing could certainly achieve signature status. It will not be necessary to span more than 80 feet in most

cases, which means the structural depth can be six feet or less, reducing the profile and the cost. What to do with the ramps will be a challenge. The charrette provided a number of good concepts to consider.

One option would be to create the pedestrian promenade at NE 6th Street, with or without extending the roadway. The crossing could be accomplished with an elegant high design signature structure. The alignment offers the advantage of a linear route with a clear visual connection between the downtown and Wilburton. Of course, the disadvantages include exposure to the sights, sounds and smells of the freeway. Creating any public space in the Wilburton commercial area would require the acquisition of additional land for an additional cost. Given that the aerial light rail guideway will be crossing the freeway in the same place, the location could become quite cluttered.

Another option would be to cross I-405 between NE 4th Street and NE 6th Street. The advantages include having a fairly level crossing, the ability to integrate the walkway into surrounding land uses, and an enhanced opportunity to create a signature structure. The disadvantages include exposure to the interstate, and where the signature structure would be visible from. Visibility from the downtown would be limited, and much would depend on private development of properties on both the west and the east.

A third option would be to simply cover the interstate between NE 4th Street and NE 6th Street. The advantage is that a new park could be created without taking up any existing land or having to acquire any. The approach is also less dependent on transportation and land use projects. Access could be from multiple directions, including NE 4th Street, NE 6th Street and Wilburton, and it could be integrated with any future development to the west. The primary disadvantage would be the cost. There would be a number of requirements from WSDOT that would have to be worked through to bring about the significant infrastructure undertaking.

Mr. Calvert said the Wilburton land use and urban design analysis has been launched. The consulting firm NBBJ has been chosen to do the work. The Council appointed a Citizen Advisory Committee on October 24. Online and in-person open house events will be scheduled, and the work will ultimately result in a comprehensive set of recommendations for the route.

Commissioner Hilhorst asked what the price tag will be for the project. Mr. Calvert said it will first be necessary to determine what can be done. The initial estimate for simply creating a lid between NE 4th Street and NE 6th Street was about \$100 million. Some of the work could be done through partnerships with landowners as they make improvements. Early implementation strategies are being investigated for which funding has been requested in the upcoming budget.

Mr. King reminded the Commissioners that the October 12 meeting was focused on Installment 1 and Installment 2a of the Land Use Code. He said the staff are continuing to meet with stakeholders to address questions they have. Installment 2b will include the full set of design guidelines, the process and options for departure, as well as the list of amenities, and the goal is to have it published either on November 10 or November 17.

The meeting on October 12 included time spent on the idea of a new green and sustainability factor. Mr. King said the intent is to provide a list of options for projects to look at with the goal of contributing toward livability through softening and mitigating development. The options are both private and publically accessible features at the sidewalk level and.

Mr. King shared with the Commissioners a spreadsheet developed to calculate the green factor.

He explained that multiplying the site area of each element by 0.3 yielded the point requirement standard the project would be able to meet. Developers would be able to pick and choose from the items on the list, including trees in the sidewalk area that they might have to do anyway, and ideas they might have for a public or private green roof, or things on the future amenity system that would count both as an amenity and toward the green factor. The minimum score required was 0.3.

Commissioner Morisseau pointed out that LEED green building factors incorporate credits for bicycle facilities. She noted that the spreadsheet included bicycle racks or lockers but asked if a developer trying to achieve LEED points would be given credits twice. Mr. King allowed that the issue has not been fully thought through. He said it is not necessarily a requirement to include bike parking, but it might be useful to take into consideration how much bike parking is entailed in the typical LEED platinum building. Commissioner Morisseau said she could see no reason to give credit twice for the same amenity.

Commissioner Morisseau also asked what the impact on developers would be of counting the number of trees on a site as part of gaining credits for landscape elements. Mr. King said the jurisdictions that utilize a similar approach usually do so on a per-tree basis. It is well articulated in most plans how many and what types of trees are required. If a developer were wanting to do a green roof, any trees planted there would be credited. One simpler approach might be to simply calculate the area trees cover.

Commissioner Laing called attention to the green walls item and noted that the calculation would be made at three years of growth, which would be three years after the permit has been built. Mr. King explained that for things like green walls and other landscaping elements there is some monitoring required to assure it continues to be viable.

Commissioner Laing said he has been involved with projects in Seattle where it was nearly impossible to meet their green factor requirements. Jurisdictions are trying to address the need for affordable housing, but the massive costs associated with building a green roof could be an unintended consequence. Mr. King said quite a lot of time has been spent in talking with staff from Seattle about how their regulations have been implemented and the pitfalls they have encountered. The proposal is Bellevue-specific and is not just a mirror of what they do in Seattle. The intent is to put the spreadsheet on the website so developers and others can have the opportunity to test it.

Commissioner Laing pointed out that the Department of Ecology regulations the city is supposed to be implementing through its low-impact development approach count green roofs as impervious surface. He stressed the need to focus on what will actually be accomplished as the various requirements get layered on.

Mr. King turned to the issue of the current 20-foot linear landscape buffer on the north, west and south edges of the downtown. The boundary along Main Street is a bit jagged and the landscape buffer follows the back side of the properties to the south of Main Street.

With regard to the Perimeter Overlay A-3 zone to the north of Main Street and to the west of 112th Avenue NE, Mr. King said the fact that the area is adjacent to the East Main light rail station was key in the Commission giving special attention to it. He noted that as proposed, residential is allowed between 55 feet and 70 feet, and non-residential is allowed between 40 feet to 70 feet. Just to the north in the B-3 zone, the proposal allows up to 200 feet, well above the 90 feet allowed in the rest of the Perimeter Overlay B zone. The Commission also previously

discussed the street designations. Main Street and 112th Avenue NE are both designated as commercial streets, which is a change that was made because of the anticipated pedestrian traffic related to the new light rail station. The Commission also gave direction to increase the required sidewalk width from 12 feet to 16 feet, inclusive of the planter strip. The wider sidewalk width added to the 20-foot landscape buffer totals 36 feet.

Commissioner Laing asked what the required buffer is intended to buffer, particularly where stepbacks remove the massing effect of buildings that are located at the edge of the sidewalk. Mr. King explained that the purpose is to produce a green buffer to soften the visual impact of larger buildings from the adjacent neighborhoods. He allowed that the code language dates back a number of years. Commissioner Laing pointed out that there are properties that receive transition and properties that must provide transition. A non-residential property abutting a residential property must provide a landscape screen and additional horizontal separation. There is value to the idea of providing greater horizontal separation on the south side of the perimeter districts where they abut single family neighborhoods, but the idea of providing a landscaping buffer on the Main Street side of any of the developments makes less sense. The need for building separation occurs at the upper level, not at the street level.

Commissioner Morisseau said she found it interesting that the owners of the BDR and John L Scott properties have come back asking the Commission to consider reducing or removing the buffer in light of the fact that they came to the Commission just a few months ago seeking an increase in building height. The plan they presented at that time included an amazing public space. She suggested they should be able to use the buffer as part of the public space they have said they will provide. She added that while Commissioner Laing's point about what the buffer is buffering is interesting, the fact is there is a required buffer surrounding the downtown.

Chair deVadoss suggested that things should be kept simple and that exceptions be avoided where possible. If there is a policy, there is a policy. He said he was hearing no call on the part of the Commissioners for additional analysis. Mr. King allowed that there is still a lot of time before the preliminary code will be transmitted to the Council, and there will be a public hearing during which comments can be provided.

With regard to the issue of single-tower height in the Perimeter Overlay B-2 area in the northwest corner of the downtown, Mr. King reminded the Commissioners that the CAC and Commission recommendation is to seek variable building heights ranging from 160 feet to 240 feet, with an average of 200 feet. As proposed, ten percent additional height would be allowed for interesting form and façade articulation. Input has been received regarding the proposed single tower allowable building height. What the Commission has recommended is that single-tower projects be limited to 160 feet, plus the extra ten percent. Staff sees three potential options: 1) retaining the current recommendation of 160 feet through the public hearing phase; 2) using the 200-foot tower height average; and 3) allowing up to 240 feet for a single tower as proposed by the property owners.

Mr. King said the western side of 102nd Avenue NE in the Deep B area has been talked about over the past couple of years as the Fortin Group project. Their property total ten or eleven acres, which is sufficient for a multiple tower project. Their initial drawings have shown variable building heights for the project. The eastern side includes a number of parcels under various ownerships and could lead to three or four single tower projects. The Fortress development spans the Deep B boundary, and what they have in mind is what would be considered a single tower project.

Under consideration is whether or not property owners should be penalized for having smaller parcels in the Deep B area. Proximity to the adjacent single family neighborhoods is an issue, and Vuecrest residents and others have been quite vocal in sharing their concerns. The eastern portion is further away from those residential areas, but it is still in the Deep B district.

Commissioner Morisseau voiced support for not penalizing property owners for the size of their parcels. She said she could support allowing building height to 200 feet for single towers, and added that she also supports having varying building heights.

Commissioner Laing cautioned against making recommendations ahead of the public hearing. He said he would prefer to continue the discussion with Commissioners Carlson and Barksdale present. The Fortin Group in pursuing its effort has talked a lot about how consolidation and having some additional height would result in more pedestrian areas and open spaces at the ground level. One of the reasons the CAC found the Fortin Group proposal to be compelling was that they are willing to put their money where their mouth is by self-imposing the development agreement aspect to whatever the development will be. They have expressed support for a process and added code requirement that would ensure that the desired and likely outcome would actually come to be. The eastern property owners are not necessarily opposed to that, but they have largely been silent on the issue. Mr. King said the code as currently written includes a master development plan for multiple tower projects. Consideration has not been given to requiring master development plans for single-tower projects.

Commissioner Laing said for the eastern properties, whatever height is recommended will become the height of every standalone single towers by virtue of wanting to maximize the development potential.

Commissioner Morisseau suggested one way to mitigate that would be to allow up to 240 feet but requiring the buildings to average 200 feet.

Commissioner Walter said she would focus less on individual properties and more on what is equitable and best for the city.

Chair deVadoss agreed that parcel size should not be a constraining factor. He noted no strong feedback from the Commission and directed staff to make no change to the proposal ahead of the public hearing.

Mr. King explained that ULI Northwest has been given notice to proceed with organizing the technical assistance panel. Normally a lead time of six to eight weeks is needed to select the experts. The process is well known and has been done many times across the nation. The members will be selected by the ULI organization. The panel will meet somewhere around December 5 to receive a briefing and will then review the materials and deliberate for up to two days. The panel will reconvene on December 15 and make its presentation.

Commissioner Hilhorst commented that because Bellevue is growing so fast it would be better for the panelists to live in large cities outside of the Northwest. Mr. King said ULI will ultimately select the panelists, some of which possibly could be former area residents who now live in other West Coast locations, or professionals based in the Northwest who work all up and down the West Coast.

Chair deVadoss asked if the panel deliberations will be open to the public. Mr. King said there will be a public element to the briefing day and the panel day, but in between the panel will meet

in private. Staff will not even be involved in the private sessions. The final report will elaborate on the recommendation that will be delivered in a public format.

EASTGATE TRANSIT ORIENTED DEVELOPMENT (8:46 p.m.)

Commissioner Walter said during the Commission's discussions regarding the Eastgate transit-oriented development, there was a discussion in which the Commission asked that any dormitory style housing require a conditional use permit. The Commission initially wanted to preclude any dormitory style housing outside of the Bellevue College campus. In order to be flexible, however, instead of prohibiting dormitory style or transient housing, the Commission concluded that the use should be allowed through the most stringent review process, which is the conditional use permit. She said in a meeting she attended recently someone referred to the proposed homeless shelter for men in Eastgate as requiring an administrative conditional use permit. The Commission's packet that was ultimately approved in fact does allow group quarters through a conditional use permit, but also allows transient lodging, such as youth hostels or the YMCA, through an administrative conditional use permit. She said she did not recall a distinction being made between the two and that any sort of short-term housing would require a conditional use permit. She asked to have staff listen to the meeting recording to make sure.

Commissioner Hilhorst said she remembered specifically saying that the focus is on building a new neighborhood into which a homeless shelter may not fit. As proposed, transient shelter was defined as being a hostel or a number of other things. She said her meeting minutes clearly reflect that the issue was discussed. Commissioner Laing brought up that Seattle uses a conditional use permit for their homeless shelters. Ms. Byers said the concerns can be addressed through conditional use permitting and agreed to give the use that designation.

Commissioner Walter asked to have any communications that have been made with the Council to be amended.

Mr. Cullen said the minutes he shared with Commissioner Walter before the meeting do not reflect what was stated by Commissioners Walter and Hilhorst. He said he would have to go back and listen to the recording to determine where the discrepancy lies. The approved minutes reflect that Commissioner Hilhorst asked about transient lodging, and that Ms. Byers said that could be handled through an administrative conditional use permit.

Chair deVadoss directed staff to review the meeting recording and to follow through accordingly.

DRAFT MINUTES REVIEW (8:54 p.m.)

A. September 28, 2016

A motion to approve the minutes as submitted was made by Commissioner Hilhorst. The motion was seconded by Commissioner Laing and the motion carried without dissent; Commissioners Laing and Walter abstained from voting because they were not present at the meeting.

PUBLIC COMMENT (8:55 p.m.)

Mr. Carl Vander Hoek, 9 103rd Avenue NE, said the question in his mind during the presentation on the Grand Connection was how much it would cost. The consultants should be directed to do no more work until they offer up a cost estimate. He also suggested the name should be changed to something more creative. He agreed it would be a good idea to cover the Downtown Park parking garage and put a second level of parking on top.

ADJOURN
(8:57 p.m.)

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

Chair deVadoss adjourned the meeting at 8:57 p.m.

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
STUDY SESSION MINUTES

November 9, 2016
6:30 p.m.

Bellevue City Hall
City Council Conference Room 1E-113

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

COMMISSIONERS ABSENT: Commissioner Hilhorst

STAFF PRESENT: Terry Cullen, Bradley Calvert, Department of Planning and Community Development; Kevin McDonald, Bradley Calvert, ~~Department of~~ Transportation Department

COUNCIL LIAISON: Not Present

GUEST SPEAKERS: Chair Janice Zahn, Commissioner Scott Lampe, Transportation Commission

RECORDING SECRETARY: Gerry Lindsay

CALL TO ORDER
(6:35 p.m.)

The meeting was called to order at 6:35 p.m. by Chair deVadoss who presided.

ROLL CALL
(6:35 p.m.)

Upon the call of the roll, all Commissioners were present with the exception of Commissioner Laing, who arrived at 6:43 p.m., and Commissioner Hilhorst, who was excused.

APPROVAL OF AGENDA
(6:36 p.m.)

There was agreement to amend the motion to move staff reports to the end of the agenda.

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

COMMUNICATIONS FROM CITY COUNCIL, COMMUNITY COUNCILS, BOARDS AND COMMISSIONS – None
(6:37 p.m.)

PUBLIC COMMENT – None
(6:38 p.m.)

PUBLIC HEARING
(6:38 p.m.)

Comprehensive Plan Amendment: Vision Zero

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

Senior Planner Kevin McDonald said the Vision Zero Comprehensive Plan amendment was initiated by the City Council. The focus of Vision Zero is to move toward reducing the number of incidents on Bellevue streets that result in serious injury or death to zero. In December 2015 the Council adopted the Vision Zero ordinance that incorporated the Vision Zero ethic as part of Bellevue's transportation planning and prioritization. The Transportation Commission was directed to review the Comprehensive Plan policies with an eye on determining if any ~~of the policies should be added or should be~~ amended, ~~and to suggest any new policies needed~~ to implement Vision Zero.

Mr. McDonald explained that the Transportation Commission recommended ~~proposed~~ policy amendments that are intended to provide policy support for additional and more comprehensive and programmatic efforts to help achieve zero traffic deaths and serious injuries on Bellevue's streets by 2030. The Vision Zero program began in Sweden and has spread around the world to both big and small jurisdictions and indeed entire countries. The state of Washington has adopted the principles as well. Vision Zero is becoming a best practice in jurisdictions that want to reduce to ~~none-zero~~ the number of serious injuries and deaths.

The fundamental determination of whether a vulnerable person is injured or killed is traffic speed. Where the transportation system can be engineered to encourage lower vehicle speeds, and designed with facilities that protect pedestrians from vehicles, injuries and deaths can be reduced. Vision Zero is an attempt to anticipate human error in the transportation system and it incorporates designs to protect the most vulnerable. Over the last decade in Bellevue, there have been 40 pedestrian-related injuries, 30 bicycle-related injuries, and more than 400 persons injured in cars as a result of accidents, and 15 of the overall injuries proved to be fatal.

The number of annual pedestrian collisions in Bellevue between 2004 and 2014 held fairly stable at around 40, with only a slight increase in the more recent years. The Commissioners were shown a chart indicating how Bellevue's statistics stack up against other cities, some larger and some smaller. It was noted that Bellevue is toward the low end in terms of the rate per thousand of population.

Having observed that the accident rates for Seattle, Spokane and Everett were much higher, Commissioner Carlson asked what the contributing factors are in those jurisdictions. Mr. McDonald said it would take some speculation to answer the question. He added, however, that Bellevue's lower rate is-may be attributable to the design of the city's transportation system. Historically Bellevue has done a very good job of engineering for safety.

Commissioner Walter asked how collisions with pedestrians was defined. Mr. McDonald said the available data is not in a format that can easily be parsed. The assumption is that the number relates to pedestrians hit by cars, but it could be pedestrians hit by bicycles.

Chair Zahn said the Transportation Commission has been discussing the need to partner with police and other sources to gather the data. Having Vision Zero embedded will allow for identifying the important components that need to be captured and housed in a searchable format. There is no call to collect data just for the sake of collecting data; the work should inform

desired outcomes.

Commissioner Carlson suggested that with only about 40 pedestrian collisions annually, it would not be an exhaustive task to determine how many of them, if any, involve pedestrians hit by bicycles. Transportation Commissioner Lampe agreed that research could be put on the to-do list.

Chair Zahn said the Transportation Commission has also been talking about gathering data regarding near misses, those instances in which a collision very nearly occurred, using social media and other sources to get a sense of which intersections might be more dangerous than others.

Mr. McDonald said there are some 30 bicycle collisions annually in Bellevue. He shared with the Commissioners a chart comparing Bellevue with other cities and noted that the rate in Bellevue is fairly low by comparison in rate per thousand.

Commissioner Laing asked if the data distinguishes between a bike hitting a car versus a car hitting a bike. Mr. McDonald said he did not know. He pointed out, however, that in either case the bicyclist would be unlikely to come out on the winning side.

Commissioner Barksdale pointed out the need to be clear about what defines an injury. Mr. McDonald agreed.

Commissioner Walter stated that all hospital admissions include an identifying code called ICD-10 which is very specific as to why the patient was admitted to the hospital. She said while it is not possible to obtain medical records, it might be possible to obtain the ICD-10 numbers which would be descriptive as to accident type.

Mr. McDonald showed the Commissioners a map indicating the dispersion of traffic fatalities in Bellevue over the last ten years. He noted that there was a cluster in the downtown and that the rest were scattered around the city. It is not readily known if the fatalities occurred at intersection locations or midblock locations; having that information would help in defining the problems and identifying solutions.

Commissioner Laing pointed out that accident data is kept by the state for every intersection. The data includes the number of accidents that have occurred at or around a given intersection, the nature of each accident, and whether there were injuries or fatalities involved. The information is used by developers in getting projects approved. Mr. McDonald said the value of Vision Zero from a programmatic approach will involve looking at incidents citywide and being strategic about how to address specific situations.

Chair Zahn said the traditional approach to traffic safety focuses on the three E's: engineering, enforcement and education. The programs and projects that fit those categories that are already in the city's Transportation Element are the Neighborhood Traffic Safety Program, the Accident Reduction Program, traffic law enforcement activities, red light cameras, capital projects, development review, traffic signal operations, the Bellevue Street Design Manual, and the standards and best practices guidelines. In moving to a Vision Zero programmatic approach, it will be necessary to add three E's: encouragement, equity and evaluation. It is one thing to have data, it is another to evaluate it and really understand what it means and determine how it might inform decision-making actions around traffic safety. Encouragement involves incentivizing safe behavior and instilling respect for one another on the streets. Equity involves ensuring that

safety applies to everyone, no matter what mode of travel they utilize, and where they live in the city. Evaluation involves monitoring progress, adjusting strategies, and celebrating successes.

Mr. McDonald said the engineering element aimed at separating and protecting road user groups is intended to identify vulnerabilities. A person on foot or on a bike ~~are~~ ~~is~~ more vulnerable to injury or death when hit by a car. The least vulnerable persons are those in cars. Well-designed facilities can provide necessary separation. The intent of engineering is to design systems to provide each user a defined space, essentially eliminating the consequences of inattention.

Commissioner Carlson asked if the approach would include turning two general purpose lanes into one lane for cars and one lane for bicycles. Mr. McDonald said any action of that sort would be an outcome of an engineering and policy decision. The action could be taken in a situation involving a limited right-of-way, but the Vision Zero approach generally does not imply the outcome.

Commissioner Lampe said one example is 116th Avenue NE. In association with the recent repaving work on that roadway, the two lanes north, ~~two~~ ~~one~~ lanes south and a center turn lane were converted to one lane in each direction, a center turn lane, and five-foot bike lanes on either side. Commissioner Carlson asked about the impact on congestion. Commissioner Lampe said a thorough and exhaustive analysis was conducted to make sure the current and proposed development along the roadway would not be significantly impacted. The approach will certainly be monitored going forward. Mr. McDonald added that the Council authorized repurposing of the right-of-way and at the same time directed staff to conduct an additional evaluation after one year, which is coming up soon.

Commissioner Barksdale said one approach would be to have streets designed solely for cars and other streets that also accommodate cyclists.

Commissioner Carlson said it has been his experience that when thoroughfares and arterials get too congested, cars begin to look for alternative routes, which are often residential streets where there are kids playing and people walking. The result could be that by doing things in the name of safety, some areas could be made less safe.

Chair Zahn pointed out that there is no one-size-fits-all strategy envisioned. To the degree that separation can be provided in order to protect the different user groups, it should be made part of the consideration. Where bike paths are shared with roadways, pedestrian and bicyclists are more at risk because there is only the perception of safety.

Chair deVadoss said he would prefer to focus on harmonizing the various travel modes rather than on separating and protecting. He also commented that when the first Vision Zero was envisioned in Sweden 20 years ago, the notion of a self-driving car was only a dream, and the idea of drones for transportation was science fiction. Now self-driving cars are real, and drones for transportation are the dream. The assumptions made around cars need to be fundamentally re-imagined. It will soon be possible to say it is not cars that are a danger to bicyclists and pedestrians, and the focus will need to be on harmonizing the various modes.

Commissioner Lampe said the Transportation Commission was directed to determine whether or not any updates, revisions for additional policies were needed in the Transportation Element to incorporate Vision Zero. The conclusion reached after a great deal of study was that four new policies were needed, and two existing policies needed to be revised. The proposed new policies were: TR-A, strive to achieve zero traffic deaths and serious injuries on Bellevue streets by 2030;

TR-B, develop a programmatic approach to Vision Zero that integrates components of Education; Encouragement, Enforcement; Engineering; Equity; and Evaluation; TR-C, design and manage streets to foster safe and context-appropriate behavior of all roadway users; and TR-D, strive to provide separation between motorized vehicles, pedestrians and bicyclists, as feasible, reasonable and appropriate to the context.

Chair Zahn noted with regard to proposed policy TR-D, the level of separation required may be very small given the specific context.

Mr. McDonald informed the Commissioners that the Transportation Commission is currently working on a group of objectives collectively known as multimodal level of service. He pointed out that policy TR-D was drafted specifically to address safety, but in looking at multimodal level of service for pedestrians and bicycles, some of it will be defined in qualitative terms rather than quantitative terms. Much of the quality of the experience for people walking or riding a bicycle will be determined by the speed and volume of traffic. Separating pedestrians and bicycles will help achieve the Vision Zero outcomes by making pedestrians and bicyclists more comfortable, which in turn will encourage more people to walk or ride.

Commissioner Barksdale pointed out that along Coal Creek Parkway, where the traffic moves very quickly, there is a dedicated bike lane but no physical protections for cyclists. He said anyone who has ever tried riding down that roadway would understand why physical separation would improve safety. Commissioner Walter said the same is true on the Lake Hills Connector.

Commissioner Lampe said the Transportation Commission proposed revising existing policy TR-53 to read “Maintain and enhance safety for all users of the roadway network, regardless of demographics and geography;” and revising existing policy TR-55 to read “Maintain a collision reduction program to identify high collision locations, evaluate and prioritize potential safety improvements and implement recommended changes.”

Commissioner Carlson said he assumed the city already reaches out to all demographics. Chair Zahn said the Transportation Commission had a lot of debate and offered many permutations when drafting the policy language. The proposed language represents a compromise that acknowledges that while the word “all” should encompass all, sometimes a little more emphasis is important. Mr. McDonald added that the policy as proposed will help the city focus and prioritize where there may be demographic groups or individuals who may need special attention, or specific geographic areas of special concern.

Commissioner Laing suggested what the policy should not say regardless of demographics and geography but rather should give emphasis to certain people within user groups and on certain areas of geography, such as school zones. Chair Zahn said that approach was one of the options discussed by the Transportation Commission.

Commissioner Barksdale called attention to the language of proposed policy TR-D and suggested the phrase “reasonable and appropriate to the context” should be used in policy TR-53 as well.

Commissioner Carlson suggested that less is more and that “all” means all.

Commissioner Laing reminded the Commissioners that during the process of updating the Comprehensive Plan, the Commission sought to remove to the extent possible limiting phrases wherever there was a reference to “all.” He suggested that the essence of proposed policies TR-C

and TR-D are already in the Comprehensive Plan in multiple forms. He called attention to existing policy TR-21 and noted that it calls for ensuring that the transportation system infrastructure in Bellevue provides mobility options for all modes and accommodates the mobility needs of everyone, including underserved populations, which is essentially the same as the proposed revision to Policy TR-53.

Commissioner Walter asked if the language specific to demographics and geography could be housed somewhere other than in policy. Mr. McDonald said the Comprehensive Plan includes narrative and text boxes that serve to amplify the policies. He said that approach would be one way to provide context without amending policy language.

There were no members of the public wishing to address the Commission during the public hearing.

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

STUDY SESSION

(7:38 p.m.)

Commissioner Laing voiced his appreciation for the effort of the Transportation Commission relative to the issue. He allowed that there is overlap in every element of the Comprehensive Plan and as such was not overly troubled by the proposed revision to TR-53. According to Wikipedia on the topic of Vision Zero, roads in Sweden are built with safety prioritized over speed or convenience. Basically Vision Zero treats the relationship between safety and efficient mobility as a zero-sum game. In other words, one cannot have improved safety without some level of congestion. Policy TR-2 calls for striving to reduce congestion and improve mobility; that same concept is carried through some of the discussions of the land use policies in the Land Use Element. He suggested revising proposed policy TR-D to read “Strive to provide separation between motorized vehicles, pedestrians and bicyclists as feasible, reasonable and appropriate to the context without diminishing mobility for any transportation mode.” The Commission has been clear about not wanting a Comprehensive Plan that prefers one mode of transportation over any other. The Transportation Element is focused on multimodal mobility. The policy should outline Bellevue’s Vision Zero, not Sweden’s Vision Zero, which should continue to strive to reduce congestion while also striving to reduce serious injury accidents and deaths to zero.

Commissioner Barksdale commented that currently there is a certain amount of congestion on 116th Avenue, but cyclists cannot ride along the roadway. Even though congestion is not limited, one mode of transportation, specifically biking, is adversely impacted. In some areas there are bike lanes that end and do not connect routes; making the connections might impact cars but would enhance transportation for other modes. Commissioner Laing said one possible outcome of the project to restripe 116th Avenue NE could be the taking of bikes from other areas and concentrating them on 116th Avenue NE, and making the whole system work better. He said the language he proposed was not intended to call for sharing the limited right-of-way, rather on avoiding system failure overall in striving to accommodate one mode over another.

Chair Zahn suggested the question to be answered is what is meant by “reasonable and appropriate to the context.” It is possible that anything more than a de minimum amount of impact would not be reasonable. Commissioner Carlson said in that case, the extra words would serve as clarification.

Commissioner Laing commented that context is everything, and without it feasible, reasonable and appropriate means nothing. The city may say it is feasible to restripe a roadway to put in bike lanes based on the fact that it has the money and enough paint. The action may not, however, be reasonable and appropriate to the context. Vision Zero is supposed to be metric driven; the goal is zero traffic deaths. No dependent variable should be added in. The language used should be consistent with existing policies in the Comprehensive Plan.

A motion to revise the language of proposed policy TR-D to have it read “Strive to provide separation between motorized vehicles, pedestrians and bicyclists as feasible, reasonable and appropriate to the context without diminishing mobility for any transportation mode” was made by Commissioner Laing. The motion was seconded by Commissioner Carlson.

Commissioner Morisseau pointed out that the data that will help the city make certain decisions is simply not there yet. She asked if there is room for flexibility in the proposed language to adapt for whatever the data eventually says.

Chair Zahn suggested revising the language of TR-D to read “...appropriate to the context while maintaining adopted level of service standards for all modes.” That way whatever levels of service get adopted based on the data, the language would not need to be revised.

Commissioner Laing accepted the suggestion as a friendly amendment.

The motion carried unanimously.

A motion to strike from policy TR-53 the clause “regardless of demographics and geography” was made by Commissioner Carlson. The motion was seconded by Commissioner Walter and the motion carried unanimously.

Commissioner Walter asked if consideration has been given to improving bicycle facilities in the city. She noted that bike lanes and paths are always the last to be cleaned of debris, which means riders must often move into traffic lanes, and existing bike facilities are not always designed to be safe. Mr. McDonald said the Pedestrian and Bicycle Implementation Initiative, which the ~~Council Commission~~ has recommended to be funded to the tune of \$6.7 million in the biennium annually. ~~That initiative~~ will move things in a positive direction relative to bicycle facilities.

Chair Zahn said the Transportation Commission has discussed existing bicycle facilities that are in need of maintenance. Part of the funding will be focused on that area. The funding will also further the goal achieving at least two east-west and two north-south connected bicycle corridors to provide for continuity, and the goal of serving those who are interesting in riding but are concerned about safety.

A motion that the Planning Commission recommendation on the Vision Zero Bellevue Transportation Commission policy recommendations, as amended by the Planning Commission, be transmitted to the City Council with a recommendation that they be adopted as amended, was made by Commissioner Laing. The motion was seconded by Commissioner Barksdale and the motion carried unanimously.

A motion to amend the agenda to move staff reports and approval of the minutes to follow the study session was made by Commissioner Laing. The motion was seconded by Commissioner Carlson and the motion carried unanimously.

STAFF REPORTS

Mr. Cullen reminded the Commissioners that the annual retreat was scheduled for November 16, beginning at 4:45 p.m. at the First Congregational Church on NE 2nd Street. The event will begin with a tour of the new facility which the church is encouraging the public to use. The church will be hosting the homeless shelter that same evening starting around 7:00 p.m.

Commissioner Carlson announced that he would be out of town and unable to attend the retreat.

Mr. Cullen noted that the Commission will meet twice in December on the 7th and the 14th. He said at both of those meetings the primary order of business would be downtown livability.

With regard to the move toward fully electronic Commission packets, Mr. Cullen said it has been a challenge for a variety of reasons.

Commissioner Walter asked if receipt of the packet electronically on tablets owned by the city will mean any personal notes made by Commissioners will become public records. Mr. Cullen said he would put that question to the City Attorney, but said it was his understanding anything put on city property will become public record. He added that hard copies of the packets will no longer be made available. The costs of purchasing tablets and switching over to all electronic packets will be offset in just three months of not having to print hard copies and have them delivered to the Commissioners.

With regard to an item raised at the October 26 Commission meeting by Commissioner Walter in regard to Eastgate, Mr. Cullen said the question was whether or not what was adopted by the Commission and forwarded to the City Council truly reflected the intent of what the Commission had wanted to do, specifically with regard to transient lodging. Transient lodging as a type of use is reflected in the EG-TOD as adopted as allowed through an administrative conditional use permit. He said during his review of the records he discovered that the intent of the Commission was in fact to allow the use through a conditional use permit, not through an administrative conditional use permit.

Continuing, Mr. Cullen noted that at the February 24 study session three references were made to transient lodging and/or homeless shelters. The first one was from Chair Hilhorst who noted that while a hostel might be a good fit in the zone, a homeless shelter may not be. The response from Code Development Manager Patricia Byers was that requiring a conditional use permit might be the way to go for homeless shelters in that it would certainly allow for addressing all the impacts. Immediately following that exchange, Commissioner Laing noted that Seattle requires a conditional use permit for homeless shelters even if they are located in an industrial area, and went on to say that one of the impacts that should be considered is the queuing that often is associated with the use given that the shelter is not generally open 24 hours per day, which can be addressed through a conditional use permit. He also said hotels and motels should be permitted uses, to which the Commissioners agreed.

On April 27, during a discussion about the EG-TOD, contained in a long discussion about different uses, Ms. Byers suggested that hotels, motels and transient lodging should be permitted uses on the residential use chart. Chair Hilhorst said the argument previously made by the Commission was that transient lodging could include a homeless shelter, which is why a more stringent permitting process would be in order, particularly in what is intended to become a neighborhood. Ms. Byers agreed to retain the requirement for administrative conditional use for

the use. That is what the minutes reflect of the discussion, and is an accurate reflection of the audio recording.

Mr. Cullen said in speaking with Ms. Byers, it was agreed that she misspoke. Regardless, what she said is what got picked up and included in the use tables. On June 22, the public hearing was held at Bellevue College and the issue was contained in a very large document in the use tables. There are three places where the identification is made for the EG-TOD. He said he could see clearly how the error occurred and how it got continued even though it was not the Commission's intent.

Mr. Cullen said he then conferred with Bob ~~Hyde~~Heid (?) in the city's legal department about how to fix the error. Mr. Heid said there are two paths that can be taken, either of which would be acceptable. Informally, the Commission could raise the issue with the Councilmembers as the Commission's recommendation is brought before the Council. There have been conversations with various Councilmembers in which the issue and the research has been brought up, and apologies have been made. The more formal approach would be to open the issue again before the Commission, make the change, and then retransmit the package with the corrected language. Someone who voted for the amendments would need to make a motion to reconsider. That motion would need to be approved on the strength of a two-thirds majority vote. If approved, the amendment as correctly expressing the intent of the Commission would be proposed and voted on, but only a simple majority would be needed for approval. No additional public notice or public testimony would be required to make that happen.

Mr. Cullen asked the Commission to indicate a preference for which approach to take, and said the issue would be placed on the Commission's December 7 agenda. There was supposed to be a second study session by the Council on the Eastgate topic on November 14, but that has been postponed without a date certain, so action by the Commission on December 7 should fit with the timing.

Chair deVadoss thanked Mr. Cullen for his detailed analysis and explanation. He said the mistake that was made was made honestly and there is no need for staff to apologize.

Commissioner Carlson said the shelter issue is of great consequence to the potential success of the overall Eastgate development. He said if the facility is to be allowed, it should be done right. He recommended a standalone meeting or public hearing on its status. The more formal approach should be taken.

Commissioner Laing concurred. He said the issue is of such significance that the formal process of voting to reconsider and then making the change should be followed.

Chair deVadoss and Commissioner Walter agreed as well.

DRAFT MINUTES REVIEW

A. September 14, 2016

Mr. Cullen noted that he had been directed to listen to the audio recording and to make some changes. He said Commissioner Walter had suggested that her comments in regard to the homeless shelter were more robust than what was reflected in the draft minutes, and he said after listening to the recording he found that to be true and added more detail to page 18 of the minutes.

Commissioner Walter suggested that “What happens if there someone has a mental health issue...” should be revised to say “What happens if there were someone with a mental health issue....” “With regard to the last sentence on the page, she asked to have it revised to read “Commissioner Walter does not agree with some of the policies in place in Seattle that may have drawn homeless people to the city....”

A motion to approve the minutes as amended was made by Commissioner Walter. The motion was seconded by Chair deVadoss and the motion carried without dissent. Commissioner Barksdale abstained from voting because he had not attended the meeting.

B. October 12, 2016

Commissioner Barksdale asked staff to listen to the audio recording to clarify the exchange outlined in the last paragraph on page 6 of the minutes. Mr. Cullen said he would do that and bring the minutes back for approval on December 7.

FOR YOUR INFORMATION

Wilburton Commercial Area – Project Overview

Community Development Program Manager Bradley Calvert said the Wilburton Commercial Area is a companion piece to the Wilburton Grand Connection project. Taken together, it is about the re-visioning of the land use, urban design and transportation elements for the study area.

The Commissioners were shown a map of the original Wilburton special opportunity area, which generally was the area bounded by NE 8th Street, 120th Avenue NE, Main Street and I-405. Mr. Calvert noted that as the project has evolved, opportunities to include other areas have been taken, namely northward to NE 12th Street and eastward to 124th Avenue NE, and southward to the Wilburton trestle. The study area does not extend to and will not impact the residential neighborhoods to the east. Within the study area are elements of the Grand Connection, East Link, and the Eastside Rail Corridor.

The consulting firm of NBBJ was selected to address the land use and urban design portion of the work. The firm brings to the table some unique opportunities to visualize the project, including design computation, a process that gives database/mathematical ways of looking at height, form, density, employment and residential numbers. They will conduct some economic analysis as well. One of the Council principles for the project is to define a unique market niche for the study area. That will entail capitalizing on context and infrastructure while complementing the existing suite of assets.

Mr. Calvert said the consultant selection was made in October. The Council is in the process of appointing a Citizen Advisory Committee; the first meeting of the CAC will be either in December or January. The timeline calls for identification of a preferred land use and transportation alternative for the area by September 2017, with a final report to be assembled by February 2018, after which the necessary Land Use Code and Comprehensive Plan amendments will kick off.

An Urban Land Institute national advisory panel was held in May. The seven experts came in for a full week and their goal was to bring a fresh perspective and new ideas for what the area could

be, and to assist in developing a vision for growth and innovation. They also were asked to identify precedents to look to for inspiration and ideas. They ultimately provided recommendations relative to design, policy and implementation. During the process, briefings were conducted and the study area was toured. Various stakeholders were interviewed, and the panel held a two-day charrette-style work session. On the final day, the group delivered its report.

The recommendations were handed down prior to the study area being expanded. Their recommended buildout for the area was 5000 residential units: 1500 townhomes/condominiums and 3500 apartment units. The panel estimated those units would house some 9500 residents. The panel also anticipated about five million square feet of office space, 310,000 square feet of retail space, and 1500 hotel rooms, along with 25,700 jobs in the study area. The panel clearly believed there is room in the study area for substantial growth and the ability to grow into an urban neighborhood.

The panel proposed breaking up the district into four segments. They saw the northwest quadrant focused on health and wellness with uses such as medical office, senior care facilities, and workforce housing for the medical employees. The area to the northeast was singled out as a technology and innovation district, though possibly not immediately given the existing small-scale buildings. Some of the smaller buildings could over time be repurposed into artist lofts or co-working spaces. The T2 area, which is short for trail/transit-oriented development, was considered by the panel to be the heart of the study area. It should have a central open or green space where the Grand Connection and the Eastside Rail Corridor meet to serve as a significant meeting place. Mid-rise/mixed use buildings would be appropriate in the T2 district, along the lines of the Spring District or Olympic Village in Vancouver, BC. The district should be a true urban neighborhood that cultivates creativity and entertainment. The area of south of SE 4th Street, dubbed SOFO, was seen as the panel as the appropriate spillover/catch-all uses that do not go into the T2. The auto dealerships could be reoriented into a more consolidated fashion with a vertical format.

Mr. Calvert said the panel focused on permeability, specifically the east-west non-motorized connections between the neighborhood and the Eastside Rail Corridor, and making them truly part of the transportation network in the study area. The panel mentioned often the need to expand the Grand Connection to connect with the botanical garden. The panel was adamant about Wilburton not being just east downtown. They provided case study examples showing that trying to move in that direction could result in fragmented, non-cohesive growth. The panel also proposed changing the street character, highlighting specifically 116th Avenue NE and the need to really play up the non-motorized connections. As the area redevelops, it will not be necessary to create more streets, but it will be necessary to create permeability within the blocks.

The panelists called for what they termed practical urbanism by which they meant to get out there and try things. They suggested spaces should be claimed and various approaches should be tried out, especially before big investments are made. Implementation should involve adopting a hybrid form-based code that is focused on design more than on uses; that could require simplifying the use codes for the area. A complete street policy for the area should be both adopted and enforced. Street-based businesses should be enabled. The Grand Connection should be turned into a green necklace enhanced by tech and natural vegetation. The work to upzone the area should be done gradually with an eye on preventing overbuilding and fragmented development. The panel also suggested that the workforce housing in the district should be aimed at between 50 and 80 percent of the area median income.

Mr. Calvert said to date 13 of the 15 members of the CAC have been appointed. The focus has been on finding people with diverse interests who can also wear multiple hats. The group will include representation from the Planning Commission, Transportation Commission, Arts Commission, Human Services Commission, and the Parks and Community Services Board. There will also be business interests, representation from the Chamber of Commerce and the Bellevue Downtown Association, and six local residents. Commissioner Barksdale and Commissioner Wu from the Transportation Commission will serve as co-chairs.

Mr. Calvert said one issue that was very quickly raised was where the property owners fit in. Putting them on the CAC proved to be a challenge in terms of representing so many different interests. The decision was made to run a simultaneous process that will involve workshops with the property owners and the CAC. The intent is for the CAC to create something that is visionary, and for the property owners to help keep things pragmatic given the market realities.

Enliven Wilburton was a process carried out in partnership with King County to test practical urbanism. GehlGail(?) Institute, a placemaking firm out of Copenhagen, was brought in to conduct workshops, look at projects and provide feedback. A café event was held on 450 feet of the existing Eastside Rail Corridor. The track was lined with plywood and outdoor grass carpeting, and along the rails were posters showing ideas and concepts for the Grand Connection, the Eastside Rail Corridor and the Wilburton study area. REI provided food and Bellevue Brewery provided beverages. There was a live band as well and the turnout was good. People were asked to write down what they imagine the space to be. Similar events are in the planning for the downtown for key events along the Grand Connection.

Mr. Calvert said the land use and urban design work is geared up to begin during November. The transportation and environmental consultant will be on board in December, and the CAC will begin meeting either in December or January. Their final report is expected in February 2018.

Commissioner Barksdale voiced strong support for the approach to the project and said he looked forward to serving on the CAC.

PUBLIC COMMENT

(8:57 p.m.)

ADJOURN

(8:57 p.m.)

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

Chair deVadoss adjourned the meeting at 8:57 p.m.

