

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
STUDY SESSION MINUTES

February 24, 2016
6:30 p.m.

Bellevue City Hall
City Council Conference Room 1E-112

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

COMMISSIONERS ABSENT: Commissioner Morisseau

STAFF PRESENT: Mike Kattermann, Patricia Byers, Terry Cullen, Department of Planning and Community Development

COUNCIL LIAISON: Mayor Stokes

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER

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

2. ROLL CALL

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

3. APPROVAL OF AGENDA

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

4. PUBLIC COMMENT

Mr. Jack McCullough spoke representing Beacon Capital Partners, owners of the Sunset North and Lincoln Executive Center properties in the Eastgate corridor. He noted that the group was actively involved in the Eastgate/I-90 study and were instrumental in bringing forward the transit-oriented development concept which ultimately was firmly embraced by the CAC. One site that came up in conversations with the CAC was referred to as Lot 10 at Sunset North. The small site, which is located directly across the street from the park and ride garage, is the best near-term infill development site for transit-oriented development in the entire subarea. It currently has no use committed to it, it is high and dry, and it is ready to go. The recommendation of the CAC was to designate the site for transit-oriented development and the Planning Commission should recommend the same. There will be some new owners of the property who will be eager to see it developed.

Ms. Michelle Wannamaker, 4045 149th Avenue SE, said the recently published Bellevue Transportation Demand Management Plan indicates that the number of workers in Eastgate is expected to increase by 55 percent by 2027; the current 17,000 workers are projected to increase

to more than 25,000, an increase of 9000 over 11 years. The report also sets as a goal having 42.8 percent of people in Bellevue using mass transit, bicycles and other non-motorized options by 2027. Subtracting the 42.8 percent from the 9000 translates into an additional 5000 vehicles on the streets of Eastgate. Everyone who drives through Eastgate will be affected, the residents of Eastgate in existing single family residential neighborhoods will pay the highest price. There are already issues with getting into and out of the neighborhoods, and there are issues involving cut-through traffic; 136th Avenue SE is so bad the neighbors have asked for a roundabout and speed bumps; and 146th Avenue SE is not far behind and likely will need a stop light at SE 36th Street. Allowing the growth will violate Comprehensive Plan Policy S-EG-3, which calls for encouraging office and retail land uses that take advantage of freeway access, transit service and non-motorized transportation alternatives without adversely impacting residential neighborhoods. If the city allows the growth and traffic gets too bad, it could adversely affect any businesses in the new transit-oriented development buildings. If traffic is too bad, people will simply not come to Eastgate at all. The Commission has the opportunity to do things right and to build infrastructure before allowing growth to occur. At the very least, growth should not be allowed in the OLB-2 on SE 36th Street because of the resulting impacts on the local neighborhoods.

Mr. Wenhong Fan, 3273 164th Place SE, voiced support for allowing Neighborhood Mixed Use as proposed. Bellevue is known for technology and beauty, and people like to live where there is easy access to the freeway, and where there are good schools. The Eastgate area has all of that the Neighborhood Mixed Use will make Eastgate even more livable and attractive for the years to come. Eastgate should be made into a friendly urban center like many other areas have done successfully, including along Westlake Avenue in the South Lake Union area of Seattle. Roadway infrastructure will be needed along with the growth to make all the pieces work together. Good planning will result in people wanting to come to the area, including businesses.

Ms. Alice Wong, 14521 SE 60th Street, also indicated support for the Neighborhood Mixed Use approach which will have a positive impact. The zone will be far more family friendly than a commercial zone. She said she drives her children to choir and swimming classes via 148th Avenue SE every day after school while traffic is bad. It would be good to bring infrastructure online before new development is permitted. Bellevue is growing fast and most residents are proud of that, but the challenges will need to be faced.

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

Mayor Stokes praised the Commissioners for working through so many difficult issues. He said the Council was very happy to receive the low-hanging fruit options for the Downtown Livability Initiative process. The Council has agreed to move forward with the pedestrian crossway between the Kemper Development Company developments in the downtown. He said he intended to reserve time at an upcoming Commission meeting to provide a briefing on where the city intends to go over the coming year or two. One major planning effort being ramped up is the grand connection from Meydenbauer Bay to the east side of I-405.

6. STAFF REPORTS

Senior Planner Mike Kattermann reminded the Commissioners about the planning commissioner short course scheduled for March 2 at City Hall. He urged those interested in attending to sign up. He also reminded the Commissioners about the open house on March 9 which will start at 5:30 p.m. in the City Hall concourse, and noted that the regular meeting would start at 7:00 p.m.

7. DRAFT MINUTES REVIEW

A. January 27, 2016

Mr. Kattermann pointed out that the edits to the first paragraph on page 7 and the last paragraph on page 12 requested by the Commission on February 10 had been made.

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

B. February 10, 2016

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

8. STUDY SESSION

A. Eastgate/I-90 Corridor Implementing Regulations

Code Development Manager Patricia Byers reminded the Commissioners that three new zones are proposed for the Eastgate corridor: EG-TOD, NMU and OLB-2. The latter is more complicated because it involves the areas covered by concomitant agreements and may be a zone that could be applied citywide. It grew out of the Eastgate/I-90 CAC study process, and gained support through the Comprehensive Plan update process in the form of Policy S-EG-X2, and the current focus is on drafting code language that supports the concept.

Ms. Byers explained that the OLB land use designation was originally all about the 70s and 80s office parks that were usually oriented toward highways and freeways. The OLB-2 as proposed is more generous with regard to allowed uses and allows for greater intensity. The idea is to have those who work in the office be able to easily walk to service and retail uses while providing easy access to highways, freeways and transit. The Eastgate/I-90 CAC highlighted its desire to see well-designed and attractive office environments developed on both sides of I-90. They also wanted to allow for infill growth to a maximum FAR of 1.0; allow for ground floor retail, service and restaurant uses to create a thriving district; develop safe and convenient pedestrian access; and build on the proximity of the area to the Mountains to Sound Greenway. Comprehensive Plan policies S-EG-3 and S-EG-4 support the proposed OLB-2 district, while Policy S-EG-6 specifically seeks to ensure that increases in impervious surface area or storm water runoff will not increase the quantity or worsen the storm water quality entering public drainage systems, streams, Phantom Lake, Lake Washington and Lake Sammamish. Since the 80s when the office parks were rezoned and developed, the storm water requirements have become much more stringent.

Commissioner Barksdale asked in what ways the policies are evaluated to determine if they are being implemented in ways that will achieve the desired outcomes. Ms. Byers said the work of transitioning from policy to concept to the Land Use Code belongs to the Commission. Mr. Kattermann added that most policies are qualitative in nature rather than quantitative. One way to measure how well policies are implemented is by looking at how the code matches up with the policies. Commissioner Barksdale said he would like to see accompanying language that specifically highlights what will actually be measured.

Ms. Byers noted that the issues of safety, convenience and access via an integrated internal

circulation system is outlined in Policy S-EG-14. Connectivity within the subarea for pedestrians and bicycles is detailed in Policy S-EG-17, and the need to protect the surrounding neighborhoods from future development in the I-90 Business Park is called out in Policy S-EG-40.

Chair Hilhorst highlighted the importance of protecting the surrounding neighborhoods from future development and said she would like staff to come back with visuals.

Commissioner Carlson pointed out that chief way the city deals with protecting the neighborhoods is by channeling the majority of growth into the already existing commercial areas such as Bel-Red and the downtown. Chair Hilhorst agreed but noted that the Commission's direction is to make some changes along the I-90 corridor, which in many places backs up to existing residential areas.

Commissioner Carlson asked if the park and ride lot is set for expansion in the next 15 to 20 years. Ms. Byers said there is no move to expand it as part of the current Eastgate/I-90 proposal. She said she would make inquiries as to whether there are any long-term plans to expand it.

Commissioner Walter pointed out that the entire Eastgate plan rests heavily on having adequate transit services. She said she recently attempted to ride a bus from Eastgate into Seattle at 9:00 a.m. and found all the buses to be full. The fact that transit service is lacking is disconcerting in that it is contributing to more cars on the streets. Ms. Byers said she would return with additional information about the traffic plans for the area.

Comprehensive Planning Manager Terry Cullen reported that he had recently had a conversation with Ms. Wannamaker who voiced the same concern. The question raised then was what plans are being made by the transit authorities to accommodate all the additional office workers who will occupy the new developments in the Eastgate corridor. He said he is following up on the transit planning process. Commissioner Walter said one approach would be for the city to develop and operate its own shuttle service.

Chair Hilhorst asked if code changes could be put in place that are contingent on transit levels of service adequate to address the new growth. Commissioner Laing explained that by state law, new development cannot be allowed where there is inadequate transit infrastructure. Level of service (LOS) acts like a report card to give grades ranging from A to F based on vehicle delay at signalized intersections, where F is complete gridlock. Jurisdictions are allowed to add development to the point of LOS F. In Bellevue, the LOS standards vary by area and are set by the City Council. In other words, the Council can set as a matter of policy how long vehicles can sit at intersections. Regionally, what cities have done instead of adding infrastructure or requiring more transit service is to simply lower the LOS thresholds. Issues relating to subarea equity, in which some areas are well served and others are not, have led to reductions in bus service and increased transit costs. The problems are real, but unfortunately the engineering solutions get tied up in the political processes that are outside the scope of the Planning Commission. Under the Growth Management Act, growth is supposed to pay for growth, and new development is not allowed to come online without a funded plan to also bring online the required infrastructure.

Mr. Kattermann explained that the Growth Management Act requires something called concurrency. The statute requires that there be a strategy in place to construct or fund the necessary infrastructure to support growth within six years of the new development that needs it. Jurisdictions are allowed to determine how much congestion they will permit. The only jurisdiction to date that has actually put a moratorium on development due to traffic concerns is

King County, and that was done in the mid 90s. With regard to tying development to the provision of transit services, some jurisdictions have begun utilizing a multimodal approach that incorporates all modes of travel, not just vehicle delay at intersections. The city has begun the development of a multimodal approach.

Mr. Cullen said the challenge with transportation concurrency for communities like Bellevue lies in part with the fact that there is so much passthrough traffic. As far as the Eastgate area is concerned, the capacity on I-90 is probably too low to accommodate the peak flows, and the result is the communities around the freeway are impacted by not being able to freely access it. The local communities get punished so to speak because of the passthrough traffic. The multimodal approach is preferable in that it reflects a more integrated approach that better serves the community.

Turning to the issue of manufacturing uses in the OLB-2, Ms. Byers suggested the appropriate uses would be measuring, analyzing, controlling instruments, photographic, medical and optical goods, watches and clocks, and computer software. She informed the Commissioners that the footnotes in the OLB-2 use charts were not correct in the draft materials and would be corrected.

Commissioner Laing called asked about food and beverage manufacturing and asked if that could include a brewery, a distillery, or a winery with a tasting facility. He noted that Footnote 6 allows such uses only where combined with an eating and drinking establishment. Ms. Byers said that footnote was included in the NMU district and if deemed appropriate could be used for the OLB-2 district as well. Commissioner Laing said it may be a good thing have a winery or a brewery within walking distance of offices and hotels, but he agreed the uses should only be allowed in conjunction with Footnote 6.

Commissioner Laing drew attention to apparel, fabric, accessories and leather goods manufacturing on the use chart and asked if that would include a boutique clothing store that makes its own goods to sell on site. He commented that the primary use would be retail but it would have a manufacturing component. The same could be true with shoes. Mr. Kattermann noted that the Commission had previously discussed the issue and concluded that it comes down to the level of activity for the different components. If the primary business is retail and the manufacturing is a minor component, the manufacturing is an accessory use and as such would be permitted even without Footnote 6. Ms. Byers said those same uses would not normally be appropriate for an office environment should the manufacturing component be the primary use and the retail sales a subordinate use.

Commissioner Barksdale asked if it would be appropriate to include an "S" in the use chart indicating uses allowed as subordinate to a primary use. Ms. Byers said the city has moved away from taking that approach by clearly defining in another part of the code what a subordinate use is.

With regard to the recreation land use chart, Ms. Byers said as drafted uses that are generally compatible with an office environment, such as health clubs and art galleries, are shown as permitted outright, by administrative conditional use permit, or by conditional use permit, whereas large outdoor recreational uses, such as a zoo or a fairgrounds, are not permitted.

Commissioner deVadoss suggested that commercial amusements, video arcades and electronic games, should not be excluded. The other Commissioners concurred and concluded the use should be permitted outright. There also was agreement that the public assembly outdoor use would not be appropriate in the zone.

Chair Hilhorst asked if there are any paths in the Eastgate area that people might want to use on horseback. Mr. Kattermann said he could not think of any. There was agreement not to permit the stables and riding academies use.

With regard to residential uses, Ms. Byers pointed out that as drafted all types are permitted with the exception of single family dwellings, which are not permitted, and assisted living facilities, which require a conditional use permit.

Commissioner Laing said he was surprised to see assisted living allowed by conditional use instead of being an outright permitted use. Ms. Byers said she would seek to know why the conditional use requirement came about in the draft.

Commissioner Carlson asked if any of the recommendations made at the behest of neighbors in the Spirtridge area would be trumped by permitting the residential uses as outlined for the OLB-2. Ms. Byers said she did not believe so but would follow up to verify that.

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 that 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.

Ms. Byers explained that as drafted the only use allowed under the resources land use classification was veterinary clinic and hospital. She noted that boarding and commercial kennels would be permitted as a subordinate use, and that doggy day care as a use is covered under the services category.

Commissioner deVadoss asked if a business conducting GMO research would fall into the resources category. Mr. Kattermann said the use falls under the services category as a permitted use.

Turning to the services category, Ms. Byers explained that the focus is on providing those services someone in an office environment would want to take advantage of. She noted that while most of those types of uses were permitted outright, governmental services, including executive, legislative, administrative and judicial, and protective functions and related activities, were listed as allowed through an administrative conditional use permit. Primary and secondary schools would also be allowed through an administrative conditional use permit.

Chair Hilhorst pointed out that as drafted child care services are not permitted but a child day care center is. Ms. Byers said she would research that and report back to the Commission.

Commissioner Barksdale questioned why repair services such as watch, TV, electrical and upholstery were not shown as permitted. Commissioner Walter pointed out that vocational schools that teach those crafts are allowed. There was agreement to permit both uses.

Commissioner Walter called attention to the hospitals use and reminded the Commissioners about the previous discussion about stand-alone emergency rooms being more like a hospital

than a medical clinic. The approach used for the downtown should be used in the OLB-2.

Ms. Byers called attention to the transportation category and noted that large regional uses such as bus terminals and taxi headquarters are not allowed in the OLB-2. As drafted, the transportation uses that are allowed essentially mirror those that are allowed in the OLB zone, which are more local transportation uses.

Commissioner Walter suggested that rail transportation, including right-of-way, yards, terminals and maintenance shops is out of place in the zone even under a conditional use permit. There was consensus not to allow the use even with a conditional use permit.

Commissioner Barksdale asked why radio and television broadcasting studios is included in the transportation and utilities category. Ms. Byers explained that the standard land use classification handbook classifies the use as a utility.

Commissioner Laing questioned not allowing for auto parking commercial lots and garages given how oversubscribed the park and ride is. People are choosing to park at the college and in other areas because the lot is full. Allowing them might actually spur some more public investment should the agencies realize they may see some competition from the private sector.

Commissioner Walter said her understanding was just the opposite, that people are in fact parking in the park and ride and then walking up to the college. Commissioner Laing allowed that it could simply be a matter of who gets there first. Ms. Byers noted that Bellevue College has reported that is happening. Chair Hilhorst said regardless of who is parking there, the fact is the park and ride is full and it would make sense to allow for commercial lots and garages to serve the area generally.

Commissioner Walter commented that a concrete parking structure is not aesthetically pleasing and would not necessarily be a good fit.

Commissioner Laing agreed that parking lots are auto oriented. The fact is, however, that there is already quite a lot of hide and ride parking going on. While it is a good thing they are focused on taking transit, it is not a good thing that the park and ride is so full they cannot park where they should be parking. It is the transit service that is creating the demand for more parking. Because the demand is not being met, the parking is being pushed out into business and residential areas. If the private sector is not permitted to come in and meet the demand, the demand will not be met, and that is a problem. The vision for the corridor is clear, but the Commission should allow commercial parking if for no other reason than to give the Council the opportunity to discuss the issue.

Commissioner Walter said she could see allowing the use in the OLB-2 zones in the western part of the corridor, but not in the eastern part closer to the neighborhoods. Large parking structures simply do not fit with the nearby residential uses. Commissioner Laing said he did not disagree with that approach. He proposed allowing the use but including a footnote regarding location restrictions.

Commissioner deVadoss suggested that it cannot be said with any degree of certainty what the world of automotive transportation will look like in 15 or 20 years. It would be presumptive to say just how things will play out. Commercial lots and garages should be allowed, but in very restricted areas.

There was consensus to allow auto parking, commercial lots and garages, with the footnote

allowing them only in the OLB-2 zone to the west of 142nd Avenue SE.

Mr. Kattermann pointed out that the park and ride use itself is allowed only with a conditional use permit, and that due to the issues of placement, access and aesthetics, all of which impacts surrounding areas and views. He questioned why a commercial parking garage would be treated any differently given that the impacts are similar if not the same. There was agreement to allow the use with a conditional use permit.

Ms. Byers reviewed with the Commissioners the uses on the wholesale and retail chart proposed to be allowed.

Commissioner Walter asked how recycling centers are defined. Ms. Byers said they are small areas that collect recyclable goods. Commissioner Walter said the fact that apartment buildings do not have recycling collections has never made sense. She suggested allowing some recycling in the OLB-2 zone so apartment dwellers will have some place to put their recycling.

Chair Hilhorst reminded the Commissioners that in presenting the early wins to the Council, there was some confusion as to what a recycling center is. While it could be defined as a large building that does the actual work of recycling, the Commission had in mind a much smaller use, a collection area rather than a processing facility. Ms. Byers said she would check into the solid waste issue and what is being done in that realm and then report back to the Commission.

Chair Hilhorst said she understood why retail boat sales were not permitted in the zone, namely the size of the lot needed. She asked, however, if the notion of a boat showroom could be entertained, particularly with a footnote saying the use is only allowed inside a building and that no outdoor storage would be allowed.

Commissioner Walter asked if taking that approach would open the door to indoor showrooms for trucks, cars, motorcycles and RVs as well. Chair Hilhorst said she would be alright with that.

With regard to concomitant agreements, Ms. Byers said they are site-specific regulations that are usually in response to some neighborhood concern. There are several concomitant agreements in place in the Eastgate corridor. For many of them, the conditions are either redundant, already met, or are not in line with the vision for the OLB-2 zone. The question is whether or not the concomitant agreements should be done away with by rezoning the individual properties to which they are attached.

Commissioner Walter said philosophically she liked getting rid of the concomitant agreements. She said she was struck, however, that the proposed buffers are in most cases much smaller.

Ms. Byers suggested it would be helpful to have a discussion about transition areas and how they work. The transition area code specifically deals with the issue of buffers. The code works like an overlay and establishes the basic standards for uses that abut other uses. Additional requirements apply for properties that fall within the transitional area design district. Even if the concomitant agreements are done away with, most of which are old and difficult to enforce, the design guidelines and development standards will still be in play.

Commissioner Laing said the concomitant agreements are basically mitigation agreements that were put in place for specific developments. The only way anything will meaningfully change on any of the properties to which the concomitant agreements are attached will be if a property owner goes through another permitting process. The code elements that are in place will provide the necessary controls.

Commissioner Walter said she was not opposed to having the concomitant agreements go away provided there will be something in place to provide a similar result.

Ms. Byers agreed to pull together for the March 23 meeting a tutoring session on the transition area codes so the Commission can fully understand what removing the agreements will mean on the ground. She noted that the next steps in the study will involve reviewing the draft Land Use Code for the EG-TOD district, the draft public amenity incentive system, the draft design guidelines, and moving ahead with the public outreach process which will initially involve sending out letters.

Commissioner Barksdale asked if the public outreach could involve a survey to generate some preliminary input. Ms. Byers said the CAC report constitutes preliminary input. People can also provide written comments to the Commission or attend a meeting and provide input in person. Mr. Cullen added that surveys are most helpful once there are draft recommendations in hand. The initial public outreach will seek to inform, to invite the public to attend the Commission meetings at which the guidelines will be developed, and to invite comment.

9. PUBLIC COMMENT

Ms. Michelle Wannamaker, 4045 149th Avenue SE, thanked the Commissioners for recognizing the issues relative to King County Metro. She pointed out that transit is a regional issue as well as an issue local to the Eastgate corridor. In talking about transit-oriented development, the assumption is that those who live in the residential units will be transit users, but if the transit services are not there for them to use, they will use cars to get around. She also thanked the Commission for its initial conclusion not to allow the FAR for the RV park site to be too high. The owner of the property is pushing for a six-story residential tower, but as has been pointed out there are many other uses that would be appropriate there. In talking with those living nearby, most indicated a desire to see uses ranging from a Trader Joe's to independent restaurants and a hardware store.

Chair Hilhorst made it clear that no final decision regarding the FAR for the RV park site has been made by the Commission. What was presented previously to the Commission was a recommendation for an FAR of 1.0. The property owner was seeking an FAR of 2.5 and the Commission discussed seeking something in between. The Commission will discuss the issue again before making a final recommendation.

Mr. Bucky Walter, 3702 136th Place SE, voiced his support for allowing commercial parking lots in the corridor. The parking lots on the frontage road on the south side of I-90 quickly fill up and the spillover parking ends up in residential areas. He pointed out that there is a Neighborhood Enhancement Project kicking off for the Eastgate neighborhoods and it would make sense to coordinate any surveys with that project to avoid any confusions.

Ms. Misa Averill, 400 112th Avenue NE, commented that a business such as GameWorks would be appropriate for the Eastgate corridor. They are focused primarily on adults and do not allow persons below a certain age after a certain time of day. She said she was happy to hear the Commission talk about changing transient lodging to conditional use. In addition to allowing auto showrooms, furniture showrooms should also be allowed; such uses typically do not stock on site and deliver from a warehouse. With regard to the LI district, said more information is needed with regard to the types of manufacturing, wholesale trade and distribution activities.

10. ADJOURN

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

Chair Hilhorst adjourned the meeting at 9:13 p.m.



Terry Cullen
Staff to the Planning Commission



Date



Michelle Hilhorst
Chair of the Planning Commission



Date

*Approved as corrected, April 13, 2016