

CITY OF BELLEVUE  
BELLEVUE PLANNING COMMISSION  
STUDY SESSION MINUTES

April 26, 2017  
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, Nicholas Matz, Emil King, Department of Planning and Community Development; Carol Helland, Patricia Byers, Department of Development Services

COUNCIL LIAISON: Mayor Stokes

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

CALL TO ORDER  
(6:38 p.m.)

The meeting was called to order at 6:38 p.m. by Chair deVadoss who presided.

ROLL CALL  
(6:38 p.m.)

Upon the call of the roll, all Commissioners were present with the exception of Commissioner Laing, who arrived at 8:55 p.m., and Commissioner Walter, who was excused.

APPROVAL OF AGENDA  
(6:39 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 – None  
(6:39 p.m.)

Comprehensive Planning Manager Terry Cullen reported that he would not be present for the May 3 Commission meeting. He said Senior Planner Mike Kattermann would attend in his place.

PUBLIC COMMENT  
(6:40 p.m.)

Ms. Peggy Smith, 15889 Northup Way, said she had the feeling the Bellevue Technology Center plan will be approved whether the community voices are heard or not. The Commissioners can

say they feel the pain of the local residents, and that they know what the traffic is like, what the loss of habitat will be like, and what it is like to knock down trees. Those who live in the area and who have to travel the streets know the traffic is already impossible. Not all of the roadway construction projects have been completed and it is very difficult to leave for work in the morning and to come home from work at night. It would be upsetting to see more trees brought down to build more dwellings that do not need to be built on that site. Too much green space has already been lost.

Ms. Susan Travis, 18430 NE 15th Place, said as a Tam O'Shanter resident she travels on Northup Way, NE 24th Street and 156th Avenue NE. Traffic is a big issue for the area. She said she purchased her home five years ago and delighted in seeing all the greenery and trees on the Bellevue Technology Center site. She said she was very disturbed to hear about the plans to take down many of the trees and to put in a large development. People in her neighborhood were asked to sign a letter in protest of the proposal, and most did. It was decided a long time ago that the site would remain a green area. There are new apartment buildings going up at Northup Way and 156th Avenue NE that are four stories tall. There is a new apartment building on NE 24th at 156th Avenue NE that is also four stories tall. Near QFC in Crossroads there is a new development going in. Traffic is already a problem with Microsoft, and all the new development will only make things worse. She said the community is concerned and does not want to see another highrise go into a suburban area.

Ms. Gail Toney, 1910 160th Avenue NE, said her property is in the Park Place subdivision that is adjacent to the Bellevue Technology Center. She said her view is toward the open space on that property and purchased her property with that in mind. She said she came to Bellevue for a reason, primarily the livability of the city, but day by day the city's livability is decreasing with the traffic congestion, and unaffordable housing prices. She said she has two children attending Sherwood elementary, which is just a mile away, and getting to the school can take 10 to 15 minutes. The trip is also dangerous because of the left turns required; often more than 50 cars pass before a left turn can be made. High school kids use a neighborhood cutoff path to get to Interlake high school. They have to cross Northup Way and NE 24th Street and there have been many close calls with cars. Adding more traffic to the area will only create additional dangers. Once development occurs, there is no going back. Once open space is gone, it is gone. The city has already lost so much of its tree canopy. The city's slogan of a city in a park is no longer true. There is only one small park in the area of the Bellevue Technology Center. Crossroads Park is nearby but it is always congested. There will be no place for the residents of all the new units to take their children, or to walk safely. There is no way to mitigate for the additional traffic by adding lanes, and buses and light rail do not serve places like parks, softball fields and grocery stores. The Commission needs to think through very carefully its responsibilities to the future of the city.

Mr. Joseph King, 15789 Northup Way, agreed with the need to retain green space in Bellevue. He said traffic is getting worse in Bellevue. He said his house faces Northup Way and that gives him a view of the backups that occur morning and evening. There is a turn lane serving the condominium complex he lives in, which is planned to be extended down to 164th Avenue NE. Other developments do not have turn lanes and face major problems getting in and out. The proposal for the Bellevue Technology Center seeks to lift restrictions that are currently in place, and that will give them leave to do whatever they want to do. Once all the units currently under construction or recently completed are fully occupied, much more traffic can be expected. Once light rail begins operation in Bellevue, people wanting to go into Seattle may choose to park their cars in areas close to a transit center, exacerbating the traffic problems. As things are currently, it can take as much as 40 minutes to get from the center of the Microsoft campus to Northup Way

and 156th Avenue NE in the afternoon.

Mr. Edward McDonald, 15936 NE 27th Place, said he has lived in the Sherwood Forest neighborhood for 36 years. He said he participated in the land use planning for the Unigard site, now called the Bellevue Technology Center. The property owners are again asking to amend the Crossroads subarea plan, but what they really want to do is eliminate the PUD and the concomitant agreement. The plans they have shown the community would triple the square footage from 300,000 square feet to 900,000 square feet. In addition, six highrise parking garages are planned. The Commission on a 5-1 vote denied their last request in July 2014. They came back and tried a zoning request, which also did not work out for them. Now they are back again. The Bellevue Technology Center property owners will speak about all of the changes in the area and about obsolete land use codes. They are correct in looking toward the west, but not to the east across 156th Avenue NE where there has not been any substantial new development, a point made previously by planning staff. A clear dividing line at 156th Avenue NE is needed to protect the residential community. The PUD was developed with the community, the property owners and the city after hundreds of hours of work. It is a contemporary document, not a relic of the past and it represents an agreement that defines the full use of the property. The community made concessions in agreeing to the PUD on the understanding that the commitment would be permanent. The original farm on the site would have been developed with residential homes had it not been for the Unigard PUD. A deal is a deal and the PUD should not be vacated. The PUD was intended to serve as a buffer east of 156th Avenue NE, protecting the trees, the open space and the residential community. The buffer is needed now more than ever.

Ms. Karen Strehlow, 1702 159th Avenue NE, said she has lived in the Inglebrook condominiums for 22 years. She said she chose the condominium in part because the wooded area on the Bellevue Technology Center was classified as a green space, and the assumption was that it would always be there. Now the property owner wants to rip it out and build more buildings. The property owner should work more closely with the community and should focus on the large flat area that has no trees. Their parking area is beautifully landscaped with trees. If the owners were to revise their plans a little bit, there might be less opposition from the community. Traffic is a huge problem and in the last year there have been a lot more accidents on 156th Avenue NE and Northup Way. As traffic increases there will be even more accidents and issues.

Mr. John Zeitz, 18430 NE 15th Place, said he was originally from San Francisco but has been in Bellevue since 2014. In San Francisco there were very few parks and houses crowded close together. There were many traffic problems. He said when he came to Bellevue he was enamored by the beauty of the area, the trees and the environment. He said he was concerned about whether the city might be too focused on increasing tax revenues by allowing new buildings and less concerned with old agreements with former residents and the environment. He said he uses the streets that have been mentioned and encounters bad traffic. He urged the Commission to retain the original zoning decisions made years ago and maintain the beauty of the area. In the area of 156th Avenue NE and Northup Way there is a huge eyesore in the form of more and more apartments. The worry is that the same approach will be extended to the Bellevue Technology Center site.

Mr. Reggie John, 15803 NE 27th Place, said he serves as president of the Sherwood Forest Community Club. He pointed out that the Sherwood Forest neighborhood members had submitted statements and emails regarding their concerns with and strong opposition to the proposed Comprehensive Plan amendment by the owners of the Bellevue Technology Center. He said the letters and emails should be part of the public comment record. He thanked those from the Sherwood Forest, Foxborough, Bellewood East, Tam O'Shanter, Bridle Trails, Crossroads



and other areas who have taken the time to show up yet again regarding the Bellevue Technology Center. The residents are very aware of the importance of continuing to uphold the PUD agreement adopted by the City Council for the Bellevue Technology Center property. The existing agreement limits commercial building development on the site, and the limit was adopted to assure an appropriate transition zone from the Overlake Village commercial area and the residential neighborhoods to the east of 156th Avenue NE. The limit of 325,000 square feet of office space has been reached, and no further development potential exists for the property. The proposed amendment would allow additional commercial development on the Bellevue Technology Center site, which would erode the transition zone, create additional traffic and noise, electrical towers, and loss of tree cover and open space, adversely affecting the quality of life in the surrounding neighborhoods. The intent of the PUD is as valid today as it was when initially adopted in 1972, even more so now considering the increase in traffic and noise west of 156th Avenue NE. He urged the Planning Commission and the City Council to not allow the amendment to proceed further. The exact argument was made by the neighborhood in July 2014 in response to a proposal submitted by the owners of the Bellevue Technology Center to change the Crossroads subarea plan. The effectiveness of the PUD has not changed since then, nor has the opposition of residents to any changes affecting the PUD.

Mr. Jack McCullough, 701 5th Avenue, Suite 6600, Seattle, spoke on behalf of the owners of the Bellevue Technology Center. He said the application submitted in 2014 was not specific as to a plan but rather it sought permission to open the door to considering possibilities for the site. The response of the Commission was that a plan amendment was not the right format and that a rezone would be the appropriate avenue. Over the last three years, the property owners have been pursuing a rezone, but during the winter months it was determined that a rezone was not the way to go after all. There have been meetings with community and neighborhood groups, and some regional groups are supporting the proposal given the significantly changed conditions. At the public hearing on June 14, the property owner will bring forward a plan that is modest in scope, one that does not involve highrise buildings or removal of all the trees. The plan will in fact preserve forever the meadow in the northwest corner through a conservation easement. The proposal may potentially introduce small-scale senior housing to the site. There are currently seven buildings on the site and the plan may seek to add four more, all on a scale that will not overpower the site. Since 2014 the city has adopted its economic development plan which in part focuses on information technology and business service headquarters, which is exactly what is going on at the Bellevue Technology Center site. The B Line high-capacity transit has also been brought online since 2014; it stops immediately across the street from the site. Likewise, the city has endorsed a growing transit communities compact which has extended the walkshed from a quarter mile to a half mile, and the site is well within the half mile walkshed of the station. The Comprehensive Plan amendment being proposed will not carte blanche allow development across the site but will open the door to a process by which the city can consider an application for additional development.

Ms. Karen Campbell, 2447 160th Avenue NE, agreed with the comments made by those who spoke out against the Bellevue Technology Center proposal, except for the speaker who suggested the meadow should be developed as a way of keeping the trees. The city should stand up and uphold the PUD, which has been in place for over 40 years. The residents do not want to see it changed. It would be great if the local residents did not have to come back to the city every few years to fight for the agreement. The property owners have many times come forward with new plans, and every time the local residents have rejected those plans. It is unclear what would actually happen to the site if the proposed amendment were to be granted. Bellevue Technology Center has been cutting down trees where they are not supposed to. There are some dead trees leaning toward powerlines that need to be cut down, but they are still standing. Traffic is bad,

pedestrians are in danger whenever they try to cross the street. There are a lack of crosswalks on NE 24th Street and Northup Way. New Americans With Disabilities Act cutouts have been created that are painted and very confusing for drivers. Those who use the bus to get to and from work find it very difficult to cross the street to access a bus, or to get home after coming home on the bus.

Ms. Michelle Neethammer, president of the Foxborough Homeowners Association, said the vision for Bellevue in 2035 is where the city wants to be. That document says Bellevue embraces the future while respecting its past. The Bellevue Technology Center site is a key part of the history of the area. The site is where the first recorded settler in Crossroads built a seven-room house in 1873. It was a rural area at that time, and the rapid growth of the 1950s and 1960s marked the end of that rural nature. The Bellevue Technology Center was developed in 1972 based on a planned unit development process. The PUD was designed to protect the site from large-scale development and to protect the trees and the meadow. The PUD has served the community well over the years and the restrictions put in place by the PUD were incorporated into the Comprehensive Plan and the various subarea plans. The Bel-Red, Crossroads and Northeast subarea plans, as well as the Transportation Facilities Plan, all take into account the Bellevue Technology Center. The Bel-Red subarea borders the Bellevue Technology Center site, and the Overlake transportation hub ring goes to 156th Avenue NE. The circle does not, however, expand to the Bellevue Technology Center. At the open house, the Bellevue Technology Center people said they realize the site is outside the half-mile mark and for that reason are considering operating a shuttle to and from the transit center. By their own admission, they are clearly not in the walkshed. There are certain things in the Crossroads plan the proposal conflicts with, specifically maintaining land use as depicted in the land use plan; protecting existing single family neighborhoods from encroachment by more intense uses; encouraging land use and density that will not intensify vehicular congestion; and ensuring that any development on remaining vacant land is compatible with the surrounding use. In the Crossroads plan, Policy CR-35, which was written in the 1980s, calls for considering restrictions on land development and density as a viable means of controlling unacceptable levels of traffic congestion. The existing plans are good and their visions should be upheld to make Crossroads and Northeast Bellevue a place people will want to call home.

Ms. Cindy Lamb, 16230 NE 24th Street, agreed with those against making a change on the Bellevue Technology Center site for the reasons stated. If the plan is going to be messed with, there will need to be a compelling reason. No such reason has been cited yet. Instead, what has been proposed will adversely affect the lives of those who live in the nearby neighborhoods, without any benefit for the community.

Ms. Els Blomme, 1010 185th Avenue NE, said her home is in Tam O'Shanter about a block east of West Lake Sammamish Parkway. She said she has two small children and loves to travel into downtown Bellevue to visit the library and Kids Quest, as well as the amazing shopping and restaurants. Sadly, there are only two ways to get from the neighborhood to downtown Bellevue, Northup Way/NE 20th Street, or NE 24th Street, both of which are a disaster for a big part of each day. The traffic to and from Microsoft is not primarily local or Bellevue residents, rather it involves people coming from east of Bellevue. West Lake Sammamish Parkway is pretty much a parking lot for much of the time all the way to Redmond. Things will only get worse once the apartments across the street from the Bellevue Technology Center and other develops in the area are fully occupied. Developing the Bellevue Technology Center site as well will only make things worse. She said it is actually easier to get from her home to shopping in Issaquah or Redmond during counterflow traffic hours. She said she opposed further development on the Bellevue Technology Center site and in the area generally. The city should develop an



infrastructure plan in conjunction with the city of Redmond to address the traffic issues before more development is allowed. She said if she wanted to sit in traffic in a concrete jungle, she would have moved to Seattle.

Mr. Hadden Hoppert, 1905 168th Avenue NE, voiced his opposition to more development on the Bellevue Technology Center site. With regard to the threshold review process, he said as proposed the application does not meet the test of significant change. The property has been reviewed a number of times in past years and it is not anything new to recognize the site has open space that the owner would like to develop. Policy S-CR-16, the proposed change from parks and public spaces to allow private organizations to provide open space, is sort of what the PUD was supposed to do to begin with, so it is hard to believe that approach would serve any better or last longer than the existing PUD. Policy S-CR-63, which would allow for senior housing, is not in line with what anyone has said about what is needed in Crossroads. Policy S-CR-66 would effectively get rid of the PUD and the concomitant agreement, which is a fairly large hammer for the property owner to use. The property owners have in seeking changes in the past have always been honest but disingenuous. They say they are within the walkshed, and it is true the property hits the 0.5-mile range, but only barely; to actually walk it, however, requires covering a distance of 0.7 miles up and down a fairly large hill. They say they will not build any highrise buildings, but they want to get rid of the height restriction imposed by Policy S-CR-66.

Ms. Janet Castanierra, 2447 161st Avenue NE, said at the open house she asked the Fortera representative what the benefit would be of going with what has been proposed instead of keeping the PUD, and the representative was not able to give an answer. The PUD has been protecting the whole area, and it appears the proposal is for Fortera to take a few pieces and protect what will be left. It has been said Fortera would enforce preserving the land under a contract, but the PUD is already in place as a deal with the city and the neighborhoods that has been working for many years.

Ms. Pamela Johnson, 3741 122nd Avenue NE, said according to King County Metro, transit-oriented development typically occurs within high-density mixed use develops that are within a ten-minute walk circle of a transit station, which is a 0.25 mile radius. The Bellevue Technology Center site is not within a quarter miles of a transit station. While the Bellevue Technology Center proposal affects only one part of Crossroads subarea, it will change the nature of the entire subarea. The subarea plan calls Crossroads a city within a city, but the Bellevue Technology Center site is not the center of Crossroads. There are many areas of the city that can accommodate additional growth, including in Bel-Red, the downtown and Wilburton. Crossroads is a vibrant and diverse community. The Comprehensive Plan calls for the city reaching the point of having a 40 percent tree canopy, but the proposal for the Bellevue Technology Center site will not help achieve that goal.

Mr. Stuart Heath, 13252 NE 47th Street, clarified that his comments were personal and not as chair of the Parks and Community Services Board. He noted that at the last meeting Commissioner Carlson asked if the Parks and Community Services Board had an appointee to the Downtown Livability Initiative CAC, and Commissioner Barksdale asked some very good questions regarding the CAC. He said that got him to thinking about how the Parks and Community Services Board and the Planning Commission could work together as community liaisons and representatives. The Downtown Livability Initiative was not before the Parks and Community Services Board when the Board concluded that the downtown livability incentive plan did not meet the needs of Parks and Community Services. It was never discussed and the vote was not intended to be a comment on the CAC process. The CAC did some very good work and in its final report noted the need for more parks in the downtown and the need to study the

issue further. What the Parks and Community Services Board has concluded is that after further study there is not enough evidence that the park goals will be met. During the CAC process, co-Chair Laing said the CAC met and gave to the various boards and commissions meaty subjects to chew on. In reality, what happened was there was no report back to the Parks and Community Services Board about the CAC's findings. The Board was never asked to deliberate on any issue and never actually made any decisions. The CAC actually raised an issue with regard to how the Board feels about the issues, but for some reason there was no closing of the loop. Afterwards, the chair of the Parks and Community Services Board made some comments and the staff expressed frustration with the process. He said when he became chair of the Board, the Wilburton CAC process was about to start, and he said he asked the Council liaison what the Council wants to see the Board working on in 2017. The answer given was the Wilburton CAC. To date, however, nothing has come back to the Board. There should be check-in points and communication between the CAC and Parks and Community Services.

Mr. Kevin Whitaker, 10700 NE 4th Street, Unit 2002 in Bellevue Towers, said his takeaway from the comments regarding the Bellevue Technology Center was a feeling of disenfranchisement and an abrogation of social and long-standing legal contracts. Many feel as though the rug is being yanked out from beneath them. He said when he purchased his unit in Bellevue Towers he did his due diligence and considered the potential impacts on his investment. The biggest source of value for his home is his view. The building code restrictions say adjacent buildings are limited to 250 feet, and up to 305 feet given other provisions. Even at that height, the views would not be impacted. Now the proposal is to increase the height limits and decrease the setbacks and the result will be essentially a wealth transfer of sorts in that someone who buys a developable property in the downtown can capitalize on the fact that they purchased their site based on the existing building codes and are trying to have the codes changed to reap a windfall. The downtown Bellevue incentive zoning update briefing book from January is a difficult read but reaches the conclusion that if the changes are made, developers will make more money. It does not include a good faith analysis of where the money will come from, which in part will be from local homeowners and residents. The concern is that the legal and social contracts on which they have made assumptions are being abrogated by elected representatives.

Mr. Bill Hermann, 10700 NE 4th Street, spoke representing the members of the Bellevue Towers Livability Initiative. He said when first told about the Downtown Livability Initiative, it was said the Land Use Code would be updated to create open spaces, to add light and air by having taller and skinnier buildings, and to add fun new amenities, all to improve livability. After three years, the update has become a rewrite that is incomprehensible. The open spaces are not there. The plaza requirement has been dropped. Increased light and air has become decreased light and air. The developers removed the changes requiring buildings that were three percent skinnier, and they removed the amendments calling for increased setbacks and tower spacing. A recent change will allow developers to earn 90 percent of the new maximum height without providing funding for amenities. At the last meeting, some developers stated that developers will be unlikely to participate in the amenity system. The biggest office towers will thus fund zero amenities, be 20 percent taller, and zero percent skinnier. In the DT-MU district, the towers are going to be 80 percent taller, fund nothing, and will be even fatter. Taller with the same floorplate is a formula for increased density across the board. Equalization is totally unrelated to livability. A 15 percent height increase is recommended where there are interesting roof forms. A memorable skyline and design outcomes ranked last in the resident survey as contributing to livability, so a 15 percent bonus for an interesting roof form is a terrible livability tradeoff. Additionally, the bonus fails at its stated goal in that only the smallest buildings will get the 15 percent bonus. There is no accountability given that every box built will earn the bonus. To add insult to injury, an amendment was made to add 20 feet for mechanical equipment. The added height magically

does not count toward the total height, except in the DT-O2 district. A survey of 200 residents ranked the top three livability attributes as walkability, traffic and parking. The city is in denial that traffic is a problem. The city says that adding density is not significant and that no study is needed. The city says the level of service is good and all will be okay when everything is done. The residents on the other hand are already experiencing problems and can anticipate gridlock and frustration. Fuel should not be added to the fire. The draft code is silent on parking. The proposals cannot be adequately evaluated without data. What is needed is informed decisions. The plan will not fund amenities. The residents of the downtown see the proposal for what it is, a development initiative, not a livability initiative. The process was flawed from the start. The CAC had no representation from downtown residents. The outcome is a transfer of value from residents to developers with the city getting its cut. The process should start over with resident input, and the policies should be evaluated on facts and data rather than the need to fund special projects. The results need to be transparent, easily understood, and verifiable. The Commission should recommend to the Council leaving the existing code on the books until it can be got right.

Ms. Michelle Hermann, 10700 NE 4th Street, Unit 3616 in Bellevue Towers, said as a resident she is opposed to all upzoning. However, if upzones are allowed, the western portion of the DT-O2 South should be treated differently. Bellevue Towers and other residents in the downtown have relied on the maximum height of 250 feet specified in the Land Use Code. Premiums were paid because of the views which will be lost by allowing an additional 100 feet. Open space, light, view corridors should be encouraged. Developer after developer has pushed back on the good proposals made with regard to the 40-foot setbacks, 80-foot tower spacing, and a ten percent reducing in floorplates, and without any resident feedback, the Commission simply agreed to do as the developers demanded. Residents are in favor of 40-foot setbacks and 80-foot tower spacing and a ten percent floorplate reduction because that is what will result in view corridors and light and air, the things that are important to livability. The existing code is not transparent, nor is the draft code with regard to the dimensional requirements, height and FAR. The amenity system as proposed is far too complex and does not serve the needs of residents. A mechanism for reevaluating the code every few years needs to be included to make sure the right amenities are in place, and there should be measurable metrics of public benefit that the public can understand.

Mr. Don Hassen, 650 Bellevue Way NE, said he is a resident of One Lincoln Tower. He said he only recently learned about the proposed zoning change. He said when he purchased his condominium he did his due diligence and determined that the building height is 250 feet. The code is not clear that there is an additional 15 percent and more for doing certain things, meaning that views might be obstructed all the way up to 305 feet. Residents who paid more for their good view could see it obstructed by the zoning change. The Commission was urged to retain the current building code until it is determined what the absorption rate will be with the Bellevue expansion and the 425 Center.

Ms. Monique Peralt, 498 233rd Place SE, Sammamish, spoke as president of the board of One Lincoln Tower. She said she began her real estate career in Bellevue selling pre-construction condominiums and condominium conversions in the late 1990s. She said she has dealt with a lot of people about their views and what could be built around them. Kemper Development Company originally intended to build Two Lincoln Tower as tall as One Lincoln Tower, but that resulted in a lot of agitated people even though the site is in the core of the downtown where buildings that tall are allowed. People make their buying decisions based on height restrictions that will preserve their view. Buying units in the downtown is for many the most important financial decision they will ever make. Taking away their view will dramatically decrease their price per square foot and increase their emotional distress. Making decisions to raise building