

CITY OF BELLEVUE  
BELLEVUE PLANNING COMMISSION  
STUDY SESSION MINUTES

March 9, 2016  
7:30 p.m.

Bellevue City Hall  
City Council Conference Room 1E-113

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

COMMISSIONERS ABSENT: None

STAFF PRESENT: Terry Cullen, Nicholas Matz, Patti Wilma, Emil King, Department of Planning and Community Development

COUNCIL LIAISON: Not Present

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER

The meeting was called to order at 7:08 p.m. by Chair Hilhorst who presided.

2. ROLL CALL

Upon the call of the roll, all Commissioners were present.

3. APPROVAL OF AGENDA

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

4. PUBLIC COMMENT

Dr. Jeff Johnson, 5611 119th Avenue SE, said he is the owner of Newport Hills Professional Center directly across the street from the Newport Hills Shopping Center. He said his practice has been there for 30 years. It is exciting to see changes coming to the area. The Commission was asked to include his property in the scope of the proposed Newport Hills Comprehensive Plan amendment so it can have complementary height, form and structure.

Ms. Mary Smith, 1632 109th Avenue SE, addressed her proposed Comprehensive Plan amendment dealing with park lands preservation and protection. She said she served as one of the original members of the Save Mercer Slough committee that was instrumental in saving the land to become part of the Mercer Slough Nature Park. Land for more parks is becoming scarce and the city should treasure the parks it has. No one can see into the future and changes in use may be considered, but it should be required that the public who paid for park lands must be involved in any decision to change them. Park lands acquired through bond measures should remain park land unless the public votes to change the usage. Any park lands used for six months or longer should be considered permanent, consistent with state law. Park lands should be designated with their own zoning code so citizens are aware that the zoning is for parks only.

Under extreme conditions when parks are to be used for non-park uses, the Comprehensive Plan should be amended appropriately.

Mr. Geoff Bidwell, 1600 109th Avenue SE, said he has for many years been involved in protecting the Mercer Slough Nature Park. With regard to the proposed park lands Comprehensive Plan amendment, he concurred and fully supported Ms. Smith's comments. The amendments are necessary to protect taxpayer investments in park lands from non-park uses, including the sale of any park lands. The Commission was asked to consider a property that was purchased in 1988 through a Bellevue park bond measure supported by Bellevue taxpayers. The land was acquired by City Council resolution which states that the site, known as the Balitico property, was selected as having the highest priority for land acquisition, and it was necessary to retain view of the Slough from Bellevue Way and to provide an appropriate entrance to the park. Reference was made to an article from the *Seattle Times* written in 1988 dealing with the acquisition of the Balitico property and the citizens that worked to achieve the goal. He provided the Commission with a drawing of the trailhead of the Mercer Slough Nature Park and its improvements as authorized by the City Council. He also submitted a copy of the assessor's report of the Balitico property that was completed in 2011 showing that the property is unimproved and has a zoning of R-1 to protect the wetlands from high-intensity use. That is completely false and is contrary to the reason the City Council and taxpayers approved the purchase of the park land in 1988. It is clear that stronger language is needed to protect the city's unique and irreplaceable park lands for the present and into the future.

Mr. Jonathan Kagel, president of the Vuecrest Community Association, PO Box 312, thanked the Commission and the planning department for considering the concerns previously addressed about the areas immediately adjacent to Vuecrest along the 100th Avenue NE corridor. The Association favors restoring the originally defined building heights for the immediately adjacent to the neighborhood. There remain concerns about the Deep B area which is very close to the Vuecrest and Northtowne neighborhoods. The area was designated for lower heights during previous planning efforts. The current height limit is 90 feet and the CAC proposed allowing height of up to between 180 and 240 feet. Reaching the full proposed height would require a development plan, but nothing has been said about when such a plan would be required. The default height of 90 feet should be retained, and anyone wanting to build a taller tower should be required to go through the process of putting together a development plan and have it fully reviewed by planning, the Council and the adjacent neighbors. The process would take time, but extraordinary increases in height should require extraordinary planning and coordination. In the downtown area, there have been a lot of different bonuses earned. The Association would like to know more about the economics of those bonuses and what the exchange rate might be. Having a large backlog of bonuses that could be transferred could undermine many of the goals of the Downtown Livability Initiative.

Ms. Heather Trescases, executive director of Eastside Heritage Center, 11660 Main Street, said she attended many of the meetings of the Downtown Livability Initiative CAC. The Eastside Heritage Center sees the initiative as an opportunity to tell the Bellevue story. In going through the process, the Commission should take the same view. Downtown Bellevue is a destination for businesses and residents of the greater Eastside and also for tourists. Providing a sense of place will be critical to the character and vibrancy of the downtown, just as it is for any major metropolitan area. As Bellevue's mid-century modern suburban roots transform into 21st Century urban living and experiences, architects and developers should be inspired to honor the past. The city should provide a framework for them to do so through a variety of means, including interpretive signage, preservation of historic structures, preservation of significant historic features, and the utilization of historic images in new buildings. The amenity incentive system also provides opportunity to build community and connect people with their heritage

through the inclusion of space for non-profits, cultural uses and experiences. Challenges have been incurred with some of the use-related amenities in the past, but allowing for flexibility in the code can provide for opportunities and encourage partnerships for public benefit. The Commissioners were asked to keep in mind the role history can play in providing a sense of place and community identity.

Mr. Todd Bennett, 11100 Main Street, said his company BDR has been headquartered in Bellevue for over 30 years. He said the property at the northwest corner of Main Street and 112th Avenue NE on which is situated the old Lexus building is directly across the street from the planned East Main light rail station and the lid park. The site, along with the property to the west occupied by John L. Scott, represents a unique opportunity to create a signature gateway project at one of the few key gateway entry points into Bellevue. The properties are perfectly situated to provide a world-class transit-oriented development adjacent to a transit station. Under the current zoning and height restrictions, the most likely development scenario for the properties is four- or five-story mixed use over retail, an approach that certainly does not take full advantage of the key gateway location and adjacency to the light rail station. The property could be developed with a far more interesting mix of retail, office and residential uses under the proposed zoning and height changes, and could yield opportunity for open spaces and gathering spaces. Taller and skinnier buildings are more pleasing to the eye and offer a number of other benefits relative to light and air. He said he has been working with John L. Scott and other neighbors in the area to create a vision for what is being called the East Main district. The focus is on a plan that will respond to and take advantage of the light rail station while creating a gateway and character for the area. The staff recommendations for zoning and height are supported in general, but the FAR and height increase in Perimeter A should not be limited to residential uses only.

Mr. Phil McBride, Chief Operating Officer for John L. Scott, owner of the building at 11040 Main Street, said the property is only 200 feet from the East Main light rail station. He said John L. Scott worked with BDR to create the vision that was on display during the open house. The vision is for a development with office uses in the buildings in the front and residential uses in the buildings behind. He said he is excited to see what is happening in the area and to be part of charting a course forward for the evolution of the city.

Ms. Christy Becker, 10116 SE 6th Street, spoke as the associate director for housing and case management at Hopelink. She said everyone deserves the opportunity to have a safe, healthy and affordable home. A recent article published in the *Journal of Urban Affairs* found that for every additional \$100 in median rent, there is a 15 percent increase in homelessness in urban areas, and a 39 percent increase in suburban and rural areas. There is a clear need to prioritize affordable housing. Hopelink has seen an increase in the number of families struggling to locate affordable housing in Bellevue and east King County. Families are often paying a high percentage of their incomes for rent, leaving little for basic needs. Many working families are exiting homeless housing and are unable to locate affordable housing in Bellevue, forcing them to move out of the area even though they work in the city. The city has been a partner in serving the needs of low-income families and residents over the years. Hopelink provides Bellevue community members with food, housing, emergency financial assistance, heating assistance, employment services, and education. The package of services offered is designed to help people stabilize and to give them the tools and skills they need to exit poverty. Affordable housing in the community is a key factor needed for success. The Commission was asked to prioritize affordable housing for very low income, low income and moderate income housing units and to commit to implementing a development incentive for affordable housing.

Mr. Mike Nielson, 6557 127th Place SE, spoke as the former executive director of Imagine Housing. He said he spent the better part of his 40-year career developing and operating

affordable housing. He expressed concern about housing affordability in Bellevue. Over the years, many citizen surveys and focus groups have listed affordable housing as a priority. Approximately 50 percent of the new housing units to be developed in Bellevue over the next 20 years are going to be in the downtown area. If that is the case, the only way the city will be able to impact affordability will be to take aggressive steps to assure that a percentage of the new downtown units will be affordable. Bellevue will not be able to meet its affordability goals unless that is done. Additionally, much of the new development in the downtown will include wage earner retail jobs. Already those who hold such jobs cannot afford to live in Bellevue. That means they must seek housing outside of the city and travel to and from their jobs, impacting the transportation system. Developers are not going to develop affordable housing unless there are incentives to do so. In fact, it often takes mandatory inclusionary zoning to get affordable units included in the mix. The Commission was urged to take an aggressive look at creating incentive bonuses for affordable housing in the downtown.

Mr. Bill Herman, a resident of Bellevue Towers at NE 4th Street and 106th Avenue NE, stressed that when all the updates are considered and voted on, there should be a full understanding of the complete package. Parts of the package are currently missing, including a transportation plan that takes into account the additional FAR in the MU district, as well as the diminished capacity resulting from midblock crosswalks and having more pedestrians, bike lanes and narrower lanes to slow traffic. Traffic volumes on I-405 actually diminished by half a percent between 2012 and 2014, but trip times increased 46 percent during that same period. Where gridlock exists, traffic volume decreases. With regard to the bonus amenity system, the staff have recommended fixing the fact that developers earn maximum incentives by providing underground parking by making it a requirement. The proposed approach, however, would give the additional height anyway, thus institutionalizing the broken system. A different approach should be tried, one that does not require underground parking or give any bonus for it; it will still happen and the de facto backdoor downzoning will go away. The Commissioners were urged to clarify what is really meant by height limits. In the O-1 district, the limit is 450 feet and nothing is allowed to exceed that limit. In other downtown districts, however, the limit is actually allowed to be exceeded for various reasons.

Ms. Margo Blacker, 200 99th Avenue NE, thanked the Commission for its hard work. She said she participated in the 1981 rezone of the downtown, and the controversial 1992-1993 work that established scaled down height limits that has proven over time to serve the downtown well. All the arguments being made now about slender tall towers and plenty of amenities were made back then as well. The Vuecrest and Northtowne neighborhoods live next to a giant. With increased height and density consideration must be given to what the impacts will be on the surrounding neighborhoods. The Northtowne Community Club is opposed to any increased heights on the west and north side of the downtown. If increased heights are allowed, certain amenities should be required, including affordable housing. At one time in the past Bellevue had inclusionary housing requirements, but they were voted away. Northtowne wants to see McCormick Park extended to 112th Avenue NE. She agreed with Ms. Trescases that Bellevue needs to preserve and express its history.

Dr. Russ Paravecchio, 2495 158th Place NE, spoke against the proposed Naficy Comprehensive Plan amendment. He said the Sherwood Forest residents do not want to be at odds with city government, or viewed as obstructionists. The neighborhood supports controlled growth but not irresponsible growth that is willing to expend things that should be considered inviolate. Those who live in residential areas that have been specifically set aside for that use should be able to believe their properties will not come to a bad end because of poor planning that results in decreased property values. Bad planning results in traffic that makes it very difficult to access residential areas and reduces overall safety. It is not responsible, ethical or right to make

planning changes that will negatively impact established residential areas. The Sherwood Forest residents should not be asked to suffer the impacts that would result from approving the Naficy Comprehensive Plan amendment. Protective mechanisms in place should stand and should not be skirted around. Infrastructure should be built ahead of time to accommodate future growth.

Ms. Karen Campbell, 2447 160th Avenue NE, said she is a Sherwood Forest resident and taxpayer. She asked the Commission not to approve the proposed Naficy Comprehensive Plan amendment. The area should be kept in the Crossroads subarea and not be allowed to be transferred to the Bel-Red subarea. The Bel-Red subarea was previously allowed to encroach on the Crossroads area, something that should not have been allowed to happen. Notice of that action was not provided in a timely manner, and the result is the Live apartments and more apartments going up on the corner of NE 20th Street and 156th Avenue NE, as well further down on 156th Avenue NE. Traffic is terrible and it takes several cycles to get through an intersection. Even emergency vehicles are unable to get through. The Naficy structure is a one-story school and dental office. There are tall fir trees on the site that should not be cut down. The property is a little over half an acre in size, which is only twice the size of many properties in Sherwood Forest. Taller buildings in the area are not needed in the area given that taller buildings are already going up in the Overlake Park area that will allow the residents to look down into the Sherwood Forest neighborhood. Property values in Sherwood Forest are not increasing, largely due to the increased traffic and development. Neighborhood values should be kept and respected, and the neighborhood should remain safe. Increased development will bring in more crime. The environmental checklist filed with the city is incomplete and inconsistent; it says in one place there will be between 60 and 120 residents and workers, and in other place that there will be between 200 and 400 residents and workers. All of that will add tremendously to the existing traffic, and there are no plans in place to fully address the traffic. The proposed light rail alignment has been moved further away from the neighborhood, making it more difficult to access, and there are no plans to increase bus services. The city was supposed to keep a gateway to the neighborhoods, but that has failed. No more rezones are needed, and the open space in the area needs to be kept open. The Overlake Village master plan will house between 30,000 and 40,000 people once it is completed, and that is about half the size of Seattle's South Lake Union neighborhood.

Ms. Valerie Barber, 4644 122st Avenue SE, said there are inaccuracies in the Newport Hills Comprehensive Plan amendment request. The suggestion is made that traffic might decline as a result of going from Neighborhood Business (NB) to Multifamily-High (MF-H), but it makes no sense at all. Where there are 180 homes, there are 180 times two or more cars. The current retail center does not have that much traffic during peak times. The proposal also states that the current retail center is fairly vacant, which is incorrect. A number of services are offered that are vital to the neighborhood that not only improve the quality of life but also the walkability of the neighborhood. Some of the businesses in the center that were mentioned include: a mail center, restaurant, dry cleaning, dance studio, tailor, martial arts, nail bar, hair salon, sports bar and tutoring center. Reference was also made to the Mustard Seed, a sports bar that attracts many different sports teams of all ages to meet and celebrate. Additional references to existing businesses were made including Stod's Batting Cage, a burger restaurant and a gas station. The walkability of these business was emphasized. There are only two of the 15 storefronts that are vacant. This doesn't suggest this is a retail service center that is largely empty. The businesses have succeeded in spite of attempts on the part of the landlord to limit their ability to have a modern building and to have long leases that would encourage building improvements. They are hindered by the landlord to make it more attractive for even more businesses to succeed there. In spite of the current owners, they are successful which suggests how important those services are. The parking lot will have only a few cars during the morning hours, but during one Friday and Saturday evening at 7 PM, there was over a hundred and eighty cars in the parking lot. That

does not speak to an empty retail center. Additionally, that corresponds to the traffic going through the neighborhood and these are non-peak times. There are only 2 roads and both have a school with school drop-offs and there can be up to a 2 mile traffic back-up to get out of the neighborhood during peak hours. Does not understand why we need more high density housing in this neighborhood.

Mr. Sam Chung with Baylis Architects, 10801 Main Street, spoke representing Dr. Naficy in support of the proposed Naficy mixed use Comprehensive Plan amendment. He pointed out that changed conditions make the proposed amendment both timely and appropriate. Since the Comprehensive Plan was adopted for the site, the adjacent Bellevue zoning and land use has been substantially modified by the Bel-Red corridor plan, and the Bellevue Transit Master Plan which includes the East Link extension. The Bel-Red subarea plan increased the allowed FAR from 2.0 to 4.0, and increased heights from 45 feet to 75 feet. Additionally, Redmond has increased the zoning capacity on lands around the subject property. Dr. Naficy's property is surrounded by much higher density and allowed building height. Sound Transit's East Link Overlake Village station will be within a half mile/ten-minute walk of Dr. Naficy's property, and King County Metro already provides two service routes on 156th Avenue NE. The subject property is located within the 300-foot planning gap between Bellevue and Redmond, and good planning makes the proposed amendment very rational. He voiced support for expanding the geographic scope as suggested by the staff, and agreed that it should not extend south of Bel-Red Road. The concerns of the public in nearby residential areas are understandable. However, because of the FAR cap limit placed on Dr. Naficy's property, all that can be seen fronted on the street is a parking lot and an underutilized building. If the amendment is approved, the site will have an FAR base of 1.0 and the opportunity to increase that by including things like affordable housing through the bonus incentive system.

Mr. Steven Roberts, 620 West Lake Sammamish Parkway, said he works with Congregations for the Homeless whose mission is to help single men on the Eastside move from homelessness to independent living. The national initiative to end homelessness focuses on the lack of affordable housing as the major cause of homelessness. There are quite a few affordable housing units in Bellevue, though the waiting list for them averages four years and stretches out to six years. Congregations for the Homeless does a really good job of working with homeless men. It can help them get off the street into shelters; it can help them get a job; it can help them deal with their issues and addictions and health issues; and it can help get them into subsidized housing. There is, however, no place for the men to go once they achieve stability and are ready to pay rent. Affordable housing is desperately needed, especially in association with transit-oriented development. The only other option for the men is to find housing in some other city.

Mr. Alex Smith, 700 112th Avenue NE, spoke on behalf of 700 112th LLC. He said the property is currently zoned DT-OLB. He thanked the Commission for being allowed to participate in the stakeholder forum earlier in the evening. The event prompted a good exchange of ideas and helped to illustrate what is possible. The design team from CollinsWoerman along with land use attorney Larry Martin has given thought to what downtown livability means and has identified some exciting opportunities for the community, as well as some constraints. The constraints demonstrate how important it is to include flexibility in the Land Use Code. Sites that serve important public purposes should not be underdeveloped. Limiting FAR on the subject property to a maximum of 6.0 will result in buildings that are significantly smaller than what the site and the neighborhood needs. The model demonstrated at the forum utilized an FAR of 8.0. The site is one block from the downtown light rail station and Bellevue transit center, and is also adjacent to I-405 HOV access and the NE 8th Street ramp. Given the opportunity, a convention-serving hotel could be constructed on the site, increasing the viability of Meydenbauer Center. Depending on the design, the site could contribute to the Grand Connection as well as future

development in the Civic Center neighborhood. The property is highly visible from the north, south and east. It could become a civic landmark giving a sense of arrival and creating a sense of place. The Commissioners were encouraged to think in terms of flexibility where warranted rather than in terms of absolutes.

Mr. David MacDuff, 419 Occidental Avenue South, Suite 300, Seattle, spoke representing the applicant for the Newport Hills Shopping Center Comprehensive Plan amendment. He said the proposed amendment is based on a number of reports that have been compiled for the Newport Hills area over the years. The neighborhood has a wonderful character and much effort has been put in by the neighborhood and the city to come up with a plan that will work. No such plan has been put together to date that works for all involved. The proposed amendment seeks to continue combining a mix of retail and commercial uses with residential uses in the form of townhomes. The vision is for something far different from what exists in the neighborhood currently, something that will offer many things that matter to the community. There is not sufficient demand to rebuild the center with new retail of the type that are currently there, but that does not preclude existing users from coming into the new retail spaces if their business model accommodates it. The proposed approach does result in a reduction in the amount of commercial space currently on the site. A design concept is being prepared and will be shared with the public when it is ready, and the intent is to work with the neighbors and the neighborhood as well as with the city.

Mr. Jack McCullough, 701 Fifth Avenue, Suite 6600, Seattle, commented that there has been some suggestions that for some zones in the downtown there may be an interest in providing additional height without allowing for additional FAR. He suggested that would be a useless venture. Developers will not readily take advantage of additional height in the absence of additional FAR because as buildings get taller and floor plates get smaller, buildings become more expensive and less efficient. The amenity bonus system is a delicate creature. It was crafted in 1981 and it has served its purpose, not the least of which is getting developers to put parking underground, and getting developers to construct residential projects in the downtown. The amenity schedule does not impose significant cost on projects and the city should be careful in seeking to fine-tune it. If changed radically to an approach that will impose high costs, the result will be a de facto economic downzone, and developers will not develop new projects. One way to mitigate that is to provide additional FAR. Many people have worked for many years to make light rail in Bellevue a reality and construction is getting under way. No new plans for the downtown should be adopted if they do not include substantial increases in density to take advantage of light rail.

Mr. Mike Nielsen, 10650 NE 9th Place, Unit 2524, said he was part of the development team that originally developed the two Washington Square condominium towers but now is a principal with West 77 Partners which is currently developing the Hilton Hotel adjacent to the condominiums at the corner of NE 10th Street and 108th Avenue NE. He said he is also part of the ownership group that owns the balance of the Washington Square superblock. The Commission previously recommended that staff evaluate a potential height and FAR increase in the DT-O2 North zone, or the three half blocks that sit between Bellevue Way and 110th Avenue NE on the north side of NE 8th Street. Each of the O2 zones impact the city in different ways, and a continuity relative to them may be inconsistent with the zoning objectives of the downtown. NE 8th Street serves as a gateway to downtown Bellevue; that is certainly evident in the fact that most of the traffic coming into the downtown uses NE 8th Street. The West 77 Partners site is unique in that it has a maximum height of 250 feet and an FAR of 6.0 and sits directly across the street to the O1 zone for which a proposal has been made to increase the height limit to 600 feet and the FAR to 8.0. The model shared during the forum compared what could be created under the existing zoning and what would be there with an increase in height

and FAR. The Commissioners were thanked for at least asking staff to look at increasing height and density for the site. There appears to be some support for increasing the height, though increasing density is a more sensitive issue. The opportunity exists to allow for flexibility in how the FAR is allocated. The number of persons living in the downtown is steadily increasing, but there remains a dearth of places for children to safely enjoy. The desire is that the Washington Square site will be designed to include open spaces and areas for kids to play and adults to gather. Increased height and density can help to bring that about at the street level.

Ms. Heidi Dean, 11661 SE 56th Street, said she currently serves as the merchant liaison and shopping center revitalization chair for the Newport Hills Shopping Center for the community club, but stressed that she was not speaking for the club. She said the community has for many years been asking for help in revitalizing the shopping center. The concern is that what has been proposed will not revitalize the shopping center; rather it will simply create infill housing and a strip of retail left to appease the residents, which is not what the residents have asked for. It is not what was envisioned during the Heartland study in 2010. Including a certain amount of housing on the site has always been understood as a way of helping to support the retail, but what is being proposed does not fit the vision. The application is misleading in representing the center as currently being fairly empty. In fact, it is evident that whoever filled out the application knows little to nothing about it, including the fact that a bus line serving Bellevue and Seattle runs through Newport Hills. The lack of notification regarding the Commission meeting and the fact that the topic would be introduced is disconcerting; in fact she said she had been told the issue would not be introduced until the April 13 Commission meeting. The lack of communication between the city and the Newport Hills community is troubling. It has been rumored that the property owner has been shopping the property around since June, a fact that was only verified at the forum prior to the Commission meeting. The community has been clear about wanting to be part of the planning conversation. Changing the zoning from NB is not what the community wants; it wants the local businesses. There is no reason for the shopping center having empty spaces, except that it has been made impossible to rent them out because they have been made un-tenantable. The Heartland study is really no longer applicable given how much change that has occurred in the area and a new study should be done.

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

Commissioner Morisseau said she met with the Fortin Group a week ago and learned their vision for their property on 100th Avenue NE across from the Vuecrest neighborhood.

6. STAFF REPORTS

Chair Hilhorst said she has been meeting regularly with Comprehensive Planning Manager Terry Cullen to discuss the Commission's full schedule. She noted that there is much that must be done in the coming five months or so and suggested the need for additional meetings or to start meetings earlier in the day. She asked the Commissioners to share with her their thoughts about how to proceed.

7. DRAFT MINUTES REVIEW - None

8. STUDY SESSION

A. 2016 Annual Comprehensive Plan Amendment Applications

Senior Planner Nicholas Matz said introduction of the Comprehensive Plan amendment



applications is only the first of many steps associated with the amendment process. He clarified that the Comprehensive Plan can under the Growth Management Act only be amended once annually and each of the submitted applications will ultimately be considered as a single amendment to the Comprehensive Plan. The proposed amendments will, however, be considered individually. The work program will be established by the City Council based on the recommendations the Commission will make after a public hearing. At the threshold review stage, the focus is on determining whether or not the proposed amendments should be considered for Comprehensive Plan amendment; those that make the cut are included the work program. At the final review stage, each proposed amendment is studied on its own merits. The recommendations of the Commission will be forwarded to the City Council for final action. Both phases include a public hearing.

Mr. Matz clarified that the only question before the Commission was whether or not the geographic scope for each proposed amendment should be expanded. In all there are five proposed amendments, three of which are site specific. He said the Commission will be asked to consider whether or not the proposed actions for the site-specific amendments should be addressed applied to more than just the subject site. The non site-specific amendments propose amendments to the text of the Comprehensive Plan, and the presumption that the amendments apply citywide leave no question of geographic scope.

i. Naficy Mixed Use 16-123605 AC

Mr. Matz said the privately initiated application would amend the map designation for the 0.574 acre site at 15700 Bel-Red Road from Office (O) to Bel-Red Residential-Commercial node 3 (BR-RC-3). A concurrent rezone application has been submitted along with Comprehensive Plan amendment application. The applicant's stated purpose is to allow for a denser mixed use center, additional housing support, and improved pedestrian activity in the neighborhood. In reviewing Comprehensive Plan amendment applications, however, the focus is on what could happen under a given designation and zoning, not just what the applicant proposes. The existing FAR allows up to 0.5, but the BR-RC-3 has a base FAR of 1.0 and a 45-foot height limit, which can be increased to an FAR of 4.0 and a 70-foot height limit. The Naficy site is currently developed with a medical-dental office building with surface parking.

The Land Use Code states that expansion of the geographic scope is recommended for a site-specific proposal if nearby, similarly-situated property shares the characteristics of the proposed amendment site, and indicates that expansion is to be limited to the minimum necessary to include properties with shared characteristics. The purpose of geographic scoping is to look at the circumstances and situation of the subject properties and conclude whether or not the same conversation should be held about a broader set of properties in the area. Mr. Matz explained that because the site-characteristics of the Naficy property are shared by the other adjacent sites, the recommendation of staff was that geographic scoping should be expanded to include all properties northwest of Bel-Red Road, east of 156th Avenue NE, and south of NE 28th Street.

Commissioner deVadoss asked why the staff was not proposing also expanding the geographic scope to include the properties to the southeast of Bel-Red Road. Mr. Matz said Bel-Red Road serves as a hard line, and as a result the sites to the southeast do not share the same characteristics.

Mr. Matz said to date one letter has been received which is strongly opposed to the proposed Comprehensive Plan amendment, and several emails have also been received. During the community rezone meeting held prior to the Commission meeting, several people noted their specific interest in the proposal. All written comments will be included as part of the staff

recommendation.

Commissioner deVadoss said he was unclear as to how staff reached the conclusion that the nearby properties share similar characteristics with the subject property. Mr. Matz said the Naficy site is zoned Office and is home to a small older single-level office building that has been developed for some time. The site has surface parking that is shared by the surrounding properties along with the Office zoning. The properties to the southeast of Bel-Red Road are primarily zoned Professional Office (PO), a zone that is significantly different when it comes to contemplating redevelopment. There is Office to the south. The properties proposed for inclusion through geographic scoping have a similar set of developed circumstances. They are all affected by the issues raised by the applicant relative to access and proximity to higher-density areas. The properties to the north of the proposed geographic scoping area are in Redmond, as are the properties to the west.

Commissioner deVadoss suggested that using boundaries between cities as the criteria for rezoning activities opens the door to a number of complications and unintended consequences. Mr. Matz clarified that the focus of the geographic scoping centers on the issue of the proximity and density proposed affects all of the properties equally.

Commissioner Carlson asked staff to comment on the testimony provided by the public regarding the proposed amendment. Mr. Matz said no conclusions have yet been reached with regard to what impacts, if any, the proposed action would have on the community. The staff report will ultimately take into account the implications for the geographic footprint recommended by the Commission.

Commissioner deVadoss opposed expanding the geographic scope as proposed by staff. The move could open the door to some problems with respect to the boundaries. The action also does not take into account the contextual issues associated with the Bellevue Technical Center site to the east of 148th Avenue NE. Without the larger context, the perspective is too narrow. Chair Hilhorst pointed out that by widening the geographic scope, the context circle will be widened as well. Not expanding the scope will not result in considering that site. Mr. Matz said all of the considerations that were given to the Bellevue Technical Center site will be taken into account if the geographic scope is expanded.

Chair Hilhorst asked staff to also include transportation data as the review moves forward. Mr. Matz said he absolutely would do that.

There was consensus of the Commissioners to expand the geographic scope as proposed in the staff memo. Chair Hilhorst directed staff to prepare a threshold review recommendation for the Naficy Comprehensive Plan amendment.

ii. Eastgate Office Park

Mr. Matz said the privately initiated application seeks to amend the map designation on the 14-acre site located at 153325-15395 SE 30th Place in the Eastgate subarea from Office (O) to Office Limited Business (OLB). In the submittal documents, the applicant stated that the Eastgate/I-90 Land Use and Transportation study missed a major opportunity to add moderate density to the site, and that to do so would be in support of the Eastgate vision for a transit-oriented development and mixed use center. From the perspective of the applicant, there is a limit on the ability to develop the site. Moving to a different designation would allow for a richer variety of density. There are currently four buildings on the site. The Commission is familiar with the Eastgate/I-90 plan and that will be made part of the conversation going forward

regardless of the geographic scoping. The applicant believes the OLB designation would yield more flexibility under the potential FAR that could occur on the site.

Mr. Matz recommended expanding the geographic scoping to including two sites to the west that are similarly situated. Both have older suburban office buildings of the same general low-density design of the subject property. The sites also share similar access and are zoned Office.

The Commissioners were informed that the only inquiry to date was from the owner of the Subaru dealership seeking to know the particulars of the proposal.

Commissioner Carlson asked why the site was not originally wrapped into the Eastgate/I-90 study. Mr. Matz said that question will be answered in the report after digging into the work that was done.

Commissioner Morisseau suggested a visit to the site by the Commissioners would be helpful. Mr. Matz said the Commission will be provided with pictures of the site in the report, and if needed a site visit could possibly be arranged.

There was consensus among the Commissioners to expand the geographic scope as proposed in the staff memo. Chair Hilhorst directed staff to prepare a threshold review recommendation for the Eastgate Office Park Comprehensive Plan amendment.

iii. Newport Hills Comprehensive Plan 16-123752 AC

Mr. Matz said the privately initiated application would amend the map designation for the 5.9 acre site at 5600 119th Avenue SE in the Newport Hills subarea from Neighborhood Business (NB) to Multifamily-High (MF-H). He pointed out that the applicant has suggested that 4.6 of the 5.9 acres would be designated MF-H and zoned R-30; the balance of the site along 119th Avenue SE would remain NB. The applicant's stated purpose in making the application is in support of redevelopment with a mix of uses, with a larger housing component. The applicant believes the NB designation is consistent with the policy redevelopment focus of the Newport Hills subarea plan but does not go far enough to promote the density needed to activate redevelopment.

Mr. Matz said staff was not suggesting any expansion of the geographic scope. The owner of the gas station site has been in contact with staff and is interested in observing as the process moves forward, and is paying particular attention to what will happen to the grocery store site. The owner of the real estate office near the subject property has also been in contact with staff.

Chair Hilhorst took a moment to explain that she got her passion for land use planning through working over a decade to see the Newport Hills Shopping Center revitalized. There have been years when the majority of spaces in the shopping center were empty; ironically the proposal has come forward at a time with the majority of the spaces are filled. It is exciting to see such a high level of interest in seeing the site redeveloped. It was disappointing that no notice of the issue being before the Planning Commission was given to the Newport Hills community. The neighborhood has a long history with the city, but something clearly was missed. Newport Hills is a very active community and the city will need to rebuild its level of communication and trust.

Commissioner deVadoss asked if there were a way to provide for visibility when applications are submitted. Mr. Matz reiterated that the introduction of amendment applications and the establishment of geographic scope is the first step of many. He said the lessons learned from the St. Luke's application in 2015 in terms of adequate notification and community involvement

have been built into the current process. Information about the applications submitted is readily available, though it could be the city needs to be more proactive in getting the information out. The first step having been taken, efforts will be taken going forward to make sure there will be public involvement.

Commissioner Walter said she is a member of NextDoor and highlighted the application as a good opportunity for getting the word out and expressing opinions. People want to be in the know and part of the solution, and when they do not hear about things they feel as if something has been withheld from them and that they are not being treated as equal partners.

There was consensus of the Commissioners to not expand the geographic scope consistent with the staff memo, to expand the notification process for the community and to come back with more data. Chair Hilhorst directed staff to prepare a threshold review recommendation for the Newport Hills CP Comprehensive Plan amendment.

iv. Park Lands Policy #1

The Commissioners were directed to the text of the two non site-specific Comprehensive Plan amendments in the packets. He said the gist of the proposal is to restrict or regulate review in changes of use of acquired park lands and park property variously by citizens, the Parks Board and the city's formal rezone process. Because the proposed policy would apply citywide, the question of geographic scoping does not come into play.

v. Park Lands Policy #2

Mr. Matz said the applicant has proposed three new policies restricting or regulating review in changes in use of acquired park lands and park property variously by citizens, the Parks Board and the city's formal rezone process, and requiring city owned park lands to be zoned with a 'Park' zoning designation. Because the proposed policy would apply citywide, the question of geographic scoping does not come into play.

Mr. Matz stressed that the City Council and the Planning Commission both have the authority to initiate Comprehensive Plan amendments into the process. On March 7, the Council directed the Commission to initiate a Comprehensive Plan amendment for what are called Vision Zero Transportation Element policies. The Commission will be working closely with the Transportation Commission to develop those policies and bring them forward. Amendments initiated by the Council start with the final review process.

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

B. Downtown Livability Land Use Code Update

Strategic Planning Manager Emil King reminded the Commissioners that on March 3 the stakeholder exhibits and open house event served as a good way to talk openly about ideas, visions for development, and community benefits. He reported that on March 7 the Council adopted the package of Downtown Livability Initiative early wins without making any changes.

Mr. King reminded the Commissioners that the MU equalization issue along with the Deep B and Civic Center districts were discussed but no preliminary recommendations were made. He added that no staff recommendation for any part of the OLB district between 112th Avenue NE and the freeway has been made pending a City Council study session tentatively set for March 24

that will include a discussion of the view corridor issues from major public spaces.

The attention of the Commissioners was drawn to the Downtown A overlay district. It was noted the Downtown Livability Initiative CAC recommended allowing residential building height up to 70 feet in the zone that currently has a limit of 55 feet. Their rationale was that the increased height would allow for more ample floor-to-ceiling space, particularly for ground floor uses, and would potentially allow for more articulation and open space. Mr. King said staff believes the recommendation is warranted for most of the overlay district, but not for the area by the library and the area by Vuecrest. The proximity to single family zoning in those two areas warrants retaining the 55-foot height limit. In the areas with the additional 15 feet, upper level setbacks would still be required.

Commissioner Laing said he would not necessarily support the height change to 70 feet all along 100th Avenue NE. The additional height is especially appropriate along Main Street along the southwest corner of Downtown. Staff's observation about the abutting single family neighborhoods to the west is well taken. He added that in order to create viable retail spaces on the ground floor, the opportunity to have somewhere between 15 and 16 feet of clearance is needed. Being able to go up to 70 feet allows for maximum flexibility at the street level, and provides for more livable residential units higher up.

Mr. King noted that the Downtown MU A and B overlays have been generally referred to as the East Main planning area. It is the area north of Main Street between 112th Avenue NE and 110th Avenue NE where both BDR and John L. Scott are located. The CAC made no recommendation relative to changing the height and density allowed, but the Commission directed staff to look at the possibilities. Across the street to the east is the OLB area for which the CAC recommended building height to 200 feet and FAR up to 5.0. The East Main station area CAC has not yet finalized its recommendation for the area but is considering recommending FAR between 4.0 and 5.0 and buildings between 200 feet and 300 feet high.

Mr. King said after considering all the particulars, staff concluded it could support slightly more density in the A design district along Main Street by allowing FAR at 5.0 and height at 70 feet. For the B design district, staff believes the current FAR of 5.0 should be retained, but building height at 250 feet is warranted as a way of syncing the efforts of the Downtown Livability Initiative CAC and the work of the East Main CAC. In an earlier conversation about the residential and non-residential FAR in the A and B districts, it was noted that non-residential FARs are significantly lower. In A, residential is allowed an FAR of 3.5, whereas office is limited to 1.0, giving incentive to build residential in the areas closest to the neighborhood. In B, residential is 5.0 and office is 1.5.

Commissioner deVadoss said the distinction between residential and non-residential appears to be somewhat arbitrary. Mr. King said the policy difference has been in place for a long time. Residential aspects have been more desired for the edges of the downtown than an array of strictly retail and office buildings. Some think the characteristics of a building with an FAR of 5.0 are the same for residential or non-residential, but in fact they are quite different in terms of light and glare, what the buildings look like, the desired floor plates and traffic movements. Given that the outside edges of the downtown have a lot of residential, residential has long been thought to be the more compatible use.

Community Development Manager Patti Wilma pointed out that a large portion of the Professional Office-zoned site to the southwest of the intersection of Main Street and 112th Avenue SE will have a park on the lid covering the light rail line. The park will serve as a de facto buffer between the residential to the south and the more intense uses in the DT-MU/East

Main area.

Commissioner Laing said the Downtown Livability Initiative CAC did not give a lot of attention to the A and B overlay districts. There is what some downtown stakeholders refer to as the commercial penalty associated with residential having either no FAR limit or a large difference in the allowed FAR. The explanation that residential uses on the edges of the downtown are more compatible with residential uses that ring the downtown makes sense in transition areas. However, the CAC expressed concern about continuing the differential given that the priority given to residential to date has achieved its goal. Mr. King said the CAC argued that equalizing the FAR is particularly pertinent to the DT-MU district.

Chair Hilhorst asked when the East Main CAC will have its recommendations ready. Mr. King said the group is currently focused on building height and FAR for the area east of 112th Avenue SE between Main Street and SE 6th Street. The CAC will need a couple more meetings to reach a conclusion, but their current focus is on FAR in the range of 4.0 to 5.0 and building height between 200 and 300 feet. Part of the area is influenced by the view corridor between City Hall and Mt. Rainier.

Ms. Wilma said the DT-O1 district takes in the main part of the downtown. She said the CAC recommended no change to the FAR. However, the outcome of combining building height of up to 600 feet with an unlimited FAR was not necessarily the intent of the CAC. Staff's recommendation is to limit FAR to 10.0 for residential buildings that exceed 450 feet in height, otherwise to have no limit on residential FAR below 450 feet. Under that approach, buildings above 450 feet will be allowed to have only the square footage they would be allowed to have in a structure that does not exceed 450 feet. Both residential and non-residential buildings should be allowed to build to 600 feet. Staff also recommends eliminating the 15-foot height for mechanical equipment, leaving the screening requirements to deal with mechanical equipment. Tower spacing, floor plate stepbacks and special open space requirements should also apply. Fundamental to the CAC's recommendation is that any additional height for FAR must be earned by the provision of exceptional amenities.

The Commissioners had no questions.

With regard to the DT-O2 district, Mr. King noted that staff had been directed to look at additional height and FAR for the area to the north of NE 8th Street. He said keeping the same 6.0 FAR and allowing up to 400-foot buildings would help to reinforce the wedding cake better than going from 450 feet and 600 feet all the way down to 300 feet across the street. The rest of the MU allows for 200-foot and 300-foot tall buildings. The benefit of having more light and air between towers and ground level open space with tower spacing is warranted. He recommended allowing height above the 300-feet recommended by the CAC without increasing the allowed FAR.

Commissioner Morisseau asked why the FAR should not be increased along with increasing the height to be consistent with what was across the street, which is 8.0 FAR. Mr. King said the potential for additional FAR was analyzed by the staff. However, throughout the CAC process whenever there was talk of additional height or FAR they defaulted back to the issue of urban form. As a result, their recommendations do not include just adding FAR in the downtown, other than in the OLB district, and in the MU district through equalization. The zoning in the downtown is already fairly dense and retains the earmark of having the most dense zoning of any zone in the city. The CAC analyzed an FAR of 7.2 and 9.6 for the O1, but concluded that additional FAR was not warranted.

Commissioner deVadoss said the Commission is not required to dogmatically adhere to the recommendations of the CAC. Mr. King agreed. He said the task of the Commission is to thoroughly review the CAC recommendations and amend them as the Commission sees fit in developing a recommendation of its own to send on to the Council.

With regard to the DT-O2 north district, Mr. King said the area takes in the western half of the Bravern block and the western half of the City Hall block. The zone currently has an FAR of 6.0 and a height limit of 350 feet. He said the recommendation of the staff was for no change to the CAC recommendation.

Mr. King said the DT-O2 south district lies to the south of NE 4th Street and east of 110th Avenue NE. He said the recommendation of the staff was to proceed with the CAC recommendation for increasing the height from 250 feet to 300 feet without increasing the FAR from the current limit of 6.0. The area is largely built out, but there are key redevelopment sites that are of interest to stakeholders, including Bellevue Towers.

Mr. King said he would seek preliminary planning direction from the Commission in April.

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

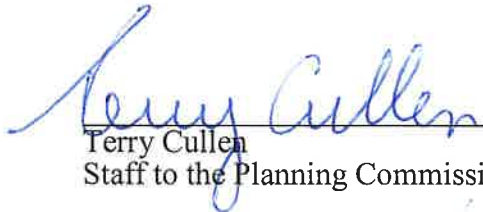
9. PUBLIC COMMENT

Mr. Mike Nielsen, 10650 NE 9th Place, said the O1 zone currently has an FAR of 8.0 for commercial development and an unlimited FAR for residential. The recommendation is to increase that to an FAR of 10.0, yet right across the street the FAR steps down to 6.0, and then to a 5.0. He suggested looking for a midpoint. A modest increase is warranted given some of the height parameters under consideration.

10. ADJOURN

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

Chair Hilhorst adjourned the meeting at 9:59 p.m.

  
Terry Cullen  
Staff to the Planning Commission

4/28/16  
Date

  
Michelle Hilhorst  
Chair of the Planning Commission

4/27/16  
Date

\* Approved as corrected, April 13, 2016

