

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



heights will affect everyone.

Ms. Leanna [redacted], 1829 160th Avenue NE, said she is a relatively recent Bellevue resident. She said she moved to Bellevue after being enticed by what the city has to offer in terms of livability, green spaces, and diversity. It was terrifying to learn that over a thousand units have been approved for development within a one-mile radius of the Bellevue Technology Center and her home. She agreed that the area is maxed out in terms of impacts even though there are more units to come. She said she attended the open house events hosted by the developers and had a chance to ask questions. The developers said what they are proposing will not be detrimental to the preservation of trees. What they are talking about, however, is replacing old mature trees with new trees that will take many years to develop. There is a great deal of wildlife that use the site currently, and there is no clear idea as to what will happen to them. The traffic study that was conducted was done a couple of weeks before school started, which is questionable.

## STUDY SESSION (8:01 p.m.)

### Threshold Review 2017 Annual Comprehensive Plan Amendments

Chair deVadoss asked staff to provide the Commission with an update on what has changed relative to the Bellevue Technology Center since the last time the site was on the table. Commissioner Carlson concurred, noting that the Commission visited the issue just two and a half years ago, and a majority of the current Commissioners participated in the vote. If something was missed, or if something has changed, that should be the focus of the discussion.

Mr. Cullen pointed out that not all of the current Commissioners were on the Commission when the issue was last on the table. He noted the importance of getting all of the facts into the record leading up to setting the geographic scoping and determining a public hearing date.

Mr. Matz said the Bellevue Technology Center is the sole site-specific proposal in the 2017 annual Comprehensive Plan amendment process. The Commission was presented with the framework of the entire process on March 1, including an outline of the detailed steps involved in the threshold review process and a review of the applications submitted. With regard to the Bellevue Technology Center application, he stressed that it is not the same application that was before the Commission in 2014.

Mr. Matz said the annual Comprehensive Plan amendment process contains some specific steps and is guided by set criteria. Amending the Comprehensive Plan is allowed to occur once each year, and the threshold review process is used to establish a list of amendments to consider. The resulting work program recommended by the Commission must be acted on by the Council in order to establish it. Applications on the work program go through the final review process that involves study sessions and a public hearing ahead of the Commission making a recommendations for Council action.

Mr. Matz stressed that establishing the geographic scope of an amendment is not a judgment on an application but rather an assessment that the criteria has been met ahead of giving staff direction. Where an expansion of the geographic scope is recommended, the noticing area is expanded proportionally. There are two site-specific Comprehensive Plan amendments up for review in 2017, of which the Bellevue Technology Center application is one. The Eastgate Office Park application is already queued up for final review having been recommended through

the threshold review process in 2016; by request of the applicant, the application was deferred to the 2017 process, in part to allow adoption of the Eastgate Land Use Code amendments. The other final review amendments on deck are the Complete Streets Comprehensive Plan amendment initiated by the Council earlier in the year, and the Downtown Transportation Plan Comprehensive Plan amendments, which were also initiated by the Council earlier in the year. Still to be queued up is the East Main Comprehensive Plan amendment which the Council has not yet initiated.

The Bellevue Technology Center application involves a site in the Crossroads subarea that is developed with office buildings and a combination of surface and under building parking. The privately initiated application proposes new policies in the general land use and economics section of the Crossroads subarea plan, and seeks to amend policies S-CR-16, S-CR-63 and S-CR-66, as well as the land use map accordingly. The applicant is looking for a land use approach that would encourage redevelopment of the Bellevue Technology Center site. The new policies they are suggesting look at introducing transit-oriented development principles, taking inspiration from development that is occurring in the Bel-Red subarea and in the Overlake urban center in Redmond. At the same time, they are looking at carrying forward the hallmark principles of the policies and the regulatory approach that has made the site what it is currently, namely maintaining the principle and the fact of the meadow and the tree areas, and the impacts of traffic. The Commissioners were asked to keep in mind that the Comprehensive Plan amendment is not predicated on a specific plan for the site, rather an expectation of development capacity.

Mr. Matz said Policy S-CR-66 provides the direction for how the Bellevue Technology Center site has been developed and how it would be developed in the future. The policy states that office uses are appropriate on the site, and when translated into the PUD in 1972 it received regulatory teeth which constrained the amount of office development on the site in order to identify and protect the meadow and the tree areas, as well as to mitigate traffic impacts expected by the approximately 325,000 square feet of office. In the 2014 application, the proposal was made to eliminate Policy S-CR-66 in favor of allowing the property owner to manage the issues in a different way. The recommendation of the staff and the decision of the Commission to not advance the application out of threshold review was based in part on not knowing exactly how things would play out. The applicant was encouraged to look at other paths for addressing redevelopment of the site, and a rezone action was undertaken. Having gone through that exercise as far as possible, the city concluded that the Comprehensive Plan amendment process would need to be revisited. The current proposal looks beyond S-CR-66 and introduced other elements that look at the site from a different perspective.

Commissioner Carlson asked what the applicant could have done two and a half years ago versus what they would be able to do under the proposed application. Mr. Matz said the 46-acre site is zoned Office. Even using all of the development regulations that are in place, the amount of development on the site could more than double under the existing zoning. The issue that has been accurately identified by the application and the community is the fact that the existing PUD establishes the agreed-to appropriate level of development on the site, which is roughly 325,000 square feet of office and associated under building and surface parking. The PUD directly allows for retaining the meadow and the tree areas as significant elements of the site, and sets a limit on the traffic impacts that could occur from that much office. Elimination of the PUD would allow for at least twice the amount of square footage built on the site, and there would be commensurate issues related the meadow, the trees and the traffic. The application is asking to reframe the discussion about how the various elements relate and balance out each other by looking at a model that exists in Bel-Red and Overlake.

Commissioner Morisseau asked what the applicant did in 2014 to fix the site. Mr. Matz said the PUD is a zoning rule that limits development on the site to 325,000 square feet. The property owners believe they can achieve an appropriate level of redevelopment that still addresses the concerns of the community about what the site represents, that a relationship can be developed and regulated between the amount of office on the site and the meadow, the trees and the traffic impacts. In 2014 the focus was on weakening S-CR-66 to allow for more site development. The applicant is now seeking a broader conversation about all of the policies that could affect the various ways in which the key site components relate to each other, including how much office, where it is located, the meadow, the trees and the traffic impacts on Northup Way, on 156th Avenue NE, and on NE 24th Street, and they want to do that in the context of what is happening around the site in Bel-Red and Overlake.

Chair deVadoss asked if a transportation analysis has been done. Mr. Matz said staff are working to develop a framework for a planning level traffic study. It will be made part of the site review.

Commissioner Hilhorst noted that the current application utilizes the concepts of transit-oriented development as a justification for why additional density should be allowed on the site. That is certainly different from the 2014 application. The 2014 application also would have expanded the development footprint on the site. Mr. Matz said the current application is not about increasing the allowed density, rather it is focused on lifting the restraints on how much of the 46 acres can be used.

Commissioner Barksdale asked staff to focus on the transitions between the neighborhood and the Bellevue Technology Center site given the proposed language changes. Mr. Matz said the site is zoned Office and is essentially surrounded by residentially zoned properties. Accordingly, there are transition area requirements that apply which increase the setbacks and add require more landscaping, with the burden to provide a buffer on the shoulders of the more intense property. By implementing transit-oriented development principles and lifting the PUD, the applicant seeks to use the site more efficiently, and the potential to create a concern for adjacent residential uses is enhanced.

Commissioner Carlson commented that the property representative Mr. McCullough mentioned possibly putting up four new buildings on the site. He asked how many buildings the applicant wanted to add in 2014. Mr. Matz said a specific number of buildings was not a part of that amendment.

Mr. Matz reiterated that the application does not seek to change the zoning on the site, rather it seeks to set a framework for redevelopment of the site that considers things that are happening in other nearby areas while addressing the close relationship between the amount of development on the site, the meadow, the trees and the traffic impacts.

Commissioner Hilhorst asked how many times has the property owner challenged the PUD or made requests to change the Comprehensive Plan since the PUD was put in place in 1972. Mr. Matz said he would need to conduct some research before answering the question.

Mr. Matz said the recommendation of staff was to not expand the geographic scope of the proposal. The site is in the center of an arc of Office-zoned property that curves around Redmond/Group Health and the easternmost foot of the Bel-Red neighborhood. The Crossroads subarea plan sees the site as a buffer from higher-intensity development in Redmond and the Bel-Red area. There are similarly situated properties that are zoned Office, but none of them are

the size of the Bellevue Technology Center site and therefore cannot take advantage of having a focus on a transit-oriented type of development. The previous Naficy Comprehensive Plan amendment looked to take advantage of a level of development intensity that could not be realized on a small property. The Office-zone properties to the north of Bel-Red Road and west of NE 20th Street lack the similarly situated circumstance, namely property size, that would let them take advantage of the framework proposed for the Bellevue Technology Center site. Property owners could elect to assemble parcels, but that would be putting the cart before the horse.

Commissioner Hilhorst questioned why Sound Transit would choose to put a light rail station in an area surrounded by parcels that could not build with a transit-oriented development density. Mr. Matz said the Overlake transit center site is in an area that is expected to have transit-oriented development densities. That is not the case with the similarly situated Office properties that are in Bellevue but outside of the urban center and outside of the Bel-Red subarea.

Chair deVadoss asked if transportation impacts are studied as part of presenting the case for threshold review. Mr. Matz said typically transportation impacts are analyzed under SEPA. If a proposal advances into the work program, it becomes subject to a SEPA analysis. Transportation modeling is not generally done at the threshold review stage. More modeling time than usual will be spent on the Bellevue Technology Center site if the application goes to final review.

Mr. Cullen reminded the Commissioners that when the 2014 application was on the table, the Commission did not recommend expanding the geographic scope.

Commissioner Morisseau recognized that the Bellevue Technology Center site lies on the border between Bellevue and Redmond and asked what is happening in Redmond to the north of the site. Mr. Matz said he was not aware of any proposed zoning changes in that area but agreed to check into it. The urban center in Redmond has been established for some time and there is a development capacity there.

Mr. Matz said the level of community engagement has been robust to date. Early outreach was conducted with the parties of record for the 2014 application. Staff have responded to writing to each of the comments received, and the website has been expanded to share information. Staff have offered to attend community association meetings and to date has attended three and used the time to talk about the Comprehensive Plan amendment process. Staff have also made themselves available during drop-in hours at Crossroads mini city hall. To date, 62 comments have been received from the public, and 67 persons have requested party of record status. The applicant also hosted a community meeting at which attendees were encouraged to ask questions.

Commissioner Barksdale applauded the outreach efforts by the city and the applicant. He added his opinion that expanding the geographic scope would go against the notion of consistency relative to providing a graceful transition from more intense uses to the neighborhoods.

Commissioner Carlson asked if the applicant has any additional capacity to expand the development footprint on the Bellevue Technology Center site under the current regulations. Mr. Matz clarified that as things exist, there is no additional development that can be allowed on the site.

Commissioner Hilhorst said she did not favor expanding the geographic scope. She said the parcel is unique and the process going forward should be focused only on the one property. She said there is development occurring across the line in Redmond that will impact the community

local to the Bellevue Technology Center site, and the Commission should be given data about growth in that area. Mr. Matz said staff would work with Redmond to develop information both about capacity and what is actually happening on the ground. He added that the traffic model includes Bellevue, Kirkland and Redmond, making it possible to anticipate the traffic impacts of development in other areas.

Commissioner Morisseau agreed that the Bellevue Technology Center site is unique and suggested other properties in the vicinity are not similarly situated. She said she would agree not to expand the geographic scope.

Commissioner Carlson said he understood the perspective of the applicant that the level of existing development on the 46-acre Bellevue Technology Center property is relatively small. The issue is where it is. The deal on the books is essentially that there is a development within a park that serves as a buffer to residential areas. He agreed that the geographic scope should not be expanded.

A motion not to expand the geographic scope of the Bellevue Technology Center Comprehensive Plan amendment was made by Commissioner Morisseau. The motion was seconded by Commissioner Hilhorst and the motion carried unanimously.

There was consensus to set June 14 as the date for the public hearing on the application.

Mr. Cullen said the Commission in study session on June 28 will be asked to make a recommendation to the Council with regard to whether or not the proposal should be included in the annual Comprehensive Plan amendment work program. The Council has tentatively identified July 24 as the date for approving the work program.

Mr. Cullen noted for the record that all of the comments received from the public had been provided to the Commissioners in both written and electronic format.

Commissioner Hilhorst asked if any of the written comments can be submitted as part of the public hearing. Mr. Matz said all comments received are made part of the public record and form part of the basis of materials used by the Commission in reaching a decision. The information in the record will be carried all the way through the Council decision process.

BREAK  
(8:54 p.m.)

STUDY SESSION  
(9:04 p.m.)

#### Downtown Livability – Review Draft Downtown Land Use Code Amendment

Mr. Cullen reminded the Commissioners that the public hearing on the Downtown Livability Initiative Land Use Code amendment was held on March 8. Since then there have been two study sessions aimed at developing final recommendations. The schedule calls for wrapping up on or before the Commission's last meeting in May.

Strategic Planning Manager Emil King called attention to the matrix on page 70 of the packet that showed all direction given by the Commission to date and the status of each item. A holistic review of all the changes is planned for the May 10 meeting.

Commissioner Morisseau called attention to the second item under parking flexibility on page 71 and said it was her recollection that the Commission at its last meeting had decided not to move forward with removing the 20 percent shared parking reduction, waiting instead until after the parking study is completed. Ms. Helland said the staff were not exactly certain as to whether or not there had been definitive direction given to move forward with removing the 20 percent reduction, or if the Commission had chosen to not do anything until the parking study is done. The language of the matrix is shown as initial direction, but it does not have to be included in the consolidated code.

Chair deVadoss said there was across the Commission the perspective that the parking analysis should be done before making a recommendation. The Commission was of the opinion that a loophole exists that needs to be fixed. He suggested highlighting both issues in the matrix and to defer a recommendation until the analysis is done.

Mr. King noted that staff had brought back a new definition of "active uses" and asked the Commission to comment on it. He said staff also had information on maximum non-residential or office floorplates in the DT-OLB. Correspondence was also received from PMF and Wallace Properties for the Commission to consider relative to floorplate size. Also in the packet were code clarifications to be incorporated into the consolidated draft.

Commissioner Hilhorst agreed that the Commission had concluded not to make changes to parking until there is more data in hand. There was, however, a desire to talk about the loophole and to seeking a better understanding of it. She asked if the Commission should defer that discussion as well. Chair deVadoss said he would support acting on the loophole issue once it is clearly understood. Commissioner Hilhorst pointed out that the issue had been raised by Commissioner Walter and proposed deferring additional discussion on the loophole until she returns. Ms. Helland said staff would include it in the May 3 packet materials.

Commissioner Hilhorst asked if the Commission would be able to have a conversation down the road regarding the super bonus. She also asked the status of the amenity system going forward. Mr. King said the Commission on April 19 included a review of some suggested changes to the amenity system section of the code. The concept of a super bonus was referred to in a letter from the Bellevue Downtown Association. In essence, the super bonus would take a development above the maximum heights and FARs in the dimensional table. At its last meeting, the Commission did not direct the staff to explore the concept. The flexible amenity is the last item on the list of amenities and it allows a developer the choice of going through a legislative departure to provide something that is not otherwise on the list, but it is not a super bonus.

Commissioner Hilhorst stressed the need for the Commission to make a final review of the amenities list to make sure it is complete before locking it down. Mr. King said he would make the full list available at the next Commission meeting. He added that the notion of eliminating the amenity incentive system was raised by a handful of persons from the public. Their argument was that the system is complex and hard to understand in terms of what it might yield. One approach suggested was to eliminate the system and to add on a set of new development requirements, such as outdoor plazas, enhanced streetscapes, active recreation areas, enclosed plazas, public art, water features and pet areas. The direction given by the Commission was not to pursue that approach.

Ms. Helland said the list of things set for discussion at the May 3 meeting include the tower separation issue and removal of the ten percent open space requirement for exceeding the height

limit and old maximum FAR. Those topics could be discussed in concert with the amenity incentive system.

Chair deVadoss suggested there is merit to simply eliminating the incentive system given how complicated it is and the fact that it carries with it a number of side effects. He recognized that he was in the minority, however.

Commissioner Laing agreed that the incentive system is complicated. If the intent is to get more developers to provide open space, it may be a good thing to allow an additional ten percent FAR as an incentive. The Commission should be mindful of the fact that significant changes to the sidewalk and landscaping requirements have already been approved as part of the early wins package. The Commission also has recommended creating a park or open space fund through the fee in-lieu program. The list of amenities goes beyond open space and includes items that just never get selected. He said he would support focusing in on what it needed to make the downtown more livable and incentivizing only those things.

Commissioner Barksdale said he would like to see the process made more lean around the amenity incentive system. The system should not be done away with, but it should be made simpler.

Commissioner Hilhorst said she could support an approach that is lean and simple. Instead of leaving open the idea of open space, one option would be to provide some specificity regarding open space types.

Commissioner Laing said going all the way back four years to the Downtown Livability Initiative CAC process, a consistent theme has been the need to promote more open space in the downtown. It would be nice to have a simpler and cleaner amenity incentive system that is focused primarily on open space, and possibly including a park impact fee for facilities only in the downtown.

Commissioner Hilhorst said she could support a park impact fee or component in conjunction with a cohesive park plan.

Commissioner Barksdale added that the lean list of amenities should also be constantly updated based on what is being seen in terms of development in the downtown.

Commissioner Morisseau commented that if there to be an amenity incentive system, it should be something that will actually work effectively and that will benefit the residents, the developers and the city. The proposed seven- to ten-year timeline for reviewing the list of amenities is too long and should be reduced if there is going to be an amenity incentive system. Mr. King said staff would outline some of the factors to consider for discussion on May 3.

Commissioner Laing agreed to table the parking discussion until Commissioner Walter can be present but said he has strong feelings about some of the language. With regard to active uses, he said he appreciated the effort made by staff, noting that their proposal ties in better with the existing code.

With regard to building height, Commissioner Laing said it was his understanding that the Commission on April 19 made a recommendation to remove the open space requirement tied to trigger height. He proposed eliminating the trigger height concept altogether. In talking about building height, including going to 600 feet in the downtown core and increasing height in the

DT-MU district, the CAC did so in the context of a new urban design form that involved tall, slender towers. The CAC talked about allowing a 400-foot fat tower under the existing code, or a 600-foot skinny tower under a new code. The idea was that while the buildings would be taller, because they are skinnier there would be more air and light and space. That is not the approach outlined in the packet, however. As proposed, developers still get to build to the existing height the same mass as before, after which the floor plates must be reduced by ten percent above a trigger height. Using a 24,000 square foot floorplate as an example, and assuming a square building, he noted that the square root is close to 156. Reducing the floorplate by ten percent, or 2400 square feet, would yield a floorplate of 21,600 square feet, the square root of which would be about 148.5. The result would be a reduction in a 156-foot façade length by about 7.5 feet, an imperceptible difference for a building that is some 200 feet taller, and the building could not be called tall and skinny. That is certainly not what the CAC talked about from an aesthetics standpoint.

Continuing, Commissioner Laing said all of the effort that has been put into the tower separation and setback issues have been aimed at solving a problem that in a way never was. If there is going to be a conversation about changing building height, massing and form, the focus should be on requiring what will actually be a skinnier building, and not just the portion of the building that exceeds the old maximum height. There are really only two or three places in the downtown that the CAC and the Commission have focused on for true upzones involving height and density beyond what is currently allowed. Very importantly, one of the areas is in the DT-OLB, which presents the face of the downtown along the freeway. The CAC was never concerned about allowing building height of up to 300 feet in that zone. If the Commission is going to support going from 450 feet to 600 feet in the downtown core for the purpose of having an iconic skyline with tall, skinny buildings, the code is going to have to require an iconic skyline with tall, skinny buildings. The same concept should be applied to all areas of the downtown. If no proposal is put on the table to literally require skinnier buildings from the podium up, the outcome will be all of the impact with potentially none of the benefit.

Commissioner Hilhorst agreed that absent reducing floorplate size significantly above a certain height, the result will be taller, fatter buildings. She said the alternative would be to simply not propose increasing building heights.

Commissioner Laing said the floorplate requirements will need to be based on solid evidence of what a viable floorplate size is. There was no call from the CAC to increase building heights just for the sake of increasing heights throughout the downtown. There has been, however, throughout the process a desire to have flexibility in terms of building form, and part of the flexibility involves taking the clay of a building and stretching it in different ways. He said he would not be comfortable allowing more height with the exact same mass that is currently allowed.

Commissioner Hilhorst said the material staff will bring back for the May 3 discussion will be helpful. As originally, drafted, the code had several different standards that led to a taller, skinnier solution. Many of those standards have in the course of the discussions been eliminated, including operations above the trigger height, the ten percent open space, the 80-foot tower separation and the 40-foot setback. Each of those elements were intended to yield the taller, skinnier building result. Establishing a floorplate limitation would be another way to accomplish the goal.

Commissioner Laing noted that from the start of the CAC process and the Commission's deliberations, there has been a focus on shadows, building massing, view obstructions, and the



impacts on what it is like to be a worker or a resident. The code as it is drafted ensures that those who avail themselves of the increased height will be allowed to have the same massing impacts, which is incongruent with where things started four years ago.

Chair deVadoss directed staff to make room at the May 3 meeting to follow up on the issue. Mr. King said the discussion at that meeting will include additional information on the 60-foot versus 80-foot tower separation issue, and more information on the proposed ten percent floorplate reduction, and an exploration of what-if scenarios. He said he would also come with information about viable floorplate sizes.

Commissioner Morisseau said she would like to see what requirements are in place, including floorplate size requirements in cities that allow buildings with similar heights and that require tower spacing.

With regard to parking, Commissioner Laing said he appreciated the revisions that have been prepared. He suggested that it should be spelled out very clearly in the code that one cannot use residential parking at all as part of the shared parking plan, nor can residential guest parking or ADA spaces be used as part of the shared parking. Residential garages are typically locked and separate from other garages for good reason, which makes the idea of sharing those spaces infeasible.

Turning to the definition of active spaces, Mr. King said the public hearing draft of the code included a new definition for active uses that was meant to replace the historic definitions of retail and pedestrian-oriented frontage. The approach taken had some built-in flexibility, but feedback was received from both stakeholders and the Commission to take a second crack at it with more specifics attached. He noted that the new language on page 77 of the packet set out a longer and more example-laden definition. Staff went through the land use charts and identified everything in the cultural, entertainment and recreation section that is permitted outright or by conditional or administrative use permit. Most all of the wholesale and retail uses were identified, along with a series of service uses. The intent was to create a definition that would discourage debate with regard to what an active use is. The design criteria included in the code would still need to be met. An administrative departure section was added to allow an applicant to propose to staff something that is not specifically identified. Feedback from stakeholders on the proposed definition has been positive.

Commissioner Hilhorst said her desire was to be crystal clear about what is allowed and what is not allowed. She asked how much gray area there is in the definition. Mr. King said as drafted, the definition is clear as to what is considered an active use. There is also flexibility to add something that is not identified provided it can be shown to function as an active use.

Commissioner Laing said his only suggestion would be to carve out the service uses a bit more finely since that has been one of the big issues with pedestrian-oriented frontage over the years. The use tables do not include every conceivable use, which is why there is an administrative interpretation provision that allows the director to make a determination. He asked if the proposed administrative departure is more or less flexible than the current approach. If it is intended to be the same as what is in place, the existing approach should be referenced. Ms. Helland said the design criteria provides specificity with regard to the type of street frontage. She added that the interpretation requirements for the director to identify where a use fits in the chart will still apply, and where the director identifies an active use that is ambiguous, the opportunity exists to put it into a section that by design meets the active use requirements.

Chair deVadoss said it appeared to him that the administrative departure is a big enough door to push through almost anything. Ms. Helland agreed that if designed properly, there are many things that could be included.

Mr. King proposed holding back on the discussion of the DT-OLB maximum floorplates until the May 3 meeting.

Mr. King briefly reviewed the schedule going forward.

Mr. Cullen acknowledged in the audience the presence of Leann Bremmer who was sitting in for Elaine Spencer, an attorney in the law firm retained by the City Attorney's office to provide independent and outside counsel review of the downtown code amendments.

#### DRAFT MINUTES TO BE REVIEWED (10:04 p.m.)

##### A. March 1, 2017

It was noted that Commissioner Walter was not in attendance at the meeting and should be shown as absent.

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

##### B. March 8, 2017

A motion to approve the minutes as submitted was made by Commissioner Laing. The motion was seconded by Commissioner Barksdale and the motion carried without dissent; Commissioner Morisseau abstained from voting because she had not been in attendance at the meeting.

##### C. March 22, 2017

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

#### PUBLIC COMMENT (10:06 p.m.)

Mr. Jack McCullough, 701 5th Avenue, Suite 6600, Seattle, endorsed the idea of deferring the discussion of parking until after the parking study. He suggested that upon review the Commission will find that the 20 percent mixed use discount is not in fact a loophole in large projects. In small projects where retail or a restaurant makes up a third of the building, it could lead to issues. The discount was used in association with the Bravern and even so the building has more parking available than is needed. The big projects with mixed uses and dynamic different needs should be distinguished, and the parking study will do that. He said Commissioner Morisseau raised an excellent point about FAR and building height. From a market point of view, office floorplates need to be distinguished from residential floorplates. The code already effectively requires residential floorplates to be half the size of office floorplates. A residential tower with 12,000 square foot floorplates will necessarily be slender. Any discussion regarding limiting floorplate size on the upper portion of buildings should be focused on office.

On the FAR side, most buildings will run out of FAR before reaching the full height of 600 feet. He also reported that the Fortress representatives worked with and settled with staff on the height issue for that development.

Ms. Pamela Aston, 3741 122nd Avenue NE, pointed out that the Bravern is an odd example to highlight relative to parking. That is because the Bravern does not do its business with retail people who come in the door. Much of their business is done from overseas. It is not a normal retail scenario. With regard to the Bellevue Technology Center, she said she did not hear Mr. Matz in referencing Policy S-CR-66 talk about the views and the open character of the site, which is specifically called out in the Comprehensive Plan.

Mr. Tim Jackson with PMF Investments, 15015 Main Street, Suite 203, said design standards along I-405 are being looked at. Staff has been considerate enough to think about how parking and the like will occur in that area given the water table and topographical challenges. The focus is on modulated green walls used to screen buildings. The proposal is to bond what will happen with the green plants and that they be inspected for performance after three years. In regard the build-to line, he said staff has generously worked with him on the issue. With respect to phased projects, it should be allowed to construct amenities as development goes along. Staff is working on language that will not allow a situation where a developer could build three-quarters of a project without having supplied any amenities.

Mr. Alex Smith, 700 112th Avenue NE, said the base height should be set at 90 percent of the new maximum height in the same way the base FAR is proposed to be set at 90 percent of the new maximum FAR. There should also be an FAR exemption for transit-oriented development. He said he has yet to hear the Commission discuss the position that the arbitrary action of requiring provisional amenities is legally invalid because it is not based on the impacts of development, and as such is an illegal tax on development in violation of RCW 82.02.020.

ADJOURN  
(10:17 p.m.)

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

Chair deVadoss adjourned the meeting at 10:17 p.m.

  
\_\_\_\_\_  
Terry Cullen  
Staff to the Planning Commission

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
John deVadoss  
Chair of the Planning Commission

  
\_\_\_\_\_  
Date

