



Bellevue Planning Commission

AGENDA

Regular Meeting

July 13, 2016

6:30 PM - Regular Meeting

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

6:30 PM – 6:35 PM	Call to Order
6:35 PM – 6:40 PM	Roll Call
6:40 PM – 6:45 PM	Approval of Agenda
6:45 PM – 6:50 PM	Public Comment
6:50 PM – 6:55 PM	Communications from City Council, Community Council, Boards and Commissions
6:55 PM – 7:00 PM	Staff Reports
7:00 PM – 7:10 PM	Draft Minutes Review June 1, 2015 June 8, 2015 June 15, 2015 June 22, 2015
7:10 PM – 7:30 PM	Quarterly Check-in <i>The Planning Commission, Mayor and Staff discuss status of current projects and upcoming initiatives.</i> Category: Information Updates Staff: Terry Cullen, AICP, Comprehensive Planning Manager, Planning & Community Development Dept.



Bellevue Planning Commission

7:30 PM – 8:30 PM

Study Session

3

**A. Proposed Land Use Code Amendments –
Eastgate/I-90 Land Use and
Transportation Project**

Land Use Code Amendments

Patricia Byers, Code Writing Manager, Development
Services Department

Terry Cullen, Comprehensive Planning Manager,
Planning & Community Development

***To deliberate, take action and make a
recommendation to City Council.***

8:30 PM – 9:30 PM

Study Session

272

**Low Impact Development Principles Project –
Continued Discussion**

*Proposed code amendments to implement the Low
Impact Development Principles Project will be
discussed.*

Category: Land Use Code Amendments

Staff: Catherine Drews, Assistant City Attorney, City
Legal Dept.

Staff: Paul Bucich, Assistant Director of Engineering,
Utilities Dept.

***To continue discussion on the Low Impact
Development Principles Project. No action is
expected.***

****Reminder – Commissioners please bring your
materials from the May 25, 2016 study session.****

9:30 PM – 10:00 PM

Public Comment

10:00 PM

Adjourn

Please note:

- Agenda times are approximate only.
- Generally, public comment is limited to 5 minutes per person or 3 minutes if a public hearing has been held on your topic. The last public comment session of the meeting is limited to 3 minutes per person. The Chair has the discretion at the beginning of the comment period to change this.



Bellevue Planning Commission

Planning Commission Members

Michelle Hilhorst, Chair

John deVadoss, Vice Chair

Jeremy Barksdale

John Carlson

Aaron Laing

Anne Morisseau

Stephanie Walter

John Stokes, Council Liaison

Staff Contacts

Terry Cullen, Comprehensive Planning Manager 425-452-4070

Emil King, Strategic Planning Manager 425-452-7223

Janna Steedman, Administrative Services Supervisor 425-452-6868

Kristin Gulledge, Administrative Assistant 425-452-4174

** Unless there is a Public Hearing scheduled, "Public Comment" is the only opportunity for public participation. Wheelchair accessible. American Sign Language (ASL) interpretation available upon request. Please call at least 48 hours in advance: 425-452-5262 (TDD) or 425-452-4162 (Voice). Assistance for the hearing impaired: dial 711 (TR).*



DATE: July 13, 2016

TO: Chair Hilhorst and Planning Commission Members

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

SUBJECT: Quarterly Check-in Q2Y16

DIRECTION NEEDED FROM PLANNING COMMISSION

- Action
- Discussion
- Information

The Planning Commission, City Council Liaison and City Staff conduct a quarterly check-in to discuss progress on current initiatives, future ones and other related matters. This is the quarterly check-in for the second quarter, 2016. This agenda item is for discussion and information only and no action is required.

BACKGROUND

One of the outcomes of the Planning Commission annual retreat held on September 30, 2015 was the decision to hold a quarterly check-in to include the Planning Commission and City staff. Mayor John Stokes, Planning Commission Chair Michelle Hilhorst, Vice-Chair John deVadoss, Stephanie Walter, Vice-Chair Elect and Planning/Community Development Comprehensive Planning Manager Terry Cullen met June 28, 2016 at City Hall to discuss items related to the quarterly check-in.

BY THE NUMBERS

The Planning Commission held eight meetings in the first quarter of 2016. (April 13, 27, May 11, 25, June 1, 8, 15 and 22) Normally the Planning Commission would hold six meetings in this quarter. Nine study sessions, one open house and three public hearings were conducted. Information only items are not included in this inventory.

<u>Meeting Type</u>	<u>Date</u>	<u>Subject</u>	<u>Location</u>
Study Session	April 13	Downtown Livability	City Hall
Study Session	April 27	Eastgate	City Hall
Public Hearing	April 27	Expansion of floor area exception for assisted care living	City Hall
Study Session	May 11	Floor area exception for assisted care living	City Hall
Study Session	May 11	Downtown Livability	City Hall
Study Session	May 25	Low Impact Development Standards/Principles	City Hall
Study Session	May 25	Eastgate	City Hall
Public Hearing	June 1	Comprehensive Plan Amendments	City Hall
Open House	June 8	Eastgate	City Hall
Study Session	June 8	Downtown Livability	City Hall

Study Session	June 15	Comprehensive Plan Amendments	City Hall
Study Session	June 22	Low Impact Development Standards/Principles	Bellevue College
Public Hearing	June 22	Eastgate	Bellevue College

The Planning Commission made recommendations to City Council on two projects:

1. Land Use Code Amendment - Floor area exception for assisted care living (May 11).
Approve code amendment with considerations.
2. 2016 Annual Comprehensive Plan Amendments (Five amendments proposed) –
Threshold Determination (June 15). Approve and move through threshold determination two text amendments regarding the addition of policies to the Park Element. Approve and move through the threshold determination one future land use map amendment in the Eastgate area. Not approve and not move through the threshold determination for two future land use map amendments, one in Newport Hills and one in the Crossroads area.

Note: The Eastgate Land Use Code Amendments public hearing was held June 22. The Planning Commission will take action in Q3Y16 (July 13). That is why 3 public hearings and only 2 sets of formal actions are reported in this quarter.

OTHER BUSINESS

The Planning Commission requested that the Bellevue School District come to the April 27 meeting and present an information only report on how the School District plans for existing and future schools and coordinates with the City.

The Planning Commission elected new officers for the 2016/2017 business session at the regular meeting on June 22. Vice-Chair John deVadoss was voted the Chair-Elect and Stephanie Walter, Vice-Chair Elect. The positions will take effect at the first meeting in September 2016. Outgoing officers are Chair Michelle Hilhorst and Vice-Chair John deVadoss.

City Council has requested that each of the Boards and Commissions come to City Council and provide a quarterly status update. The next quarterly update is scheduled for July 18, 2016. Planning Commission officers or proxies are expected to attend.

LOOKING AHEAD

- Items that are confirmed, or likely to be coming, for the Planning Commission in the third quarter include:
 - Study Sessions – Downtown Livability
 - Study Session and Public Hearing – Low Impact Development Standards.
 - Study Session and Planning Commission recommendation– Eastgate Land Use Code Amendments.
 - Study Session – Critical Areas.

The next quarterly check-in is scheduled for the October 12, 2016 Planning Commission meeting and the October 17, 2016 City Council meeting.



DATE: July 5, 2016

TO: Planning Commission

FROM: Trish Byers, Code Development Manager 452-4241
Development Services Department
Terry Cullen, Comprehensive Planning Manager 452-4070
Planning and Community Development

SUBJECT: Land Use Code Amendment from Eastgate/I-90 Land Use and Transportation Project implementing the Citizen Advisory Committee's (CAC) recommendations to create three new districts including a transit-oriented development district, an expanded version of Office and Limited Business and a Neighborhood Mixed Use district. Use tables, dimensional requirements, development standards, and design guidelines will be adopted for each new district. The recommendation also includes rezoning other areas to districts that already exist. Some concomitant agreements will be repealed with the rezoning effort. File No. 12-132861AD

Please refer to the agenda materials for June 22, 2016 for a detailed analysis of the Land Use Code Amendments. A complete printed copy as presented to the Planning Commission for the June 22, 2016 public hearing is included. The materials can also be found at: http://www.bellevuewa.gov/pdf/PlanningCommission/Packet_06_22_16.pdf

DIRECTION NEEDED FROM PLANNING COMMISSION

- X Action
- Discussion
- Information

GOAL FOR STUDY SESSION: Planning Commission to transmit a recommendation of approval of the Eastgate Proposed Land Use Code Amendments.

PROCESS

When the CAC issued its Final Report, it issued recommendations for amendments to the Comprehensive Plan, the Transportation Plan and the Land Use Code Amendments. The Comprehensive Plan Amendments addressing the CAC report were completed last year. The transportation portion of the CAC's work has been referred to the Transportation Commission by the Council. As you have heard, the Eastgate projects are now in the Transportation Facilities Plan (TFP) but are not yet funded. The Land Use Code Amendments are the amendments before the Planning Commission.

The Comprehensive Plan Amendments are encompassed in the subarea plan provisions provided below. Because the Growth Management Plan requires consistency between comprehensive plans and development regulations, the Land Use Code Amendments here must be consistent with Bellevue's Comprehensive Plan. This is also the reason that these amendments should occur now. Jurisdictions must ensure that their development regulations

and comprehensive plans are consistent. Note that the decision criteria below requires consistency as well.

With respect to the transportation projects planned for this area, many of them are included in the TFP as discussed in the March 23, 2016 study session. One, the design of the Mountains to Sound Greenway within the Eastgate area, is already funded. The others are not funded yet. However, that is the purview of the Transportation Commission, the City Manager and the City Council. It is possible that these projects could get funded in the next budget cycle.

Transit projects, such as the Bellevue College Connection, are include in the transportation projects discussed above. There is a separate transit plan for Bellevue and one that is currently being written for Metro which is called Metro Connects. While the vision for Metro Connects is the only portion of that plan that is complete and does not include expansion in service or facilities for Eastgate, the plan has not yet been written. It is possible that more transit service and facilities for the Eastgate area could be included in Metro's long range plan. Metro is aware of this project and will listen to public comment as well.

The CAC, Transportation, Comprehensive Plan Amendment, and LUCA processes have all followed the process necessary for public notices, meetings, and hearings. Throughout each process, there has been an opportunity for public comment and participation.

Below is a recap of the decision criteria.

DECISION CRITERIA

LUC 20.30J.135 establishes the decision criteria for an application to amend the text of the Land Use Code. Those criteria, and the relationship of the proposal to them, are discussed below:

A. The amendment is consistent with the Comprehensive Plan; and

The proposed amendments are supported by the following Comprehensive Plan policies:

POLICY S-EG-1. Focus Eastgate growth into a mixed use center adjacent to the Eastgate Transit Center with greater height and intensity than the surrounding area.

POLICY S-EG-2. Establish a pedestrian-oriented street that provides a community plaza and allows for connections between Bellevue College, the Eastgate Park and Ride, and the office, retail, and residential development in the transit-oriented development center.

POLICY S-EG-3. Encourage office and retail land uses that take advantage of freeway access, transit service, and non-motorized transportation alternatives without adversely impacting residential neighborhoods.

Discussion: Intense office development can generate adverse traffic impacts and block residential views. Site design also can impact residential quality. To support this policy, office and retail development should be well designed so that it is compatible with surrounding neighborhoods and be oriented around a multi-modal transportation system that reduces vehicular congestion and traffic impacts.

POLICY S-EG-4. Encourage the integration of restaurants and other commercial uses that serve local workers into and adjacent to office development to enhance the mix of uses within walking distance of employment areas.

Discussion: The reason for encouraging restaurants and other commercial services within office developments is to reduce vehicular traffic between the office parks and retail areas. Retail areas are intended to serve primarily local needs.

POLICY S-EG-10. Multifamily housing may be appropriate to separate office and retail land uses from single-family neighborhoods or as a part of mixed use developments where there is close proximity to transit or neighborhood-serving commercial uses, with a special emphasis on meeting the housing needs of Bellevue College.

POLICY S-EG-11. Encourage more opportunities for affordable housing in the Subarea by maintaining and rehabilitating existing housing stock.

POLICY S-EG-13. Consider allowing a reduction in parking requirements where it is possible to do so because of proximity to transit.

POLICY S-EG-14. Improve safety, convenience, and access by ensuring that internal circulation systems are integrated with the street system to improve multimodal mobility within and between developments.

POLICY S-EG-17. Improve connectivity within the subarea for pedestrians and bicycles where opportunities exist by integrating land uses, improving roadway safety for all modes of travel, and linking commercial, office, parks, and public spaces with trails and pathways.

POLICY S-EG-19. Reinforce the area's location on the Mountains to Sound Greenway, accentuate Eastgate as a major entry into Bellevue, and emphasize the emerging urban character of the Eastgate I-90 corridor through the application of land use regulations, public amenity incentives, and design guidelines.

POLICY S-EG-20. Provide graceful edges and transitions between more intense development and existing residential land uses by maximizing the use of existing vegetation and topography to buffer and maintain compatibility between different land uses through land use regulations.

POLICY S-EG-21. Consider design review for commercial, office, and mixed use development that promotes pedestrian-friendly design, ensures quality and a sense of permanence, promotes environmental sustainability and creates a distinct identity.

POLICY S-EG-22. Preserve the view amenities of adjacent single-family neighborhoods as development and redevelopment occurs.

POLICY S-EG-24. Support the overall sustainability and green identity of the I-90 corridor consistent with the Mountains to Sound Greenway by including visibly recognizable natural features in public and private development. Examples include, but are not limited to green walls, façade treatments, green roofs, retained native vegetation, and abundant natural landscaping,

POLICY S-EG-25. Diminish the effect of rooftop equipment on views from residential areas by requiring rooftop equipment to be low-profiled and screened to match the building’s exterior color, building materials, and styles.

POLICY S-EG-26. Maintain the Subarea’s predominantly treed skyline and encourage preservation of existing stands of trees and landscaping.

POLICY S-EG-28. Create community character in commercial, office, and mixed use development through the use of standards and incentives that support public art, street lighting, landscaping, distinctive building design, and pedestrian-oriented site design.

POLICY S-EG-29. Encourage the development of a dynamic public realm by integrating publicly accessible plazas, open spaces, and other gathering spaces within private development in commercial, office, and mixed use areas.

POLICY S-EG-31. Create and encourage an interconnected system of non-motorized trails as a part of public and private development within the subarea that will link community amenities, provide recreational opportunities, and offer transportation benefits.

POLICY S-EG-32. Develop local connections to the Mountains to Sound Greenway through the subarea in order to enhance the trail as a local and regional recreational asset.

POLICY S-EG-42. Encourage a mixed use area between Bellevue College and I-90 into a walkable, transit-oriented center at the level of intensity needed to create a vibrant mix of offices, residences, and locally-serving shops and restaurants that are urban in character.

POLICY S-EG-43. Retain neighborhood-serving commercial uses through flexible zoning that allows a rich combination of neighborhood retail and services.

Finding: These code amendments will provide the necessary regulatory framework in the Land Use Code to implement the policies contained in the Eastgate Subarea Plan. Recommending approval of these land use code amendments will also ensure that these development regulations are consistent with Bellevue’s Comprehensive Plan.

B. The amendment enhances the public health, safety or welfare; and

Finding: The amendment will enhance the public health, safety, and welfare by ensuring that development in the Eastgate corridor includes appropriate permitted uses, dimensions, development standards and design guidelines. The Eastgate Land Use Code Amendment will enhance the health, safety, and welfare of the public by providing safe and pleasant places to live, work, and visit in Eastgate.

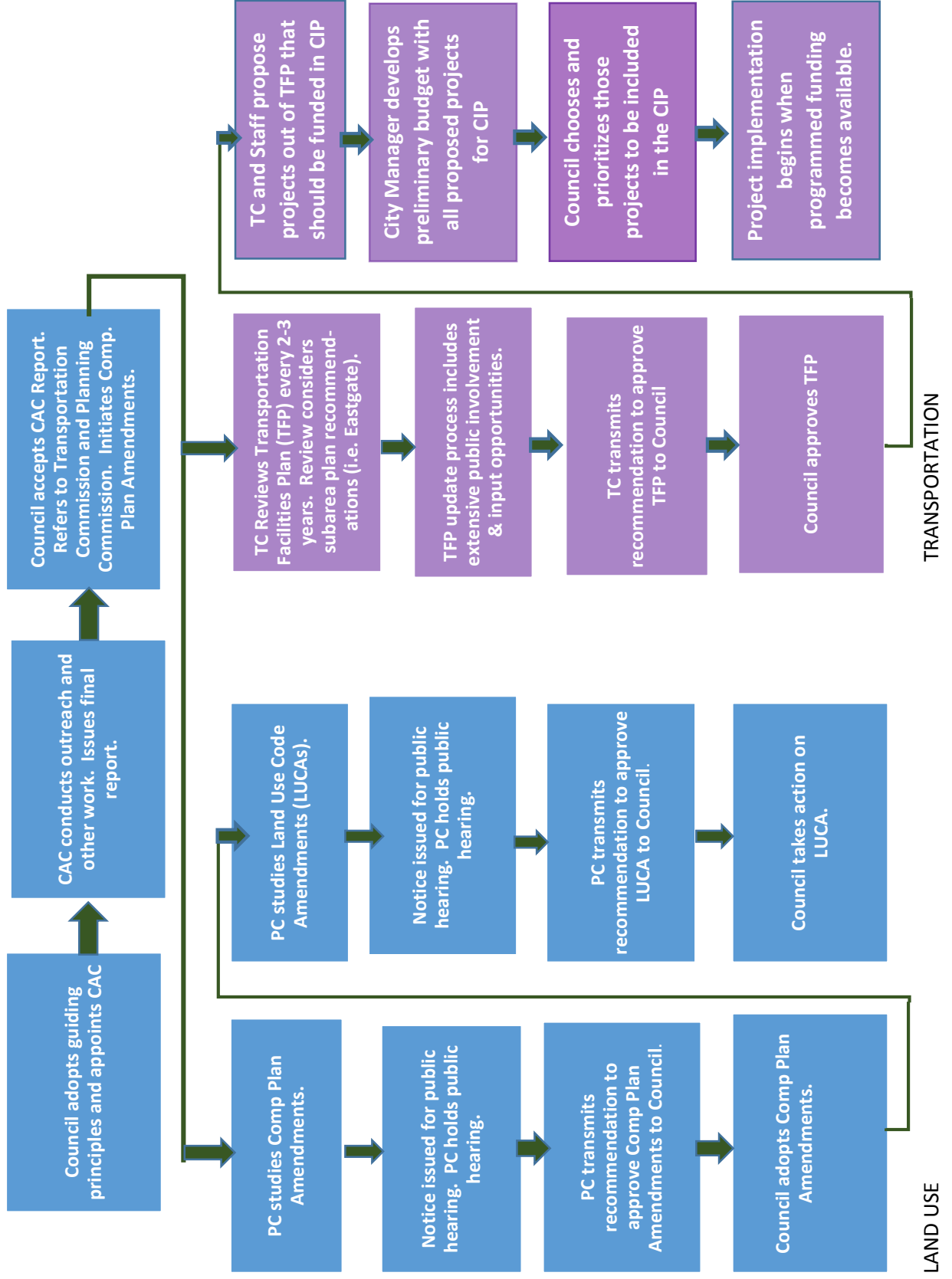
C. The amendment is not contrary to the best interest of the citizens and property owners of the City of Bellevue.

Finding: The amendment is consistent with the best interest of the citizens and property owners. It will allow for a variety of business and residential housing opportunities in the Eastgate/I-90 Corridor while preserving the quality and character of each Eastgate District. These amendments have standards to help ensure that policy of the Comprehensive Plan is implemented through application of the LUC to new development as well as redevelopment.

NEXT STEPS

1. Planning Commission will transmit its recommendation to the City Council.
2. The City Council will consider the Land Use Code Amendments in Autumn 2016.

Attachment A- Eastgate/I-90 Corridor Project Process



Please Note:

The following agenda materials were provided to the Planning Commission for the June 22, 2016 public hearing for proposed land use code amendments to implement the Eastgate/I-90 Land Use & Transportation Plan.

The Planning Commission held that public hearing and is conducting a study session on July 13, 2016 for the purpose of making a recommendation to City Council on these proposed code amendments.

The minutes for the June 22, 2016 public hearing, which includes summaries of the public input, are including in the Minutes section of the July 13, 2016 agenda packet.



DATE: June 2, 2016

TO: Planning Commission

FROM: Trish Byers, Code Development Manager 452-4241
Development Services Department
Terry Cullen, Comprehensive Planning Manager 452-4070
Planning and Community Development

SUBJECT: Land Use Code Amendment from Eastgate/I-90 Land Use and Transportation Project implementing the Citizen Advisory Committee's recommendations to create three new districts including a transit-oriented development district, an expanded version of Office and Limited Business and a Neighborhood Mixed Use district. Use tables, dimensional requirements, development standards and design guidelines will be adopted for each new district. The recommendation also includes rezoning other areas to districts that already exist. Some concomitant agreements will be repealed with the rezoning effort. File No. 12-132861AD

I. BACKGROUND

A. Process.

The Eastgate/I-90 Land Use and Transportation Project was initiated to evaluate land use and transportation conditions, policies and regulation in the corridor and to produce a plan that builds on the area's assets. These assets include accessibility, visibility, job diversity and the stability of nearby residential neighborhoods. The area is home to a number of Fortune 500 companies, Bellevue College, and the Eastgate Park and Ride. In addition, the Mountains to Sound Greenway runs through the corridor, which offers multi-modal transportation opportunities to those who live, work, and play in the area.

The Eastgate /I-90 Citizen Advisory Committee (CAC) went through a planning process from November 2010 through April 2012. That process included monthly meetings, several public open houses, online surveys, stakeholder interviews, presentations to interest groups and website updates. The Council provided guidance to the CAC in the 9 principles specific to the Eastgate / I-90 Land Use and Transportation Project Initiative. See Attachment B. Using the year 2030 as the planning horizon, the CAC created a plan to:

- Provide a more coherent identity for the area,
- Improve its economic vitality and character and
- Ensure that that area has adequate transportation infrastructure and services to meet changing community needs.

To implement the CAC's vision, amendments to Bellevue's Comprehensive Plan, Transportation Plan and Land Use Code would be required. The Comprehensive Plan Update in August 2015 included updates to the Eastgate Subarea Plan that reflected the CAC's recommendations. In addition, the Transportation Facilities Plan 2016-2027 and Capital Improvements Plan 2015-2021 were updated to reflect the recommendations necessary to address the CAC's

transportation concerns.¹ This Land Use Code Amendment is the third piece necessary for implementation of the CAC's vision.

After the conclusion of the CAC's work, the Eastgate Subarea Plan was amended to reflect the CAC's vision. The updated subarea plan has the following characteristics:

- It builds on the success of the corridor as a major employment center by adding capacity for additional office growth and allowing a greater mix of support retail and service uses.
- It establishes a mixed-use Transit-Oriented Development center around the transit center and south of Bellevue College. A substantial portion of the future office and residential growth in the corridor is expected to occur at this location.
- It increases opportunities for residential development in the corridor, to add vibrancy to the area, provide housing in proximity to Bellevue College and places of work, benefit from existing transit service, and support nearby retail uses.
- It seeks to enhance Bellevue College's visual presence and connections to the adjacent community.
- It promotes the Mountains-to-Sound Greenway by supporting the development of the Mountains-to-Sound Greenway trail through Bellevue and by incorporating sustainable design and abundant natural landscaping into the built environment.
- It identifies modest but effective motorized and non-motorized transportation improvements that may be accomplished through partnerships with other agencies.
- It supports increased floor area ratios and building heights throughout the corridor to meet demand for continued job and economic growth.

The Eastgate Draft Land Use Code Amendments are based on the CAC's recommendations and the Comprehensive Plan. Refer to Attachment A for the Eastgate Draft Land Use Code Amendments.

After the CAC completed its work and a final report had been written, the Planning Commission scheduled five meetings in 2015 to discuss the land use code amendments. The first meetings with the Planning Commission oriented them to the work of the CAC, and included a walking tour of the area chosen for the transit oriented development. In 2016, the Planning Commission held five meetings to consider considered the following topics as they related to three new districts: Permitted uses, dimensional requirements, development standards, and design guidelines. They also discussed some of the concomitant agreements² that would be removed by rezoning parcels.

A list of public comments received by the Planning Commission in provided in Attachment C.

¹ A more detailed discussion of the transportation impacts can be found in the Planning Commission materials for March 23, 2016. <http://www.bellevuewa.gov/planning-commission-agendas-2016.htm>

² A concomitant agreement is a form of land use control that was applied prior to the authorization of the use of development agreements by the state legislature in 1995. By using a concomitant agreement, communities could condition development by applying property specific provisions at the time of zoning or rezoning. Development provisions within the agreement are applied to the property until the concomitant is amended or repealed.

B. Amendment Description

The draft Eastgate Land Use Code Amendments are included in Attachment A. The amendments are organized under the three new districts that that are summarized below. They are the Eastgate Transit Oriented Development Land Use District (EG-TOD), the Office Limited Business District 2 Land Use District (OLB 2), and the Neighborhood Mixed Use Land Use District (NMU):

1. Eastgate Transit Oriented Development Land Use District (EG-TOD).

a. Location. The EG-TOD will be located between Bellevue College and Eastgate Way adjacent to the Eastgate Park and Ride. See Attachment D.

b. CAC Recommendation. The CAC recommended a transportation oriented development center with a mixture of office residential and retail uses, true integration of transit services, inviting pedestrian environment, and a strong relationship with Bellevue College. Any development over .5 Floor Area Ratio (FAR) should have ground floor retail, a master plan, substantial residential component and the provide public benefit. The CAC recommended a maximum 2.0 FAR and a building height of 10-12 stories.

c. Description. The purpose of the TOD District is to provide an area for a mix of housing, retail, office, and service uses, with an emphasis on housing. The district is limited in area so that there is an appropriate level of density nearest the highest levels of transit service.

d. Uses. (Attachment A, proposed LUC section 20.25P.030)

Manufacturing.

- Microbreweries would be allowed when combined with an eating and drinking establishment which constitutes a majority of the use.
- Textiles and Apparel Manufacturing would be allowed when combined with retail store which constitutes a majority of the use.

Recreation, Culture, and Entertainment.

- Most recreational uses would be permitted outright or with an Administrative Conditional Use Permit (ACUP), except that public assembly uses would be limited to 20,000 square feet.

Residential.

- Most residential uses would be allowed in this district. Group quarters such as dormitories would require a Conditional Use Permit (CUP).
- Transient Lodging such as youth hostels or the YMCA would require an ACUP.

Resources.

- Veterinary Clinic and Hospital would be allowed. Boarding and commercial kennels are allowed as subordinate uses. Their operating hours would be from 7 a.m. to 10 p.m.

Services.

- Child Day Care Center would be allowed.
- Auto washing and detailing within a garage would be allowed.
- Medical Clinics would be allowed.
- Pet Grooming and Day Care would be allowed.
- Primary and Secondary Education would require an ACUP.

Transportation and Utilities.

- Some uses would require a CUP such as Essential Public Facilities, Regional Utility Systems, and Electrical Utility Facilities.

Wholesale and Retail.

- Eating and Drinking Establishments would be allowed outright, but drive-in windows would not be allowed.
- Miscellaneous Retail Trade would be allowed but drive through facilities such as drive-through pharmacies would only be allowed in a structured parking area.
- Pet Shops would be allowed.

e. Dimensional Requirements. (Attachment A, proposed LUC section 20.25P.060)

- Façade Separation – 10 feet
- Front Setback – 0 feet
- Side/Rear Yard - 5 feet
- FAR - 2.0 (Up to 1.0 FAR excepted for Affordable Housing, Open Space, Public Restrooms, Special Dedications and Transfers)
- Maximum Building Height-160 ft. except 45 ft. maximum for parking structures
- Maximum Lot Coverage by Structures -75%³
- Maximum Impervious Surface -75%⁴

f. Development Standards. (Attachment A, proposed LUC section 20.25P.070-.090)

i. Landscaping

- The general landscaping requirements apply with respect to types of landscaping, species selection, and maintenance.
- Street trees/landscaping are proposed for the EG-TOD.
- Interior property line softened with landscaping.

ii. Fencing

- No sight obstruction.
- No barbed wire, electric or chain link (except construction or temporary use).

³ This percentage was modeled after BelRed, but will ultimately be aligned with the Low Impact Development project.

⁴ This percentage was modeled after BelRed, but will ultimately be aligned with the Low Impact Development project.

iii. Parking

- Requirements are modeled after nodes in Bel-Red which are essentially transit-oriented development.
- Requirements are reduced from those in other parts of the City as recommended by CAC. The idea behind transit oriented development is to provide other transportation opportunities so that fewer cars and less parking is necessary.
- Parking requirements may be modified by the Director if the applicant provides a parking demand analysis.

iv. Bicycle parking

- 1 per 10,000 net square feet (nsf) of nonresidential uses over 20,000 nsf.
- 1 per 10 dwelling units.
- 50% of spaces must be covered.

g. Design Guidelines. (Attachment A, proposed LUC section 20.25P.100.)

i. Integrate the Natural Environment. Development should provide:

- Access to open space.
- Views of urban elements against green backdrop.
- Access points to MTS Greenway.
- Architectural elements that harmonize with natural surroundings.
- MTS access points and complementary open spaces.
- Green walls and roofs, rain gardens.
- Promotion of environmental sustainability.

ii. Enhance Pedestrian System. Development should:

- Pedestrian hill climb and plaza that connects EG-TOD and Bellevue College.
- Pedestrian routes that are safely integrated with streets.
- Pedestrian access connections shall be linked to public right of way, EG Park and Ride and all areas of EG-TOD.
- Walkways should be sufficiently wide, unobstructed, offer visibility, paved with high quality materials, and lit with pedestrian scale lighting.

iii. Establish and Strengthen Gateways. Development should provide:

- Architectural treatments in buildings adjacent to gateways.
- Free standing architectural elements.
- Signage, landscaping, and lighting to identify gateways.
- Markers or inlaid art in sidewalks.

iv. Create a Variety of Activated Outdoor Spaces. Development should provide:

- Walkways and courtyards should be incorporated into residential and office development.
- Courtyards and plazas should be adjacent to active ground floor uses.
- Public spaces should be defined with materials such as furniture pavers, colored concrete.

- Plantings and buildings can define the open space.
 - Easy access to outdoor spaces.
- v. Pedestrian Emphasis Guidelines. Development should provide:
- Building entrances that are accessible from the street level.
 - Transparent windows at street level.
 - Walls with visual interest through form and materials.
 - Selection and coordination of streetscape furnishing.
 - Signs and lighting at ground level at pedestrian scale.
- vi. Protect Pedestrians from the Elements. Development should provide continuous weather protection - metal canopies, marquees, canopies, awnings.
- vii. Integrate art. Development should:
- Incorporate art that relates to TOD characteristics.
 - Use art that emphasizes gateways.
 - Uses durable materials.
 - Ensures that the art will age well.
 - Uses art that is designed for the site and is functional or interactive.
- viii. Promote Architectural Compatibility.
- Architectural elements used at a scale and level of detailing proportionate to the size of the building.
 - Refuse/recycling receptacles should be inside the building.
- iv. Provide Interesting Building Massing.
- Long expanses of building frontage must be broken down vertically and horizontally (about 50 feet for nonresidential uses).
 - Tripartite façade division- base, middle, and top should be used for buildings over 5 stories.
 - Vertical articulation of windows columns and bays.
 - Building massing should maximize solar access to publicly accessible open spaces.
- v. Create Attractive Building Silhouettes and Rooflines. Development should have:
- If visible from I-90, a distinctive silhouette to announce entry into Bellevue.
 - Vertical expression of important building functions.
 - Varied roof line heights.
 - Green roofs or rooftop terraces.
- vi. Foster Attractive Rooftops. Development should provide:
- Green roofs and rooftop terraces.
 - Reduce and treat stormwater runoff.

- Rooftop mechanical equipment should not be visible and should be full screened and integrated in the buildings architectural style.
- v. Promote Welcoming Residential Entries. Lobby entries and ground floor individual entries should provide:
- Weather protection.
 - Transparent doors windows or glazing (and transom windows or side lights).
 - Double or multiple doors.
 - Visibility and security.
- vi. Design Inviting Retail, Office and Commercial Entries
- Entries on street frontage and to each tenant space.
 - Doors with 50% window area or more.
 - Lighting that emphasizes entries.
 - Large café or restaurant doors that open to the street.
- vii. Activate and Emphasize Corners
- Primary building entrance at corner
 - Weather protection, special paving and lighting
- viii. Provide Inviting Ground Floor Retail and Commercial Windows
- Clear window glazing with visual access to activity.
 - Operable and transom windows.
- ix. Build Compatible Parking Structures and Surface Parking
- Structures should have habitable ground floor space if fronting on a local street.
 - Structures visible from I-90 should have green walls or other screening.
 - Surface parking should be located behind building.
 - Parking areas should be screened by landscaping.
- x. Lighting Guidelines. (For this guideline and the following two guidelines, please refer to Attachment A)
- xi. Integrate Building Lighting.
- xii. Sign Guidelines.

2. Office Limited Business 2 (OLB 2).

a. Location. Parcels that will be rezoned to OLB 2 are located in three general areas: north of I-90 and east of 148th Ave. S.E., south of I-90 and east of Eastgate Plaza, and south of I-90 and west of 150th Ave. S.E. See Attachment D.

b. CAC Recommendation. The CAC recommendation focused on the I-90 Office Park which comprises the corridor's greatest concentration of office development and largest employment center. This district is has an expanded mix of retail and service uses from

Office and Limited Business to serve those who are employed in the area. The CAC recommended a maximum FAR of 1.0 and a maximum height of 4 to 6 stories.

c. Description. The purpose of the OLB 2 District is to provide an area of integrated complexes made up of offices, hotels, or motels, eating and drinking establishments, and retail sales within walking distance to support business and employees. The OLB 2 District has greater intensity and a larger mix of uses than the OLB District. Such districts are located in areas that abut and have convenient access to freeways, major highways, and transit. (Attachment A, proposed LUC section 20.10.285)

d. Uses (Attachment A, proposed LUC section 20.10.440)

Manufacturing.

- Microbreweries would be allowed when combined with an eating and drinking establishment which constitutes a majority of the use.
- Measuring, Analyzing and Controlling Instruments Manufacturing would be allowed when combined with retail store which constitutes a majority of the use.

Recreation, Culture, and Entertainment.

- Most recreational uses would be allowed except that public assembly uses would be limited to 20,000 square feet.

Residential.

- All residential uses would be permitted outright except for single family dwellings and nursing homes which would not be permitted.

Resources.

- Veterinary Clinics and Hospitals would be allowed and would be allowed to have boarding and commercial kennels as subordinate uses. They would be required to open to the public between 7 a.m. and 10 p.m.

Services.

- Finance Insurance, Personal Services, Child Day Care, Business Services, and Small Repair Services would all be allowed.
- Professional Services would be allowed.
- Pet Grooming and Pet Day Care would be allowed and boarding and commercial kennels would be allowed as a subordinate use.
- Some government services, secondary and primary educational uses would require an ACU.
- Religious Activities would be allowed.
- Social Service Providers would be allowed.

Transportation and Utilities.

- Utility Facility, Essential Public Facility, and Regional Utility Systems would require a CUP.
- Commercial Parking Lots would require a CUP and could only be located west of 142nd Ave. S.E.

Wholesale and Retail.

- Hardware, Variety, Food, Apparel and Furniture Stores would all be allowed.
- Retail auto, truck, RB and boat showrooms would be allowed through a development agreement. No outdoor storage of autos, trucks, boats and RVs would be allowed.
- Motorcycle sales would be allowed, however outdoor storage would not be permitted.
- Eating and Drinking Establishments would be allowed, but drive through windows would not be allowed.

e. Dimensional Requirements. (Attachment A, LUC section 20.20.010)

- Front Setback – 0
- FAR – 1.0
- Maximum Building Height (feet) – 75
- Maximum Lot Coverage by Structure – 40%⁵
- Maximum Impervious Surface – 80%⁶

f. Development Standards.

i. Landscaping (Attachment A, LUC 20.20.520) Perimeter landscaping is a Type III⁷, 10 foot wide landscape buffer applies on street frontage and interior property lines unless the Transitional Area Design District applies because the parcel is adjacent to a residential district. (See Attachment A, LUC Part 20.25B)

ii. All other Development Standards. Since the OLB 2 is a district that could be applied citywide, all of the other citywide development standards would apply including landscaping, parking, and circulation.

g. Design Guidelines. (Attachment A, Part 20.25C LUC)

i. Integrate the Natural Environment

- Protect and incorporate natural environments and connections.
- Maximize retention of existing vegetation
- Promote environmental sustainability in features such as LID, green walls, and green roofs.

⁵ This provision may change with the Low Impact Development Project.

⁶ This percentage may decrease to 60% with the Low Impact Development Project.

⁷ Type III landscaping is intended to provide visual separation of uses from streets, and visual separation of compatible uses so as to soften the appearance of streets, parking areas and building elevations. It is comprised of deciduous and evergreen trees and shrubs.

- ii. Promote Architectural Compatibility (with the quality and character of the area)
 - Architectural elements at a scale and level of detailing proportionate to building.
 - Elements should be sensitive to and enhance surrounding area.
 - Multi-site development should have a unity of design.
 - Fences, walls refuse and receptacles should be consistent with scale and architectural design of primary structure.
- iii. Promote Community Gathering
 - Incorporate outdoor gathering spaces near active ground floor uses.
 - Landscaping should defined spaces, walkways and amenities.
 - Incorporate public art.
- iv. Build Compatible Parking Structures and Lots
 - Surface parking located behind building.
 - Parking areas should be designed to minimize pedestrian/car conflicts.
 - Parking areas should be landscaped.
 - Parking areas along street or pathway must be screened.
 - Bicycle parking shall be provided.
- v. Design Welcoming Entries
 - Street frontage should have entries.
 - Entrances at frequent intervals for retail.
 - Weather protection.
 - Transparent doors.
 - Double or multiple doors.
 - Visibility and security.
 - Lighting that emphasizes entrances.
- iv. Promote Visually Interesting and Inviting Windows

3. Neighborhood Mixed Use (NMU).

a. Location. The parcels that will be rezoned NMU are located in or near Eastgate Plaza. See Attachment D.

b. CAC Recommendation Many different uses are encouraged including office, retail, eating and drinking establishments, general commercial, lodging and multi-family residential. All of these uses are to serve the surrounding neighborhoods. The vision for the district is to feature a highly visible and attractive multistory mixed use development with structured or inconspicuously located parking. The CAC recommended a maximum FAR of 1.0 with 4 to 6 stories if the surrounding single family residences can be protected from development impacts.

c. Description. The purpose of the NMU District is to provide an area with a mix of retail, service, office and residential uses with an emphasis on neighborhood retail and service uses. This district is designed to be compatible with nearby neighborhoods and is easily accessible from the nearby office and residential uses. (See Attachment A, proposed LUC section 20.10.350).

d. Uses.

Manufacturing.

- Microbreweries would be allowed when combined with an eating and drinking establishment which constitutes a majority of the use.
- Handcrafted Products Manufacturing would be allowed when combined with retail store which constitutes a majority of the use.

Recreation, Culture, and Entertainment.

- Most recreational uses would be allowed except that public assembly uses would be limited to 20,000 square feet.

Residential.

- Most residential uses are allowed except for single family residences.
- Group quarters such as dormitories would require a conditional use permit.
- Multi-family dwellings and senior citizen dwellings are allowed only if located on the second floor and above the permitted ground floor nonresidential use.

Resources.

- Veterinary Clinics and Hospitals would be allowed and would be allowed to have boarding and commercial kennels as subordinate uses. They would be required to open to the public between 7 a.m. and 10 p.m.

Services.

- Finance Insurance, Personal Services, Child Day Care, Business Services, and Small Repair Services would all be allowed.
- Professional Services would be allowed.
- Pet Grooming and Pet Day Care would be allowed and boarding and commercial kennels would be allowed as a subordinate use.
- Some government services, secondary and primary educational uses would require an ACUP.
- Religious Activities would be allowed.
- Social Service Providers would be allowed.

Transportation and Utilities.

- Utility Facility, Essential Public Facility, and Regional Utility Systems would require a CUP.
- Commercial Parking Lots and Garages would not be permitted.

Wholesale and Retail.

- Hardware, Variety, Food, Apparel and Furniture Stores would all be allowed.
- Eating and Drinking Establishments would be allowed, but drive through windows would not be allowed.

e. Dimensional Requirements. (See Attachment A, LUC section 20.10.010)

- Front Setback – 0
- FAR – 1.0 (up to 1.0 FAR is excepted for Affordable Housing)
- Maximum Building Height (feet) – 75
- Maximum Lot Coverage by Structure – 40%⁸
- Maximum Impervious Surface – 80%⁹

f. Development Standards.

i. Landscaping (Attachment A, LUC section 20.20.520). Perimeter landscaping is a Type III¹⁰, 10 foot wide landscape buffer on the street frontage and a Type III, 10 foot wide on interior property lines unless the Transitional Area Design District applies because the parcel is adjacent to a residential district. (See Attachment A, LUC Part 20.25B LUC)

ii. All other Development Standards. Since the NMU is a district that could be applied citywide, all of the other citywide development standards would apply including landscaping, parking, and circulation.

g. Design Guidelines. (Attachment A, LUC Part 20.25I LUC)

NMU is incorporated into the Community Retail Design District (CRDD). The CRDD already has building and site design guidelines and design standards. The proposed design guidelines are NMU-specific and are in addition to those applied to other districts in the CRDD.

i. Integrate the Natural Environment

- Orient open spaces and walkways around parks and open, natural spaces.
- Convenient access to open space.
- Access points to local and regional trails.
- Maximize retention of existing vegetation.
- Promote environmental sustainability in design features-green roofs, LID, green walls.

ii. Promote Community Gathering

- Incorporate outdoor gathering spaces near active ground floor uses.
- Landscaping should defined spaces, walkways and amenities.
- Incorporate public art.

⁸ This percentage may change to be aligned with the recommendations of the Low Impact Development Project.

⁹ This percentage may decrease to 60% with the Low Impact Development Project.

¹⁰ Type III landscaping is intended to provide visual separation of uses from streets, and visual separation of compatible uses so as to soften the appearance of streets, parking areas and building elevations. It is comprised of deciduous and evergreen trees and shrubs.

- iii. Build Compatible Parking Structures and Lots
 - Surface parking located behind building (see also design requirements for actual structure).
 - Parking areas should be designed to minimize pedestrian/car conflicts.
 - Parking areas should be landscaped.
 - Parking areas along street or pathway must be screened.
- iv. Enhance the Pedestrian System
 - Minimal curb cuts.
 - Safe convenient pleasant pedestrian connections to transit.
 - Traffic and emergency access and evacuation.
 - Direct walking routes.
 - Internal streets shall have street trees and sidewalks.
 - Weather protection of building walkway at entrances.
- v. Provide Interesting Building Massing
 - Break down long masses of building frontage both vertically and horizontally.
 - Buildings over 5 stories shall have vertically articulated tripartite façade division - base, middle and top
 - Vertical articulation of windows, columns and bays
- vi. Create Attractive Building Silhouettes and Rooflines
 - Visible from I-90 should have distinctive silhouette.
 - Incorporate a combination of:
 - Vertical expressions of important building functions.
 - Varied roof line heights.
 - Well detailed cornices.
- vii. Promote Welcoming Residential Entries
 - Ground related individual entries should have a clear transition from public realm.
 - Lobby entries to multi-family buildings should provide:
 - Weather protection at entries.
 - Transparent doors and windows.
 - Double or multiple doors
- viii. Promote Visually Interesting Upper Floor Residential Windows
- ix. Design Inviting Retail and Commercial Entries
 - Street frontage should include public entrances.
 - In retail areas with high-use pedestrian areas, entrances should be provided at least every 50 feet to generate pedestrian activity.
 - Doors with 50% window area or more.
 - Lighting that emphasizes entries.
 - Large café or restaurant doors that open to the street.

- x. Design Inviting Ground Floor Retail and Commercial Windows
 - Clear window glazing that provides visual access should be provided on ground floor facades.

II. REVIEW PROCESS

The review process began with the CAC as discussed in the Background, Section I, above. The CAC completed its final report and the Eastgate land use code amendments were referred to the Planning Commission. The Planning Commission conducted a walking tour of the EG-TOD area on September 9, 2015. The Planning Commission also scheduled numerous study sessions to discuss the land use code amendments. The 2015 dates included: June 10, July 22, October 14 and December 9. The 2016 dates include: January 27, February 24, March 23, April 27, and May 25. The public hearing is scheduled to be held on June 22, 2016, after which the Planning Commission will hold a study session and make its recommendation to the City Council.

III. PUBLIC NOTICE

Notice of the Application for the Land use Code Amendment and associated review pursuant to the State Environmental Policy Act (SEPA), was published on May 19, 2016. Notice of the public hearing was published on June 2, 2016 in the Weekly Permit Bulletin. Notice of the SEPA threshold determination was published on June 9, 2016.

Pursuant to the Washington State Growth Management Act, state agencies must be given 60 days to review and comment on proposed amendments to the Land Use Code. A copy of the proposed amendment was provided to state agencies on June 3, 2016. City Council final action can be taken anytime on or after August 4, 2016.

The balance of this Staff Report analyzes the decision criteria in the Land Use Code that must be met to support adoption of a Land Use Code Amendment.

IV. DECISION CRITERIA

LUC 20.30J.135 establishes the decision criteria for an application to amend the text of the Land Use Code. Those criteria, and the relationship of the proposal to them, are discussed below:

A. The amendment is consistent with the Comprehensive Plan; and

The proposed amendments are supported by the following Comprehensive Plan policies:

POLICY S-EG-1. Focus Eastgate growth into a mixed use center adjacent to the Eastgate Transit Center with greater height and intensity than the surrounding area.

POLICY S-EG-2. Establish a pedestrian-oriented street that provides a community plaza and allows for connections between Bellevue College, the Eastgate Park and Ride, and the office, retail, and residential development in the transit-oriented development center.

POLICY S-EG-3. Encourage office and retail land uses that take advantage of freeway access, transit service, and non-motorized transportation alternatives without adversely impacting residential neighborhoods.

Discussion: Intense office development can generate adverse traffic impacts and block residential views. Site design also can impact residential quality. To support this policy, office

and retail development should be well designed so that it is compatible with surrounding neighborhoods and be oriented around a multi-modal transportation system that reduces vehicular congestion and traffic impacts.

POLICY S-EG-4. Encourage the integration of restaurants and other commercial uses that serve local workers into and adjacent to office development to enhance the mix of uses within walking distance of employment areas.

Discussion: The reason for encouraging restaurants and other commercial services within office developments is to reduce vehicular traffic between the office parks and retail areas. Retail areas are intended to serve primarily local needs.

POLICY S-EG-10. Multifamily housing may be appropriate to separate office and retail land uses from single-family neighborhoods or as a part of mixed use developments where there is close proximity to transit or neighborhood-serving commercial uses, with a special emphasis on meeting the housing needs of Bellevue College.

POLICY S-EG-11. Encourage more opportunities for affordable housing in the Subarea by maintaining and rehabilitating existing housing stock.

POLICY S-EG-13. Consider allowing a reduction in parking requirements where it is possible to do so because of proximity to transit.

POLICY S-EG-14. Improve safety, convenience, and access by ensuring that internal circulation systems are integrated with the street system to improve multimodal mobility within and between developments.

POLICY S-EG-17. Improve connectivity within the subarea for pedestrians and bicycles where opportunities exist by integrating land uses, improving roadway safety for all modes of travel, and linking commercial, office, parks, and public spaces with trails and pathways.

POLICY S-EG-19. Reinforce the area's location on the Mountains to Sound Greenway, accentuate Eastgate as a major entry into Bellevue, and emphasize the emerging urban character of the Eastgate I-90 corridor through the application of land use regulations, public amenity incentives, and design guidelines.

POLICY S-EG-20. Provide graceful edges and transitions between more intense development and existing residential land uses by maximizing the use of existing vegetation and topography to buffer and maintain compatibility between different land uses through land use regulations.

POLICY S-EG-21. Consider design review for commercial, office, and mixed use development that promotes pedestrian-friendly design, ensures quality and a sense of permanence, promotes environmental sustainability and creates a distinct identity.

POLICY S-EG-22. Preserve the view amenities of adjacent single-family neighborhoods as development and redevelopment occurs.

POLICY S-EG-24. Support the overall sustainability and green identity of the I-90 corridor consistent with the Mountains to Sound Greenway by including visibly recognizable natural

features in public and private development. Examples include, but are not limited to green walls, façade treatments, green roofs, retained native vegetation, and abundant natural landscaping,

POLICY S-EG-25. Diminish the effect of rooftop equipment on views from residential areas by requiring rooftop equipment to be low-profiled and screened to match the building's exterior color, building materials, and styles.

POLICY S-EG-26. Maintain the Subarea's predominantly treed skyline and encourage preservation of existing stands of trees and landscaping.

POLICY S-EG-28. Create community character in commercial, office, and mixed use development through the use of standards and incentives that support public art, street lighting, landscaping, distinctive building design, and pedestrian-oriented site design.

POLICY S-EG-29. Encourage the development of a dynamic public realm by integrating publicly accessible plazas, open spaces, and other gathering spaces within private development in commercial, office, and mixed use areas.

POLICY S-EG-31. Create and encourage an interconnected system of non-motorized trails as a part of public and private development within the subarea that will link community amenities, provide recreational opportunities, and offer transportation benefits.

POLICY S-EG-32. Develop local connections to the Mountains to Sound Greenway through the subarea in order to enhance the trail as a local and regional recreational asset.

POLICY S-EG-42. Encourage a mixed use area between Bellevue College and I-90 into a walkable, transit-oriented center at the level of intensity needed to create a vibrant mix of offices, residences, and locally-serving shops and restaurants that are urban in character.

POLICY S-EG-43. Retain neighborhood-serving commercial uses through flexible zoning that allows a rich combination of neighborhood retail and services.

Finding: These code amendments will provide the necessary regulatory framework in the Land Use Code to implement the policies contained in the Eastgate Subarea Plan. Proposed Land Use Code amendments necessary to implement the CAC direction and the Subarea Plan policies are discussed in greater detail in Section I.B above.

B. The amendment enhances the public health, safety or welfare; and

Finding: The amendment will enhance the public health, safety, and welfare by ensuring that development in the Eastgate corridor includes appropriate permitted uses, dimensions, development standards and design guidelines. The Eastgate Land Use Code Amendment will enhance the health, safety, and welfare of the public by providing safe and pleasant places to live, work, and visit in Eastgate.

C. The amendment is not contrary to the best interest of the citizens and property owners of the City of Bellevue.

Finding: The amendment is consistent with the best interest of the citizens and property owners. It will allow for a variety of business and residential housing opportunities in the Eastgate/I-90 Corridor while preserving the quality and character of each Eastgate District with standards to help ensure that policy of the Comprehensive Plan is implemented through application of the LUC to new development and to redevelopment.

V. STATE ENVIRONMENTAL POLICY ACT

The application for SEPA review was noticed together with the draft LUCA on May 19, 2016. The notice of public hearing and draft LUCA was published on June 2, 2016. This Determination of Non-Significance was issued on June 9, 2016. The environmental review indicates no probability of significant adverse environmental impacts occurring as a result of the programmatic proposal to amend the Land Use Code to allow for three new land use districts in the Eastgate corridor. The proposal includes new use charts, dimensional standards, development standards and design guidelines for each new land use district. The City codes and requirements, applicable to projects that would be affected by this LUCA, including SEPA, the Land Use Code, Noise Ordinance, Building Code and other construction codes will adequately mitigate expected environmental impacts. Therefore, issuance of a Determination of Non-significance (DNS) is the appropriate threshold determination under the State Environmental Policy Act. It should also be noted that new development will be subject to environmental review when each new project is proposed.

The following is a summary of the environmental review for this proposal:

A. Environmental Record

The environmental summary consists of analysis based on the following documents and studies in the environmental record or, if noted, incorporated by reference.

- Environmental Checklist and Supplemental Sheet for Non-project Actions, prepared by Terry Cullen, Comprehensive Planning Manager, City of Bellevue Planning and Community Development Department, dated May 19, 2016;
- File No. 12-132861-AD, Draft Land Use Code Amendment.

B. Proposed Timing and Phasing

The Planning Commission is scheduled to hold a public hearing on the amendment on June 22, 2016. Following the public hearing, the Planning Commission will form a recommendation that they will transmit to the City Council. The City Council will ultimately be asked to act on the Planning Commission recommendation on the draft LUCA during a future City Council meeting.

C. Environmental Summary

Purpose and Need:

The Eastgate / I-90 Corridor is highly developed and there is little capacity to accommodate more growth due to the lack of undeveloped land, zoning constraints, and the relatively new condition of existing improvements. However, there is a strong market demand for additional office space and the corridor has enjoyed a history of being a strong employment center. To be competitive with other markets, the workforce of tomorrow will seek locations that offer a greater menu of services and amenities within walking distance. This does not currently exist in Eastgate. Greater integration of support retail and other services in the office environment

needs to occur. In addition, there is little housing to support Bellevue College and its students as the college grows. While traffic remains a concern in the Eastgate area, the Eastgate/I-90 Corridor remains auto-oriented. The Eastgate area lacks the connectivity that would allow pedestrians and cyclists to navigate the area easily; and bus transportation is not leveraged, though a large park and ride facility is within the study area.

Major Conclusions, Significant Areas of Controversy and Uncertainty:

One major conclusion is that the proposal will likely result in redevelopment to answer market demand for more office space. The proposal will also result in the development of retail and service amenities to support large employers and their employees. The traffic resulting from the proposed FAR of 2.0 in the EG-TOD and 1.0 in OLB 2 and NMU was studied in the environmental report listed above. However if the FAR were to go higher, uncertainty with respect to traffic impacts would result. It would most likely require further study. Uncertainty exists as to whether the LUCA will result in a vibrant, transit-oriented development district, much of which is dependent on the type of business on the street. Uncertainty also exists in development cycles and market factors which affect redevelopment, but are unpredictable. While these code amendments can set the stage for redevelopment, the actual redevelopment is affected by other factors that are not within the City’s purview. There are no known significant areas of controversy.

Issues to be Resolved, Including Environmental Choices to Made Between Alternative Courses of Action

Adoption of the proposed Land Use Code Amendment would allow the Eastgate Corridor to continue to provide economic growth, employment, retail, office space and residential units for the region. The LUCA would allow for an FAR of 2.0 and building height of 160 feet in the EG-TOD District and an FAR of 1.0 and a building height of 75 feet in the OLB 2 and NMU Districts. The current FAR in those areas is .5 and the building heights vary. The preferred alternative would allow the following projected growth by 2030 in the amount of 1,800,000 sq. ft. of office uses, 100,000 sq. ft. of retail uses, 350,000 sq. ft. of institutional uses, 800 residential housing units and 300 hotel rooms. Most of the increased intensity in development with this LUCA will occur west of 148th and south of I-90. Redevelopment would be encouraged by the promise of higher density, but redevelopment would improve stormwater management because existing stormwater regulations are more stringent than they were when these areas were developed. Any proposed development will continue to be subject to Design Review pursuant to the City of Bellevue’s Process II permit review procedure, and will require conformance with all applicable design guidelines and development standards.

The alternative course of action would be to decline to adopt the LUCA. If the Land Use Code Amendment is not adopted, the corridor would not be able to accommodate the strong market demand for additional office space. With the current Land Use Code structure, there is little capacity to accommodate more growth. It is projected that the following land use square footage would be developed by 2030 without the LUCA: office, 200,000; industrial, 86,000; institutional, 280,000. However, no new additional retail, residential or hotel development is projected without the proposed LUCA. Employees want services and amenities within walking distance of their workplace, but this will not be the reality in Eastgate. The transit oriented development district will not occur, nor will the area adjacent to the parking and ride provide housing, retail, transportation and office space for employees and students in the area. Fewer bike and pedestrian connections will be completed. The current environment of paved parking lots, suburban scale buildings, and vehicle dependency is unlikely to change. Stricter

stormwater standards would not be applied until the area is redeveloped and redevelopment will take a longer period of time than it would if the LUCA were adopted.

With respect to land use and traffic, the 1 hour PM peak period area-average Level of Service standard and congestion allowance was found to operate within the City's adopted concurrency framework in both the "2030 Preferred Land Use with Transportation Improvements" and the 2030 Preferred Land Use without Transportation Improvements" scenarios. As compared to the existing conditions in the Transportation Strategies Report, all alternatives resulted in increases. The 2030 No Action Land Use without Transportation Improvements would result in a 21 percent increase in traffic volume and a 62 percent increase in total delay hours in PM peak. The 2030 Preferred Land Use with Transportation Improvements resulted in a 27 percent increase in traffic volume and a 70 percent increase in total delay hours in the PM peak. Finally the Preferred Land Use without Transportation Improvements would result in a 26 percent increase in traffic volume and an 88 percent increase in total delay hours in the PM peak when compared to existing conditions. Given this information, the land use amendments would not result in a probable significant adverse environmental impact.

VI. RECOMMENDATION

The requested Land Use Code Amendment included in Attachment A is consistent with the decision criteria required for adoption of a Land Use Code Amendment. Staff recommends that the Planning Commission hold a public hearing on the draft amendment, and following consideration of the testimony provided at the hearing transmit a recommendation approving all of the draft amendments.

ATTACHMENTS

- A. Eastgate Draft Land Use Code Amendments
- B. Council Principles for Eastgate / I-90 Corridor Project
- C. Public Comment
- D. Map of New Districts
- E. SEPA Determination of Nonsignificance

Attachment B

Eastgate/I-90 Land Use and Transportation Project Council Principles

Approved by the Bellevue City Council on February 1, 2010.

The following Council Principles are intended to provide consistent direction over the course of this project. An over-arching consideration that cuts across all these Principles is the reality of fiscal constraints that limit the City's ability to fund major new infrastructure projects. To the extent that new infrastructure is needed to support potential land use changes, costs and ability to fund these improvements must be serious and early considerations.

1. Enhance the Eastgate corridor's economic vitality without degrading mobility in other parts of the City, and ensure that it continues to contribute to the diversity of the City's economic mix.
2. Retain and enhance neighborhood-oriented services and businesses, which are important to nearby residents of Bellevue and the adjacent Eastgate potential annexation area.
3. Improve linkages with Bellevue College, which may include land use and transportation strategies, as well as a variety of partnerships that benefit both the College and the City as a whole.
4. Better integrate land use and transportation across Eastgate, which may include consideration of transit-oriented development in portions of the area. Changes in land use should be informed by transportation opportunities and impacts. For example, the large Eastgate park and ride facility may create an opportunity for a transit overlay district, with well integrated land use and transportation performance.
5. Continue to evolve Eastgate's transportation infrastructure to a high performing, multi-modal system, including coordinating with service providers on increased transit service to the area.
6. Increase connectivity across the Eastgate corridor, addressing the area's numerous barriers such as its limited street and non-motorized (both pedestrian and bicycle) network, and stand-alone developments.
7. Model environmental sustainability in planning for Eastgate's future, so that future plans for the area produce measurable environmental benefits.
8. Improve the Eastgate Corridor's urban design quality and coherence, recognizing the area as a major City gateway and prominent location on the Mountain to Sound Greenway.
9. Work to improve the performance of state facilities in the area – I-90 and its access points—which today create major issues for the City's land use and arterial system.

Attachment C

Planning Commission 2015 Eastgate Public Comment

Thank you so much Erika for your response! I will support this proposal, and appreciate for your hard work!

Best Regards
JD Yu

On Thu, Feb 11, 2016 at 11:14 AM, <ERhett@bellevuewa.gov> wrote:

Mr. Yu,

Thank you for your question. In the proposed zoning regulations Marijuana retail outlets would not be permitted in the new Neighborhood Mixed Use district. This is the new zoning district proposed for the Eastgate Plaza Shopping Center and nearby commercial area.

I have attached the latest proposal for uses in the Eastgate corridor. If you scan to page 16 of the attachment it shows a blank in the chart next to Marijuana Retail Outlets. The blank on the chart means not permitted.

Erika Rhett, AICP

Senior Planner

City of Bellevue

[425-452-2898](tel:425-452-2898)

From: Jingdong Yu [mailto:jingdong.yu@gmail.com]
Sent: Tuesday, February 09, 2016 4:28 PM
To: PlanningCommission <PlanningCommission@bellevuewa.gov>
Cc: Rhett, Erika <ERhett@bellevuewa.gov>
Subject: inquiry about Eastgate/I-90 Land Use & Transportation Project

Dear Bellevue Planning Commissioners,

My name is JD Yu, a resident at Somerset. Recently I got a chance to know about this project of Eastgate/I-90 Land Use & Transportation. I am glad to know that there will be more business opportunities to be introduced in this area, which will benefit local economy and enhance services for the people living around. Meanwhile I have some concern about the details of new eased land use code, whether it would allow marijuana stores in those area? There are some parks, schools, and day cares around Eastgate area, and we have kids activities too, and my concern is about allowing marijuana

stores under new code will have negative impact on the kids. Would you please let me know if the project is related to my concern?

Best Regards!

JD Yu

4501 138th Ave SE

Bellevue, WA 98006

February 24, 2016

Members of the Planning Commission,

My name is Carrie Blanton and I was an appointed member of the CAC on the Eastgate/I-90 Land use and transportation project. I was selected because of my role as the Real Estate Director for the Honda Auto Center of Bellevue and the office building next door and to the west, called Newport Heights. This office building is the place of business for 5 local companies including UW Medicine Factoria Medical and Urgent Care Clinic.

As you know, over the course of 18 months, we spent many hours deliberating and providing input on the final plans for the Mountains to Sound Greenway Trail (“Trail Project”).

There were a few alternate routes for the proposed Trail Project extension through Bellevue. The Honda Auto Center of Bellevue, and the Courter Family who own this parcel and the Newport Heights building, were reluctant to support the current plan because of concerns about how the trail would very likely compromise the visibility of the dealership from the freeway and along SE 36th and the increased traffic on SE 36th with the introduction of the landscape islands that reduce channeling of cars turning into office buildings and businesses along SE 36th. The Trail Project proposal has already interfered with our ability to get inventory to the dealership by restricting our ability to load and unload vehicles along SE 36th. At this study, we were assured by Dan Stroh and Fran Lowenhertz that the City would listen to our concerns and work with us.

We have attended several open houses and have been in contact with the Project manager of the Trail Project for the City, Chris Masek. I have attached a copy of a letter we sent to him in December 2015 voicing our concerns with the current design. We want the Planning Commission to know that we generally support the trail link, but not at the expense of the businesses in the area. We ask that you look to reduce the density and height of the current proposed landscaping along the freeway and in the landscape islands to allow for visibility to the businesses and pedestrians. We have seen this done beautifully in downtown Kirkland and along 85th street corridor and other cities in the

Thank you for considering our comments,
Sincerely,
Carrie C. Blanton
Real Estate Director
Courter Corporate Group
13231 SE 36th Street Suite 200
Bellevue WA 98027
425-373-5562
carrieb@courtergroup.com

SENT VIA US MAIL & EMAIL TO:
cmasek@bellevuewa.gov

Chris Masek
City of Bellevue Transportation
4501 110th Avenue NE
PO Box 912
Bellevue, WA 98009

Re: Mountains to Sound Greenway Trail

Dear Chris:

In November 2010, the City of Bellevue asked me to participate in the Eastgate/I-90 land use transportation project citizen committee. Many topics were discussed over my time serving on the committee, including the Mountains to Sound Greenway Trail ("Trail"). I was asked to represent the interest of the automobile dealers and the Courter family with respect to the issues presented to the citizen committee.

We felt confident at that time that the City appreciated how important automobile dealers are to the economic vitality of the City. However, recent dealings with the City have caused us to question whether the City does indeed value our business. It is critical that the City balance the decisions to participate in the Trail extension with the interests of business owners.

The primary concerns that the Courter family have with the Trail are how the Trail might compromise the visibility of the dealership from the freeway and SE 36th Street as well as interfering with the ability to get our inventory to our location by eliminating the ability to load and unload vehicles along SE36th.

When the initial proposed location for the Trail extension was presented to us and the citizens committee for approvals, we expressed our concerns with the plan. Many at the City, including Dan Stroh, Michael Bergstrom and Frank Loewenherz listened to and appeared at the time to validate our concerns. They assured us the City did not want to see this design jeopardize our business. However, the current Trail plan is, in fact, compromising how we conduct business.

The current landscaping plan calls for large trees with a height of 14 feet or taller and an increase in density of vegetation. We do not know why the trees have to be so tall and close together in this urban area of the trail. We also have informed the City that we do not believe WSDOT will maintain plantings within the trail and/or median and we asked the City to allow us the opportunity to maintain this vegetation.

In addition, there is now a bike trail on the south side of SE 36th which further compromises our ability to conduct business. With the landscape island buffer a part of the Trail and this bike lane, we are being squeezed. We have been recently informed by your Transportation Department that the right of way permit to load and unload cars that we have had for many years may not be renewed. This is a major concern we have with Trail plan. It is not reasonable for the City to impose not one, but two bike trials on our frontage and then ask our dealership to bear the full consequence of these decisions.

We look forward to continuing our discussions and working with the City to agree upon a final design that is in the best interest of all stakeholders.

Very truly yours,

Carrie Blanton

cc: Liz G. Gibon (KPG Design) via email at liz@kpg.com
Brad Miyake, City Manager
450 110th Avenue NE
P.O. Box 90012
Bellevue, WA 98009

Terry Me. Eastgate - Kate
F/I
Copies To:
B. Mizake
K. Barans
C. Salomone
M. Brennan
Q.A.V.
Dropped off at Service First desk

To: Bellevue Mayor John Stokes

From: Todd R. Woosley, Hal Woosley Properties, Inc. *Q.A.V.*
Representing Trailer Inns Eastgate RV Park

Date: March 21, 2016

Re: Eastgate/I-90 Neighborhood Mixed Use Multi-Family Development

RECEIVED
MAR 22 2016
CITY COUNCIL

Thank you for taking the time to meet with me to discuss the potential for multifamily development in the Eastgate/I-90 Corridor. I appreciate your interest in an updated Land Use Code that would support the type of new apartment homes that are most feasible for the area. In particular, we would like zoning in the new Neighborhood Mixed Use (NMU) district that allows for six story residential buildings at a 2.5 Floor Area Ratio (FAR).

This density would allow for a high quality project that could deliver both private and public benefits. In addition to providing a significant increase in Bellevue's overall housing supply, apartments built at the requested FAR have the potential to provide public benefits beyond creating a nice new place to live for Bellevue's growing population. Some of these benefits could include affordable housing units, public open space, bicycle and pedestrian connectivity between neighborhoods and the Mountain To Sound Greenway, support for the neighborhood's retail stores, and/or a contribution to area parks.

For your information, please find attached a Conceptual Design Study illustrating how such an apartment project could look on the Trailer Inns Eastgate RV park site.

The owners and potential purchasers of the Trailer Inns Eastgate RV Park are all very encouraged by the Planning Commission's interest in allowing a FAR of up to 2.5 for multifamily housing in the Eastgate/I-90 Corridor's new Neighborhood Mixed Use (NMU) zoning district.

Also, a very good comparable example of how the proposed development could look can be found right here in Bellevue. The brand new LIV BelRed Apartments, located at 2170 N.E. Bel-Red Road, were recently built to nearly the same FAR (~2.25).

Please let me know if you would like a private tour of LIV BelRed. I would be happy to arrange it at your convenience.

For your information, Bellevue's code incentives encouraged the inclusion of several affordable housing units at LIV BelRed. Unfortunately, other incentives proved to be unfeasible, negating the potential for further public benefits in exchange for maximizing the allowed FAR in that project's zoning district. Hopefully, the incentives for the Eastgate/I-90 NMU zoning district will work better.

5.16.16 Response to NOA

Please include us in the mailing list for Eastgate Land Use Code Amendment decisions, activities public meetings and all venues applicable.

Comments: The residents that reside in this neighborhood are obviously directly impacted by all development within this region. Motor vehicle traffic is an absolute ridiculous nightmare; peak hours for commuting at the metered area require typical 20-25 minutes to merge onto I-90 westbound, and that's on a clear day. Impossible to merge from I-90 to I-405 at any given time. Double the time in our seasonable rainy days. To consider the massive influx of what is being proposed for this area, including retail, business, etc., maximize empty office areas and redesign areas for retail (i.e., Eastgate Business Park), without the necessary EIS and traffic mitigation studies, is irresponsible but not unusual for the city in order to justify a greater tax base. The impacts of what is being proposed is not supported by the majority of residential homeowners in this area. Can you please provide the names associated with this Eastgate Advisory Board? They are ill-advised thinking there is majority support enacting this proposed land use amendment. We do not want a sub area of what a monstrosity downtown Bellevue has become as the city has mandated with "proposed" land use code amendments...it's an atrocity to all surrounding communities. Once the current buildout for retail and housing is occupied, that's when everyone will complain as waiting time at stop lights and trips generated per hour will impact every citizen within and surrounding outlying communities. We've noticed there has been no visible or published traffic studies (or mitigation for that fact) for new development to address the impacts of increased traffic generated on the existing infrastructure. Unknown to us is whether monies to be paid by the developer is secured for future LID; and that money is to be appropriated for its intended use within what time frame?

Again, Please provide the membership roster or notice of public meeting when or where this proposal was or is to be brought before the Eastgate/Factoria/Newcastle communities. We bet that hasn't been a consideration as yet for those sub areas; as they also will be directly impacted and most likely will not support this endeavor. This proposed land use amendment is not in our best interest as Eastgate residents, nor the other aforementioned communities.

Linda and Dan Belliveau

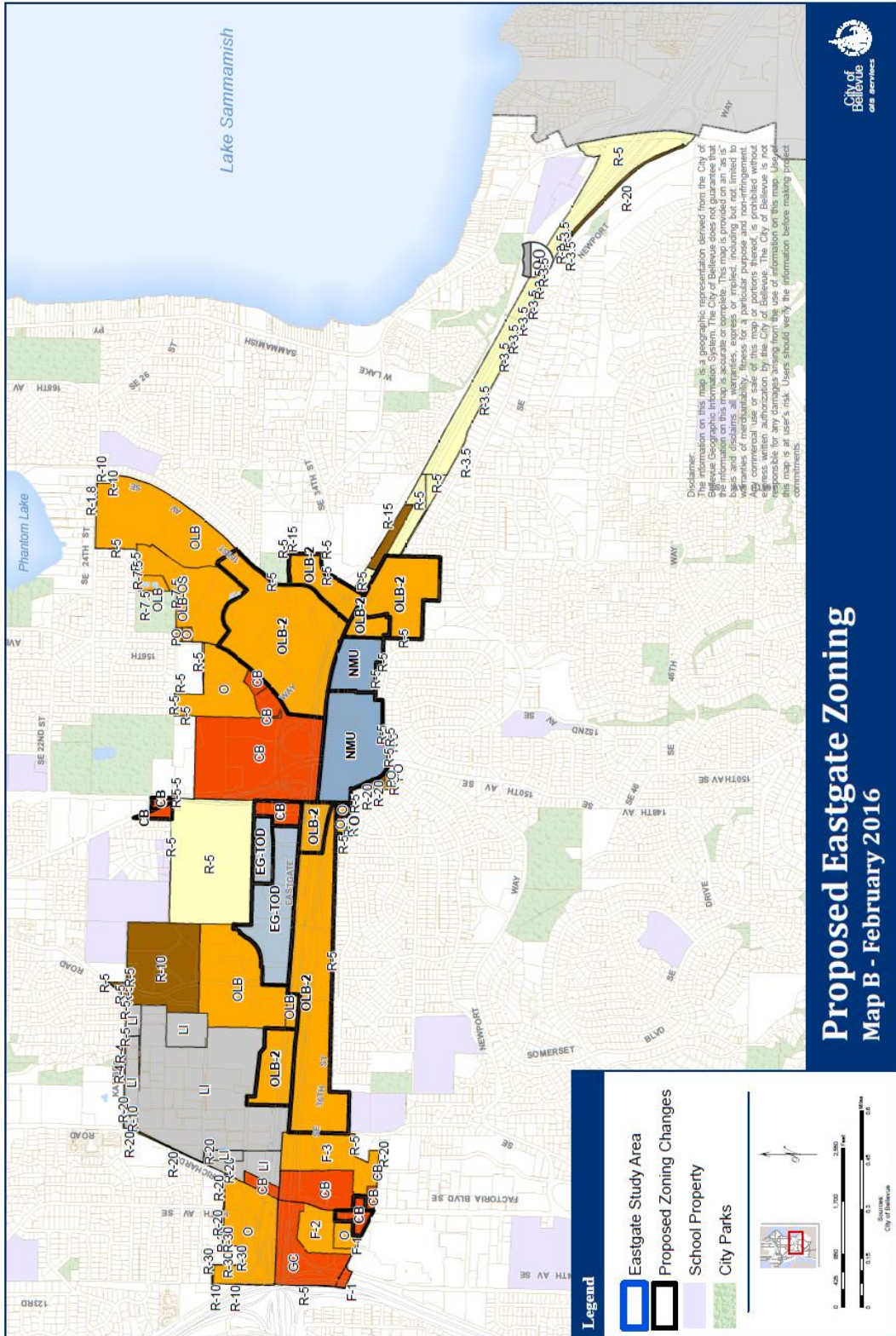
For email:

linda@lakestreetstudios.com

For postal delivery, address is:

Dan and Linda Belliveau
3273-163rd Place SE
Bellevue, WA

Appendix D Map of New Districts



Proposed Eastgate Zoning Map B - February 2016



IT Department

ATTACHMENT E SEPA Determination of Nonsignificance

20.10.020 Establishment of land use districts.

Land use districts in the City are hereby established as follows:

District	Designation
Single-Family Residential Estate	R-1 R-1.8
Single-Family Residential	R-2.5 R-3.5 R-4 R-5 R-7.5*
Multifamily Residential	R-10 R-15 R-20 R-30
Professional Office	PO
Office	O
Office and Limited Business	OLB
<u>Office and Limited Business 2</u>	<u>OLB.2</u>

Office and Limited Business-Open Space	OLB-OS
Light Industrial	LI
General Commercial	GC
Neighborhood Business	NB
<u>Neighborhood Mixed Use</u>	<u>NMU</u>
Community Business	CB
<u>Eastgate Transit Oriented Development</u>	<u>EG-TOD</u>
Downtown	
Office District 1	DNTN-O-1
Office District 2	DNTN-O-2
Multiple Use District	DNTN-MU
Residential District	DNTN-R
Old Bellevue District	DNTN-OB
Office and Limited Business District	DNTN-OLB
Evergreen Highlands Design District	EH
Performance Area A	EH-A
Performance Area B	EH-B
Performance Area C	EH-C
Performance Area D	EH-D

Factoria Land Use District 1	F1	
Factoria Land Use District 2	F2	
Factoria Land Use District 3	F3	
Medical Institution District	MI	
Bel-Red		
Bel-Red-Medical Office	Bel-Red-MO	
Bel-Red-Medical Office Node	Bel-Red-MO-1	
Bel-Red Office/Residential	BR-OR	
Bel-Red-Office/Residential Node 1	Bel-Red-OR-1	
Bel-Red-Office/Residential Node 2	Bel-Red-OR-2	
Bel-Red-Residential/Commercial Node 1	Bel-Red-RC-1	
Bel-Red-Residential/Commercial Node 2	Bel-Red-RC-2	
Bel-Red-Residential/Commercial	Bel-Red-RC-3	
Bel-Red-Commercial/Residential	Bel-Red-CR	
Bel-Red-Residential	Bel-Red-R	
Bel-Red-General Commercial	Bel-Red-GC	
Bel-Red-Office/Residential Transition	Bel-Red-ORT	
Camp and Conference Center	CCC	

...

20.10.285 Office Limited Business District 2 (OLB 2)

The purpose of the OLB 2 District is to provide an area of integrated complexes made up of offices, hotels, or motels, eating and drinking establishments, and retail sales within walking distance to support business and employees. The OLB 2 District has greater intensity and a larger mix of uses than the OLB District. Such districts are located in areas that abut and have convenient access to freeways, major highways, and transit.

...

20.10.350 Neighborhood Mixed Use District (NMU)

The purpose of the NMU District is to provide an area with a mix of retail, service, office and residential uses with an emphasis on neighborhood retail and service uses. This district is designed to be compatible with nearby neighborhoods and is easily accessible from the nearby office and residential uses.

...

20.10.365 Transit Oriented Development District (TOD)

The purpose of the TOD District is to provide an area for a mix of housing, retail, office, and service uses, with an emphasis on housing. The district is limited in area so that there is an appropriate level of density nearest the highest levels of transit service.

...

Chart 20.10.440

Uses in land use districts

Manufacturing – Nonresidential Districts												
STD LAND USE CODE REF	Professional Office	Office	Office/ Limited Business 2	Office/ Limited Business 2	Light Industry	General Com- mercial	Neighbor- hood Business	Neighbor- hood Mixed Use	Com- munity Business	Fac- toria Land Use District 1	Fac- toria Land Use District 2	Fac- toria Land Use District 3
	PO	O	OLB	OLB 2	LI	GC	NB	NIMU	CB	F1	F2	F3
2 and 3												
21				P 6	P 5	S 5	S	P 6	S	S		
22					P							
23					P	S			S	S		
24					S	S			S	S		
25					P	S			S	S		
26					S 2							
27					P	P			S	S		
28					S 3							
31					C							
314					P	P			S	S		
321					P	P			S	S		
322												
324												
325												
327												

Manufacturing – Nonresidential Districts													
STD LAND USE CODE REF		Profes- sional Office	Office	Office/ Limited Business 2	Office/ Limited Business 2	Light Industry	General Com- mercial	Neighbor- hood Business	Neighbor- hood Mixed Use	Com- munity Business	Fac- toria Land Use District 1	Fac- toria Land Use District 2	Fac- toria Land Use District 3
	LAND USE CLASSI- FICATION	PO	O	OLB	OLB 2	LI	GC	NB	NMU	CB	F1	F2	F3
329	Handcrafted Products Mfg.					P	P		PZ	P	P		
3427	Computers, Office Machines and Equipment Mfg.					P	P						
3433	Electrical Equipment					P	S			S	S		
3434	Mfg.; Appliances, Lighting,												
3435	Radio, TV												
3436	Communications,												
3437	Equipment and Component Parts												
3491	Fabricated Metal					P	S			S	S		
3492	Products Mfg.;												
3493	Containers, Hand Tools,												
3495	Heating Equipment,												
3497	Screw Products, Coating and Plating												
35	Measuring, Analyzing and Controlling Instruments, Photographic, Medical and Optical Goods; Watches and Clocks Mfg.;	P	P	P	PZ	P	S			S	S	P	P
3997	Computer Software					P	S			S	S		
	Signs and Advertising Display Mfg.												
3999	Misc. Light Fabrication Assembly and Mfg. Not Elsewhere Classified					P	S			S	S		

Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C and EH-D) are listed in LUC 20.25F.010.

Permitted uses in the Office and Limited Business-Open Space District (OLB-OS) are listed in LUC 20.25L.020.

Permitted uses in the Medical Institution District are listed in LUC 20.25J.020.

Permitted uses in the Bel-Red District (BR) are listed in LUC 20.25D.070.

Permitted uses in the Camp and Conference Center District (CCC) are listed in LUC 20.25N.040.

Permitted uses in the Eastgate Transit Oriented Development District (EG-TOD) are listed in LUC 20.25P.050.

Notes: Uses in land use districts – Manufacturing

- (1) Manufacturing uses exclude concrete batch plants and primary metal industries such as foundries, smelters, blast furnaces and rolling mills.
- (2) Paper products manufacturing excludes paper and pulp manufacturing in LI Districts.
- (3) Manufacture of flammable, dangerous or explosive materials is excluded in all Land Use Districts.
- (4) An office is permitted if accessory and subordinate to a manufacturing use.
- (5) Food and beverage public tasting rooms are permitted only as a subordinate use to the manufacturing use.
- (6) Permitted only when combined with an eating and drinking establishment which constitutes a majority of the use.
- (7) Permitted only when combined with a retail store which constitutes a majority of the use.

Chart 20.10.440

Uses in land use districts

Recreation-Residential Districts

..

Chart 20.10.440

Uses in land use districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Recreation – Nonresidential Districts											
		Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Neighborhood Mixed Use	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
7	Cultural Entertainment and Recreation				OLB2	LI	GC	NB	NMU	CB	F1	F2	F3
711	Library, Museum	P	P	P	P				P	P	P		P
7113	Art Gallery	P	P	P	P				P	P	P		P
712	Nature Exhibitions: Aquariums, Botanical Gardens and Zoos	C	C	C	C	C	C		C	C	C		C
7212	Public Assembly			P					A8	P	P		P
7214	(Indoor): Sports, Arenas, Auditoriums and Exhibition Halls but Excluding School Facilities				A8								
7222													
7231													
7232													
7212	Motion Picture, Theaters, Night Clubs, Dance Halls and Teen Clubs			P	A				A	P	P		P
7218													
7213	Drive-In Theaters					C	C			C	C		P
	Adult Theaters (7)			P	P					P	P		P

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Recreation – Nonresidential Districts											
		Professional Office	Office	Office/Limited Business	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Neighborhood Mixed Use	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
7223 73	LAND USE CLASSIFICATION Public Assembly (Outdoor): Fairgrounds and Amusement Parks, Miniature Golf, Golf Driving Ranges, Go-Cart Tracks, BMX Tracks and Skateboard Tracks	PO	O	OLB	OLB2	LI	GC	NB	NMU	CB	F1	F2	F3
73	Commercial Amusements: Video Arcades, Electronic Games				P	A	A	P	A		A		
7411 7413 7422 7423 7424 7441 7449	Recreation Activities: Golf Courses, Tennis Courts, Community Clubs, Athletic Fields, Play Fields, Recreation Centers, Swimming Beaches and Pools (2,11)	C	C	C	A8	C	C	C	A8	C	C	C	C
744 7413 7414 7415 7417 7425	Marinas, Yacht Clubs Recreation Activities: Skating, Bowling, Gymsnasiums, Athletic Clubs, Health Clubs, Recreation Instruction		C3	C	A9	P3	P3	A9		P	P	C	C
7491 7515	Camping Sites and Hunting Clubs	C	C	C		C	C	C		C	C	C	C
76	Private Leisure and Open Space Areas	P	P	P		P	P	P		P	P	P	P

STD LAND USE CODE REF	Recreation – Nonresidential Districts											
	Professional Office	Office/ Limited Business	Office/ Limited Business	Office/ Limited Business	Light Indus- try	General Com- mercial	Neighbor- hood Business	Neighbor- hood Mixed Use	Com- munity Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
	PO	O	OLB	OLB 2	LI	GC	NB	NMU	CB	F1	F2	F3
-		P/C (10)	P/C (10)	P	P/C (10)	P/C (10)	P/C (10)	P/A (12)	P/C (10)	P/C (10)	P/C (10)	P/C (10)

Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C and EH-D) are listed in LUC 20.25F.010.

Permitted uses in the Office and Limited Business-Open Space District (OLB-OS) are listed in LUC 20.25L.020.

Permitted uses in the Medical Institution District are listed in LUC 20.25J.020.

Permitted uses in the Bel-Red District (BR) are listed in LUC 20.25D.070.

Permitted uses in the Camp and Conference Center District (CCC) are listed in LUC 20.25N.040.

Permitted uses in the Eastgate Transit Oriented Development District (EG-TOD) are listed in LUC 20.25P.050.

Notes: Uses in land use districts – Recreation

- (1) Cultural activities include only branch libraries in R-2.5, R-3.5, R-4, R-5, R-7.5, R-10, R-15, R-20 and R-30 Districts.
 - (2) For carnivals, see LUC 20.20.160.
 - (3) Recreation activities do not include athletic clubs in O, LI and GC Districts.
- Eastgate LUCA Draft for Public Hearing, Page 10

- (4) Limited to a maximum of 2,000 gross square feet per establishment.
- ~~(5) Nonresidential uses are permitted in Downtown R Districts only when developed in a building which contains residential uses.~~
- (6) Excludes zoos.
- (7) Adult theaters are subject to the regulations for adult entertainment uses in LUC 20.20.127.
- ~~(8) Athletic and health clubs are permitted without administrative conditional use approval if subordinate to a permitted use. Public assembly uses in this land use district shall not exceed 20,000 square feet.~~
- (9) Recreation activities are restricted to health clubs, recreation instruction, and gymnasiums, ~~in NB Districts and the total floor area for all combined recreation activity uses may not exceed 5,000 square feet per NB site, and an administrative conditional use is not required for these uses when less than 8,000 square feet.~~
- (10) City parks are generally permitted in all zones. However, the following types of uses or facilities in City parks in single-family or R-10 zones require conditional use approval: lighted sports and play fields, sports and play fields with amplified sound, community recreation centers, motorized boat ramps, and beach parks on Lake Washington, Lake Sammamish, Phantom Lake and Larson Lake. Nonrecreation uses in City parks in all zones outside the Downtown require conditional use approval, except that the permit requirements for wireless communication facilities shall be as set forth in LUC 20.20.195. For purposes of this requirement, “nonrecreation use” means a commercial, social service or residential use located on park property but not functionally related to City park programs and activities.
- (11) See LUC 20.20.190 for additional regulations.
- (12) Outdoor recreation facilities that include lighted sports and play fields or sports and play fields with amplified sound require administrative conditional use approval.

Chart 20.10.440

Uses in land use districts

Residential – Residential Districts

...

Chart 20.10.440

Uses in land use districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Residential - Nonresidential Districts															
		Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Neighborhood Mixed Use	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3				
1	Residential																
	Single-Family Dwelling (3)	P 15	P 1	S		S	S				P 8			S	S		S
	Two to Four Dwelling Units Per Structure (6)		P 1	P	P						P 8	P 8				P	P
	Five or More Dwelling Units Per Structure (6)		P 1	P	P						P 8	P 8				P	P
12	Group Quarters: Dormitories, Fraternal Houses, Excluding Military and Correctional Institutions and Excluding Secure Community Transition Facilities (16)				P								C				
	Rooming House (17)			P	P								P			P	P

		Residential - Nonresidential Districts											
STD LAND USE CODE REF		Professional Office	Office	Office/Limited Business	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Neighborhood Mixed Use	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
	LAND USE CLASSIFICATION	PO	O	OLB	<u>OLB 2</u>	LI	GC	NB	<u>NMU</u>	CB	F1	F2	F3
	Senior Citizen Dwellings (4,7)	P	P	P	P			P 8	<u>P 8</u>	P	P	P	P
13 15	Hotels and Motels <u>Transient Lodging</u>			P	P				<u>P</u>	C	C	P	P
6516	Congregate Care Senior Housing (4,7,16)	P	P	P	<u>P</u>			P	<u>P</u>	P	P	P	P
	Nursing Home (7,16)	C	P	P			C	C		P	P	P	P
	Assisted Living (4,7)	C	P	C	<u>P</u>		C	C	<u>P</u>	P	P	C	C
	Accessory Dwelling Unit (9)	S	S	S	S	S	S	S		S	S	S	S

Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C and EH-D) are listed in LUC 20.25F.010.

Permitted uses in the Office and Limited Business-Open Space District (OLB-OS) are listed in LUC 20.25L.020.

Permitted uses in the Medical Institution District are listed in LUC 20.25J.020.

Permitted uses in the Bel-Red District (BR) are listed in LUC 20.25D.070.

Permitted uses in the Camp and Conference Center District (CCC) are listed in LUC 20.25N.040.

Permitted uses in the Eastgate Transit Oriented Development District (EG-TOD) are listed in LUC 20.25P.050.

Notes: Uses in land use districts – Residential

(1) No more than 50 percent of the gross floor area of the structure shall be devoted to residential use in O Districts, unless Conditional Use Permit approval is obtained and the applicable Comprehensive Plan policies do not discourage multifamily uses.

- (2) ~~(Deleted by Ord. 4999). Intentionally deleted.~~
- (3) A boardinghouse or bed and breakfast is permitted in a single-family dwelling, provided the requirements of LUC 20.20.140 are met.
- (4) ~~An agreement must be recorded with the King County Department of Records and Elections restricting senior citizen dwellings, congregate care senior housing, or assisted living to remain in perpetuity as senior housing. An agreement must be recorded with the King County Recorder's Office, or its successor agency, and filed with the Bellevue City Clerk, restricting senior citizen dwellings, congregate care senior housing, or assisted living to remain for the life of the project.~~
- (5) Through the planned unit development process, senior citizen dwellings may include common dining and recreation facilities.
- (6) Multifamily development in Planning Districts A and B of the Crossroads Subarea is not allowed. Multifamily development in Planning District E of the Crossroads Subarea north of NE 8th Street may be allowed through a Council-approved development agreement that is consistent with Chapter 36.70B RCW and includes design guidelines that are consistent with the vision of Comprehensive Plan Policies S-CR-79 and S-CR-81 regarding the creation of mixed-use developments with pedestrian connections, park connections where appropriate, and public open space. Refer to the Crossroads Subarea Planning District Guidelines of the Comprehensive Plan for Planning Districts A, B and E.
- (7) In Planning Districts A and B of the Crossroads Subarea and in Planning District E of the Crossroads Subarea north of NE 8th Street, existing legal nonconforming multifamily uses can be converted to senior citizen housing, congregate care senior housing, assisted living or nursing homes. Refer to the Crossroads Subarea Planning District Guidelines of the Comprehensive Plan for Planning Districts A, B and E.
- (8) These residential uses are permitted in NB and NMU Districts only if located on the second floor and above the permitted ground floor nonresidential uses.
- (9) Accessory dwelling units are permitted only as subordinate to single-family dwellings and are subject to the provisions of LUC 20.20.120.
- (10) ~~(Deleted by Ord. 4999). Intentionally deleted.~~
- (11) ~~(Deleted by Ord. 4999). Intentionally deleted.~~
- (12) ~~(Deleted by Ord. 4999). Intentionally deleted.~~
- (13) ~~(Deleted by Ord. 4999). Intentionally deleted.~~
- (14) ~~(Deleted by Ord. 4999). Intentionally deleted.~~
- (15) One single-family dwelling unit, occupying no more than 25 percent of the floor area of the structure, is permitted in the PO District.
- (16) See LUC 20.20.190 for additional regulations.
- (17) See LUC 20.20.700 for general development requirements for rooming house.

Chart 20.10.440

Uses in land use districts

Resources – Residential Districts

..

Chart 20.10.440

Uses in land use districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Resources – Nonresidential District											
		Profes- sional Office	Office	Office/ Limited Business	Office/ Limited Business <u>2</u>	Light Industry	General Commer- cial	Neighborhood Business	Neighborhood Mixed Use	Com- munity Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
8	Resource Production (Minerals, Plants, Animals Including Pets and Related Services)	PO	O	OLB	<u>OLB 2</u>	LI	GC	NB	<u>NMU</u>	CB	F1	F2	F3
81	Agriculture, Production of Food and Fiber Crops, Dairies, Livestock and Fowl, Excluding Hogs	P 1	P 1	P 1		P 1	P 1	P 1	<u>P 1</u>	P 1	P 1	P 1	P 1
8192	Marijuana Production Other Horticultural Specialties: Medical Cannabis Collective Gardens (4)					A 6							
821	Agricultural Processing					P 2							

STD LAND USE CODE REF	Resources – Nonresidential District											
	Professional Office	Office Limited Business	Office Limited Business	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Neighborhood Mixed Use	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
	PO	O	OLB	<u>OLB 2</u>	LI	GC	NB	<u>NMU</u>	CB	F1	F2	F3
					A 6							
8221	P	P		<u>PZ</u>	P	P	P 3	<u>PZ</u>	P	P		
8222					P	P						
83	C	C	C		C	C	C		C	C	C	C
8421					P							
85	C	C	C		C	C	C		C	C	C	C

Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C and EH-D) are listed in LUC 20.25F.010.

Permitted uses in the Office and Limited Business-Open Space District (OLB-OS) are listed in LUC 20.25L.020.

Permitted uses in the Medical Institution District are listed in LUC 20.25J.020.

Permitted uses in the Bel-Red District (BR) are listed in LUC 20.25D.070.

Permitted uses in the Camp and Conference Center District (CCC) are listed in LUC 20.25N.040.

Permitted uses in the Eastgate Transit Oriented Development District (EG-TOD) are listed in LUC 20.25P.050.

Notes: Uses in land use districts – Resources

(1) In the R-2.5, R-3.5, R-4, R-5, R-7.5, R-10, R-15, R-20, R-30, NB, PO, O, OLB, F1, F2, F3, LI, GC and CB Districts agriculture is limited to the production of food and fiber crops.

- (2) Agriculture processing excludes grain mill products manufacturing and slaughtering in LI Districts.
- (3) Veterinary clinics and hospitals are limited to 5,000 square feet per use in NB Districts.
- (4) Medical cannabis collective gardens are prohibited in Bellevue. See LUC 20.20.535 for general requirements applicable to marijuana uses.
- (5) See LUC 20.20.130.E for additional regulations.
- (6) See LUC 20.20.535 for general development requirements for marijuana uses.
- (7) Boarding and commercial kennels are permitted as a subordinate use to a veterinary clinic / hospital, veterinary clinic / hospital and kennel hours shall only be open to the public between 7 a.m. and 10 p.m.

Chart 20.10.440

Uses in land use districts

Services – Residential Districts

...

Chart 20.10.440

Uses in land use districts

STD LAND USE CODE REF	Services – Nonresidential Districts												
	Professional Office	Office	Office/Limited Business	Office/Limited Business	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Neighborhood Mixed Use	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
	PO	O	OLB	OLB 2	OLB 2	LI	GC	NB (16)	NMU	CB	F1	F2	F3
LAND USE CLASSIFICATION													
6	Services												
61	P	P	P	P	P 1	P	P	P	P	P	P	P	P
62			S	P	P 2	P	P	P	P	P	P	S	S

STD LAND USE CODE REF	Services – Nonresidential Districts	Services – Nonresidential Districts											
		Professional Office	Office	Office/Limited Business	Office/Limited Business	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Neighborhood Mixed Use	Community Business	Factoria Land Use District 1	Factoria Land Use District 2
		PO	O	OLB	OLB 2	LI	GC	NB (16)	NMU	CB	F1	F2	F3
	LAND USE CLASSIFICATION												
	Photography Studio and Shoe Repair												
6241	Funeral and Crematory Services	C	C	C								C	C
6262	Cemeteries	C	C	C								C	C
629	Child Care Services (3-4)												
624410	Family Child Care Home in Residence 3.	P	P	P									
624410	Child Day Care Center 3, 4	P	P	P	P	P	P	P	P	P	P	P	P
63	Business Services, Duplicating and Blue Printing, Steno, Advertising (Except Outdoor), Travel Agencies and Employment	P	P	P	P	P 5	P	P 17	P	P	P	P	P
634	Building Maintenance and Pest Control Services				P 30	P	P				P		
637	Warehousing and Storage Services, Excluding Stockyards					P	P			S	S		
639	Rental and Leasing Services: Cars, Trucks, Trailers, Furniture and Tools			S		P 6	P	A 18	P	P 7	P 7	S	S
641	Auto Repair and Washing Services (26)					P	P	A 19	P	P	P		

STD LAND USE CODE REF	Services – Nonresidential Districts	Services – Nonresidential Districts											
		Professional Office	Office	Office/Limited Business	Office/Limited Business	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Neighborhood Mixed Use	Community Business	Factoria Land Use District 1	Factoria Land Use District 2
649	LAND USE CLASSIFICATION Repair Services: Watch, TV, Electrical, Upholstery Professional Services: Medical Clinics and Other Health Care Related Services Professional Services: Other Pet Grooming and Pet Daycare (28) Hospitals Contract Construction Services: Building Construction, Plumbing, Paving and Landscape Governmental Services: Executive, Legislative, Administrative and Judicial Functions Governmental Services: Protective Functions and Related Activities Excluding Maintenance Shops Limited Governmental Services: Protective Functions (21) Limited Governmental Services: Executive and	PO	O	OLB	OLB 2	LI	GC	NB (16)	NMU	CB	F1	F2	F3
					P 30	P	P	P	P 30	P	P		
		P	P	P	P 29		P	P	P 29	P	P	P	P
		P	P	P	P	P 9	P	P	P	P	P	P	P
					P				P				
6513		C	C	C	C	C	C			C	C	C	C
66						P	P						
671		C	C	C	A				A	C	C	C	C
672		C	C	C	A	C 10	C 10	C	A	C	C	C	C
673													
		P	P	P	P				P	P	P	P	P

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Services – Nonresidential Districts											
		Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Neighborhood Mixed Use	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
674	Administrative, Legislative and Protective Functions (22)	PO	O	OLB	OLB 2	LI	GC	NB (16)	NMU	CB	F1	F2	F3
675	Military and Correctional Institutions (27)	C	C	C		C	C	C		C	C	C	C
681	Secure Community Transition Facility (23,24)	A	A	A	A	A	A	A	A	A	A	A	A
682	Education: Primary and Secondary (25)(27)	P	P	P	P	P	P	C	P	P	P	P	P
683	Universities and Colleges (27)	P	P	P	P	P	P		P	P	P	P	P
691	Special Schools: Vocational, Trade, Art, Music, Driving, Barber and Beauty Schools	P	P	P	P	P	P		P	P	P	P	P
692 (A)	Religious Activities (27)	P	P	P	P	P	P	C	P	P	P	P	P
692 (B)	Professional and Labor Organizations Fraternal Lodge	C	C	P	P		P		P	P	P	P	P
	Social Service Providers	C	C	P	P	P	P	P	P	P	P	P	P
	Administrative Office – General	P	P	P	P	P5	P	P	P	P	P	P	P
	Computer Program, Data Processing and Other Computer-Related Services	P	P	P	P	P5	P		P		P	P	P
	Research, Development and Testing Services	P	P	P	P	P5	P		P		P	P	P

Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C and EH-D) are listed in LUC 20.25F.010.

Permitted uses in the Office and Limited Business-Open Space District (OLB-OS) are listed in LUC 20.25L.020.

Permitted uses in the Medical Institution District are listed in LUC 20.25J.020.

Permitted uses in the Bel-Red District (BR) are listed in LUC 20.25D.070.

Permitted uses in the Camp and Conference Center District (CCC) are listed in LUC 20.25N.040.

Permitted uses in the Eastgate Transit Oriented Development District (EG-TOD) are listed in LUC 20.25P.050.

Notes: Uses in land use districts – Services

- (1) Finance, insurance, real estate services are permitted only if commercially or industrially related in LI Districts.
- (2) Personal services are permitted in LI Districts only if located in a multiple function building or complex.
- (3) Refer to Chapter 20.50 LUC for definitions of child care service, family child care home, and child day care center.
- (4) A child care service may be located in a community facility in any land use district pursuant to LUC 20.20.170.E.
- (5) These uses are permitted in LI Districts only if located in a multiple function building or complex.
- (6) Automobile rental and leasing services require administrative conditional use approval and are subject to the decision criteria in LUC 20.20.135.
- (7) Rental services are restricted to autos and furniture in CB and F1 Districts and to truck, trailer, and tool rentals, provided the site has two street frontages.
- (8) Auto repair and washing services are permitted only if washing services are a subordinate use to a permitted or special use in Downtown-MU Districts.
- (9) Professional services are permitted in LI Districts only if located in a multiple function building or complex.
- (10) Governmental services include maintenance shops in LI and GC Districts.
- (11) Limited to a maximum of 1,500 gross square feet per establishment.
- (12) Nonresidential uses are permitted in Downtown-R Districts only if developed in a building which contains residential uses.
- (13) Drive-in facilities may be permitted through Design Review, Part 20.30F LUC, at any location in the Downtown-O-2 District, or within 200 feet of NE 4th Street or NE 8th Street in the Downtown-O-1 District; but only if all the following criteria are met:
 - (a) On-site capacity for vehicle stacking of 10 spaces for one drive-up station and 20 spaces for two or more drive-up stations must be provided.

- (b) The design of the vehicular access is compatible with high volume pedestrian walkways and parking access. The vehicular access will not disrupt established retail or service frontages designed to serve pedestrians, nor can the vehicular access lanes be located between the street and the main pedestrian access to the buildings.
 - (c) The vehicle stacking lanes must be contained within a structured parking area, or be otherwise screened.
 - (d) Landscaping or screening must be provided to mitigate any adverse effects on nearby property. Perimeter walkways and sidewalks must conform to the requirements of LUC 20.25A.060.
 - (e) Walk-up banking service, whether manned or electronically activated customer service stations, must be provided on-site during regular daytime business hours for pedestrian business when there is no interior banking service.
 - (14) These uses are permitted only in Bellevue School District schools, whether under control of the School District or the City.
 - (a) In the review of the proposed use or uses under the Administrative Conditional Use Permit application, Part 20.30E LUC, the following criteria shall be considered:
 - (i) Consistency of the proposal with the goals and policies of the Comprehensive Plan.
 - (ii) Extent to which the physical environment will be modified by the proposal.
 - (iii) Ability to provide on-site parking facilities to accommodate intended uses under the proposal.
 - (iv) Extent of additional demand on public utilities and public services resulting from the proposal.
 - (v) Noise impacts of the proposal.
 - (vi) Traffic volumes and street classifications in the area of the proposal.
 - (vii) Compatibility of the proposal with surrounding land uses.
 - (viii) Impact of the proposal on the visual and aesthetic character of the neighborhood.
- In addition, the proposed use or uses shall not be more intensive than if the school were being used as a school.
- (b) A master Conditional Use Permit listing a range of permissible uses from those permitted in the land use district as listed in LUC [20.10.440](#) can be obtained for the entire school by using the conditional use process, Part 20.30B or Part 20.30C LUC. Uses listed in the permit shall be permitted outright and uses not listed but permitted as conditional uses shall obtain a Conditional Use Permit.
 - (15) Permitted in inactive elementary school facilities. The following criteria shall be considered:
 - (a) Subsections a.i – viii of Note 14 – Uses in land use districts – Services.
 - (b) Hours of operation.
 - (c) Proposed signing.

- (16) Other than administrative office use, each individual service use in NB Districts is limited to 5,000 square feet. Administrative office use is limited as follows: when located on the first floor of a building, administrative office use is limited to 5,000 square feet or 25 percent of the first floor footprint, whichever is less; when located above the first floor of a building, administrative office use is allowed without a limit on total aggregate square footage, so long as each individual administrative office use is limited to 5,000 square feet. In no event may administrative office uses exceed more than 50 percent of the total building square footage. Administrative conditional use approval is required for hours of operation between 12:00 midnight and 6:00 a.m. The applicant must meet the decision criteria for an Administrative Conditional Use Permit set forth in Chapter 20.30E LUC, and must demonstrate that: (a) the use will meet the requirements of the Noise Control Ordinance, Chapter 9.18 BCC; and (b) the use will meet the lighting standards of the Community Retail Design District for all lighting fixtures on the premises that would be lit between the hours of 12:00 midnight and 6:00 a.m. Businesses operating between the hours of 12:00 midnight and 6:00 a.m. on the effective date of City of Bellevue Ordinance No. 4422 are exempt from the ACUP requirements.
- (17) Only travel agencies are permitted in NB Districts.
- (18) Rental services limited to truck, trailer and tool rentals are permitted in NB Districts with administrative conditional use approval, provided the site has two street frontages.
- (19) Auto repair and washing services are permitted with administrative conditional use approval only in NB sites that have two street frontages.
- (20) Personal services are permitted only when functionally integrated within a building or complex used primarily as a hotel or motel; office building; university or college; charitable, social service, professional or labor organization; or recreational facility.
- (21) Uses are limited to neighborhood community police stations of 1,000 square feet or less.
- (22) Uses are limited to 1,000 square feet, except for protective functions which are limited to community police stations of 1,500 square feet or less.
- (23) No portion of a property on which a Secure Community Transition Facility is proposed to be located may be within 300 feet of the boundary of any land use district within which the SCTF use is prohibited. The required 300 feet shall be measured in accordance with the policy guidelines established by the Department of Social and Health Services pursuant to RCW 71.09.285(4), now or as hereafter amended.
- (24) Secure Community Transition Facilities are subject to the regulations for Secure Community Transition Facilities in LUC 20.20.750.
- (25) Primary and secondary educational facilities are an administrative conditional use in all land use districts; provided, that in all residential land use districts and the DNTN-R District a Conditional Use Permit is required for:
- (a) The siting of such educational facility on a site not previously developed with an educational facility; or
 - (b) The addition to or modification of a site previously developed with an educational facility where that addition or modification involves:
 - (i) An increase of 20 percent or more in the number of students occupying the school. The increase shall be measured against the number of students for which the school was designed prior to the addition or modification, without regard to temporary structures that may have been added to the site over time. If there is no information establishing the number of students for which the school was originally designed, then the increase shall be measured against the average number of students occupying the school in the three academic years immediately preceding the proposed addition or modification; or
 - (ii) A change in the age group of students occupying the school, or the addition of an age group where such age group was not previously served at the school, except that the addition of students younger than kindergarten age consistent with the definition of school in LUC 20.50.046 shall not be considered a change in the age group of students or an Eastgate LUCA Draft for Public Hearing, Page 23

addition of an age group for purposes of this subsection. For purposes of this subsection, age group refers to elementary, middle, junior or high school, as defined and used by the school district operating the school; or

(iii) The addition of facilities or programs that may result in impacts not anticipated at the time the original school was developed, including, for example: development of lighted ballfields or the addition of lighting to existing ballfields; development of an exterior sound amplification system; development of fixed outdoor seating, or a proposal to increase the height of the facility pursuant to LUC 20.20.740.A.3.b.

(26) Battery Exchange Stations are ancillary to Auto Repair and Washing Services, and are permitted through the applicable review process as a component of that use. Operators of Battery Exchange Stations must comply with federal and state law regulating the handling, storage, and disposal of batteries.

(27) See LUC 20.20.190 for additional regulations.

(28) Boarding and commercial kennels are permitted as a subordinate use to a pet grooming or pet day care provided that the criteria of LUC 20.20.130 are met.

(29) Stand-alone emergency rooms shall not be permitted.

(30) Outdoor storage of materials is prohibited.

Chart 20.10.440

Uses in land use districts

Transportation and Utilities – Residential Districts

...

Chart 20.10.440

Uses in land use districts

STD LAND USE CODE REF	Transportation and Utilities – Nonresidential Districts											
	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Neighborhood Mixed Use	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
4	PO	O	OLB	OLB 2	LI	GC	NB	NMU	CB	F1	F2	F3
	LAND USE CLASSIFICATION											
	Transportation, Communications and Utilities											

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Transportation and Utilities – Nonresidential Districts											
		Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Neighborhood Mixed Use	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
41	Rail Transportation: Right-of-Way, Yards, Terminals, Maintenance Shops	PO	O	OLB	<u>OLB 2</u>	LI	GC	NB	<u>NMU</u>	CB	F1	F2	F3
42 4291	Motor Vehicle Transportation: Bus Terminals, Taxi Headquarters	C	C	C		P	P		<u>C</u>	C	C		C
4214 422	Motor Vehicle Transportation: Maintenance Garages and Motor Freight Services (23)					P	C						
43	Aircraft Transportation: Airports, Fields, Terminals, Heliports, Storage and Maintenance	C 11	C 12	C 12	<u>C 12</u>	C 12	C 12	C 11		C 12	C 12		C 12
46	Accessory Parking (6)(24) Auto Parking: Commercial Lots and Garages (24)	P	P	C	<u>P</u> <u>C 26</u>	P	P	P	<u>P</u>	P	P	P	P
475	Park and Ride (5) (24) Radio and Television Broadcasting Studios	C	C	C	<u>C</u> <u>P</u>	C	C	C	<u>C</u> <u>P</u>	C	C	C	C
485	Solid Waste Disposal (19) Highway and Street Right-of-Way (24) Utility Facility	P	P	P	<u>P</u>	P	P	P	<u>P</u>	P	P	P	P
	Local Utility System	C	C	C	<u>C</u>	C	C	C	<u>C</u>	C	C	C	C
	Regional Utility System	C	C	C	<u>C</u>	C	C	C	<u>C</u>	C	C	C	C

STD LAND USE CODE REF	Transportation and Utilities – Nonresidential Districts											
	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Neighborhood Mixed Use	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
	PO	O	OLB	<u>OLB 2</u>	LI	GC	NB	<u>NMU</u>	CB	F1	F2	F3
			A	A	A	A	A		A	A	A	A
					C							
	C	C	C	<u>C</u>	C	C	C	<u>C</u>	C	C	C	C
	C/P	C/P	C/P	<u>C/P</u>	C/P	C/P	C/P	<u>C/P</u>	C/P	C/P	C/P	C/P
	14, 16, 21	14, 16, 21	14, 16, 21	<u>14, 16, 21</u>	14, 16, 21	14, 16, 21	14, 16, 21	<u>14, 16, 21</u>	14, 16, 21	14, 16, 21	14, 16, 21	14, 16, 21
	14, 16	14, 16	14, 16	<u>14, 16</u>	14, 16	14, 16	14, 16	<u>14, 16</u>	14, 16	14, 16	14, 16	14, 16
	P	P	P	P	P	P	P	P	P	P	P	P
	A/C 22	A/C 22	A/C 22	<u>A/C 22</u>	A/C 22	A/C 22	A/C 22	<u>A/C 22</u>	A/C 22	A/C 22	A/C 22	A/C 22
	(22)											

Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C and EH-D) are listed in LUC 20.25F.010.

Permitted uses in the Office and Limited Business-Open Space District (OLB-OS) are listed in LUC 20.25L.020.

Permitted uses in the Medical Institution District are listed in LUC 20.25J.020.

Permitted uses in the Bel-Red District (BR) are listed in LUC 20.25D.070.

Permitted uses in the Camp and Conference Center District (CCC) are listed in LUC 20.25N.040.

Permitted uses in the Eastgate Transit Oriented Development District (EG-TOD) are listed in LUC 20.25P.050.

Notes: Uses in land use districts – Transportation and Utilities¹

- (1) ~~(Deleted by Ord. 5086). Intentionally deleted.~~
- (2) Intentionally deleted.
- (3) Accessory parking is not permitted in residential land use districts as accessory to uses which are not permitted in these districts.
- (4) The location of an off-site parking facility must be approved by the Director of the Development Services Department. See LUC 20.25A.050H.
- (5) Park and Ride. A park and pool lot or other carpool facility is regulated as a park and ride. A park and ride providing no more than 50 parking spaces, and utilizing the parking area of an existing use shall be regulated as an accessory use under LUC 20.20.200. Any other park and ride requires a Conditional Use Permit.
- (6) Accessory parking requires approval through the review process required for the primary land use which it serves pursuant to LUC 20.10.440.
- (7) On-site hazardous waste treatment and storage facilities as defined by LUC 20.50.024 are only permitted as administrative conditional use approvals as a subordinate use to a permitted or special use. These facilities must comply with the state siting criteria as adopted in accordance with RCW 70.105.210.
- (8) Off-site hazardous waste treatment and storage facilities as defined by LUC 20.50.024 must comply with the state siting criteria as adopted in accordance with RCW 70.105.210.
- (9) (Deleted by Ord. 5086).
- (10) These uses are permitted only if located in a multiple function building or complex.
- (11) Aircraft transportation is limited in these districts to government heliports used exclusively for emergency purposes and regulated pursuant to the terms of LUC 20.20.450.
- (12) Aircraft transportation is limited in these districts to government and hospital heliports used exclusively for emergency purposes and regulated pursuant to the terms of LUC 20.20.450.
- (13) Design Review approval, Part 20.30F LUC, or a Change of Use Permit is required to establish a commercial parking facility. Refer to LUC 20.25A.050E for additional development requirements.
- (14) Wireless communication facilities (WCFs) are not permitted on any residential structure, undeveloped site located in a residential land use district, or site that is developed with a residential use. This note does not prohibit locating WCF: a) on any residential structure or undeveloped site in R-20 or R-30 Land Use Districts; or b) on any nonresidential structure (i.e., churches, schools, public facility structures, utility poles, etc.) or in public rights-of-way in any residential land use district.
- (15) Intentionally deleted.
- (16) Refer to LUC 20.20.195 for general requirements applicable to wireless communication facilities and other communication, broadcast and relay facilities.

- (17) Intentionally deleted.
- (18) Refer to LUC 20.20.730 for general requirements applicable to Large Satellite Dishes.
- (19) Refer to LUC 20.20.820 for general requirements applicable to solid waste disposal facilities.
- (20) Refer to LUC 20.20.350 for general requirements applicable to Essential Public Facilities (EPF).
- (21) Antenna and associated equipment used to transmit or receive fixed wireless signals when located at a fixed customer location are permitted in all land use districts and are exempt from the requirements of LUC 20.20.010, 20.20.195 and 20.20.525 so long as the antenna and equipment comply with 47 C.F.R. 1.400, now or as hereafter amended. A building permit may be required to ensure safe installation of the antenna and equipment.
- (22) For the definition of electrical utility facility, see LUC 20.50.018, and for reference to applicable development regulations relating to electrical utility facilities, see LUC 20.20.255. For new or expanding electrical utility facilities proposed on sensitive sites as described by Figure UT.5a of the Utilities Element of the Comprehensive Plan, the applicant shall obtain Conditional Use Permit approval under Part 20.30B LUC, complete an alternative siting analysis as described in LUC 20.20.255.D and comply with decision criteria and design standards set forth in LUC 20.20.255. For expansions of electrical utility facilities not proposed on sensitive sites as described by Figure UT.5a, the applicant shall obtain Administrative Conditional Use Permit approval under Part 20.30E LUC and comply with decision criteria and design standards set forth in LUC 20.20.255.
- (23) Battery Exchange Stations are ancillary to Motor Vehicle Transportation, and are permitted through the applicable review process as a component of that use. Operators of Battery Exchange Stations must comply with federal and state law regulating the handling, storage, and disposal of batteries.
- (24) Electric Vehicle Infrastructure, excluding Battery Exchange Stations, is ancillary to motor vehicle parking and highways and rights-of-way, and is permitted through the applicable review process as a component of that use.
- (25) Refer to Part 20.25M LUC, Light Rail Overlay District, for specific requirements applicable to EPF defined as a regional light rail transit facility or regional light rail transit system pursuant to LUC 20.25M.020. A conditional use permit is not required when the City Council has approved a regional light rail transit facility or regional light rail transit system by resolution or ordinance, or by a development agreement authorized by Chapter 36.70B RCW and consistent with LUC 20.25M.030.B.1.
- (26) Auto parking, commercial lots and garages are only allowed in the OLB 2 District if they are west of 142nd Avenue SE.

Chart 20.10.440

Uses in land use districts

Wholesale and Retail – Residential Districts

...

Chart 20.10.440

Uses in land use districts

STD LAND USE CODE REF	Wholesale and Retail – Residential Districts											
	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Neighborhood Mixed Use	Community Business (36*)	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
LAND USE CLASSIFICATION	PO	O	OLB	OLB 2	LI	GC	NB (5)	NMU	CB	F1	F2	F3
5												
51												
5111												
5156												
5157												
5191												
5192												

		Wholesale and Retail – Residential Districts											
STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Neighborhood Mixed Use	Community Business (36*)	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
		PO	O	OLB	OLB 2	LI	GC	NB (5)	NMU	CB	F1	F2	F3
	Metals, Bulk Petroleum (2)												
5193	Scrap Waste Materials, Livestock												
	Recycling Centers					P	P	P	P	P	P		
521	Lumber and					P 35	P			P	P		
522	Other Bulky												
523	Building												
524	Materials Including Preassembled Products (3)												
5251	Hardware, Paint, Tile and Wallpaper (Retail)				P	S 35	P	P	P	P	P		
5252	Farm Equipment					P 35							
53	General Merchandise: Dry Goods, Variety and Dept. Stores (Retail)				P				P	P	P		
54	Food and Convenience Store (Retail)				P		P	P	P	P	P		

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Wholesale and Retail – Residential Districts											
		Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Neighborhood Mixed Use	Community Business (36*)	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
5511	Autos (Retail)	PO	O	OLB	OLB 2	LI	GC	NB (5)	NMU	CB	F1	F2	F3
	Trucks, Motorcycles, Recreational Vehicles (Retail)			P 6 P 25	<u>42</u> <u>P 25, 42</u>	A 4, 35 P 7, 35	P P			C	C		
552	Boats (Retail)				<u>42</u>	P 35	P			P			
	Automotive and Marine Accessories (Retail)					P 35	P						
553	Gasoline Service Stations (40)(34)			A 34	<u>A</u>	P 34, 35	P	P	<u>P</u>	P	P	A 34	A 34
56	Apparel and Accessories (Retail)			S	<u>P</u>		P		<u>P</u>	P	P	S	S
57	Furniture, Home Furnishing (Retail)				<u>P</u>	P 11, 35	P		<u>P</u>	P	P		
58	Eating and Drinking Establishments (37)		P 13	P 14	<u>P 28</u>	P 15, 29, 35	P	P 16, 28	<u>P 28</u>	P	P	P 14	P 14
59	Misc. Retail Trade: Drugs, Liquor, Antiques, Books, Sporting Goods, Jewelry, Florist, Photo Supplies, Video		P 17	S	<u>P</u>		P	P 19	<u>P</u>	P	P	S	S

STD LAND USE CODE REF	Wholesale and Retail – Residential Districts											
	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Neighborhood Mixed Use	Community Business (36*)	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
	PO	O	OLB	OLB 2	LI	GC	NB (5)	NMU	CB	F1	F2	F3
			S						P	P	S	S
59						A 41			A 41	A 41		
5961					P 35	P						
596					P 35	P						
5996					P 35	P	P 20		P 20	P 20		
5999				P	P 26, 35	P 26	P	P	P	P		
				P	P 12, 35	P 12		P	P	P		

Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C and EH-D) are listed in LUC 20.25F.010.

Permitted uses in the Office and Limited Business-Open Space District (OLB-OS) are listed in LUC 20.25L.020.

Eastgate LUCA Draft for Public Hearing, Page 32

Permitted uses in the Medical Institution District are listed in LUC 20.25J.020.

Permitted uses in the Bel-Red District (BR) are listed in LUC 20.25D.070.

Permitted uses in the Camp and Conference Center District (CCC) are listed in LUC 20.25N.040.

Permitted uses in the Eastgate Transit Oriented Development District (EG-TOD) are listed in LUC 20.25P.050.

Notes: Uses in land use districts – Wholesale and Retail

- (1) Wholesale trade includes sales offices for these goods.
- (2) Wholesale trade of motor vehicles, primary and structural metals, and bulk petroleum includes sales offices for these goods and excludes tank farms.
- (3) Bulk retail includes sales offices for these goods.
- (4) Automobile (retail) is subject to the decision criteria in LUC 20.20.135.
- (5) Each individual wholesale and retail use in NB Districts, except retail food stores and miscellaneous retail trade, is limited to 5,000 square feet. Wholesale and retail uses intending to operate between the hours of 12:00 midnight and 6:00 a.m. must obtain administrative conditional use approval. The applicant must meet the decision criteria for an Administrative Conditional Use Permit set forth in Chapter 20.30E LUC, and must demonstrate that: 1) the use will meet the requirements of the Noise Control Ordinance, Chapter 9.18 BCC; and 2) the use will meet the lighting standards of the Community Retail Design District for all lighting fixtures on the premises that would be lit between the hours of 12:00 midnight and 6:00 a.m. Businesses operating between the hours of 12:00 midnight and 6:00 a.m. on the effective date of the ordinance codified in this chapter are exempt from the ACUP requirements.
- (6) Retail auto sales are permitted only in the following locations:
 - a. The west side of 116th Avenue NE between NE 8th Street and the SE 8th Street off-ramp from northbound I-405;
 - b. Along SE 36th Street west of the ravine located at the approximate alignment of 133rd Avenue SE and east of 132nd Avenue SE; and
 - c. West of 148th Avenue SE between SE Eastgate Way and Bellevue College, on properties fronting wholly or partially on 148th Avenue SE. Retail auto sales located in this area shall be subject to design review per Part 20.30F LUC, which shall in particular address and control spillover lighting, and associated vehicle inventory storage shall predominantly occur within a building or buildings. Transition area landscape buffers consistent with LUC 20.25B.040.C shall be provided along interior property lines that abut properties located within OLB and LI land use districts.
- (7) Motorcycle (retail) requires administrative conditional use approval in LI Districts.

(8) ~~(Deleted by Ord. 50889) - Intentionally deleted.~~

(9) ~~(Deleted by Ord. 50889) - Intentionally deleted.~~
Eastgate LUCA Draft for Public Hearing, Page 33

- (10) ~~(Deleted by Ord. 50809). Intentionally deleted.~~
- (11) Furniture and home furnishings are limited to uses with on-site warehousing in LI Districts.
- (12) Computer supplies are permitted as a subordinate use to computer sales in LI and GC Districts.
- (13) Eating and drinking establishments are excluded in transition areas in O Districts.
- (14) Eating and drinking establishments are permitted in the OLB, F2 and F3 Districts subject to the following criteria:
- (a) Such uses are physically integrated within a structure primarily used as a hotel or motel; office building; charitable, social, professional and labor organization; fraternal lodge; recreational facility or institution such as a public assembly (indoor).
- (b) Such uses do not exceed 20 percent of the gross floor area of the structure or structures.
- (c) The entire site complex has a unity of design in terms of wall and roof materials, roof slopes and window patterns.
- (15) Eating and drinking establishments are permitted in LI Districts only if located in a multiple function building or complex.
- (16) Eating and drinking establishments may include liquor sales only if operated under a Class A or C liquor license issued by the Washington State Liquor Control Board. Eating and drinking establishments with other classes of liquor licenses require administrative conditional use approval.
- (17) Other retail trade is limited to drugstores only in O Districts.
- (18) Intentionally deleted.
- (19) Except for drugstores, all miscellaneous retail uses combined cannot exceed 10,000 square feet and each individual use cannot exceed 3,000 square feet.
- (20) Garden supplies excludes items such as large trees, rock and bulk supplies which require special handling equipment in NB, CB, F1 and Downtown-MU Districts.
- (21) Limited to a maximum of 1,500 gross square feet per establishment.
- (22) Limited to a maximum of 3,000 gross square feet per establishment, except for food, retail.
- (23) Nonresidential uses are permitted in Downtown-R Districts only when developed within the same project limit and simultaneously with an equal or greater amount of floor area devoted to residential uses.
- (24) No on-site outdoor display or inventory storage.
- ~~(25) Only retail sales of motorcycles is a permitted use and outdoor storage is prohibited.~~
- (26) Only pet grooming is permitted in the LI and GC Districts.
- (27) Food and convenience stores (retail) must contain at least 75 percent square footage of retail food sales not for consumption on premises.
- (28) Drive-in windows are not permitted.

- (29) No more than one eating and drinking establishment is permitted in any building.
- (30) Limited to a maximum of 15,000 gross square feet per establishment or up to 25,000 gross square feet through a conditional use.
- (31) Adult retail establishments are subject to the regulations for adult entertainment uses in LUC 20.20.127.
- (32) (Reserved).
- (33) (Deleted by Ord. 5089).
- (34) Gasoline service stations may include subordinate convenience stores.
- (35) Any business which combines two or more permitted retail sales uses and also includes subordinate retail sales uses shall be limited in size to 50,000 square feet.
- *(36) Retail uses in CB Districts in the following subareas, as designated in the Comprehensive Plan, are limited in size to 100,000 gross square feet or less: Bridle Trails, Evergreen Highlands, Newcastle, North Bellevue, Northeast Bellevue, Richards Valley, South Bellevue, Southeast Bellevue, and Wilburton; provided, that in CB Districts in the Wilburton Subarea, retail uses may be allowed to exceed 100,000 gross square feet through a Council-approved development agreement that is consistent with Chapter 36.70B RCW and includes design guidelines that (a) address the potential impacts of that scale of retail use, and (b) are consistent with the vision of Comprehensive Plan Policy S-WI-3 regarding the creation of a "retail village" on the commercial area west of 120th Avenue NE.
- (37) Microbrewery manufacturing is permitted subordinate to an eating and drinking establishment; provided, that the manufacturing use occupies not more than 50 percent of the total square footage of the combined establishment.
- (38) Eating and drinking establishments and retail uses are permitted in the Downtown-OLB District, provided the following criteria are met:
 - (a) The uses are functionally integrated within a building or complex primarily used as a hotel or motel; office building; university or college; charitable, social service, professional or labor organization; or recreation facility.
 - (b) The uses do not exceed 30 percent of the total floor area of the building or complex.
 - (c) Each individual retail use is limited to 15,000 gross square feet in area.
 - (d) The entire complex achieves a unity of design through the use of similar exterior building materials, colors, and window patterns.
- (39) All wholesale and retail uses, which offer shopping carts to customers, shall (a) designate a shopping cart containment area as defined in BCC 9.10.010; (b) display signage around shopping cart corrals and at the perimeter of the shopping cart containment area that provides notice that unauthorized removal of a shopping cart from the premises constitutes theft under RCW 9A.56.270 and unauthorized abandonment of a shopping cart more than 100 feet away from the parking area of a retail establishment or shopping cart containment area is a Class 3 civil infraction as defined in RCW 7.80.120; and (c) display information on each shopping cart that is consistent with the labeling requirements of RCW 9A.56.270 and includes a 24-hour toll-free phone number to report abandoned shopping carts. Abandoned shopping carts or shopping carts located outside of a shopping cart containment area constitute a public nuisance under BCC 9.10.030(H) and may be abated through the provisions of Chapter 1.18 BCC.
- (40) Battery Exchange Stations are ancillary to Gasoline Service Stations, and are permitted through the applicable review process as a component of that use. Operators of Battery Exchange Stations must comply with federal and state law regulating the handling, storage, and disposal of batteries.

(41) See LUC 20.20.535 for general development requirements for marijuana uses.

(42) In the OLB 2 District, retail auto, truck, RV and boat showrooms may be allowed through a development agreement. No outdoor storage of autos, trucks, boats and RVs is allowed.

DRAFT

Miscellaneous Eastgate Amendments

20.20.005 Chart of dimensional requirements described.

Chart 20.20.010 sets forth the dimensional requirements for each land use district except: the Downtown Land Use Districts, the Evergreen Highlands Design District, the Evergreen Highlands Subarea Transportation Improvement Overlay District, the Medical Institution District, the OLB-OS Land Use District, and the Bel-Red Land Use Districts. All structures and activities in the City not located in the above districts shall conform to the dimensional requirements in Chart 20.20.010. Dimensional requirements for the Downtown Land Use Districts are found in LUC [20.25A.020](#). Dimensional requirements for the Evergreen Highlands Design District are found in Part [20.25F](#) LUC. Dimensional requirements for the Evergreen Highlands Subarea Transportation Improvement Overlay District are found in Part [20.25G](#) LUC. Dimensional requirements for the Medical Institution District are found in Part [20.25J](#) LUC. Dimensional requirements for the OLB-OS Land Use District are found in LUC [20.25L.030](#). Dimensional requirements for the Bel-Red Land Use Districts are found in LUC [20.25D.080](#). Dimensional requirements for the Eastgate Transit Oriented Development Land Use District are found in [20.25P.060A](#). Additional special dimensional requirements for designated areas of the City are contained in other parts of the Code as follows:

- A. Part [20.25B](#) LUC – Transition Areas;
- B. Part [20.25C](#) LUC – OLB Districts;
- C. Part [20.25E](#) LUC – Shoreline Overlay District;
- D. Part [20.25H](#) LUC – Critical Areas Overlay District;
- E. Part [20.45A](#) LUC – Platting and Subdivisions;
- F. Part [20.45B](#) LUC – Short Plats and Short Subdivisions.

...

20.20.010 Uses in land use districts dimensional requirements.

Chart 20.20.010

Uses in land use districts Dimensional Requirements

...

NOTE: Dimensional Requirements for Downtown are found in Part [20.25A](#) LUC.

Dimensional Requirements for Evergreen Highlands Design District (EH-A, EH-B, EH-C, EH-D) are found in Part [20.25F](#) LUC.

Eastgate LUCA Draft for Public Hearing, Page 37

Dimensional Requirements for Office and Limited Business – Open Space (OLB-OS) are found in Part [20.25L](#) LUC.

Dimensional Requirements for Medical Institution District (MI) are found in Part [20.25J](#) LUC.

Dimensional Requirements for Bel-Red Land Use Districts are found in Part [20.25D](#) LUC.

Dimensional Requirements for Eastgate Transit Oriented Development District are found in Part [20.25P](#) LUC.

...

20.20.520 Landscape development.

...
F. Site Landscaping.

1. Perimeter Landscaping Requirements for Use Districts. The applicant shall provide site perimeter landscaping either according to the following chart and subject to paragraphs F.2 and F.6 of this section; or in conformance with subsection J of this section.

Perimeter Landscaping Requirements for Use Districts

Land Use District in Which the Subject Property is Located ³	Street Frontage (Type and Minimum Depth)	Interior Property Lines (Type and Minimum Depth) ¹
R-10, 15, 20, 30	Type III, 10' but if located in a Transition Area, and directly abutting S/F ² , see Part 20.25B LUC for requirements.	Type III, 8' but if located in a Transition Area, and directly abutting S/F ² , see Part 20.25B LUC for requirements.
NB, PO, O, OLB; <u>OLB 2</u> , OLB-OS	Type III, 10' but if located in a Transition Area, and directly abutting S/F ² , R-10, 15, 20 or 30, see Part 20.25B LUC for requirements. ⁴	Type III, 10' but if located in a Transition Area, and directly abutting S/F ² , R-10, 15, 20 or 30, see Part 20.25B LUC for requirements. ⁴
LI, GC, CB, <u>NMU</u>	Type III, 10' but if located in a Transition Area, and directly abutting S/F ² , R-10, 15, 20 or 30, see Part 20.25B LUC for requirements.	Type III, 8' but if located in a Transition Area, and directly abutting S/F ² , R-10, 15, 20 or 30, see Part 20.25B LUC for requirements.

...

H. Limitation of Landscaping Requirements.

1. Except in a Transition Area, the total Buildable Area of the subject property which is required to be landscaped is limited as follows. The location of this landscaping within the Buildable Area must meet the purpose and intent of paragraphs A, F, 1 and G of this section.
 - a. Twenty percent of the Buildable Area in an NB, PO, O, ~~OLB~~, or OLB.2 Land Use District;
 - b. Fifteen percent of the Buildable Area in an LI, GC, NMU, or CB Land Use District;
 - c. Twenty percent of the Buildable Area of the Development Area in an OLB-OS Land Use District.

...

Part 20.25B Transition Area Design District

20.25B.010 Purpose.

The Transition Area Design District provides a buffer between residential uses in a residential land use district and a land use district which permits development of higher intensity. Where multifamily development is planned adjacent to single-family residential uses or commercial development is planned adjacent to residential uses, such development should incorporate elements in the site design and building design to soften its impact and to result in a compatible transition.

20.25B.020 Applicability.

A. General.

This chapter applies to any portion of property located in a district designated on the chart below as "Districts providing transition" which is located within 300 feet of property located in a district designated on the chart as "Single-family districts receiving transition" or within 150 feet of property located in a district designated on the chart as "Multifamily districts receiving transition."

B. Limitations.

1. Where a transition area abuts a portion of I-90, I-405, SR 520, Burlington Northern Railroad right-of-way, or power transmission line which is located in a single-family or multifamily district, the City shall include that portion as part of the required width of the transition area.

2. If the applicant establishes that a minimum 150-foot width of greenbelt or native growth protection easement is permanently dedicated for nonbuildable purposes and is located in a single-family or multifamily district, the City shall include that portion as part of the required width of the transition area.
3. Development within any Downtown Land Use District is not subject to Transition Area Design District requirements (refer to LUC 20.25A.090, Perimeter Design District).
4. Development within the F1 Land Use District is not subject to Transition Area Design District requirements.
5. Development within the OLB-OS Land Use District is not subject to Transition Area Design District requirements where that property receiving transition is developed in a nonresidential use.
6. Development of a wireless communications facility is not subject to Transition Area Design District requirements.
7. Development within the Medical Institution Land Use District is not subject to Transition Area Design District requirements.
8. Development within the Bel-Red Land Use Districts is not subject to the Transition Area Design District requirements unless specifically made applicable pursuant to Part 20.25D LUC.
9. Where a transition area abuts a single-family or multifamily district and all properties that would receive transition are developed with legally permitted nonresidential uses, the requirements of this Part 20.25B shall not apply.
10. Development within the Camp and Conference Center Land Use District is not subject to Transition Area Design District requirements.

CHART – DISTRICTS RECEIVING TRANSITION

Districts Providing Transition	Districts Receiving Transition																		MULTIFAMILY	SINGLE-FAMILY	MULTIFAMILY
	SINGLE-FAMILY									MULTIFAMILY											
	R-1	R-1.8	R-2.5	R-3.5	R-4	R-5	R-7.5	R-10	R-20	R-30	PO	OLB/OLB-OS	U	GC	NB	CB	OC*	OC**			
R-10	X	X	X	X	X	X	X	X	X	X									X		
R-15	X	X	X	X	X	X	X	X	X	X									X		
R-20	X	X	X	X	X	X	X	X	X	X									X		
R-30	X	X	X	X	X	X	X	X	X	X									X		
PO	X	X	X	X	X	X	X	X	X	X									X		
O	X	X	X	X	X	X	X	X	X	X									X		
OLB/OLB-OS****	X	X	X	X	X	X	X	X	X	X									X		
OLB2																					
LI	X	X	X	X	X	X	X	X	X	X									X		
GC	X	X	X	X	X	X	X	X	X	X									X		
NB	X	X	X	X	X	X	X	X	X	X									X		
NMU	X	X	X	X	X	X	X	X	X	X									X		
CB	X	X	X	X	X	X	X	X	X	X									X		
F2	X	X	X	X	X	X	X	X	X	X									X		
F3	X	X	X	X	X	X	X	X	X	X									X		

Districts Receiving Transition													SINGLE-FAMILY	MULTIFAMILY					
SINGLE-FAMILY						MULTIFAMILY													
R-1	R-1.8	R-2.5	R-3.5	R-4	R-5	R-7.5	***	R-10	R-20	R-30	PO	OLB/OLB-OS	U	GC	NB	CB	LUC OC*	LUC OC**	

* A land use district outside of the City boundaries which permits no more than five dwelling units per acre, and which is classified as a residential district

** A land use district outside of the City boundaries which permits no more than five dwelling units per acre, and which is classified as a residential district

*** Not effective within the jurisdiction of the East Bellevue Community Council

**** See LUC 20.25B.020.B.5

X Areas of transition

20.25B.030 Design Review requirements. All development within a Transition Area Design District must be reviewed by the Director of the Development Services Department using the Design Review Process, Part 20.30F LUC. If any portion of a building is within a transition area, only that portion is subject to transition area development standards; however, the entire building is subject to Design Review and site design guidelines. If any portion of a site is within a transition area, only that portion of the site is subject to transition area development standards, site design guidelines and Design Review. However, if the portion includes part of the street frontage, the entire street frontage is subject to the transition area buffer requirements.

20.25B.040 Development standards. Pursuant to LUC 20.25B.030, all development activity within a transition area must comply with the following:

- A. Building Height.
- Eastgate LUCA Draft for Public Hearing, Page 42

1. Definition. In a Transition Area, building height shall be measured from average existing grade around the building to the highest point of a flat roof or to the mean height between the tallest eave and tallest ridge of a pitched roof. Mechanical equipment and satellite dish antennas are included in building height calculations, except that mechanical equipment may be located within the upper one-half of a pitched roof form not to exceed 10 feet above maximum building height. This additional 10 feet is for equipment or screening purposes only and not to obtain additional habitable space. Specifically excluded from this definition are parapet walls designed solely, and only to the extent necessary, to screen mechanical and elevator equipment, and slender structural elements not intended for human habitation and not exceeding 10 feet above the maximum building height including chimneys, smoke ventilation stacks, omni-directional antennas, and flagpoles. This definition supersedes the building height definition in LUC 20.50.012 for purposes of this chapter only.

2. Maximum Height. The following chart sets forth the height limitation of any building within a transition area and the maximum height which may be achieved through bonuses as indicated in paragraph A.3 of this section:

Zone	Basic Height w/out Bonuses	Maximum Height w/Bonuses Limitation
R-10	30'	30'
R-15	30'	30'
R-20	30'	40'
R-30	30'	40'
PO	20'	30'
O	30'	40'
OLB	30'	45'
OLB-OS	30'	45'
<u>OLB 2</u>	<u>45'/75' (1)</u>	<u>45'/75' (1)</u>
LI	30'	45'
GC	30'	40'
NB	<u>20'/30' (2)</u> ¹	<u>35' (3)</u> ²
NMU	75' (1)	75' (1)
CB	30'	45'
F2	75'	75'
F3	<u>75'/135' (4)</u> ³	<u>75'/135' (4)</u> ³

- (1) In the OLB 2 and NMU Districts, the 45-foot basic height may be achieved through adherence to the Transition Area Design District development standards (LUC 20.25B.040) and the design guidelines (LUC 20.25B.050). The maximum height shall include mechanical equipment embedded within the building structure via a mechanical room. Maximum height up to 75 feet shall not exceed the maximum height for the district receiving transition when measured from the existing grade at the property line of the district receiving transition.
- (24) In the NB District, the 30-foot height limit may be achieved only when the development is in compliance with LUC 20.20.010, Note (25).
- (32) The 35-foot height limit may be achieved only when the development is in compliance with LUC 20.20.010, Note (25), and achieves a five-foot height bonus as indicated in paragraph A.3 of this section.
- (43) In the F3 District, the 135-foot height limit may be achieved only on properties south of the F3 Land Use District Separation Line and when the development is in compliance with LUC 20.20.010, Note (34).
3. Allowable Height Increase. Except in an R-10 or R-15 District, the height limitation may be increased up to maximum height with bonuses limitation indicated in paragraph A.2 of this section only if one or more of the following items is provided, the decision criteria for Administrative Design Review are met, and the intent of the Transition Area Design District is maintained.
- | Item | Increase Allowed |
|---|-------------------------|
| a. Underbuilding parking: | 5-foot increase |
| b. Basement parking: | 10-foot increase |
| c. Pitched roof: | 5-foot increase |
| d. Top floor setback on all sides of at least 10 feet: | 5-foot increase |
| e. No mechanical equipment on the roof: | 5-foot increase |
| f. Existing grade at the proposed building line is at 10 feet below the existing grade at the property line of the property receiving transition: | 5-foot increase |
4. Modification to Height. Except in the OLB 2, NMU and F3 district, the maximum building height allowed in paragraph A.2 of this section may be modified through the Administrative Design Review process only if the following conditions are met:

- a. When the location of the building pad is at least 20 feet below the existing grade at the property line of the property receiving transition; and
 - b. The modified building height does not exceed the maximum height permitted by the underlying land use district for properties outside transition areas; and
 - c. The project, with the height modification, will provide the same or better transition to the property receiving transition as with the maximum height permitted in paragraph A.2 of this section.
- B. Setbacks.**
- 1. **Setback for Primary Structures.** Primary structures must be located a minimum of 30 feet from the property line of the district receiving transition.
 - 2. **Distance Between Primary Structures.** Primary structures must be located a minimum of 20 feet from other primary structures; provided, that this separation requirement may be modified pursuant to LUC 20.25H.040 on sites in the Critical Areas Overlay District.
- C. Landscaping, Open Space and Buffers.**
- 1. **Landscaping.** All landscaping shall comply with standards set forth in LUC 20.20.520. The provisions of LUC 20.20.520.J (Alternative Landscaping Option) are applicable and, in addition, may be used to modify up to 10 feet of required street frontage landscaping.
 - 2. **Buffer.**
 - a. A landscaped buffer, at least 20 feet in width, shall be provided along the entire street frontage where any portion of the street frontage is abutting a district receiving transition and along the interior property line abutting the district receiving transition.
 - b. All significant trees within 15 feet of the property line shall be retained as required by LUC 20.20.520.E.
 - c. The buffer shall be planted with the following, and shall include at least 50 percent native species in the required plantings:
 - i. Evergreen and deciduous trees, of which no more than 40 percent can be deciduous. There shall be a minimum of five trees per 1,000 square feet of buffer area, which shall be a minimum of 10 feet high at planting, along with the evergreen shrubs and living groundcover as described in paragraphs C.2.c.ii and iii of this section to effectively buffer development from adjacent residential properties; and
 - ii. Evergreen shrubs, a minimum 42 inches in height at planting, at a spacing no greater than three feet on center; and
 - iii. Living groundcover planted to cover the ground within three years; and
 - iv. Alternatively, where the street frontage landscaping will be planted to buffer a building elevation and not a parking area, driveway or site development other than a building, a lawn no less than five feet in width may be substituted for the shrubs and groundcover required

in paragraphs C.2.c.ii and iii of this section; provided, that the soil in the entire area of lawn is amended in accordance with LUC 20.20.520.F.8. This paragraph does not apply in LI and GC Districts.

- d. Where an LI, GC or CB zoned property abuts a residential district on an interior property line, an evergreen hedge a minimum of four feet in height at planting and capable of achieving a continued visual screen with a height of five feet within a three-year period or a combination of shrubs and fence shall be added within the required planting area to achieve the effect of a hedge.
- e. Patios and other similar ground level features and trails may be incorporated into the buffer area, except that no more than 20 percent of the area may be used for such features. Patios shall not be located within 10 feet of the property line.

D. Site Design Standards.

1. Surface parking lots shall be screened from street level views and from ground level views of an abutting residential district of a lower intensity by berms, hedges, walls or combinations thereof. In appropriate circumstances, surface parking lots should be located away from adjacent residential properties.
2. Site features such as fences, walls, refuse enclosures, light fixtures, carports and storage units shall be designed to be integrated with the architectural design of the primary structure.

E. Mechanical Equipment.

Except in the OLB 2 and NMU Districts, ~~M~~mechanical equipment which is located on the roof shall be incorporated into the pitched or stepped roof form, and not appear as a separate penthouse or box. In the OLB 2 and NMU Districts, the roof top mechanical equipment shall be fully screened and accommodated within the maximum height limit.

F. Refuse Containers.

All refuse and recycling containers shall be contained within structures enclosed on all four sides and utilize lids made of molded plastic or other sound buffering material.

G. Signs.

Building design shall provide for architecturally integrated signage consistent with the scale and architecture of the building. Signs shall meet the requirements of Chapter 22B.10 BCC, Bellevue Sign Code.

20.25B.050 Design guidelines.

Pursuant to LUC 20.25B.030, all development activity within a transition area must comply with the following guidelines:

A. Site Design Guidelines.

1. Whenever possible, vehicular access should be designed so that traffic is not directed through an abutting residential district of lower intensity.

2. Loading and refuse collection areas should be on the side of a building facing away from an abutting residential district of a lower intensity, but not in a front yard setback.
3. In addition to the minimum requirements of LUC 20.20.520, site development should maximize the retention of existing significant vegetation in order to soften the visual impact on adjacent residential uses.
4. Surrounding vegetation, topography, street patterns, parking configuration and building massing should be considered in order to result in a compatible fit between the proposed development and existing residential development.

B. Building Design Guidelines.

1. Building surfaces facing abutting residential districts should be clad with materials which are similar to or compatible with surrounding uses, and which minimize reflected lighting.
2. Building facades should incorporate elements such as stepbacks, offsets, angled facets, deep roof overhangs, recesses and other architectural features which serve to break down the scale. The larger the building, the greater the number and variety of such elements that may be necessary to achieve the effect of diminishing scale.
3. Except in the OLB 2 and NMU Districts, pitched roof forms are preferred in order to enhance the compatibility with nearby residential areas. However, under certain circumstances, a stepped roof form could achieve a similar effect.
4. In the OLB 2 and NMU Districts, roof top elements (including roof shape, surface materials, colors, and mechanical equipment) should be integrated into the overall building design.
54. Communication dishes greater than one meter (3.28 feet) in diameter should not be visible from adjacent residential districts.
65. Materials and colors used on the building facades should be compatible with nearby residential buildings and the surrounding natural environment; however, colors and materials used for the purpose of accent may be approved.

Part 20.25C Office and Limited Business (OLB) and Office and Limited Business 2 (OLB 2) Districts

20.25C.010 Applicability of site development and design standards.

All new development and substantial remodels are subject to the applicable site development and design standards of this Part 20.25C.

20.25C.020 Area and dimensional requirements in the OLB District.

Only one structure may occupy a site of not less than the minimum lot size (two acres). Two structures may occupy a site of four acres and for each increment of minimum lot size (two acres), an additional structure may be added. Structures on four acres or more may be clustered. All structures shall conform to these requirements.

20.25C.030 Minimum yard dimensions in the OLB District.

- A. In the OLB Districts, required side yards may be reduced equally to permit building on 50 percent of the total property dimension measured from one side property line to the other.
- B. The combined dimension of the rear and front yards need not be more than 50 percent of the total property dimension measured from front to rear property line, and may be adjusted as follows:
 - 1. Where the required front and rear yard dimensions combined is more than 50 percent of the total property dimension, measured from front to rear, the location of the rear building line may first be adjusted by measuring from the required front building line a dimension equal to 50 percent of the total property dimension.
 - 2. Where the required front yard dimension is greater than 50 percent of the total property dimension, measured from front to rear and after making the maximum adjustment of the rear yard, the location of the front yard building line may be adjusted by measuring from the rear property line a dimension equal to 50 percent of the total property dimension, and no rear yard shall be required. (Ord. 4972, 3-3-97, § 5; Ord. 4816, 12-4-95, § 104)

20.25C.040 Design standards in the OLB Districts.

- A. Building Design Standards.
 - 1. The entire site complex shall have a unity of design by use of similar wall and roof materials, roof slopes and window patterns, in order to reduce adverse visual impacts to those on and along major access routes and to mitigate adverse impacts from major access routes on nearby, less intensive uses.
 - 2. Rooftop equipment shall be visually screened pursuant to LUC 20.20.525. The design and color of rooftop mechanical screening should be integrated with the building architectural style.
 - 3. The building should include architectural elements that provide weather protection such as overhangs and recesses at building entrances.
- B. Landscaping Design Standards.
 - 1. The provisions of LUC 20.20.520, Landscape development, except as they conflict with this section, shall apply to development in the OLB District.
 - 2. Except for retail auto sales uses, a minimum of 15 percent of the property area of each site shall be in landscaped open space. For each percent that a structure's ground floor area exceeds 15 percent, the landscaping requirements for that site shall be increased by 0.5 percent to a maximum of 20 percent of the property area of the site.
 - 3. Service yards and at-grade mechanical equipment shall be sight-screened from adjoining property or streets or highways by a solid planting of evergreen trees and shrubs at least as high as the equipment or use being screened within two years from the time of planting.
 - 4. Except for retail auto sales uses, parking areas shall include plantings using trees of three inches caliper or 14 to 16 feet high and 42-inch-high shrubs at approximately 35 feet on-center parallel to the aisle, or shall be screened as a service yard using similar materials. Other parking

- lot landscaping shall meet LUC 20.20.590 requirements for Type V landscaping. Plantings shall include a minimum of 50 percent native species. Noxious species, as designated by the Director in submittal requirements, are prohibited.
5. When property abuts the right-of-way for I-90, I-405, or SR 520 highways, or abuts parallel frontage roads of said highways, plant material shall be planted and spaced in a planting area a minimum of 10 feet wide. Deciduous trees shall have a minimum caliper of three inches, evergreen trees shall have a minimum height of 14 to 16 feet tall and shall be at intervals of no greater than 35 feet on-center along the right-of-way. No more than 30 percent of the trees shall be deciduous. Trees shall have a minimum mature height of 45 feet. Shrubs shall be a minimum of 42 inches high.
 6. Trees installed as part of general site landscaping shall be a minimum of one and one-half inches in caliper or eight to 12 feet high.
 7. Accessible outdoor gathering areas should be provided for the employees, general public and visitors to the site.
 8. Outdoor display of vehicles for retail auto sales uses shall meet the requirements of LUC 20.20.520 for Type V landscaping for auto display areas and LUC 20.20.520.F.2.c for vehicle storage yards.

C. Signs.

All signs shall be an integral part of the architectural design consistent with the scale and architecture of the building. Signs shall meet the requirements of Chapter 22B.10 BCC, Bellevue Sign Code.

91 20.25C.050 Standards and Design Guidelines in the OLB 2 District

A. Character and Site Guidelines.

Purpose.

These guidelines address the qualities that make the OLB 2 District unique. They describe what makes an area a special, distinct "place," not simply a group of individual buildings and streets.

1. Integrate the Natural Environment

a. Intent.

Integrate new landscape areas, natural drainage/LID features, sustainable design elements and green open spaces into site design. Reinforce existing linkages and orient buildings to the existing natural and landscaped features of the surrounding area.

b. Guideline.

Site and building design should capitalize on existing elements of the natural environment, such as parks and open spaces, trails, and critical areas. Designs should also integrate new natural features, such as street trees, natural drainage systems and open space

amenities for residents, employees and visitors. Depending on the location, this may be accomplished through integration of the natural environment with new development or providing a smooth transition between the natural and built environments.

c. Recommended.

- i. The following existing natural environments and connections should be protected and incorporated into new development or redevelopment:
 - Active and passive gathering places and walkways oriented toward parks and open, natural spaces.
 - Clear and convenient public access to open space amenities.
 - Open spaces and/or access points to local and regional trails, especially as relates to the Mountains to Sound Greenway.
 - For properties that can be seen from I-90, views of urban elements against a green, forested back-drop.
- ii. The minimum landscape development requirements of LUC 20.20.520 apply, and site development should maximize the retention of existing vegetation. Trees installed as a part of general site landscaping shall be a minimum of 2.5 inches in caliper or as approved by the Director, and eight to 12 feet high.
- iii. Developments and design features that promote environmental sustainability such as natural drainage techniques, preservation and enhancement of critical areas, green walls, and green roofs are encouraged.

2. Promote Architectural Compatibility.

a. Intent.

New buildings should contribute to the quality and character of the area.

b. Guideline.

Buildings should relate to nearby buildings, with similar design characteristics. Some degree of variation in architectural elements is encouraged to create a sense of growth and development over time. The building's form, materials and colors should enhance the area's overall character.

c. Recommended.

- i. Architectural elements used at a scale and level of detailing proportionate to the size of the building.
- ii. The design of buildings shall incorporate elements such as special architectural details, distinctive color schemes, special art and other features, which are sensitive to and enhance the surrounding area and serve to differentiate the development from other developments in the city.

- iii. Any multi-site development shall have a unity of design through the use of similar architectural elements, such as roof form, exterior building materials, colors, and window pattern.
- iv. Site features, such as fences, walls, refuse receptacles and recycle enclosures and light fixtures should be consistent with the scale and architectural design of the primary structure.
- v. Roof top and mechanical equipment shall be fully screened, accommodated within the maximum height limit, and integrated into the building design. At-grade mechanical equipment shall not be permitted.
- vi. Building design shall provide for architecturally integrated signage. Signs shall be in proportion to the development and oriented to the main direction access and to pedestrian movement. Signs shall meet the requirements of Chapter 22B.10 BCC, Bellevue Sign Code.

3. Promote Community Gathering

a. Intent.

A comfortable, well designed site provides an inviting and attractive area for community gathering.

b. Guideline.

Gathering spaces are well-defined, inviting, secure, and attractive. They provide space for both active use, and areas of respite for employees, general public and visitors to the site. They provide space to enjoy the natural environment with weather protection. All gathering spaces should be easily and safely linked with pedestrian access from and through the development.

c. Recommended.

- i. Outdoor gathering spaces should be incorporated into areas near active ground floor uses to provide opportunity for a variety of activities as well as areas for stopping, sitting, and viewing. Spaces should be accessible, safe, and usable in all seasons.
- ii. Trees, shrubs, and plants should define walkways, gathering spaces, and amenities.
- iii. Site features such as fences, walls, refuse and recycling enclosures, and light fixtures should be designed and located to contribute to the pedestrian environment and community gathering spaces.
- iv. Incorporate public art the design of which:
 - Responds or relates to the unique characteristics of the surrounding area;
 - Utilizes durable, vandal-resistant materials; and
 - Is designed to age well.

4. Build Compatible Parking Structures and Lots

a. Intent.

Use design elements to enhance the compatibility of parking structures with the urban streetscape.

b. Guideline.

Parking structures should be designed so that their streetscape interface has a consistent form, massing and use of materials with the vision for the area. Preference is given to parking structures that do not face public sidewalks. However, if due to site constraints there are sidewalk facing parking structures, the frontages facing the sidewalk shall be designed to appear like any other occupied buildings in the area. The horizontal garage form can be broken down by adding more wall surface and usable retail space, while retaining adequate garage ventilation as defined by Mechanical Code.

c. Recommended.

- i. Surface parking must be located behind the building and accessible via an internal street, alley or shared driveway (if applicable) to minimize curb cuts.
- ii. Parking structures should feature the following elements:
 - Small openings that may be glazed to function as windows.
 - Stairways, elevators and parking entries and exits that occur at mid-block.
 - Single auto exit/entry control point to minimize number and width of driveway openings (entry and exit points may be separated).
 - Vertical expression of building structure.
 - Cladding to disguise sloped floors from the outside view.
- iii. Parking areas should be designed to minimize conflicts between pedestrian and vehicular movements. Parking area landscaping should be used to define and separate parking, vehicular access, and pedestrian areas within parking lots.
- iv. Loading areas should not be located between the building and the street unless there is no alternative location possible. Loading areas, if located between the building and the street, should be oriented away from the street and screened to minimize views of the loading area from the street and sidewalk. Loading areas should not be located on the side of a building which faces toward a residential use.

- v. Parking areas shall include planting trees of two and a half inches caliper or 14 to 16 feet high and 42-inch high shrubs at approximately 35 feet on-center parallel to the aisle, or shall be screened as a service yard using similar materials. Other parking lot landscaping shall meet LUC 20.20.520 requirements for Type V landscaping.
- vi. Any parking areas located along a street or pathway must be screened with shrubs that are 42-inches high or as approved by the Director.
- vii. Bicycle racks shall be provided on-site. Facilities for a minimum of 10 bicycles shall be provided for developments having 100 or fewer parking stalls. For each 100 additional stalls, facilities for five additional bicycles shall be provided.

B. Pedestrian Emphasis Guidelines.

Purpose.

The pedestrian emphasis guidelines promote an environment where pedestrians are a priority. The highest consideration should be given to the ease and comfort of pedestrian movement and gathering places.

1. Enhance the Pedestrian System.

a. Intent.

Prioritize the pedestrian by eliminating barriers and ensuring that walking routes are convenient, direct and pleasant.

b. Guideline.

Pedestrian routes should be attractive, easy to use and encourage walking and activity. Sidewalks should be continuous, avoiding interruptions such as vehicle curb cuts or changes in direction or grade. The portion of the sidewalk dedicated to walking should be free of barriers such as utility poles, newspaper boxes, café tables and chairs, permanent planters, tree grates, waste and recycling receptacles, mechanical equipment, or other obstructions and clutter.

c. Recommended.

- i. The pedestrian network should include:
 - Direct pedestrian routes.
 - Minimal curb cuts along pedestrian routes for pedestrian safety and comfort. Internal drives between sites should be continuous.
 - Pedestrian routes that are safely integrated with the street system.
 - Maintain pedestrian access where rights-of-way have traditionally been located.

- ii. In multiple-building complexes, buildings should be located to facilitate safe and comfortable pedestrian movement between buildings. Building location should be chosen to facilitate pedestrian and vehicular connections to buildings on adjacent properties.
- iii. The landscape design for the site should include plantings which emphasize the major points of pedestrian and vehicular access to the site.
- iv. Parking areas should include pedestrian walkways and be designed to minimize conflicts between pedestrian and vehicular movements. Parking area landscaping should be used to define and separate parking, access, and pedestrian areas within parking lots.
- v. Vehicle access connections between properties are required except in instances where the Director of Transportation determines they are infeasible or undesirable.
- vi. Opportunities should be found for safe, convenient, and pleasant pedestrian connections to existing transit facilities. Where needed, shelters and lay-bys for transit vehicles should be incorporated into the site development.
- vii. Frequent and attractive connections between destinations through a well-connected network of streets and pathways must be provided and include the following:
 - Planned streets that connect with surrounding streets to permit the convenient movement of traffic and to facilitate emergency access and evacuation.
 - An integrated and connected network of streets to provide "direct" walking route options, orientation, a sense of place, and multiple travel route options.
- viii. Internal streets must meet the following requirements:
 - Street trees and sidewalks must be included on all internal access streets (i.e., through vehicle access connections on sites with any dimension 400 feet or greater).
 - Planter strips shall be included on all internal access streets and will be at least 5 feet in width.
- ix. Pedestrian walkways should meet the following requirements:
 - Landscape allows visibility and access and does not block pathway.
 - Walkways of six feet in width minimum, shall be provided from the public sidewalk or right-of-way to the building. At a minimum, walkways shall be located to connect focus points of pedestrian activity such as transit stops and street crossings to the major building entry points.
 - Walkways shall be provided to connect with walkways or potential walkway locations on adjoining properties in the district to create an integrated internal walkway system along the desired lines of pedestrian travel. The width of the walkway should be commensurate with the anticipated level of pedestrian activity along the connecting walkway.
 - Walkway surfaces shall be designed to be visually attractive and distinguishable from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks, or scored concrete to enhance pedestrian safety and comfort.
 - Continuous weather protection of the building walkway should be provided at the entrance area.

C. Architectural Guidelines.

Purpose.

The architecture guidelines promote high quality development while reinforcing the area's sense of place by encouraging innovative design, construction techniques and materials that reflect local character.

1. Provide Interesting Building Massing.

a. Intent.

Use architectural features to break down the mass and scale of buildings to create a comfortable sense of enclosure with an uninterrupted street edge.

b. Guideline.

The length and breadth of a building should be friendly in scale and inviting to the pedestrian. Portions of a large building mass should be broken into smaller, appropriately scaled modules, with changes in plane indicated by projections and indentations. This allows an overly large building to appear as multiple smaller, side-by-side buildings. Vertical and horizontal elements should be used to create a human scale and form a coherent pattern providing visual interest to the public.

c. Recommended.

- i. Long expanses of building frontage must be broken down both horizontally and vertically. Buildings with non-residential uses on the ground floor must have articulation features along the street front to create a pattern of smaller spaces.
- ii. Buildings should feature a vertically articulated tripartite facade division – base, middle and top for buildings over five stories.
- iv. Vertical articulation of windows, columns and bays is encouraged.

2. Create Attractive Building Silhouettes and Rooflines.

a. Intent.

Building rooflines should enliven the pedestrian experience, provide visual interest with details that create forms and shadows, and create a distinct identity.

b. Guideline.

A building's silhouette should be compatible with the intended character of the area and enhance the streetscape. In some cases, it may be appropriate to mark an entryway with a distinct form to emphasize the significance of the building entry. Roof massing should be simple, yet contain elements of architectural detailing and have some level of articulation.

c. Recommended.

- i. Buildings visible from I-90 should have a distinctive silhouette to create a unique identity within Eastgate and announce the entry into Bellevue.
- ii. Buildings should incorporate a combination of the following elements:
 - Vertical architectural expressions of important building functions such as entries.
 - Varied roof line heights.
 - Well-detailed cornices that have significant proportions (height and depth) and create visual interest and shadow lines. Green roof or roof-top terraces are encouraged.

3. Design Welcoming Entries.

a. Intent.

Design entries appropriate to their purpose that contribute to the graceful transition between public and private realms.

b. Guideline.

Architectural detail should be used to help emphasize the purpose of the building entry and to bring life and vitality to the street.

c. Recommended.

- i. The sides of a building which face a public street shall include public entrances to the building.
- ii. Where retail uses are provided, entrances should be provided at frequent intervals to generate pedestrian activity.
- iii. Where residential uses are provided:
 - Weather protection at building entries.
 - Transparent doors, windows, or glazing near the door.

- Double or multiple doors.
- Visibility and security. Entrances should be visible from the street or pedestrian path and located in areas with high pedestrian activity or where residents can view the entry.
- Building name and address.

iii. Entrances should feature some of the following elements:

- Building lighting that emphasizes entrances.
- Doors combined with special architectural detailing and hardware.

4. Promote Visually Interesting and Inviting Windows

a. Intent.

Windows should create an open and inviting atmosphere that adds visual interest and enhances the experience of the building both inside and out.

b. Guideline.

Windows should add activity and variety at the street level, providing views both in and out. Their size and detailing should be of a human scale with regular spacing and a rhythm of similarly shaped windows.

c. Recommended.

- Vision glass that provides visual access to the activity within the building shall be provided at the ground floor facade in retail areas. In other areas, commercial ground floors should feature a substantial amount of vision glass on the ground floor facade between 2 and 8 feet above grade.

Part 20.251 Community Retail Design District

20.251.010 Purpose.

The purpose of the Community Retail Design District (CRDD) is to ensure that development within the retail districts outside the Downtown exhibits a high quality of design in support of their role as the retail/service centers of the surrounding residential areas. Development in the district should incorporate architectural, landscape and pedestrian features, which are compatible with and provide identification for the surrounding area.

20.25I.020 Community Retail Design District defined.

The Community Retail Design District includes all properties located within Community Business Districts, all Neighborhood Mixed Use Districts, and all properties within Neighborhood Business Districts.

20.25I.030 Design Review required.

All development activity within the Community Retail Design District must be reviewed by the Director of the Development Services Department using the Design Review Process, Part 20.30F LUC.

20.25I.040 Design guidelines.

The following design guidelines apply to development in the Community Retail Design District:

A. Building Design Guidelines.

1. All buildings within a multi-building complex should achieve a unity of design through the use of similar architectural elements, such as roof form, exterior building materials, colors, and window pattern.
2. Individual buildings should incorporate similar design elements, such as surface materials, color, roof treatment, windows and doors, on all sides of the building to achieve a unity of design.

B. Site Design Guidelines.

1. Where a perimeter landscape area required under LUC 20.20.520.F may be relocated under Note (1) of that section, some or all of the relocated area should be used to provide a landscaped courtyard. Any relocated landscape area should be visible from the public street. The courtyard should be protected from wind on two sides and in sun during part of the day. Seating shall be provided.
2. Parking areas should be designed to minimize conflicts between pedestrian and vehicular movements. Parking area landscaping should be used to define and separate parking, access, and pedestrian areas within parking lots.
3. The landscape design for the site should include plantings which emphasize the major points of pedestrian and vehicular access to the site.
4. Site features such as fences, walls, refuse and recycle enclosures, and light fixtures should be designed to be consistent with the scale and architectural design of the primary structure(s). Such site features should be designed and located to contribute to the pedestrian environment of the site development.
5. Loading areas should not be located between the building and the street unless there is no alternative location possible. Loading areas, if located between the building and the street, should be oriented away from the street and screened to minimize views of the loading area from the street and sidewalk. Loading areas should not be located on the side of a building which faces toward a residential use.
6. In multiple-building complexes, buildings should be located to facilitate safe and comfortable pedestrian movement between buildings. On sites which are adjacent to other properties within the Community Retail Design District, building location should be chosen to facilitate pedestrian and vehicular connections to buildings on those adjacent properties.

7. In locations and districts specifically described in the Comprehensive Plan Urban Design Element Figure UD.1, consideration should be given to locating buildings closer to the public street with entrances to the buildings from the public sidewalk, with no intervening parking or driving area. Corner locations are particularly appropriate for this treatment.

8. Opportunities should be found for safe, convenient, and pleasant pedestrian connections to existing transit facilities. Where needed, shelters and lay-bys for transit vehicles should be incorporated into the site development.

20.251.050 Design standards.

A. Special Corner Feature.

If the property is located at the intersection of two arterial streets, the site development shall incorporate a special corner feature at the corner of the site. A special corner feature can be a landscape feature, seasonal color planting area, sculpture or water feature. The feature should provide a visual landmark and some amount of seating area. If the property is not located at an intersection, a similar feature should be considered in conjunction with a transit stop or at the primary access point to the site.

B. Building Design Standards.

1. The design of buildings shall incorporate elements such as special architectural details, distinctive color schemes, special art and other features, which are sensitive to and enhance the surrounding area and serve to distinguish the complex from other retail complexes in the City.
2. The sides of a building which face toward a public street shall include public entrances to the building and windows to provide visual access to the activity within the building.
3. The sides of a building which face toward an adjoining property, but not toward a public street, shall include elements such as windows, doors, color, texture, landscaping or wall treatment to provide visual interest and prevent the development of a long continuous blank wall.
4. Building design shall provide for architecturally integrated signage. Signs shall be in proportion to the development and oriented to the main direction access and to pedestrian movement. Signs shall meet the requirements of Chapter 22B.10 BCC, Bellevue Sign Code.

C. Internal Walkways.

The following design standards apply within the Community Retail Design District:

1. Walkways, of six feet in width minimum, shall be provided from the public sidewalk or right-of-way to the building. At a minimum, walkways shall be located to connect focus points of pedestrian activity such as transit stops and street crossings to the major building entry points.
2. Walkways shall be provided to connect with walkways or potential walkway locations on adjoining properties in the district to create an integrated internal walkway system along the desired lines of pedestrian travel. The width of the walkway should be commensurate with the anticipated level of pedestrian activity along the connecting walkway.

On the sides of the building which provide public access into the building, the walkway should be wide enough to allow for sidewalk seating area or window gazing as well as pedestrian travel. Weather protection of the building walkway should be provided at a minimum at the entrance area and, if appropriate, along the entire building walkway.

3. Internal walkway surfaces shall be designed to be visually attractive and distinguishable from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks, or scored concrete to enhance pedestrian safety and comfort.

D. Other Development Standards.

1. Rooftop equipment shall be visually screened pursuant to LUC 20.20.525. The design and color of rooftop mechanical equipment should be integrated with the building architectural style.

2. The outdoor display of building materials and similar bulky products shall be screened from views from the public street, sidewalk, and properties outside the district with a durable, solid wall or fence, or an evergreen hedge or a combination of the above. The screening requirement does not apply to the display of seasonal products of a decorative nature such as bedding plants, Halloween pumpkins, and holiday greens.

3. Bicycle racks shall be provided on-site. Facilities for a minimum of 10 bicycles shall be provided for developments having 100 or fewer parking stalls. For each 100 additional stalls, facilities for five additional bicycles shall be provided.

20.25I.060 Additional Design Guidelines for the Neighborhood Mixed Use District

The following design guidelines apply to development in the Neighborhood Mixed Use (NMLU) District in addition to the CRDD guidelines contained in LUC 20.25I.040 and the standards contained in LUC 20.25I.050.

A. Site Development Guidelines

Purpose. These site development guidelines address the qualities that make the Neighborhood Mixed Use District unique. They describe what makes an area a special, distinct "place," not simply a group of individual buildings and streets.

1. Integrate the Natural Environment.

a. Intent.

Integrate new landscape areas, natural drainage/LID features, sustainable design elements and green open spaces. Reinforce existing linkages and orient buildings to the existing natural and landscaped features of the surrounding neighborhood.

b. Guideline.

Site and building design should capitalize on existing significant elements of the natural environment, such as parks and open spaces, trails, riparian corridors and wetlands. Designs should also integrate new natural features, such as street trees, natural drainage systems

and open space amenities for residents, employees and visitors. Depending on the location, this may be accomplished through integration of the natural environment with new development or providing a smooth transition between the natural and built environments.

c. Recommended.

- iv. The following existing natural environments and connections should be protected and incorporated into new development or redevelopment:
 - Active and passive gathering places and walkways oriented toward parks and open, natural spaces.
 - Clear and convenient public access to open space amenities.
 - Open spaces and/or access points to local and regional trails.
- v. The minimum landscape development requirements of LUC 20.20.520 apply, and site development should maximize the retention of existing vegetation.
- vi. Where a perimeter landscape area required under LUC 20.20.520.F may be relocated under Note (1) of that section, some or all of the relocated area should be used to provide a landscaped courtyard. Any relocated landscape area should be visible from the public street. The courtyard should be protected from wind on two sides and in sun during part of the day. Seating should be provided.
- vii. Developments and design features that promote environmental sustainability such as natural drainage techniques, preservation and enhancement of critical areas, green walls and green roofs are encouraged.

2. Promote Community Gathering

a. Intent.

A comfortable, well designed site provides an inviting and attractive area for community gathering.

b. Guideline.

Gathering spaces are well-defined, inviting, secure, and attractive. They provide space for both active use, and areas of respite for employees, general public and visitors to the site. All areas should be welcoming to pedestrians and provide space for special events.

c. Recommended.

- i. Outdoor gathering spaces should be incorporated into areas near active ground floor uses to provide opportunity for a variety of activities as well as areas for stopping, sitting, and viewing. Spaces should be accessible, safe, and usable in all seasons.
- ii. Trees, shrubs, and plants should define walkways, gathering spaces, and amenities.

- iii. Site features such as fences, walls, and light fixtures should be designed and located to contribute to the pedestrian environment and community gathering spaces. Refuse and recycling enclosures should be designed in a manner consistent with the architecture of the adjacent buildings, and not be located adjacent to public gathering spaces or walkways.
- iv. Incorporate public art the design of which:
 - Responds or relates to the unique characteristics of the surrounding area;
 - Utilizes durable, vandal-resistant materials; and
 - Ensures that the art will age well.

3. Build Compatible Parking Structures and Lots

a. Intent.

Use design elements to enhance the compatibility of parking structures with the urban streetscape.

b. Guideline.

Parking structures should be designed so that their streetscape interface has a consistent form, massing and use of materials with the vision for the area. Preference is given to parking structures that do not face public sidewalks. However, if due to site constraints, there are sidewalk-facing parking structures, those frontages facing the sidewalk should be designed to appear like other occupied buildings in the area. The horizontal garage form can be broken down by adding more wall surface and usable retail space, while retaining adequate garage ventilation.

c. Recommended.

- i. Parking structures should include space at the street level to accommodate uses when located adjacent to pedestrian walkways or public open space. In other areas, active ground floor uses facing streets or walkways are strongly encouraged.
- ii. Surface parking must be located behind the building and accessible via an internal street, alley or shared driveway to minimize curb cuts.
- iii. Parking structures should feature the following elements:
 - Small openings that may be glazed to function as windows;
 - Stairways, elevators and parking entries and exits that occur at mid-block;
 - Single auto exit/entry control point to minimize number and width of driveway openings (entry and exit points may be separated);

- Vertical expression of building structure; and
 - Cladding to disguise sloped floors from the outside view.
- iv. Parking areas should be designed to minimize conflicts between pedestrian and vehicular movements. Parking area landscaping should be used to define and separate parking, vehicular access, and pedestrian areas within parking lots.
- v. Parking lot landscaping should meet LUC 20.20.520 requirements for Type V landscaping. Any parking areas located along a street or pathway should be buffered by 5' of Type III landscaping per LUC 20.20.520.

B. Pedestrian Emphasis Guidelines.

Purpose.

The pedestrian emphasis guidelines promote an environment where pedestrians are a priority. The highest consideration should be given to the ease and comfort of pedestrian movement and gathering places.

1. Enhance the Pedestrian System.

a. Intent.

Prioritize the pedestrian by eliminating barriers and ensuring that walking routes are convenient, direct and pleasant.

b. Guideline.

Pedestrian routes should be attractive, easy to use and encourage walking. Sidewalks should be continuous, avoiding interruptions such as vehicle curb cuts or changes in direction or grade. The portion of the sidewalk dedicated to walking should be free of barriers such as utility poles, newspaper boxes, café tables and chairs, permanent planters, tree grates, mechanical equipment, waste and recycling receptacles or other obstructions and clutter.

c. Recommended.

- x. The pedestrian network should include:
- Direct pedestrian routes;
 - Minimal curb cuts along pedestrian routes for pedestrian safety and comfort; Internal drives between sites should be continuous;
 - Pedestrian routes that are safely integrated with the street system; and
 - Maintain pedestrian access where rights-of-way have traditionally been located.

- xi. In multiple-building complexes, buildings should be located to facilitate safe and comfortable pedestrian movement between buildings. Building location should be chosen to facilitate pedestrian and vehicular connections to buildings on adjacent properties.
- xii. The landscape design for the site should include plantings which emphasize the major points of pedestrian and vehicular access to the site.
- xiii. Parking areas should include pedestrian walkways and be designed to minimize conflicts between pedestrian and vehicular movements. Parking area landscaping should be used to define and separate parking, access, and pedestrian areas within parking lots.
- xiv. Vehicle access connections between properties are required except in instances where the Director determines they are infeasible or undesirable.
- xv. Frequent and attractive connections between destinations through a well-connected network of streets and pathways must be provided and include the following:
 - Planned streets that connect with surrounding streets to permit the convenient movement of traffic between residential neighborhoods and to facilitate emergency access and evacuation.
 - An integrated and connected network of streets to provide "direct" walking route options, orientation, a sense of place, and multiple travel route options.
 - Where a proposed development abuts land that may be subdivided, provide street stubs that extend the street system into the surrounding area.
- xvi. Internal streets must meet the following requirements:
 - Street trees and sidewalks must be included on all internal access streets (i.e., through vehicle access connections on sites with any dimension 400 feet or greater).
- xvii. Pedestrian walkways should meet the following requirements:
 - Landscape allows visibility and access and does not block pathway.
 - Walkways, of six feet in width minimum, should be provided from the public sidewalk or right-of-way to the building. At a minimum, walkways should be located to connect focus points of pedestrian activity such as transit stops and street crossings to the major building entry points.
 - Walkways should be provided to connect with walkways or potential walkway locations on adjoining properties in the district to create an integrated internal walkway system along the desired lines of pedestrian travel. The width of the walkway should be commensurate with the anticipated level of pedestrian activity along the connecting walkway.
- xviii. Weather protection of the building walkway should be provided at the entrance.

C. Architectural Guidelines.

Purpose.

The architecture guidelines promote high quality development while reinforcing the area's sense of place by encouraging innovative design, construction techniques and materials that reflect local character.

1. Provide Interesting Building Massing.

a. Intent.

Use architectural features to break down the mass and scale of buildings to create a comfortable sense of enclosure with an uninterrupted street edge.

b. Guideline.

The length and breadth of a building should be friendly in scale and inviting to the pedestrian. Portions of a large building mass should be broken into smaller, appropriately scaled modules, with changes in plane indicated by projections and indentations. This allows a large building to appear to be multiple smaller, side-by-side buildings. Vertical and horizontal elements should be used to create a human scale and form a coherent pattern providing visual interest to the public.

c. Recommended.

- i. Long expanses of building frontage must be broken down both horizontally and vertically. Buildings with non-residential uses on the ground floor must have articulation features at least every 50 feet along the street front to create a pattern of small storefronts.
- ii. Buildings should feature a vertically articulated tripartite facade division – base, middle and top for buildings over five stories.
- iii. Vertical articulation of windows, columns and bays is encouraged.

2. Create Attractive Building Silhouettes and Rooflines.

a. Intent.

Building rooflines should enliven the pedestrian experience, provide visual interest with details that create forms and shadows, and create a distinct identity.

b. Guideline.

A building's silhouette should be compatible with the intended character of the area and enhance the streetscape. In some cases, it may be appropriate to mark an entryway with a distinct form to emphasize the significance of the building entry. Roof massing should be simple yet contain elements of architectural detailing and have some level of articulation.

c. Recommended.

- i. Buildings visible from I-90 should have a distinctive silhouette to create a unique identity within Eastgate and announce entry into Bellevue.
- ii. Buildings should incorporate a combination of the following elements:
 - Vertical architectural expressions of important building functions such as entries
 - Varied roof line heights.
 - Well-detailed cornices that have significant proportions (height and depth) and create visual interest and shadow lines.
 - Green roofs or rooftop terraces.

3. Promote Welcoming Residential Entries.

a. Intent.

Residential entries should provide a graceful transition between the public and private realms.

b. Guideline.

Residential entries should be substantial enough to suggest privacy yet welcoming to those who approach and enter.

c. Recommended.

- i. Ground-related individual unit entries should be provided on ground floor space not used by storefronts or a multifamily lobby. Where there are ground-related individual entries, a clear transition between public, semi-private, and private space should be delineated with a combination of the following techniques:
 - Moderate change of grade (2 to 5 feet is preferred) from sidewalk level to entry.
 - Provision of a porch or deck at least 6 feet wide by 4 feet deep. A covered porch is preferred.
 - Private open space at least 10 feet wide.

- A low fence, rail, or planting 2 to 4 feet high. (This option is recommended in combination with any of the above.)
 - Other transition design measure(s) that adequately protects the privacy and comfort of the residential unit and the attractiveness and usefulness of the pathway at least as effectively as a combination of the above, as determined by the Director.
- ii. Lobby entries to multifamily buildings should provide:
- Weather protection at building entries.
 - Transparent doors, windows, or glazing near the door.
 - Double or multiple doors.
 - Visibility and security. Entrances should be visible from the street or pedestrian path and located in areas with high pedestrian activity or where residents can view the entry.
- iii. Entries are encouraged to feature the following:
- Doors combined with transom windows or side lights.
 - Durable, high-quality metal door hardware.
 - Doors accessed from canopy-covered entries.

4. Promote Visually Interesting Upper Floor Residential Windows.

a. Intent.

Upper floor residential windows should create an open and inviting atmosphere that adds visual interest and enhances the experience of the building both inside and out.

b. Guideline.

The windows of a residential building should be pleasing and coherent. Their size and detailing should be of a human scale with regular spacing and a rhythm of similarly shaped windows.

c. Recommended.

- i. Windows should feature the following:

- Multiple window lights) or divisions;
- Operable windows;
- Trim around framed openings; and
- Windows recessed from building facade, not flush.

5. Design Inviting Retail and Commercial Entries.

a. Intent.

Design retail and commercial entries should create an open atmosphere that draws customers inside.

b. Guideline.

Primary entries to retail and commercial establishments should be frequent and transparent, allowing pedestrians to see the activity within the building and bring life and vitality to the street. Architectural detail should be used to help emphasize the building entry.

c. Recommended.

- i. The sides of a building-facing a public street should include public entrances to the building.
- ii. In retail areas within high-use pedestrian areas, entrances should be provided at least every 50 feet on average to generate pedestrian activity.
- iii. Entrances should feature some of the following elements:
 - Doors with a minimum of 50 percent window area.
 - Building lighting that emphasizes entrances.
 - Doors combined with special architectural detailing and hardware.
 - Large cafe or restaurant doors that open the street to the interior by pivoting, sliding or rolling up overhead.

6. Provide Inviting Ground Floor Retail and Commercial Windows.

a. Intent.

Use transparency to enhance visual interest and to draw people into retail and commercial uses.

b. Guideline.

Retail and commercial uses should use unobstructed windows that add activity and variety at the street level, inviting pedestrians into retail and commercial uses and providing views both in and out.

c. Recommended.

- i. Clear window glazing that provides visual access to the activity within the building should be provided on ground floor façades.

DRAFT

Part 20.25P Eastgate Transit Oriented Development Land Use District

20.25P.010 General.

A. Applicability.

1. This Part 20.25P, Eastgate Transit Oriented Development Land Use District (EG-TOD), contains requirements, standards, and guidelines that apply to development and activity within the EG-TOD. Except to the extent expressly provided in this Part 20.25P and as referenced in subsection A.2 of this section, the provisions of the Land Use Code, other development codes, the City development standards, and all other applicable codes and ordinances shall apply to development and activities in the EG-TOD. Except within the Critical Areas Overlay District (Part 20.25H LUC), where there is a conflict between the EG-TOD regulations and the Land Use Code and other City ordinances, the EG-TOD regulations shall govern. Where there is a conflict between EG-TOD regulations and the Critical Areas Overlay District, the Critical Areas Overlay District shall govern. Where the requirements of the EG-TOD exceed those of the Land Use Code and other City ordinances, the EG-TOD regulations shall govern.

2. The following general development requirements of Chapter 20.20 LUC do not apply in the EG-TOD:

- a. LUC 20.10.400;
- b. LUC 20.10.440;
- c. LUC 20.20.005;
- d. LUC 20.20.010;
- e. LUC 20.20.012;
- f. LUC 20.20.015;
- g. LUC 20.20.017;
- h. LUC 20.20.018;
- i. LUC 20.20.060;

i. LUC 20.20.070;

k. LUC 20.20.125

i. LUC 20.20.135;

l. LUC 20.20.400;

m. Part 20.25B LUC;

n. Part 20.25I LUC; and

o. LUC 20.30V.170.

B. Purpose.

The purpose of the TOD District is to provide an area for a mix of housing, retail, office, and service uses, with an emphasis on housing. The district is limited in area so that there is an appropriate level of density nearest the highest levels of transit service.

20.25P.020 Review Required.

A. Applicable Review and Guidelines.

The Director shall use this Part 20.25P LUC as currently adopted or subsequently amended or superseded in reviewing an application for Master Development Plan or design review approval in the EG-TOD.

B. Master Development Plan.

1. Scope of Approval. Master Development Plan review (Part 20.30V LUC) is a mechanism by which the City shall ensure that the site development components of a multiple building or phased single building proposal are consistent with the Comprehensive Plan and meet all applicable site development standards and guidelines. Design, character, architecture and amenity standards and guidelines shall be met as a component of the design review (Part 20.30F LUC). Master Development Plan approvals required pursuant to subsection B.2 of this section shall identify proposed building location(s) within the project limit and demonstrate compliance with the following site development requirements, standards, and guidelines:

a. Residential Requirement in EG-TOD. The Master Development Plan shall establish a minimum residential use requirement for the project limit to ensure that the intended housing emphasis of the EG-TOD area is met.

b. Dimensional requirements pursuant to LUC 20.25P.060 as listed below:

- i. Setbacks;
 - ii. Maximum impervious/lot coverage;
 - iii. Building height for each building identified in subsection B. 1 of this section;
 - iv. Floor area ratio for each building identified in subsection B.1 of this section
 - (1) At a minimum square footage excepted from FAR pursuant to 20.25P.060B shall be identified.
 - (2) Uses may vest pursuant to the vesting provisions applicable to the underlying Master Development Plan if the specific uses are identified pursuant to LUC 20.25P.050.A.
 - c. Landscape development pursuant to LUC 20.25P.070;
 - d. Parking, circulation, and internal walkway requirements pursuant to LUC 20.25P.080;
 - e. EG-TOD street development standards pursuant to LUC 20.25P.090; and
 - f. Site development guidelines pursuant to LUC 20.25P.100.B.
2. When Required.
- a. A master development plan shall be required when an applicant proposes to develop more than one building under a single ownership.
 - b. A master development plan shall be required where the applicant proposes to build a single building on one parcel that is adjacent to any street depicted on the figure in LUC 20.25P.090A.3.
3. For the purposes of this section, the project limit may be drawn to encompass a right-of-way that bisects a site, provided the Director finds that the following connectivity criteria can be met:
- a. A system of corner and mid-block crossings shall be provided to functionally connect on-site pedestrian paths across the bisecting right-of-way within the proposed project limit;
 - b. Pedestrian paths shall be provided to connect all buildings and right-of-way crossings located within the proposed project limit;
 - c. Visual connections shall be provided between all buildings located within the project limit by minimizing topographic variation and through use of vegetation and outdoor spaces; and

d. Only a right-of-way meeting the requirements of LUC 20.25P.060.B.4 may be included in the land area located within the proposed project limit for the purpose of computing maximum FAR.

C. Design Review.

1. Scope of Approval. Design review is a mechanism by which the City shall ensure that the design, character, architecture and amenity components of a proposal are consistent with the Comprehensive Plan and any approved Master Development Plan, and meet all applicable standards and guidelines contained in City Codes. Design Review is a mechanism by which the City shall ensure that the site development components of a proposal are consistent with the Comprehensive Plan and meet all applicable standards and guidelines contained in City Codes when site development components were not approved as part of a Master Development Plan.
2. When Required. All development within the EG - TOD shall be reviewed by the Director through Design Review (Part 20.30F LUC).
3. Compliance with an applicable Master Development Plan. In addition to the decision criteria in LUC 20.30F.145, each structure and all proposed site development shall comply with any approved Master Development Plan applicable to the project limit described in a Design Review application. If the application for design review contains elements inconsistent with an applicable Master Development Plan, the Director shall not approve the Design Review unless the Master Development Plan is amended to include those elements.

D. Procedural Merger.

Within the EG-TOD, any administrative decision required by this Part 20.25P LUC or by the Land Use Code, including but not limited to the following, may be applied for and reviewed as a single Process II Administrative Decision, pursuant to LUC 20.35.200 through 20.35.250:

1. Master Development Plan, Part 20.30V LUC;
2. Administrative Conditional Use Permit, Part 20.30E LUC;
3. Design Review, Part 20.30F LUC;
4. Variance, Part 20.30G LUC; and
5. Critical Areas Land Use Permit, Part 20.30P LUC.

20.25P.030 Permitted Uses.

A. Permitted Uses.

Specific categories of uses are listed in Chart 20.25P.050. Subsection B of this section explains Chart 20.25P.050 and describes the applicable review procedures. The use chart description and interpretation provisions of LUC 20.10.400 do not apply to the EG-TOD.

B. Use Chart Described.

In Chart 20.25P.050, land use classifications and standard Land Use Code reference numbers are listed on the vertical axis. City of Bellevue land use districts are shown on the horizontal axis.

1. If no symbol appears in the box at the intersection of the column and the row, the use is not allowed in that district, except for short-term uses, which are regulated under Part 20.30M LUC (Temporary Use Permits), subordinate uses which are regulated under LUC 20.20.840, and non-conforming uses which are regulated under LUC 20.20.560.
2. If the symbol "P" appears in the box at the intersection of the column and row, the use is permitted subject to applicable general requirements of Chapter 20.20 LUC for the use and the district-specific requirements of this Part 20.25P LUC.
3. If the symbol "C" appears in the box at the intersection of the column and the row, the use is permitted subject to the Conditional Use provisions specified in Part 20.30B in addition to any applicable general requirements for the use and land use district.
4. If the symbol "A" appears in the box at the intersection of the column and the row, the use is permitted subject to the Administrative Conditional Use provisions as specified in Part 20.30E LUC in addition to any applicable general requirements for the use and land use district.
5. If a number appears in the box at the intersection of the column and the row, the use is permitted through the applicable review process and subject to the special limitations indicated in the corresponding Notes.

20.25P.040
Placeholder for EG-TOD specific definitions, if necessary

20.25P.050 Land Use Chart.

The following charts apply to EG-TOD. The use charts contained in LUC 20.10.440 do not apply within the EG-TOD.

Chart 20.25P.050.A

Manufacturing Uses in EG-TOD

STD LAND USE CODE REF	Manufacturing – EG-TOD	Eastgate Transit Oriented Development Land Use District
	LAND USE CLASSIFICATION	EG-TOD
21	Food and Beverage Products Mfg.	P 1
22	Textile Products Mfg.	P 2

<u>STD LAND USE CODE REF</u>	<u>Manufacturing – EG-TOD</u>	<u>Eastgate Transit Oriented Development Land Use District</u>
	<u>LAND USE CLASSIFICATION</u>	<u>EG-TOD</u>
<u>23</u>	Apparel, Fabric, Accessories and Leather Goods Mfg.	P 2
<u>24</u>	Lumber and Wood Products Mfg.	
<u>25</u>	Furniture and Fixtures Mfg.	
<u>26</u>	Paper Products Mfg.	
<u>27</u>	Printing, Publishing and Allied Industries	
<u>28</u>	Chemicals and Related Products Mfg.	
<u>31</u>	Rubber Products Mfg.	
<u>314</u>	Misc. Plastic Products Mfg.	
<u>321</u>	Light Stone, Clay, and Glass Products	
<u>322</u>	Mfg., Glass, Pottery and China Ceramic	
<u>324</u>	Products, Stone Cutting and Engraving	
<u>325</u>		
<u>327</u>		
<u>329</u>	Handcrafted Products Mfg.	
<u>3427</u>	Computers, Office Machines and Equipment Mfg.	
<u>3433</u>	Electrical Equipment Mfg., Appliances,	
<u>3434</u>	Lighting, Radio, TV Communications,	
<u>3435</u>	Equipment and Component Parts	
<u>3436</u>		
<u>3437</u>		

<u>STD LAND USE CODE REF</u>	<u>Manufacturing – EG-TOD</u>	<u>Eastgate Transit Oriented Development Land Use District</u>
	<u>LAND USE CLASSIFICATION</u>	<u>EG-TOD</u>
3491 3492 3493 3495 3497	Fabricated Metal Products Mfg.; Containers, Hand Tools, Heating Equipment, Screw Products, Coating and Plating	
35	Measuring, Analyzing and Controlling Instruments, Photographic, Medical and Optical Goods; Watches and Clocks Mfg.; Computer Software	P 2
3997	Signs and Advertising Display Mfg.	
3999	Misc. Light Fabrication Assembly and Mfg. Not Elsewhere Classified	

Notes: Uses in Eastgate Transit Oriented Development Land Use District – Manufacturing

- (1) Permitted only when combined with an eating and drinking establishment which constitutes a majority of the use.
- (2) Permitted only when combined with a retail store which constitutes a majority of the use.

Chart 20.25P.050

Recreation Uses in Eastgate Transit Oriented Development Land Use District

<u>STD LAND USE</u>	<u>Recreation - Eastgate Transit Oriented Development Land Use District</u>	<u>Eastgate Transit Oriented Development Land Use District</u>

<u>CODE REF</u>	<u>LAND USE CLASSIFICATION</u>	<u>EG - TOD</u>
<u>7</u>	Cultural Entertainment and Recreation	
<u>711</u>	<u>Library, Museum</u>	<u>P</u>
<u>7113</u>	<u>Art Gallery</u>	<u>P</u>
<u>712</u>	<u>Nature Exhibitions: Aquatiums, Botanical Gardens and Zoos</u>	
<u>7212</u>	<u>Public Assembly (Indoor): Sports, Arenas, Auditoriums and Exhibition Halls but Excluding School Facilities</u>	<u>A 5</u>
<u>7214</u>		
<u>7222</u>		
<u>7231</u>		
<u>7232</u>		
<u>7212</u>	<u>Motion Picture, Theaters, Night Clubs, Dance Halls and Teen Clubs</u>	<u>A</u>
<u>7214</u>		
<u>7218</u>		
<u>7213</u>	<u>Drive-In Theaters</u>	
-	<u>Adult Theaters</u>	<u>P 2</u>
<u>7223</u>	<u>Public Assembly (Outdoor): Fairgrounds and Amusement Parks, Miniature Golf, Golf Driving Ranges, Go-Cart Tracks, BMX Tracks and Skateboard Tracks</u>	
<u>73</u>	<u>Commercial Amusements: Video Arcades, Electronic Games</u>	<u>P</u>
<u>411</u>	<u>Recreation Activities: Golf Courses, Tennis Courts, Community Clubs, Athletic Fields, Play Fields, Recreation Centers, Swimming Beaches and Pools</u>	<u>A 1.4.5</u>
<u>7413</u>		
<u>7422</u>		
<u>7423</u>		
<u>7424</u>		
<u>7441</u>		
<u>7449</u>		

<u>744</u>	<u>Marinas, Yacht Clubs</u>	
<u>7413</u> <u>7414</u> <u>7415</u> <u>7417</u> <u>7425</u>	<u>Recreation Activities: Skating, Bowling, Gymnasiums, Athletic Clubs, Health Clubs, Recreation Instruction</u>	<u>A 3</u>
<u>7491</u> <u>7515</u>	<u>Camping Sites and Hunting Clubs</u>	
<u>76</u>	<u>Private Leisure and Open Space Areas Excluding Recreation Activities Above Public/Private Park</u>	
	<u>Stables and Riding Academies</u>	
	<u>Boarding or Commercial Kennels</u>	
	<u>City Park</u>	<u>P</u>

Notes: Uses in Eastgate Transit Oriented Development Land Use District – Recreation

- (1) For carnivals, see LUC 20.20.160.
- (2) Adult theaters are subject to the regulations for adult entertainment uses in LUC 20.20.127.
- (3) Recreation activities are restricted to health clubs, recreation instruction, and gymnasiums, an administrative conditional use is not required for these uses when less than 8,000 square feet.
- (4) See LUC 20.20.190 for additional regulations applicable to churches, clubs and similar use structures.
- (5) Public assembly uses in this Land Use District shall not exceed 20,000 square feet.

Chart 20.25P.050

Residential Uses in Eastgate Transit Oriented Development Land Use District

<u>STD LAND USE CODE REF</u>	<u>Residential – Eastgate Transit Oriented Development Land Use District</u>	<u>Eastgate Transit Oriented Development Land Use District</u>
	<u>LAND USE CLASSIFICATION</u>	<u>EG - TOD</u>
<u>1</u>	Residential	
	Single-Family Dwelling	
	Two to Four Dwelling Units Per Structure	<u>P 5</u>
	Five or More Dwelling Units Per Structure	<u>P 5</u>
<u>12</u>	Group Quarters: Dormitories, Fraternal Houses, Excluding Military and Correctional Institutions and Excluding Secure Community Transition Facilities	<u>C 2</u>
	Rooming House	<u>P 3</u>
	Senior Citizen Dwellings	<u>P 1</u>
<u>13</u> <u>15</u>	Hotels and Motels Transient Lodging	<u>P/A 4</u>
<u>6516</u>	Congregate Care Senior Housing	<u>P 1, 2</u>
	Nursing Home	
	Assisted Living	<u>P 1</u>

Notes: Uses in Eastgate Transit Oriented Development Land Use District – Residential

- (1) An agreement must be recorded with the King County Recorder's Office, or its successor agency, and filed with the Bellevue City Clerk, restricting senior citizen dwellings, congregate care senior housing, or assisted living to remain for the life of the project.
- (2) See LUC 20.20.190 for additional regulations.
- (3) See LUC 20.20.700 for general development requirements for rooming houses.
- (4) Hotels and motels are permitted uses in this district. Transient lodging requires an administrative conditional use permit.

Chart 20.25P.050

Resource Uses in Eastgate Transit Oriented Development Land Use District

<u>STD LAND USE CODE REF</u>	<u>Resources – Eastgate Transit Oriented Development Land Use District</u>	<u>Eastgate Transit Oriented Development Land Use District EG-TOD</u>
	<u>LAND USE CLASSIFICATION</u>	
8	Resource Production (Minerals, Plants, Animals Including Pets and Related Services)	
81	Agriculture, Production of Food and Fiber Crops, Dairies, Livestock and Fowl, Excluding Hogs	
	Marijuana Production	
8192	Other Horticultural Specialties: Medical Cannabis Collective Gardens	
821	Agricultural Processing	
	Marijuana Processing	

<u>Resources – Eastgate Transit Oriented Development Land Use District</u>		<u>Eastgate Transit Oriented Development Land Use District</u>
<u>STD LAND USE CODE REF</u>	<u>LAND USE CLASSIFICATION</u>	<u>EG-TOD</u>
8221	<u>Veterinary Clinic and Hospital</u>	<u>P 1, 2</u>
8222	<u>Poultry Hatcheries</u>	
83	<u>Forestry, Tree Farms and Timber Production</u>	
8421	<u>Fish Hatcheries</u>	
85	<u>Mining, Quarrying (Including Sand and Gravel), Oil and Gas Extraction</u>	

Notes: Uses in Eastgate Transit Oriented Development Land Use District – Manufacturing

- (1) See LUC 20.20.130.E for additional regulations applicable to animal keeping and service uses.
- (2) Boarding and commercial kennels are permitted as a subordinate use to a veterinary clinic / hospital, and veterinary clinic / hospital, and kennel hours shall only be open to the public between 7 a.m. and 10 p.m.

Chart 20.25P.050

Service Uses in Eastgate Transit Oriented Development Land Use District

<u>Services – Eastgate Transit Oriented Development Land Use District (9)</u>		<u>Eastgate Transit Oriented Development Land Use District</u> <u>EG - TOD</u>
<u>STD LAND USE CODE REF</u>	<u>LAND USE CLASSIFICATION</u>	
<u>9</u>	<u>Services</u>	
<u>61</u>	<u>Finance, Insurance, Real Estate Services</u>	<u>P 9</u>
<u>62</u>	<u>Personal Services: Laundry, Dry Cleaning, Barber and Beauty, Photography Studio and Shoe Repair</u>	<u>P</u>
<u>6241</u>	<u>Funeral and Crematory Services</u>	
<u>6262</u>	<u>Cemeteries</u>	
<u>624410</u>	<u>Family Child Care Home in Residence</u>	
<u>624410</u>	<u>Child Day Care Center</u>	<u>P 1.2</u>
<u>63</u>	<u>Business Services, Duplicating and Blue Printing, Steno, Advertising (Except Outdoor), Travel Agencies and Employment Building Maintenance and Pest Control Services</u>	<u>P</u>
<u>634</u>	<u>Warehousing and Storage Services, Excluding Stockyards</u>	
<u>639</u>	<u>Rental and Leasing Services: Cars, Trucks, Trailers, Furniture and Tools</u>	
<u>641</u>	<u>Auto Repair and Washing Services</u>	<u>P 4, 8</u>
<u>649</u>	<u>Repair Services: Watch, TV, Electrical, Upholstery</u>	<u>P 7</u>
	<u>Professional Services: Medical Clinics and Other Health Care Related Services</u>	<u>P 6</u>

<u>STD LAND USE CODE REF</u>	<u>Services – Eastgate Transit Oriented Development Land Use District (9)</u>	<u>Eastgate Transit Oriented Development Land Use District EG - TOD</u>
	<u>LAND USE CLASSIFICATION</u>	
	<u>Professional Services: Other</u>	<u>P</u>
	<u>Pet Grooming and Pet Day Care</u>	<u>P 10</u>
<u>6513</u>	<u>Hospitals</u>	
<u>66</u>	<u>Contract Construction Services: Building Construction, Plumbing, Paving and Landscape</u>	
<u>671</u>	<u>Governmental Services: Executive, Legislative, Administrative and Judicial Functions</u>	<u>A</u>
<u>672 673</u>	<u>Governmental Services: Protective Functions and Related Activities Excluding Maintenance Shops</u>	<u>A</u>
	<u>Limited Governmental Services: Protective Functions</u>	<u>P 11</u>
<u>674 675</u>	<u>Limited Governmental Services: Executive and Administrative, Legislative and Protective Functions</u>	<u>P 12</u>
	<u>Military and Correctional Institutions</u>	
	<u>Secure Community Transition Facility</u>	
<u>681</u>	<u>Education: Primary and Secondary</u>	<u>A</u>
<u>682</u>	<u>Universities and Colleges</u>	<u>P</u>

<u>Services – Eastgate Transit Oriented Development Land Use District (9)</u>	
<u>STD LAND USE CODE REF</u>	<u>Eastgate Transit Oriented Development Land Use District EG - TOD</u>
<u>LAND USE CLASSIFICATION</u>	
683	P
691	P 5
692 (A)	P
692 (B)	P
	P
	P
	P
	P
	P
	P

Notes: Uses in Eastgate Transit Oriented Development Land Use District – Services

- (1) Refer to Chapter 20.50 LUC for definitions of child care service, family child care home, and child day care center.
- (2) A child care service may be located in a community facility in any Land Use District pursuant to LUC 20.20.170.E.
- (4) Battery Exchange Stations are ancillary to Auto Repair and Washing Services, and are permitted through the applicable review process as a component of that use. Operators of Battery Exchange Stations must comply with federal and state law regulating the handling, storage, and disposal of batteries.
- (5) See LUC 20.20.190 for additional regulations applicable to churches, club, and similar uses.
- (6) Stand-alone emergency rooms shall not be permitted.
- (7) Outdoor storage of materials is prohibited.

- (8) Only car washing and detailing within a garage is allowed. No auto repair is allowed in the EG-TOD district.
- (9) Drive-in and drive-through facilities are permitted as a subordinate use pursuant to LUC 20.20.840 only if located within a structured parking area and not adjacent to any publicly accessible space.
- (10) Boarding and commercial kennels are permitted as a subordinate use to a pet grooming or pet day care meeting the criteria of LUC 20.20.130.
- (11) Uses are limited to neighborhood community police stations of 1,000 square feet or less.
- (12) Uses are limited to 1,000 square feet, except for protective functions which are limited to community police stations of 1,500 square feet or less.

Chart 20.25P.050

Transportation and Utilities in Eastgate Transit Oriented Development Land Use District

	<u>Transportation and Utilities - Eastgate Transit Oriented Development Land Use District</u>	<u>Eastgate Transit Oriented Development Land Use District</u>
<u>STD LAND USE CODE REF</u>	<u>LAND USE CLASSIFICATION</u>	<u>EG - TOD</u>
41	<u>Rail Transportation: Right-of-Way, Yards, Terminals, Maintenance Shops</u>	
42 4291	<u>Motor Vehicle Transportation: Bus Terminals, Taxi Headquarters</u>	
4214 422	<u>Motor Vehicle Transportation: Maintenance Garages and Motor Freight Services</u>	
43	<u>Aircraft Transportation: Airports, Fields, Terminals, Heliports, Storage and Maintenance</u>	
-	<u>Accessory Parking</u>	<u>P 1.3.10</u>
46	<u>Auto Parking: Commercial Lots and Garages</u>	

<u>STD LAND USE CODE REF</u>	<u>Transportation and Utilities - Eastgate Transit Oriented Development Land Use District</u>	<u>Eastgate Transit Oriented Development Land Use District EG - TOD</u>
<u>LAND USE CLASSIFICATION</u>		
	<u>Park and Ride</u>	<u>C.2, 10</u>
<u>475</u>	<u>Radio and Television Broadcasting Studios</u>	<u>P</u>
<u>485</u>	<u>Solid Waste Disposal</u>	
	<u>Highway and Street Right-of-Way</u>	<u>P.10</u>
	<u>Utility Facility</u>	<u>C</u>
	<u>Local Utility System</u>	<u>P</u>
	<u>Regional Utility System</u>	<u>C</u>
	<u>On-Site Hazardous Waste Treatment and Storage Facility</u>	
	<u>Off-Site Hazardous Waste Treatment and Storage Facility</u>	
	<u>Essential Public Facility</u>	<u>C.7</u>
	<u>Regional Light Rail Transit Systems and Facilities</u>	<u>C/P.11</u>
	<u>Wireless Communication Facility (WCF): (without WCF Support Structures) Including WCF Support Structures (Freestanding) Satellite Dishes</u>	<u>4, 5, 8</u> <u>4, 5</u> <u>P.6</u>
	<u>Electrical Utility Facility</u>	<u>A/C.9</u>

Notes: Uses in Eastgate Transit Oriented Development Land Use District – Transportation and Utilities

- (1) The location of an off-site parking facility must be approved by the Director of the Development Services Department. See LUC 20.25P.080.C.
- (2) Park and Ride. A park and pool lot or other carpool facility is regulated as a park and ride. A park and ride providing no more than 50 parking spaces, and utilizing the parking area of an existing use shall be regulated as an accessory use under LUC 20.20.200. Any other park and ride requires a Conditional Use Permit.
- (3) Accessory parking requires approval through the review process required for the primary land use which it serves pursuant to LUC 20.25P.050. Accessory surface parking is not permitted between the front building setback line and back of sidewalk.
- (4) Wireless communication facilities (WCFs) are not permitted on any residential structure, undeveloped site located in a residential land use district, or site that is developed with a residential use. This note does not prohibit locating WCF: a) on any residential structure or undeveloped site in R-20 or R-30 land use districts; or b) on any nonresidential structure (i.e., churches, schools, public facility structures, utility poles, etc.) or in public rights-of-way in any residential land use district.
- (5) Refer to LUC 20.20.195 for general requirements applicable to wireless communication facilities and other communication, broadcast and relay facilities.
- (6) Refer to LUC 20.20.730 for general requirements applicable to Large Satellite Dishes.
- (7) Refer to LUC 20.20.820 for general requirements applicable to solid waste disposal facilities.
- (8) Antenna and associated equipment used to transmit or receive fixed wireless signals when located at a fixed customer location are permitted in all land use districts and are exempt from the requirements of LUC 20.20.010, 20.20.195 and 20.20.525 so long as the antenna and equipment comply with 47 C.F.R. 1.400, now or as hereafter amended. A building permit may be required to ensure safe installation of the antenna and equipment.
- (9) For the definition of electrical utility facility, see LUC 20.50.018, and for reference to applicable development regulations relating to electrical utility facilities, see LUC 20.20.255. For new or expanding electrical utility facilities proposed on sensitive sites as described by Figure UT.5a of the Utilities Element of the Comprehensive Plan, the applicant shall obtain Conditional Use Permit approval under Part 20.30B LUC, complete an alternative siting analysis as described in LUC 20.20.255.D and comply with decision criteria and design standards set forth in LUC 20.20.255. For expansions of electrical utility facilities not proposed on sensitive sites as described by Figure UT.5a, the applicant shall obtain Administrative Conditional Use Permit approval under Part 20.30E LUC and comply with decision criteria and design standards set forth in LUC 20.20.255.
- (10) Electric Vehicle Infrastructure, excluding Battery Exchange Stations, is ancillary to motor vehicle parking and highways and rights-of-way, and is permitted through the applicable review process as a component of that use.
- (11) Refer to Part 20.25M LUC, Light Rail Overlay District, for specific requirements applicable to EPF defined as a regional light rail transit facility or regional light rail transit system pursuant to LUC 20.25M.020. A conditional use permit is not required when the City Council has approved a regional light rail transit facility or regional light rail transit system by resolution or ordinance, or by a development agreement authorized by Chapter 36.70B RCW and consistent with LUC 20.25M.030.B.1.

Chart 20.25P.050

Wholesale and Retail in Eastgate Transit Oriented Development Land Use District

<u>STD LAND USE CODE REF</u>	<u>Wholesale and Retail – Eastgate Transit Oriented Development Land Use District (1)</u>	<u>Eastgate Transit Oriented Development Land Use District EG - TOD</u>
	<u>LAND USE CLASSIFICATION</u>	
<u>5</u>	Trade (Wholesale and Retail)	
<u>51</u>	Wholesale Trade: General Merchandise, Products, Supplies, Materials and Equipment except the following:	
<u>5111</u>	Wholesale Trade: Motor Vehicles, Primary and Structural Metals, Bulk Petroleum	
<u>5156</u>		
<u>5157 5191</u>		
<u>5192</u>		
<u>5193</u>	Scrap Waste Materials, Livestock Recycling Centers	<u>P</u>
<u>521</u>	Lumber and Other Bulky Building Materials Including Preassembled Products	
<u>522</u>		
<u>523</u>		
<u>524</u>		
<u>5251</u>	Hardware, Paint, Tile and Wallpaper (Retail)	
<u>5252</u>	Farm Equipment	
<u>53</u>	General Merchandise: Dry Goods, Variety and Dept. Stores (Retail)	<u>P</u>
<u>54</u>	Food and Convenience Store (Retail)	<u>P 2</u>

<u>STD LAND USE CODE REF</u>	<u>Wholesale and Retail – Eastgate Transit Oriented Development Land Use District (1)</u>	<u>Eastgate Transit Oriented Development Land Use District EG - TOD</u>
	<u>LAND USE CLASSIFICATION</u>	
<u>5511</u>	<u>Autos (Retail)</u>	
	<u>Trucks, Motorcycles, Recreational Vehicles (Retail)</u>	
	<u>Boats (Retail)</u>	
<u>552</u>	<u>Automotive and Marine Accessories (Retail)</u>	
<u>553</u>	<u>Gasoline Service Stations</u>	
<u>56</u>	<u>Apparel and Accessories (Retail)</u>	<u>P</u>
<u>57</u>	<u>Furniture, Home Furnishing (Retail)</u>	<u>P</u>
<u>58</u>	<u>Eating and Drinking Establishments</u>	<u>P 3, 4</u>
<u>59</u>	<u>Misc. Retail Trade: Drugs, Liquor, Antiques, Books, Sporting Goods, Jewelry, Florist, Photo Supplies, Video Rentals and Computer Supplies</u>	<u>P 5</u>
	<u>Adult Retail Establishments</u>	<u>P 6</u>
<u>59</u>	<u>Marijuana Retail Outlet</u>	
<u>5961</u>	<u>Farm Supplies, Hay, Grain, Feed and Fencing, etc. (Retail)</u>	
<u>596</u>	<u>Retail Fuel Yards</u>	
<u>5996</u>	<u>Garden Supplies, Small Trees, Shrubs, Flowers, Ground Cover, Horticultural Nurseries and Light Supplies and Tools</u>	
<u>5999</u>	<u>Pet Shop (Retail and Grooming)</u>	<u>P</u>
	<u>Computers and Electronics (Retail)</u>	<u>P</u>

Notes: Uses in EG-TOD– Wholesale and Retail

- (1) All wholesale and retail uses, which offer shopping carts to customers, shall (a) designate a shopping cart containment area as defined in BCC 9.10.010; (b) display signage around shopping cart corrals and at the perimeter of the shopping cart containment area that provides notice that unauthorized removal of a shopping cart from the premises constitutes theft under RCW 9A.56.270 and unauthorized abandonment of a shopping cart more than 100 feet away from the parking area of a retail establishment or shopping cart containment area is a Class 3 civil infraction as defined in RCW 7.80.120; and (c) display information on each shopping cart that is consistent with the labeling requirements of RCW 9A.56.270 and includes a 24-hour toll-free phone number to report abandoned shopping carts. Abandoned shopping carts or shopping carts located outside of a shopping cart containment area constitute a public nuisance under BCC 9.10.030(H) and may be abated through the provisions of Chapter 1.18 BCC.
- (2) Food and convenience stores (retail) must contain at least 75 percent square footage of retail food sales not for consumption on premises.
- (3) Microbrewery manufacturing is permitted subordinate to an eating and drinking establishment; provided, that the manufacturing use occupies not more than 50 percent of the total square footage of the combined establishment.
- (4) Drive-in windows are not permitted.
- (5) Drive-in and drive-through facilities are permitted as a subordinate use pursuant to LUC 20.20.840 only if located within a structured parking area and not adjacent to any publicly accessible space.
- (6) Adult retail establishments are subject to the regulations for adult entertainment uses in LUC 20.20.127.

20.25P.060 Dimensional Requirements.

A. General.

This subsection (Chart 20.25P.060.A, Dimensional Requirements in Eastgate Transit Oriented Development Land Use District) sets forth the dimensional requirements for the district. The Dimensional Requirements of Chart 20.20.010 do not apply in the EG - TOD. Each structure, development, or activity in the EG-TOD shall comply with these requirements except as otherwise provided in this section. If a number appears in a box at the intersection of a column and a row, the dimensional requirement is subject to the special limitation indicated in the corresponding Note.

Chart 20.25P.060.A Dimensional Requirements in Eastgate Transit Oriented Development District

	<u>Eastgate Transit Oriented Development Land Use District</u>
<u>LAND USE CLASSIFICATION</u>	<u>EG-TOD</u>
<u>DIMENSIONS</u>	(1)
Minimum Setbacks of Structures (feet)	0 (2)(3)(4)

<u>Eastgate Transit Oriented Development Land Use District EG-TOD</u>	
LAND USE CLASSIFICATION	(1)
DIMENSIONS	
Front Yard	10 (5)
Minimum Façade Separation (feet) (Setback/Stepback)	5 (2) (3) (4)
Rear Yard (feet)	5 (2) (3) (4)
Side Yard (feet)	2.0 (1)
2 Side Yards	160/45 (6)
Floor Area Ratio	75
Maximum in Building Height (feet)	
Maximum Impervious Surface (percent)	

Commented [BT(1)]: This impervious surface percentage is modeled after BelRed.

Notes: Chart 20.25P.060A Dimensional Requirements in Eastgate Transit Oriented Development Land Use District

- (1) See LUC 20.25H.045 for calculation of density/intensity on sites in the Critical Areas Overlay District.
 - (2) See LUC 20.20.030 for designation and measurement of setbacks.
 - (3) See LUC 20.25H.035 for additional critical area setbacks.
 - (4) If the setback abuts a street right-of-way, access easement or private road, the minimum dimension is 10 feet unless a greater dimension is specified.
 - (5) Façade Separation. Where building height exceeds 45 feet, the façade of any building that fronts on the streets shown on the figure in LUC 20.25P.090A.3 shall have a minimum façade separation of 10 feet that shall be measured from the back of the required sidewalk dimension to all portions of the building located above 40 feet.
 - (6) Stand-alone parking garages shall have a maximum building height of 45 feet.
- B. Exceptions to Dimensional Requirements**
1. Impervious Surface. See LUC 20.20.460 for exceptions and performance standards relating to impervious surface.
 2. Floor Area Ratio. A maximum of 1.0 FAR floor area ratio may be excepted for affordable housing, public restrooms, open space, and special dedications as provided below. Provided, neither the combination nor the singular use of any of these

- methods shall exceed an exception of 1.0 FAR. Underground buildings as defined in LUC 20.50.050 are not structures for the purpose of calculating floor area.
- a. In the EG-TOD land use district, up to 1.0 FAR of floor area dedicated to on-site affordable housing shall not be counted for the purposes of calculating the FAR of a project, provided that:
- i. The bedroom mix and exterior finishes shall be comparable to the market rate units, but interior design, unit size, amenities and interior finishes may vary.
 - ii. An agreement in a form approved by the City will be executed by the applicant and recorded with the King County Record's Office, or its successor organization, requiring the affordable housing to remain for the life of the project. This agreement shall be a covenant running with the land, binding on assigns, heirs, and successors of the applicant.
- b. In the EG-TOD land use district, up to 1.0 FAR of floor area dedicated to on-site public restrooms shall not be counted for the purposes of calculating FAR of a project, provided that:
- i. The restrooms are open to the public during regular business hours.
 - ii. An agreement in a form approved by the City will be executed by the applicant and recorded with the King County Record's Office, or its successor organization, requiring the public restrooms to remain for the life of the project. This agreement shall be a covenant running with the land, binding on assigns, heirs, and successors of the applicant.
- c. Floor Area Earned from Special Dedications and Transfers
- i. General. Land that is dedicated to the City of Bellevue for right-of-way or to accommodate the linear alignment of an RLRT system, or open space, without compensation to the owner, may be used for the purpose of computing maximum FAR notwithstanding the definition of floor area ratio in LUC 20.50.020; provided, that the requirements of subsection c.ii or c.iii of this section are met. The Director shall calculate the amount of square footage earned for transfer. Transferable floor area shall only be used in the EG-TOD.
 - ii. Right-of-Way and Linear Alignment of an RLRT System Special Dedications. The special dedication provisions of LUC 20.30V.170.B do not apply in the EG-TOD.
- aa. Eligible Right-of-Way Identified in an Adopted Plan or Document. A property owner may make special dedication by conveying land identified for right-of-way or linear alignment of an RLRT system acquisition in a Transportation Facilities Plan of the Comprehensive Plan, the Transportation Facilities Plan adopted by the City Council, the Capital Investment Program Plan or the street development standards of 20.25P.090 by an instrument approved by the City Attorney.
 - bb. Eligible Right-of-Way Not Otherwise Identified. A property owner may make a special dedication by conveying land identified by the Director of Transportation as necessary for safety or operational improvement projects by an instrument approved by the City Attorney.

cc. Floor Area Earned. The floor area available to transfer shall be equal to maximum FAR limits that apply to the square footage of the area to be dedicated in conformance with this subsection c.ii and shall be included in the project limit for the purpose of computing maximum FAR. The transfer FAR shall be calculated based on applicable land use district regulations for the dedication area.

iii. Open Space Transfers.

aa. Eligible Open Space identified within the Eastgate Subarea Plan. A property owner may earn floor area for transfer to a different site by conveying land identified for open space in the Eastgate Subarea Plan by an instrument approved by the City Attorney.

bb. Floor Area Earned. The floor area available to transfer shall be equal to that permitted through the FAR limits that apply to the square footage of the area to be dedicated in conformance with this subsection c.iii and shall be added to the allowed floor area of the project for the purpose of computing maximum FAR. The transfer FAR shall be calculated based on applicable land use district regulations for the dedication area.

20.25P.070 Landscape Development and Fence Standards

A. General.

1. Applicability. The provisions of LUC 20.20.520.A, D, E, G, I, J, K, and L apply to development in the EG-TOD in addition to the provisions contained in this Section.

2. Review Required. The Director shall review the proposed landscape development, outdoor storage, retail display, and fencing and may approve a proposed structure, alteration, site development, use, or occupancy only if the requirements of this section are met.

B. Street Frontage Landscape Development Requirements.

1. Purpose/Intent. Landscape development as required by this section is necessary to maintain and protect property values, to enhance the visual appearance of the EG-TOD, to preserve the natural wooded character of the Pacific Northwest, to promote utilization of natural systems, to reduce the impacts of development on the storm drainage system and water resources, to provide a better transition between the various land use districts in the Eastgate Subarea and to enhance the pedestrian environment.

2. Street Trees and Landscaping – Perimeter.

a. Street Tree Species.

- i. On the A street on the figure in LUC 20.25P.090 A.3, Tulip Trees (*Liriodendron tulipifera*) shall be planted.
- ii. On the B streets on the figure in LUC 20.25P.090 A.3 street trees shall be planted. The street tree species may be selected from one of the following: Triumph Elm – Ulmus 'Morton Glossy', Katsura tree - *Katsura japonica*, or Yellowwood - *Cladrasis kentukea*.
- iii. If the tree species listed above are impracticable to install because of disease or because they are unavailable, the Director may approve a comparable substitute species during the Design Review process.

b. Installation. Street trees, at least 2.5 inches in caliper or as approved by the Director, shall be planted at least 3 feet from the face of the street curb, and spaced a maximum of 30 feet apart. A street tree planter area may also include decorative paving and other plant materials, except grass that requires mowing. The use of planter strips for stormwater treatment is encouraged. Installation shall be in accordance with the Parks and Community Services Department Environmental Best Management Practices and Design Standards, as now or hereafter amended.

c. Irrigation. A permanent automatic irrigation system shall be provided at the time of installation of street trees and sidewalk planter strip landscaping located in a required planter strip. The irrigation system shall be served by a separate water meter installed by the applicant and served by City-owned water supply with 24-hour access by the City. The use of rainwater to supplement irrigation is encouraged. Irrigation system shall be designed per the Parks and Community Services Department Environmental Best Management Practices and Design Standards, as now or hereafter amended.

d. Street Landscaping. Street trees together with shrubbery, groundcover and other approved plantings are required in a planter strip along the length of the frontage. Vegetation included in the planter strip shall be able to withstand urban conditions, shall be compatible with other plantings along the same street, and shall reflect the character of the area within which they are planted, as approved by the Director.

D. Interior Property Line Development.

1. Purpose/Intent. The landscape development required by this section is necessary to provide visual separation of uses so as to soften the appearance of parking areas and building elevations.

2. Where Required. A 10-foot landscape buffer shall be provided along an interior property not regulated elsewhere.

3. Applicable Standard.

a. Evergreen and deciduous trees, with no more than 50 percent being deciduous, a minimum of six feet in height, and planted at intervals no greater than 30 feet on center; and

b. If planted to buffer a building elevation, shrubs, a minimum of three and one-half feet in height, and living ground cover planted so that the ground will be covered within three years; or

c. If planted to buffer a parking area, access, or site development other than a building, any of the following alternatives may be used unless otherwise noted:

i. Shrubs, a minimum of three and one-half feet in height, and living ground cover must be planted so that the ground will be covered within three years.

- ii. Earth-mounding, an average of three and one-half feet in height, planted with shrubs or living ground cover so that the ground will be covered within three years.
- iii. A combination of earth-mounding and shrubs to produce a visual barrier at least three and one-half feet in height.

E. Tree Retention and Replacement.

LUC 20.20.900.A, B, C, D, and G shall apply in the EG-TOD.

F. Fences.

- 1. No fence shall be permitted to violate the sight obstruction restrictions at street intersections. (See BCC 14.60.240, as now or hereafter amended).
- 2. No fences shall be allowed at street frontage.
- 3. Prohibited Fences. The following types of fences are prohibited:
 - a. Barbed wire.
 - b. Electric fences.
 - c. Chain link fences are not permitted on any street frontage in the EG-TOD except as follows:
 - i. To secure a construction site or area during the period of construction, site alteration, or other modification;
 - ii. In connection with any approved temporary or special event use; or
 - iii. As a component of an existing development pursuant to LUC 20.25P.030.

20.25P.080 Parking, Circulation, and Internal Walkway Requirements.

A. General.

- 1. General. The provisions of LUC 20.20.590.C, E, G, H, I, and K apply to development in the EG-TOD in addition to the provisions contained in this section.
- 2. Review Required. The Director shall review the proposed parking, circulation, and walkways and may approve the proposed structure, alteration, site development, use, or occupancy only if the requirements of this section are met.

B. Minimum/Maximum Parking Requirements by Use – Specified Uses.

1. Number of Parking Stalls. The requirements of this section for the number of parking stalls apply to each new use and to each new tenant.
2. Parking Standards for EG – TOD Land Use District – Chart 20.25P.080.B.2.

Chart 20.25P.080.B.2 – PARKING STANDARDS FOR EASTGATE TRANSIT ORIENTED DEVELOPMENT LAND USE DISTRICT (6) (7)

<u>Use</u>	<u>Unit of Measure</u>	<u>EG-TOD</u>	
		<u>Min.</u>	<u>Max.</u>
a. <u>Financial institution</u>	<u>Per 1,000 nsf</u>	<u>2.0</u>	<u>3.0/3.5</u> <u>(1)</u>
b. <u>Manufacturing/assembly</u>	<u>Per 1,000 nsf</u>	<u>1.0</u>	<u>2.0</u>
c. <u>Home furnishing, retail and major appliances retail</u>	<u>Per 1,000 nsf</u>	<u>1.5</u>	<u>3.0</u>
d. <u>Manufacturing/assembly (other than high technology/light industry)</u>	<u>Per 1,000 nsf</u>	<u>1.0</u>	<u>1.5</u>
e. <u>Office: Business services/professional services/general office</u>	<u>Per 1,000 nsf</u>	<u>2.0</u>	<u>3.0/3.5</u> <u>(1)</u>
f. <u>Office: Medical/dental/health-related services</u>	<u>Per 1,000 nsf</u>	<u>3.5</u>	<u>4.0/4.5</u> <u>(1)</u>
g. <u>Residential</u>	<u>Per unit</u>	<u>0.75(5)</u>	<u>2.0</u>
h. <u>Restaurant and bar (3)</u>	<u>Per 1,000 nsf</u>	<u>5.0 (4)</u>	<u>15.0</u>
i. <u>Retail, personal service, shopping center</u>	<u>Per 1,000 nsf</u>	<u>2.5 (4)</u>	<u>4.5</u>
l. <u>Retail and personal service in mixed-use development (2, 3)</u>	<u>Per 1,000 nsf</u>	<u>2.0</u>	<u>3.5</u>

k.	Senior housing: Nursing home	Per patient bed	0.25	0.75
l.	Senior housing: Senior citizen dwelling or congregate care	Per living unit	0.25	1.0
m.	Wholesale, warehouse	Per 1,000 nsf	1.5	2.0

Notes applicable to parking standards for EG - TOD (Chart 20.25P.080.B.2):

- (1) The maximum parking ratio for financial institutions and office uses in Chart 20.25P.080.B.2.a and e may be increased from 3.0 to 3.5 per 1,000 nsf and in Chart 20.25P.080.B.2.f from 4.0 to 4.5 per 1,000 nsf as follows:
- a. For off-site parking, the additional 0.5 per 1,000 nsf increment shall be provided in an interim surface parking configuration no more than 500 feet away from the site. The interim parking will have a sunset clause of 10 years, or such other period approved through a phasing plan, Part 20.30V LUC; or
 - b. For on-site parking, the additional 0.5 per 1,000 nsf increment may be constructed on-site if it is part of an approved phasing plan, Part 20.30V LUC, and dedicated for a portion of the parking requirement for a future phase of the project.
- (2) If retail and personal service space in a mixed-use development exceeds 25 percent of the net square footage of the development, the retail, personal service, and shopping center parking requirements in Chart 20.25P.080.B.2.i apply to the entire retail and personal service space.
- (3) If restaurant and/or bar uses exceed 25 percent of the total net square footage of a retail, shopping center, or mixed-use development, the restaurant and bar requirements in Chart 20.25P.080.B.2.h apply to the entire restaurant and/or bar space.
- (4) No parking is required for retail and restaurant and/or bar uses under 2,000 nsf when the use is: directly adjacent to a public on-street parking supply of at least 20 spaces within 500 feet, or within 1,000 feet of a public parking garage, or within 500 feet of a light rail or bus rapid transit station.
- (5) The minimum requirement for up to and including one bedroom apartment units available to persons earning 60 percent or less than the median income as determined by the United States Department of Housing and Urban Development for the Seattle Metropolitan Statistical Area is 0.25 stalls per unit. An agreement to restrict the rental or sale of any such units to an individual earning 60 percent or less of the median income shall be recorded with King County.
- (6) Vanpool/Carpool Facilities. The applicant shall provide a vanpool/carpool loading facility that is outside of required driveway or parking aisle widths and that is contained within the required parking and circulation areas. The facility shall be adjacent to an entrance door to the structure served by the parking, or as nearly so as possible after barrier-free access parking has been provided, and shall be consistent with all applicable design guidelines.

(7) Tandem/Stacked Parking Stalls. The applicant may use tandem/stacked parking stalls to exceed the minimum parking requirement, so long as the maximum parking requirement is not exceeded.

C. Parking Structure Performance Standards.

The Director may approve a proposal for a parking structure through design review if the following criteria are met:

1. Exposed parking on the roof of a structure shall not be permitted;
2. Unfinished ceilings visible from the public right-of-way shall be substantially screened from view;
3. Lighting shall utilize cut-off shields to prevent spillover upon adjacent uses and the right-of-way and to conceal the light source;
4. Parking structures shall include ground floor habitable space if fronting on a local street or public open space. In other areas, active ground floors facing streets or walkways are strongly encouraged;
5. Parking garages shall be constructed with horizontal floors; and
6. Design Guidelines of LUC 20.25P.100 shall be met.

D. Phased Parking.

The property owner may install the required parking spaces in phases pursuant to a phasing plan, Part 20.30V LUC. Each phased parking installation must include the approved minimum to meet the parking requirements for the completed phases of the development for which the parking is provided. The phasing schedule must specifically indicate when all parking approved pursuant to this section will be provided.

1. Location. Phased parking may be located off site if the criteria of subsection C of this section are met.
2. Assurance Device. The Director may require an assurance device pursuant to LUC 20.40.490 to ensure compliance with the requirements and intent of subsection C of this section.

E. Director's Authority to Modify Required Parking.

1. The Director may modify the minimum or maximum parking ratio for any use identified in LUC 20.25P.080.B as follows:
 - a. The modified parking ratio is supported by a parking demand analysis including but not limited to:
 - i. Documentation supplied by the applicant regarding actual parking demand for the proposed use; or
 - ii. Evidence in available planning and technical studies relating to the proposed use; or
 - iii. Required parking for the proposed use as determined by other comparable jurisdictions.

- b. The proposal does not result in any adverse impact beyond the site, and
- c. A shared parking agreement is executed pursuant to LUC 20.20.590.1, for any Shared Use of Parking.
2. Periodic Review. The Director may require periodic review of the reduced parking supply to ensure the terms of the approval are being met.

F. Bicycle Parking.

Bicycle parking is required for all uses permitted in the EG-TOD Land Use District pursuant to the following standards:

1. Ratio.
 - a. One space per 10,000 nsf for nonresidential uses greater than 20,000 nsf.
 - b. One space per every 10 dwelling units for residential uses.
2. Location. Minimum bicycle parking requirement shall be provided on site.
3. Covered spaces. At least 50 percent of required parking shall be protected from rainfall by cover.
4. Racks. The rack(s) shall be securely anchored and a bicycle six feet long can be securely held with its frame supported so the bicycle cannot be pushed or fall in a manner that will damage the wheels or components.
5. Size Requirement. Each required bicycle parking space shall be accessible without moving another bicycle.

G. Unspecified Uses.

The Director shall establish the minimum number of parking spaces required and may establish the maximum number of parking spaces allowed for any use not specified in LUC 20.25P.080.B. The Director may consider but is not limited to the following in establishing parking requirements for an unspecified use:

1. Documentation supplied by the applicant regarding actual parking demand for the proposed use; or
2. Evidence in available planning and technical studies relating to the proposed use; or
3. Required parking for the proposed use as determined by other comparable jurisdictions.

20.25P.085 Required Ground Floor Uses

- A. Required Ground Floor Uses.

1. Purpose/Intent. Ground floor wholesale, retail and service uses are an essential component of active and vital streets as well as transit station areas. Ground floor uses create a vibrant “18-hour” pedestrian environment where neighborhood services are within an easy walk, bike or transit trip.
2. Where Required. Figure LUC 20.25P.090.A.3 identifies that street on which ground floor wholesale, retail and services uses are required for building frontages. The wholesale, retail and service uses can be found in LUC 20.25P.030.
3. Applicable Standards for Ground Floor Uses.
 - a. Ground floor uses shall satisfy the intent of subsection A.1 of this section and include uses such as:
 - i. Eating and drinking establishments;
 - ii. Merchandise sales (including but not limited to grocery, food retail, art, and clothing); or
 - iii. Personal services (including but not limited to laundry and beauty services).
 - b. Continuous retail storefronts shall be provided for 100 percent of the building frontage on a designated street.
 - c. Interruptions in storefronts shall be limited to residential lobbies and required emergency access. Lobby interruptions shall be limited to 25 percent of the building frontage.
 - d. All other uses are prohibited on the ground floor.

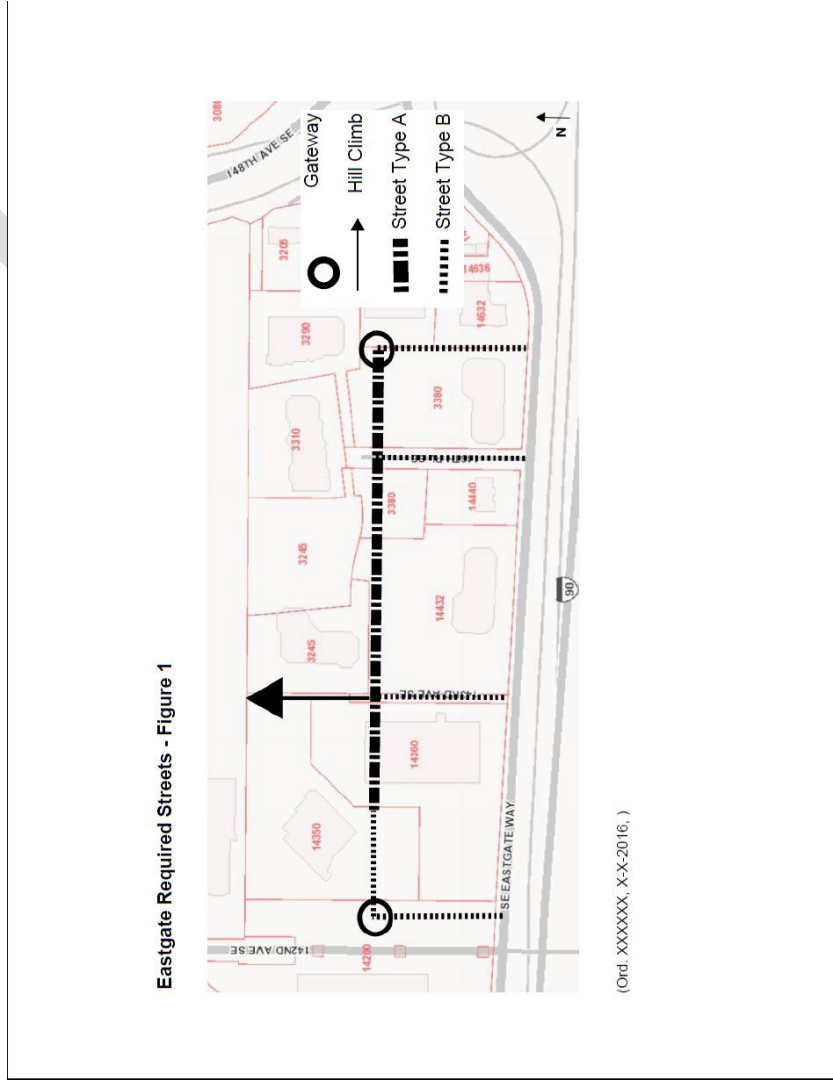
20.25P.090 Eastgate Transit Oriented Development Land Use District Street Standards

A. Required Streets.

1. Purpose. The intent of the local street grid is to introduce a public right-of way system that improves mobility by increasing access for multi-modal traffic throughout the EG-TOD Land Use District.

2. Where required, Figure 20.25P.090A.3. identifies the general location of new streets. The Director may approve modifications to the street grid through a Master Development Plan to respond to specific site conditions, property ownership, and phasing considerations; provided the street grid satisfies the purpose above in A.1 and meets the applicable standards below.

3. Street Diagram.



(Ord. XXXXXX, X-X-2016,)

4. Applicable Standards.
- a. The total perimeter distance of a block shall not exceed 1200 feet. For the purpose of measuring this dimension, a block may be bordered by a right-of-way, an alley with pedestrian facilities, a private roadway with pedestrian facilities, or a pedestrian street.
 - b. All streets shall be accessible to the public at all times. Gates or other means of restricting access are prohibited.
 - c. Street and parking design details, including roadway sections and engineering, shall receive all approvals required pursuant to City codes and standards, including but not limited to transportation and utility codes and development standards, as now or hereafter adopted.
- B. Sidewalks – Perimeter.
- 1. Minimum Width- Sidewalks for Segment A (Retail Street). See LUC 20.25P.090.A.3.
 - a. Sidewalk – 8 feet.
 - b. Planter Strip – 5 to 8 feet.
 - c. Curb – 6 inches.
 - 2. Minimum Width – Sidewalks for Segment B. See LUC 20.25P.090.A.3.
 - a. Sidewalk – 8 feet.
 - b. Planter Strip – 5 feet.
 - c. Curb – 6 inches.
- C. Parking.
- 1. Purpose and Intent. On-street parking can contribute to the pedestrian environment, be a great benefit to retail uses, and enhance elements of neighborhood character.
 - 2. Where required. Short term parking is required on Segment A. See LUC 20.25P.090.A.3.

20.25P.100 Design Guidelines.

A. Introduction.

The Eastgate Design Guidelines support and complement the community vision described in the Eastgate Subarea Plan that is part of the City's adopted Comprehensive Plan. The Design Guidelines offer a flexible tool for quality and innovative development. They do not prescribe specific design solutions or make rigid requirements. Each guideline must be met, but there are many ways to achieve the outcome intended by a particular guideline. The guidelines are a descriptive template for promoting and improving the urban character of the area without dictating or prescribing a specific style or theme.

Each individual guideline provides the following detail:

- Intent: An initial concise statement of the objective of the guideline.

- Guideline: Explanatory text describing the details of the guideline.
- Recommended: Standards and textual and photographic examples of development consistent with the intent of the guideline.
Visual examples are included as models for design and review purposes. They are intended to provide a means to effectively judge a building or project relative to the design criteria; they are not intended to be specific examples to be replicated.

B. Character and Site Guidelines.
Purpose.

These guidelines address the qualities that make the EG-TOD unique. They describe what makes the area a special, distinct “place,” not simply a group of individual buildings and streets. As a gateway for the City of Bellevue, with visibility from the I-90 corridor, Eastgate demonstrates both the urban and the green elements of the City in a Park theme, and is important to achieving the vision of the Mountains to Sound Greenway. A sense of arrival, and views of urban development against a green forested backdrop, characterize the area.

1. Integrate the Natural Environment.

a. Intent.

Integrate new landscape areas, sustainable design elements, natural drainage/LID features, and green open spaces. Reinforce existing linkages, and orient buildings to Eastgate’s natural and landscaped features.

b. Guideline.

Site and building design should capitalize on existing elements of the natural environment, such as habitat corridors, the Mountains to Sound Greenway (MTS), and other trail connections with Bellevue College, the Eastgate Park and Ride and other points of interest.

Designs should also integrate new natural features, such as pedestrian connections, street trees, natural drainage systems and open space amenities for residents, employees and visitors. Depending on the location, this may be accomplished through integration of the natural environment with new development or providing a smooth transition between the natural and built environments.

c. Recommended.

- i. The following existing natural environments and connections should be protected and incorporated into new development or redevelopment:
 - Clear and convenient public access to open space amenities.
 - Views of urban elements against the green, forested backdrop of the hillside.
 - Open spaces and/or access points to the Mountains to Sound Greenway trail.

- ii. The landscape development requirements of LUC 20.25P.070 shall apply.
- iii. New buildings should be sited to take maximum advantage of adjacent community facilities and natural areas and open spaces.
- iv. Architectural elements should use materials, colors and forms that are harmonious with the natural surroundings.
- v. The MTS trail should be identified as an asset to new development and redevelopment through the provision of complementary open spaces and access points, signage and other design elements that raise awareness and use of the trail.
- vi. Green walls, green roofs, rain gardens and abundant landscaping are encouraged on and around buildings visible from the I-90 corridor, to promote Eastgate's natural character.
- vii. Rain gardens, modular wetlands, and stormwater planters pursuant to Bellevue Utilities Department Engineering Standards Chapter D9, now or as hereafter amended are encouraged.
- viii. Developments and design features that promote environmental sustainability such as low impact development, preservation and enhancement of critical areas, and energy efficiency are encouraged.

2. Enhance the Pedestrian System.

a. Intent.

Prioritize the pedestrian by eliminating barriers and ensuring that walking routes are convenient, direct and pleasant.

b. Guideline.

Pedestrian routes should be attractive, easy to use and encourage walking and activity. Sidewalks should be continuous, avoiding interruptions such as vehicle curb cuts or changes in direction or grade. The portion of the sidewalk dedicated to walking should be free of barrier such as utility poles, newspaper boxes, café tables and chairs, permanent planters, mechanical equipment, waste and recycling receptacles, tree grates or other obstructions and clutter.

c. Recommended.

- i. The pedestrian network should include:
 - Required local streets meeting the standards of LUC 20.25P.090. Refer to the figure in LUC 20.25P.090.A.3.
 - The pedestrian hill climb and plaza that connects the EG-TOD to Bellevue College.
 - Pedestrian routes that are safely integrated with the street system.
 - Limited curb cuts along pedestrian routes for pedestrian safety and comfort.
 - Pedestrian access that maintain travel routes where rights-of-way have traditionally been located.

- ii. Parking structures shall be linked to the public right-of-way, include pedestrian walkways and comply with the parking structure performance standards of 20.25P.080.
- iii. Pedestrian access connections to the Eastgate Park and Ride area shall be coordinated with and connect to all areas of the EG-TOD.
- iv. Pedestrian walkways should meet the following requirements:
 - Proposed pathway is sufficiently wide to accommodate the intended number of users.
 - Landscape allows visibility and access and does not block pathway.
 - Walkways paved with high-quality, durable materials, such as brick or stone.
 - Pedestrian-scale lighting should be provided on all sidewalks and pathways.

3. Establish and Strengthen Gateways.

a. Intent.

Use architectural and landscape elements to mark transitions and entrances.

b. Guideline.

Eastgate serves as a gateway into Bellevue. Entrances should be celebrated at many levels. Pedestrians, cyclists, transit passengers, and motorists should experience a sense of “entering” or moving into the area. Some of the key gateways are listed below, although additional areas not listed here may also receive a gateway treatment.

Key gateways in Eastgate include specific locations and corridors that provide physical and visual access as describe below:

- The intersection of 142nd Place SE with Eastgate Way and with the required streets. Refer to the figure in LUC 20.25P.090.A.3.
- Visual connections from I-90, where Eastgate serves as a gateway into Bellevue.
- Visual and physical connections to the Mountains to Sound Greenway.
- Visual and physical connections to Bellevue College.

c. Recommended.

- i. The following types of gateway treatments are encouraged:
 - Adjacent buildings designed to emphasize presence and importance of gateways. Use special architectural treatment to further provide prominence to open spaces associated with gateways.
 - Architectural free standing elements to emphasize the gateways in any identified plazas and open spaces. Structural elements using artistic elements to elevate the importance of the identified gateways.

- Signage, landscaping, and lighting, used to identify visual and physical gateways.
- Markers or inlaid art treatment in sidewalk paving to strengthen sense of entry into the EG-TOD area.
- Design elements that indicate a change or separation in transportation modes, such as a change from auto to pedestrian areas.

4. Create a Variety of Activated Outdoor Spaces.

a. Intent.

Provide comfortable and inviting outdoor spaces for a variety of activities during all hours and seasons.

b. Guideline.

Inviting outdoor gathering spaces that maximize opportunities for use should be incorporated throughout the EG-TOD area. Outdoor spaces should be spatially well-defined, inviting, secure, and easy to maintain. They should provide space for both active and passive recreation for residents and visitors to the area. All areas should be welcoming to pedestrians and designed to accommodate special events.

c. Recommended.

- A variety of open space types should be incorporated into the EG-TOD area.
- Pedestrian walkways and courtyards should be incorporated into residential or office development areas.
- Courtyards, squares and plazas should be adjacent to active ground floor uses wherever possible.
- Public spaces should be defined with materials such as pavers, street furniture, textural materials and colored concrete.
- Trees, shrubs and plants should be used to define walkways, create transitions from the plaza to the street and provide visual interest.
- Buildings may surround green spaces to provide visual definition and vitality generated by active ground floor uses.
- Structures, pavilions and seating areas should be easily accessible and feel safe and secure during both day and evening hours. Spaces that are usable and inviting in all seasons are encouraged.
- Spaces should be designed to consider solar orientation throughout different times of the year. Spaces should be oriented to optimize exposure to winter sun, while providing areas of relief from summer sun exposure. Vegetation placed in these spaces should be suited to the anticipated level of solar access.

C. Pedestrian Emphasis Guidelines.

Purpose.

The pedestrian emphasis guidelines promote an environment where pedestrians are a priority. The highest consideration should be given to the ease and comfort of pedestrian movement and creation of desirable gathering places.

1. Define the Pedestrian Environment.

a. Intent.

Building and streetscape designs should provide a continuous, visually rich pedestrian experience along ground floor street frontages.

b. Guideline.

The most important part of a building to a pedestrian is its ground floor – the lowest 20 feet of the facade, which a person experiences walking past or entering the building. This pedestrian experience zone should provide a continuous and comfortable street edge for the pedestrian. Ground floor building transparency should foster interaction between the public and private realms.

c. Recommended.

- i. The following design elements should be incorporated into buildings that front on required local streets. Refer to the figure in LUC 20.25P.090.A.3.
 - Building entrances that are directly accessible from the public street.
 - Transparent windows or window displays at the street level.
- ii. Buildings and streetscapes should incorporate the following elements to better define the pedestrian environment:
 - Continuous buildings along a street front that frame the pedestrian portion of the right-of-way
 - Walls that use a variety of forms, colors and compatible cladding materials to create visual interest and street detail and avoid uniform treatment of the entire block face.
 - Facades that provide a rhythm by using bays, columns, pilasters or other articulation at the street level.
 - Careful selection and coordination of streetscape furnishings, materials, and fixtures to create a cohesive streetscape design that relates to surrounding architectural details.
 - Signs and lighting at the ground level that complement the human scale.

2. Protect Pedestrians from the Elements.

a. Intent.

Provide pedestrians with weather protection on routes between the Eastgate Park and Ride and development in the TOD.

b. Guideline.

Awnings, canopies, and marquees are encouraged along the ground floor of buildings to protect pedestrians from rain and snow and to provide shade in summer.

c. Recommended

The design of weather protection should be an integral component of the building facade. Awnings should be in proportion to the building and sidewalk, and not so large as to impact street trees, light fixtures or other street furniture. Continuity of overhead protection is encouraged, particularly along high pedestrian travel routes.

- i. Weather protection should be continuous. Pedestrian weather protection should include at least one of the following:
 - Fabric awnings.
 - Marquees
 - Horizontal metal canopies, especially if transom or clerestory windows are above storefront glazing.
 - Glazed canopies.

- ii. Weather protection should follow the pattern of storefronts.

3. Integrate Art.

a. Intent.

Art in the EG-TOD area should complement the context and character of a site, building or the district as a whole. Art should be integrated at gateways.

b. Guideline.

Large scale art in both public and private applications should bring focus to an outdoor space while small scale pieces should bring detail to the pedestrian realm surrounding a building or site. At any scale, art should not overwhelm outdoor spaces or render buildings mere backdrops. Art should not be used as advertising.

c. Recommended.

- i. Incorporate public art the design of which:
 - Responds or relates to the unique characteristics of the EG-TOD area;

- Emphasizes the presence and location of gateways;
- Utilizes durable, vandal-resistant materials; and
- Ensures that the art will age well.



- ii. The following types of public art should be incorporated:
 - Art which is designed for the building or site and
 - Functional or interactive artwork.

4. Provide Places for Stopping and Viewing.

a. Intent.

Provide comfortable and inviting places where people can stop to sit, rest and visit.

b. Guideline.

Seating, resting and viewing opportunities should be incorporated into open space, streetscapes and pathways to enhance vitality of the urban environment. People-watching, socializing and eating are restful and pleasurable activities for the pedestrian; providing special places where they can do these activities increases the pedestrian's sense of enjoyment. Seating should be located in open, well-designed areas with access to natural light and sun in order to receive the most use. The preservation of existing views from public spaces is highly encouraged.

c. Recommended.

- i. The following elements should be incorporated into public spaces:
 - Formal benches and informal seating such as wide steps, edges of landscape planters and low walls;

- More seating near active retail establishments such as outside eating and drinking establishments and food vendors.
 - Seating adjacent to pedestrian walkways.
 - Places for stopping and viewing adjacent to and within open spaces, plazas, and courtyards; and
 - A sense of separation from vehicular traffic.
- ii. The following open space amenities should be incorporated into public spaces in a manner that relates to the surrounding context and meet the needs of expected users:
- Protection from noise, access to sun, and places to sit and eat lunch;
 - Play spaces, gathering and event spaces and seating for retail shoppers; and
 - Ground level open spaces that are open to the public and visually and physically accessible from streets and occupied buildings.

D. Architectural Guidelines.

Purpose.

The architecture guidelines promote high quality development while reinforcing the area's sense of place and Northwest provenance. They do this by encouraging innovative design, construction techniques and materials that reflect Eastgate's relationship with the Mountains-to-Sound Greenway Trail, role as a gateway into the City and the emerging urban character of the area.

1. Use High Quality Materials.

a. Intent.

Create a sense of permanence and bring life and warmth to the EG-TOD area through the use of high quality building materials, while promoting the use of locally sourced and sustainable building materials.

b. Guideline.

Wall and building materials must enhance the street environment while maintaining compatibility with adjacent buildings. Materials should show depth, quality and durability. It should be apparent that the materials have substance and mass, and are not artificially applied only to the building's surface. Durable, high quality materials are particularly important at the base of buildings where storefronts face sidewalks or open space.

c. Recommended.

- i. The following materials or measures should be incorporated:
 - Durable, natural materials such as brick, stone, terra cotta, and wood, and other high quality materials, such as finished concrete and cement stucco. Local materials are preferred.
 - Varied, yet compatible cladding materials; and
 - Articulated window and storefront trim.
- ii. Concrete, masonry, or other durable material is required within 18 inches of grade when adjacent to a public sidewalk, path, or drive aisle to provide a durable surface where damage is most likely.

2. Promote Architectural Compatibility.

a. Intent.

New buildings should contribute to the quality and character of the character and context of the area.

b. Guideline.

Buildings should relate to nearby buildings, with similar design characteristics. However, some degree of variation in architectural elements and design is encouraged to avoid visual monotony. The building's form, materials and colors should enhance, not detract from, the area's overall character. Development that is visible from I-90 should incorporate the wooded corridor adjacent to Bellevue College by using striking forms and elements that highlight these natural features.

c. Recommended.

- i. Buildings should exhibit the following:
 - Architectural elements used at a scale and level of detailing proportionate to the size of the building.
 - Forms, proportions, rhythms, materials, colors and architectural motifs that are suggested by and complement adjacent buildings and the natural environment of the adjacent habitat.
 - Site features, such as fences, walls, and light fixtures should be consistent with the scale and architectural design of the primary structure.
 - Refuse and recycling receptacles should be enclosed within the building. If enclosing in the building is not feasible, then the receptacles should be wrapped or complementary to street furnishings.

3. Provide Interesting Building Massing.

a. Intent.

Use architectural features to break down the mass and scale of buildings to create a comfortable sense of enclosure with an uninterrupted street edge.

b. Guideline.

The length and breadth of a building should be friendly in scale and inviting to the pedestrian. Portions of a large building mass should be broken into smaller, appropriately scaled modules, with changes in plane indicated by projections and indentations. This allows an overly large building to appear as multiple smaller, side-by-side buildings. Vertical and horizontal elements should be used to create a human scale and form a coherent pattern providing visual interest to the public.

c. Recommended.

- i. Long expanses of building frontage should be broken down both horizontally and vertically. Buildings with non-residential uses on the ground floor should have articulation features at approximately 50 feet or less along the street front to create a pattern of small storefronts.
- ii. Buildings should feature a vertically articulated tripartite facade division – base, middle and top for buildings over five stories.
- iii. Vertical articulation of windows, columns and bays is encouraged.
- iv. Building massing should maximize solar access to publicly accessible open spaces, especially for lunchtime sunlight. Building massing should also utilize solar orientation to maximize winter passive heating gains and minimize summer cooling needs.

4. Create Attractive Building Silhouettes and Rooflines.

a. Intent.

Building rooflines should enliven the pedestrian experience, provide visual interest with details that create forms and shadows, and create a distinct identity for the EG-TOD area.

b. Guideline.

A building's silhouette should be compatible with the intended character of the area and enhance the streetscape.

c. Recommended.

- i. Buildings visible from I-90 should have a distinctive silhouette to create a unique identity within Eastgate and announce the entry into Bellevue.
- ii. Buildings should incorporate a combination of the following elements:
 - Vertical architectural expression of important building functions as entries;
 - Varied roof line heights;
 - Green roofs or rooftop terraces; and
 - Well-detailed cornices that have significant proportions (height and depth) and create visual interest and shadow lines.

5. Foster Attractive Rooftops.

a. Intent.

Integrate rooftop elements into the building design, treat stormwater runoff and connect to the natural environment on the roof, and create an activated roof form.

b. Guideline.

Roof shape, surface materials, colors, and penthouse functions should all be integrated into the overall building design. The roof should take inspiration from the Mountains to Sound Greenway and tree corridor between Bellevue College and the TOD by addressing environmental needs and making use of views of natural environmental elements. Telecommunications equipment, including satellite dishes, cell-phone towers or antennas, should not be visible from public spaces or adjacent residential districts.

c. Recommended.

- i. A green roof or rooftop terraces and gardens should be provided and should:
 - Reduce and treat stormwater runoff; and
 - Provide habitat for local species.
- ii. Rooftop mechanical equipment should be fully screened, accommodated within the maximum height limit and integrated into the building's architectural style.

6. Promote Welcoming Residential Entries.

a. Intent.

Residential entries should provide a graceful transition between the public and private realms.

b. Guideline.

Residential entries should be substantial enough to suggest privacy yet welcoming to those who approach and enter.

c. Recommended.

- i. Lobby entries to multifamily buildings and individual units at the street-level should provide:
 - Pedestrian weather protection entries.
 - Transparent doors, windows, or glazing near the door.
 - Double or multiple doors.
 - Visibility and security. Entrances should be visible from the street or pedestrian path and located in areas with high pedestrian activity or where residents can view the entry.
- ii. Entries are encouraged to feature the following:
 - Doors combined with transom windows or side lights.
 - Durable, high-quality metal door hardware.
 - Doors accessed from weather protected entries.

7. Promote Visually Interesting Upper Floor Residential Windows.

a. Intent.

Upper floor residential windows should create an open and inviting atmosphere that adds visual interest and enhances the experience of the building both inside and out.

b. Guideline.

The windows of a residential building should be pleasing and coherent. Their size and detailing should be of a human scale with regular spacing and a rhythm of similarly shaped windows.

c. Required or Recommended.

i. Windows should be:

- Operable.
- Recessed from building facade, not flush.
- Broken into multi-planes.

8. Design Inviting Retail, Office, and Commercial Entries.

a. Intent.

Design retail, office, and commercial entries to create an open atmosphere that draws customers inside.

b. Guideline.

Primary entries to retail and commercial establishments should be frequent along the street front and transparent, allowing passersby to see the activity within the building and bring life and vitality to the street. Architectural detail should be used to help emphasize the building entry.

c. Recommended.

- The sides of a building which face a public street shall include public entrances to the building.
- Entrances should be provided to each tenant space and should create activity for the pedestrian at frequent intervals along the building frontage.
- Entrances should feature some of the following elements:
 - Doors with a minimum of 50 percent window area.
 - Building lighting that emphasizes entrances.
 - Doors combined with special architectural detailing and door hardware.
 - Double or multiple door entries.
 - Large cafe or restaurant doors that open the street to the interior by pivoting, sliding or rolling up overhead

9. Activate and Emphasize Corners.

a. Intent.

Use corner entries to reinforce intersections as important places for pedestrian interaction and activity.

b. Guideline.

Locate entry doors on the corners of retail buildings wherever possible. Entries at 45-degree angles and free of visual obstructions are encouraged.

c. Recommended.

- i. Primary building entrance located at corner is recommended.
- ii. The following architectural elements should emphasize the corner entry:
 - Weather protection, special paving and building wall lighting.
 - Architectural detailing such as materials, colors, and finishes as long as such details do not provide visual and physical obstructions.

10. Provide Inviting Ground Floor Retail and Commercial Windows.

a. Intent.

Use transparency to enhance visual interest and to draw people into retail and commercial uses.

b. Guideline.

Retail and commercial uses should use unobstructed windows that add activity and variety at the street level, inviting pedestrians into retail and commercial uses and providing views both in and out.

c. Recommended.

- i. Clear window glazing that provides visual access to the activity within the building should be provided on the ground floor building façades facing required local streets and public open space. On other internal streets, commercial ground floors should feature some amount of transparent windows on the ground floor façades.

The following window types are encouraged:

- Operable windows that open by pivoting, sliding or shuttering for restaurants and cafes.
- Painted wood, metal, and tile- or stone-clad panels below windows.
- Transom windows.

11. Build Compatible Parking Structures and Surface Parking.

a. Intent.

Use design elements to enhance the compatibility of parking structures with the TOD streetscape.

b. Guideline.

Any sidewalk facing parking garage frontage should be designed to appear like any other occupied building in the area. The ground floor façade shall retain a high degree of transparency into occupied space. The horizontal garage form can be broken down by adding more wall surface and habitable space, while retaining adequate garage ventilation.

c. Recommended.

- Surface parking should be located behind the building and accessible via an alley or shared driveway (if applicable) to minimize curb cuts.
- Parking structure facades visible from I-90, high-use pedestrian areas, or adjacent residential zones but not fronting on a local street or public open space should feature green walls or other screening devices for the wall mass as approved by the Director.
- Parking structures should feature the following elements:
 - Small openings that may be glazed to function as windows.
 - Stairways, elevators and parking entries and exits that occur at mid-block.
 - Single auto exit/entry control point to minimize number and width of driveway openings (entry and exit points may be separated).
 - Vertical expression of building structure.
- Parking areas should be designed to minimize conflicts between pedestrian and vehicular movements. Parking area landscaping should be used to define and separate parking, vehicular access, and pedestrian areas within parking lots.

v. Parking areas shall include plantings using trees of 3 inches caliper or 14 to 16 feet high and shrubs no taller than 42 inches high at approximately 35 feet on-center parallel to the aisle, or shall be screened using similar materials. Other parking lot landscaping shall meet LUC 20.20.520 requirements for Type V landscaping.

vii. Any parking areas located along a street or pathway should be screened with shrubs that are 42" high or as approved by the Director.

E. Lighting Guidelines.

Purpose.

The lighting of buildings and open spaces should provide security, promote environmental sustainability and contribute to the character and overall sense and vitality of the area.

1. Orient Lighting toward Sidewalks and Public Spaces.

a. Intent.

Pedestrian-scaled lighting should be used to highlight sidewalks, street trees and other features, and harmonize with other visual elements in the district.

b. Guideline.

Pedestrian-scaled lighting should be provided along pedestrian walkways and public open spaces. A single fixture type should be used throughout an area with slight variations allowed to identify smaller districts. Fixtures should be visually quiet as to not overpower or dominate the streetscape. Lighting may also be used to highlight trees and similar features within public and private plazas, courtyards, walkways and other similar outdoor areas to create an inviting and safe ambiance.

c. Recommended.

- i. Lighting within commercial plazas or office areas should direct lighting to the interior of the site.
- ii. The following lighting elements and strategies are recommended:
 - Light poles and fixtures should accommodate both pedestrians and vehicles wherever possible.
 - Lighting designs shall promote even, consistent lighting of streets and pedestrian areas.
 - Lighting of landscape areas and open spaces shall meet public safety needs, but be minimized to control light pollution.

- iii. The following lighting strategies are encouraged:
 - Incorporation of artistic elements on light poles.
 - Integration or concealment of light fixtures into the design of buildings or landscape walls and stairways.
 - Application of lights that are no brighter than necessary and only placed where necessary.
 - Incorporation of adjustable lighting to respond to site conditions.
 - Incorporation of footlights that illuminate walkways and stairs.
 - Incorporation of energy-efficient lighting.
 - Incorporation of bollard lighting that is directed downward toward walking surfaces.

2. Integrate Building Lighting.

a. Intent.

Architectural lighting should enhance and help articulate building design, including illumination of cornices and entries.

b. Guideline.

Exterior lighting of buildings should be an integral component of the facade composition. Lighting should be used to create effects of shadow, relief and outline that add visual interest and highlight aspects of the building. Lighting should not cast glare into residential units or onto adjacent parcels or streets in any way that decreases the safety of pedestrians and vehicles. Lighting should also not cast glare onto natural areas or be used for advertising.

c. Recommended.

- i. The following lighting elements and strategies are encouraged:
 - Wall-washing lighting fixtures.
 - Decorative wall sconces and similar architectural lighting fixtures.
 - Screened upright fixtures on buildings or within the landscape.
 - Lighting that provides natural color.
 - Adjustable intensity for brightness.
 - Energy-efficiency.

F. Sign Guidelines.

Eastgate LUCA Draft for Public Hearing, Page 119

Purpose.

Signs may provide an address, identify a place of business, locate residential buildings or generally offer directions and information. Regardless of their function, signs should be architecturally compatible with and contribute to the character of the district. Signs should not compete with each other or dominate the setting due to inconsistent height, size, shape, number, color, lighting or movement. Signs can contribute significantly to a positive retail and pedestrian environment, improve public safety perceptions and reinforce a sense of place.

1. Consider Size and Placement of Wall Signs.

a. Intent.

Signs should be sized and placed so that they are compatible with a building's architectural design and contribute to the character of the building and the broader district.

b. Guideline.

Signs should not overwhelm the building or its special architectural features. Signs should not render the building a mere backdrop for advertising or building identification. Signs should be scaled and designed for their environment and intended reader.

c. Recommended.

- i. Signs should be scaled and oriented to pedestrian movement.
- ii. Signs should be architecturally integrated into the building design and meet requirements of Chapter 22.10 BCC. The following sign types exemplify ways to accomplish this standard:
 - Signs incorporated into the building architecture as embossing, low relief casting or application to wall surfaces.
 - Signs that are painted or made with applied metal lettering and graphics.
 - Signs made of durable materials.
 - Signs incorporating lighting as part of their design.
 - Signs located above storefronts, on columns or on walls flanking doorways.

2. Orient Hanging Signs to Pedestrians.

a. Intent.

Hangng signs can contribute significantly to a positive retail and pedestrian environment and reinforce a sense of place.

b. Guideline.

Signs should not overwhelm the streetscape. They should be compatible with and complement the building's architecture, including its awnings, canopies, lighting and street furniture.

c. Recommended.

- i. Hangng signs should incorporate the following features:
 - Sign lighting that is integrated into the facade of the building.
 - Signs constructed of high-quality materials and finishes.
 - Signs attached to the building in a durable fashion.

20.20.010 Uses in land use districts dimensional requirements.
Chart 20.20.010

...

Uses in land use districts Dimensional Requirements

STD LAND USE- CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/ Limited Business	Office Limited Business 2	Light Industry	General Commercial	Neighbor- hood Business	Neighbor- hood Mixed Use	Com- munity Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3	Down- town Office- Distrie t-1	Down- town Office- Distrie t-2	Down- town Mixed Use- Distrie t	Down- town Resid- ential- Distrie t	Down- town- Old Bellev- ue- Distrie t	Down- town- Office- and Limited- Business- District
		PO	O	OLB	OLB 2	LI	GC	NB	NMU	CB	F1	F2	F3	DNTN O-1	DNT N O-2	DNT N MU	DNT N R	DNT N OB	DNTN OLB
	DIMENSIONS	(8; 21)	(8; 21)	(8; 21)	(21)	(8; 21)	(8; 21)	(8; 21)	(21)	(8; 21)	(28)	(21, 31)	(21, 32)	(7)	(7)	(7)	(7)	(7)	(7)
	Minimum Setbacks of Structures (feet) Front Yard (18) (20)	30	30	50	0	15	15		0			50	20						
	Rear Yard (17) (18) (20)	25	25	50	0	(2)	(2)	(2)	0	(2)		30	5						
	Side Yard (17) (18) (20)	20	20	30	0	(2)	(2)	(2)	0	(2)		30	5						
	2 Side Yards (17) (18) (20)	40	40	60	0	(2)	(2)	(2)		(2)		60	10						
	Floor Area Ratio	(8)	(48) (8)	(8)	1	(8)	(8)	(8)	1(47)	(8)		.75							
	Minimum Lot Area Acres (A) or Thousands of Sq. Ft. (3)			2A								2A	2A						
	Dwelling Units per Acre (15) (22)	10 (23)	20 (23)	30 (23)				15 (23)		30 (23)		30 (23)	30 (23)						
	Minimum Dimensions (feet) Width of Street Frontage			200								200	200						
	Width Required in Lot (4)			200								200	200						
	Depth Required in Lot (4)																		
	Maximum in Building Height (feet) (10)	20	30	45 (6)	75	45 (9)	30	20 (25)	75	45 (46)		75	75/135 (33, 34)						
	Maximum Lot Coverage by Structures (percent) (13) (14) (16)	35 (24)	35 (24)	35 (24)	35	50		35 (24)	35			35 (24)	40 (24)						
	Maximum Impervious Surface (percent) (35) (37)	80	80	80	80	85	85	80	80	85		80	80						

Commented [BT(1)]: The impervious percentages for OLB 2 and NMU may be reduced to 60% as a part of the LID project.

Commented [BT(2)]: See comment above

NOTE: Dimensional Requirements for Downtown Districts are found in Part 20.25A LUC.

Dimensional Requirements for Evergreen Highlands Design District (EH-A, EH-B, EH-C, EH-D) are found in Part 20.25F LUC.

Dimensional Requirements for Office and Limited Business – Open Space (OLB-OS) are found in Part 20.25L LUC.

Dimensional Requirements for Medical Institution District (MI) are found in Part 20.25J LUC.

Dimensional Requirements for Bel-Red Land Use Districts are found in Part 20.25D LUC.

Dimensional Requirements for Eastgate Transit Oriented Development District is found in Part 20.25F LUC.

DRAFT

Notes: Uses in land use districts – Dimensional requirements

- (1) Side yard setback in R-30 Districts increases to 20 feet on any side yard where structure exceeds 30 feet above finished grade.
 - (2) All rear and side yards shall contain landscaping as required by LUC 20.20.520.
 - (3) See LUC 20.20.012.
 - (4) See LUC 20.20.015.
 - (5) Except in Transition Areas, the maximum allowable building height in R-20 Districts may be increased to 40 feet if ground floor or underground parking for that building is provided and occupies a minimum of 75 percent of the building footprint.
 - (6) The maximum allowable building height is 75 feet on any property designated OLB which lies within 475 feet of the right-of-way of I-405, between I-90 and SR-520.
 - (7) ~~Dimensional requirements for Downtown Land Use Districts are listed in LUC 20.25A.020. Intentionally deleted.~~
 - (8) Any office building or any office portion of a building in the PO, O, OLB, LI, GC, NB, CB or F1 Districts shall comply with the following limitations on Floor Area Ratio:
 - (a) At 0.5 FAR, no office building or office portion of a building may exceed 50,000 square feet of gross floor area; and
 - (b) For any office building or office portion of a building greater than 50,000 square feet in gross floor area, the following sliding scale shall be observed as interpolated and extrapolated below:
 - (i) At 0.3 FAR, no office building or office portion of a building may exceed 100,000 square feet of gross floor area; and
 - (ii) At 0.1 FAR, no office building or office portion of a building may exceed 150,000 square feet of gross floor area.
 - (c) In an O District, north of Factoria Mall and directly adjacent to an F2 District, any office building or any office portion of a building may have a Floor Area Ratio greater than 0.50, not to exceed a Floor Area Ratio of 0.75 FAR. In this district, the sliding FAR scale does not apply.
- This footnote 8 shall not apply to sites in the Critical Areas Overlay District. Density/intensity on sites in the Critical Areas Overlay District is calculated pursuant to LUC 20.25H.045.
- (9) The maximum building height may be exceeded upon approval of the Director of the Development Services Department. Requests for such approval shall be processed in accordance with the administrative conditional use procedure of Part 20.30E LUC. Before granting any such approval, the Director of the Development Services Department must find that:
 - (a) The height increase is only to accommodate equipment, structures or buildings that contain special equipment primarily related to light manufacturing, wholesale, trade and distribution use, and is not for office or bulk retail use; and
 - (b) There is functional need for a height increase; and
 - (c) The overall site development will minimize adverse impacts caused by the height increase. Notwithstanding the provisions of this note, no height increase is permitted within a Transition Area as defined in Part 20.25B LUC.
 - (10) Except in Transition Areas, the allowable building height of any building located in PO, O, OLB, GC, NB, or CB Districts may be increased by one story, but not to exceed 15 feet, if basement parking for that building occupies a minimum of 75 percent of the building footprint.
 - (11) The LUC contains enhanced setback requirements for churches, clubs, and institutions (refer to LUC 20.20.190) and schools (refer to LUC 20.20.740) located in residential land use districts.
 - (12) For each square foot of lot area devoted to open space in excess of 30 percent of the total lot area, one square foot is added to the lot area for the purpose of calculating density.
 - (13) Lot coverage is calculated after subtracting all critical areas and stream critical area buffers; provided, that coal mine hazards (20.25H.130) and habitat associated with species of local importance (20.25H.150) shall not be subtracted.
 - (14) Maximum lot coverage by structures is determined after public right-of-way and private roads are subtracted from the gross land area.
 - (15) Except for sites in the Critical Areas Overlay District, if there is a conflict between the minimum lot area and the permitted number of dwelling units per acre, the minimum lot area controls. Density/intensity on sites in the Critical Areas Overlay District is calculated pursuant to LUC 20.25H.045
 - (16) Exceptions to Lot Coverage. Although not considered structures for purposes of calculating lot coverage, the following may be considered impervious surfaces subject to the impervious surface limits. See LUC 20.20.460 and 20.50.026.
 - (a) Underground buildings as defined in LUC 20.50.050 are not structures for the purpose of calculating lot coverage.

- (b) Buildings constructed partially below grade and not higher than 30 inches above existing or finished grade, whichever is lower, are not structures for the purpose of calculating lot coverage subject to the following conditions:
- (i) The 30-inch height limit must be met at all points along the building excluding those areas necessary to provide reasonable ingress and egress to the underground portions of the building; and
 - (ii) The rooftop of the building shall be screened from abutting properties with 10 feet of Type II landscaping as described in LUC 20.20.520.G.2 except that the required trees shall be a minimum of 10 feet in height at planting; or, if a use is proposed for the rooftop, the rooftop may be landscaped consistent with the planting requirements for the specific use that is proposed and for the land use district in which the use is located. All landscaping shall comply with standards set forth in LUC 20.20.520. The provisions of LUC 20.20.520.J (Alternative Landscaping Option) are applicable.
- (17) If the setback abuts a street right-of-way, access easement or private road, the minimum dimension is 10 feet unless a greater dimension is specified.
- (18) See LUC 20.20.030 for designation and measurement of setbacks.
- (20) See LUC 20.25H.035 for additional critical area setbacks.
- (21) See LUC 20.25H.045 for calculation of density/intensity on sites in the Critical Areas Overlay District.
- (22) Density for senior citizen dwelling, congregate care senior housing, and assisted living is calculated as follows: units less than 600 square feet count as one-half unit and units 600 square feet or greater count as one unit.
- (23) This residential density may be in addition to FAR only for senior citizen dwellings, assisted living and congregate care senior housing.
- (24) Lot coverage may be increased to 50 percent if congregate care senior housing, senior citizen dwellings, assisted living or nursing homes are constructed on site; provided, however, that coverage for the nonresidential portions of the development cannot exceed the maximum limits indicated. Lot coverage within NB Districts may be increased to 50 percent for mixed use development which includes residential uses comprising at least one-half the square footage of the building footprint. Underground parking in excess of 50 percent of the site area shall not be included in lot coverage calculations.
- (25) The maximum building height for structures is increased to 30 feet only if residential uses or administrative office uses are provided on the second floor, and provided the structure does not exceed two stories. For purposes of this note, a story is defined pursuant to the International Building Code, Section 202, as adopted and amended by the City of Bellevue.
- (26) See LUC 20.20.125 for specific requirements applicable to detached accessory structures.
- (27) Lot coverage for schools located in residential land use districts is limited to 35 percent of the site area (refer to LUC 20.20.740).
- (28) Dimensional requirements for the F1 Land Use District are listed in LUC 20.25F1.040.
- (29) (Repealed by Ord. 5726).
- (30) (Repealed by Ord. 5726).
- (31) Any office building or any office portion of a building in the F2 District may not exceed a Floor Area Ratio of 0.75 FAR.
- (32) The maximum FAR for the combined properties in the F3 Land Use District, regardless of use, shall be 1.26 FAR; provided, that individual parcels or portions of property lying within the F3 Land Use District may have FAR for those individual parcels or portions which exceed an FAR of 1.26; provided, that the FAR calculated for the entire aggregated property within the F3 Land Use District shall not exceed 1.26. The maximum FAR permitted herein is based on a maximum total development, including existing and new development of 950,000 square feet, calculated in the same manner as provided for in the calculation of FAR. In the event of an inconsistency between the FAR maximum of 1.26 and the maximum total development amount of 950,000 square feet, the latter shall control.
- (33) In no event shall building height exceed 324 feet above sea level, based on North American Vertical Datum, 1988 (NAVD – 88).
- (34) Maximum building height south of the F3 Land Use District Separation Line shall be 135 feet, with structural elements not intended for habitation above 135 feet, so long as structural elements do not exceed 275 feet above sea level based on NAVD – 88.
- (35) See LUC 20.20.460 for exceptions and performance standards relating to impervious surface.
- (36) Impervious surface limits for legally established nonconforming nonresidential uses and for new allowed nonresidential uses in these residential land use districts shall be 80 percent.
- (37) Maximum impervious surface and maximum lot coverage by structures are independent limitations on allowed development. All areas of lot coverage by structures are included in the calculation of total maximum impervious surface, unless such structures are excepted under LUC 20.20.460.
- (38) Certain non-critical area setbacks on sites in the Critical Areas Overlay District may be modified pursuant to LUC 20.25H.040.
- (39) These dimensional standards may be modified through an approved conservation subdivision, LUC 20.45A.060 or conservation short subdivision, LUC 20.45B.055.

(40) The greenscape requirements of this section shall be imposed any time a permit, approval, or review, including land alteration or land development for Single-Family Land Use Districts, is required by the Bellevue City Code or Land Use Code. Existing single-family front yard setbacks legally established on a site prior to January 1, 2008, which do not meet the minimum greenscape requirements set forth in Chart 20.20.010 shall not be considered nonconforming. The City shall not, however, approve proposals to decrease the greenscape percentage set forth in Chart 20.20.010 where a site already falls below the minimum greenscape requirements. Where an existing site falls below the minimum requirements set forth in Chart 20.20.010, the removal of greenscape shall not be approved unless an equal amount of existing impervious surface, pervious surface, or hardscape is removed, such that the net amount of greenscape is unchanged. The Director may modify the requirements of Chart 20.20.010 for nonconforming lots, corner lots, or lots with unique sizes and shapes. See LUC 20.50.022 for the definition of greenscape.

(41) See LUC 20.20.900.F for significant tree retention requirements relating to Single-Family Districts excluding, however, the R-1 Land Use District in the Bridle Trails Subarea which is otherwise governed by LUC 20.20.900.E.

(42) Dimensional requirements for the Bel-Red Land Use Districts are found at LUC 20.25D.080.

(43) Floor Area Ratio (FAR) Threshold: Development which exceeds a gross Floor Area Ratio (FAR) threshold of 0.5 shall comply with the following requirements:

(a) Applicability: FAR threshold requirements are applicable to new single-family homes and additions to existing homes that result in a 20 percent or greater increase in gross square feet.

(b) Maintain a minimum structure setback of 7.5 feet for each side yard; and, incorporate either daylight plane standards or a second story stepback of not less than 5 feet on each side of the building facing a side yard property line.

(c) Exemptions: New single-family homes constructed as part of a subdivision pursuant to Part 20.45A LUC or planned unit development pursuant to Part 20.30D LUC are not subject to FAR threshold requirements. The Director may modify the FAR threshold requirements on either side of the structure where it can be demonstrated that the adjacent structure has been constructed at an FAR that exceeds the 0.5 threshold and the adjacent structure is built to dimensions which exceed the requirements noted in subsection (b) of this note.

(44) Maximum building height for single-family uses in single-family residential land use districts is 30 feet measured from the average elevation of the existing grade around the building to the highest point of a flat roof, or 35 feet to the ridge of a pitched roof. Refer to LUC 20.50.012 for definition of Building Height – Single-Family Uses in Single-Family Land Use Districts.

(45) For new single-family residential homes and additions in single-family land use districts, the maximum height of any individual building facade is 40 feet measured from the existing grade at the building wall to the ridge of a pitched roof or top of a flat roof. New single-family homes constructed as part of a subdivision pursuant to Part 20.45A LUC or planned unit development pursuant to Part 20.30D LUC are exempt from this requirement.

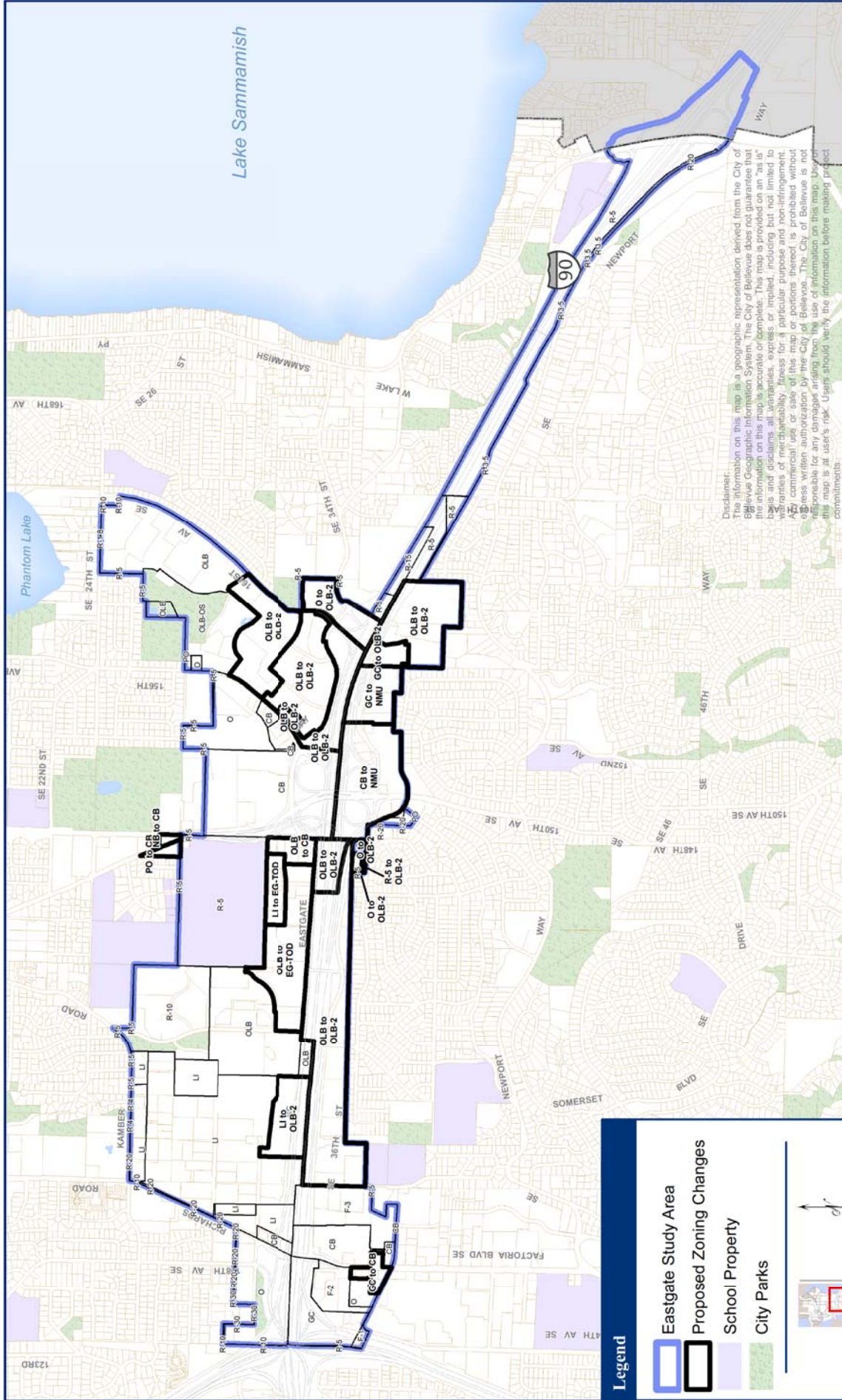
(46) Maximum building height in CB districts of the Wilburton Subarea that are located between 116th Ave NE and the BNSF Corridor is 75 feet.

(47) Up to 1 FAR of floor area dedicated to on-site affordable housing shall not be counted for the purposes of calculating the FAR of a project, provided that:

(a) The bedroom mix and exterior finishes shall be comparable to the market rate units, but interior design, unit size, amenities and interior finishes may vary;

(b) An agreement in a form approved by the City will be executed by the applicant and recorded with the King County Record's Office, or its successor organization, requiring the affordable housing to remain for the life of the project. This agreement shall be a covenant running with the land, binding on assigns, heirs, and successors of the applicant.

(48) Office-designated properties in the Eastgate Subarea annexed into the City with the Eastgate annexation (May 2012) shall not be considered nonconforming with respect to FAR if the development thereon was legally established prior to the date of annexation.

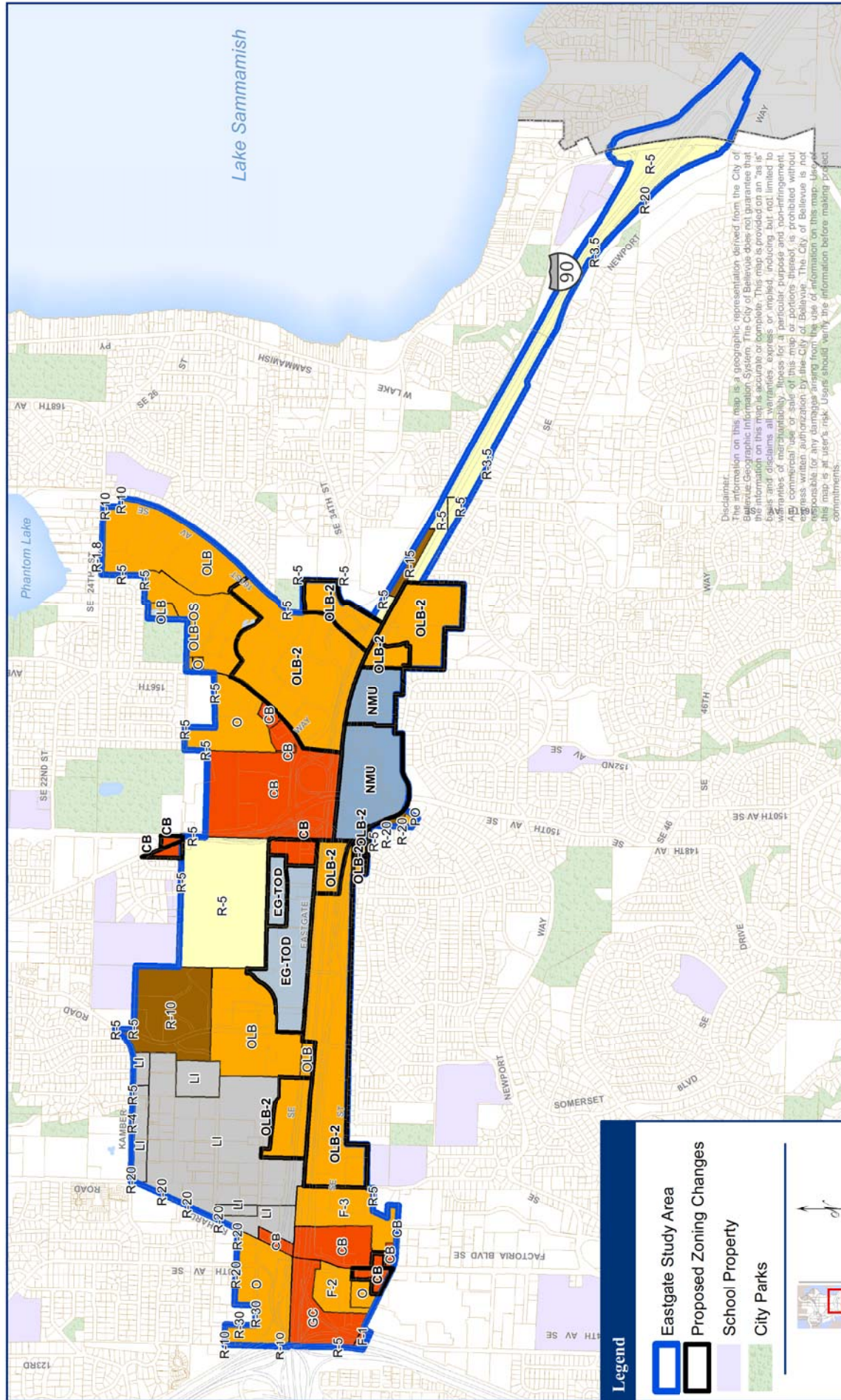


Proposed Rezones - Eastgate Changes

February 2016

Disclaimer:
 The information on this map is a geographic representation derived from the City of Bellevue Geographic Information System. The City of Bellevue does not guarantee that the information on this map is accurate or complete. This map is provided on an "as is" basis and disclaims all warranties, express or implied, including but not limited to warranties of merchantability, fitness for a particular purpose and non-infringement. Any commercial use or sale of this map or portions thereof is prohibited without express written authorization by the City of Bellevue. The City of Bellevue is not responsible for any damages arising from the use of information on this map. User of this map is at user's risk. Users should verify the information before making project commitments.





The information on this map is a geographic representation derived from the City of Bellevue Geographic Information System. The City of Bellevue does not guarantee that the information on this map is accurate or complete. This map is provided on an "as is" basis and disclaims all warranties, express or implied, including but not limited to warranties of merchantability, fitness for a particular purpose and non-infringement. Any commercial use or sale of this map or portions thereof is prohibited without express written authorization by the City of Bellevue. The City of Bellevue is not responsible for any damages arising from the use of information on this map. Users of this map are at user's risk. Users should verify the information before making project commitments.

Proposed Eastgate Zoning

February 2016



Legend

- Eastgate Study Area
- Proposed Zoning Changes
- School Property
- City Parks

Scale: 0 425 850 1,700 2,550 Feet

Scale: 0 0.15 0.3 0.45 0.6 Miles

Sources: City of Bellevue



DEVELOPMENT SERVICES DEPARTMENT
 ENVIRONMENTAL COORDINATOR
 450 110th Ave NE
 BELLEVUE, WA 98009-9012

DETERMINATION OF NON-SIGNIFICANCE

PROPONENT: City of Bellevue, Development Services Department

LOCATION OF PROPOSAL: Eastgate Subarea

DESCRIPTION OF PROPOSAL: Land Use Code Amendment (LUCA) proposes to create three new land use districts called Eastgate Transit Oriented Development (EG-TOD), Office Limited Business 2 (OLB-2) and Neighborhood Mixed Use (NMU). The LUCA proposes to include use tables, dimensional standards, development standards, and design guidelines for each new zone. The LUCA proposes to rezone other parcels to preexisting districts. The LUCA proposes to amend the Transition Area Design District to include the OLB 2 and NMU Districts. This will serve to reduce development impacts to adjacent residential districts. The LUCA will include conformance amendments to ensure consistency with the rest of the Land Use Code.

FILE NUMBERS: 12-132861-AD **PLANNER:** Matthews Jackson

The Environmental Coordinator of the City of Bellevue has determined that this proposal does not have a probable significant adverse impact upon the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(C). This decision was made after the Bellevue Environmental Coordinator reviewed the completed environmental checklist and information filed with the Land Use Division of the Development Services Department. This information is available to the public on request.

- There is no comment period for this DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision. A written appeal must be filed in the City Clerk's office by 5:00 p.m. on _____.
- This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS. Only persons who submitted written comments before the DNS was issued may appeal the decision. This DNS is only appealable as part of the City's action on the amendment to the Land Use Code. In order to comply with requirements of SEPA and the State of Washington Growth Management Act for coordination of hearings, any appeal of the SEPA threshold determination herein will be considered by the Growth Management Hearings Board along with an appeal of the City Council's action. For information on how to appeal a proposal, visit the Permit Center at City Hall or call (425) 452-4188.
- This DNS is issued under WAC 197-11-340(2) and is subject to a 14-day comment period from the date below. Comments must be submitted by 5 p.m. on _____. This DNS is also subject to appeal. A written appeal must be filed in the City Clerk's Office by 5:00 p.m. on _____.

This DNS may be withdrawn at any time if the proposal is modified so as to have significant adverse environmental impacts; if there is significant new information indicating a proposals probable significant adverse environmental impacts (unless a non-exempt license has been issued if the proposal is a private project); or if the DNS was procured by misrepresentation or lack of material disclosure.

Carl Heller
 Environmental Coordinator

6/9/2016
 Date

OTHERS TO RECEIVE THIS DOCUMENT:

- State Department of Fish and Wildlife / Stewart.Reinbold@dfw.gov; Christa.Heller@dfw.wa.gov;
- State Department of Ecology, Shoreline Planner N.W. Region / Jobu461@ecy.wa.gov; sepaunit@ecy.wa.gov
- Army Corps of Engineers Susan.M.Powell@nws02.usace.army.mil
- Attorney General ecyolvef@atg.wa.gov
- Muckleshoot Indian Tribe Karen.Walter@muckleshoot.nsn.us; Fisheries.fileroom@muckleshoot.nsn.us

ENVIRONMENTAL CHECKLIST

A. BACKGROUND

1. Name of the proposed project:

Eastgate/I-90 Land Use and Transportation Project

2. Name of Applicant:

City of Bellevue

3. Address and telephone number of applicant and contact person:

Terry Cullen
Planning & Community Development
City of Bellevue
P.O. Box 90012
Bellevue, WA 98009-9012
(425) 452-4070

4. Date of Review:

Original Date of Review: December 2012

Modified Date of Review: May 2016

5. Agency requesting checklist:

City of Bellevue

6. Proposed timing or schedule (including phasing, if applicable):

The Eastgate/I-90 Citizen Advisory Committee (CAC) submitted its Final Report and recommended Preferred Alternative to the Bellevue City Council in April of 2012. Council accepted the report and recommendation on April 23, 2012 and voted to initiate the Comprehensive Plan Amendment (CPA) process for plan implementation. Full implementation will occur through amendments to the City's Comprehensive Plan, Land Use Code, Zoning Map, Transportation Facilities Plan, and other regulatory and policy documents. Those amendments were anticipated to begin late 2012 with completion in 2014. The project implementation was delayed. During the time period when the original checklist was completed in 2012 and the present (2016), amendments to the City's Comprehensive Plan and Transportation Facilities Plan were completed. Amendments to the City's Land Use Code and Zoning Map are in process now and are expected to be adopted by year end 2016. The planning Horizon for the plan is Year 2030.

7. Plans for future additions, expansion, or further activity related to or connected with this proposal:

Following amendments to City policy and regulatory documents, future development in the I-90 corridor would occur in a manner consistent with those amendments.

8. Environmental information that has been prepared, or will be prepared, directly related to this project:

Preceding preparation of this checklist, the City conducted an initial environmental review of four proposed Eastgate/I-90 Land Use and Transportation Project alternatives. That Environmental Review Report (ERR) was part of the *Evaluation of Draft Alternatives Report (August, 2011)*, which considered multiple aspects of the alternatives. The ERR drew in part from other environmental documents prepared for this project, including the following: *Eastgate Preliminary Screening Analysis (Perteet, December 2009)*; *Existing Conditions Inventory (City of Bellevue, Summer 2010)*; and the Technical Memos appended to the *Evaluation of Draft Alternatives Report (City of Bellevue, September 2011)*.

In developing the Preferred Alternative, two additional reports were prepared: 1) the *Draft Eastgate / I-90 Land Use and Transportation Project: Land Use Characteristics by District Report (Makers, 2011)* and 2) *The Eastgate / I-90 Land Use and Transportation Project: Transportation Strategies Report (Bellevue, 2012)*.

9. Applications that are pending for governmental approvals or other proposals directly affecting the property covered by the proposal:

The City of Bellevue is drafting land use code amendments to create 3 new zoning districts – Neighborhood Mixed Use, Office Limited Business-2 and Eastgate TOD and conducting an areawide rezoning to put these new districts into place. A map is attached showing the proposed location of each area being considered for rezoning.

A privately initiated comprehensive plan amendment has been submitted for the 2016 cycle. This privately-initiated application would amend the map designation on this 14-acre site from Office (O) to Office Limited Business (OLB). This site is currently developed with 280,000 square feet of office in four buildings with surface parking and is located in the general vicinity of SE 30th Place. A location map is attached.

The City of Bellevue is in the process of amending its development codes and standards to implement Low Intensity Development principles. This citywide code amendment will directly affect property in the Eastgate study area.

The City of Bellevue is updating the background information for its Critical Areas Ordinance. This may or may not result in amendments to the City codes. Any potential code amendments will be citywide and may directly affect property in the Eastgate study area.

10. List of governmental approvals or permits that will be needed for the proposal:

Approvals or permits that were needed for this proposal and have been completed in the time period between the original checklist (2012) and the modified, updated checklist (2016):

EASTGATE/I-90 LAND USE AND TRANSPORTATION PROJECT

- Amendments to the City's Comprehensive Plan;
- Amendments to the Transportation Facilities Plan

Approvals or permits that are pending for this proposal and have yet to be completed:

- Amendments to the City's Land Use Code including the text and city zoning map. (Expected completion is 2016.)

11. Brief, complete description of the proposal, including the proposed uses and the size of the project and site:

Project Overview

The purpose of the City of Bellevue's Land Use & Transportation Project is to develop a long-range (to Year 2030) plan for the evolution of the Eastgate/I-90 corridor. From November, 2010 through April, 2012 the project team worked with a Council-appointed Citizen Advisory Committee to develop and evaluate several alternative growth scenarios for the Eastgate/I-90 corridor to help ensure that the area continues to attract and retain employers, provides a mix of services to surrounding neighborhoods, and serves as a vibrant and significant contributor to Bellevue's economic health in the coming decades.

Based on the studies supporting the Evaluation of Draft Alternatives Report (Bellevue, 2011), a preferred alternative, encompassing elements of the studied alternatives, was developed for recommendation to the Bellevue City Council. Following Council acceptance on April 23, 2012, revisions to the Bellevue Comprehensive Plan, Land Use Code, Zoning Map, Transportation Facilities Plan, and other policy or regulatory documents are required to implement the plan. Amendments to the Comprehensive Plan and Transportation Facilities Plan have been completed. Amendments to the Land Use and Zoning Map are currently in process. Those amendments will be reviewed through the City's Commission processes.

The primary geographic focus of this project is the commercial area fronting the north and south sides of I-90, one of the city's major employment centers. The study area contains 633 acres, and supports approximately 24,300 jobs, or 17% of the city's total employment (March 2009).

SEPA/GMA Integration

For the purpose of compliance with the State Environmental Policy Act (SEPA), this project is utilizing the "Integrated SEPA/GMA" process authorized by WAC 197-11-210. This integrated process ensures early consideration of environmental issues, helping inform the development of alternative courses of action and crafting a final preferred plan or alternative. It also includes early and expanded "scoping" of environmental concerns to identify environmental issues that might influence decisions on future plans or courses of action. Since the project's inception, public input has been sought on environmental issues, through such measures as public open houses, online questionnaires, stakeholder interviews, presentations to interest groups, and public

comment opportunities at CAC meetings. Environmental considerations have informed the understanding of the study area and the development of alternatives including the Preferred Alternative.

Because this type of environmental review occurs at the “programmatic” or “non-project” level, it is by definition less specific or quantifiable than what would occur at a “project” level. More in-depth environmental review will be required at future stages. These stages include reviewing any proposal to construct a project in accordance with the amended policy or regulatory documents.

For the purpose of the Eastgate/I-90 Land Use & Transportation Project, an assessment of potential environmental consequences arising from a no action alternative and three action alternatives was undertaken. That assessment was one of several inputs used by the CAC and the project team in developing the Preferred Alternative. This current checklist builds on the information contained in the prior assessment, and addresses potential environmental impacts of the Preferred Alternative.

Developing the Preferred Alternative

As part of the project, the City of Bellevue developed one “no action” and three draft “action” land use and transportation alternatives. The draft alternatives were informed by the known environmental characteristics and the public’s stated environmental concerns regarding the study area and surrounding neighborhoods. The draft alternatives reflect anticipated outcomes of three scenarios with varying emphases: Alternative 1 reflected a “Jobs/Housing Mix” theme, Alternative 2 a Regional Employment Center theme, and Alternative 3 a Functional Improvements theme. The no action alternative projected the growth that could be expected to occur absent any changes to the Comprehensive Plan, Land Use Code, Transportation Facilities Code, or other policy and regulatory documents.

Based on the analysis of the alternatives in the Evaluation of Draft Alternatives Report (Bellevue, 2011), a preferred alternative, representing a “hybrid” of the three action alternatives, was developed. It incorporates elements of the three action alternatives. The characteristics of the Preferred Alternative (land use pattern; housing units, office, retail, industrial and institutional space; transportation improvements and open spaces) fall within the range of parameters analyzed in the Evaluation of Draft Alternatives Report.

In general office, retail, hotel, and institutional development proposed under the Preferred Alternative are in the range of draft alternatives 1 and 2. The amount of housing is similar to, but higher than, draft alternative 3 (800 vs. 400 units). No new industrial development is proposed or expected. The table below compares the types and amounts of new development that would be expected within the study area under the No Action and three draft Action alternatives, and the Preferred Alternative.

EASTGATE/I-90 LAND USE AND TRANSPORTATION PROJECT

Projected Growth by Land Use Type (Year 2030)

Land Use Type:	No Action	Alternative 1	Alternative 2	Alternative 3	Preferred Alternative
Office (Sq Ft)	200,000	1,000,000	2,000,000	500,000	1,800,000
Retail (Sq Ft)	0	100,000	50,000	200,000	100,000
Industrial (Sq Ft)	86,000	-167,000	0	0	0
Institutional (Sq Ft)	280,000	350,000	420,000	280,000	350,000
Residential (Housing Units)	0	2,000	0	400	800
Hotel (Rooms)	0	200	300	100	300

The Preferred Alternative

The preferred alternative can be organized into nine districts, each with a unique character and distinguishing features. The entire Eastgate area would be anchored by a transit-oriented core featuring a mix of transit, commercial, and residential uses located north of I-90, between the 142nd PI Bridge and 148th interchange. For each district, key development assumptions are presented in Table 2 and brief summaries of the proposed changes in land use, transportation and character are provided.

Key Features of the Eastgate Districts

	Proposed Uses	FAR*	Height*
Transit-oriented Development Center	Office, commercial, and residential w/ ground floor retail	Rezone to the proposed Eastgate TOD zoning district. 2.0 FAR with requirements for design standards.	Up to 160 feet
Richard's Valley	Light-industrial and flex-tech	No change	No change
King County Site and vicinity	Medium density office	Rezone to proposed Office Limited Business-2 zoning district. 1.0 FAR with requirements for design standards.	Up to 75 feet

EASTGATE/I-90 LAND USE AND TRANSPORTATION PROJECT

Sunset Village	Short term: Support existing auto dealerships. Encourage existing retail to remain.	No change	No change
I-90 Office Park and vicinity	Infilling parking lots with additional office space and ancillary retail	North part remains 0.5 FAR – no change. South part rezone to proposed Office Limited Business-2 zoning district. 1.0 FAR with design guidelines.	Up to 75 feet
Eastgate Plaza and vicinity	Long term uses: office, retail, restaurants, lodging and multi-family residential; community-serving uses	Rezone to the proposed Neighborhood Mixed Use zoning district. 1.0 FAR with design guidelines.	Mixed use residential/retail up to 75 feet height and requirements to protect neighboring SFR from impacts.
North Factoria and Vicinity	West and south of Newport Corporate Center: A range of office and residential uses with pedestrian oriented uses on ground floor. Newport Corporate Center and eastward: Office uses allowing other commercial uses and residential.	Newport Corporate Center and westward and southward: maintain existing FAR. East of Newport Corporate Center: rezone to the proposed Office Limited Business-2 zoning district 1.0 FAR with design guidelines.	Newport Corporate Center and westward-consistent with existing. East of Newport Corporate Center – 75 feet.
Interchange Gateway 1: Eastgate Interchange	Road and tree canopy improvements are proposed		
Interchange Gateway 2: Lakemont Interchange			

** FAR and height are approximate and will be more fully refined as part of plan implementation/code amendment phase.*

Transit-oriented Development Center

The district would encompass all properties fronting the Park-and-Ride/Transit Center, and those extending to the northern edge of the Bellevue College campus and eastward to the lot on the west side of 146th Place SE. It would be Eastgate's focal point with the most intense and greatest diversity of uses, best multi-modal access, and highest visibility. The area would have the highest and most visible concentration of buildings and structures framed by the wooded slopes and landscaped SE Eastgate Way. Key attributes of the district plan include:

- New zoning and land use provisions for increased densities, reductions in parking requirements, and incentives for intense mixed-use development.
- Improvements to 142nd Place SE to create a "transit emphasis corridor" including a widened covered walkway on the bridge structure and improvements to Snoqualmie River Road to enhance bus service.
- Formalizing an east-west main street for multi-modal users between 142nd and 148th, connecting the Lincoln Executive Center with the Park-and-Ride.
- Enhancing access and connectivity along SE Eastgate Way with the addition of bicycle lanes.

Richards Valley

Richards Valley currently contains a light industrial area with several other uses including a King County transfer station and electrical substation. The Plan would maintain the light-industrial uses while encouraging higher density flex-tech development and stream and vegetation corridor enhancements. Key attributes of the district plan include:

- Improving the function of riparian corridors, floodplains, and wetlands with redevelopment.
- Reducing impervious surfaces and encouraging additional planting with redevelopment.
- Daylighting streams with redevelopment, where possible.
- Improving street frontages and landscaping along Richard Road.

King County Site and Vicinity

This site is located north side of I-90 midway between Richards Road and the Park-and-Ride/Transit Center. The site includes a large vacant parcel owned by King County and adjacent properties to the west fronting Eastgate Way. The site is planned for new office development with greater heights and FAR allowances. The preferred alternative would also include substantial street landscaping and on-site open space to compensate for the additional allowed development capacity.

Sunset Village

This area directly north of the Eastgate interchange and directly east of 148th Ave SE is currently occupied by auto dealerships. It is unlikely that these uses will change in the short term. There are also small service retail businesses, which would be encouraged to remain. The long-term plan under the preferred alternative is for a greater mix of office and retail uses. Redevelopment will be accompanied by improved pedestrian/bike access and landscaping improvements. Key proposed transportation improvements include:

- Improvement of 148th/150th Ave SE intersection with a third continuous southbound through lane from SE Eastgate Way to SE 38th Street.
- Improvement of intersections at SE Eastgate Way/150th Ave SE and 156th Ave SE/SE Eastgate Way with either a) widening and channelization improvements or b) multi-lane roundabout.
- Addition of bike lanes along SE Eastgate Way.
- Improved on-site vehicle and pedestrian circulation.

I-90 Office Park and Vicinity

The area includes the cluster of office use in the Eastgate Office Park along 158th and 160th Ave SE. The buildings in the area are built to current development regulations and are relatively new. Little new development or redevelopment is expected in the near to mid-term. Over the long term, increased development capacity would encourage more intense office development. The preferred alternative also includes pedestrian connections through parking lots and pedestrian-oriented outdoor spaces. Redevelopment in the area would also improve stormwater management because existing stormwater management systems would be replaced with systems that comply with current regulations, which are more protective of water quality.

Eastgate Plaza and Vicinity

The area includes an 8-acre shopping center immediately south of I-90 and east of 150th Ave SE. It also includes several other nearby uses. Current uses are viable and unlikely to change in the short term. In the long term, the plan includes a variety of commercial and residential uses with community oriented retail and/or other community-serving uses in its western portion. In the eastern portion, office and hotel use would be encouraged. The preferred alternative also includes several transportation improvements including:

- Improvement of the intersections at 150th Ave SE/I-90 eastbound off-ramp and SE 37th St with either widening or a round-about.
- Improvement 148th Ave SE/150th Ave SE between SE 28th St and SE 38th St to be an attractive and important north-south connector in south central Bellevue.
- Widen 150th Ave SE/SE 37th St to allow for a by-pass lane on the right side of SE 37th St.

North Factoria and Vicinity

EASTGATE/I-90 LAND USE AND TRANSPORTATION PROJECT

The area includes 66 acres of the Factoria Subarea centered along Factoria Boulevard SE and the commercially zoned lands stretching to the east along the south side of I-90. Most of the properties already feature substantial development and stable businesses; there may be some redevelopment opportunities in the mid to long term, especially on the sub-district's eastern and western perimeters.

In 2005, the Factoria Subarea Plan was updated with the Factoria Area Transportation Study (FATS) which recommended transportation, urban design and site planning strategies to create a pedestrian and transit-oriented neighborhood. This plan supports the FATS work by encouraging site development consistent with the earlier study.

Interchange Gateways 1 and 2

I-90 is the defining feature of the Eastgate area. The interchanges function as gateways to the study area and the city. The preferred alternative proposes increasing tree canopy to improve corridor aesthetics. It also proposes including encouraging WSDOT to move forward with planned projects that would decrease congestion at these areas. Other than roadway improvements, no other new development is proposed for these areas.

Scoping Process

Initial scoping for the Eastgate/I-90 Land Use and Transportation Project began in December 2009 when the City of Bellevue conducted a preliminary screening analysis of traffic operations through the study area in order to evaluate the viability of two preliminary growth scenarios. The results of this analysis provided a good understanding of existing transportation conditions, identified existing points of congestion, and provided a solid foundation on which to base future development and land use alternatives. The Bellevue City Council approved the project scope and principles in early February 2010, including the concept of using the Integrated SEPA/GMA process.

The project scope, in part, was designed to address environmental considerations. In addition to being cognizant of natural environmental constraints, such as steep slopes, streams, and wetlands within and neighboring the study area, the project scope and principles were concerned with ensuring adequate utility, transportation, and social (parks, fire, police, etc.) infrastructure to support any future land use and transportation scenario that might emerge from the planning process. Key among these considerations is the development of alternatives for transportation infrastructure based on an analysis that focused on modeling and evaluating preferred land use alternatives including providing regional access and promoting adequate circulation within the study area, while mitigating impacts to the surrounding landscape.

Additionally, considerations for greenhouse gas emissions were studied for the alternatives in accordance with Washington State greenhouse gas reduction goals by exploring means to reduce GHG emissions within the project area. The selection of a preferred alternative was based on, in part, an understanding of the GHG emission

consequences of each draft alternative, and of the necessary transportation — — improvements needed to accommodate the project vision and providing strategies to minimize impacts to the surrounding area.

The project principles were developed with the intention of enhancing the economic viability of the Eastgate corridor while not degrading the mobility of other parts of the city, and to ensure that it continues to contribute to the diversity of the City's economic mix. In achieving this goal, planning would require the consideration of integrated land uses and transportation across Eastgate, with the consideration of transit-oriented developments in portions of the area. Changes in land use should be informed by transportation opportunities and impacts, such that facilities may create opportunities for a well integrated district promoting land use and transportation performance. The project principles are based on a model of environmental sustainability so that future plans for the area produce measurable environmental benefits.

Public Outreach

Public involvement was integral to the environmental scoping and planning process and played a significant role in identifying and directing goals for the development of the Eastgate/I-90 Land Use and Transportation Project. Beginning in spring 2010 the Eastgate/I-90 Land Use and Transportation Project, the City of Bellevue worked with the public to identify issues and concerns through a series of dialogues, including open houses, online surveys, stakeholder interviews, community association dialogues, and other interest group interactions.

The first set of open houses was held in March 2010 and addressed the project objectives in addition to the SEPA and GMA methodology to be used in the planning process. The public was encouraged to identify environmental issues to help in the SEPA determination. To assist in project development the City prepared the *Eastgate I-90 Land Use & Transportation Project Existing Conditions Inventory* in summer 2010. This inventory documents several environmental features including existing land uses, elements of the physical environment (i.e. streams, wetlands, topography/steep slopes), parks and recreation, utility infrastructure, transportation infrastructure, and transit services.

A Citizens Advisory Committee (CAC) was appointed by the City Council in October 2010 and quickly became familiar with the preliminary screening analysis, the project scope and principles, the existing conditions inventory, and public input. From this information the CAC drafted the alternatives that are currently under consideration. The draft alternatives were introduced for public feedback through two open houses held in June 2011. In addition to open house forums, SEPA-related comments were collected through CAC meetings, online questionnaires, an online visual preference survey, stakeholder interviews, neighborhood association presentations, interest group/professional association presentations, and economic development forums. A final open house was held in October 2011 to seek input on the emerging Preferred Alternative (at the time, called a Preliminary Preferred Alternative).

EASTGATE/I-90 LAND USE AND TRANSPORTATION PROJECT

Through the planning process and public involvement several environmentally-related topics were identified as important. Traffic and transportation infrastructure was the most prevalent concern identified through public feedback. Notable problems with transportation infrastructure include congestion, poor circulation, poor freeway access, and poor signal timing.

A concern identified by some residents living around the nearby Phantom Lake was the effect that further development in the northeast part of the study area might have on water quantity and quality in Phantom Lake, particularly if impervious surface area is increased as a result of any action alternative. These residents expressed concerns that further development in the Phantom Lake drainage basin (a portion of which lies within the study area) may exacerbate existing or perceived water quality issues in Phantom Lake. In addition, several environmental concerns were identified by the public including, but not limited to, stream, wetlands, and steep slopes, particularly in the Richards Valley industrial area. People questioned how these natural features might be impacted or might influence future development. Other concerns expressed by the public included existing freeway noise, light and glare impacts from auto dealers on the north side of I-90, air quality, and aesthetics related to lack of freeway landscaping and the general appearance of the corridor.

A number of valuable environmental interests were identified through the planning process in conjunction with the CAC and through public involvement. Among the environmental interests expressed, those that were identified as having a high level of interest include:

- *promoting environmentally sustainable development;*
- *providing a variety of transportation choices, mixing land uses to provide services and amenities within walking distance of office buildings;*
- *exploring opportunities for improving environmental conditions in Richards Valley; and*
- *landscaping of the freeway corridor, and using the Mountains-to-Sound Greenway (MTSG) Trail as a unifying visual element/basis for a "green theme".*

The Preferred Alternative was developed with these and other environmental considerations in mind. Completion of the "missing link" of the MTSG Trail through the study area, as envisioned by the Preferred Alternative, will not only provide the public with recreation opportunities and greater transportation mode choice, but will serve as a key component of a broader non-motorized network in the study area. Opportunities will be sought to leverage and reflect the MTS Greenway theme in the built environment, in ways that promote environmental sustainability. Land use regulations will be made more flexible to allow and promote retail and service uses that support the study area's employment base, as well as surrounding neighborhoods. By making such uses more available throughout the study area and within walking distance to offices, there will be less reliance upon the automobile for routine daytime errands.

~~The Richards Valley industrial area is characterized by steep topography, streams, and wetlands. Some of the streams have been re-routed and/or culverted over the years to accommodate development. The Preferred Alternative envisions enhancement of these wetlands and streams as properties redevelop, but also recognizes that the number and locations of these features will make redevelopment challenging.~~

The Preferred Alternative also recognizes the concerns of Phantom Lake residents regarding possible impacts on lake water quality and quantity resulting from increased development in the northeast portion of the study area. Any new development (or redevelopment) would be required to satisfy stricter storm water standards than those that applied to prior (existing) development, and therefore would maintain and could improve water quality. These stormwater standards would address the Phantom Lake water quality/quantity concerns.

12. Location of the proposal, including street address, if any, and section, township, and range; legal description; site plan; vicinity map; and topographical map, if reasonably available:

The Eastgate/I-90 study area is located in the south central part of Bellevue. It contains the Eastgate/I-90 employment corridor, one of the city's five major employment centers. The study area extends east from I-405 a distance of roughly 2-1/4 miles to approximately 161st Avenue SE, plus an extension encompassing I-90 right-of-way out to and including the Lakemont Interchange. In a north-south direction, the study area generally extends from SE 26th Street on the north to SE 38th Street on the south. The study area contains 633 acres, 504 acres north of I-90 and 129 acres south of I-90. The study area includes portions of several planning subareas, including Eastgate, Richards Valley, and Factoria. Appendix A includes a map showing the study area boundaries.

EASTGATE/I-90 LAND USE AND TRANSPORTATION PROJECT

B. ENVIRONMENTAL ELEMENTS

(This part not required for non-project actions)

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:

Kerry Cullen

Date Submitted:

May 19, 2016

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS**1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?**Discharge to Surface and Ground Water

No direct discharge of waste materials to surface or ground waters is anticipated from land uses included in the Preferred Alternative. There would be no septic systems or livestock in the study area. Considerations for waste material discharge during construction would be identified and evaluated on a case-by-case basis for proposed developments within the study area. Waste material containment, storage, and disposal would be considered for projects with the potential to contaminate surface water bodies or ground water.

The Eastgate/I-90 study area contains approximately 59% impervious area. Total impervious area is not likely to decrease and may increase slightly. However, because increases in impervious surface area would likely be part of redevelopment or road expansion projects, they would be subject to stormwater management regulations requiring maintenance or improvement in stormwater hydrology and water quality.

There are no provisions in the Preferred Alternative for the operational production, storage, or release of toxic or hazardous substances. Considerations would be required on a case-by-case basis to ensure that individual construction sites take measures to properly store hazardous, toxic, or otherwise dangerous materials appropriately to prevent potential impacts.

Emissions to Air

Development under the Preferred Alternative may result in air quality impacts during construction activities including fugitive dust, odors, and emissions from heavy machinery, trucks, and other vehicles traveling to and operating on construction sites. Increased traffic congestion and delays due to construction would have the potential to increase localized emissions by slowing or stopping traffic.

Increased development density, particularly office and institutional, would likely result in an increase in the number of auto trips (see traffic analysis) and associated emissions. As part of the *Evaluation of Draft Alternatives Report*, a greenhouse gas emissions analysis was conducted (Fehr and Peers, 2011). The results of the analysis showed that because of the inclusion of residential development and multimodal transportation options, Alternative 1 was the only alternative that achieved lower per capita CO₂ emissions than the No Action Alternative. Alternatives 2 and 3 generated slightly higher levels of CO₂ per capita.

The greenhouse gas analysis was not extended to the Preferred Alternative, but it is assumed that the results would fall within the range found for the draft alternatives. The Preferred Alternative includes similar transportation improvements, but not as many projected housing units as Alternative 1. Therefore, greenhouse gas emissions would likely be lower than Alternatives 2 and 3, but may be higher than the no action scenario.

Noise

Under the Preferred Alternative, short-term noise impacts could result from construction activities including vehicles and equipment. Construction noise is exempt from the City's noise control ordinance (BCC 9.18) from 7 a.m. to 6 p.m. on weekdays and 9 a.m. to 6 p.m. on (BCC 9.18.020.C). Sound generating development activities occurring outside of these times, on Sundays or on holidays, would require permission from the Director of the Development Services Department and only in cases where activity would not interfere with residential use permitted in the zone. There are no new noise-producing land uses proposed for the area. Long-term impacts could result from increased traffic in the Eastgate/I-90 study area. However, the incremental increase in auto noise would be unlikely to significantly raise the overall noise level.

Proposed measures to avoid or reduce such increases are:

Surface and Ground Water

Considerations would be required on a case-by-case basis to ensure that individual construction activities and development sites take measures to abate and capture storm and waste water runoff, and properly store hazardous, toxic, or otherwise dangerous materials in a way to prevent potential impacts to ground water resources. If construction activities comply with the City's storm and wastewater regulations, clearing and grading standards, and all other building and development codes significant impacts to groundwater are unlikely.

Air

Mitigation measures to control air quality impacts would be considered and developed on a project-by-project basis, and could include transportation demand management strategies such as transit and carpooling incentives, bike facilities, and other means of encouraging alternatives to SOV travel.

Noise

The City's code (BCC 9.18.025 – 9.18.030) regulates noise levels through classes of environmental designations for noise abatement (EDNA). Residential land use districts are classified as EDNA A, commercial land use district are classified as EDNA B and industrial land use districts are classified as EDNA C. For each EDNA, maximum sound levels are established in BCC 9.18.030 based on the sound's source. Maximum permissible sound levels are lowest for EDNA A and highest for EDNA C. Specific zoning has not been established at this point in the planning process. Residential development may be located in either an EDNA A or B area and these designations would determine the allowable sound levels.

In addition, each development proposed under the Preferred Alternative will be required to comply with the development restrictions of BCC 9.18.045B for exterior and interior sound and noise attenuation measures. New development adjacent to I-90 is expected to buffer areas (particularly north of the Transit Oriented Center) from freeway noise. Residential

buildings could also be sited and designed to minimize noise impacts on residents. Assuming this was done; impacts from noise could be maintained below a significant level. Existing noise standards for construction and operation are considered sufficient to control potential noise impacts.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The majority of the study area that would be impacted by new land uses has been largely cleared of vegetation through past development. The amount of vegetation that will be removed or altered as a result of new development will depend on specific development proposals. There are no known threatened, endangered, or critical vegetation species in the study area.

Animals in the study area include species typically found in urbanized areas of the Pacific Northwest. Terrestrial species likely include various species of hawk, bald eagles, various songbirds, and various small mammals. Aquatic species likely include trout and various amphibians.

Limited portions of study area streams are fish passable. According to WDFW Priority Habitats and Species (PHS) database (2011), Sunset Creek and Richards Creek are mapped as habitat for Coho salmon north of I-90. East Creek is listed as habitat for cutthroat trout. Richards Creek is mapped as habitat for Sockeye and Chinook salmon north of its confluence with Sunset and East Creek (WDFW, 2011). All development under the Preferred Alternative would have to comply with the City's critical areas regulations which would preclude impacts to streams, wetlands, buffers and protected species and habitats.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

Projects occurring in the study area under the Preferred Alternative would be subject to review on a case-by-case basis and impacts to vegetation would be mitigated consistent with the City's critical area buffer standards and tree retention regulations.

The study area is highly developed and has not been identified as habitat for threatened or endangered terrestrial species. Sunset and Richards Creeks are identified as salmon bearing. Individual project activities would be required to avoid or (in limited cases, where no feasible option exists for public projects) mitigate any impacts to these streams, as well as wetlands and buffers.

As part of project development, green features such as utilizing natural drainage patterns and restoring fragmented or altered habitat would be encouraged under the Preferred Alternative. Restoration plantings, landscaping, and the development of park infrastructure would occur under the Preferred Alternative as well.

Consistent with BCC 20.25H, development proposals under the Preferred Alternative would have to include a determination of whether the proposal would impact habitats associated with species of local importance (defined in BCC 20.25H.150). If so, the proposal would have to

implement wildlife management plans that have been developed by WDFW for such species (BCC 20.25H.160).

3. How would the proposal be likely to deplete energy or natural resources?

Energy and natural resource use in the study area would be typical of urbanized commercial, institutional and/or high density residential areas. Under the Preferred Alternative, new and existing development will require electrical power and natural gas. Construction would require gasoline and diesel as well as typical building materials.

The Preferred Alternative envisions a higher density urban area that would likely require more energy and natural resources than are used under current conditions. Infill and more intensive redevelopment of existing urbanized land is expected to consume fewer energy and natural resources than if the same amount of development were to occur in an area that had not previously been converted to urban uses. The expected new development is modest relative to the vast developed areas in the region and there are no proposed uses that would accelerate depletion of an energy source or supply or natural resource, as compared to the No Action Alternative.

Proposed measures to protect or conserve energy and natural resources are:

Existing city and local utility infrastructure is adequate to serve the growth projected under the Preferred Alternative. Development and redevelopment in the study area would be consistent with all local utility standards. In addition, new development under the Preferred Alternative would be required to consider and incorporate green features and energy conservation into building design. Accordingly, no significant impacts to energy availability are anticipated.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The study area contains several environmentally sensitive areas and public parks. Wetlands are located around Richards Creek just south of Eastgate Way and around headwater segments of East Creek north of SE 30th Street. Other small wetland areas are on the Bellevue Airfield Park site. In addition to wetlands, several streams are located through the study area. Richards, Sunset, East, and Vasa Creeks run through the central portion of the study area, while four additional streams are located near the Lakemont extension. Richards, Sunset, and East creeks have been identified as salmon bearing.

Steep slopes have also been identified in the study area. Specific areas of steep slopes (>40% and $\geq 1,000$ Sq Ft) are near Sunset ravine, along the southern edge of Bellevue College, south of I-90 along SE 36th Street, along the area just west of 150th Avenue, and along the northwest side of the landfill park site. A more detailed inventory of environmentally

-sensitive area can be found in the Eastgate-I-90 Land Use & Transportation Project Existing Conditions Inventory (City of Bellevue, 2010).

There are several public areas and parks in the study area including Robinswood, Spiritridge and Sunset Parks. In addition, City staff is working on the master plan for a new park, on land collectively called 'The Eastgate Area Properties'; a 27.5 acre area, located near the Advanta office building, near the 'Lake to Lake Trail.'

According to the National Register of Historic Places and the Washington Heritage Register, there are no listed places or objects on or adjacent to the Eastgate/I-90 study area.

The Preferred Alternative has been developed to protect sensitive and public lands and resources. One of the primary objectives of the Preferred Alternative is to improve the area's environmental quality by enhancing natural systems and stream corridors and improving public lands. Critical areas would be protected consistent with the city's critical areas regulations. All parks would be maintained and/or improved. The Mountains to Sound Greenway is proposed to be improved.

Proposed measures to protect such resources or to avoid or reduce impacts are:

Impacts to environmentally sensitive areas and public lands are not anticipated. The study area is highly developed and has not been identified as habitat for threatened or endangered terrestrial species. Sunset and Richards Creeks are identified as salmon bearing. Individual project activities would be required to avoid or (in limited cases, where no feasible option exists for public projects) mitigate any impacts to these streams, as well as wetlands and buffers. The inventory of parks would be maintained or improved. All development would be required to comply with all state and federal law regulating inadvertent discovery of archeological, historic or cultural resources.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

An examination of the Eastgate/I-90 corridor, resulting in the Eastgate/I-90 Land Use & Transportation Project, was called for in the City of Bellevue's Comprehensive Plan. The objective of the development and implementation of a preferred alternative is pursuant of the City's Comprehensive Plan Policy ED-19 which recognizes the need to "maintain and update integrated land use and transportation plans to guide the future of the City's major commercial areas and help them respond to change" and to further establish as a goal "to maintain the quality of older commercial areas, promoting redevelopment and revitalization as needed to maintain their vitality".

The Preferred Alternative was developed to meet the policy goals of the City, improve environmental conditions and avoid impacts to surrounding areas. The Preferred Alternative, while consistent with the general policy direction in the Comprehensive Plan, would necessitate specific changes to the City's Comprehensive Plan, Land Use Code, Zoning Map, and Transportation Facilities Plan, and would include design elements to avoid land use incompatibilities. There are no shorelines in the study area.

EASTGATE/I-90 LAND USE AND TRANSPORTATION PROJECT

Proposed measures to avoid or reduce shoreline and land use impacts are:

Development of the Preferred Alternative was consistent with the goals of the city and policies in the City's Comprehensive Plan. No shoreline or land use impacts are anticipated. Therefore, no additional measures are provided.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Transportation

Improvements to the study area's roadway network, transit system, and pedestrian accessibility are a key element of the Preferred Alternative. A complete description of these proposed Improvements are included in the *Transportation Strategies Report for the Eastgate I-90 Land Use & Transportation Project* (City of Bellevue, January 2012).

The City's Bellevue-Kirkland-Redmond (BKR) travel demand model (EMME version MP030r5.5) was used to evaluate how projected traffic under the Preferred Alternative would impact 2030 roadway facilities. The total number of estimated trips generated under three scenarios is as follows:

Development Scenario	PM Peak Trips
Existing (2009)	95,434
2030 with Improvements	120,374
2030 without improvements	120,878

According to the traffic analysis of the Preferred Alternative, the proposed capacity improvements at area intersections will accommodate future traffic growth and result in measurable improvements over existing conditions at these same locations. Furthermore, when considered from a corridor-wide perspective, the "2030 with improvements" scenario results in 41.7 seconds of delay per vehicle compared to 46.5 seconds of delay per vehicle in the "2030 without improvements" scenario, a 12 percent reduction in vehicle delay at corridor intersections. The complete and detailed analysis of traffic and transportation in the study area is included in the *Transportation Strategies Report for the Eastgate I-90 Land Use & Transportation Project* (City of Bellevue, January 2012).

Public Services and Utilities

The Preferred Alternative includes increased office, institutional, and retail development, which would increase the demand for public services such as emergency services. The modest amount of residential growth would generate the need for additional emergency, school, library, and health care services.

In general, however, the existing utility infrastructure is adequate to serve the anticipated growth, and substantial upgrades are not expected to be needed. Therefore, significant impacts to public services are not anticipated.

Proposed measures to reduce or respond to such demand(s) are:

Transportation

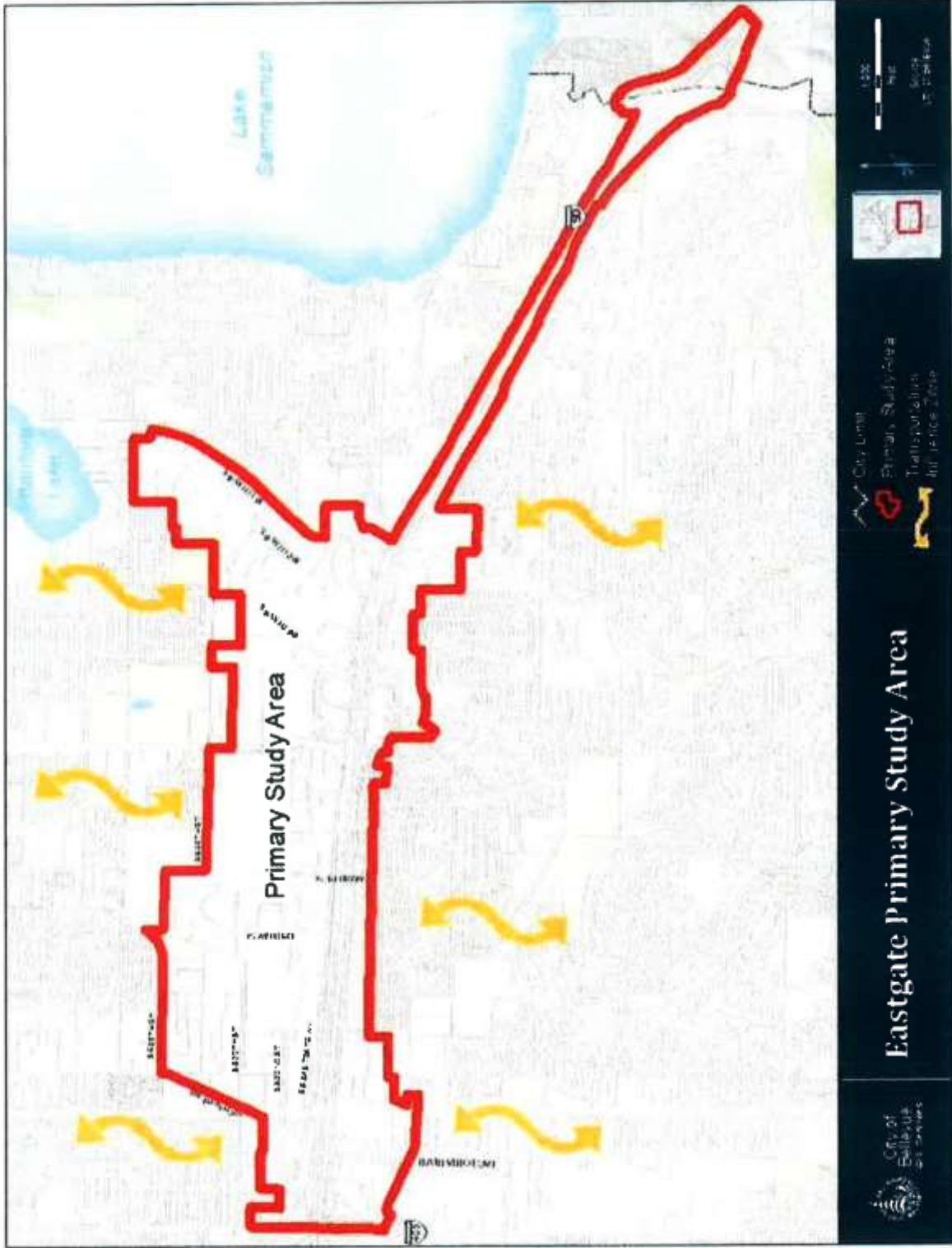
The Preferred Alternative includes transportation improvements that address congestion, transit, and pedestrian facilities. All of these improvements are being evaluated as measures to improve connectivity and access within the study area. Improvements will accommodate future traffic growth and result in overall improvements over existing conditions. Improvements are described in detail in the *Transportation Strategies Report for the Eastgate I-90 Land Use & Transportation Project* (City of Bellevue, January 2012).

Public Services and Utilities

Existing public services and utilities are generally adequate to serve the anticipated growth under the Preferred Alternative, therefore no measures are proposed. Depending on the nature of residential development that is proposed, it may be necessary to evaluate whether expansion of services for new residents is necessary.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

In general, the Preferred Alternative will rely on existing local, state and, to a lesser extent, federal regulations to protect existing environmental conditions. The Preferred Alternative will also include incentives for private developers to improve ecological conditions and open space. All development will be required to comply with the City's regulations for stormwater (including state NPDES requirements for construction), clearing and grading, critical areas protection and development regulations and standards. Projects would also have to comply with state and federal standards including protection of ESA listed species.





Proposed Rezones - Eastgate Changes

February 2016





Proposed Plan Amendment Site 1

SEPA Environmental Checklist: Preferred Alternative

**CITY OF BELLEVUE
EASTGATE/I-90 LAND USE AND
TRANSPORTATION PROJECT**

**Prepared for:
City of Bellevue**

April, 2012



EASTGATE/I-90 LAND USE AND TRANSPORTATION PROJECT

(This page intentionally left blank)

ENVIRONMENTAL CHECKLIST

A. BACKGROUND

1. Name of the proposed project:

Eastgate/I-90 Land Use and Transportation Project

2. Name of Applicant:

City of Bellevue

3. Address and telephone number of applicant and contact person:

Mike Bergstrom
Planning & Community Development
City of Bellevue
P.O. Box 90012
Bellevue, WA 98009-9012
(425) 452-6866

4. Date of Review:

April 2012

5. Agency requesting checklist:

City of Bellevue

6. Proposed timing or schedule (including phasing, if applicable):

The Eastgate/I-90 Citizen Advisory Committee (CAC) is expected to submit its Final Report and recommended Preferred Alternative to the Bellevue City Council in the first quarter of 2012. Following Council acceptance, the plan would be implemented through amendments to the City's Comprehensive Plan, Land Use Code, Zoning Map, Transportation Facilities Plan, and other regulatory and policy documents. Those amendments are anticipated to begin in 2012. The planning Horizon for the plan is Year 2030.

7. Plans for future additions, expansion, or further activity related to or connected with this proposal:

Following Council's acceptance of the CAC's Final Report and recommendation, related amendments to City policy and regulatory documents will occur. Future development in the I-90 corridor would occur in a manner consistent with those amendments.

8. Environmental information that has been prepared, or will be prepared, directly related to this project:

Preceding preparation of this checklist, the City conducted an initial environmental review of four proposed Eastgate/I-90 Land Use and Transportation Project alternatives. That Environmental Review Report (ERR) was part of the *Evaluation of Draft Alternatives*

2011

Report (August, 2011), which considered multiple aspects of the alternatives. The ERR drew in part from other environmental documents prepared for this project, including the following: *Eastgate Preliminary Screening Analysis (Perteet, December 2009)*; *Existing Conditions Inventory (City of Bellevue, Summer 2010)*; and the Technical Memos appended to the *Evaluation of Draft Alternatives Report (City of Bellevue, September 2011)*.

In developing the Preferred Alternative, two additional reports were prepared: 1) the *Draft Eastgate / I-90 Land Use and Transportation Project: Land Use Characteristics by District Report (Makers, 2011)* and 2) *The Eastgate / I-90 Land Use and Transportation Project: Transportation Strategies Report (Bellevue, 2012)*.

9. Applications that are pending for governmental approvals or other proposals directly affecting the property covered by the proposal:

There are no pending applications directly affecting development and implementation of the preferred alternative for the Eastgate/I-90 corridor.

10. List of governmental approvals or permits that will be needed for the proposal:

Implementation of the preferred alternative will ultimately require changes to the City's Comprehensive Plan, Land Use Code, Zoning Map, Transportation Facilities Plan, and other policy and regulatory documents. As the plan is implemented, individual projects will require project level review and approval.

11. Brief, complete description of the proposal, including the proposed uses and the size of the project and site:

Project Overview

The purpose of the City of Bellevue's Land Use & Transportation Project is to develop a long-range (to Year 2030) plan for the evolution of the Eastgate/I-90 corridor. Since November, 2010 the project team has worked with a Council-appointed Citizen Advisory Committee to develop and evaluate several alternative growth scenarios for the Eastgate/I-90 corridor to help ensure that the area continues to attract and retain employers, provides a mix of services to surrounding neighborhoods, and serves as a vibrant and significant contributor to Bellevue's economic health in the coming decades.

Based on the studies supporting the Evaluation of Draft Alternatives Report (Bellevue, 2011), a preferred alternative, encompassing elements of the studied alternatives, was developed for recommendation to the Bellevue City Council. Following Council acceptance, revisions to the Bellevue Comprehensive Plan, Land Use Code, Zoning Map, Transportation Facilities Plan, and other policy or regulatory documents would be required for implementation of the plan and would be reviewed through the City's Commission processes (primarily Planning Commission and Transportation Commission).

The primary geographic focus of this project is the commercial area fronting the north and south sides of I-90, one of the city's major employment centers. The study area contains 633 acres, and supports approximately 24,300 jobs, or 17% of the city's total employment (March 2009).

SEPA/GMA Integration

For the purpose of compliance with the State Environmental Policy Act (SEPA), this project is utilizing the “Integrated SEPA/GMA” process authorized by WAC 197-11-210. This integrated process ensures early consideration of environmental issues, helping inform the development of alternative courses of action and crafting a final preferred plan or alternative. It also includes early and expanded “scoping” of environmental concerns to identify environmental issues that might influence decisions on future plans or courses of action. Since the project’s inception, public input has been sought on environmental issues, through such measures as public open houses, online questionnaires, stakeholder interviews, presentations to interest groups, and public comment opportunities at CAC meetings. Environmental considerations have informed the understanding of the study area and the development of alternatives including the Preferred Alternative.

Because this type of environmental review occurs at the “programmatic” or “nonproject” level, it is by definition less specific or quantifiable than what would occur at a “project” level. More in-depth environmental review will be required at future stages. These stages include reviewing any proposal to construct a project in accordance with the amended policy or regulatory documents.

For the purpose of the Eastgate/I-90 Land Use & Transportation Project, an assessment of potential environmental consequences arising from a no action alternative and three action alternatives was undertaken. That assessment was one of several inputs used by the CAC and the project team in developing the Preferred Alternative. This current checklist builds on the information contained in the prior assessment, and addresses potential environmental impacts of the Preferred Alternative.

Developing the Preferred Alternative

As part of the project, the City of Bellevue developed one “no action” and three draft “action” land use and transportation alternatives. The draft alternatives were informed by the known environmental characteristics and the public’s stated environmental concerns regarding the study area and surrounding neighborhoods. The draft alternatives reflect anticipated outcomes of three scenarios with varying emphases: Alternative 1 reflected a “Jobs/Housing Mix” theme, Alternative 2 a Regional Employment Center theme, and Alternative 3 a Functional Improvements theme. The no action alternative projected the growth that could be expected to occur absent any changes to the Comprehensive Plan, Land Use Code, Transportation Facilities Code, or other policy and regulatory documents.

Based on the analysis of the alternatives in the Evaluation of Draft Alternatives Report (Bellevue, 2011), a preferred alternative, representing a “hybrid” of the three action alternatives, was developed. It incorporates elements of the three action alternatives.

The characteristics of the Preferred Alternative (land use pattern; housing units, office, retail, industrial and institutional space; transportation improvements and open spaces) fall within the range of parameters analyzed in the Evaluation of Draft Alternatives Report.

In general office, retail, hotel, and institutional development proposed under the Preferred Alternative are in the range of draft alternatives 1 and 2. The amount of housing is similar to, but higher than, draft alternative 3 (800 vs. 400 units). No new industrial development is proposed or expected. The table below compares the types and amounts of new development that would be expected within the study area under the No Action and three draft Action alternatives, and the Preferred Alternative.

Projected Growth by Land Use Type (Year 2030)

Land Use Type:	No Action	Alternative 1	Alternative 2	Alternative 3	Preferred Alternative
Office (Sq Ft)	200,000	1,000,000	2,000,000	500,000	1,800,000
Retail (Sq Ft)	0	100,000	50,000	200,000	100,000
Industrial (Sq Ft)	86,000	-167,000	0	0	0
Institutional (Sq Ft)	280,000	350,000	420,000	280,000	350,000
Residential (Housing Units)	0	2,000	0	400	800
Hotel (Rooms)	0	200	300	100	300

The Preferred Alternative

The preferred alternative can be organized into nine districts, each with a unique character and distinguishing features. The entire Eastgate area would be anchored by a transit-oriented core featuring a mix of transit, commercial, and residential uses located north of I-90, between the 142nd PI Bridge and 148th interchange. For each district, key development assumptions are presented in Table 2 and brief summaries of the proposed changes in land use, transportation and character are provided.

Key Features of the Eastgate Districts

	Proposed Uses	FAR*	Height*
Transit-oriented Development Center	Office, commercial, and residential w/ ground floor retail	0.5 with allowances to increase to 1.5 to 2.0 through incentives	10 to 12 stories
Richard’s Valley	Light-industrial and flex-tech	No change	No change
King County Site and vicinity	High density office	0.5 with allowances to increase to 1.0 to 1.5 through incentives	8 to 12 stories, to achieve visibility from I-90
Sunset Village	Short term: Support existing auto dealerships. Encourage existing retail to remain. Long term: More intense mix of office and commercial.	0.5 with allowances to increase to 0.75 to 1.0 through incentives	4 to 6 stories

EASTGATE/I-90 LAND USE AND TRANSPORTATION PROJECT

I-90 Office Park and vicinity	Infilling parking lots with additional office space and ancillary retail	0.5 with allowances to increase to 0.75 to 1.0 through incentives	4 to 6 stories
Eastgate Plaza and vicinity	Long term uses: office, retail, restaurants, lodging and multi-family residential; community-serving uses	For office uses, 0.5 with allowances to increase to 0.75 to 1.0 through incentives	4 to 6 stories that protect neighboring SFR from impacts
North Factoria and Vicinity	West of Newport Corporate Center: A range of office and residential uses with pedestrian oriented uses on ground floor. Newport Corporate Center and eastward: Office uses allowing other commercial uses (e.g.: auto dealerships) and residential	Newport Corporate Center and westward: maintain existing FAR East of Newport Corporate Center: 0.5 with allowances to 0.75 to 1.0 through incentives	Newport Corporate Center and westward-consistent with existing. East of Newport Corporate Center – 4 to 6 stories
Interchange Gateway 1: Eastgate Interchange	Road and tree canopy improvements are proposed		
Interchange Gateway 2: Lakemont Interchange			

** FAR and height are approximate and will be more fully refined as part of plan implementation/code amendment phase.*

Transit-oriented Development Center

The district would encompass all properties fronting the Park-and-Ride/Transit Center, and those extending to the northern edge of the Bellevue College campus and eastward to 148th Ave SE. It would be Eastgate’s focal point with the most intense and greatest diversity of uses, best multi-modal access, and highest visibility. The area would have the highest and most visible concentration of buildings and structures framed by the wooded slopes and landscaped SE Eastgate Way. Key attributes of the district plan include:

- New zoning and land use provisions for increased densities, reductions in parking requirements, and incentives for intense mixed-use development.
- Improvements to 142nd Place SE to create a “transit emphasis corridor” including a widened covered walkway on the bridge structure and improvements to Snoqualmie River Road to enhance bus service.
- Formalizing an east-west main street for multi-modal users between 142nd and 148th, connecting the Lincoln Executive Center with the Park-and-Ride.

- Enhancing access and connectivity along SE Eastgate Way with the addition of bicycle lanes.

Richards Valley

Richards Valley currently contains a light industrial area with several other uses including a King County transfer station and electrical substation. The Plan would maintain the light-industrial uses while encouraging higher density flex-tech development and stream and vegetation corridor enhancements. Key attributes of the district plan include:

- Improving the function of riparian corridors, floodplains, and wetlands with redevelopment.
- Reducing impervious surfaces and encouraging additional planting with redevelopment.
- Daylighting streams with redevelopment, where possible.
- Improving street frontages and landscaping along Richard Road.

King County Site and Vicinity

This site is located north side of I-90 midway between Richards Road and the Park-andRide/Transit Center. The site includes a large vacant parcel owned by King County and adjacent properties to the west fronting Eastgate Way. The site is planned for new office development with greater heights and FAR allowances. The preferred alternative would also include substantial street landscaping and on-site open space to compensate for the additional allowed development capacity.

Sunset Village

This area directly north of the Eastgate interchange and directly east of 148th Ave SE is currently occupied by auto dealerships. It is unlikely that these uses will change in the short term. There are also small service retail businesses, which would be encouraged to remain. The long-term plan under the preferred alternative is for a greater mix of office and retail uses. Redevelopment will be accompanied by improved pedestrian/bike access and landscaping improvements. Key proposed transportation improvements include:

- Improvement of 148th/150th Ave SE intersection with a third continuous southbound through lane from SE Eastgate Way to SE 38th Street.
- Improvement of intersections at SE Eastgate Way/150th Ave SE and 156th Ave SE/SE Eastgate Way with either a) widening and channelization improvements or b) multi-lane roundabout.
- Addition of bike lanes along SE Eastgate Way.
- Improved on-site vehicle and pedestrian circulation.

I-90 Office Park and Vicinity

The area includes the cluster of office use in the Eastgate Office Park along 158th and 160th Ave SE. The buildings in the area are built to current development regulations and are relatively new. Little new development or redevelopment is expected in the near to mid-term. Over the long term, increased development capacity would encourage more intense office development. The preferred alternative also includes pedestrian connections through parking lots and pedestrian-oriented outdoor spaces. Redevelopment in the area would also improve stormwater

management because existing stormwater management systems would be replaced with systems that comply with current regulations, which are more protective of water quality.

Eastgate Plaza and Vicinity

The area includes an 8-acre shopping center immediately south of I-90 and east of 150th Ave SE. It also includes several other nearby uses. Current uses are viable and unlikely to change in the short term. In the long term, the plan includes a variety of commercial and residential uses with community oriented retail and/or other community-serving uses in its western portion. In the eastern portion, office and hotel use would be encouraged. The preferred alternative also includes several transportation improvements including:

- Improvement of the intersections at 150th Ave SE/I-90 eastbound off-ramp and SE 37th St with either widening or a round-about.
- Improvement 148th Ave SE/150th Ave SE between SE 28th St and SE 38th St to be an attractive and important north-south connector in south central Bellevue.
- Widen 150th Ave SE/SE 37th St to allow for a by-pass lane on the right side of SE 37th St.

North Factoria and Vicinity

The area includes 66 acres of the Factoria Subarea centered along Factoria Boulevard SE and the commercially zoned lands stretching to the east along the south side of I-90. Most of the properties already feature substantial development and stable businesses; there may be some redevelopment opportunities in the mid to long term, especially on the sub-district's eastern and western perimeters.

In 2005, the Factoria Subarea Plan was updated with the Factoria Area Transportation Study (FATS) which recommended transportation, urban design and site planning strategies to create a pedestrian and transit-oriented neighborhood. This plan supports the FATS work by encouraging site development consistent with the earlier study.

Interchange Gateways 1 and 2

I-90 is the defining feature of the Eastgate area. The interchanges function as gateways to the study area and the city. The preferred alternative proposes increasing tree canopy to improve corridor aesthetics. It also proposes including encouraging WSDOT to move forward with planned projects that would decrease congestion at these areas. Other than roadway improvements, no other new development is proposed for these areas.

Scoping Process

Initial scoping for the Eastgate/I-90 land use and transportation project began in December 2009 when the City of Bellevue conducted a preliminary screening analysis of traffic operations through the study area in order to evaluate the viability of two preliminary growth scenarios. The results of this analysis provided a good understanding of existing transportation conditions, identified existing points of congestion, and provided a solid foundation on which to base future development and land use alternatives. The Bellevue City Council approved the project scope and principles in early February 2010, including the concept of using the Integrated SEPA/GMA process.

The project scope, in part, was designed to address environmental considerations. In addition to being cognizant of natural environmental constraints, such as steep slopes, streams, and

wetlands within and neighboring the study area, the project scope and principles were concerned with ensuring adequate utility, transportation, and social (parks, fire, police, etc.) infrastructure to support any future land use and transportation scenario that might emerge from the planning process. Key among these considerations is the development of alternatives for transportation infrastructure based on an analysis that focused on modeling and evaluating preferred land use alternatives including providing regional access and promoting adequate circulation within the study area, while mitigating impacts to the surrounding landscape.

Additionally, considerations for greenhouse gas emissions were studied for the alternatives in accordance with Washington State greenhouse gas reduction goals by exploring means to reduce GHG emissions within the project area. The selection of a preferred alternative was based on, in part, an understanding of the GHG emission consequences of each draft alternative, and of the necessary transportation improvements needed to accommodate the project vision and providing strategies to minimize impacts to the surrounding area.

The project principles were developed with the intention of enhancing the economic viability of the Eastgate corridor while not degrading the mobility of other parts of the city, and to ensure that it continues to contribute to the diversity of the City's economic mix. In achieving this goal, planning would require the consideration of integrated land uses and transportation across Eastgate, with the consideration of transit-oriented developments in portions of the area. Changes in land use should be informed by transportation opportunities and impacts, such that facilities may create opportunities for a well integrated district promoting land use and transportation performance. The project principles are based on a model of environmental sustainability so that future plans for the area produce measurable environmental benefits.

Public Outreach

Public involvement has been integral to the environmental scoping and planning process and has played a significant role in identifying and directing goals for the development of the Eastgate/I-90 land use and transportation project. Beginning in spring 2010 the Eastgate/I-90 Land Use and Transportation Project, the City of Bellevue has worked with the public to identify issues and concerns through a series of dialogues, including open houses, online surveys, stakeholder interviews, community association dialogues, and other interest group interactions.

The first set of open houses was held in March 2010 and addressed the project objectives in addition to the SEPA and GMA methodology to be used in the planning process. The public was encouraged to identify environmental issues to help in the SEPA determination. To assist in project development the City prepared the *Eastgate I90 Land Use & Transportation Project Existing Conditions Inventory* in summer 2010. This inventory documents several environmental features including existing land uses, elements of the physical environment (i.e. streams, wetlands, topography/steep slopes), parks and recreation, utility infrastructure, transportation infrastructure, and transit services.

A Citizens Advisory Committee (CAC) was appointed by the City Council in October 2010 and quickly became familiar with the preliminary screening analysis, the project scope and principles, the existing conditions inventory, and public input. From this information the CAC drafted the alternatives that are currently under consideration. The draft alternatives were introduced for public feedback through two open houses held in June 2011. In addition to open house forums, SEPA-related comments have been collected through CAC meetings, online questionnaires, an online visual preference survey, stakeholder interviews, neighborhood

association presentations, interest group/professional association presentations, and economic development forums. A final open house was held in October 2011 to seek input on the emerging Preferred Alternative (at the time, called a Preliminary Preferred Alternative).

Through the planning process and public involvement several environmentally-related topics were identified as important. Traffic and transportation infrastructure was the most prevalent concern identified through public feedback. Notable problems with transportation infrastructure include congestion, poor circulation, poor freeway access, and poor signal timing.

A concern identified by some residents living around the nearby Phantom Lake was the effect that further development in the northeast part of the study area might have on water quantity and quality in Phantom Lake, particularly if impervious surface area is increased as a result of any action alternative. These residents expressed concerns that further development in the Phantom Lake drainage basin (a portion of which lies within the study area) may exacerbate existing or perceived water quality issues in Phantom Lake. In addition, several environmental concerns were identified by the public including, but not limited to, stream, wetlands, and steep slopes, particularly in the Richards Valley industrial area. People questioned how these natural features might be impacted or might influence future development. Other concerns expressed by the public included existing freeway noise, light and glare impacts from auto dealers on the north side of I-90, air quality, and aesthetics related to lack of freeway landscaping and the general appearance of the corridor.

A number of valuable environmental interests have been identified through the planning process in conjunction with the CAC and through public involvement. Among the environmental interests expressed, those that identified as having a high level of interest include:

- *promoting environmentally sustainable development;*
- *providing a variety of transportation choices, mixing land uses to provide services and amenities within walking distance of office buildings;*
- *exploring opportunities for improving environmental conditions in Richards Valley; and*
- *landscaping of the freeway corridor, and using the Mountains-to-Sound Greenway (MTSG) Trail as a unifying visual element/basis for a “green theme”.*

The Preferred Alternative was developed with these and other environmental considerations in mind. Completion of the “missing link” of the MTSG Trail through the study area, as envisioned by the Preferred Alternative, will not only provide the public with recreation opportunities and greater transportation mode choice, but will serve as a key component of a broader non-motorized network in the study area. Opportunities will be sought to leverage and reflect the MTS Greenway theme in the built environment, in ways that promote environmental sustainability. Land use regulations will be made more flexible to allow and promote retail and service uses that support the study area’s employment base, as well as surrounding neighborhoods. By making such uses more available throughout the study area and within walking distance to offices, there will be less reliance upon the automobile for routine daytime errands.

The Richards Valley industrial area is characterized by steep topography, streams, and wetlands. Some of the streams have been re-routed and/or culverted over the years to accommodate development. The Preferred Alternative envisions enhancement of these wetlands and streams

as properties redevelop, but also recognizes that the number and locations of these features will make redevelopment challenging.

The Preferred Alternative also recognizes the concerns of Phantom Lake residents regarding possible impacts on lake water quality and quantity resulting from increased development in the northeast portion of the study area. Any new development (or redevelopment) would be required to satisfy stricter storm water standards than those that applied to prior (existing) development, and therefore would maintain and could improve water quality. These stormwater standards would address the Phantom Lake water quality/quantity concerns.

12. Location of the proposal, including street address, if any, and section, township, and range; legal description; site plan; vicinity map; and topographical map, if reasonably available:

The Eastgate/I-90 study area is located in the south central part of Bellevue. It contains the Eastgate/I-90 employment corridor, one of the city's five major employment centers. The study area extends east from I-405 a distance of roughly 2-1/4 miles to approximately 161st Avenue SE, plus an extension encompassing I-90 right-of-way out to and including the Lakemont Interchange. In a north-south direction, the study area generally extends from SE 26th Street on the north to SE 38th Street on the south. The study area contains 633 acres, 504 acres north of I-90 and 129 acres south of I-90. The study area includes portions of several planning subareas, including Eastgate, Richards Valley, and Factoria. Appendix A includes a map showing the study area boundaries.

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site:

The study area displays topographic characteristics typical of the Puget Sound region, with prominent slopes and streams carving ravines to lower waters. There are a number of steep areas, mostly in areas of ravines or as a result of cuts made for I-90. The notable slopes are near Sunset Ravine; along the southern edge of Bellevue College; south of I-90 along SE 36th Street; along the area just west of 150th Avenue; and along the northwest side of the landfill park site. The study area is currently developed and contains a mix of office, retail, industrial, institutional, and residential land uses.

b. What is the steepest slope on the site (approximate percent slope)?

There are a number of steep slopes in the study area that exceed a 40 percent grade. The steepest slopes are located in the vicinity of Sunset Ravine, along the southern edge of Bellevue College, south of I-90 along SE 36th Street, along the area just west of 150th Avenue, and along the northwest side of the landfill park site.

c. What general types of soils are found on the site (for example clay, sand, gravel, peat, muck)? Specify the classification of agricultural soils and note any prime farmland.

The Soil Surveys for the City of Bellevue indicate that the study area is primarily underlain by Snohomish Silt loam, a hydric soil that has been artificially drained. Soil maps for the study area are available to view on the City's website at:

[http://www.ci.bellevue.wa.us/pdf/Development%20Services/09a_nrcs_soils_Internet.p df](http://www.ci.bellevue.wa.us/pdf/Development%20Services/09a_nrcs_soils_Internet.pdf)

d. Are there any surface indications or a history of unstable soils in the immediate vicinity? If so, describe.

There are no known indications of unstable soils. The study area is not classified as a “seismic hazard area”. No liquefaction susceptibility hazard areas are mapped within the study area. No landslide hazards are mapped within the study area. The study area is heavily developed and has significant areas of impervious surfaces. Landslide and seismic hazard areas in the city are mapped and available to view at the City’s website at:

http://www.bellevuewa.gov/pdf/Development%20Services/12a_seismic_Internet.pdf

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate the source of the fill.

The development and implementation of a preferred alternative is a non-project or programmatic action and would not directly result in and filling or grading. New development and/or redevelopment under the preferred alternatives would likely result in filling and grading. The extent of filling and grading would be dependent on the amount of development proposed. In general, the greatest densities and projected development activity is planned and projected for the Transit-oriented Development Center. The most development would be expected there.

New development activities anywhere in the study area would be subject to further review on a case-by-case basis and would need to be consistent with the City of Bellevue City Code (BCC) Chapter 27.36 “Clearing and Grading” and state regulations regarding water quality protection during construction.

f. Could erosion occur as a result of clearing, construction, or use?

Under the preferred alternative, the intensity of land use in the study area would increase in the Eastgate/I-90 study area. Potential impacts from erosion associated with clearing and development activities in the study area would occur with most new development and the addition of new proposed transportation improvements.

Soils temporarily exposed during construction could be eroded by stormwater. However, all construction projects would be required to comply with the City’s erosion control regulations. Erosion control measures are required to mitigate these potential impacts. Following construction, graded or filled areas would be stabilized and landscaped.

The scale of potential erosion depends on the amount of expected development. Expected development was assigned to areas within the study area using traffic analysis zones (needed for traffic modeling). Most of the new development is expected in and around the Transit-oriented Development Center. Approximately 70 percent of the projected office development would be in the Transit-oriented Development Center and the King County Site and approximately 40 percent off expected retail would also be in the Transit-oriented Development Center.

Minor erosion impacts are unavoidable. Assuming that development complies with the City’s erosion control requirements, impacts from construction would be mitigated consistent with BCC BCC 23.76. Unmitigated significant impacts from erosion are not anticipated.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example buildings or asphalt)?

Under existing conditions, the majority of the project area contains impervious surfaces (59 percent) including roads, parking lots, and commercial, industrial, residential and institutional buildings.

Under the Preferred Alternative, development or redevelopment of the project area including new office, retail, industrial, institutional, and residential uses would occur in existing areas that are predominantly covered by impervious surfaces. As noted above, new development and higher densities are expected in limited, concentrated areas.

Nearly 80 percent of expected new office development is planned for the Transit-Oriented Development center, the King County site, Eastgate Plaza area, and Factoria. Likewise, nearly 75 percent of retail and 90 percent of residential development are planned for the Transit-Oriented Development center, Eastgate Plaza area, and Factoria area. These areas, planned for higher densities, are largely developed and predominantly covered by impervious surfaces. New development and redevelopment may result in an incremental increase in impervious surface, but stricter stormwater regulations require and would ensure that stormwater management conditions would be maintained or improved.

Transportation improvements including but not limited to roadway and intersection improvements, sidewalks, bicycle and pedestrian trails could also result in an increase of impervious surface area. As a non-project action, specific roadway, intersection and trail designs have not been developed. Therefore, total amount of impervious surface resulting from transportation improvements is not known at this stage of planning. In general, new roadways or acquisition of new rights-of-way are not proposed. Under the Preferred Alternative, some roadways would be widened, intersections may be expanded and non-motorized routes would be introduced. While these features do have the potential to increase total impervious area, they would also include pervious landscaping, medians and other pervious features. Transportation facilities would also be designed consistent with the city's stormwater regulations.

While the total amount of impervious area that would result from implementation of the Preferred Alternative is unknown, increased development densities may result in additional impervious area. However, as noted, more stringent stormwater standards currently in place would maintain or improve stormwater management for new development and redevelopment. Additionally, new impervious area is limited by regulations for critical areas and their buffers, the presence of parks that will remain open and largely impervious, and compliance with screening requirements.

h. Describe the proposed measures to reduce or control erosion, or other impacts to the earth, if any.

All construction projects would be required to comply with state requirements under the general NPDES for construction as well as the City's erosion control regulations, which require erosion control BMPs and appropriate site management techniques to mitigate these potential impacts. Following construction, graded or filled areas are required to be stabilized and landscaped. Assuming that development complies with the City's erosion control requirements, significant impacts from erosion are unlikely.

2. Air

- a. What types of emissions to the air would result from the proposal (e.g. dust, automobile, odors, industrial, wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities, if known.**

Development under the Preferred Alternative would result in air quality impacts during construction activities including fugitive dust, odors, and emissions from heavy machinery, trucks, and other vehicles traveling to and operating on construction sites. Increased traffic congestion and delays due to construction would have the potential to increase localized emissions by slowing or stopping traffic.

Increased development density, particularly office and institutional, would likely result in an increase in the number of auto car trips (see traffic analysis) and associated emissions. However, the increase would not add an appreciable amount of emissions to existing conditions caused by surrounding urban development and I-90. It is unlikely that adverse air impacts would be significant. Also, it is anticipated that by having goods and services available closer to employment and housing, automobile trips would be reduced, helping to limit the overall increase in emissions in the area.

As part of the *Evaluation of Draft Alternatives Report*, a greenhouse gas emissions analysis was conducted (Fehr and Peers, 2011) (Appendix B). The purpose was to evaluate the differences in Carbon Dioxide (CO₂) emissions between four alternatives. The results of the analysis showed that because of the inclusion of residential development and multimodal transportation options, Alternative 1 was the only alternative that achieved lower per capita CO₂ emissions than the No Action Alternative. Alternatives 2 and 3 generated slightly higher levels of CO₂ per capita.

The greenhouse gas analysis was not extended to the Preferred Alternative, but it is assumed that the results would fall within the range found for the draft alternatives. The Preferred Alternative includes similar transportation improvements, but not as many projected housing units as Alternative 1. Therefore, greenhouse gas emissions would likely be lower than Alternatives 2 and 3, but may be higher than the no action scenario.

- b. Are there any off-site sources of emissions or odors that may affect your proposal? If so, generally describe.**

Construction activities associated with development under the Preferred Alternative would have the potential to temporarily create odors and/or emissions. The King County transfer station has the potential to create odors, but the County is planning on redeveloping the transfer station, which would include additional odor control. There are no other known sources of off-site odors or emissions.

- c. Describe proposed measures to reduce or control emissions or other impacts to air, if any.**

Mitigation measures to control air quality impacts would be considered and developed on a project-by-project basis, and could include transportation demand management strategies such as transit and carpooling incentives, bike facilities, and other means of encouraging alternatives to SOV travel.

3. Water

a. Surface:

- 1. Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, and wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.**

Four streams, mainly tributaries or headwater segments, run through the central part of the study area and include, from east to west, Richards, Sunset, East, and Vasa Creeks. Four additional creeks cross the southern Lakemont extension.

Existing wetlands in the study area are located around Richards Creek just south of Eastgate Way and around headwater segments of East Creek just north of SE 30th Street. These wetland areas are linked to a larger wetland stream complex north of Kamber Road. Smaller wetland areas are on the site of the proposed Bellevue Airfield Park. A complete description of the areas surface waters is contained in the *Eastgate I-90 Land Use & Transportation Project Existing Conditions Inventory* (City of Bellevue, 2010).

Phantom Lake lies roughly 500 feet north of the northeast portion of the study area. A portion of the study area (roughly 144 acres) lies within the Phantom Lake Drainage Basin.

- 2. Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.**

There are no planned developments included in the preferred Alternative that would require work in the study area's streams or wetlands. Transportation improvements under any of the alternatives may include work on culverts. Development is likely within 200 feet of streams and wetlands where allowed, and in accordance with applicable regulations.

All development under the Preferred Alternative would be required to comply with the City's critical areas code, which prohibits nearly all activities in streams and wetlands and their buffers. In cases where temporary impacts are unavoidable, the City's critical areas code requires mitigation that results in no loss of the functions and values of the resource.

Impacts to surface water resources and wetlands would be evaluated on a project-by-project basis. If future development is proposed in the vicinity of any surface waters or wetlands, the project action will be evaluated for consistency with the requirements codified in BCC 20.25H "Critical Areas Overlay District." The City would determine the appropriate mitigation of any potential adverse impacts.

- 3. Estimate the amount of fill and dredge material that could be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill materials.**

No filling or dredging activities in surface water resources or wetlands are planned as a component of the Preferred Alternative. Future construction activities associated with development or redevelopment would not likely involve the filling or dredging of surface water resources or wetlands. The placement or removal of dredge or fill materials into or from surface waters or wetlands is prohibited by the City's critical areas regulations for private development; and allowed for public infrastructure only where there is no feasible alternative (BCC 20.25H.055.B and 20.25H.055.C). In general, development and

redevelopment would be required to remain outside of designated critical areas and buffers.

Wetlands and streams are concentrated in the Richards Valley portion of the Study Area. While this area is envisioned to remain in light industrial land uses, some transition to flex-tech or research & development uses could occur, which could result in redevelopment of some properties. In addition, the vacant King County site along Eastgate Way is planned for more intensive office development (approximately 500,000 square feet). Accordingly, the potential for development proposals to affect surface waters exists. However, the Preferred Alternative also includes the following strategies for Richards Valley:

- Reduce impervious surface below existing.
- Encourage further planting with redevelopment, particularly on missing links between parks and vegetated corridors.
- Where possible daylight streams with redevelopment
- Explore enhancing drainage features as naturalistic settings.
- Improve riparian corridors, floodplains, wetlands, and steep slopes to enhance ecological functions.

In addition, construction activities near or adjacent to surface water bodies would be required to comply with the City's critical areas standards as well as Storm and surface water regulations.

4. Will the proposal require surface water withdrawals or diversion? Give general description, purpose, and approximate quantities, if known.

No surface water withdrawals are planned as a component of the Preferred Alternative. It is possible that transportation infrastructure improvements would affect culverts and may require temporary diversion of surface water. However, as a non-project plan, the specific nature of improvements is not currently known. Any diversion needed for culvert work would be temporary and would be assessed at a project specific level. All work would comply with the City's critical area code.

5. Does the proposal lie within a 100-year flood plain? If so, note location on the site plan.

Several tributary and headwater stream segments are located throughout the project area and are bounded by existing development. Construction activities located within the FEMA 100-year floodplain of streams located the project area would be required to comply with local, state, and federal floodplain regulations, in addition to the City's critical area buffers.

New projects developing in accordance with the preferred alternative, once implemented, would not be located in the 100-year flood plain. Updated floodplain maps would very likely place some existing buildings in the floodplain. If these buildings were to redevelop they would have to meet City's regulations to elevate, flood proof, or otherwise reduce the risk of structural flooding, and to mitigate for any potential impacts on other properties due to floodplain modification. If construction activities occur in previously developed areas, significant impacts to floodplains are unlikely.

6. Does the proposal involve discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No direct discharge of waste materials to surface waters is anticipated under the Preferred Alternative. Considerations for waste material discharge would be identified and evaluated on a case-by-case basis for proposed development within the study area. Waste material containment, storage, and disposal would be considered for projects with the potential to contaminate surface water bodies.

The Preferred Alternative does not include any new industrial development, which, as a use, has the highest likelihood of handling hazardous materials. In fact, under the Preferred Alternative, the amount of industrial use is expected to decrease (compared to the No Action alternative). All development would be required to comply with the City's stormwater code, in addition to local, state, and federal waste material discharge standards. While the potential for accidental spill is present, compliance with current regulations would likely result in no significant impacts. **b. Ground**

1. Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

All developments in the Eastgate study area are connected to stormwater facilities, municipal water facilities, and the sanitary sewer system. This infrastructure eliminates the need for withdrawals from ground water and would help avoid/abate discharge to groundwater.

Under the Preferred Alternative, water could be withdrawn from or discharged into the ground water during construction activities, such as temporary dewatering to build underground parking structures. Considerations would be required on a case-by-case basis to ensure that individual construction sites take measures to abate and capture storm and waste water runoff, and properly store hazardous, toxic, or otherwise dangerous materials appropriately to prevent potential impacts to ground water sources. All construction activities would comply with state requirements under the general NPDES for construction as well as the City's erosion control regulations, which require erosion control BMPs and appropriate site management techniques to mitigate these potential impacts (BCC 23.76.090). If construction activities follow the City's storm and wastewater regulations and clearing and grading standards, significant impacts to ground water are not anticipated.

2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any. Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) is expected to serve.

Under the Preferred Alternative, no waste material would be discharged into ground water. There would be no septic systems or livestock in the study area.

Considerations would be required on a case-by-case basis to ensure that individual construction activities and development sites take measures to abate and capture storm and waste water runoff, and properly store hazardous, toxic, or otherwise dangerous materials in a way to prevent potential impacts to ground water resources. If construction activities comply with the City's storm and wastewater regulations, clearing and grading standards, and all other building and development codes significant impacts to groundwater are unlikely.

c. Water Runoff (including storm water)

1. Describe the source of runoff (including storm water) and method of collection and disposal, if any (including quantities if known). Where will this water flow? Will this water flow into other waters? If so, describe.

The Eastgate/I-90 study area contains approximately 59% impervious area. Impervious surface is often used as a proxy for watershed condition. Watershed conditions begin to deteriorate once the basin is 10-15% impervious area (City of Bellevue, 2010). As noted, impervious area is well over 10-15%, indicating the study area's hydrology is likely degraded compared to predevelopment (i.e. forested) conditions.

Total impervious area is not likely to decrease and may increase slightly with the proposed increase in development density. Maximum allowed impervious area in the city's commercial zones is 80 – 85 percent. While developments on individual lots may achieve 80 percent impervious, the study area overall will remain below that because of the presence of critical areas, buffers, stormwater management facilities, parks, landscaping and other unpaved or undeveloped areas.

In addition, increases in impervious surface area would likely be part of redevelopment or road expansion projects subject to stormwater regulations that required post construction stormwater hydrology and water quality conditions to be maintained or improved (BCC 24.06.065).

As of January 1, 2010 the City of Bellevue adopted new stormwater regulations intended to reduce the deleterious effects of imperviousness on stream health, water quality and quantity (BCC24.06.015). The regulations require that new development or redevelopment projects mitigate site runoff to pre-developed (forested) conditions if downstream areas are less than 40% impervious, if downstream areas are greater than 40% impervious, post construction conditions must remain the same as the pre-construction conditions (BCC 24.06.065.G.7.b).

There are small-scale detention facilities owned by private property owners, the City of Bellevue, or King County scattered throughout the Eastgate/I-90 study area. However, the study area was largely developed under older stormwater regulations that, in many cases, did not fully protect downstream receiving waters. As a result, stormwater runoff is currently subjected to a lower standard of control (i.e., detention and treatment) than what is currently required.

The study area currently contains areas zoned for office, commercial, light industrial, and residential uses (including R-5, R-10, and R-20). The current code (BCC 20.20.010) prescribes maximum percentages of impervious allowed on a project site in each zoning district (office, office light business, and neighborhood business: 80%; community business, light industrial, and general commercial: 85%; residential R-5: 55%, R-10: 80%, and R-20: 80%). Increasing density and development in the Preferred Alternative could increase the total impervious area in the study area, if development maximized the allowed impervious area. However, much of the study area that is planned for increased development density has been largely cleared of vegetation through past development. Existing vegetation includes critical areas and buffers and ornamental plantings as part of landscaping.

New development or redevelopment under the Preferred Alternative would include new commercial, retail and residential multi-family uses concentrated in the Transitoriented Development Center, King County site, Eastgate Plaza and Factoria area. Bellevue College expansion and expansion of auto dealers north of I-90, as well as I90 off ramp improvements, and minor development south of I-90 are also anticipated. All of these would likely include new impervious area.

New developments or redevelopments in the study area would be subject to the City's current and more stringent stormwater regulations; mitigating runoff impacts to mimic predevelopment/forested conditions. Assuming existing stormwater management on properties being developed or redeveloped is not as effective as new requirements and that new development complies with current requirements that require maintenance or improvement in stormwater management, development under the Preferred Alternative could represent an incremental improvement to overall stormwater management in the basin and study area.

2. Could waste materials enter ground or surface waters? If so, generally describe.

No waste materials are expected to enter ground or surface waters. As noted above, all new development under any of the alternatives would be required to comply with current stormwater standards. If compliance is achieved a significant amount of waste material would not enter ground or surface water.

d. Describe proposed measures to reduce or control surface, ground, and runoff water impacts, if any.

As of January 1, 2010 the City of Bellevue adopted new stormwater regulations intended to reduce the deleterious effects of imperviousness on stream health (water quality and quantity). The new regulations require that new development or redevelopment projects mitigate site runoff to pre-developed/forested conditions if the drainage area of the immediate stream is less than 40% impervious (BCC 24.06.065(G)(7)(b)). If the drainage area of the immediate stream is greater than 40% impervious, site runoff would have to match existing conditions. The former is likely the case for the Eastgate/I-90 study area. This is a more stringent standard than existed when most of the area was developed.

Assuming that all new developments under the Preferred Alternative achieve consistency with the City's new stormwater standards and potentially trigger the requirement to manage stormwater to a predevelopment, forested condition, future developments could result in better stormwater management than exists currently and would, at a minimum, maintain existing stormwater management. As such, the Preferred Alternative would marinating existing stormwater conditions and could achieve greater overall improvements to stormwater management.

4. Plants

a. Types of vegetation found on-site:

The study area is heavily developed and includes vegetation typical of developed areas in the Pacific Northwest. The area also includes areas of ornamental vegetation. A complete plant survey has not been conducted, but the following are species likely to be present.

- x **Deciduous trees:** Alder, Cottonwood, Maple, other
- x **Evergreen trees:** Douglas-fir, Hemlock, Cedar, Other
- x **Shrubs:** Sword fern, Salmonberry, Salal, Oregon grape
- x **Grass:** Various native, ornamental and invasive species
- **Pasture:** None
- x **Wet Soil Plants:** Cattail, buttercup, bulrush, skunk cabbage, other

b. What kind and amount of vegetation will be removed or altered?

Development and implementation of the Preferred Alternative would result in future construction activities and development or redevelopment of a higher density land use pattern and more infrastructure in the Eastgate/I-90 study area. The majority of the study area that would be impacted by new land uses has been largely cleared of vegetation through past development. The amount of vegetation that will be removed or altered as a result of new development will depend on the specific development proposal. As a non-project action, that information is not available at this stage of the planning process. Projects occurring in the study area under the Preferred Alternative would be subject to review on a case-by-case basis and impacts to vegetation would be mitigated consistent with the City's critical area buffer standards and tree retention regulations.

As part of project development, green features such as utilizing natural drainage patterns and restoring fragmented or altered habitat could be encouraged under the Preferred Alternative. Restoration plantings, landscaping, and the development of park infrastructure would occur under the Preferred Alternative as well. Because development must comply with the City's critical area buffers for streams and wetlands, significant impacts to vegetation are not anticipated.

c. List threatened or endangered species or critical habitat known to be on or near the site.

There are no known threatened, endangered, or critical vegetation species in the study area. Alteration or destruction of threatened, endangered, or critical vegetation species would be regulated by City critical areas restrictions including habitats associated with species of local importance (20.25H.150) as well as state, and federal rules. Significant impacts to threatened or endangered vegetation are not anticipated.

d. Describe proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on-site.

Adoption of the Preferred Alternative would encourage increased density and development resulting in some loss of the limited existing vegetation in the study area, although much of the area's existing unprotected (non-critical area) vegetation is ornamental. The Preferred Alternative includes provisions for landscaping of areas to improve the aesthetic and environmental character of the study area, including within freeway interchanges and boulevard streets. Planting designs would incorporate the use of native species and would include low groundcover, low shrubs, and trees for canopy cover.

In addition, all development would be required to comply with the City's critical areas regulations, tree retention policies and setbacks and screening requirements. Mitigation and

upgrades to parks and rights-of-way would recapture some of the lost vegetation. Development consistent with current regulations would not result in significant impacts.

Development activities that are not categorically exempt from SEPA would be subject to reviewed under SEPA subject to exemption thresholds outlined in the City's implementing ordinance (BCC 22.02). Any impacts to native vegetation as a result of future projects will be appropriately mitigated under SEPA substantive authority.

5. Animals

a. **Underline any birds and animals which have been observed on or near the site or are known to be on or near the site:**

Animals in the study area include species typically found in urbanized areas of the Pacific Northwest. Terrestrial species likely include various species of hawk, bald eagles, various songbirds, and various small mammals. Aquatic species likely include trout and various amphibians.

Limited portions of study area streams are fish passable. According to WDFW Priority Habitats and Species (PHS) database (2011), Sunset Creek and Richards Creek are mapped as habitat for Coho salmon north of I-90. East Creek is listed as habitat for cutthroat trout. Richards Creek is mapped as habitat for Sockeye and Chinook salmon north of its confluence with Sunset and East Creek (WDFW, 2011)..

Consistent with BCC 20.25H, development proposals under the Preferred Alternative would have to include a determination of whether the proposal would impact habitats associated with species of local importance (defined in BCC 20.25H.150). If so, the proposal would have to implement wildlife management plans developed by WDFW for such species (BCC 20.25H.160).

b. **List any threatened or endangered species or critical habitat near the site.**

The study area is highly developed and has not been identified as habitat for threatened or endangered terrestrial species. According to the WDFW PHS database, Richards Creek is listed as habitat for Chinook salmon, a federally listed species. Richard's Creek and Sunset Creek are mapped as habitat for Coho salmon, a species of local importance designated per BCC 20.25H.150.

The study also contains PHS listed habitat areas and wetland habitats, within the study area. Critical habitat areas (e.g., streams and wetlands) have been identified and mapped by the City. All projects development under the Preferred Alternative would be required to comply with the City's critical areas regulations, existing area species and habitats would be protected. Significant impacts to threatened or endangered species or their associated critical habitat areas are not anticipated.

c. **Is the site part of a migratory route? If so, explain.**

The study area is located within the Pacific Flyway, which is a flight corridor for migrating waterfowl and other avian fauna. The Pacific Flyway covers the entire Puget Sound region, and extends south from Alaska to Mexico and South America.

d. **Proposed measures to preserve or enhance wildlife, if any.**

The study area is highly developed and has not been identified as habitat for threatened or endangered terrestrial species. Sunset and Richards Creeks are identified as salmon bearing. Individual project activities would be required to avoid or (in limited cases, where no feasible option exists) mitigate any impacts to these streams, as well as wetlands and buffers. If development complies with the City's critical areas regulations, significant impacts to threatened or endangered species or their associated habitat areas would not be anticipated.

6. Energy and Natural Resources

- a. What kinds of energy (electric, natural gas, oil, wood, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.**

Energy use in the study area would be typical of urbanized commercial areas. Under the Preferred Alternative, development or redevelopment would require electrical power for lighting as well as safety lighting around parking areas and walkways. Natural gas would be used within structures for heating and cooking. Construction would require gasoline and diesel as well as typical building materials.

- b. Would the project affect the potential use of solar energy by adjacent properties? If so, explain.**

The Preferred Alternative would include changes to the City's comprehensive plan and zoning potentially allowing greater building heights. An increase in shade could result, but would be evaluated on a case-by-case basis for consistency with city policies and standards.

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any.**

Existing City and local utility infrastructure is adequate to serve the growth projected under the Preferred Alternative. Development and redevelopment in the study area would be consistent with all local utility standards. In addition, new development under the Preferred Alternative would be required to consider and incorporate green features and energy conservation into building design. Accordingly, no significant impacts to energy availability are anticipated.

7. Environmental Health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spills, or hazardous waste that could occur as a result of this proposal? If so, describe.**

The development and implementation of the Preferred Alternative would result in more development and a higher density area. Construction sites would pose potential risks for fire and explosion, spill, or exposure to hazardous materials. Spills or leakage from heavy equipment at construction sites could occur. None of these risks would be greater than what is normally anticipated during construction activities, provided normal precautions are taken in storing equipment, hazardous fuels, and other materials used in construction. Waste and storm water would be required to be contained and treated appropriately to mitigate impacts to the environment. All construction activities would follow the City's storm and surface water code

and clearing and grading code, in addition to all local and state regulations. Significant impacts from toxic chemicals, fire hazards, and/or wastes and spills are not anticipated.

1. Describe special emergency services that might be required.

Most of the new development included in the Preferred Alternative would be office (1,800,000 square feet). A substantial amount of institutional (Bellevue College), retail and residential are also included in the Preferred Alternative. In general, these uses would not require special emergency services.

Specific uses within these categories are not known at this stage of planning. While unlikely, it is possible that new uses could require special emergency services. These service needs would be evaluated on a case-by-case basis. In general, it is not expected that special emergency services would be required for new development under any of the alternatives. Typical emergency services such as fire, police, and emergency medical response may be required for emergencies developing as a result of construction activities.

2. Describe proposed measures to reduce or control environmental health hazards.

Normal precautions would be taken in storing equipment, hazardous fuels, and other materials used in construction. Storage, maintenance, and handling precautions for any materials considered to be hazardous materials would comply with International Fire Code requirements. Waste and storm water would be contained and treated in an environmentally safe manner. If development activities follow the City's storm and surface water code, grading and clearing code and other development and building codes, significant impacts from toxic chemicals, fire hazards, and/or wastes and spills are unlikely.

b. Noise

1. What types of noise exist in the area which may affect your project (for example: traffic, equipment operation, other)?

The project location has a long history of elevated noise levels associated with vehicular traffic originating from the I-90 freeway corridor. Noise from I-90 would have a variable effect on the study area depending on land uses at receiving sites.

2. What types and levels of noise would be created by or associated with the project on a short-term or long-term basis (for example: traffic, construction, operation, other)?

Under the Preferred Alternative, short-term noise impacts could result from construction activities including vehicles and equipment. According to the City's code, construction sounds are exempt from the City's noise control ordinance (BCC 9.18) from 7 a.m. to 6 p.m. on weekdays and 9 a.m. to 6 p.m. on (BCC 9.18.020.C). Sound generating development activities or operation of heavy machinery would not occur outside of these times, on Sundays or on holidays, except if permitted by the Director of Community Development and only in cases where activity would not interfere with residential uses permitted in the zone in which it is located. While these impacts would be temporary, noise from construction activities would be noticeable, primarily in residential areas.

The Preferred Alternative includes a moderate amount of new residential development (within the range examined in the Environmental Review Report). Noise impacts from construction on residential uses would depend on the development sequence and would

have to be examined on a case-by-case basis, when residential and other development proposals are submitted under the Preferred Alternative.

Long-term impacts could result from increased traffic in the Eastgate/I-90 study area. However, the incremental increase in auto noise would be unlikely to significantly raise the overall noise level.

Lastly, the Preferred Alternative would increase the residential population in the study area (800 housing units more than current). Residential uses are considered more sensitive to sound levels and are regulated accordingly through 9.18.

3. Describe proposed measures to reduce or control noise impacts, if any.

The City's code (BCC 9.18.025 – 9.18.030) regulates noise levels through classes of environmental designations for noise abatement (EDNA). Residential land use districts are classified as EDNA A, commercial land use district are classified as EDNA B and industrial land use districts are classified as EDNA C. For each EDNA, maximum sound levels are established in BCC 9.18.030 based on the sound's source. Maximum permissible sound levels are lowest for EDNA A and highest for EDNA C. Specific zoning has not been established at this point in the planning process. Residential development may be located in either an EDNA A or B area and these designations would determine the allowable sound levels.

In addition, each development proposed under the Preferred Alternative will be required to comply with the development restrictions of BCC 9.18.045B for exterior and interior sound and noise attenuation measures. New development adjacent to I90 is expected to buffer areas (particularly north of the Transit Oriented Center) from freeway noise. Residential buildings could also be sited and designed to minimize noise impacts on residents. Assuming this was done, impacts from sound could be maintained below a significant level. Existing noise standards for construction and operation are likely sufficient to control potential noise impacts.

8. Land and Shoreline Use

a. What is the current use of the site and adjacent properties?

Office uses dominate the study area. Office clusters in the study area are on the northeastern edge, in the valley west of 161st Avenue SE, and fronting the freeway on the south. Office uses are also located south of Bellevue College in the Lincoln Executive Center, west of Bellevue College in the Sunset North Corporate Campus, and as smaller components of light-industrial uses in the Richards Valley area.

Retail uses are in two main locations, Factoria Village near Factoria Boulevard and Eastgate Plaza near SE 37th Street and 150th Avenue SE. Other major retail uses include Toyota and Subaru auto dealerships around 150th Avenue SE, in the Sunset Village shopping area, and a Honda auto dealership along SE 36th Street. Other smaller retail uses are located near the Toyota and Subaru dealerships and along 156th Avenue SE.

Light industrial and warehouse uses are loosely clustered in Richards Valley, around SE 30th Street, in the general area between 139th Avenue SE on the east and Richards Road on the west.

The two major institutional uses are Bellevue College and the Church of Latter Day Saints (LDS church). A 59-acre parcel of the 99-acre campus of Bellevue College is in the study area. The Bellevue College campus is bounded by 148th Avenue SE to the east, SE 24th Street to the north, and Snoqualmie River Road to the west. The 23-acre campus of the LDS church is bounded by 156th Avenue SE to the east, SE 28th Street to the north, and 148th Avenue SE to the west.

Public facilities classified as institutional/government uses are also scattered across Richards Valley, and these include the King County Transfer Station, Puget Sound Energy substation and the Humane Society.

There are a total of 221 residential units within the study area, all of which are multifamily units clustered between 139th Avenue SE and Bellevue College. In addition to these housing units, the study area has 655 hotel rooms in extended stay format hotels.

In terms of acreage, office uses are the largest consumers of land utilizing 40% of total acreage, while institutional uses consume 16%, commercial uses consume 13%, and industrial uses consume 11% of total land area. A more detailed description of existing land use can found in the *Eastgate I-90 Land Use & Transportation Project Existing Conditions Inventory* (City of Bellevue, 2010).

b. Has the site been used for agriculture? If so, describe.

The site has not been used for agriculture in the recent past. The study area was logged in the early 1900s and was later developed for industrial and commercial land uses.

c. Describe any structures on the site.

The site has been intensely developed and contains a variety of land uses and structures. Office structures are clustered near the northeastern edge, in the valley west of 161st Avenue SE, and fronting the freeway to the south. Retail buildings are concentrated in two locations, Factoria Village and Eastgate Plaza. Light industrial and warehouses are loosely clustered in the Richards Valley. Two institutional complexes, Bellevue College and LDS church are located within the study area.

d. Will any structures be demolished? If so, what?

No structures would be demolished as a direct result of the adoption of the Preferred Alternative. However, redevelopment is likely as the Preferred Alternative is implemented. Because the area is largely built out, redevelopment would, in most cases, result in demolition of structures.

e. What is the current zoning classification of the site?

The study area contains a number of zoning classifications. The predominant zoning in the study area is Office Limited Business, which allows for office, hotel, and limited retail uses. Three clusters of Community Business zoning: 1) The Factoria Village shopping center at the north end of the Factoria subarea, 2) the Sunset Village on the north side of I-90, and 3) Eastgate Plaza located to the southeast of 150th. The northwest section of the study area includes a large block of land zoned for Light Industrial. Bellevue College is in an area zoned Residential (R-5), although the college does not include residences. Residential zoning in the study area also includes

multifamily areas (R-10) west of Bellevue College and two small multifamily parcels (R-20) south of 150th Avenue. In addition to these predominant zoning categories, several properties are zoned General Commercial, Neighborhood Business, or as Office. Implementation of the Preferred

Alternative would necessitate changes to the City's Comprehensive Plan, Land Use Code, and Zoning Map, and would include design elements to avoid land use incompatibilities.

f. What is the current comprehensive plan designation of the site?

The study area lies in several designations under the City's current Comprehensive Plan. These designations include community business, office limited business, public facility, and neighborhood business.

g. If applicable, what is the current shoreline master program designation of the site?

There are no shorelines of the state within the study area.

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

Existing wetlands are located around Richards Creek just south of Eastgate Way and around headwater segments of East Creek north of SE 30th Street. These wetland areas link to a larger wetland stream complex north of Kamber Road. Other small wetland areas are on the Bellevue Airfield Park site. In addition to wetlands, several streams are located through the study area. Richards, Sunset, East, and Vasa Creeks run through the central portion of the study area, while four additional streams are located near the Lakemont extension. Steep slopes have also been identified in the study area. Specific areas of steep slopes (>40% and $\geq 1,000$ Sq Ft) are near Sunset ravine, along the southern edge of Bellevue College, south of I-90 along SE 36th Street, along the area just west of 150th Avenue, and along the northwest side of the landfill park site. Such steep wooded areas can provide important wildlife habitat. A more detailed inventory of environmentally sensitive area can be found in the Eastgate I-90 Land Use & Transportation Project Existing Conditions Inventory (City of Bellevue, 2010).

i. Approximately how many people would reside or work in the completed project?

The Eastgate/I-90 study area currently supports 24,000 jobs in approximately 4,950,000 square feet of office space and 655,000. Under the Preferred Alternative, approximately 1,800,000 square feet of new office and 100,000 of new retail space is projected. The new office space is expected to support roughly 5,500 new jobs, and the new retail space is expected to support roughly 250 new jobs. The projected 800 new residential units would increase the area population by about 1,296 individuals, based on an assumed average household size in multi-family development of 1.8 persons per household, and a 10% vacancy rate.

j. Approximately how many people would the completed project displace?

The adoption and implementation of the Preferred Alternatives would increase land use intensity. However, the limited amount of residential development in the study area is not planned to be removed under any of the alternatives. As noted above, the amount of residential development is expected to increase.

k. Describe proposed measures to avoid or reduce displacement impacts, if any.

Displacement impacts are not expected. No measures are proposed.

I. Describe proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any.

An examination of the Eastgate/I-90 corridor, resulting in the Eastgate/I-90 Land Use & Transportation Project, was called for in the City of Bellevue's Comprehensive Plan. The objective of the development and implementation of a preferred alternative is pursuant of the City's Comprehensive Plan Policy ED-19 which recognizes the need to "maintain and update integrated land use and transportation plans to guide the future of the City's major commercial areas and help them respond to change" and to further establish as a goal "to maintain the quality of older commercial areas, promoting redevelopment and revitalization as needed to maintain their vitality".

The Evaluation of Draft Alternative Report examined three potential alternatives to achieve the City's planning goals for the Study area and a no-action alternative as a means of comparison. Multiple facets of the alternatives were evaluated; a major component of the evaluation was compatibility of expected development with the surrounding area and existing plans and policies.

The Preferred Alternative was developed to meet the policy goals of the City, improve environmental conditions and avoid impacts to surrounding areas. The Preferred Alternative, while consistent with the general policy direction in the Comprehensive Plan, would necessitate specific changes to the City's Comprehensive Plan, Land Use

Code, Zoning Map, and Transportation Facilities Plan, and would include design elements to avoid land use incompatibilities.

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

Housing surrounding the Eastgate/I-90 study area is comprised largely of existing singlefamily neighborhoods. Housing within the study area itself is very limited, and is confined to the area east of 139th Ave SE and west of Bellevue College.

The development and implementation of the Preferred Alternative is expected to lead to the development of an additional 800 housing units in the study area. Unit costs are unknown at this time. It is possible that some of this housing could provide accommodation for students of Bellevue College.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

No housing units would be eliminated directly by the Preferred Alternative. Existing surrounding residential neighborhoods would not be affected by zoning changes. Housing in the city would not be adversely impacted.

c. Describe proposed measures to reduce or control housing impacts, if any.

Not applicable.

10. Aesthetics

a. What is the tallest height of any of the proposed structure(s), not including antennas? What is the principal exterior building material(s) proposed?

Actual heights of buildings are not known at this stage of the planning process. The Preferred Alternative will provide general guidelines for development, but subsequent zoning changes will provide explicit dimensional standards.

In general, the Preferred Alternative envisions increased maximum building heights in limited areas of the Eastgate study area. The highest buildings would be allowed in the Transit-Oriented Development center, where maximum heights would be in the range of 10-12 stories. Buildings of 8 to 12 stories may be allowed at the King County site and building in the Eastgate Plaza area, Sunset Village, and I-90 Office Park areas may be up to 6 stories. Maximum heights in other parts of the study area are generally consistent with existing standards.

Building materials, textures, and exterior coloring would be consistent with design guidelines developed for the area and would fit with the aesthetics of the surrounding developments. In general, the aesthetic character would fit in with the Bellevue College and office complex character, while promoting parks, resting points, and landscaping that would accentuate human scale architectural features. Green design would be incorporated into new building and transportation construction.

b. What views in the immediate vicinity would be altered or obstructed?

As noted above, final building heights and development layouts are not known at this stage of the planning process. However, the Preferred Alternative does contemplate increased building heights in limited portion of the study area. The greatest building heights would be allowed in the Transit-Oriented Development Center, between 142nd Pl and 148 Ave SE; where maximum heights could reach up to 10-12 stories (100 – 120 feet). These buildings would be located adjacent to I-90, south of Bellevue College and east of the Park-and-Ride. Buildings of this height may be visible from the Bellevue College campus to the north and, potentially, from the residential area north of the college. To the east is the I-90/Eastgate interchange and auto dealerships.

Views of the area from Bellevue College are currently blocked by the campus's tree cover, comprised of mature conifers. The campus's trees cover will largely be retained into the future. Also, the site lies at a topographical low spot with slopes rising to the north. The campus and residential areas to the north are 100 – 150 feet higher. The areas on the King County Site proposed for greater height allowance are lower still. Potential development sites in the King County Site are at elevations of approximately 140 feet, 250 lower than the Bellevue College Campus. While these building may be visible from the north, they are unlikely to block views.

Lastly, the entire study area lies in a valley with I-90 at the bottom. Views of Lake Washington are to the east and views of the Cascades are to the west. The TransitOriented Development center and King County Site are not within these view paths. Therefore, these views from residential areas would remain unaltered. Given these factors, is it is unlikely that the proposed increased building heights would represent a significant impact to area views.

11. Light and Glare

a. What type of light and glare will the proposal produce? What time of day would it mainly occur?

Office, retail, institutional, and residential development proposed under the Preferred Alternative would result in increased day and nighttime lighting. Light and glare during daylight hours would likely come from glass windows associated with an increased building density in the study area. Sources of additional light and glare are dependent on the location and design of new uses. Sources of light during nighttime hours would come from electric lights associated with building lighting and exterior safety lights over walkway and parking lot infrastructure. Lighting for all development would comply with the City's lighting standards. If construction follows the City's building code, impacts from glare are likely to be avoided or minimized. Overall impacts are not expected to be significant.

b. Could light or glare from the finished project be a safety hazard or interfere with views?

Light and glare from the project would be unlikely to constitute a safety hazard. Increased lighting from buildings, walkways, and parking areas could be viewed from adjacent properties. Landscaping and additional measures could be used to abate lighting that interferes with adjacent properties. Lighting for all development would comply with the City's lighting standards.

c. What existing off-site sources of light or glare may affect your proposal?

No existing sources of off-site light or glare would affect the proposed study area.

d. Describe the proposed measures to reduce or control light and glare impacts, if any.

Under the Preferred Alternative, the retention of trees and vegetation and landscape design would be implemented as necessary on a project-by-project basis to soften or filter light and glare generated from new development. Outdoor lighting would be designed to aim light where appropriate and avoid general light dispersion. Impacts from light and glare are not anticipated under the Preferred Alternative.

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?

The Preferred Alternative is expected to provide several designated and informal recreational opportunities. The development of the Transit-oriented Development Center will create a central location used for shopping, eating, meeting, or walking. Other recreational opportunities included in the Preferred Alternative include:

- Development of "activity centers" in retail areas, providing opportunities for meeting, eating, stopping, and relaxing.
- Improvements to the Mountains-to-Sound Greenway Trail through the Eastgate Area;
- Enhancements to open spaces in the Richards Valley District;
- Potential terrace park along the south side of Bellevue College Campus;

- The addition of bike lanes and/or widened sidewalks along many of the area's street and roadways;
- Plantings in street median and along boulevards; and □ Implementation of the Bellevue Airfield Park project.

In addition, landscaping and the development of parks and trails would be incorporated into the Preferred Alternative and would further enhance recreational options in the Eastgate area. A new City park is proposed to be developed on the old Bellevue Airfield site in the northeast corner of the study area.

b. Would the proposed project displace any existing recreational uses? If so, describe.

The Preferred Alternative would not displace existing recreational uses.

c. Describe proposed measures to reduce or control impacts on recreation, including recreational opportunities to be provided by the project or applicant.

The Preferred Alternatives would increase recreational opportunities in the vicinity by providing additional pathway and trail systems to increase mobility and aesthetic enjoyment of the Eastgate/I-90 study area. No additional measures are needed.

13. Historic and Cultural Preservation

a. Are there any places or objects listed on or eligible for national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

According to the National Register of Historic Places and the Washington Heritage Register, there are no listed places or objects on or adjacent to the Eastgate/I-90 study area.

b. Generally describe any landmarks or evidence of historic, archeological, scientific, or cultural importance known to be on or next to the site.

No designated landmarks or evidence of historic, archeological, scientific, or cultural importance are located on or adjacent to the study area.

c. Describe proposed measures to reduce or control impacts, if any.

Because no historic or cultural resources have been identified, no specific measures are proposed. In the event that historic, cultural or archaeological resources were unexpectedly exposed during excavation or grading on a project site, all construction would be temporarily halted in the immediate vicinity of activity and the City of Bellevue and Washington Office of Archaeology and Historic Preservation (WOAHP) would be notified. Construction activity would not resume until the City, WOAHP, and a professional archeologist had been consulted.

Archeological and cultural resources would be examined on a project-by-project basis and would include a review of the National Register of Historic Places and the Washington Heritage Register.

14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on-site plans, if any.**

The Eastgate/I-90 study area's transportation network is mapped in the *Eastgate I-90 Land Use & Transportation Project Existing Conditions Inventory* (City of Bellevue, 2010).

- b. Is the site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?**

Transit in the study area uses both local and commuter routes. Route maps as well as ridership information are provided in the *Transportation Strategies Report for the Eastgate I-90 Land Use & Transportation Project* (City of Bellevue, January 2012).

- c. How many parking spaces would the completed project have? How many would the project eliminate?**

The number of parking spaces is not known at this phase of the planning process. The number of parking spaces will depend on the type and location of development. Development under the Preferred Alternatives will be required to comply with the City's parking requirements and specific parking standards developed for the subarea.

- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe.**

Yes, improvements to the study area's roadway network, transit system, and pedestrian accessibility are proposed. A complete description of these proposed Improvements are included in the *Transportation Strategies Report for the Eastgate I-90 Land Use & Transportation Project* (City of Bellevue, January 2012).

- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.**

No there are no water, rail or air transportation facilities in the study area

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.**

The City's Bellevue-Kirkland-Redmond (BKR) travel demand model (EMME version MP030r5.5) was used to evaluate how projected traffic under the preferred alternative would impact 2030 roadway facilities. This methodology is consistent with FHWA guidance indicating that the appropriate tool for the planning phase of a project is a Travel Demand Model. The model produces both an estimate of traffic volumes at area intersections and an assessment of the quality of traffic operations.

Quality of traffic operations on roadway facilities is described in terms of Level of Service (LOS), a measure of operational conditions and motorists' perceptions. LOS ratings range from "A" to "F" and are related to the average delay experienced by all vehicles as they approach the intersection. An LOS A represents the best operation and LOS F represents the worst. Typically an LOS of A, B, C, or D is considered acceptable; LOS of E is considered unacceptable; and an LOS of F is considered failing.

EASTGATE/I-90 LAND USE AND TRANSPORTATION PROJECT

The LOS analysis used PM peak one-hour traffic volumes for forty four intersections within and surrounding the Eastgate subarea. Traffic volumes and LOS were estimated for three scenarios: 1) existing (2009) intersection PM peak hour levels of service; 2) projected (2030) intersection PM peak hour levels of service under the Preferred land use alternative including the proposed transportation improvements; and 3) projected (2030) intersection PM peak hour levels of service under the Preferred land use alternative assuming no change to the existing transportation network. The total number of estimated trips entering intersections in the project area under three scenarios is as follows:

Development Scenario	PM Peak Trips
Existing (2009)	95,434
2030 with improvements	120,374
2030 without improvements	120,878

According to the traffic analysis of the Preferred Alternative, the proposed capacity improvements at area intersections will accommodate future traffic growth and result in measurable improvements over existing conditions at these same locations. Furthermore, when considered from a corridor-wide perspective, the “2030 with improvements” scenario results in 41.7 seconds of delay per vehicle compared to 46.5 seconds of delay per vehicle in the “2030 without improvements” scenario, a 12 percent reduction in vehicle delay at corridor intersections. The complete and detailed analysis of traffic and transportation in the study area is included in the *Transportation Strategies Report for the Eastgate I-90 Land Use & Transportation Project* (City of Bellevue, January 2012).

g. Describe proposed measures to reduce or control transportation impacts, if any.

The Preferred Alternative includes transportation improvements that address congestion, transit, and pedestrian facilities. All of these improvements are being evaluated as measures to improve connectivity and access within the study area. The improvements are described in detail in the *Draft Preferred Alternatives Report*. As noted above, improvements will accommodate future traffic growth and result in overall improvements over existing conditions. Improvements are described in detail in the *Transportation Strategies Report for the Eastgate I-90 Land Use & Transportation Project* (City of Bellevue, January 2012).

15. Public Services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally explain.

Yes. The Preferred Alternative includes increased office, institutional, and retail development, which would increase the demand for public services such as emergency services. The modest amount of residential growth would generate the need for additional emergency, school, library, and health care services.

b. Describe proposed measures to reduce or control direct impacts on public services.

Existing services are generally adequate to serve the anticipated growth under the Preferred Alternative, therefore no measures are proposed. Depending on the nature of residential development that is proposed, it may be necessary to evaluate whether expansion of services for new residents is necessary.

16. Utilities

a. Underline utilities currently available at the site:

Electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic systems, telephone services and stormwater drainage are readily available in the study area.

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Project-specific extensions of or upgrades to the utilities listed above are likely to be required as properties redevelop in accordance with the Preferred Alternative.

Available water utilities for fire flows in the study area generally fall within the typical range for commercial and multi-family development, which is 2,500 to 3,500 gpm. Fire flows are generally adequate for all areas except the area zoned for office west of Richards Road. This area's 1,500 gpm fire flow may not be enough for future development. However, the Preferred Alternative does not propose changes to land uses in that part of the study area. As properties throughout the study area redevelop, a detailed determination of flow adequacy would be made and would depend on the scale and nature of new development.

In general, however, the existing utility infrastructure is adequate to serve the anticipated growth, and substantial upgrades are not expected to be needed. Therefore, significant impacts to public services are not anticipated.

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:

Date Submitted:

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Discharge to Surface and Ground Water

No direct discharge of waste materials to surface or ground waters is anticipated from land uses included in the Preferred Alternative. There would be no septic systems or livestock in the study area. Considerations for waste material discharge during construction would be identified and evaluated on a case-by-case basis for proposed developments within the study area. Waste material containment, storage, and disposal would be considered for projects with the potential to contaminate surface water bodies or ground water.

The Eastgate/I-90 study area contains approximately 59% impervious area. Total impervious area is not likely to decrease and may increase slightly. However, because increases in impervious surface area would likely be part of redevelopment or road expansion projects, they would be subject to stormwater management regulations requiring maintenance or improvement in stormwater hydrology and water quality. A more detailed description is provided in Section B.3 of the checklist.

There are no provisions in the Preferred Alternative for the operational production, storage or release of toxic or hazardous substances. Considerations would be required on a case-by-case basis to ensure that individual construction sites take measures to properly store hazardous, toxic, or otherwise dangerous materials appropriately to prevent potential impacts.

Emissions to Air

As described, in section B, development under the Preferred Alternative may result in air quality impacts during construction activities including fugitive dust, odors, and emissions from heavy machinery, trucks, and other vehicles traveling to and operating on construction sites. Increased traffic congestion and delays due to construction would have the potential to increase localized emissions by slowing or stopping traffic.

Increased development density, particularly office and institutional, would likely result in an increase in the number of auto trips (see traffic analysis) and associated emissions. As part of the *Evaluation of Draft Alternatives Report*, a greenhouse gas emissions analysis was conducted (Fehr and Peers, 2011). The results of the analysis showed that because of the inclusion of residential development and multimodal transportation options, Alternative 1 was the only alternative that achieved lower per capita CO₂ emissions than the No Action Alternative. Alternatives 2 and 3 generated slightly higher levels of CO₂ per capita.

The greenhouse gas analysis was not extended to the Preferred Alternative, but it is assumed that the results would fall within the range found for the draft alternatives. The Preferred Alternative includes similar transportation improvements, but not as many projected

housing units as Alternative 1. Therefore, greenhouse gas emissions would likely be lower than Alternatives 2 and 3, but may be higher than the no action scenario.

Noise

Under the Preferred Alternative, short-term noise impacts could result from construction activities including vehicles and equipment. Construction noise is exempt from the City's noise control ordinance (BCC 9.18) from 7 a.m. to 6 p.m. on weekdays and 9 a.m. to 6 p.m. on (BCC 9.18.020.C). Sound generating development activities occurring outside of these times, on Sundays or on holidays, would require permission from the Director of the Development Services Department and only in cases where activity would not interfere with residential use permitted in the zone. There are no new noise-producing land uses proposed for the area. Long-term impacts could result from increased traffic in the Eastgate/I-90 study area. However, the incremental increase in auto noise would be unlikely to significantly raise the overall noise level. A more detailed description is provided in Section B.7.b.

Proposed measures to avoid or reduce such increases are:Surface and Ground Water

Considerations would be required on a case-by-case basis to ensure that individual construction activities and development sites take measures to abate and capture storm and waste water runoff, and properly store hazardous, toxic, or otherwise dangerous materials in a way to prevent potential impacts to ground water resources. If construction activities comply with the City's storm and wastewater regulations, clearing and grading standards, and all other building and development codes significant impacts to groundwater are unlikely.

Air

Mitigation measures to control air quality impacts would be considered and developed on a project-by-project basis, and could include transportation demand management strategies such as transit and carpooling incentives, bike facilities, and other means of encouraging alternatives to SOV travel.

Noise

The City's code (BCC 9.18.025 – 9.18.030) regulates noise levels through classes of environmental designations for noise abatement (EDNA). Residential land use districts are classified as EDNA A, commercial land use district are classified as EDNA B and industrial land use districts are classified as EDNA C. For each EDNA, maximum sound levels are established in BCC 9.18.030 based on the sound's source. Maximum permissible sound levels are lowest for EDNA A and highest for EDNA C. Specific zoning has not been established at this point in the planning process. Residential development may be located in either an EDNA A or B area and these designations would determine the allowable sound levels.

In addition, each development proposed under the Preferred Alternative will be required to comply with the development restrictions of BCC 9.18.045B for exterior and interior sound and noise attenuation measures. New development adjacent to I-90 is expected to buffer areas (particularly north of the Transit Oriented Center) from freeway noise. Residential buildings could also be sited and designed to minimize noise impacts on residents. Assuming this was done; impacts from noise could be maintained below a significant level. Existing noise standards for construction and operation are considered sufficient to control potential noise impacts.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The majority of the study area that would be impacted by new land uses has been largely cleared of vegetation through past development. The amount of vegetation that will be removed or altered as a

result of new development will depend on specific development proposals. There are no known threatened, endangered, or critical vegetation species in the study area.

Animals in the study area include species typically found in urbanized areas of the Pacific Northwest. Terrestrial species likely include various species of hawk, bald eagles, various songbirds, and various small mammals. Aquatic species likely include trout and various amphibians.

Limited portions of study area streams are fish passable. According to WDFW Priority Habitats and Species (PHS) database (2011), Sunset Creek and Richards Creek are mapped as habitat for Coho salmon north of I-90. East Creek is listed as habitat for cutthroat trout. Richards Creek is mapped as habitat for Sockeye and Chinook salmon north of its confluence with Sunset and East Creek (WDFW, 2011). All development under the Preferred Alternative would have to comply with the City's critical areas regulations which would preclude impacts to streams, wetlands, buffers and protected species and habitats.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

Projects occurring in the study area under the Preferred Alternative would be subject to review on a case-by-case basis and impacts to vegetation would be mitigated consistent with the City's critical area buffer standards and tree retention regulations.

The study area is highly developed and has not been identified as habitat for threatened or endangered terrestrial species. Sunset and Richards Creeks are identified as salmon bearing. Individual project activities would be required to avoid or (in limited cases, where no feasible option exists for public projects) mitigate any impacts to these streams, as well as wetlands and buffers.

As part of project development, green features such as utilizing natural drainage patterns and restoring fragmented or altered habitat would be encouraged under the Preferred Alternative. Restoration plantings, landscaping, and the development of park infrastructure would occur under the Preferred Alternative as well.

Consistent with BCC 20.25H, development proposals under the Preferred Alternative would have to include a determination of whether the proposal would impact habitats associated with species of local importance (defined in BCC 20.25H.150). If so, the proposal would have to implement wildlife management plans that have been developed by WDFW for such species (BCC 20.25H.160).

3. How would the proposal be likely to deplete energy or natural resources?

Energy and natural resource use in the study area would be typical of urbanized commercial, institutional and/or high density residential areas. Under the Preferred Alternative, new and existing development will require electrical power and natural gas. Construction would require gasoline and diesel as well as typical building materials.

The Preferred Alternative envisions a higher density urban area that would likely require more energy and natural resources than are used under current conditions. Infill and more intensive redevelopment of existing urbanized land is expected to consume fewer energy and natural resources than if the same amount of development were to occur in an area that had not previously been converted to urban uses. The expected new development is modest relative to the vast developed areas in the region and there are no proposed uses that would accelerate depletion of an energy source or supply or natural resource, as compared to the No Action Alternative.

Proposed measures to protect or conserve energy and natural resources are:

Existing city and local utility infrastructure is adequate to serve the growth projected under the Preferred Alternative. Development and redevelopment in the study area would be consistent with all local utility standards. In addition, new development under the Preferred Alternative would be required to consider and incorporate green features and energy conservation into building design. Accordingly, no significant impacts to energy availability are anticipated.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The study area contains several environmentally sensitive areas and public parks. Wetlands are located around Richards Creek just south of Eastgate Way and around headwater segments of East Creek north of SE 30th Street. Other small wetland areas are on the Bellevue Airfield Park site. In addition to wetlands, several streams are located through the study area. Richards, Sunset, East, and Vasa Creeks run through the central portion of the study area, while four additional streams are located near the Lakemont extension. Richards, Sunset, and East creeks have been identified as salmon bearing.

Steep slopes have also been identified in the study area. Specific areas of steep slopes (>40% and ≥ 1,000 Sq Ft) are near Sunset ravine, along the southern edge of Bellevue College, south of I-90 along SE 36th Street, along the area just west of 150th Avenue, and along the northwest side of the landfill park site. A more detailed inventory of environmentally sensitive area can be found in the Eastgate I-90 Land Use & Transportation Project Existing Conditions Inventory (City of Bellevue, 2010).

There are several public areas and parks in the study area including Robinswood, Spiritridge and Sunset Parks. In addition, City staff is working on the master plan for a new park, on land collectively called 'The Eastgate Area Properties'; a 27.5 acre area, located near the Advanta office building, near the 'Lake to Lake Trail.'

According to the National Register of Historic Places and the Washington Heritage Register, there are no listed places or objects on or adjacent to the Eastgate/I-90 study area.

The Preferred Alternative has been developed to protect sensitive and public lands and resources. One of the primary objectives of the Preferred Alternative is to improve the area's environmental quality by enhancing natural systems and stream corridors and improving public lands. Critical areas would be protected consistent with the city's critical areas regulations. All parks would be maintained and/or improved. The Mountains to Sound Greenway is proposed to be improved.

Proposed measures to protect such resources or to avoid or reduce impacts are:

Impacts to environmentally sensitive areas and public lands are not anticipated. The study area is highly developed and has not been identified as habitat for threatened or endangered terrestrial species. Sunset and Richards Creeks are identified as salmon bearing. Individual project activities would be required to avoid or (in limited cases, where no feasible option exists for public projects) mitigate any impacts to these streams, as well as wetlands and buffers. The inventory of parks would be maintained or improved. All development would be required to comply with all state and federal law regulating inadvertent discovery of archeological, historic or cultural resources.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

An examination of the Eastgate/I-90 corridor, resulting in the Eastgate/I-90 Land Use & Transportation Project, was called for in the City of Bellevue’s Comprehensive Plan. The objective of the development and implementation of a preferred alternative is pursuant of the City’s Comprehensive Plan Policy ED-19 which recognizes the need to “maintain and update integrated land use and transportation plans to guide the future of the City’s major commercial areas and help them respond to change” and to further establish as a goal “to maintain the quality of older commercial areas, promoting redevelopment and revitalization as needed to maintain their vitality”.

The Preferred Alternative was developed to meet the policy goals of the City, improve environmental conditions and avoid impacts to surrounding areas. The Preferred Alternative, while consistent with the general policy direction in the Comprehensive Plan, would necessitate specific changes to the City’s Comprehensive Plan, Land Use Code, Zoning Map, and Transportation Facilities Plan, and would include design elements to avoid land use incompatibilities. There are no shorelines in the study area.

Proposed measures to avoid or reduce shoreline and land use impacts are:

Development of the Preferred Alternative was consistent with the goals of the city and policies in the City’s Comprehensive Plan. No shoreline or land use impacts are anticipated. Therefore, no additional measures are provided.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Transportation

Improvements to the study area’s roadway network, transit system, and pedestrian accessibility are a key element of the Preferred Alternative. A complete description of these proposed Improvements are included in the *Transportation Strategies Report for the Eastgate I-90 Land Use & Transportation Project* (City of Bellevue, January 2012).

The City’s Bellevue-Kirkland-Redmond (BKR) travel demand model (EMME version MP030r5.5) was used to evaluate how projected traffic under the Preferred Alternative would impact 2030 roadway facilities. The total number of estimated trips generated under three scenarios is as follows:

Development Scenario	PM Peak Trips
Exiting (2009)	95,434
2030 with improvements	120,374
2030 without improvements	120,878

According to the traffic analysis of the Preferred Alternative, the proposed capacity improvements at area intersections will accommodate future traffic growth and result in measurable improvements over existing conditions at these same locations. Furthermore, when considered from a corridor-wide perspective, the “2030 with improvements” scenario results in 41.7 seconds of delay per vehicle compared to 46.5 seconds of delay per vehicle in the “2030 without improvements” scenario, a 12 percent reduction in vehicle delay at corridor intersections. The complete and detailed analysis of traffic and transportation in the study area is included in the *Transportation Strategies Report for the Eastgate I-90 Land Use & Transportation Project* (City of Bellevue, January 2012).

Public Services and Utilities

The Preferred Alternative includes increased office, institutional, and retail development, which would increase the demand for public services such as emergency services. The modest amount of residential growth would generate the need for additional emergency, school, library, and health care services.

In general, however, the existing utility infrastructure is adequate to serve the anticipated growth, and substantial upgrades are not expected to be needed. Therefore, significant impacts to public services are not anticipated.

Proposed measures to reduce or respond to such demand(s) are:

Transportation

The Preferred Alternative includes transportation improvements that address congestion, transit, and pedestrian facilities. All of these improvements are being evaluated as measures to improve connectivity and access within the study area. Improvements will accommodate future traffic growth and result in overall improvements over existing conditions. Improvements are described in detail in the *Transportation Strategies Report for the Eastgate I-90 Land Use & Transportation Project* (City of Bellevue, January 2012).

Public Services and Utilities

Existing public services and utilities are generally adequate to serve the anticipated growth under the Preferred Alternative, therefore no measures are proposed. Depending on the nature of residential development that is proposed, it may be necessary to evaluate whether expansion of services for new residents is necessary.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

In general, the Preferred Alternative will rely on existing local, state and, to a lesser extent, federal regulations to protect existing environmental conditions. The Preferred Alternative will also include incentives for private developers to improve ecological conditions and open space. All development will be required to comply with the City's regulations for stormwater (including state NPDES requirements for construction), clearing and grading, critical areas protection and development regulations and standards. Projects would also have to comply with state and federal standards including protection of ESA listed species.

EASTGATE/I-90 LAND USE AND TRANSPORTATION PROJECT

REFERENCES

- City of Bellevue. 2012. Eastgate I-90 Land Use & Transportation Project: Transportation Strategies Report. January, 2012. Bellevue, WA.
- City of Bellevue. 2011. Eastgate I-90 Land Use & Transportation Project Evaluation of Draft Alternatives Report. August, 2011. Bellevue, WA.
- City of Bellevue. 2010. Eastgate I-90 Land Use & Transportation Project Existing Conditions Inventory. Summer, 2010. Bellevue, WA.
- Washington Department of Fish and Wildlife (WDFW). 2011. Priority Habitats and Species (PHS) database. Accessed July 2011.
- Fehr and Peers. 2011. Eastgate Greenhouse Gas Emissions Analysis. Prepared for the City of Bellevue. August, 2011.
- Washington State Department of Fish and Wildlife (WDFW). 2011. Priority Habitats and Species, and "StreamNet" databases. Olympia, WA.

Eastgate Proposed Land Use Code Amendments

Open House

June 8, 2016

Written Comments Submitted



EASTGATE PROPOSED LAND USE CODE AMENDMENTS

COMMENTS: Hello I own property at 15531 S.E 30th Bellevue, WA 98006. I would like to see the higher FAR of 2.5 that would reflect the current market demand in 2016 and not that of the past CAC time frame of 2010. Times and housing demands have changed dramatically and a 1.0 FAR will not bring any new development or tax revenue needed. The affordable housing at a 1.0 FAR won't work nobody wants to see a low income housing project as the gateway to Bellevue. The lot restriction of 35-40% is way too small to allow for any form of development I would suggest something more like Bel-Red at 65%. There also needs to be an Please deposit in the comment box Incentive system to allow for higher development that is needed to meet the demand.

If you would like to receive notifications about future meetings.



EASTGATE PROPOSED LAND USE CODE AMENDMENTS

COMMENTS: I am in favor of a 2.5 FAR for the NMCU zoning. I do not think that the 1 FAR bonus for only low-income would pencil 1 development in the Eastgate neighborhood, there are only a handful of development sites left. The 40% lot coverage proposal would waste useful land. Our city needs housing, Eastgate's Heritage Bellevue College and the Alburtons needs housing for them to flourish. We have heard that the financial analysis for the increased 1 FAR for low income was done by Terry a brand new employee to the city. By allowing a 2.5 FAR on the trailer lots site, the city would get roughly \$14,000,000 in Land Value taxes, \$682,729 in projected annual property tax vs 50,500 now which is an increase of 1357%. The sales tax would generate almost \$6m @ 9.5%. This money could help finish the mountain to Sound Greenway, open the extra 2 lanes on I-90 heading East, and help fund a neighborhood connection using city right of way. The demand is there with a 3% vacancy. The market is in a Boom market, if we

Please deposit in the comment box

don't allow zoning that pencils for developers, we will lose an opportunity for needed housing

If you would like to receive notifications about future meetings,



EASTGATE PROPOSED LAND USE CODE AMENDMENTS

COMMENTS:

While looking at the Bellevue College Connection 142nd Place SE Snoqualmie River Rd Multimodal Transportation Corridor document, page 10, it appears that the road leading into the Sunset Ridge Condominium Complex is being removed/replaced and a new entry ~~is~~ is planned that enters from the east. As a resident of Sunset Ridge, I'd like to understand more about how this change would work. My understanding is that ~~the~~ the road from the intersection of 142nd PL SE and SE 32nd north into Sunset Ridge is private property, is the city taking private property for this project and providing a new entry?

Document: <http://www.ci.bellevue.wa.us/pdf/Transportation/BellCollConnPcomp3-25-14b-Final-revised-high-res.pdf>

Please deposit in the comment box

If you would like to receive notifications about future meetings,



EASTGATE PROPOSED LAND USE CODE AMENDMENTS

COMMENTS:

at 150 ave ^{S.E} ~~SE~~ + SE 37 street
East of 150th make 2 lanes
of traffic. ~~There~~ There seems
to be almost enough space,
but not quite enough.
make the sidewalk a little
smaller to accommodate
2 lanes of traffic heading east.
(In front of the Albertsons
Shopping Center.)

Please deposit in the comment box

If you would like to receive notifications about future meetings,



EASTGATE PROPOSED LAND USE CODE AMENDMENTS

COMMENTS:

Concerned about proposed re-zone at SE 37 St. & 156th ave SE. Where will all the traffic go to get there. With multi family houses, etc. How many more cars will it generate? Has a current traffic study been done? When? How will traffic be controlled?

Please deposit in the comment box

If you would like to receive notifications about future meetings,



EASTGATE PROPOSED LAND USE CODE AMENDMENTS

COMMENTS:

Sincere thanks for all the thought + effort that has gone into these proposed amendments.

As an Eastgate resident, I'm looking forward to some revitalization + increased amenities, but concerned about transportation/traffic challenges.

Please make a special effort to insure that Transportation works not just thru the area, Please deposit in the comment box but within it, so ^{near by} residents can access these ~~the~~ C.B + NMU areas with ease.

If you would like to receive notifications about future meetings,



EASTGATE PROPOSED LAND USE CODE AMENDMENTS

COMMENTS:

- ① Please make I-90 and Eastgate Way more visible on companion maps. Orientation is difficult.
- ② Please provide project descriptions for the transportation improvement maps with projected time frame if possible.

Please deposit in the comment box

If you would like to receive notifications about future meetings, please include your name and contact information:



EASTGATE PROPOSED LAND USE CODE AMENDMENTS

- FOOTNOTE #47 Pgs 20, 20. DID NOT PRINTED
- TOD ZONING IN NOT PRINTED FOR COMPARISON
- PAM OF 1.0 IN NMU + OLB 2 IS WORKING

COMMENTS:

LOW WITH RESPECT TO MARKET NEEDS + CONDITIONS
OLD COVERAGE OF 40% IN NMU AND 80% IMPERVIOUS SURFACE
IS GUARANTEEING SURFACE PARKING, NOT PARKS AND LANDSCAPE.
ASK ANY NEIGHBOR WHICH THEY WANT TO SEE. IF YOU WANT TO
SEE LANDSCAPING, LOT COVERAGE LIMITATIONS NEED TO BE ELIMINATED
JUST LIKE IN BELLEVUE. ~~BEFORE IT IS ENACTED~~
• PREEMPT PARKING GARAGES FROM BLDG COVERAGE MEASUREMENT.
IF ENACTED

Please deposit in the comment box

If you would like to receive notifications about future meetings,



EASTGATE PROPOSED LAND USE CODE AMENDMENTS

COMMENTS: The Boomers are now 50-60+ years old. They now have the same knee & other aging ailments you plan NOT to take care of parking is too much too soon. Please think about a plan that works for the people using it. It will take more than 10 years to cut down car usage. Please deposit in the comment box

If you would like to receive notifications about future meetings,



EASTGATE PROPOSED LAND USE CODE AMENDMENTS

COMMENTS:

- 1) The KC Metro plan calls for doubling transit ridership. Therefore, I believe this plan needs to at least reserve enough space to double capacity at the Eastgate P&R.
- 2) SE 36th ~~and 37th~~ is over capacity today. We should ~~not~~ only increase traffic demand on these streets if there is a plan to also significantly expand their capacity.
- 3) The intersections at 148th Ave will also need improvement. For example, what will happen to these businesses when the freeway on ramps back up?
- 4) Asking us to comment on land use without the context of future transportation improvements seems backwards.

Please deposit in the comment box

If you would like to receive notifications about future meetings,



EASTGATE PROPOSED LAND USE CODE AMENDMENTS

COMMENTS:

Traffic improvements must be completed before allowing the zoning change.

The concept of this project is based on transit use, but Metro's recently released long-range plan shows no increase in service until 2025... 9 yrs from now. So there will be no additional buses to transport all these new Eastgate residents + workers for another 9 years. Transit capacity must also exist ~~to~~ before allowing re-zoning.

Please deposit in the comment box

If you would like to receive notifications about future meetings,



EASTGATE PROPOSED LAND USE CODE AMENDMENTS

COMMENTS:

Additionally, unlike the zoning on the UU project, structured parking does not appear to be exempt from PAR in the NMC zoning. That along with a 40% lot coverage would create a sea of parked cars. please look into this

Please deposit in the comment box

If you would like to receive notifications about future meetings,



EASTGATE PROPOSED LAND USE CODE AMENDMENTS

COMMENTS:

I'm very concerned about how the ~~large~~ increase in density is going to affect our quality of life in Eastgate. We're already experiencing extremely heavy traffic congestion, crowded schools, lack of police protection, etc. I hope these things are ~~to~~ planned for.

Please deposit in the comment box

If you would like to receive notifications about future meetings,



EASTGATE PROPOSED LAND USE CODE AMENDMENTS

COMMENTS:

I think this does a lot to support the continued growth of Bellevue College, thank you

Please deposit in the comment box

If you would like to receive notifications about future meetings,



EASTGATE PROPOSED LAND USE CODE AMENDMENTS

COMMENTS:

I'm concerned with the transportation plan. In particular, the plan ~~along~~ shows significant modifications ~~next~~ to the condos next to Bellevue College. The transportation plan documents also indicate increased noise. ~~What~~ What does the city intend to do

Please deposit in the comment box

for these condos due to buses.

~~to remedy~~

~~these~~ fairly implemented

If you would like to receive notifications about future meetings,

nation:

these changes with respect to the residents in the condos?

JUNE 22, 2016 6:30 p.m.

EASTGATE LAND USE CODE

PUBLIC HEARING

Bellevue College | Room N 201 | 3000 Landerholm Circle SE

We've been working hard to develop land use code changes to fulfill the vision and direction of the Citizen Advisory Committee's Eastgate/I-90 Land Use & Transportation Project. The Planning Commission will be holding a public hearing and wants to hear from you.

Contact: Terry Cullen, City of Bellevue Planning and Community Development Department at 425-452-4070 | TCullen@bellevuewa.gov
www.bellevuewa.gov/eastgate-corridor.htm

The purpose of the Planning Commission public hearing is to take testimony on Eastgate proposed Land Use Code Amendments including:

- Three (3) proposed new zoning districts
- New design guidelines for commercial and office uses
- Proposed uses allowed and dimensional standards





Department of Planning & Community Development
PO Box 90012
Bellevue, WA 98009-9012

WEDNESDAY, JUNE 22, 2016

6:30 p.m.

EASTGATE LAND USE CODE

PUBLIC HEARING - PLANNING COMMISSION

BELLEVUE COLLEGE | ROOM N 201

3000 Landerholm Circle SE

Parking Lot Number 10



July 13, 2016

SUBJECT

Continuing discussion of proposed land use code amendments for the Low Impact Development (LID) Principles Project.

NOTE: Please bring your copy of the Planning Commission Materials provided for the May 25, 2016, study session.

STAFF CONTACTS

Catherine Drews, Assistant City Attorney 452-6134
cdrews@bellevuewa.gov
City Attorney's Office

Paul Bucich, Assistant Director of Engineering 452-4596 pbucich@bellevuewa.gov
Utilities

DIRECTION NEEDED FROM PLANNING COMMISSION

- Action
- Discussion
- Information

During this study session, the Low Impact Development (LID) Principles Project team (staff and consultants from AHBL) and the Planning Commission will continue the discussion from the May 25 and June 22 study sessions regarding the proposed Land Use Code amendments (LUCAs) to incorporate LID principles into the City's development codes and standards. At the Study Session, the goal is finalize discussion on the remaining proposals and any remaining discussion surrounding impervious surfaces and receive any direction the Planning Commission may have. Staff will provide an update of proposed changes resulting from staff or public comments and address questions the Planning Commission raised at the May 25 and June 22 study sessions. At the conclusion of this study session, staff seeks consensus from the Planning Commission to hold the public hearing scheduled for July 27.

With the December 31 deadline, it is hoped that at the conclusion of the July 27 public hearing, the Commission will be prepared to make its recommendation to the City Council. Council action on the proposed amendment will occur following the Planning Commission's recommendation to the City Council.

BACKGROUND

The proposed LUCAs result from a requirement under the 2013-2018 National Pollutant Discharge and Elimination System Western Washington Phase II Municipal Stormwater Permit (NPDES Permit) to review and revise development codes and standards to incorporate LID principles. The NPDES Permit is issued by the Washington State Department of Ecology and is required for stormwater discharges under the federal Clean Water Act. The intent of the review and revision process is to make LID the preferred and commonly-used approach to site development. The Project team reviewed the City's development codes and standards and found the codes supportive of LID principles, but also found opportunities to incorporate LID principles.

DISCUSSION/ANALYSIS

LID principles encompass three goals: (1) reducing the loss of native vegetation; (2) minimizing impervious surfaces; and (3) reducing stormwater runoff related to development and redevelopment. The proposed LUCAs achieve these goals and are based on feedback from the public, city staff, and local boards and commissions. The proposed amendments are further intended to meet the Council-approved project principles and be consistent with the Comprehensive Plan. The Project team seeks further feedback from the Planning Commission on the proposed LUCAs listed below. The revised proposed code amendment package is included as Attachment A.

CONSISTENCY WITH THE COMPREHENSIVE PLAN¹

One area of remaining discussion is the proposals' consistency with the City's Comprehensive Plan policies. "The Comprehensive Plan sets out the community's vision for the future, lays out a groundwork of planning policies to guide city actions, and provides a framework so that city departments and community organizations work together toward common goals."² The Comprehensive Plan also establishes the community's desire for how the city should change and what to retain. Attached for your convenience in Attachment B are comprehensive plan policies relevant to the LID Principles Project. Several of the policies in Attachment B include those the Planning Commission recommended for approval last year as a part of the Comprehensive Plan Update.

SUMMARY OF JUNE 22 STUDY SESSION – DISCUSSION COMPLETE/SUBSTANTIALLY COMPLETE:

At the June 22 Study Session, the Planning Commission had a productive discussion regarding the following proposed LUCAs (Planning Commission Direction Required unless otherwise noted):

- **Evaluate use of LID principles (and BMPs) early in the site design process.** Application submittal sheets will be revised to make consideration of hydrology an integral component of site design early in the process to allow the integration

¹ Discussion of the Neighborhood Subarea Plans is outside the scope of this memorandum. Because the proposed code amendments apply city-wide, only the general elements were reviewed.

² City of Bellevue, *Comprehensive Plan, Introduction and Vision* at 2.

of LID principles and best management practices into site design. No action is required by the Planning Commission.

- **Chapter 20.20 LUC: General Development Requirements**

- Discussed amendments to dimensional requirements (LUC 20.20.010 Uses in land use districts). The Project team proposed a new “maximum hard surface” coverage limit that is the same as the current maximum impervious surface coverage. Additionally, the proposal would reduce the maximum impervious surfaces by land use district to more closely reflect development in the land use districts. To balance minimizing impervious surfaces with maintaining vegetation, the current exemption for pervious surfaces is proposed for removal. The Project team also proposed adding new footnotes to the dimensional table that further clarify the proposals: :
 - Footnote 37³: Clarifies that all areas of lot coverage by structures are included in the calculation of maximum impervious surface, and all areas of impervious surface are included in the calculation of maximum hard surface;
 - Footnote 49³: References a new section (LUC 20.20.425), for performance standards for hard surfaces; and
 - Footnote 50³: Includes criteria for when permeable surfacing is determined to be **infeasible**⁴ and provides when infeasible that **impervious surfaces may be utilized up to the maximum hard surface limit.**
- Discussed amendments to 20.20.025 Intrusions into required setbacks
The Project team proposed including bioretention facilities as improvements that may be located within setbacks.
- Discussed amendments to 20.20.460 Impervious surface.
- To support the revisions to 20.20.010, the Project team proposed removing the exemption for pervious pavement under innovative techniques by specifying that permeable surfaces will be included in the calculation of hard surface.

- **Costs and Maintenance**

- Discussed capital costs, maintenance practices, and lifecycle costs for permeable surfaces. To provide further information on maintenance practices associated with permeable surfaces, staff is providing a case study in Attachment D. The study includes analyses of the long-term performance of permeable surfacing which is influenced by carrying out (or failing to carry out) maintenance. Cost studies, because of size, are

³ Footnote numbering is subject to change depending on Eastgate and Downtown Livability proposals.

⁴ Selected infeasibility criteria from the Washington State Department of Ecology’s 2014 Stormwater Management Manual for Western Washington is included in Attachment C for illustrative purposes.

posted on the LID Principle Project website under “Documents/LID Reference Documents”.

SUMMARY OF PROPOSED LUCAs – DISCUSSION REMAINING:

Discussion is still necessary for the following proposed LUCAs. At the conclusion of this discussion, staff will seek Planning Commission direction on any changes desired to the proposals before the July 27 public hearing, and address any remaining questions related to the proposals for impervious surfaces. Where the proposed LUCAs have been revised since the June 22, 2016 study session, the changes are discussed below in *red*.

Chapter 20.20 LUC: General Development Requirements

1. *LUC 20.20.590* Parking, circulation and walkway requirements
 - a. Including pervious pavement as an acceptable surfacing material for walkways.
2. *LUC 20.20.900* Tree retention and replacement.
Making minor revisions for clarity.
 - a. Changes include:
 - i. Incorporating a “hierarchy” for selecting trees for retention.
 - ii. The director may require assurance devices to ensure the continual healthy life of retained trees, similar to how performance standards for wetlands are regulated in the critical areas ordinance.
 - iii. Including a provision in the code to include notice on the face of the plat.
 - b. Items to note:
 - i. Tree retention will still be required only for new or redevelopment, however limitations on when a clearing and grading permit is required are proposed for the Clearing and Grading Code (Chapter 23.76 BCC), so that removal of more than 5 trees requires a permit, and the City can more effectively track tree loss.

Part 20.25 LUC Special and Overlay Districts

Incorporating new code language recently codified from the Downtown Livability early wins code amendments. The Downtown Livability early wins code amendments include provisions for the dual use of planter strips for stormwater treatment, supporting this effort.

1. Allowing bioretention swales and planters within planter strips and landscape buffers.
2. Prioritizing the use of native plant species for landscaping.

3. Including pervious pavement as an acceptable paving material within linear buffers.
4. Requiring the use of LID drainage practices within Bel-Red unless infeasible (previously was recommended).
5. Street trees with grates may be substituted for bioretention facilities.

Part 20.30D LUC Planned Unit Development (PUDs)

1. Allowing for zero lot line development through reduction in side yard setbacks.
2. Including conservation of vegetation and on-site soils and reduction in hard surfaces as criteria for which PUDs may be evaluated.

Chapter 20.50 LUC Definitions.

1. Amending the definition of a significant tree to include trees six inches or greater, and amending how tree size (diameter at breast height or DBH) is measured (four and one half feet above existing grade instead of four feet). Removing the word “healthy” from the definition of a significant tree as all significant trees should be analyzed as a part of a tree retention plan before determining whether or not they are healthy.
2. Including a definition for “landmark trees”, and reference to a Development Services Handout determining thresholds for “rare, uncommon, unique or exceptional” trees that should be preserved on development sites.
3. Including a definition for “hard surface”, as now used in the dimensional requirements.

NEXT STEPS

The Planning Commission is being asked to review and provide feedback on the proposed code amendments prepared by staff and the City’s consultants that incorporates LID principles into the City’s Land Use Code. The timeline for meeting the December 31 deadline includes the following tentatively scheduled meetings:

1. Transportation Commission public hearing (July 14)
2. Planning Commission public hearing and recommendation to Council (July 27)
3. Council action on the proposal (November, 2016)
4. East Bellevue Community Council public hearing and final action (December, 2016)

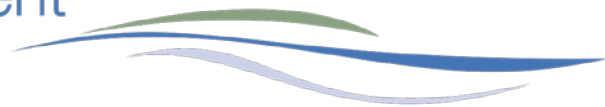
The Planning Commission is asked to make a motion to proceed to a Public Hearing on the aforementioned proposed code amendments on July 27, 2016.

ATTACHMENTS

- A. Revised Land Use Code proposals

- B. Supporting Comprehensive Plan policies
- C. Permeable pavement infeasibility criteria
- D. LID BMP maintenance case study

Low Impact Development Principles Project



Planning Commission

July 13, 2016 Study Session

Chapter 20.20 General Development Requirements.

20.20.010 Uses in land use districts dimensional requirements.

Chart 20.20.010

Uses in land use districts Dimensional Requirements

LAND USE CLASSIFICATION	RESIDENTIAL										
	R-1	R-1.8	R-2.5	R-3.5	R-4	R-5	R-7.5*	R-10	R-15	R-20	R-30
DIMENSIONS	(43)	(43)	(43)	(43)	(43)	(43)	(43)				
...											
Maximum Lot Coverage by Structures (percent) (13) (14) (16) (26) (27) (37) (39)	35	35	35	35	35	40	40	35	35	35	35
Maximum Impervious Surface (percent) (35) (37) (39) (50)	<u>5040</u> (36)	<u>5040</u> (36)	<u>5040</u> (36)	<u>5040</u> (36)	<u>5040</u> (36)	<u>5545</u> (36)	<u>5545</u> (36)	<u>8060</u>	<u>8060</u>	<u>8060</u>	<u>8060</u>
Maximum Hard Surface Coverage (percent) (37) (39) (49) (50)	<u>50</u>	<u>50</u>	<u>50</u>	<u>50</u>	<u>50</u>	<u>55</u>	<u>55</u>	<u>80</u>	<u>80</u>	<u>80</u>	<u>80</u>

[...]

Low Impact Development Principles Project

Planning Commission
July 13, 2016 Study Session

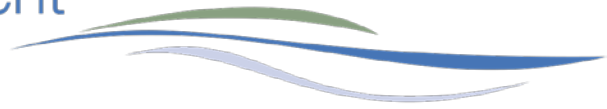
[...]

Uses in land use districts Dimensional Requirements

LAND USE CLASSIFICATION	Professional Office		Office	Office/Limited Business		Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Mixed Use	Neighborhood Business	Community Business	Factoria Land Use District					
	PO	O		OLB	OLB 2							LI	GC	NMU	NB	CB	F1
...	(21)	(21)	(21)	(21)	(21)	(21)	(21)	(21)	(21)	(21)	(21)	(28)	(21, 31)	(21, 32)			
Maximum Lot Coverage by Structures (percent) (13) (14) (16)	35 (24)	35 (24)	35 (24)	35 (24)	35	35	50		35	35 (24)					40 (24)		
Maximum Impervious Surface (percent) (35) (37) (50)	80 60	80 60	80 60	80 60	80 60	80 60	85 65	85 65	80 60	80 60	85 65		80 60	80 60	80 60		
Maximum Hard Surface Coverage (37) (49) (50)	80	80	80	80	80	80	85	85	80	80	85		80	80	80		

[...]

Low Impact Development Principles Project



Planning Commission

July 13, 2016 Study Session

[...]

- (13) Lot coverage is calculated after subtracting all critical areas and stream critical area buffers; provided, that coal mine hazards (20.25H.130) and habitat associated with species of local importance (20.25H.150) shall not be subtracted.
- (14) Maximum lot coverage by structures is determined after public right-of-way and private roads are subtracted from the gross land area.

[...]

- (16) Exceptions to Lot Coverage. Although not considered structures for purposes of calculating lot coverage, the following may be considered impervious surfaces subject to the impervious surface limits. See LUC 20.20.460 and 20.50.026.
 - (a) Underground buildings as defined in LUC 20.50.050 are not structures for the purpose of calculating lot coverage.
 - (b) Buildings constructed partially below grade and not higher than 30 inches above existing or finished grade, whichever is lower, are not structures for the purpose of calculating lot coverage subject to the following conditions:
 - (i) The 30-inch height limit must be met at all points along the building excluding those areas necessary to provide reasonable ingress and egress to the underground portions of the building; and
 - (ii) The rooftop of the building shall be screened from abutting properties with 10 feet of Type II landscaping as described in LUC 20.20.520.G.2 except that the required trees shall be a minimum of 10 feet in height at planting; or, if a use is proposed for the rooftop, the rooftop may be landscaped consistent with the planting requirements for the specific use that is proposed and for the land use district in which the use is located. All landscaping shall comply with standards set forth in LUC 20.20.520. The provisions of LUC 20.20.520.J (Alternative Landscaping Option) are applicable.

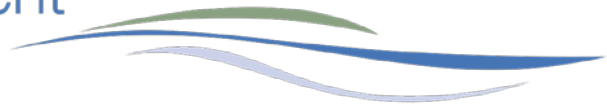
[...]

- (26) See LUC 20.20.125 for specific requirements applicable to detached accessory structures.
- (27) Lot coverage for schools located in residential land use districts is limited to 35 percent of the site area (refer to LUC 20.20.740).

[...]

- (35) See LUC 20.20.460 for exceptions and performance standards relating to impervious surface.
- (36) Impervious surface limits for legally established nonconforming nonresidential uses and for new allowed nonresidential uses in these residential land use districts shall be 80 percent.

Low Impact Development Principles Project



Planning Commission

July 13, 2016 Study Session

(37) Maximum hard surface, maximum impervious surface and maximum lot coverage by structures are independent limitations on allowed development. All areas of lot coverage by structures are included in the calculation of total maximum impervious surface, unless such structures are excepted under LUC 20.20.460. All areas of impervious surface coverage shall be included in the calculation of total maximum hard surface coverage.

[...]

(49) See LUC 20.20.425 for exceptions and performance standards relating to hard surfaces.

(50) Where the use of permeable pavement is determined to be infeasible using the infeasibility criteria in the 2014 Department of Ecology Stormwater Management Manual for Western Washington, now or as hereafter amended, the maximum impervious surface coverage may be exceeded, up to the maximum hard surface coverage allotment.

[...]

20.20.025 Intrusions into required setbacks.

[...]

F. LID Elements. Where feasible, LID BMPs such as bioretention facilities may be located within setbacks required in LUC 20.20.010, provided they conform to the setback requirements in the City of Bellevue Storm and Surface Water Engineering Standards.

[...]

20.20.425 Hard surface.

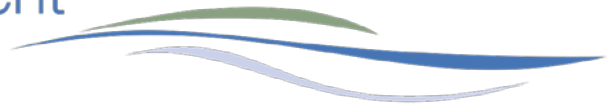
A. Purpose.

Limits on the total amount of hard surfaces associated with site development are desirable to minimize vegetation loss and limit stormwater runoff, which are impacted by the increased level of surface flow generated by hard surfaces. Live plant foliage and groundcover intercept stormwater by retaining or slowing the flow of precipitation to the ground, and their plant roots protect soil from erosion. Preserving naturally vegetated areas is a passive stormwater management tool that effectively reduces watershed function deterioration.

B. Applicability.

Hard surfaces are defined in LUC 20.50.024, and shall include all surfaces considered impervious under LUC 20.20.460, as well as permeable pavement surfaces and vegetated roofs. The hard surface limits contained in LUC 20.20.010 and the standards of this section, shall be imposed any time a permit, approval, or review including land alteration or land development including subdivisions, short subdivisions or planned unit developments, a change in lot coverage, or a

Low Impact Development Principles Project



Planning Commission

July 13, 2016 Study Session

change in the area devoted to parking and circulation is required by this Code, or by the International Building Code.

C. Modifications to Hard Surface Limits.

The hard surface limits contained in LUC 20.20.010 and Chapter 20.25 LUC may be modified pursuant to a critical areas report, LUC 20.25H.230, so long as the critical areas report demonstrates that the effective impervious surface on the site does not exceed the limit established in LUC 20.20.010 and Chapter 20.25 LUC.

1. Garages on sites sloping uphill should be placed below the main floor elevation where feasible to reduce grading and to fit structures into existing topography. Garages on sites sloping downhill from the street may be required to be placed as close to the right-of-way as feasible and at or near street grade. Intrusion into the front setback, as provided in LUC 20.20.025.B, may be required. On slopes in excess of 25 percent, driveways shall be designed to minimize disturbance and should provide the most direct connection between the building and the public or private street; and
2. Changes in existing grade outside the building footprint shall be minimized. Excavation shall not exceed 10 feet. Fill shall not exceed five feet subject to the following provisions: all fill in excess of four feet shall be engineered; and engineered fill may be approved in exceptional circumstances to exceed five feet to a maximum of eight feet. Exceptional circumstances are: (1) instances where driveway access would exceed 15 percent slope if additional fill retained by the building foundation is not permitted; or (2) where the five-foot fill maximum generally is observed but limited additional fill is necessary to accommodate localized variations in topography.

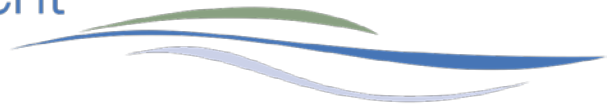
D. Exemptions.

The following are exempted from determining maximum hard surface. These exemptions do not apply to any other Land Use Code requirement, including setbacks and limits on maximum lot coverage by structure, building code, utilities code or other applicable City of Bellevue codes or regulations.

1. Decks/Platforms. Decks and platforms constructed with gaps measuring one-eighth inch or greater between boards, so long as the surface below the deck or platform is pervious;
2. Rockeries/Retaining Walls. Rockeries and retaining walls shall be exempt from the maximum hard surface limits;
3. Stabilization Measures. Shoreline stabilization measures shall be exempt from the maximum hard surface limits; and
4. Landscape Features. Fences, arbors with lattice or open roof materials and similar structures, individual stepping stones placed in the ground but not interlocking, cemented or held together with an impervious material, and organic mulch shall be exempt from the maximum hard surface limits.

E. Performance Standards.

Low Impact Development Principles Project



Planning Commission

July 13, 2016 Study Session

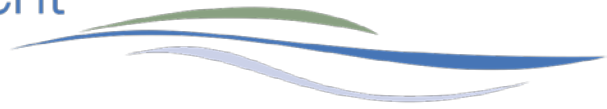
1. Design shall minimize topographic modification. Structures shall conform to the natural contour of the slope. The foundation shall be tiered to conform to the existing topography and step down the slope with earth retention incorporated into the structure where feasible. Standard prepared building pads, i.e., slab on grade, shall be avoided; and
 2. Garages on sites sloping uphill should be placed below the main floor elevation where feasible to reduce grading and to fit structures into existing topography. Garages on sites sloping downhill from the street may be required to be placed as close to the right-of-way as feasible and at or near street grade. Intrusion into the front setback, as provided in LUC 20.20.025.B, may be required. On slopes in excess of 25 percent, driveways shall be designed to minimize disturbance and should provide the most direct connection between the building and the public or private street; and
 3. Changes in existing grade outside the building footprint shall be minimized. Excavation shall not exceed 10 feet. Fill shall not exceed five feet subject to the following provisions: all fill in excess of four feet shall be engineered; and engineered fill may be approved in exceptional circumstances to exceed five feet to a maximum of eight feet. Exceptional circumstances are: (1) instances where driveway access would exceed 15 percent slope if additional fill retained by the building foundation is not permitted; or (2) where the five-foot fill maximum generally is observed but limited additional fill is necessary to accommodate localized variations in topography.
- F. Maintenance and Assurance.
1. Pervious pavement and other hard surface techniques designed to mimic shall be designed by a professional engineer licensed by the State of Washington and the plans are approved by the Director. The Director may require a maintenance plan and long-term performance assurance device to ensure the continued function of the pervious pavement or other technique.
- G. Existing Hard Surfaces.
1. Hard surfaces legally established on a site prior to [INSERT EFFECTIVE DATE], and which exceed the limits set forth in LUC 20.20.010 and Chapter 20.25 LUC shall not be considered nonconforming. Proposals to increase hard surface on a site shall conform to the limits of LUC 20.20.010 and Chapter 20.25 LUC; where a site already exceeds the allowed amount of hard surface, the additional hard surface shall not be approved unless an equal amount of existing hard surface is removed such that the net amount of hard surface is unchanged.

[...]

20.20.460 Impervious surface.

A. Purpose.

Low Impact Development Principles Project



Planning Commission

July 13, 2016 Study Session

Limits on the total amount of impervious surfaces associated with site development are desirable to protect critical areas and limit stormwater runoff, which are impacted by the increased levels and rates of surface flow generated by impervious surfaces.

B. Applicability.

The impervious surface limits contained in LUC 20.20.010 and Chapter 20.25 LUC, and the standards of this section, shall be imposed any time a permit, approval, or review including land alteration or land development including subdivisions, short subdivisions or planned unit developments, a change in lot coverage, or a change in the area devoted to parking and circulation is required by this Code, or by the International Building Code.

C. Modifications to Impervious Surface Limits.

The impervious surface limits contained in LUC 20.20.010 and Chapter 20.25 LUC may be modified pursuant to a critical areas report, LUC 20.25H.230, so long as the critical areas report demonstrates that the effective impervious surface on the site does not exceed the limit established in LUC 20.20.010 and Chapter 20.25 LUC.

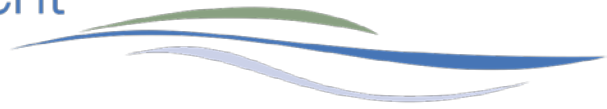
1. Garages on sites sloping uphill should be placed below the main floor elevation where feasible to reduce grading and to fit structures into existing topography. Garages on sites sloping downhill from the street may be required to be placed as close to the right-of-way as feasible and at or near street grade. Intrusion into the front setback, as provided in LUC 20.20.025.B, may be required. On slopes in excess of 25 percent, driveways shall be designed to minimize disturbance and should provide the most direct connection between the building and the public or private street; and
2. Changes in existing grade outside the building footprint shall be minimized. Excavation shall not exceed 10 feet. Fill shall not exceed five feet subject to the following provisions: all fill in excess of four feet shall be engineered; and engineered fill may be approved in exceptional circumstances to exceed five feet to a maximum of eight feet. Exceptional circumstances are: (1) instances where driveway access would exceed 15 percent slope if additional fill retained by the building foundation is not permitted; or (2) where the five-foot fill maximum generally is observed but limited additional fill is necessary to accommodate localized variations in topography.

D. Exemptions.

The following are exempted from determining maximum impervious surface. These exemptions do not apply to any other Land Use Code requirement, including setbacks and limits on maximum lot coverage by structure, building code, utilities code or other applicable City of Bellevue codes or regulations.

1. Decks/Platforms. Decks and platforms constructed with gaps measuring one-eighth inch or greater between boards, so long as the surface below the deck or platform is pervious;
2. Rockeries/Retaining Walls. Rockeries and retaining walls shall be exempt from the maximum impervious surface limits;

Low Impact Development Principles Project

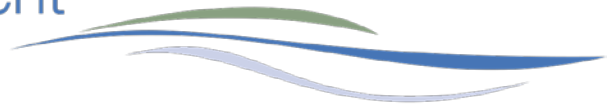


Planning Commission

July 13, 2016 Study Session

3. Stabilization Measures. Shoreline stabilization measures shall be exempt from the maximum impervious surface limits; and
 4. Landscape Features. Fences, arbors with lattice or open roof materials and similar structures, individual stepping stones placed in the ground but not interlocking, cemented or held together with an impervious material, and gravel mulch shall be exempt from the maximum impervious surface limits.
- E. Performance Standards.
1. Design shall minimize topographic modification. Structures shall conform to the natural contour of the slope. The foundation shall be tiered to conform to the existing topography and step down the slope with earth retention incorporated into the structure where feasible. Standard prepared building pads, i.e., slab on grade, shall be avoided; and
 2. Garages on sites sloping uphill should be placed below the main floor elevation where feasible to reduce grading and to fit structures into existing topography. Garages on sites sloping downhill from the street may be required to be placed as close to the right-of-way as feasible and at or near street grade. Intrusion into the front setback, as provided in LUC 20.20.025.B, may be required. On slopes in excess of 25 percent, driveways shall be designed to minimize disturbance and should provide the most direct connection between the building and the public or private street; and
 3. Changes in existing grade outside the building footprint shall be minimized. Excavation shall not exceed 10 feet. Fill shall not exceed five feet subject to the following provisions: all fill in excess of four feet shall be engineered; and engineered fill may be approved in exceptional circumstances to exceed five feet to a maximum of eight feet. Exceptional circumstances are: (1) instances where driveway access would exceed 15 percent slope if additional fill retained by the building foundation is not permitted; or (2) where the five-foot fill maximum generally is observed but limited additional fill is necessary to accommodate localized variations in topography.
- F. Existing Impervious Surfaces.
- Impervious surfaces legally established on a site prior to **August 1, 2006**, and which exceed the limits set forth in LUC 20.20.010 and Chapter 20.25 LUC shall not be considered nonconforming. Proposals to increase impervious surface on a site shall conform to the limits of LUC 20.20.010 and Chapter 20.25 LUC; where a site already exceeds the allowed amount of impervious surface, the additional impervious surface shall not be approved unless an equal amount of existing impervious surface is removed such that the net amount of impervious surface is unchanged.
- G. Innovative Techniques.
- Surfaces paved with pervious-permeable pavement or other innovative techniques designed to mimic the function of a pervious surface shall not be included in the calculation of impervious surface areas. These surfaces, however, they shall be included in the calculation of maximum hard surface areas, but not including the exemptions listed in LUC 20.20.425.C. so long as the technique

Low Impact Development Principles Project



Planning Commission

July 13, 2016 Study Session

~~is designed by a professional engineer licensed by the State of Washington and the plans are approved by the Director. The Director may require a maintenance plan and long term performance assurance device to ensure the continued function of the pervious pavement or other technique.~~

[...]

20.20.590 Parking, circulation, and walkway requirements.

[...]

K. Parking Area and Circulation Improvements and Design

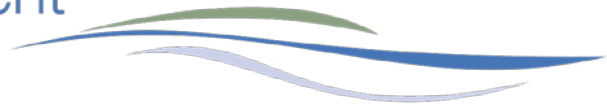
[...]

8. Internal Walkways

[...]

- c. Design Criteria. Except as otherwise specified in Part 20.25A LUC, internal walkways provided pursuant to this section must be designed and installed in conformance with the following:
 - i. Surface Materials. Internal walkways must be paved with hard-surfaced material such as concrete, asphalt, stone, brick, tile, pervious pavement, etc. Only nonskid paving may be used in walkways construction.

Low Impact Development Principles Project



Planning Commission

July 13, 2016 Study Session

20.20.900 Tree retention and replacement.

A. Purpose.

Retention of significant trees as required by this section is necessary to maintain and protect property values, to enhance the visual appearance of the City, to preserve the natural wooded character of the Pacific Northwest, to promote utilization of natural systems, to reduce the impacts of development on the storm drainage system and water resources, and to provide a better transition between the various land uses permitted in the City.

B. Applicability.

The requirements of this section shall be imposed any time a permit, approval, or review including land alteration or land development including subdivisions, short subdivisions or planned unit developments, a change in lot coverage, or a change in the area devoted to parking and circulation is required by the Bellevue City Code or Land Use Code. Subsection F of this section shall apply to permits for new single-family structures and for additions to impervious surface areas that exceed 20 percent when located on a single-family lot developed with a residential use. Subsection E of this section applies to the removal of any significant trees in the R-1 Land Use District located in the Bridle Trails Subarea.

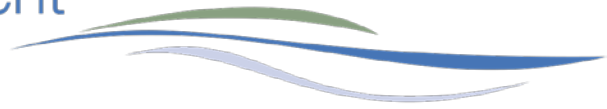
C. Required Review.

The Development Services Department shall review the proposed removal of significant trees with each application within the applicability of this section.

D. Retention of Significant Trees for Subdivisions, Short Subdivisions, Planned Unit Development, Change in Lot Coverage, or Change in the Area Devoted to Parking and Circulation, Excluding Areas Located in the R-1 Land Use District in the Bridle Trails Subarea and for New or Expanding Single-Family Structures.

1. Perimeter Landscaping Area. In the required perimeter landscaping area, as set forth in LUC 20.20.520.F.1, the applicant shall retain all significant trees which will not constitute a safety hazard. For properties located in Bel-Red Land Use Districts, refer to perimeter landscape development at LUC 20.25D.110. Area devoted to access and sight areas as defined in the Transportation Code (Chapter 14.06 BCC) and area to be cleared for required roads, utilities, sidewalks, trails, or storm drainage improvements are exempt from this requirement.
2. Site Interior.
 - a. In areas of the site other than the required perimeter landscaping area, the applicant must retain at least 15 percent of the diameter inches of the significant trees existing in this area; provided, that alder and cottonwood trees' diameter inches shall be discounted by a factor of 0.5. In the event of a conflict between this section and Part 20.25H, Part 20.25H shall prevail. In applying the

Low Impact Development Principles Project



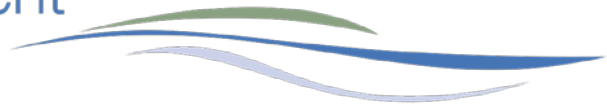
Planning Commission

July 13, 2016 Study Session

requirement for retention of significant trees, the Director shall ~~consider~~require the preservation of the following types of significant trees in the following order of a priority:

- i. Landmark trees as defined in LUC 20.50.032;
 - i.ii. Healthy sSignificant trees over 60 feet in height;
 - ~~ii.~~iii. Significant trees which form a continuous canopy;
 - iv. Significant trees located within the rear yard; and
 - ~~iii.~~v. Significant trees which ~~contribute to the character of the environment, and~~ do not constitute a safety hazard;
 - ~~iv.~~ Significant trees which provide winter wind protection or summer shade;
 - ~~v.~~ Groups of significant trees which create a distinctive skyline feature; and
 - ~~vi.~~ Significant trees in areas of steep slopes or adjacent to watercourses or wetlands.
- b. The Director may approve retention of trees which do not meet the definition of significant trees as a contribution toward the sum of the diameter inches required under subsection D.2.a of this section if a group of trees and its associated undergrowth can be preserved.
3. For subdivisions, short subdivisions, and planned unit developments, the applicant shall retain a minimum of 30 percent of the diameter inches of significant trees existing on the total site area of the development; provided, that alder and cottonwood trees' diameter inches shall be discounted by a factor of 0.5. Preservation priority of significant trees shall occur in the same order as specified above for the site interior.
4. Exemption. The provisions of this subsection which require retention of significant trees are not applicable in any Downtown Land Use District.
5. The applicant shall utilize tree protection techniques approved by the Director during land alteration and construction in order to provide for the continual healthy life of retained significant trees. The Director may require a maintenance assurance device to ensure the continual healthy life of retained significant trees for a period of up to five years in conformance with LUC 20.20.490.
- ~~5-6.~~ Any property where significant trees are retained to meet the requirements of this chapter shall include notice of the retained trees on the recorded survey, and shall include a reference to this section to ensure their continued retention.
- ~~6-7.~~ Reduced Parking Bonus. If the proposed landscape plan incorporates the retention of significant trees above that required by this section, the Director may approve a reduction of up to 10 percent of the required number of parking spaces if adequate

Low Impact Development Principles Project



Planning Commission

July 13, 2016 Study Session

parking will remain on the subject property, and if land area for the required number of spaces remains available for future development on the subject property.

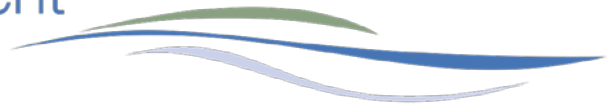
E. Retention of Significant Trees in the R-1 Land Use District in the Bridle Trails Subarea for any Type of Land Alteration or Development.

1. Permit Required. As required by BCC 23.76.035.A.8, a clearing and grading permit must be obtained from the City prior to the removal of any significant tree from any lot in the R-1 Land Use District in the Bridle Trails Subarea. The applicant may request a vegetation management plan to cover all proposed tree removal activities within a three-year period. In addition, for the removal of more than two significant trees within any three-year period, the requirements of subsections E.2 and E.3 of this section apply.
2. Perimeter Tree Retention Requirement. For all lots in the R-1 Land Use District in the Bridle Trails Subarea, all significant trees which do not constitute a safety hazard within the first 20 feet adjacent to all property lines shall be retained. Area devoted to access and sight areas as defined in the Transportation Code (Chapter 14.06 BCC), and area to be cleared for required roads, utilities, sidewalks, trails, or storm drainage improvements is exempt from this requirement. In the event this requirement conflicts with minimum setback requirements for structures (LUC 20.20.010), the Alternative Tree Retention Option (subsection G of this section) may be used to allow development consistent with the setbacks established under LUC 20.20.010.
3. Site Interior Tree Retention Requirement.
 - a. In addition to the required perimeter tree retention area, at least 25 percent of the cumulative diameter inches of existing significant trees must be retained; provided, that alder and cottonwood trees' diameter inches shall be discounted by a factor of 0.5.
 - b. The Director may approve retention of trees which do not meet the definition of significant trees as a contribution toward the sum of the diameter inches required under subsection E.3.a of this section if a group of trees and its associated undergrowth can be preserved.
4. Tree Replacement Requirement. On any lot with eight or less significant trees, a planting plan showing a one-to-one ratio of replacement trees is required. Trees must be a minimum of six feet in height at planting.

F. Retention of Significant Trees for New or Expanding Single-Family Structures Excluding Single-Family Structures Located in the R-1 Land Use District in the Bridle Trails Subarea.

1. Site Area. For new single-family structures or additions to impervious surface areas that exceed 20 percent when located on a single-family lot developed with a residential use, the applicant shall retain a minimum of 30 percent of the diameter inches of significant trees existing in the site area; provided, that alder and cottonwood trees' diameter inches shall be discounted by a factor of 0.5. [In the event of a conflict between this](#)

Low Impact Development Principles Project



Planning Commission

July 13, 2016 Study Session

section and Part 20.25H, Part 20.25H shall prevail. In applying the requirement for retention of significant trees, the Director shall ~~consider~~ require the preservation of the following types of significant trees in the following order of a priority:

a. Landmark trees as defined in LUC 20.50.032;

~~a.b. Healthy s~~Significant trees over 60 feet in height;

~~b.c.~~ Significant trees which form a continuous canopy;

d. Significant trees located within the rear yard;

e. Significant trees located within the first 20 feet adjacent to a property line; and

f. Significant trees which ~~contribute to the character of the environment, and~~ do not constitute a safety hazard;

~~c. Significant trees which provide winter wind protection or summer shade;~~

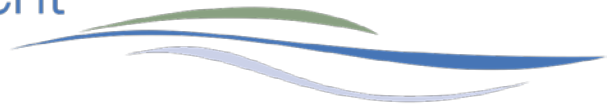
~~d. Groups of significant trees which create a distinctive skyline feature;~~

~~e. Significant trees in areas of steep slopes or adjacent to watercourses or wetlands; and~~

~~f.a. Significant trees located within the first 20 feet adjacent to a property line.~~

2. The Director may approve retention of trees which do not meet the definition of significant trees as a contribution toward the sum of the diameter inches required under LUC 20.20.900.F.1 if a group of trees and its associated undergrowth can be preserved.
 3. The applicant shall utilize tree protection techniques approved by the Director during land alteration and construction in order to provide for the continual healthy life of retained significant trees.
- G. Alternative Tree Retention or Replacement Option.
1. An applicant may request a modification of the tree retention requirements set forth in subsections D, E, and F of this section.
 2. The Director may administratively approve a modification of the perimeter or interior tree retention requirements if:
 - a. The modification is consistent with the stated purpose of this section; and
 - b. The modification proposal either:
 - i. Incorporates the retention or replacement of significant trees equal in equivalent diameter inches or incorporates the increased retention or replacement of significant trees and naturally occurring undergrowth to what would otherwise be required; or
 - ii. Incorporates the retention or replacement of other natural vegetation in consolidated locations which promotes the natural vegetated character of the site and neighborhood including use as pasture land or for agricultural uses.
 - iii. Where a modification proposal includes supplemental or replacement trees in lieu of retention, the applicant shall utilize plant materials which

Low Impact Development Principles Project



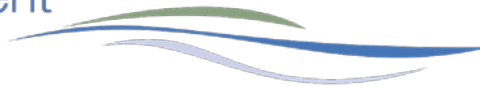
Planning Commission

July 13, 2016 Study Session

complement the natural character of the Pacific Northwest, and which are adaptable to the climatic, topographic, and hydrologic characteristics of the site. (~~Ord. 6197, 11-17-14, § 15; Ord. 5896, 8-3-09, § 3; Ord. 5876, 5-18-09, § 22; Ord. 5791, 12-3-07, § 14; Ord. 5662, 3-20-06, § 2~~)

DRAFT

Low Impact Development Principles Project



Planning Commission
July 13, 2016 Study Session

Chapter 20.25 Special and Overlay Districts

Part 20.25A Downtown

[...]

20.25A.060 Walkways and sidewalks.

A. Walkways and Sidewalks – Perimeter.

1. Minimum Width.

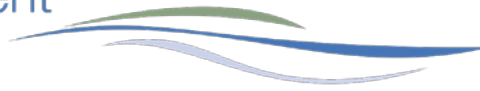
- a. The minimum width of perimeter walkway or sidewalk on the streets identified in this paragraph is 16 feet plus a 6-inch curb. Included within that 16 feet and adjacent to the curb, there shall be a planter strip or tree pit as prescribed by Plate A of this section:
 - i. NE 6th between 110th Avenue NE and 112th Avenue NE; and
 - ii. 106th Avenue NE between NE 4th and NE 8th; and
 - iii. 108th Avenue NE between NE 4th and NE 8th; and
 - iv. 110th Avenue NE between NE 4th and NE 8th; and
 - v. Bellevue Way between Main and NE 12th; and
 - vi. NE 4th between 100th Avenue NE and 112th Avenue NE; and
 - vii. NE 8th between 100th Avenue NE and 112th Avenue NE.
- b. Along any other street not listed in subsection A.1.a of this section, the minimum width of a perimeter walkway or sidewalk is 12 feet plus a 6-inch curb. Included in that 12 feet and adjacent to the curb, there shall be a planter strip or tree pit as prescribed in Plate A of this section.
- c. Within the width of the walkway or sidewalk, at least six feet of unobstructed travel path shall be maintained for safe pedestrian access.
- d. Planter Strips and Tree Pits.
Planter strips shall be at least five feet wide and as long as the street frontage, excluding curb cuts, driveways and spacing for utilities. Planter strips and tree pits shall be located adjacent to the curb unless precluded by existing utilities which cannot be reasonably relocated. Tree pits ~~may~~ shall be covered with protective grates or pavers. Where stormwater facilities are used in conjunction with tree pits, removable grates shall be utilized.

2. Street Trees and Landscaping – Perimeter.

- a. Tree Species. The property owner shall install street trees, in addition to any landscaping required by LUC 20.25A.040, according to the requirements of Plate B of this section as now or hereafter amended and this section.

Comment [BP1]: New code language from Downtown Livability early wins code amendments.

Low Impact Development Principles Project



Planning Commission
July 13, 2016 Study Session

- b. Installation. Street trees, at least 2.5 inches in caliper or as approved by the Director, must be planted at least 3 feet from the face of the street curb, and a maximum of 20 feet for small trees, 25 feet for medium trees, and 30 feet for large trees. The size of the tree shall be determined by Plate B of this section, as now or hereafter amended. A street tree planting area may also include decorative paving and other native plant materials except grass that requires mowing. The use of planter strips for stormwater treatment is encouraged. Installation shall be in accordance with the Parks and Community Services Department Environmental Best Management Practices and Design Standards, as now or hereafter amended.
- c. Irrigation. A permanent automatic irrigation system shall be provided at the time of installation of street trees and sidewalk planting strip landscaping located in a required planter strip or tree pit. The irrigation system shall be served by a separate water meter installed by the applicant and served by City-owned water supply with 24-hour access by the City. The use of rainwater to supplement irrigation is encouraged. Irrigation system shall be designed per the Parks and Community Services Department Environmental Best Management Practices and Design Standards, as now or hereafter amended.
- d. Street Landscaping. Street trees together with shrubbery, groundcover and other approved plantings are required in a planter strip along the length of the frontage. Vegetation included in the planter strip shall be able to withstand urban conditions, shall be compatible with other plantings along the same street, and shall reflect the character of the area within which they are planted, as approved by the Director.

Comment [BP2]: Does this refer to spacing of trees? Seems to be missing some language.

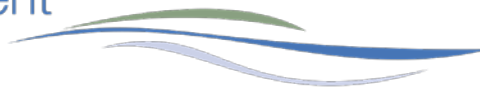
[...]

Plate A – Downtown Bellevue Planter Strip/Tree Pits Required

Comment [BP3]: Is there any interest in specifying streets where bioretention planters shall be utilized?

East-West	Planter Strip/Tree Pits
NE 12th (102nd to I-405)	Planter Strip
NE 11th (110th to 112th)	Planter Strip
NE 10th (100th to 106th)	Planter Strip
NE 10th (106 to I-405)	Planter Strip
NE 9th (110th to 111th)	Tree Pits
NE 8th (100th to 106th)	Planter Strip

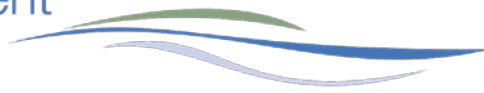
Low Impact Development Principles Project



Planning Commission
July 13, 2016 Study Session

NE 8th (106th to 112th)	Planter Strip
NE 6th (Bellevue Way to 106th)	See Pedestrian Corridor Design Guidelines
NE 6th (106th to 108th)	See Pedestrian Corridor Design Guidelines
NE 6th (108th to 110th)	Tree Pits
NE 6th (110th to 112th)	Planter Strip on the south side, Tree Pits on the north side
NE 4th (100th to I-405)	Planter Strip
NE 3rd Pl (110th to 111th)	Tree Pits
NE 2nd Pl (108th to 111th)	Planter Strip
NE 2nd (Bellevue Way to I-405)	Planter Strip
NE 1st/2nd (100th to Bellevue Way)	Planter Strip
NE 1st (103rd to Bellevue Way)	Tree Pits
Main St (100th to Bellevue Way)	Tree Pits
Main St (Bellevue Way to I-405)	Planter Strip
North-South	
100th (NE 12th to Main)	Planter Strip
100th (NE 10th to NE 1st)	Planter Strip
100th (NE 1st to Main)	Planter Strip
101st (near NE 10th)	Tree Pits
101st Ave SE (south of Main St)	Tree Pits
102nd (NE 12th to NE 8th)	Planter Strip
102nd (NE 1st to south of Main St)	Tree Pits
103rd (near NE 10th)	Tree Pits
103rd (NE 2nd to Main St)	Tree Pits

Low Impact Development Principles Project



Planning Commission
July 13, 2016 Study Session

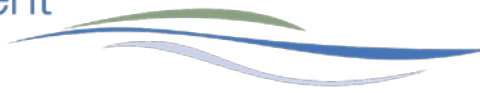
Bellevue Way (NE 12th to NE 10th)	Planter Strip
Bellevue Way (NE 10th to NE 4th)	Planter Strip
Bellevue Way (NE 4th to Main)	Planter Strip
Bellevue Way (Main to Downtown Boundary)	Planter Strip
105th (NE 4th to NE 2nd)	Planter Strip
105th SE (near Main St)	Planter Strip
106th (NE 12th to NE 8th)	Planter Strip
106th (NE 8th to NE 4th)	Tree Pits
106th (NE 4th to Main)	Planter Strip
106th PI NE (near NE 12th)	Tree Pits
107th (NE 2nd to south of Main)	Tree Pits
108th (NE 12th to NE 8th)	Tree Pits
108th (NE 8th to NE 4th)	Tree Pits
108th (NE 4th to south of Main)	Tree Pits
109th (near NE 10th)	Planter Strip
110th (NE 12th to NE 8th)	Planter Strip
110th (NE 8th to NE 4th)	Planter Strip
110th (NE 4th to Main)	Planter Strip
111th (NE 11th to NE 9th)	Planter Strip
111th (NE 4th to NE 2nd)	Planter Strip
112th (NE 12th to Main)	Planter Strip

Plate B – Downtown Bellevue Street Tree Species Plan

Comment [BP4]: Including for reference, ensure that tree species are compatible with bioretention, or specify spacing for bioretention?

East-West	Proposed Street Trees	Tree Size
-----------	-----------------------	-----------

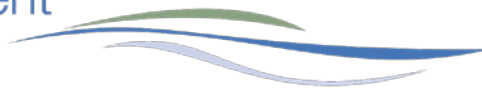
Low Impact Development Principles Project



Planning Commission
July 13, 2016 Study Session

NE 12th (102nd to I-405)	Pear: <i>Pyrus calleryana</i> 'Glens form'	Small
NE 11th (110th to 112th)	'Katsura: <i>Cercidiphyllum japonicum</i> '	Large
NE 10th (100th to 106th)	Tupelo: <i>Nyssa sylvatica</i> 'Firestarter'	Medium
NE 10th (106 to I-405)	Zelkova serrata 'Village Green'	Medium
NE 9th (110th to 111th)	Katsura: <i>Cercidiphyllum japonicum</i>	Large
NE 8th (100th to 106th)	Honeylocust: <i>Gleditsia tricanthos</i> 'Shademaster'	Medium
NE 8th (106th to 112th)	Pac Sunset Maple: <i>Acer truncatum</i> x <i>platanoides</i> 'Warrenred'	Medium
NE 6th (Bellevue Way to 106th)	Honeylocust: <i>Gleditsia tricanthos</i> 'Shademaster'	Medium
NE 6th (106th to I-405)	Katsura: <i>Cercidiphyllum japonicum</i>	Large
NE 4th (100th to I-405)	Autumn Blaze Maple: <i>Acer</i> x <i>Freemanii</i> 'Jeffersred'	Large
NE 3rd Pl (110th to 111th)	Tupelo: <i>Nyssa sylvatica</i> 'Firestarter'	Large
NE 2nd Pl (108th to 111th)	Persian ironwood: <i>Parrotia persica</i> 'Vanessa'	Medium
NE 2nd (Bellevue Way to I-405)	English oak: <i>Quercus robur</i> 'Pyramich'	Large
NE 1st/2nd (100th to Bellevue Way)	Hungarian oak: <i>Quercus frainetto</i> 'Schmidt'	Large
NE 1st (103rd to Bellevue Way)	Ginkgo: <i>Ginkgo biloba</i> 'Magyar'	Medium
Main St (100th to Bellevue Way)	Ginkgo: <i>Ginkgo biloba</i> 'Magyar'	Medium
Main St (Bellevue Way to I-405)	Tupelo: <i>Nyssa sylvatica</i> 'Afterburner'	Medium
North-South	Proposed Street Trees	Tree Size
100th (NE 12th to NE 10th)	Pear: <i>Pyrus calleryana</i> 'Aristocrat'	Small
100th (NE 10th to NE 1st)	Scarlet oak: <i>Quercus coccinea</i>	Large
100th (NE 1st to Main)	Ginkgo: <i>Ginkgo biloba</i> 'Magyar'	Medium
101st (near NE 10th)	Ginkgo: <i>Ginkgo biloba</i> 'Autumn Gold'	Medium
101st Ave SE (south of Main St)	Katsura: <i>Cercidiphyllum japonicum</i>	Large

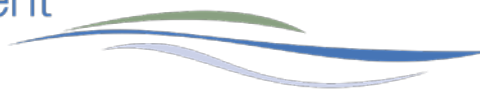
Low Impact Development Principles Project



Planning Commission
July 13, 2016 Study Session

102nd (NE 12th to NE 8th)	Miyabe maple: <i>Acer miyabei</i> 'Rugged Ridge'	Large
102nd (NE 1st to south of Main St)	Katsura: <i>Cercidiphyllum japonicum</i>	Large
103rd (near NE 10th)	Ginkgo: <i>Ginkgo biloba</i> 'Autumn Gold'	Medium
103rd (NE 2nd to Main St)	Katsura: <i>Cercidiphyllum japonicum</i>	Large
Bellevue Way (NE 12th to NE 10th)	Tulip tree: <i>Liriodendron tulipifera</i> 'JFS-oz'	Large
Bellevue Way (NE 10th to NE 4th)	Honeylocust: <i>Gleditsia tricanthos</i> 'Shademaster'	Medium
Bellevue Way (NE 4th to Main)	Tulip tree: <i>Liriodendron tulipifera</i> 'JFS-oz'	Large
105th (NE 4th to NE 2nd)	Sweetgum: <i>Liquidambar styraciflua</i> 'Worplesdon'	Large
105th SE (near Main St)	London planetree: <i>Platanus x acerifolia</i> 'Bloodgood'	Large
106th (NE 12th to NE 8th)	Elm: <i>Ulmus propinqua</i> 'Emerald Sunshine'	Large
106th (NE 8th to NE 4th)	Elm: <i>Ulmus Americana</i> 'Jefferson'	Large
106th (NE 4th to Main)	Elm: <i>Ulmus</i> 'Morton Glossy'	Large
106th PI NE (near NE 12th)	London planetree: <i>Platanus x acerifolia</i> 'Bloodgood'	Large
107th (NE 2nd to south of Main)	Hornbeam: <i>Carpinus caroliniana</i> 'Palisade'	Medium
108th (NE 12th to NE 8th)	Persian ironwood: <i>Parrotia persica</i> 'Ruby Vase'	Medium
108th (NE 8th to NE 4th)	Sweetgum: <i>Liquidambar styraciflua</i> 'Worplesdon'	Large
108th (NE 4th to south of Main)	Zelkova serrata 'Green Vase'	Medium
109th (near NE 10th)	Linden: <i>Tilia cordata</i> 'Chancole'	Large
110th (NE 12th to NE 8th)	Linden: <i>Tilia americana</i> 'Redmond'	Large
110th (NE 8th to NE 4th)	Zelkova serrata 'Village Green'	Medium
110th (NE 4th to Main)	Red maple: <i>Acer rubrum</i> 'Somerset'	Large
111th (NE 11th to NE 9th)	Ginkgo: <i>Ginkgo biloba</i> 'Autumn Gold'	Medium

Low Impact Development Principles Project



Planning Commission
July 13, 2016 Study Session

111th (NE 4th to NE 2nd)	Ginkgo: Ginkgo biloba 'Autumn Gold'	Medium
112th (NE 12th to Main)	Scarlet oak: Quercus coccinia	Large

20.25A.090 Perimeter Design District

[...]

D. Development Standards

[...]

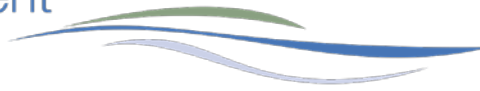
4. Landscape Development

[...]

b. Linear Buffers.

- i. General. Any development situated within Perimeter Design District – Subdistrict A shall provide a “linear buffer” within the minimum setback adjacent to the Downtown boundary required by paragraph D.2 of this section. The purpose of this feature is to produce a green buffer that will soften the visual impact of the relatively larger buildings. These design standards are minimum requirements for the size and quantity of trees, shrubs and other “linear buffer” elements. The specific design of the “linear buffer” for each project site will be determined through the Design Review Process. Design considerations include but are not limited to the placement of elements and their relationship to adjacent property as well as to the proposed development. Different sets of design standards apply to each of the locational conditions.
- ii. Where the Downtown boundary falls within the Main Street, 100th Avenue NE or NE 12th Street right-of-way, the minimum setback from the Downtown boundary shall be landscaped according to the basic requirements and either Alternative A or B of the supplemental requirement.
 - (1) Basic Requirements (applicable in all cases):
 - (a) Must have a minimum width of 20 feet;
 - (b) Must abut and be within three feet in elevation of a sidewalk, so as to be visually and physically accessible;
 - (c) Must provide at least one sitting space for each 200 square feet of the perimeter setback area;
 - (d) May not be used for parking; vehicular access drives shall be kept to a minimum;
 - (e) Must be readily accessible to the public at all times;

Low Impact Development Principles Project



Planning Commission
July 13, 2016 Study Session

(f) Must include seasonal color in an amount of at least 10 percent of the perimeter setback area;

(g) Must utilize native species for at least 50 percent of the plantings located within the perimeter setback area.

(2) Supplemental Requirements:

(a) Alternative A:

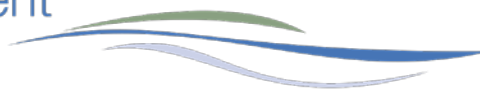
- (i) Three deciduous trees, with a minimum caliper of three inches, per each 1,000 square feet of the perimeter setback area; and
- (ii) Two flowering trees, with a minimum caliper of two inches, per each 1,000 square feet of perimeter setback area; and
- (iii) Ten evergreen shrubs, minimum five-gallon size, per 1,000 square feet of the perimeter setback area; and
- (iv) Any paved surfaces shall be no more than 10 percent of the perimeter setback area; and
- (v) Planting area must either be raised or sloped. If raised, the planting area shall be surrounded by a wall with a minimum height of 18 inches and a maximum height of 24 inches to allow for sitting.

(b) Alternative B:

- (i) Three deciduous trees, with a minimum caliper of three inches, per each 1,000 square feet of the perimeter setback area; and
- (ii) Lawn greater than five feet in width or ground cover on at least 25 percent of the perimeter setback area; and
- (iii) Any paved surfaces shall be no more than 75 percent of the perimeter setback area; and
- (iv) Paved areas shall use pervious pavement, brick, stone or tile in a pattern and texture that is level and slip-resistant; and
- (v) Opportunities for pedestrian flow from the sidewalk shall be frequent and direct. Changes in grade between the linear buffer and sidewalk shall be accommodated by steps or terraces, rather than walls.

- iii. Where the Downtown boundary abuts property outside the Downtown other than right-of-way described in paragraph D.4.b.ii of this section, the minimum setback from the Downtown boundary (or perimeter property lines when the setback has been relocated pursuant to Note 10 of subsection 20.25A.090.D.2) shall be landscaped as follows:

Low Impact Development Principles Project



Planning Commission

July 13, 2016 Study Session

- (1) The entire setback (20 feet) shall be planted. No portion may be paved except for vehicular entrance drives and required mid-block pedestrian connections.
 - (2) The setback must incorporate a berm having a minimum height of three and one-half feet.
 - (3) The setback must be planted with:
 - (a) Evergreen and deciduous trees, with no more than 30 percent deciduous, a minimum of 10 feet in height, at intervals no greater than 20 feet on center; and
 - (b) Evergreen shrubs, a minimum of two-gallon in size, at a spacing of three feet on center; and
 - (c) Living ground cover so that the entire remaining area will be covered in three years.
- c. Street Trees. Street trees required by LUC 20.25A.060.C along Main Street, 100th Avenue NE or NE 12th Street must be at least four inches in caliper.

20.25A.110 Design Review Criteria

B. Downtown Patterns and Context.

[...]

4. Landscape Design

[...]

- B. **Encourage Require** retention of significant existing vegetation, where it can be incorporated into efficient site design and maintained in a safe and healthful condition.

Part 20.25B Transition Area Design District

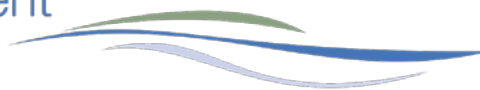
20.25B.040 Development Standards

[...]

C. Landscaping, Open Space and Buffers

1. Landscaping. All landscaping shall comply with standards set forth in LUC 20.20.520. The provisions of LUC 20.20.520.J (Alternative Landscaping Option) are applicable and, in addition, may be used to modify up to 10 feet of required street frontage landscaping.
2. Buffer
 - a. A landscaped buffer, at least 20 feet in width, shall be provided along the entire street frontage where any portion of the street frontage is abutting a district receiving transition and along the interior property line abutting the district receiving transition. **Where feasible, bioretention swales and planters may be located within landscape buffers.**

Low Impact Development Principles Project



Planning Commission

July 13, 2016 Study Session

- b. All significant trees within 15 feet of the property line shall be retained as required by LUC 20.20.520.E.
- c. The buffer shall be planted with the following, and shall include at least 50 percent native species in the required plantings:
 - i. Evergreen and deciduous trees, of which no more than 40 percent can be deciduous. There shall be a minimum of five trees per 1,000 square feet of buffer area, which shall be a minimum of 10 feet high at planting, along with the evergreen shrubs and living groundcover as described in paragraphs C.2.c.ii and iii of this section to effectively buffer development from adjacent residential properties; and
 - ii. Evergreen shrubs, a minimum 42 inches in height at planting, at a spacing no greater than three feet on center; and
 - iii. Living groundcover planted to cover the ground within three years; and
 - iv. Alternatively, where the street frontage landscaping will be planted to buffer a building elevation and not a parking area, driveway or site development other than a building, a lawn no less than five feet in width may be substituted for the shrubs and groundcover required in paragraphs C.2.c.ii and iii of this section; provided, that the soil in the entire area of lawn is amended in accordance with LUC 20.20.520.F.8. This paragraph does not apply in LI and GC Districts.
- d. Where an LI, GC or CB zoned property abuts a residential district on an interior property line, an evergreen hedge a minimum of four feet in height at planting and capable of achieving a continued visual screen with a height of five feet within a three-year period or a combination of shrubs and fence shall be added within the required planting area to achieve the effect of a hedge.
- e. Patios and other similar ground level features and trails may be incorporated into the buffer area, except that no more than 20 percent of the area may be used for such features. Patios shall not be located within 10 feet of the property line.

[...]

Part 20.25D Bel-Red

[...]

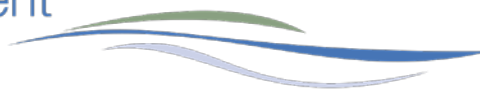
20.25D.150 Design Guidelines

[...]

B. Character and Site Guidelines.

Purpose

Low Impact Development Principles Project



Planning Commission

July 13, 2016 Study Session

These guidelines address the qualities that make the Bel-Red subarea unique. They consider what makes an area a special, distinct “place,” not simply a group of individual buildings and streets.

1. Integrate the Natural Environment.
 - a. Intent.

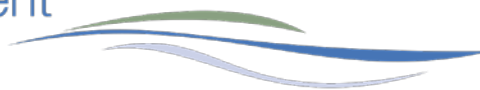
Reinforce linkages and orient buildings to the Bel-Red Subarea’s natural and landscaped features.
 - b. Guideline.

Site and building design should capitalize on significant elements of the natural environment, Highland Community Park and planned park and open space, riparian corridors and wetlands. Designs should incorporate open space amenities for residents, employees and visitors. Depending on the location, this may be accomplished through integration of the natural environment with new development or providing a smooth transition between the natural and built environments.
 - c. Recommended.
 - i. Active and passive gathering places and walkways oriented toward parks and open, natural spaces.
 - ii. Clear and convenient public access to open space amenities.
 - iii. Elements that engage the natural environment where the sight, sound and feel of nature can be directly experienced.
 - iv. Buildings sited to take maximum advantage of adjacent public amenities.
 - v. Walkways and plazas paved with high-quality materials (such as brick or stone), and other architectural elements that use materials, colors and forms that are harmonious with the natural surroundings.
 - d. Not recommended.
 - i. Buildings that turn their back on open space amenities.
 - ii. Stands of “native” planting schemes within large, automobile-oriented parking lots.
- [...]
4. Protect and Enhance Surface Water Resources.
 - a. Intent.

Conserve water quality, natural hydrology and habitat, and preserve biodiversity through protection of water bodies and wetlands.
 - b. Guideline.

Natural water systems regulate water supply, provide biological habitat and may provide recreational opportunities. Undeveloped ecosystems absorb the precipitation and convey only a small portion of rainfall as surface runoff. New and infill development should minimize disturbances to the on-site, adjacent, and regional natural water systems. Use of natural drainage practices are required unless infeasible.

Low Impact Development Principles Project



Planning Commission

July 13, 2016 Study Session

- c. Recommended.
 - i. Grading and plan layout that captures and slows runoff.
 - ii. Pervious or semi-pervious surfaces that allow water to infiltrate soil.
 - iii. ~~On-site landscape-based water treatment methods that treat rainwater runoff from all surfaces, including parking lots, roofs and sidewalks.~~
- d. Not Recommended.
 - i. Buried, piped or culverted stream channels.
 - ii. Water quality enhancement projects that detract from the urban character of the area.

[...]

Part 20.25F Evergreen Highlands Design District

20.25F.040 Site and Design Requirements

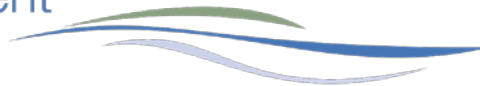
[...]

C. Design Requirements

[...]

- 2. Landscaping and Vegetation Preservation.
 - a. The applicant must provide landscaping between structures, as a setting for structures, and within and around parking areas. This landscaping must enhance the coordinated project design, and provide a pleasing environment between structures. All pervious surface must be landscaped, except those areas specified under other provisions of this Code for natural vegetation, or determined by the Technical Committee as desirable for retention in its natural state.
 - b. If landscaping is located between uses, the type and intensity of planting must reflect the variation in use category and intensity. The larger the variation, the more the planting must serve as a solid screen.
 - c. Particular attention must be given to street frontage landscaping which will visually separate the development from the street, and create a soft edge condition.
 - d. Landscaping shall create a setting which enhances pedestrian use of open space and which provides a sense of place and scale for the proposed development.
 - e. A significant number of trees at least 12 feet to 14 feet in height or two and one-half inches to three inches in caliper, in conformance with the American Standard for Nursery Stock, and predominantly evergreen, must be included in each planted area. Caliper is measured four feet above existing grade. Shrubs at least three and one-half feet in height along a parking area or site perimeter and at least two feet in height at any other location must be interspersed among the trees, and the majority of the remaining area planted with living ground cover so that the ground will be covered in three years.

Low Impact Development Principles Project



Planning Commission

July 13, 2016 Study Session

- f. Wherever practical and consistent with proposed site design, tree line and existing trees at least six inches in caliper must be retained. Caliper is measured four feet above existing grade. Tree protection techniques, approved by the Technical Committee must be utilized during construction. Where changes in grade have occurred, permanent tree preservation methods, approved by the Technical Committee must be utilized.
- g. The applicant must install street trees at least three inches in caliper along the street frontage. Caliper is measured four feet above existing grade. The location and species installed are subject to approval of the Technical Committee.
- h. The applicant must install interior parking area landscaping equal to at least 10 percent of the area devoted to parking and circulation. Planting areas must be at least 100 square feet and no more than 1,000 square feet. The minimum dimension in any direction is four feet. Each planting area must contain at least one tree combined with shrubs and ground cover which meet the minimum size requirements of paragraph C.2.e of this section.
- i. The provisions of LUC 20.20.520 do not apply in the Evergreen Highlands Design District, except for those requirements contained in LUC 20.20.520.K and L.

[...]

4. Drainage

The applicant must submit a drainage plan consistent with the development standards of the City of Redmond and the City of Bellevue which produce the more protective drainage system as determined by the Redmond Public Works Director and the Bellevue Utilities Director. [The use of LID stormwater management techniques is required unless infeasible.](#)

[...]

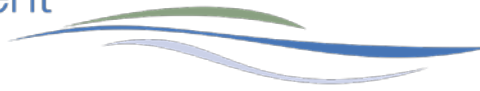
Part 20.25F1 Factoria 1

20.25F1.070 Sidewalks and Pedestrian Paths

A. Perimeter Sidewalks.

- 1. Minimum Width. The minimum width of perimeter street sidewalks shall be 12 feet inclusive of the planter strip plus six inches for curb, except as necessary to retain mature trees pursuant to paragraph A.2.e below.
- 2. Street Trees And Planter Strip Design.
 - a. Installation. The property owner shall install street trees and planter strips, in addition to any landscaping required by LUC 20.25F1.050, pursuant to the City of Bellevue Environmental Best Management Practices and Design Standards, now or as hereafter amended. Street tree and planter strips shall be irrigated. Appropriate tree species will be determined through the Master Development Plan process.

Low Impact Development Principles Project

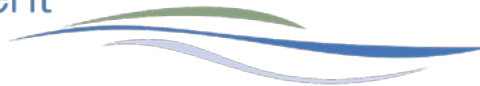


Planning Commission

July 13, 2016 Study Session

- b. Location. The area in which planter strips are installed must be located between the street and the sidewalk unless precluded by existing utilities which cannot reasonably be relocated or as necessary to retain mature trees pursuant to paragraph A.2.e below.
 - c. Design. Required street trees should be placed in predominantly continuous planter strips together with shrubbery, ground cover and other plantings approved by the Director. The area in which street trees are planted must be at least four feet wide by six feet wide. Vegetation approved for a planter strip must be compatible with the F1 Design Guidelines for the development area within which the planter strip is located. A street planter strip may also include decorative paving and other plant materials except turf. Where feasible, bioretention swales and planters may be located within the planter strip.
 - d. Size and Spacing. Large growing deciduous street trees, at least three inches in caliper or as approved by the Director, shall be planted at least three feet from the street curb, and a maximum of 30 feet on center, and shall conform to the sight distance requirements of BCC 14.60.240.
 - e. Mature Tree Retention. The existing mature street trees located on the perimeter street frontages shall be maintained to the extent feasible. Sidewalks and planter strips may be reduced and/or relocated to the back of sidewalk if necessary to accommodate retention of the mature trees.
- B. On-Site Sidewalks.
1. Minimum Width. The minimum width of on-site street sidewalks shall be 12 feet inclusive of the street tree planting wells.
 2. Street Trees and Plantings.
 - a. Installation. The property owner shall install street trees and plantings, in addition to any landscaping required by LUC 20.25F1.050, pursuant to the City of Bellevue Environmental Best Management Practices and Design Standards, now or as hereafter amended. Street trees and required landscaping shall be irrigated. Appropriate tree species will be determined through the Master Development Plan process.
 - b. Location. Street trees shall be planted in a continuous, rhythmic pattern. Street trees must be located between the street and the sidewalk.
 - c. Design. Required street trees shall be planted in tree pits with grates. The area in which street trees are planted must be at least four feet wide by six feet wide. Where stormwater facilities are used in conjunction with tree pits, removable grates shall be utilized.
 - d. Size and Spacing. Small growing pedestrian-scale deciduous street trees, at least three inches in caliper or as approved by the Director, shall be planted at least three feet from the street curb, and a maximum of 25 feet on center, and shall conform to the sight distance requirements of BCC 14.60.240.

Low Impact Development Principles Project



Planning Commission

July 13, 2016 Study Session

C. Pedestrian Paths.

1. **Minimum Width.** The minimum width of pedestrian paths shall be 12 feet inclusive of the planter strip. Parking spaces adjacent to pedestrian paths must be designed to ensure that the minimum sidewalk width is maintained free of vehicle encroachments.
2. **Location.** Pedestrian path locations and phasing shall be determined through the Master Development Plan process consistent with the site design guidelines.
3. **Landscape Strips.**
 - a. **Installation.** The property owner shall install trees and plantings, in addition to any landscaping required by LUC 20.25F1.050, pursuant to the City of Bellevue Environmental Best Management Practices and Design Standards, now or as hereafter amended. Tree and planter strips shall be irrigated.
 - b. **Design.** Appropriate tree species and landscaping shall be determined through the Master Development Plan process. Street trees, shrubbery, ground cover and other plantings approved by the Director shall be provided in continuous planter strips along the length of a pedestrian path. The area in which street trees are planted must be at least four feet wide by six feet wide. Vegetation approved for a planter strip must be compatible with the F1 Design Guidelines for the development area within which the planter strip is located. (Ord. 5726, 3-19-07, § 3)

Part 20.25H Critical Areas Overlay District

20.25H.080 Performance standards.

D. General.

Development on sites with a type S or F stream or associated critical area buffer shall incorporate the following performance standards in design of the development, as applicable:

[...]

4. Toxic runoff from new impervious area shall be routed away from the stream.
5. Treated water may be allowed to enter the stream critical area buffer.
6. The outer edge of the stream critical area buffer shall be planted with dense vegetation to limit pet or human use. Preference shall be given to native species.

Part 20.25J Medical Institution District

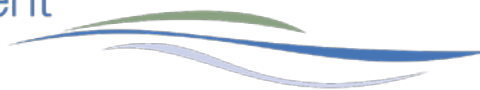
20.25J.070 Streetscape Design Requirements

A. Sidewalks

[...]

2. **Street Trees and Plantings**
 - a. The property owner shall install street trees and plantings, in addition to any landscaping required by LUC 20.25J.060. Appropriate tree species will be determined

Low Impact Development Principles Project



Planning Commission

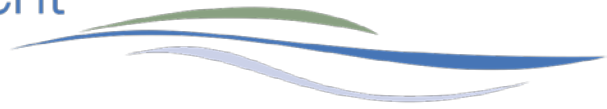
July 13, 2016 Study Session

through the Master Development Plan or Design Review where Master Development Plan approval is not required.

- b. The area in which street plantings are installed must be located between the street and the sidewalk unless precluded by existing utilities which cannot reasonably be relocated. Required street trees together with shrubbery, groundcover and other approved plantings must be placed in a planter strip along the length of the frontage. Where feasible, bioretention swales and planters may be located within the planter strip. The planter strip must be at least four feet wide unless a smaller strip is approved by the Director. Vegetation included in the planter strip shall be urban in character, shall be compatible with other plantings within the property and along the same street, and shall reflect the character of the area in which they are planted. Designs should prioritize the selection of native plant species.
- c. Street trees, at least three inches in caliper or as approved by the Director, must be planted at least three feet from the street curb, and a maximum of 25 feet on center, unless upon request of the applicant minor modification of this requirement is approved by the Director, and conforms to the sight distance requirements of BCC 14.60.240. A street tree planting area may also include decorative paving and other plant materials except turf.
- d. Street trees and plantings shall be irrigated.

DRAFT

Low Impact Development Principles Project



Planning Commission

July 13, 2016 Study Session

Part 20.30D Planned Unit Development

20.30D.110 Scope.

This Part 20.30D establishes the procedure and criteria that the City will use in making a decision upon an application for a Planned Unit Development.

20.30D.115 Applicability.

- A. This part applies to each application for a Planned Unit Development.
- B. An applicant may submit an application for a Planned Unit Development for a residential or mixed residential and commercial use project.
- C. In no case may a Planned Unit Development include uses which are not permitted by the zoning of the subject property. For purposes of this Part 20.30D, however, a single-family dwelling as defined in LUC 20.50.016 includes dwellings attached by common walls, floors and ceilings. (Ord. 5089, 8-3-98, § 31; Ord. 4972, 3-3-97, § 42; Ord. 4816, 12-4-95, § 141)

20.30D.120 Purpose.

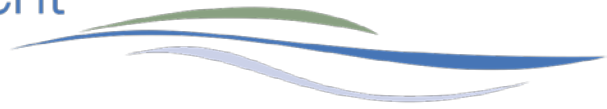
A Planned Unit Development is a mechanism by which the City may permit a variety in type, design, and arrangement of structures; and enable the coordination of project characteristics with features of a particular site in a manner consistent with the public health, safety and welfare. A Planned Unit Development allows for innovations and special features in site development, including the location of structures, conservation of natural land features, protection of critical areas and critical area buffers, the use of low impact development techniques, conservation of energy, and efficient utilization of open space. (Ord. 5682, 6-26-06, § 9)

20.30D.150 Planned Unit Development plan – Decision criteria.

The City may approve or approve with modifications a Planned Unit Development plan if:

- A. The Planned Unit Development is consistent with the Comprehensive Plan; and
- B. The Planned Unit Development accomplishes, by the use of permitted flexibility and variation in design, a development that is better than that resulting from traditional development. Net benefit to the City may be demonstrated by one or more of the following:
 1. Placement, type or reduced bulk of structures, or
 2. Interconnected usable open space, or
 3. Recreation facilities, or
 4. Other public facilities, or
 5. Conservation of natural features, [vegetation and on-site soils](#), or
 - 5-6. Reduction in hard surfaces, or

Low Impact Development Principles Project

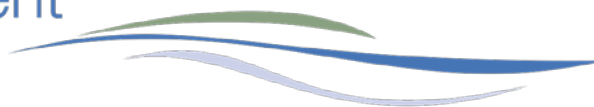


Planning Commission

July 13, 2016 Study Session

- ~~6-7.~~ Conservation of critical areas and critical area buffers beyond that required under Part 20.25H LUC, or
- ~~7-8.~~ Aesthetic features and harmonious design, or
- ~~8-9.~~ Energy efficient site design or building features, or
- ~~9-10.~~ Use of low impact development techniques; and
- C. The Planned Unit Development results in no greater burden on present and projected public utilities and services than would result from traditional development and the Planned Unit Development will be served by adequate public or private facilities including streets, fire protection, and utilities; and
- D. The perimeter of the Planned Unit Development is compatible with the existing land use or property that abuts or is directly across the street from the subject property. Compatibility includes but is not limited to size, scale, mass and architectural design of proposed structures; and
- E. Landscaping within and along the perimeter of the Planned Unit Development is superior to that required by this code, LUC 20.20.520 and landscaping requirements applicable to specific districts contained in Chapter 20.25 LUC, and enhances the visual compatibility of the development with the surrounding neighborhood; and
- F. At least one major circulation point is functionally connected to a public right-of-way; and
- G. Open space, where provided to meet the requirements of LUC 20.30D.160.A.1, within the Planned Unit Development is an integrated part of the project rather than an isolated element of the project; and
- H. The design is compatible with and responds to the existing or intended character, appearance, quality of development and physical characteristics of the subject property and immediate vicinity; and
- I. That part of a Planned Unit Development in a transition area meets the intent of the transition area requirements, Part 20.25B LUC, although the specific dimensional requirements of Part 20.25B LUC may be modified through the Planned Unit Development process; and
- J. Roads and streets, whether public or private, within and contiguous to the site comply with Transportation Department guidelines for construction of streets; and
- K. Streets and sidewalks, existing and proposed, are suitable and adequate to carry anticipated traffic within the proposed project and in the vicinity of the proposed project; and
- L. Each phase of the proposed development, as it is planned to be completed, contains the required parking spaces, open space, recreation space, landscaping and utility area necessary for creating and sustaining a desirable and stable environment. (Ord. 5876, 5-18-09, § 26; Ord. 5682, 6-26-06, § 10; Ord. 4972, 3-3-97, § 48; Ord. 4816, 12-4-95, § 147)

Low Impact Development Principles Project



Planning Commission

July 13, 2016 Study Session

20.30D.160 Planned Unit Development plan – Conservation feature and recreation space requirement.

A. General.

Within a Planned Unit Development including residential uses:

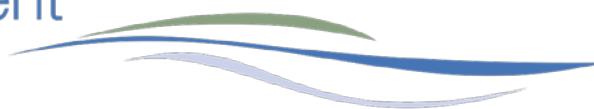
1. Through the conservation design features included in subsection B of this section, the proposal must earn square footage credit totaling at least 40 percent of the gross land area, which includes any critical area or critical area buffer; and
2. At least 10 percent of the gross land area, which includes any critical area or critical area buffer, of the subject property must be retained or developed as common recreation space as defined by LUC 20.50.044; provided, however, that the requirement for recreation space may be waived if the total of critical area and critical area buffer equals at least 40 percent of the gross land area; and
3. Recreation space as required by subsection A.2 of this section may be included within non-critical area conservation design features required by subsection A.1 of this section if:
 - a. The common recreation space does not interfere with the purposes and functions of the conservation design feature; and
 - b. At least 20 percent of the gross land area is nonrecreation open space. Provided, however, that recreation space may not occur in a critical area or a critical area buffer; and
4. The area of the site devoted to pedestrian trails shall not be included in the required common recreation space unless public trails are specifically required by the City; and
5. An outdoor children’s play area meeting the requirements of LUC 20.20.540 may be included in the above-described common recreation space requirement; and
6. For mixed use projects, the required open and recreation space shall be designed to meet the needs of both the residential and commercial uses.

B. Conservation Design Features.

To satisfy the requirements of subsection A of this section, a proposal shall include any combination of the following factors. The total square footage credit required in subsection A of this section is calculated by multiplying the square footage actually dedicated to the conservation design feature by the conservation factor set forth below. Where noted, certain conservation design features are not eligible to earn square footage credit unless the minimum size requirements are met. After the minimum size requirement is met, each square foot provided may be used to calculate the square footage credit earned by the feature.

Conservation Design Feature	Conservation Factor	Minimum Size of Retained Area Before Credit Earned
Critical area or areas placed in a tract	1.0	

Low Impact Development Principles Project

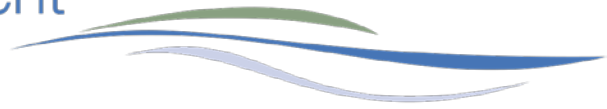


Planning Commission

July 13, 2016 Study Session

(connection between isolated critical areas credited as corridor below)		
Preservation of Westside lowland conifer hardwood forest not already in critical area and/or preservation of recommended forest habitat to protect species of local importance	1.2	20,000 sq. ft.
Designated wildlife corridor, trail or other essential connection set aside in a tract	1.2	
Critical area buffer increased by 15% or more and placed in tract	1.2	
Preservation of native soils and mature trees on required open space or combination of preservation with hydrologic enhancement (soil amendment and tree such that vegetative areas are connected to soil below)	1.1	10,000 sq. ft. canopy cover or amended and planted area
Site area set aside in separate tract to achieve bio-retention and runoff dispersion to natural areas or to soil layer below; e.g., community rain garden, downspout dispersion or similar LID techniques. Must serve more than one residence.	1.1	5,000 sq. ft. reserved for rain garden or dispersion
Landscaped or grass open space in separate tract for active or passive recreation but only partially connected to soil below	1.0	2,500 sq. ft. contiguous area
Paved but pervious open space; e.g., court yards and similar facilities	1.0	1,500 sq. ft.
Impervious paved court yards and similar facilities that meet minimum definition of open space	1.0	2,500 sq. ft.
Built Green certification for green communities	1.0	200 points earned under Built Green's "Site Design Criteria." For sites with critical areas, proposal must achieve all of the available points from the open space and habitat preservation sections as part of the total 200 points

Low Impact Development Principles Project



Planning Commission

July 13, 2016 Study Session

C. Maintenance.

In appropriate circumstances the City may require a reasonable performance or maintenance assurance device in conformance with LUC 20.40.490 to assure the retention and continued maintenance of all open and recreation space or conservation design feature in conformance with the Land Use Code and the Planned Unit Development plan approval. (Ord. 5682, 6-26-06, § 11; Ord. 4972, 3-3-97, § 50; Ord. 4816, 12-4-95, § 149; Ord. 3775, 5-26-87, § 20)

20.30D.165 Planned Unit Development plan – Request for modification of zoning requirements.

The applicant may request a modification of the requirements and standards of the Land Use Code as follows:

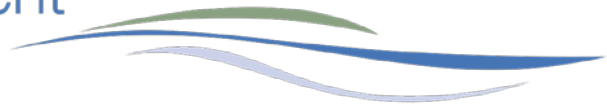
A. Density and Floor Area Ratio (FAR).

1. General. The applicant may request a bonus in the number of dwelling units permitted by the underlying land use district or the maximum FAR (see general dimensional requirements contained in LUC 20.20.010, and district-specific requirements contained in Chapter 20.25 LUC.
2. Bonus Decision Criteria. The City may approve a bonus in the number of dwelling units allowed by no more than 10 percent over the base density for proposals complying with this subsection A.2. Base density shall be determined on sites with critical areas or critical area buffers pursuant to LUC 20.25H.045. Base density on all other sites shall be determined based on the gross land area of the property excluding either that area utilized for traffic circulation roads or 20 percent, whichever is less. The bonus allowed by this section may be approved only if:
 - a. The design of the development offsets the impact of the increase in density; and
 - b. The increase in density is compatible with existing uses in the immediate vicinity of the subject property.
3. Senior Citizen Dwelling. An additional 10 percent density bonus may be approved for senior citizen dwellings if the criteria in subsection A.2 of this section are met and if the average dwelling unit size does not exceed 600 square feet.

B. Height.

The applicant may request a modification of height from that allowed by the land use district, provided topography and arrangement of structures does not unreasonably impair primary scenic views (e.g., mountains, lakes, unique skylines) of the surrounding area, as compared to lot-by-lot development. Proposals earning bonus density pursuant to this section or LUC 20.30D.167 may only receive an increase in height if the requirements of subsection A.2 of this section are met, considering the impact of increased height.

Low Impact Development Principles Project



Planning Commission

July 13, 2016 Study Session

- C. Zero Lot Line. This is a configuration where the house and/or garage is built up to one of the side lot lines, providing the opportunity for more usable space in the opposing side yard.
1. General. The applicant may request a reduction in the required side setback from that required by the land use district and district specific requirements. Zero lot line setbacks are not permitted for side yards along the perimeter of the PUD.
 2. Setback Reduction Decision Criteria. The City may approve a reduction in the setback of up to one side setback. The reduction in side setback shall be approved only if:
 - a. The opposing side setback shall be at least 10 feet.
 - b. In order to maintain privacy, no windows, doors, air conditioning units, or any other types of openings in the walls along the zero lot line wall, except for windows that do not allow for visibility into the side yard of the adjacent lot.

C.D. Other.

The City may approve a modification of any provision of the Land Use Code, except as provided in LUC 20.30D.170, if the resulting site development complies with the criteria of this part. (Ord. 5876, 5-18-09, § 27; Ord. 5682, 6-26-06, § 12; Ord. 5480, 10-20-03, § 24; Ord. 5089, 8-3-98, § 33; Ord. 4972, 3-3-97, § 51; Ord. 4816, 12-4-95, § 150; Ord. 4065, 10-23-89, § 6; Ord. 3690, 8-4-86, § 19)

20.30D.167 Planned Unit Development – Additional bonus density for large-parcel projects.

A. Purpose.

The City desires to offer incentives to property owners to develop multi-unit residential projects with site features and site designs that minimize impacts to critical area functions and values. Many of these techniques are new, and their effectiveness is uncertain. The City desires additional information about the impact of these design techniques and features, to determine the appropriate amount of density bonus and other incentives to offer for their use, and to determine what, if any, design features are required to offset the impact of the increased density. The projects allowed under this section are mechanisms to allow the City to gather such information prior to making additional density available to all projects.

B. Eligible Sites.

Projects will only be authorized on sites of five acres or more.

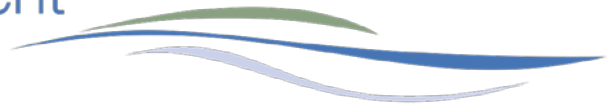
C. Applicable Procedure.

A project will be approved as part of the PUD approval for the underlying proposal.

D. Additional Bonus.

The City may authorize additional bonus density, up to 30 percent of the base density, for proposals including additional conservation design features above the amount required in LUC 20.30D.160.A. Base density shall be determined on sites with critical areas or critical area buffers pursuant to LUC 20.25H.045. Base density on all other sites shall be determined based on the gross land area of the property excluding either that area utilized for traffic circulation

Low Impact Development Principles Project



Planning Commission

July 13, 2016 Study Session

roads or 20 percent, whichever is less. Bonus density shall be based on the square footage credit earned divided by the minimum lot size of the underlying land use district. Bonus density may be approved only if the proposal meets the criteria of LUC 20.30D.165.A.2.a and A.2.b. (Ord. 5682, 6-26-06, § 13)

20.30D.170 Planned Unit Development plan – Limitation on authority to modify zoning.

The following provisions of the Land Use Code may not be modified pursuant to LUC 20.30D.165:

- A. Any provision of this Part 20.30D, Planned Unit Development; or
- B. Any provision of LUC 20.10.440, Land Use Chart, and district-specific requirements contained in Chapter 20.25 LUC, except where district-specific requirements would prohibit Zero Lot-Line development, as provided for in section 20.30D.165.C (Zero Lot-Line); or
- C. Any provision of Part 20.25E LUC, the Shoreline Overlay District; however, requests for modifications to the requirements of Part 20.25E LUC, where allowed under the provisions of that part, may be considered together with an application for a Planned Unit Development; or
- D. Any provision of the Land Use Code which specifically states that it is not subject to modification; or
- E. The procedural, enforcement and administrative provisions of the Land Use Code or any other applicable City Code; or
- F. Any provision of Part 20.25H LUC, the Critical Areas Overlay District, except as specifically provided for in that part; however, requests for modifications to the requirements of Part 20.25H LUC, where allowed under the provisions of that part, may be considered together with an application for a Planned Unit Development. (Ord. 5876, 5-18-09, § 28; Ord. 5682, 6-26-06, § 14; Ord. 5089, 8-3-98, § 34; Ord. 4972, 3-3-97, § 52; Ord. 4816, 12-4-95, § 151; Ord. 3775, 5-26-87, § 21)

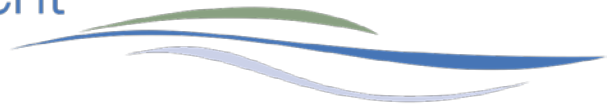
20.30D.175 Planned Unit Development plan – Authorized activity.

Following approval of the Planned Unit Development plan, the applicant may begin any work that is specifically authorized in the Planned Unit Development approval and is not prohibited by any other applicable regulation. No other work may be done until the final development plan is approved. (Ord. 4972, 3-3-97, § 53; Ord. 4816, 12-4-95, § 152)

20.30D.195 Planned Unit Development plan – Merger with subdivision.

- A. General.
The applicant may request that the City process a preliminary plat in conjunction with a Planned Unit Development plan. Platting is required for all projects which involve or contemplate the subdivision of land.
- B. Procedure.

Low Impact Development Principles Project



Planning Commission

July 13, 2016 Study Session

The City may review and decide upon a preliminary plat at the same hearing as the preliminary development plan to the extent allowed by such procedures.

C. Plat Requirements.

The preliminary plat must comply with the procedures, standards and criteria of Chapters 20.45A and 20.45B LUC and must conform to the Planned Unit Development plan. (Ord. 5232, 7-17-00, § 12; Ord. 4972, 3-3-97, § 57; Ord. 4816, 12-4-95, § 156)

20.30D.200 Planned Unit Development plan – Effect of approval.

A. Recording Required.

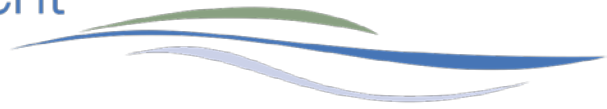
The approval of the Planned Unit Development plan constitutes the City's acceptance of the general project, including its density, intensity, arrangement and design. Upon final Planned Unit Development approval that is not merged with a subdivision, the Development Services Department will forward an approved Planned Unit Development to the King County Department of Records and Elections for recording. No administrative approval of a Planned Unit Development is deemed final until the Planned Unit Development is recorded and proof of recording is received by the Development Services Department. See Chapter 20.45 LUC for recording requirements of Planned Unit Developments merged with subdivisions.

B. Planned Unit Development in the Critical Area Overlay District.

Where a Planned Unit Development within the Critical Area Overlay District is not merged with a subdivision, the Planned Unit Development recorded under this section shall have designated on the face of the final document a Native Growth Protection Easement(s) (NGPE). The NGPE(s) shall contain all critical areas, critical area buffers, and retained significant trees. The final Planned Unit Development shall contain the following restrictions for use, development and disturbance of the NGPE in a format approved by the City Attorney:

1. An assurance that: the NGPE will be kept free from all development and disturbance except where allowed or required for habitat improvement projects, vegetation management, and new or expanded city parks pursuant to LUC 20.25H.055; and that native vegetation, existing topography, and other natural features will be preserved for the purpose of preventing harm to property and the environment, including, but not limited to, controlling surface water runoff and erosion, maintaining slope stability, buffering and protecting plants and animal habitat;
2. The right of the City of Bellevue to enter the property to investigate the condition of the NGPE upon reasonable notice;
3. The right of the City of Bellevue to enforce the terms of the NGPE; and
4. A management plan for the NGPE designating future management responsibility. (Ord. 5682, 6-26-06, § 15; Ord. 5481, 10-20-03, § 6; Ord. 4972, 3-3-97, § 58; Ord. 4816, 12-4-95, § 157)

Low Impact Development Principles Project



Planning Commission

July 13, 2016 Study Session

20.30D.250 Planned Unit Development plan – Phased development.

If developed in phases, each phase of an approved Planned Unit Development must contain the required number of parking spaces, the required open space, recreation space, landscaping, and utility areas necessary to create a desirable and stable environment pending completion of the total Planned Unit Development as approved. Each phase must also contain any of the approved conservation factor project design features necessary to support bonus density constructed in that phase. (Ord. 5682, 6-26-06, § 16; Ord. 4972, 3-3-97, § 68; Ord. 4816, 12-4-95, § 167)

20.30D.255 Planned Unit Development plan – Map designation.

A. General.

Upon approval of the development plan the City will place the file number of the Planned Unit Development on the location of the subject property on the City of Bellevue Zoning Map.

B. Effect.

Redevelopment of property for which a Planned Unit Development has been approved must be consistent with the Planned Unit Development plan and any amendments to that plan. (Ord. 4972, 3-3-97, § 69; Ord. 4816, 12-4-95, § 168)

20.30D.280 Merger with Binding Site Plan.

A. General.

The applicant may request that the site plan approved with the Planned Unit Development constitute a Binding Site Plan pursuant to Chapter 58.17 RCW.

B. Survey and Recording Required.

If a site plan is approved as a Binding Site Plan, the applicant shall provide a recorded survey depicting all lot lines and shall record the approved site plan and survey with the King County Department of Records and Elections. No document shall be presented for recording without the signature of each owner of the subject property.

C. Effect of Binding Site Plan.

Upon the approval and recording of a Binding Site Plan the applicant may develop the subject property in conformance with the approved and recorded Binding Site Plan and without regard to lot lines internal to the subject property. Any sale or lease of lots or parcels within the subject property shall be subject to the approved and recorded Binding Site Plan and the requirements of state law. (Ord. 4972, 3-3-97, § 74; Ord. 4816, 12-4-95, § 173; Ord. 3848, 11-16-88, § 3)

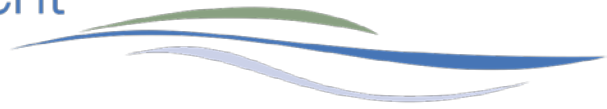
20.30D.285 Amendment of an approved Planned Unit Development.

A. There are three ways to modify or add to an approved Planned Unit Development: process as a new decision, process as a Land Use Exemption, or process as an administrative amendment.

B. Except as provided in subsections C and D of this section, modification of a previously approved Planned Unit Development shall be treated as a new application.

C. Land Use Exemption for a Planned Unit Development.

Low Impact Development Principles Project



Planning Commission

July 13, 2016 Study Session

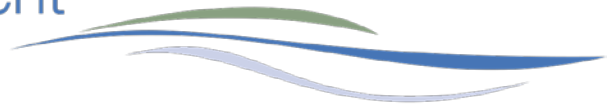
The Director may determine that a modification to a previously approved Planned Unit Development is exempt from further review under the administrative amendment process or as a new application, provided the following criteria are met:

1. The change is necessary because of natural features of the subject property; and
 2. The change will not have the effect of significantly reducing any area of landscaping, open space, natural area or parking; and
 3. The change will not have the effect of increasing the density of the Planned Unit Development; and
 4. The change will not add square footage that is more than 20 percent of the existing gross square footage of the Planned Unit Development; and
 5. If an addition or expansion has been approved within the preceding 24-month period, the combined additions will not add square footage that exceeds 20 percent of existing gross square footage of the Planned Unit Development; and
 6. The change will not result in any structure, circulation or parking area being moved significantly in any direction; and
 7. The change will not reduce any approved setback by more than 10 percent; and
 8. The change will not result in a significant increase in the height of any structure; and
 9. The change does not result in any significant adverse impacts beyond the site.
- D. Administrative Amendment of Planned Unit Development.

The Director may approve modifications to an approved Planned Unit Development as an administrative amendment subject to the procedures set forth in LUC 20.35.200 et seq., if the following criteria are met:

1. The amendment maintains the design intent or purpose of the original approval; and
 2. The amendment maintains the quality of design or product established by the original approval; and
 3. The amendment is not materially detrimental to uses or property in the immediate vicinity of the subject property.
- E. The Director may impose conditions upon any administrative amendment to ensure the proposal complies with the decision criteria and the purpose and intent of the original approval. (Ord. 6197, 11-17-14, § 23; Ord. 5790, 12-3-07, § 2; Ord. 5481, 10-20-03, § 7; Ord. 4972, 3-3-97, § 75; Ord. 4816, 12-4-95, § 174)

Low Impact Development Principles Project



Planning Commission

July 13, 2016 Study Session

Chapter 20.50 DEFINITIONS

20.50.024 H definitions.

[...]

Hard Surface. An impervious surface, a permeable pavement, or a vegetated roof.

[...]

20.50.032 L definitions.

[...]

Landmark Tree. Certain significant trees are considered landmark trees based on their size, species, condition, cultural/historic importance or age. The Director shall specify thresholds for trees to be considered for landmark status.

20.50.046 S definitions.

[...]

Significant Tree. Any healthy evergreen or deciduous tree, eight-six inches or greater in diameter at breast height (DBH), or greater, Diameter at breast height shall be measured four and one half feet above existing grade. The Director of the Development Services Department may authorize the exclusion of any tree which for reasons of health, age or site development is not desirable to retain. (Ord. 4973, 3-3-97, § 202; Ord. 4816, 12-4-95, § 302; Ord. 4654, 6-6-94, § 82; Ord. 3498, 5-27-85, § 132)

[...]



RELEVANT COMPREHENSIVE PLAN POLICIES LID PRINCIPLES PROJECT July 5, 2016

The LID Principles project is consistent with the policies provided below. In some instances, the policies provide support for the LID Principles project and in some instances the LID Principles project provides support for existing policies. Discussion is provided only where necessary to provide context:

COMMUNITY ENGAGEMENT

CE-2. Consider the interests of the entire community and the goals and policies of this Plan before making land use decisions. Proponents of change in land use should demonstrate that the proposed change responds to the interests and changing needs of the entire city, balanced with the interests of the neighborhoods most directly impacted by the project.

The project developed and implemented a public participation plan with the goal of achieving participation from a wide variety of stakeholders. Communications included using the City's boards and commission, and public workshops and open houses to reach a broad audience. Other methods of communication included articles in It's in Your City, providing a LID dedicated internet page, and use of social media.

CE-10. Use new and emerging technologies for citizen engagement where they are effective and efficient at enhancing citizen understanding and participation.

The project utilized social media to reach out to citizens along with traditional communication methods.

LAND USE

LU-2. Retain the city's park-like character through the preservation and enhancement of parks, open space, and tree canopy throughout the city.

LU-6. Encourage new residential development to achieve a substantial portion of the maximum density allowed on the net buildable acreage.

LU-13. Support neighborhood efforts to maintain and enhance their character and appearance.

LU-20. Support Downtown's development as a regional growth center, with the density, mix of uses and amenities, and infrastructure that maintain it as the financial, retail, transportation, and business hub of the Eastside.



LU-21. Support development of compact, livable and walkable mixed use centers in BelRed, Eastgate, Factoria, Wilburton and Crossroads.

HOUSING

HO-16. Provide opportunities and incentives through the Planned Unit Development (PUD) process for a variety of housing types and site planning techniques that can achieve the maximum housing potential of the site.

HO-17. Evaluate the housing cost and supply implications of proposed regulations and procedures.

The LID Principles project includes amendments to the City's Planned Unit Development chapter to provide additional flexibility for the siting of structures on lots.

UTILITIES

UT-13. Consider Low Impact Development principles to minimize impervious surfaces and native vegetation loss on all infrastructure improvement projects.

UT-38. Encourage the use of low impact development and stormwater best management practices to manage stormwater runoff, which may result in smaller facilities constructed on- and off-site for flow control, conveyance, and water quality.

TRANSPORTATION

TR-24. Incorporate pedestrian and bicycle facility improvements into roadway projects in accordance with the Pedestrian and Bicycle Transportation Plan.¹

TR-41. Develop the transportation system in a manner that supports the regional land use and transportation vision adopted in VISION 2040, Transportation 2040 and the Countywide Planning policies for King County.

TR-51. Provide sufficient arterial rights-of-way to provide space for street trees and landscaping, and to accommodate pedestrian and bicycle facilities, while considering neighborhood character and context.

TR-142. Avoid, minimize or mitigate significant adverse impacts to air quality, noise, light/glare and other elements of the environmental in planning and implementing transportation projects.

TR-144. Incorporate natural drainage practices into transportation infrastructure projects where effective and feasible.

¹ See also Pedestrian and Bicycle Transportation policies (TR-103), Transportation Element at 196-97.



ECONOMIC DEVELOPMENT

ED-5. Develop and maintain regulations that allow for continued economic growth while respecting the environment and quality of life of city neighborhoods.

ED-8. Recognize and consider the economic and environmental impacts of proposed legislative actions prior to adoption.

ED-21. Support economic development in the city's commercial areas.

ENVIRONMENT

EN-1. Balance the immediate and long range environmental impacts of policy and regulatory decisions in the context of the city's commitment to provide for public safety, infrastructure, economic development and other obligations.

EN-5. Protect air, water, land, and energy resources consistent with Bellevue's role in the regional growth strategy.

EN-12. Work toward a citywide tree canopy target of at least 40% canopy coverage that reflects our "City in a Park" character and maintain an action plan for meeting the target across multiple land use types including right-of-way, public lands, and residential and commercial uses.

EN-13. Minimize the loss of tree canopy and natural areas due to transportation and infrastructure projects and mitigate for losses, where impacts are unavoidable.

EN-24. Reduce runoff from streets, parking lots and other impervious surfaces and improve surface water quality by utilizing low impact development techniques in new development and redevelopment.

EN-43. Maintain land use regulations that limit the amount of impervious surface area in new development and redevelopment city-wide.

EN-44. Provide land use incentives to minimize the amount of impervious surface area below that allowed through prescriptive standards, in new development, redevelopment, and existing development citywide.

EN-45. Implement the city-wide use of low impact development techniques and green building practices.

EN-46. Make low impact development the preferred and commonly-used approach to site development to minimize impervious surfaces, native vegetation loss, and stormwater runoff.



EN-49. Provide education and incentives to support the implementation of low impact development practices, integrated site planning, and green building, with a focus on early consideration of these in the site development process.

EN-71. Preserve a proportion of the significant trees throughout the city in order to sustain fish and wildlife habitat.

EN-72. Encourage residents and professional landscaping firms to utilize native plants in residential and commercial landscapes.

URBAN DESIGN

UD-2. Preserve and enhance trees as a component of the skyline to retain the image of a “City in the Park.”

UD-6. Encourage the green and wooded character of existing neighborhoods.

UD-37. Use site design, water efficient landscaping and stormwater management practices to reduce the environmental impact of impervious surfaces.

UD-38. Minimize paved surfaces within open spaces and use permeable surfaces where appropriate.

UD-43. [In the Downtown, Commercial, and Mixed-Use Developments] Permit high intensity development subject to design criteria that assures a liveable environment.

UD-57. Preserve vegetation, with special consideration given to the protection to group of trees and associated undergrowth, specimen trees, and evergreen trees.

UD-64. Consider alternative street and sidewalk designs that minimize environmental impacts and use permeable surfaces where appropriate.

UD-65. Use appropriate street tree species and provide adequate rooting space to limit damage to sidewalk and street infrastructure.

UD-76. Minimize the removal of existing vegetation when improving streets to preserve the natural character of Bellevue.

SHORELINES

SH-9. Preserve the natural amenities and resources of the shorelines in the context of existing and planned residential, recreational, and commercial land uses.

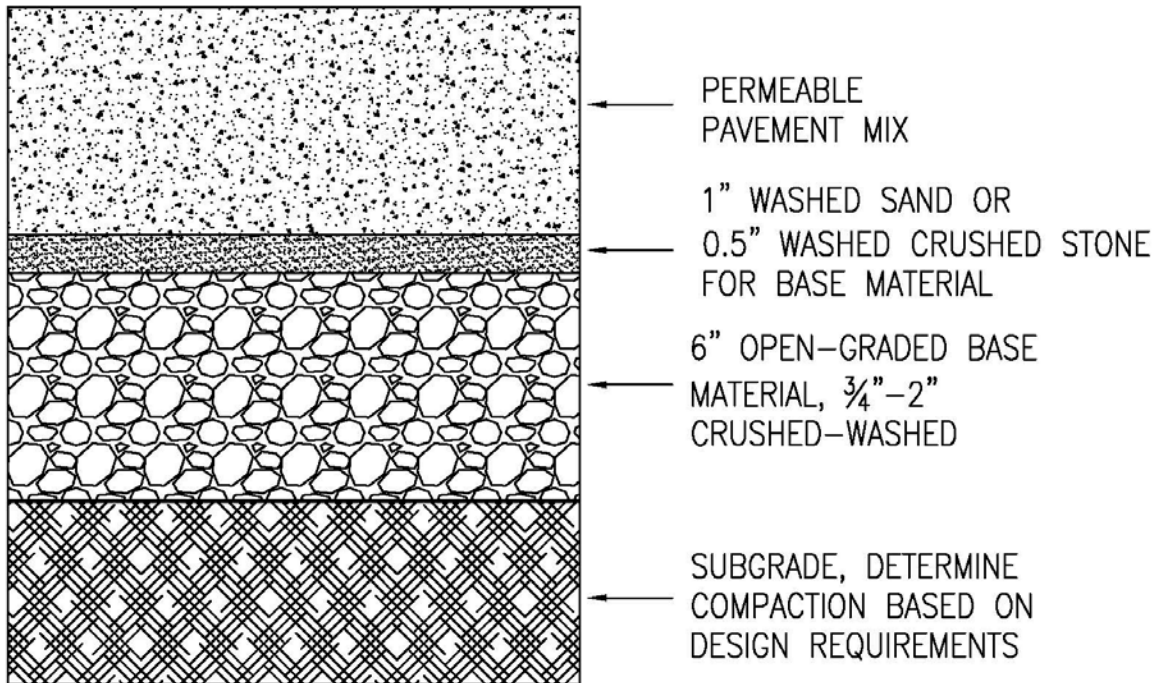
BMP T5.15: Permeable Pavements

Purpose and Definition

Pavement for vehicular and pedestrian travel occupies roughly twice the space of buildings. Stormwater from vehicular pavement can contain significant levels of solids, heavy metals, and hydrocarbon pollutants. Both pedestrian and vehicular pavements also contribute to increased peak flow durations and associated physical habitat degradation of streams and wetlands. Optimum management of stormwater quality and quantity from paved surfaces is, therefore, critical for improving fresh and marine water conditions in Puget Sound.

The general categories of permeable paving systems include:

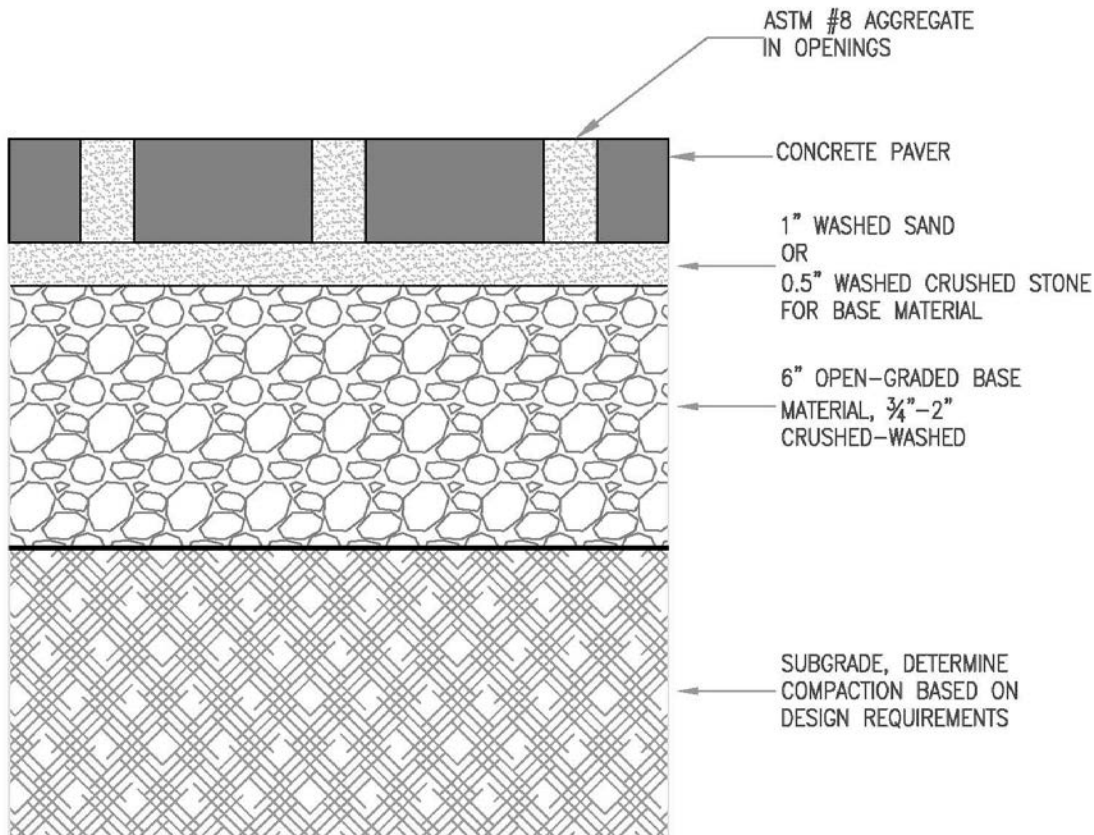
- ***Porous hot or warm-mix asphalt pavement*** (see [Figure 5.3.4](#)) is a flexible pavement similar to standard asphalt that uses a bituminous binder to adhere aggregate together. However, the fine material (sand and finer) is reduced or eliminated and, as a result, voids form between the aggregate in the pavement surface and allow water to infiltrate.
- ***Pervious Portland cement concrete*** (see [Figure 5.3.4](#)) is a rigid pavement similar to conventional concrete that uses a cementitious material to bind aggregate together. However, the fine aggregate (sand) component is reduced or eliminated in the gradation and, as a result, voids form between the aggregate in the pavement surface and allow water to infiltrate.



Modified from
City of Portland
Detail SW-110

Figure 5.3.4 – Example of a Permeable Pavement (concrete or asphalt) Section

- Permeable interlocking concrete pavements (PICP) and aggregate pavers.** (see [Figure 5.3.5](#)) PICPs are solid, precast, manufactured modular units. The solid pavers are (impervious) high-strength Portland cement concrete manufactured with specialized production equipment. Pavements constructed with these units create joints that are filled with permeable aggregates and installed on an open-graded aggregate bedding course. Aggregate pavers (sometimes called pervious pavers) are a different class of pavers from PICP. These include modular precast paving units made with similar sized aggregates bound together with Portland cement concrete with high-strength epoxy or other adhesives. Like PICP, the joints or openings in the units are filled with open-graded aggregate and placed on an open-graded aggregate bedding course. Aggregate pavers are intended for pedestrian use only.



Modified from
City of Portland
Detail SW-110

Figure 5.3.5 – Example of a Permeable Paver Section

- Grid systems** include those made of concrete or plastic. Concrete units are precast in a manufacturing facility, packaged and shipped to the site for installation. Plastic grids typically are delivered to the site in rolls or sections. The openings in both grid types are filled with topsoil and grass or permeable aggregate. Plastic grid sections connect together and are pinned into a dense-graded base, or are eventually held in place by the grass root structure. Both systems can be installed on an open-graded aggregate base as well as a dense-graded aggregate base.

Applications and Limitations

Permeable paving surfaces are an important integrated management practice within the LID approach and can be designed to accommodate pedestrian, bicycle and auto traffic while allowing infiltration, treatment and storage of stormwater.

Permeable pavements are appropriate in many applications where traditionally impermeable pavements have been used. Typical applications for permeable paving include parking lots, sidewalks, pedestrian and bike trails, driveways, residential access roads, and emergency and facility maintenance roads.

Limitations:

- No run-on from pervious surfaces is preferred. If runoff comes from minor or incidental pervious areas, those areas must be fully stabilized.
- Unless the pavement, base course, and subgrade have been designed to accept runoff from adjacent impervious surfaces, slope impervious runoff away from the permeable pavement to the maximum extent practicable. Sheet flow from up-gradient impervious areas is not recommended, but permissible if the permeable pavement area is \geq the impervious pavement area.
- Soils must not be tracked onto the wear layer or the base course during construction.

Infeasibility Criteria:

These are conditions that make permeable pavement not required. If a project proponent wishes to use permeable pavement - though not required to because of these feasibility criteria - they may propose a functional design to the local government.

These criteria also apply to impervious pavements that would employ stormwater collection from the surface of impervious pavement with redistribution below the pavement.

Citation of any of the following infeasibility criteria must be based on an evaluation of site-specific conditions and a written recommendation from an appropriate licensed professional (e.g, engineer, geologist, hydrogeologist)

- Where professional geotechnical evaluation recommends infiltration not be used due to reasonable concerns about erosion, slope failure, or down gradient flooding.
- Within an area whose ground water drains into an erosion hazard, or landslide hazard area.
- Where infiltrating and ponded water below new permeable pavement area would compromise adjacent impervious pavements.
- Where infiltrating water below a new permeable pavement area would threaten existing below grade basements.
- Where infiltrating water would threaten shoreline structures such as bulkheads.

- Down slope of steep, erosion prone areas that are likely to deliver sediment.
- Where fill soils are used that can become unstable when saturated.
- Excessively steep slopes where water within the aggregate base layer or at the sub-grade surface cannot be controlled by detention structures and may cause erosion and structural failure, or where surface runoff velocities may preclude adequate infiltration at the pavement surface.
- Where permeable pavements can not provide sufficient strength to support heavy loads at industrial facilities such as ports.
- Where installation of permeable pavement would threaten the safety or reliability of pre-existing underground utilities, pre-existing underground storage tanks, or pre-existing road sub-grades.

The following criteria can be cited as reasons for a finding of infeasibility without further justification (though some require professional services to make the observation):

- Within an area designated as an erosion hazard, or landslide hazard.
- Within 50 feet from the top of slopes that are greater than 20%.
- For properties with known soil or ground water contamination (typically federal Superfund sites or state cleanup sites under the Model Toxics Control Act (MTCA)):
 - Within 100 feet of an area known to have deep soil contamination;
 - Where ground water modeling indicates infiltration will likely increase or change the direction of the migration of pollutants in the ground water;
 - Wherever surface soils have been found to be contaminated unless those soils are removed within 10 horizontal feet from the infiltration area;
 - Any area where these facilities are prohibited by an approved cleanup plan under the state Model Toxics Control Act or Federal Superfund Law, or an environmental covenant under [Chapter 64.70 RCW](#).
- Within 100 feet of a closed or active landfill.
- Within 100 feet of a drinking water well, or a spring used for drinking water supply, if the pavement is a pollution-generating surface.
- Within 10 feet of a small on-site sewage disposal drainfield, including reserve areas, and grey water reuse systems. For setbacks from a “large on-site sewage disposal system”, see [Chapter 246-272B WAC](#).
- Within 10 feet of any underground storage tank and connecting underground pipes, regardless of tank size. As used in these criteria, an underground storage tank means any tank used to store petroleum

products, chemicals, or liquid hazardous wastes of which 10% or more of the storage volume (including volume in the connecting piping system) is beneath the ground surface.

- At multi-level parking garages, and over culverts and bridges.
- Where the site design cannot avoid putting pavement in areas likely to have long-term excessive sediment deposition after construction (e.g., construction and landscaping material yards).
- Where the site cannot reasonably be designed to have a porous asphalt surface at less than 5 percent slope, or a pervious concrete surface at less than 10 percent slope, or a permeable interlocking concrete pavement surface (where appropriate) at less than 12 percent slope. Grid systems upper slope limit can range from 6 to 12 percent; check with manufacturer and local supplier.
- Where the native soils below a pollution-generating permeable pavement (e.g., road or parking lot) do not meet the soil suitability criteria for providing treatment. See SSC-6 in Section 3.3.7 of Volume III. Note: In these instances, the local government has the option of requiring a six-inch layer of media meeting the soil suitability criteria or the sand filter specification as a condition of construction.
- Where seasonal high ground water or an underlying impermeable/low permeable layer would create saturated conditions within one foot of the bottom of the lowest gravel base course.
- Where underlying soils are unsuitable for supporting traffic loads when saturated. Soils meeting a California Bearing Ratio of 5% are considered suitable for residential access roads.
- Where appropriate field testing indicates soils have a measured (a.k.a., initial) native soil saturated hydraulic conductivity less than 0.3 inches per hour. (Note: In these instances, unless other infeasibility restrictions apply, roads and parking lots may be built with an underdrain, preferably elevated within the base course, if flow control benefits are desired.)
- Roads that receive more than very low traffic volumes, and areas having more than very low truck traffic. Roads with a projected average daily traffic volume of 400 vehicles or less are very low volume roads (AASHTO, 2001)(U.S. Dept. of Transportation, 2013). Areas with very low truck traffic volumes are roads and other areas not subject to through truck traffic but may receive up to weekly use by utility trucks (e.g., garbage, recycling), daily school bus use, and multiple daily use by pick-up trucks, mail/parcel delivery trucks, and maintenance vehicles. Note: This infeasibility criterion does not extend to sidewalks and other non-traffic bearing surfaces.

- Where replacing existing impervious surfaces unless the existing surface is a non-pollution generating surface over an outwash soil with a saturated hydraulic conductivity of four inches per hour or greater.
- At sites defined as “high use sites” in Volume I of this manual.
- In areas with “industrial activity” as identified in 40 CFR 122.26(b)(14).
- Where the risk of concentrated pollutant spills is more likely such as gas stations, truck stops, and industrial chemical storage sites.
- Where routine, heavy applications of sand occur in frequent snow zones to maintain traction during weeks of snow and ice accumulation.

A local government may designate geographic areas within which permeable pavement, or certain types of permeable pavement, may be designated as infeasible due to year-round, seasonal or periodic high groundwater conditions, or due to inadequate infiltration rates.

Designations must be based upon a preponderance of field data, collected within the area of concern, that indicate a high likelihood of failure to achieve the minimum groundwater clearance or infiltration rates identified in the above infeasibility criteria. The local government must develop a technical report, and make it available upon request by the Dept. of Ecology. The technical report must be authored by (a) professional(s) with appropriate expertise (e.g., registered engineer, geologist, hydrogeologist, or certified soil scientist), and document the location and pertinent values/observations of data that were used to recommend the designation and boundaries for the geographic area. The types of pertinent data include, but are not limited to:

- Standing water heights or evidence of recent saturated conditions in observation wells, test pits, test holes, and well logs.
- Observations of areal extent and time of surface ponding, including local government or professional observations of high water tables, frequent or long durations of standing water, springs, wetlands, and/or frequent flooding.
- Results of infiltration tests

In addition, a local government can map areas that meet a specific infeasibility criterion listed above provided they have an adequate data basis. Criteria that are most amenable to mapping are:

- Where land for bioretention is within an area designated by the local government as an erosion hazard, or landslide hazard
- Within 50 feet from the top of slopes that are greater than 20% and over 10 feet vertical relief
- Within 100 feet of a closed or active landfill

Design Guidelines

Ecology has listed below the critical design criteria you must consider when designing permeable pavement. Local governments can adopt alternative design criteria, as long as it does not conflict with the criteria listed below. For modeling guidance of permeable pavements, refer to Appendix III-C of Volume III, and the 2012 WWHM User Manual.

You can find additional guidance for permeable pavement design in the *LID Technical Guidance Manual for Puget Sound* (2012).

Note that the *LID Technical Guidance Manual for Puget Sound* (2012) is for additional informational purposes only. You must follow the guidance within this manual if there are any discrepancies between this manual and the *LID Technical Guidance Manual for Puget Sound* (2012).

Subgrade

- Compact the subgrade to the minimum necessary for structural stability. Two guidelines currently used to specify subgrade compaction are “firm and unyielding” (qualitative), and 90- 92% Standard Proctor (quantitative). Do not allow heavy compaction due to heavy equipment operation. The subgrade should not be subject to truck traffic.
- To prevent compaction when installing the aggregate base, the following steps (back-dumping) should be followed: 1) the aggregate base is dumped onto the subgrade from the edge of the installation and aggregate is then pushed out onto the subgrade; 2) trucks then dump subsequent loads from on top of the aggregate base as the installation progresses.
- Use on soil types A through C.

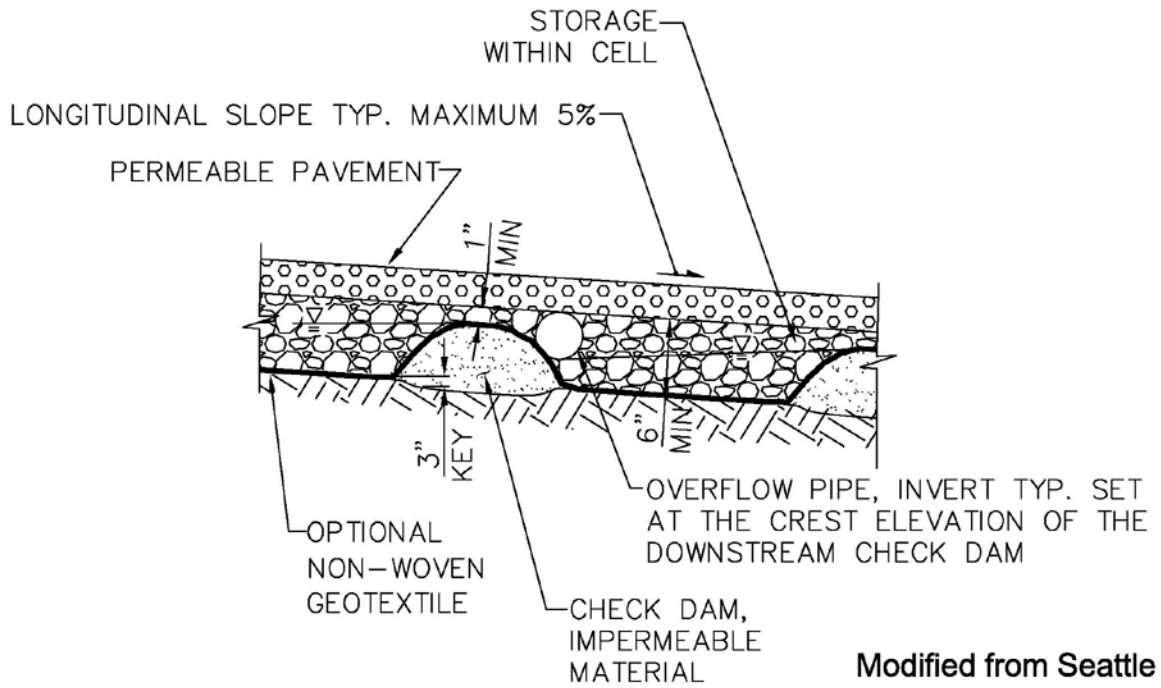
Separation or Bottom Filter Layer (recommended but optional)

- A layer of sand or crushed stone (0.5 inch or smaller) graded flat is recommended to promote infiltration across the surface, stabilize the base layer, protect underlying soil from compaction, and serve as a transition between the base course and the underlying geotextile material.

Base material

- Local governments should adopt their own minimum base material requirements as they see necessary for support of flexible pavements. Many design combinations are possible. The material must be free draining. The municipality should determine and publish estimates of the void space for each standard base material allowed in their jurisdiction.

- To increase infiltration, improve flow attenuation and reduce structural problems associated with subgrade erosion on slopes, impermeable check dams may be placed on the subgrade and below the pavement surface (See [Figure 5.3.6](#)). Check dams should have an overflow drain invert placed at the maximum ponding depth. The distance between berms will vary depending on slope, flow control goals and cost.



Modified from Seattle ROW Manual Figure 6-25

Figure 5.3.6 – Example of a check dam along a sloped section of permeable pavement

Wearing layer

- For all surface types, a minimum initial infiltration rate of 20 inches per hour is necessary. To improve the probability of long-term performance, significantly higher initial infiltration rates are desirable.
- ***Porous Asphalt:*** Products must have adequate void spaces through which water can infiltrate. A void space within the range of 16 – 25% is typical.
- ***Pervious Concrete:*** Products must have adequate void spaces through which water can infiltrate. A void space within the range of 15 – 35% is typical..
- ***Grid/lattice systems filled with gravel, sand, or a soil of finer particles with or without grass:*** The fill material must be at least a minimum of 2 inches of sand, gravel, or soil.
- ***Permeable Interlocking Concrete Pavement and Aggregate Pavers:*** Pavement joints should be filled with No. 8, 89 or 9 stone.

Drainage conveyance

Roads should still be designed with adequate drainage conveyance facilities as if the road surface was impermeable. Roads with base courses that extend below the surrounding grade should have a designed drainage flow path to safely move water away from the road prism and into the roadside drainage facilities. Use of perforated storm drains to collect and transport infiltrated water from under the road surface will result in less effective designs and less flow reduction benefit.

Underdrains

Note that if an underdrain is placed at or near the bottom of the aggregate base in a permeable pavement design, the permeable pavement is no longer considered an LID BMP and cannot be used to satisfy Minimum Requirement #5. However, designs utilizing an underdrain that is elevated within the aggregate base course to protect the pavement wearing course from saturation is considered an LID BMP and can be used to satisfy Minimum Requirement #5. See Appendix III-C and the WWHM Users Manual for guidance in modeling permeable pavements with underdrains.

Acceptance test

- Driveways can be tested by simply throwing a bucket of water on the surface. If anything other than a scant amount puddles or runs off the surface, additional testing is necessary prior to accepting the construction.
- Roads may be initially tested with the bucket test. In addition, test the initial infiltration with a 6-inch ring, sealed at the base to the road surface, or with a sprinkler infiltrometer. Wet the road surface continuously for 10 minutes. Begin test to determine compliance with 20 inches per hour minimum rate. Use of ASTM C1701 is also recommended.

Stormwater-related Design Procedures

See Section 3.4 in Volume III of this manual for more specific guidance regarding required field testing, assignment of infiltration rate correction factors, project submission requirements, and modeling.

Runoff Model Representation

See Appendix III-C for runoff modeling guidance under WWHM3 and under WWHM 2012.

Maintenance

Please see table 22 within Table 4.5.2 in Chapter 4 of this Volume.

Maintenance recommendations for all facilities:

- Erosion and introduction of sediment from surrounding land uses should be strictly controlled after construction by amending exposed soil with compost and mulch, planting exposed areas as soon as possible, and armoring outfall areas.
- Surrounding landscaped areas should be inspected regularly and possible sediment sources controlled immediately.
- Installations can be monitored for adequate or designed minimum infiltration rates by observing drainage immediately after heavier rainstorms for standing water or infiltration tests using ASTM C1701.
- Clean permeable pavement surfaces to maintain infiltration capacity at least once or twice annually following recommendations below.
- Utility cuts should be backfilled with the same aggregate base used under the permeable paving to allow continued conveyance of stormwater through the base, and to prevent migration of fines from the standard base aggregate to the more open graded permeable base material (Diniz, 1980).
- Ice build up on permeable pavement is reduced and the surface becomes free and clear more rapidly compared to conventional pavement. For western Washington, deicing and sand application may be reduced or eliminated and the permeable pavement installation should be assessed during winter months and the winter traction program developed from those observations. Vacuum and sweeping frequency will likely be required more often if sand is applied.

Porous asphalt and pervious concrete

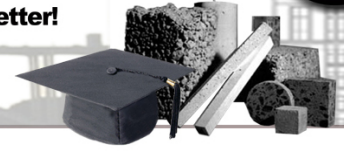
- Clean surfaces using suction, sweeping with suction or high-pressure wash and suction (sweeping alone is minimally effective). Hand held pressure washers are effective for cleaning void spaces and appropriate for smaller areas such as sidewalks.
- Small utility cuts can be repaired with conventional asphalt or concrete if small batches of permeable material are not available or are too expensive.

Permeable pavers

- ICPI recommends cleaning if the measured infiltration rate falls below 10 in/hr.
- Use sweeping with suction when surface and debris are dry 1-2 times annually (see next bullet for exception). Apply vacuum to a paver test section and adjust settings to remove all visible sediment without excess uptake of aggregate from paver openings or joints. If necessary replace No 8, 89 or 9 stone to specified depth within the paver openings. Washing or power washing should not be used to remove debris and sediment in the openings between the pavers (Smith, 2000).
- For badly clogged installations, wet the surface and vacuumed aggregate to a depth that removes all visible fine sediment and replace with clean aggregate.
- If necessary use No 8, 89 or 9 stone for winter traction rather than sand (sand will accelerate clogging).
- Pavers can be removed individually and replaced when utility work is complete.
- Replace broken pavers as necessary to prevent structural instability in the surface.
- The structure of the top edge of the paver blocks reduces chipping from snowplows. For additional protection, skids on the corner of plow blades are recommended.
- For a model maintenance agreement see “Permeable Interlocking Concrete Pavements” (Smith, 2011).

Plastic or Concrete grid systems

- Remove and replace top course aggregate if clogged with sediment or contaminated (vacuum trucks for stormwater collection basins can be used to remove aggregate).
- Remove and replace grid segments where three or more adjacent rings are broken or damaged.
- Replenish aggregate material in grid as needed.
- Snowplows should use skids to elevate blades slightly above the gravel surface to prevent loss of top course aggregate and damage to plastic grid.
- For grass installations, use normal turf maintenance procedures except do not aerate. Use very slow release fertilizers if needed.



An Integrated Study of Pervious Concrete Mixture Design for Wearing Course Applications

Final Report

Vernon R. Schaefer
Iowa State University

John T. Kevern
University of Missouri-Kansas City

Kejin Wang
Iowa State University



EXECUTIVE SUMMARY

This report presents the results of the largest and most comprehensive study to date on portland cement pervious concrete (PCPC). It is designed to be widely accessible and easily applied by designers, producers, contractors, and owners. Consequently, the chapters are all written as standalone documents and may be read and understood individually. The project was designed to begin with pervious concrete best practices and then to address the unanswered questions in a systematic fashion to allow a successful overlay project. Consequently, the first portion of the integrated project involved a combination of fundamental material property investigations, test method development, and addressing constructability issues before actual construction could take place. The second portion of the project involved actual construction and long-term testing before reporting successes, failures, and lessons learned. The following is a brief summary of notable results from each chapter based on the project tasks.

Pervious Concrete Air Entrainment

Air entrainment is common in traditional concrete and improves durability. Portland cement pervious concrete has a more complicated void system than traditional concrete, containing not only the small-sized entrapped and entrained air in the paste or mortar but also porosity, the larger-sized interconnected void space between the paste-coated aggregate particles. Consequently, questions persisted about the role of air entrainment and its measurement in PCPC. The studies conducted show that the RapidAir test is an effective means of determining the entrained air void structure in PCPC. Air entrainment increased past volume and improved the workability and durability of pervious concrete. It is recommended that air entrainment continue to be used in pervious concrete mixtures.

Measuring Pervious Concrete Workability

Slump is not an effective means to quantify pervious concrete workability. Since pervious concrete for slip form placement is a combination of a self-consolidating concrete and a stiff slip-formable concrete, questions persisted on workability measurement. The current method of forming a ball with the plastic pervious concrete is impossible to specify due to the lack of quantifiable values and individual bias. A new test method based on gyratory compaction was developed to characterize the workability of pervious concrete. The new test method produces consistent concrete specimens, and the output from the test quantifies the workability and compactibility of pervious concrete. Ranges of the workability parameters are suggested that can be used to assist in designing pervious concrete mixtures for specific compaction methods and to allow quantification of placeability for overlay mixture development.

Pervious Concrete Overlay Mixture Development

To ensure good performance during both the construction and service periods, a PCPC mixture for a pavement overlay must possess the following properties:

- High workability for ease of placement
- Uniform porosity or void structure throughout the pavement for noise reduction
- Adequate bond with underlying pavement and proper strength for traffic load
- Sufficient resistance to wearing, aggregate polishing, and freeze-thaw damage

A systematic study using a large number of mix designs was conducted to investigate effects of a wide variety of concrete materials and mixture proportions on PCPC performance, including concrete workability, compaction density, strength, freeze-thaw durability, and overlay bond strength. The results indicate that PCPC mixtures can be designed to be highly workable, sufficiently strong, permeable, and with excellent freeze-thaw durability, suitable for pavement overlays. Such overlays will not only function well structurally for carrying designed traffic loads but also perform well environmentally for noise reduction, skid resistance, and splash and spray.

Pervious Concrete Curing and Surface Durability

Concrete curing is required to maintain sufficient moisture to allow cement hydration and concrete microstructure development, and curing has been shown to impact concrete durability and strength. While many techniques exist to control moisture loss in traditional concrete, most are not appropriate for pervious concrete. Curing is especially important for pervious concrete because the high porosity and bottom exposure of the slab may allow rapid loss of moisture from the fresh concrete due to evaporation. The current method of curing PCPC involves covering the fresh concrete with plastic sheets and allowing the pavement to cure for seven days before removal of the plastic. The effect of nine different curing methods or curing materials was evaluated for effect on pervious concrete properties, including flexural strength and surface abrasion resistance. The samples cured under plastic had the best abrasion and resistance as well as the highest flexural strength, and it was shown that seven days of curing was sufficient for strength gain. Of the other methods, soybean oil has the potential to be an effective curing compound, supplementing or possibly replacing plastic. Additional studying of curing methods will be necessary for large-scale use of pervious concrete in roadway applications and as new products and techniques emerge.

Pervious Concrete Durability to Deicers

In cold weather regions, deicers are applied to a pavement surface to help prevent icing. The relatively-high permeability of PCPC allows melting water to drain into the stormwater system, thus reducing the potential for surface icing due to ponded water. Sand is sometimes applied to pavement in the event that the temperature drops below a level at which deicers can prevent freezing. Because of the nature of PCPC, deicing chemicals cannot be ponded at the top of the sample and will pass through the surface; thus, current methods of evaluation of concrete resistance through immersion of the sample do not accurately reflect typical field conditions. A drained test method was developed to better simulate PCPC field conditions. The drained test

provides improved results compared to the saturated tests and provides a good alternative to simulate deicer damage to pervious concretes. Three deicer solutions were compared with distilled water and samples tested for freeze-thaw durability, surface condition, and compressive strength. Samples without latex polymer had much less mass loss than those using a latex polymer. For a given concrete mixture, sodium chloride or calcium-magnesium acetate performed better than calcium chloride, with less damage.

Design Considerations to Reduce Potential Clogging

Clogging of PCPC leading to potential problems in serviceability has been regarded as one of the primary drawbacks of all permeable pavement systems. A suite of clogging tests was conducted using design porosities of 15%, 20%, and 25% and three sediments: sand, silty clay, and blended sand and silty clay. The fine-grained silty clay had almost no effect on the ability of water to flow through specimens at typical stormwater concentrations. The results with sand and blended materials show that clogging is only an issue at the lowest porosity and primarily for the blended materials. In most cases, sufficient permeability remains after clogging that water flow through the pervious concrete will not be an operational issue for pervious pavements. Several rehabilitation methods were examined. Clogging by sand can best be alleviated using dry vacuuming, while clogging by blended materials can best be alleviated using power washing followed by vacuuming.

Pervious Concrete Overlay Construction

A pervious concrete overlay was constructed on the MnROAD Low Volume Road, a cold region pavement test track near Albertville, Minnesota, in October 2008 over concrete originally placed in July 1993. The PCPC overlay was nominally four inches thick with formed joints approximately over the original skewed joints. The original mix design development work envisioned machine placement of the overlay. Because of weather delays and equipment availability, a powered roller-screed was used for placement. The construction used hand placement of the material, roller screeding, jointing with a mechanical cutter, and curing under plastic for seven days. The construction did leave some surface irregularities in the form of stretch markings and surface sealing.

Pervious Concrete Overlay Field Durability and Performance

Condition surveys of the overlay were conducted in 2009, 2010, and 2011. The primary distress to the overlay pavement was joint deterioration. With a minor amount of cracking, the joint deterioration is believed to be the result of the method of joint placement; saw cutting the joints would have resulted in less deterioration. The joint deterioration increased each year and is likely due to snow plow effects. The flow characteristics have been measured each year, with high infiltration results and good consistency from year to year. Operations during rain events indicate that the pervious overlay quickly removes rainwater from the pavement surface and that the water migrates lateral to the side of the pavement, indicating pervious concrete is a successful tool for mitigating splash and spray as well as reducing hydroplaning difficulties.

Pervious Concrete Overlay Noise Characteristics

Noise measurements have been conducted on the overlay at the MnROAD Low Volume Road and reveal a remarkably quiet pavement. While traditional concrete noise levels range from around 100 to 110 decibels adjusted (dBA), values for the pervious concrete in 2009 and 2010 range between 96 and 98, making the pervious overlay one of the quietest concrete pavements in place.

Summary and Conclusions

The results of the studies conducted show that a pervious concrete overlay can be designed, constructed, operated, and maintained. A pervious concrete overlay has several inherent advantages, including reduced splash and spray and reduced hydroplaning potential, as well as being a very quiet pavement. The good performance of this overlay in a particularly harsh freeze-thaw climate, Minnesota, shows pervious concrete is durable and can be successfully used in freeze-thaw climates with truck traffic and heavy snow plowing.



Upcoming Meeting Schedule

<u>Date</u>	<u>Agenda Item Topic</u>	<u>Agenda Type</u>
13-Jul-15	Standard Items Quarterly Check-In Eastgate Land Use Code Low Impacts Development Standards	Roll Call, Agenda, Minutes, Public Comment, Staff Reports. Information Only Study Session, Transmittal Study Session
27-Jul-16	Standard Items Low Impacts Development Standards Downtown Livability Land Use Code	Roll Call, Agenda, Minutes, Public Comment, Staff Reports Public Hearing, Transmittal Study Session
August	NO MEETINGS - August Break	

Planning Commission Correspondence

The following correspondence was received between June 23, 2016 and July 7, 2016. Correspondence received on, or after, this date up to noon the day of the next meeting, July 13, 2016 will be printed and placed into the Planning Commission's desk packets and emailed out individually to the Commission before the meeting.

Cullen, Terry

From: Michelle Wannamaker <mwannamaker@comcast.net>
Sent: Thursday, July 07, 2016 4:18 AM
To: PlanningCommission
Subject: Eastgate/I-90 Land Use & Transportation Project
Attachments: PlannComm_before_hearing_results.docx

Please distribute this letter to the Planning Commissioners.

Thank you,
Michelle Wannamaker

Commissioners,

My name is Michelle Wannamaker and I live in Eastgate at 4045 149th Ave. SE. You've heard me lobby against the Eastgate/I-90 Land Use & Transportation project month after month. My plans were to, also, be at the July 13th meeting to listen to the deferred hearing study session and decision. But it looks like a medical issue is going to prevent me from doing so.

So I want to say one last time, city staff are trying to get you to approve this project without doing the CAC's recommended transportation (traffic & transit) improvements. Please, require that the infrastructure to support the increased capacity be completed **before** allowing the growth. According to the Growth Management Act, that is state law. So if you were to approve these land use code changes, you would be violating state law. If city staff tries to say that the capacity exists, remember this you have to be measuring something to know whether or not it fails. I passed out traffic screen prints of a typical afternoon rush hour in Eastgate at the hearing. They showed that congestion on SE 38th St. at Allen Rd. blocked Eastgate residents from leaving our neighborhood at that intersection. They also showed congestion on SE 36th St. blocked us from leaving Eastgate on 146th Ave. SE. City of Bellevue Transportation Department documents show that neither of those intersections are being measured. I'd also like to point out that there are some types of congestion that can't be measured. You can't measure how many Eastgate residents (who know Allen Rd is blocked ***every*** afternoon at rush hour) chose to take another route out of Eastgate because of this backup and you can't measure how many took which route.

City staff may, also, tell you that WSDOT's additional lane on I-90, between Eastgate and Lakemont, is scheduled to start construction in 2018 and that will fix the problem. Not so! Yes, it will have a significant impact for people who live or work east of Eastgate, like in Lakemont or Issaquah. And getting those vehicles out of the way at a quicker rate may help some N-bound and S-bound drivers. But WSDOT's additional lane will have no impact on vehicles who work or live west of Eastgate like in Seattle. It also will have no impact on any vehicles who are headed W-bound on I-90, then to any city that is N-bound or S-bound on I-405.

This is your opportunity to do the right thing. Please, do what's right for the **existing** residents of Eastgate, what's right for the **existing** workers of Eastgate, and what's right for all **existing** Bellevue residents of other neighborhoods who already drive through Eastgate on a regular basis and deny these land use code changes.

Sincerely,

Michelle Wannamaker
4045 149th Ave. SE
Bellevue, WA 98006

mwannamaker@comcast.net
(425) 746-6921

Cullen, Terry

From: bt.livability@gmail.com
Sent: Saturday, July 02, 2016 6:56 AM
To: PlanningCommission; Stokes, John; Wallace, Kevin R; Robertson, Jennifer S.; Robinson, Lynne; Lee, Conrad; Chelminiak, John; wherman@moosewiz.com
Subject: Concerns about Downtown Livability

Jay C. Bisgard cris.bisgard@gmail.com sent the following message:

Dear Planning Commissioner or City Council Member:

I am a resident of downtown Bellevue and I am very concerned about the coming changes in the land use code and the opaque approval process for planned developments. I applaud the goal of creating a more livable city. My most pressing concerns are;

(i) Increasing density by 67% in the MU district will increase traffic congestion, compounding what will be an intractable problem.

(ii) There is no rational plan to deal with congestion due to using the wrong measures and not considering diminished capacity,

(iii) Building height rules are nearly impossible to understand. Building height limits are regularly exceeded and it requires a trip to city hall and a spreadsheet to learn why. A 250 foot limit should mean that the building can not be taller than 250 feet, including everything!

(iv) An incentive system that rewards developers for providing underground parking when they would do it anyway is counterproductive and a waste of resources. Either be silent on underground parking or make it a requirement in an optional bundle of incentives.

Thank you for your consideration.

Sent by the Steeple.com Contact Us Form Google Apps Script

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
STUDY SESSION MINUTES

June 1, 2016
6:30 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, 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 6:07 p.m. by Chair Hilhorst who presided.

2. ROLL CALL

(6:07 p.m.)

Upon the call of the roll, all Commissioners were present with the exception of Commissioner Carlson, who arrived at 6:09 p.m., and Commissioner Laing, who arrived at 6:21 p.m.

3. APPROVAL OF AGENDA

(6:07 p.m.)

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

(6:08 p.m.)

Ms. Marci Faith Hennis, a resident of Lake Heights, thanked the Commission for helping to keep the vision of neighborhood pride for Bellevue neighborhoods.

Ms. Cathy Louviere, a Bellevue Towers resident, reminded the Commissioners she had previously noted that the perimeter residents were promised that no building taller than five stories would be constructed across from them. Downtown Bellevue residents do not enjoy the same protection. Bellevue Towers residents are having to deal with the fallout from the Lincoln Square expansion and the Center 425 development as a result. She said since she last addressed the Commission, the residents have been subjected to more construction noise and more traffic

disruption along 106th Avenue NE. Light pollution is still an issue for many, though the issue has been improved somewhat. She said she continues to be concerned about how building height is reported and suggested it needs to be standardized. From her home on the 21st floor of Bellevue Towers, the view has been blocked by a rooftop garden atop the 16-story Center 425 building.

5. PUBLIC HEARING

(6:14 p.m.)

A. 2016 Proposed Comprehensive Plan Amendments – Threshold Review

Chair Hilhorst briefly reviewed the two-step Comprehensive Plan amendment process, noting that all proposed amendments are evaluated based on the threshold review decision criteria. Amendments that are found to be consistent with the criteria are recommended to move to the final review step.

Senior Planner Nicholas Matz explained that the Comprehensive Plan amendment process is the tool used to consider amendments to the Comprehensive Plan. Under the Growth Management Act, the Comprehensive Plan can only be amended once per calendar year. At the threshold review stage, a determination is made as to whether or not the individual applications submitted should be considered. The proposals that are passed on to final review are subjected to a different set of decision criteria. The process is arduous but is designed to respect the legislative nature of the decisions the Commission will be making about amending the Comprehensive Plan. The City Council weighs in at both phases, first to establish the work program and second to act on the amendments by ordinance. All of the decision criteria must be met in order to advance amendments to final review.

Comprehensive Planning Manager Terry Cullen said the process takes about a year to complete. The amendments that move forward to the final review phase will undergo a full analysis. Actions taken by the Commission at the threshold review stage are not tantamount to approval of the amendments up for consideration; they only recommend moving amendments into the next phase or recommend that they not be advanced.

Mr. Matz briefly outlined the threshold review decision criteria as established in LUC 20.30I.140. He noted that three site-specific amendments had been submitted, and that there were two non site-specific applications related to park lands policies that would apply citywide.

i. Naficy

(6:22 p.m.)

Mr. Matz said the amendment seeks to change the designation from Office (O) to Bel-Red Residential-Commercial Node 3 (BR-RC-3) for the half-acre site at 15700 Bel-Red Road. The site currently is developed with a medical office building and surface parking. A concurrent rezone application has been filed as well. The applicant has stated that the redesignation and rezone of the site and the neighboring properties in the vicinity from O to BR-RC-3 would allow for a denser mixed use center and allow for additional housing to support the growth stated in the Comprehensive Plan and add to pedestrian activity in the neighborhood. The nearest BR-RC-3 to the subject property is to the southwest in the Iron Triangle area in the Bel-Red subarea; to the south is O, there is PO across the street to the east, and beyond that is single family.

Mr. Matz said part of the staff recommendation is to expand the geographic scope to include the entire triangle area between Bel-Red Road, 156th Avenue NE and NE 28th Street.

Chair Hilhorst asked which subarea the subject property is in. Mr. Matz said it is in the Crossroads subarea, but the applicant would like the line redrawn to put the site in the Bel-Red subarea. That is in fact the only way the site could get the BR-RC-3 designation.

Mr. Matz said the staff recommendation is that the Naficy proposal does not meet the threshold review criteria and that it should not be recommended for inclusion in the work program. The proposal would require changing the subarea boundary, an issue that would be more appropriately addressed by the Bel-Red look back, an ongoing work program approved by the Council. The look back work includes a review of policy implementation and will result in a report to the Council that will include recommendations for what should be done next. The first phase of the look back, intended to be completed by August, is essentially an assessment of where things stand. The look back is the appropriate place to consider changing the subarea boundary, which the Naficy amendment proposes.

Commissioner Morisseau asked about the three-year rule regarding Comprehensive Plan amendments and Mr. Matz explained that applications for Comprehensive Plan amendments that are submitted but are not successful cannot be resubmitted for three years.

Chair Hilhorst asked if the applicant would have to wait three years if it is not moved to the next phase, or if the issue could be rolled into the look back. Mr. Matz said one option open to the Commission is to recommend to the Council including the Naficy site in the Bel-Red look back. The Council could approve that approach, which would then trigger the three-year rule.

Chair Hilhorst asked if the applicant could achieve the same density level if the site remains in the Crossroads subarea. Mr. Matz said the Bel-Red zone sought by the applicant is specifically described by statute to apply only within the Bel-Red subarea. Bel-Red zoning cannot be applied outside of the Bel-Red subarea. There is no designation in the Crossroads subarea that allows for the same density.

Chair Hilhorst opened the floor to comments from the applicant.

Rich Wagner with Baylis Architects, 10801 Main Street, spoke representing the applicant and pointed out that the urban environment to the north of the subject site is dominated by Microsoft. He said the application has been cast as an expansion of the subarea, but that has not been the goal of Dr. Naficy. The 6000-square-foot building on the site is forty years old and it would be almost impossible to rehabilitate it economically. The site is 25,000 square feet and the current zoning allows a maximum FAR of 0.5, which would yield 12,500 square feet. An expansion of only 6500 square feet simply does not pencil out. Dr. Naficy has practiced on the site for many years and many of his clients say they have to drive two hours to get to the office because they cannot afford to live in Bellevue. Dr. Naficy's goal from the start has been to achieve some affordable housing. The Assessment of Housing Needs in Bellevue, updated in March 2016, indicates that Dr. Naficy is on the right path. The desired project would come in at an FAR of about 2.5, would be 60 feet in height, and would have 60 or 70 units, which is far less than what the proposed BR-RC-3 zoning allows, but which is more than what the Crossroads zoning allows for. Redeveloping the site will result in traffic and bulk impacts, but most of the traffic in the area flows to Microsoft. The idea of putting affordable housing in the area to provide living units for those who would provide services to those who work at Microsoft and elsewhere makes sense. The subject property is only about five blocks away from a future light rail station. The applicant was not anticipating a staff recommendation that the proposal does not meet the

threshold criteria and that the issue should be made part of the look back process. Since 2009 there has been a commitment to do a look back of the area, but it has not happened yet. The applicant did not recommend expanding the geographic scoping, that is the recommendation of the staff. The timing of the look back is such that the research will be available to the Commission by the time a decision would be made on the Naficy application in final review. The Commission was asked to advance the application so it can at least be discussed.

The applicant Dr. Kevin Naficy said he has been a practicing orthodontist at the subject site for 31 years. He said all he has come from the community, and he has been able to give back to the community. Beginning in May 2010, 80 percent of the practice has been dedicated at no charge to families below the poverty line. Patients travel to the site from as far away as Wenatchee and Bellingham. He said his desire is to redevelop the property so he can benefit from it in his retirement and to give back to the community. The plan is to include a commercial element by way of an office wing, and to include an affordable housing element. The limitations of the zoning has forced seeking the BR-RC-3 designation, which allows building height to 85 feet even though there is no intent to build that high. Those who would inhabit the affordable housing units would hopefully not have to drive to their jobs. Both to the north and the east there are much taller buildings than what is proposed by the site. He urged the Commission to forward the application to final review.

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

Mr. Russ Paravecchio, 2495 158th Place NE, concurred with the staff recommendation. He suggested, however, that it would be good for the Council to hear from the great number of area residents who would vote against the proposal. The added traffic would add to the danger of the area by reducing access times by emergency vehicles, and the density would encroach on the borders of what for many years has been delineated for housing. Changing the subarea border would open even more sites to denser development. People should be allowed to develop their properties so long as they play within the rules. While over time changing the rules may be necessary, it is not always necessary to do so. Those who live in the single family homes close to the site purchased their homes on the understanding that the area would remain for families over time. They have seen numerous attempts to allow for more and more encroachment by higher intense uses and they need to be protected.

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

ii. Eastgate Office Park

(6:54 p.m.)

Mr. Matz said the Eastgate Office Park amendment seeks to change the designation for the 14-acre site to the east of 156th Avenue SE at approximately SE 30th Place from Office (O) to Office Limited Business (OLB). The site is developed with 280,000 square feet of office in four buildings with surface parking. He said the recommendation of staff was to advance the proposal into the work program. The applicant asserts that the proposal will implement the city's Comprehensive Plan vision for the Eastgate subarea by encouraging continued economic vitality and development capacity. Staff also recommends expanding the geographic scoping to include the two properties to the east which are similarly situated in terms of their designation and the type and quantity of existing office buildings.

Mr. Matz said the applicant has made the case that they were missed by the Eastgate/I-90 land use and transportation project and would like to revisit the question of whether or not the site should have been included in the area. By advancing the amendment to final review, the door to digging deeper into the issue would be opened. It would also allow for looking at some of the economic issues that have been raised by the applicant.

Mr. Matz said staff have concluded that the decision criteria have been met. The area was part of the Eastgate study area, and the amendments from the Eastgate study have been adopted into the Comprehensive Plan. If for some reason the potential for the subject property and the geographically expanded area was overlooked, there is no other venue for reviewing the designation for the site other than the Comprehensive Plan amendment process. The proposal does address significantly changed conditions of the Eastgate process, namely the presence and the extent of the Eastgate changes that established the OLB and OLB 2 designations which allow for mixed use and transit-oriented development around the park and ride.

Commissioner Walter asked what the requested designation could yield on the site. Mr. Matz said the OLB designation allows for a slightly broader set of mixed uses, no limit on the residential component, and building height to 45 feet.

Chair Hilhorst said she wanted to be sure changing the designation to OLB would not set a precedent for siting the designation adjacent to a residential neighborhood. Mr. Matz said there is OLB to the west that borders the Tyee neighborhood and some that borders Bellevue College. The subject property borders residential on its northern edge as well. Mr. Cullen added that in the proposed dimensional charts for O and OLB, the FAR remains at 0.5. It is in OLB 2 that the FAR is increased to 1.0.

Mr. Matz said the Department of Natural Resources is the owner of one of the properties in the area in the proposed geographic expansion area. When contacted, their property manager expressed a willingness to be included for consideration. Additionally, a phone call was received from the manager of the Subaru dealership who also expressed an interest in the proposal without committing himself in any way.

Commissioner Walter asked what the buffer on the northern portion of the property be under the proposed designation. Mr. Matz said it would be subject to transition, which typically requires a larger buffer depth and more specific vegetation. Mr. Cullen said the rear yard setback would be 50 feet and the side yard setback would be 60 feet in addition to the transition buffer.

Chair Hilhorst opened the floor to comments from the applicant.

Ian Morrison with McCullough Hill Leary, 701 Fifth Avenue, Suite 6600, Seattle, spoke representing the applicant. He concurred with the staff recommendation to docket the application. In working through the Eastgate process in 2012, the Commission was focused on economic data that was created in 2010 and 2011. At that time it was reasonable to conclude the existing buildings on the site still had some useful economic life. Now that the Eastgate policies have been adopted along with a vision for transit-oriented development around the college and infill development involving more retail and pedestrian uses along 156th Avenue SE, the subject property should be reviewed in light of the adopted vision. Clearly the process is in its infancy and the applicant is intrigued by the vision of the OLB that involves pedestrian retail and the like. The Eastgate process included looking at opportunities to create additional pedestrian park connections, which trail connecting through to Robinswood Park represents. Having a pedestrian-oriented streetscape would improve mobility generally in the Eastgate neighborhood.

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

Ms. Michelle Wanamaker, 4045 149th Avenue SE, asked if the FAR would increase on the site under the proposed designation. Mr. Cullen said the proposal is to apply OLB to the site, and as currently envisioned, O and OLB would have an FAR of 0.5, and OLB 2 would have an FAR of 1.0.

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

Chair Hilhorst noted that one of the threshold decision criteria is that a proposed amendment does not raise policy or land use issues that are more appropriately addressed by an ongoing work program approved by the City Council. She asked why the proposed amendment is not rolled into the work currently under way in regard to the Eastgate corridor. Mr. Matz said the designation opportunities that exist for the site include OLB, and any subsequent rezone could involve any of the cluster of OLB zones that are currently being contemplated. The work under way by the Commission is focused on implementation of the zoning and land use regulations resulting from the work to update the Comprehensive Plan, which has been completed.

iii. Newport Hills

Mr. Matz said the application seeks to amend the map designation on the easternmost 4.6 acres of the 5.9-acre site at 5600 119th Avenue SE from Neighborhood Business (NB) to Multifamily High (MF-H). The remaining site area would retain its current NB designation along 119th Avenue SE. The site is currently developed with retail and business uses in one larger building and three small building. The applicant has stated that the change would enable redevelopment of the site into a mixed use residential and retail complex. The application suggests the opportunity is unique and would allow for a development consistent with the surrounding neighborhood. To the north and west of the site is NB and Professional Office (PO), and to the east and south are MF-H.

Mr. Matz said the staff recommendation was to advance the application to final review but to not expand the geographic scope. Although there is adjacent NB, those properties are not similarly situated in terms of the questions posed by the request of the applicant for the amendment. The application does address significantly changed conditions which include changing market patterns for neighborhood retail uses, challenging economic conditions faced by neighborhood centers citywide, and greatly increased competition from retail centers in Factoria and Newcastle.

Mr. Matz said there has been a great deal of public outreach regarding the proposal that has resulted in a great deal of thoughtful public comment. Those expressing disapproval have, in no particular order, highlighted the potential impacts of redevelopment to existing community retail and parking places that form a common bond for residents; adding traffic to a road system already constrained by Newport Hills' geography and access points; already crowded area schools; growth in the City of Newcastle; and displacement of current business owners/tenants of the existing center. The comments in support of the proposal included the need to redevelop the center because of the impact its current state is having on the community; and it is time to redevelop with an attractive and mixed use character that continues to serve the area. The majority of the comments received to date have been opposed to the proposed amendment.

Commissioner Barksdale asked if consideration has been given to any mitigation strategies that

might ease the concerns voiced by those opposed to the proposal. Mr. Matz said should the amendment be advanced to final review, the door will be opened to talking about the merits of the application and discussing the impacts.

Mr. Matz said staff believes the amendment addresses issues that have been identified in the Land Use Element and the Newport Hills subarea for aging commercial areas and neighborhood commercial centers.

Commissioner Carlson pointed out that when the neighborhood commercial centers issue came to the Commission a few years ago, the Newport Hills Shopping Center was hurting and trying hard to find tenants. He said it was his understanding that the center now has tenants and is doing much better than it was. Mr. Matz said the economic development conclusion reached by the Heartland study was that for the long term NB uses will not be viable to the extent they are allowed on the site. Since there the area has witnessed a marked economic recovery and spaces at the shopping center have been leased out. Commissioner Carlson suggested the criteria of changing market patterns and challenging economic conditions would have been appropriate to address the problems in play five years ago, but does not seem to be as relevant currently. Mr. Matz said if the amendment goes forward, it will allow for conducting more economic-based research on the state of the conditions. The fact is changing market patterns, challenging economic conditions and increased competition from Factoria and Newcastle is in fact accelerating and it is worthy taking a look at the extent to which those factors will affect redevelopment of the subject property. The fact that the site is fully leased currently is not enough to warrant ignoring what are significantly changed structural conditions.

Chair Hilhorst agreed that if it were 2009, the conversation would be much different. The fact is that many of the family oriented businesses weathered the economic storm. Bellevue is growing and more families and children are moving in and there is no reason to believe those businesses will not only stay but continue to thrive and grow. The economics of Newcastle is not part of the threshold review, but is part of the reality for Newport Hills. Mr. Matz made it clear that staff have reached no conclusions that what is going on currently in Newport Hills is not economically viable. The staff have looked at the Comprehensive Plan and have looked at the struggles neighborhood shopping centers have had citywide, including Northtowne, Lake Hills, Eastgate and Crossroads. The Heartland study serves as a starting point rather than a conclusion. The fact is that citywide neighborhood centers are experiencing changing market patterns, challenging economic conditions, and increased competition from areas outside of the city. The question before the Commission, which is supported by policies adopted in the Comprehensive Plan, is how to redevelop the centers to assure that they will continue to play the role they are currently playing.

Commissioner deVadoss pointed out that the Commission was recently updated with regard to low-impact development principles. One of the principles outlined was doing the analysis and homework up front to mitigate potential issues downstream. He asked if a full analysis could be done relative to the proposed amendment relative to the impacts on transportation and the schools before making a threshold determination. Mr. Matz said that could be done. Threshold review at its simplest is simply answering a question of whether or not a proposal should be considered, and the parameters under which the considerations are made are exactly those things identified, including traffic and school impacts. The threshold review stage is not, however, the time to drill down on the specifics; it is the stage at which a decision is made to drill down.

Mr. Cullen said the threshold hearing in most years is conducted in March and it involves a broad brush look as to whether or not proposed amendments should move forward. To spend the energy in doing a full analysis up front would negate the threshold review entirely. The way the

process is set up, the threshold review is the phase at which a determination is made as to whether or not a full analysis should be done during the final analysis phase.

David Macduff, vice president of development of ~~Intercorp~~Intracorp, the applicant for the Newport Hills Comprehensive Plan amendment. He said the project has history going back for many years and the proposed amendment will give the city and the community the opportunity to study and investigate the potential implications of redevelopment. Much has been said about the potential impacts to traffic and the schools, but the reality is there is no information in hand relative to those topics. Intercorp is excited about its idea and believes it to be well-grounded. The company is willing to spend the additional time and money to thoughtfully evaluate the merits. The Commission should recommend to the Council that the proposed amendment be moved forward. The site contains a 1960s vintage shopping center that formerly was anchored by a grocery store; it has both inline spaces and a couple of out parcels.

Mr. Macduff said conditions affecting the site are certainly changing. The evolution of Factoria and Newcastle has changed how people shop and has changed the type of retailers that can come into such shopping centers. The challenges being faced by the Newport Hills Shopping Center are being faced by other neighborhood centers citywide. The last grocery store to occupy the center left in 2009. Over a number of years, the property owner, the city and the neighborhood made a valiant effort to figure out how to revitalize the center, but those efforts have not worked. The center is only 64 percent leased; if the batting cage business were not there, the center would be only 41 percent leased.

The Heartland study included alternative uses that to date have not proven to be financially feasible for the market. The property owner is focused on a right-sized concept, with the right amount of retail and the right amount of residential, to balance the perspectives the community has voiced about what they want to see happen on the site. The outreach conducted to date has been focused on improving the concept. The owner's representatives have met with the current tenants to gain their thoughts; have met with individuals; have met with businesses; and have held five public outreach meetings attended by about 75 people. The concerns voiced to date have included traffic, schools, the continued provision of neighborhood services for the community, preserving the current set of tenants, and the loss of parking on the site from other businesses that do not have enough parking the community. Many voiced support for the proposed mix of uses, and for the fact that the housing would be ownership rather than rental.

Mr. Macduff said the vision is to simply right-size a redevelopment opportunity for the entire center driven by an understanding of the commercial demand. The research done indicates there should be between 15,000 and 20,000 square feet of commercial, and a townhome residential component at a lower density than what was highlighted in the Heartland study. The provision of neighborhood services will be critical to success, as will sidewalks and open space. The property owner is willing to commit to entering into a development agreement with the city as part of the process to guarantee development will occur as promised. The property owner is willing to commit to building new commercial space before allowing occupancy in the residential component. The property owner is also willing to commit continuing the dialog that has been opened with the community.

Jessie ~~Clawson~~Clawson with McCullough Hill Leary spoke representing ~~Intercorp~~Intracorp. She stressed that at the threshold stage the property owner is not asking for a yes on the proposed amendment, rather concurrence that the proposal warrants study. Real estate and retail markets go up and down over time, and there have been discussions about the center for a very long time. The opportunity is finally at hand to usher in a full study, including potential impacts on traffic and schools, and an up-to-date retail study to determine the right-size retail component for

Newport Hills. Once the study data is in hand, it will be possible to make an informed decision regarding the proposed amendment.

Chair Hilhorst noted that she has been part of the process for a long time. In the discussion about right-sizing the commercial, ~~Intracorp made it it was~~ clear that some of the current uses, including the batting cage, will not fit in the future. Many of the family recreation businesses have survived and thrived. Additionally, the Heartland study envisioned more than 100 residential units, but they were for assisted living, the residents of which would create far fewer trips on the roads. She asked if there were any potential for a compromise in which there would be less housing and more commercial. Mr. Macduff said the amount of commercial in the proposal is based on relatively newcomer knowledge of the studies that have been done and the conversations that have taken place to date. When it comes to determining the right size, studies are needed to determine what the market will accept. If the studies show the demand for commercial is higher, there is the ability to expand some of the buildings, though that could restrict the open space and gathering areas. The issue of housing type really goes to the types of buildings constructed. ~~Intereorp~~Intracorp has developed five-over-one multifamily apartment housing in downtown Seattle, but the economics of that kind of a structure would likely not work in Newport Hills. ~~Intereorp~~Intracorp is, however, open to looking at new ideas. The proposed ownership townhouse approach would have less of an impact than market-rate rental housing.

Mr. Macduff said as envisioned, the new commercial to be developed would be on the part of the site that would remain NB. He allowed that for purposes of the amendment, lines were drawn on the map without having a plan in hand. As the site plan gets refined, the percentages of commercial and residential could change.

Ms. ~~Clawson~~Clawson said the density shown in the amendment documents actually works out to R-23. However, that would require self-limiting under R-30. Mr. Macduff added that townhomes are not permitted in the NB zone, which is why an amendment is needed for a portion of the property. Commercial is the driver.

~~Commissioner Morisseau said Intracorp's response is inconsistent. Commercial uses will only be a small portion of the redevelopment but Intracorp considers it to be the driver. [Commissioner Morisseau asked] commercial is the driver why is Intracorp asking for 78% of the site to be multi-family? the larger percentage of the site is shown as having multifamily if in fact commercial is the driver for the site. Mr. Macduff said it is the amount of demand for new commercial that has determined the split between residential and commercial. Commissioner Morisseau asked if there is an acceptable middle ground that would be less than 78% residential use? Id have less commercial. Mr. Macduff said that would need to be determined after the studies are done. Intereorp~~Intracorp is certainly open to new information. ~~Commissioner Hilhorst stated she understood that Intracorp would not agree to flipping the percentages around where commercial would be the predominant use based on percentage use of the land. -Mr Macduff agreed that Intracorp~~but does not believe the site should remain predominantly commercial based on what they know today. Mr Macduff stated Intracorp is open minded but they just don't know without doing studies. -The level of flexibility will be informed by the studies, but Intercorp does not believe that ~~newe~~ studies ~~done today~~ will show a dramatically different demand for retail on the site. ~~That is their sense of it today but they acknowledge, they could be proven wrong.~~ Commercial is a driver in the respect that determining a viable amount is critical to determine how much will have to be residential, because it is important, but that does not mean it will be the predominant use.

David Hsiao spoke representing the ownership group of the Newport Hills Shopping Center. He said the group has owned the shopping center for over 30 years. He voiced support for moving

the amendment forward for further study. He said when purchased, the center was thriving and had no issues with vacancies. In more recent times, however, the center has experienced a steady economic decline. The center has been aggressively marketed but with very little success. The rental rates that can be achieved are simply too low to justify any capital investment in the existing layout. In its current form, the center no longer fills a need for both retailers and customers. The center faces stiff competition from areas in close proximity, including Factoria, Newcastle and Coal Creek; it suffers from outdated NB zoning; and it experiences very low traffic counts. The center is not, in fact, currently thriving. It has a 40 percent vacancy rate, something that has been as high as 60 percent. From the standpoint of tenants, the center has experienced an increasingly high rate of defaults, and a steady and consistent increase in delinquent rent payments. A number of potential tenants have unfortunately not met the criteria of the NB zone. Redevelopment is the only viable option for revitalizing the center and making it into a community asset.

Commissioner Carlson asked if the Newport Hills Shopping Center can make it as a standalone shopping center. Mr. Hsiao said it cannot. Commissioner Carlson asked if it would be financially prosperous. ~~Commissioner Carlson asked if it would be financially prosperous.~~ The only way to become a component as part of the shopping center. Mr. Hsiao responded yes. A serious attempt was made to sell the property using the services of CBRE. Over 500 perspective purchasers were contacted, and of all those who expressed an interest, not one voiced an interest in maintaining the center as a shopping center. Commissioner Carlson asked if there are limits, such as regulations, on the kind of commercial activities allowed that are preventing the center from being profitable. Mr. Hsiao said that is an impediment but a bigger there are impediment is the traffic counts needed to attracts involved with attracting certain types of businesses are not high enough, but the bigger issue that anyone wanting to provide retail services to a community needs a certain amount of traffic, and the center is simply not providing that.

Commissioner Walter asked Mr. Hsiao how he would describe his relationship with the community. Mr. Hsiao apologized and asked for the question again. Commissioner Walter said she heard about public outreach with this plan amendment but she wanted to know how Mr. Hsiao would describe his relationship with the community. Mr. Hsiao said he wasn't sure he understood the question and Commissioner Walter said that was okay and she would move on. Commissioner Walter asked if the Mr. Hsiao's goal was to sell the shopping center. Mr. Hsiao said yes. Commissioner Walter asked for examples about the efforts to aggressively market the shopping center. Mr. Hsiao said over the course of ownership, the services of three real estate brokers have been retained to find tenants.

Chair Hilhorst said she was able to attest to the fact that there have been viable businesses that wanted to locate at the shopping center but were precluded from doing so because of the NB zone restrictions. Requests were made to allow for flexibility in the code to entice more tenants, but because such flexibility would need to be applicable citywide, the staff chose not to proceed.

Mr. Hsiao reiterated that to some degree, the current code restrictions are preventing the center from being viable. However, the bigger impediment to success is the low traffic count realities.

Chair Hilhorst said it was her understanding that the only vacancies currently are the old Hallmark site, the bank, and the space adjacent to the batting cage use. Mr. Hsiao stressed the need to respond in a delicate fashion owing to issues of confidentiality. He reiterated the fact that the current vacancy rate is 40 percent and that there has been an increase in rent delinquencies to the point where the center is losing money annually. The owners have in fact become creditors for the tenant in an attempt to help them out.

Commissioner Carlson asked what changed that resulted in less traffic for the site. Mr. Hsiao said change has come in the form of competing shopping centers but also in terms of the way people shop. Consumer habits have changed, not the least of which is the move toward online shopping.

Commissioner Walter asked if the owners have watched the Lake Hills Village shopping center and the difficulties they had until finding a large anchor tenant. Mr. Hsiao allowed that he has followed that center, though not in great detail. He said getting an anchor tenant in the NB 5000 zone is challenging because of the limitations on who can occupy a 20,000-square-foot space. It is not possible to just sign up any tenant who might have an interest.

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

Mr. Kim Herman, 4545 119th Avenue SE, voiced support for the staff recommendation to include the Newport Hills Comprehensive Plan amendment in the 2016 work program. It is necessary to have a community discussion about the potential redevelopment of the shopping center to determine what is best for the community. The current redevelopment proposal, however, is concerning. Traffic congestion in Newport Hills is terrible and there are safety concerns regarding ambulances, school buses and residents. Peak time traffic congestion would only get worse by adding 110 new townhomes. On Coal Creek Parkway there was one intersection in 2014 that did not meet the city's traffic standards, and the intersection of Coal Creek Parkway and I-405 just barely met the standard. Traffic goes through the neighborhoods to avoid the congestion and will only get worse with Newcastle development. The community is concerned that the current neighborhood businesses in Newport Hills will be lost by lowering the amount of retail space from 38,000 square feet to 17,000 square feet, some of which will be live/work space. The amount of retail occupancy is the best it has been in the last ten years or so and it would be a shame to lose some of the popular neighborhood businesses due to poor redevelopment planning. The neighborhood is concerned about the density of the proposed redevelopment, which includes 110 new townhomes. He provided the Commissioners with a schematic outlining some minor changes to the proposed redevelopment submitted by ~~Intereorp~~Intracorp that would address some of the community concerns, including an additional 500 square feet of retail space. He pointed out that little visitor parking is shown for the townhomes, and that the Chevron station needs additional parking in order to continue operating. The schematic included one acre of the site for independent senior housing. Bellevue is lacking in senior housing options. Including more commercial space along with senior housing would have several positive benefits. The proposed Comprehensive Plan amendment should be moved forward for a full study.

There were about 25 hands raised in support of the comments made regarding traffic and school impacts, and about six hands raised in support of moving the amendment forward to final review.

Ms. Marci Faith Hennes, 4715 119th Avenue SE, said when it comes to the Newport Hills Shopping Center everyone has the same goal. The issues have been studied by brilliant planners, sociologists and others. The goal is socially critical, the goal is simple, the goal is to create and nurture community. Within that construct, people need to feel they have space. Crowding humans in creates a distressed ecosystem in which people do not function optimally and in which they become disparate. Newport Hills is building a beautiful momentum in which all can profit. The area has an abundance of neighborhood pride and the neighborhood will continue to thrive if not boxed in. The community has worked together in getting people to drive slower on 119th Avenue SE, and it has worked to see sidewalks built through the neighborhood. She thanked the Commission for working with the community to keep the vision alive.

Ten hands were raised in support.

Ms. Carolina Silverberg, 11667 SE 58th Street, said she has been a resident of Newport Hills for 16 years and has seen a lot of change. She said replacing the shopping center with multifamily residential will have a negative impact on the neighborhood in terms of school crowding and increased traffic, and the loss of local businesses and gathering spaces. Newport Heights Elementary School has 675 students and a second portable classroom is coming. Additional housing will bring more children to the already overcrowded schools. Tyee Middle School with almost a thousand students, and Newport High School with 1744 students, are both overcrowded. With regard to traffic, the arterial 119th Avenue SE gets backed up during commute peak hours and school drop-off and pick-up hours, and residents along the roadway struggle with getting into and out of their driveways. The Newport Hills Shopping Center is a valuable part of the neighborhood. It is a great gathering space for the community and losing it to multifamily housing would substantially burden the neighborhood and schools while providing no benefit. She said 947 signatures against the proposed R-30 rezone have been obtained from Newport Hills residents and business owners, and more signatures will continue to be collected.

About 25 hands were raised in support.

Ms. Judy Brennan, 5611 118th Avenue SE, said she has been a resident of Newport Hills for three years. She said one of her biggest concerns is school overcrowding, which was a problem even before the issue of rezoning arose. The elementary school saw an increase of 54 students just within the current school year.

Ms. Marianne Lee, 11627 SE 58th Street, said she has been a Newport Hills resident since 2007 and has two children at Jing Mei Elementary School. She urged the Commission to reject adding the R-30 amendment to the work program. Rezoning the Newport Hills Shopping Center space to R-30 will dramatically increase traffic and school crowding while removing local retail stores. The majority of those moving into the Newport Hills area have children and they choose the neighborhood because of the schools and because the neighborhood offers the rare chance to live within walking distance of restaurants and kid-friendly retail shops. Newcastle grocery stores are already very crowded. The Newport Hills Shopping Center is not like Eastgate and it is not like Lake Hills. The arterial 119th Avenue SE is the main access point to Newport Hills. Newport Heights Elementary School is on 119th Avenue SE, while Ringdall Junior High and Jing Mei Elementary are accessed from 119th Avenue SE. Building multifamily housing units on 119th Avenue SE will increase the already dangerous driving and pedestrian conditions, and will contribute to overcrowded schools. The neighborhood will lose the walkability it currently has if the rezone happens. Removing or greatly reducing the retail area and replacing it with multifamily housing will destroy walkability, increase school crowding, and increase the likelihood of a pedestrian fatality in the neighborhood. The retail center property owner made it very difficult for Bill Pace when he tried to make a go of it there. The current landowner is the biggest impediment to being a fully leased retail space. Flexibility is needed to increase opportunities for recreational retailers.

About 25 hands were raised in support.

Ms. Nicole Seakules, 5212 125th Avenue SE, said her top two concerns are the schools and traffic. She agreed with the previous speakers about current traffic conditions that include backups on 119th Avenue SE and SE 56th Street. The backups are often such that no one can get to the schools. Teachers often have to be told not to mark students tardy when buses arrive late. She said she attended the Bellevue School District overcrowding meeting in 2015 and learned

that people are moving into the neighborhood because of the schools and the local community. The district made it clear how tight things are relative to attendance, and noted that should the schools reach capacity, people moving into the neighborhood could be locked out from sending their students to the local schools. She urged the Commission to vote against the proposed amendment. She said she would love to see the commercial center revitalized with other businesses.

About 18 hands were raised in support.

Mr. Barry Heimbegner, 5804 119th Avenue SE, said he owns and operates the Chevron station in Newport Hills. He noted that the hill is getting very crowded with traffic, and the schools are overcrowded as well. He said he agreed with those in the neighborhood who would like to see the shopping center upgraded, but he said he was not sure the proposed approach would be the right one. The center should have been upgraded before with an improved parking lot and lighting. Many of the businesses appear to be doing fine.

Commissioner Carlson said it was clear from the testimony that more people are moving to Newport Hills causing more traffic and overcrowded schools and said it would seem there are a lot of people who could be serving as a customer base for the shopping center. However, the shopping center owner claims the center cannot make it. He asked what needs to happen in order for the shopping center to be successful. Mr. Heimbegner said the building and parking lots need to be upgraded along with the lighting. He said he sees new customers daily and by late afternoon the parking lot is pretty full. It is a great neighborhood.

There were 25 hands raised in support.

Ms. Suzanne Baugh, 4728 116th Avenue SE, said she is a retired commercial real estate broker and currently serves as president of the Lake Heights Community Club. She said the community club board of directors strongly supported continuing the Comprehensive Plan amendment process for the Newport Hills Shopping Center. The center has been in decline and disrepair for years and until the last few years had a high vacancy rate and suffered significant vandalism. Recently ~~Intereorp~~Intracorp expressed an interest in purchasing the center and redeveloping it into a mix of townhomes, live/work units, and commercial space. To do so, the Comprehensive Plan will need to be amended to allow for greater density. There is a very small but very vocal outspoken group that is opposed to even discussing a Comprehensive Plan amendment citing traffic problems, overcrowded schools, loss of commercial space, and loss of parking for the Newport Swim and Tennis Club. What the group does not mention is that the Newport Hills Shopping Center has been in decline for at least 15 years and the current owner has neither the means nor the desire to remediate the situation. It is not known if the initial outline of the plan proposed by ~~Intereorp~~Intracorp will be the best or the final plan, nor are the impacts on traffic and the schools fully known. The only way to answer the questions factually will be by doing the research that is the point of the Comprehensive Plan amendment process. Times have changed and with it retail patterns. The Red Apple grocery store did not survive, and neither did Bill Pace or the Newport Hills pharmacy. Uses such as Stods baseball cages, which pays below-market rental rates, are temporary, fill-in uses. Stods as a tenant is not a viable long-term strategy for any owner. The study is needed to gain factual data with regard to traffic counts, future school enrollment versus capacity, the actual number of residential units, outdoor common space, and possible relocation of existing commercial tenants within the redeveloped project. The facts should be reviewed before unequivocally throwing out the proposed amendment. There are some who are opposed, but they are not in the majority. The current situation faced by the shopping center will become significantly worse when the next real estate decline happens. The shopping center is important to the neighborhood and the area needs to be redeveloped in order to save it.

Ten hands were raised in support.

Mr. Don Wolfe, 4546 119th Avenue SE, said he has been a resident of Newport Hills since 1972. He said he has been to the outreach meetings and has heard ~~Intereorp~~~~Intracorp~~'s representatives give whatever answer people wanted to hear. During peak traffic times, it is not possible for residents of 119th Avenue SE to get out of their driveways. He said he was not opposed getting more data, but said it would be ridiculous to say that adding more houses will not increase the traffic impacts or the impact on the schools. The streets near the large townhome units like the ones in Newcastle are jammed full of cars, even where development has not occurred on both sides of the street. That is often because people in townhomes have two-car garages that they used for storage, choosing to park instead on the street. ~~Intereorp~~~~Intracorp~~ was asked where people will park if they have more than two cars, and the answer given before they equivocated was that there will be 115 retail spots people will use.

Eighteen hands were raised in support.

Ms. Jeanie Marquardson, 11808 SE 49th Place, said when she moved to the community in 1979 there were two viable elementary schools and one middle school. There was also an orthodontist and two grocery stores. In the face of a downturn in enrollment, the school district closed what is now Newport Heights Elementary School, which in turn closed the feeder school of Ringdall Junior High School. There was a lot of traffic on the streets. Factoria was under construction, and there was no Coal Creek. There was plenty of foot traffic and the businesses were thriving, until the schools closed, after which the businesses dropped off. She voiced concern over the fact that the Newport Hills community does not have much by way of parks space. There was a neighborhood park along SE 60th Street opposite Ringdall Junior High School, but the city decided to make it into an athletic field with scheduled formal activities. There is a small area with play equipment for younger children. The city owns a couple of sites for potential park development, one of which is currently being used for a dog run. There are several multifamily housing developments in the Newport Hills area that are centralized near the business area, but most of them do not have areas for children to play. Bringing more multifamily units in and intensifying the population will stretch the limited parks space. The city is developing parks in other parts of the city, but Newport Hills has been ignored. It may not be realistic, but the portion of the Newport Hills Shopping Center site on which multifamily homes are proposed would be a good place for a park or a small community senior center.

Twenty-two hands were raised in support.

Mr. Chris Trentham, 5411 118th Avenue SE, said he has been a resident of the area since 2012 and patronizes the Newport Hills Shopping Center daily with his family members. He said he opposes the potential rezone because it will provide no benefit for the community. The addition of roughly five acres of R-30 and the removal of all existing neighborhood businesses will not be a net gain for the community. The rezone would result in the removal of the bulk of the community gathering space. The shopping center needs improvements and could benefit from some redevelopment, but not as proposed. The community would prefer to see senior housing included, a much less dense residential rezoning, or more neighborhood businesses, none of which ~~Intereorp~~~~Intracorp~~ is proposing. Traffic impacts, school overcrowding, and loss of community center are the reasons for opposing the amendment.

Twenty hands were raised in support.

Mr. Kenny Tan, 11093 SE 54th Lane, said he was hearing mixed messages from

IntereorpIntracorp and the neighborhood. Everyone seems to be in favor of revitalizing the center, but doing so will mean more traffic regardless of how it is done. IntereorpIntracorp has a new development in Newcastle called Lakehouse on a site that is 5.25 acres, but the development has only 41 townhomes. If they can be financially successful building only 41 townhomes on 5.25 acres, they do not need 110 townhomes on the 4.6-acre Newport Hills site as proposed. The property owner has claimed vacancy rates as high as 60 percent, but wants to reduce the square footage of the commercial area. Revitalizing the center would make it more appealing, and that would lead to a lower vacancy rate. If it is possible to make a profit on 41 townhomes, IntereorpIntracorp should be allowed to build that many units on the Newport Hills site, and all they should need is 1.3 acres. Additionally, as proposed, IntereorpIntracorp intends to put commercial uses on only a quarter of the site, so they should be allowed to do that. That would mean the site would be developed 25 percent with residential and 75 percent with commercial.

Fifteen hands were raised in support.

Ms. Heidi Dean, 11661 SE 56th Street, said she has lived in Newport Hills for 16 years, served two terms as president of the Newport Hills Community Club, and currently serves as the club's merchant liaison and chair of the shopping center revitalization committee. She noted, however, that she was not present to speak on behalf of the club. She said the statements made about the valiant efforts to tenant the center were untrue. The property manager indicated the owner fired the property manager in 2011 or 2012 because he had done a poor job, and since then there has not been a realtor out marketing the site. Clearly there have been no aggressive marketing efforts. She said many have come to her given her position as merchant liaison who were wanting to rent spaces, but they have either been turned away by Rainier Northwest, or they have faced such a difficult process that many have just walked away. The spaces are in poor condition and are very unattractive. It is not possible to charge market-rate rents given the shape the spaces are in. The martial arts and nails units have not had heat for two years. Site maintenance has been so bad that many neighbors have called code compliance about it. The site has deteriorated, especially over the last seven years. Even so, there are still businesses interested in renting there. Bill Pace was supposed to go in one-third of the Red Apple space, but at the last minute the realtor suggested the space should not be rented to him otherwise it would not be possible to rent out the other two-thirds of the site, which now Stods is in. Mr. Pace took the pharmacy space which was really too big for him and cost him too much in tenant improvements, contributing to the demise of his business. The fact is retail does not equal more traffic than residential. None of the current retail spaces, with the exception of the mail box store, open before 10:00 a.m., well after the morning crunch. There is a peak between 5:00 p.m. and 7:30 p.m., after which everything is good. Much of the traffic is just passing through going to Newcastle and Renton, and an attempt should be made to capture that traffic by having an attractive NB-zoned center in the heart of Newport Hills. Those who are opposed to the proposed action are not small in number, rather they are large and vocal. The property owner is clearly more concerned about his property values.

Thirty hands were raised in support.

Ms. Judy Brennan, 5611 118th Avenue SE, said she was one of the people who collected signatures. She said she talked with parents after school as they came to pick up their kids, and twice collected signatures at the shopping center, and found many willing to sign their names. The vast majority of those at the shopping center agreed the proposal would be a bad idea, and 99 percent of the parents talked to felt the same way. Lake Heights Elementary School hosts the Pacific Program, one of only two elementary schools in the district to serve the special needs community. They have four classrooms in the school. The school has 675 students and has a maximum student count of 690, but in fact the school is currently operating beyond its

maximum.

Fifteen hands were raised in support. Chair Hilhorst also noted that about 25 percent of the attendees had left the meeting.

Mr. Gerry Albert, 5026 123rd Avenue SE, said he has lived in Newport Hills for 25 years and along with his wife raised two children who went to the schools in the neighborhood. He agreed that the Newport Hills Shopping Center is a mess and has been decaying for years. It has gotten especially bad in the last five years. Those who live in Newport Hills love the neighborhood and the shopping center and the businesses that are there. The multifamily mixed use retail/residential scenario is in fact what works. Those who oppose moving forward with even the analysis phase in fact favor an alternative development scenario that would also add pressure on the transportation system. Crowding of the schools is nothing new, it has happened before. Traffic is bad during commute times and school start times, just as it was 25 years ago, 15 years ago and five years ago. Once the peak is passed, however, traffic dissipates and the roads are easy to travel. Something absolutely needs to be done with the shopping center; it will simply not be possible to put new retail uses in buildings that are 50 years old and make a go of it because that model has passed by. The Bellevue School District is very popular and will continue to draw students to the area; that is not a new problem.

****BREAK****

(9:27 p.m. to 9:37 p.m.)

Mr. Nathan Anderson, 5009 119th Avenue SE, agreed that traffic in the area has always been bad, but said nothing should be done to make it worse by adding more residences. There is also the issue of safety to consider given that 119th Avenue SE has sidewalks on only one side of the street, and children walking to school must cross the street to avoid walking where there is no sidewalk. There are, however, no crosswalks until close to the school. The Newport Hills Shopping Center owner has compared the center to other area centers and what they are able to charge in rent, but those centers are zoned and built differently. The Newport Hills Shopping Center is and has been for the last 30 years a neighborhood business center model.

Fourteen hands were raised in support. Chair Hilhorst noted that half of those present prior to the break had left the meeting.

Ms. Patti Mann, 4508 116th Avenue SE, said she has lived in Newport Hills for 30 years. She said the history of the neighborhood is family. She said when she moved in there were elderly people whose children had moved out, and shortly after the children started buying their parents out. Coming back to the neighborhood is a trend. The businesses have over time been an integral part of the community. They have sponsored car shows, the Santa Claus tour and the Fourth of July picnic. The business owners have traditionally been a part of the neighborhood. The center should continue playing the role it is already playing. Removing the retail would be changing the community gathering space, and would change the role of the center. Individuals from the neighborhood have gotten together to get rid of the graffiti on the walls. The poor lighting at the center has encouraged skateboarders and drug dealers, but until there were people willing to contribute to center by coming in with things like a brewery, nothing was done about it. The city needs to address the traffic issues whether the proposed amendment goes forward or not. Most of the traffic is coming from Newcastle, and the neighborhood backs up because the lights are set to allow Coal Creek Parkway to flow. It is not the idea of revitalizing the shopping center that the neighborhood is opposed to, it is the plan that has been offered; it does not offer the retail uses the neighborhood wants. She said her preference would be to see a development with four floors

of residential over one floor of retail that seems to work in every neighborhood in Seattle from Ballard to Rainier Valley. While that may be more height than the neighborhood is used to, it may be just the right compromise needed to keep the neighborhood businesses.

Sixteen hands were raised in support.

Ms. Karlene Johnson, 5125 127th Place SE, said she and her husband submitted a letter on May 16 that echoed much of what others have already said. She noted that the speakers have both opposed and supported the proposed amendment, but in fact all want the same outcome, which is a vibrant neighborhood center that has a viable commercial district that enhances the livability of the Newport Hills community that is in keeping with the character of the neighborhood. Everyone understands that will require change. The neighborhood is not opposed to change, but they want change that is right for the neighborhood. She said she personally was opposed to the level of density envisioned by the proposed amendment, and the fact that it would not address the needs of the older neighbors who may need to live somewhere else in the neighborhood because they can no longer keep up their large homes. There have been impacts resulting from the center not being maintained; the lack of maintenance certainly does not evoke the notion of being committed to the community in the same way those who live in the neighborhood are committed to the community. The neighborhood center is needed to provide the community with an engaging third place; it needs to be home to spaces and businesses where people can meaningfully gather. The idea of reducing the available commercial space is in conflict with that vision. She rejected the idea that the only choice is between MF-H for the majority of the site and keeping the site as it is indefinitely and watching it continue to decline.

Sixteen hands were raised in support.

Mr. William Dennis, 5611 125th Avenue SE, said he has been a Newport Hills homeowner for 13 years and has no intention of leaving. He said his home is within walking distance of the shopping center and the pool. There are a lot of homes in the area that are rentals, but they are usually rented out by resident landlords. He noted that Mr. Hsiao had said the NB zoning is outdated, however what makes cities viable is walkable communities where there are restaurants and public spaces. Taking away the commercial core from Newport Hills will take the residents out of a walking mindset and put them back in their cars. There is a clear need to revitalize the Newport Hills Shopping Center, but the fact that the center is run down has to do with its ownership, not with whether or not it is a viable space.

Sixteen hands were raised in support.

Ms. Jane Landford, 4943 126th Avenue SE, said she has been a resident of Newport Hills for 11 years and works as a commercial real estate broker specializing in retail. She said she has repeatedly attempted to bring tenants to the shopping center, but mostly there has been no response. It is not factual that the center has been aggressively marketed. There is a sign in the Bank of America window but the site cannot be found on any listing site. She said she and potential investors have met at least twice with the owners, two of which would have revitalized the shopping center by keeping it largely as it is except for the addition of some townhomes. The proposed action has been timed quite well by the property owners to address the hot commodity of residential. The site is not suitable to four-over-one. The center can be viable by adding a little multifamily. It cannot be believed that 110 ownership townhomes will only have two cars each; there will be three or four cars per unit and they will be parked out on the streets and in the commercial areas. The Heartland study is outdated and should not even be referred to. The economics have changed and a new study is needed, with the applicant paying for it. With regard to tenants being late in their rent payments, she said tenants will stop paying their rents when

landlords are not doing their jobs; it is one of the only ways they can protect themselves on a lease.

Ms. Valerie Barber, 4644 121st Avenue SE, voiced opposition to the proposed rezone. The question on the table is whether or not the threshold criteria have been met. The fact is the criteria have changed since the previous discussion. At first it was said the neighborhood is older and has aged buildings, vacancies and deferred maintenance, and that single-purpose retail is not supported in Newport Hills. Now it is being said that is a change in condition when in fact the condition has been the same for 30 years under the same landowner. The issue is a landowner who has not taken responsibility for the site and keeping it up. The result is an older neighborhood with aged buildings and deferred maintenance. The change was created intentionally by the landowner to where the neighborhood has come to see the site as an eyesore and that something needs to be done about it. That something does not necessarily mean a rezone. The threshold review criteria have not in fact been met. The requirements of the neighborhood have not changed. There is bad traffic in the neighborhood and the schools are crowded, and no study is needed to prove what is already known. The only change is the property owner has not chosen to invest under the current zoning criteria. There are tenants interested in the property under the current zoning, so a different zoning is not needed. The issues that need to be addressed should not be addressed by changing the zoning. The way to change the issues will be by keeping the zoning and changing the owner. The Comprehensive Plan amendment should not be moved forward to the next phase.

Twelve hands were raised in support.

Mr. Dan Brennan, 5611 118th Avenue SE, challenged the finding of staff that there are significantly changed conditions. Rather than having a shopping center in decline, the center is in fact on the rise organically with new tenants and new retail development under way. The explosive residential growth that is currently under way in the Coal Creek and Newcastle areas will certainly increase demand on all retail in the area, including the Newport Hills Shopping Center. In fact, the Newport Hills Shopping Center is such a draw that it is included in promotional materials for ~~Intereorp~~Intracorp's Lakehouse development in Newcastle. The changing residential landscape in the nearby neighborhoods should be considered in deciding whether to continue with the amendment. There is already sufficient freedom under the current NB for mixed use development that will keep the central retail core in place. If the change to MF-H were allowed to go forward with a promise from developers to study the impacts later, there would be no reversing the change and the retail core would be lost. The fact that Rainier Northwest has neglected its duty to maintain the parking lot and let the property fall into decay is not a reflection on the demand for the center and its businesses.

Twelve hands were raised in support.

Mr. John Eliason, 5611 129th Avenue SE, said he has lived in Newport Hills for 30 years and is a member of the community club, though he stressed that the current president does not speak for him. He said he frequents the Newport Hills Shopping Center. It serves to get residents out of their cars and offers a community environment even in its current state. Improvements are needed, but significant changes are not needed. He said as a planner he has worked on some of the largest master plan communities in the Northwest. Newport Hills was a master plan community built in the 1960s and it is set up with very specific ratios of residential to services, schools and parks. In considering the proposed rezone, the Commission needs to take into account the larger picture, particularly the ratios on which the community was laid out. The reason Newport Hills is studied as a model is that it has been successful for 60 years and continues to be successful. Just as homes require upkeep and updating over time, so do

commercial buildings. To keep the original ratios, it would be necessary to increase the amount of retail. The ratios are designed to keep traffic internal to the community as much as possible. The fact is, 110 townhomes will generate up to 180 school children, which is a third of a school site, and to build another school would be very expensive. Additionally, the money needed to fix the transportation issues on a larger scale would also be very expensive. The same is true of parks in order to keep the same ratios. He pointed out that the land use action sign that is posted on the subject property indicates MF-H on 5.9 acres, when in fact what is under contemplation is 4.6 acres, so there is a procedural issue to be addressed.

Twelve hands were raised in support.

Mr. Robert Donahue, 11627 SE 50th Place, said his family has been part of Newport Hills since 1979. He said the Newport Hills Shopping Center site has been allowed to run down to the point where woodpeckers have disintegrated part of the siding on the old bank. He said on Memorial Day weekend he visited the site and took pictures of the completely empty parking lot and suggested that to call the center vital and enthusiastic is not fully correct. Much has been said about the site being beloved and valued by the neighborhood. Those are emotions. What the city really needs to do is consider what is behind the emotions, and more data is needed before an educated decision can be made with regard to what should be done with the site. That can only be done by agreeing to move forward with the next phase of the process. Emotion should be set aside and the facts should be considered logically. ~~Intereorp~~Intracorp has on multiple occasions held talks with the community and the process should be allowed to continue.

One hand was raised in support.

A motion to close the public hearing was made by Commissioner Laing. The motion was seconded by Commissioner Walter and the motion carried 6-1, with Commissioner Carlson voting no.

- iv. Parks Element #1
- v. Parks Element #2

Mr. Matz clarified that site-specific Comprehensive Plan amendments are made by or on the behalf of property owners, whereas non site-specific amendments apply citywide. The two proposals that have been brought forward are similar in nature but there are some differences. Parklands Policy #1 would amend the text of the Comprehensive Plan by adding three policies to the Parks Element that would restrict or regulate review and changes to the use of acquired park lands and properties variously by citizens, the Parks and Community Services Board and the city's formal rezone process.

Parkland #1 addresses the general framework of restricting or regulating the review process by which the city regulates publicly owned park land. Parkland #2 adds an additional component that calls for zoning all park properties in the city with a Park zone, which does not currently exist.

Mr. Matz said the recommendation of staff was that neither of the proposed parklands policies meets the threshold review decision criteria and should not be moved forward into the work program. Both intend restrictions to the City Council's legislative authority and would restrict the Council from engaging in contract execution. That is a matter of law rather than policy.

In the case of Parkland #1, the applicant has suggested that the implementation efforts around the East Link Memorandum of Agreement have violated the rules about how the city can act in

disposing of park property. That question is not appropriate for a Comprehensive Plan amendment. Staff does not believe they can provide a reasonable review of the proposals because they imply statutory changes to the relationship between the city, an issuing jurisdiction, and taxpayers, whose taxes are pledged to the payment of bonds. One issue raised by the application is that the stipulation around the issuance of bonds to buy park property in the first place should be differently regulated through new policy, which gets back to the concern of interfering with the Council's legislative authority to enter into and implement contracts.

With regard to significantly changed conditions, Mr. Matz said Policy PA-37 in the Parks Element has been in place since 1974 and has been implemented with regard to the city's review procedures for park and parkland uses. There has been no unanticipated consequence or significantly changed condition warranting a policy review. The proposal is inconsistent with the larger policy framework of the general Comprehensive Plan as well as the Countywide Planning Policies in the Growth Management Act.

Parkland #2, which calls for zoning parkland with a Park zone, carries with it the implication that existing policies need restrictions. That was not tested in the recent Comprehensive Plan update. The Comprehensive Plan already designates publicly owned lands with a P or PF.

Chair Hilhorst asked why the Parks and Community Services Board was not involved. Mr. Matz explained that the proposal involves Comprehensive Plan amendments, which are addressed by the Commission. Should the amendments go forward to final review, the Parks and Community Services Board will have a role to play relative to reviewing and providing a recommendation to the Commission.

Commissioner deVadoss asked what the right forum would be to effect the proposed changes. Mr. Matz said as a matter of law, the issue would need to be submitted directly to the Council or by legal action.

Mary Smith, 1632 109th Avenue SE, spoke as applicant for the Parklands #2 application. She said she is one of the original members of the Save the Mercer Slough Committee that was instrumental in saving the land for Mercer Slough to become part of the Mercer Slough Nature Park. She said 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, it should be required that the public who paid for the parklands must be involved in any decision to change them. Parklands required through bond measures should remain parklands unless the public votes to change the usage. Any parklands used for six months or longer should be considered permanent consistent with state law. Parklands should have their own designation so citizens can be aware of zoning for parks only. Under extreme conditions where parks are to be used for non-park uses, the Comprehensive Plan should be amended appropriately. Parklands acquired through citywide bond measures should be prohibited from being used for non-park purposes unless such uses are approved through a citywide ballot measure. The use of any park property for non-park uses that exceeds the access for longer than a six-month duration should be deemed permanent and should require approval by the city Parks and Community Services Board and the City Council. City owned park lands should be designated as such in the Comprehensive Plan and zoned with a Park zoning designation, limiting solely to active and passive recreation and open space. Prior to using any dedicated public park land for non-recreational or open space use, the Comprehensive Plan should be amended and the property rezoned as a condition of such use.

Ms. Smith urged the Commission to move forward the parklands amendments so they can be addressed more fully.

All hands save one were raised in support.

A motion to open the public hearing for both parklands amendments was made by Commissioner Morisseau. The motion was seconded by Commissioner deVadoss and the motion carried unanimously.

Ms. Renay Bennett, 826 108th Avenue SE, provided the Commissioners with printed materials relative to the 1988 park bond. She explained that bond came about because citizens realized what was going on in the Mercer Slough and that there were a lot of developers wanting to develop in there. The focus was on saving the land for the future and the bond measure passed by almost 80 percent. The materials handed out also showed the trailhead just south of the park and ride, the Council agenda memorandum with the resolution passed to buy the Balitico property, and the statement that the site was selected as having the highest priority for land acquisition and the need for the property to maintain views of the Slough from Bellevue Way and to provide an appropriate entrance to the park. The Trust for Public Lands was involved in the process in that it purchased the property first with the intent of holding it until the park bond was approved. Now the Council has chosen to sell the land in order to pay for the downtown light rail tunnel, and the Trust for Public Lands was shocked to learn of it. The record includes a draft assessor report but no final report for the Balitico property. The draft report describes the site as being unimproved with an R-1 zoning. The assessment also grossly underestimates the value of the site. Once the light rail project is completed, it will not be possible to see the Slough when coming off of I-90 because the structure will block it. Construction will require digging deep and dewatering the Slough. It is outrageous that the Council is able to sell parklands to pay for the downtown tunnel and to put a train in the Mercer Slough Nature Park. The issue is a moral one and the citizens who taxed themselves to pay for the land should have the right to decide whether or not the Council has the right to sell parklands. The Commission was urged to forward the proposed amendments into the work program.

All hands save one were raised in support.

Ms. Marianne Lee, 11627 SE 58th Street, suggested that the Newport Hills and the parklands issues are much the same in that they both address space for people. The Mercer Slough parklands were paid for by those who elected to tax themselves, in part to protect those lands and in part to give people space to enjoy. To have the lands be sold and drained is unthinkable. Even if the water returns, the ecosystem will be devastated. It will be a huge loss to the city and the environment.

Eight hands were raised in support.

Ms. Valarie Barber, 4644 121st Avenue SE, voiced concern over the fact that the issue was being addressed at such a late hour. She said the legalese thrown around by the staff was also concerning. The fact that people do not understand what is happening to the park is concerning. It is doubling concerning that staff have recommended against even studying the issue any further. People consider parks to be untouchable, especially where the funds to buy them were voted by the citizens. It should not be necessary to sue the city in order to preserve parkland. There should at the very least be a full review. The fact that the citizens do not understand what is happening, the fact that it will not be going forward for a full review, and the fact that the issue was addressed so late at night is concerning and will reflect poorly on the City Council. The Commission was urged to move the amendments forward for additional review and to bring the issue to light.

A motion to close the public hearings was made by Commissioner Morisseau. The motion was

seconded by Commissioner deVadoss and the motion carried unanimously.

6. STUDY SESSION

Given the lateness of the hour, the Commission concluded to continue the study session on the five Comprehensive Plan amendments to another date.

7. PUBLIC COMMENT – None

8. ADJOURN

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

Chair Hilhorst adjourned the meeting at 10:57 p.m.

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
STUDY SESSION MINUTES

June 8, 2016
6:30 p.m.

Bellevue City Hall
City Council Conference Room 1E-113

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

COMMISSIONERS ABSENT: Commissioner Laing

STAFF PRESENT: Terry Cullen, Emil King, Scott MacDonald, 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 6:35 p.m. by Chair Hilhorst who presided.

2. ROLL CALL

(6:35 p.m.)

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

3. APPROVAL OF AGENDA

(6:36 p.m.)

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

(6:37 p.m.)

Mr. Todd Woosley, PO Box 3325, spoke representing the Kramer family in regard to the Eastgate land use update. He invited the Commissioners to tour the LIV project in Bel-Red, which is the closest to what is envisioned for the RV site in Eastgate. To accomplish the vision will take different zoning from what is being proposed and he said at a future meeting he would be submitting alternative language for the Neighborhood Mixed Use (NMU) with an FAR of up to 2.5 and an incentive to include affordable housing and other public amenities.

Ms. Misha Averil, 400 112th Avenue NE, suggested that having affordable housing adjacent to I-405 in the downtown could be problematic from a livability point of view. There are

technologies that have been proven to reduce noise. With regard to parking in the downtown, she said there is a need for parking close to Meydenbauer Bay, the light rail station and the downtown transit center that is not being addressed, and if required to be underground it could be quite costly, up to \$75,000 per stall. With regard to the light rail station, she said because it will be elevated it could be problematic for bicyclists coming from Eastgate and other areas to access it quickly and easily. It would be great if a lid were to be created over the freeway to allow bicyclists to connect and to make the downtown more livable.

Mr. Larry Martin with Davis Wright Tremaine, 777 108th Avenue NE, Suite 2300, spoke representing Alex Smith, owner of the triangle-shaped property on 112th Avenue NE across from the Bravern, Meydenbauer Center, the downtown light rail station site and City Hall. He said the Council's guidance for updating the downtown incentive zoning encourages the Commission to be bold, forward looking and aspirational, reflecting the evolving needs of a 21st Century city. He encouraged the Commission to think about the Civic Center neighborhood in thinking about the future. Much will be happening in the area, including the new downtown light rail station and the light rail crossing of I-405; the extension of the pedestrian corridor to the south of the present NE 6th Street alignment; expansion of the convention center; and the vision for the Grand Connection. Mr. Smith is taking to heart the direction to be aspirational and he is planning a major redevelopment of the site to include a mix of uses that will activate the neighborhood day and night. The vision includes a convention hotel connected to Meydenbauer Center and the Bravern via a pedestrian skybridge; a second tower with office spaces, restaurants and other retail uses with an activated public plaza at the base of both buildings; connections with the regional bicycle pathway that runs along the east edge of the site; and redevelopment of the intersection of 112th Avenue NE and NE 6th Street with a pedestrian-friendly design with enhanced access to the transit station and the light rail station. Proposed code amendments have been submitted that will add flexibility to earn increased FAR by providing public benefits. Increased FAR should be awarded by providing a convention hotel with a direct pedestrian bridge connection with Meydenbauer Center. The definition of conference facilities and exhibition facilities as used in the Civic Center design district regulations should be expanded to include the connected convention hotel. FAR should be awarded by providing a public rooftop viewing area. Incentive FAR should be allowed for density that exceeds the proposed FAR cap of 6.0 for the DT-OLB zone; increased density is needed to fit in with the large neighboring development, and to pay for significant public amenities, and is warranted to leverage the public investment in the transit center, the convention center, and the new light rail facilities. Staff should be directed to specifically review the proposal and provide a response.

Commissioner Carlson asked if changes in the parking requirements were being requested. Mr. Martin said no such changes have been proposed.

Commissioner Walter asked if the list of current and proposed incentives are of any value. Mr. Martin said in the final analysis all development will still be required to earn some FAR through the incentive system. A convention hotel connected to the convention center should be seen as an item that qualifies as an amenity under the system. Commissioner Walter asked if any other group would also take advantage of such an incentive. Mr. Martin said he did not know, adding that his client is in the best position to take advantage of it.

Mr. Patrick Bannon, president of the Bellevue Downtown Association, noted that the packet materials go into some detail regarding a development agreement off-ramp option. He said that is a positive step that is responsive to the Downtown Livability Initiative CAC and the City Council. There is some question, however, about whether or not a development agreement process is necessary in all cases for a departure for an amenity that is not on the list. A development agreement certainly is potentially the right process in the case where a developer

has a project and wants to take an alternative path relative to amenities, in which case it would be on them to prove what they have in mind has equal or greater value. One possible option would be an amenity departure option within a category where a project applicant could say that within the realm of open space their suggestion may not meet the specific design criteria but is meeting the intent. There should be flexibility in the code language to consider such options through administrative design review. If development agreements are looked at as a tool, further consideration should be given to allowing consultants or a volunteer committee to provide guidance in reviewing and helping to facilitate the interaction between the project applicant and the city. In the incentive system there are assigned percentages as targets for weighting, but the Commission should consider holding off on assigning weights to avoid being too prescriptive so early in the process. The economic modeling should instead have a range of options to evaluate. It is good to have affordable housing included as an incentive so it can be evaluated as an incentive with the FAR exemption. As the consultant work on the economic modeling kicks off, the BDA would invite the opportunity to meet with the consultant early on to assure an open and transparent process with all inputs and assumptions clearly understood to avoid surprises in the end. As the code development process kicks off, the BDA is hopeful that the outcome will be design guidelines and code that is enjoyable, easy to read, short, simple and to the point.

Mr. Jack McCullough, 701 5th Avenue, Seattle, Suite 6600, briefly reviewed the key elements that affect the Fortress site, including NE 8th Street that has become increasingly dense, the notion of the Grand Connection, and Bellevue Way as the grand shopping street. The intersection of NE 8th Street and Bellevue Way in many respects serves as the center point of the downtown. Three of the four corners are well established and well developed, but the fourth corner is not and it is the missing piece of the puzzle. The Fortress site is burdened by its split zoning, with DT-MU on the east side, and DT-MU District B on the west side. The B district line should be moved to the west to circumscribe the Fortress property, which is all under a single ownership. If developed on just the DT-MU portion, the result will be a small tower that cannot use the available FAR, certainly nothing that would be iconic. There has been talk about concerns about height in the B district, particularly relating to the north edge of the downtown. The CAC recommended 300 feet but the Commission has discussed lowering it to 250 in deference to the area to the north. District B is close to the northern boundary of the downtown, but there is plenty of buffer to allow for an expansion of the DT-MU by moving the B district boundary. The appropriate height for the site is 300 feet and fits better with the overall massing of the downtown. The Fortress site is also burdened by two midblock connectors in that they reduce the opportunity for development. He shared with the Commission a design that would be appropriate for the site along with a site plan. A certain amount of height is needed to reflect the architecture of iconic towers.

Mr. Andy Lakha, 500 108th Avenue NE, said the Fortress project is one the citizens of Bellevue would both like and appreciate. NE 8th Street is not currently pedestrian friendly but more amenities will be needed to encourage people to walk. The site is highly burdened by the split zoning and the Commission was encouraged to recommend moving the boundary line.

Commissioner Carlson agreed that the NE 8th Street area has become more dense over time and agreed that the intersection of NE 8th Street and Bellevue Way is the epicenter of the downtown. However, the request made includes a reduction in the parking requirement for the site. Mr. Lakha said reducing the parking requirement would help the project economically, but it is not a make or break for the project. The split zoning is the prime issue that needs to be resolved.

Ms. Jessica Powers, 701 5th Avenue, Seattle, voiced appreciation for the work of the Commission on downtown livability. With regard to the amenity system, she allowed that more information is needed to fully understand the specifics, particularly with regard to the economic

component. She noted that there is no bonus related to parking and the Commission was encouraged to consider bonusing the relocation of existing structured parking to below grade. The existing structures in the downtown will eventually redevelop and providing a bonus for parking could have a significant impact on the development plans, particularly the amount of ground floor open space that can be provided. Relocating to below grade will put parked automobiles out of site and will allow for more active and interesting ground floor uses. The parking structure to the north of the transit center has the opportunity to transform into something that will include a unique and memorable open space. Parking structures located in the heart of the downtown are income-producing assets, and deciding to take them out of service will be challenging. The goal of relocating the existing park is worth incentivizing to help achieve the shared goals of a vibrant and livable downtown.

Mr. Brian Brand said he is a board member of the BDA and serves as co-chair of the livability committee. Part of the design review process involves assigning projects to planners. It might be better to evaluate urban and architectural design issues by either a committee of staff persons or a consultant. That approach could allow off-ramp processes to be more successful. The committee has had a lot of discussion around how to end up with the most livable city and believes the amenity incentive system needs flexibility. The current approach is very tightly written and if a certain criteria for incentive points is not met, it is hard to get those points. There could be a whole realm of things not specifically mentioned in the code, like skybridges, and the code should be written in a way that will allow for a creative process to suggest ways to get points for creative ideas.

Ms. Betsy Hummer, a member of the East Bellevue Community Council, reported that at the meeting on June 7 several issues were discussed, including affordable housing. She noted that in the East Bellevue area a 1970s era apartment complex at NE 8th Street and 146th Avenue NE is being torn down because of its condition and location. The structure is currently home to several lower-income residents, some of whom have Section 8 vouchers. The new building will be condominiums rather than apartments and they will go for market rate. It is concerning that affordable housing is being touted as an incentive, but existing units are being completely dismissed. Ten years ago when Lake Hills Villages was first being developed, affordable housing was brought up and heads nodded, but the units came online at market rate. Bellevue College is currently building the first of three residents halls and it will be home to some 300 students. Assurances have been given that there will be residential monitors on site, but the units will be offered at market rates as well. There is a clear need for affordable housing in Bellevue.

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

(7:19 p.m.)

Chair Hilhorst reported that she addressed the City Council with a quick update at its study session on June 6 and provided them with the Commission's recommendation regarding the Aegis amendment. She also shared with the Council the fact that the Commission recognizes the need for affordable housing, including senior housing, and that the Commission would like the affordable housing technical advisory group and the Council to give consideration to a funding model should the fee in-lieu scenario is ushered in. The Council expressed appreciation for the work of the Commission on the amendment.

6. STAFF REPORTS

(7:21 p.m.)

Comprehensive Planning Manager Terry Cullen briefly reviewed with the Commission the upcoming schedule. He noted that an additional study session had been scheduled for June 15 beginning at 6:30 p.m., and stressed that the meeting on June 22 will take place at Bellevue College and will begin at 4:30 p.m.; the meeting will include election of the chair and vice-chair.

Mr. Cullen called attention to the memo in the packet regarding the Bel-Red look back. He said three focus group sessions have been scheduled to hear from the community and stakeholders what has been successful and what could be working better.

Mr. Cullen explained that according to the Commission's by-laws, the Commission will not meet after 11:00 p.m. unless a decision is made to do so. He said no motion to extend the meeting is necessary until the meeting extends beyond 11:00 p.m.

7. DRAFT MINUTES REVIEW

(7:27 p.m.)

A. May 11, 2016

Commissioner Walter called attention to the seventh paragraph on page 19 and noted in the first sentence that the word "existing" should read "exiting."

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

8. STUDY SESSION

(7:30 p.m.)

A. Downtown Livability Land Use Code Update

Strategic Planning Manager Emil King said the Council will be given an overall downtown livability process update on June 20 along with the policy issue relating to the view corridor and the incentive zoning structure. The incentive system numbers will be shared with the Commission on July 27. At that meeting some of the outstanding height and form issues will be addressed, including the Lahka request, the Conner building between the O-2 and residential zone, and the B district in Old Bellevue. Some proposed amendments for consistency in the downtown subarea plan will also be brought forward on the 27th along with a wrap-up discussion on some of the design guideline issues, including the definition of pedestrian-oriented frontage. He reminded the Commissioners that the goal is to complete the work by the end of the year.

Mr. King indicated that the staff were not ready to go into the details about calibrations and the like, but sought from the Commissioners input on the proposed structure and approach for updating the incentive zoning system to allow for proceeding with detailed modeling efforts.

Mr. King reminded the Commissioners that the development standards are mandatory elements and requirements. He noted that while the design guidelines must also be followed, there is built-in flexibility. The Commission has discussed allowing for departures within the mandatory elements, and the bonus incentive system allows for earning additional height and intensity in exchange for the provision of certain amenities.

Under the current incentive zoning system, some FAR is exempted from being countered toward the total. It is part of the building and it is leasable space. The primary exemptions in the downtown are ground floor retail space and in certain instances second level retail. Some developments have taken advantage of the exemption, while others have chosen not to. Beyond the exempted FAR, there is a set amount of FAR allowed by right of the zone. In the O-1 district, the basic FAR is 5.0 and the maximum is 8.0. The maximum can only be achieved through the bonus system. There are also basic amenity requirements built into the system which are essentially a subset of the full list of 23 amenities. The calculation involves 20 percent of the site area multiplied by the non-residential basic FAR and plays out differently in each zone, and developers must choose from seven of the 23 amenities.

Mr. King called attention to the table included in the packet showing 44 representative projects and which of the bonus amenities they utilized.

Commissioner Walter asked if the list could be arranged by date. Mr. King said that could be done. As printed, the list is arranged by zoning district. In compiling the list, staff did take a particular look at some of the newer projects to see what choices they made, but a stronger correlation to particular amenities was found relative to where they are in the city. He agreed to include date to the matrix.

With regard to the proposed system, Mr. King noted that the exempt FAR should allow an additional 1.0 for affordable housing. The currently allowed exemption for ground floor retail and some second floor retail would be expanded to include up to a 1.0 FAR for a combination of affordable units and a bonus of market units granted the developer for doing the affordable units.

Commissioner Carlson asked how much revenue the additional 1.0 in FAR would generate. Mr. King said the exemption would be for residential projects only. An analysis would be needed to determine the remaining developable sites on which residential is anticipated to happen. The analysis would need to include an estimate of how many of the total sites could be enticed or incentivized enough to include affordable housing. Additionally, an economic analysis will be needed to determine how much of an incentive is needed in market units to have projects pencil out. The 1.0 FAR would be reserved for an affordable housing incentive program that would be separate from the rest of the incentive system.

Mr. King clarified for Commissioner Morisseau that the existing exemption of 1.0 FAR for ground floor retail would remain under the proposed approach, and that an additional 1.0 FAR for affordable housing would be on top of that.

The Commissioners were reminded that one of the early wins was moving weather protection from being an incentive to being a requirement or a standard. Mr. King said staff acknowledges that there needs to be an adjustment for new requirements, and some landscape features should be moved to become development requirements. Additionally, the consultant will look at the notion of deleting the basic amenity requirements, shifting some of them to no longer being standards. The chart will be adjusted to include new requirements, which will be offset by no longer having the basic amenity requirements, and there will be an adjustment for withdrawing some of the amenities, including bonuses for underground parking, residential uses, and neighborhood-serving uses.

Under the proposed system, there is an increased basic FAR, and given that for most areas the Commission is recommending not to increase the maximum FAR, the bonus portion becomes much more focused on a smaller set of amenities. For those areas where additional height is

recommended, the consultant will be tasked with determining how the bonus should be worked in.

Commissioner Morisseau asked why it is necessary to make adjustments for withdrawing incentives given that adjustment will be made for providing new requirements. Mr. King said the first set of adjustments are clearly becoming new standards. When the code was put in place in 1981, there was a clear need to bonus residential, underground parking and structured above-ground parking in the downtown. Those items are being withdrawn from the incentive system. One adjustment is needed to shift actual features that have been requirements, including weather protection and landscaping, and the residential use and parking items are being withdrawn because the market is wanting to deliver those types of uses. That being said, staff fully acknowledges that land transaction and landowner expectations in many ways have assumed that development projects happen in the way depicted in the table. The Land Use Code audit showed that 30 of the 33 projects pursued structured or underground parking, and most every residential project basically fulfills most if not all of their amenity requirements. There are adjustments that need to be made, but the detailed work of what those adjustments need to be will be the focus of the consultant's work.

Commissioner Walter asked if it would be correct to say that without making adjustments for the withdrawn incentives an effective downzone will occur. Mr. King said one of the Council requirements was to avoid any type of downzoning. The new framework will meet all of the Council priorities.

Commissioner Carlson asked for a reminder regarding which downtown districts were targeted for both height and FAR increases. Chair Hilhorst said in most instances where additional height has been discussed, the opinion of the Commission has been that the FAR should not be increased. The DT-OLB-2 near I-405 is one exception. Mr. King said the DT-MU district currently has an FAR discrepancy in that office buildings are allowed 3.0 and residential is allowed 5.0, and he noted the Commission had concluded the two uses should be equalized at 5.0, and that height should be increased to 200 feet.

Commissioner Walter asked if the proposed approach changes the FAR caps or just redistributing it. Mr. King explained that the proposed new exemption would allow for more developable square footage onsite in exchange for affordable housing. Currently a zone with a maximum FAR of 6.0 can pursue exempting ground floor retail from counting toward the maximum. Staff is proposing to expand the exemption target to include affordable housing, allowing for an increase of up to 1.0 FAR that would not count toward the maximum. If that direction is taken, it will be necessary to conduct an appropriate SEPA analysis to make sure the approach will not trigger anything from an environmental standpoint. The affordable housing exemption would not apply to office development.

Chair Hilhorst pointed out that the proposed approach would allow buildings in the O-1 zone to be 600 feet tall with an FAR of 11.0. She said it had been her understanding that the incentive to go higher and increase the FAR beyond the base was in part to accommodate for the inclusion of affordable housing units, and that the 10.0 FAR in the O-1 would be the absolute maximum. The proposal represents an invisible increase. Mr. King said staff will investigate all options proposed by the Commission for accommodating affordable housing.

Commissioner deVadoss asked for clarification on the fee in-lieu approach. Mr. King said as proposed the affordable housing would need to be constructed on site in order to qualify for the 1.0 FAR exemption. There would not be a fee in-lieu provision for the affordable housing. It may make sense to include a fee in-lieu for the rest of the bonus system.

Commissioner deVadoss also asked if it would be feasible to reach out to the development community for suggestions regarding the process off-ramp. Mr. King said the process off-ramp and the ability to express new ideas was been suggested by the CAC and has come up during the Commission's discussions. It will be wise to gain insight from stakeholders, the community and the BDA on the list of bonusable amenities, but there will still be a need for an off-ramp to cover issues not previously considered.

Commissioner deVadoss suggested it would be a missed opportunity to do nothing around the elements of sustainability with respect to energy, waste, water and connectivity. Mr. King said the proposed approach acknowledges the importance of promoting green and sustainable building practices. One approach might be to include incentives for green or sustainability features. Caution is needed, however, to avoid incentivizing too many things.

Mr. King said the part 2 step that will occur in July is where neighborhood identity will be promoted. Once the overall system is figured out, it will be possible to incentivize things in different ways in different zoning districts. He said it will also be important to build in a periodic Consumer Price Index adjustment factor as well as a periodic review of the system.

Commissioner Barksdale agreed with the need to periodically review the system and stressed the need to regularly collect data to inform the review.

Mr. King called attention to a matrix listing the existing and proposed features. With regard to placemaking, he noted that the major pedestrian corridor feature applies to properties fronting the pedestrian corridor. Frontage improvements made to the corridor are afforded a bonus and the proposal is to carry the approach forward by incorporating the Grand Connection.

Chair Hilhorst asked what the placemaking amenity will yield for the developer. Mr. King explained that the difference between the base FAR and the maximum FAR varies by zone. Currently the difference in the O-1 district is 3.0, but in the O-2 district the difference is 2.0, and in the DT-MU district the difference is 2.5. The allowance for placemaking will be different for each zone based on what the maximum and minimum FAR. Staff is suggesting that one way to prioritize the amenities will be to target 75 percent of the bonus a project goes after on placemaking and open space features.

Mr. King said pedestrian-oriented frontage is the other current placemaking element. He said staff are proposing that things like throughblock connections, frontage improvements and building/sidewalk relationships guidelines should become standards rather than bonusable amenities.

With regard to neighborhood-serving uses, Mr. King said under the current system they include public meeting rooms, child care services, retail food, and space for non-profit social services. The Land Use Code audit found that several of the elements have only rarely been used. The CAC concluded that bonusing space set aside for a specific use can be tantamount to setting a developer up for failure and result in vacant space. The recommendation of the staff is to withdraw the bonuses.

Commissioner Walter argued against eliminating the bonus. She noted that affordable housing is being added to the downtown and the fact that the bonuses have not previously been used could mean they did not come with a high enough tradeoff. Affordable housing could trigger the need for places to go and things to do that do not cost money. There should be a broad category of neighborhood-serving uses that would allow for space developed for a daycare could be

converted to a meeting room or something else in the category.

Commissioner Barksdale suggested a needs assessment should be done before ruling things out completely. Chair Hilhorst agreed with the need to give developers more flexibility.

Mr. King said there are a number of items in the incentive system in the parks and open space category, including outdoor plaza, donation of park property, residential entry courtyard, active recreation and enclosed plaza. Those elements remain consistent with the CAC priorities and moving them over to the new system makes sense. However, the landscape feature and landscape area element relates to the green and sustainability factor and the idea is to move the elements to that category.

Currently a bonus is given for underground parking and above-grade structured parking. The staff proposal is to withdraw parking as a bonusable amenity in exchange for an adjustment to the basic FAR.

Chair Hilhorst asked where the development community stands in regard to the proposal. Mr. King said parking was included as a bonusable element in the 1981 code as a way to encourage structured or underground facilities. Most developments pursue the approach for land economics reasons, and that has been the case for a number of years. The development community has voiced concern about changing the current system, and the last thing the city's planning department wants to do is anything that would inhibit development in the downtown. If the bonus is taken away, it will need to be done in a way that does not upset development economics. Chair Hilhorst said she was intrigued by the suggestion made by the public earlier in the meeting about incentivizing the conversion of above-grade parking to below-grade parking. Mr. King said modeling and due diligence will need to be done.

Commissioner deVadoss said he had some reservations about making the change. He said there are two types of developers, those with a deep commitment to the community and those with less of a commitment to the sustained longevity of the city. He suggested there could be some unintended side effects. Clearly the issue should be fully thought through first.

Commissioner Walter asked if the new approach will mean parking is no longer required at all. Mr. King said the proposal is to remove parking from being a bonusable amenity. Of the 33 projects studied as part of the Land Use Code audit, 30 of them chose the underground parking amenity because they were essentially going to do it anyway. There will still be minimum and maximum parking ratios for all of the downtown, nor will the ratios themselves change. Commissioner Walter said it is conceivable that a developer could choose to put in surface parking in place of a plaza. Mr. King said there have been some above-grade garages built, and the discussion going forward will include how to properly screen them. Under the current system, developers can choose not to put parking underground.

Commissioner Carlson asked if there will in ten years be more parking place or fewer parking places in the downtown if the change is made as proposed. Mr. King said that certainly should be part of the economic analysis. Commissioner Carlson said it would be naïve to think that as the downtown continues to densify, less parking will be needed, even as transit ridership increases and more people choose to live in the downtown where they can simply walk to work. Mr. King agreed the economic consultant should be asked if the potential to not have parking as a bonusable amenity would influence the amount of parking.

Commissioner Carlson agreed with Commissioner deVadoss about there being two kinds of developers, those with a strong stake in the community and those without. The former group is

more likely to supply parking.

Commissioner Morisseau said she could support retaining the bonus for underground parking but removing it for above-ground parking.

Turning to housing, Mr. King noted that under the current system there is a bonus available for doing residential. The bonus was initiated in the early 1980s as a way to encourage the construction of housing units in the downtown. Between the bonuses allowed for residential and parking, in many cases those are all of the points that are needed. The market is now wanting to deliver residential. The consultant will be asked to consider whether or not removing the bonus for residential uses will have a discernible impact on the amount of residential developed in the downtown.

Mr. King said a number of items are included as bonusable under the arts and culture category, including performing arts space, sculpture and water feature. Staff believes the elements should be retained and moved over to the new system and that historic preservation and cultural resources should be added in line with the recommendation from the CAC.

Mr. King noted that the walkability category had been broken down into two line items, including freestanding canopies at street corners, some of which are already in place near the Bellevue Collection that have been viewed as positive things. The second is pedestrian bridges that meet the city's specific criteria.

Chair Hilhorst asked if the Commission will have the opportunity to comment on expanding the locations where skybridges are currently allowed. Mr. King said the current allowed locations were determined after a number of meetings with the Commission and the Council. Where they are allowed under the current system is on the wide busy streets in the core of the downtown where at-grade crossings cannot necessarily be done in a safe way. Feedback from the Commission will be welcomed.

Commissioner Carlson commented that when first proposed, there was a detailed and some would say exhaustive debate over skybridges. There is a plethora of data about how they have worked out, which is by and large extremely well. He agreed that the Commission should speak about moving forward with skybridges. Mr. King said he would queue up the discussion at a future meeting.

Commissioner Barksdale suggested there are three criteria on which to weigh bonusable amenities: developer economics, what fits best in the community, and what aligns with the recommendations of the CAC and the Commission's plans for livability. The Commission should not, however, leave out understanding the outcome of what is currently allowed. Attention should be given to understanding why amenities like neighborhood-serving uses have not been widely used to date to better inform and nudge development in the right direction.

Commissioner Morisseau returned to the arts and culture category and highlighted the need for historic preservation. Mr. King said as a starting point, some draft definitions and design criteria were included in the packet, including voluntary replication or protection of historic façades or other significant design features as redevelopment occurs.

Chair Hilhorst said she would like to see included an amenity for public safety, specifically a downtown fire station. The need is clear but finding a site will be difficult and holding out an amenity to any developer willing to site a new fire station on their property would be a great public benefit. Other public safety needs, such as a police station, may also be bonusable.

Mr. King said feedback will be given to the Council on June 20 with regard to where the Commission stands on the overall structure and approach for the incentive system update. The consultant work is ramping up and the scope will reflect direction from the Commission. A review of the preliminary work on the calibration is on the Commission's calendar for July 27. Additionally, third-party stakeholder review will occur as a part of the process. It will be better to come back to the detailed proposed definitions and criteria at a future meeting.

Commissioner Walter called attention to the placemaking and public open space category and said she could see some problems with the notion of alleys with addresses being cast in stone. Flexibility will be needed given that the alleys are private property. Additionally, pocket parks, if open to the public all night, can attract a negative criminal element, whereas if they are closed between dusk and dawn, anyone in them during those hours can be cited. She said if she had a residence near such a place, she would want to have some control over it. Mr. King said normal business hours might be a better way to go. Commissioner Walter added that some neighborhoods might not have a problem at all, which is where allowing for flexibility would come in.

With regard to a downtown green and sustainability factor, Commissioner Morisseau asked if it would make sense to have LEED as an amenity incentive. Building LEED buildings is very expensive and it might make sense to give some bonus for any of the LEED levels. Mr. King said he would suggest starting at the gold and platinum levels.

Commissioner Morisseau returned to the FAR exemption for affordable housing and commented that affordable housing is a clear need in the city that is not being met quickly enough under the current system. Developers tend to use the fee in-lieu instead of building affordable units on site, and that approach can result in additional delays before the actual units come online elsewhere. She asked the Commissioners to keep an open mind about approaches that would get affordable units built sooner rather than later.

Chair Hilhorst said she supports the exemption of 1.0 FAR for affordable housing. She said she had been surprised to learn that the exempted FAR would in effect be added to the maximum FAR, thus increasing the maximum by that amount.

Commissioner Carlson asked for a clarification of what is meant by the term "affordable housing." Mr. King said affordable housing is measured with regard to King County area median income and what persons earning certain percentages of the average can afford paying no more than 30 percent of their income for housing. The typical levels are 30 percent of median income, 50 percent of median income, 80 percent of median income and 100 percent of median income. A specific level of affordability will not be included in the proposed definition. A citywide effort is under way to develop an affordable housing strategy, so it makes sense to include a placeholder without being specific to targeted income levels.

Commissioner Walter said her preference would be to have the affordable housing FAR exemption be countered toward the maximum, and to have the affordable units built in the downtown rather than in some other location.

Chair Hilhorst asked if the suggestion of Commissioner Morisseau regarding LEED buildings could potentially open up a sustainable amenity box. Mr. King said staff will do some analysis on the implications. The Bel-Red system has LEED as an amenity developers can pursue, though it is one of the latter ones on the tiered system there. He reiterated the need to keep the number of bonusable items down in order to avoid diluting the number of things received in return.

Associate Planner Scott MacDonald explained that at the beginning of the Downtown Livability Initiative, the Council provided the CAC and staff with a number of key principles. Two of those principles directed sustainability and the greening of the downtown. He presented to the Commission a draft program called the downtown green and sustainability factor and sought concurrence on the proposed framework. He said a detailed proposal will ultimately be included in the consolidated code package public hearing. As envisioned, the green and sustainability factor would be part of the mandatory requirements and would live somewhere between the required landscape requirements and the et cetera category of the development standards.

The system recognizes that every site and development has different objectives and that there is a need for a high degree of flexibility and a wide menu of options, such as landscape elements, green roofs, green walls, food production areas, permeable paving, bicycle parking, electric vehicle charging stations, and rooftop solar installations. The green and sustainable features within the entire parcel, including frontage areas, can count towards the factor, as can frontage improvements, other code requirements and incentivized elements.

Mr. MacDonald walked the Commissioners through an example scenario and explained how the green and sustainability factor works. He said landscape area, shrubs and groundcover, bioretention facilities, tree canopy, green walls and green roofs are possible elements. Other possible elements include landscape features in public and private plazas, permeable paving, bicycle racks and lockers, electric vehicle charging stations, rooftop solar installations, and food production areas.

Chair Hilhorst asked for a definition of food production areas. Mr. MacDonald said they could include pea patches but generally are intended to mean edible landscaping.

Mr. King said the green and sustainability factor will be folded into the overall code package that will come to the Commission in the fall. Still to be determined is the goal number each development would need to get to by choosing from any of the individual elements.

Commissioner Walter said deciduous trees are okay, but it would be nice if a certain percentage of the ground cover were evergreen. Additionally, the vegetation on green walls should not just be sticks for part of the year.

Commissioner Morisseau asked if the green and sustainability factor would be a design guideline or a requirement to be met. Mr. King said the approach would be a development standard making it necessary for developers to comply. The way in which developers choose to meet the standard, however, would include a great deal of flexibility. Mr. MacDonald explained that every element will be calibrated based on cost, desirability and the like.

Commissioner Morisseau asked how the specific elements were selected. Mr. King said the list was largely drawn from the recommendations of the CAC, as well as from the best practices of other cities. Mr. MacDonald allowed that the proposed list is longer than what most cities have.

9. PUBLIC COMMENT

(9:36 p.m.)

Mr. Jonathan Kagle, PO Box 312, spoke as president of the Vuecrest Community Association. With regard to the FAR bonuses for commercial and affordable housing, he suggested there should be some scaling based on the FAR allowed in the district. Clearly the addition of 1.0 FAR

in an area that has an FAR of 8.0 would have less impact than an area where the allowed FAR is only 3.5. He noted that over the years the amount of street parking in the downtown area has been reduced and as density has continued to increase, the result has been spillover parking in residential areas. There should be some discussion about incentives for guest or flexible parking as well as parking in general. Additionally, consideration should be given to the economics of the leftover bonus credits. Bellevue Towers used only one-fifth of the credits it received and some thought should be given to how the balance of the credits can be sold or transferred. While the Council has expressed concerns about inadvertent backdoor downzones, there should also be careful consideration given to any inadvertent backdoor upzones that could impact those who already live in the downtown and those who live in neighborhoods adjacent to the downtown.

10. ADJOURN

(9:41 p.m.)

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

Chair Hilhorst adjourned the meeting at 9:41 p.m.

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
STUDY SESSION VERBATIM TRANSCRIPT

June 15, 2016
6:30 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, Department of Planning and Community Development

COUNCIL LIAISON: Not Present

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER

(6:41 p.m.)

Chair Hilhorst: Good evening everyone. I apologize for the late start. Welcome to the Bellevue Planning Commission. My name is Michelle Hilhorst, I'm the chair of the Commission. We're going to go ahead and get started this evening.

2. ROLL CALL

(6:41 p.m.)

Chair Hilhorst: The first thing is our roll call. We have all Commissioners present except for Commissioner Laing who will be arriving late. And we do not have our Council liaison John Stokes.

3. APPROVAL OF AGENDA

(6:42 p.m.)

Chair Hilhorst: And then our next order would be for the approval of the agenda. And so I would entertain a motion to approve the agenda.

Commissioner deVadoss: So moved.

Commissioner Carlson: If I may, can I make one slight suggestion?

Chair Hilhorst: Okay.

Commissioner Carlson: We have been pushing these poor parks people to the end of every meeting, and I'm wondering if it would be alright, at the pleasure of my fellow Commissioners, if we let them go first this time.

Chair Hilhorst: Okay, because that was a pretty late night.

Commissioner Carlson: Yeah.

Commissioner Walter: I too have a recommendation. Could we, since this is an additional meeting, could we move the draft minutes review until late at the end, till the end?

Commissioner Carlson: Yeah.

Chair Hilhorst: Okay. Okay. So, alright, Commissioner Carlson, your recommendation is to move the two parks land policy items to the beginning since they were here at the end last time? To the beginning of the agenda? And just to move everybody kind of behind them?

Commissioner Carlson: If that's okay, as a gesture that we fully understand they've been put upon several times now.

Chair Hilhorst: Okay, alright. And then your suggestion is to move our draft minutes review to the end of the evening.

Commissioner Walter: Yes.

Commissioner Morisseau: You mean to have them at the beginning of the study session, at the beginning of the agenda?

Commissioner Carlson: Right.

Chair Hilhorst: Correct, yeah. Okay, so the proposal on the table is that we change the agenda to allow the items number four and number five to come to the beginning of the meeting, and to move our draft minutes review to the end of the meeting. So that is the proposal on the table. So do I hear a motion to approve the proposal on the table?

Commissioner Walter: So moved.

Chair Hilhorst: Okay, I hear a motion to approve. Do I hear a second?

Commissioner Carlson: Second.

Chair Hilhorst: I hear a second. Any other discussion? Okay, all in favor of the proposal on the table say aye.

(All Commissioners said aye.)

Chair Hilhorst: Any opposed to say nay.

(No Commissioner said nay.)

Chair Hilhorst: Alright. So Mr. Cullen, we're going to make that change to our draft. Mr. Matz, we're going to make that change to our draft. Okay. Alright, so we will move them up and end of meeting. I will make a note. Okay, alright. Thank you for the approval of the agenda.

4. PUBLIC COMMENT

(6:44 p.m.)

Chair Hilhorst: So we are going to move on to public comment. So I do want to reiterate there are five comp plan amendments on the agenda for this evening. The public hearing portion for those five plan amendments is closed, so we are not going to do public hearing. Okay? So what I would propose is I see familiar names on these sign-in sheets. I do not want to squash public comment, but I also don't want to reopen a public hearing, okay? Because we've had that already. So what I would like to do is reduce the public comment time to three minutes per person, okay? And I would suggest if somebody has already spoken and they've made all the points that you would like to make, I ask you to not speak if that's possible. Because the longer we go, we may not get to items at the end of the agenda yet again. Okay? Because that's kind of been our theme unfortunately. We definitely want to welcome public comment, but we definitely have to move on with our agenda. So, I will entertain up to three minutes, and that's how we're going to do this. So if you have a pal that's going to speak, you may want to talk and say I'll go, but, you know, I won't go, and maybe kind of make that deal or something like that to allow us to get through our extra meeting that we're holding tonight that the Commissioners are donating their time to this evening.

So, alright, with that I do have a sign-in sheet. And I'm going to go through the sign-in sheet. So, if you marked public comment – I'm going to go through the sheet, and if you marked or didn't mark public comment, just let me know. I have them, but some people forget to mark that, so I definitely want to be respectful if you marked it or not. So the first person on the agenda is Dr. Naficy.

Dr. Naficy: I don't want to talk. I was just checking.

Chair Hilhorst: Okay, check, thank you, sir. Alright, Mr. Sean Bentley, you signed in but not noted to speak.

Mr. Bentley: Right.

Chair Hilhorst: Alright. Great. Michelle Wannamaker, you've noted to speak.

Ms. Wannamaker: Yes.

Chair Hilhorst: Alright. Okay. Three minutes. And you have your items there. And I also just want to reiterate to the public, please state your name and your address, and it can be a business address as well. We need to have that for public record. Thank you.

Ms. Wannamaker: (Distributes handouts)

Chair Hilhorst: Alright, Ms. Wannamaker, if you could go ahead and get started please. We need to move on. Thank you.

Ms. Wannamaker: My name is Michelle Wannamaker. I live in Eastgate at 4045 159th Avenue SE. And real quick, I just wanted to let you know that absolutely no Bellevue residents have been notified by snail mail about the Eastgate/I-90 land use project for the open house. And I'm told that that's going to be the same distribution list for the hearing coming up. When you consider that only 18 percent of Eastgate people are on Nextdoor, it's very troubling. So, moving on. On the Eastgate Office Park, the Sunset Village is immediately next to the Eastgate Office Park. And these are printouts right out of the CAC report. And they're requiring that certain transportation projects that we've already talked about be completed. And so by not doing – by putting forth the land use project now before transportation improvements have been put in, I think is violating the CAC's direction. So I just wanted to bring that up real quick, and show you – I talked a lot about traffic, so these are some printouts I just happened to do one afternoon, I happened to be home and remembered it at the right time. I listened to the traffic reports, you know, every ten minutes on the radio throughout, and there were no accidents or anything nearby that would have impacted this. And so real quick – well, I guess one other thing I just want to remind you that Metro has said that there will be no improvements or additions put in until 2025, which is nine years from now. And the city has said that no transportation projects will be constructed, even started construction, let alone completed, within the next 12 years in the Eastgate area. So this is the condition. So these are the conditions that that growth is going to enter upon. And I want you – I hope that you'll spend some time and look at this throughout the next week, too, for the coming hearing, and just kind of consider where the growth is going to happen, and look north, south, east and west, which direction do they live in, how are they going to get there and how's that going to impact traffic.

Commissioner Morisseau: I don't want to interrupt you, Ms. Wannamaker, but this traffic. I don't want to assume what the colors mean.

Ms. Wannamaker: Oh, I'm sorry.

Commissioner Morisseau: What does red, yellow and green mean?

Ms. Wannamaker: The green means it's moving just fine. Yellow is it's slowing

down. Yellow or orange. I guess it's more orange it's starting to slow down. Red is it's coming to almost a complete standstill. And the darkest red is at a stop.

Commissioner Morisseau: That's what I thought, I just didn't want to assume.

Ms. Wannamaker: Thank you. So I guess I should keep going, I've still got some time. Just real quick, I've put in the Eastgate Office Park, the TOD, the RV park, and so this is part of an overview going into the east. Zooming in to the west, zooming in. Look, already where the TOD is going to go, that's the backup starting already. And that's where the growth is planned for, the most growth is planned for. So anyway, I guess I don't need to say any more, other than to just ask you to spend time with it.

Chair Hilhorst: Alright, thank you very much. Thank you. So next on the agenda we have Carolina Silverberg. Did you want to speak?

Ms. Silverberg: Yes.

Chair Hilhorst: Okay. And then after Ms. Silverberg Dan Brannan. Did you sign up to speak, sir?

Mr. Brannan: No.

Chair Hilhorst: Okay, thank you. So then Marianne Lee will be coming after Ms. Silberberg.

Ms. Silverberg: I'll be brief. My name is Carolina Silverberg. My address is 11667 SE 58th Street. At the last meeting I introduced the petition against the rezoning of the Newport Hills Shopping Center property. And I want to present an additional 111 signatures we've gotten since. And we now have over a thousand signatures. Thank you for your consideration. I won't take up any more time.

Chair Hilhorst: Okay, thank you.

Commissioner Carlson: Quick question. Where'd you gather them?

Ms. Silverberg: Online. The additional ones are online. The package that was previously submitted we had 506 that were handwritten, that were gathered by different people. A group of neighbors who were working together. And the other five hundred something, there's an online petition.

Commissioner Carlson: Thank you.

Ms. Silverberg: And there's all the details right there. Newport Hills petition. Thank you.

Chair Hilhorst: Alright, thank you very much. Alright, so Ms. Lee, are you here?

Ms. Lee: Yes.

Chair Hilhorst: Okay.

Ms. Lee: Not only am I here, but tonight I have no childcare so my kids are here.

Chair Hilhorst: Okay, great. And after Ms. Lee it's going to be to Margaret Santjer. So that will be the next on the list.

Ms. Lee: Okay. My name is Marianne Lee. I live in Newport Hills at 11627 SE 58th Street. I'm speaking on behalf of myself, the PTSA's of Jing Mai and Newport Hills Elementary and others who could not be here tonight. I just wanted to point out that if I decided I wanted to raze my house and put in a few townhomes, nobody would be scheduling meetings to find a compromise. The city would point out the zoning that exists and send me on my way. With the proposed rezoning of the commercial property, the same rules should apply. In order to even entertain the concept of a rezone, certain conditions need to be met. And the conditions necessary for this rezone have not been demonstrated, and in fact have been successfully refuted. This is a viable property under existing zoning, and sure the world has changed, we no longer have a need for a grocery store in our neighborhood right now. But this does not mean we do not mean that we don't have needs that fit the modern age. Currently those needs are dining and family services. And the next generation will likely modify this again and we need to make sure we have the space available to them as well. The success of this property in spite of the current owner's neglect proves that the center continues to serve the citizens of this neighborhood as it was designed. And the proposal to rezone should be thrown out on this alone. Let's see. Once you give a rezone to R-30, there'll be no way to hold any developers to any vague promises made or protect the needs of the community. It will become all about money, multifamily housing – the money the multifamily housing will bring to the developer and the owner. And then finally, I wanted to make two points. This is – I don't want this to be divisive for our neighborhood or our city, but most of the residents in favor of the rezoning, they don't have children. They live on the northwest side of the hill with no traffic impacts, and they don't usually shop in the Newport Hills center. If they do go to the nail shop and they're unhappy, they should be upset with the landlord who refuses to maintain the property, instead of with the retailers who are doing their best with the existing conditions. And two, some of our Newport Hills businesses have already been contacted by the new development in Newcastle offering them leases. So if the City Council keeps pulling this out and dragging this out, we could lose our existing successful retailers that we have, and then we'll be in a worse position. Which will satisfy the people that want to rezone it. So our community needs a definitive answer, and I hope that tonight it will be put to bed. The next point I have is that continuing the process of discussing the R-30 rezone

is kind of destroying some of our neighborhood community and the environment that we're trying to preserve. It will damage the city of Bellevue and reduce the number of viable businesses and the community spaces that we have. Thank you.

Chair Hilhorst: Alright, thank you. So I do want to have some decorum, so I would ask that nobody applaud going forward for any speakers. If you like what the speaker is saying, please raise your hands. I'm not going to do a visual count like we did at the public hearing, but raise your hands so the other Commissioners can definitely see. So, we definitely want to just have a little bit of decorum going forward. So, thank you for respecting that. I appreciate it.

Ms. Santjer: Hi. My name is Margaret Santjer and I live at 4622 123th Avenue SE in Newport Hills. Thank you, Chair Hilhorst, and Commissioners. I've written before just to express my concerns about the impacts of the proposed rezone mainly being traffic, overcrowding of the elementary schools, and the potential loss of our retailers. So my new concern is the proposal that I saw in the staff materials about a possible facilitated community planning process that would involve twelve to fifteen people representing the neighborhood. So my concerns about that are who would be on that and how they would be chosen. Would it be a split between people who oppose the rezone and who support it? And then secondly, it's described as a way to come to a compromise that would fit both the developer's needs and the community's needs. And what we've heard before is that Intracorp has – does not have plans to reduce their density and they still want the R-30 rezoning. So I'm concerned that we wouldn't – where is the room for the compromise? So I guess my main concern is is this just a way to push through the rezoning in a different way that looks like a community compromise when it's not. So would urge the Commission to not go forward with the Comprehensive Plan amendment, to not rezone it, and to retain the Neighborhood Business zoning so that redevelopment can happen in a thoughtful way that truly benefits our community. Thank you.

Chair Hilhorst: Alright. Thank you very much. So, Mr. Santjer, you're not going to speak? You signed up but you didn't checkmark.

Mr. Santjer: I didn't checkmark. No. I don't normally speak in public like this. My name is Daniel Santjer and I live at 4622 123rd Avenue SE in Bellevue. And I oppose the R-30 also. I feel that if we lose that land to just residential, we'll never be able to go back and have access for stores and stuff. Everything just keeps growing and growing and growing. I understand that the land right now actually has a zoning that we can put some residential if we wanted to, if that was what's needed. I don't think we need to go with a heavy hammer and do like R-30 and bring so many people in there when it is an area that people love to go to. There's – I took pictures and I submitted them about how many people are there on a Wednesday night and stuff. It's a phenomenal amount. And when

they have swim meets there's a phenomenal amount of people there. I don't want to lose that for all the kids around there. I know everybody talks about the schools and stuff, and that's true, we don't need any more, we already have extra rooms in the back, you know, the portables. So I really oppose it because of all those reasons. I think we could even take and find somebody that could redesign it where we could have space so maybe the school could come over and use for science classes or something. Because we're already pressing for space for school. Why couldn't we keep the businesses there and build something that could be a place for more gathering, more of a, I don't know, a community center or something, you know? So, anyway. So I do oppose it the way it is. I think it could be re-thought out. And something better could be pushed forward instead of just massive amount of people. So, that's my points.

Chair Hilhorst: Alright, thank you. Thank you very much. So next on the list I have Marci Hennes. And after Ms. Hennes I have Kelly Farrell. You signed up. Did you want to speak, or not speak?

Ms. Farrell: No.

Chair Hilhorst: Ok, after Kelly I have Greg Lovern.

Mr. Lovern: I'll speak.

Chair Hilhorst: You'll speak, okay. So you'll be after this current speaker. Thank you.

Ms. Hennes: Good evening. Hello. Marci Faith Hennes, 4715 119th Avenue SE, Bellevue, 98002. I'm proud of our double zero six zip code for sure. High density will not foster community. In light of the recent events, we really need community more than ever. We're not New York City. We're not going to be waiting for subways out on 119th to go to Brooklyn or the Lincoln Center, you know, all those fun things they get to do in a big city. We're car dependents over on Newport Hills. I'm not going to talk about the obvious schools, traffic, congestion. I don't have any grand idea of a park or skateboard parks or Zen gardens. We just need space. We need gathering spots, we need room to stretch, we need to walk. Maybe take a little lesson from our neighbors over in Oregon in Portland, all those cool little neighborhoods. We've all been down there, right, on weekends? Wow, we're going to Portland and we see how that buy this over there. It's beautiful, it works. They have their problems, too, of course, but it kind of works. They have a little neighborhood, each one has a distinct characteristic. We're just getting momentum in our community in Newport Hills. A lot of new families are moving in. Our elderly people are moving and are, you know, passing, whatever the case may be. But I'm not saying we won't continue our momentum, but it's going to make it a lot more difficult if we're just crowded in up there on the hill. So, no to R-30. Thank you.

Chair Hilhorst: Alright. Thank you very much. So Mr. Lovern, you're next. And then Valerie Barber, are you here?

Ms. Barber: Yes.

Chair Hilhorst: Okay, you'll be after this speaker.

Mr. Lovern: I'm Greg Lovern. I live at 12460 SE 60th, just around the corner from the shopping center. About three times a week I take my boys to the tae kwon do martial arts there, and when I go there I see lots and lots of cars, lots and lots of people walking around, customers walking around the other businesses, the dance studio. We often go to the Cloud 9, to the teriyaki and to Resonate. Those places are busy. I can rent U-Hauls at the mail center. I go to the cleaners sometimes. There's plenty of business going on there. When I go there I wouldn't guess that this is a place that needs to be turned into residential. I'm concerned that the current zoning allows 15 residential units per acre. That would be 88 units just as it is. They have to be in the second floor above commercial, but if we did that, we could keep the entire shopping center, all 5.29 acres, and have 88 residential units above it. And so if we need those residential units – I'm not saying that we do, but if we need them, we could have them and we could keep the shopping center. We could have both. And if there's time, one last concern is that the 2010 Heartland study was done at a time when we were – when the economy was still struggling under the great recession, American's second-worst economic downturn. We're not likely to see one of those in the near future. There will be downturns, sure, but we're not likely to see another great depression or great recession in the near future, right? I remember about 2010 economists telling us this is the new normal, the economy was the new normal, and that we wouldn't see the likes of 2007 again for – 2006 again for 50 years. The economists telling us that. Today the economy is – it's hard to remember how pessimistic everyone was about the economy in 2010. And it was that environment, that pessimistic environment, where economists were telling us that this doom and gloom was going to extend for generations, that that study was done, and determined that there was a certain amount of square footages that the neighborhood would support. And I would say if the neighborhood would support that in that doom and gloom environment, where economist were telling us it was all doom and gloom for generations to come, surely one thing we can learn from that 2010 study is that today with the economy so much better, at least in that area, it'll support far more than that study thought it – said it would. Thank you.

Chair Hilhorst: Alright. Thank you very much. Valerie Barber, and then after Valerie Erin Powell signed up. Is Erin here?

Ms. Powell: (raised her hand)

Chair Hilhorst:

Okay, so you'll be after this speaker. Thank you.

Ms. Barber:

Hi. Valerie Barber, 4644 121st Avenue SE in Bellevue. First of all I wanted to thank everybody for staying late the last time we met. I ended up staying late and I heard some discussion around what would happen in the scenario that things move forward. And one of the discussion topics was having studies – and I don't know if I heard this correctly, so I would love it if someone would clarify for me – having the studies completed in August and maybe the beginning of September. I would like to recommend and emphasize that any traffic studies that are completed should not be completed during the summer months because the school traffic has been so integral to this discussion. I also would like to emphasize that we should – included in that traffic study there should be a forecast of the implications that our neighboring communities might have and the developments that there're doing there. So hopefully the Commission will take it under advisement to make sure that that study, if we do move forward, is taken in an appropriate time. So thank you for that. The second part is, if we move forward with some – the next phase of this two-step study phase, again colleagues have pointed out that there are implications to moving forward, negative implications to that shopping center that will damage the neighborhood. But I also think it will damage the planning process, right, because you've not set a precedent as to what constitutes a change of condition. So we are saying now that a change of condition could mean that other neighborhoods or other shopping centers are able to charge more for their sites, and therefore if I don't get the same amount, I can then get a planning change. And to me that's just the wrong philosophy around the way that we should look at our zoning regulations, and the wrong messages that we're sending to people. So it's something to think about and consider. So thank you. Appreciate your time.

Chair Hilhorst:

Alright, thank you very much. So after Erin Powell I have B&T Brown signed up. I don't know who that is. Are they – no? Alright.

Ms. Powell:

Good evening. My name is Erin Powell. I live at 1015 106th Avenue SE in Bellevue. I'm here tonight to support and enthusiastically suggest that you support the amendments regarding the parks, all of them in its entirety. I was here a few – a couple of weeks ago, couldn't quite hang in there until 11:30 at night. I had to go home, so sorry about that. I just want to speak on behalf of the parks. Parks need to be – parks need to be protected from the pressures experienced from Bellevue's increasing urban population demands. Parks are the necessary human service commodity that all people of all ages and abilities and interests can enjoy equally. Bellevue city government needs to protect and keep parks as parks for all people, including wildlife, trees, wetlands and the health of us all. This will help the city of Bellevue achieve the goal of a 40 percent tree canopy retention goal that's in our Comprehensive Plan right now. Parks are for recreation uses and we should really remember that, that there are recreation uses that

will help communities grow, stay together, form cohesive neighborhoods, and people get to know each other. Those things are youth theaters, swimming pools, community centers, nature trails, soccer fields and nature parks. Parks should not be sold or bargained away for uses that are not for parks or recreation uses. Parks lands should not be used for light rail railroad facilities as we have East Link coming along the whole western edge of the Mercer Slough Nature Park. Or high-power electric lines. Or any other purpose other than where people can have places to play, gather, enjoy open space, and community building places. Parks should not be seen as – parks should be seen as priceless jewels that a civil city maintains and keeps for future generations and environmental health. I was recently on the Parks Board and I'm sad to say that the whole western border of the Mercer Slough Nature Park will be devastated. This big box back here, the black box, represents land that will be excavated and removed. Renay Bennett will speak more eloquently about the devastation of the land removal for the tracks and the train. But you know Mercer Slough is a nature park and it's not going to be the nature park that it is right now. Thank you.

Chair Hilhorst: Thank you very much.

Commissioner Carlson: A point of inquiry, madam chair.

Chair Hilhorst: Point of inquiry, yes.

Commissioner Carlson: Has the Parks Board sounded off on this? Have they expressed an opinion about this?

Chair Hilhorst: To my knowledge – I asked that question – is because this is Comprehensive Plan, it has not yet gone to the Parks Board. They have no knowledge unless it goes next. To my knowledge, Parks Board has not been apprised.

Ms. Powell: I'm not on the Parks Board anymore. I was recently on the Parks Board.

Commissioner Carlson: Right. But I mean just, you know, by way of resolution, just expressing an opinion.

Mr. Matz: I'd be happy to engage that issue in study session.

Chair Hilhorst: Okay, yeah, because I know I asked that question last time. And I think because its Comprehensive Plan, it comes to the Commission first, so I don't believe Parks has been engaged yet –

Commissioner Carlson: Okay.

Chair Hilhorst: – to answer your question to the best of my knowledge. Alright. So we have – okay, so we have Pat and Jack Hunter signed up. Speaking?

Mr. Hunter: No.

Chair Hilhorst: No. Ritchie Ron?

Mr. Ron: No.

Chair Hilhorst: No. Geoff Bidwell signed up. Speaking no?

Mr. Bidwell: Yes.

Chair Hilhorst: I'm sorry, you didn't sign a note to speak, sorry.

Mr. Bidwell: Oh I'm sorry, I goofed up.

Chair Hilhorst: Okay, alright. So run on up here. And then Renay Bennett, you'll be after Mr. Bidwell.

Mr. Bidwell: My name is Geoff Bidwell, I live at 1600 109th Avenue SE in Bellevue, and I've lived there for 39 years. And I'm here to speak in support of preserving our parks, in particular the Mercer Slough. And I just want to give you some background information. I know staff has presented information to you regarding the CPA proposal, and staff has incorrectly provided you with infactual information. And I'll go over that. I want to bring – rather than go over the details of what's in the report that staff has put together for you, I want to give you a real example of how this process has worked, or has not worked. Twenty-eight years ago the citizens of Bellevue got together, lobbied City Council, to put the issue of preserving Mercer Slough on the – as a park bond issue. We lobbied, Council agreed, put it on as a bond issue. We went out there and sold this as a desirable feature of Bellevue, to preserve the Mercer Slough. Eventually, people of Bellevue voted for that, 70 percent overall, 85 percent in the district of Enatai. Now the city of Bellevue – that was 28 years ago – now the city of Bellevue wants to sell part of those Mercer Slough park lands, lands that we paid for with our tax dollars, to promote or finance a tunnel in the downtown. These lands were paid for, it's our lands. Morally, I think that's unethical. This was approached to the city of Bellevue, and they came back with a ruling saying – and they quoted, I can quote in a name now, because it's in the staff report, Monica Buck, she came back and said because this is subject to BCC code, she quoted 4.32.060 – oh six oh – a public hearing on the proposed sell is not required. So, there's no public process involved, we don't have a say in this, she quoted a BCC code that was put in place years ago. So we have – we voted for it, we paid for it, and city staff says we don't have a say in what's going to happen to it. What they did say is that you should be looking at 4.320 into government transfer of real property. That's what we say. Under that condition, the city shall hold a public hearing. We believe that's the process we should be going through. This city doesn't agree with that. They're saying they can sell our public lands away after we paid for them, after we

worked and slaved and lobbied like crazy. We think that's immoral. The other thing that's in error is the RCO board – state board – disagrees with what the city of Bellevue has stated in their memo. I'm talking about the Monica Buck memo that was quoted in the staff report. We have all the documentation to show that what they put in that memo is wrong, it's in error. It's factually incorrect. There is no process in place to protect city park lands, and that's why we believe the CPA amendment that we're proposing should be enacted upon, or at least studied in some depth so everybody can have an input in this. We've got a lot of information, and I don't have the time, and you surely don't have the time either, to go over at this point in time. So what I'm recommending is that the – your Commission should continue this process so we have the opportunity to present this information so you understand fully what's happening to these very precious lands that we worked so hard to preserve. And I've got some background information I'm going to pass out to you that sort of summarizes some of these issues I just brought to your attention.

Chair Hilhorst:

Time, Mr. Bidwell.

Mr. Bidwell:

Yeah, okay. I've got such a lot to say about this. I'm just going to pass out this.

Chair Hilhorst:

Alright. Thank you very much, Mr. Bidwell. Alright. So next, Renay Bennett, and then after Renay Bennett I have Karlene Johnson. Do I have Karlene in the room? Did you want to speak?

Ms. Johnson:

I have something very brief to say.

Chair Hilhorst:

Okay, okay, alright. So you'll be after Ms. Bennett.

Ms. Johnson:

Okay.

Chair Hilhorst:

Alright. Thank you.

Ms. Bennett:

And more paper. Just what you needed, more paper.

Mr. Cullen:

I need one for the record.

Ms. Bennett:

Over here. I can go over here. Good evening, members of the Commission. Thank you very much for moving the park policies up for us. I appreciate that. My name is Renay Bennett. My address is 826 108th Avenue SE and I'm a long-time resident here in Bellevue. A couple of quick items. Last time the Commission met, the parks policies were at the very end of the agenda. And we believe that in order to be consistent with all of the presentations that our presentation also be given the same kind of consideration that all of the other presentations were given. You could not see our park plan policies up there, the proposed amendments. All you heard about is why staff didn't really want to have them. So we would like them up for all of the people in the audience to see so

everybody knows when you do the presentation on that, so everybody can see these park plan policies and what is being proposed. Second, I'd like to bring to your attention the second handout I gave you. And this is new information. This box represents one cubic yard, and this one cubic yard is – if you times it by 260,700, that's how much soil will be removed from the Mercer Slough Nature Park. Two hundred sixty thousand seven hundred cubic yards, and that's – that's a – that's a lot of soil and a lot of material. And if you put them in dump trucks, as an example, and put them end to end, it would reach from Mercer Slough to Kelso, Washington. That's 125 miles of material out of our park land. I bring this to your attention because the city staff have gone on record as saying that park land will not be used for staging for Sound Transit. And as you can see clearly by this email memo from the Sound Transit legal department, they say that park land will be used as staging, and they give an estimated amount of acreage. And I've given you previously that information about how many acres are going to be taken. It's almost 30 acres will be used for staging, for construction, and for wetlands taking. I just wanted to bring these to your attention because I think you guys should know about it. I think that all of these policies meet threshold review. One of the issues that staff brought up was that there are no changed conditions. I would have to say that a train in our park land is quite a changed condition. So I thoroughly disagree with staff's review of this. And I hope you do too and give it the airing and the public viewing that it deserves. We need to protect our parks, and this is the first step in doing this. This is not hampering the Council's legislative ability in any way. This is about involving the citizens in lands they purchased for their parks and keeping these as the treasured jewel that they are for now and forever. Thank you.

- Chair Hilhorst: Alright. Thank you, Ms. Bennett.
- Mr. Bidwell: This box is made out of recyclable materials.
- Chair Hilhorst: Excellent. We were going to ask. Alright. So Ms. Johnson. And after Ms. Johnson, do I have a Mary Smith in the room?
- Ms. Smith: I'm Mary.
- Chair Hilhorst: Did you want to speak?
- Ms. Smith: No, thank you.
- Chair Hilhorst: Okay, thank you.
- Commissioner Carlson: Madam Chair, if I may.
- Chair Hilhorst: Yes.
- Commissioner Carlson: This is beginning to look suspiciously like a public hearing.

Chair Hilhorst: We have one more public speaker and then we are done with public comment.

Commissioner Carlson: Okay.

Chair Hilhorst: Thank you. It does. Thank you. Alright.

Ms. Johnson: My name is Karlene Johnson. I live at 5125 127th Place SE in Newport Hills. And I'm giving comment this evening about something that came out after the last meeting. So this is the memorandum that was attached to the agenda for tonight's meeting, which I'm guessing you guys all have. I know I got it in my packet. And so there was a new recommendation for the Newport Hills Comprehensive Plan amendment, and the recommendation was to do a facilitated community planning process, which sounds really good. The goal is to find common ground and to seek to find mutually agreed upon site plans. So I went back to my notes and to the audio recording from the meeting that we had two weeks ago where Chair Hilhorst asked Mr. McDuff is there a potential for a change or compromise that's not an R-30 but less housing and more commercial, is there a compromise available that can become more of a win-win and not one versus the other. It was a long meeting, but I'm sure you guys remember some of that discussion. And Mr. McDuff's comment was, in the gist of it, there's some room for us to work with this concept, but I just don't know that we can move a lot on the residential, and I don't think we believe the retail necessarily would change a lot. Would we look at it? Would we study it? Absolutely. Do I see big moves? I don't think so. And so the reason I'm calling this to your attention is because I want to know if there new information since two weeks ago that there is room to move, because if there isn't it does seem like a bit of a setup for the people who are put on that committee, or volunteer to be on that committee, if they're coming into a process where there isn't actually much room to move. If there is room to move, wonderful, let's have a process to discuss it. Thank you so much for your time on hearing additional comments.

Chair Hilhorst: Alright. Thank you very much. Alright, our final speaker of the evening – I will not take any more speakers after this – Heidi Dean. Did you want to speak?

Ms. Dean: Yes.

Chair Hilhorst: Okay.

Ms. Dean: Good evening, Chair Hilhorst and Commissioners. My name is Heidi Dean. I reside in Newport Hills at 11661 SE 56th Street. And I wanted to agree with some of the points made about the recommendation to go forth with the community planning process. I actually don't know anybody who was contacted by Intracorp

after that meeting to get some input on that process as they put forth in their memorandum. My concern is, again, this feels like a last-ditch effort to ram this through under it looks like, it sounds nice, but how would this stack up? If the applications are coming in and the city's deciding who's going to be on that committee, I don't know, it just doesn't feel right to me. And I feel like it's a setup to make those who oppose it appear unreasonable. So that's all I'm going to say on that. I wanted to do a couple of reminders to the Commission about a couple of things. Number one was Greg touched on the Neighborhood Business zoning and I wanted to remind folks that in 2011 Chair Hilhorst and a couple other members of the community club of Newport Hills were working with the Planning Commission on the possibility of changing the square footage allowance in the Neighborhood Business zoning, and that would allow different kinds of businesses to come in and revitalize. And there was some interest. Northtowne was worried about how it would affect them. And then there was some talk about carving out Newport Hills under Neighborhood Business zoning, because we are kind of a different and unique setup up there. And unfortunately Rainier Northwest's realtor got a little greedy and asked for too much space, and it should that all down. It put the kibosh on it. And that got put back on the back burner. It's never been – nobody's talked about it since. So I'd like to propose that we actually look at updating the Neighborhood Business zoning or doing a carve out for Newport Hills rather than doing the R-30 CPA and rezone. And the other thing is, I wanted to remind you about all of the work that you did on the comp plan, and under neighborhoods, and under the land use. And what – you actually asked me to come and speak to you in January 2014 and talk about the roles and importance of gathering places in neighborhoods. And you also asked Mr. Ron Sher to talk about the roles of neighborhood shopping centers. And I want to remind you about that. Because if this gets pushed through, there will be no more gathering places in Newport Hills. Thank you.

Chair Hilhorst:

Alright. Thank you, Ms. Dean. Alright.

Mr. Seward:

Madam Chair. I know you asked for no more speakers. I didn't sign up. I would like to have three minutes if I may. I would speak in support of it. No one has spoken in support, and I just want to make a fairly brief comment.

Chair Hilhorst:

I will allow one speaker for, and then we do have to move on, sir. Thank you very much.

Mr. Seward:

Thank you, I appreciate it. My name is Bob Seward. I live at 4777 116th Avenue SE. Historically, I came to Bellevue in 1958. I started teaching school here. I was principal at Newport Hills from 1970 to 1979, now Jing Mai. I retired from the school system in 1988, built a home in Lake Heights, which some folks have referred to as the northwest corner of the area where the older folks are waiting to sell their homes to the highest bidder. If you talk to

my wife, our ashes plan to be left on our building site, our home. I've seen and lived and worked in that community since 1970. The Chair, Ms. Hilhorst and myself, met with some city staff four years ago, perhaps, five years ago, trying to initiate and see what we could do with the city at that time to generate some interest in improving the shopping center. The Chair went on to get deeply, more deeply, involved, and I appreciate that, Michelle. If the people that have spoken in support allude to the businesses and the – and I know that there are elements there that are important to them – however, look at that facility or that site from six in the morning until midnight and you see lots and lots of time when there are no cars there, or one or two cars. Most of the cars that are there are being serviced by the service station. The pub has a big crowd for sports shows or sporting events. But I would ask that the Commission consider the planning that's gone into this and consider approving this so at least you can look at the option of something happening positive up there. As a group, over the years you've done a great job of keeping the business downtown. That was achieved many years ago, and the Commission and the Council have done a great job. I hope you'll support this move.

Chair Hilhorst: Alright. Thank you very much. Okay, so we are going to close out our public comments. We're about 15 minutes behind schedule.

5. COMMUNICATIONS FROM CITY COUNCIL, COMMUNITY COUNCILS, BOARDS AND COMMISSIONS – None

(7:30 p.m.)

Chair Hilhorst: We're going to move on to Communications from City Council, Community Councils, Boards and Commissions. We do not have our liaison with us this evening. I don't think any board or commission members are here.

6. STAFF REPORTS

(7:31 p.m.)

Chair Hilhorst: So we're going to move on to staff reports. Mr. Cullen?

Mr. Cullen: Thank you, Madam Chair. Terry Cullen, staff liaison with the Bellevue city planning department. Just a quick reminder that next week's meeting is a public hearing on the Eastgate proposed Land Use Code amendments. And also you'll be doing a short regular study session on low-impact development standards. And you will be having officer elections. And that's going to be held out at Bellevue College. So, you will get a notice of that. Your packet's going out probably tomorrow. But Bellevue College. And it'll identify where at Bellevue College, and we're getting that all set up and put in the works. So you'll be starting at 4:30 with your regular session, and that will be low-impact development standards. Elections. Then you'll take a break and then the evening

is dedicated to the Eastgate public hearing for the proposed Land Use Code amendments. That's all I wanted to share tonight.

Chair Hilhorst: Yeah, Commissioner.

Commissioner Walter: When this meeting was discussed before, it was either going to be at Eastgate school or potentially at the South Bellevue Community Center. Can you tell me why it's not being held at one of those?

Mr. Cullen: We went to the Eastgate school. The parking is too constrained, it's in the middle of a neighborhood and the facility just wasn't adequate for the crowd we thought we might get. The South Bellevue Community Center with school being out is very noisy, there's a lot of recreation programs going on. And we talked to several different people and they said there would be a lot of background noise. So we went to a place where we knew we could have the space and at least get the parking and that was recognized people know more where it was, and that's why we went with Bellevue Community College.

Chair Hilhorst: Okay. Do you have any other questions for Mr. Cullen? Okay. Alright. Thank you very much.

8. STUDY SESSIONS

(7:33 p.m.)

A. 2016 Proposed Comprehensive Plan Amendments – Threshold Review

Chair Hilhorst: So since we changed Draft Minutes Review to the end of the meeting, we are going to jump into our study session. Mr. Matz will be speaking to us. Mr. Matz, per the change earlier, we will do the Park Lands Policy #1 first. And so you will do a presentation, and then we will have discussion. Is that correct, sir, on each one?

Mr. Matz: That's correct. So I have the same slide show that we had at the hearing. Just to touch base on the procedures and the conventions that you're dealing with tonight to frame the conversation at the beginning of the study session, we will continue to focus on the staff recommendation that we presented to you at the hearing. With the changes and some of the details around – that you've heard addressed in public comment tonight. So if you would indulge me on that, I'll be flying around –

Chair Hilhorst: Do you want to do an overall summary first and then go into each one?

Mr. Matz: Yes. I'll walk you back through the threshold review process, only once a year, di-dah, di-dah, di-dah.

Chair Hilhorst: Okay.

Mr. Matz: And as many of you know, I can go fast. So with the Commission's indulgence, I'll speed through the preliminary –

Chair Hilhorst: Not too fast.

Mr. Matz: Fair enough, Commissioner. I'll briefly go over the 2016 annual Comprehensive Plan amendments review process. Tonight is your threshold review and geographic scoping study session. You did hold your hearing on June 1 under threshold review. An overview, these are the initiated applications, or the tool the city uses to consider these proposals. It's limited to an annual process under the Growth Management Act, which requires the cumulative impacts and a cumulative analysis of all the proposed amendments to the plan. Threshold review action does produce amendments for the work program itself. Threshold review decision criteria that are used in reaching a decision about moving forward – and it's going to be a lot of real estate here – a matter appropriately addressed through the Comprehensive Plan. Compliance with the three-year limitation rules – happy to explain that in detail. Does not raise policy or land use issues that are more appropriately addressed by an ongoing work program that's already approved by the Council. Reasonably reviewed within the resources and timeframe of the annual Comprehensive Plan amendment program. Addresses significantly changed conditions since the last time the pertinent Comprehensive Plan map or text was amended, defined here in the Land Use Code finding that one of these – essentially there are three different versions of significantly changed condition and we frequently hear people comment that it's something that the plan itself did not anticipate when the pertinent plan piece was adopted. At threshold review we also talk about geographic scope and expansion of the geographic scope. The staff recommendations have been presented to you. You've directed consideration of the expansion of the geographic scope for some of these and not others. And we present that to you in our recommendation. In other words, if a single site is expanded to contain similarly situated sites, that the application goes forward and consideration of those additional sites as part of the proposal. And finally, we look to see that the amendment is consistent with current general policies in the plan for site-specific proposals, and consistent with policy implementation and other tools which are the Countywide Planning Policies, the Growth Management Act, state or federal law, the Washington Administrative Code, and that last or that floats out there leaves us with the last one, which is that state law has required us to direct such a change.

Commissioner Barksdale: Just to clarify one point.

Chair Hilhorst: Commissioner Barksdale.

Commissioner Barksdale: So, for threshold review, all of these have to be true in order to proceed? But just because all of them are true doesn't mean we have to proceed?

Mr. Matz: That's correct.

Commissioner Barksdale: Okay.

Mr. Matz: Alright. Continuing our overview. The annual work program is established when City Council acts on planning recommendations to establish the annual work program. We will ask you tonight to make recommendations on each of the individual Comprehensive Plan amendments before you. We will package that up into a transmittal which we will forward to the Council, City Council, for their action. They will take your recommendation, the testimony, and all of the other materials under advisement and then take action to direct back to you a work program which consists of Comprehensive Plan amendments for a final review. As noted, direction to approve threshold review moves an application forward for what people typically consider to be merit-based review. It does not signal an outcome for the full amendment itself. Tonight, we will ask you to do this, recommend whether the applications should be initiated. We've provided you with some boilerplate language that you can use to make your – when you get to that point, when you can make that motion. And that is found in your packet materials. And we will ask you to hold a separate study session for each application.

With that, quickly we'll go through the five that have been presented this year. We have three site-specific applications: Naficy, Eastgate Office Park, Newport Hills Comprehensive Plan. And we will also convey two non site-specific, what are called Park Lands Policy #1 and Park Lands Policy #2. They are non site-specific because they would apply to the entire city. So I'm going to find where we want to go to –

Chair Hilhorst: So any questions on the overall? Comments on the overall?
Commissioner Laing.

Commissioner Laing: Madam Chair, if you would indulge me for a moment. I just – there wasn't really an opportunity to make a kind of a general comment about this process at the outset of this, but if I could make an observation about this process?

Chair Hilhorst: Okay.

Commissioner Laing: So, this is – these comments are not directed at any of the amendments, but really just the process. I've been a part of this Commission for four and a half years. As everybody knows, I'm a practicing land use attorney. I've practiced in the city of Bellevue, I've practiced statewide. And I can tell you that every single year that I've been on the Commission, and every year that I've been a land use practitioner – obviously not practicing in Bellevue in front of the Commission when I'm on the Commission, let's be really clear about that, but going back a number of years, I've watched

this process that Bellevue has, this unique Comprehensive Plan process that Bellevue has, that is unique in that nobody else in the state to my knowledge does it this way. It is like square dancing, a couple steps forward, a couple steps back, kind of goes through. It's a confusing process, it's a protracted process. Basically, everybody else in the state, you submit your application by the deadline in January or February. There's a hearing, a substantive hearing, on the merits in front of a planning commission or the city council or county council in like September or October, and if it gets a thumbs up it goes on for approval.

What we do here is we are asked, and the public is asked, to come in and participate in this process that has these criteria, only at this part in the process we're not supposed to be judging the merits of the application. So what's the point of having the criteria? You should ask yourself that, because they're basically the same criteria as the criteria on the merits. And the public comes in and provides us all of this information, and the applicants say the same thing every year, and they're correct in saying this, and the staff says the same thing every year, and they're correct in saying this, well, nobody would have a traffic study, and nobody would have a massing study, and nobody would look at any of these things at this point in the process because that's not where we are in the process.

The other thing that comes up every single year with this, and it becomes just this sort of nebulous, like spin this all around, is this idea of changed conditions. Changed conditions seems to mean whatever somebody wants it to mean, or whatever people don't want it to mean. And it becomes this sort of focal point necessarily, because it's the only thing among the criteria that isn't really readily discernible. And so every year that I've been on the Commission I've heard my fellow Commissioners as well as staff lament like, this changed conditions thing really means everything and nothing all at the same time. And we have even as a Commission, and staff previously have suggested, maybe we need to get on our work plan to tell the City Council to tell us to change what changed conditions means so that it actually means something. And so, as we get into the process tonight, and after listening to a lot of heartfelt and thoughtful comment last week, and actually having done that for the last four and a half years, it just keeps bringing it back that we're being asked to judge things without the information now, as we are every time, and we are going to be asked to spin around on this changed conditions thing. So one thing that I would hope come out of whatever comes out of tonight is that this Planning Commission will finally for once and all say to the City Council, we need to change this process. It takes an inordinate amount of our time and the community's time, and we need to change or define changed circumstances. So thank you for indulging me.

Commissioner Carlson:

Hear, hear.

Chair Hilhorst: Alright. Okay. So thank you, Commissioner Laing. So one question I do have a little bit along those lines of consistency is one of our plan amendments has a new component to it about a community planning process. So, and that is based on the merit if that amendment passes threshold review tonight. All the plan amendments are being asked to be judged by the same criteria on whether they pass threshold review to move forward. So if anyone moves forward tonight, shouldn't they all be allowed the same process of a community planning process to be added to their amendment? Where the facilitator will be provided and members of the community be solicited for input to – I mean, it seems we've picked and chosen, so one gets it but the others don't, but they're all under the same criteria. So, can we apply that to anybody that passes threshold review to be fair?

Mr. Matz: I don't know whether you consider it fair or not, but what we've proposed to you we own in terms of the staff recommendation. The staff is suggesting to you that attached to the Newport Hills CPA is this recommendation for a facilitated community planning process. That's our recommendation that we are presenting to you. So it's not a question of fairness or not fairness to the others. In part – I mean you have several hundred public comments on the Newport Hills CPA, and you have one on Eastgate and you have three on Naficy. So I don't know if fairness is the issue your striving for. But in terms of what we're recommending to you, we've seen a significant concern and a significant conflict in this community, and for us it's offering a tool as part of your recommendation to address how we can deal with this process. I don't know how you would characterize that as fair or not, but it is the Commission's choice to do what you'd like, but I wanted to be very clear that the facilitated community planning process we are attaching to the staff recommendation for the Newport Hills CPA because of what you've heard, because of the record, and because of the conflict that we'd like to not have explode in terms of this thing. I don't know if that's fair or not, but it's specific to the Newport Hills CPA.

Chair Hilhorst: Well I'm just looking holistically, could some applicant come back and say you offered this to one applicant yet you didn't offer it to me? If they pass or don't pass or whatever.

Mr. Matz: I can't speak to what an applicant would or wouldn't do, but I can speak to what the staff is recommending to you tonight in regards to this particular site-specific CPA.

Chair Hilhorst: Okay. If everybody's being held to the same criteria, then I feel that should be almost across the board. I understand what you're saying, why staff recommended, but it just – if we're going to be fair, let's be consistent.

Mr. Matz: Our staff recommendations to you on every one of these five have

been held to the same criteria. I'm not going to be able to address Commissioner Laing's concerns. We've presented these to you with an application of the criteria to them in a fair and impartial manner as a staff recommendation to you.

Chair Hilhorst:

Okay, so I appreciate that. And I would just say maybe the Commissioners set this open, if we – anyone passes, to me I feel it's fair game if it's offered to one amendment, I feel like it might be offered to others. I feel we can discuss that if somebody passes. So I just want to be consistent.

Mr. Cullen:

Madam Chair, if I may add a few other remarks to the record. It's not unlike any other recommendation you make to City Council. Or you may have additional recommendations to make. You did that with the Aegis code amendment. You didn't just make it a decision whether or not it was consistent, but you also added some other variables into it that you wanted Council to consider. And that's what we're presenting here. It's not that one is contingent upon the other, it's that staff's recommending that we find it consistent with the threshold criteria and that we're also recommending that you consider putting in this facilitated community planning process. The reason simply is that we know the community has really struggled for several years over this amendment, and that we've seen a lot of division created because of this plan amendment. And what we wanted to do is be absolutely sure, you know, that this – there was no opportunity for a win-win situation. Because right now there is no win-win situation perhaps in that, but we wanted to be sure that you had the opportunity should you so choose. And that's what staff put out there for you as an additional recommendation along with the determination of making the threshold criteria, meeting the threshold criteria. So that was the perspective and context from which we came.

Chair Hilhorst:

No, and I appreciate that and I understand how it got here, but I'm looking at Chair, I have five applicants essentially. Five code plan amendments. I want to be fair to everybody, and that's kind of just what I'm pointing out, is we have five that we're reviewing this evening. So I understand what we've got here with one, I just want to be consistent. So, Vice Chair, did you have a comment?

Commissioner deVadoss:

A question if I may. I'm not a land use attorney, but I would like some context on the evolution of the threshold review criteria. Just some context on, you know, how often do we go back and review those criteria, and what is the nature of the changed management for those.

Mr. Matz:

Okay. We've had these in place since the early 2000s in response to Growth Management Hearings Board direction that our – hold the laughter – that our process was opaque and was not treating people in a manner consistent with the Growth Management Act. We have certainly heard variations on the theme, but as far as staff

is concerned, this is statute, this is the Bellevue Land Use Code, this is what we've been asked and tasked with implementing. If Council desires to explore the issues Commissioner Laing has addressed in your questioning, then we would look to Council to direct that for us.

Commissioner Carlson: Did Council direct the process to change in the first place to what it is now?

Mr. Matz: The Council had a significant role to play in the adoption of the current Land Use Code requirements for Comprehensive Plan amendments.

Mr. Cullen: And if I may, Nicholas, the actual ordinance which is embedded in the code, the Land Use Code, was passed by City Council January 3, 2006.

Commissioner deVadoss: Thank you.

Chair Hilhorst: Good update. Maybe it's time to revisit.

Commissioner Walter: May I make a comment?

Chair Hilhorst: Commissioner.

Commissioner Walter: Thank you for all you do for us and coming and talking to us. But the code is written – and you said Council's direction – but the public can approach Council to have code changed. And I know one particular group near and dear to me who did exactly that who had like no foundational knowledge of how to do that. I think in the digital age and everything moving so much faster and so much more ability, I wouldn't be at all surprised if someone from the public contacted Council and asked for just that. There have been comments about what appears to be a lack of transparency, and I think that that's unfortunate that it gets perceived that way, but when you're trying to do too many things too often, too many pressures, getting it all communicated adequately has got to be an inordinate task. So to streamline the process, make it really easy to understand, wrap some communication mechanism within it that makes sure everyone is included, no one is left out unless they choose to be left out, I would highly recommend going that direction. And I hope someone does. Because I don't have time.

Chair Hilhorst: Alright. Any other comments on the overall before we go into out specific? Okay, so Mr. Matz, we can start with our first Comprehensive Plan amendment.

iv. Park Lands Policy #1

Mr. Matz: Alright, so we'll go to Park Lands Policy #1. Certainly attendant to the effect that is up on the screen. It's also available in the staff report packet, it's available online and it's available in print in our

application file folder that's kept as a public record at City Hall.

Ms. Bennett:

We can't hear out here.

Mr. Matz:

I know you can't. So this is – and I'll direct you to – if you've all brought your books there, the spiral books – I'll direct you to the staff report that's in there. This is the threshold review stage of the annual amendment process. I'm going to reiterated what we presented to you in terms of the hearing just to ground you in terms of the discussion you'll have around the study session. This privately initiated application would amend policy or text in the Comprehensive Plan. Three new policies are proposed in the Parks, Recreation and Open Space element. These policies would restrict or regulate review or changes of use of acquired park lands and park properties by citizens, the Parks Board, and in the city's formal rezone process. Staff recommends not including this Comprehensive Plan amendment application in the 2016 work program. So I'll briefly touch –

Chair Hilhorst:

Mr. Matz, refresh me. The policies that you just had, that's existing or is that the recommended?

Mr. Matz:

These are new policies that have been proposed with the application.

Chair Hilhorst:

Okay, so they don't exist today.

Mr. Matz:

They don't exist today, that's correct.

Commissioner Carlson:

Proposed by?

Mr. Matz:

Sorry?

Commissioner Carlson:

Proposed by?

Ms. Bennett:

Can you guys show us what the staff is refusing to show to the audience. Can you make copies?

Mr. Bidwell:

Because what we're –

Chair Hilhorst:

Alright, alright, alright –

Ms. Bennett:

They are not –

Chair Hilhorst:

– alright, alright. Alright, Ms. Bennett, thank you. Can we go back please and just read those clearly for everybody in the audience so there's no question?

Mr. Matz:

These three proposed policies, which again were submitted and referenced. Protect and prevent park lands, acquired through city wide bond measures, i.e. Bellevue taxpayers, from being used for purposes that are inconsistent with park dedicated used, unless

such uses are approved by citizens of the city. The second proposal, require park property restricting public use and/or park access for longer than a six month duration, shall be deemed permanent and require review and approval by the city Parks and Community Services Board for closures related to non-park uses. The third proposed policy, require park lands that are to be converted or partially converted for uses other than park dedicated use shall be formally rezoned and subject to the city public review process.

- Chair Hilhorst: So these don't exist today, these are recommended with the amendment that's been proposed.
- Mr. Matz: That's correct.
- Commissioner Carlson: And again, recommended by?
- Mr. Matz: Private citizens.
- Commissioner Carlson: Great, thank you.
- Chair Hilhorst: Alright, thank you.
- Commissioner Carlson: Can I propose, Madam Chair, that we all go around the table since we've heard the testimony, we've reviewed the documents, we've heard from staff, express an opinion and then vote?
- Chair Hilhorst: Okay. Is there anything else you need to present before we have a discussion, Mr. Matz?
- Mr. Matz: Let me get back to where I need to be, my apologies.
- Chair Hilhorst: I just want to make sure we have all the information, then yes, we'll go around the table.
- Mr. Matz: Where is that? Okay. Bear with me here. Nothing like technology. That's what I'm looking for. We're recommending that it does not meet threshold review and to not include it in the work program. We've outlined for you those decision criteria that we're discussing tonight as a basis for our recommendation to you.
- Chair Hilhorst: So can we put all that in black so the people in the audience can see it? I don't know why it's grayed out. Because we're not done with it, right?
- Mr. Matz: I'd have to go open up the slide. I can make copies and –
- Commissioner Barksdale: Just hit escape and then you'll be on the slide.
- Chair Hilhorst: Because that's hard to read for the audience.
- Commissioner Barksdale: And then you can hide the top bar and – you want me to –

Commissioner Laing: I'm learning something here from Commissioner Barksdale.

Commissioner Carlson: He's amazing.

Commissioner Laing: Yes, he is.

Chair Hilhorst: Okay, so can the back row see that? It's black now, can you see that? Okay. So the staff recommendation – Mr. Matz do you want to just read that?

Mr. Matz: The staff recommendation is that this application before you does not meet the threshold review decision criteria, and we recommend that you do not include it in the work program. And these follow essentially the decision criteria for threshold review. The proposal intends restrictions to the City Council's legislative authority. This is a matter of law, not policy. The three-year rule does not apply. The Comprehensive Plan amendment process is not the place to examine how a work program, in this case the East Link Memorandum of Agreement, is implemented. And you have materials in your packets both from the applicant and from the City Attorney attesting to that process. This is a policy that – the Comprehensive Plan is a citywide document, and this policy is directed at parks. This isn't about East Link. The proposal cannot be reasonably reviewed because it implies statutory change to the relationship between an issuing jurisdiction and the taxpayers who's taxes are pledged to the payment of bonds. And again, making reference to the material in your packets, the statutory change is a matter of law, not policy. That's not what the Comprehensive Plan exists to do. The policy implementation, in this case we have an existing policy, PA-37, did not create an unanticipated consequence – this is the significantly changed conditions aspect – suggesting that we need additional policy in order to address these issues. The proposal is inconsistent with both the Countywide Planning Policies and the Growth Management Act. Happy to spend some detail on that with you in the staff report. And we have not had any law or legal decision that has directed consideration of this change. So it meets the three-year rule but that's it.

Chair Hilhorst: It meets the three-year rule but that's it?

Mr. Matz: Happy to explain that. The idea behind the three-year rule is if you make an application and consideration is given by Council, either at threshold review or final review, if that consideration is not favorable, that you cannot come back for a period of three years and raise the same question or the same issue. This proposal has not been presented to you or to the Council within the last three years. But that's it.

Chair Hilhorst: Alright. So, Commissioner Morisseau, and then who would like to go next?

Commissioner Morisseau: Mr. Matz, could you – I’m not a lawyer – could you elaborate a little bit more for me on the difference between established statute of law versus a policy? That it’s a matter of law and not policy? Could you elaborate a little bit for me on that so I can understand it better?

Mr. Matz: I’m not an attorney, either, but what’s before you are policies that would in the Comprehensive Plan force a change that is – the issue of that change is directed through a matter of law, the Council’s legislative authority, not the policy basis by which we consider land use decisions.

Commissioner Morisseau: Thank you.

Chair Hilhorst: Commissioner Carlson.

Commissioner Carlson: Just a quick question for the one member of the Planning Commission that is a land use attorney, Mr. Laing. How is it legal, Aaron, for the city to buy park land with taxpayer financing and then use said park land for a different purpose?

Commissioner Laing: That’s a good question, Commissioner Carlson, and I’m not going to give legal advice to the Commission. But having been through – having watched cities around the state of Washington try to sell park land to private developers, and watch the ensuing lawsuits, it’s kind of surprising to me that – it was a surprise to me reading the staff analysis in the memo, and I did take the time to look at the cases, especially the stuff on the bonds, which is really an apples/oranges issue here. Really, what I look at here – and I’m getting into my kind of comments on this – this is really just about, like we call ourselves a city in a park, right? We have all these discussions as a community, we have these discussions as a planning commission about oh, we need to increase our tree canopy and all the rest of this good stuff. Well, what we have right now, and what we have as a consequence – and these are things that this Commission has talked about before, we’ve talked about the fact that we don’t zone property park in the city. It’s just like whatever, if it’s in a neighborhood it’s going to be single family zoning and the rest of it. We don’t do that. We’ve talked about how we don’t designate as park property in our Comprehensive Plan, and one of the consequences of that is that when park land goes to be disposed of, there’s no public process like this. That’s exactly what’s happening right now with the light rail project. And the issue of the bond – the issue between the bond – this is like that doesn’t have anything to do with the question of the disposition of the property. The issue with the bond is, when the city borrowed money and bought the property, and was using tax revenue to pay off that bond, did it default on its bond obligations just like somebody might default on a car payment or a mortgage payment. It’s a different issue there.

Commissioner Carlson: Well, how is it not bait and switch?

Commissioner Laing: Well, I'm not going to get into whether it's bait and switch as a matter of black letter law. What I'll simply say is I think that the community, especially a community that calls itself a city in a park, it feels an awful lot like bait and switch when you create a behind-closed-doors administrative – not legislative, not – this is an executive process set forth in the city's code. And by the way, the city code says before disposing of surplus real property dot dot dot with an estimated value of more than \$50,000, or an – the city shall hold a public hearing. And I'm going to guess that 260,700 cubic yards of the Mercer Slough is more valuable, is worth more than \$50,000, not to mention the acres of park land there. So what I see here, when I read the staff report was, this is an effort to preserve the status quo, which is the city can do exactly what Mr. Bidwell described, which is go out, do a big park levy, get everybody excited, get their tax dollars, but when something comes along that they think is a higher priority for them – in this case, the light rail project, who knows what it will be next time – that they can quietly behind closed doors go ahead and dispose of the property.

Commissioner Carlson: And I'm aware of these, in other communities, where say park land that had been bequeathed by a family many years ago as a park ends up being sold. This is far more recent. I remember that bond issue, I voted for that bond issue when I lived in Enatai. And again, this seems to me to be a classic case of give us this money, we will buy this land and use it for this purpose, and now they're saying except now we don't want to. I'm voting for these amendments.

Commissioner Laing: I believe the amendments satisfy. I think changed circumstances, again, boy, let's see, my first year on the Commission we heard that when a church decides it wants to provide housing for the needy that's a changed circumstance because that's a new mission for the church, even though the church's that I've attended and the churches I believe in have been doing that for millennia. So I'm not going to get caught up in the whole changed circumstance thing. I think this is a policy consideration for the City Council and I think the only way the City Council is going to hear the message that it's not okay to take our tax dollars for one purpose and then allow for the city's executive side, the staff, to go and dispose of it for another purpose. This is how we get that conversation going. And I would support this as well.

Mr. Matz: If I could focus the Commission's attention on the Comprehensive Plan amendment. Yes, you are seeing material that was provided to us by the City Attorney's Office. This is about the tool that you are proposing to effect change. Whether or not you agree or disagree with the issues around bonds and park lands and stuff, the tool that's being proposed before you is to write policies into the Comprehensive Plan to address a matter of law, when the Comprehensive Plan exists to address matters of policy. That's the

framework that we're presenting to you, whether or not you want to revisit the circumstances of the bond issue itself. I would also point out that in the materials, the amended MOU, the East Link MOU, is conveying approximately two acres of property within the Mercer Slough Nature Park –

Audience: No. Wrong. (General murmuring.)

Mr. Matz: – and replacing that where the city is acquiring approximately 6.1 acres of replacement property in the Mercer Slough.

Mr. Bidwell: Wrong.

Audience: (General murmuring.)

Mr. Matz: So, numbers don't lie.

Chair Hilhorst: I am going to ask one more time for the audience, raise your hands if you agree. If you disagree, please don't say anything. We're going to keep going, and if we keep getting verbal comments to anything, I will adjourn the meeting and we won't get any further this evening. So I'm going to ask everybody to be respectful, please. So we can continue on and get this done. Thank you.

Any other comments or discussion? Commissioner Walter.

Commissioner Walter: So, Mr. Matz, if we wanted to get a zone for a park, what would be the appropriate approach to take? Would it be to approach having a code change? Is that how it becomes law, as opposed to policy?

Mr. Matz: For purposes of clarification, Commissioner Walter, this does not contain that proposal, the other one does. The other park lands policy actually is suggesting that we rezone park lands.

Commissioner Walter: Yes, yes. I lost my packet because it wasn't bound. So.

Mr. Matz: And I just lost my picture.

Commissioner Walter: A lot of losing happening.

Mr. Matz: There. In terms of establishing a new zone, you would have to go back and visit it through the Comprehensive Plan amendment process in terms of the designation that would exist. If you started out with a zone for which you had not consistency within the Comprehensive Plan, you would be putting the cart before the horse. So the question, again, a question posed to the City Council would be is this something desirable? And in fact, that's what's being asked here is to develop such a policy that would direct that future rezone to establish a park zone in the city.

Chair Hilhorst: That's the second one.

Mr. Matz: That's the second one, yes.

Commissioner Walter: I thought we were talking about both together.

Chair Hilhorst: It's very confusing.

Mr. Matz: They're both very similar, but the way that they've been presented by different individuals, and the way that they're distinguished for you, the second one is worded slightly differently. And I'll read those policies when we get to it. But it also adds in that component that you would be directed specifically to go out and zone all the park lands in the city with a park zone. And in order to do that, you would require additional work around the Comprehensive Plan, and since you've just gone through a major update, it would be an issue for the Council to bring up. We're also suggesting that that is outside the resources of the annual Comprehensive Plan amendment framework, another reason that we find it does not meet that specific criteria, the reasonably reviewed.

Commissioner Walter: Okay.

Mr. Matz: It leads to bigger things, in other words.

Chair Hilhorst: Commissioner Barksdale.

Commissioner Barksdale: Would this first part amendment proposal, application, be addressed in providing a park zone? Does that make any sense? Part of the park zone we could specify the review process required for that zone?

Mr. Matz: You could. I think you'd have to get through to where you're amending the development regulations, which is called the Land Use Code amendment. You'd have to get through the Comprehensive Plan issue and then get to the LUCA part, which would actually put in place the development regulations that would be associated with a park zone.

Commissioner Barksdale: Okay, right.

Chair Hilhorst: Any other questions or discussion? Okay, so kind of final call, discussions. I want to kind of get a consensus if people are ready to go for a vote to pass threshold review to move this to the next phase. I think that's where we are, unless any more discussion is going to happen. Okay, so I have Commissioner Barksdale and Commissioner Morisseau.

Commissioner Barksdale: Alright, so one question about these criteria. Are you suggesting, then, that we would have to provide an alternate explanation for each of the criteria that you're saying that isn't met in order to proceed?

Mr. Matz: I do not. The staff recommendation before you is to not advance

this out of threshold review. The language that's at the bottom of page one of your packet materials tonight allows you to simply state that preference, if you're recommending – if you're recognizing that the staff recommendation is how you want to advance your decision.

Commissioner Barksdale: Right. But I guess my question is, when Council gets it, essentially, if the recommendation provided by staff on all but one of the criteria shows that it doesn't meet the criteria, then we would essentially have to say it does in fact meet the criteria.

Mr. Matz: If you chose to do that, the transmittal document that you would convey would say –

Chair Hilhorst: Why.

Mr. Matz: – we accepted the staff recommendation and here's why we think it should not be advanced to threshold review. And because this is part of the recommendation that's before you right now, you could include that. Obviously you could include anything else that you believe is important in your recommendation to convey that. It is a legislative matter.

Chair Hilhorst: Well, I think you were saying or move it forward but explain why.

Commissioner Barksdale: Yeah. So if we move it forward, does the explanation or the rationale have to show that it meets threshold in the transmittal document.

Mr. Matz: I would suggest that the charge to you in the Land Use Code is that you advance a recommendation of approval or denial based on the decision criteria.

Commissioner Barksdale: Sure, sure.

Chair Hilhorst: Commissioner Morisseau.

Commissioner Morisseau: Well I think based on the conversation we heard tonight is that most of us agreed that the process needs to be improved. That being said, sadly what we have in front of us is to decide whether or not to move forward based on these seven criteria. Whether or not we agree with the process, what we need to do tonight is decide to move forward based on these seven criteria. And with respect of the first criteria being a statute of law and not of policy, I think it shows that this particular amendment does not meet six of the seven. That being said, I still think we need to send – as we move forward, whether we decide to approve it or not, as we move forward and we make our presentation to the Council, we find a way to make it clear to them that we'd like the process revisited. And I welcome that overall communication.

Mr. Matz: Your transmittal document allows you to address that.

Chair Hilhorst: I think we'll do that in our overall. I agree with you, we should do that for sure.

Commissioner Morisseau: But my point is, we all have to remember tonight our purpose is to move forward – make a decision to move forward or not based on these seven criteria, not that we agree or not agree with the process itself. That's the sad reality that we're all confronted with tonight.

Chair Hilhorst: Right, yeah. So, Mr. Matz, I have one question. All the other applications showed kind of the applicant document in the – but these two don't have the applicant document.

Mr. Matz: Yeah, they –

Chair Hilhorst: Does it show that they've been received by the city?

Mr. Matz: – do, we gave it to you separately. So it's attached to the materials that we provided to you subsequent to that.

Chair Hilhorst: They were in there?

Mr. Matz: Yeah, we shared that with you in advance of the hearing. They're not in the spiral bound, they're in the – we provided them to you in advance of the hearing.

Chair Hilhorst: Okay.

Mr. Matz: And we put them online and they're already part of the application record that's available at City Hall. We have them in three different places.

Chair Hilhorst: Okay. I was just looking for the specifics on the description, because we keep kind of getting a little confused on the description.

Mr. Matz: The description that was submitted to us was that single page of the three, of the policy language that was proposed, in addition to the application form and the environmental checklist. The material that was submitted by Mr. Bidwell subsequent to that we've provided in your packets tonight.

Chair Hilhorst: Alright. So, any other final discussion on this so we can move on? Okay. So, with that, with the discussion, with the criteria, I guess I will, instead of a verbal, do a show of hands. Who approves that this should move forward –

Mr. Matz: Madam Chair, could you do a motion and a second.

Chair Hilhorst: Okay, I will do a motion and a second.

Mr. Matz: Sorry.

Chair Hilhorst: Okay, thank you for reminding me of the rules. So, I will entertain a motion to approve –

Mr. Matz: I would say I would entertain a motion and stop there.

Chair Hilhorst: Okay. I would entertain a motion, and stop there. Commissioner Laing.

Commissioner Laing: Madam Chair, I move to recommend initiation of the Park Lands Policy #1 Comprehensive Plan amendment application for the 2016 annual Comprehensive Plan work program.

Chair Hilhorst: Your motion is to move forward on the Park Policy #1 presented before us.

Commissioner Laing: Yes.

Chair Hilhorst: Thank you. Okay, I hear a motion to approve to move forward on threshold review. Do I hear a second?

Commissioner deVadoss: Second.

Chair Hilhorst: I hear a second to move forward. Any discussion?

Commissioner Laing: May I speak to my motion?

Chair Hilhorst: Yes, Commissioner Laing.

Commissioner Laing: So, I'm just going to go through the bullet points up here and give the counterpoint, right? The proposal intends restrictions on the City Council legislative authority. Hey, guess what, so does every single policy in our Comprehensive Plan. Okay? Remember, all of the Land Use Code, everything that the city adopts, has to be consistent with the Comprehensive Plan. The Comprehensive Plan is the umbrella. Everything has – all of the actual implementing regulations, the zoning code and the rest of it, have to be consistent with that and implement it. The Comprehensive Plan is necessarily by its just being a restriction on the Council's otherwise unbridled legislative authority. Okay? So, I don't know what that means, but to me it's no different than if you'd designate – if you put the Comprehensive Plan designation of park, yeah, it says you have to zone it park. If you put the Comprehensive Plan designation of Neighborhood Business, you have to zone it Neighborhood Business. So this is not unique, this is not different than anything else in our Comprehensive Plan or how it works. Mr. Matz, I'm losing my slides.

Mr. Matz: Sorry, I know.

Commissioner Laing: Thank you.

Mr. Matz:

Well, you're talking.

Commissioner Laing:

I know, but I need my bullet points. Okay, we already agree the three-year rule doesn't apply. The Comprehensive Plan amendment process is not the place to examine how the work program East Link MOU is implemented. That's not what they're asking for here. That's not what's being proposed. This is a general policy that says, hey, this is what the process is going to look like, and this is what the policy – the policy is going to be going forward, right? So the East Link MOU, that might be in our packet. Certainly there's been some public testimony about it, but the East Link thing is a done deal, or at least until they acknowledge that they can't get across the bridge. This is a prospective thing. This is looking to avoid having this happen again. So that to me is a red herring. Fourth bullet point, proposal cannot be reasonably reviewed because it implies statutory change to the relationship between an issuing jurisdiction and the taxpayers whose taxes are pledged to the payment of the bonds. Wow. When I read that in my packet and then I went and looked at the cases, it's like, again, another red herring. It doesn't have anything to do with the relationship between us as the taxpayers and the issuing jurisdiction, the city, about paying off the debt that we authorized the city to incur to buy us a park. Okay? So I don't understand why that's even in here. Next bullet point. Policy implementation, and then parentheses PA-37 closed parentheses – this is in our current Comprehensive Plan – did not create an unanticipated consequence suggesting that additional policy is necessary. Again, another red herring. Let's all focus down on just one policy, PA-37, and say that's the issue. No, that's not the issue. The unintended consequence is that policy PA-37 as well as the rest of the policies in the city's park Comprehensive Plan element did not anticipate that the city would dispose of massive amounts of park land in a city in a park behind closed doors. That's what this is about going forward. It's not about the East Link project. Finally, proposal is inconsistent with both CPP and GMA. The Countywide Planning Policies and the GMA? Okay, so I can't find a single Countywide Planning Policy that says the city of Bellevue's legislative body couldn't adopt a Comprehensive Plan policy that says, hey, when we go forward and we deal with park property, and the disposition of park property, we're going to do a few things, we're going to zone it park property, we're going to make sure that we're not using park property for things that are not recreational purposes, that if we're going to allow for park property to be encumbered, like as a construction site or anything else that isn't a park purpose for more than six months, it should be – it's going to be deemed permanent – which by the way is what state law says, so this actually makes it consistent – or prohibit park lands acquired from citywide bond measures from being used for non-park purposes unless they go through a ballot measure. I don't see why the City Council couldn't adopt any and all of those policies. And I know that I'm speaking to both of them in the one, but again I'm not aware of a single policy that this – in state law or the Countywide

Planning Policies, which – we’re the city of Bellevue, we’re an independent jurisdiction, but anyway – have any bearing here. And yes, it’s true that no law or legal decision has directed this change, but the same is also true, which is that no law or legal decision says that we couldn’t recommend that our City Council take an honest look at this.

Commissioner Carlson: Doesn’t disallow it either.

Commissioner Laing: Yeah. So, we have a big change. We have recently experienced what happens under our current Comprehensive Plan when an agency comes in and decides to acquire a bunch of park property that was acquired through a bond measure. This is an opportunity to push this on for substantive review. And that’s why – thank you for allowing me to speak to my motion.

Chair Hilhorst: Alright. So you’re not changing your motion. Comment on the motion. Any other comment? Okay, I have a motion, I have a second to move this forward past this stage of threshold review and request City Council include this in the 2016 annual CPA review. So with that motion on the floor, how many in favor say aye.

(All Commissioners said aye.)

Chair Hilhorst: Any opposed say nay.

(There were no Commissioners opposed.)

Chair Hilhorst: So I have unanimous approval to move this forward. Okay, alright, thank you.

v. Park Lands Policy #2

Chair Hilhorst: Alright, Mr. Matz, we’ll move on to the second one. And hopefully it will be similar enough that maybe some of the discussion has already occurred for that one. So we can – I have pumpkins, or coaches turning into pumpkins. So I don’t want to go too late into the evening. So, thank you. Okay.

Mr. Matz: Park Lands Policy #2 before you. Caution that while similar it does have a different set of components to it, primarily in that it includes a fourth policy. This would amend text in the Comprehensive Plan with three new policies in the Park, Recreation and Open Space Element. The fourth policy would require city owned park lands to be designated with new park designation, limiting uses on these lands solely to active and passive recreation and open space. It would restrict to regulate, review and changes in use of acquired park lands and park appropriated by citizens, park boards and the city’s formal rezoning process. I’ll go back and read it. Prohibit park lands acquired through citywide bond measures, i.e. Bellevue taxpayers, from being used for non-park purposes unless such uses are approved

through a citywide ballot measure. Per RCW 79A.25.100 and RCFB Manual 7 use of any park property for non-park uses that exceeds access for longer than six months duration shall be deemed permanent and shall require approval by the city Parks and Community Services Board and City Council. Require city owned park lands to be designated as such in the Comprehensive Plan and zoned with a park zoning designation, limiting uses solely to active and passive recreation and open space. And the fourth policy, prior to using any dedicated public park land for non-recreational or open space use, the Comprehensive Plan shall be amended and the property shall be rezoned as a condition of such use. And I'll turn this off again so that we can see it in black.

Chair Hilhorst: Thank you for that.

Commissioner Barksdale: Hit escape.

Mr. Matz: Escape

Chair Hilhorst: Thank you. Okay.

Mr. Matz: Clarify for you since Commissioner Laing will already go through it for us again, that the third criterion addresses the fourth policy in regards to the adequacy of existing policies to designate park lands with a park designation, pointing out that the Comprehensive Plan already has a designation for public lands with a P or a PF, and that is public or public facility.

Chair Hilhorst: Okay. So I guess my question is, the city already has a P designating parks, then the proposal is asking for what? Where's the gap? What parks are –

Mr. Matz: Are you addressing that to me?

Chair Hilhorst: I guess I am addressing – just trying to understand the gaps if we're asking for everything to be designated parks, but you're saying we have a designation –

Mr. Matz: We have the designations and we have zoning, and the Growth Management Act requires them to be consistent. And what the city has accomplished with the P or the PF is to designate those park lands with that specific designation so that they can apply policy to it. The zoning that underlies those is the zoning that is consistent across the city in terms of other uses. They are predominantly zoned for residential uses in deference usually to the fact that these facilities exist with other similar uses, similar residential uses, and so the idea that the protections that are extended to a residential zone also apply to a park use. So it's been the city's longstanding policy process in law to have the underlying zoning for these public facilities be consistent with what's going on around it. I can switch to the Comprehensive Plan map if you want, we just got it on our phones today. So, that idea that you are protecting park

lands through zoning implementation in relation existing in policy and law for the city to be able to say we need to be able to ensure that these facilities, which sit in residential areas, which sit in commercial areas, which sit in downtown areas, are treated appropriately and consistently with the zoning around them.

Chair Hilhorst: Okay. Commissioner Carlson and then Commissioner Laing.

Commissioner Carlson: No, Commissioner Laing.

Commissioner Laing: So, just to speak to this nuance in this one. And I believe that Mr. Cullen has the Comprehensive Plan map up. And I thought it would probably be easy to just look at the Slough because it's a huge swath.

Mr. Matz: I think we can do it here, too.

Commissioner Laing: Oh, okay. Or throw it up here.

Mr. Matz: I can see the arrow. Oh, come on.

Chair Hilhorst: Do you want to make your comments quickly?

Commissioner Laing: Alright, just quick comments. So the city has the little P there, but the point here is this. If you have a zone, a zoning designation, that is park, and the only thing that's allowed in that zone is park, then in order to allow something else, you have to rezone it. Which is a public process. So what this proposal does, at least in my mind – and I didn't hear all of the testimony from the proponents, but I've read the minutes – is what it does is it's a stop and pause to let the public know, hey, the city wants to do something else with a park and is changing the zoning on the park so it can do something else on the park. And it's really just about, it's the transparency. It's a stop and pause thing. And so while there is this little – and you can see it up on the map, the P there – the P designation, the park or – pardon me, the public designation – doesn't require like any additional public process. It doesn't require, it just allows – on some level it doesn't do anything. And so this Comprehensive Plan amendment that would basically require all parks to be zoned parks would then necessarily by implication, if they were going to be changed from parks to something else, would require them to be unzoned parks. And that's the point.

Commissioner Carlson: It guarantees a public process that the proponents here said was lacking.

Chair Hilhorst: Okay. Any other comments? Any discussion?

Commissioner Walter: I just want to highlight something, and of course I don't have the document in front of me, but in one of the documents we got within the last few weeks it used the example of how the park got changed, how this transaction happened. And in the legal

document, it said that it was zoned R-1 unimproved. So if you're reading that and not checking the maps and not doing any other research, you think it's a vacant lot as opposed to a park. And so to me that's the significance of this, is that it can't accidentally have happen to it because somebody didn't look in multiple places.

Chair Hilhorst: Yeah, and I'm glad you brought that up, because I know that at this Commission we've specifically asked for parks designation when we were doing the siting of the marijuana shops. One of the data points we specifically asked for was parks, right? And so we definitely need to have that data clear and accurate, so when people are pulling that data to make other decisions, it needs to be accurate as to what the designations. I agree with that and I can use that as an example of how we've pulled requests for parks to make decisions.

Commissioner Walter: I think consistency is too.

Chair Hilhorst: Agreed. Any other questions on this item? Okay, so with that I would entertain a motion and stop there. I'm nothing but consistent.

Mr. Matz: Oh, I heard it.

Chair Hilhorst: Oh, I'm sorry. Commissioner Laing.

Commissioner Laing: I move to recommend initiation of the Parks Land Policy #2 Comprehensive Plan amendment application for the 2016 annual Comprehensive Plan work program.

Chair Hilhorst: Okay. I have a motion on the floor. Do I hear a second for the motion?

Commissioner deVadoss: Second.

Commissioner Carlson: Second.

Chair Hilhorst: I hear two seconds, so you guys will have to fight over it, or the people doing the minutes will. Alright, so I hear a motion and a second, do I hear any discussion? Any further discussion? Yes, but brief.

Commissioner Laing: I simply incorporate my prior comments.

Chair Hilhorst: Thank you. Any other discussion? Okay, so I hear a motion to approve the move this forward to Council to recommend to include this in the 2016 CPA review. I hear a second. All in favor say aye.

(All Commissioners said aye.)

Chair Hilhorst: All opposed say nay.

(There were no Commissioners opposed.)

Chair Hilhorst: I hear none. The ayes have it. This moves forward unanimously. Alright, thank you, Commissioners. Okay.

i. Naficy

Chair Hilhorst: Mr. Matz, we are now on our next item.

Mr. Matz: Direct the Commission to the Naficy mixed use threshold review application.

Chair Hilhorst: Mr. Matz, one moment, I apologize.

Commissioner Laing: So I apologize to the public hear because I feel a little bit like I'm leaving my duties. This is Commissioner Laing for the record. I have to recuse myself from the remaining discussions, remaining amendments this evening. I will represent to the Commission and for the public that I do not and my firm does not represent any of the remaining applicants. No financial interest. But there has been an issue that has been raised and it would – it's just my preference, and for those of you who have served with me for the last four and a half years, you know that I recuse myself even if there's the slightest hint of anything, and in this instance I'm going to have to recuse myself for the remainder of this discussion. So my apologies to the Commission, leaving you a vote short, but the public can probably appreciate that you don't have to listen to me anymore, at least this evening.

(Commissioner Laing left the meeting.)

Chair Hilhorst: Okay, Mr. Matz. Thank you.

Mr. Matz: Direct your attention to the Naficy mixed use application at 15700 Bel-Red Road. The staff recommendation is to not include this in the CPA work program, but if you do choose to include it, to expand the geographic scope to include all of the property located between Bel-Red Road, NE 28th and 156th Avenue NE in the Crossroads subarea. The proposed map change is from the existing designation of Office to the Bel-Red Residential/Commercial Node 3, which is the BR-RC 3. The site is just over half an acre. Some context for you here. Naficy is right there. Right there. Everybody can see that. The staff recommendation to you is that this does not meet the threshold review decision criteria and that you should not include it in the Comprehensive Plan amendment work program. The proposal would require changing the subarea boundary and you simply can't assign new zoning and you can't assign a new designation, in part because the Bel-Red subarea is legally described, and zones in the Bel-Red subarea and designations in the Bel-Red subarea have to be within the boundaries of the Bel-Red subarea. So were you to advance this, you actually wouldn't be able to do it. It does raise issues that are more appropriately

addresses by an ongoing work program approved by the Council. You've heard that referred to as the Bel-Red look back. We had our first focus group discussion today. The Bel-Red look back is set in statute to essentially have us go back and look at the Bel-Red subarea and the Bel-Red regulations since their adoption in 2009 to see how things are going. If this is an issue, it's warranted for that kind of review, then you could direct that this application be considered as the Bel-Red look back in turn creates its sets of recommendations for Council to take action. A cautionary note, the look back is an analysis of what's going on, what people think is right and what's wrong. The recommendation of staff that would come forward to Council, Council would consider those recommendations and direct additional work if necessary. You would then see applications like this as part of that. Because it's requiring a subarea boundary, and raises these issues, they are more appropriately addressed somewhere else than the Comprehensive Plan amendment process. Oops, just got a little trigger happy there. And I'm going to stop there.

Chair Hilhorst:

Alright. No worries. I think we got the gist.

Mr. Matz:

Okay, I'll stop.

Chair Hilhorst:

So, Mr. Matz, if I asked this question before I apologize. So, the Bel-Red look back just kicked off, I believe like this month, correct?

Mr. Matz:

Actually we've been at it for a while, but it's gone public this month. We had our first set of – we have two focus groups –

Chair Hilhorst:

Today.

Mr. Matz:

– today, tomorrow and Friday.

Chair Hilhorst:

Okay. With that, what is the timing of that review to be done? And then, if the Naficy amendment is to be part of that work program, when does that applicant know whether or not their proposal could – to change the subarea – happen for them.

Mr. Matz:

A good set of questions. So, the Bel-Red look back right now, the charge is to deliver a report to Council before their August break. They will take the report recommendations under consideration in the fall. I can't speak to what they're going to do with them, but it's clearly been directed by them as a work program issue to advance. If you identify things that are going on in the Bel-Red subarea, then you're going to want to identify solutions to problems that have come up. This particular application as a Comprehensive Plan amendment would not continue as a Comprehensive Plan amendment, but the property would be considered as to whether or not appropriate designation and zoning exists, along with that question posed to other areas. We're certainly already hearing in the focus groups today that people feel

that their properties are designated and zoned in a manner that doesn't accomplish what the Bel-Red vision wants it to accomplish. We would pose that question, Council could direct that question, for other properties that are currently outside of the Bel-Red subarea for consideration to do that. I can't tell you how that would be going forward, I think that's a decision of the Council in terms of how they do that. It would certainly be no quicker or slower depending on your perspective than were this process to go forward and a rezone be necessary to accomplish what Dr. Naficy is seeking. The two processes are probably going to put you in the same place.

Chair Hilhorst: Okay, so timing-wise, about the same. Say Dr. Naficy's proposal goes in the Bel-Red look back. Say as they go through the next 60 days, you said kind of in August of where we're going to know, their proposal's deemed not to consider a change in the Bel-Red look back. Where does that leave the applicant? Are they dinged by the three-year, or could they come back to us and request another look?

Mr. Matz: The stuff happening over the next two months is not going to recommend a site-specific change in designation. We would suggest that the process has to address the appropriate land use designations and zoning on property, and Council in their action, should they choose to convey this to that work program, would say, and we want you to look at this site. But they're not going to direct a recommendation on that site. When the Council takes action on a threshold review application, then they have those choices in the Land Use Code. When they take that action, that shuts – that turns off the three-year window. So if this were directed to go into final review, obviously it would continue. If it were directed to stop, that would turn on the three-year rule. If it were directed into an appropriately address work program approved by the Council, it would turn on the three-year window.

Chair Hilhorst: Because I definitely – I understand the logic of including it in the Bel-Red look back because of all the changes happening, the transit coming through, all the affordable housing, TOD and everything going in. That makes sense.

Mr. Matz: Chair, we're recommending that because the act of doing this would require changing the subarea boundary –

Chair Hilhorst: I know.

Mr. Matz: – which you can't do.

Chair Hilhorst: Yeah, or right. Right. Absolutely. So I understand that change. I don't want the applicant to necessarily get dinged. If this doesn't move forward, I don't want them dinged because their timing was just bad because the Council is looking at the Bel-Red review right now, right? I don't want that person to lose out if it doesn't cross

threshold. That's why I'm just asking these questions.

Mr. Matz: So, applicants do have the opportunity to withdraw their applications before the Council takes that action.

Chair Hilhorst: And then – okay.

Mr. Matz: That doesn't turn on the three-year rule.

Chair Hilhorst: Okay, okay. Alright. What other discussions or questions, I'm sorry, do we have on this application? No discussions? Okay, so then I would entertain a motion and leave it at that. Vice Chair.

Commissioner deVadoss: Thank you, Chair. Thank you, staff. Thank you, Mr. Matz. It's been a really logically put argument. I move that we recommend no further consideration of this amendment for the 2016 Comprehensive Plan plan.

Chair Hilhorst: Alright. I have a motion on the floor to not move forward. Do I hear a second?

Commissioner Walter: Can I ask a question first?

Chair Hilhorst: I would ask for a second first.

Commissioner Carlson: I'll second it.

Chair Hilhorst: Second it for discussion? Okay I hear a motion and a second. Open for discussion now. Commissioner Walter.

Commissioner Walter: Okay. So when you said the applicant can withdraw their application, if we don't take it forward, would he withdraw his Comprehensive Plan amendment request? And then it's like a fresh slate for him after the Bel-Red?

Mr. Matz: I can't speak to what the applicant could or couldn't do.

Commissioner Walter: I'm saying what he could do.

Mr. Matz: The action that turns on the three-year rule is action by Council, not by the Commission.

Commissioner Walter: Okay.

Mr. Matz: The applicant could choose with withdraw his application and submit it next year. He could choose to withdraw his application and pitch it to the Bel-Red look back when those recommendations are presented to the Council, because they will address appropriate designations and land uses in the Bel-Red subarea. He could independently make that pitch to Council and that would certainly be part of the consideration for that to happen.

Chair Hilhorst: Thank you. Any other discussion on the motion on the table? Okay, so I have a motion, I have a second. We've had discussion. All in favor of the motion to not move the Naficy amendment forward to City Council to recommend for the CPA for 2016 review, all in favor say aye.

(All Commissioners said aye.)

Chair Hilhorst: All opposed say nay.

(There were no Commissioners opposed.)

Chair Hilhorst: Alright, the ayes have it. This does not move forward for threshold review.

ii. Eastgate Office Park

Mr. Matz: Okay, let's go find another one. The next application before you tonight is the second of our site-specific applications, the Eastgate Office Park threshold review application. This is property that is located at 15325-15395 SE 30th Place, it's behind the state patrol, behind the McDonalds, it's behind the two-story Starbucks, it's behind the place that treats animals.

Chair Hilhorst: Aerowood Veterinary Hospital.

Mr. Matz: Aerowood Veterinarian. The recommendation, the staff recommendation, is that you include this in the Comprehensive Plan amendment work program and that you expand the geographic scope to include two similarly situated properties which lie between the subject property and 156th Avenue SE. As noted in your packet materials, the Department of Natural Resources is an owner of those properties, and they have conveyed their interest in being part of the application, and have conveyed their interest to you in the recommendation that you make. The proposed change is from Office to Office/Limited Business on a 14-acre site here, and to essentially take another look at including this in some of the material that came out of the Eastgate land use and transportation plan. That process is closed. This is a direct Comprehensive Plan amendment process, but the applicant's case, and we believe they've identified it, and we consider it within the threshold criteria, is that it's worth looking at the issues that brought this to where it is. What they're hoping to get is an OLB designation that would be considered for other zones that are being contemplated to the Eastgate land use and transportation – the Land Use Code amendment process, the public hearing you're holding next week. Terry can convey more about the consequence of this decision.

Mr. Cullen: Madam Chair, members of the Commission, I want to add some additional information into the record. At your public hearing on July 1, one of the interested citizens out there, Michelle

Wannamaker, who's been attending all your sessions on the Eastgate Land Use Code amendment process, declined participating. And it's puzzled me. So I talked with her afterwards because I thought without her participating I think she – there may have been some confusion in some of the responses given, and sure enough there was. So I want to clarify the record. It is currently planned O for Office, and what the applicant would like to do is re-plan it to OLB, which is Office/Limited Business. Now, if that were to get approved, it would open up possible consideration of other zoning districts, which if deemed to be consistent with the Comprehensive Plan, may include, or would likely include, Office/Limited Business. And therein is part of the confusion, the planning category and the zoning district are named the same. So an Office/Limited Business permits a point five floor/area ratio. And then up for consideration is a new zoning district in the Eastgate Land Use Code amendment called OLB-2, Office/Limited Business-2, which is likely to be, if approved, is likely to be a zoning district that would be considered under the OLB plan umbrella. Did I –

Chair Hilhorst:

Got that.

Mr. Cullen:

So, once again, I'll try – I'll do it again. Picture you have an umbrella. I look at the plan categories as being an umbrella, and under each one of those umbrellas you have a variety of zoning districts that when rezoning occur are intended to implement the long-term development direction of the plan category, the umbrella. So, the applicant wants to re-plan from Office to Office/Limited Business, which then allows for a different set of zoning districts that could be considered. And likely – the likely possibility, assuming that those get approved, is that would permit consideration of OLB zoning and OLB-2 zoning. But because the plan category to which they want to change over to has the same name as a zoning district – they want to go from O, Office, to OLB, Office/Limited Business plan category. And then there's an Office/Limited Business zoning district that can be considered under there. The citizen that wanted to testify thought that was what the petitioner was applying for, was for the zoning district of OLB. No, it's to apply for the plan category of OLB. So there is a distinction there. And I did speak with Ms. Wannamaker and I said that – and thank you for your indulgence – that I would clarify that for the public, for the record and for the Commission. And that could permit consideration, if the zoning district of OLB-2 is approved, as part of the Eastgate code amendments, that could permit consideration of a floor/area ratio of one. And right now they have point five with the zoning that they're allowed.

Mr. Matz:

So what we'll test in final review is whether the potential of this area was overlooked, and then look at – because that's what we do with final review, we look at all the possible consequences of that designation decision on the potentially relevant zoning.

Chair Hilhorst: Right. And again, OLB planning changes – so it’s a point five FAR, but it goes from Office to residential can now be in that as well, correct? And if I read correctly, residential is unlimited in that?

Mr. Cullen: No –

Chair Hilhorst: Did I misread that?

Mr. Cullen: – I thought we were limiting the residential in the Office/Limited Business. There’s going to be retail and commercial.

Chair Hilhorst: Right, but wasn’t residential in there as well potentially, and that was part of the change, or just retail?

Mr. Cullen: I thought it was just retail, but I can check that if you give me a moment or so.

Chair Hilhorst: Okay. Alright, I thought I read unlimited residential. Okay.

Mr. Cullen: In OLB-2.

Chair Hilhorst: In OLB-2 – well, maybe that’s where I’m getting mixed up. OLB-2 allows residential.

Mr. Cullen: I’ll double-check that for you.

Chair Hilhorst: Okay. So OLB is really, for what we’re talking about for this Eastgate, the planning OLB, is just business, and we’re allowing for business in commercial to now reside.

Mr. Matz: It’s like the OLB that east of 156th, most of the yellow area that you see there.

Chair Hilhorst: So one of the questions I have is with this application, and the potential zone is, it’s a very heavily wooded business park. It’s basically a forest and there happens to be a bunch of buildings within it. It’s lovely, actually. Does the zoning change the amount of tree canopy that will be preserved?

Mr. Matz: There are limits to the impervious surface that’s allowed to be created. Those would continue to exist.

Chair Hilhorst: So, same? Changes?

Mr. Matz: There are, because of the effective transition, you’re going to have enhanced landscape buffers around the perimeter of the property.

Chair Hilhorst: Enhanced?

Mr. Matz: On the northern perimeter of the property. But the landscaping requirements for Office and OLB are comparable in terms of that

exterior, the perimeter landscaping that would be required. I can't tell you that the trees that are there now would continue to exist in that landscaping. It does have surface parking through the area, but you do have limits on what are called impervious surface, the parking and the building impervious surface.

Chair Hilhorst: But what about the tree canopy?

Mr. Matz: To the extent that you have significant trees that are identified, they would be required to be retained. And so your site design would address the retention of significant trees.

Chair Hilhorst: Okay. I just wanted to see if a percentage of the canopy with that would change, with this zone change.

Mr. Matz: I know it's frustrating, but that's threshold review. But that's certainly something in terms of the potential of this area redevelopment. We would address that in a manner consistent with how we looked at other Eastgate properties that also have that potential for redevelopment and are currently developed with tree canopy as a component of their site.

Commissioner Carlson: Would it be fair to say that it sets the standard for what would go forward?

Mr. Matz: I'm sorry?

Commissioner Carlson: Would it be fair to say that it sets the standard for what would go forward in terms of additional development?

Mr. Matz: I'm not sure what you mean by standard, Commissioner.

Commissioner Carlson: Well, the tree canopy that she's referring to.

Mr. Matz: Okay. Would the entire tree canopy be retained?

Commissioner Carlson: No, it wouldn't, right.

Mr. Matz: No. If they were to redevelop it tomorrow with a building permit, the entire tree canopy wouldn't be retained, but it would be subject to landscaping, significant tree retention, additional buffers along the transition zone to the north.

Mr. Cullen: And if I may add to that, the low-impact development standards is something that you're going through right now that will be approved, if they are able to hold to their schedule, which they are required to get something done for the National Pollution Discharge Elimination System, is driving this. So that is going to be – any changes to that is going to affect this, and some of the proposed changes in there will, are talking about increased tree retention and some other factors too. So there's a lot, there's a couple of other pieces that are moving in play that could impact

this too.

Chair Hilhorst: Mr. Matz, what's been the notification boundary to get to this point? Five hundred feet?

Mr. Matz: Five hundred feet, plus anybody who writes in as a party of record.

Chair Hilhorst: Ok, so the property has other businesses surrounding it. So, neighborhoods are well past 500 feet, so neighborhoods have not been communicated to.

Mr. Matz: Well, no, the 500 feet to the north there, that all got noticed.

Chair Hilhorst: They all got notice on that north?

Mr. Matz: What we do is we do it three different ways. We notify 500 feet. Sometimes it's the luck of the draw, but when we expanded the geographic scope, we extended that notice in all directions so that 500 feet goes from the outside boundaries of the expanded area. We signed the property – in this case we signed it in two places so that people drive by it on their way to and from their homes see the signage. And we put that notice in the weekly permit bulletin and also make reference to the newspaper of record, which is the *Seattle Times*. And of course that exists by mailing it out to people who asked for it to be mailed, to the people within 500 feet, anybody else who wants to become a party of record. We also put that information online.

Chair Hilhorst: Okay. And if it were to move forward threshold review, what is the boundary of notification?

Mr. Matz: We would do the same 500 foot, but we would also add in parties of record. So if you live in Northeast Bellevue and you want to be a party of record to this, you get notice.

Chair Hilhorst: Okay. Alright.

Mr. Matz: So now it's 500 feet plus.

Chair Hilhorst: Okay. Alright. Any other questions on this item?

Mr. Cullen: Madam Chair, I can answer your question about the residential if you like. In Office, it is 50 percent of the land can be used for single family, two to four dwelling units per structure, or five or more dwelling units per structure. In OLB, it's two to four dwelling units per structure, five or more dwelling units per structure are permitted uses. In OLB-2, it's the same situation. So yes, all three districts permit consideration of residential them, the zoning districts.

Chair Hilhorst: Okay, right. So we're adding residential. And I wanted to make that point and confirm that point because right now the traffic

pattern is the people from Lake Hills are all leaving to get to four oh five, right? And the people coming to the business park are all coming in. So the traffic patterns like this, when you put houses, you've now added all that congestion for all those people trying to get out of the neighborhood, and that's why I wanted to –

Mr. Matz: Whether or not it's congestion, we'll measure it with final review. We'll look at the potential PM peak trips to address those.

Chair Hilhorst: Correct. But again, that's kind of where I'm going with the notification of – I understand the 500 foot, but the people so much farther are not going to get that notification, and that's where I'm just concerned. That communication isn't going to be adequate before the zoning could potentially change if it moves forward.

Mr. Matz: We also had a bunch of people call in because they saw the signs.

Commissioner Walter: And what did they say?

Mr. Matz: They've called in asking about what's going on.

Commissioner Walter: Did they ask to be parties of record?

Mr. Matz: If they submit something in writing –

Commissioner Walter: No, do you recall if they asked –

Mr. Matz: If they asked to be, none of these people did. They were seeking information.

Commissioner Walter: And you just told them what was going on and they were –

Mr. Matz: I always offer folks, if you want to become a party of record, send me an email, write me a letter, you're a party of record when you do that. And I always offer that whether they ask or not.

Commissioner Walter: It's always – for me, it's always the best to hear from the people who are right there because they have a far superior perspective to –

Mr. Matz: That's why we do the 500 feet.

Chair Hilhorst: Well, what's your perspective as a resident of that area?

Commissioner Walter: I'm concerned. I'm concerned about the traffic on 156th. It goes to and from Microsoft. No fault of Microsoft, it's just a really good employer. And it's a back road to and from the freeway, and then it goes through neighborhoods, and it drops down to 25 miles per hour, which it's hard to ever see anybody adhering to that, even though it goes right by the Washington State Patrol. The top northwest corner backs onto Robinswood Park, and that's really well wooded and it's just going to add a lot of pedestrian traffic

through there. And I remember Mr. Hughes came and talked about the owls that were in those trees, et cetera, et cetera. And so it's just going to create a different kind of traffic, it's going to, I believe, create a lot of foot traffic if you put business there and residences there. And the wildlife isn't going to like it. But they don't get to come and talk. So I have concerns, but not anything that would hold up taking it forward. But I really would love to hear from the public if it goes forward.

Commissioner Carlson: Well, you certainly will. This is just threshold review. This is exactly, do we move it forward so we can start entertaining the exact feedback that you're previewing.

Commissioner Walter: And that's an excellent point, hearing from the people who are directly there.

Commissioner Carlson: Right. That will happen.

Chair Hilhorst: Okay. And the significantly changed conditions is essentially that we were doing work on Eastgate and this kind of got missed. Is that the significantly changed conditions?

Mr. Matz: Yes, ma'am. I'll point you to the staff report. It's not paginated. Significantly changed conditions on the subject property where such a change has implications of a magnitude that need to be addressed for the plan to function as an integrated whole. The applicant states that the Eastgate/I-90 land use and transportation study visioning missed a major opportunity to incorporate the project's transportation-oriented, walkable and neighborhood-sensitive policies to add moderate density at the Eastgate Office Park. The changes in the Eastgate area that make this designation timely include the establishment of OLB and OLB-2 designations allowing for more mixed use density, as well as the establishment of a true transit-oriented development designation around the park and ride. Additional policies to increase mobility, access and land use relationships to the surrounding areas were adopted as well. Essentially what we're saying is, the fact is – if that's a potential, if that was overlooked for the site, then they deserve the chance to test against that, and that was something the Comprehensive Plan did not anticipate with this site.

Chair Hilhorst: And if this passes threshold review, can we include this in our Eastgate open house where we will have members of the public, have transparency as to what's going on in that area?

Mr. Cullen: Well, no. The open house, first of all, was last week, so we're heading into public hearings. And that's already been put out there. This property was not included in any of those discussions. The original plan as it was put together that followed through with it analyzed the traffic and other impacts based on that being Office. So this is going to go through as a standalone plan amendment. Probably if it gets all the way to the end of the process, the

decision will be made after Eastgate. I anticipate the Eastgate code amendments will probably be approved sometime in the fall. And also, the big thing is that one is a plan amendment and the other is a code amendment. So, that's the challenge.

Chair Hilhorst: Alright. Thank you for that. Okay, so any other questions, otherwise I will entertain a motion on the floor. Vice Chair.

Commissioner deVadoss: Chair, I'll make a motion to include the application in the work program. I believe that staff has made a very clean argument, and I do believe that it was a miss as part of the earlier initiative with respect to Eastgate.

Chair Hilhorst: Okay, I have a –

Commissioner Carlson: I'll second –

Chair Hilhorst: – motion on the floor.

Commissioner Carlson: – Commissioner deVadoss' motion, and I concur with the sentiments. I think staff laid this out very clearly, very persuasively.

Chair Hilhorst: Okay. I have a motion, I have a second. Any discussion? Commissioner Morisseau.

Commissioner Morisseau: I heard Vice-Chair deVadoss' recommendation. Are we also expanding the geographic scope, since that was not stated?

Chair Hilhorst: Great question to clarify. I think it was implied. The motion was what's on the table, but that's a great question. So the discussion is, I guess, to ensure, do all the Commissioners know the motion on the floor is to not only move forward with this Comprehensive Plan amendment to the 2016 work plan, but to expand the geographic scope of the proposal. Is everyone aware that is the motion on the floor? Okay, alright. Thank you Commissioner. Alright, so that is the motion on the floor. No discussion? All in favor say aye.

(All Commissioners said aye.)

Chair Hilhorst: Any opposed say nay.

(No Commissioners said nay.)

Chair Hilhorst: Okay. It moves forward to be included. The Eastgate application moves forward to be included in the 2016 work plan recommendation to Council. Okay. Thank you, Commissioners. Okay.

iii. Newport Hills CP

Chair Hilhorst:

Alright, Mr. Matz. Let's move on to our next one.

Mr. Matz:

Madam Chair, the third application, the third of the three site-specific applications before you tonight, is the Newport Hills Comprehensive Plan Comprehensive Plan amendment. It is a proposed map change from Neighborhood Business to Multifamily-High on some portion, 4.6 acres, of a 5.9-acre site in Newport Hills located at 5600 119th Avenue SE. Two errata for you to have in terms of the application, and we did convey this. The staff summary, the recommendation summary, says expand the geographic scope. We are not recommending you expand the geographic scope of this application. And the two sets of public comments that you have in the packet tonight, which are on page 45 and page 88, everything's in chronological order, those were reversed. But they're all there. As I mentioned, the recommendation is – the proposal is from Neighborhood to MF-H.

The staff recommendation is to include this in the work program, and that it meets the threshold criteria. I will go over – we've refreshed the numerous public comments, you have all of the public comments that we've received up to this afternoon. We have posted those online so that those are accessible, and they're also available in the application file itself. Our recommendation to you does include a requirement for a city facilitated community planning process built around the framework that's identified in the staff report. And I have a slide that we'll go over with you on that. Just to clarify – and you have seen this before, we've updated – comments expressing disapproval – an extraordinary number of public comments, so I'll summarize them for you, not trying to belittle the comments, we've certainly read every one of them and looked at them. The potential impacts of redevelopment to existing community retail and parking places that form a common bond for residents. Adding traffic to a road system already constrained by Newport Hills' geography and its access points. Already crowded area schools. Growth in the city of Newcastle. And the displacement of current business owners and tenants of the existing center. Comments expressing support. The need to redevelopment the center because of the impact of its current status having on this community. And that it's time to redevelop with an attractive and mixed use character that continues to serve the area.

Our recommendation to you is that it does meet the threshold review decision criteria and that you should include it in the work program, that the Council should include it in the work program, because it addresses significantly changed conditions of changing market patterns for neighborhood retail uses, challenging economic conditions that neighborhood centers have experienced citywide, and increased competition from nearby retail centers in Factoria and Newcastle. It also addresses issues in the Land Use Element and Newport Hills subarea plan for aging commercial areas and neighborhood commercial centers, and the consideration of this is not inconsistent with general plan policies. We're suggesting to

you that as part of your recommendation you include a requirement for what's called a facilitated community planning process. And yes, that's our name. The point there, to be direct with you, we have a problem here and we'd like to offer an opportunity for all parties – the community who's clearly expressed their concerns and preferences, and the applicant, who has also expressed their concerns and preferences – we'd like to have an opportunity to see if we can figure this one out. I think it's important to convey that both for the benefit of the community, for the benefit of the city, and for the benefit of other areas. Certainly with direct consideration of what's going on in Newport Hills. But it seems to us that, again, in reference to the comments made at the beginning of the meeting, this is part of the staff recommendation we are making to you. We think this is the solution that needs to be explored in order to advance this conversation in a healthy manner.

The components of a facilitated community planning process, the objective of such a process, would be to work together within the process to develop a site plan for the Newport Hills Shopping Center that has three components to it, mutually acceptable, financially viable and consistent with the Comprehensive Plan's policy elements. We would update the feasibility data that is required to give you the tools you need to assess whether or not the proposal is mutually acceptable and financially viable. Those would include neighborhood demographics, retail economics, transportation analysis and school attendance. We would go out and get outside expertise to accomplish at the very least the retail economics component of that. We would not look to the applicant to provide that, we would look to find that expertise outside of the city.

Commissioner Carlson: Is there a reason why this hasn't already happened?

Mr. Matz: The applicant has obviously done their due diligence in terms of what they presented to us, but we think we need to, in part, we need to go test the 2011 conclusions, the Heartland study, the retail market component piece that was done. Much has been provided in testimony to you about those conditions don't exist anymore and that things have changed. We'd like to be able to independently go out and, we'd like to be able to independently go out and update that information to see how relevant it remains for the questions surrounding this community, and our believe that significantly changed conditions exist in these land use components.

Commissioner Carlson: So, is the property owner, then, pulling his proposal off the table?

Mr. Matz: No. As part of the recommendation to advance this from threshold review, we are suggesting that you attach a process that seeks to come up with a site plan that is mutually acceptable, financially viable and consistent with the Comprehensive Plan. In order to do that, we need to get more data. And one of those pieces of data is to update the existing retail and economic information that we have

about the success of redeveloping the center and what that success would look like from an economic perspective.

Commissioner Carlson: Okay. Thanks.

Chair Hilhorst: Commissioner Morisseau, and the Commissioner Barksdale.

Commissioner Morisseau: Mr. Matz, how is this process different from a development agreement? I would believe that the end result that we'd like to achieve is the same, mutually acceptable, financially viable. Why couldn't we do the same thing with a development agreement here?

Mr. Matz: That's correct, Commissioner. In fact, one of the intents – and it's my last bullet here – is to get to a framework that we could provide for the consideration of a development agreement. A development agreement is typically attached to a rezone action in statute and in intent, and it would have the specific outcomes that would be sought for site plan review. So this is designed to get us to a development agreement as one of those tools, should the site be ultimately rezoned.

Chair Hilhorst: Commissioner Barksdale.

Commissioner Barksdale: So I like the idea of a facilitated community planning process, you know, in general. I think any time we can get the developer or the owner and the community engaging, that's healthy for the community. We're going to be moving into neighborhood planning at some point soon, right?

Chair Hilhorst: Subarea planning.

Commissioner Barksdale: Subarea planning.

Chair Hilhorst: Correct.

Commissioner Barksdale: And would it not be possible to get these data in preparation for the neighborhood, I mean the subarea, plan work that we're going to be doing? So, does this have to happen as a result of the threshold – as a result of threshold review, can it happen anyway, given that we're going to be studying this area?

Mr. Matz: Well, we think you need this now.

Commissioner Barksdale: I understand. But can it happen then?

Mr. Matz: It would certainly happen in general as a component of neighborhood subarea planning review. That is on hold right now, so I couldn't tell you when that will happen. But those would definitely be standard components of a review.

Commissioner Barksdale: And a facilitated process could be part of that as well?

Mr. Matz: We think that a facilitated process here allows you to keep people engaged. I don't necessarily know that a facilitated process is what's associated with the neighborhood subarea planning, but in that case some of the more conventional tools that are available to you are a citizen advisory committee and that sort of thing. We think that the facilitation that we're proposing here is extraordinary and is responsive to the issues that have been raised by the community.

Commissioner Barksdale: Okay.

Chair Hilhorst: Okay, Commissioner.

Commissioner Walter: Mr. Matz, you said pretty emphatically you think this needs to happen now. Why do you – why right now? I mean, what's the urgency with now?

Mr. Matz: I meant the ability to acquire the data. Because people have rightly raised issues about the efficacy of the conclusions that have been reached around economic development, and we haven't looked – in terms of neighborhood demographics, let's see what the neighborhood is these days. Transportation analysis, the latest figures around traffic impact studies and things like that.

Commissioner Walter: Okay.

Mr. Matz: In order to inform your decision about going forward, the data needs to be updated now.

Commissioner Walter: Okay. Some of the things that I've been hearing and reading, and I can't even say I've read everything, I don't know if I have the entire flavor, but it really seems like before now there's been a miscommunication of who should be communicating with who, and it feels like perhaps the developers are communicating really effectively with the city and maybe less effectively with the community. And we've got a developer who doesn't even own the property yet making an application on behalf in order to purchase a property. So to me it just feels very disjointed. I'm trying to understand what's really happening, what's really wanted. And when we talk about individual property rights, as much as I really want to say that should really matter, but then there's always the community impacted and then there's the city at large. And they all have to be really good partners, and part of that partnership is really solid communication, two-way communication. And when I hear the question, there was at least one commenter tonight that commented about this – and maybe I'm reading between the lines – I felt like there was a lack of trust in the last bullet, the outside facilitation process. That to me says something's pretty broken. And I wonder if we just need a reset, like Commissioner Barksdale is – and maybe I'm inferring from what you said – to put the process somewhere else, to say this one is almost, it feels to be,

irreparably broken. And I as a neighborhood advocator, I just want to say it hurts my heart. Those are more feelings than concrete thoughts.

Mr. Stroh: If I could make a few comments, Madam Chair.

Chair Hilhorst: Let me just make sure. Has everybody asked – can we do that now? Thank you. I just want to make sure we get through this tonight.

Commissioner Morisseau: I remember the last time the applicant was here I had asked him about his being potentially flexible. And his response to me, I don't recall the exact words, but the gist of it was he didn't think it would be much flexibility. So when I read this packet, I was happy to see, it says here the applicant has specified a willingness to work with the neighborhood communities. Has something happened between the last meeting and now that has given staff that impression? Hence this new report that we have here? Can you help me with that a little bit?

Mr. Stroh: Sure. So, well, thanks for a chance to sort of bring you up to date on what we know since we last talked about this application. To start with, there is an application here that we are obliged to process. So there's a current vehicle in place and there's a decision in front of the Commission about this particular Comprehensive Plan amendment.

Commissioner Carlson: Dan, identify yourself for the record.

Mr. Stroh: Dan Stroh, planning director. There's a particular process we need to go through here to resolve whether this meets the decision criteria for threshold review for a Comprehensive Plan amendment. So, that's the question before you tonight. Staff is recommending this additional process that you add on to your recommendation for this facilitated process. And it is really in part to address what Commissioner Walter is mentioning. We do think that the communication on this one is not what we would want it to be. And we think that there's a process here that we can go through the hopefully will clean up that communication and get some good dialog flowing. I've been involved with the this site over the years when it was part of a larger neighborhood shopping center renewal process that we were going through. And we had issues that were facing neighborhood shopping centers almost all over the city. And the city actually had a proactive program to go in and figure out what we could do to help breathe some life back into these centers that really because of changed economic circumstances, and many factors affecting the retail climate, caused many of them actually to just not be working anymore the way they're intended. And I remember talking to this community and the others basically saying, the goal for this has to be it's a neighborhood gathering center. It's not to convert it into something else. And the question has been, how do you breathe life back into it that reinvigorates it

as a neighborhood gathering place. Not to convert it to something other than that. What might you do to actually get the right mix of retail and mixed uses in there that breathe that life back into it. We've always said it has to be essentially a process of engagement between a willing owner, the neighborhood and the city helping to make that happen. So not one party alone. And I'll pause there because I see a question.

Commissioner Carlson: Well, maybe what you don't need is an additional layer of government process here, Dan. Maybe what you just need is a new owner of the shopping center.

Mr. Stroh: And that's what we have potential for.

Commissioner Carlson: And I want to make some history here. Back in the early 1980s there was a dilapidated shopping center, 156th and NE 8th, festooned with graffiti, become kind of a gathering place for undesirable elements in the community. Crime began to go up. And then a guy who basically was a former hippie with a brilliant business mind name Ron Sher steps forward and remakes Crossroads Mall. And he aimed at a different demographic, you know, not Nordstrom but Old Navy. He invited the police department to put a substation in the mall itself. He designed it with a food court to be a neighborhood gathering place. And it became one. It was because you had a visionary who owned the property. So, one entrepreneur can make a huge difference here. And I think the question on the table for the Commission tonight is, can this area of Newport Hills, can this commercial shopping center, make it as a commercial shopping center? Or does it have to be flipped to residential? That's what I see as the question before us.

Mr. Stroh: Thank you for that question. That's a great question. And I think part of that will be, if this moves forward, in the final review, to do the studies and understand whether in fact the current model works, or whether another model is going to be more successful. I can tell you, I consider Ron Sher to be a friend, and the spectacular makeover of Crossroads into a real community gathering place has been wonderful for the community, and it's a process that has unfolded over 25 years now. That site, too, is actually seeing mixed use/residential on the site. As you know, the Top Foods project is moving forward on a piece of it, and next door the senior housing going on that site. So mixed use has been the direction a lot of centers have gone. That doesn't mean necessarily that's the right answer here, but I think the question for us is, does this need to be studied and go forward to the next level of review? And if it does, we recommend that we set up a facilitated dialog with the community so it doesn't feel like this is something where there's no dialog possible, it's either this or nothing. As far as change of ownership, that's exactly what you have the potential of. For many years, the current owner has not been interested in doing anything significant with the center. And I know that's been a point of

frustration with some. There is some life in the center now. We don't know how long that will last and how sustainable that model is. And hopefully we'll have some good information about that with the studies that will be done to help feed this process. But that's kind of where we are right now.

We're really trying to, as Commissioner Walter said, kind of reset this so a real honest dialog does take place. And in regards to the question about, is the prospective owner interested in a real dialog, is there room for movement here, what's changed is we have had a conversation with that ownership group and they've convinced at least staff that they are willing to at least honestly engage in the process. It means it has to be financially viable, obviously, if they're going to invest in it. So we will have to further understand that, but they've convinced us that they are willing – it's not a done deal – they are willing to actually honestly engage in a dialog with the neighborhood about what that future could be.

So again, really you have two questions before you tonight. One is, does this meet the threshold review criteria to move forward for final review and get a full evaluation through that process? And number two, do you also want to recommend a facilitated community dialog as a way to help reset the stage for the right kind of communications to take place in this?

Chair Hilhorst:

So, thank you for that. And I was a partner with you on that history. That's where our relationship began and so I know that history quite well and bringing everybody together, and the purpose was to breathe life. Again, that was 2009, 2010, economic downturn, pretty severe. And some of the points I made at the last meeting that I'll make again is, many of those businesses stayed and survived. The family businesses, the family oriented businesses, the third places if you will, those are the places that survived. And we do have new life. The Hsiao family, Rainier Northwest, brought Stods from another property in two years ago and signed a ten-year lease with them. So – and they were thrilled about it, they told me, we're thrilled, we have somebody ten years, this is great. Stods has been here a long time, they're really known in the area. You know, they're going to do – they did – capital improvements in the space. So it's like that was great news. They brought in Resonate and signed a seven-year lease with them last year. Microbreweries are one of the things that we talk about when we talk about zoning downtown and Eastgate. Some of the new, the hip upcoming businesses that are coming, and we now have that. And so I don't see that as a negative economic change, or a negative market environment. In fact, it's improved significantly. And the other businesses, the family businesses, will stay because as I stated last meeting, Newport Hills demographic is changing, many people have lived there and they are either downsizing in Newport Hills or they are downsizing and they're retiring other places. So we're getting an influx of families, which is exactly what will support that business. And again, too, talking about the

Comprehensive Plan and you know, we wrote in there, protecting neighborhoods, and you know, meeting places. And, you know, one of the great things, too, I don't think anybody would know, but if you walk through Stods, it's not just baseball players, there's cricket teams. You know, our demographic is changing and Newport Hills is embracing that change. I mean, you have kids playing baseball in one cage and kids playing cricket in another. It's awesome. And so we're just such a great conduit for the changing face of Bellevue. And if we kill it, we kill it. Welcome to Bellevue, we embrace, you know, welcome the world. But this is a great place where we're welcoming the world.

And, you know, to Commissioner Morisseau's question, which I don't think got answered, what changed from the last meeting to this meeting? We opened the door for the developer to try to find the middle ground. I know I've had a discussion with the developer. Some of the primary anchors are not going to be in the plan, it's not economically viable for the plan. And I do not begrudge that developer. If they're going to invest, they should get money back. I have no issue with that. However, what is good for the developer, what they need for their bottom dollar is not necessarily matching up with what's good for the community. And I appreciate the new discussion, the planning process that was thrown in, but what I also know is it doesn't have to happen within a Comprehensive Plan amendment. That can happen outside of a Comprehensive Plan amendment. Development agreements have happened outside of Comprehensive Plan amendments. Heartland study, there was no Comprehensive Plan amendment on the table when the property owner, the city and the neighborhood came together for those discussions. And so, it does feel forced, and my concern is, one of the things this Commission has been under pressure is to hurry, to hurry, to hurry. We have to get it – we're having an extra meeting tonight because we were asked to do so to get things in by the timeline needed for the Comprehensive Plan deadlines. There is not going to be a good honest data-driven discussion rushing through it to meet the deadlines. That is not going to happen. And what's going to happen, this is already hot, there is steam in the pot, and picking people from the community, I've been part of a process where the city facilitated people putting in an application and who got to go on a committee, and I will tell you that ended badly. And there are still riffs in the community from that from years ago. Neighbors yelling at each other at the gas station while they were gassing. It was awful. And so, I've seen what happens with that. And we've got to let the steam off.

The discussion should have happened before. Unfortunately, I think Intracorp got in a position where there was so much history and they're taking the backlash for that, and for that I'm sorry, because there is a longer history than when you were here. But that discussion of what was right for the community needs to happen outside. Because the Comprehensive Plan, the billboard that's at the shopping center says 5.9 acres. Then at the last meeting they

said, well, we're going to reduce it to four point something acres. Now here we've got the suggestion of the community planning process, after the public hearing. So the public didn't get to comment on this sufficiently, because we had to have limited time. So I feel like somebody, and I don't know who, is driving this and pushing this through. And nobody disagrees that that shopping center is in deplorable conditions. Nobody disagrees with that. Nobody will tell you they don't want it revitalized and they don't want it better. And yes, it is the ownership of that property owner. And what many people have asked is, we want the city to help us to keep those conditions from deteriorating. How does the city help change that and make it better and nicer and not allow places where children are taking classes to not have heat for years. How do those codes get implemented? That has been the request. And so there's a bigger thing kind of at hand. And so I feel that the discussion should happen. Nobody questions revitalization, but we've got to find a right plan. I don't think we're going to find the right plan in 30 to 45 days. I don't know how that's going to happen. And so it needs to happen, but the pressure of the Comprehensive Plan, this is going to explode. And it's not going to explode here, it's going to explode around the corner in Council Chambers. That is where it's going to explode.

Commissioner Barksdale: Make a motion.

Chair Hilhorst: Okay. You want to make a motion?

Commissioner Barksdale: I move that his application does not proceed. And I want to just mention three things. One, the testimony that we did here in favor of it, of the threshold, of it proceeding through the threshold to me sounded more along the lines of, it needs to be improved. Not necessarily that it necessitated a change in the zoning. Secondly, I think if we're going to ask for community input, and there's been quite a bit of community input, and we ignore it, it doesn't empower the community. And we want to make sure that we're still empowering the community. Also, like I mentioned before, I think the engagement with the community between the developer and the community is healthy. I do agree that it should have happened before now, and I think it should happen even if this doesn't make it past threshold review.

Chair Hilhorst: Okay. So we have a motion on the table to not proceed. Do I hear a second?

Commissioner Walter: Second.

Chair Hilhorst: I hear a second. Any discussion? Vice-Chair.

Commissioner deVadoss: Could I make a comment, please? So, I want to thank staff for the long hours and time and the analysis. I do believe that, like you said, the current status is not acceptable. I also – technically I believe that the criteria are met. But my argument is the threshold

criteria are not practical today. To go through this entire process without the data, without the analysis of the school districts, around transportation, and to push it downhill to me just seems fundamentally flawed. And on that basis is where I would say this is not something we should take forward. Better go back and rethink the threshold criteria.

Chair Hilhorst:

Okay. Any other comments or discussion? Commissioner Carlson.

Commissioner Carlson:

I have in front of me here one of many, many public comments that we've received. This is from someone who supports going forward, Mr. Frank Kline. He says, I have been here long enough in Newport Hills to remember a much more vibrant community with more children, two public schools, two food markets, full parking lots, et cetera, et cetera. Leaving the shopping center as it is will only assure a continuation of the current deteriorating trend. From what I've gathered from listening to staff, examining the data, listening to public comment, is that Newport Hills is actually cycling back in with more kids, more families, more traffic. And again, we get to the issue of this area as a public shopping center, or is it more appropriately residential. I think the property owner would like to sell this property for a very healthy profit. I don't think they can sell it as a shopping center in the deplorable condition it is in for a healthy profit. But, if they can flip and rezone from commercial shopping center to residential, and the developer can cram enough units in there to justify, then he can get his price. Unfortunately, what is lost is Newport Hills as a shopping center and as a central gathering spot. So in looking at all this, you know the out-of-town property owner comes out of this ahead. Government would come out ahead in terms of additional tax revenue. Everybody would be paid who doesn't live there, but the people would be left with, I think, a deteriorating quality of life in terms of traffic, in terms of losing a gathering place. And I think that in looking at this in great detail, fundamentally, can it make it as a shopping center? The very fact that you have these additional businesses moving into this dilapidated mall tells me yes. Imagine if it were fixed up what you can do with it. So I'm going to be voting with Commissioner Barksdale's resolution. Motion rather.

Chair Hilhorst:

Any other discussion?

Commissioner Walter:

I would be very concerned about the precedent that could be being set for other shopping centers that are older. I'd rather have a Crossroads example happen to a shopping center like that as opposed to that there be some sort of a pot of gold at the end of the rainbow after you let it rain and your properties fall down and then you get a pot of gold. I'd rather see people have the incentive to make their shopping centers a success. And I really think a large part of the responsibility is with the shopping center. We have a really big one just down the street here, and that was because somebody designed it and set it up, and the people came. So, I mean, I know it's part of the community, but you really got to sell

something people want.

Chair Hilhorst: Alright. We have a motion to not proceed. I have a second. All in favor say aye.

(All Commissioners said aye.)

Chair Hilhorst: Any dissent say no.

(No Commissioners said no.)

Chair Hilhorst: Alright, we will not be moving forward with this on the threshold review.

(Audience applause.)

Mr. Matz: Just some clarification. We will be providing a transmittal to you to convey your recommendations to Council. We'll ask the Chair to present those. In terms of the issue you addressed about the agedness of the threshold review decision criteria, I would ask you to offer up some comment. We're happy to collect that and help you edit that if that's the intent you want to convey. The transmittal document is the tool that you would use to do that. But we will be writing up the recommendations that you've done, and we'll be providing those to the Chair and anybody else who'd like to look at those in anticipation of presenting those to Council.

Chair Hilhorst: Okay. So, Mr. Matz, let me just ask you a quick follow up before we move off of this topic. I think there is true sincerity on my part and others that a discussion happens with the current and potential future property owner. So would the city be in a position to facilitate that if the public comes forward saying they would be interested, or what is the path forward for that conversation?

Mr. Matz: That question is why Dan is here.

Chair Hilhorst: Okay.

Mr. Stroh: You know, we've always looked forward to that moment in time when we had a willing party to talk to, and to facilitate that dialog. We haven't had that, to be honest, with the current owner. So what we've been looking for is to have someone step forward who would be in a position to want to have that conversation with the community and the city. So I can't answer that question. The current owner has not been interested in that conversation, has not been interested in that dialog, has not been present or willing to be present for that dialog. So, I can't answer that question when that would happen. We have to have a willing owner to participate in that and have it go anywhere.

Chair Hilhorst: So, if a willing owner comes forward to the city, whether this current or other, can the city notify the community that an owner

has come forward and would like to have that dialog?

Mr. Stroh: Oh yeah, indeed, yeah.

Chair Hilhorst: And use the party of record for everything on this Comprehensive Plan to notify them of that?

Mr. Stroh: If that happens, we can do that. If there's some other owner who steps forward and wants to do that, or if the current owner, if the current prospective owner, wants to stay in the game – depending on where this goes with the Council. That's the next step. Because it now goes forward to the Council with the Commission's recommendation on threshold review. If the current prospective owner doesn't proceed and some other owner comes forward, or prospective owner comes forward, you know, we're available to facilitate the conversation. We don't know, we've had years and years go by without an owner or a party that's interested in taking this on. So, we've been waiting for that point in time and the right vehicle to have the conversation with an ownership that's interested, and the neighborhood and the city.

Chair Hilhorst: Okay. But if someone steps forward –

Mr. Stroh: We're here.

Chair Hilhorst: – you will notify the public using the plan of record from this.

Mr. Stroh: We can do that, yeah.

Chair Hilhorst: That's what I'm asking.

Mr. Stroh: We can do that, yeah.

Chair Hilhorst: Okay, alright.

Audience member: We weren't notified before when they put their application in.

Chair Hilhorst: Any other questions? Alright, thank you very much.

Commissioner Walter: Oh, my apology. That could still be Intracorp, right? They could revise what they do and then come forward with a dialog, just a little bit different –

Chair Hilhorst: Have that discussion.

Commissioner Walter: Maybe that's the reset.

Chair Hilhorst: Well, it would be if they – we would have a longer time to have that discussion. And they could reapply. With concurrence. And then it would be very smooth. Okay, alright, thank you.

Mr. Matz: Thank you.

7. DRAFT MINUTES REVIEW

(9:42 p.m.)

Chair Hilhorst: Alright, we need to do our draft minutes review. Let me see here. Okay. I'm going to kindly request that the public, if you're going to be talking, if you please go out into the hall for your discussion so we can continue with the meeting.

A. May 25, 2016

Chair Hilhorst: Alright, so, May 25th, 2016. Do we have any changes to those meeting minutes? Okay. I'm going through. I don't have any. I have no notes. Anything? Okay, so I would entertain a motion to approve the minutes as written for May 25, 2016.

Commissioner Walter: So moved.

Chair Hilhorst: I hear a motion to approve. Do I hear a second?

Commissioner Barksdale: Second.

Chair Hilhorst: I hear a second. All in favor say aye.

(All Commissioners said aye.)

Chair Hilhorst: Any opposed say nay.

(No Commissioners said nay.)

Chair Hilhorst: Okay, minutes approved.

B. June 1, 2016

Chair Hilhorst: Okay, so June 1st, those minutes. I did have – let me see. So on page 30, down at the bottom, I don't think we have the right input. Jessie Clawson with McCullough Hill, I believe her name is spelled incorrect.

Mr. Matz: C-L-A-W-S-O-N.

Chair Hilhorst: Yeah. It's spelled C-L-A-U-S-O-N in the meeting minutes, so I thought that looked wrong.

Mr. Cullen: Okay, hold on one moment. Page 30, I'm not following you.

Commissioner Morisseau: It would be page 150 for you, Terry. Because they have the minutes twice in the packet.

Mr. Cullen: Okay. Alright, I'm sorry. You were saying?

Mr. Matz: It is a W.

Chair Hilhorst: Yeah, okay, I thought it was a W, so I just wanted to, I mean –

Commissioner Morisseau: So page 157, I'm sorry, Terry. Last paragraph on the bottom.

Mr. Cullen: Okay, it should be C-L-A-W, is that right?

Chair Hilhorst: C-L-A-W-S-O-N. Yes.

Mr. Cullen: Okay, good. Got it.

Chair Hilhorst: So then, my other note, up at the top – okay, go to the top right, first paragraph. It talks about me noting the process for a long time in the discussion about rezoning commercial, it was clear that some of the current uses, including – I thought I had said in discussion with either Intracorp or Mr. McDuff. Could you check, because it doesn't look like who I was talking to to get that data.

Mr. Cullen: Okay.

Chair Hilhorst: And I just want to be clear.

Mr. Cullen: Okay. I will check the audio.

Chair Hilhorst: Okay. And then if we move down a few paragraphs, the second to the bottom paragraph to the right, under the Commissioner Morisseau discussion, there's a Commissioner Morisseau asked if there was an acceptable middle ground that would have less commercial. My understanding, the spirit was, you were asking if there was middle ground for more commercial. Not less commercial.

Commissioner Morisseau: Let me re-read that. I'm sorry.

Chair Hilhorst: Because you were, we were, yeah.

Commissioner Morisseau: I think the middle ground was between the existing condition and what they were asking for.

Chair Hilhorst: Right.

Commissioner Morisseau: Not less commercial.

Chair Hilhorst: Yeah. So you were asking if there's a middle ground that would have more or –

Commissioner Morisseau: Not more or less, just middle ground between the current existing condition versus what they are asking for in the application.

Chair Hilhorst: Right. So you weren't asking for less commercial?

Commissioner Morisseau: No.

Chair Hilhorst: Okay, so I think if we can just listen and get clarification on that. Because I remember the conversation and I don't think you were asking for less. So I wanted to point that out. And then – a lot of meeting minutes, I know I had some other notes. I think that's all the notes I had on mine.

Commissioner Walter: I have one.

Chair Hilhorst: Commissioner Walter.

Commissioner Walter: On the bottom of page 31, David Hsiao, I asked him about community and his relationship with the community, and I asked that question on purpose in terms of just to get an idea of what the owner's vision of the community was, or understanding. And he was not able to understand or answer the question. I posed it twice. I'd like that included. It's on the bottom of page 31. Oh, sorry, it starts on the bottom of page 31 and then goes to page 32. And I don't see any reference to the question was asked. And other discussion I had with him were covered.

Mr. Cullen: So, I'm sorry, something to the effect that –

Chair Hilhorst: There was a specific line of questioning that wasn't included. A specific question with the applicant.

Commissioner Walter: What I was after is finding out the engagement with the community. They talked about aggressively seeking tenants, and I asked what the work was with the community, and there was no answer.

Mr. Cullen: Okay. Alright, I will check the audio and clear that up.

Commissioner Walter: I wish I could remember exactly what I said.

Mr. Cullen: Oh, that's okay. It's easy enough to find out. Page 32. Got it.

Chair Hilhorst: Any other comments? Commissioner Morisseau.

Commissioner Morisseau: Throughout the whole thing, it says Intercorp. Is it Intercorp or Intracorp?

Mr. Matz: I-N-T-R-A-C-O-R-P.

Commissioner Morisseau: So the minutes are not right.

Chair Hilhorst: We need a find and replace Intercorp with Intracorp.

Commissioner Walter: Good catch.

Mr. Cullen: Okay.

Commissioner Morisseau: Because I've been saying Intra.

Chair Hilhorst: No, that's correct.

Mr. Cullen: Yup, you were saying it correct. Alright, so we'll make those corrections because it will require us to listen to the audio and we'll bring them back to the next meeting we send you a mail out.

Chair Hilhorst: So what we will do, we don't approve these minutes. If you want to just send us a revised. Okay. So is everybody okay, we won't approve these? Okay. Alright. So we're done with meeting minutes.

9. PUBLIC COMMENT

(9:49 p.m.)

Chair Hilhorst: Okay, so public comment. I don't have a sign-in sheet, so if anybody wants to comment, you can come address the commission. You have three minutes. Anybody want to talk? Nobody?

Ms. Barber: (From the audience, inaudible)

Mr. Cullen: You've got to come to the front to get that on the record.

Chair Hilhorst: Yeah, come on up and ask real quick with your name and address so it's public record. That will help you.

Ms. Barber: Hi. Valerie Barber, 4644 121st Avenue SE. I want to understand a little bit more about the process. We're asking questions when we're in one of these meetings, or getting clarification on some things that are said that are inaccurate, or things in the notes that are inaccurate, or the communications. How does the public go about a, finding out if it is indeed inaccurate and then getting it corrected?

Chair Hilhorst: So if you see meeting minutes or items in a book, you can, you know, either come to public comment like you're doing and say, you know, here's what I see is not correct, I'd like to clarify. You can also email staff, email us at planningcommission@bellevue.wa.gov. And that will go and you can – and that will be public record as well, but you can ask for clarifications. Those are the best ways to communicate in if you see something or if you want to get clarification, anything like that. Many times when you speak to the Commission, it's rare that there'll be a dialog because we have to get through so much. So you're probably not going to get a lot of your answers here. It's going to be let us know and then send an email to staff, or if you stick around at the end of the meeting, sometimes you can ask staff at the end of the meeting.

Ms. Barber: And then does that thing get communicated in the meeting at any time, like the next meeting, hey, here were the things that were said that were inaccurate in the documentation or whatnot. Does that ever get clarified for the public?

Chair Hilhorst: Anything you – so when you're talking right now, you're going to be in the meeting minutes the next time. So that's how we hear, because we heard you, and that's going to be in there next time for the public. Any email that you send, that will be public record. And if you send anything to planningcommission@bellevuewa.gov, that will also come to us at the next meeting. We get copies of everything, every email sent to us.

Ms. Barber: Perfect. Thanks so much.

Chair Hilhorst: Okay. Alright. No? Yes? Alright.

10. ADJOURN

(9:52 p.m.)

Chair Hilhorst: So with that, I will entertain a motion to adjourn.

Commissioner deVadoss: So moved.

Chair Hilhorst: Alright. I hear a motion. Do I hear a second?

Commissioner Barksdale: Second.

Chair Hilhorst: I hear a second. All in favor say aye.

(All Commissioners said aye.)

Chair Hilhorst: Any opposed say nay.

(No Commissioners said nay.)

Chair Hilhorst: The ayes have it. We're adjourned.

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
STUDY SESSION MINUTES

June 22, 2016
4:30 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, Department of Planning and Community Development; Patricia Byers, Department of Development Services; Catherine Drews, City Attorney's Office; Paul Bucich, Department of Utilities; Eric Miller, Department of Transportation

COUNCIL LIAISON: Not Present

GUEST SPEAKERS: Brittany Port, Wayne Carlson, AHBL

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER

(4:48 p.m.)

The meeting was called to order at 4:48 p.m. by Chair Hilhorst who presided.

2. ROLL CALL

(4:50 p.m.)

Upon the call of the roll, all Commissioners were present with the exception of Commissioner Barksdale, who arrived at 5:08 p.m., and Commissioner Laing, who was excused.

3. APPROVAL OF AGENDA

(4:51 p.m.)

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

4. PUBLIC COMMENT – None

(4:51 p.m.)

5. STUDY SESSION

(4:51 p.m.)

A. Low-Impact Development Principles Project

Consultant Wane Carlson with AHBL briefly reviewed the reason for the low-impact development project, including the Council's support for the objective of maintaining the region's quality of life, including that of making low-impact development (LID) the preferred and commonly used approach to site development, which is language taken from the National Pollutant Discharge Elimination System (NPDES) permit. He noted that the Council had also approved various principles to guide the work, including being Bellevue appropriate, recognizing and balancing competing needs, building on existing information programs, engaging stakeholders, and maintaining the city's compliance record with the NPDES permit. Integrating LID into the city's codes and standards will involve both the LID best management practices and the LID principles. The Commission will focus on the principles, while the best management practices will be incorporated through an update to the city's storm water management manual. The goals related to the principles are to minimize native vegetation loss, minimize impervious surface coverage, and minimize storm water runoff. Over the past year an evaluation was done to determine the opportunities to work toward the goals and the areas of focus in the Land Use Code identified included evaluating the use of LID early in the process, reducing impervious surface coverage, preserving and enhancing tree canopy, and looking for opportunities to make the city's existing clustering provisions more attractive to applicants.

Mr. Carlson stressed that the proposed amendments do not involve any changes in the amount of building coverage. The city currently has a standard for building coverage and another for impervious surfaces. The proposed approach does not change the allowed structure footprint. Driveways, patios, walkways, sport courts and parking lots are hard surfaces and a new standard is proposed for hard surface coverage that will supplement the existing impervious surface standard. The new standards are consistent with development that has occurred in each zone and were established both through GIS investigation and development permit research. The proposal allows for the same coverage using permeable surfaces.

A hard surface is an umbrella term that includes both structures, traditional impervious surfaces, and permeable paving and vegetative roofs. In the R-1 zone, the maximum structure lot coverage is 35 percent. No change to that is indicated. The current standard for maximum impervious surface coverage in the R-1 zone is 50 percent. The proposal is to reduce the maximum impervious surface coverage to 40 percent, which is actually higher than the existing development patterns; the GIS and permit research determined what is realized on the ground is close to 22 percent in the R-1 zone.

Commissioner Walter asked if reducing the allowed coverage to 40 percent from 50 percent could be considered to be a downzone. Mr. Carlson said property owners could still get to 50 percent coverage, but where feasible permeable surfaces must be employed beyond the allowed 40 percent impervious surface coverage.

Commissioner deVadoss asked about the comparability between traditional hard surfaces and pervious surfaces. Department of Utilities Assistant Director for Engineering Paul Bucich explained that significant strides have been made over the past 15 years to bring the cost of pervious concrete and asphalt down. Plants are now set up to run that type of material. While the cost is still incrementally higher, it is more than offset by a reduction in the amount of storm water controls that have to be built and maintained. For single family residential, it will cost

somewhat more for a permeable driveway, but with less water running off the site there is less storm water infrastructure needed for the neighborhood, and that theoretically reduces costs to property owners. The developer may actually net an extra lot or larger lots by freeing up what would otherwise be used for storm water facilities.

Ms. Drews noted that some cost information had been included in the EPA fact sheet that was included in the packet, as well as on low-impact development project website.

Chair Hilhorst suggested that the aesthetics of a community could be negatively impacted by not having retention ponds, which often serve as the only green areas within a neighborhood. She asked what homeowners can do under the current approach that they would not be able to do under the proposed approach. Mr. Bucich said tennis courts do not work well with pervious surfaces, and swimming pools are impervious surfaces in that they do not infiltrate into the soil. In reality, however, rainwater that falls on swimming pools and triggers an overflow will in most cases drain into the sewer system. The fact is that on-the-ground residential developments fall far below what is currently allowed in terms of impervious surface, so in most cases the new approach will not represent any constraints. The proposed target is 40 percent impervious surface, and with the extra ten percent, pervious surfaces must be used to the degree possible. There are provisions spelled out in the footnotes that allow for an out where the use of pervious surfaces is not feasible.

Commissioner Barksdale asked about the relative cost differences with regard to maintenance between pervious surfaces and impervious surfaces. Mr. Bucich said the answer is complicated. Porous asphalt can look very similar to regular asphalt. It has a very high porosity level and if used as a residential sidewalk it is necessary to make sure it is not under a lot of trees. Over the long term it is necessary to vacuum it; if really clogged up, jet blasting is required to clean it out. The same is true of porous concrete. Developers of large developments have found it is far more cost effectively to build with LID techniques. For the average homeowner, cleaning by sweeping or with a leaf blower is generally sufficient.

Commissioner Carlson asked about the costs of installing pervious surfaces over pervious surfaces. Mr. Bucich said generally speaking both are fairly comparable depending on a few factors, including the type of pavers and any desired aesthetic pattern.

Chair Hilhorst asked staff to gather and bring to a future Commission meeting data regarding the costs of both installation and maintenance.

Mr. Bucich said there are direct construction costs to homeowners and developers. The Department of Utilities works closely with the Department of Ecology to keep them from going down paths that would result in costs to homeowners in the form of evaluations and studies. What often gets lost in the conversations is the cost to the environment, and that is why Ecology has put the issue into the NPDES permit. The cost to the environment of development activities over time can be very high, and where it is most often seen is in storm water facility fees. It is often difficult to explain to individual property owners how what they do with their properties will benefit them over time, but reducing runoff will reduce stream degradation and will result in lower net costs, all of which play into utility rates.

Commissioner Morisseau asked if the design principles and guidelines as is meet the requirements needed for the permit. Mr. Bucich said they do and the intention is that the same will be true as 2017 begins. To get there will require making changes to the design standards.

The Department of Ecology and others are recognizing that by the time a developer or a homeowner is looking at how to address their storm water problems, they have already made decisions about how they want to develop their sites. The tools that are in place to address that are insufficient to prevent damages to the natural ecosystem. The idea of thinking about site development before design and before any dirt is turned is the next generation of storm water management, and that is what the principles are all about.

Mr. Carlson called attention to footnotes 49 and 50 associated with the maximum hard surface coverage percentages. He explained that footnote 49 calls attention to LUC 20.20.425 and exceptions and performance standards relating to hard surfaces, and footnote 50 indicates that where the application of permeable pavement has been determined to be infeasible using the infeasibility criteria in the Department of Ecology's storm water management manual, the maximum impervious surface coverage may be exceeded, up to the maximum hard surface coverage allotment.

Mr. Bucich pointed out that the work to revise the codes compliments the work being done to revise the engineering standards. Even if after all is said and done the pervious surface limits are not reduced from 50 percent to 40 percent, anyone coming in to develop a site will have to do the feasibility/infeasibility analysis according to the permit and the engineering standards.

Chair Hilhorst commented that it is always better to offer incentives for compliance, possibly in the form of lower permit costs for utilizing LID principles. She said she would not want to do anything that would take away from what property owners can do or to make it harder to improve their properties.

Commissioner Morisseau asked if property owners will have an avenue to dispute or challenge a finding that the criteria either are or are not met. Ms. Drews allowed that decisions are appealable to the hearing examiner and there is due process provided for that.

Commissioner Walter observed that no new ramblers are being built even though there is a growing demand as people age. The proposed approach will make it even more difficult to build that style of home. Ms. Drews reminded her that the GIS study looked at all of the development done throughout the city, including ramblers that were built back in the 1950s and 1960s. Staff believe that the proposed limits will accommodate anyone building a Rambler on their property. Commissioner Walter said it would be more expensive to build under the new approach. Mr. Bucich stressed that nothing in the proposal will change the percentage of structure square footage allowed on a site.

Mr. Carlson said the proposed new section related to hard surfaces describes the intent and applicability. In some ways it replicates the existing language of 20.20.460 related to performance standards, exceptions and modifications as they apply to pervious surfaces.

Commissioner Barksdale asked if the maintenance and assurance item F under 20.20.425 applies only to commercial properties. Consultant Brittany Port said it applies to any permeable surface installed on a residential or commercial property. As drafted, should permeable pavement be

implemented optionally, the Director could require a maintenance plan or long-term performance assurance. Mr. Bucich added that it would be a rare occasion to require a maintenance plan of a single family property owner. The exception might be a very large lot where a lot of impervious surface would trigger the need for a tank, vault or pond for which there would be a maintenance plan required. Ms. Drews said the Department of Development Services has a prepared template for maintenance plans that spells out what needs to be done; for homeowners, it is a simplified version of what is asked of commercial developers.

Mr. Carlson said paragraph G relating to existing hard surfaces is also similar to the existing language for impervious surfaces. It spells out that instances where legally established hard surfaces exceed the allowable limits, applicants can replace but cannot add additional hard surface. Currently, surfaces paved with pervious pavement or other innovative techniques are not included in the calculation of pervious surface areas. The proposal is to revise the language to make it clear that all permeable pavement will be included in calculating the maximum hard surface areas. Ms. Drews said the new approach seeks to balance the use of permeable surfaces with the loss of vegetation.

Chair Hilhorst asked how the use of Astroturf comes into play. Mr. Carlson said it depends on what lies beneath it. Rain will soak through Astroturf, but if the structure beneath it is impervious, the entire area would be considered to be impervious, whereas if there is no structure beneath, it would be considered permeable. An coverage exemption is included for non-residential uses such as parks, schools and churches in residential districts that allows up to 80 percent pervious surfaces.

Chair Hilhorst said when the single room rental issue was on the Commission's table, it was found that some homeowner's were paving their front lawns to accommodate parking for the residents' cars. While that should not be allowed, there may be instances in which homeowners may need to expand their driveways to keep extra cars from being parked on residential streets. She asked if any exceptions could be included to accommodate that need. Ms. Drews reiterated that the amount of hard surface coverage is not changed by the proposal. As proposed, up to 40 percent of sites can be covered with pervious surfaces, and permeable options are required to get all the way up to 50 percent. Where permeable solutions are not feasible, up to 50 percent can be covered with pervious surfaces.

Commissioner Walter asked if there is any chance the proposed approach could lead to land being considered developable that would not be under the current system. Ms. Drews said the proposal does not change anything about the critical areas ordinance.

6. PLANNING COMMISSION OFFICER ELECTIONS

(5:57 p.m.)

Chair Hilhorst opened the floor to nominations for Chair.

A motion to have Commissioner deVadoss serve as Chair was made by Commissioner Morisseau. The motion was seconded by Commissioner Carlson and the motion carried unanimously.

A motion to ask the current Chair to continue serving through the end of July was made by Commissioner deVadoss. The motion was seconded by Chair Hilhorst and the motion carried unanimously.

Chair Hilhorst opened the floor to nominations for Vice Chair.

A motion to nominate Commissioner Walter to serve as Vice Chair was made by Commissioner deVadoss. The motion was seconded by Commissioner Carlson.

A motion to nominate Commissioner Carlson to serve as Vice Chair was made by Commissioner Morisseau. The motion died for lack of a second.

The motion to nominate Commissioner Walter to serve as Vice Chair carried unanimously.

7. ADJOURN REGULAR MEETING

(6:01 p.m.)

Chair Hilhorst adjourned the meeting at 6:01 p.m.

8. CALL TO ORDER

(6:33 p.m.)

Upon the call of the roll, all Commissioners were present with the exception of Commissioners Carlson and Laing, both of whom were excused.

9. ROLL CALL

(6:33 p.m.)

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

10. APPROVAL OF AGENDA

(6:34 p.m.)

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

11. PUBLIC COMMENT

(6:34 p.m.)

Ms. Pamela Johnson, 3741 122nd Avenue NE, addressed the tree canopy issue relating to low-impact development. She said if things are to be changed, it should be done right. The city should develop a policy for a 40 percent tree canopy as an important environmental resource. The lack of trees is a significant environmental justice issue that should be addressed right away. A strategic focused investment is needed to ensure the health of the urban forest. An urban forestry commission should be created focused on improving the health and sustainability of the urban forest. Portland, Seattle and Vancouver have adopted urban forestry commissions. Trees should be planted or retained as part of development and redevelopment. Single family developments have no requirement to retain trees, while short divisions, subdivisions and new planning and development are required to put trees on a map. Landmark trees should be retained and should be considered important community resources, and there should be community input. Notice to the public should be required for any tree retention issues where trees meet minimal standards. Historical significance and cultural importance should not be determined by staff. Currently, there is no public input into which trees should be saved. There should be 50 percent tree canopy for parking; one tree for every 20 stalls is not enough, even in the downtown. Trees provide shade, visual relief, and aid in storm water management.

12. PUBLIC HEARING

A. Proposed Land Use Code Amendments: Eastgate/I-90 Land Use and Transportation Project

(6:39 p.m.)

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

Code Development Manager Patricia Byers said the Eastgate/I-90 CAC worked on the Eastgate issues between 2010 and 2012 in relation to both transportation and land use. The purpose was to evaluate land use and transportation conditions, policies and regulations in the Eastgate/I-90 commercial corridor, and produce a plan that builds on the area's assets of accessibility, visibility, job diversity, and stable nearby residential neighborhoods. The CAC's final report included recommendations for amendments to the Comprehensive Plan/subarea plan, the transportation plan, and the Land Use Code.

Ms. Byers explained that Volume 1 of the Comprehensive Plan contains the framework goals and the general elements, and that Volume 2 contains the subarea plans and the transportation facility plans. At the more specific level, the Comprehensive Plan contains regulations, including the Land Use Code, and plans, such as transportation facilities plans and capital facilities plans.

As development projects are submitted to the city, they are subject to review by different departments to make sure all of the requirements are met. At the end, the projects get implemented.

An environmental review is conducted at each stage under SEPA. The reviews are aimed at determining if a proposed action will result in probable significant adverse impacts, and whether the impacts can be mitigated. The SEPA review addresses things not covered by other ordinances or laws. One of those things is traffic.

The new zones Neighborhood Mixed Use (NMU) and Office/Limited Business 2 (OLB-2) were created as part of the Comprehensive Plan amendment in 2015 as recommended by the Eastgate/I-90 CAC. Both were subject to the notice process as required. The Transportation Facilities Plan is also subject to SEPA review. If the changes recommended by the CAC were not implemented, there would still be a 21 percent increase in traffic volumes in the Eastgate corridor by 2030. The preferred alternative is projected to result in a 27 percent increase in traffic volumes by 2030, but if the land use alternative is implemented without the proposed transportation changes recommended by the CAC, there will be a 26 percent increase in traffic volumes by 2030. The incremental increase tied to the recommendations of the CAC are not as much as will occur with just general growth. Growth is coming and there is a need to manage it in a way that will work for people. Where the rubber hits the road is during project review, because that is where it can be determined how trips will be generated and what mitigations are needed.

The three new districts proposed for Eastgate are the Eastgate Transit Oriented Development (TOD), OLB 2 and NMU. The TOD is intended to leverage the park and ride. The OLB 2 responds to the need to accommodate services employees want, such as restaurants and dry cleaners, close to where they work. The NMU contains a mix of residential and commercial/retail serving the local neighborhood. Within each zone there are specific uses allowed, along with specific dimensional requirements, development standards, and design guidelines.

Ms. Byers shared with the Commissioners a map of the Eastgate/I-90 area that showed the existing and proposed land use districts. She noted that the TOD is intended to provide for a mix of housing, retail, office and service uses, with an emphasis on housing. It covers about 40 acres adjacent to the existing park and ride. The FAR is proposed to be 2.0, with an exception of up to 1.0 for affordable housing, open space, public restrooms, special dedications and transfers. The maximum building height is 160 feet, except that parking garages would be limited to 45 feet. The parking requirement is reduced for the area

The OLB 2 district is intended as the location of offices, hotel/motel and eating and drinking establishments. The district is applied in areas that have convenient access to freeways, major highways and transit. The FAR is limited to 1.0 and the maximum building height is 75 feet. Residential uses are not allowed in the district, so there is no affordable housing bonus proposed.

The vision for the NMU is for a district with a mix of retail, service, office and residential uses. The retail uses would be on the first floor of buildings with residential above. The district is designed to be compatible with nearby neighborhoods and easily accessible by nearby office and residential uses. The FAR is 1.0 and the maximum building height is 75 feet. The affordable housing exception of up to 1.0 FAR is available in the district.

Ms. Byers said where there are NMU properties that takes advantage of the affordable housing exception, the overall building height should not exceed that of a house on a hill in a residential zone adjacent to it. The notion plays into the idea of the transition area design district which provides for buffers and other types of mitigation to ensure that the impacts of development in the more dense neighborhoods play nice with abutting residential districts.

Conformance amendments will be included to ensure that the new amendments conform with the code.

Implementation Planning Manager Eric Miller for the city's Department of Transportation. He explained that the Comprehensive Plan serves as the vision for the city. Within it are the Transportation Element in which are housed the long-range transportation facility plans. Those plans are used to inform the Transportation Facilities Plan (TFP) and the Capital Investment Program (CIP). The 12-year TFP is a citywide prioritization of projects; it involves a programmatic environmental analysis, and it forms the basis for the transportation impact fee program, which are fees development pays to help build facilities that serve their traffic impacts on the transportation system. The current TFP was adopted in December 2015 and covers the years 2016-2027. The CIP is the funded budget for capital improvements, including transportation projects.

The Commission was shown a map with suggested Eastgate improvements that included roadway/intersection projects, ped/bike projects, freeway projects, and transit projects.

Mr. Miller explained that under the Growth Management Act, jurisdictions are required to adopt concurrency ordinances. Concurrency is a system to determine the ability of the transportation system to support growth that is caused by new development. An analysis is made of each new development proposal submitted to determine the new trips the development will generate, and a determination is made as to whether or not the existing and funded transportation improvements can accommodate them. The analysis takes into account all existing land uses and factors in all approved development and adopted CIP projects. Each development proposal must meet the minimum thresholds tested for. Within the Transportation Element of the Comprehensive Plan, there are concurrency standards for each of the individual Mobility Management Areas, of which Eastgate is one that has an adopted V/C standard of 0.9, which is a measure of traffic going through system intersections identified in the transportation code and the volume those intersections can handle. The average of the seven system intersections must be within the standard; up to four of the intersections can exceed the standard so long as the average remains below the 0.9.

Each year, or as otherwise directed, an analysis is done of the city's concurrency system. The 2016 iteration was recently completed and it found that currently the overall average within the Eastgate MMA is 0.64, well under the standard. Only one of the seven system intersections is currently exceeding the standard.

Ms. Byers said the SEPA analysis that happens at the project level has three tiers. The first standard under state law is significant probable adverse impact. If it is determined there is that kind of an impact, the focus turns to whether or not it can be mitigated. Mitigation for long-range concurrency can include reducing the size of the development to generate fewer trips; delaying development until the city or others provide the needed improvements; constructing the needed improvements; or paying the money for the improvements. For mid-range mitigation, developers can pay traffic impact fees at the rate of \$4703 per net trip generated. Short-range mitigation can include a review of intersection operation, trip generation, and other transportation issues.

Ms. Byers said the issues raised by the public during the open house and as the study moved forward centered included the degree to which the park and ride is full and what will be done about transit. She said she raised the issue with King County Metro planners and found that the document they have posted to their website is only a visioning document that represents the first step in their planning process. It is a very general document that does not even include projects. No mention is made of expanding the Eastgate park and ride, but that does not mean it will not happen. She said she learned that the cost of a new park and ride facility runs approximately \$80,000 per space, so Metro is looking at ways to use the space they have more effectively, including encouraging walking and biking to the park and ride, and permitting carpool parking. It is true that some who are parking at the Eastgate facility are actually going to Bellevue College, and the college is taking steps to keep that from happening.

Metro continually reviews its routes for crowding, levels of service and on-time service. Changes are formally made on an annual basis, but they also adjust in response to customer input. Metro has a regional grant to increase the speed and reliability for Route 245 that runs between Factoria and Kirkland, and improvements there may help with the Eastgate corridor as well. Currently, Route 271 makes a circuitous route using Eastgate Way and 148th Avenue SE before going through the Bellevue College campus. The Bellevue College connector plan would have the buses using Kelsey Creek Road, Snoqualmie River Road and 142nd Place, reducing the county about \$500,000 annually, decreasing the time it takes to get to the campus, and decreasing the amount of bus traffic on 148th Avenue SE.

Mr. Cullen said the CAC put an enormous amount of work into developing the Eastgate/I-90 land use and transportation project. One of the concerns raised early on was wanting to see the corridor revitalized in a way that would result in a minimal need for additional transportation improvements. Since the CAC completed its recommendations, there have been no less than 35 presentations made to various groups, including the City Council and the Planning Commission, regarding the project. All of that work has brought the project to its final phase, which is the Land Use Code amendments. The proposed amendments clearly address what the CAC recommended relative to the physical constraints, the need for economic vitality, mobility, land

use and transportation integration, connectivity, transportation infrastructure, environmental sustainability, urban design quality and coherence, and incorporation of the Mountains to Sound Greenway. A large number of groups were involved ranging from businesses to residents.

A great deal of technical analyses were done and background reports were drafted. Taken together, the work shows the proposal does not represent a casual thought to change some land use zoning districts and to create some new ones; there is an enormous amount of weight and planning that has gone into it. The proposal represents the work to translate the direction given into zoning districts and Land Use Code amendments.

Mr. Cullen briefly reviewed the FAR and maximum building height for each of the new proposed zoning districts and demonstrated how the proposal reflects what the CAC called for. He allowed that transportation is currently an issue for the area but stressed that it has been accounted for in the transportation facilities work program. Improvements have been put into the financially constrained 12-year TFP that will eventually ended up in the seven-year fully funded CIP.

(7:34 p.m.)

Mr. Pat Callahan, CEO of Urban Renaissance Group and Touchstone, 215 River Road Northwest, Bainbridge Island, said he has been involved the local office market for about 19 years. He said he has been advocating for zoning changes in the Eastgate/I-90 corridor since 2008. He noted that he had attended every single one of the CAC meetings. Currently, what is proposed to be the TOD zone is a sea of parking. The investments made in the transit center total some \$65 million and the proposed land use changes are designed to take advantage of that significant investment. As proposed, however, there is a requirement for residential to be included in the master development plan, but including that requirement would be a mistake. Allowing for residential is a good idea, but going from what is there now, where there are absolutely no amenities, to an amenity rich walkable environment is going to be challenging to achieve economically. The concept talked about with the CAC included making sure density can be gradually increased through the construction of two 12-story buildings, thus producing enough mass to have the amenities and enough income to invest in a pedestrian corridor in the zone. Once that is done, residential can be considered in the zone. It will be too difficult to finance a residential tower in the middle of an office park in the initial phase. Building height to allow for 12-story buildings will be needed to support all of the costs of getting to the next phase of development. The stories above the fourth floor will have commanding views of the Mountains to Sound Greenway and that will bring in rents that justify the development. In practice, that will require building heights of 170 feet, including rooftop equipment. Additionally, driveways should be added to the list of permissible interruptions given the importance of driveways to the flow of traffic in the corridor. The street grid that is in the development actually conflicts with some of the street grid that is in the planning documents, and it would be preferable to have some consistency.

Mr. Jack McCullough, 701 5th Avenue, Suite 660, Seattle, said the penultimate page of the packet distributed to the Commissioners shows the street grid that is included presently in the plan. He pointed out that one of the streets intersects with the probable location of a future tower. He noted that also included in his handout were specific recommendations for change to the proposed Land Use Code amendments. He said the 45-foot allowance for parking structures needs to be increased by about ten feet to allow for retail on the ground floor. With regard to residential, he noted that the language of 20.25P.020.B.1.a says the master development plan must indicate where residential will go, and in fact says it must guarantee that residential will be developed. The guarantee is the issue. There is no historic market for multifamily in Eastgate, so there is no demand and no proven ability to get it done. The guarantee could result in having the opposite effect of what is intended. The CAC report includes a section that suggests a policy requiring some residential, but the report provides the foundation for the Comprehensive Plan amendments looked at by the Commission about 18 months ago and which the Council adopted about a year ago. Those Comprehensive Plan amendments, S-EG-1, S-EG-2, S-EG-3 and others, talk about ensuring that the TOD center can be developed with significant density. To require a guarantee up front would be inconsistent with those policies in that it will prevent the development of the TOD in the near term. Alternative language should be included that calls for preserving locations for future multifamily development, and for not precluding multifamily development.

Chair Hilhorst pointed out that the discussions to date have included the need for housing close to the college. She asked where the break point is. Mr. Callahan said Bellevue College was well represented during the CAC process, and that triggered several discussions about the college's plans. The space by the south entry was identified as a potential location for housing. The problem with the TOD site is that there is not enough density yet to support a six-story residential building. The idea is that once the college finished building out its residential plan for the campus, the TOD site will become a natural site for more housing, including the bridge to the campus from a parking structure, but that is 20 or 30 years in the future.

Commissioner Walter said much has been said about the cost per parking stall and the need for additional height to support the investment. She asked where the revenue source would be if the garages were built with no surrounding development to support it. Mr. Callahan said there are currently five buildings that collectively equal 250,000 square feet. The thinking is that the two additional towers totaling 500,000 square feet in the middle of the project will help to create a place. Support for the parking garage would come from the 750,000 square feet, and that level of density would in turn support coffee shops, lunch places and other amenities.

Mr. Dan Phillips, 4211 135th Place SE, said an increase in commute delay is an increase in commute delay. Concurrency should be targeting improvements. An A would be holding the line, and a C would be not making things any worse than it would be through normal growth in the region, maybe one percent. Allowing an increase of 26 percent or so would not be any better over leaving things as they are. It is not clear as to where all the data is coming from or its timing. During the summer months traffic is always lighter because school is out, and if the studies are done in the summer things could seem okay. Transportation improvements need to be

made before the construction happens, but it looks more like the city is hoping it will happen. If the cornerstone of supporting more automobiles is adding an additional lane on each side of I-90 between 150th Avenue SE and Issaquah, there is a problem. More development will mean more people coming into the area by car. There is hope that some will come by bike and some will come by bus, but the transit center is near capacity already and the park and ride is full. There are quite a few amenities already in place for people who work in the area, and food trucks pick up a lot of the slack. Changing the OLB to allow for more people and more traffic in the area should certainly be support for the businesses that are there. More businesses could be added to the first floor of buildings. One concern is having bigger buildings that will require more energy to be used, and with more HVAC systems running there will be more noise, all of which will impact people immediately adjacent to the area. It is a good proposal to keep building heights down so they do not interfere with existing residences, but there are other considerations, including traffic. Any parking garages put in should have direct access to the freeway to reduce traffic on surface streets.

Chair Hilhorst noted that 20 hands were raised in support.

Mr. Clark Kramer, 15531 SE 37th Street, spoke representing the Trailer's Inn RV Park. He noted that the site is under consideration for a zoning change to NMU. He said he has been involved in seeking a zoning change since 2007. As proposed, the site will be afforded an FAR of 2.0, but the limitation of having 1.0 FAR being for affordable housing bring everything to a halt. From the economic standpoint, no one will redevelopment the site. The site should be given an FAR of 2.5. The site is unique in that it was originally a gravel pit and is currently zoned General Commercial (GC). The site stands ready to be redeveloped. With an FAR of 2.5, it would be possible to include between 65 and 75 affordable housing units in the project. Under GC, the site is allowed to do a number of different things. Going to NMU will take away the ability to have auto dealerships, paid parking lots, auto garages and other uses from a site that is directly adjacent to the freeway. If there are to be restrictions relative to lot coverage, and 1.0 FAR for affordable housing, and a removal of the currently allowed uses, the property will actually be devalued. The currently allowed uses should continue to be permitted.

Mr. Ross Klinger, 500 108th Avenue NE, Suite 2400, said he is the listing broker for the Kramer family's Eastgate RV site. He said he has an unprecedented number of buyers interested in property of that type. The city and the region needs new apartment units and it is up to the Planning Commission to adopt a reasonable land use alternative that allows an FAR of 2.0 and a new zoning district. The Puget Sound vacancy rates are at 3.3 percent, which is below the 20-year standard of 5.0 percent. The Puget Sound area added 61,373 residents in the last year, surpassing the seven million mark. In January 2016, 10,700 people moved to the area, which is 600 more than the same month in 2015. The Puget Sound economic forecast is for the region to add 125,500 jobs over the next three years. A total of 12,500 new residential units came online in 2015, and 15,000 new units are expected in 2016. The unknown is where all those people are going to go. More units available will mean fewer rent increases. The market can easily support a residential project on the RV site.

For the benefit of Chair Hilhorst, Mr. Klinger clarified that there is enough of a market demand for housing. He added that in the past nine months the LIV project in Bel-Red has gone from 92 units leased to 408 units leased, an average of 35 units per month. The demand is there.

Mr. John Shaw, 4555 193rd Place SE, Issaquah, spoke as director of multifamily acquisition for American Classic Homes. He said while close, the proposed NMU zoning misses the mark. The proposal for an FAR of 1.0 for market-rate housing and 1.0 for affordable housing, there is no economic viability for the developer, primarily because it costs the same to build the affordable units but the allowed rents are lower. As proposed, the NMU zoning on the RV site will yield a very skinny seven-story structure with no affordable housing. American Classic Homes builds affordable units into every one of its projects, and it can do so because of incentive-based zoning. In Seattle the multifamily tax exemption program allows for up to 25 percent of the building to be affordable because of the tax credits. In Bel-Red, essentially 20 percent of the bonus FAR goes to affordable, making it economically viable to build them. There is a clear demand and the company wants to build a project on the RV property, but the limitations are a concern. The site is viable since it will be five stories of wood over two stories of concrete, an approach that supports where rents currently are. However, ten- or twelve-story buildings require solid concrete and the rents in the Eastgate area will not support the cost. American Classic Homes wants to provide affordable housing, but as proposed that would not be possible. A traffic engineer was hired to do a peer review of the report done, but was directed to consider an FAR of 2.5 on the RV site. He found the net result of going from an FAR of 1.0 to 2.5 would be a half second delay at the intersection by the car dealership.

Chair Hilhorst asked about the site coverage percentages. Mr. Shaw said as written structures can cover 35 percent of the 3.3-acre site. It is also being proposed that the maximum pervious surface coverage should be 60 percent, and up to 80 percent if pervious surface, but the pervious surface installation costs are about double. Chair Hilhorst asked if more of the site were allowed to be developed with structure if there would be any advantage to a larger footprint coupled with a shorter building. Mr. Shaw said going that route would preserve views for nearby properties. Issaquah allows up to 80 percent pervious surface coverage but allows less height.

Commissioner Walter asked for a response to the comments from the public regarding traffic concerns. Mr. Shaw said traffic is always one of the first things analyzed in looking at doing a project. That is why at such an early phase a peer review has already been conducted. A number of things will be required as part of getting a building permit, including improvements to the intersection.

Mr. Brian Palidar with Group Architect, 1735 Westlake Avenue North, Seattle, said he served as principal in charge and the primary designer for the LIV project in Bel-Red. He provided the Commissioners with copies of alternative code language for the NMU zone. He said the FAR needs to be in the 2.5 range in order to be feasible, but there are also details that come with that number in order to make it all work. He proposed setting a base FAR of 1.25, and allowing an additional FAR of 1.25 through the provision of amenities such as affordable housing, at a ratio of five square feet for every square foot of affordable housing; senior housing; trail dedication;

improving pedestrian connectivity; parks and open spaces; and sustainable certifications. He said while the developer wants to see affordable housing included, not every development would choose to utilize all of the elements of the amenity system and as such they should be allowed to pay a fee in-lieu. Some of the proposed footnotes are items of concern. With regard to the LIV project, counting the cross sectional tower area, comes in at right about 40 percent lot coverage, which is more than the proposed 35 percent in the NMU. In Bel-Red, there is an allowance for up to 75 percent impervious surface pervious surface, whereas the proposal for the NMU is only 60 percent. It makes sense to have commercial and retail uses at the ground level, but it should be done where it makes sense; forcing everyone to do retail or office space could result in a lot of empty space.

Mr. Anthony Allison, 15053 SE 44th Street, said the concerns he and his wife have is the RV site that could end up being a site for affordable housing. The big issue is traffic and it does not seem that an R-20 site in that area will help what has been a problem for years. The schools are at maximum capacity already which means the teachers, students and parents are all stressed. He said his son's teacher has had enough and is moving. Until the school's catch up with the density, the kids will continue to suffer. There is no funding or plans to address the current bottleneck, so it will get worse. The zoning should not be changed until traffic is addressed. The area has seen an increase in crime as well, and he noted that he personally has been robbed three times in the last three weeks; increasing density will increase the crime. There is a clear demand for the housing, but the facilities are not in place to accommodate it. The RV site should be changed to R-20.

Ms. Angela Allison, 15053 SE 44th Street, said she has lived there for 15 years and every year has seen more and more traffic in the intersections, largely due to overcrowded freeways. She said every day in going to work she has to maneuver around the bottlenecks. She said she lives only seven miles from where she works, but the commute can take up to 45 minutes, especially to get home. She said her son's kindergarten and first grade teachers have both said they were moving away because the number of kids they have to deal with is just too much for them. The question is how many years it will take for school services to catch up with the demand.

Chair Hilhorst noted that 12 hands were raised in support.

Ms. Leslie Geller, 15102 SE 43rd Street, commented that Bellevue calls itself a city in a park, but often it feels more like a city in a parking lot. She said he has been in her home for 22 years and just completed a full remodel. She said she has always been happy with the neighborhood but after attending the open house and finding out what is being planned for the Eastgate corridor, frustration and anger set in. She said she would have reconsidered her remodel had she known. Traffic is a huge challenge. If there is going to be a 21 percent increase in traffic even if nothing is done, something should be done to mitigate that increase. The established neighborhoods will be the losers if the plans go forward.

Chair Hilhorst noted that 12 hands were raised in support.

Ms. Sue Israel, 1709 134th Avenue SE #9, said her main concern is traffic. It can take 15 to 20 minutes to travel from Factoria to Eastgate when in fact it should take less than five minutes. Coming down 148th Avenue SE to go to 150th Avenue SE in front of Albertsons, it can take 15 minutes, but it should not take that long. The city should look at the traffic before approving a rezone. The city and the state should work together to get rid of the traffic before allowing more people into the area. She said where she wants to go she cannot take a bus or ride a bicycle.

Chair Hilhorst noted that 14 hands were raised in support.

Ms. Esther Drukman, 1709 134th Avenue SE, #15 said she loves the vision for the Eastgate area, but there has been no evidence presented for how the plans could be carried out with the amount of cars on the streets. She said she was told at the open house that she did not need a car, that she could take a bus, but she said at her age taking the bus or riding are not options. Nothing has been said about where those who will work in the big buildings will be able to park. The public is confused and angered for the fact that they cannot get around the streets quickly and efficiently. It takes 30 minutes to get to work three miles away.

Chair Hilhorst noted that ten hands were raised in support.

Ms. Linda Nohavec Belliveau, 3273 163rd Place SE, said she understands that a great deal of work goes into planning, but said she was just learning about the process. She said she and many of her neighbors were not notified, so it is alarming to find out the work has been going on for six years. The map shows no greenbelts, no wetlands and no parks other than Robinswood Park. With regard to traffic, she asked what the 0.9 LOS equates to in terms of seconds of delay per stoplight. Traffic mitigation usually means just putting in one more stoplight somewhere. It appears that no one has looked at or addressed the cumulative impacts. She said she no longer commutes but chooses to work out of her home, and when she does go out she makes sure it is between the hours of 10:00 a.m. and 3:00 p.m.

Chair Hilhorst noted that 14 hands were raised in support.

Mr. Brian Hartman, 2969 14nd Place SE, #9, said his home is very close to Bellevue College and his concerns are primarily in regard to transportation changes in the area. He said he is not opposed to many of the changes as proposed but are concerned with many of the details, including the increased traffic. The road that goes through the college campus is already close to housing units and the increased traffic will need to be buffered. The intersection off of 142nd Avenue SE that provides access to the college is a multiway stop and some changes are proposed to it, though it is unclear how that might change the entryway into his residential complex. Residents of the complex have seen an increase in crime and it is unclear what will happen if more students are moved through the area. He said he also did not receive notice of the process.

Chair Hilhorst noted that eight hands were raised in support.

Mr. Jonathan Loch, 6129 127th Place SE, said it is a privilege to be part of a community discussion where everyone can express their view. He said he is not a resident of the Eastgate area but rather lives in Newport Hills but certainly is a member of the larger Bellevue area. He said it has been said that affordable housing will only be feasible if an FAR of 2.5 is allowed due to economics. He said he and his wife grew up in south Bellevue, met and got married, sought graduate degrees out of state, and returned to the area to be close to family. However, it has not been possible to find any housing that is affordable, so the decision was made to move in with his parents. He said the desire is still to have a place of their own, and that will require having housing that is affordable, and to have it in the Eastgate corridor would be very convenient. Having transit options would be very important, including bike options.

Chair Hilhorst noted that five hands were raised in support.

Ms. Michelle Wannamaker, 4045 149th Avenue SE, said traffic and transit is an important part of the Eastgate project. The CAC even put it in the name of its report. Much has been heard about the Land Use Code, but the CAC recommendation included city street improvements, Metro improvements, Sound Transit improvements, WSDOT additional lanes on I-90 in addition to the Land Use Code. The city is ignoring all the rest of it and is just going ahead with the Land Use Code. The need for infrastructure is clear and it feels like the city cares enough about Eastgate to exploit it but not enough to invest in it, and not enough to invest in the CAC-recommended surface street improvements. In the Transportation Facilities Plan, the projects shown in red represent capacity improvements, and there are no red projects anywhere near Eastgate. No work will be done on any of the projects identified in the TFP in Eastgate in the next 12 years. The proposed levy does not include any Eastgate projects either. The city does not care enough about Eastgate to pressure Metro to make improvements in a timely manner. The Eastgate project is based on transit, which is Metro, and Metro's recently released draft long-range plan does not have any enhancements starting for another nine years. Transit cannot be used if there is no room to get on the bus, so that means the 9000 to 10,000 additional residents will be driving to and from work on Eastgate's roads. Little has been said about Appendix B, the transportation strategic report. It has been said that the LOS standard for the area is 0.9, and according to the Comprehensive Plan that is a D-. According to LUC 14.10.30, Eastgate is allowed to be a D- and that up to four intersections can exceed that level. The strategy report identifies the congested intersections. Staff talked about the LOS conditions as of 2009 but did not say that four of the intersections at that time would violate the standard even without growth, and that another four were close to violating the standard. Traffic is much worse now than it was in 2009 so those additional intersections have to be over the level of service. The intersection of 150th Avenue SE and SE 38th Street is shown at level A, the best possible, but the map in Appendix B shows the same intersection as red or heavily congested. That is an indication of how much worse traffic has gotten. Without traffic and infrastructure improvements to mitigate the Eastgate project, it would violate the city law.

Chair Hilhorst noted that 13 hands were raised in support.

Ms. Betsy Hummer, 14541 SE 26th Street, voiced appreciation for the work of Michelle Wannamaker on NextDoor to get such a great turnout. It is unfortunate that the city notification process is lacking at so many levels. It is something that needs to be addressed on a citywide basis. Traffic is the issue most talked about. She said it sometimes takes her 30 minutes to go from her house to the South Bellevue Community Center, a distance of only two miles. It is not just those who live and work in Eastgate, it is the surrounding areas. It is known that there is cut-through traffic from the south end of the county over to 150th Avenue SE trying to avoid I-405. There is also cut-through traffic on Newport Way that impacts the Eastgate area. People in Factoria, many of whom work at T-Mobile, use different church parking lots in the Eastgate area, which brings in additional traffic. Part of the problem is the limited options for getting across the freeway; more overpasses are needed.

Chair Hilhorst noted that 13 hands were raised in support.

Mr. Todd Woosley, PO Box 3325, spoke representing the Kramer family. He spoke in favor of the alternative feasible zoning code. He agreed that traffic in the area is awful and said he hates congestion as much as anyone. It will be necessary to work together to solve the issues. He said the state has agreed to fund a pair of new lanes on I-90 between Eastgate and Issaquah. The project, which was not anticipated by the CAC, is in design and will help to relieve the morning and evening commutes. It is not the only improvement needed, however. The intersections that have been identified in city plans need to be improved, but there is no funding currently identified for them. The Council is considering a levy that would in part generate funds for transportation improvements, and there will be three open houses next week. He said he would not be supporting the project for the Eastgate RV site if it did not fit in. Statistically, the potential half-second delay at intersections is not the problem. He shared with the Commission a short video showing how the proposed project would fit in with the NMU zoning. He noted there would be up to 75 affordable units and many more market-rate units. The site is one of two that was identified in the CAC report as having become economically obsolete. The site is nicely buffered from the neighbors by the existing trees. The existing city right-of-way on the property could be improved to provide access to the Mountains to Sound Greenway. He also shared with the Commissioners a rendering showing what a project with an FAR of 2.5 could look like.

Chair Hilhorst noted five hands raised in support.

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

****BREAK****

(9:01 p.m. to 9:05 p.m.)

13. STUDY SESSION

A. Proposed Land Use Code Amendments: Eastgate/I-90 Land Use and Transportation Project

(9:05 p.m.)

Chair Hilhorst reported that given the time the study session would be postponed to the Commission meeting on July 13.

14. PUBLIC COMMENT – None

(9:06 p.m.)

15. ADJOURN

(9:07)

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

Chair Hilhorst adjourned the meeting at 9:07 p.m.