

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
STUDY SESSION MINUTES

May 22, 2024
6:30 p.m.

Bellevue City Hall
Room 1E-113

COMMISSIONERS PRESENT: Vice Chair Goepple, Commissioners, Cálad, Khanloo

COMMISSIONERS REMOTE: Commissioners Ferris, Villaveces

COMMISSIONERS ABSENT: Chair Bhargava, Commissioner Lu

STAFF PRESENT: Thara Johnson, Emil King, Kate Nesse, Teun Deuling, Department of Community Development; Kevin McDonald, Department of Transportation; Matt McFarland, City Attorney's Office

COUNCIL LIAISON: Deputy Mayor Malakoutian

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER
(6:34 p.m.)

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

2. ROLL CALL
(6:35 p.m.)

Upon the call of the roll, all Commissioners were present with the exception of Chair Bhargava and Commissioner Lu.

3. APPROVAL OF AGENDA
(6:36 p.m.)

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

4. REPORTS OF CITY COUNCIL, BOARDS AND COMMISSIONS – None
(6:36 p.m.)

Deputy Mayor Malakoutian praised Vice Chair Goepple for doing an amazing job of presenting the tree canopy issue to the City Council on May 22. There was a full discussion, particularly around the clarity of the code in terms of discretion, flexibility and predictability, and around impacts on the development of housing. The Council also talked about the Safe Parking program and the Eastgate homeless shelter. Also discussed by the Council the district management organizations, like the Bellevue Downtown Association, the BelRed Arts District Community Alliance, and the fact that something similar is needed for the Wilburton, Factoria, Crossroads

and Eastgate.

Deputy Mayor Malakoutian also shared the news that as of June 1 Assistant Director Emil King will become the Director of the city's Department of Community Development. Emil King has the knowledge, experience, attitude and integrity for the job.

5. STAFF REPORTS
(6:39 p.m.)

A. Planning Commission Meeting Schedule

Comprehensive Planning Manager Thara Johnson took a few minutes to review the Commission's schedule of upcoming meeting dates and agenda items.

6. WRITTEN AND ORAL COMMUNICATIONS
(6:41 p.m.)

Chair Bhargava took a moment to note that under Ordinance 6752, the topics about which the public may speak during a meeting are limited to subject matters related to the city of Bellevue government and within the powers and duties of the Planning Commission. Additional information about the new rules of decorum governing conduct of the public during meetings can be found in Ordinance 6752.

Given the number of persons signed up to speak, a motion to extend the time for oral communications by ten minutes was made by Commissioner Cálad. The motion was seconded by Commissioner Khanloo and the motion carried unanimously.

A. Written Communications
(6:42 p.m.)

Comprehensive Planning Manager Thara Johnson noted that a number of written communications had been received and included in the Commission packet regarding BelRed and the Comprehensive Plan Periodic Update. The correspondence received after publication of the packet were forwarded to the Commissioners.

B. Oral Communications
(6:44 p.m.)

Maria Frost, transportation director for Kemper Development Company, noted that a joint letter from Kemper Development Company and Wallace Properties had been submitted to the Commission calling for amending TR-56 to read "Allow for the repurposing of travel lanes for other uses, such as parking, transit or pedestrian and bicycle facilities where excess vehicular capacity exists at peak periods, and where no other practical alternatives are available." The wording would remove the language regarding optimizing throughput, which has to do with the theoretical capacity of a facility, which is vague and subjective. The proposed wording echoes the Council's direction that travel lanes only be removed as a last resort. The letter also asked the cm to retain S-BR-54, which directs the city to design and develop arterial improvements, including added vehicular capacity, transportation facilities and non-motorized components, to serve the travel demand generated by the BelRed land use plan and citywide and regional travel demand. Another option would be to apply the language of the policy citywide by creating a new policy in the street section of the transportation chapter of the Comprehensive Plan. The policy

offers unique direction to design and develop arterial improvements, including added vehicular capacity, for the explicit purpose of serving current and future vehicular travel demand, direction that is not found in any other Comprehensive Plan policy, including those mentioned by staff in the Commission packet.

Jessie Clawson with McCullough Hill spoke representing several clients in BelRed who have streams running through their properties, some above ground and others below ground in pipes. Staff and the Commission were commended for their use of the word “incentive” throughout the policies. Private property owners will take on a large share of the role to voluntarily daylight or enhance streams so as to improve habitat. In order to make it happen, it must be ensured that the cost of doing the work will not be so high that it never gets done. For example, for a site with a stream running through it that is adjacent to a surface parking lot and a mini-mall, and where the stream buffer policies are such that with redevelopment a buffer of 100 feet is required, no property owner will ever choose to redevelop the site given that most of the developable area of the property would be taken. As a result, no one would be benefited, and the degraded stream and water quality conditions will continue indefinitely. The city could elect to condemn the property and do the work itself, but that would be expensive and is unlikely to occur. Right-sizing the stream buffers to create an ecological benefit and increasing the habit value of the stream without being overly onerous, there will be a win-win for housing development and the environment in BelRed. The policies as written are such that they can support those types of codes in the future.

Nicole Meyers asked the Commission to support treescaping for air quality. There have been many additions to the Comprehensive Plan in support of air quality. There is research supporting the use of trees along streets. CL-74 calls for providing for transportation improvements for the purpose of relieving localized substandard air quality by shifting traffic from the most polluted areas to less congested facilities nearby, balancing community needs. The policy appears to explicitly permit cut-through traffic, which the neighborhoods do not want. As an alternative, language could be added about using street trees to improve air quality first. By creating a line of street trees between the traffic and the adjacent homes, indoor air quality can be improved by more than 50 percent. Street trees are also a great asset for pedestrians. The Commission was asked to consider either requiring the shielding of street trees through the air quality impacts in those areas before encouraging cut-through traffic in the neighborhoods.

Jackson Dillar thanked the Commission for recognizing some of the inconsistencies, questions and concerns people have raised, and for recognizing the community’s responses.

Matt Anderson with Heartland, real estate advisors to the ownership of the Newport Hills Shopping Center, noted having previously submitted a letter about the Comprehensive Plan policies, and noted the understanding that the staff are working with a consultant to determine how much affordable housing could be economically generated in the mixed use zones with a range of densities. In advance of being able to review that work, there are observations that should be kept in mind during the process. If the Neighborhood Business zones are going to generate new housing across the city, there will need to be enough zoning capacity to incentivize redevelopment and to cover the costs of providing affordable housing and/or extraordinary amenities that might be desired in certain places. Citywide, the value of NB-zoned properties average about \$3 million per acre, so the value of development land needs to be 20 to 25 percent higher. The average land value per gross building foot for mixed use midrise buildings in Bellevue is about \$80, which translates to a minimum starting point for redevelopment in the NB zone at about 1.25 FAR. Adding affordable housing, if 20 percent of the units are to be affordable at 80 percent of area median income, another roughly .25 FAR would be needed to

offset the costs, raising the total FAR to about 1.5. In conversations with stakeholders in the Newport Hills Shopping Center, it is known that affordable housing is on the list of priorities, but what is wanted the most is public spaces and neighborhood-serving retail that support placemaking and gathering that people want the most. Sites like the Newport Hills Shopping Center can physically deliver on such unique amenities, but the only way to pay for them is through economically viable development capacity. Depending on the scale of the amenities and the amount of retail, for every one million dollars in extraordinary amenity cost, an additional .25 to .50 FAR would be needed, for a total of about 2.0 FAR to provide the kind of neighborhood centers contemplated by the Comprehensive Plan and by the neighborhoods.

Victor Bishop, a retired traffic engineer and former members of the Transportation Commission, provided the Commissioners a chart that was noted to be fundamental to the understanding of transportation issues in the city. The numbers on the chart were stated to be from the BKR travel forecast model, and the numbers indicated a projected 25 percent increase in person trips in the city between 2018 and 2035. Light rail will not solve the city's transportation problems; it will only carry six percent of the trips. Seventy-six percent of all person trips in 2035 will be made by car. TR-2 should be put at the top of the list given the Council's call to aggressively reduce congestion. TR-33 is a look-forward policy that calls for looking at forecasted trips; the staff are proposing elimination of the policy. TR-56 talks about taking away travel lanes for other purposes; that should not be done. TR-17 also addresses forecast demand, and it is essential to have such policies.

Heidi Dean referenced an email sent to the Commission by Newport Hills Community Club board member Amber Shear and urged the Commissioners to read it and consider the points outlined in it regarding claims made by Heartland in its email. It is unclear who the stakeholders are that Matt Anderson referenced; no neighborhood residents are known to have expressed such views. With regard to staff's rejection of the suggestion made by Commissioner Lu to change the zoning designation of the Basil Townhomes parcel to mixed use, either midrise or lowrise. Staff rejected the proposal by stating that introducing commercial uses on the parcels could impact the traffic on Coal Creek Parkway and could require a supplement to the EIS, delaying the update of the Comprehensive Plan. The Commission is already being asked to add in or change the zoning designations for parcels that seem to have been missed during the EIS. It would not be any different to do the same for the Newport Hills parcel. The current ingress and egress point for the development is not only too small, it is located at a place on Coal Creek Parkway that does not allow drivers to safely turn left onto Coal Creek Parkway toward I-405, especially during peak travel hours. It should never have been permitted in the first place. A mixed use development could have an ingress or egress point located at the existing junction of Coal Creek Parkway and Factoria Boulevard by simply adding a light facing into the development. If impacting traffic on Coal Creek Parkway is problematic enough to stop a mixed use project at that location, it would make no sense to place a mixed use midrise or lowrise project at the Newport Hills Shopping Center given that the ingress and egress for that site is incredibly limited by narrow two-lane streets with no ability for expansion. The traffic backups include buses. Commissioner Lu's recommendation should be supported; it makes sense for the site and could be easily implemented, and it would not alter the timeline for finalizing the Comprehensive Plan update.

Neil Mulnick, owner of the shopping center on NE 20th Street next to Fred Meyer on 148th Avenue NE, noted that on May 8 the Commission voted in favor of changing the zoning designation to Highrise Residential Mixed Use, and support and appreciation for the action was voiced. In addition to the walkshed for light rail, there is a large amenity base that includes grocery stores, restaurants and services. There is a lot of interest in developing multifamily in the area. In nearby Overlake Village, Redmond is planning buildings up to 30 stories, which will be

complementary.

Alex Tsimberman began with a Nazi salute and called the Commissioners lovely garbage rats and said the Commissioners are not nobodies, rather they are human garbage and by definition criminals. By definition Ordinance 6752 is a fraud and the Commissioners use it because they are criminals who have brought the city to total collapse and who are not bringing happiness to people. For many years the government has been controlled by a damn Nazi fascist junta and doing everything possible only for corporations. They do nothing for the people. The people of Bellevue should wake up and cleanse the dirty chamber from the seven elected dirty crooks. Change is needed.

Vice Chair Goepple asked the record to reflect that the comments made appeared to be a campaign speech not relevant to the duties of the Planning Commission, and in violation of Ordinance 6752.

Gary Stat, a Newport Hills resident, noted never driving on Coal Creek Parkway because of how bad the traffic is, which has been the case for many years. Recently an errand was run using 119th Avenue NE and it took 20 minutes just to get through the neighborhood. There is essentially no way out of Newport Hills. Putting housing on the Newport Hills Shopping Center site will only make things worse. No rezoning of the site should be allowed that would allow for multifamily housing.

Betsi Hummer thanked the Commissioners for their incredible service. Vice Chair Goepple was thanked for making a good presentation to the City Council. With regard to the issue of rezoning the neighborhood adjacent to Bellevue College, it was pointed out that unless the Future Land Use Map is changed, a city-initiated zoning change will result in the new non-defined Institutional Future Land Use Map for Bellevue College and the surrounding neighborhoods. The college has purchased many of the properties and has not made improvements to them, except for tearing down some houses. Reference was made to a letter submitted to the Commission involving some back and forth with staff seeking clarification of what will happen after the Future Land Use Map is approved in terms of the rezoning process.

7. PUBLIC HEARING – None
(7:16 p.m.)

8. STUDY SESSION

A. Comprehensive Plan Periodic Update
(7:16 p.m.)

Emil King reminded the Commissioners that quite a bit of time had been spent in the spring of the year going element by element with the Commission, identifying specific changes and questions. It was noted that all of the staff responses were included in the packet. Approval by the Commission will be needed to move the Volume 1 and Volume 2 policies forward to public hearing, which tentatively is scheduled for June 20 and June 26, with BelRed first followed by the overall Comprehensive Plan.

Senior Planner Teun Deuling explained that all of Bellevue's neighborhood area plans are housed in Volume 2. Bellevue is divided into 16 neighborhood areas. Prior to 2014 there were 14 subareas and changes were made to better align with community expectations and to facilitate long-range planning. The existing subarea plans will remain in effect until superseded by a new

and comprehensively updated neighborhood area plan. The scope of the proposed updates is limited to ensure Volume 2 complies with state law, and to ensure consistency between Volume 1 and Volume 2. Changes to the BelRed and Wilburton plans are currently being updated as part of the BelRed Look Forward and Wilburton Vision Implementation initiatives.

The neighborhood area plan policies in Volume 2 will only be updated to avoid any conflicts with Volume 1 citywide policies; to comply with state law; to avoid conflict with the Future Land Use Map and classifications; and to reference Volume 1's Future Land Use Map instead of the subareas land use plans attached to each subarea plan.

With regard to policy conflicts, Teun Deuling mentioned that some updates are needed to avoid conflict between the neighborhood area plan policies in Volume 2 and the citywide policies in Volume 1, and to make sure the Comprehensive Plan functions as an integrated whole. S-CR-9, which prohibits the expansion of community level retail districts other than the Crossroads Shopping Center, conflicts with LU-16 and LU-18. S-CR-12, which calls for keeping the designation of school and faith-owned properties as single-family residential, and which seeks to ensure any future use would be single-family, conflicts with HO-50. S-CR-80 puts a limit on new multifamily units and it conflicts with HO-11 and HO-19. S-NC-21 limits the establishment of new village centers to specific areas, and that conflicts with LU-17.

A number of policies conflict with HB-1110 and HB-1337 which requires cities to allow for middle-scale housing and ADUs on every residential lot. Several neighborhood area plans have policies that limit residential densities below the state-required minimum. The same is true for policies that limit multifamily development in certain residential areas. Several policies need to be amended to avoid conflict with state law by requiring different processes and which impose different criteria on multifamily development alone. S-CR-63 and S-NE-7 must be amended in that they only allow certain types of multifamily residential while generally prohibiting multifamily development.

There are policies in several neighborhood area plans that must be changed to remove policies based on land use designations that are outdated and no longer shown on the Future Land Use Map. Also needed are updates to policies to reference the new citywide land use map. Currently, each subarea plan has a land use plan attached showing land use designations within the respective boundaries, and staff recommends moving the land use plans be moved out of the subarea plans in favor of referencing the citywide Future Land Use Map and classifications in Volume 1. Having a single map instead of several will make it easier to administer the Future Land Use Map and assure consistency across the Comprehensive Plan as future updates are made.

Commissioner Khanloo asked why S-EG-12 was included as a necessary update to the Eastgate subarea plan given that it is related to transportation and traffic. Teun Deuling said there are two separate concepts in the policy in its call to discourage multifamily zoning and commercial traffic from passing through local streets in single family neighborhoods. The proposal is to update the policy to strike through "multifamily zoning" rather than to remove the policy. As revised, the policy would keep in place the language discouraging commercial through-traffic in residential neighborhoods.

Commissioner Khanloo pointed out that as changed the policy is still focused on transportation. Emil King clarified that the focus was on making only minimal changes to the subarea plans needed to adhere to state law. Teun Deuling added that state law requires allowing for multifamily development in areas that currently are single family neighborhoods. The focus was

on only amending policies that otherwise conflict with state law, such as limiting development only to single family homes. There are policies that refer to the existing character of neighborhoods, which in many instances is predominantly single family. Deleting all references to single family neighborhoods, including those intended to describe the existing character of a neighborhood, would be going beyond what state law requires.

Commissioner Khanloo asked why there was no similar policy for subareas. Emil King said the question is tied to the evolution of all the subarea plans that were developed in different decades as Bellevue grew. S-EG-12 is an existing policy and the proposed change is the minimum needed to comply with state law. The neighborhood area planning process will offer the opportunity to fine-tune the various plans, including Eastgate.

Commissioner Ferris voiced support for the proposed changes.

Commissioner Villaveces referred to the map and asked about the Newcastle and Richards Valley subareas. Teun Deuling said the neighborhood area boundaries and names were established in 2014 when the 14 subareas were changed to 16 neighborhood areas. Many of the names are still in place, though some of the boundaries may have shifted. Newcastle is no longer one neighborhood area; the area is now called Cougar Mountain and Lakemont. Richards Valley now more or less resembles Woodridge.

Answering a question asked by Commissioner Cálad, Emil King explained that residents who have been following the overall Comprehensive Plan process for the past two years should know that the modifications made are the minimum for consistency with Volume 1 and state law. No changes of a more significant nature is proposed as part of the neighborhood area plan updates. The neighborhood area planning effort will offer the opportunity for residents to get involved relative to their specific neighborhoods. The Crossroads and Newport neighborhood area plans will be on the Commission's agenda later in the year.

Vice Chair Goeppelle said the right approach has been taken in addressing only the areas where there are clear conflicts with state laws.

Absent additional comments, Emil King said staff would consider Volume 2 suitable to move forward to the public hearing.

Senior Planner Dr. Kate Nesse responded to two Commission requests regarding the map, beginning with the outreach around the C-1 properties. The city reached out to all of the C-1 properties, to which there were six responses. The Jubilee Reach property is the furthest along in terms of looking at development. The Commission also asked staff to look into equity implications and unintended consequences. Dr. Kate Nesse reiterated that changing the designation to medium-density residential, the requirement for affordable housing in the future would be precluded. Even though it is known that Jubilee Reach wants to build affordable housing, if at some point in the future they chose to sell the site to someone wanting to achieve market rate rents, there would be no restriction on them doing so. Making the designation change would also set a precedent for circumventing the C-1 process. The staff asked the Commission to reconsider its direction in regard to the Jubilee Reach property.

Dr. Kate Nesse noted that the Commission had provided direction on several land use map changes, all of which will be going forward. Absent including a new map, two sites were highlighted, beginning with the Public Storage site in Factoria adjacent to I-405 for which the capacity was not increased. Given the air quality concerns, the staff did not change the capacity

for any property located adjacent to the freeway, with the exception of the Factoria Mall site.

The second property highlighted was the Basil Townhomes site which Commissioner Lu had recommended changing from medium density residential to Midrise Mixed Use. Dr. Kate Nesse said the recommendation of staff was not to make that change for two reasons. First, there is an open permit for the site. The development is currently stalled for reasons that are specific to the developer. There have been talks recently about restarting construction and the city is anticipating the work will move forward. Second, the EIS did not study any commercial development on the site. With a Midrise Mixed Use designation, additional SEPA analysis could be triggered, impacting the process. For those reasons, the staff is recommending not making the proposed change.

Dr. Kate Nesse explained that all of the changes in response to policy feedback were included in the staff memo for the Commission's May 8 meeting.

Commissioner Ferris voiced agreement with all of the recommendations put forward by the staff and also thanked the staff for all the detail put into responding to the Commissioners' feedback.

Commissioner Khanloo commented that upzoning the Jubilee Reach site in the hope of seeing affordable housing developed, only to see the site sold to a new owner who will not include affordable housing, would not yield the desired outcome. Staff was asked if there were anything the city could do to gain a guarantee from the property owner. Dr. Kate Nesse said the staff are working closely with Jubilee Reach to make sure they can develop the property as quickly as possible. It would be the wrong approach to circumvent the C-1 process, which provides for much more capacity for affordable housing.

Emil King noted that at the previous meeting the staff had actually recommended going with the higher Future Land Use Map designation, and the Commission concurred. Upon further reflection, however, the staff believes the lower designation should be retained. Jubilee Reach has the ability to seek the C-1 upzone as a faith-based property.

Commissioner Cálad observed that HO-5 calls for acknowledging and documenting Bellevue's role in historical events and actions that have led to housing disparities and discrimination, and to ensure equitable outcomes in housing in all city processes, procedures and regulations while working to undo past harm. It is not clear what processes and procedures are being referred to. The focus on equity is mostly related to income levels, which is valid, but there are other inequities that are not being emphasized as strongly. Dr. Kate Nesse agreed with the need to focus on equity across the broad array. The housing section does, however, tend to focus on income because there are specific definitions involved. The issue of equity as referenced in the policy is intended to be broadly interpreted. The Affordable Housing Strategy is one tool for ensuring equity in housing, and it is much more specific in terms of actions to be taken.

With regard to the C-1 outreach, Commissioner Villaveces agreed with the position of the staff that it would circumvent the process if used on a single property. However, if the process were to be considered for the Jubilee Reach property, and if it would facilitate the development of housing, doing the same for the other C-1 properties might be of benefit. The C-1 approach requires the development of affordable housing, but there could perhaps be a contingency approach used that would not allow the properties to be redeveloped with higher densities without including affordable housing even if the sites are sold. There is a need for housing of all types, not just affordable housing. Dr. Kate Nesse said the Jubilee Reach property involves a few factors that will make developing the site take a little longer than what would be expected under

the normal C-1 process, which is one argument for the staff proposal. The C-1 process is clear about allowing for an upzone contingent on the development of affordable housing. It is true that there is a need for housing across the income spectrum, and the Future Land Use Map does add a lot of capacity for market-rate housing, especially in mixed use areas. However, the potential for the development of middle housing can also satisfy market-rate housing. The C-1 properties do not offer a huge potential for housing overall, but they do in regard to affordable housing.

Vice Chair Goepple voiced agreement with the staff recommendations in regard to the future land use designations, including the Jubilee Reach site. In terms of minor issues, attention was called to item 10, which is LU-13, and item 17, former LU-32, which is becoming LU-33, and the use of the word “neighborhood.” As used, the word is fine. “Neighborhood” as a word should be rehabilitated. Dr. Kate Nesse suggested that for LU-13 a clause could be added at the end to clarify that the focus is on neighborhood identity or visual character. The removal of “neighborhood” from the policies was not to say that neighborhoods are not important, rather it was to add clarity with regard to what a neighborhood is. Vice Chair Goepple agreed something should be added to focus on neighborhood identity, but not neighborhood character which is a term that could be interpreted as being exclusionary.

Dr. Kate Nesse said the word “neighborhood” was removed from item 17, former LU-32, new LU-33, as part of the attempt to clarify that the word is intended to refer to the 16 neighborhood areas. It is recognized that there are smaller areas within neighborhoods that have their own flavors. Vice Chair Goepple agreed not to seek a change to the policy.

Vice Chair Goepple referenced item 16, the new LU-32, and the issue of parking. Dr. Kate Nesse said the community is split on the parking issue, with some wanting more and some wanting less. There is state law that requires cities to remove parking requirements in areas close to transit oriented development. It does not require that developers build less parking, or that parking be eliminated. If the policy is amended, it should be to include language about commensurate with state law and transportation and land use objectives. Vice Chair Goepple said that would be a thoughtful addition to the policy.

Commissioner Khanloo commented that most people who go to Downtown Bellevue drive to get there and that behavior is not likely to change in the next 40 year, and that means there is a need for parking. In all areas of the city, it is very difficult for families, especially low-income families, to juggle jobs and schools using only public transportation. Having to pay \$300 to \$400 per month for parking is a real burden. LU-32 should be removed.

Commissioner Khanloo referenced the old TR-2, new TR-20, and commented that while the order of the policies is not intended to reflect the order of importance, it would still make sense to move the policy up and retain the old number. Dr. Kate Nesse confirmed that the policies are not listed in terms of their importance. In the transportation section, the last group of policies relate to residential streets which for most people are the most important policies. The formatting of all of the elements is aimed at making it easier for people to find pertinent policies, and to that end the major change to the Urban Design Element was to reorganize it to make more sense. Where TR-2 is located does not impact its importance. Commissioner Khanloo pointed out that TR-2 is an important policy for many and they remember it by that number.

With regard to the comments made by Kemper Development Company and Wallace properties concerning TR-56 and S-BR 54, Commissioner Khanloo agreed with the suggestions. People are upset that lanes are being repurposed and trees are being cut down to facilitate bike lanes.

Commissioner Cálad asked for clarification regarding TR-56. The guidance from the City Council about repurposing travel lanes was that it should be done as a last resort. Dr. Kate Nesse said staff has heard a lot from Kemper Development Company about the policy, and some alternative language has been considered to recognize that repurposing for transit and transit planning is a different process than for pedestrian and bicycle facilities. There are policies in place about engaging the community, and additional policies have been added to the Community Engagement Element to help facilitate meeting the needs of the community in planning for transportation.

Commissioner Cálad reiterated the need to focus on the concept of having no other alternative available.

Principal Planner Kevin McDonald pointed out that the Transportation Commission spent a lot of time on the language of the policy and in developing a recommendation for the Planning Commission to consider. In the intervening time there have been recommendations made by the Planning Commission and comments expressed by the community about the policy. There are really two components to the policy. There is the commonality of repurposing travel lanes, but the distinction lies in the question of for what purpose, and what considerations should be taken into account. The policy addresses repurposing for transit and in that instance it calls for ensuring the opportunity for person throughput to be met by the transit service using the repurposed lane. Specifically, the reference is to moving more people along a corridor in buses than in cars is one consideration for repurposing travel lanes.

The policy also references repurposing of travel lanes to accommodate facilities for use by pedestrians and bicycles, or for parking. In those situations, the focus is not on person throughput, rather it is on connectivity, level of traffic stress, and access that is comfortable. The reference to curbside parking relates to off-peak times when the demand for travel lanes is greatly reduced.

Kevin McDonald said the recommendation of the transportation department was to split the policy into two sections, with one section focused on repurposing travel lanes for the purpose of transit, specifically along Frequent Transit Network corridors and specifically for the purpose of improving person throughput and providing for transit speed and reliability, and the second section focused on repurposing travel lanes for parking in off-peak hours, and on a more permanent basis for pedestrian or bicycle facilities where excess vehicle capacity exists during peak periods. The concept of last resort is tied to analyzing proposals to repurpose travel lanes for any purpose, something that is not to be taken lightly. In that light, adding language to the policy referencing “last resort” or “when all other options have been considered” does not add value to the policy.

Commissioner Ferris voiced comfort with the initial policy as recommended by the staff, but agreed to the new approach proposed by staff provided the rest of the Commission agrees. The new staff proposal is, however, almost too explicit. The “no other option” language is concerning because there is no threshold established.

Commissioner Villaveces noted that many are saying the practice of repurposing traffic lanes will result in traffic gridlock and asked what repurposing lanes would look like in Bellevue. Car lanes have been repurposed successfully in other cities, including the city of Florence, Italy, which is now completely for pedestrians, the Left Bank in Paris, France, and Broadway in New York City. There should be a policy allowing for giving consideration to repurposing travel lanes with the right studies. Kevin McDonald used as an example the process used in the Downtown

and elsewhere to accommodate construction projects.

Commissioner Khanloo noted as a Downtown resident being familiar with traffic issues in the Downtown when lanes are closed to accommodate construction. There are accidents, restrictions on being able to turn right or left, zero sight lines and all manner of problems. Taking away travel lanes in other parts of the city will ruin the town. Bellevue will become Seattle with no parking and no way to drive around. Businesses will go out of business.

Commissioner Cálad voiced the understanding that the policy is intended to facilitate public transit. Kevin McDonald said that was not entirely true. If for the purpose of transit the intent was to provide for buses to be more reliable and speedy, and for the buses to carry more people than could be carried by cars in a travel lane, that would be justification for repurposing a vehicle travel lane.

Commissioner Cálad commented that there will be far more cars in the future than people using buses. Getting rid of a travel lane while adding cars will not solve the congestion issues the city faces. Repurposing a travel lane to allow people to walk and enjoy biking is the other part of the policy. Kevin McDonald clarified that the policy allows for that only in cases where there is excess vehicle capacity during the peak period. A full analysis would be undertaken where a proposal was made to repurpose a travel lane. Along some corridor sections there may be more travel lane capacity than there is demand for vehicles to use it. In recent years two Downtown streets have had travel lanes repurposed where it was demonstrated there was excess capacity. The Main Street project was for bikes only, and 108th Avenue was for transit and bicycles. The policy would allow for an analysis to occur before making a decision to repurpose a travel lane.

Commissioner Cálad asked for clarification as to what the Council had said about removing travel lanes as a last resort. Deputy Mayor Malakoutian said the Council at the time was discussing the Bike Bellevue program, a program aimed at facilitating safe connections for bikes north-south and east-west. For several corridors needed to complete the system, repurposing some of the road capacity for bike lanes will need to be done. The Council added the recommendation to the Transportation Commission that in the context of Bike Bellevue, and in regard to corridors having heavy traffic, that alternative solutions should be sought first and that repurposing of roadway capacity should be the last resort.

Kevin McDonald added that the Council also recommended any time the repurposing of a travel lane is recommended, it should be done first as a demonstration, with an analysis of the demonstration to determine if the reconfiguration should be made permanent or removed. The Council recommendation was made in the context of the Bike Bellevue corridors only.

Vice Chair Goeppelle noted being both a driver and a biker in Bellevue. The projected level of growth in the BelRed area is significant and it is realistic to expect there will be a lot more trips by a lot more people, both in cars and on bikes. Repurposing existing travel lanes is concerning given that the city is already operating at a fairly high capacity. There should be some language included that reflects the fact that repurposing travel lanes is a rarity rather than being common. The “last resort” phrase may not be the right language to use, but something like “only where there is a compelling transportation benefit to the public” might be appropriate. At a minimum there should be the understanding that the practice would never be done lightly.

Emil King said language could be added calling for such projects to be subjected to an initial study to prove a public benefit, followed by an initial demonstration phase.

Commissioner Khanloo reiterated a call for the policy to include the notion of last resort after all options have been exhausted. The final decision should be made by elected officials, not by the Commission.

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

****BREAK****

(8:49 p.m. to 8:55 p.m.)

With regard to S-BR-54 Commissioner Khanloo should be added to TR-17 as previously discussed.

Commissioner Khanloo noted the Commission had previously emphasized housing for youth in regard to HS-24, item 178. Dr. Kate Nesse clarified that New HS-28 was added to address behavioral health and housing needs for the youth.

Commissioner Khanloo asked about PA-39, item 189. Dr. Kate Nesse said the discussion regarding the item had involved more of a question than direction. It was noted that there are policies calling for the acquisition of parks, especially in places that are less well served by parkland. PA-2 is one such policy. There are also policies about maintaining those parks.

Emil King said the policies in need of resolution were LU-13, LU-32, TR-20, TR-56, S-BR-5, HS-24 and HS-28.

Kevin McDonald suggested reconciling the issues surrounding TR-56 by retaining the existing policy as recommended by the Transportation Commission, and adding to the end of it “after all other alternatives have been explored.”

Commissioner Cálad wanted the policy language to specifically refer to doing a traffic impact analysis before repurposing any travel lane. Kevin McDonald said a traffic impact analysis is a specific action that is applied to private sector development projects. The word “analysis” should be sufficient.

Commissioner Villaveces suggested a purpose should be stated and proposed “Allow for the repurposing of travel lanes only where there is excess vehicular capacity during peak periods, and when it is demonstrated through the best available technical evidence to be the most effective solution for the purposes of increasing transit capacity and efficiency.”

A motion to adopt the language proposed by Commissioner Villaveces was made by Commissioner Ferris. The motion was seconded by Commissioner Villaveces.

A motion to amend the motion to have the policy read “Allow for the repurposing of travel lanes for other uses, such as parking, transit, pedestrians and bicycles, where there is excess vehicular capacity during peak periods to maximize or optimize along the corridor when a traffic study has been completed, and only after other options have been exhausted” was made by Commissioner Khanloo. The motion to amend the motion was seconded by Commissioner Cálad.

Commissioner Ferris said the proposed language was awkward sounding and would not accomplish the desired outcome. Commissioner Villaveces agreed.

Vice Chair Goepple voiced a preference for the simplicity of the language proposed by the staff.

Commissioner Cálad pointed out the difficulty of considering proposed policy language without having it in writing.

Dr. Kate Nesse suggested the Commission should agree on the points to be added or removed from the policy, and then allow the staff to craft a policy for inclusion in the public hearing document.

A motion to amend the motion to amend the main motion to allow staff to take input from the Commission on the direction of the policy and to allow staff to create the actual policy language was made by Commissioner Ferris. The motion was seconded by Commissioner Villaveces and the motion carried unanimously.

Commissioner Ferris concurred with the suggestion of Commissioner Villaveces about including in the policy language about utilizing the best available science.

Commissioner Villaveces said the policy should state the purpose for the repurposing of a travel lane.

Commissioner Cálad agreed with the previous suggestion of Kevin McDonald to add to the policy “after all alternatives have been explored” or “analyzed” or “studied.” Commissioner Cálad also agreed with the suggestion made by Commissioner Villaveces.

Commissioner Khanloo indicated wanting to see included “after all other options have been exhausted,” “excess capacity at the peak period,” and “after a traffic study has been completed.”

Vice Chair Goepple agreed with including a reference to best available science, and a reference to all other alternatives have been explored. “Explored” is a better word than “exhausted” because it is not absolute.

Emil King said staff will craft language for the policy and include it in the public hearing, after which the Commission will still have time to review it and make changes if so desired.

Turning to S-BR-54, Kevin McDonald said the transportation policy has also received a lot of attention from the community. It calls for designing and developing arterial improvements, including added vehicular capacity, transit facilities and non-motorized components, to serve the travel demand generated by the BelRed land use plan in addition to citywide and regional travel demand. The Transportation Commission recommended repealing the policy because the policy direction is covered in the Transportation Element. The community persisted and the staff recommended repealing the policy as originally proposed from the BelRed subarea plan, and to add a policy to the Transportation Element in Volume 1 calling for designing and developing arterial improvements, including added vehicle capacity, transit facilities and active transportation components to serve the citywide travel demand. The proposed additional policy would apply citywide, not just to BelRed, and would clearly articulate what the city already does.

There was consensus to approve the recommendation as proposed.

With regard to New LU-13, reiterated the suggestion to add to the end of the policy “in a way that supports neighborhood visual identity.” There are additional policies in the Urban Design Element about gateway features and the like, so it would be appropriate to support neighborhood

visual identity at transition areas.

Commissioner Villaveces suggested that “apply contextually appropriate design” covers the intent of the policy. “...in a way that supports neighborhood visual identity” would be difficult to interpret. Commissioner Ferris concurred.

There was consensus to leave it as it was.

With respect to LU-32, Dr. Kate Nesse said the staff suggestion was to say “commensurate with state law and transportation and land use objectives.” The purpose of the policy is to provide guidance in meeting state law as well as the city’s land use objectives. Reducing the parking requirement does not mean that parking cannot be provided.

Vice Chair Goeppelle agreed with the staff suggestion.

Commissioner Khanloo disagreed with the issue of parking. In Downtown, and soon in Wilburton, people travel there and cannot necessarily take the train, and if they do not have parking available they will choose not to come and retail will suffer. The question asked was what the outcome would be without the policy. Commissioner Cálad noted having the same question.

Emil King noted that the Commission had discussed the issue when discussing Wilburton, and there were concerns raised by some Commissioners about potentially eliminating the minimum parking requirements. Language was considered that would allow some smart reductions in the minimum requirements, which would not prevent a developer from building up to the maximum. That would provide for the flexibility desired by developers about not having minimum requirements that were too high.

Answering a question asked by Commissioner Cálad, Dr. Kate Nesse stated that in some cases the city is required to either not having parking requirements or to have lower parking requirements. Policy is not needed in order to comply with state law, but the advantage of having a policy lies in having guidance how to comply with state law. The second part of the policy prioritizes parking options to serve the community with special needs.

Emil King clarified that state law dictates that when housing is near transit, parking reductions are required for housing.

Commissioner Cálad agreed that the city will follow state law and as such it is not necessary to have a policy. It is certainly not necessary to encourage people to follow state law. There is truly going to be a parking problem.

Vice Chair Goeppelle and Commissioners Ferris and Villaveces voiced support for the recommendation of the staff.

Commissioner Cálad said the policy should just be very neutral. Commissioner Khanloo said changing the policy language would be good but voiced support for the staff recommendation as well.

Turning to TR-20, Commissioner Khanloo indicated a preference for retaining the policy with its old TR-2 number.

Emil King explained that as renumbered to TR-20, the policy is grouped with similar and associated policies. Retaining the TR-2 number would put the policy out of place and it makes the most sense to keep it grouped with like policies. Dr. Kate Nesse said the alternative approach would be to move the mobility management and technology section up to the front, which would allow for retaining TR-2 near the front and still be grouped with like policies.

Commissioner Ferris recommended staying with the original staff proposal. Vice Chair Goeppel concurred, as did Commissioner Villaveces.

Emil King stated that some revisions were made to HS-28 related to youth at the direction of Commissioner Khanloo. The question asked was if that addressed the concern or if HS-24 should be amended as well. Commissioner Khanloo favored revising HS-24 as well.

Dr. Kate Nesse said the staff recognize the importance of the youth demographic, and the fact that the youth have unique needs. Staff did not recommend changing HS-24 in that it talks about the needs of everyone across the city, including the youth. In recognition of the fact that youth have unique needs, adding policy HS-28 makes sense.

There was agreement not to make any changes to those policies.

A motion to schedule public hearings on June 20 and June 26 was made by Commissioner Ferris. The motion was seconded by Commissioner Cálad and the motion carried unanimously.

A motion to extend the meeting another 15 minutes was made by Commissioner Khanloo. The motion was seconded by Commissioner Cálad and the motion carried unanimously.

With regard to the BelRed Look Forward policies, Senior Planner Gwen Rousseau noted that most of the direction previously provided by the Commissioners was either aimed at providing more comprehensive direction or clearer direction.

Commissioner Ferris voiced full support for the document, the presentation and the content. No changes are needed and it should be moved forward to the public hearing.

Commissioner Villaveces called attention to S-BR-38 and the note to facilitate the construction of mass timber buildings. There is a need for flexibility in the building and circulation requirements. Zoning requirements often require upper level setbacks, which can complicate the construction of mass timber structures. If there is room to allow for the reduction or removal of setbacks where for mass timber projects, the construction process for that type of buildings can be simplified. Gwen Rousseau said the point was well taken. Staff have been discussing ways of encouraging green building and mass timber construction. The issue, however, is one that will come up during the LUCA process as specific adjustments are made to the code. That is where the setback requirements will also be reviewed. S-BR-38 is a general policy aimed at achieving some sort of building articulation through modulation. As revised, the policy does provide for administrative flexibility to deviate from the building standards to achieve the goals.

Commissioner Villaveces said a separate issue to consider is the need for flexibility in terms of floor heights. The maximum heights in the zoning code usually allows for a certain floor-to-floor dimension, but with mass timber construction there systems that run underneath the floor, and abiding by the heights in the zoning code can result in losing a floor. An additional seven to ten inches per floor needs to be accounted for. Allowing for a controlled height variance in the form of limited additional height per floor for mass timber buildings would address the limitation

while maintaining reasonable building heights. Gwen Rousseau agreed and said that point also should be reviewed when looking the LUCA.

With regard to S-BR-57, Commissioner Villaveces asked why the policy as revised excludes large civic plaza or public square in favor of just a park near the 130th light rail station. There are no hardscape civic plazas anywhere and such spaces can be very important to the city. Gwen Rousseau the policy language was revised in an attempt to broaden the language. Parks can include plazas and other types of outdoor performance space. There is another urban design policy that highlights the need for plazas.

Commissioner Khanloo referred to S-BR-73 and asked about emphasizing housing for artists. Gwen Rousseau said according to the legal department an action cannot result in a discriminatory effect. It is permitted to indicate giving preference for artists, but in the application of doing so, the outcome cannot result in discrimination against a protected class. The goal of the policy is to highlight the fact that in some cases artists need specific housing typologies.

Commissioner Cálad asked if the owner of a building could advertise the spaces while giving preference to artists. Gwen Rousseau said the owner is allowed to indicate a preference provided that they do not end up discriminating against a protected class by allowing only certain persons to apply. In giving preference to artists, the owner would not be allowed to say that only artists can apply.

Vice Chair Goeppelle called attention to S-BR-16 and the issue of the medical office space footprint in BelRed. A concern was voiced that the policy as drafted could preclude other types of development.

Commissioner Cálad noted a concern about providing only for medical instead of being more flexible. Emil King clarified that hospitals require a special Comprehensive Plan amendment and zoning, which is Medical Institution, which must be approved at the state level. Overlake, Kaiser and Children's all have special zoning and Comprehensive Plan designation. There has been people asking specifically for medical office north of NE 12th Street as part of the update, and there have been medical office uses locate there. There have been no public comments in opposition to keeping the medical office there. By adding mixed use to medical office, even more flexibility is built in.

A motion to move the package forward to public hearing was made by Commissioner Ferris. The motion was seconded by Commissioner Khanloo and the motion carried unanimously.

9. OTHER BUSINESS – None
(10:03 p.m.)

10. APPROVAL OF MINUTES
(10:03 p.m.)

A. April 24, 2024

A motion to approve the minutes was made by Commissioner Ferris. The motion was seconded by Commissioner Villaveces and the motion carried unanimously.

B. May 1, 2024

A motion to approve the minutes was made by Commissioner Ferris. The motion was seconded by Commissioner Khanloo and the motion carried unanimously.

11. EXECUTIVE SESSION – None
(10:05 p.m.)

12. ADJOURNMENT
(10:05 p.m.)

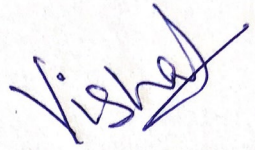
A motion to adjourn was made by Commissioner Ferris. The motion was seconded by Commissioner Villaveces and the motion carried unanimously.

Vice Chair Goepppe adjourned the meeting at 10:05 p.m.



Thara Johnson
Staff to the Planning Commission

06/21/2024
Date



Vishal Bhargava
Chair of the Planning Commission

06/21/2024
Date