

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
STUDY SESSION MINUTES

DATE, 2024
6:30 p.m.

Bellevue City Hall
Room 1E-113

COMMISSIONERS PRESENT: Chair Bhargava, Vice Chair Goepple, Commissioners, Cálad, Khanloo, Lu, Villaveces

COMMISSIONERS REMOTE: None

COMMISSIONERS ABSENT: Commissioner Ferris

STAFF PRESENT: Janet Shull, Thara Johnson, Emil King, Kate Nesse, Teun Deuling, Department of Community Development

COUNCIL LIAISON: Deputy Mayor Malakoutian

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER
(6:30 p.m.)

The meeting was called to order at 6:30 p.m. by Chair Bhargava who presided.

2. ROLL CALL
(6:31 p.m.)

Upon the call of the roll, all Commissioners were present with the exception of Commissioner Ferris.

3. APPROVAL OF AGENDA
(6:31 p.m.)

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

4. REPORTS OF CITY COUNCIL, BOARDS AND COMMISSIONS
(6:32 p.m.)

Deputy Mayor Malakoutian reported that Chair Bhargava brought the recommendation of the Commission on Wilburton/NE 8th to the City Council meeting on June 27. There was a robust conversation and ended with unanimous agreement to move the issue forward for an ordinance. Every Councilmember voiced appreciation for the hard work of the Commission, the staff and the public on the topic.

5. STAFF REPORTS
(6:33 p.m.)

A. Planning Commission Meeting Schedule

Strategic Planning Manager Janet Shull took a few minutes to review the Commission's schedule of upcoming meeting dates and agenda items.

6. WRITTEN AND ORAL COMMUNICATIONS

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.

A. Written Communications (6:36 p.m.)

Janet Shull said a large number of written communications were received following the Commission's June 20 meeting. About ten of the letters were in regard to the Comprehensive Plan topics, specifically the Newport Hills umbrella zoning. There were other more general letters regarding the Comprehensive Plan update and also the tree code.

B. Oral Communications (6:37 p.m.)

Michelle Hilhorst, current president of the Newport Hills Community Club, said there is a significant amount of activity going on the city currently and the hope is that the community club will have more interactions with the city and city staff going forward as things continue to evolve. The Commissioners and Councilmembers were also invited to visit the Newport Hills Community Club to talk about things.

Heidi Dean referenced an email sent to the Commission on the topic of ethics or the lack thereof in regard to conversations and promises made regarding the Newport Hills Shopping Center. The speaker noted having regularly coming to City Hall since 2013 to advocate for positive change at the shopping center and in the neighborhood. Over the years the focus has been on discussing the city's help with incentivizing the owners to sell to a buyer who would not change the zoning designation and instead honor the current Neighborhood Business designation. In 2013 a proposal was brought to the Department of Community Development leadership to have the owners and Bellevue College partner in a redevelopment that would have made the shopping center a satellite for Bellevue College student housing, with a direct bus line to and from the college. Nothing came of it. Suzanne Baugh has alleged that only a small but loud group opposes an upzone of the shopping center. That is untrue. Many are working for positive change, but the message has fallen on deaf ears at City Hall. The only thing Suzanne Baugh has offered is to find a commercial realtor to relocate displaced businesses and to crawl in bed with every developer who has shown up. No one in that group has ever offered to do anything positive to change the course of the center. What has not fallen on deaf ears is the request of Heartland LCC and its allies in the Lake Hills and Newport Hills neighborhoods. It has been disheartening to be ignore for so many years by the city, but it was horrifying to uncover via a public records request collusion against the speaker personally and the rest of the Newport Hills neighbors over the past 18 months by some of the people sitting at the Commission's table. The Commission cannot possibly make fair and impartial decisions regarding the Newport Hills Shopping Center when

the Commission has already determined what needs to happen to it based on biased and incorrect conversations with Heartland LLC and a tiny group of neighbors who do not represent what Newport Hills neighbors made overwhelmingly clear in 2016 and 2018. They do not support a change in the zoning designation, but they do support a meaningful refresh or redevelopment of the center. There is a senior housing buyer with a retail partner waiting for the property owners to come back to the table, but those property owners are waiting for the Commission to give them an upzone so they can sell and move on. The Commission should treat any business related to the Newport Hills neighborhood and shopping center in fair, ethical and transparent manner.

Faye Hau, a Newport Hills resident, expressed concern about recent initiatives. Housing affordability is a complex issue. The city of Vancouver is facing similar problems as investors have driven up home prices. On the speaker's street in Newport Hills, 53 percent of the homes are owned by investors. Eighteen percent are owned by LLC's and the outside money is pricing out local residents and altering the character of the community. Canada chose to extend a ban on foreign ownership of housing. LLC ownership of properties in Newport Hills has resulted in the loss of green space and heritage trees and other vegetation. In Downtown Bellevue the office market is showing signs of oversupply. There is a 30 percent vacancy rate and 4.5 million square feet of office is available. That raises questions about the need for additional office development. Bellevue should seek to manage foreign investment along the lines of what Canada has done to ensure homes remain affordable to local residents. Green space and trees should be preserved. Vacant spaces should be repurposed, including underutilized office space. Transparency for all actions should be ensured. Rezoning the Newport Hills Shopping Center will not solve the affordability problem.

Alex Tsimerman began with a Nazi salute and called the Commissioners damn rats and human garbage. Addressing the people of Bellevue about something critical to change all city business, including the government and the Commission, it was stated that Mayor Robinson has interrupted in every meeting for many years. By definition, that is dangerous for everyone in the city by showing what can be done with absolute power. The mayor is mentally sick, probably a pure antisemite, and has no limits. The democrat mafia banditas do not have red lights and can do everything. The speaker noted having been born a Jew, and stated that Deputy Mayor Malakoutian was born a Muslim and an antisemite. The First Amendment gives freedom of speech, and maybe Deputy Mayor Malakoutian does not know that. When no one stops the Nazi pigs, there will be total collapse. Only an idiot cannot understand that.

Vice Chair Goepple asked to have the record reflect that the testimony of the previous speaker was in violation of Ordinance 6752 and had absolutely no bearing on the business of the Commission. It constituted an insulting racist rant.

Betsi Hummer, a resident of a neighborhood next to Bellevue College, acknowledged the presence of several fellow neighbors and noted believing in all members of the community working together to find compromise. The Commissioners were thanked for their dedication and service, and for their diligent attention to the needs and desires of the community in seeking balance.

7. PUBLIC HEARING (6:56 p.m.)

A. Comprehensive Plan Periodic Update (continued from June 20)

Chair Bhargava welcomed public testimony from anyone who did not previously provide testimony on June 20.

Acting Planning Director Thara Johnson said the Comprehensive Plan Periodic Update was launched in the first quarter of 2022 and is now in its final phase. There have been a number of Commission study sessions and community engagement over the last two and a half years. It was noted the Commission would ultimately be asked to approve the update and move it on to the Council for action.

The Commission has provided recommendations on the overall growth strategy, including changes to the land use map. Much has been heard from the Commission and the community about potential changes. The plan focuses growth in the mixed use centers; seeks to provide a range of housing opportunities and diversity; meets the state legislation under HB-1120, HB-1110 and HB-1337; looks to expand both residential and commercial capacity in the neighborhood and mixed use centers.

The proposed Future Land Use Map emphasizes growth around the mixed use centers, which has been the tradition of the city in the past. The focus for capacity and growth is on areas well-served by transit, including the Downtown, BelRed, Wilburton, Crossroads, Eastgate and Factoria. The recommendation also seeks to add capacity around some of the neighborhood centers, such as Lake Hills, Lakemont and Kelsey Creek. Compliance with state legislation will allow for middle housing.

The update outlines a change of approach with regard to the Future Land Use Map. The overall land use classifications and designations have been broadened into wider categories. The change incorporates typologies and depictions of them in the Comprehensive Plan.

The majority of the substantive changes reside in Volume 1 of the Comprehensive Plan, apart from the Wilburton changes that have already moved forward. Volume 2, which includes the subarea plans for the various neighborhoods, has only limited changes in scope. The changes focus policies that conflict with the overall land use map, Volume 1 policies, and any conflicts with state law.

Mohamed Mohamed with the Muslim Community Network Association (MCNA) spoke representing the Eastside Housing Equity Coalition (EHEC), which is a partnership between the MCNA, Eastside For All, Indian American Community Services, and the Housing Development Consortium. The EHEC believes that supporting affordable housing is one of the most investments the community can make. It has a positive effect on the local economy and provides opportunities for the people. Additionally, affordable housing helps to reduce homelessness, improves overall health, and supports people in being able to stand on their own. More affordable housing is needed, and it needs to be clearly mentioned in the Comprehensive Plan.

Deborah Duitch, a long-time resident of Newport Hills, spoke in support of the proposed umbrella zoning process. The Newport Hills Shopping Center has within it several contiguous land parcels, several of which contain long-time vacant spaces. It is in a state of significant disrepair. Its appearance, the limited number of retail businesses currently operating, presents a poor image of the Newport Hills neighborhood. It provides little to no gathering space to meet the needs of the diverse ethnic and family types that exist in the neighborhood. The umbrella zoning will increase the city's effectiveness and efficiency, resulting in a more cohesive redevelopment plan. Full support was given to the inclusion of community gathering space in the Newport Hills Shopping Center. The proposed process will better support that goal. There is

currently no public community space available in the core of the neighborhood. The new Woodlawn Park has added an outdoor public venue, but having a year-round location with sheltered access during inclement weather is also very desirable. As the Newport Hills area continues to evolve and welcome new residents, redevelopment will provide the opportunity to include a community component in support of a stronger neighborhood connection.

Ann Brashear, secretary of the board of the Newport Hills Community Club, spoke on behalf of the board. The Commissioners and Deputy Mayor Malakoutian were thanked for their hard work on the update of the Comprehensive Plan. As the work nears the finish line, the board of the Newport Hills Community Club wants the Commission to reject the staff's zoning umbrella proposal. While sympathetic to the desire of owners and potential developers to have a quicker process for securing zoning changes, the proposed umbrella methodology would reduce the public notice and comment process to meaninglessness, and would eliminate the requirement of significantly changed conditions. That would have adverse consequences for Bellevue residents and neighborhoods because it would essentially cut neighbors, other residents and the Planning Commission out of the decision-making process, and would limit the information considered by the city to what is provided by the proponents of a rezone. The current activity around the Newport Hills Shopping Center shows the potential danger of the zoning umbrella with its truncated process. The owners consultant and its cherry-picked neighborhood representatives are already flooding city staff, the Commission and the Council with the false assertion that the Newport Hills Shopping Center is no longer functioning as a shopping center or neighborhood hub, and that the only thing that will solve the problem is doubling the allowable building height. Without the CPA process, actually Newport Hills residents and business owners who would have different perspectives and data to offer will not have meaningful advance notice that a change is being considered, nor time to prepare a response. Nor will they have a meaningful forum in which to present those perspectives and data. Every parcel in Bellevue could be affected under the umbrella methodology. For any zoning change there should always be a thorough analysis of the overall effect a change would have. Owners and developers have no duty to choose a course of action that would benefit anyone but themselves, but the city does. It is the city's job through its elected officials, its citizen boards and commissions and its staff to thoroughly consider the effect of any course of action on Bellevue residents as a whole and on neighborhoods and residents who will be particularly affected. The city cannot fully consider or choose wisely when the information it has about any given proposal is skewed in favor of the proponent. The primary function of the Commission is to serve as fact finders. The zoning umbrella proposal would be an abdication of that basis function.

Ryan Donahue, chief advocacy officer for Habitat for Humanity of Seattle, King and Kittitas Counties, stated that for nearly 40 years the organization has been creating home ownership opportunities in partnership with the community. The proposed Comprehensive Plan update presents the unique opportunity to create a more inclusive and resilient city for future generations. The Commission and the staff were thanked for their countless hours invested. To make homeownership a reality for more people, increased residential capacity and density must be prioritized in future land use planning. Strategically planning for density near schools, workplaces and transit hubs not only broadens housing opportunities but also controls rising costs, supports local business, and maintains vibrant connected communities. The Comprehensive Plan is essential in that it creates the backbone for the future of the city, a city that embraces the reality that it is no longer a sleep Seattle suburb, rather a city that takes its rightful place as one of the vibrant and welcoming cities in the state. The Comprehensive Plan creates opportunities to build affordable housing and homeownership developments across the city, such as the Orchard Gardens development on the site of the former Holy Cross Lutheran Church that will be the home for 125 people. The project was made possible by Comprehensive

Plan updates such as the religious property density bonus. If more affordable housing development is wanted, the city will need to assure that sufficient and diverse funding sources will be available, along with the zoning density needed to build the kind of density required to address the needs. The state does a decent job of providing funding opportunities, but cities and counties across the region need to step up and do their part as well. Local investments can leverage additional resources, significantly increasing the impact. There have already been significant successes with affordable housing requirements and similar programs across the region, enabling Habitat to create nearly 200 affordable home ownership opportunities for families that otherwise would never have had the opportunity. In looking for sustainable solutions for the housing crisis, it is essential to highlight policies that have been proven effective, such as utilizing surplus and public lands. By working together, the dream of home ownership can be made a reality for countless families in Bellevue.

Ruth Lipscomb, a long-time resident of Newport Shores, urged the Commission to speed up the implementation of Vision Zero to reach the goal of eliminating serious injuries and deaths on the roadways by 2030. To do that will require making hard choices about how to use the existing acres of asphalt to get the most people to where they are going safely. The original language of the new TR-57 should be retained to allow the repurposing of travel lanes when there is excess vehicular capacity. The Commission was also urged to focus on zoning changes that will allow for more housing in in all parts of the city. In particular, the Newport Hills Shopping Center should be allowed to redevelop in a way that will bring more residents to the area. The center was a vibrant and thriving neighborhood hub 30 years ago, and it can be done again. If the area cannot support even a Dairy Queen, it means there are not enough residents in the area. More housing is needed. That can be fixed by approving the umbrella zoning process.

Heidi Dean noted having gone through the agendas, documents and minutes of the Commission meetings between February 14 and May 8 to see if the staff's proposal regarding a zoning umbrella mechanism for changing zoning designations was ever mentioned. There is not a single mention of it except in the meeting minutes. It does not appear in the agenda for either the February 14 meeting where it was introduced or in the agenda for the May 8 meeting at which it was revisited. As a city-proposed process for changing zoning designations, it should have at least received its own agenda item. Instead, it was tacked on at the end of the Comprehensive Plan update discussions on those dates. Essentially it has been kept hidden from the general public as only those who were in attendance at those meetings, who watched the videos or who read the minutes would have been aware. The zoning umbrella proposal is citywide and has the potential to impact every parcel in every zoning designation and land use category, as well as every neighborhood across the city. However, no one knows about it except the Newport Hills folks who were reached via personal email. Some who wrote in were confused and conflated the issue with the epics related to the shopping center, but they still understand the crux of the zoning umbrella matter and they oppose it. The Commissioners have been told that they do not represent residents and that they are not to advocate for theme. That is true given that the Commission's job is to fairly and impartially evaluate what is brought before it. However, the Commission is being asked to approve a proposal with catastrophic citywide consequences that has not been properly noticed and that has had zero public process. The Commission is being asked to write a blank check on the zoning umbrella for neighborhood centers with the inclusion of the mixed use low midrise that will not even be defined until much later after the Comprehensive Plan has been approved. Approving the staff proposal is neither fair nor impartial given the facts. The Commission was asked to reject the staff-proposed zoning umbrella mechanism. Just because other cities do it does not mean Bellevue has to. With regard to the Newport Hills Shopping Center, what is never talked about is the impact of the ownership on what is happening there, and the choices they have intentionally made.

Michelle Hilhorst noted having been the chair of the Planning Commission during the last Comprehensive Plan update effort and voiced appreciation for what the Commission has faced over the last 12 months. It has very much been drinking from the almighty planning fire hose. There are many situations that have been and will be presented to the Commissioners during their tenure on the Commission. Many have been and will be potentially complex and agonizing. The changes made at the Commission level can be significant. One of the easiest decisions would be to not recommend the umbrella zoning proposal. Nothing breaks if the proposal is rejected. If the Commission proceeds to recommend including the proposal in the Comprehensive Plan, the changes may not necessarily be for the better, and the citizens opportunity to be included in planning process of their home communities will be silenced, creating an unjust and unequitable environment. In addition, adopting the proposal will result in the removal of significant thresholds with great purpose, such as that of significantly changed conditions. Commercial and neighborhood shopping center parcels should continue to follow the existing process for zoning changes, and those can and absolutely can and should be reviewed on a case-by-case basis. There should continue to be a public input process for those whose neighborhoods will be impacted. The diverse voices of Bellevue citizens should not be thrown to the wayside. Commercial and neighborhood parcel owners have millions of dollars to invest in Council campaigns, hiring lawyers and land use lobbyists, the latter of whom get paid to come up with ways to streamline for their client's financial benefit, not for benefit to any Bellevue citizen. The vast majority of such parcel owners do not even live in Bellevue, are not spending consumer dollars here, and do not have to live with the negative impacts on communities from an out-of-place development. The actual citizens of Bellevue should not be marginalized, those who do not have the means or wealth to counter. It is an unequitable proposal. The citizens of Bellevue are looking to the Commission to hear them at the public hearing on how their city planning should proceed. The proposal will not provide the outcomes that appear to have been promised to a select few; it will more likely crush communities and quality of life in Bellevue. Everyone is depending on the Commission to do the right thing.

Cameron Kast, who lives and works in Bellevue, expressed continued support for Vision Zero and asked the Commission to keep the original language of new TR-57 to allow for the repurposing of travel lanes such as parking, transit or pedestrian and bicycle facilities where excess vehicular capacity exists, and or to optimize person throughput along a corridor. Previous city investments in transit, cycling and pedestrian infrastructure have allowed many to live car-lite in the city. The speaker noted commuting to work daily from Bridle Trails to Downtown Bellevue via bike or transit, contributing to the city's tax base without contributing to traffic congestion in the most stressed areas during the most stressed times. In dense urban environments like Bellevue, dedicated transit lanes, bike infrastructure and pedestrian facilities are more efficient at moving people around the city than vehicle travel lanes. Road diets and the reallocation of vehicle space is an industry proven tactic to improve person throughput on corridors while also increasing the safety of vulnerable road users as well as users in cars. Comprehensive Plan policies should not be made based on unfounded fears and opinions, and the city must avoid adopting policies preventing staff from considering more efficient uses of the public spaces. While some in the community may treat lane reallocation as an untested and scary event, their arguments are based on unfounded fears and a lack of data. The truth is Bellevue reallocates street space all the time for bike lanes, transit facilities, parking, event space and more, all with minimum impact on vehicular operations. The city has repurposed many general purpose lanes into center turn lanes over the years and those changes have improved safety and traffic congestion. After repurposing lanes for the bike facility on 108th Avenue NE, rush hour travel times between NE 4th Street and NE 8th Street decreased. That project would never have been implemented under the direction proposed by Kemper Development Company. Continuing

to build out a network of safe streets in Bellevue is more than just efficient, it is necessary to achieve both the Vision Zero goal of eliminating serious injuries and deaths on city streets by 2030, and the modesplit goal to have just 45 percent of the city's residents and workers be driving along by 2050. Accomplishing the goal will require the creating of high-quality facilities that support and protect people walking, biking and rolling on the public streets. The comprehensive technical analysis and evaluation of other options are fully defined. What will count as the comprehensive analysis for the purpose of the policy is a question, as is will the city have the financial and staff resources to conduct such an analysis for every project to be considered. Policy language should not be adopted that could subject the city to undue cost and effort based on unclear principles. The original language new TR-57 should be retained.

Ian Morrison spoke on behalf of the Crossroads Shopping Center and thanked the Commission and the staff for getting to such a major milestone. The DEIS and the preferred alternative called for the Crossroads Shopping Center site to be designated as a highrise mixed use center given that it is on the bus rapid transit line and is a node where the focus is on creating a more walkable and livable third place. There was a proposal made by staff in May to move the designation from the preferred alternative from highrise mixed use to midrise mixed use to spread out the density in the area. The solution is to find a compromise. There are parking lots in the center of the mall where the highrise designation should be kept, allowing for the development of more housing in the center of the mall, with ground floor retail, keeping the beloved local restaurants, and repurposing parking lots for higher density up to potentially 16 stories. Allowing for the blended approach would keep midrise at the park edge and the street edge while allowing the core of Commissioners to be zoned in the Future Land Use Map as highrise mixed use, providing more flexibility to bring more housing and retail where what is now parking lots. There are currently some large retail spaces that are struggling with the issue of post-Covid retail, and the proposal would allow for tenanting those spaces. Retail will always be part of Crossroads and will also seek to have local, unique and third places. The highrise mixed use density in the middle would allow for future flexibility.

Valentina Vaneeva thanked the Commission for the zoning changes where they have been done. If the city wants to solve traffic issues, it should move businesses and services closer to where people live, so they can enjoy them without driving. It makes sense to rezone the parking lot at Crossroads into housing development. With regard to policies S-CR-43 through S-CR-56 are all dedicated to the safety of Sherwood Forest residential streets. Most are concerned with the fact that Sherwood Forest residents do not want more cars in their neighborhood and would prefer those cars go somewhere else. While that is understandable, it is less understandable why those streets have attracted so much policy attention in the first place. They do not have a history of serious injury collisions, and they already enjoy lower speed limits because they are residential. There is only one policy, S-CR-45, that talks about safety improvements on 156th Avenue NE and NE 8th Street, and nothing at all about 164th Avenue NE. The policy is so vague nothing tangible will come from it. Those streets have much higher speed limits, a long record of crashes involving pedestrians, and they attract a lot of foot traffic because of the mall and the park. It is also an area where there is a lot of multifamily housing. According to the city's own data, 73 percent of the residential units in Crossroads are multifamily, which means that less than a third of all units are single family detached. Sherwood Forest is a very small fraction of the total, yet for some reason the city ignores opportunities for meaningful safety improvements where they are long overdue and where more residents could benefit from them. Instead the focus is on further improvements of already safe streets. The Commission should not miss the chance to contribute to Vision Zero by asking for specific safety improvements for 156th Avenue NE, 164th Avenue NE and NE 8th Street by asking for lower speed limits and traffic cameras.

Ms. Michelle Wannamaker, an Eastgate resident, thanked the Commissioners for their time, energy and sacrifices made in order to complete the work on a very important project. The draft Comprehensive Plan Eastgate element, which is in Volume 2, includes the work done on the Eastgate/I-90 land use and transportation project. However, that project's Land Use Code had not been completed yet at the time the 2015 Comprehensive Plan was adopted, so the map in the Eastgate element is prior to 2015. The map in the Neighborhoods Element indicates the subarea plan boundaries are updated to align with the neighborhood area boundaries as the plans are updated. That is exactly what happened when the Eastgate/I-90 project was completed. So the Eastgate element map should show the Eastgate neighborhood outline that is on the neighborhood area map. The focus of growth in the Eastgate neighborhood was supposed to be what was originally called the Eastgate TOD, the area south of Bellevue College and next to the park and ride as evidenced in policy F-EG-1, which calls for focusing Eastgate growth into a mixed use center adjacent to the Eastgate transit center, with greater height and intensity than the surrounding area. In Eastgate, all of the Midrise Mixed Use and Midrise Office Mixed Use should be changed to lavender and pink in the Future Land Use Map, with the exception of the previously mentioned locations. Strong objection was voiced to the concept of umbrella zoning for similar development styles in order to rezone properties, as opposed to the CPA process. The approach leaves out the opportunity for the city and the applicant to hear any other voices, including those who may have critical information or knowledge of negative impacts that have not been disclosed. The approach is not equitable for residents as it removes their ability to object to a rezoning without hiring a lawyer.

Megan Raymond, attorney at Davis Wright Tremain, spoke representing Bellevue College and reiterated the support of Bellevue College for the adoption of the Institutional designation as currently identified in the draft Future Land Use Map. At a meeting May, the Commission discussed whether or not the scope of the Institutional designation should be scaled back to exclude some residential parcels not owned by the college, a proposal that ultimately was rejected by the Commission. The Commission was urged to maintain the map as drafted. The Comprehensive Plan looks forward 20 years and is intended to allow for future growth that is aligned with the city's goals and priorities. One of those priorities is the continued ability of Bellevue College to serve the community for decades to come, in part by allowing the college some flexibility for future expansion, which adoption of the Future Land Use Map as drafted would accomplish. The Institutional designation similarly provides for flexibility for the owners of the properties bordering the college by continuing to allow for single family residences. Residential property owners could continue their residential uses, and should they choose to sell, the college would be a viable buyer. The Institutional designation will be a positive and important change. Speaking on behalf of Chase Bank, which has a branch in Factoria that has been suggested for an upzone to Highrise Mixed Use in the draft plan, it was noted the bank favors the upzone in that it would lift a limit that has been in place for many years that limits the expansion of a building to 20 percent of the existing floor area. Chase needs more space at its Factoria branch to better serve its clients, and the Commission was urged to proceed with the CPA as proposed, and to follow up by rezoning the property accordingly.

Sander Valstar, a resident of Newport Hills, remarked on having grown up in a small town in the Netherlands that had a great town center where there were many shops, grocery stores, cafés, restaurants and apartments. Overall it was a great place to hang out, enjoy an ice cream, and meet with the neighbors. The proposed rezoning of the Newport Hills Shopping Center gives hope that something similar will be developing in the Newport Hills neighborhood. One concern, however, is that not enough is being done with low rise. Mid-rise should be on the table. There will need to be enough housing to sustain a new grocery store. The neighborhood also needs more places for people to walk to and enjoy. A low-rise zoning may result in a developer simply filling the entire

lot with buildings to make it profitable, leaving no space for a plaza or a park for people to enjoy.

Ellen Henneman, a Newport Hills resident, raised the issue of the umbrella zoning and noted as a working mom with three kids, including a special needs kid not having the resources of a commercial real estate developer advocating for a position. Residents pay taxes so that the planning staff can advocate for what is best for the communities and the neighborhoods on behalf of the residents. The imbalance of power means the Commission's bias should be toward the community's voices. That bias should not just be on behalf of single family homeowners who are sitting on millions of dollars of real estate, it should be in favor of the elderly, those who need affordable housing, adults in need of assisted living, and adult group homes. The relationship between city staff and the community requires trust. When guardrails are eliminated and more power is put into the hand of unelected staff, the door is opened to secrecy and poor outcomes. Developers will chip away relentlessly at weakened guardrails until they break, and the only recourse for the neighborhoods is to hire their own lawyer and fight them alone. The umbrella zoning gives staff the power to treat all neighborhood shopping centers the same if they so choose. While the current staffers and Commission members may all intend to act honorably on behalf of the residents, the staffers and Commissioners who will follow in future years may not act that same way. There have been assertions made that those opposed to the umbrella rezoning approach are a loud minority. The fact that no one is doing public outreach, no one is putting out flyers or newsletters, and instead people are meeting one-on-one with city officials speaks to the fact that they know their position is not popular. The zoning umbrella will increase the already outsized influence of developers, which is not equitable, and will eliminate the public outreach factfinding aspect of the process, which is not inclusive. Developers have co-opted the language of equity and inclusion to make it easier to get the upzoning they want. They are not passionate about things like affordable housing and assisted living facilities, or about community centers. To developers who have a hammer, everything looks like a nail, and the hammer is luxury condominiums. That is not inclusive.

Victor Bishop, a resident on West Lake Sammamish Parkway and a retired traffic engineer, spoke in favor of the staff-recommended revisions to TR-57 relating to the repurposing of travel lanes for other uses, and thanked the staff for proposing effective guardrails. The proposed language moves in the direction the City Council expressed of not repurposing a travel lane except as a last resort. The current language is a compromise from prior public critiques that requested that no repurposing of travel lanes should be allowed on congested arterials. The Commission was reminded about the existing and the projected modesplit of travelers on the city's streets. The BKR traffic model shows that in 2035 about three-quarters of all trips in the city will be by car, and 1.8 percent will be on bikes. The estimates were made by professional transportation staff using aspirational assumptions for transit and bicycle infrastructure and use. The actual counts of bicycles between 2019 and 2021 at 17 high-bicycle use locations showed that bicycle trips only represented one quarter of one percent of the total daily trips. The arterial system is stressed with significant congestion at multiple locations. The BelRed, Wilburton and other subarea rezones are projected to add significant additional car trips. The concept of repurposing any travel lanes on congestion arterials is concerning. The current staff-proposed language for TR-57, however, is sufficient to allow for significant public input when unreasonable proposals are made to repurpose a heavily congested travel lane.

Ed Rittenhouse commented on an item of deep concern, namely the proposed umbrella land use zoning approach. The approach should be rejected as being short-sighted and flawed. It favors developers at the expense of residents and neighborhoods. It would take wildly different parcels, apply a range of zoning designations to them, lump them into one group, and fail to account for unique characteristics of parcels and neighborhoods. Simultaneously, it would allow an

applicable developer to easily go from the lowest end of the umbrella land use category to the highest end, subject only to the judgment of the staff, based on owner-supplied information and without the vetted Comprehensive Plan amendment process. The umbrella proposal takes zoning decision-making away from the Commission and the City Council and places the power in the hands of developers and city staff, and severely limit the notice time and opportunity for surrounding residents and other affected parties to respond. Investors and landlords have no duty to the communities in which their properties sit. They can pursue the highest monetary returns on their investment, without regard to negative impacts to the neighborhood. It is the duty of the Planning Commission to gather input from the public, including those who will be impacted by changes. Only after such information is gathered and reviewed, and after opportunity for local residents to make comments, should the Commission make an appropriate decision/recommendation. Under the proposed umbrella zoning approach, staff would be allowed to upzone parcels within the umbrella, without input from surrounding citizens unless they appeal to the city's hearing examiner. The process would force residents to hire an attorney or represents themselves against the legal team of an applicant, a grossly unfair approach to individual property owners and neighborhoods.

Betsi Hummer thanked the Commissioners for their hard work. The Commissioners were urged to reach out to Michelle Wannamaker to see details about the Eastgate Future Land Use Map to make sure it is correct. Appreciation was voiced for the comments from Commissioner Lu about rezoning the condominium site adjacent to Coal Creek Parkway. The rezoning to Institutional near Bellevue College should have robust input as to what it might look like and how it will favor the college so that their presence in the city can be elevated. Hopefully there will be a jargon-free explanation of the umbrella rezone approach, including what will actually happen with the comprehensive Future Land Use Map rezone of the neighborhood centers. The issue is contentious for many, and for many there is confusion regarding the approach.

Jeannie Marquansen, a Bellevue resident for more than 44 years, noted having been attracted to the area by the walkability of the neighborhood. In the backyard there are many trees that are over 60 feet tall. Great care is made in choosing plant materials that will flourish. Periodically it is necessary to have an arborist help monitor the health of the larger trees. No work proceeds without a clear understanding of what will be done. City planners are making a proposal to amend the current zoning plan by placing the community under an umbrella zoning plan. The city staff are well educated in their fields, but if there is a change and the city moves to the umbrella zoning plan, it will facilitate and streamline processes for developers who more than likely do not live in the community with the encouragement of staff who probably also do not live in the community. The change will serve them well, but input and potential objections from the community affected will be minimal at best, and moot at worst. The neighborhood businesses are awesome. They allow kids to walk safely to places to eat and learn independence. There are third place gathering spaces that makes the neighborhood walkable. The city should keep the checks and balances in place to ensure there will be robust public education and comment, allowing for the exchange of ideas and working together to preserve local businesses and create new housing that will benefit everyone.

Alex Tsimerman began with a Nazi salute and called the Commissioners dirty damn Nazi fascist antisemite pigs. Bellevue is very interested in corporations and the plan for the coming years will provide them with more profit. The plan is only a fairy tale for children. Every coming year will be worse. The people have testified about problems, but no one talks about the need for real change of government. The same persons are elected again and again. It is a junta. Changes are needed, which will not happen with the same people sitting on the Council for many years. A classic example is 30,000 Amazonians who will come to Bellevue and kill the city totally. It will

be a nightmare. Bellevue was a nice city 40 years ago, and 30 and 20. But for last 10 or 15 years the democrat mafias have not cared about the people. More common sense is needed, not just idiots and crooks who are stealing money.

Karen Yellman, a long-time resident of Newport Hills, noted moving to the neighborhood when the Newport Hills Shopping Center included a gas station, a grocery store, a hardware store, a hardware store, a barbershop, a beauty shop, and a liquor store, the purveyors of life's necessities. It has been pointed out that the shopping center has declined over the years. Over the years fierce competition moved into south Bellevue, bringing other sources of groceries and pharmacies close to home. In 1977 Factoria opened for business. Not a single person at QFC or Safeway could be found who knew when their respective stores opened on Coal Creek Parkway, but when they did open the competition for Newport Hill businesses selling food and pharmacies jumped a huge notch. Large store competition close to home hurt the Newport Hills Shopping Center, and it still does. There was once a deli in Newport Hills that put out an excellent food product, but only for a couple of years. The deli owner had a constant problem dealing with the owner of the building. Problems of all sorts went unfixed. It was obvious the owner did not want to spend money to fix problems. As a result the center was allowed to go downhill. That continues to happen. The question is if the owner is waiting for a zoning upgrade before selling the site to a developer and make a lot of money. If density on the Newport Hills Shopping Center site increases, it should be considered where the additional cars would be parked at night and on the weekends. The citizens of Newport Hills should be careful what they wish for.

Ann Rittenhouse, a resident of Newport Hills, said grouping zoning designations together under an umbrella and granting staff the authority to move a parcel up to a higher use without adequate public input seems to be in direct conflict with documents drafted by the city during the 2024 Comprehensive Plan community engagement process. Input from the community on many issues was sought, but now it appears the community is being closed out by accepting an umbrella plan for land use. The community has called for new policies that allow for more specific definition of neighborhood character. The staff have agreed on the importance of the city's neighborhoods to retain a sense of place, and that the policies should support a more equitable engagement with neighborhood groups. Policies that support increased communication and collaboration with community members should also be provided by the city, along with opportunities for public participation in the planning process. The goal of community engagement is to ensure the public has ongoing opportunities to participate in all planning efforts. There are 21 policies listed to engage the community in city projects and policy making. The staff-proposal to group different zoning designations under umbrellas or land use categories in which specific properties could be moved from one designation to a higher one seems to go against what is in the draft Comprehensive Plan. The umbrella proposal is missing the detailed process the staff would use to evaluate any zoning changes, and that is a huge omission. The Commission was urged to protect the citizens and neighbors by rejecting the staff proposal in favor of continuing to have engagement with the city on what is best for the neighborhoods.

****BREAK****

(8:11 p.m. to 8:18 p.m.)

Leslie Geller, a resident of Eastgate and president and secretary of the Eastgate Community Association, said what is meant by umbrella zoning remained unclear until hearing all of the other commenters. Eastgate is dealing with the razing of about half of the remaining retail businesses in Sunset Village in order to build a new Subaru dealership. Support was voiced for listening to the residents who would be affected by the umbrella rezone change should it go through. The Subaru dealership project was not subject to a Comprehensive Plan amendment.

The process is administrative and it is challenging for residents who want to effective change. Sadly the long-standing neighborhood businesses will be lost. The Commission was urged to not adopt the umbrella zoning proposal.

Ray Osborne, a Newport Hills resident, reacted to the idea of changing the zoning of the neighborhood using the umbrella concept rather than the Comprehensive Plan amendment process. Each neighborhood is unique. Newport Hills has poor road access and it is unlikely that a viable mainstream grocery store or even a Dairy Queen would ever choose to locate there. What is needed when it comes to deciding the zoning is rigorous conversation and debate. Developers will do the most they are allowed to do. The Commission was urged to avoid painting every neighborhood with a broad brush, and to maintain the ability of the people to have input in the process.

Pamela Johnson brought up the issues of transparency, ethics and history. History is only mentioned once in the proposed Comprehensive Plan and that under culture. The Commission was urged to consider what else should be included about history. One problem is that Bellevue does not have a newspaper and therefore no local noticing. People may not participate if there is no notice for them to do so. With regard to terminology, there are many different kinds of mixed use and that is confusing. Bike Bellevue was not supposed to be about all of Bellevue, it was something that was supposed to happen only in one year with a contractor, just quick and easy things. It did not turn out that way when everyone thought it was the Vision Zero strategy. Vision Zero is another thing that people say is supposed to be zero, zero, zero. There are flaws in that plan. The city has to think about what it calls things. People need to be understood. One of the problems with Bike Bellevue has been understanding how it would not change traffic by taking out a whole lane on Bel-Red Road. Nobody believed it. That is transparency and honesty, making sure people understand what it really means. The Commission has worked good on getting flexibility into things, and that kind of makes up for the umbrella zoning, which is not needed, because flexibility has already been put in. There was talk about storage units but not about parking buildings. That should be included in the mix.

Absent additional persons wishing to provide comment, a motion to close the public hearing was made by Vice Chair Goepple. The motion was seconded by Commissioner Lu and the motion carried unanimously.

(8:30 p.m.)

Commissioner Lu raised three points, beginning with Crossroads. The visual provided showing highrise density in the middle and midrise around it is worth discussing. Much of the commentary from the public was about specific neighborhoods and neighborhood centers, and it would be helpful to have staff walk through the neighborhood subarea planning process and timeline. Staff should also clarify the issue and terminology of umbrella zoning.

Commissioner Villaveces said it makes sense to consider Highrise Mixed Use in the center part of the Crossroads Shopping Center site.

Commissioner Khanloo agreed but expressed caution in terms of shading the park.

Commissioner Cálad allowed that the Crossroads site is served by Rapid Ride and local transit stops. Support was voiced for the proposal to have Highrise Mixed Use in the center specifically because of access to public transportation. With midrise, an extensive parking area will be repurposed instead of just having the parking. The highrise will add hundreds of potential

housing units which will help with the goal of adding more housing. The midrise will offer spaces to local businesses. Bringing density to the area will mean the surrounding areas can be left largely as they are. The last thing anyone wants is to see parking spill over into the neighborhoods. By going to highrise, the site could also accommodate some open space for the people to gather in.

Vice Chair Goepple asked what the height limit is for Midrise Mixed Use. Dr. Kate Nesse said it is around 100 feet or ten stories. Vice Chair Goepple suggested that based on previous comments, Midrise Mixed Use is proportionate and appropriate level of development for the Crossroads site. The site is not located near light rail and is farther away from a lot of traffic amenities that have emboldened the Commission to think big when it comes to density in relation to areas like Wilburton and BelRed. The designation is proportional to surrounding parcels. Anything higher would be out of scale and out of step with the area.

Dr. Kate Nesse confirmed for Chair Bhargava that Highrise Mixed Use could yield a structure between 16 and 21 stories. Thara Johnson added that that will be clarified at the time the Land Use Code is updated.

Chair Bhargava agreed that the Commissioners site is not within a quarter mile walk distance, or even a half mile walk distance, of light rail. Thara Johnson said the site is adjacent to the Rapid Ride route. Chair Bhargava recalled that the nearest light rail station is about a mile away.

Chair Bhargava commented that a 16- to 21-story development would have an impact on land economics over time, which could impact the existing businesses. The proposal for Highrise Mixed Use feels like it was put together as a site plan that would work with the existing structures, but it might not play out that way. Midrise Mixed Use is in line with the intensity of development seen on neighboring parcels.

Commissioner Lu allowed that the Commissioners area is very walkable, but the distance from light rail is an inhibiting factor. Midrise Mixed Use would be more compatible with the area and is the right approach for the site.

Commissioner Villaveces said Highrise Mixed Use offers an opportunity to create more housing where there is space available.

Commissioner Khanloo pointed out that it is a 30-minute walk to light rail at Overlake Village. The Crossroads site offers the opportunity to provide more housing.

Commissioner Cálad indicated liking the idea of adding a lot more housing to the site, but not liking having massive towers appear out of nowhere. Development up to 16 stories would better fit with the area. Absent having actual height limits for each designation, it cannot be said exactly what will be developed under each. Thara Johnson clarified that once the Comprehensive Plan is adopted, work will begin on the Land Use Code, which is where the specifics will be housed. What has been considered to date relative to the designations is only a range of heights for each.

Commissioner Cálad voiced the understanding that the Rapid Ride service from Crossroads takes only about five minutes to get to the light rail station. Dr. Kate Nesse could not confirm that but said Rapid Ride from the Downtown transit station takes about ten minutes to get to Crossroads Mall. Rapid Ride is not the regular bus, it is in the bus rapid transit category and qualifies as frequent transit.

Commissioner Cálad expressed favor for the Highrise Mixed Use designation but stressed the need to talk about the height limit for that designation.

In a straw vote, there was a tie with Chair Bhargava, Vice Chair Goepple and Commissioner Lu favoring Midrise Mixed Use, and Commissioners Villaveces, Khanloo and Cálad favoring Highrise Mixed Use. Chair Bhargava said the issue would be returned for discussion on July 10.

Responding to a question asked by Commissioner Land use, Thara Johnson explained that the city is divided into several subareas. The plans for each subarea reside in Volume 2 of the Comprehensive Plan. The Great Neighborhoods effort was initiated in 2020 and to date two neighborhood area plans have been updated, Northeast and Northwest. The neighborhood area planning process was put on hold when the Comprehensive Plan Periodic Update was launched. The intent is to initiate the next two neighborhood area plans, anticipated to be Crossroads and Newport Hills, in the fall of the year. The Council will need to provide direction to do so. Once launched, the anticipation is that there will be an 18-month cycle with two subarea plans done at a time. Volume 1 of the Comprehensive Plan includes the required elements under the Growth Management Act, as well as some additional elements. The policies in Volume 1 apply citywide. Volume 2 includes the subarea plan policies, which apply within the individual subareas of the city. Most of the subarea plans have not been updated since the 1980s.

Turning to questions around the issue of umbrella zoning, Commissioner Cálad asked if the term has been clearly defined.

Commissioner Khanloo voiced support for allowing for flexibility, but allowed that there already is a lot of flexibility. Unbalanced power and biased decision making, however, should be avoided. The public involvement and public hearing processes should not be done away with.

Vice Chair Goepple allowed being less certain about the umbrella zoning issue, and agreed with the need for some clarification about process. Vice Chair Goepple also stated that the staff are professionals and are acting in the public interest in bringing recommendations to the Commission. If the umbrella zoning approach will allow for more density, there will be a need for more public amenities and the like to make up for the impacts associated with the density, and that could be the obligation of the property owner. If umbrella zoning could be structured in such a way as to require the tradeoff, it would be a more comfortable decision. If landowners under the process are given carte blanche for the highest density without corresponding public amenities, the approach would be very concerning.

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

Chair Bhargava said the comments of Vice Chair Goepple were helpful. Having reviewed some of the written comments submitted and heard the testimony at the public hearing, Chair Bhargava stated having no doubt as to the ethical integrity of the staff and Commissioners.

Chair Bhargava voiced the understanding that the umbrella zoning approach does not give carte blanche to go from one intensity to another, rather it envisions bands of intensity, with a top end and a bottom end. The Commission previously litigated the process and came to a conclusion. The current discussion is a reaction to input from the public. It would be good to understand the process of going from the bottom end to the top end of the density scale, or the other way around, within the band, and how much difference there is in the building typologies. Concern

regarding due process is certainly on the minds of many. Due process for significantly changed conditions when considering a Comprehensive Plan amendment is very important, and the public should understand how due process would play out under the umbrella zoning approach. There has been commentary that other cities have used the approach and it would be good to have more understanding about that.

Commissioner Khanloo asked what would be lost if the phrase were simply removed from the Comprehensive Plan.

Thara Johnson reminded the Commission that when the Comprehensive Plan Periodic Update process was launched in early 2022, there was a specific scope presented to the Council, including alignment with the Growth Management Act, the Countywide Planning Policies, the growth targets, Vision 2050, and various legislative mandates. In addition, part of the direction from the Council was to broaden the land use categories, so that has always been part of the scope. The broader assumptions were certainly part of the Environmental Impact Statement. There were several touchpoints with the community where the broader land use classifications were presented to the public. It is a very complex and technical issue and it is understandable that there is a fair amount of confusion. In some cases the move goes from a one-to-one relationship between the zoning code and the land use map and designations in the Comprehensive Plan, to in some cases a broader category. The neighborhood centers is a case in point. There was a fairly lengthy discussion with the City Council at the time the preferred alternative was presented. At that time the phrase “areas of opportunity” was used to refer to areas well-served by transit for which additional capacity would be appropriate. That approach was supported by the Commission, but the Council was clear in saying it was not something they wanted to see. The Council did provide clear feedback on the broader land use categories, which was analyzed under the final Environmental Impact Statement. The staff had forwarded a recommendation to look at a higher designation for the neighborhood centers, but the recommendation of the Council was that except for three neighborhood centers, namely Kelsey Creek, Lake Hills and Lakemont, they did not want to see studied any additional height. The current approach groups all of the neighborhood centers under the larger land use classification that covers Neighborhood Business and Community Business.

Dr. Kate Nesse observed that most of the commenters spoke specifically to the Lowrise Mixed Use category. If the Commission were to give direction to not use the categories as outlined and illustrated in the draft Comprehensive Plan, it would be a very big departure. If the Commission is interested in just looking at the Lowrise Mixed Use category, it would be not as big a departure. The initial groupings were all focused on similar styles of development. The Suburban Residential category includes the zones R-2.5, R-3.5, R-4 and R-5. Developers can look at a house and identify which zone it is in, but for most people they kind of all look the same. The grouping represents a style of mixed use that in most cases is not dense enough to put commercial on the ground floor and residential above. It would need to be something more like Lake Hills Village with apartments on one side and commercial on the other.

Commissioner Cálad said the approach would not take into consideration the uniqueness and context of each neighborhood. The question asked was how the public would be able to weigh in on if a site should be Neighborhood Business or Community Business. Dr. Kate Nesse said in regard to the neighborhood centers broadly, in most instances nothing will need to be rezoned because anything that is currently Neighborhood Business would stay Neighborhood Business, and anything Community Business would stay Community Business. Thara Johnson added that in those cases where new designations have been created, there will need to be development standards created in the Land Use Code.

Thara Johnson noted that the term “umbrella zoning” has been referenced a fair amount in the correspondence and the public comment received. The term is not, however, specifically in the Comprehensive Plan as it relates to the Future Land Use Map, where the term used is “land use designations.” While the umbrella zoning term applies and makes sense, it is not a technical term being used in the plan.

With regard to the public’s role in the decision making process, Thara Johnson explained that moving from one zone to another would continue to require a rezone, which is a public process, though not one that comes before the Planning Commission, rather it goes before the hearing examiner. Staff makes a recommendation, and there is opportunity for public comment during the rezone process. Similar to the Comprehensive Plan amendment process, there is a specific process with very specific decision criteria spelled out in the Land Use Code, all of which must be met. It is the role of the hearing examiner to assess whether or not all of the criteria are met before making a recommendation. If desired by the Commission, additional detail regarding the process could be shared at the July 10 Commission meeting.

Chair Bhargava asked staff to come back on July 10 with a comparison of and clear articulation of the due processes, particularly in regard to the opportunity for public input as part of the process. Commissioner Khanloo added that it would be helpful to know the costs involved of going through the hearing examiner process.

Thara Johnson clarified that applicants are not required to hire an attorney to represent them before the hearing examiner. The process is a legal one and there are very specific criteria that must be met. The hearing examiner has 14 days in which to make official findings.

On the question of whether or not changes in zoning could be tied to having more public amenities provided, Thara Johnson stated that in certain areas, such as BelRed and Wilburton, there is an amenity incentive system in place under which developers gain increased density for meeting certain criteria. A similar system has not yet been determined for other areas of the city.

Vice Chair Goepple suggested that rather than create a new process it would be helpful to just build it into the rezoning process. For the owner of a property in one of the lower density zones wanting the ability to develop with more density, for which a rezone would be required, the demonstration of some public benefit as a condition of receiving the rezone could simply be built into it. Dr. Kate Nesse rezone applications must be in compliance with all of the policies in the Comprehensive Plan, including all policies in the subarea plan. The subarea plans do focus on neighborhood character, the public realm and those amenities that would serve the public. Vice Chair Goepple said it would be better to build on existing processes rather than to create new ones.

Commissioner Lu suggested that in lieu of a credit system along the lines of the one used in regard to trees, it might be helpful to simply define the characteristics of what is expected for each designation. Defining the characteristics that would allow for the change, such as traffic throughput and existing bus routes/public transportation, would help to alleviate a number of the public’s concerns, and would help the development community as well. Thara Johnson said those types of details will need to be addressed through the Land Use Code. The MU-L/M designation does not even exist currently, and the work of creating it will include the creation of development standards.

On the question of how much difference there is between the top and the bottom, Thara Johnson

said it depends on the classification involved. Staff have attempted to group them in terms of similar types of development, while also allowing for some flexibility for those wanting to go between one very close designation to the next one.

Chair Bhargava allowed not being overly concerned in regard to some of the residential groupings. There is more concern about the Neighborhood Business and Community Business designations, and potentially the MU-L/M. It would be really helpful to have some examples for each designation, including imagery, for the July 10 meeting.

Dr. Kate Nesse said Newport Hills Shopping Center is currently zoned Neighborhood Business. The Kelsey Creek Shopping Center is zoned Community Businesses. Staff described the proposed MU-L/M as something similar to Lake Hills Village but slightly more intense and with slightly taller buildings.

Vice Chair Goepple agreed with the need to focus the discussion to where the real concerns are, including the Lowrise Mixed Use category given the variety of future zones included.

Thara Johnson clarified for the Commission that the Lowrise Mixed Use category applies to all neighborhood centers in the city, which are shown on a map in the draft Comprehensive Plan.

Chair Bhargava said the public testimony in regard to the Newport Hills Shopping Center has involved three points of view. The first is that there is not enough there in terms of viability for businesses. That view should be able to be addressed with data along regarding industry best practices and benchmarks. The second is that there is a lack of current businesses being able to sustain themselves because there is low or poor maintenance and upkeep on the part of the current property owner. Addressing that issue would require making some value judgements. The third piece is that the development of an upzoned type is fundamentally not a fit for the site. That needs to be addressed by focusing on the due process and the imagery.

Commissioner Villaveces asked how a site could jump from one zone to another within an umbrella land use designation. Thara Johnson said such a move would require a rezone under the same process currently in place. Commissioner Villaveces commented that each of the zones within a category is within the scale and intent of the category.

Commissioner Lu suggested that part of the confusion lies in the fact that under the Lowrise Mixed Use category the MU-L/M designation does not yet exist. The current MU-L zone allows up to four stories. Thara Johnson said the MU-L is what was analyzed in the EIS. It was the Commission's recommendation and as such it cannot be exceeded at this point.

Commissioner Lu said there clearly is confusion as to what is possible, and the people are afraid of having overly dense development. Under the Lowrise Mixed Use, however, that does not appear to be possible. Thara Johnson said under the current regime of land use classifications, an applicant wanting to rezone in many cases must also apply for a Comprehensive Plan amendment. That is the fundamental difference with the proposed approach.

Commissioner Khanloo said the public comments have ranged between the Newport Hills Shopping Center area is dead and there is no one there, and the local businesses are good and good for the community. The public has also indicated the current property owner is seeking an upzone so the site can be sold without caring about the future of the site, and they are afraid of losing the shopping center altogether. Thara Johnson said either the current or a future owner could seek to change the zoning, but all of the decision criteria would have to be met.

Commissioner Cálad referred to the issue of the Institutional zoning for the area near Bellevue College and voiced support for the proposed change.

Chair Bhargava noted that questions were previously raised in regard to the impact on the current residential parcels and their ability to increase their intensity under the proposal. The question asked was what the impact will be under either retaining the current zoning or moving to the Institutional zone. Dr. Kate Nesse said if the residential parcels were to have a future land use designation of Suburban Residential, they could enjoy density ranging from R-2.5 to R-5. A move to R-7.5 would require applying for a Comprehensive Plan Amendment. Given a future land use designation of Institutional, a property owner wanting to change to R-7.5 would also need to apply for a Comprehensive Plan Amendment. Moving from R-2.5 to R-5 would require only a rezone. The downside to the Institutional zoning from the view of the residents is the associated expectation that the college will buy all of the properties, but that is a decision to be made by the college and the residents. Chair Bhargava said the land use map would not affect those decisions.

Thara Johnson said the reason the staff chose to apply the Institutional land use classification to the entire area is that it is consistent with the college's master plan.

Chair Bhargava said the proposal under discussion would change the land use categorization in the Comprehensive Plan for the residential uses adjacent to the college from Suburban Residential to Institutional. The question asked is what the impacts on the property rights or the due process would be for those residences. Dr. Kate Nesse said the owner of a site who wanted to develop under the middle housing legislation, achieving four units on their lot, could do that under either scenario.

Thara Johnson clarified that the Institutional land use classification does not currently exist. A second step will be needed to create development standards in the Land Use Code for the zone. If the owners of the properties not owned by the college are not interested in moving forward with the Institutional zoning, the city will not move forward unilaterally to rezone their properties.

Commissioner Khanloo asked what might happen to the residential properties should Bellevue College for whatever reason decide to revise its master plan to not buy any additional properties. Dr. Kate Nesse if the college were to rethink its master plan, possibly expanding in a different direction or not at all, the city would want to rethink the land use in the area as part of the annual Comprehensive Plan Amendment process.

Thara Johnson said the recommendation of the staff is to provide an Institutional land use designation for all areas covered by the college's master plan. The Commission has the purview to forward to the Council an alternate recommendation in light of the public's comments.

Vice Chair Goepple reiterated the understanding that there would be no adverse impact on the property rights of those who own the single family properties. As such, there is no harm or downside to making the change. Applying the Institutional zone to the area as proposed could preclude an unnecessary future process the city would have to go through to support growth that is likely to occur.

Commissioner Cálad said Bellevue College can change its plans as it wishes, just as Amazon and Microsoft can do and have done. However, so long as the current property owners will be protected under either scenario, making the change will harm no one.

Commissioner Villaveces asked if it makes sense for the city to make land use decisions based on what an entity may or may not do. Thara Johnson said under state law the city is required to provide a land use designation for Bellevue College. Previously that was not the case.

Chair Bhargava asked if Bellevue College has made it clear that they intend to following through in implementing its master plan. Dr. Kate Nesse noted a representative had addressed the Commission during the public hearing. Thara Johnson said staff could do a follow-up with the college to be sure. Staff did have a meeting with the college when the land use designations were being defined.

Chair Bhargava noted for the record that four of the Commissioners present favored moving ahead with the Institutional zone as proposed.

A motion to extend the meeting to 10:25 p.m. was made by Vice Chair Goepple. The motion was seconded by Commissioner Villaveces and the motion carried unanimously.

Vice Chair Goepple brought to the table the issue of new TR-57 and said the compromise language forged by the staff is right on. It represents a compromise that sets up a fair process for deciding when to repurpose travel lanes. Commissioners Khanloo, Villaveces, Lu and Cálad agreed.

Chair Bhargava said just a little more clarity from staff would be welcomed given the public input. There are two versions of the policy: the original language and the revised language. The public hearing process included a great deal of input from the public on the policy. Thara Johnson allowed that some background and context could be added to the agenda memo for the July 10 meeting, including what technical analyses would be required.

Vice Chair Goepple noted being ready to support the language of the policy as written. The compromise represents a fair balance. A site-specific evaluation in each instance is going to be required, so the necessary data will be very situational. Commissioner Khanloo agreed.

Commissioner Villaveces voiced a desire to see examples of places where repurposing travel lanes has been successful. Many have agreed that room should be left for future road diets, but that does not mean it should happen right away. Repurposing travel lanes is difficult to do and should be done only after careful consideration. The proposed policy language is acceptable, but some examples would be helpful.

Commissioner Lu suggested the Commission would not gain anything from further review of the policy language. Where it will matter most is at the implementation stage. The policy as drafted is good.

Commissioner Cálad concurred, adding that the policy is in alignment with Vision Zero. No more information is needed.

Vice Chair Goepple allowed that four of the Commissioners present favored the proposed language.

Thara Johnson briefly summarized the issues to be discussed at the July 10 meeting.

8. STUDY SESSION – None

(10:06 p.m.)

9. OTHER BUSINESS – None
(10:06 p.m.)

10. APPROVAL OF MINUTES – None
(10:06 p.m.)

11. EXECUTIVE SESSION – None
(10:06 p.m.)

12. ADJOURNMENT
(10:06 p.m.)

A motion to adjourn was made by Commissioner Lu. The motion was seconded by Vice Chair Goepple and the motion carried unanimously.

Chair Bhargava adjourned the meeting at 10:06 p.m.