

CITY OF BELLEVUE  
BELLEVUE PLANNING COMMISSION  
STUDY SESSION MINUTES

September 27, 2023  
6:30 p.m.

Bellevue City Hall  
Room 1E-113

COMMISSIONERS PRESENT: Commissioners Brown, Cálad, Khanloo, Malakoutian  
COMMISSIONERS REMOTE: Commissioner Ferris  
COMMISSIONERS ABSENT: Chair Bhargava, Vice Chair Goeppel,  
STAFF PRESENT: Thara Johnson, Emil King, Gwen Rousseau, Kate Nesse,  
Department of Community Development; Matt McFarland,  
City Attorney's Office  
COUNCIL LIAISON: Not Present  
GUEST SPEAKERS: None  
RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER  
(6:31 p.m.)

The meeting was called to order at 6:31 p.m. by Commissioner Malakoutian who presided.

2. ROLL CALL  
(6:32 p.m.)

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

3. APPROVAL OF AGENDA  
(6:32 p.m.)

A motion to revise the agenda by deleting Study Session Item 8A and to approve the agenda as revised was made by Commissioner Brown. The motion was seconded by Commissioner Cálad and the motion carried unanimously.

4. REPORTS OF CITY COUNCIL, BOARDS AND COMMISSIONS – None  
(6:33 p.m.)

5. STAFF REPORTS  
(6:33 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.

Thara Johnson noted that an exact date for the Commission's annual retreat has not yet been selected.

Commissioner Malakoutian suggested not including any Commission training at the retreat. Thara Johnson took that into consideration.

Commissioner Cálad suggested that if a date for the retreat cannot be found in December that works for all Commissioners, the event should be moved to January. Commissioner Ferris agreed. Commissioner Malakoutian indicated a preference for having the retreat in December.

Thara Johnson announced the receipt of an award from the City, County Communications and Marketing Association for the Planning for Housing Guide. According to the organization, the document does a good job of visually communicating a complex topic. The goals and outcomes are clearly outlined and the document serves as a good example for other communities.

Commissioner Brown commended the staff for their use of visuals in all presentations.

## 6. WRITTEN AND ORAL COMMUNICATIONS

### A. Written Communications

(6:42 p.m.)

Thara Johnson noted having included in the Commission packets all written communications received subsequent to the publication of the previous packet. There were several comments relating to the Comprehensive Plan Periodic Update and to the topic of sustainability.

### B. Oral Communications

(6:43 p.m.)

Charlie Bauman spoke on behalf of MRM Capital, the long-term landowner of six acres just north of the 130<sup>th</sup> light rail station. The property has potential as a catalyst for the station area by providing hundreds of housing units and open space. The property is bisected by Goff Creek, which poses many challenges to redevelopment. The Commission was urged to keep in mind that while improving streams, creeks and creating open space is a worthwhile goal, it comes with tradeoffs, primarily the creation of housing in urban areas. The housing production impacts of any policies involving onsite stream buffers and critical area setbacks should be carefully considered. Creating good stream habitat and incentivizing housing development are not mutually exclusive. There are best practices regionally and nationally for how to achieve both without imposing onerous buffers that prevent redevelopment. Woodinville's urban stream designation accomplishes the creation of habitat restoration and open space while still providing the flexibility development needs. Other jurisdictions in the state allow for mitigation banking, which allows certain buffers to be transferred offsite to create larger and more ecologically functional areas elsewhere in the watershed, an approach that is often preferred by the Department of Ecology and the tribes. Hundred foot buffers are not a viable solution in any urban area on private land. Such buffers eliminate housing density and serve as a complete disincentive for redevelopment. A hundred-foot buffer on the MRM Capital site would reduce the buildable area by 50 percent, making redevelopment infeasible and resulting in the loss of 500 units, including 100 affordable units. Perfect should not be the enemy of the good. Achieving some level of stream restoration should be preferable to never achieving any restoration due to far-reaching and infeasible requirements. A schematic drawing of what could

be achieved on the site was shared with the Commissioners, though it was stated the outcome could not be achieved under the current critical area requirements.

Jodi Albert spoke on behalf of the PLUSH committee of the Bellevue Chamber of Commerce and stressed the importance of the work to preserve the city's natural beauty as a necessity for future residents. It is exciting the city is advancing the BelRed Look Forward work, which is more than a decade overdue. The committee questions, though, whether or not the open space and natural systems is the right starting point given that all of the options for change presented in the staff memo will undoubtedly be influenced by the future land uses and urban forms in BelRed. There are also strategic questions about the current code that are not reflected in the staff memo, yet they have significant impact on some of the ideas presented. It is fundamentally necessary to strike a balance between priorities, such as density, along with open space and preserving the natural beauty of Bellevue. A lot of information is required in order to make an informed decision. For instance, it is not possible to meaningfully discuss how to update the amenity incentive system to encourage more open space without understanding what additional height and density will be granted in BelRed. Additional open space requirements cannot be discussed without acknowledging the current multifamily play area policy, which requires significant amounts of space for residential buildings in lieu of public open space. Rethinking the multifamily play area requirement must be part of the conversation. Additionally, ways to create park boulevards or additional trellis systems as part of rights-of-way without fundamentally questioning whether the existing street grid is appropriate. The street grid has been shown to create tremendous risk and cost to new development while providing little to no transportation benefit. The Commission should strongly reject the notion of 100-foot buffers on either side of streams without supporting data behind the regulation, and tying fees in-lieu to land values, which creates a great deal of volatility in an already uncertain market.

Rebecca Bloom, a real estate professional, said there is a lot of excitement about the future of the BelRed subarea and the vision for transformation. One of the most important investments in the future of BelRed is well under way with the expansion of light rail. The density that will come to BelRed as part of the policies included in the Comprehensive Plan update is necessary and welcome. The Commission was urged to consider that making the visions a reality only happens as properties in the subarea develop over time. It is critical to create proper incentives for new development to achieve the goals set by the city, the public and the Commission. There are proven ways to incentivize and encourage sustainability and stewardship of natural environments through new development, including provisions for parks, the restoration of streams and natural habitat. Partnerships with the city and increased funding are critical, but only together with the creation of proper incentives is there a path to see the BelRed vision fully realized. The staff report rightly calls for a recalibration and redesign of the BelRed FAR amenity system. The recalibration should also apply to stream plans where there has not been a stream daylighted since the last subarea plan was adopted in 2009. The Commission was urged to consider ways to be creative and collaborative to achieve the vision everyone has in mind for BelRed.

Alex Tsimerman began with a Nazi salute and called the Commissioners damn Nazi fascist soldiers. With regard to the recent policy changes under Ordinance 6752 governing citizens talking to the Commission or the Council, the limit of 30 minutes and only 10 people was questioned. Does the adjudgment mean only citizens who are Democrats can talk, or those who are part of the mafia or part of the Nazi gestapo principles? It is better to allow the citizens to be free. No other cities have the same policy, only Bellevue. And it is because Bellevue does not like Alex Tsimerman personally. The Commission was asked if it will change the policy or if the Commissioners will be Nazi pigs. Where there is no freedom of speech, there is no more America. The Commissioners have supported the policy change because they are Nazi fascist

soldiers who never question what the Council has done.

7. PUBLIC HEARING – None  
(6:57 p.m.)

8. STUDY SESSION  
(6:57 p.m.)

B. Comprehensive Plan Periodic Update: Overview of Policy Changes in the Citizen Engagement, Economic Development, Transportation and Urban Design & the Arts Elements

Planning Director Emil King shared with the Commission the revised timeline for the overall Comprehensive Plan Periodic Update. The work was launched in February 2022 and the initial focus was on the vision. A questionnaire along with public engagement efforts resulted in getting a lot of people involved. The policy work is before the Commission and will be at nearly every meeting until the work is accomplished. The targeted date for adopting the overall Comprehensive Plan has been pushed out to September 2024; that is still in line with the state mandated deadline of December 2024. That will allow more time for the public to get involved relative to the specific policy changes. It will also allow additional time for working on the Final Environmental Impact Statement (FEIS), particularly the work on the tree canopy, additional transportation modeling, climate change, and affordable housing. The extra time will allow for addressing the requirements under HB-1110, the missing middle housing bill; and HB-1337, the accessory dwelling unit bill. The target for releasing the FEIS is early quarter one in 2024 rather than the fall of 2023. Technical reports will be published as they are ready so the community and the city's boards and commissions can review them. Work on the Climate Vulnerability Assessment will be done soon and will be published. The technical reports will all become appendices in the FEIS.

The other implication of extending the release of the FEIS to early 2024 is the Wilburton policy work. The completion date for the Wilburton Land Use Code has not been changed from June 2024. There will be some efficiencies accomplished by running the two processes in tandem in the first quarter of 2024.

Commissioner Ferris commented that the various technical reports will include detailed and likely arcane information. To just disseminate them broadly and expect meaningful input may not yield the desired outcome. It might be better to consider reaching out to specific groups that might have informed feedback. Emil King said in the past there has been success with first taking a broad approach by posting the reports on Engaging Bellevue, allowing anyone wanting to see them the opportunity. Targeted outreach is also done to gain input. In the fall there will be engagement opportunities. The Comprehensive Plan update is bigger and larger than ever before.

Commissioner Brown asked if the work is bigger and larger than ever before because of the new statutes imposed by the legislature or for some other reason. Emil King said the state mandates updating the Comprehensive Plan every ten years, but the current update is also being driven by new state requirements that must be incorporated. Additionally, at the Puget Sound Regional Council level Vision 2050 has more changes than were seen in any previous iteration. Likewise, there are some significant changes to the Countywide Planning Policies that must be addressed. The city itself has a new vision for what it wants to be in the next 20 years and beyond.

Emil King briefly remarked on the various elements covered to date and those to be covered in

upcoming meetings through the end of October. It was stated that the Planning Commission serves as the overall coordinating body for the work. Other boards and commissions will be reviewing the elements and policies under their individual jurisdictions, and their recommendations will inform the work of the Planning Commission.

Senior Planner Dr. Kate Nesse reminded the Commissioners that there are various sources that contribute to the work of updating the Comprehensive Plan. The Council vision guides all of the work, but there are also the state and regional requirements, various reports and analyses, and community input. Still to come are the FEIS and additional community engagement which will also inform the work.

The statistically valid survey from earlier in the year proved to be both valuable and informative. People across the board in Bellevue are looking to support local small businesses, and for unique things to do. Regardless of age or homeowner status, those two things were highlighted as being important.

With regard to transportation priorities, Dr. Kate Nesse said they are different for different groups. Being able to walk to a meeting place was shown to be the top priority for people under the age of 30. Frequent bus service and other transportation options were also highlighted as being very important to younger folks, though it was of less importance for older folks for a variety of reasons. Being able to drive and find a place to park was listed as less important for younger folks and more important for older folks. The upshot is that when considering transportation it will be important to meet the needs of everyone by recognizing that people get around using a variety of transportation options.

Dr. Kate Nesse said a key policy move is around community engagement. There have been updates to the Growth Management Act to recognize racial disparate impacts, and there have been updates to the Multicounty Planning Policies and the Countywide Planning Policies to include more people in a larger variety of ways. The racial disparate impact analysis found one of the ways to combat racially disparate impacts is to involve people early in the planning process. The collective input triggered making some changes to the Community Engagement Element. According to the city's demographer, 43 percent of Bellevue residents were born outside of the United States and 50 percent of residents speak a language other than English at home, so there is a clear need to be inclusive. Another change involves expanding the definition of "community." It is understood that "community" means more than just residents and includes those who work, shop and recreate in the city. In addition, the change of the use of "community" in place of "citizen" is more inclusive of the population in Bellevue. Innovative equitable engagement techniques, including two-way communications, are part of inclusive engagement, along with engaging underrepresented communities.

Commissioner Khanloo asked if any specific methodologies are used to reach out in inclusive ways. Dr. Kate Nesse said at the policy level there are no specific techniques. The policies will simply provide guidance to reach out to underrepresented communities. One thing found to be effective in engaging around the Comprehensive Plan up is to go to where specific communities are and to intentionally contact representatives of those communities to determine the best way to engage with them. It has also been helpful to work with groups in the community that already exist.

Commissioner Brown assumed that means using the languages of the various communities. Dr. Kate Nesse said the more materials are translated into other languages, the more people engage in those other languages. As people find they can communicate with the city in languages in

which they are comfortable, they are more willing to engage.

Commissioner Ferris asked if visitors to Bellevue have been considered to be part of the definition of community, and if so if there has been any effort to specifically reach out to visitors. Dr. Kate Nesse said people come to Bellevue for a variety of reasons. All of those people are part of the greater community. As a group, however, visitors are harder to reach. About ten percent of the respondents to the vision questionnaire done at the beginning of the outreach efforts identified as not living or working in Bellevue. Emil King added that the city is working to implement a new tax on hotels, the revenues of which will be used to help market Bellevue better. There may accordingly be future opportunities to get more information from visitors.

Dr. Kate Nesse said the next key policy area was around arts and cultural opportunities. One requirement of the Growth Management Act is to support historic and cultural resources. To that end a survey in the DEIS was conducted. In addition the city conducted a creative space needs survey. In line with people wanting to support local businesses and have unique places to go, it makes sense to focus on the activation of the BelRed Arts District, policies to support emerging arts and culture activities, and to further support historic and cultural resources in both the Urban Design & the Arts Element and the Economic Development Element. The Arts Commission will be reviewing the arts and culture policies and making a recommendation to the Planning Commission.

Commissioner Cálad referred to the PACE project and its vision to draw in people of all generations, locally, regionally and nationally. The center will offer several venues, including a large venue for Broadway type performances; a smaller venue for local artists; and another venue for children and educational programming. Just one building will bring everyone together. The same notion of bringing everyone together should be put in place beyond just in the PACE project. Bellevue is an example to other cities. As the city densifies, people living in Bellevue will need to have access to places and experiences that will enrich their lives.

Commissioner Ferris agreed with Commissioner Cálad and then asked what was meant by supporting emerging arts and culture activities and further supporting historic and cultural resources. Dr. Kate Nesse said first refers to actions and the second refers to physical places. There are a number of arts facilities in the city already that need continued support, but there are additional arts and culture organizations that stand ready to help build the art scene in Bellevue, and those emerging arts activities will also need to be supported. Commissioner Ferris suggested that slightly different wording could help provide clarity.

Commissioner Brown agreed with Commissioner Cálad as well, stressing that Bellevue is not Seattle's little brother. A lot of cities in the region and nationwide should be jealous of what Bellevue has. To that end, the city needs to brag a bit more and to be bolder in taking it to the next level.

Commissioner Khanloo asked when the Arts Commission will be providing its recommendations to the Planning Commission. Dr. Kate Nesse said they are actively working on the policies and will continue to do so into 2024. The Planning Commission can expect to see their recommendation near the end of the first quarter of 2024.

Commissioner Malakoutian noted being aware of research showing that spending one dollar on the arts yields benefits of eight dollars or more. Accordingly, investing in arts and culture only makes sense.

Dr. Kate Nesse said updates to the Multicounty Planning Policies and the Countywide Planning Policies include support for specific places. Countywide Centers is a new designation for what previously was called mixed use centers. The new designation has special connotations related to funding in the Countywide Planning Policies. Additionally, the aesthetics chapter of the DEIS mentions that some of the visual impacts can be mitigated where they occur, thus they are geographically specific. Currently the Urban Design & the Arts Element is organized topically and it is not clear where those policies apply in the city. What is needed is less a content change than a significant reorganization based more on geography.

Commissioner Cálad asked for clarification with regard to the notion of reorganization based on geography. Dr. Kate Nesse allowed that the policy move is not so much content related as it is related to organization. It will be necessary to actually see the organization before the concept can be clarified.

Commissioner Ferris suggested reorganization based on geography is not the right way to phrase it. What the terms appears to mean is that policies will not be applied equally throughout the entire city, rather they will apply where most appropriate. Dr. Kate Nesse said policies specific to one area will be housed in that area's subarea plan, and there will be policies specific to mixed use centers, for neighborhood centers, and for how things happen across the city overall.

Commissioner Khanloo asked what that will mean for retaining neighborhood character. Dr. Kate Nesse answered that one of the advantages of the new way of organizing is that the policies can be more specific about things like neighborhood character. What is meant by neighborhood character for a mixed use center is probably different from what the term means relative to a neighborhood center or a residential neighborhood.

Dr. Kate Nesse noted that tourism is a burgeoning industry in Bellevue, something the city is working to expand. In the survey of business, the respondents said Bellevue is a good place to do business and that tourism is an important industry within the city. Currently, the Comprehensive Plan treats tourism as its own special thing and it has its own policies. The update seeks to recognize that tourism is interdependent with the other policies, including retail, the Downtown and arts and culture issues. The policies will be amended to recognize that interdependence.

Commissioner Brown stressed the need to have public transit to serve tourists who generally have no other way to get around. Public transit needs to connect with the airport and to various sites within the city and the area.

Commissioner Cálad said the last thing Bellevue is seen as promoting is tourism, even though there is so much to see and do in and around the city.

Commissioner Malakoutian countered by saying Bellevue is not doing all that bad in terms of tourism. The city's hotel occupancy rates exceeds what it was before the pandemic. Commissioner Cálad said that is the case only Monday through Friday.

Emil King agreed with the need to bring back more information about the current state of affairs relative to tourism. The city has a good base, but there is always more work to do. The previous data did show the hotels were more fully occupied Monday through Friday.

Commissioner Khanloo asked if the focus on tourism will be only on retail or it will expand to include cultural tourism. Dr. Kate Nesse said Bellevue has historically been identified with retail,

especially in the Downtown. Arts and culture support is definitely an area of growth for the city and is something that is important to the Council. The point is to recognize that there is more to tourism than just retail.

Commissioner Ferris voiced being excited about tourism. Bellevue has in the past been thought of as the little brother to Seattle but the fact is Bellevue is coming into its own. There are huge opportunities ahead to show Bellevue's natural beauty and its arts and culture to the rest of the world.

Commissioner Malakoutian suggested it is less about policies and more about branding Bellevue's attractions. Bellevue is famous for its retail and dining, but fewer know about the city's parks or its arts and culture. However, when talking about density, housing and tourism, unless there is planning done relative to transportation, the plans will not succeed.

Dr. Kate Nesse said one of the things identified in the Racially Disparate Impact Analysis was that some of the language in the Comprehensive Plan can lead to racially disparate impacts in housing and other ways. One thing of particular importance to the Urban Design & the Arts Element and the Transportation Element is how the word "neighborhood" is used. There are 16 neighborhoods in Bellevue and everyone living in Bellevue lives in a neighborhood. The various neighborhoods are all different, unique and special, and that should be celebrated. One recommendation that came out of the Racially Disparate Impact Analysis was to use more specific language and to that end references made to "neighborhood" should be change to "residents" if that is the focus of the reference. If the reference is to "residential areas," that should be made clear. There is a clear need to be specific about what is meant by "neighborhood character" given that the term means different things in different neighborhoods. If by "neighborhood character" what is meant is "architectural style," that is what should be said. If it means trees and shaded streets, that should be made clear by using specific language.

Commissioner Cálad noted having recently learned that in many of the city's documents there is language from decades ago that is inappropriate and racially charged. As the city updates its documents, that should be taken into consideration. Dr. Kate Nesse said updating documents happens in a couple of different ways. The final chapter of the Racially Disparate Impact Analysis goes into a lot of detail on the topic. There are instances where during the creation of subdivisions language was used in the articles indicating the area could only be occupied by Caucasians. Some list specific races that are not allowed to occupy the subdivision. Most such instances were written in the 1920s and draws on language from that decade. Because the documents are historic, it is not possible to destroy them, though language can be added to deeds indicating a rejection of the references. There are also some homeowners associations that have similar rules embedded in their bylaws, even though the members often do not know the references exist. Changes to those documents are the responsibility of the individual homeowner associations.

Commissioner Ferris suggested reference to "neighborhood character" should always be specific. At the same time, being overly specific can preclude flexibility as things change over time.

Commissioner Brown noted that constituents often make reference to neighborhood character. There are neighborhoods that have for many years have had small affordable housing units that were built more than 50 years ago and they are seeing those houses being torn down and replaces with mansions. The community needs to determine if Bellevue should be a city where only rich people live, or if it should be a community where people with real jobs and who use their hands to make a living can afford to live. If it is to be the latter, it may be necessary to replace some



mansions with apartment complexes and duplexes and fourplexes.

Dr. Kate Nesse said there is a change in the Multicounty Planning Policies and the Countywide Planning Policies in terms of how hubs of transportation are addressed. Traditionally there have been references to transit hubs, but there is now a recognition that people use more than just transit and often switch modes of transportation. The new term is “mobility hubs in recognition of the fact that multimodal transportation is important. At the time the Mobility Implementation Plan (MIP) was adopted, various transportation policies were updated so that the MIP would be consistent with the Comprehensive Plan. There are performance targets in the MIP and one update is to ensure consistency of wording between the policy language and those targets. There is also a focus on the performance of all modes across the network.

Commissioner Khanloo asked when the Transportation Commission will be reviewing the Transportation Element and offering comments. Dr. Kate Nesse said the Transportation Commission has already looked at policy language twice and will be doing so again in early 2024. Their recommendations will be forwarded to the Planning Commission in early March.

Dr. Kate Nesse said the Growth Management Act has several requirements regarding what needs to be in the Transportation Element. There are also state laws and regional policies about how to plan for transportation in the region. The intent is to make sure that each document serves the purpose for which it was created without a lot of duplication that can lead to confusion. Part of the Council’s direction was to make things clear and more concise. The Transportation Element is one of the largest elements in the Comprehensive Plan. The two key issues are to give general direction and refer to the relevant functional and implementation plans for details, and to repeal policies that are redundant to those plans. By leaving the details to the specific plans, it is easier to make future changes.

Emil King clarified that the MIP is not part of the Comprehensive Plan. The policies regarding it could not be changed without review by the Transportation Commission. The intent is to right-size the amount of policy direction in the Comprehensive Plan and to leave everything else to the functional plans, which do not require a Comprehensive Plan amendment to change.

Commissioner Cálad suggested more clarity is needed around whether or not the suggested approach will put the city in a better position. Currently, there is too much emphasis given to cars in addressing the transportation system. A far more balanced approach is needed. Eliminating cars in favor of transit or biking is not the right approach. A balance among the travel modes is needed, including but not only walking.

Commissioner Ferris agreed with the validity of the points made by Commissioner Cálad. The city is trying hard to become an urban center with light rail and multimodal transportation options. The reality, however, is that it will be decades before that vision will truly be realized. Many Bellevue residents live in neighborhoods that are far from the Downtown, and while they may want to use mode of travel other than a car, they simply cannot. There will be a period of transition before everyone can take full advantage of the vision for a multimodal transportation system. Progress toward making such a system available should not be slowed down in any way.

Commissioner Khanloo asked if it was a correct understanding that the suggested approach will leave all the tiny technical details to the functional and implementation plans and out of the Comprehensive Plan. Dr. Kate Nesse said that is exactly right. There are 157 policies in the Transportation Element and over time details have crept into that document. The Transportation Commission has had long discussions over what is appropriate to include in the Comprehensive

Plan and what should be left to the functional and implementation plans.

Commissioner Brown appreciated the fact that the Transportation Commission has had the opportunity to shape the specifics of the transportation system in particular neighborhoods and for the city overall. That leaves the more high-level policy direction to the Planning Commission and the City Council. The more other boards and commissions take on the details, given their specific levels of expertise, the better. The experience of the Netherlands shows it is possible to build streets and trails that allow people to walk and bike and drive all at the same time, sometimes on the same roads and at other times on completely separate systems.

Commissioner Malakoutian said transportation is an element that triggers concern about the future. People are coming back to work in offices and the city is creating more density, but infrastructure for transportation is lacking. There is a clear need for a transportation system that balances each mode. Management of the system should include moving cars more efficiently while also reducing the number of cars on the roads.

**\*\*BREAK\*\***

(8:21 p.m.)

C. BelRed Look Forward: Overview of Proposed Policy Updates Related to Open Space and Natural Systems in the BelRed Subarea Plan

(8:30 p.m.)

A motion to extend the meeting to 9:30 p.m. was made by Commissioner Cálad. The motion was seconded by Commissioner Brown and the motion carried unanimously.

Emil King said there will be three study sessions on the topic of the BelRed Look Forward, which is part of the Comprehensive Plan Periodic Update. First up is the Open Space and Natural Systems portion of the discussion for what remains a work in progress.

The BelRed subarea is a major growth area. Work on the plan started in 2006 at a time when the area was seeing declining job numbers and companies like Safeway were talking about moving parts of its business out of the area. At the same time the opportunity arose to work on regional transit investment with Sound Transit in the form of light rail. The subarea comprises 964 acres. By comparison, Downtown Bellevue takes up 420 acres. There are numerous existing uses and existing conditions in the subarea. There is development in the subarea that harkens back to the 1950s and 1960s, and there are critical areas and stream corridors. What was native forest at the turn of the 20<sup>th</sup> Century became farms in the 1900s before transitioning in the 1950s to factories. Much of the growth in the area occurred under King County prior to the area being incorporated into the city of Bellevue. The plan for the subarea that was adopted in 2009 served as the base on which the area has begun to redevelop with a mix of office and residential uses. The area is on track to reaching its initial targets of 5000 new housing units and 10,000 new jobs by 2030.

There are some refinements needed. Developers have highlighted some issues, and much of the development that has happened in the area has not dealt with streams or critical areas. The work will be set up to strengthen the implementation strategies that will in future years see development occur in areas that are more complicated. Increasing residential capacity will be one of the themes addressed. Collaborating with other partners to further the vision for BelRed will also be addressed.

Senior Planner Gwen Rousseau said the vision in the BelRed plan related to parks and open

space is for the subarea to have a comprehensive and connected system, including trails along stream corridors, urban and natural open spaces, community facilities, different size parks, and cultural and art features. The subarea provides a strong physical framework for the vision given its extensive network of streams and wetlands. Adoption in 2011 of the BelRed Part, Trail and Open Space System Plan made great strides and identifies key projects across the subarea.

The subarea has historically had a deficit of parks and community facilities and unfortunately the FAR incentive system has not generated the funding needed to see the vision realized. Office development, which targets improvements for parks and streams, occurred early, and that early development benefited from the catalyst provision in the plan, resulting in fewer amenities and fees in lieu captured by development. Additionally, fees in-lieu have not kept pace with rising land values, which have risen faster than inflation. Looking forward, there is the threat of not having the amount of space envisioned for park and open space facilities, which could result in disparate access to parks and open space for new residents and the loss of the benefits that parks and open space bring to an area. Parks are highly valued by Bellevue residents. From the statistically valid survey, two-thirds of BelRed residents would prefer to have a small park or trail within a five-minute walk over having to drive to a larger park. Residents also want to see future generations enjoy Bellevue's park-like setting.

Key policy moves related to parks and open space include exploring additional mechanisms for funding acquisition of parks and open space, tying changes in fees in-lieu to changes in land values, and evaluating opportunities to leverage public and private investments for the creation of linear parks, plazas and trails, and for expanding access to natural areas.

Commissioner Ferris voiced support for each of the key policy moves.

Commissioner Ferris left the meeting at 8:47 p.m.

Commissioner Malakoutian referred to the notion of tying changes in the fees in-lieu to changes in land value and asked who pays the fees, the landowner or the one developing the land. Gwen Rousseau said those wanting to redevelop can participate in the FAR amenity system. Currently there is a base FAR allowed by right, but in order to exceed that, it is necessary to participate in the amenity incentive system. That can include dedicating a part of the development site for a park or for stream improvements or paying a fee in-lieu. The current mechanism for adjusting those fees over time is tied to inflation. However the fees are calibrated at the beginning of the planning process, and the value of the land has increased dramatically. That makes the fee in-lieu more attractive than the dedication of land. A different way of adjusting the fees over time needs to be identified. Recalibrating a fee in-lieu is admittedly a lot of work; the last time it was done was in 2009. The challenge lies in making sure there is equivalency between dedicating land and paying a fee in-lieu.

Commissioner Malakoutian asked where the existing hundred-foot buffer requirement came from. Gwen Rousseau said the city's critical areas overlay regulations are in a separate section of the Land Use Code and it covers the entire city. The specific stream buffers depend on things like the condition of the stream. The BelRed Look Forward process will not include updating the critical areas ordinance, but it will include looking at ways to make development around streams feasible. The critical areas ordinance will not be addressed until after the Land Use Code is updated. There is a 50-foot buffer for streams as well as a building setback that adds another 50 feet.

Commissioner Malakoutian suggested that collaboration between staff and the development

community will be needed in order to land on an approach that will work for everyone.

Commissioner Cálad asked for clarification in regard to mechanisms for funding. Gwen Rousseau said the policy move is high level and suggests other mechanisms. What those mechanisms will be, however, will be drafted as the process moves along. The current amenity system is simply not producing the funds needed to ensure an adequate amount of parks and open space. There is the possibility of using parks levy funds to develop amenities in BelRed. The Parks & Community Services Board has not yet weighed in on that. The key policy move is at a very high level, thus it is primarily focused on exploring ideas. Other jurisdictions raise funds for parks through park impact fees, which Bellevue does not do currently.

Answering a question asked by Commissioner Khanloo, Gwen Rousseau said the fee in-lieu depends on how much land is in question and the development square footage given the FAR. Currently an FAR of 1.0 is automatically allowed. To increase that to an FAR of 4.0, requires the paying of a fee in-lieu of about \$20 per square feet of bonus area. One acre of developable space, given the automatic FAR of 1.0, can develop 43,560 square feet of building space. Going through the amenity incentive system, four times that amount could be achieved by paying the per-square-foot fee in-lieu. To date, the city has collected about \$8.5 million from fees in-lieu for parks and streams.

Commissioner Khanloo asked why the city should want to exchange money for the environment. The mentality of constructing buildings around the trees rather than cutting the trees down is needed. Emil King stressed the need to keep the focus at the policy level in working through the issues. Staff will provide Land Use Code examples, but the Land Use Code will not be changed as part of the process. Commissioner Khanloo questioned even having a fee in-lieu system. Emil King said there are instances where fees in-lieu are beneficial, and staff will inform the Commission what those area. In the spirit of policy values, the question is whether or not the city should consider changing how the fees in-lieu escalate over time, something that has not occurred over the last 14 years.

Commissioner Khanloo said no one should go to the Council and tell them the Commission wants to tie changes in the fees in-lieu to changes in land value. The fee in-lieu practice itself is questionable given the importance of the environment.

Commissioner Malakoutian countered that tying changes to fees in-lieu to changing land values does not automatically translate into ruining a creek or wetland. The amenity incentive system allows for more FAR, which can be achieved by building taller buildings.

Commissioner Brown allowed that certainly where the fees in-lieu increase only at the rate of inflation rather than at the rate that land value increases, the better option for developers will always be to pay the fees in-lieu. The question asked was if there is a target percentage the city wants to see kept as open space. Emil King said part of a following meeting could be dedicated to diving deeper into the park plan and comparing it to where things currently stand.

Commissioner Khanloo asked if there are examples of private investments in parks and open space. Gwen Rousseau said the mini park in the Spring District is one example. Emil King added that those private investments have resulted in amenities that are open to the public, even where they remain in private hands. There is quite a bit of private money going into things like the Eastrail corridor and the Grand Connection because they believe their contributions will be good for their employees.

Gwen Rousseau said the BelRed vision statement regarding environmental improvements calls for opportunities for major environmental enhancements, including improving riparian corridors, adding trees and green spaces, and providing a more environmentally sensitive approach to managing storm water and other natural resources. The streams and wetlands provide a strong framework for the improvements, as do green streets, which are identified in the Land Use Code and which provide a basis for a network of natural drainage and connected corridors of trees and vegetation. However, the subarea has a deficit in terms of pervious surfaces and tree canopy, and it has a high water table. The time and effort to daylight streams is in many cases cost prohibitive. There are occasionally conflicting requirements that limit onsite natural drainage opportunities, and there is a lack of a coordinated surface and storm water strategy for the subarea. With regard to geologic units, the Commissioners were informed that in the central part of the subarea there is a lot of recessional outwash, which can indicate good drainage yet also a high water table.

Looking forward, there is the threat of increasing frequency, intensity and duration of storm events due to climate change, which could put additional pressure on the subarea's surface and storm water systems. Additionally, the increasing frequency, intensity and duration of high heat events could lead to drought that could make establishing new vegetation within the subarea challenging. Community feedback has been clear about the value residents place on the streams, lakes and wetlands for the role they play in a healthy ecosystem. Likewise, the community places great value on tree canopy and has indicated there is a need to expand tree canopy, particularly in neighborhoods that have low canopy levels currently.

The specific policy moves related to surface and stormwater planning include studying the development of regional surface and storm water facilities, and leveraging public and private investments in transportation, parks and open space facilities.

Answering a question asked by Commissioner Khanloo, Gwen Rousseau noted that in the past there was a study done on a regional storm water facility for BelRed. It looked at the idea of consolidating the storm water management functions into a few locations. The conclusion reached was that it would be cost prohibitive. Due to the porous conditions in the area, it was thought that it would be better to manage stormwater on a site by site basis. Not much on-site natural drainage is happening, however, and there is an opportunity to look at a more distributed system that takes advantage of a coordinated strategy between sites. Commissioner Khanloo questioned where the surface water would be sent, and Gwen Rousseau explained that the focus is on increasing on-site infiltration into the ground.

The other policy move is to build climate resiliency through investments in and incentives for green building and biophilic design, which is where increasing the tree canopy and increasing vegetation generally would come in. Vegetation has a cooling effect, which helps to combat the heat island effect. Given that BelRed was generally an industrial area, there are not currently a lot of trees outside of lining Bel-Red Road. Even the wetland areas lack tree canopy.

Commissioner Cálad commented that while green buildings are inspiring, they can also be expensive to build. Where it costs more to construct buildings, rents in those buildings go up. Gwen Rousseau stressed that the focus is on incentives rather than requirements. There are requirements for things like street trees, but for things that go above and beyond, incentives are generally needed. Any amenity incentives would be part of the calibration analysis.

Gwen Rousseau said the BelRed vision related to implementation focuses on sustainability happening at all scales, be it the scale of the neighborhood or down to the streetscape. The vision

is to plan, design and develop all facilities using state of the art techniques to enhance the natural and built environment and to create a more livable community. BelRed's nodal development pattern is the biggest example of sustainability that enables the efficient use of land and energy. Another strength the BelRed area has is its overlapping natural and built environment networks that provide a framework for synergistic solutions. Unfortunately, some siloed planning has resulted in less efficiency and missed opportunities, and there have been instances where blanket provisions have failed to recognize the context of unique sites. Community feedback has highlighted the fact that certain regulations need to be reevaluated given that they sometimes create barriers to sustainable design.

The specific policy moves involve contextualizing the FAR amenity incentive system to direct amenities to where they will have the greatest impact, and to evaluate barriers to sustainable design and relaxing requirements where possible in favor of seeking solutions that achieve a high level of performance for multiple objectives.

Commissioner Cálad agreed with the suggestion of Commissioner Khanloo to build around nature rather than upsetting the environment to support development. That idea should be incorporated into the vision for the subarea and be made a priority.

Commissioner Brown said there are inevitable tradeoffs between nature, the built environment, sustainability and affordability. The ultimate vision would be to have it all, beautiful parks and open spaces, sustainability and development with a low-impact on the environment. It is not possible, however, to achieve that. The tradeoffs should be recognized and a determination made as to priorities.

Commissioner Cálad commented that by utilizing state of the art techniques it should be possible to preserve the environment and build more buildings, even without a 100-foot buffer.

A motion to extend the meeting to 9:45 p.m. was made by Commissioner Brown. The motion was seconded by Commissioner Cálad and the motion carried unanimously.

9. OTHER BUSINESS – None  
(9:29 p.m.)

10. APPROVAL OF MINUTES

A. September 13, 2023  
(9:29 p.m.)

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

11. CONTINUED ORAL COMMUNICATIONS  
(9:30 p.m.)

Pamela Johnston, 3741 122<sup>nd</sup> Avenue NE, asked the Commission to remember that when properties are upzoned, the value of those properties increases, often substantially. That increase should be shared with the public. Developers do have to take risks, but there should be more discussed about the economics of upzones. Requiring a developer to include affordable housing is not a bad thing when the developer has just made a lot of money on an upzone. With regard to low-impact development, there are a lot of state regulations involved, possibly including the 100-

foot setback. When talking about development being more expensive because of various requirements, some of those requirements involve safety, like fire suppression. Older houses that do not have all those innovations are typically less expensive. Developers also sometimes get tax incentives when building their buildings which can help to offset higher costs. Green buildings can be more expensive, but they honor the people who will live in them.

Heidi Dean, a Newport Hills resident, said there are a lot of green buildings that have been developed in Vancouver, B.C., and they are beautiful. It would be great to see the same developed in Bellevue. Bellevue should be leveraging its location as the jumping off place to fun. Bellevue is uniquely positioned, but too much of the focus is on high-end retail and the restaurants in the Downtown. Both Crossroads and Newport Hills are culturally diverse and have artistic opportunities. When considering multimodal transportation, an eye should be kept on the needs of the aging population. Visitors and non-residents should not, however, be given a say in what happens in Bellevue.

Eddie Chang, a member of the board of Washington Realtors, the Bellevue Chamber of Commerce and the Seattle Aquarium, commented on the issue of racial covenants. In 2021, Washington Realtors advocated in favor of HB-1335 which directed universities to look at racial covenants on titles and to notify homeowners associations about racial language in their bylaws. With regard to the 100-foot setback, the measurement is made from the river bank. Sometimes it is a feasible regulation and sometimes it is not. There are improvements that can be made that make things better than simply having a specific setback.

Lee Sargent thanked the Commission for its good questions and insights. With regard to the tree canopy, there is a direct tie to climate resilience. Trees work to preserve themselves without a lot of added fertilizer, water and extra care. Where trees are removed, that resource is lost. In Bellevue many trees have been removed for fairly faulty reasons. Decisions to remove trees should be made logically and based on circumstances.

12. EXECUTIVE SESSION – None  
(9:41 p.m.)

13. ADJOURNMENT  
(9:41 p.m.)

A motion to adjourn was made by Commissioner Brown. The motion was seconded by Commissioner Cálad and the motion carried unanimously.

Commissioner Malakoutian adjourned the meeting at 9:41 p.m.