Nesse, Katherine

From: MICHAEL A KUTOFF <backtomak@comcast.net>
Sent: Wednesday, October 1, 2025 5:09 PM
To: Khanloo, Negin; Ferris, Carolynn; Goeppele, Craighton; Lu, Jonny; Villaveces, Andres; Kennedy, Mariah; Nilchian, Arshia
Cc: PlanningCommission
Subject: HOMA

Dear Planning Commissioners,

I am dismayed that when I talk to my neighbors, they are unaware of any outreach from the City regarding HOMA. And frankly the only reason I have any awareness of HOMA discussions is because I'm involved with the Newport Hills Community Club. It's unfortunate that after the commission asked city staff to do a more thorough job of reaching out to our citizens, so many are still in the dark.

Since Newport Hills is my neighborhood, I can only speak about our specific issues. In the last draft of HOMA the phrase "neighborhood-serving" was replaced by "pedestrian-oriented". This may make sense in another area of Bellevue but it does not in Newport Hills. As our weather turns wet and cold, few of my neighbors will be walking to get groceries or dinner. They will be in their cars. If there's no parking, they will leave the hill and go elsewhere – and it won't be Newcastle Commons as the parking there is limited! When this happens our current "neighborhood-serving" businesses will suffer and/or leave.

We'd all like to see our shopping center – our "center" – redeveloped. But not with a 5-story block of apartments or condos. This will not serve our community. Keep it zoned as is so we can add more community-oriented businesses that would benefit our area. That is hoping the current owners will actually pay attention to this site.

Bellevue neighborhoods are diverse in geography, location to transit centers, and cultural make-up. It does not make sense for HOMA to have a one-size-fits-all solution. This new policy needs a lot more direct citizen input – from ALL Bellevue neighborhoods before a draft is sent to our city council. And those diverse neighborhoods and their needs should be kept in mind.

I appreciate your difficult job and your time.

Respectfully,

Fran Kutoff

Nesse, Katherine

From: Nesse, Katherine
Sent: Monday, October 6, 2025 2:32 PM
To: PlanningCommission
Subject: FW: PLUSH Input on HOMA

Follow Up Flag: Follow up
Flag Status: Flagged

Katherine (Kate) Nesse, PhD
Planning Manager & Planning Commission Liaison, Community Development Department

City of Bellevue
Phone: 425-452-2042
450 110th Avenue NE, Bellevue, WA 98004
Email: knesse@bellevuewa.gov

Connect with the Planning Commission!
Learn more about the Commission | View current and past agendas | Sign up to give oral comment | Email the Planning Commission

---

From: Jodie Alberts <jodie@bellevuechamber.org>
Sent: Sunday, October 5, 2025 10:21 AM
To: Kennedy, Mariah <MKennedy@bellevuewa.gov>
Cc: Joe Fain <joe@bellevuechamber.org>
Subject: PLUSH Input on HOMA

Commissioner Kennedy,

I am reaching out regarding the HOMA Ordinance and to share the Bellevue Chamber PLUSH Committee's memo to staff outlining our recommended revisions to the Downtown Land Use Code.

PLUSH affiliates met with staff to discuss these items in detail, and we appreciated their thoughtful engagement and commitment to continue refining the draft in the coming weeks. While those updates are still in progress, the current version of the HOMA ordinance does not yet reflect the changes discussed. As written, several provisions would significantly limit the feasibility of new housing and mixed-use development downtown—contrary to the goals of the HOMA effort and the Comprehensive Plan's housing and growth targets. This update presents an important opportunity to resolve long-standing issues within the Downtown Code and make future housing development more feasible.

The attached memo summarizes our requested revisions, organized by code section, with accompanying rationale for each. Many of these recommendations align with standards already adopted in Wilburton and are intended to simplify the code, reduce costs and delays, and ensure consistency across Bellevue's key growth corridors.

We hope the Planning Commission will consider these practical adjustments as you finalize your review of the HOMA ordinance. If you're available to discuss before Wednesday's meeting, I'd welcome the opportunity to connect.

Thank you again for your time and continued leadership on this important update.
Jodie

Jodie Alberts | Vice President of Government Affairs
Bellevue Chamber of Commerce
M: 901.834.4261 | O: 425.213.1206 | E: jodie@bellevuechamber.org
330 112th Ave. NE, Suite 100, Bellevue, WA 98004

Nesse, Katherine

From: Linda Haller <linda_haller@hotmail.com>
Sent: Monday, October 6, 2025 9:27 AM
To: PlanningCommission
Cc: Kennedy, Mariah; Nilchian, Arshia; Khanloo, Negin; Lu, Jonny; Goeppele, Craighton; Villaveces, Andres; Ferris, Carolynn; Menard, Mathieu
Subject: Re: HOMA comments as related to the Newport Hills Shopping Center

Follow Up Flag: Follow up
Flag Status: Flagged

Bellevue Planning Commissioners-

I have lived in Lake Heights for many, many years. I am writing to add my voice of support to those of the Newport Community Coalition. We represent the four neighborhoods of Newport Hills, Lake Heights, Greenwich Crest and Newport Shores and we are all very excited to see our neighborhood shopping center finally be able to be redeveloped.

I am supportive of adding housing and I am supportive of making sure we provide housing for new families and those folks who spoke during the middle housing issue who work in Bellevue but can't afford to live here. I have many friends whose kids can't afford to live in our neighborhood and that is just not ok.

I know you have heard the opposition voices who have been fighting the concept of a new shopping center for years. I hope now you will hear our voices of support. I support 3-5 stories. I support new housing and housing that is affordable. I support a shopping center that we can all be proud of – our neighborhoods deserve that.

Thank you for your work on the Planning Commission. I know it's a lot of work. I hope you will move HOMA forward so that my supportive neighbors and I can finally see a new neighborhood shopping center.

Thank you –
Linda Haller

Nesse, Katherine

From: Nicole Myers <nicolemikomyers@gmail.com>
Sent: Monday, October 6, 2025 5:39 AM
To: PlanningCommission
Cc: Council
Subject: Small scale HOMA parcels

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Planning Commissioners,

I won't be able to attend the meeting on Wednesday, so I'm hoping you'll see this letter in time to possibly take this into account for your discussion on HOMA.

As a pedestrian, I do not think it is relaxing or desirable for the sidewalk to be sandwiched between the building and an arterial road. Compare this to shopping streets that are usually much smaller, so that you'd not be crazy to jaywalk across to a store on the opposite side, with cars that are traveling slower. It is also more useful to have sidewalks around the outside of a block if it is part of a street grid, whereas HOMA seems to be proposing mostly isolated upzones.

I think we should start by designing this from the perspective of a transit user. There should be enough room along the arterial side of the parcel for a bus stop to be provided, and the project should deed land for the pull-out to the city so that traffic along the street isn't impeded. We should combine bus location monitoring technology with signage that uses green/yellow/red lights to let rideshares and other drop-off drivers know when they can also use this curb space.

This bus stop node should then lead to the pedestrian core of the facility. If there is a grocery store on-site, a cart corral should be located as conveniently to the bus stop as possible. The pedestrian core should have a defined minimum width based on site size, probably 14-20' if open-air and 10’ wide if enclosed, though it would probably be slightly wider at the mouth, since open space would be incentivized to be placed along the pedestrian core, and the ends would be the most likely to have good sun exposure for the landscaping.

We shouldn’t need to invent the rules for the pedestrian core from scratch, since we already have the work that was done for Wilburton and alleys with addresses, etc. We will need to do work to calibrate the amount of active space, and determine the uses that qualify, based on their relevance to the community. It is important that these active uses get (more) credit when they front the pedestrian core, and that they don’t have to have street frontage.

Parking access and/or at-grade parking could go on the sides of the parcel, ideally functionally increasing the setback to neighboring residences. If this design were extended across an urban area, this layout would mean a plaid pattern of pedestrian corridors offset from the car streets, and midblock pedestrian crossings.

Goals:
1. An elevated pedestrian/customer experience
2. Bus transit riders have an experience that's just as nice as people who drive (and if upzoned parcels do not have a bus stop, whether because they are too small or are not on a bus line, that should mean another category of requirements apply - I don't have that answer now, but I think the right answer is out there.)
3. Any building that adds height should justify its existence to the community with the addition of meaningful amenities that are required to be open for business (this could mean a tenant business is paying lower rents than desired, but to help with financing, there should be a floor for those rents based on a city-wide formula at time of construction plus inflation).
4. Minimum parking requirements are likely to decrease, so added height should be dependent on adequate parking, unless exempted in exchange for a bonus amenity by microvote (households within 1-2 blocks). We should create a map of building height caps rather than upzones, with the option to provide affordable housing and amenities to get that potential height.
5. Maybe the assumptions about well-treed transition zones mean we should revisit the Tree Code changes made in June. Also, what is the typical tree protection zone, and how reasonable would construction that encroaches on a certain percentage of it be?
6. It would make sense for one of the main amenities near transit to be childcare, so that you can drop off a kid and then hop on the bus, but I've previously cited an economic analysis of minimum size when speaking to city council about this, and the sqft needed is surprisingly high to have operational efficiencies where the staff can cover for each other and there are designated spaces for necessities.

I do think a more robust public participation process, that focuses in series on parcels/parcel groupings on each scale, would yield much better results for the city. Even if the smallest chunks that are affected by HOMA are small individually, they represent a large opportunity when you put them together. We should also expect the rules we create to mesh well with likely corner stores legislation.

Re: the discussion about third spaces, I believe it is possible to create a whitelist of business types that qualify, and while it may not be exhaustive, we'd at least be able to encourage the items on that list. Third spaces may also include patio spaces (possibly with retractable covers), but I do think figuring out the incentives and lot coverage implications might take more time than we have now.

Sincerely,
Nicole Myers

Nesse, Katherine

From: Jack McCullough <jack@mhseattle.com>
Sent: Monday, October 6, 2025 12:10 PM
To: PlanningCommission; King, Emil A.; Carlson, Diane (she/her); Horner, Rebecca D; Menard, Mathieu
Cc: John Powers; Foushee, Charlie; Mike De Cotiis - Pinnacle International (md@pinnacleinternational.ca); Jim Ralph; Luke Schroeder; Pam Hirsch (phirsch@schnitzerwest.com); Jim Rivard; Brendan Lawrence; Ben Jarvis; Jeremy Lui (Cloudvue); Alec Nelson; Ju, Cindy; Kevin Wallace (kwallace@wallaceproperties.com); Richard Weir; jjoliicoeur@allresco.com; Steve Kramer; Andrew Coates; Mike Nielson
Subject: Comments on HOMA re Downtown Zoning
Attachments: Letter to Planning Comm'n re Downtown Zoning (10-6-25).pdf

Commissioners:

Please see the attached comment letter. I am suggesting in the letter that outreach be undertaken with a key group of Downtown stakeholders and others. For ease of connecting with this group, I am also copying them on this transmittal, so you will have all their emails in one place.

Thanks.

Jack

John C. McCullough
Attorney at Law
MCCULLOUGH HILL PLLC
701 Fifth Avenue, Suite 6600
Seattle, Washington 98104
Tel: 206.812.3388
Cell: 206-612-9101
Fax: 206.812.3389
www.mhseattle.com

October 6, 2025

VIA ELECTRONIC MAIL

Negin Khanloo, Chair
Planning Commission
City of Bellevue
450 110th Avenue NE
Bellevue, Washington 98004

Re: Downtown Zoning under HOMA

Dear Chair Khanloo and Commission Members:

We are writing on behalf of multiple downtown building owners and developers to follow up on our comments to you at your September 10, 2025 meeting regarding HOMA changes to Downtown zoning.

At that meeting, we raised several points of concern to these Downtown stakeholders:

- No outreach to this group has been conducted.
- The new Downtown zoning, adopted in 2017 after years of outreach and collaboration, hasa only been in place for 8 years. It includes an affordable housing incentive that is bearing fruit.
- These owners and developers have invested millions of dollars since 2017 in reliance on the new Downtown zoning code. Many of these projects remain undeveloped. It is unfair to change the rules in the middle of the game, particularly in light of this massive project investment that the City encouraged.
- The proposed new mandatory affordable housing fee Downtown is a pure tax. Unlike everywhere else in the City under HOMA, the Downtown receives no compensating density benefit as part of the deal. This is unfair to the owners and is likely to jeopardize project viability.

The best way to address these issues with the stakeholders is to undertake an outreach process. To facilitate that step, we have attached a list of Downtown owners and developers who would like to participate in such a process, together with their contact information. You can find others on the

Downtown Major Project List on the City's website: Downtown Bellevue Major Projects List Q1 2025. This group has collectively permitted and developed millions of square feet of office and retail space and thousands of residential units in Downtown over the last 25 years. They and others are the lifeblood of what makes Downtown successful and they deserve to be included in this critical conversation.

Thank you for the opportunity to provide these comments.

Sincerely,

John C. McCullough

cc: Diane Carlson
Rebecca Horner
Emil King
Mathieu Menard

List of Downtown Owners/Developers for HOMA outreach:

Name	*Projects*	*Contact*
FANA Group	Four106 KeyBank Tower Washington Square	John Powers John.powers@fanagroup.com
Skanska	The 8 Washington Square	Charlie Foushee Charlie.foushee@skanska.com
Pinnacle International	Pinnacle North Pinnacle South	Mike De Cotiis md@pinnacleinternational.ca Jim Ralph jralph@pinnacleinternational.ca
Schnitzer West	The Bravern Civica The Artise Arcadian	Luke Schroeder lschroeder@schnitzerwest.com Pam Hirsch phirsch@schnitzerwest.com
SRM	Polynesia 12 Bellevue Way Silver Cloud	Jim Rivard jim@srmdevelopment.com
Onni	Onni Bellevue	Brendan Lawrence blawrence@onni.com Ben Jarvis benj@onni.com
Stanford Hotels	Cloudvue	Jeremy Lui Jeremy.lui@cloudvue.live
Beam Reach	Kanon	Alec Nelson Alec.nelson@beam-reach.com
Hines	Main Street Place	Cindy Ju Cindy.ju@hines.com
Wallace Properties	Bellevue North	Kevin Wallace kwallace@wallaceproperties.com
Bosa Development	One88 Park Row Main & Bellevue	Richard Weir rweir@bosadevelopment.com
Alliance Residential	200 Broadstone Savoie	Jeremiah Jolicoeur jjolicoeur@allresco.com
KG Investments	400 108th (WaFd Building)	Steve Kramer skramer@kgip.com Andrew Coates acoates@kgip.com
West 77th Partners	Washington Square	Mike Nielson mike@west77partners.com

Nesse, Katherine

From: sue.baugh@comcast.net
Sent: Monday, October 6, 2025 1:53 PM
To: Khanloo, Negin; Kennedy, Mariah; Nilchian, Arshia; Lu, Jonny; Goeppele, Craighton; Villaveces, Andres; Ferris, Carolynn
Cc: Menard, Mathieu; PlanningCommission
Subject: Support for HOMA and Newport Hills Shopping Center

Follow Up Flag: Follow up
Flag Status: Flagged

Planning Commissioners:

I am out of town so unable to join you at your upcoming (10/8) Planning Commission meeting.

That said, I wanted to take this opportunity by email to reiterate my support for the Newport Hills Shopping Center and HOMA.

I am writing to you as a 35-year resident of Lake Heights and as a member of The Newport Community Coalition, which includes residents from Newport Hills, Lake Heights, Newport Shores and Greenwich Crest, including both new and a longtime residents.

As I have mentioned in my past comments, we support:

1. The Comprehensive Plan as adopted,
2. The Newport Neighborhood Update as adopted by both the Planning Commission and by a unanimous vote of the City Council
3. The most recent iteration of HOMA
4. Housing that is affordable for teachers, nurses, police and firefighters

In particular we support redevelopment of the Newport Hills Shopping Center. As you may know, this is the third time that NHSC has been involved in a redevelopment debate and twice the anti-development contingent's adversarial efforts resulted in a negative outcome.

The Newport Community Coalition supports HOMA and NB Zoning, 3-4 floors with amenities and bonuses to get to 5 floors. And contrary to what you may have heard, no one in our group nor the NHSC owners supports 7-10 floors. We also understand that a mixed-use center includes retail. In order to maintain a thriving retail center, additional customers are a must which more housing in our neighborhood would provide. A total PLUS!

I have met with the owner's representative. The project they envision would be a positive step in revitalizing south Bellevue and would be a legacy project for their family. The Newport Neighborhood Coalition, representing a large group of residents, supports moving forward on redevelopment of Newport Hills Shopping Center. It's time for our voices to be heard – The

Newport Community Coalition supports moving forward with HOMA including the redevelopment of NHSC.

Thank you –
Sue Baugh

Suzanne Baugh
425-417-6959

Nesse, Katherine

From: leslieegeller@gmail.com
Sent: Monday, October 6, 2025 7:07 PM
To: PlanningCommission
Subject: Comment re Eastgate/Factoria NAP
Attachments: Factoria Neighborhood Scan_3.jpeg; Factoria Neighborhood Scan_1.jpeg; Factoria Neighborhood Scan_2.jpeg; Photo Prompts_Eastgate Neighborhood Scan.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Planning Commissioners,

I live in Eastgate (for 31+ years) and also am President & Secretary of the Eastgate Community Association (ECA). I want to comment on the Eastgate & Factoria NAPs.

I have been involved with Eastgate NAP since July, well prior to the official kickoff on September 4. The Eastgate Community Association hosted Justin Panganiban and Zach Luckin at our September 11 general meeting. I have sent out emails and social media posts about the kickoff, and the initial Discovery survey that closed on Oct. 3.

I went on the Eastgate neighborhood scan on October 4. Very unfortunately for both neighborhoods, which are contiguous and well-interconnected, Staff scheduled Eastgate and Factoria scans at exactly the same time. This required those of us who wanted to go on both, to choose. For the ECA, I went on Eastgate's scan, while the ECA VP attended the Factoria scan. When I asked planning staff (two different times, in fact; I am quite angry about the simultaneous scheduling), the answer both times was that it was most convenient for staff to do it that way. Frankly, the convenience aspect should be on the side of the residents who the staff want to interact with.

Imagine my shock to see that about 80% of the walkers were high schoolers. (See attached photos of Factoria scan, which look like the Eastgate scan participants.) FYI, aren't involved in any ECA events since we've been doing them since 2019. The students were essentially bribed to go on the scan; they received extra credit at school as well as volunteer hours that are required to graduate. In fact, I asked some of the students if they agreed that they were effectively bribed, and they said yes, with a laugh. One added that she was always up for a morning walk. There were literally only a handful of adults on my scan, and half were there with their kids.

The students hung together; they were not interested in the reason for the walk. The staff who led my walk did practically nothing to engage the students, or even me! The staff were so excited to have so many youth in attendance. I don't know why. When I asked why all the students, the staff person who led my group said [paraphrasing] "Well, they're 16 now, and in 2044 they'll be mid-30s and they should have a say in the direction of Eastgate." The staff's assumption is that they students will be living in Eastgate when they're in their 30s. I see the rationale for her perspective, but who knows where those students will end up then! When I was 35, I moved to the Eastside from Los Angeles, never to return.

When I signed in for the scan, I noticed that the other signers wrote neighborhoods other than Eastgate. I was really surprised by this, and asked a senior planning staff about who they'd reached out to for the scan. The answer indicated they'd reached out broadly, and that staff was so pleased with the response from their connecting with the schools. Staff's attitude is that input is valuable from anyone who lives, works, plays or goes to school in my neighborhood. Everyone's input is given equal weight. (I specifically asked this.) Therefore, people who live in Lake Hills,

Crossroads, Somerset, Lakemont/Cougar Hills, etc. can give input to the NAP and it will count equally as input from an Eastgate resident. Including from one who's owned her house for decades and has contributed to the city over that time. **In my perspective, those of us who have invested heavily in Eastgate should have our input given a lot more weight than people who do not live in Eastgate.**

That day I spoke to someone who had gone on the Factoria scan. Their impression completely matched mine. I feel that these scans were a total waste of everyone's time. The Eastgate scan was absolutely a waste of my time, except for knowledge gained from my brief conversations with planning staff as described above. I can't imagine that planning staff will garner truly valuable feedback from the scans. We went on a route predetermined by staff. I do not know why staff selected the route. As far as I know, staff consulted no one who lives in Eastgate. I didn't know what to expect on the scan, other than it was a walk, and I presumed that staff would interact with walkers, gathering our feedback along the way about living in Eastgate, particularly focused on public spaces.

Before the scan started, staff handed out pre-printed paper for walkers to take notes on during the scan. Most walkers also received a ring with laminated tags containing a photo prompt, with a red dot on one side (don't like) and a green dot on the other (do like). See attached PDF for list of all the photo prompts. The Eastgate scan had 5 specific locations where we stopped for 5-10 minutes. I have no idea why those 5 locations were selected. I certainly didn't see anything special or noteworthy about them, and I already was familiar with each location. They all are very near my house. At each stop, walkers were supposed to look around and notice what they liked and didn't like, or wished were there. Then take a photo of that while holding up a tag with the red dot or the green dot facing the camera. This way the city would know our like or dislike. When walkers got home, they needed to upload their photos to Engaging Bellevue NAP via a QR code. There are only two photos posted so far that have a laminated tag included.

I know that this is a lengthy email; my apologies. I believe it's important for the Planning Commission to know as many details as possible about the Eastgate & Factoria NAPs process. You will NOT get this level of detail from staff—not even close.

Thank you for your consideration and for taking my perspectives into account as you are periodically updated on these NAPs.

Sincerely,

Leslie Geller

BELLEVUE GREAT NEIGHBORHOODS

Eastgate Neighborhood Scan

Welcome to the Eastgate Neighborhood Scan!

We want you to explore your neighborhood and share your thoughts about streets and neighborhood gathering spaces along the way, such as parks, libraries, schools, retail areas, trails, and natural areas.

Step 1: Select your route.
Look at the map on thr next location. Choose up to five places you would like to stop on the map and draw your route.

Step 2: Document your experience.
Walk or bike along the route, taking note of things you see or hear along the way. Use the worksheet to record your observations at each stop. We also encourage you to take photos along the way! Print out and use photo captions to express places you like or need improvement.

Step 3: Add your photos on Engaging Bellevue.
Scan the QR code to submit your photos and comments on Engaging Bellevue and contribute to the community discussion.

https://www.engagingbellevue.com/great-neighborhoods-eastgate/brainstormers/neighborhood-identity

What is you relationship with Eastgate?
Select one.

- ☐ I live in Eastgate
- ☐ I work in Eastgate, but live elsewhere
- ☐ I come to Eastgate to visit, shop, or dine, but live elsewhere

Do you currently go to school in Bellevue?
Select one.

- ☐ Yes, Bellevue College
- ☐ Yes, Bellevue public school
- ☐ Yes, other school
- ☐ No

What time of day did you make your observations?

_____

Below are examples of public spaces you may encounter on your walk.

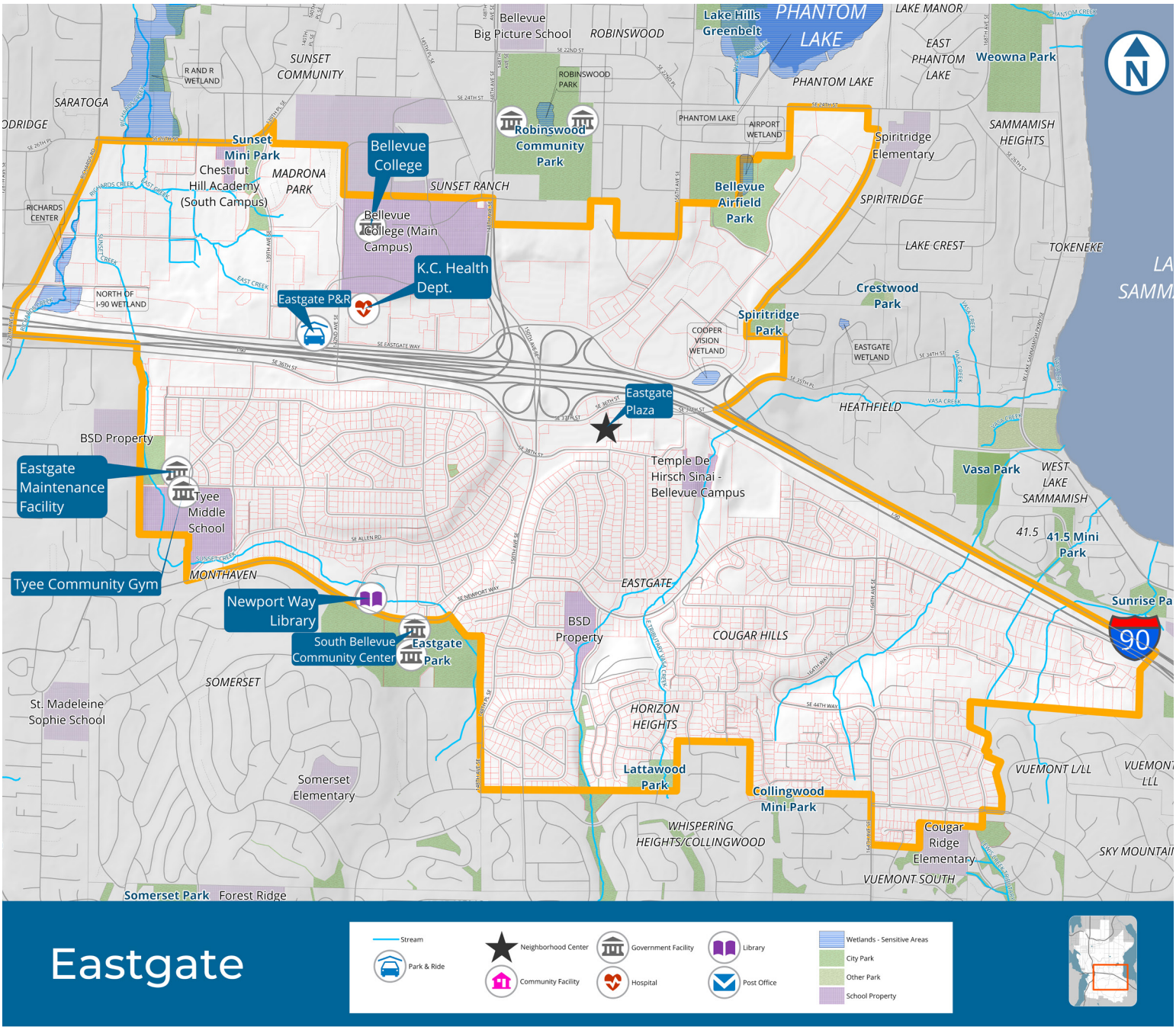
Community Gathering Spaces: Places that foster a sense of belonging and serve as the heart of the neighborhood for events and social interactions.

Parks and Plazas: Areas for leisure, socializing, and exhercise that bring people together.

Streets: The usability and appeal of sidewalks, roads, and public areas that support walking and interaction.

Trails and Natural Areas: Green spaces, wildlife habitats, and natural features that connect people to nature.

Neighborhood Art and Identity: Murals, sculptures, and design elements that reflect the community's heritage and make the area unique.



Eastgate

How did walking in your route feel overall?

- [ ] Safe
- [ ] Uncomfortable
- [ ] Fun
- [ ] Other: _____

What made your walk enjoyable?

- [ ] Open spaces and Greenery
- [ ] Interesting places to see
- [ ] Comfortable streets
- [ ] Other: _____

What was the biggest challenge while walking?

- [ ] Vehicular Traffic
- [ ] Poor sidewalks
- [ ] Lack of street amenities like lighting, signage, benches, etc.
- [ ] Other: _____

STOP #1 : _____

What did you observe on your way here?

In the future, what could you see more of?

STOP #2 : _____

What did you observe on your way here?

In the future, what could you see more of?

BELLEVUE GREAT NEIGHBORHOODS

STOP #3 :

What did you observe on your way here?	In the future, what could you see more of?

STOP #4 :

What did you observe on your way here?	In the future, what could you see more of?

STOP #5 :

What did you observe on your way here?	In the future, what could you see more of?


following
Jesus
together.

Nesse, Katherine

From: Nesse, Katherine
Sent: Tuesday, October 7, 2025 9:49 AM
To: PlanningCommission
Subject: FW: PLUSH Input on HOMA
Attachments: HOMA Downtown Summary and Requests.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Katherine (Kate) Nesse, PhD
Planning Manager & Planning Commission Liaison, Community Development Department

City of Bellevue
Phone: 425-452-2042
450 110th Avenue NE, Bellevue, WA 98004
Email: knesse@bellevuewa.gov

Connect with the Planning Commission!
Learn more about the Commission | View current and past agendas | Sign up to give oral comment | Email the Planning Commission

---

From: Khanloo, Negin <NKhanloo@bellevuewa.gov>
Sent: Tuesday, October 7, 2025 8:58 AM
To: Nesse, Katherine <KNesse@bellevuewa.gov>; Johnson, Thara <TMJohnson@bellevuewa.gov>
Subject: Fwd: PLUSH Input on HOMA

FYI

Get Outlook for iOS

From: Jodie Alberts <jodie@bellevuechamber.org>
Sent: Sunday, October 5, 2025 10:20:41 AM
To: Khanloo, Negin <NKhanloo@bellevuewa.gov>
Cc: Joe Fain <joe@bellevuechamber.org>; Jessica Clawson <jessica@mhseattle.com>
Subject: PLUSH Input on HOMA

Chair Khanloo,

I am reaching out regarding the HOMA Ordinance and to share the Bellevue Chamber PLUSH Committee's memo to staff outlining our recommended revisions to the Downtown Land Use Code.

PLUSH affiliates met with staff to discuss these items in detail, and we appreciated their thoughtful engagement and commitment to continue refining the draft in the coming weeks. While those updates are still in progress, the current version of the HOMA ordinance does not yet reflect the changes discussed. As written, several provisions would significantly limit the feasibility of new housing and

mixed-use development downtown—contrary to the goals of the HOMA effort and the Comprehensive Plan's housing and growth targets. This update presents an important opportunity to resolve long-standing issues within the Downtown Code and make future housing development more feasible.

The attached memo summarizes our requested revisions, organized by code section, with accompanying rationale for each. Many of these recommendations align with standards already adopted in Wilburton and are intended to simplify the code, reduce costs and delays, and ensure consistency across Bellevue's key growth corridors.

We hope the Planning Commission will consider these practical adjustments as you finalize your review of the HOMA ordinance. If you're available to discuss before Wednesday's meeting, I'd welcome the opportunity to connect.

Thank you again for your time and continued leadership on this important update.
Jodie

Jodie Alberts | Vice President of Government Affairs
Bellevue Chamber of Commerce
M: 901.834.4261 | O: 425.213.1206 | E: jodie@bellevuechamber.org
330 112th Ave. NE, Suite 100, Bellevue, WA 98004

To: Mathieu Menard, Nick Whipple, Kristina Gallant, Rebecca Horner
City of Bellevue
From: Bellevue Chamber PLUSH Committee
Date: September 24, 2025
Re: Changes to Downtown Land Use Code in HOMA Ordinance

Dear Mathieu, Nick, Kristina and Rebecca,

This memo follows our letter of September 9, 2025 to the Planning Commission regarding the proposed changes to the Downtown Land Use Code (Chapter 20.25A) in the Draft Housing Opportunities in Mixed-use Areas (HOMA) Strike Draft Option A Fourth Draft 7/1/25 (the "HOMA Ordinance"). The tables below are organized into the following sections:

I. Proposed changes to the HOMA Ordinance that we support.
II. Requested revisions to the HOMA Ordinance.
III. Modifications to improve and expand the additional development flexibility (ADF) provisions.
IV. Additional requested changes to the Downtown LUC to modernize the code, reduce costs and complexity and achieve consistency with the recently enacted Wilburton LUCA.

I. Supported/Acceptable Changes to Downtown LUC in HOMA Ordinance.

Code Section	Revision	Comment
20.25A.010.B.2.b and 20.25A.060.A.4.	Addition of DT-O-2 West zone	Rezones to provide more consistent heights and use standards in the downtown core. Alters KDC's land from MU to O-2, providing additional height and density for their property.
20.25A.020.A & B.	Delete definition of Transparency, Weather Protection and Building Height-Transition Area Design District	Transparency and Weather Protection definitions were moved verbatim to the city-wide definitions section 20.50.048. Building Height-Transition Area Design District is a term that is no longer used. In Section IV below we suggest other definitions that could be moved to city-wide.
20.25A.060.B.3	Perimeter Overlay FAR Flexibility	Allows unutilized FAR in an overlay to be used in another overlay or no overlay area. This language is verbatim with the previously enacted IOC, except it now includes all perimeter zones (previously some were excluded).
20.25A.070.C.2.a	Affordable Housing exemption increased from 1.0 FAR to 50% of Base FAR.	A helpful increase to the exemption. Still less than half of Wilburton – see 20.25R.050.D.1.a.i.

Code Section	Revision	Comment
20.25A.070.C.2.a.ii	Deletion of bedroom mix rules for affordable units.	The intent is to have the same affordable housing standards city-wide. These standards are in LUC 20.20.128.A., plus a Director's Rule. **It would be clearer if the language referred to LUC 20.20.128.A because the remainder of LUC 20.20.128 is inapplicable.**
20.25A.070.C.2.b	Increasing the bonus floor area ratio (FAR) for on-site affordable housing from 1:2.5 to 1:4.0.	This is consistent with the IOC and Wilburton (20.50R.050.D.2) and provides a more adequate incentive for providing on-site affordable housing.
20.25A.070.D.2.c	Addition of in-lieu fee for affordable housing at $13 per amenity point.	The fee amount per point is acceptable. See amenity point discussion below.
20.25A.070.D.4.	Adding affordable housing as an amenity point option.	The ability to achieve 4 amenity points for every one square foot of affordable housing (on a voluntary basis) is acceptable as an option on the menu of potential amenity points.
20.25A.075.C.1	Increase of stepback point on towers to "at a height no greater than the first full building story above 110 feet in façade height."	This is acceptable for towers, but see comment in Section II below requesting clarity that the stepback requirements are eliminated for midrise buildings.
20.25A.080.B.	Reduction in parking minimums for residential from 1.0/unit to 0.5/unit and exemption of parking for affordable units.	OK. See request below for elimination of visitor parking requirements and the uncodified requirement to permanently designate every stall by its use.

II. Requested Revisions to Downtown LUC Provisions of HOMA Ordinance.

Code Section	Revision	Comment
20.25A.070.C.2.a	<u>Affordable Housing Development Flexibility Exempt Area.</u> Restore "supporting the creation of", so the section reads, "floor area dedicated to *supporting the creation of* affordable housing shall not be counted for the purposes of calculating the FAR of a project…"	This change is consistent with the existing land use code and the IOC. See LUC 20.25A.070.C.2.a and IOC Sec. 2.B.1. The code provides a bonus of 4 sf for every 1 sf of affordable housing. The Revision allows both the market rate bonus area and the affordable housing area to be exempt. The existing language in HOMA renders the bonus FAR meaningless and the exemption unusable. Bel-Red has had an exemption without bonus option in place since 2009 and no one has ever used it because it doesn't make financial sense to do so.
20.25A.070.C.2.c	<u>Additional development flexibility buy-in.</u> Change the first sentence back to the original language: "Projects that provide 0.5 FAR or greater *of the exempt floor area earned through the provisions of on-site affordable housing.*"	This change is consistent with the existing land use code and the IOC. See LUC 20.25A.070.C.2.a and IOC Sec. 2.B.3. The current cost to utilize additional development flexibility is 0.1 FAR of affordable housing. The HOMA ordinance would increase it to 0.5 FAR of affordable housing. A 5x increase would render the ADF benefits unusable for many projects because the cost would exceed the benefit. The effect

Code Section	Revision	Comment
		would be to reduce the quantity of affordable and market rate housing in Downtown. See Section IV for proposed improvements to the ADF provisions, where we recommend a proportionate buy-in of 1 sf of affordable housing for every 5 additional floor area used, or payment of the $13/floor area fee in lieu.
20.25A.070.C.2.v.	Unlimited floorplates for midrise buildings. Change 80' to 100' (consistent with Wilburton) or at least 85' (the height limit for Type IIIA building construction).	In Wilburton there is no floorplate limit for buildings 100' in height or less. In Section IV below we request that unlimited floorplates be the rule for all mid-rise buildings, but at the very least this ADF rule should be consistent with the Wilburton standard and not limited to only 80'. Since buildings above 85' in height are considered highrise under the building code, limiting the height to 85' is also reasonable, even though it's inconsistent with the Wilburton LUCA.
20.25A.070.D.2.b.i	Voluntary affordable housing amenity points. Change from "*It is required that the first 25 percent* of a project's amenity points *shall* be earned from the provision of affordable housing" to "*Up to 50 percent* of a project's amenity points *may* be earned from the provision of affordable housing."	This makes the affordable housing amenity point option voluntary instead of mandatory. State law requires mandatory fees to be a voluntary incentive and not a tax (RCW 36.70A.540 and 82.02.020). Mandatory taxes on development deter growth. To achieve the Comprehensive Plan's growth goals for Downtown, development needs to be easier, not harder.
20.25A.075.A.2.b	Floorplate averaging. Either: A. eliminate the floorplate reductions entirely, as recommended in Section IV below; or B. increase the maximum floorplate limit in 20.25A.060 from "above 80'" to "above 100'"; or C. change 100' back to 80'.	A. Eliminating the floorplate reductions for being above the trigger height would allow more housing and office space in Downtown, making it more likely for the city to achieve its Downtown growth targets. B. Increasing .060's floorplate limits from 80' to 100' would make it logical to have the averaging limit at 100'. C. Changing it back to the current code language (80') is consistent with the existing steps in the floorplate limits and eliminates an unnecessary reduction in floor plate sizes.
20.25A.075.C.1.	Stepbacks. Eliminate the stepback requirements for midrise buildings by adding "of a tower" after "Each building façade".	The staff-proposed change moved the stepback from "between 25 feet and the level of the first floor plate above 40 feet" to "*no greater than* the first full building story above 110 feet in façade height." If a building is less than 110 feet in height it is unclear whether the requirement still applies. Stepbacks are not required in Wilburton for mid-rise or Towers.

III. Changes to HOMA to Expand the Additional Development Flexibility.

Code Section	Revision	Comment
20.25A.070.C.2.c	Allow Fee-In-Lieu. New subsection: "Every 1.0 square foot of floor area earned through payment of in-lieu fees is allowed, not to exceed, when combined with the additional floor area authorized by subsection b above, 50 percent of the base FAR for residential development."	Allows the affordable housing FAR exemption to be earned via payment of fee in lieu. This will significantly increase the dollars going into the affordable housing fund.
20.25A.070.C.2.c.	Proportionate buy-in to ADF. Change "Projects that provide 0.5 FAR or greater of affordable housing may:" to "Projects may utilize the following additional development flexibility options by paying $13 per floor area or providing 1.0 square feet of affordable housing for every 5.0 floor area utilized via an alternative development flexibility option.	Makes utilization of ADF options proportionate to the additional floor area gained from the options, plus allows fee-in-lieu in addition to on-site performance. This enables nonresidential buildings to participate, and will generate much larger amounts for the affordable housing fund than would be generated from the current draft of HOMA.
20.25A.070.C.2.c.iii	ADF for reduction in stepback in perimeter zone. Delete.	Above we requested clarification that the stepbacks are being eliminated for midrise buildings.
20.25A.070.C.2.c.iv	Allow more height for ADF. Amend to "Increase maximum building heights by 30 feet for buildings within the Perimeter Overlay and 60 feet for buildings outside of a Perimeter Overlay."	This preserves the wedding cake in Downtown but allows
20.25A.070.C.2.c.v	ADF for additional floorplate for midrise buildings. Delete.	This is unnecessary if midrise buildings are allowed to have unlimited floorplates, as requested in IV below.

IV. Changes to Downtown LUC to Modernize the Downtown Code to Reduce Costs and Delays in the Production of Housing

Code Section	Revision	Comment	Consistent with Wilburton?
20.25A.010.A	Active Uses. Delete the Downtown definition of Active Uses and instead use the city-wide definition (20.50.010 A).	This expands the list of acceptable "service" uses and provides standards for the Director's approval.	Yes. Wilburton uses the city-wide definition of Active Uses.
20.25A.020.A 20.25A.060.A.1	Build-To Line. Delete this concept from the Downtown code.	Downtown LUC requires all buildings to be built to the "build-to line". It is impossible to comply with this rule -- every Downtown project since 2017 has had to submit a departure request for the build-to line, imposing unnecessary complexity and risk. Bel-Red only requires build-to line compliance in portions of the Spring District and along portions of Spring Blvd. and 132nd. The Build-to line rule also appears in East Main, but not Wilburton.	Yes. Compliance with the "build-to line" rule is not required in Wilburton.

Code Section	Revision	Comment	Consistent with Wilburton?
20.25A.020.A 20.25A.160.D.3.f.x 20.25A.160.E.2.g 20.25A.170.B.1.b.iii 20.25A.170.B.2.b.iii 20.25A.170.B.3.b.iii 20.25A.170.B.4.b.iii 20.25A.170.B.5.b.iii 20.25A.180.C.6.a	Points of Interest. Delete this concept from the Downtown code.	Points of interest are currently required along streetfronts in arbitrary increments of every 30-90 feet, depending on the street type. The definition is vague and the concept adds unnecessary complexity and cost.	Yes. Points of interest are not required in Wilburton.
20.25A.020.A	Tower Definition. Delete this section and use the city-wide definition. Downtown is "any building with a minimum height of greater than 100 feet." City-wide is "any building with a minimum height of 100 feet or greater."	The difference between Downtown and city-wide immaterial, but the change should be made for consistency.	Yes. Wilburton uses the city-wide definition of Tower.
20.25A.020.A 20.25A.060.A.4 20.25A.075	Trigger for Additional Height – Reduction in Floorplates. Delete.	Buildings that exceed the trigger height are required to reduce their maximum floorplates by 10-15% for the floors above the trigger height. Wilburton permits 30,000 sf floorplates for nonresidential and 16,000 for residential, and allows unlimited floorplates for buildings less than 100' in height. Eliminating the 10% reduction would mean the floorplates in Downtown Bellevue would still be much smaller than in Wilburton.	Wilburton would still be more development-friendly than Downtown because the floorplates can be 30,000 sf for nonresidential and 16,000 for residential, vs. Downtown's 24,000 nonresidential and 13,500 residential.
20.25A.020.A 20.25A.030.B.1.a.v. 20.25A.060.A.4 20.25A.075	Trigger for Additional Height – Outdoor Plaza required for 10% of the Site. Either delete entirely or delete for midrise buildings and clarify that "site" only applies to the lot containing the building that exceeds the trigger height.	This requirement has been excessive for midrise buildings in the perimeter zones, particularly in the A overlay where a lineal buffer is also required, and staff have concluded that a linear buffer cannot count as an outdoor plaza. In a multi-building project where one building exceeds the trigger height and another doesn't, staff have concluded the site for both buildings must be counted for the outdoor plaza area. This produces very large plaza requirements that unduly limit housing units/building area.	No. Wilburton requires all sites to have at least 7% open space. The proposed revision for Downtown would limit outdoor plazas to one of the amenity point options. Additional open space is encouraged or required in Downtown by the green factor, linear buffer, sidewalk, enhanced streetscape, lot coverage and through-block crossing requirements.

Code Section	Revision	Comment	Consistent with Wilburton?
		The outdoor plaza criteria are vague, and negotiation with the planners as to what constitutes and acceptable outdoor plaza has become an unending battle that is adding months, even years, to the timeline for receiving entitlements.	
20.25A.040	Nonconforming Structures/Fana Decision. Amend to clarify that mere transfer of floor area to another area of a master development plan does not by itself trigger the need to conform the transferring site to the Land Use Code. (i.e., fix the *Fana* issue).	This decision has caused no end of problems with master development plans. It is bad precedent, and the Council should be given the opportunity to fix it.	Unclear. MDP's in Wilburton would likely be victim to the same precedent that was set in the *Fana* decision. Council attempted to fix this problem in Wilburton, and the HOMA legislation could finish the job.
20.25A.050	Downtown Land Use Charts.	Delete and refer to 20.10.445 to be consistent with Wilburton. Wilburton enables all uses except for a few prohibited uses and conditional uses.	Yes.
20.25A.060.A.4	24,000 sf Nonresidential Floorplates. – Allow 24,000 square foot floorplates in nonresidential buildings in MU, OLB-North, OLB-Central, OLB-South.	These floorplate limits would be the same as for O-1 and O-2 zones, but still far smaller than the 30,000sf permitted in Wilburton.	Wilburton would still be more development-friendly than Downtown.
20.25A.060.A.4	Midrise buildings – unlimited floorplates. Allow unlimited floorplates for buildings 100' or less in height.	Wilburton does not limit the size of the floorplates for buildings of 100' or less in height. Allowing this change in Downtown would enable more housing production.	Yes. Wilburton allows unlimited floorplates for midrise buildings.
20.25A.060.B.1.a	Connecting Floorplates – Delete the option to get a departure to exceed the 20,000sf floorplate limit if the building is 70' in height or less.	This concept is unnecessary if midrise buildings are allowed unlimited floorplates.	Yes. Wilburton allows unlimited floorplates for midrise buildings.
20.25A.075.C	Upper-level stepbacks. Remove the requirement for midrise buildings.	The proposed modification in HOMA suggests that the intent is to only have the stepback requirement apply to Towers. Stepbacks are a big problem for midrise buildings.	Yes. Stepbacks are not required in Wilburton – even for Towers.
20.25A.080.	Parking stall signage/use. Clarify that the land use code does not require every parking stall to be identified for a particular use. This requirement cannot be discerned from the plain language of the code, but some (not all) projects have been	Pinnacle Bellevue North DNS condition 43: "all parking stalls shall be marked according to the type (vanpool, delivery, visitor, non-residential, retail, residential and compact) shown on the approved garage plans."	Unclear. Because this is not codified it is not known whether similar conditions would be applied in Wilburton.

Code Section	Revision	Comment	Consistent with Wilburton?
	required to do this as a condition to their entitlements. It is reasonable to identify stalls for uses specifically required by the code, such as residential visitor, ADA, compact. Otherwise, 20.25A.080 requires applicants provide a minimum and maximum number of stalls based on the types and sizes of uses in the building – it does not require that every stall is identified according to its use (residential, retail, office).	Broadstone Gateway DNS condition 5: "Prior to TCO, the applicant shall submit plans of the parking garage to Land Use, identifying the exact location of the parking stalls to be assigned to the retail uses, restaurant uses, multifamily uses, multifamily visitors, senior citizen dwellings (independent living) and any other stalls onsite and any conditions and restrictions for these spaces, including how they are to be monitored. All spaces shall be marked for each use and spaces serving active uses (retail and restaurant) must be available during regular business hours. The applicant or owner may not make any changes to the signage or use of these stalls without written authorization from the City of Bellevue through a Land Use Exemption."	
20.25A.080.B – Footnote 6	Visitor Parking. Delete footnote 6, which requires visitor parking in addition to the residential parking.	Residential parking minimums should be *inclusive* of visitor parking, not exclusive. Wilburton does not require provision of residential visitor parking stalls in addition to residential parking requirements.	Yes.
20.25A.080.F.2.	Compact Parking. Change to: "This subsection supersedes LUC 20.20.590.K.9. Up to 65 percent of the parking spaces may be designed and designated for use by compact cars in accordance with the dimensions for compact stalls provided in LUC 20.20.590.K.11."	This language is from Wilburton LUCA Section 20.25R.030.F.4. It allows 65% compact stalls without a departure. The Downtown LUC, due to a code drafting error, requires a departure for even one compact parking stall.	Yes.
20.25A.110.B.2. –	5' Landscape Buffer. Eliminate the requirement to provide a 5' Type III landscape buffer on rear yards and side yards if buffering a surface vehicular access or parking area.	The 5' buffer from rear yard and side yard is not required for O-1, O-2 and OB zones, but is required for MU, R, OLB and Perimeter Overlay. The requirement produces absurd and burdensome requirements. Staff has been accommodating with reasonable departure requests, but there are no valid public policy reasons for keeping this rule in place. It only serves to drive up the cost and complexity of building new buildings in Downtown, and forcing landscaping where it doesn't belong.	Wilburton has a less restrictive landscape buffer requirement than Downtown – see 20.25R.030.C.9.b.
20.25A.110.C.	Linear buffers can be outdoor plazas. Clarify that a linear buffer can qualify as an outdoor plaza if all of the outdoor plaza criteria are met.	Currently properties in the A overlay have to provide both a linear buffer and an outdoor plaza, and even though the code doesn't specifically prohibit it, staff	Linear buffers are not a requirement in Wilburton.

Code Section	Revision	Comment	Consistent with Wilburton?
		will not allow a linear buffer to count as an outdoor plaza even if it meets the outdoor plaza criteria. This unduly restricts buildable area/housing production.	
20.25A.120.A.4.	Green Factor denominator excludes interior driveways. Add "Required vehicular travel and parking areas, dedicated emergency vehicular access, critical areas and buffers, and traffic circulation may be deducted from the site area for the purpose of calculating the Green and Sustainability Factor."	This language is in the Wilburton LUCA. For sites that have interior drive lanes, the 0.30 green factor requirement produces absurdly high requirements because projects can't landscape the drive aisles. It's unduly burdensome and arguably not what was intended by the code.	Yes. See 20.25R.030.D.2.d
20.25A.120.A.4.	Green Factor points – vegetated walls. Increase vegetated walls to 0.5.	This is consistent with Wilburton LUCA. The change was requested by a landscape architect and staff agreed it was a reasonable request.	Yes. See 20.25R.030.D.2.e.
20.25A.170.A.8.b.	Above grade parking standards. Delete the requirement to provide a minimum of 20 feet of the first and second floors shall be habitable for commercial activity. Replace the other standards with the more simplified requirements of 20.25R.040.D.2.b.ii.	The current Downtown requirements make it nearly infeasible to build above-grade parking. The Wilburton standards address aesthetic concerns and make it viable, albeit still expensive, to build above-grade.	Yes and no. Wilburton has the 20 foot depth requirement for the ground floor only, and only where adjacent to an access corridor. Other than that, the revision asks for consistent design standards with Wilburton.
20.25A.170.B.1.b.ii 20.25A.170.B.2.b.ii 20.25A.170.B.3.b.ii 20.25A.170.B.4.b.ii	Weather protection depth. Clarify that the weather protection is to hang six feet deep from the building face, not "over the public sidewalk". Weather protection should not be required where the building is not at the back of the sidewalk.	The code does not say "over the public sidewalk" but it has been interpreted as such. This causes problems where the building façade is separated from the public sidewalk by outdoor plaza, open space, enhanced streetscape or other deviation from the build-to line.	Yes. 20.25R.030.E.4.
20.25A.170.B.1.b.v. 20.25A.170.B.2.b.v	Active uses on "A" and "B" Rights-of-Way. Reduce from 100% of street wall to 75%.	75% is consistent with the Wilburton LUCA standards. It is infeasible to provide 100% active uses along a street wall.	Yes. 20.25R.030.B.2.a.
Pet Relief Areas	Provide code/regulations for pet relief areas.	Currently there are no code requirements for pet relief areas. City staff are "requesting" applicants provide for these spaces internal to their site. The lack of code creates a guessing game. Reasonable compliance standards should be created.	Wilburton does not provide rules for pet relief areas either.

Nesse, Katherine

From: leslieegeller@gmail.com
Sent: Tuesday, October 7, 2025 10:41 AM
To: PlanningCommission; Malakoutian, Mo
Subject: Comment on HOMA proposed LUCA
Attachments: HOMA comment - Eastgate Plaza area

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Planning Commissioners,

I live in Eastgate (for 31+ years) and also am President & Secretary of the Eastgate Community Association (ECA). I submit this comment about HOMA LUCA plans for Eastgate.

I have closely followed, and been quite engaged with, HOMA since the first email I received to the ECA email inbox on Dec. 11, 2024 about6 a virtual listening session to introduce HOMA. I have submitted multiple emails over this time; the first one, sent March 21 is attached. I received no response from Mathieu Menard.

This letter is to reiterate the concern that I expressed in March: Why is Eastgate Plaza proposed to have a maximum of 10 stories (110 feet)? This is too much density for the location.

This snip is of page 11 of the "HOMA Explainer" brochure that was introduced in July 2025, many months after HOMA was announced to "the community," i.e., residents. Developers already were well aware of HOMA.

Neighborhood Mixed Use

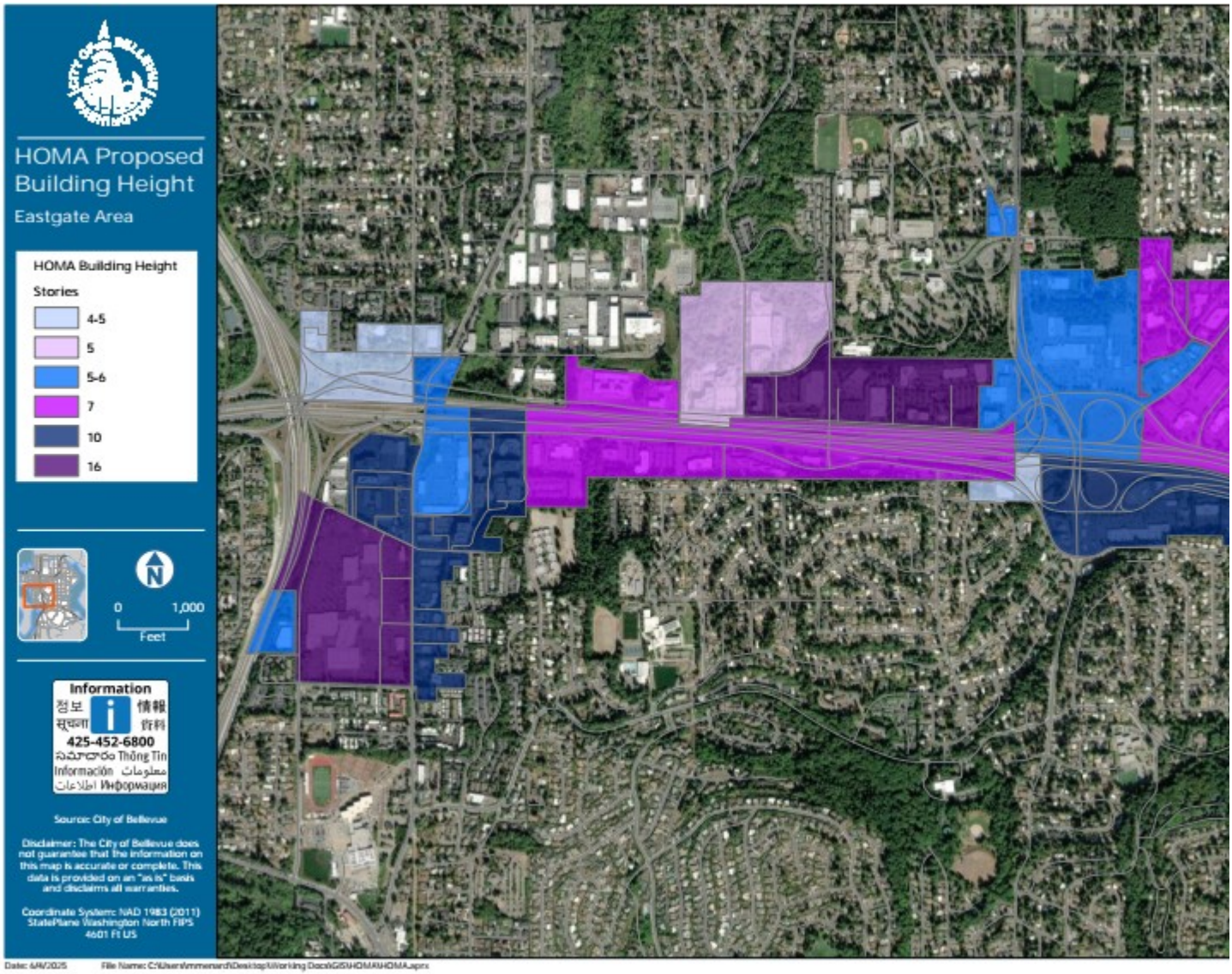
The Neighborhood Mixed Use (NMU) District generally contains one-story retail developments adjacent to higher density mixed-use areas as shown in the photo below.

HOMA proposes to allow 110-foot-tall buildings in the NMU District. To encourage a mix of uses, HOMA proposes that street-front buildings must provide uses that serve residents. This would promote buildings similar in scale to the photo below.

11

Per the yellow-highlighted words in the HOMA brochure, ***where are the adjacent higher density mixed use areas???*** What, exactly, does "adjacent" mean in this context? **NOTE**: **ALL** of the other HOMA-designated areas in the below image (Attachment E in your packet) are **LESS DENSE** than the 10-story maximum proposed for Eastgate Plaza (navy blue, south of I-90). Also **NOTE**: I-90 separates Eastgate Plaza from the other retail and commercial parcels on the north side of I-90. That's a pretty large barrier unless one is driving a vehicle. It's extremely rare that I see pedestrians or cyclists crossing I-90.

From my perspective, Eastgate Plaza is adjacent to RESIDENTIAL neighborhoods. A single 2-lane road (SE 38th St) separates Eastgate Plaza from the single-family neighborhood on the south side. Per Mathieu Menard, this road IS the "transition zone" between NMU and residential.



Now, imagine all of the additional traffic that will occur if/when Eastgate Plaza is redeveloped to a many-storied mixed-use residential structure. There is no frequent transit here. You have to go to Eastgate P&R for that. I have walked (once!) from Eastgate Plaza to the Michael's Toyota. It's not a pleasant, aesthetically pleasing walk. And it's noisy. Face it, most people who live in Bellevue need and have cars to get around, either within Bellevue or to destinations outside of Bellevue. Any NMU development at Eastgate Plaza will mean a lot more vehicles needing somewhere to park. And we know that, almost by definition, any new NMU development will NOT have remotely adequate on-site parking spaces for all of those residents' vehicles. Residents who don't have on-site parking will be forced to park on the residential streets just south of Eastgate Plaza. These are all 2-lane roads without sidewalks. There is already an example of this with Polaris at Eastgate, which has ~150 on-site—and very expensive for low-income renters--parking spaces for more than 350 units.

Thank you for your consideration of my comments.

Sincerely,

Nesse, Katherine

From: leslieegeller@gmail.com
Sent: Friday, March 21, 2025 6:42 PM
To: Menard, Mathieu
Cc: PlanningCommission
Subject: HOMA comment - Eastgate Plaza area

Hi Mathieu,

I live in my Eastgate house for 31 years, a bit south of Eastgate Plaza (one block SE of 150th Ave. SE and SE Newport Way). In reviewing the StoryMap for HOMA again, I am very concerned about the negative traffic impact that would ensue from a proposed building height of 10 stories for this NMU zone. There is no frequent transit near this location. Eastgate Plaza and the other structures in this NMU don't approach even 7 stories. One story is the most common, with the extended stay Larkspur Landing having several stories, part of the adjacent MU7 zone. The entire NMU and MU7 abuts single family housing. And what will happen to the RV park residents? All of the streets in the area are two-lane only, until you reach 150th Ave SE. We already know how congested this road gets during peak hours.

I know that the Eastgate Plaza area is already zoned NMU. But I am curious why the FLUM assignment of NMU, now proposed for a max of 10 stories, was applied to this small Eastgate neighborhood area? Especially when on the north side of I-90 just east of 150th Ave SE is zoned and will continue to be zoned Community Business, with a current height of 4 stories, proposed to go to 5-6 stories. This really is a commercial area, with Michael's Toyota, Michael's Subaru, Sunset Village and other retail. Surrounding this CB area is the Mormon Church directly north and Robinswood Park north of that, and OLB2 to the north and east. On the west side of 150th Ave SE in the CB zone are more businesses and Bellevue College. Single family homes in Lake Hills start at the east edge of Robinswood Park.

So why are the Eastgate Plaza area single family residential areas sitting literally next to the NMU being seemingly penalized, when far more commercialized areas are zoned for maximum 7 stories?

As with the Middle Housing project, I feel that there should be no one-size-fits-all for Bellevue's neighborhoods. I believe the Eastgate Plaza area is not appropriate for 10-story developments, for all reasons noted above, and I'm sure more reasons I haven't thought of. I do think the city should zoom in to the various neighborhood characteristics before applying what feels like arbitrary code changes, at least to this resident.

Thank you,

Leslie
Leslie Geller
leslieegeller@gmail.com

Nesse, Katherine

From: Jessica Clawson <jessica@mhseattle.com>
Sent: Tuesday, October 7, 2025 11:48 AM
To: PlanningCommission
Cc: Nesse, Katherine; Menard, Mathieu; Whipple, Nicholas; Sepler, Robert
Subject: HOMA letter 10-7-25
Attachments: HOMA letter 10-7-25.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi All,

Please see my comments regarding the HOMA discussion at Planning Commission on Wednesday. I will be unable to give public comment, so I hope you can review these in more detail than typical.

Thanks!

October 7, 2025

VIA ELECTRONIC MAIL

Bellevue Planning Commission
City of Bellevue
450 110th Avenue NE
Bellevue, WA 98004

Re: Comments on proposed HOMA legislation

Dear Members of the Planning Commission,

Thank you for the opportunity to comment on the proposed Housing-Optional Mixed-Use Areas (HOMA) legislation. I appreciate the City's continued efforts to address housing needs through strategic land use policy. However, I would like to raise a few critical concerns and suggested improvements to better align the code with practical implementation and policy goals.

---

1. Citywide HOMA – Departure Language for Commercial Uses and Support for Planning Commission FAR exemption for third places

The current draft's language regarding departures for commercial uses lacks necessary flexibility. As HOMA is being considered citywide, it is essential that the code allows commercial uses to adapt to market conditions and site-specific constraints without requiring strict adherence to inflexible parameters. The current departure language is overly narrow and does not reflect constraints of many properties. If a property is either visible from an arterial or freeway (as many are—particularly in the Factoria and Eastgate areas), then it cannot qualify for the departure. The departure language should instead be more carefully drafted to allow more discussion of economic viability. **I suggest the following change to the footnote allowing for the departure:**

> (11) Director may allow a departure from the requirement to provide ground floor pedestrian oriented (nonresidential) uses in multifamily developments; provided, that the departure is necessary to mitigate an economic hardship that would preclude project viability. A departure may be granted where the applicant demonstrates that~~: (a) The required pedestrian oriented uses do not front on an arterial; (b) Visual and physical access to the required oriented is limited by topography or other site-specific obstacles; (c) The required neighborhood pedestrian oriented serving uses would not be visible from other development located in the NMU District, adjacent neighborhoods, nearby arterials or highways.~~ the required pedestrian oriented uses would not be viable due to limited access, visibility, or market demand based on site-specific or locational factors. A departure may be allowed for all sides of the building or some portion thereof; provided, that the approved departure is consistent with the Land Use District definition included in the Comprehensive Plan and LUC. If a departure is granted, ancillary residential uses such as a meeting room, leasing office, kitchen, daycare child care services, and work-live space are preferred over occupied residential living space.

> If a departure is granted, ancillary residential uses such as meeting rooms, leasing offices, kitchens, child care services, or work-live spaces are preferred over occupied residential living space.

Further, I support the Planning Commission's statements in favor of FAR exemptions for "third places" –these are easy to define in the code, they can be bookstores, coffee shops, or restaurants or bars. Seattle exempts this type of "street level use" from FAR in downtown zones, as an example. Proper incentivization of the things a City wants can lead developers to provide those things.

---

2. Nonconforming Use and Structure Provisions

Bellevue's language around nonconforming structures and sites is complex and restrictive. I urge the Commission to consider adopting Seattle's more straightforward approach. In Seattle, if a nonconforming structure or site is not physically altered, upgrades are not required—even when FAR is transferred from the site. This approach has functioned well without negative outcomes and encourages reinvestment in existing buildings. Not once have I encountered a "spite strip" or someone utilizing FAR transfers to get out of building requirements. Here is a link to these codes. They are easy to understand and administer. 23.42.112 - Nonconformity to development standards | Municipal Code | Seattle, WA | Municode Library

Alternatively, we suggest amending the code so that the threshold for triggering proportional compliance when FAR is transferred is increased to **80%**. This would reduce unnecessary design and code compliance hurdles that deter developers from utilizing otherwise viable sites.

It is extremely difficult to review the proposed changes without a tracked changes version of the code. For the sake of transparency and informed public participation, a redlined or tracked version should be provided as standard practice prior to study sessions when the issue is being discussed. Both the public and the Planning Commission deserve clarity on what changes are being proposed.

---

3. Citywide HOMA—Lot Coverage and Impervious Surface Restrictions

These restrictions remain too high. For context, similar mixed use zones that create workforce housing in Seattle have NO lot coverage restrictions. Other requirements like setbacks, residential open space, and modulation are the tools Seattle uses to give a sense of space without compromising residential density on sites. Lot coverage and impervious surface restrictions are an outdated zoning tool that existed before these areas were considered urban and before modern stormwater codes became effective. Please consider getting rid of these restrictions in all HOMA zones.

---

4. Downtown HOMA – Mandatory Housing Requirements

I continue to emphasize that the proposed Downtown HOMA structure, which requires the first 25% of development to be residential, functions as a **de facto mandatory housing requirement**. When the City is simultaneously trying to increase density downtown, this mandate may inadvertently stifle development by limiting flexibility and economic feasibility. This approach may also not be legal.

To that end, I support the recommendations recently submitted by the Bellevue Chamber and Kevin Wallace, which outline reasonable items to be considered in tandem with these housing requirements. Specifically:

- **Additional capacity and floorplate expansions should be granted** to support feasibility;
- **Known Downtown code issues (like the build-to line) should be proactively resolved**, rather than deferred; and
- **MFTE (Multi-Family Tax Exemption)** should be actively integrated into the HOMA framework.
- **Vesting** for MDP and ADR projects already in the pipeline and not currently vested.
- **Vesting** for MDPs and ADRs submitted under the IOC.
- **Consideration of opting-in** to the ordinance for existing projects if desired, without having to go back to start and resubmit a full application.

If the City wants more affordable housing, it should collaborate directly with the developers who create it—asking what tools, incentives, and flexibilities would encourage the desired outcomes. There are many downtown property owners and developers who remain uncontacted by City staff to obtain their feedback regarding HOMA. They should be contacted and their thoughts on how HOMA can be made a successful tool to create affordable housing in Downtown should be listened to and incorporated in this ordinance. I remain optimistic that working with the development community, the City can meet its housing and affordable housing goals using ordinances like HOMA.

Thank you for your attention to these matters. I respectfully request the Planning Commission consider these changes to ensure the HOMA legislation is more usable, transparent, and effective in achieving the City's housing and economic development goals. As always, please do not hesitate to contact me should you have any questions.

Sincerely,

Jessie Clawson

McCULLOUGH HILL PLLC

Cc: Robbie Sepler, City Attorney

Nesse, Katherine

From: Brady Nordstrom <brady@housingconsortium.org>
Sent: Tuesday, October 7, 2025 2:30 PM
To: PlanningCommission
Cc: Nesse, Katherine; Chris Buchanan; Patience Malaba; Allen Dauterman
Subject: EAHC - Comment on HOMA for 10/8 Planning Commission
Attachments: EAHC_BellevueHOMA_10-08-2025.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Bellevue Planning Commission,

The Eastside Affordable Housing Coalition ("EAHC") is a group of over 30 local organizations that build, operate, and advocate for affordable housing on the Eastside, including in Bellevue. We are writing to comment on the HOMA code update at your October 8th meeting.

We strongly urge you to support HOMA "Option A" with a well-calibrated affordable housing requirement. **Please see our full comments which are attached with an executive summary**. These have been updated from our past comment-- thank you for your review and careful consideration.

Thank You,
Brady Nordstrom
--
Brady Nordstrom *(he/him)*
Associate Director of Government Relations and Policy
Housing Development Consortium of Seattle-King County
1326 5th Avenue, Suite 230 | Seattle, WA 98101
C: (253) 886-2099

HOUSING DEVELOPMENT consortium

EASTSIDE AFFORDABLE HOUSING COALITION

October 8, 2025
Bellevue Planning Commission
450 110th Avenue NE
Bellevue, WA 98004

Subject: Comment on HOMA for 10/08/2025 Study Session

Dear Bellevue Planning Commission:

The Eastside Affordable Housing Coalition ("EAHC") is a group of over 30 local organizations that build, operate, and advocate for affordable housing on the Eastside, including in Bellevue. Together we support policies, programs, and funding that advance the production and preservation of affordable homes while increasing housing access and opportunity. **We are writing to comment on the Housing Opportunities in Mixed-Use Areas ("HOMA") Land Use Code Amendment ("LUCA"), especially as it pertains to helping Bellevue meet its commitment to create 5,700 units of affordable housing between 2026 and 2036.** This is a follow-up to our comments to the Planning Commission on March 26th, May 13th, and September 10th of this year.

Introduction & Executive Summary.

The Eastside Affordable Housing Coalition strongly urges you to support **HOMA "Option A"** with a **well-calibrated affordable housing requirement** in mixed-use areas. An immense value is created for landowners through an upzone. While we aren't arguing that this windfall to landowners itself is problematic, we do believe that Bellevue should capture a small portion of this generated value to create public benefit for current and future residents. This proportional value exchange is legal and common nationally and in many neighboring cities. History has also shown that a well-calibrated affordable housing requirement can work alongside robust market-rate development. This requirement is among the smallest additional costs to development, whereas things like parking, financing costs, materials, labor, and loss of developable capacity represent a greater cost to development. There is urgency to get this right. An affordable housing requirement can only legally be implemented at the time of the upzone, after which the opportunity will be lost forever to Bellevue.

Executive summary:

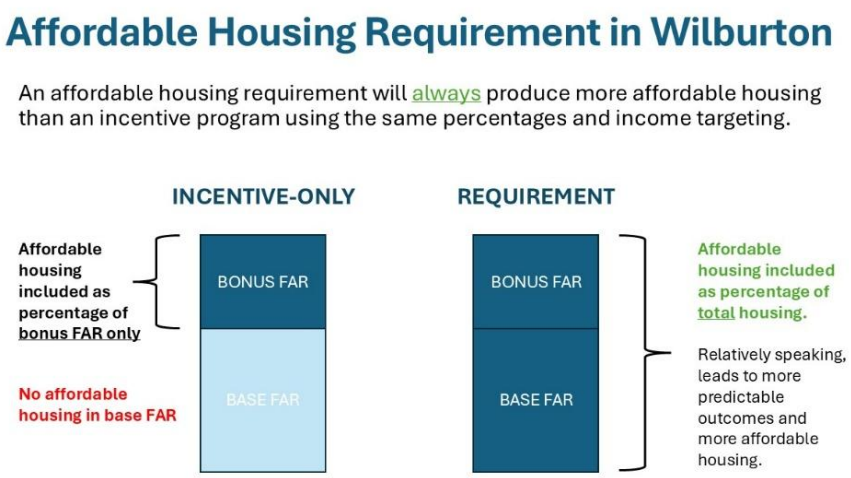
- *An affordable housing is the best approach to achieve affordable housing in Bellevue's mixed-use areas; incentives will fall short.*
    - *The Planning Commission has a responsibility to help Bellevue achieve its ambitious affordable housing goals; this includes affordable housing commitments from City Council & Washington State planning requirements.*
- *Almost nothing penciled in the economic analysis, with or without a requirement. An affordable housing requirement will work alongside robust market-rate development once market conditions improve. We base this on the City's own consultant findings and a pro-forma analysis conducted by the Eastside Affordable Housing Coalition.*
    - *The negative impact of affordable housing in the economic models are very modest compared to other cost factors.*
    - *Even if there are issues with program calibration, which is unlikely because the proposed program in Bellevue is among the lightest tough in our entire region, the extremely conservative fee in lieu being proposed will allow development to continue.*
    - *It is not consistent to say that "wedding cake" setbacks, buffer zones, and other significant costs to development are important while saying that affordable housing is too onerous, especially when an affordable housing requirement is among the smallest cost drivers of a project.*
        - *In particular, we oppose stepbacks below 80' which compromise fully affordable construction.*
- *We support the inclusion of affordable housing in the downtown amenity incentive system. We also support the generous concessions being proposed by staff to make the Downtown code work better for development.*
- *HOMA's mixed-use areas have differences compared to Wilburton, but there are other advantages—such as significantly lower infrastructure costs— that will help an affordable housing requirement succeed.*

Housing Development Consortium of Seattle-King County
1326 5th Avenue, Suite 230, Seattle, WA 98101
206.682.9541 | www.housingconsortium.org

Point 1 – If the City truly wants to prioritize affordable housing in mixed-use areas, then an affordable housing requirement is the most appropriate tool to use.

As a reflection of its strong values, the city of Bellevue has repeatedly committed to the production of affordable housing as a top priority. This includes the recent goal set by City Council to create 5,700 affordable units over the next 10 years. According to new Growth Management Act planning requirements, Bellevue is also required to "plan for and accommodate housing affordable to all economic segments of the population." Of the 35,000 net new housing units that Bellevue is required to plan for and accommodate between 2019 and 2044 in the King County Countywide Planning Policies, 84.7% of housing growth must be between 0% and 80% AMI. **The Planning Commission is responsible to help Bellevue meet these affordable housing goals and align code with its values to remain a welcoming, diverse city that includes moderate- and lower-income workers and families.**

An affordable housing requirement will always produce more affordable housing than an incentive program using the same percentages and income targeting. This is because an incentive-only option does not apply to units built within the base FAR; only those units built above the base. Thus, an incentive applies the affordable housing percentage to a smaller portion of the building. Incentives also treat affordable housing as a fundamental community need vs. an "amenity" that is selected by a landowner based on comparable costs. *Both in theory and in practice, an affordable housing requirement will better equip Bellevue to meet its affordable housing goals.*



We challenge you to make affordable housing your top priority in this land use code update. When affordable housing and overall housing production are linked, removing barriers to housing becomes an affordable housing policy**.** Therefore, we encourage you to focus on ways to enable the development of housing and growth as a complementary goal to affordable housing.

Point 2 – "Option A" with an affordable housing requirement is "well-calibrated" and will work alongside robust market-rate development over multiple economic cycles.

We believe that the affordable housing requirement proposed in the code is "well-calibrated," in that the cost of providing inclusionary housing will be less than the windfall of value provided to landowners through the upzone and development cost savings (such as reduced parking requirements and the removal of multifamily play area requirements).

According to the consultant analysis, **most projects will not pencil today except low-rise**. This is not surprising because development typically goes in cycles of high and low activity based on the underlying economic conditions. This economic analysis reflects a period of unfavorable conditions. When market conditions do improve (ex: interest rates being lowered, local rents increasing, etc.) projects will pencil with this requirement. Ultimately, it's not about this specific moment of time, but about what will work in the future and over multiple economic cycles. The report goes on to say that **"the high bonus ratios appear to offset the cost of providing affordable housing under improved market conditions"** (pg. 40). We conducted our own pro forma analysis and found similar results. We found that with conservative improvements in the market, such as

improved interest rates and increased rents, development will pencil with an affordable housing requirement. *In fact, we found that the AMI level could be set even lower to 60% AMI and a 10% set-aside and pencil after market conditions improve.*

Additional points to consider:

- **Even if the light-touch Bellevue affordable housing requirement policy were to present a barrier to housing production at a specific moment in the economic cycle, these barriers are obviated by the reasonable (and substantially conservative) fee-in-lieu option being proposed.** Fee-in-lieu provides a safety valve for the development of projects. The report estimated that the minimum fee-in-lieu needed to incentivize performance over payment was between $31 - $35 per square foot for mid-rise and $37 - $40 per square foot for high-rise. The staff proposal is set at $13 per square foot. A conservative fee-in-lieu like this will make the whole affordable housing requirement program workable because developers have the option to pay a fee-- even if onsite performance is impossible (which, to be clear, it is not once market conditions improve).
- **The negative impact of affordable housing in the economic models are very modest compared to other cost factors like parking and rent levels.** The small relative cost of an affordable housing requirement compared to other costs is also reflected in a recent Seattle MHA analysis that shows that inclusionary zoning (4%) represents only a fraction of the project costs compared to land (14%), soft costs (8%), hard costs (65%), and financing costs (9%) for a sample 2024 mid-rise project. Remember: the affordable housing requirement must also be offset in a value exchange to be legal.
    - **The significant impact of costs besides that affordable housing requirement includes the request for "wedding cake" with a buffer zone, setbacks, and stepbacks.** The planning commission continues to ask for these reductions in developable capacity, like setback and stepbacks that are predicted to "greatly limit feasibility of redevelopment and the effectiveness of HOMA in encouraging housing" (pg. 5). **It isn't consistent to say that setbacks, buffer zones, and other costs to development are important while saying that affordable housing is too onerous, especially when an affordable housing requirement is among the smallest cost drivers of a project.** This does show, however, a potentially lower prioritization of affordable housing compared to other code outcomes.
    - **We strongly oppose stepbacks below 80' as a direct barrier to fully affordable housing construction.** Stepbacks below 80' will have immensely negative effects on the feasibility of mid-rise construction, which is an economical wood frame development type that is most used to build 100% affordable housing developments. Wood frame construction is not physically compatible with stepbacks, which also reduce the buildable area and increase the per-unit cost of construction.
- For additional context, **an affordable housing requirement ("inclusionary zoning") is a very common policy across many cities**, including Kirkland, Redmond, Seattle, Issaquah, and more. Cities with much deeper requirements are seeing permits filed for major projects-- like Redmond's new policy in Overlake with a 12.5% set-aside at 50% AMI. Bellevue's version of this program in Wilburton (10% set-aside at 80% AMI) is **among the lightest touch versions of this policy in our entire region**. To put "80% AMI" in perspective, this AMI represents an individual in King County making $84,850 (King County Income and Rent Limits, 2025). This is not what we typical think of when we say "affordable housing." In fact, 80% AMI is the peak of what can be considered affordable housing in Washington State by law.

Point 3 – HOMA Mixed-use areas are different than Downtown and Wilburton.

Before concluding, we also wanted to emphasize distinctions within HOMA (mixed-use vs. downtown) and between HOMA and downtown.

- Much of concerned commentary from the private development community has been directed at Downtown which does NOT include an affordable housing requirement. Most of our comments are directed at mixed-use areas where an affordable housing requirement is being proposed. While we still strongly support the inclusion of affordable housing in the downtown amenity incentive system, **we agree with many of the concessions that staff has made to make the Downtown code work better for development including:**

  - The ability of projects to double count affordable square footage for both the amenity incentive and the FAR exemption.
  - Reduction of the outdoor plaza requirement in downtown from 10% to 7%
  - Additional flexibility in the perimeter overlay for the FAR exemption to include more uses than affordable housing (note: this is a small reduction in affordable housing and a compromise to maintain affordable housing in the amenity incentive system).
  - Allowing nonconforming uses in phased development for a Master Development Plan
- **HOMA's mixed use areas have differences compared to Wilburton, but there are other advantages that will help an affordable housing requirement succeed in HOMA.**
  - Wilburton does have, on average, a greater increase in height and density per parcel than HOMA. However, this is not true for every parcel. Some areas in HOMA will be allowed to go up to 7, 10, or 16 floors, which is a greater or equivalent increase compared to mid-rise areas in Wilburton.
  - **Wilburton has much more significant infrastructure costs compared to HOMA areas.** This is because HOMA's mixed-use areas already have infrastructure like streets, sewers, etc. For example, much of the discussion in Wilburton was around the cost of street grid improvements and the barrier this created for development. These new roads or flexible access corridors aren't needed in mixed-use areas. The result is that the base development costs are lower in HOMA's mixed-use areas.
  - Land costs are generally less in the city's mixed-use areas compared to Wilburton. Land costs are much more significant in driving overall development cost compared to an affordable housing requirement,
  - MFTE can help mitigate costs for both HOMA and Wilburton areas. However, this is outside the purview of the Planning Commission.

HOMA represents a major opportunity to implement the City of Bellevue's Comprehensive Plan Vision. Thank you for considering our comments and centering affordable housing in your discussion of HOMA.

Sincerely,
Eastside Affordable Housing Coalition & HDC

Nesse, Katherine

From: Nesse, Katherine
Sent: Tuesday, October 7, 2025 3:27 PM
To: PlanningCommission
Subject: FW: WDFW's Comments, Bellevue Critical Area Reg. Update
Attachments: 10.3.25 WDFW's comments Bellevue CAO.pdf; 10.3.25 WDFW Planning Commission Letter.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Katherine (Kate) Nesse, PhD
Planning Manager & Planning Commission Liaison, Community Development Department

City of Bellevue
Phone: 425-452-2042
450 110th Avenue NE, Bellevue, WA 98004
Email: knesse@bellevuewa.gov

Connect with the Planning Commission!
Learn more about the Commission | View current and past agendas | Sign up to give oral comment | Email the Planning Commission

---

From: Krueger, Morgan (DFW) <Morgan.Krueger@dfw.wa.gov>
Sent: Friday, October 3, 2025 1:18 PM
To: Mandt, Kirsten <KMandt@bellevuewa.gov>
Cc: Berejikian, Marian (DFW) <Marian.Berejikian@dfw.wa.gov>; Whittaker, Kara A (DFW) <Kara.Whittaker@dfw.wa.gov>; Dykstra, Jesse F (DFW) <Jesse.Dykstra@dfw.wa.gov>; Reinbold, Stewart G (DFW) <Stewart.Reinbold@dfw.wa.gov>; Reaves, Marcus A (DFW) <Marcus.Reaves@dfw.wa.gov>; Aken, Jeff (COM) <jeff.aken@commerce.wa.gov>; DFW R4Splanning <R4Splanning@dfw.wa.gov>
Subject: WDFW's Comments, Bellevue Critical Area Reg. Update

Hi Kirsten,

Attached, please find WDFW's ordinance-specific comments and our letter to the Planning Commission. Please include these within the public record. Don't hesitate to reach out to me with any questions!

Thank you,

Morgan Krueger (she/her)
Regional Land Use Lead, Habitat Program
Washington Dept. of Fish and Wildlife
Region 4

Morgan.Krueger@dfw.wa.gov
425-537-1354

State of Washington
Department of Fish and Wildlife, Region 4
Region 4 information: 16018 Mill Creek Blvd, Mill Creek, WA 98012 | phone: (425)-775-1311

October 3, 2025

City of Bellevue
Planning Commission
450 110th Ave NE
Bellevue, WA 98004

RE: Proposed Amendments to the City of Bellevue's Municipal Code, 20.25H Critical Areas Overlay District

Dear Planning Commission members,

My name is Morgan Krueger, and I represent the Washington Department of Fish and Wildlife (WDFW). I am writing to follow up on WDFW's previous comments submitted on July 23 and August 25, as well as the additional comment sheet dated October 3, 2025, provided alongside this letter.

I would like to take this opportunity to reiterate that decisions made by the Commission play an important role in shaping the long-term health of Bellevue's waterways, and in turn, federally listed salmon populations. Given Bellevue's critically important location within the watershed, including both Tier 1 and Tier 2 priority areas for Chinook habitat, it is essential that proposed amendments remain consistent with the Best Available Science (BAS), as current Chinook population represents less than 10 percent of historic populations[1].

Bellevue not only has an influential role in salmon protection and recovery, but the city also faces pressing water quality issues. The importance of addressing water quality concerns is demonstrated by the listing of many water bodies within the city, including Kelsy Creek, found on Ecology's 303(d) list. Having a water body listed on Ecology's 303(d) list means it has been formally identified as "impaired" under the federal Clean Water Act. In other words, waterways within Bellevue are currently failing to meet basic water quality standards under current regulations and city practices.

[1] WRIA 8 Salmon Recovery Council. 2017. Lake Washington/Cedar/Sammamish Watershed Chinook Salmon Conservation Plan 10-year Update (2017). Water Resource Inventory (WRIA) 8, Seattle, WA. [https://www.govlink.org/watersheds/8/reports/pdf/wria-8-ten-year-salmon-conservation-plan-combined-10-25-2017.pdf]

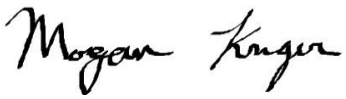
WDFW's BAS demonstrates that a 100-foot buffer is the minimum necessary to effectively filter most pollutants before they reach streams. While the city's proposed amendments include buffer enhancements, the widths currently proposed—50 feet for Type Ns streams and 75 feet for Type Np streams—remain insufficient to protect water quality functions according to WDFW's BAS, even if fully vegetated. This is particularly concerning because these smaller streams are often degraded and flow directly into Lake Washington and other fish-bearing waters, meaning inadequate buffers here directly contribute to pollution and habitat impacts downstream.

As environmental protections face ongoing challenges, it is often local leaders and planning staff who serve as the last, and sometimes only, line of defense in protecting Washington's natural resources. Your decisions here carry weight far beyond city limits.

We strongly urge you to incorporate WDFW's BAS, and at a minimum, adopt the 100-foot buffer standard for Type Np and Ns streams to ensure adequate pollution filtration and long-term ecological resilience.

Thank you for your time and attention.

Sincerely,



Morgan Krueger
Regional Land Use Lead
Washington Department of Fish and Wildlife

CC:
Kara Whittaker, Land Use Conservation and Policy Section Manager (Kara.Whittaker@dfw.wa.gov)
Marian Berejikian, Environmental Planner (Marian.Berejikian@dfw.wa.gov)
Marcus Reaves, Regional Habitat Program Manager (Marcus.Reaves@dfw.wa.gov)
Stewart Reinbold, Assistant Regional Habitat Program Manager (Stewart.Reinbold@dfw.wa.gov)
Jesse Dykstra, Habitat Biologist (Jesse.Dykstra@dfw.wa.gov)
R4 Southern District Planning Inbox (R4SPlanning@dfw.wa.gov)
Jeff Aken, WA Department of Commerce (Jeff.Aken@commerce.wa.gov)

State of Washington
Department of Fish and Wildlife, Region 4
Region 4 information: 16018 Mill Creek Blvd, Mill Creek, WA 98012 | phone: (425)-775-1311

October 3, 2025

City of Bellevue
Kirsten Mandt, Senior Planner
450 110th Ave NE
Bellevue, WA 98004

RE: Case ID 2022-C-188, WDFW's comments for Bellevue's draft amendments to the Critical Area Ordinance

Dear Ms. Mandt,

On behalf of the Washington Department of Fish and Wildlife (WDFW), thank you for the opportunity to offer additional comments on Bellevue's draft amendments to the Critical Area Ordinance (CAO) as part of the current periodic update. These comments should be considered in addition to our previous comments for the earlier CAO draft.

Table 1. Recommended changes to proposed code language.

Code Section	Code Language (with WDFW suggestions in red)	WDFW Comment
20.25H.035 Critical area buffers and structure setbacks	A. Critical Area Buffer. Table	The buffer widths shown in this table still fall below WDFW's minimum Best Available Science (BAS) standards for streams. WDFW's BAS reveals that buffers under 100 feet could result in a net loss of ecological functions and values. While alternative low-impact development techniques may address some pollutant removal at narrower widths, they cannot replace the full ecological functions that stream buffers provide (bank stability, nutrient input, and wildlife habitat) that are only sustained when buffers are maintained at widths based on Site Potential Tree Height (SPTH). Reducing buffers below SPTH and then further reducing them below the 100-foot minimum is not recommended by WDFW.
20.25H.050 Uses and development	2. Shorelines. Where the Critical Areas Overlay District and	Typically, when multiple critical areas or overlay designations overlap, regulations specify that the

in the Critical Areas Overlay District	Shoreline Overlay District apply to the same site, the uses established by LUC 20.10.440 for the underlying land use district may be undertaken...	more protective standard applies. We encourage the City to include a similar provision in this chapter, which could help reduce the need for overly specific language (such as the adjacent example).
20.25H.055 Uses and development allowed within critical areas – Performance standards	B(2) These uses do not require a Critical Areas Land Use Permit. The requirements of this part shall be applied through the review process applicable to the underlying use or activity.	We recommend incorporating this provision for habitat improvement projects within the table.
20.25H.055 Uses and development allowed within critical areas – Performance standards	B(3) In the event of a conflict between this section and the utilities code, the provisions that provide the greatest protection to critical areas and their buffers shall apply. ~~the utilities code shall prevail~~.	Allowing the utilities code to take precedence over the Critical Areas Ordinance raises concerns regarding consistency with the Growth Management Act (GMA) (RCW 36.70A), which requires local jurisdictions to designate and protect critical areas using BAS and ensure no net loss of their ecological functions (WAC 365-196-830). Utility development can result in significant impacts to wetlands, streams, and other sensitive resources. Therefore, in the event of a conflict between code provisions, the standard that affords the highest level of protection to critical areas should prevail to maintain consistency with state law and to ensure long-term ecological integrity.
20.25H.055 Uses and development allowed within critical areas – Performance standards	C. Performance Standards. 3(a) ...iv. ~~Whether the cost of avoiding disturbance of the critical area or critical area buffer is substantially disproportionate as compared to the environmental impact of proposed disturbance, including any continued impacts on functions and values over time; and.~~..	WDFW recommends revising the definition of "technically feasible" to ensure that cost alone is not used to justify impacts to critical areas or buffers. The GMA requires that local governments protect critical areas using BAS and achieve no net loss of ecological function, regardless of development economics.
20.25H.055 Uses and development allowed within critical areas – Performance standards	C(4)(e) ...Culvert expansions shall be considered new culverts and be required to be designed in accordance with “Water Crossing Design Guidelines” now or as hereafter amended when ~~the expansion is associated with a project increasing vehicular~~	Fish passage and water crossing design standards must be met for culvert or in-water structural modification according to WAC 220-660-190 even if the project is not associated with a project increasing vehicle capacity.

	~~capacity and~~ (i) there are fish present downstream...	
20.25H.055 Uses and development allowed within critical areas – Performance standards	C(4)(g)(ii)(4) iv. ~~Whether the cost of avoiding disturbance is substantially disproportionate as compared to the environmental impact of proposed disturbance; and~~	See comment above.
20.25H.055 Uses and development allowed within critical areas – Performance standards	C(3)(m)(iii)(D)(4) ~~Whether the cost of avoiding disturbance of the critical area or critical area buffer is substantially disproportionate as compared to the environmental impact of proposed disturbance, including any continued impacts on functions and values over time; and~~...	See comments above.
20.25H.065 Nonconforming Situations	A. Existing Structures 4. Expansion or modification of a nonconforming structure may be allowed only under the following conditions: a. Expansion is allowed outside of required critical area buffer. b. Existing structure may expand vertically to add upper stories. c. The expansion occurs within an existing improved area of the site (e.g. parking lot, large development ~~lawn, garden, patio, or other existing disturbed area~~) provided the expansion does not encroach further into the critical area buffer than the existing development; ~~d. Any adverse impacts to the critical area or buffer are mitigated per LUC 20.25G.XXX.~~ ~~e. The Director determines that the proposed expansion will not result in significant additional~~	To meet no net loss standards within part 'c', expansions or new uses within a critical area or buffer should only occur in areas that lack ecological function, such as existing pavement or large development. Areas like lawns or minimally altered land still provide ecological value and should not be disturbed, especially if the proposed use is more intensive. Section 'd' may not be necessary, as no allowed alterations to existing nonconforming structures should result in any impacts to critical areas or their buffers. Section 'e' language is concerning because it allows the Director to approve expansions into critical areas based on a vague and undefined standard of "significant" impact. Without clear criteria or a requirement to use Best Available Science, this discretion could lead to inconsistent decisions and undermine the CAO's no net loss standard. It also bypasses mitigation sequencing and opens the door to incremental degradation of ecological functions over time.

<table>
<tr><td></td><td><s>impacts to critical area functions or values.</s></td><td></td></tr>
<tr><td>IV. STREAMS
20.25H.075
Designation of critical area and buffers</td><td>General comment – stream buffer table
<table><tr><td>Stream Type</td><td>Buffer Width</td></tr><tr><td>Type F</td><td>150 feet</td></tr><tr><td>Type Np</td><td><s>75</s> 100 feet</td></tr><tr><td>Type Ns</td><td><s>50</s> 100 feet</td></tr><tr><td>Closed</td><td>50 feet</td></tr></table></td><td>The buffer standards outlined in this table do not incorporate WDFW’s BAS. Stream buffers, or more accurately referred to as riparian management zones (RMZs), provide critical ecological functions including filtering pollutants, regulating stream temperature, stabilizing banks, and reducing flood risks. To meet WDFW’s current best available science standards and management recommendations (released in 2020), we recommend the utilization of WDFW’s Site Potential Tree Height at 200 years ($SPTH_{200}$) to measure RMZ widths (see WDFW’s mapping tool and field delineation guidance).
To stop pollutants from entering streams, RMZs must be 100 feet wide and fully vegetated at a minimum. This table does not reach these minimum standards. Meeting RMZ standards is especially critical in highly developed areas like Bellevue, where elevated levels of impervious surface contribute to increased stormwater runoff and water quality degradation. The importance of addressing water quality concerns is demonstrated by the listing of many water bodies within the city, including Kelsy Creek, within Ecology’s 303(d) list, which outlines a trend of continued degraded biological integrity over time. Bellevue has identified key factors that limit the health of Kelsey Creek, including pollutant loading, stormwater runoff, loss of floodplain & riparian function, and barriers to fish passage, in the Greater Kelsey Creek Watershed Assessment Report.

The GMA also requires jurisdictions to give "special consideration" to conservation or protection measures necessary to preserve or enhance anadromous fisheries (WAC 365-195-925) as well as incorporate regulations to address issues at the watershed scale (WAC 365-196-830(6)). This is especially relevant to Bellevue and echoes the commitments made by the city in the WRIA 8 Interlocal Agreement.
Stream-related critical area regulations within Bellevue are instrumental in the recovery of federally listed Chinook salmon species. As</td></tr>
</table>

		outlined very clearly in the WRIA 8 Chinook Salmon Conservation Plan, **Bellevue has an elevated responsibility for Chinook recovery compared to neighboring jurisdictions**, as it encompasses both Tier 1 and Tier 2 priority Chinook habitat areas. It is important to note that Bellevue's drainage report for the Kelsey Creek Basin shows that the impervious surface within the basin is higher (41%) than other stream systems in Bellevue and that the tree canopy adjacent to the stream (53.9%) is lower than other stream systems in Bellevue.
IV. STREAMS 20.25H.075 Designation of critical area and buffers	General comments	We encourage staff to review recent CAO updates from jurisdictions such as Woodinville and King County. For instance, King County is proposing urban stream regulations that include 180–200-foot buffers for Type S and F streams, and a minimum 100-foot buffer for Type N streams. Woodinville is similarly advancing amendments aligned with WDFW's BAS. These examples illustrate how urban jurisdictions are proactively collaborating with WDFW to incorporate scientifically defensible standards, strengthening their CAOs against potential appeals.
IV. STREAMS 20.25H.075 Designation of critical area and buffers	2(a) Buffer Averaging. Buffer averaging may be allowed if all the following criteria are satisfied. Proposals to average the stream critical area buffer under this subsection shall require a Critical Areas Land Use Permit; provided, that a mitigation or restoration plan is not required for buffer averaging.	We recommend deleting buffer averaging for stream buffers. To our knowledge, there is no scientific evidence supporting the idea that reducing a riparian buffer in one area while expanding it elsewhere achieves no net loss of ecological functions and values. WDFW's *Riparian Ecosystems, Volume 1: Science Synthesis and Management Implications* (2020) shows that riparian buffer widths are established based on the specific ecological functions they are intended to support, **which are directly tied to the width**, continuity, and quality of vegetation within the buffer. At a minimum, buffer averaging should not result in a buffer that is less than 100 feet at any one point.
20.25H.085 Mitigation and monitoring –	B. Buffer Mitigation Ratio. Critical area buffer disturbed or impacted under this part shall be replaced at a ratio of one-to-one.	If impacts to critical areas are unavoidable, we strongly recommend mitigation planting plans be designed to go beyond a 1:1 replacement ratio. A

Additional provisions		3:1 ratio often more accurately achieves no net loss by accounting for mitigation uncertainty.
20.25H.090 Critical areas report – Additional provisions.	B. Additional Content – Closed Stream Segments. Any critical areas report proposing a modification to the structure setbacks required for closed stream segments shall be based on a consideration of the impact of the modification on the feasibility of reopening the closed stream segment in the future, when compared with the feasibility of reopening the closed stream segment without the proposed modification...	If opening closed stream channels is not required for projects proposed on impacted parcels, we strongly recommend keeping the adjacent provision. The current draft has deleted this very important section.
20.25H.160 Performance standards.	~~If habitat associated with species of local importance will be impacted by a proposal, the proposal shall implement the wildlife management plan developed by the Department of Fish and Wildlife for such species. Where the habitat does not include any other critical area or critical area buffer, compliance with the wildlife management plan shall constitute compliance with this part.~~	This is more accurately covered in 20.25H.165 Critical areas report – Additional provisions, as WDFW does not create wildlife management plans for specific developments. Instead, and as outlined in 20.25H.165, "...shall contain an assessment of habitats including the following site- and proposal-related information at a minimum: ...3. A discussion of any federal, state, or local special management recommendations, including Washington Department of Fish and Wildlife habitat management recommendations, that have been developed for species or habitats located on or adjacent to the site;."
20.25H.225 Innovative mitigation.	A. Applicability. Development sites that qualify for innovative mitigation approval are proposals to redevelop a previously developed site where existing legally established structures or impervious surface(s) encroach into required critical areas buffers. Redevelopment shall not expand further into the critical area or its buffer.	We recommend the adjacent edit to avoid ambiguity. Without it, applicants may interpret redevelopment allowances as permission to expand further into buffers, leading to incremental encroachment, cumulative loss of ecological function, and potential vulnerability under the GMA's no net loss standards.

Thank you for taking the time to consider our recommendations to better reflect the best available science for fish and wildlife habitat and ecosystems. We value the relationship we have with your jurisdiction and the opportunity to work collaboratively with you throughout this periodic update cycle. If you have any questions or need our technical assistance or

resources at any time during this process, please don't hesitate to contact me.

Sincerely,

Morgan Krueger
Regional Land Use Lead
Washington Department of Fish and Wildlife

CC:
Kara Whittaker, Land Use Conservation and Policy Section Manager (Kara.Whittaker@dfw.wa.gov)
Marian Berejikian, Environmental Planner (Marian.Berejikian@dfw.wa.gov)
Stewart Reinbold, Assistant Regional Habitat Program Manager (Stewart.Reinbold@dfw.wa.gov)
Jesse Dykstra, Habitat Biologist (Jesse.Dykstra@dfw.wa.gov)
R4 Southern District Planning Inbox (R4SPlanning@dfw.wa.gov)
Jeff Aken, WA Department of Commerce (Jeff.Aken@commerce.wa.gov)

Nesse, Katherine

From: Kjell Godo <picoversejunk@gmail.com>
Sent: Tuesday, October 7, 2025 7:17 PM
To: PlanningCommission
Subject: rezone Newport Hills Shopping Center + Chevron, S-Mart/Terry's Kitchen

Follow Up Flag: Follow up
Flag Status: Flagged

Hello. We are longtime residents of Newport Hills. We are writing to comment on the proposed rezone of the Newport Hills Shopping Center + Chevron, S-Mart/Terry's Kitchen.

The unique thing about the suburban neighborhood of Newport Hills is that it has always had a nice mix of multi-family, single family, and businesses within walking distance.

We are disappointed because our buses keep getting reduced.

And now you propose to take away one of our business districts to replace it with more multi-family housing.

This will diminish the quality of the neighborhood.

Yes the shopping mall in the Newport Hills Shopping Center is somewhat depressed but there are many vibrant businesses there that the neighborhood depends on. Like the Chevron, we frequent the Chevron often. And there are always a lot of cars parked in front of Terry's Kitchen and the bar. We take our cars to the Chevron and walk home all the time. What will we do if it's gone?
We really do not want the Chevron to be poof gone. Really really. Do not touch the Chevron.

Removing these businesses would make this neighborhood far less walkable and far less pleasant in order to add a few more units of multi-family housing when we already have so many.

We are against this rezoning. We are against waking up to find the Chevron has gone missing.

Sincerely
Kjell and Kristin Godo

Nesse, Katherine

From: Brady Nordstrom <brady@housingconsortium.org>
Sent: Tuesday, October 7, 2025 9:31 PM
To: PlanningCommission
Cc: Nesse, Katherine; Chris Buchanan; Patience Malaba; Allen Dauterman
Subject: Re: EAHC - Comment on HOMA for 10/8 Planning Commission
Attachments: EAHC_BellevueHOMA_10-08-2025_v1.1.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Bellevue Planning Commission:

I wanted to share an updated version of the HOMA letter that was originally sent earlier today (10/7). *The new version includes minor corrections for clarity; no substantive or ordering changes were made.* **Please refer to this new version going forward ("v1.1").**

Thank you for your understanding with this and my apologies for any confusion. Please let me know if you have any questions.

Best Regards,
Brady Nordstrom
253-886-2099

From: Brady Nordstrom <brady@housingconsortium.org>
Sent: Tuesday, October 7, 2025 2:29 PM
To: planningcommission@bellevuewa.gov <planningcommission@bellevuewa.gov>
Cc: Nesse, Katherine <knesse@bellevuewa.gov>; Chris Buchanan <cbuchanan@bellwetherhousing.org>; Patience Malaba <patience@housingconsortium.org>; Allen Dauterman <adauterman@twgdev.com>
Subject: EAHC - Comment on HOMA for 10/8 Planning Commission

Dear Bellevue Planning Commission,

The Eastside Affordable Housing Coalition ("EAHC") is a group of over 30 local organizations that build, operate, and advocate for affordable housing on the Eastside, including in Bellevue. We are writing to comment on the HOMA code update at your October 8th meeting.

We strongly urge you to support HOMA "Option A" with a well-calibrated affordable housing requirement. **Please see our full comments which are attached with an executive summary**. These have been updated from our past comment-- thank you for your review and careful consideration.

Thank You,
Brady Nordstrom
--
Brady Nordstrom *(he/him)*
Associate Director of Government Relations and Policy
Housing Development Consortium of Seattle-King County
1326 5th Avenue, Suite 230 | Seattle, WA 98101
C: (253) 886-2099

HOUSING DEVELOPMENT consortium

EASTSIDE AFFORDABLE HOUSING COALITION

October 8, 2025
Bellevue Planning Commission
450 110th Avenue NE
Bellevue, WA 98004

Subject: Comment on HOMA for 10/08/2025 Study Session

Dear Bellevue Planning Commission:

The Eastside Affordable Housing Coalition ("EAHC") is a group of over 30 local organizations that build, operate, and advocate for affordable housing on the Eastside, including in Bellevue. Together we support policies, programs, and funding that advance the production and preservation of affordable homes while increasing housing access and opportunity. **We are writing to comment on the Housing Opportunities in Mixed-Use Areas ("HOMA") Land Use Code Amendment ("LUCA"), especially as it pertains to helping Bellevue meet its commitment to create 5,700 units of affordable housing between 2026 and 2036.** This is a follow-up to our comments to the Planning Commission on March 26th, May 13th, and September 10th of this year.

Introduction & Executive Summary.

The Eastside Affordable Housing Coalition strongly urges you to support **HOMA "Option A"** with a **well-calibrated affordable housing requirement** in mixed-use areas. An immense value is created for landowners through an upzone. While we aren't arguing that this windfall to landowners itself is problematic, we do believe that Bellevue should capture a small portion of this generated value to create public benefit for current and future residents. This proportional value exchange is legal and common nationally and in many neighboring cities. History has also shown that a well-calibrated affordable housing requirement can work alongside robust market-rate development. This requirement is among the smallest additional costs to development, whereas things like parking, financing costs, materials, labor, and loss of developable capacity represent a greater cost to development. There is urgency to get this right. An affordable housing requirement can only legally be implemented at the time of the upzone, after which the opportunity will be lost forever to Bellevue.

Executive summary:

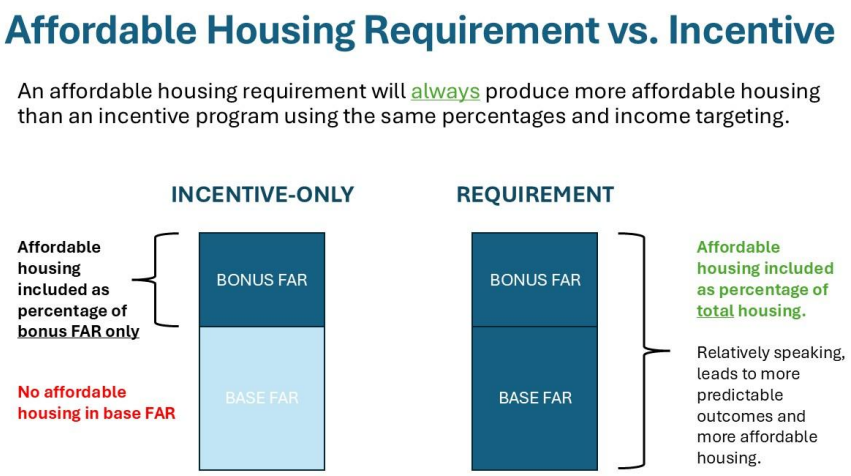
- *An affordable housing requirement is the best approach to achieve affordable housing in Bellevue's mixed-use areas. Incentives will fall short.*
    - *The Planning Commission has a responsibility to help Bellevue achieve its ambitious affordable housing goals; this includes affordable housing commitments from City Council & Washington State planning requirements.*
- *Almost nothing penciled in the economic analysis, with or without a requirement. An affordable housing requirement will work alongside robust market-rate development once market conditions improve. We base this on the City's own consultant findings and a pro-forma analysis conducted by the Eastside Affordable Housing Coalition.*
    - *The negative impact of affordable housing in the economic models is very modest compared to other cost factors.*
    - *Even if there are issues with program calibration, which is unlikely because the proposed program in Bellevue is among the lightest touch in our entire region, the extremely conservative fee in lieu being proposed will allow development to continue.*
    - *It is not consistent to say that "wedding cake" setbacks, buffer zones, and other significant costs to development are important in mixed-use areas while saying that affordable housing is too onerous, especially when an affordable housing requirement is among the smallest cost drivers of a project.*
        - *In particular, we oppose stepbacks below 80' which compromise fully affordable construction.*
- *We support the inclusion of affordable housing in the downtown amenity incentive system. We also support the generous concessions being proposed by staff to make the Downtown code work better for development.*
- *HOMA's mixed-use areas have differences compared to Wilburton, but there are other advantages—such as significantly lower infrastructure costs— that will help an affordable housing requirement succeed.*

Housing Development Consortium of Seattle-King County
1326 5th Avenue, Suite 230, Seattle, WA 98101
206.682.9541 | www.housingconsortium.org

Point 1 – If the City truly wants to prioritize affordable housing in mixed-use areas, then an affordable housing requirement is the most appropriate tool to use.

As a reflection of its strong values, the city of Bellevue has repeatedly committed to the production of affordable housing as a top priority. This includes the recent goal set by City Council to create 5,700 affordable units over the next 10 years. According to new Growth Management Act planning requirements, Bellevue is also required to "plan for and accommodate housing affordable to all economic segments of the population." Of the 35,000 net new housing units that Bellevue is required to plan for and accommodate between 2019 and 2044 in the King County Countywide Planning Policies, 84.7% of housing growth must be between 0% and 80% AMI. **The Planning Commission is responsible to help Bellevue meet these affordable housing goals and align code with its values to remain a welcoming, diverse city that includes moderate- and lower-income workers and families.**

An affordable housing requirement will always produce more affordable housing than an incentive program using the same percentages and income targeting. This is because an incentive-only option does not apply to units built within the base FAR; only those units built above the base. Thus, an incentive applies the affordable housing percentage to a smaller portion of the building. Incentives also treat affordable housing as a fundamental community need vs. an "amenity" that is selected by a landowner based on comparable costs. *Both in theory and in practice, an affordable housing requirement will better equip Bellevue to meet its affordable housing goals.*



We challenge you to make affordable housing your top priority in this land use code update. When affordable housing and overall housing production are linked, "removing barriers to housing" becomes an affordable housing policy**.** Therefore, we encourage you to focus on ways to enable the development of housing and growth as a complementary goal to affordable housing.

Point 2 – "Option A" with an affordable housing requirement is "well-calibrated" and will work alongside robust market-rate development over multiple economic cycles.

The affordable housing requirement proposed in the code is "well-calibrated," in that the cost of providing inclusionary housing will be less than the windfall of value provided to landowners through the upzone and development cost savings (such as reduced parking requirements and the removal of multifamily play area requirements).

According to the consultant analysis, **most projects will not pencil today except low-rise**. This is not surprising because development typically goes in cycles of high and low activity based on the underlying economic conditions. This economic analysis reflects a period of unfavorable conditions. When market conditions do improve (ex: interest rates being lowered, local rents increasing, etc.) projects will pencil with this requirement. Ultimately, it's not about this specific moment of time, but about what will work in the future and over multiple economic cycles. The report goes on to say that **"the high bonus ratios appear to offset the cost of providing affordable housing under improved market conditions"** (pg. 40). We conducted our own pro forma analysis and found similar results. We found that with conservative improvements in the market, such as

improved interest rates and increased rents, development will pencil with an affordable housing requirement. *In fact, we found that the AMI level could be set even lower to 60% AMI and a 10% set-aside and pencil after market conditions improve.*

Additional points to consider:

- **Even if the light-touch Bellevue affordable housing requirement policy were to present a barrier to housing production at a specific moment in the economic cycle, this barrier is obviated by the reasonable (and substantially conservative) fee-in-lieu option being proposed.** Fee-in-lieu provides a safety valve for the development of projects. The City's report estimated that the minimum fee-in-lieu needed to incentivize performance over payment was between $31 - $35 per square foot for mid-rise and $37 - $40 per square foot for high-rise. The staff proposal is set at $13 per square foot. A conservative fee-in-lieu like this will make the whole affordable housing requirement program workable because developers have the option to pay a fee-- even if onsite performance is impossible (which, to be clear, it is not once market conditions improve).
- **The negative impact of affordable housing in the economic models are very modest compared to other cost factors like parking and rent levels.** The small relative cost of an affordable housing requirement compared to other costs is also reflected in a recent Seattle MHA analysis that shows that inclusionary zoning (4%) represents only a fraction of the project costs compared to land (14%), soft costs (8%), hard costs (65%), and financing costs (9%) for a sample 2024 mid-rise project. Remember: the affordable housing requirement must also be offset in a value exchange to be legal.
    - The planning commission continues to ask for a "**wedding cake**" in mixed-use areas. This reduction in developable capacity through **buffer zone, setbacks, and stepbacks** is predicted to "greatly limit feasibility of redevelopment and the effectiveness of HOMA in encouraging housing" (pg. 5). **It isn't consistent to say that setbacks, buffer zones, and other costs to development are important while saying that affordable housing is too onerous, especially when an affordable housing requirement is among the smallest cost drivers of a project.** *This does show, however, a potentially lower prioritization of affordable housing compared to other code outcomes.*
    - **In particular, we strongly oppose stepbacks below 80' as a direct barrier to fully affordable housing construction.** Mid-rise construction is an economical wood frame development type that is most used to build 100% affordable housing. Stepbacks below 80' will have an immensely negative effect on the feasibility of mid-rise development by reducing the buildable area and increasing the per-unit cost of construction. Wood frame construction is also not physically compatible with stepbacks.
- For additional context, **an affordable housing requirement ("inclusionary zoning") is a very common policy across many cities**, including Kirkland, Redmond, Seattle, Issaquah, and more. Cities with much deeper requirements are seeing permits filed for major projects-- like Redmond's new policy in Overlake with a 12.5% set-aside at 50% AMI. Bellevue's version of this program in Wilburton (10% set-aside at 80% AMI) is **among the lightest touch versions of this policy in our entire region**. To put "80% AMI" in perspective, this AMI represents an individual in King County making $84,850 (King County Income and Rent Limits, 2025). This is not what we typical think of when we say "affordable housing." In fact, 80% AMI is the peak of what can be considered affordable housing in Washington State by law.

Point 3 – HOMA mixed-use areas are different than Downtown and Wilburton.

Before concluding, we also want to emphasize distinctions within HOMA (mixed-use vs. downtown) and between HOMA and downtown.

- Much of the concerned commentary from the private development community has been directed at Downtown which does NOT include an affordable housing requirement proposal. Most of our comments are directed at mixed-use areas where an affordable housing requirement is being proposed. While we still strongly support the inclusion of affordable housing in the downtown amenity incentive system, **we agree with the concessions that staff has made to make the Downtown code work better for development including:**

  - The ability of projects to double count affordable square footage for both the amenity incentive and the FAR exemption.
  - Reduction of the outdoor plaza requirement in downtown from 10% to 7%.
  - Additional flexibility in the perimeter overlay for the FAR exemption to include more uses than affordable housing (note: this is a small reduction in affordable housing and a compromise to maintain affordable housing in the amenity incentive system).
  - Allowing nonconforming uses in phased development for a Master Development Plan.
- **HOMA's mixed use areas have differences compared to Wilburton, but there are other advantages that will help an affordable housing requirement succeed.**
  - Wilburton does have, on average, a greater increase in height and density per parcel than HOMA. However, this is not true for every parcel. Some areas in HOMA will be allowed to go up to 7, 10, or 16 floors, which is a greater— or equivalent— increase compared to mid-rise areas in Wilburton.
  - **Wilburton has much more significant infrastructure costs compared to HOMA areas.** This is because HOMA's mixed-use areas already have infrastructure like streets, sewer capacity, etc. Much of the discussion in Wilburton was around the cost of street grid improvements and the barrier this created to development. New roads or flexible access corridors aren't needed in mixed-use areas. The result is that the base development costs are lower in HOMA's mixed-use areas.
  - **Land costs are generally less in the city's mixed-use areas** compared to Wilburton. Land is much more significant in driving overall development cost compared to an affordable housing requirement.
  - MFTE can help mitigate costs for both HOMA and Wilburton areas. However, this is outside the purview of the Planning Commission.

HOMA represents a major opportunity to implement the City of Bellevue's Comprehensive Plan Vision. Thank you for considering our comments and centering affordable housing in your discussion of HOMA.

Sincerely,
Eastside Affordable Housing Coalition & HDC

Nesse, Katherine

From: Heidi Dean <technogeekswife@yahoo.com>

Sent: Wednesday, October 8, 2025 12:31 PM
To: Khanloo, Negin; Lu, Jonny; Ferris, Carolynn; Goeppele, Craighton; Villaveces, Andres; Nilchian, Arshia; Kennedy, Mariah
Cc: PlanningCommission; Malakoutian, Mo
Subject: Factoria Neighborhood Scan 10/4

Dear Commissioners and Deputy Mayor:

I know you've received an email from Eastgate Community Association's Leslie Geller re: the 10/4/25 Eastgate Neighborhood Scan. I'm writing to share my experience on the Factoria Neighborhood Scan walk (same date/time). I attended as Admin 2 of the Factoria Looks Like Shiit FB page as Admin 1, who lives in Factoria, was unavailable. Since Factoria has no neighborhood association(s) our FB page, with over 1.3K followers, is the only non-CoB manner of communicating information about the Factoria NAP and encouraging participation of those who will be most affected by changes to the Factoria neighborhood.

Attendance

- **Huge # of Newport HS students**- approximately 40-50 in my group and another group of HS students (25?) were sent out ahead of us
- Students were from the 9th grade AP Human Geography class and **received extra credit for attending** (I asked, staff seemed irritated by my question)
- One student approached staff at the first stop, said he needed to leave to attend a school function, and asked for full credit for the walk. The staff member he'd approached said he needed to consult with the scan walk lead (Keep Bellevue Beautiful program coordinator). The staff member returned and assured the student he'd receive full credit for the scan walk. Wow!!
- **Almost no adults:** in my group there were less than 10 adults. Of those adults, only 4 of us were NOT there as chaperone/transportation for a student and were actually interested in the purpose of the walk. I spoke to a woman from Lower Somerset (KH) who was also disturbed by the lack of adults and actual Factoria neighbor participation. She tried calling her neighbor to come participate just so there would be actual neighborhood input.
- As with the Eastgate scan walk, staff were thrilled by the large turnout... of students. They seemed unconcerned about the lack of adult and Factoria neighborhood participation when I asked "Where are the adults? Where are the Factoria residents?".

Route and Stops

- Began at Newport Covenant Church, proceeded north on Factoria Blvd on opposite side from mall, crossed Factoria Blvd to Pitstop #1. Proceeded into mall to Pitstop #2, proceeded through mall, exited near Target, up to SE 24th St. Southward on SE 24th past rear of NHS to Coal Creek Pkwy, then eastward back to Newport Covenant*
- My group was taken on an abbreviated route due to the group size and the time it would take for a full route- this was not communicated to the group prior to commencement of the walk
- The route skipped areas of Factoria most in need of input- north of the mall to the I-90 overpass, which includes the Factoria theaters & office complexes, the Chevron/Brown Bear car wash, and the former Loehman's Plaza property.

  * I became so disgusted with how the walk was going that I ducked out at NHS to watch the varsity football game- the walk just wasn't worth any more of my time.

Engagement & Participation

- Engagement materials included printed route maps and keychains with an attachment featuring special dots and a QR code for uploading photos taken on the walk. There weren't enough maps or keychains for the large # of participants. Neither KH nor I received engagement material; I can't confirm if the other two neighborhood participants received them.
- Directions for what to do along the walk were given prior to kick-off, but they weren't great and the students were busy talking amongst themselves vs paying attention
- During the walk students goofed around and chatted about non- neighborhood scan topics. They were focused on each other, not on observing the environment around them as they proceeded through the Factoria neighborhood, which was the point of the neighborhood scan walk.
- Pitstop #1 (Burger King parking lot): the walk leader attempted to solicit input on what participants had seen so far, whether they take transit (or would take transit) to reach the mall, how they rate Factoria mall vs Bellevue Square vs Crossroads Mall, etc. Students remained focused on chatting amongst themselves and goofing around. Very little meaningful feedback was received at this stop. One adult provided feedback.
- Pitstop #2 (inside mall near former Nike store): students became even less engaged, more restless, and disruptive. I began recording this. When the walk leader noticed this he began shouting out "Would you come here (mall) if (insert business name) were here?". He did this about 4-5 times with different business names, primarily fastfood restaurants. Students became less engaged and more silly each time, some making weird noises as they shouted out responses. At this point some of the adults gave some input about Third Place activities such as live performance space & programming like what's at the Crossroads Mall.
- I'd be curious to know if there was a stop along Coal Creek Pkwy and what conversation occurred, if any.

I agree with Leslie Geller that the Factoria & Eastgate Neighborhood Scans were

1. **Performative**- they were useless in terms of providing meaningful input for their respective NAP updates
2. **Targeted outreach** was done to solicit input from a specific group- teens- who have little interest in the NAP process and likely will not live in the Factoria neighborhood within the next 8 years. Outreach to targeted groups makes it easy for staff to drive the direction of the input received. Newport saw it with outreach to specific racial/ethnic groups that were comprised largely of people who DID NOT RESIDE IN the Newport neighborhood area.
3. **Factoria neighbors weren't prioritized for outreach and input**. Yet, the purpose of NAPs is supposed to be a neighborhood-oriented plan. Just like with the Newport NAP, staff is purposely reaching outside the NAP area to solicit input from anyone/everyone who passes close enough by to eyeball Factoria & Eastgate- NOT COOL

The Factoria & Eastgate NAP updates are only in the second month of the process and are already shaping up to be an even worse betrayal of the residents in those areas than the Newport NAP process. Staff told both the PC and council there were "lessons learned" with the Newport & Crossroads updates that would improve outreach and engagement for Factoria & Eastgate. Yet, I'm just seeing the same old stuff, only done earlier in the process.

Are you okay with this? Does it meet the Council Vision's definition of "high performance government" and commitment to listen to and collaborate with residents?

Thank you for reading and for considering the points I've brought forth. I hope you will act to rectify issues before the Factoria & Eastgate NAP updates proceed further.

Sincerely,

Heidi Dean
Newport Hills resident since December 2000
Bellevue resident since August 1998

Nesse, Katherine

From: Jared Sager <jaredscottsager@gmail.com>
Sent: Wednesday, October 8, 2025 12:35 PM
To: PlanningCommission
Subject: Mixed use zoning (HOMA)

I am writing to express my adamant support for the proposed land use code amendment that will enable the city of Bellevue to grow it's share of affordable housing with great access to our city.

Thank you,
Jared

Nesse, Katherine

From: erikpaulson874@gmail.com
Sent: Wednesday, October 8, 2025 1:18 PM
To: PlanningCommission
Cc: 'Erik Paulson'
Subject: Tonight's Meeting
Attachments: Scan_2025_10_08_13_57_57_919.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Planning Commission,

Attached is a letter I would like to present in tonight's meeting.

Thank you very much!

Sincerely,

- ***Erik Paulson***

Bellevue Planning Commission
Bellevue City Hall
450 110th Avenue NE
Bellevue, WA 98004

Re: Comments on HOMA Legislation – Commercial Requirement and Departure Criteria

Dear Chair Khanloo and Commissioners,

My business partner David Broadus and myself own the Trailer Inns site located at the corner of SE 37th and 156th on the south side of I-90. This property is close to a dead end road and is adjacent to residential zoning. It is a site that should be developed one day with multi-family housing per the HOMA updates. We appreciate the City's efforts to create more flexibility for mixed-use development and recognize the intent behind maintaining active ground floor spaces in these districts. However, we remain concerned that the current **commercial use requirement** and **departure criteria** remain too restrictive and will continue to limit viable housing production, especially on challenging sites.

In particular, the **departure criteria** are overly narrow and do not reflect the real-world economic and physical constraints of many properties. The current draft does not allow a departure if a space is "visible" from the freeway or an arterial. Practically speaking, most sites in Bellevue—particularly those located near I-90 or major arterials—are at least partially visible from those corridors. However, visibility at 60+ miles per hour does not translate to meaningful commercial exposure or viability. A small ground-floor tenant cannot rely on freeway traffic for business activity, and this criterion effectively disqualifies many properties from ever qualifying for relief. It's actually the amount of road traffic in front of a site that creates viability for commercial uses.

We recommend that the code be **revised to eliminate the "visibility" test** and instead focus on actual economic and physical feasibility. The goal should be to encourage successful neighborhood-serving uses where they make sense, not to mandate commercial space where there is no realistic demand.

We propose that the departure criteria in footnote (11) be revised as follows (revisions shown in strike draft language for clarity):

> (11) Director may allow a departure from the requirement to provide ground floor pedestrian oriented (nonresidential) uses in multifamily developments; provided, that the departure is necessary to mitigate an economic hardship that would preclude project viability. A departure may be allowed for all sides of the building or some portion thereof; provided, that the approved departure is consistent with the Land Use District definition included in the Comprehensive Plan and LUC. If a departure is granted, ancillary

residential uses such as meeting rooms, leasing offices, kitchens, child care services, or work-live spaces are preferred over occupied residential living space.

This revision would allow flexibility for sites that are physically visible but commercially nonviable, helping ensure that Bellevue's land use code supports rather than hinders redevelopment and housing production.

We have hired CBRE to complete a commercial viability study, which is attached to this document. As you can see, the Trailer Inns site is technically visible from both I-90 and an arterial, and it fronts an arterial. However, the arterial is a dead end, and the traffic counts significantly drop from almost 30,000 trips on 151st down to 8,000 trips at the Texaco just a block east of the arterial. Traffic trips significantly decline along 37th heading east and we want to make sure the departure criteria allow for consideration of market viability and economic data, not simply "visibility," which is not a determining factor for retail success.

Thank you for considering these comments and for your continued work on improving the HOMA framework.

Sincerely,

Erik Paulson
Trailer Inns RV Park
Email: erikpaulson874@gmail.com
Cell: 206 714-9507

TRAILER INNS SITE

Retail Outlook:

- Site is unlikely to support retail because of minimal commuter and/or foot traffic, leaving it almost entirely dependent on would-be tenants of the project
- SE 37th St dead ends 0.16 miles east of Trailer Inns at the Crossroads Bible Church
- Minimal commuter traffic - Root Sports, Larkspur Landing, Temple De Hirsch Sinai & Crossroads Bible Church are the only existing establishments east of Trailer Inns that connect to SE 37th St.
- Residential neighborhoods to the south of Trailer Inns do not connect to 156th Ave SE so there is no residential commuter traffic that passes the site
- No existing retail east-southeast of Trailer Inns until Issaquah
- Traffic counts not available at SE 37th St and 156th Ave SE

* Traffic

Nesse, Katherine

From: Stacia Y <anastasiapravda@gmail.com>
Sent: Wednesday, October 8, 2025 4:01 PM
To: PlanningCommission
Subject: Support Planning Commissioners to Adpot HOMA Option A Mandatory Affordable Housing

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Commissioners,

As a resident of Eastgate and a frequent visitor to Eastgate Plaza's Safeway, CVS, restaurants, and banks, I am writing to express my strong support for **Option A: Mandatory Affordable Housing** in the Housing Opportunities in Mixed-Use Areas (HOMA) Land Use Code Amendment. This proposal represents a thoughtful and necessary step toward shaping Eastgate into a more vibrant, walkable, and inclusive neighborhood.

Reasons for Supporting Option A:

Housing That Reflects Our Community Values
Bellevue is a city that values opportunity and inclusion. Yet without meaningful affordability requirements, many families, workers, and seniors are priced out. Option A ensures that every new development contributes to affordable housing—not as a bonus, but as a standard—helping us meet the needs of our diverse population.

Design That Encourages Connection and Walkability
As someone who regularly walks to Eastgate Plaza, I appreciate the emphasis on pedestrian-friendly design and active ground-floor uses. Encouraging local shops, gathering spaces, and community-oriented services will foster a more connected and lively environment for residents and visitors alike.

Equitable Growth for a Diverse Future
Growth should benefit everyone—not just those with wealth or privilege. Option A supports equitable development by requiring affordable housing that welcomes people of all backgrounds, including immigrants, people of color, and lower-income residents. This is essential to ensuring Eastgate evolves in a way that reflects the full spectrum of our community.

Long-Term Economic Stability
Affordable housing is not just a social issue—it's an economic one. When people can live near where they work, businesses benefit from a stable workforce, and neighborhoods thrive with consistent foot traffic and local spending. Option A helps lay the foundation for a resilient local economy that serves both residents and employers.

I respectfully urge the Commission to adopt Option A and commit to a future where Eastgate—and Bellevue as a whole—grows with fairness, accessibility, and a strong sense of community.

Thank you for your leadership and thoughtful consideration.

Best regards,

Stacia (Eastgate resident)

Nesse, Katherine

From: John M. Groen <JGroen@pacificlegal.org>
Sent: Wednesday, October 8, 2025 5:01 PM
To: PlanningCommission
Subject: PLF Comments to proposed LUCA 20.25A.070.D.2.b.1
Attachments: PLF Comments to Bellevue Planning Commission final.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Chair Khanloo and Commissioners,

Please find attached comments by Pacific Legal Foundation to the referenced proposed LUCA amendment. Thank you for your consideration of these comments.

Sincerely,

John M. Groen
Executive Vice President & General Counsel
Pacific Legal Foundation
555 Capitol Mall, Suite 1290 | Sacramento, CA 95814
916.419.7111 | Office

PACIFIC LEGAL FOUNDATION

October 8, 2025

VIA EMAIL: *planningcommission@bellevuewa.gov*

Planning Commission
City of Bellevue
P.O. Box 90012
Bellevue, WA 98009

Re: Planning Commission Study Session Agenda Item 8(a)
Housing Opportunities in Mixed-Use Areas (HOMA) LUCA
Comments on Proposed Modifications to the Downtown Land Use Code

Dear Chair Khanloo and Commissioners,

Pacific Legal Foundation (PLF) opposes the proposed amendment to LUC 20.25A.070.D.2.b.1 which requires that the first 25 percent of a project's amenity points shall be earned from the provision of affordable housing. By making the affordable housing incentive mandatory, rather than voluntary, the amendment frames a critical constitutional question of longstanding interest to PLF. That is, whether any affordable housing program can be constitutionally imposed on specific projects without showing the project creates the need for affordable housing. While the City may have legitimate desires to address its affordable housing deficiency, PLF contends, and Supreme Court precedent establishes, the City cannot constitutionally shift the burden of solving this public problem onto individual projects that are not the cause of the public policy problem.

PLF established the lead precedent in 1987 that requires there be an "essential nexus" between the exaction of amenities and the adverse impact of a proposed project. *Nollan v. California Coastal Commission*, 483 U.S. 825, 837 (1987). The Court further clarified that "the city must make some sort of individualized determination that the required dedication [such as affordable housing] is related both in nature and extent to the impact of the proposed

development." *Dolan v. City of Tigard*, 512 U.S. 374, 391 (1994). Most recently, in another case litigated by PLF, the Supreme Court stated the rule clearly:

> A permit condition that requires a landowner to give up more than is necessary to mitigate harms resulting from new development has the same potential for abuse as a condition that is unrelated to that purpose.

Sheetz v. County of El Dorado, 601 U.S. 267, 276 (2024).

Here, there is no showing that proposed projects in the downtown area cause the city's affordable housing deficiencies.

It is no answer to claim that proposed projects might remain economically viable or have a higher residual land value when amenity points are acquired by providing affordable housing. Rather, by allowing unrelated exemptions to the floor area ratio (FAR) restrictions the city is revealing that it is truly leveraging its permitting authority under the police power to extract amenities from landowners. If anything, the trading of affordable housing for relief from development restrictions such as FAR shows that the underlying public interest for those restrictions is not present. As stated in *Nollan*, unless the exaction serves the same governmental purpose as the development regulation (here, floor area ratios), the exaction "is not a valid regulation of land use but an out-and-out plan of extortion." *Nollan*, 483 U.S. at 837.

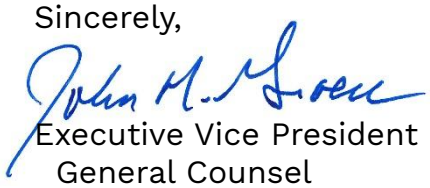
This type of regulatory scheme was called out in a footnote in *Nollan*. As stated by the Court:

> One would expect that a regime in which this kind of leveraging of the police power is allowed would produce stringent land-use regulation which the State then waives to accomplish other purposes, leading to lesser realization of the land-use goals purportedly sought to be served than would result from more lenient (but nontradeable) development restrictions. Thus, the importance of the purpose underlying the prohibition not only does not *justify* the imposition of unrelated conditions for eliminating the prohibition, but positively militates against the practice.

Id. at 837 N.5

In short, the proposed LUC amendment will deepen the constitutional problem because it further leverages the permitting authority under the police power in a manner unrelated to the actual impacts of a proposed project. It is respectfully urged that the Planning Commission direct staff to remove the mandatory language of LUCA 20.25A.070.D.2.b.1.

Sincerely,



Executive Vice President and
General Counsel

Nesse, Katherine

From: Kevin Wallace <kwallace@wallaceproperties.com>
Sent: Wednesday, October 8, 2025 5:48 PM
To: PlanningCommission
Cc: Horner, Rebecca D; Gallant, Kristina; Whipple, Nicholas; Menard, Mathieu
Subject: Comments to Planning Commission Regarding Downtown HOMA

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Commissioners,

Please accept these written comments in regard to the proposed HOMA ordinance as it applies to the Downtown land use code.

The Comprehensive Plan calls for the creation of 14,500 housing units in Downtown between 2019 and 2044. Through 2026, less than 300 units per year will have been produced in Downtown, so for the next 17 years we will need to average 700. More than double. That will not happen with the land use code as it is today, and the current draft of HOMA only makes it worse.

HOMA proposes a new mandatory fee for affordable housing without providing any material benefit to offset the cost. My request is that you allow payment of the fee as an amenity option, but not mandate it. But if you decide to mandate this additional burden, at the very least take the opportunity to apply the same benefits you and the Council authorized in the Wilburton LUCA, such as eliminating the requirements for build-to line, trigger height and visitor parking for all buildings, and floorplate limits and stepbacks in midrise buildings.

All of these things are currently allowed by the Wilburton LUCA but not Downtown, and all of the other changes the Chamber suggests are consistent with, or still more restrictive than, the Wilburton LUCA. Making these changes would provide at least some level of incentive to offset the mandatory affordable housing fee.

The staff memo indicates these changes should be left for yet another land use code process, but yet staff proposes to change the rules for stepbacks, floorplate averaging and parking. Why are some code changes appropriate for HOMA and others not? We can't afford to wait any longer.

I appreciate that staff has restored the ability to count the affordable housing bonus points for the FAR exemption and additional development flexibility, so we're now back to status quo – the same as what is already enacted in the IOC. Great. My recommendation is to make the buy-in proportionate, so you provide one square foot of affordable housing for every five square feet of additional area, and to allow payment of a fee-in-lieu so the opportunity is available to more than just apartment buildings.

I'd also like to see the additional height flexibility increased from 25' to 30' in the perimeter areas and to allow an additional 60' in the other areas. This change is not out of scale with the "wedding cake" in

downtown, and would provide much more on-site affordable housing, or millions in affordable housing fees, all on a voluntary incentive basis.

Finally, the agenda memo says the stakeholders requested that the Wilburton *open space* requirement be adopted into Downtown to replace the 10% *Outdoor Plaza* requirement. Open space and Outdoor Plaza are not the same thing. Changing the requirement to 7% open space, as defined in the city-wide code, is acceptable. Changing to 7% outdoor plaza is not. The preference remains for you to just eliminate the requirement altogether by removing the trigger height requirement, but at the very least change it from outdoor plaza to open space.

The time is now for the Planning Commission to consider all of these issues and improve the Downtown land use code to that we can achieve the housing goals. Please ask staff to provide you alternatives that allow you to vote on whether the Chamber's recommendations are acceptable or not.

Sincerely yours,

Kevin Wallace
Wallace Properties, Inc.
330 112th Ave. NE #200
Bellevue, WA 98004
(425) 278-6363 (Direct)
(425) 802-5701 (Cell)

Nesse, Katherine

From: Eddie <emilton253@gmail.com>
Sent: Wednesday, October 8, 2025 7:51 PM
To: PlanningCommission
Subject: HOMA comments post Oct 8 study session

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Planning Commission,

My name is Eddie and I'm a resident in Newport Hills. I recently learned that Bellevue is considering a HOMA plan for my neighborhood, and after attending your session on October 8th, I have some thoughts to share.

Newport Hills does not have the infrastructure to support more residents. It is a suburban neighborhood, not a bustling downtown. We do not have any major roads, we have one bus route, and the majority of our streets don't even have sidewalks. The thought of adding a couple more hundred people to the small lots on 119th Ave SE is a disaster waiting to happen.

The shopping center would benefit from some new businesses — I know of at least three empty store fronts — but those improvements should come without forcing additional housing. At its current density, Newport Hills is a quaint, relaxed neighborhood that is safe for children and easy to live in.

During the October 8th meeting, Member Ferris was commended for her dedication to people. I've noticed that several developers and building companies are in support of HOMA, while the majority of residents are not. Please consider the input of the people you serve, do not allow the HOMA initiative to proceed.

Thank you,
Eddie

Nesse, Katherine

From: Stuart Campbell <stuart.c.campbell@gmail.com>
Sent: Sunday, October 12, 2025 12:09 PM
To: Kennedy, Mariah; Nilchian, Arshia; Khanloo, Negin; Lu, Jonny; Goeppele, Craighton; Villaveces, Andres; Ferris, Carolynn
Cc: Menard, Mathieu; PlanningCommission
Subject: Ongoing support for Newport Hills Shopping Center and HOMA

Planning Commissioners:

My name is Stuart Campbell and I am writing to reiterate my support for the Newport Hills Shopping Center and HOMA.

I have been a resident of the Newport Hills area since 1961. I am also a member of the Newport Community Coalition, which includes residents from Newport Hills, Lake Heights, Greenwich Crest and Newport Shores. Our entire purpose is to be the positive voices for redevelopment of the shopping center.

In 1964, my folks bought a house at 5812 129th Ave SE and I finished my growing up years in Newport Hills and graduated from Newport High School in 1979. In 1995, my wife (Diane) and I bought our first home in Newport Hills at 12608 SE 61st St and raised our two boys there. They also graduated from Newport High School. We have since downsized to a townhouse just south of Newport Hills called Pembrook Meadow at 6629 113th Pl SE.

As a long time resident of the area, I am extremely interested in seeing the redevelopment of the Newport Hills Shopping Center. It will be such a community asset when this happens. I can see a place for folks to gather, with open space for things like farmers markets and small community concerts, restaurants and of course provide much needed housing. As I understand it, the new comprehensive plan now allows for 3-5 stories on this site - this will make a new center viable financially for either the owners and or a developer to come in and build something really special for our community.

I know there is more work to do on updating the zoning and development standards throughout the city so the zoning codes and standards align with the new comprehensive plan. That said, I strongly encourage you to approve the new development standards for our Newport Hills Shopping Center as proposed by staff in the HOMA draft.

I want to thank the City of Bellevue for responsibly growing from its roots as a bedroom community of Seattle to the thriving city that it is today. We live in a first class city that I am proud to call home for almost my entire life.

That said, this area of south Bellevue requires the same focus and attention that the entire city has invested in making Bellevue the first class city it has become. It's time to move forward so the Newport Hills Shopping Center can finally be upgraded and redeveloped.

Thank you for your service to the city of Bellevue.

Stuart Campbell

Nesse, Katherine

From: Campbell Mathewson <cmathewson@cmrepartners.com>
Sent: Wednesday, October 15, 2025 11:00 AM
To: PlanningCommission
Cc: Gallant, Kristina; Whipple, Nicholas
Subject: Planning Commission Public Comment for Hearing Oct 22 on CAO updates
Attachments: Sternoff public hearing.pdf

Dear Chair Khanloo, Vie-Chair Lu, and Commissioners Goeppele, Kennedy, Ferris, Nilchian and Villaveces,

On behalf of the owners of the property at 1750 124th Ave NE, less than 1,000 feet from the Spring District Light Rail Station in the BelRed neighborhood, please see the attached public comment for the public hearing on October 22nd. This site is currently 100% impervious surface with strong cash flow from older industrial buildings. Our simple request is that the Commission provide guidance to staff to provide flexibility for reduced buffer widths for those sites that are currently developed (i.e., impervious) with older buildings and parking lots within 1,500 feet of a light rail station. If that flexibility is not provided these sites will simply remain as old, but cash flowing, industrial buildings and parking lots which is both worse for the environment and worse from a "we should build housing near light rail" standpoint. Thank you for your good work for the City of Bellevue. We appreciate the opportunity to comment.

Sincerely,
Campbell Mathewson / Managing Partner / CMRE Partners, LLC
11647 NE 8th Street / Bellevue, WA 98005
M: 206-910-2448 / E: cmathewson@cmrepartners.com
W: www.cmrepartners.com / L: www.linkedin.com/in/campbellmathewson

Comments on City of Bellevue CAO updates re: impacts to 2.67 acres at 1750 124th Ave. NE

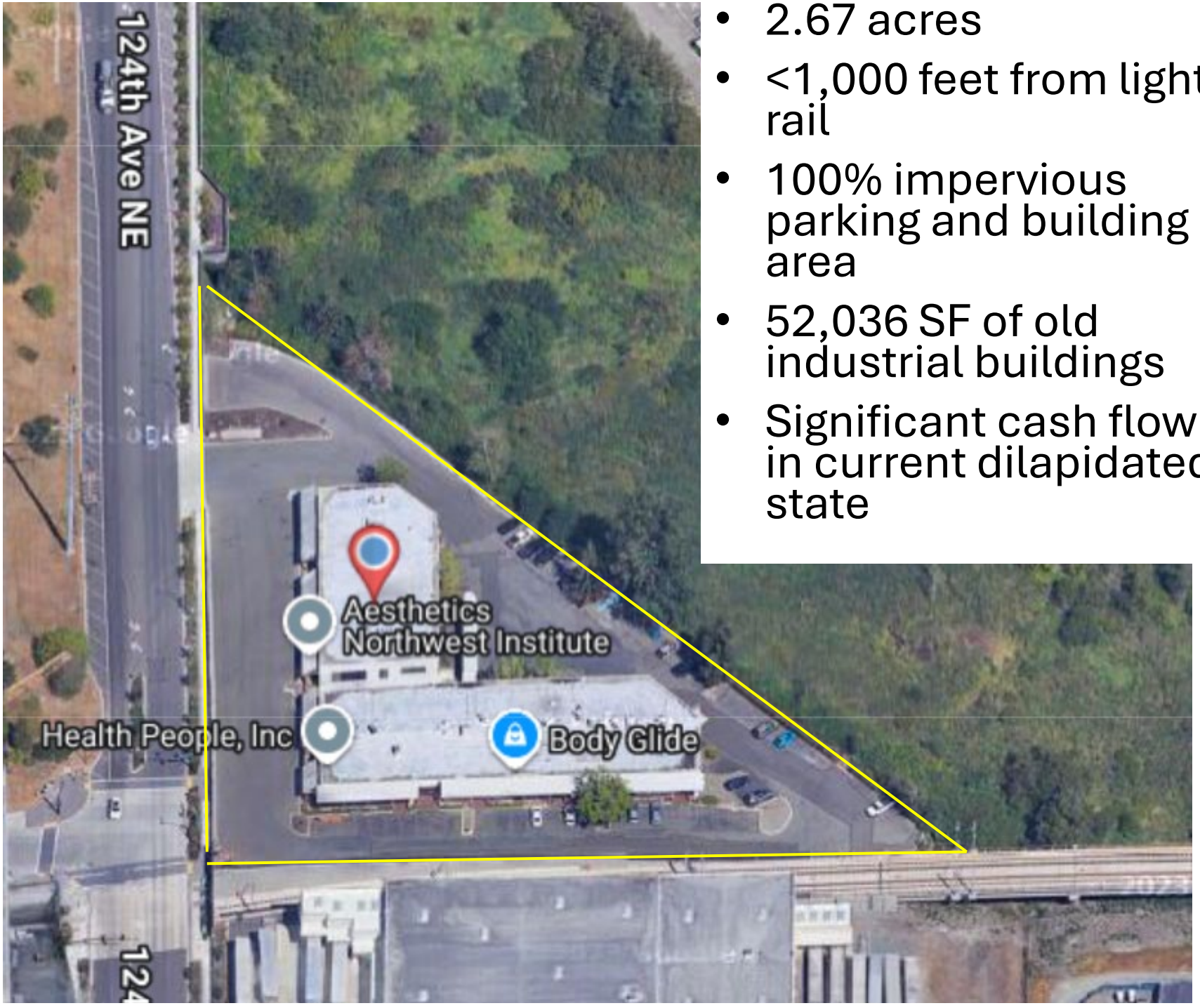
October 22, 2025

Presented by the Sternoff family &
Campbell Mathewson, CMRE Partners

1750 124th Ave. NE: 100% Impervious Site

Less than 1,000 feet to the Spring District Light Rail Station

- 2.67 acres
- <1,000 feet from light rail
- 100% impervious parking and building area
- 52,036 SF of old industrial buildings
- Significant cash flow in current dilapidated state



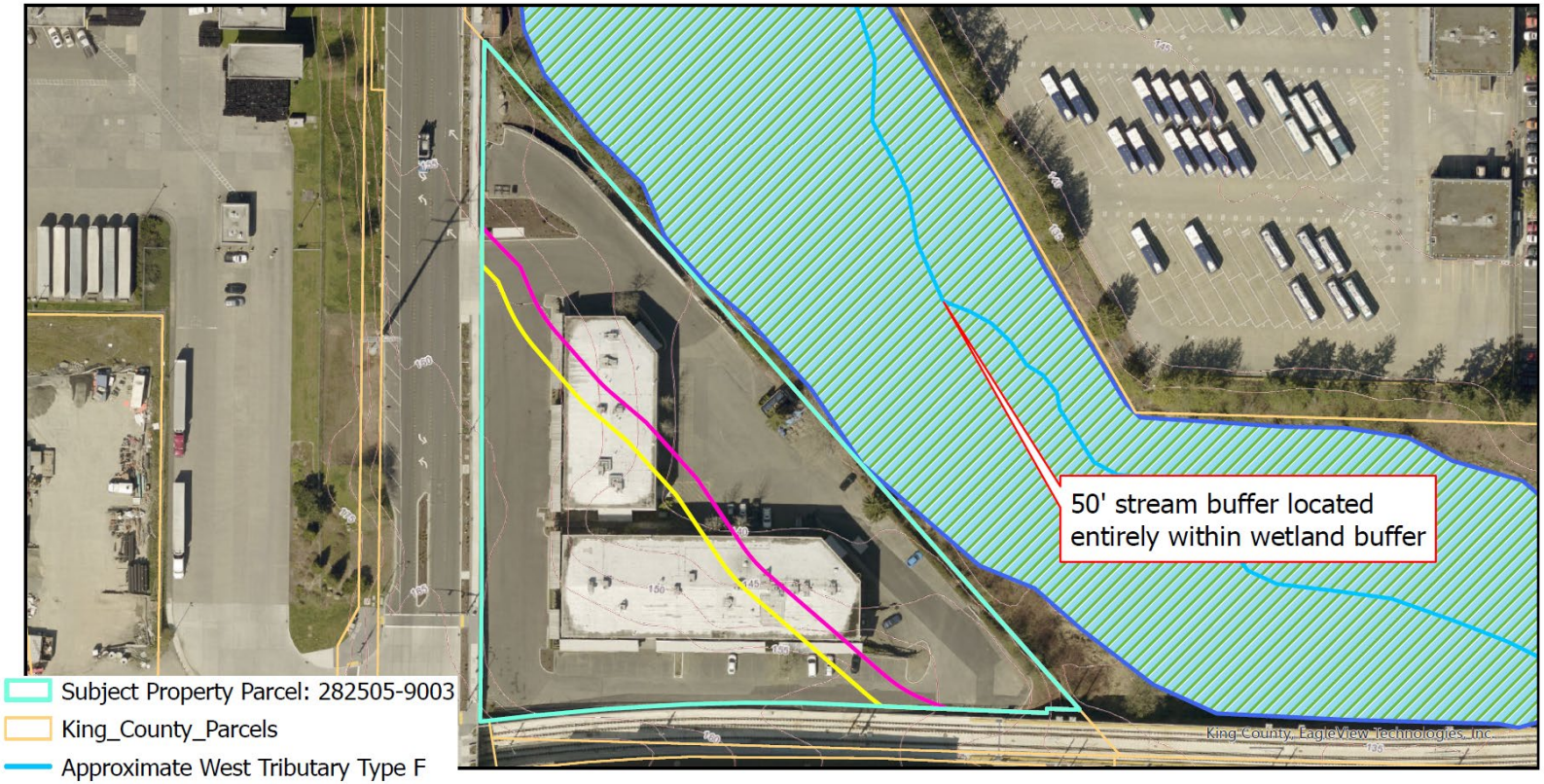
130’ setback wipes out ½ the site

Altmann Oliver Associates, LLC
PO Box 578 Carnation, WA 98014 Office (425) 333-4535 Fax (425) 333-4509
AOA
Environmental Planning & Landscape Architecture

City of Bellevue
Parcel 282505-9003

AOA - 3712

Critical Areas Map



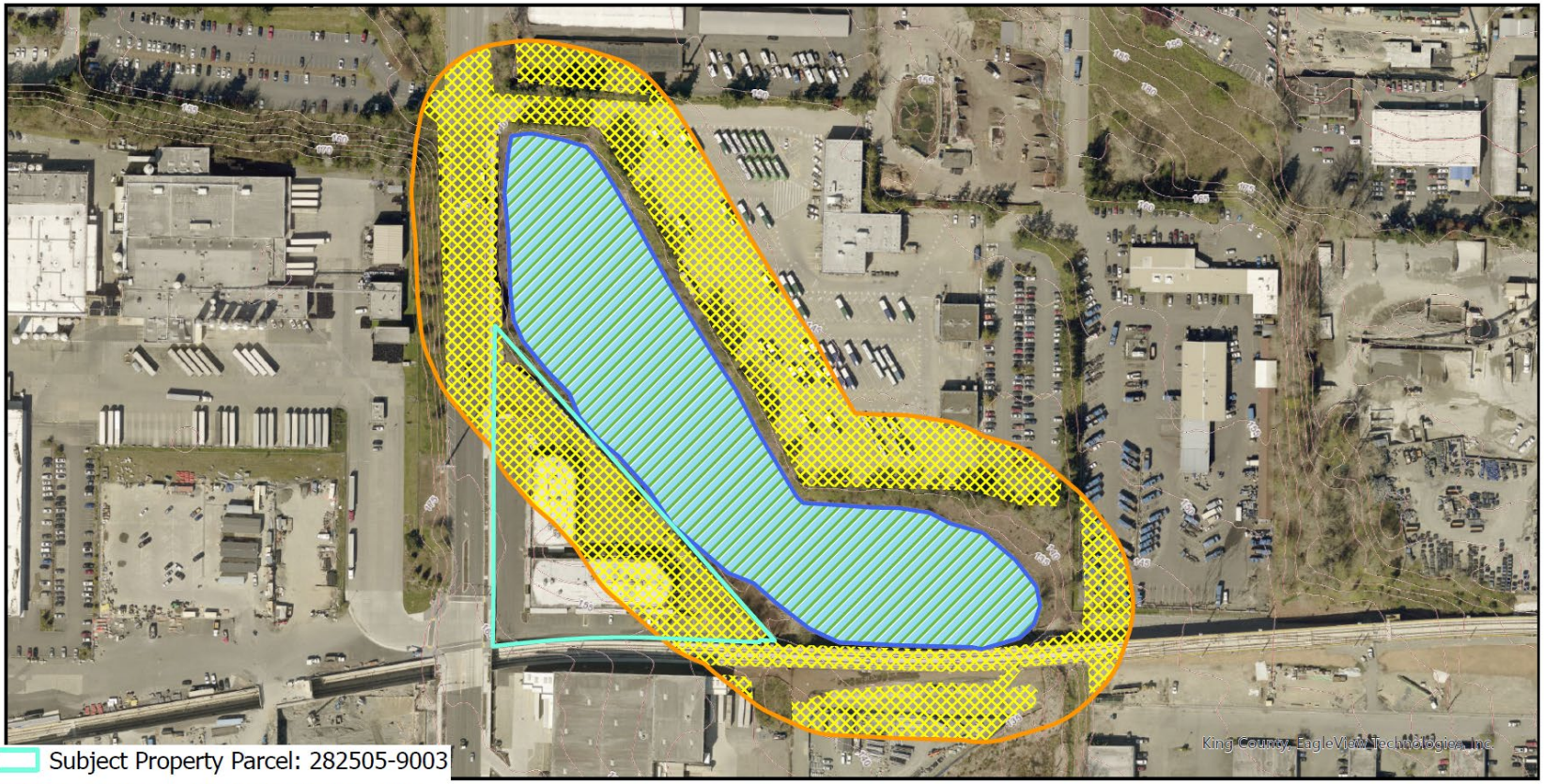
Impervious surface pollution

Altmann Oliver Associates, LLC
PO Box 578 Carnation, WA 98014 Office (425) 333-4535 Fax (425) 333-4509
AOA Environmental Planning & Landscape Architecture

City of Bellevue
Parcel 282505-9003

AOA - 3712

Figure B



Opportunity with buffers to current impervious boundary: **Residential near light rail**

Opportunity with buffers to current impervious boundary:

Residential near light rail

Requested flexibility

- Flexibility to allow new development in critical area buffers on lot areas that are currently impervious (i.e., with building(s) and/or parking lot) for sites within 1,500 feet of a light rail station.

Reason for request

- Such sites with large industrial buildings and parking lots, currently built within the buffers, provide significant current cash flow and simply won't be redeveloped without buffer flexibility.
- Redevelopment is better for the environment and better for providing density near light rail.