

## Nesse, Katherine

---

**From:** Evan Lee <evnl.business@gmail.com>  
**Sent:** Saturday, April 4, 2026 5:04 PM  
**To:** Council; PlanningCommission  
**Subject:** Public access rooftop gardens

**[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.**

Does Bellevue have any programs that support public access rooftop (vertical) gardens? As we grow into a 3d city, I don't think Bellevue needs to constrain public access to the ground floor. Integrating public space vertically allows Bellevue to scale public spaces with a growing population even where land is fixed.

Rooftop gardens can be 3-5x more expensive than their ground floor counterparts. Additionally, security and safety (e.g., fire, crowding, etc.) need to be considered. Bellevue would need to work with developers early in the process since rooftop gardens have major architectural and structural implications. It should be possible to create networks of these gardens with sky bridges similar to NYC's High Line. I think this would require a pass based system to be feasible, similar to what already exists in public transit or some national parks.

As a pedestrian, I often experience cities from the ground floor. For me, I imagine public access rooftop gardens as a way to see the same city from a different vantage point and also as a nearby third space.

## Nesse, Katherine

---

**From:** Jessica Clawson <jessica@mhseattle.com>  
**Sent:** Monday, April 6, 2026 4:28 PM  
**To:** PlanningCommission  
**Cc:** Whipple, Nicholas; Mandt, Kirsten; Hesselgesser, Jake (He\Him); Connor Eden; Arne Hall (arne@arnejhall.net); Pratt, Toni  
**Subject:** Bellevue Club proposed omnibus amendment/comment  
**Attachments:** Letter to Bellevue Planning Commission code amendment.pdf

**[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.**

Chair Khanloo and Planning Commissioners:

Please see the attached proposed additional omnibus code amendment for discussion on Wednesday evening. Please let me know if you have any questions. Thanks.

Jessica M. Clawson  
**MCCULLOUGH HILL PLLC**  
701 Fifth Avenue, Suite 6600  
Seattle, Washington 98104  
Direct: 206-812-3378  
Cell: 206-313-0981  
[jessie@mhseattle.com](mailto:jessie@mhseattle.com)  
[www.mhseattle.com](http://www.mhseattle.com)

NOTICE: This communication may contain privileged or confidential information. If you have received it in error, please advise the sender by reply email and immediately delete the message and any attachments without copying or disclosing the contents. Thank you.

April 6, 2026

VIA ELECTRONIC MAIL

Bellevue Planning Commission  
City of Bellevue  
445 110<sup>th</sup> Avenue NE  
Bellevue, WA 98004

Re: Addition to Omnibus Ordinance—Bellevue Club

Dear Chair Khanloo and Members of the Bellevue Planning Commission,

On behalf of the Bellevue Club, we respectfully submit an additional item for consideration in the Omnibus Code Amendment. The proposed amendment, which is a simple strike through in the East Main code, accompanies the Bellevue Club's application for a mixed-use project that includes a luxury residential tower above a structured parking facility and expanded club space—an exciting and thoughtfully designed project that advances the City's urban design and housing goals. As you know, the Bellevue Club has been a Bellevue institution since 1979 providing athletic, social, and wellness facilities.

The proposed omnibus amendment would simply allow a fee-in-lieu option for residential development in the East Main subarea. Importantly, providing a fee-in-lieu option for residential development in East Main is no longer a change in City policy. Every other subarea that includes either mandatory inclusionary housing or mandatory incentive affordable housing already provides both a residential and commercial fee-in-lieu option. East Main is the sole exception.

When the East Main land use code was adopted, it was not anticipated that the Bellevue Club would propose a residential tower. As a result, the Bellevue Club did not advocate for a residential fee-in-lieu option. On-site performance was the focus of the City Council at the time of East Main's adoption, however, the proposed amendment brings East Main into alignment with the City's current citywide approach to inclusionary housing implementation.

Since the East Main code was adopted, the City has become increasingly aware of the value and effectiveness of fee-in-lieu contributions as a complementary tool to on-site affordable housing performance. While Bellevue continues to encourage on-site affordable housing where feasible, fee-in-lieu provides a meaningful alternative that directly funds affordable housing providers capable of delivering deeply affordable units citywide; these are units that may not otherwise be built in Bellevue.

In February 2026, the City awarded its largest-ever funding allocation for affordable housing, which included approximately \$3.5 million in funds for the development of low-income housing projects—demonstrating the tangible, real-world impact of these contributions. As additional fee-in-lieu resources are generated, these investments will only continue to grow.

April 6, 2026  
Page 2

The Bellevue Club stands ready to participate in this system and to contribute meaningfully to the City's affordable housing efforts. The proposed amendment would allow the Club to do so in a manner fully consistent with established City policy and practice.

For your reference, the proposed code amendment language is below. We would expect to work with staff to perfect the language prior to the public hearing. We appreciate the Planning Commission's consideration of this limited technical amendment and thank you for your continued work on behalf of the City of Bellevue.

Sincerely,

/s/

Jessie Clawson  
McCULLOUGH HILL PLLC

PROPOSED AMENDMENT (SUBJECT TO REVIEW BY CITY STAFF)

20.25Q.070.D.4. Amenity Incentive System.

Chart 20.25Q.070.D.4

List of Bonusable Amenities	Applicable <a href="#">Land Use</a> Districts and Bonus Ratios			
	East Main Transit-Oriented District Higher Density (EM-TOD-H)		East Main Transit-Oriented District Lower Density (EM-TOD-L)	
	Nonresidential	Residential	Nonresidential	Residential
<a href="#">Affordable Housing</a>		3.2:1		3.2:1
<p><b>Criteria:</b></p> <ol style="list-style-type: none"> <li>1. Threshold bonus for residential/<a href="#">Mixed-Use Development</a> at up to 80 percent area median income (AMI) level for rental and up to 80 percent AMI level for ownership.</li> <li>2. The remaining 20 percent of a project's required amenity points as provided in LUC <a href="#">20.25Q.070.D.2.b</a> may be earned through <a href="#">Affordable Housing</a> at 100 percent AMI for ownership.</li> <li>3. <a href="#">Affordable Housing</a> units shall be dispersed throughout any residential project that combines affordable and market rate units.</li> <li>4. Design shall be generally consistent with associated market rate housing; provided, that unit size, amenities, and interior finishes may vary from market rate units; and further provided, that the bedroom mix and exterior finishes shall be comparable to the market rate units.</li> <li>5. Fee-in-lieu for nonresidential is \$30.00 per sf bonus area.</li> </ol>				

## Nesse, Katherine

---

**From:** Kevin Xue <zixue@tesla.com>  
**Sent:** Tuesday, April 7, 2026 8:00 AM  
**To:** PlanningCommission  
**Cc:** Aeli Furtado; Francesca Wahl  
**Subject:** Written Public Comment - April 8 Meeting (Item 8a: 2026 Omnibus LUCA) - Tesla  
**Attachments:** Tesla\_WrittenComment\_OmnibusLUCA.pdf

You don't often get email from zixue@tesla.com. [Learn why this is important](#)

**[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.**

Dear Bellevue Planning Commission,

Please find attached Tesla's written comments regarding Agenda Item 8a (The 2026 Omnibus Land Use Code Amendment) for the upcoming Planning Commission meeting on Wednesday, April 8.

We strongly support the proposed revision to LUC 20.20.900.C.1.b.ii. This amendment removes an unintended barrier to EV infrastructure deployment and closely aligns with the City's EV Roadmap goals.

Thank you for your time and consideration.

Best regards,  
Kevin

Kevin Xue

Policy Analyst, North American Charging  
3500 Deer Creek Road, Palo Alto, CA 94304  
E. [zixue@tesla.com](mailto:zixue@tesla.com)

**To:** Bellevue Planning Commission

**From:** Kevin Xue, Policy Analyst, Tesla, Inc.

**Date:** April 7<sup>th</sup>, 2026

**Re:** Support for 2026 Omnibus Land Use Code Amendment – Proposed Revision to LUC 20.20.900.C.1.b.ii (Tree Retention and Replacement)

Dear Chair and Members of the Planning Commission,

Thank you for the opportunity to provide comments on the 2026 Omnibus Land Use Code Amendment. Tesla respectfully submits this letter in support of the proposed revision to LUC 20.20.900.C.1.b.ii, which would remove "changes in the area devoted to parking and circulation" from the definition of Development Activity under the Tree Retention and Replacement code.

This amendment reflects sound policy and will help align the Land Use Code with the City's adopted climate and transportation goals.

### **Current Code Challenges for EV Charging Deployment**

Tesla is currently seeking approval for Permit 25-126591 GD to install eight DC fast charging stations (Superchargers) at Eastgate Plaza, located at 15100 SE 38th Street. The project involves converting three existing parking stalls to accommodate the charging equipment. No trees are being removed, and no changes to the building footprint or site intensity are proposed.

Under the current definition of Development Activity, the conversion of these three parking stalls triggers the full tree density requirements of LUC 20.20.900. Because the existing retail site has a historical tree credit deficit unrelated to our project, this would require:

- Planting approximately 31 trees on a site with limited available planting area, or
- Paying a fee-in-lieu of approximately \$40,300

This mitigation cost represents roughly 26 percent of the total construction budget for the project, which is a disproportionate burden that impacts the project's feasibility.

This challenge is not unique to Tesla's proposed EV charging project. The nature of deploying EV infrastructure at existing retail and commercial centers inherently requires repurposing parking stalls. Because many of these older properties carry historical tree deficits that predate current standards, this code provision creates a structural barrier for the entire industry. Any EV charging developer who plans to install EV charging would be impacted by these requirements thereby limiting the opportunity for private investment in EV charging in Bellevue.

### **Proposed Amendment Benefits**

The proposed revision appropriately recalibrates the code by removing parking and circulation changes from the Development Activity trigger. This change would:

- **Preserve the intent of the Tree Retention Ordinance:** Projects involving significant site expansion or substantial land alteration would still be subject to appropriate compliance requirements. The amendment appropriately distinguishes between parking area modifications and more substantial site redevelopment.
- **Remove barriers to EV infrastructure deployment:** The City's 2024 EV Roadmap identifies the need for approximately 275 additional publicly accessible DC fast chargers by 2030 and calls for strategies to reduce deployment barriers. The current code creates an unintended fiscal obstacle for private investment in public charging infrastructure.
- **Support equitable mobility goals:** The Eastgate neighborhood has been identified as a priority area for equitable access to transportation infrastructure. Reducing unnecessary costs for EV projects in these areas advances the City's equity objectives.

## Conclusion

Therefore, we respectfully request that the Planning Commission:

- **Recommend approval** of the proposed amendment to LUC 20.20.900.C.1.b.ii as drafted.
- **Confirm on the record** that EV charging infrastructure projects are within the scope of this revision, so that future applicants and staff have clear guidance.

Tesla is committed to partnering with the City of Bellevue to advance shared climate and transportation goals. We commend staff, particularly the Code and Policy Division and Development Services, for identifying this issue and proposing a balanced solution that maintains environmental protections while removing unnecessary barriers to clean energy infrastructure.

We would welcome the opportunity to serve as a resource to the Commission or staff as this amendment moves forward. Please do not hesitate to contact me with any questions.

Thank you for your consideration.

Respectfully submitted,  
Kevin Xue

## Kevin Xue

Policy Analyst, North American Charging  
Tesla, Inc.  
3500 Deer Creek Road  
Palo Alto, CA 94304

## Nesse, Katherine

---

**From:** phyllisjwhite@comcast.net  
**Sent:** Wednesday, April 8, 2026 3:14 PM  
**To:** PlanningCommission; Khanloo, Negin; Lu, Jonny; Goepple, Craighton; Ferris,Carolynn  
**Cc:** Nesse, Katherine  
**Subject:** 2026 Omnibus LUCA Amendments – Environmental Impacts on Buildable Land (Kelsey Creek Watershed)  
**Attachments:** Kelsey Creek Wildlife in East Wilburton and Rockcreek.docx

**[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.**

Dear Chair Khanloo, Vice-Chair Lu, and Bellevue Planning Commissioners,

I was not able to submit this in time for today's comments, but if you have a chance to review my public comment, I would appreciate it.

I am writing regarding the 2026 Omnibus LUCA Amendments and their cumulative impact on environmentally sensitive areas within the Kelsey Creek watershed, including my property and the surrounding Wilburton neighborhood. On behalf of the Wilburton neighborhood residents to express our strong support for preserving the tree canopy in our community, with Goff Creek and Kelsey Creek subbasins flowing through it.

While ecologically sensitive areas in East Wilburton and Coal Creek are zoned SR-1 and may be considered “buildable” under current code, they are functionally constrained by ecological conditions that are not fully accounted for in the proposed amendments.

According to the Determination of Non-Significance for the City of Bellevue’s Tree Canopy Land Use Code Amendment proposal, File No. 22-128467-AD reads:

### **“URBAN TREE CANOPY CHANGE BY NEIGHBORHOODS**

**Subdividing the results by neighborhoods, it became evident that the bulk of canopy loss was concentrated in four neighborhoods. Over the course of a decade, Wilburton experienced the sharpest canopy decline, at 2%, equivalent to a loss of 18 acres.**

**The largest reduction of canopy decline occurred in Wilburton.”**

**At the same time, the Kelsey Creek Watershed Assessment shows that portions of the Kelsey Creek basin serving this area are approaching ecological thresholds:**

- **Approx. 35.7% riparian canopy**
- **Approx. 25.8% impervious surface**

These metrics suggest reduced ecological resilience and increased sensitivity to additional disturbance, particularly in upstream tributary areas such as Wilburton and Coal Creek. It is a stressed system that still **retains partial ecological function.**

Washington State Department of Fish and Wildlife (WDFW) guidance emphasizes the importance of:

- Maintaining intact riparian buffers
- Preserving mature tree canopy
- Protecting habitat connectivity for species such as salmon, herons, and other indicator species

Scientific literature consistently shows that mitigation does not immediately replace lost ecological function, and recovery can take decades.

Recent code updates increase flexibility in defining buildable land by allowing buffer reductions in areas classified as degraded, expanding Reasonable Use Exception pathways, and removing density penalties in critical areas. These changes also increasingly treat properties that are already developed as underutilized or buildable land. While this may increase calculated development capacity, it does not account for the continued ecological function of these sites. Many "developed" parcels in our SR-1 neighborhood have retained their mature, significant, and landmark tree canopy, drainage, and wildlife habitat, and should continue to protect their mature trees.

Recent observations of Bald Eagle nests and Great Blue Herons (see attached) further demonstrate that these areas remain active and functioning ecosystems.

While SR-1 parcels are being reviewed as technically buildable, the majority of these areas in our neighborhoods are environmentally constrained land. Development decisions should prioritize preservation of existing ecological function, particularly within the Kelsey Creek and Goff Creek watershed.

I respectfully request:

- A requirement to consider existing canopy deficits and impervious surface levels before allowing flexibility
- Protection of the remaining intact riparian canopy, especially in corridors still supporting wildlife movement
- Bellevue's streams are described by your own staff as "connected habitat corridors." This is an opportunity to ensure that growth does not come at the cost of the last remaining ecological function in areas like Wilburton.

Under the Growth Management Act, the law requires protecting critical areas first, then planning for housing within those limits, and not weakening protections to meet housing targets:

**RCW 36.70A.060**

"Each county and city shall adopt development regulations that protect critical areas."

**RCW 36.70A.172**

Regulations must include "the best available science" in protecting critical areas.

Best regards,

Phyllis White

East Kelsey Creek Wilburton Resident



Blue Heron on neighbor's roof.



Blue Heron in a tree in neighbor's yard.



Bald Eagle in neighbor's tree.



Bobcat in front of our home.