

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
STUDY SESSION MINUTES

September 26, 2018
6:30 p.m.

Bellevue City Hall
City Council Conference Room 1E-113

COMMISSIONERS PRESENT: Commissioners Carlson, Laing, Malakoutian, Morisseau, Moolgavkar

COMMISSIONERS ABSENT: Chair Barksdale, Commissioner deVadoss

STAFF PRESENT: Terry Cullen, Emil King, Deborah Munkberg, ~~MacMack~~ Cummins, Department of Planning and Community Development; Carol Helland, Patricia Byers, Department of Development Services

COUNCIL LIAISON: Mayor Chelminiak

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER
(6:40 p.m.)

The meeting was called to order at 6:40 p.m. by Vice Chair Morisseau who presided.

2. ROLL CALL
(6:40 p.m.)

Upon the call of the roll, all Commissioners were present except for Chair Barksdale and Commissioner deVadoss, both of whom were excused.

3. APPROVAL OF AGENDA
(6:40 p.m.)

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

4. REPORTS OF CITY COUNCIL, BOARDS AND COMMISSIONS – None
(6:41 p.m.)

5. STAFF REPORTS
(6:41 p.m.)

Comprehensive Planning Manager Terry Cullen said he was aware that the Commissioners were having difficulties retrieving their email via the Outlook app. He recommended that until the issue is resolved the Commissioners should use outlook.office355.com instead.

Commissioner Carlson asked if emails could be sent to the Commissioners' personal email

addresses. Mr. Cullen said on the advice of the City Attorney, that will not be done.

Mr. Cullen reported that no agenda items were identified for the October 10 Commission meeting and the meeting may be canceled. He said the East Bellevue Community Council has requested some time to talk to the Commission and has tentatively been looking at October 10. They will instead be asked to attend the October 24 Commission meeting.

The Commissioners were reminded about the parliamentary training session on October 18 from 5:30 p.m. to 9:00 p.m. He said he had previously participated in the training and found it to be a very informative approach to reviewing Roberts Rules of Order. The training is for all city boards and commissions and the Commissioners were urged to attend.

Mr. Cullen said the Commission's annual retreat is on the calendar for November 14. He said a location had not yet been confirmed.

6. ORAL AND WRITTEN COMMUNICATIONS (6:45 p.m.)

Mr. Jack McCullough, 701 5th Avenue, Suite 6600, Seattle, spoke on behalf of the Wigs. He referenced a letter sent earlier in the day to the Commission in which he pointed out that in the revisions to the policies before the Commission there had been the notable addition of the word "public" in front of "streets." He said discussions have been under way with city staff about the nature of the streets on the Red Lion/Hilton property when it gets redeveloped. The position of the city has been that the streets need to be dedicated streets. The issue is critical to the project. The site has a high-water table and the proposed redevelopment will require a lot of parking that will necessarily be very expensive because of the ground water. Every layer down will be geometrically more expensive. The plan from the start has been to provide public streets at the surface, streets that look and in every way act like streets, with easements governing them and fully protecting the city. Beneath the entire project, however, parking will be needed. If that cannot be accomplished, more than a mile of additional shoring walls will be needed around each of the individual blocks, and instead of having cars and delivery trucks coming in from 114th Avenue SE and circulating through the site, they will have to come up in the pedestrian areas and find their way down. The cost of the additional construction and the loss of efficiency will be close to \$250 million, and what will be lost will be the attributes of shared parking, loading/unloading out of the way, and curb cuts and driveways all over the top of a mixed-use pedestrian community. If it cannot be built as planned, it may not be able to be built at all.

Ms. Leshya Wig, 4811 134th Place SE, provided the Commissioners with copies of Attachment 2 from staff that highlighted some requested changes. She reminded the Commissioners that she and her father attended every meeting of the East Main CAC and became intimately familiar with what they wanted to see happen on the site. She noted that the City Council provided a list of guiding principles to the Commission that included consideration of larger floor plates to attract technology tenants. That issue, however, is not reflected in the draft Comprehensive Plan policies and it should be. At the time the CAC process was underway, the downtown livability code had not yet been adopted. The downtown code at the time included a provision for an additional 15 percent of building height for good design. After the work of the CAC concluded, the new downtown code was adopted, and it included a change to reflect clear maximum building heights that reflected that extra 15 percent. That approach should also be reflected, as outlined in the CAC appendix for Scenario 4, which included building height of 230 feet. The CAC was clear about not wanting to see any big box retail allowed on the site but specifically expressed an interest in seeing a grocery store use allowed as a neighborhood-serving use. That

should be clarified in the policies.

Mr. Mon Wig, 4811 134th Place SE, also referred to items highlighted in Attachment 2. He pointed out a typo in which the word “distinct” was used instead of “district.” He said the development will include open space but stressed that it cannot be said up front exactly where the open space will be located as thinking about the project evolves. Regarding the diagram on the last page of the attachment, he said Street A needs to connect with the enhanced intersection, Main Street or 112th Avenue SE. It should not dead end and then become a pedestrian facility. If it is not possible to make a connection toward the north, it should be made toward 112th Avenue SE. The first choice is to connect with the enhanced intersection; the second choice is to connect with Main Street. Another option would be to create a two-lane road where the slip road currently is, or even on his property, to accommodate circulation around the property.

Commissioner Carlson asked who will be building the streets on the property. Mr. McCullough and Mr. Mon allowed that the development would both build and maintain the streets, and that they would remain on the tax roll.

7. PUBLIC HEARING – None
(6:56 p.m.)

8. STUDY SESSION

A. Grand Connection Design Guidelines Plan Amendment
(6:56 p.m.)

Strategic Planning Manager Emil King reminded the Commissioners that a set of draft policies had in May been presented for consideration. He noted that they appeared as Attachment A in the packet. After comments from the Commission, amendments were made to the draft. Added in was some narrative changes to the language that sets up the policies, and the map showing the extent of the Grand Connection. The public hearing on the proposed amendments is tentatively set for November 7.

Mr. King said the changes made to the draft included two elements. One Commissioner had proposed being less specific regarding light rail transit and its relationship to the Grand Connection, opting for a more generic description, and the language was amended to refer to transit stations rather than light rail transit in policy S-DT-144.2. The other comment, received from Chair Barksdale, was regarding performance measures and any refinements to be made to the Grand Connection, so a new policy was added to the Downtown subarea plan calling for the city to periodically review the performance and use of the Grand Connection based on the stage of implementation and a set of established measures of success.

Regarding Attachment 2, Mr. King said the general practice is to show the general changes to be made to a series of maps, and to present at the public hearing the amended maps in the elements. Some refinements have been made to date to some of the segments, specifically the Old Bellevue/Downtown Park segment, the pedestrian corridor/Bellevue Way segment, the civic center segment, and the I-405 crossing/Wilburton crossing. Amendments will need to be made to a handful of maps in both the Downtown and Wilburton/NE 8th subarea plans and the Urban Design Element ahead of the public hearing.

Mr. King allowed that in looking back on the May presentation it was not crystal clear where things stood relative to the Grand Connection and the Wilburton study. He said there was a

Council-approved framework plan for the Grand Connection which can be thought of as the high-level vision that was handed down in December 2017. The current calendar year is being spent focused on the Comprehensive Plan policies that will help to implement the high-level vision. The staff are also working with stakeholders to develop code and design guidelines that will be brought before the Commission in 2019. The complementary effort on the I-405 crossing alternatives includes published materials on three different options. Based on Council direction, those options will be revisited with the Council in the fall or winter months to determine their preferred option. The Wilburton CAC developed a high-level vision for that area on the east side of the interstate. Their initial handoff to the Council occurred in July. Staff will again be before the Council in July to seek additional direction. During 2019 the focus will be on policy and code language as well as the design guidelines.

Commissioner Moolgavkar asked how the sale of the Barnes & Noble site will impact the work on the Grand Connection. Mr. King said the work on the policy and code language and the design guidelines is moving forward as fast as possible and in a timely manner. The established timeline is what it is, and resources are being allocated to make sure things continue that path. He said he and a team of staffers is working on individual projects on the Grand Connection route that would like to get permits in the near term. The high-level vision is being relied on to help guide those efforts absent not yet having adopted language. The team is working with the Barnes & Noble site owners as well as the ~~Doxa~~DOXA church to provide as much direction as possible.

B. East Main Station Area Plan Amendment

(7:05 p.m.)

Senior Planner Deborah Munkberg noted that the proposed amendments relative to the East Main Station Area include the glossary, the Comprehensive Plan land use map, the Land Use Element, and the South Bellevue subarea plan. In the glossary, a new definition for transit-oriented development will be added, along with a more specific definition for the East Main transit-oriented district. The proposal includes the insertion of new policies in the Land Use Element that provide high-level guidance relative to development character, bicycle and pedestrian connectivity, context and transit facilities, and the land use incentive system. The bulk of the amendments will be to the Southwest Bellevue subarea plan in the areas of the vision, the land use, transportation urban design, open space and the natural environment.

Ms. Munkberg said one question that came up during the Commission's July 11 discussion was whether the notion of graceful transition came up during the ~~CAC's discussions~~CAC diseusses. She noted that the term is used in the vision to talk about a transition in both height and intensity closer to the residential neighborhood across 112th Avenue SE. The term "graceful transition" does not appear in the CAC recommendation or in the minutes of their meetings. The idea, however, shows up in the Council's guiding principles to the CAC. Similarly, the Council charge to the CAC talks about developing strategies to enhance the community overall. There are numerous references in the CAC minutes that refer to station character, how it fits into the neighborhood and how it transitions toward the residential area, in several different contexts, including uses, height and form, noise levels and overall character.

The Commission on July 11 also asked what the daytime population would be for the area. Ms. Munkberg said there never was any formal calculation done as part of the planning process. Based on the working model staff has been using to address the FAR and height maximums, the area would at full build out have a maximum of 3400 employees and some 3200 residents.

On the question of whether there were local business incentives to encourage businesses to locate in the transit-oriented district, an issue that was also raised by the Commission on July 11, Ms. Munkberg said the Office of Economic Development was asked and indicated that there are no specific incentives for the transit-oriented district, but added that there is an overall business retention and expansion program in place in the city that would apply to the East Main area.

The open house held on September 5 was intended to provide the public with an update on where things stood on the code work and overall direction. The topics addressed included general information about transit-oriented development, the specific East Main project, the proposed mix of uses, the proposed development standards; the anticipated design character for the area, transportation issues, and open space. There were about 20 participants, including some members of the CAC and local Surrey Downs residents. There was a general interest in the subject matter, and there was appreciation for the direction things are going. Some who attended held back on making specific comments until the full draft code is released.

Commissioner Morisseau asked if there were any specific concerns raised by the public at the open house. Ms. Munkberg said there were no specific concerns voiced but there was a lot of interest in more walking and biking connections, and about open space and gathering spaces, including active spaces. Code Development Manager Patricia Byers said those she interacted with at the open house were generally seeking to gather information about what the CAC had recommended and what is going to happen next. There were some questions asked about what a 300-foot building would look like on the site.

Turning to the proposed revisions to the draft policies, Ms. Munkberg said there is a proposed change to the transportation goal and to policies 8 and 11 referencing the street system as for the public. Similarly, policy 12 references a public street network laid out in a small block grid, and a generalized diagram was included as Figure 1 to indicate what that might look like. Policy 14 talks about ensuring there will be the ability to meet the maximum densities permitted within the site area. Policy 27 references open space and emphasizes it being open to the public. She said some additional non-substantive editorial changes had been made for purposes of clarification.

Ms. Munkberg said the large table presented to the Commission on July 11 was produced to show the draft Comprehensive Plan policies and showing how they compare to adopted Comprehensive Plan policies and the East Main Station Area CAC recommendations. She said the table had been updated to reflect the most current draft of the policies.

Commissioner Laing asked if all the Council's guiding principles are reflected in the draft policies. Ms. Munkberg said they are but stressed that there is not a one-for-one correspondence between the policies and the guiding principles. The overall intent of the guiding principles is, however, reflected in the policies. Commissioner Laing commented that during the Commission's tour of the East Main station area, the Council's guiding principles were stressed. He said he wanted to make sure that the Council's guiding principles are reflected as umbrella policies given that the guiding principles are what drive everything. The Commission should work diligently to be true to those guiding principles in developing policy language.

Commissioner Laing said he had read Mr. McCullough's letter prior to the start of the meeting but added that when he saw the generalized street diagram included in the packet materials he felt a tightness in his chest. Similar issues were addressed as part of the downtown livability study, particularly regarding through-block connections and the impacts they can have on property owners. What is being called a generalized street diagram could in a few years time be

looked on by some planner as how the streets are to be laid out. He suggested eliminating the generalized street diagram, in part, because it does not meet with the Council principle of looking at more of a pedestrian- and bike-oriented circulation system. The diagram clearly sets out streets for cars and wide sidewalks, all of which will require rights-of-way. He said he would rather generally call for north-south and east-west pedestrian and vehicular connectivity and include some very general parameters, leaving to the developers where things should be as the site is master planned. Good transit-oriented development design does not involve the classic north-south/east-west street grids, rather it includes more curvilinear streets that help to slow down vehicles. The way the Whistler villages are laid out would make a lot more sense in terms of internal connectivity; it is fully geared toward pedestrians and all parking is underneath, while allowing ample room for emergency vehicles and the like.

Continuing, Commissioner Laing said the downtown livability process included discussions about publicly accessible open spaces on private properties in the form of plazas and walkways. While such spaces allow for connectivity and offer folks places to congregate, they are still private property for which the owner is responsible for all maintenance and paying taxes. There is opportunity for the property owner to impose some reasonable limits about the things that can occur in publicly accessible open spaces. He said he understood the call of Mr. McCullough to remove the word “public” and suggested that would be consistent with the Council’s guiding principles. Some properties in the downtown create public access through easements rather than through dedicated properties. If the concern is that a site may not at some point be publically accessible, the solution is to call for publically accessible sites, not public sites.

Commissioner Laing said the process the public has gone through regarding the East Main station has been long. It overlapped with the tail end of downtown livability. He said it is both amazing and a testament to the level of communication between the public, the city staff and the property owner that the proposed changes to the policies are mostly minor. It is clear that the process has been very good.

Commissioner Carlson concurred with Commissioner Laing’s comments regarding public versus publically accessible. There should ample leeway given to the landowner of parks and plazas that are privately owned and maintained to set things like hours of operation, and to enforce rules against loitering, vagrancy, and panhandling. It is not clear going forward how much latitude government will have. The Ninth Circuit Court of Appeals recently ruled regarding a case in Boise that persons have the right to sleep on public benches and in public areas, particularly when they have nowhere else to go. The owners of properties that are publically accessible have more control over that.

Commissioner Moolgavkar asked what was behind staff’s decision to include the generalized street grid map. Ms. Munkberg said it was intended to serve only as an illustration of a small-block street grid. Commissioner Moolgavkar asked if it could be done in a more generic fashion and clarifying language. Ms. Munkberg allowed that that could be done.

Commissioner Moolgavkar pointed out that the Ninth Circuit court’s findings in the Boise case involved the city bringing criminal charges resulting from actions taken by homeless persons. There is a good question of whether their conclusion applies in Seattle or Bellevue given the way local laws are written.

Ms. Munkberg clarified that staff’s use of the word “public” was intended to mean for use by the public. It was not intended to suggest dedications or easements would be required.

9. OTHER BUSINESS – None
(7:30 p.m.)

10. APPROVAL OF MINUTES
(7:30 p.m.)

A. June 27, 2018

A motion to approve the minutes as submitted was made by Commissioner Laing. The motion was seconded by Commissioner Moolgavkar and the motion carried unanimously.

B. July 11, 2018

A motion to approve the minutes as submitted was made by Commissioner Moolgavkar. The motion was seconded by Commissioner Malakoutian and the motion carried without dissent; Commissioner Laing abstained from voting.

11. CONTINUED ORAL COMMUNICATIONS
(7:31 p.m.)

Mr. Jack McCullough, 701 5th Avenue, Suite 6600, Seattle, said it was helpful and comforting to hear from Ms. Munkberg that inclusion of the word “public” was not intended to refer to ~~dedication~~~~dedicated~~. The vision for the site mirrors the one laid out by Commissioner Laing in which the trucks and unnecessary vehicular circulation is ~~kept off~~ largely underground, leaving the ground level to serve as a great people place.

Planning and Community Development director ~~MacMack~~ Cummins clarified that the planning process is focused on adopting policy, which does not determine the exact method of implementation of the policy. Staff have been talking to everyone involved about the potential for the dedication of public spaces and public streets, but the time to decide that will come later. The notion of allowing for public access through the site is a policy issue to be addressed in the context of amending the city’s Comprehensive Plan.

12. EXECUTIVE SESSION
(7:33 p.m.)

13. ADJOURN
(7:33 p.m.)

A motion to adjourn was made by Commissioner Laing. The motion was seconded by Commissioner Malakoutian and the motion carried unanimously.

Commissioner Morisseau adjourned the meeting at 7:33 p.m.