

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
STUDY SESSION MINUTES

March 13, 2019
6:30 p.m.

Bellevue City Hall
City Council Conference Room 1E-113

COMMISSIONERS PRESENT: Chair Barksdale, Commissioners Carlson, deVadoss, Laing, Malakoutian, Morisseau, Moolgavkar

COMMISSIONERS ABSENT: Commissioner Carlson

STAFF PRESENT: Terry Cullen, Nicholas Matz, Department of Planning and Community Development

COUNCIL LIAISON: Mayor Chelminiak

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER
(6:35 p.m.)

The meeting was called to order at 6:35 p.m. by Chair Barksdale who presided.

2. ROLL CALL
(6:35 p.m.)

Upon the call of the roll, all Commissioners were present with the exception of Commissioner Laing, who arrived at 6:44 p.m., and Commissioner Carlson, who arrived at 7:23 p.m.

3. APPROVAL OF AGENDA
(6:35 p.m.)

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

4. REPORTS OF CITY COUNCIL, BOARDS AND COMMISSIONS – None
(6:36 p.m.)

5. STAFF REPORTS
(6:36 p.m.)

Comprehensive Planning Manager Terry Cullen reminded the Commissioners that the threshold review public hearing for the package of 2019 Comprehensive Plan amendments was slated for April 24. The Vision Zero for Gun ~~Violence~~ Safety proposed amendment, originally scheduled for that meeting, will be moved to another meeting.

It was noted the Commission's annual retreat was scheduled for March 27, and that the April 10 regularly scheduled meeting will be canceled given the conflict with the school district's spring

break.

6. ORAL AND WRITTEN COMMUNICATIONS
(6:38 p.m.)

Ms. Katherine Hughes, 10203 NE 31st Place, said the CPA for The Park in Bellevue will not comply with current nor projected growth or design. The developer wishes to establish a new R-110 zone where appropriate according to the application, but specifically at 1515 Bellevue Way. Currently the northern gateway in an out of Bellevue is Bellevue Way. To the north of NE 12th Street there is plenty of multifamily uses at R-20 and R-30 along with buffering landscapes and speed limits of 30 to 35 miles per hour. There are also plenty of single family dwellings, park-like settings and a small commercial center. While the draft for the proposed CPA gives lip service to protecting single family use and accommodating forecasting growth populations, it proposes to set a maximum height limit of 75 feet and a density of 110 units per acre. That would equate to some 750 units on the site, which is in a non-designated growth zone and on the edge of single family homes. City documents suggest that access to housing, transportation, and walkable access to the downtown are goals for livability, the proposal does not constitute a changed condition given that Northwest Bellevue is not one of the five targeted growth zones. The project is being marketed using the buzzwords of increased density and providing a variety of housing, but it works against the overarching Northwest Bellevue subarea plan goal of projecting the predominant single family character of Northwest Bellevue from the encroachment of other uses.

Mr. Bruce Whittaker, 1924 160th Avenue NE, said his residence abuts the Bellevue Technology Center property. He spoke on behalf of several neighborhoods and said the proposal by the developer KBS to expand building on the Bellevue Technology Center site is opposed by many Bellevue neighborhoods. The site was a horse farm until 1972 when it was sold to Unigard for development under a planned unit development (PUD) that was designed to protect the site from large-scale development and to preserve the meadow and the trees as a buffer to the surrounding neighborhoods. The PUD is law and has been affirmed every time an attempt has been made to change it. The current owners purchased the Bellevue Technology Center site in 2012 and the current proposal is their third application to amend the development restrictions. Their previous requests were all either declined by the city or withdrawn by the applicant. The current application is essentially the same as the one submitted in 2017. The request to remove building restrictions could result in tripling the square footage allowed on the site by adding residential development, retail and office space. KBS has added to the current application affordable housing to the mix. The city staff recently provided the City Council with an update regarding affordable housing and noted that things are on target to reach the affordable housing goals. The city and the local neighborhoods do not need the development proposed by KBS. The site is needed to continue providing the buffer that enhances the livability of the neighborhoods and to contribute to the city's tree canopy goals. The Comprehensive Plan targets six neighborhoods for growth, and the Bellevue Technology Center is not located in one of those neighborhoods, nor is it in Redmond's Overlake urban center. The 156th Avenue NE roadway is and should remain the dividing line between the bustle of Bel-Red and the quiet of the residential neighborhoods. It is concerning that the developers are not working within the Comprehensive Plan in seeking to introduce densities that are inappropriate and unsustainable for the neighborhoods. The neighborhoods should be saved by upholding the current agreements.

Ms. Marilyn McGuire, 16223 NE 25th Street, said she also was representing several neighborhoods, the residents of which all like their neighborhoods and want to see them protected. They are concerned about the threats to their quality of life in light of the application

submitted by the developer KBS, which is the third submittal since their 2012 purchase of the Bellevue Technology Center site. Every application they have submitted have been slightly altered from the previous one. The current proposal includes affordable housing, the previous time it was senior housing, and the time before that it was multi-use retail, more office space and expanded parking garages. Their proposals are vague in the way they use words like “encourage,” “provide,” “strengthen,” and “evaluate,” none of which are clear about their specific proposals translate into. Clearly their ultimate goal is a large expansion of their current building footprint. Asked directly what benefit the neighborhoods would see, the proponents were unable to provide an answer. The proposal would bring Spring District densities to the residential neighborhoods and adjacent to Interlake High School. The neighborhoods vehemently oppose such increased densities. The integrity of KBS is questionable and it cannot be trusted. The current proposal cites a memo from area mayors that is marked draft and confidential. Where people use confidential memos to further their own interests, their integrity should be questioned. The bottom line is that KBS wants to vacate existing agreements so they build whatever they want. Those agreements were in place at the time KBS purchased the site and they are more important than ever to protect the livability of the neighborhoods. The agreements should be upheld.

Mr. Keith Swenson, 10312 NE 12th Street, Apt 305B, said the apartment development in which he lives is immediately adjacent to the site of the proposed The Park at Bellevue Comprehensive Plan amendment. He said he was particularly amazed at the proposal calling for a 75-foot building height and a density of 110 units per acre. The 9.4-acre site would theoretically support over a thousand units given those limits. The application also seeks deletion of policy S-NB-39 in the North Bellevue subarea plan providing conditions on any rezone in the vicinity of the intersection of Bellevue Way NE and NE 12th Street to minimize the impact of development on the surrounding single family community. He voiced confidence in city staff to provide a full and fair assessment of the threshold provisions that are set forth in the city’s regulations. If the application is not withdrawn, there will be a number of local residents who will want to address the Commission at a future time.

Mr. Bill Finkbeiner, 401 Lake Avenue West, Kirkland, said he has worked in the Wilburton neighborhood in Bellevue for the last 17 years. He said he and many others were excited two years ago when the City Council directed the planning department to create a Citizen Advisory Committee process for the Wilburton neighborhood. The process has been moving along on schedule. One of the challenges is a shortage of staff in the planning department and it is possible the Wilburton process and the Bel-Red look-back study may be delayed. The CAC report and recommendations were well received in the community. The Wilburton neighborhood is ready for growth due to the investments being made in light rail by Sound Transit, the investments being made relative to the Eastside Rail Corridor, and the investments being made and to be made by the city in the local roadways. Difficult choices will need to be made. One option that has been floated has been to contract with an outside service provider with expertise in planning issues and having them do the work the city otherwise would do. That approach should be done if that is what it will take to move the Wilburton issue forward.

Mr. Pascal Pinck, 16611 NE 19th Place, said his home is around the corner from Interlake High School and only a short distance from the Bellevue Technology Center property. He spoke on behalf of himself and many of his neighborhoods in opposition to the proposed plan amendment by the developer KBS for the Bellevue Technology Center site. The property serves as a buffer to enhance the livability of the area, and it also contributes to the city’s tree canopy goals. There are few places in the city that enjoy a multi-acre stand of trees and meadow that provides a home for wildlife and plant life. The limitations that have been imposed on the property over time have

yielded a unique community asset. The asset was created by the wisdom of past generations and has been upheld in recent years both by government and people in the neighborhood. The important green space and buffer has a positive impact on livability for the surrounding neighborhoods. The developers effectively made a poor investment decision and they are frustrated by the position they find themselves in. The city should make the right tradeoff in favor of the residents of the city. He pointed out that his children were in elementary school when KBS brought its first amendment proposal forward. Those children are now in high school, and hopefully the issues regarding the Bellevue Technology Center site will be settled before they are in college.

Mr. Vernon Schrag, 1106 108th Avenue NE, said he worked with some others in drafting the Vision Zero ~~for~~ ~~G~~gun ~~S~~safety policies because of the risks in Bellevue due to gun violence. He said he was available to assist the Commission as an expert on gun safety issues. Newly- approved state legislation and actions by the state Attorney General shows that everyone is on the same page. Hate crimes and gun deaths have reached new highs and every city should do something about it. Bellevue may be in the best position to lead the way in King County. The proposed amendment should be viewed as a baby step for getting out in front of every ~~body~~ else. Other Eastside cities are willing to act as well to make sure everyone is safe.

Ms. Deborah Wilson, 1392 Bellevue Way NE, #3 said her concern with The Park in Bellevue proposed amendment is the requested increase in density to 110 units per acre, and an increase in building height. She said the proposal appears to be a way to circumvent the existing zoning for the area north of NE 12th Street. If allowed to go through, it would set a precedent for circumventing zoning. The proposal does not take into consideration traffic and other issues that would result.

Mr. Shawn Sheridan, 17419 NE 12th Street, said it seems to be a strategy of the Bellevue Technology Center property owners to keep trying something ~~k~~new until the neighborhood is caught off guard, allowing them to sneak through. It is not reasonable for the neighborhood to have to keep coming back to talk about the same things over and over. When KBS bought the property the ingredients were on the label; they knew what restrictions were in place. They are seeking to change the rules. He said the value of his property and that of his neighbors is reliant on the buffer that is in place on the Bellevue Technology Center site. The regulations in place are not antiquated; they were established with an eye on what could happen in the future, and that foresight should be respected. The job of public policy makers is to protect the interests of individuals like those who live near the Bellevue Technology Center site, not just the rich and powerful. Redmond does not seem to care as they are letting a lot of development occur in areas that cannot support the resulting traffic.

Ms. Sheila Supplee, 1700 159th Place NE, said her property is directly across from the area of the Bellevue Technology Center site the property owner would like to build on. The KBS proposal made in 2017 envisioned building in the same location with a senior center. She said the city should just buy the site and turn it into a park.

Ms. Betsi Hummer, 14541 SE 26th Street, encouraged the Planning Commission to include other boards and commissions in its planning efforts. That was done in Wilburton with the CAC and with the group planning the Grand Connection. The Neighborhood Enhancement Program involves great community outreach. The same will need to be done in moving into the neighborhood area planning effort. The city's boards and commissions should be involved in all those processes.

7. PUBLIC HEARING – None
(7:11 p.m.)

8. STUDY SESSION
(7:11 p.m.)

A. Threshold Review Geographic Scoping Study Session: 2019 Annual Comprehensive Plan Amendments

Senior Planner Nicholas Matz reminded the Commissioners that for site-specific Comprehensive Plan amendment proposals that are related to property, one of the decision criteria in the Land Use Code calls for looking at whether or not similarly situated property could benefit from ~~the conversation review, both~~ at threshold review and ~~then set up for~~ final review. Should the Commission recommend expanding the geographic scope of a proposed amendment, the notice boundaries ~~would~~ be expanded ahead of sending out the public hearing notices. Because the Vision Zero for Gun Safety amendment ~~is~~ a citywide issue, the expansion of geographic scoping does not apply. ~~As such it will be addressed at a separate meeting.~~

Mr. Matz noted that when the ~~2017~~ Eastgate Office Park Comprehensive Plan amendment was being considered, the geographic scope was expanded to include ~~a~~ similarly situated property to the east. In addition to the zoning, the circumstances of the property was considered, everything from access to current development and what the Comprehensive Plan intended for those sites. Geographic scoping is largely intended to assure consistency in the treatment of similarly situated properties.

Mr. Matz said The Park in Bellevue CPA involves a nine-acre site to the west of Bellevue Way NE and to the north of NE 12th Street. The proposal is to change the existing Multifamily-Medium and Multifamily-Low to a new designation of Multifamily-Urban Residential ~~(a proposal, noted Mr. Matz, not currently found in the Comprehensive Plan)~~; to add a definition to the ~~G~~lossary; and to delete policy S-NB-39 from the North Bellevue ~~S~~ubarea ~~P~~lan. The focus of ~~the~~ geographic scoping relates to the designation change to Multifamily-Urban Residential. Other residential densities in the Multifamily-Medium to Multifamily-High ranges north of NE 12th Street and along Bellevue Way NE were looked at with an eye ~~of to~~ what a density of the type proposed by the applicant ~~—110 units per acre—~~ would look like if applied in and around the area. For purposes of determining what an R-110 would look like, a search was made for comparable projects in the downtown. The conclusion reached was that a development with an FAR of 3.0 would be equivalent to an R-110 development in terms of density and capacity. There are currently no similar ~~densitiessignations~~ outside of the ~~D~~owntown.

The Commissioners were shown photos of projects having essentially an FAR of 3.0, specifically the Mira, Lux and FAP developments.

Mr. Matz said the issue in talking about developments with an FAR of about 3.0 runs up against the deliberateness of the ~~D~~owntown boundary that serves to stop the densities that are otherwise encouraged in the ~~D~~owntown and to separate them from densities that are historically found outside of the ~~D~~owntown and in other parts of the city. The ~~P~~erimeter ~~D~~esign ~~D~~istrict acts as an additional buffer; without it, the Mira, Lux and FAP projects could have been built to an FAR of between 4.0 and 5.0. The number of units in those ~~there~~ projects range from 109 to 162. There are impacts from an urban design point of view, but the market uses various approaches to filling up the buckets.

Mr. Matz said the fact that the Ddowntown boundary is a real boundary, the staff were led to the conclusion that there is no reason to expand the geographic scope of The Park in Bellevue CPA. With the way the Ddowntown works, a similar approach cannot be applied to the subject site even though the proposal is for a type of density that would look normal in the Ddowntown.

Commissioner Laing said he found the materials in the packet and the staff presentation to be very clear.

A motion to adopt the staff recommendation not to expand the geographic scope of The Park in Bellevue 2019 Comprehensive Plan amendment, and that the public hearing for the same be set for April 24, was made by Commissioner Laing. The motion was seconded by Commissioner Carlson.

Commissioner Morisseau asked if staff considered expanding the geographic scope to the north of the subject site. Mr. Matz said expanding the scope was considered for all of the surrounding multifamily zones. However, by the time it was determined there could be upwards of 5500 units of capacity collectively, the calculations were ceased by reason of being out of tune with normal planning considerations.

Commissioner Laing said it was his understanding that the subarea plan to the north of the downtown would be coming up for review soon. He said he could make the case that every property up and down Bellevue Way should have higher densities and higher intensity land uses. In that light, if the geographic scope is to be expanded, it should be done all the way north to SR-520 on both sides of the street. Otherwise it should not be expanded at all. The clear choice is to limit the review to the subject property.

Mr. Cullen stressed that the neighborhood area planning program will not consider land uses as part of the scope, a determination that was made by the Council. Changes to threshold development intensities will not be considered in any of the neighborhood plans.

The motion carried unanimously.

Turning to the Bellevue Technology Center application, Mr. Matz said the request seeks a change from Office to Multifamily-Medium for the 4.7-acre site along with seven subarea policy amendments covering a variety of topics to redevelopment the entire site, and three policy amendments directing specific city action. In terms of geographic scoping, however, the focus is solely on the proposed change to Multifamily-Medium and the seven policy amendments that would apply to redevelop the entire site.

Mr. Matz had in hand the minutes of the Commission's study session in 2017 where the issue of expanding the geographic scope for the BTC site proposal was discussed. He noted that the site abuts various multifamily and single family densities in the Crossroads subarea that go up to the boundary with Redmond. There is a swath of existing office that back in the day served as a buffer to residential uses to the east of the site. That was the basis on which expanding the geographic scope was viewed, and specifically the question was whether there are any other similarly situated properties performing the same Comprehensive Plan function. The conclusion reached in 2017 and again for the current application was that no other of these sites are of a size that could take advantage of or benefit from the type of redevelopment that is contemplated for the Bellevue Technology Center site.

Commissioner deVadoss commented that it does not take much for the property owner to make a

proposal, while it takes a great deal of time for the staff and the Commission to review that proposal. He said in that regard the process seems flawed and suggested there should be an early review before the bulk of the work is done, all of which could be for naught.

Commissioner Moolgavkar agreed that there appeared to be a systemic issue with the Bellevue Technology Center property given that it keeps coming up again. She said she did not know if the city had a proactive planning vision for the site. She said she did not know if there is a process issue or an issue in working with the landowner to find a project that makes sense for the zoning and the neighborhood.

Commissioner deVadoss clarified that his comment applied to the process, not just the Bellevue Technology Center property. A great deal of time and energy is spent before even getting to the threshold review. There should be an early stage threshold aimed at reaching a determination of whether or not a proposal is worthy of committing resources. Mr. Cullen said staff was taking down all such comments and would program a fuller discussion for a future meeting.

Commissioner Carlson concurred with Commissioners deVadoss and Moolgavkar and said he had nothing to add.

A motion to adopt the staff recommendation to not expand the geographic scope of the Bellevue Technology Center 2019 Comprehensive Plan amendment and to set the threshold public hearing for April 24 was made by Commissioner Laing. The motion was seconded by Commissioner Morisseau and the motion carried unanimously.

Mr. Matz said the 12620 Northup Way proposed Comprehensive Plan amendment seeks a change from Bel-Red-General Commercial to Bel-Red-Commercial Retail for the 1.47-acre site. He said staff initially looked at expanding the geographic scope to include the site to the west. However, that property, which backs up to SR-520, is in fact owned by the State of Washington. He said the recommendation of staff was not to expand the geographic scope.

A motion to adopt the revised staff recommendation and not expand the geographic scope of the 12620 Northup Way 2019 Comprehensive Plan amendment and to set the threshold review public hearing for April 24 was made by Commissioner Laing. The motion was seconded by Commissioner Morisseau and the motion carried unanimously.

Mr. Matz took a moment to bring the Commission up to speed on the effectiveness of the 2019 plan amendments community engagement outreach and public comments. He said various platforms are used to determine the degree to which the public knows what is going on, has an understanding of what is being talked about, knows how to engage in the process, knows how to find out more information, and if-thinks they are getting what they need. The platforms used include the telephone, the public notice provisions, the website, responding to any and all emails, and prepping other city staff to know where to steer-direct questions and comments. The fact that people are coming forward with questions and comments about the projects is evidence that the public is engaged.

He-Mr. Matz then noted that as of March 13 a total of 49 comments had been received regarding the Bellevue Technology Center application, with all of them opposed to the proposal. A petition posted by the community to Change.org under SaveOurNeighborhoods has generated 481 signatures. All comments received by staff are posted online and are made available to the Commissioners. The Vision Zero for Gun Safety proposal has received three phone calls, most of which were in search of additional information. To date six parties of interest have been added to

~~the that~~ list. The Park in Bellevue proposal has generated ten comments to date, all of them opposed and primarily dealing with the issues of building height and densities. The 12620 Northup Way proposal has generated one comment from a person wishing to be added as a party of interest.

A motion to set the Vision Zero for Gun Safety 2019 Comprehensive Plan amendment threshold review public hearing for May 8 was made by Commissioner Laing. The motion was seconded by Commissioner Malakoutian and the motion carried unanimously.

Commissioner Morisseau asked to have the record reflect that she met earlier in the day with Mr. Ed Segat who is working with the applicant for The Park in Bellevue Comprehensive Plan amendment.

9. OTHER BUSINESS – None

10. APPROVAL OF MINUTES – None

11. CONTINUED ORAL COMMUNICATIONS

Ms. Michelle Niethiemer, 15897 Northup Way, said her home is across the street from the Bellevue Technology Center site. She noted that she was one of several homeowners, all wearing green, who care about the property and the planning process the city has. She said she has read the Comprehensive Plan from cover to cover and found it to be a very good plan, and added that the city should be commended for it, particularly in light of how it seeks to manage growth, balance density where needed, and protecting the residential neighborhoods. What is concerning to the neighbors is that developers do not seem to be working with the city on the plan. They come forward with proposals that represent a complete change from the Comprehensive Plan. That is not an effective planning process. There is too low a threshold for a developer wanting to file a request, the result of which is the neighborhoods having to spend time and energy to reinforce what has been to the Commission on multiple occasions. The Bellevue Technology Center site is a valuable asset to the community and plays a role in Bellevue's Comprehensive Plan. It is an open space and a buffer to the huge development to the west. The argument has been made that the neighborhoods are simply not wanting anything to go on in their back yards, but the fact is what is going is massive amounts of development. The neighbors are not fighting those changes, rather they are working with the city on those changes and are seeking protections for their neighborhoods and adequate infrastructure. The Commissioners were asked to stick with the plan.

Mr. Shawn Sheridan, 17419 NE 12th Street, noted that during the recent snowstorm a large number of children were sledding at the Bellevue Technology Center property. That is clear evidence of the value of the site to the neighborhood. To have the meadow go away would break the hearts of the local neighborhoods. A large percentage of the neighbors are very savvy having been through the process before; they know what to look for. There are others, however, who are not all that savvy and who do not know they need to attend the meetings or seek information from the website. The vast majority of the people who would be affected by change on the Bellevue Technology Center site are completely in the dark. The city should not be satisfied in thinking it is reaching the community.

Mr. Matz announced that some drop-in sessions are planned for Mini City Hall in Crossroads Mall as part of making sure the word gets out. He said caution will be used to avoid creating a public hearing-type atmosphere. The event will be used to answer questions anyone has. The first

session will be on March 25 and more will be slated.

Ms. Betsi Hummer concurred with Commissioner deVadoss that the system is broken and something needs to be done about it. For the Neighborhood Enhancement Program, there are multiple mailings going out to every single household. Working with something like that to get the word out about various changes to the city would be good. The people just do not know, but once they become informed the community is happier. Traffic continues to be an issue for Bellevue residents. The city has many great roads but many of them need to be improved. If 5000 more employees come, that will mean being at 65 percent according to the Transportation Commission, resulting in 3000 single occupancy trips, which doubled from coming in and going out is 6000 trips. An REI employee who has worked in Kent for ten years likely does not live in Redmond or Everett. They probably live in Sumner and for them to get to the Bel-Red campus will mean traveling on SR-18, I-90, 145th Avenue, 148th Avenue, 164th Avenue and 156th Avenue. Those areas need to be improved to accommodate traffic flow. The Commission should meet regularly with constituents and with the Transportation Commission, the Parks and Community Services Board, the Utilities Board, the Environmental Services Commission and the Arts Commission.

Commissioner deVadoss took a moment to remind the staff that the Commission had previously asked for data and clarification regarding the Vision Zero for Gun Safety Comprehensive Plan amendment. Mr. Cullen said those information requests are being researched and will be brought back at the public hearing. Mr. Matz added that it will be part of the staff recommendation.

12. EXECUTIVE SESSION – None

13. ADJOURN

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

Chair Barksdale adjourned the meeting at 8:04 p.m.