

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
STUDY SESSION MINUTES

March 10, 2021
6:30 p.m.

Bellevue City Hall
Virtual Meeting

COMMISSIONERS PRESENT: Chair Moolgavkar, Vice Chair Malakoutian,
Commissioners Bhargava, Brown, Ferris, Morisseau

COMMISSIONERS ABSENT: Commissioner deVadoss

STAFF PRESENT: Thara Johnson, Emil King, Michael Austin, Department of
Community Development; Matt McFarland, City
Attorney's Office; Nick Whipple, Department of
Development Services

COUNCIL LIAISON: Councilmember Barksdale

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER
(6:30 p.m.)

The meeting was called to order at 6:30 p.m. by Chair Moolgavkar who presided.

Chair Moolgavkar stated that the meeting was being held remotely via zoom in order to comply with the Governor's emergency order concerning the Open Public Meetings Act, which prohibits in-person meetings.

2. ROLL CALL
(6:31 p.m.)

Upon the call of the roll, all Commissioners were present with the exception of Commissioner deVadoss.

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

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

4. REPORTS OF CITY COUNCIL, BOARDS AND COMMISSIONS
(6:32 p.m.)

Councilmember Barksdale informed the Commission that the City Council held its annual retreat toward the end of February. He said a follow-up meeting will be slated to talk about actual priorities relative to the staff workplan. He added that affordable housing was one of the main topics.

5. STAFF REPORTS
(6:33 p.m.)

A. Planning Commission Meeting Schedule

Comprehensive Planning Manager Thara Johnson briefly outlined the upcoming meeting dates and agenda items.

6. ORAL AND WRITTEN COMMUNICATIONS
(6:37 p.m.)

Ms. Betsi Hummer noted that at the most recent City Council meeting Councilmember Barksdale voiced support for the Commission's desire to include detached accessory dwelling units throughout the city.

Ms. Johnson noted all written public comments received had been included in the packet materials, including seven comments relative to the DASH CPA, six in support and one citing specific concerns about the additional density.

7. PUBLIC HEARING
(6:43 p.m.)

A. 2021 Annual Comprehensive Plan Amendments: Threshold Review
Public Hearings and Recommendations

i. 15 Lake Bellevue

A motion to open the public hearing was made by Commissioner Malakoutian. The motion was seconded by Commissioner Ferris and the motion carried unanimously.

On behalf of the city, Ms. Johnson acknowledged the land the city is on as the ancestral homelands of the Coast Salish people, the traditional home of all tribes and bands within the Duwamish and Snoqualmie Indian tribes, and took the opportunity to honor and express the deepest respect to the original caretakers of the land, a people who are still here continuing to honor their heritage.

Ms. Johnson briefly reviewed for the Commission the threshold review decision criteria that are codified in LUC 20.30I, and the two 2021 applications submitted by the deadline date.

The 15 Lake Bellevue application, located on a 2.8-acre site north of NE 8th Street and west of 120th Avenue NE, seeks a change from BR-GC to BR-OR-2. The application also seeks to amend a policy to allow for an increase in the allowed building height. The applicant had requested expansion of the geographic scope to include an adjacent property, which was discussed at length by the Commission at its meeting on January 27. The conclusion reached was not to expand the geographic scope because to do so would result in the majority of the properties around Lake Bellevue being incorporated as part of the scoping request.

Ms. Johnson said the staff recommendation was not to include the 15 Lake Bellevue CPA in the 2021 work program. The conclusion reached by staff was that the application does not meet all of the Land Use Code decision criteria for Comprehensive Plan amendments, specifically criteria

C, D, F and G. The proposal meets the criteria of appropriately addressing the issue through amending the Comprehensive Plan, and the criteria relating to the three-year limitation relative to submitting Comprehensive Plan amendments. The staff finding is that the amendment raises policy issues that are appropriately addressed by an ongoing work program given that the property is located within the BelRed subarea as well as the Wilburton Commercial Area study. The potential policy and redevelopment consequences would result in moving beyond the realm of the resources available through the annual amendment process. The amendment also poses questions that would be more appropriately addressed through the Wilburton plan implementation work program. The application cannot be reasonably reviewed within the resources and timeframe of the work program given that the Wilburton CPA and LUCA process has not been officially launched; the launch could occur later in 2021. Staff held the opinion that the issues should be evaluated as part of a larger planning effort, especially in light of the BelRed lookback and the Wilburton Commercial Area study work program items.

Ms. Johnson said the 2009 adoption of the BelRed subarea plan established a narrative to guide redevelopment intensities for nodes and areas surrounding key features. At that time, the location of the Wilburton light rail station had not been specifically identified. The subarea plan direction relative to redevelopment intensities did not expect the 15 Lake Bellevue site and the area in close proximity to the light rail station itself, which addresses Criterion E relating to significantly changed conditions, thus meeting that criterion. The staff concluded that the proposal is inconsistent with Comprehensive Plan policies.

It was noted that prior to the public hearing staff had received three written public comments, one of which was from the applicant. The other two asked questions and sought clarifications, to which the staff responded.

Mr. David Sinnett asked staff to play a video that had been submitted by the applicant, American Capital Group. The video indicated that American Capital Group is an experienced, vertically integrated locally based real estate company that designs, develops, builds, acquires and manages multifamily and office properties across ten western states, with its home office in Bellevue for more than 30 years, recently at 15 Lake Bellevue Drive. The concerns of the staff were outlined and it was stated that the applicant also has concerns with the property, including an underutilized parking lot, a currently polluting impervious surface, the city's affordable housing deficit, the lack of other developable lots in the Lake Bellevue area, and the fact that the Wilburton CAC presents growth and a wonderful feature that has simply left the Lake Bellevue area behind. The polluted surface water from the impervious surface parking lot flows directly into Lake Bellevue without treatment. SCJ, a civil engineer engaged to review the storm water systems and the effects of the proposed development, stated that the project will result in the removal of pollution generating impervious surfaces of the parking areas and replacement with roof areas that are non-pollution generating, thus improving the quality of the water discharged into Lake Bellevue. The principal ecologist with Wetland Resources concluded that based on the conceptual design of the project, the result would be no net increase in impervious surfaces and the modernization of the existing storm water system to meet current standards, thus improving water quality, leveling peak flows, and improving the hydrology of Sturtevant Creek. For heavily urbanized areas such as the subject property, improvements in water functions are crucial for downstream fisheries, including for federally listed species such as winter steelhead and fall Chinook, both of which are identified as being present in the downstream portions of Sturtevant Creek. Sturtevant Creek directly contributes to Kelsey Creek, which is listed as a 303(D) water quality for temperature, bacteria and dissolved oxygen, which means Kelsey Creek does not currently meet the standards of the federal Clean Water Act.

The video's narrator went on to state that at first glance it is understandable that the city staff and Planning Commission believe including all of the Lake Bellevue area in the amendment would make sense. However, it would be more appropriate for 15 Lake Bellevue to be individually considered. The majority of the presumed developable area of Lake Bellevue is the city's auto row. All four parcels are owned by Auto Nation and they are unlikely to be redeveloped in the foreseeable future. The only other property suitable for redevelopment without disturbing Lake Bellevue is 15 Lake Bellevue. The Wilburton lookback has presented three alternatives for growth in the Wilburton neighborhood. The higher densities and heights are found closer to NE 8th Street in all three alternatives. Given that the construction pipeline already has over ten million square feet in the city, it should be fair to say that at a minimum Alternative 2 will be in play. Unfortunately, the study has left the Lake Bellevue area behind and the area will not benefit from any of the proposals the CAC has set forth, even though all options support substantial growth in the areas surrounding Lake Bellevue. The Comprehensive Plan amendment should be considered as a standalone development rather than the possibility that the area will never be rezoned to a greater density and height without approving the proposal. While still in the early stages of design, there is already a good idea of what the highest and best use of the underutilized parking lot will be. Approving the Comprehensive Plan amendment and rezone will pave the way for a building of great potential. The goal is to construct 12 to 15 floors of high-end residences consisting of approximately 250 homes, with 20 percent of the units affordable. In addition to covered parking, the frontage will enjoy walk-up commercial or retail spaces and a pedestrian-oriented street level connected directly to the Wilburton light rail station. The provision of over 5000 square feet of public park that will remain privately owned and maintained will further improve the ecosystem.

The city has unfairly incorporated 15 Lake Bellevue in the Wilburton CAC study, which is a broader proposed change that has never included the site. The threshold review recognizes that substantial changes have taken place in Bellevue and specifically around 15 Lake Bellevue with the light rail station. The proposal supports the city's vision of providing housing in transit-oriented development areas. Limiting the request to the single site rather than expanding it to the full Lake Bellevue area will allow the city enough time and resources to reasonably review the needs and the benefits that are being offered.

Mr. Sean Thorson said he recognized that there is much more work to be done in regard to the 15 Lake Bellevue site, and said he would love the opportunity to do it.

A motion to close the public hearing was made by Vice Chair Malakoutian. The motion was seconded by Commissioner Ferris and the motion carried unanimously.

Commissioner Brown asked about the affordable housing units that would be included in the proposed development of the site. She asked specifically what calculation was used to determine affordability. Mr. Sinnett said the determination was based on the BelRed multifamily tax exemption, which was 50 percent of area median income and 70 percent of area median income.

Commissioner Ferris asked which Comprehensive Plan policies the proposed CPA is not in compliance with. Ms. Johnson said staff concluded that the proposal seeks a development intensity on a single site in isolation from the rest of the BR-GC designated sites. The Land Use Element generally speaks to providing density in relation to surrounding development. The staff also reviewed the proposal in relation to compliance with the Environmental Element and found that based on the Wilburton EIS findings there appear to be significant impacts from a transportation standpoint as well as an environmental standpoint.

Commissioner Morisseau sought from the staff additional information as to the specific policy discrepancies and the specific ongoing work program referred to by staff. Ms. Johnson said the decision criteria calls for evaluating whether or not a proposed amendment raises policy or land use issues that are more appropriately addressed by an ongoing work program approved by the Council. She said 15 Lake Bellevue is located both in the BelRed subarea and the Wilburton study area, and said the entire area was incorporated as part of the Wilburton CAC recommendations. The proposal seeks an evaluation of the site in isolation and outside the context of the Wilburton CAC, and requests a change from BR-GC to BR-OR-2, which would result in significant additional density, and seeks a policy change to allow for additional height up to 125 feet, both of which would need to be evaluated as part of the Wilburton subarea planning effort.

Ms. Johnson added that during threshold review, staff conducts a high-level review against the specific decision criteria, and general policies in the Comprehensive Plan. She said Criterion C asks if an amendment raises policy issues that are appropriately addressed by an ongoing work program, which is essentially what the Wilburton subarea process would look at. It is confusing that the subject property is located both in BelRed and Wilburton. When the BelRed subarea planning effort occurred in 2009 the light rail station location was not identified. When the Wilburton CAC began its work, it spent time analyzing the area and providing recommendations on their vision for the area. All of that needs to be taken into consideration in moving forward with developing policies for the Wilburton subarea plan.

Commissioner Morisseau voiced hesitancy in following the staff recommendation not to move forward with the proposal given that it sounds like the due diligence has not yet been completed. Ms. Johnson said the staff recommendation was predicated on the evaluation of some general policies, including the goal for the Land Use Element and the BelRed subarea plan. LU-1 calls for maintaining a land use pattern that protects natural systems; retains trees and open space; promotes a clear strategy for focusing the city's growth and development by directing the city's growth to the city's Downtown regional growth center; enhances the health and vitality of existing single family and multifamily neighborhoods; and continues to provide for commercial use and development that serves the community's needs. Policy SBR-6 states that concentrating the majority of future BelRed growth into a series of mixed use, pedestrian-friendly and transit oriented development nodes, with higher density and height enabled through a land use incentive system. Policy SBR-8 encourages mixed use development that promotes opportunities for live, work, shop and recreate within close proximity. The final environmental impact statement for the Wilburton study has not yet been completed so there are still aspects in need of evaluation in terms of transportation and environmental impacts.

Commissioner Morisseau pointed out that under the rules, if the proposed CPA does not move forward, the applicant would have to wait three years before submitting another proposal. Ms. Johnson said that would be the case. She added that the applicant could work with the city as it moves through the Wilburton planning process.

Commissioner Bhargava asked about the timing of the Wilburton planning process. Ms. Johnson said there was no specific timeline. She said the Council recognizes the priority of the effort and discusses the issue fairly often. Staff anticipates the work to proceed in the latter half of 2021.

Commissioner Brown asked how long the Wilburton study is expected to take and how long it might be before there would be any possibility of developing or changing the zoning for the 15 Lake Bellevue site. Ms. Johnson said the outcome of the Wilburton study will involve a Comprehensive Plan amendment, which at the earliest would be part of the Commission's 2022

work program. Any accompanying Land Use Code amendments could be taken up following adoption of the Comprehensive Plan amendment. Both would need to occur before any development proposal could be entertained for the site.

Chair Moolgavkar read the recommended motion language which said the Planning Commission recommends to the City Council that the 15 Lake Bellevue proposed Comprehensive Plan amendment not be included in the 2021 annual Comprehensive Plan amendment work program since the amendment is not consistent with all the threshold review decision criteria in LUC 20.30I.140 A through H, with particular reference to C, D, F and G. The motion was seconded by Vice Chair Malakoutian. The motion carried with Chair Moolgavkar and Vice Chair Malakoutian, Commissioners Bhargava and Ferris voting aye, Commissioner Brown voting nay, and Commissioner Morisseau abstaining from voting.

Commissioner Morisseau explained that her decision to abstain was based on not having enough information to make a decision.

ii. DASH Glendale

Commissioner Ferris recused herself from participating in the public hearing for the proposed Comprehensive Plan amendment.

A motion to open the public hearing was made by Commissioner Morisseau. The motion was seconded by Commissioner Brown and the motion carried unanimously.

Ms. Johnson said the privately initiated Comprehensive Plan amendment for DASH Glendale seeks a change from Multifamily-Medium to Neighborhood Mixed Use for the site located north of NE 8th Street and east of 124th Avenue NE. The site is home to an existing affordable housing development. The intent behind the request for NMU is to accommodate additional density on the property and redeveloping the site with additional opportunities for affordable housing. Surrounding the site is Office and Multifamily-Low. The Commission discussed the proposal in December and on January 27 chose not to expand the geographic scope given that there are no adjacent properties that are similarly situated.

Ms. Johnson said the finding of staff was that the proposal meets all of the threshold review decision criteria, and that it should be included in the 2021 work program. The proposal does not raise issues appropriately addressed elsewhere; can be reasonably reviewed within the resources and timeframe of the annual work program; addresses significantly changed conditions; and is consistent with a major objective of the Land Use Element to maintain the vitality, quality, and character of Bellevue's neighborhoods while recognizing that neighborhoods will continue to adapt even while maintaining their character. DASH had applied for a plan amendment in 2018, but the Council's action during the process was to include the site within the Wilburton subarea planning process and the application was withdrawn. The significantly changed conditions affecting the site include the proximity of the site to Wilburton, to transit walksheds and other infrastructure, and a willing property owner willing to provide workforce and affordable housing on the site.

Ms. Johnson noted that a total of seven written public comments had been received regarding the application. Six were in support of the proposal and one expressed significant concerns relative to increased densities on the site and in the Wilburton area.

Ms. Chris Buchanan with Downtown Action to Save Housing (DASH) said the non-profit was

established in 1991 with the mission to preserve and create affordable housing in Bellevue. She said the organization currently owns 13 properties that provide nearly 800 units of affordable workforce housing in east King County. She said DASH has owned the Evergreen Court and Glendale properties for 20 years. There are covenants on the properties guaranteeing affordability for another 30 years. The choice before the organization is whether or not to refinance the properties and preserve the current housing units, or to redevelopment the sites and add more affordable housing. The preference and mission is for the latter. The sites are proximate to the Downtown, to transit and services which makes them an appropriate location for increasing density. At seven acres, it will be the largest development in the DASH portfolio and will provide the opportunity to provide more affordable units in a new urban community. The new homes will reflect the look and feel of the existing residential neighborhoods while complementing the massing and density of the new construction in the Spring District, BelRed and the Wilburton commercial area. The intent is to build a community designed with sustainability in mind.

Mr. Jay Woolford spoke as the executive director of SHAG and said the organization has been working with DASH on the opportunities the site presents in terms of expanding affordable housing in Bellevue. The site is unique in its ability to transform itself and expand in terms of being a community resource and a source of age-friendly affordable housing. The Commission was urged to consider the application.

A motion to close the public hearing was made by Commissioner Brown. The motion was seconded by Vice Chair Malakoutian and the motion carried unanimously.

Vice Chair Malakoutian pointed out that once the zoning on the site is changed, DASH can do whatever it wants with the site that is in line with the zoning. They could also choose to develop housing that is not affordable. Approving the amendment will not oblige DASH to do affordable housing. Ms. Johnson said there is nothing that would require the property owner to redevelop with affordable housing.

Vice Chair Malakoutian said one reason behind his decision not to recommend approval of the 15 Lake Bellevue amendment was because there is an ongoing work program. The DASH site is part of that same ongoing work program. He asked if the same argument could be used to recommend against the DASH amendment. Ms. Johnson said the Commission could choose to reach that conclusion. The applicant has indicated they are facing a critical deadline in terms of their financing. If the proposal is not moved forward, they will lose the opportunity to redevelop the property. Commissioner Malakoutian suggested the 15 Lake Bellevue applicant could essentially make the same argument, though he allowed that that application failed to meet more than just the one criterion. Even so, it appears there is a double standard in play. Ms. Johnson added that the Wilburton EIS included a finding that there is a need for additional affordable housing. In general, the DASH proposal meets the vision and the policies recommended by the Wilburton CAC, whereas the 15 Lake Bellevue application does not.

Chair Moolgavkar echoed the concern and said she was on the fence relative to the DASH application due to the level of subjectivity applied. She said it could be argued that the 15 Lake Bellevue applicant also proposed affordable housing, which is in line with the recommendations of the Wilburton CAC and EIS. Going forward, where there are subjective factors involved, staff should make the issues clearer for the Commission.

Commissioner Morisseau said she held the same concerns. There should be consistency in the way things are done, and the Comprehensive Plan must be upheld. The policies are to be

followed, not just on a case by case basis. The subject property and all in the vicinity somewhat matches the NMU zoning being sought. The proposed amendment in fact does meet some of the decision criteria.

Chair Moolgavkar read the motion language recommending the DASH Glendale Comprehensive Plan amendment be included in the 2021 annual Comprehensive Plan amendment work program since the amendment is consistent with all the threshold review decision criteria in LUC 20.30I.140 (A) through (H).

Vice Chair Malakoutian asked if the motion language could indicate the proposal meets all but one of the criteria. He said the 15 Lake Bellevue proposal failed to meet at least three of the decision criteria, whereas the DASH amendment fails to meet only one, the ongoing study.

Ms. Buchanan pointed out that the Wilburton work plan is not currently open, it is not an active work plan. The Comprehensive Plan amendment process allows an applicant to be diverted into an ongoing work plan if the needs of the proposal are better addressed through the work plan. At the time DASH submitted its application, the Wilburton work plan was not open and it still is not. It may be opened by Council action later in the year, but given that it is not currently open, the Commission does not have the option of putting DASH into it.

Vice Chair Malakoutian asked staff if in fact the Commission could decide that the proposal would be better addressed by a future work plan. Ms. Johnson allowed that the Commission could determine if the proposal is in compliance with the decision criteria.

Commissioner Morisseau said it was her understanding that proposed Comprehensive Plan amendments must meet all of the decision criteria in order to move forward.

Assistant City Attorney Matt McFarland said if a Commissioner determines that a proposal does not meet the criteria, the Commissioner should not be recommending advancing out of threshold review. It is a statutorily based provision of the Land Use Code that all decision criteria must be met in order to recommend moving a proposal forward.

Vice Chair Malakoutian asked if an ongoing work program must be open at the time an application is submitted, or if a known future work program can be considered an ongoing program. Ms. Johnson said the criterion specifically asks if a proposed amendment raises policy issues that would be better addressed by an ongoing work program or a subarea planning effort.

Commissioner Brown asked if “ongoing work program” would work programs that are not currently open. Mr. McFarland staff have traditionally presented the issue far more broadly, namely whether a proposal is appropriately addressed in a larger work program that is ongoing or in its infant stages even if it is a CAC and the Council has not initiated the actual Land Use Code amendment and Comprehensive Plan amendment. He allowed that there is some subjectivity involved.

Ms. Johnson pointed out that the 15 Lake Bellevue proposal was deemed to have failed to meet more than just the criterion dealing with ongoing work programs. She reiterated that the draft environmental impact statement looked at the area and did not highlight the area as right for redevelopment, thus the environmental and transportation impacts were not assessed. Chair Moolgavkar stressed, however, that the issue is whether or not all of the criteria are met. Failing any single criterion means an issue cannot be moved forward. That is the approach the Commission has utilized in the past. Ms. Johnson added that the Commission has the purview to

put forward a recommendation that is different from the position of the staff.

Commissioner Brown said she understood the concern about the proposal being more appropriately addressed by a larger subarea plan, but said there are other considerations in play, such as the desperate need for affordable housing and the fact that the proposal would provide a means to achieving that objective sooner rather than later.

Chair Moolgavkar said her motion as previously read was on the floor. The motion was seconded by Vice Chair Malakoutian and the motion failed with Commissioners Brown and Malakoutian voting in favor, and Chair Moolgavkar and Commissioners Bhargava and Morisseau voting against.

Commissioner Ferris rejoined the meeting.

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

A. Proposed Land Use Code amendment (LUCA) for Sequence One of the Grand Connection Guidelines and Standards

Department of Planning and Community Development Assistant Director Emil King said Sequence One is comprised of the portion of the Grand Connection from City Hall to Meydenbauer Bay. The Sequence Two portion, which will be addressed in the future, extends from City Hall east across I-405 to Wilburton and Eastrail. He said the role of the Commission is to review the proposed LUCA against previously adopted policy direction from 2018, as well as other pertinent elements of the Comprehensive Plan. The draft has benefited from the work of subject-matter experts and input from Downtown property owners and other stakeholders.

Senior Planner Michael Austin said the Grand Connection is referred to as a people-focused, interactive, connected experience that runs through the heart of Bellevue. It will serve as a signature placemaking future linking Bellevue's waterfront across I-405 to Eastrail. He said the Grand Connection Initiative, which kicked off in 2015 as directed by the Council, served as the umbrella for the development of the Grand Connection Framework Plan, which was adopted in 2017 and 2018 as Sequence One and Sequence Two. The Framework Plan serves as a guiding vision for the Grand Connection. All of the implementation strategies that will take place over time will be tied back to the Framework Plan. The design guidelines and strategies are elements of the overall implementation strategy for the Grand Connection. He noted that in addition to the LUCA serving as one implementing tool, it must fit within the larger puzzle of other projects taking place across the city.

Senior Planner Nick Whipple said the Sequence One LUCA specifically addresses the area from the intersection of 100 Avenue NE and Main Street in Old Bellevue through Downtown Park, north of Bellevue Way and then east on NE 6th Street to the transit center and ending at the intersection of NE 6th Street and 110th Avenue NE. Sequence Two will address the area to the east of 110th Avenue NE and the crossing of I-405 into Wilburton and the termination at Eastrail. The objectives of the Sequence One LUCA is to implement elements of the 2017 Grand Connection Framework Plan and the 2018 Comprehensive Plan amendment; to update the pedestrian corridor and Major Public Open Space Design Guidelines and the Land Use Code to reflect the Grand Connection vision; and to remove any redundant guidelines and the simplify content where possible.

The recommended LUCA includes a number of guidelines and standards, both of which are used to provide direction to design teams on how projects should be designed, and to establish a cohesive design strategy for the corridor. Guidelines and standards are regulatory, though guidelines offer more flexibility. They serve as implementation tools for the goals and values of the Comprehensive Plan. They strive to promote design excellent in the community and provide common language to enable efficient dialog and review between the public, the city and developers for potential and active projects. The guidelines will inform certain elements, such as landscaping, paving materials, lighting and art, as well as use of the Grand Connection gold color to ensure a cohesive design. In order to receive design review approval, a proposal must meet specific design criteria of the Land Use Code in a manner that fulfills their intent and purpose.

Mr. Whipple said the update process was broken into three phases: articulation, formulation and adoption. Staff began the articulation phase toward the end of 2019 with a review of the pedestrian corridor and Major Public Open Space Design Guidelines, the Sequence One Framework Plan, and the current Downtown-wide guidelines and standards in the Land Use Code. The Commission was briefed on January 22, 2020, and received an overview of the Sequence One guidelines and standards scope for the LUCA. The team got to work in the formulation phase and began drafting the LUCA. The phase included outreach and engagement. Because there were ongoing projects at the time, staff was able to reach out to the design teams and test some of the guidelines and standards as needed. The adoption phase involves a Process IV legislative action, which involves review and recommendation by the Commission. A second study session with the Commission is slated for March 24 and a public hearing and recommendation is tentatively set for April 28. The Council will begin its review in May.

Mr. Austin said the staff audits and case studies were undertaken to assure no redundancies will be created and to make sure best practices get incorporated into the work. Attention was given to what is working with the existing guidelines. The guidelines documents reviewed included the Framework Plan, the Pedestrian Corridor and Major Public Open Space Design Guidelines, and the Downtown Land Use Code Design Guidelines. At the time of its adoption, the Downtown Livability Initiative included guidance for the Grand Connection. The proposed LUCA represents a piece of the puzzle and it was crafted to fill in missing pieces not already provided. The list of case studies reviewed by staff includes Mission Rock Design Controls from San Francisco; South Waterfront Design Guidelines in Portland; and the Yessler Terrace and Central District Guidelines in Seattle. One takeaway from those plans was that there needs to be intent statements incorporated to give design teams and staff direction, clarification of and the importance of things like signature colors to create a cohesive look.

The outreach and engagement process included revisiting the information and voices captured from the community in the development of the Framework Plan. In addition, staff have briefed the Bellevue Downtown Association Land Use and Livability Committee; conducted communication and testing with external focus groups with active projects along the Grand Connection or with properties on the Grand Connection; conducted internal focus groups with design review staff; and provided briefings for the Transportation Commission and the Parks and Community Services Board. The takeaways included the need to refine the amendment language for clarity wherever possible; bolstering intent statements for clarity and direction; seeking opportunities to promote the use of artistic elements where possible; facilitating opportunities for new publicly accessible uses along the route; the need to be clear and intention about the paving language; supporting the notion of rooms themed experiences rooms along the route; and supporting embedded wayfinding elements. The internal review highlighted support for the structure and supporting axon diagrams; clarifying the requirements language where possible; and merging the plan view diagrams in the Land Use Code to make them easier to explain and

share.

Mr. Whipple said a new subsection will be created in the Downtown code as part of the proposed LUCA. The subsection, 20.25A.175, will be for the Grand Connection and Major Public Open Spaces and the intent is to streamline provisions related to the Grand Connection to make them friendly to reviewers, project teams and the general public. The new subsection will have five subsections grouped into four topic areas. The first topic area relates to Subsection A of the draft LUCA and it establishes provisions applicable to the full length of Sequence One of the Grand Connection, including Major Public Open Spaces. A graphic is included to outline the location of the route and in a legend the various elements addressed in the new code section. Given that the Grand Connection includes a mix of publicly owned properties as well as private properties, Subsection A is drafted to ensure consistent rules regardless of ownership, and the provisions include ensuring 24-hour public access; temporary café seating open to the public during business hours; and address the development allowances above and below the Grand Connection.

The second topic relates to Subsections B and C of the draft LUCA. It pertains to the Grand Connection route, the rooms, and the Major Public Open Space locations. The Sequence One route has seven rooms established, essentially one for each block along the route. The intent of the rooms is to encourage a variety of context-specific experiences. Subsection C identifies the size and location of three Major Public Open Spaces consistent with the current Land Use Code requirements. The three Major Public Open Spaces locations are the four corners of the intersection of 110th Avenue NE and NE 6th Street; Compass Plaza at the intersection of 106th Avenue NE and NE 6th Street; and at the intersection of Bellevue Way and NE 6th Street. The Major Public Open Spaces are intended to serve as focal points for pedestrian activity within the Grand Connection and they will be designed with pedestrian amenities such as seating, lighting, special paving, plantings, space for food and flower vendor carts, and artwork. The design of the open spaces will be required to be coordinated with the Grand Connection guidelines and standards. The second topic also establishes that the design review approval process will be required for development along the Grand Connection.

Mr. Austin said the third topic houses all of the Grand Connection guidelines and standards. The intent is to ensure a cohesive design strategy for all of Sequence One through the specific categories of artistic elements; ecological framework; fixtures; paving; primary entries; and signature colors. The work is reflective of the update process, including the audits, the precedents, and the stakeholder review and testing. Redundant language has been removed. As a result of the effort, the Pedestrian Corridor and Major Public Open Space Design Guidelines will be replaced with a new code section.

The room specific guidelines and standards make up topic area four. The rooms are unique themed spaces for each block along the Grand Connection. They offer the design teams to explore being creative, and they will help to create visual interest for pedestrians. Diagrams will be used both to indicate what the rooms are and what they are not. The diagrams will help to illustrate how the design guidelines could be achieved, and they will provide a quick reference for design teams. They will not, however, dictate architecture or landscape architecture, or be suggestive of any specific design approach. The seven rooms along Sequence One are Old Bellevue, Downtown Park, Bellevue Way, Plaza as Street, Compass Plaza, Garden Hillclimb and Transit Central. Each room will have their own set of supplementary guidelines and standards along with supportive visuals.

Commissioner Bhargava said the project is tremendous and exciting and is something that drew

him to want to be part of the Commission. He said he would like to hear more in a subsequent study session about accessibility and cultural sensitivity and the degree to which those topics are covered by the guidelines and standards. Mr. Austin said staff have been engaged in those conversations and would share the information gathered at the right time.

Commissioner Morisseau thanked the staff for the great presentation and concurred with the need to hear about cultural sensitivity.

Commissioner Ferris said her thinking about access extends beyond just those with physical challenges to include how folks from all over Bellevue can get to the Downtown, and where they might park their car in order to enjoy the Grand Connection. Mr. Austin said staff would prepare a response for the next study session.

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

Mr. Austin stressed that the Grand Connection LUCA is one part of the overall Land Use Code. In regard to universal accessibility, there should be a focus on making sure every element carries the same requirements for accessibility. There are already processes in the existing Land Use Code to address universal accessibility needs and requirements, and they apply to projects along the Grand Connection as well as throughout the Downtown. In terms of cultural sensitivity and the incorporation of different cultures in the different elements, there must first be a regulatory framework and guidance. That overarching language for the Downtown is not yet in place.

Commissioner Ferris said the Grand Connection will certainly be a wonderful signature project for the city, but stressed the need for the entire city and all visitors will be able to access it. She pointed out that the Downtown is largely focused on cars and crossing streets as a pedestrian can be challenging. She asked if there are elements in the design criteria that are aimed at making it safer for pedestrians to cross streets, some of which are many lanes wide. Mr. Austin agreed with the importance of the issue and said staff would provide a response at the next study session. Briefly, he noted the city has standards for exceptional intersections that apply to every intersection along the Grand Connection, with the exception of Bellevue Way and NE 4th Street, and their intent is to improve a sense of safety and an improved pedestrian experience.

Commissioner Malakoutian thanked the staff for their excellent presentation.

Commissioner Brown reiterated the issue of accessibility. She allowed that the existing Land Use Code deals with the minimum requirements to comply with the Americans With Disabilities Act. However, the Grand Connection will be a major pedestrian route embedded in the community for decades to come and hopefully even more accessibility components will be enshrined in the project. There are a variety of components that could be incorporated to enable those with impairments to be able to safely navigate what will be a pedestrian walkway. Many may seem to be cutting edge but in 20 years could become the standard, and they should be included. She said ultimately the Grand Connection will be an extraordinary addition to the community. Mr. Austin said the LUCA includes a minimum width that is based on discussions around ensuring that any potential conflicts between pedestrians and wheeled users will be reduced. The minimums exceed all other Bellevue standards.

Commissioner Bhargava said an element he has seen used effectively is street sections for streets with different hierarchies, each of which lays out the relationship between the built, pedestrian and automobile environments and their minimum requirements. He asked if consideration had

been given to adding sections with more substantive guidance to the public spaces rather than just the streets. Mr. Austin said that issue has been discussed. Because the Grand Connection will be embedded within the Land Use Code, there are limitations in terms of the visuals that can be provided for the design teams. Standalone documents, such as the initial pedestrian corridor guidelines, allow for more flexibility in that regard. The axons and plan view diagrams are in line with the rest of the code. In addition, the Grand Connection guidelines apply to specific elements along the route itself and as such they do not necessarily apply to the full length of a street. There is a clear desire to avoid any potential conflicts with other existing Land Use Code dimensions and requirements.

9. OTHER BUSINESS

Mr. McFarland stated that the Commission's bylaws differ from Roberts Rules of Order in the area of abstaining from voting. Under Roberts Rules, members are allowed to abstain and the abstention is the same as there not being a vote whatsoever. He clarified that under the Commission's bylaws, an abstention is declared to be an affirmative vote. Accordingly, the vote on 15 Lake Bellevue in fact was 5-1 when the abstention is counted. He allowed that the minutes could record Commissioner Morisseau's abstention along with a statement that under the Commission's bylaws it was declared to be an affirmative vote.

Commissioner Malakoutian asked if Commissioner Morisseau could in fact change her vote in light of the clarifying information. Mr. McFarland stressed that the motion carried by a majority of the votes. Usually, there is no going back to change a vote, but he allowed that because staff did not point out the distinction between the bylaws and Roberts Rules of Order relative to abstentions, it would be appropriate to allow Commissioner Morisseau to change her vote.

Commissioner Morisseau said she would prefer the minutes to reflect her abstention.

With regard to the real-time auditing of the CPA and LUCA processes, Commissioner Morisseau noted that in the past when staff has given the Commission a draft review ahead of a meeting, comparisons between the new and embedded policies have included links to the existing policies. She said she would like to see that process continued. Ms. Johnson said staff would take that feedback into account.

10. APPROVAL OF MINUTES

A. February 24, 2021

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

11. CONTINUED ORAL COMMUNICATIONS – None

12. EXECUTIVE SESSION – None

13. ADJOURNMENT

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

Chair Moolgavkar adjourned the meeting at 9:10 p.m.



4/16/2021

Thara Johnson
Staff to the Planning Commission

Date



4/16/2021

Mohammad Malakoutian
Vice Chair of the Planning Commission

Date