



# Bellevue Planning Commission

**Wednesday, April 13, 2016**

6:30 to 9:30 p.m. ■ 1E-113

City Hall ■ 450 110th Avenue NE, Bellevue

## Agenda

Regular Meeting

- |           |   |
|-----------|---|
| 6:30 p.m. | <p><b>1. Call to Order</b><br/><i>Michelle Hilhorst, Chairperson</i></p> <p><b>2. Roll Call</b><br/><i>Michelle Hilhorst, Chairperson</i></p> <p><b>3. Approval of Agenda</b></p>   |
| 6:35 p.m. | <p><b>4. Public Comment for items <u>not</u> part of the Study Session. On a trial basis, Public Comment for Study Session items will occur as part of the specific agenda item, below.</b><br/><i>Limited to 5 minutes per person or 3 minutes if a public hearing has been held on your topic.</i></p> <p><b>5. Communications from City Council, Community Council, Boards and Commissions</b></p> <p><b>6. Staff Reports</b></p> <p><b>7. Draft Minutes Review</b><br/>February 24, 2016<br/>March 9, 2016<br/>March 23, 2016</p> <p><b>8. Quarterly Check-in</b><br/>The Planning Commission, Mayor and Staff discuss status of current projects and upcoming initiatives.</p> |
| 7:00 p.m. | <p><b>9. Study Session</b></p> <p><b>A. Downtown Livability Land Use Code Update</b><br/>Commission anticipated to develop preliminary recommendations for building height and urban form. Previous discussions at February 10 and March 9 Commission meetings.</p> <p><b><u>Part 1: Staff Presentation</u></b><br/><i>Emil King AICP, Strategic Planning Manager</i><br/><i>Patti Wilma, Community Development Manager</i></p> <p><b><u>Part 2: Public Comment on Downtown Livability. On a trial basis, Public Comment for Study Session items will occur during this time.</u></b></p> <p><b><u>Part 3: Commission discussion</u></b></p>  |

9:30 p.m.

10. **Public Comment** - *Limited to 3 minutes per person*

11. **Adjourn**

*Agenda times are approximate*

**Next Planning Commission Meeting – April 27, 2016**

**Planning Commission members**

Michelle Hilhorst, Chair

John deVadoss, Vice Chair

Jeremy Barksdale

John Carlson

Aaron Laing

Anne Morisseau

Stephanie Walter

John Stokes, Council Liaison

**Staff contacts**

Terry Cullen, Comprehensive Planning Manager 425-452-4070

Emil King, Strategic Planning Manager 425-452-7223

Kristin Gulledge, Administrative Assistant 425-452-4174

*Wheelchair accessible. American Sign Language (ASL) interpretation available upon request. Please call at least 48 hours in advance: 425-452-5262 (TDD) or 425-452-4162 (Voice). Assistance for the hearing impaired: dial 711 (TR).*



April 13, 2016

**SUBJECT**

Downtown Livability Initiative – Preliminary Direction on Height and Form Recommendations

**STAFF CONTACT**

Emil A. King AICP, Strategic Planning Manager 452-7223 [eaking@bellevuewa.gov](mailto:eaking@bellevuewa.gov)  
Patti Wilma, Community Development Manager 452-4114 [pwilma@bellevuewa.gov](mailto:pwilma@bellevuewa.gov)  
*Planning and Community Development*

**DIRECTION NEEDED FROM PLANNING COMMISSION**

- Action
- Discussion
- Information

**DISCUSSION**

**Recommendations from the Citizen Advisory Committee**

The Planning Commission is working through the Downtown Livability Citizen Advisory Committee's (CAC) recommendations for a targeted set of Land Use Code topics including public open space, landscaping, walkability and the Pedestrian Corridor, design guidelines, incentive zoning, and building height and form. Direction for the CAC's recommendations drew heavily from a set of Land Use Code audits and focus groups that analyzed what was working regarding each topic, what wasn't working, and areas for improvement. The current work on updating the Downtown Land Use Code through the Livability Initiative is part of a broader agenda to make Downtown more people-friendly, vibrant and memorable, and add to the amenities that make for a great city center.

The building height and form recommendations from the CAC directed further consideration of allowable building heights and/or density in specific geographic areas within Downtown. Building height and density are sensitive subjects, and the CAC acknowledged that more work was needed by staff and the Commission to flesh out anticipated outcomes, including benefits and impacts of any changes. The CAC's work on height and form found the following relationships with livability:

- Opportunity for more light and air between buildings by allowing additional height
- Opportunity for more ground-level open space
- Ability to promote variability in building heights
- Ability to reinforce district identity
- Potential for additional height or FAR to add "lift" to incentive system

- Opportunity to create a more distinctive skyline
- Encourage more interesting and memorable architecture
- Potential to add density around light rail transit investment

The CAC used the following principles to help guide their work on any potential changes to height and form. The CAC felt it was essential for the Commission and staff to consider the same principles below, while review and refinement of the recommendations occurs:

- The additional height or density would result in a better urban design outcome than current zoning.
- Continue to distinguish the special market niche played by Downtown.
- Help deliver additional amenities that enhance the livability and character of Downtown.
- Address any impacts that may result from the additional height or density (e.g. via design guidelines to address public views, shadows, tower spacing, and others).
- Continue to provide for appropriate transitions between Downtown and adjoining residential neighborhoods, while promoting better and more complementary linkages.

### **Continuing Public Engagement**

Staff is continuing to pursue ways to accommodate additional public comment and engagement. The March 9 stakeholder event noted below was an example. Another technique to be tested on April 13 on a trial basis is to modify the Commission agenda on nights when Downtown Livability is being discussed. Public comment on Downtown Livability topics to be discussed each night will occur directly before Commission discussion of those items, so there is a shorter and more direct linkage between the two. Staff is also expanding materials on the Downtown Livability web site and will continue to meet with stakeholders and the public at large in a variety of venues including open houses, stakeholder events, and individual meetings.

### **Commission Formation of Preliminary Height and Form Recommendations**

Tonight’s study session will seek to have the Commission formulate their *preliminary* recommendations for building height and form. The Commission has previously discussed this topic at their January 13, February 10 and March 9 meetings. Included in this packet are graphic depictions of the potential height and form changes, their relationship to livability, and identified impacts. In addition to Downtown-wide recommendations relating to tower spacing, façade articulation, podium height, tripartite, connected floor plates and wind/shade/shadow provisions, the geographic areas to be reviewed for preliminary recommendations on April 13 are as follows:

- Downtown Mixed-Use District (DT-MU) – *previously discussed February 10*
- “Deep B” portion of the Downtown Mixed-Use District – *previously discussed February 10*
- Civic Center Portion of Downtown Mixed-Use District – *previously discussed February 10*
- Downtown Perimeter “A” Overlay (north, west, and south edges of Downtown) – *previously discussed March 9*

- Downtown Mixed-Use District Perimeter “A” & “B” Overlays in East Main Area (112th Avenue NE to 110th Avenue NE) – *previously discussed March 9*
- Downtown O-1 District (area bounded by Bellevue Way, NE 8th Street, 110th Avenue NE, and NE 4th Street) – *previously discussed March 9*
- Downtown O-2 District (north of NE 8th Street, south of NE 4th Street, and east of 110th Avenue NE) – *previously discussed March 9*
- Downtown OLB District (area between 112th Ave NE and I-405, NE 4th Street to NE 8th Street) – *Note: The portion of the DT-OLB District between Main Street and NE 4th Street to be discussed at future Commission study session pending Council follow up on public view corridor of Mount Rainier from City Hall, see below.*

The Commission’s January 13 meeting provided an overview of the key factors to consider when discussing urban form (pedestrian realm, tower spacing, floor plate size, shade and shadow, wind, building form and design, and public view preservation). The Commission’s February 10 meeting included an introduction to staff recommendations for the Downtown-wide height and form provisions and the first three geographic areas shown above. On February 10, staff also provided an overview of transportation analysis relating to potential height and density changes. The potential zoning changes relating to maximum FAR in the Downtown MU District and Downtown OLB District would likely redistribute projected Downtown job and population growth in 2030 and would not have a negative impact on the Downtown traffic operation through this planning horizon. Other districts are not being considered for additional FAR at this time. The Commission’s March 9 meeting covered four additional geographic areas and was preceded with the opportunity for interested parties to exhibit their own concepts relating to livability and provide feedback in an open house format. Close to 100 people attended the event. Comments are included as Attachment A.

Review of the Downtown OLB District was deferred from earlier Commission discussion to allow Council time to discuss public view protection from City Hall to Mount Rainier. The Downtown CAC’s recommendations for the DT-OLB District were segmented for the area between Main Street and NE 4th, and secondly for NE 4th Street to NE 8th Street. The view corridor implications within Downtown were primarily for the area between Main Street and NE 4th Street. Council discussed the view corridor issue on March 21. They did not provide policy direction at that time, but rather directed staff to follow up on items including: setting up a meeting with the new owners of the Sheraton property; researching when the original code and policy provisions were put in place; and gaining a better understanding of the extent to which the public concourse, balcony, and chambers are used and can experience the view of Mount Rainier. Because Council will be further discussing the view corridor issue, the Commission’s discussion and formation of preliminary recommendations for the DT-OLB District between Main Street and NE 4th Street will be scheduled for a future Commission study session, after Council follow up. Staff anticipates returning to Council in the May/June timeframe to further discuss the view corridor.

On April 13, staff will recap previous presentations on height and form, allow for public comment, and provide the Commission an opportunity to formulate preliminary recommendations for Downtown-wide height and form provisions. **Included in Attachment B**

are staff’s detailed recommendations relating to building height and urban form. All of these except the DT-OLB recommendations have been previously reviewed with the Commission on January 13, February 10, or March 9. In forming these recommendations, staff drew from direction in the Downtown Livability CAC’s Final Report and direction from the Commission for areas of additional analysis. Staff also closely followed the CAC principles for any potential changes to height and form and to make sure that changes had a close relationship to furthering livability in Downtown Bellevue.

The Commission’s preliminary recommendations on height and form are not final and will be part of a formal Planning Commission public hearing on the complete Draft Land Use Code Amendment package in the fall (targeted for October 12, 2016). An open house is tentatively planned for September 21 to allow for interaction with the Commission and staff prior to the hearing on the Code packet. The Commission will ultimately form a recommended Code and design guideline package to transmit to Council for final action.

**NEXT STEPS**

Following preliminary recommendations on height and form, the Planning Commission will continue its work on the remaining code topics per the proposed Council/Commission schedule below. It is a Council priority to complete the work on Downtown Livability in 2016.

**Commission and Council Downtown Livability Milestones for Remainder of 2016**

City Council Milestones		Planning Commission Milestones	
<b>April 2016</b>	<i>Council update on Livability process</i>	<b>April 13, 2016</b>	<i>Commission Review: Building Height &amp; Urban Form</i>
<b>April/May 2016</b>	<i>Continued discussion of Public View Corridor of Mount Rainier</i>	<b>May 11, 2016</b>	<i>Commission Review: Incentive Zoning Methodology and Amenity List; Process Departures</i>
<b>June 2016</b>	<i>Council check-in on Incentive Zoning</i>	<b>June 8, 2016</b>	<i>Commission Review: Code Standards and Design Guidelines</i>
		<b>July 13, 2016</b>	<i>Commission Review: Incentive Zoning Calibration; Subarea Plan</i>
<b>Early August 2016</b>	<i>Council check-in on Incentive Zoning Economic Modeling</i>	<b>September 14, 2016</b>	<i>Commission Review: Consolidated Code Packet and SEPA documentation; Open House</i>
		<b>October 12&amp; 19, 2016</b>	<i>Target for Public Hearing, Commission Deliberations</i>
		<b>November 9 &amp; 16, 2016</b>	<i>Finalize Commission Recs. on Land Use Code Amendments</i>
<b>December 2016</b>	<i>Target for Commission transmittal of Code Amendment Recs. to Council</i>		

## **ATTACHMENTS**

- A. Written Comments – March 9, 2016 Stakeholder Exhibits & Open House
- B. Details of Height and Form Recommendations with Staff Analysis/Recommendations, Downtown-Wide and District-Specific

## March 9, 2016 Stakeholder Exhibits & Open House

# Written Comments

### What do you think would enhance emerging Downtown neighborhoods?

**Sue Martin**

*City Center South Comment Form*

We live in Bellevue Towers. We bought because of our view to the South. We did our homework and felt comfortable with the current heights. Please consider no change to DT-02. We are the only residential building in this area. Build more high buildings near the transit center and the new rail.

**Kathy Riley**

*Northwest Village Comment Form*

Conscious thought by the city in preserving general view corridors for the neighborhood

Definitions clarified of what constitutes an “amenity”

More consideration for residents regarding lane closures construction noise, building lights at night, etc.

**Michele Herman**

*City Center South Comment Form*

Less FAR, less building heights – at least until parking, traffic, safety and the amenities incentive system is studied.

More resident input.

**Erin Powell**

*Ashwood Comment Form*

Keep Ashwood Park as an open space/green space. Do not build anything on Ashwood Park because it is and should be kept for parks uses only.

No community center

No fire station

No sale of park land to developers/Sound Transit

**Audrey Orgun**

*City Center South Comment Form*

Slow down development. It seems as though it is out of control, and Bellevue will no longer be the 2nd most livable city.

## Comments on Exhibitor Tables

<b>Janea Klein</b>	<i>Table 1: BDR &amp; John L. Scott</i> Parking Noise pollution Homeless and rodents addressed
<b>Katherine Hughes</b>	<i>Table 2: Fortin Group</i> See attached letter from NNA regarding heights and affordable.
<b>Janea Klein</b>	<i>Table 2: Fortin Group</i> Parking, parking Noise pollution Rodents and homeless addressed Height restrictions
<b>Linn Hergert</b>	<i>Table 2: Fortin Group</i> Affordable housing needs to address the amount based on total occupancy and total size/occupant – also address the amount of runoff water and how it is proposed to be disposed of.
<b>Katherine Hughes</b>	<i>Table 3: Bellevue Towers</i> Massive view blocking Massing as a whole Heights are outrageous
<b>Janea Klein</b>	<i>Table 3: Bellevue Towers</i> Park Noise pollution
<b>Michele Herman</b>	<i>Table 3: Bellevue Towers</i> Agree w/ John L. Scott and others that development projects should be transitioned from the core to the transit areas. This will help with traffic, parking and safety.
<b>Janea Klein</b>	<i>Table 4: West 77 Partners</i> Parking Noise pollution
<b>Kathleen McKenna</b>	<i>Table 4: West 77 Partners</i> Nice piazza concept

## Comments on Exhibitor Tables

<b>Janea Klein</b>	<i>Table 5: Alex Smith/Collins Woerman</i> Parking
<b>Katherine Hughes</b>	<i>Table 6: Su Development</i> There is a large need for several levels of affordable housing and this display is offering 8 or 10% of those plans that work here – they can for people not live here.
<b>Janea Klein</b>	<i>Table 6: Su Development</i> Parking
<b>Kathleen McKenna</b>	<i>Table 6: Su Development</i> I like their open space concept. They mentioned a desire to have a large community space on the north side Really great idea!
<b>No name</b>	<i>Table 6: Su Development</i> I support a FAR of 5-6 and increase height of 300-350.
<b>No name</b>	<i>Table 7 Bosa Development</i> 1 tower vs 2 @ 600'
<b>Janea Klein</b>	<i>Table 7: Bosa Development</i> Parking
<b>Janea Klein</b>	<i>Table 8: Touchstone</i> Parking
<b>Kathleen McKenna</b>	<i>Table 8: Touchstone</i> Like the publically accessible green space!
<b>Katherine Hughes</b>	<i>Table 9: Fortress Development Group</i> No affordable housing – all market rate
<b>Janea Klein</b>	<i>Table 9: Fortress Development Group</i> Parking
<b>Kathleen McKenna</b>	<i>Table 9: Fortress Development Group</i> This development will cause horrible traffic on NE 8th. The proposed crosswalk is unrealistic. Sshould be a sky bridge.

## Comments on Exhibitor Tables

<b>Kathleen McKenna</b>	<i>Table 10: Plus Investments</i> There are no conceptual drawings for the second phase.
<b>Janea Klein</b>	<i>Table 10: Plus Investment</i> Parking
<b>Janea Klein</b>	<i>Table 11: Bellevue Downtown Association</i> Noise pollution Rodent and homeless addressed
<b>Janea Klein</b>	<i>Table 12: Downtown Livability</i> Noise pollution Rodent & homeless addressed
<b>Tong Lin</b>	<i>Table 12: Downtown Livability</i> Hope to build some covering stuff so people can enjoy walking outside during the rain day and won't get wet.
<b>Janea Klein</b>	<i>Table 13: High-Rise Signage</i> Parking
<b>Janea Klein</b>	<i>Table 14: Downtown Transportation Plan</i> Rodent & homeless addressed
<b>Tong Lin</b>	<i>Table 14: Downtown Transportation Plan</i> Hope city to develop a plan to save solve the traffic issue that is already worse along I-405. It could be much bad when more people move in if this is not well considered.
<b>Kathleen McKenna</b>	<i>Table 14: Downtown Transportation Plan</i> Need to address the increase in westbound traffic going <u>north</u> on Bellevue Way by adding a turn lane going north.
<b>Janea Klein</b>	<i>Table 15: The Grand Connection</i> Parking

## General Comments

**Katherine Hughes**

4 stories over 1 retail Vander Hoek 10350 Main Street market rate housing only, where is affordable housing %??

I saw some gorgeous designs and renderings but taller is not better, varied heights are good, and there is no efforts to engage all levels or even some levels of income.

The NNA is pretty clear about maintaining heights and keeping the wedding cake design and not sending it taller!!

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**No Name**

These proposed increases in density will only DECREASE livability!

More density means more traffic, more crime, more population, etc.

The neighborhoods can't take any more traffic!

What happened to the wedding cake?

Where is perimeter C?

Come on!!!

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**Dave Meissnen**

We would like Commission to consider (moving the) the Corner Building into the DT-02 zone. Address 888 108th Ave. NE. It is the last undeveloped piece on this block.

Thank You

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**Linn Hergert**

I am concerned with having too few specifics and forward thoughts about the total increase of density is utilities and safety measures to insure inner building connections are positive for all. Each area has positive merits, however, what is missing is requirements for maintaining safety where "street character is involved – the extra patrols by police and security concerns are little mentioned. The amount of water runoff from the buildings require a strong infrastructure to insure that there is a significant amount of area for water reclamation. The amount of strong retail orientation will significantly produce both quality and quantity but the edge of urban neighborhood needs to be dealt with by showing how types and kinds of retail business are selected and planned for. The performing arts center from 104th to 108th streets with centralized base is weak in the SE corners. There is concern about the diminished size of Bellevue Square in relation to total parking spaces within the selected area. Ashwood offers opportunities for selective growth but doesn't explain how and what role is being played in the "maturation" of the district. Eastside center does adequately state proposed placement of high-rises but not how to care for increased foot traffic. How does Meydenbauer Center complete or work with Tateuchi Performing Arts Center?

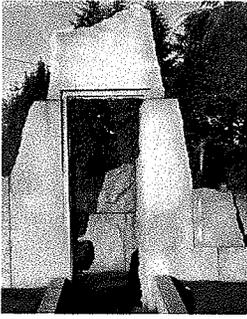
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## **Letter Submittals**

**Northtowne Neighborhood Association – see attached**

**Bellevue Downtown Association – see attached**

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# Northtowne Neighborhoods Association

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Reiteration of COMMENTS ON THE DOWNTOWN LIVABILITY STUDY (6/11/2015)

The Northtowne Neighborhoods Association has reviewed and discussed the ideas presented in the Final Citizen's Advisory Committee (CAC) recommendations for the Downtown Livability Study (the Study) and have several comments. This letter addresses our Association's issues.

## **Overview**

In brief:

We commend the work by the Downtown Livability Study to identify and encourage exceptional building design, design reviews, good urban design, refinement of the incentive program for downtown development, open spaces, and pedestrian friendly spaces.

Changes to the protective perimeter zoning ("Wedding cake zoning"); and the impacts to traffic congestion that growth and increased density are not acceptable as detailed below.

We have met with the Fortin Group and would like to express some thoughts about the potential of their concepts for how to redevelop the northwest corner of downtown.

## **PERIMETER ZONE WEDDING CAKE AESTHETICS AND REZONING -**

The CAC has made statements that the wedding cake zoning along the perimeter results in a "mesa" effect with buildings of uniform height with a resulting negative aesthetic. Northtowne Neighborhoods Association disagrees.

I walk through the perimeter down 108th Ave NE every day as I walk to work. The perimeter area is a pleasant transition from the single family homes north of NE 12th. As you walk through the perimeter, you see ahead of you the increasing building heights at NE 10th and further to NE 8th Streets. This is very pleasant and visually interesting. The visual impact is the same along 110th Ave NE and along 112th Ave NE.

Note that is not just a concern for those of us who live outside of the downtown core. Many people inside the core walk, run and bicycle out through our neighborhoods to recreate. They experience and appreciate the same transitions.

Visually from our homes (mine is at 11021 NE 14th Street), we have a city viewscape that also is aesthetically pleasing. I can see the roof lines of each increase in building heights from NE 12th, then NE 10th and finally the Bravern and other downtown core buildings. The mesa effect is not as pronounced or as undesirable as the CAC members would make it seem.

Changes in FAR and building heights between NE 8th Street and NE 11th Street will require some concessions from the Northtowne neighborhood because these are changes to compromises we already made with the current zoning. We would consider these changes if the City also considers improving McCormick Park along NE 12th Street. The park is an asset to both Northtowne and Downtown. People use it to run, walk their dogs, and enjoy the sunshine. McCormick Park could also be improved with a multi-use pathway that connects the neighborhood and downtown to the bicycle trail that starts at 112th Ave NE and NE 12th. The bike path could continue to 106th Ave NE if the City eliminates pinch points where houses constrain the park at 106th and 112th. What a great way to extend the linear park by connecting it to future trails in the Spring District, along the abandoned railroad line and on and on through the regional trail system!

**Area 3A (see graphic on page 46 of the final report):** Increasing the building heights and FAR in the Area 3A are not consistent with maintaining the transitions from the perimeters of downtown and is not acceptable in Area 3A along NE 10th Street. Buildings over 200 feet in height cast shadows across NE 12th Street and into our neighborhoods in the bleak dark winter. Buildings up to 300 feet high are untenable.

**Area 2D (see graphic on page 46 of the final report):** Northtowne Neighborhoods association is opposed to any increase in heights in the perimeter Area 2D as it abuts NE 12th Street. The current zoning for building setbacks and heights was a compromise in 1994 that exceeded the desires of the Northtowne Neighborhood. In the end, this compromise has resulted in acceptable building heights and design styles. Increases in building heights or FAR in this zone will be challenged vigorously by the Northtowne Neighborhood.

**Area 2C Northwest Corner of Downtown/Fortin Properties**

Having an urban village with a plaza, grocery store, housing and a drug store is a fine concept for this corner of downtown. A plaza should be inviting without southern shading like has impairs the plazas at the Bravern and the upper floors of the Galleria. What will attract people will be people sitting enjoying watching other people and a pleasant water feature. A plaza facing a grocery store will attract elderly who will want to enjoy some sun after shopping, especially the elderly that are living on limited means. Having the elderly enjoying the open spaces will make much like a European or South American space to be actively used by all. Hence it is mandatory that re-zoning in this area include subsidized low income housing like at the Brandenwood Apartments near 148th and NE 40th. This should be the first development of the property because many

of the residents at Brandenwood once could afford to live at Le Chateau in Area 2C. Approximately a dozen elderly people on limited incomes were forced to move from Le Chateau when the current owners greatly increased the rent.

Any building height increases should be studied for shadowing on the adjacent neighborhood.

Thank you for your consideration.

Paul Brallier, for the Northtowne Neighborhoods Association

11021 NE 14th St., Bellevue WA 98004

425-453-5337



March 8, 2016

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

**RE: BDA Support for Downtown Livability Initiative Recommendations**

Dear Chair Hilhorst and Commissioners:

We are writing to share the Bellevue Downtown Association's (BDA) support for increased flexibility in allowable building height and floor area in Downtown, consistent with Citizen Advisory Committee (CAC) recommendations, along with updated principles and guidance for applicants who propose new projects.

The allowances and added flexibility align with the BDA's Land Use & Livability goals for Downtown. They would further:

- Strengthen Bellevue's competitive position to attract jobs, residents and new investments.
- Focus most of the city's growth Downtown as planned.
- Generate economic benefits for the entire city.
- Enhance livability Downtown and deliver community-serving amenities.
- Achieve excellent urban design and architectural variety in the built environment.

***Improve outcomes, set community expectations with clear design guidelines for taller buildings.***

Consideration of building height and form can be a complex and sensitive topic for any community. Constituents will ask for transparency and meaningful input in the process and a clear view of benefits and tradeoffs. Since late 2012, the Downtown Livability Initiative has invited extensive public feedback. From the CAC to Council to Commission, each discussion on building height touched on the rationale, risks, concerns and benefits tied to increases. You've advanced the work program with professional analysis and careful review of legal constraints, planning best practices and comprehensive plan policies.

The CAC acknowledged specific principles for recommended changes to height and form. Permitted projects should:

- Result in better urban design outcome than the status quo, adding to architectural excellence, district character, variety and memorability.
- Further distinguish the special market niche played by Downtown
- Help deliver new amenities that enhance the livability and character of Downtown.
- Address potential impacts that may result from the additional height and density.
- Continue to provide appropriate transitions between Downtown and adjoining residential neighborhoods.

*Making A Great Place Together*

400 108th Avenue NE, Suite 110 • Bellevue, WA 98004 • 425-453-1223 • Fax 425-646-6634 • [www.bellevuedowntown.com](http://www.bellevuedowntown.com)

City staff recently presented draft "elements of urban form," proposing new requirements for the pedestrian realm, tower spacing, floor plate size, shade and shadow, wind, building form and design, and public view preservation. However, as currently expressed, they read as too restrictive and have yet to reflect community feedback or a detailed review on how the new requirements would impact project viability (changes vs. status quo).

We believe design outcomes can be greatly influenced by a carefully crafted list of design guidelines that inspire, rather than dictate, and encourage certain building features and amenities. At a minimum, the standards should include departure opportunities that allow greater design flexibility for applicants even if their plans do not fit within the "box" created by the specific standards.

***Embrace flexibility through a Bellevue-specific, market-ready Downtown Land Use Code.***

Your work to date has noted that added height does not equal increased density. With clear guidance, height flexibility can lead to better site plans with variability in building height and form and options for smaller and varied floor plate sizes. A key benefit would be more light and air between buildings with an improved pedestrian experience at the ground level.

With regard to FAR increases, the CAC agreed that targeted increases in certain areas, such as the DT-OLB, have a nexus with policy direction to focus jobs and housing near transportation improvements (transit stations, I-405). Leveling the allowable commercial floor area in the DT-MU District to match the residential should help the market respond with investments to support both job growth and housing options. Importantly, the recent transportation analysis on the height and form changes showed no degradation of traffic operations in Downtown. These results will invite scrutiny, and we recommend added evaluation to ensure a high degree of confidence in the methodology and findings.

The BDA further supports an alternative path for development plans (optional at the election of the applicant) with a review process for projects that respond to the guidelines (not formulas) through new amenities and innovative architecture. This path would allow for departures, including height and/or FAR, and some degree of flexibility in requirements and amenity bonus values. Departures would be subject to approval and measured against then-applicable (not current) code requirements.

Applicants choosing this discretionary approach would take the risk they might not obtain approval because there is no formula and clear path to approval; however, there could be extraordinary benefit to the city from an "outside the box" project that provides great design and amenities for Downtown. We believe it's vital to consider including this discretionary approach with upcoming work on the incentive system, the economic analysis on project feasibility and the refinement of design guidelines.

***BDA shares a commitment to a thriving, livable Downtown that benefits the entire city.***

The BDA took root in 1974 with the founding of the Bellevue Downtown Development Board. This initial group of citizen leaders worked with the city in the 1970s to outline and implement the current Land Use Code. BDA members continue to build and shape much of Downtown's urban landscape. Today our members represent the diversity of our growing community, including property owners, tenants and businesses of various sizes and industries, retailers, restaurateurs, residents and nonprofit organizations.

Notably, Downtown has succeeded in attracting housing and residents beyond original forecasts (400 percent growth in the past 15 years). The question of how we grow is at the heart of the Downtown Livability Initiative, representing a critical and strategic refresh of the city's 35-year-old playbook for new development and fulfilling a shared vision for a vibrant and thriving Downtown.

Thank you again for your time, leadership, and commitment to this initiative and for taking extra steps to invite and listen to community feedback. Again we support moving the work program forward with increased flexibility and allowances for height and form, consistent with the CAC recommendations.

Sincerely,



Susan Stead, BDA Board Chair



Patrick Bannon, BDA President



Brian Brand, Co-Chair  
BDA Land Use & Livability Committee



Warren Koons, Co-Chair  
BDA Land Use & Livability Committee

*Previously discussed on Feb. 10, 2016*

Downtown-Wide Provisions	
<b>Tower Spacing</b>	
<b>Direction from CAC:</b>	
<ul style="list-style-type: none"> <li>• Address any impacts that may result from additional height or density (e.g. via design guidelines to address public views, shadows, tower spacing, and others).</li> <li>• Ensure permeability from I-405 and public views.</li> </ul>	
<b>Staff Analysis and Recommendations:</b>	
<ul style="list-style-type: none"> <li>• Supports CAC direction.</li> <li>• 80 ft separation at closest points above 45 ft (aligns with new podium roof height proposal of 45 ft see below).</li> <li>• All floors above current maximum height will be subject to additional tower spacing and diminishing floor plate requirements.</li> <li>• Departures allowed per “Tower Spacing” in <b>Elements of Urban Form</b>.</li> <li>• Small site<sup>1</sup> exceptions                             <ul style="list-style-type: none"> <li>○ Tower steps back 20 ft from property line above podium.</li> <li>○ Tower steps back 15 ft from back of sidewalk above podium.</li> <li>○ Departures allowed.</li> </ul> </li> </ul>	
<b>Tower Façade Articulation</b>	
<b>Direction from CAC:</b>	
<ul style="list-style-type: none"> <li>• For buildings with wider facades (&gt;120 ft – 140 ft) require substantial articulation.</li> </ul>	
<b>Staff Analysis and Recommendations:</b>	
<ul style="list-style-type: none"> <li>• Supports CAC direction.</li> <li>• Substantial articulation such as offsets of building façade will be addressed in Design Guidelines.</li> <li>• Departures allowed.</li> </ul>	
<b>Connected Floorplates (Buildings less than 70’ in height)</b>	
<b>Direction from CAC:</b>	
<ul style="list-style-type: none"> <li>• Not specifically addressed by CAC but see “Tripartite” below.</li> </ul>	
<b>Staff Analysis and Recommendations:</b>	
<ul style="list-style-type: none"> <li>• Use significant modulation to break up mass of connected floor plates per “Floorplate Size” diagrams in <b>Elements of Urban Form</b>.</li> </ul>	
<b>Tripartite (base, middle, top)</b>	
<b>Direction from CAC:</b>	
<ul style="list-style-type: none"> <li>• Add guidelines on articulation and massing to emphasize base, middle, top.</li> <li>• Continue strong emphasis on ground-level differentiation with building articulation, windows, materials, textures, color and unique site characteristics for a quality public realm and human scale.</li> <li>• Build off the 15%/15 ft<sup>2</sup> rule.</li> </ul>	
<b>Staff Analysis and Recommendations:</b>	
<ul style="list-style-type: none"> <li>• Supports CAC direction</li> <li>• Podium height limited to 45 ft at top of podium roof (see below).</li> <li>• Use “Entry or other Major Point of Interest” criteria from Building Sidewalk ROW Designations Guidelines.</li> <li>• Use “Ground Floor Frontage” criteria from Building Sidewalk ROW Designations Guidelines.</li> </ul>	

<sup>1</sup> Small site = A single project limit <= 30,000 square feet. A project limit is a single lot or a combination of lots.  
<sup>2</sup> 15%/15 ft rule = Height may be increased by 15% or 15 ft, whichever is greater, if the additional height provides architecturally integrated mechanical equipment, interesting roof form, significant floor plate modulation, façade modulation, or other unique architectural features. Not applicable in “A” overlay and limited to 10% (9 ft) in ‘B’ overlay.

# Downtown Livability Height and Form Recommendations

## Wind/Shade/Shadow

### Direction from CAC:

- Maximize sunlight to through-block connections.
- Address any impacts that may result from additional height or density (e.g. via design guidelines to address public views, shadows, tower spacing, and others).

### Staff Analysis and Recommendations:

- Supports CAC direction.
- Use tower setbacks, canopies, marquees, awnings, and green roofs to deflect wind.
- Use tower separation for maximize light and air.
- Orient the shortest facades north/south to mitigate shade/shadow impacts.
- Orient the shortest facades east/west to mitigate wind impacts at the pedestrian level.

## Eliminate “Diminishing Floor Plate (nonresidential only)

### Direction from CAC:

- Not discussed

### Staff Analysis and Recommendations:

- Current Code stipulates the following:
- In DT-01, DT-02, DT-MU, and DT-OLB floor plates above 40 ft may be a maximum of 30,000 square feet if the building incorporates at least two floors which are each at least 20% small than the floor below.
- If only one floor exceeds the max floor plate size only one floor must be at least 20% smaller than the floor below it.
- Proposed provisions above for tower spacing and reduced floor plates above current max heights provides greater flexibility while ensuring adequate spacing and slender tower design.

## Podium (Base)

### Direction from CAC:

- Not discussed

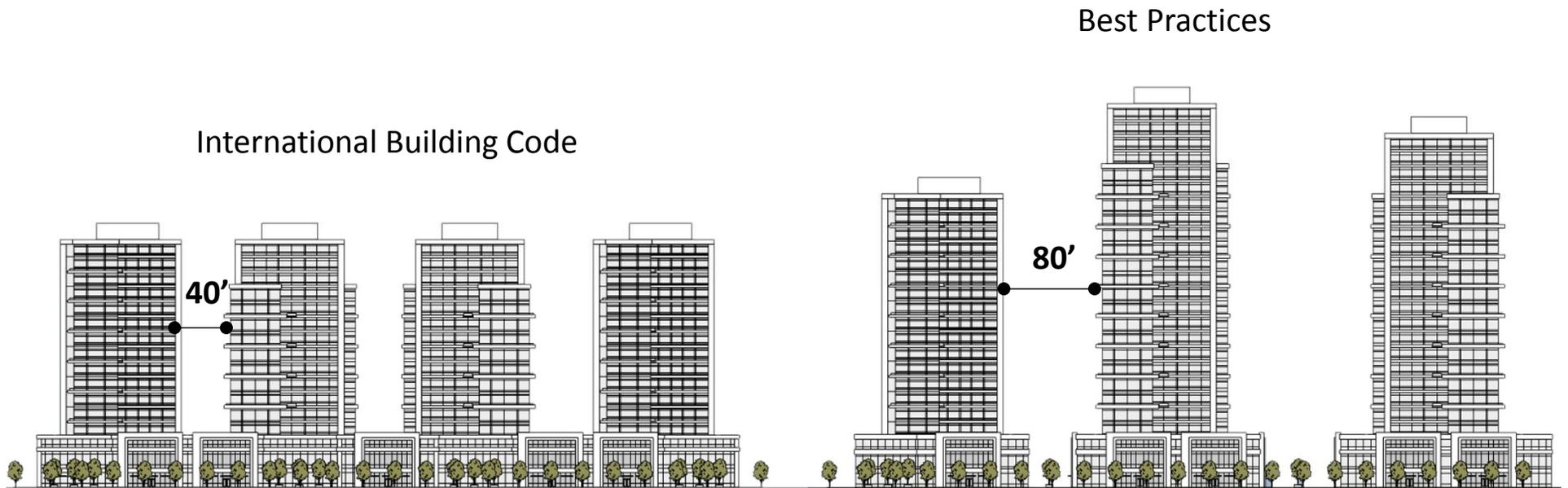
### Staff Analysis and Recommendations:

- Podium height is not currently defined except first floor above 40 ft reduces in size (floor plate limits). Result can be an overly tall podium that does not relate to the pedestrian environment and streetscape.
- Staff recommends defining a maximum podium height measured at the roof of 45 ft.
- Departures allowed.

# Downtown-Wide: Tower Spacing

## Recommendation

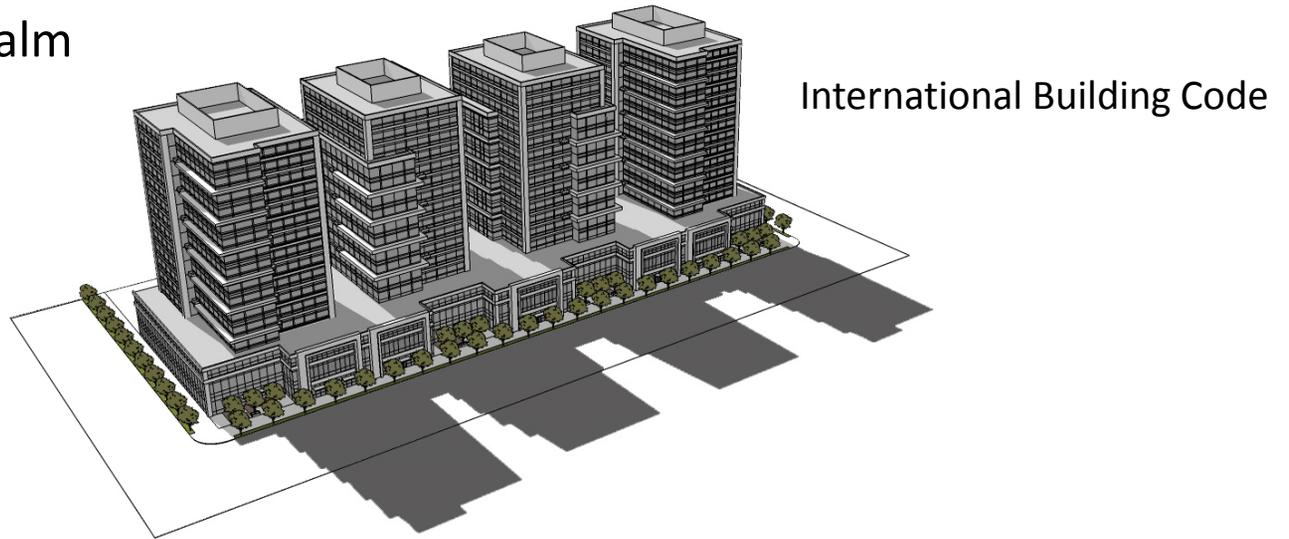
- Increased Tower Separation from 40 ft to 80 ft applicable to buildings over 70 ft in height



Example: DT-MU, Residential Project

# Downtown-Wide: Tower Spacing

Impact on Pedestrian Realm

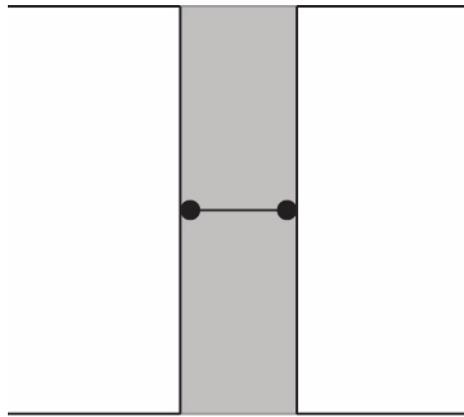


Example: DT-MU, Residential Project

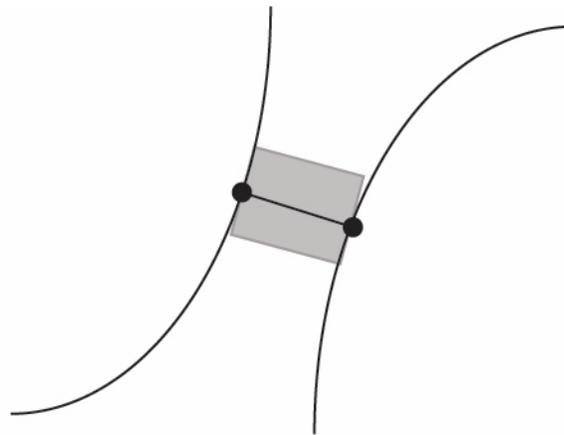
# Downtown-Wide: Tower Spacing

## Recommendation

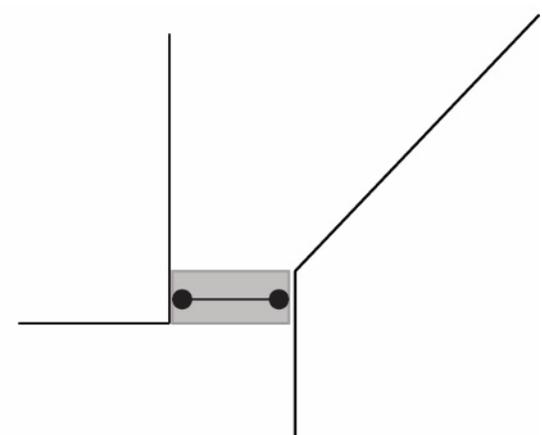
- Departures allowed for Fluid/Slender/Unique Forms



Parallel Facades



Curved Facades



Angled/Irregular Facades

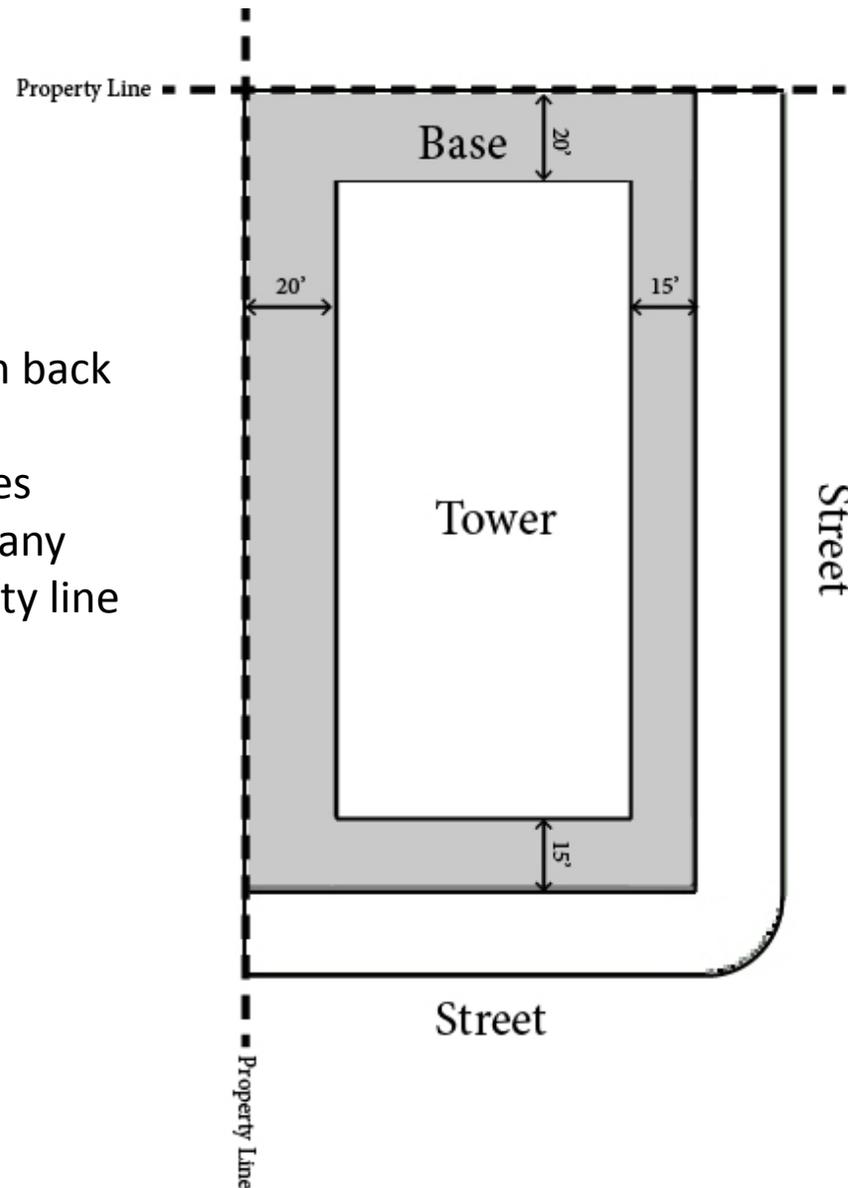
# Downtown-Wide: Tower Spacing

## Small Sites

*Sites under 30,000 sq ft*

### Recommendations

- Stepback from street
  - Tower shall stepback 15 ft from back of sidewalk
- Stepback from internal property lines
  - Tower shall setback 20 ft from any public space or internal property line

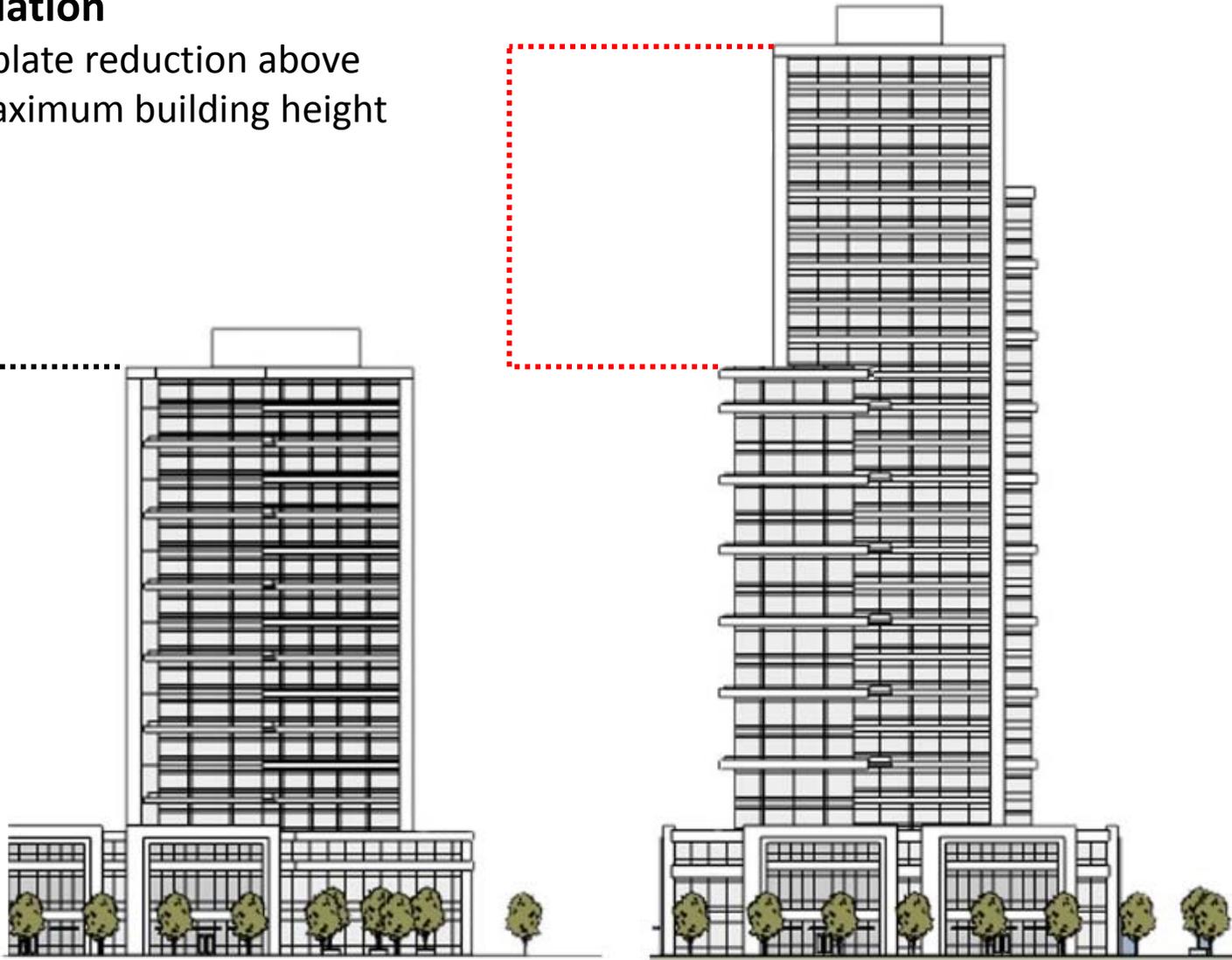


# Downtown-Wide: Floor Plate Reduction

## Recommendation

- 20% floor plate reduction above existing maximum building height

Existing  
maximum  
building  
height

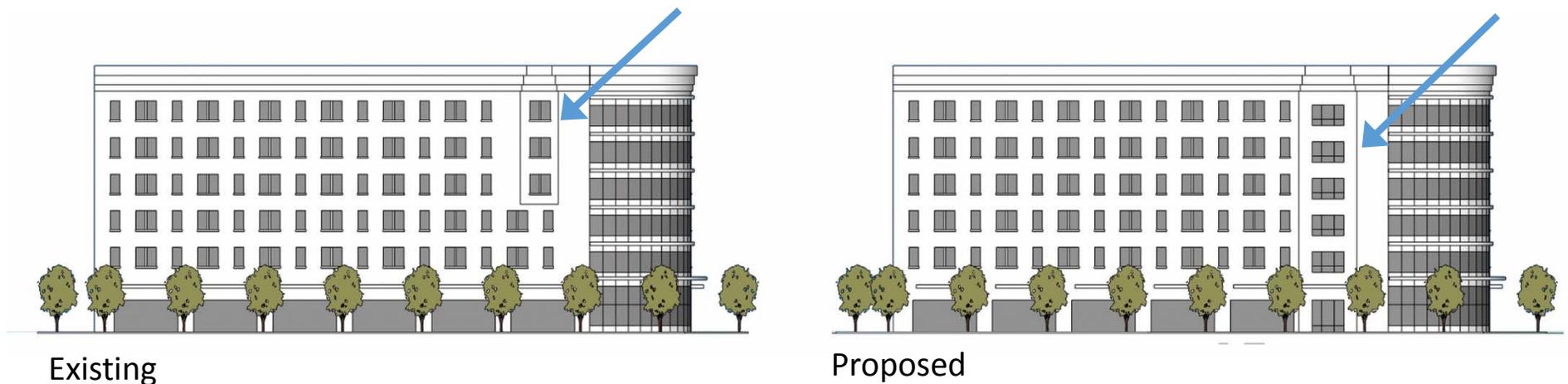


Example: DT-MU, Residential Project

# Downtown-Wide: Connected Floor Plates

## Recommendations for Small Sites (*internal courtyard buildings*)

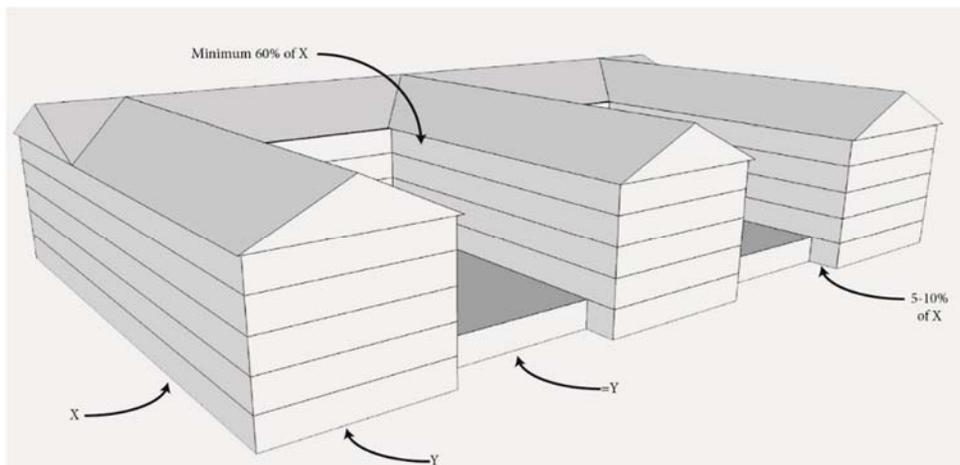
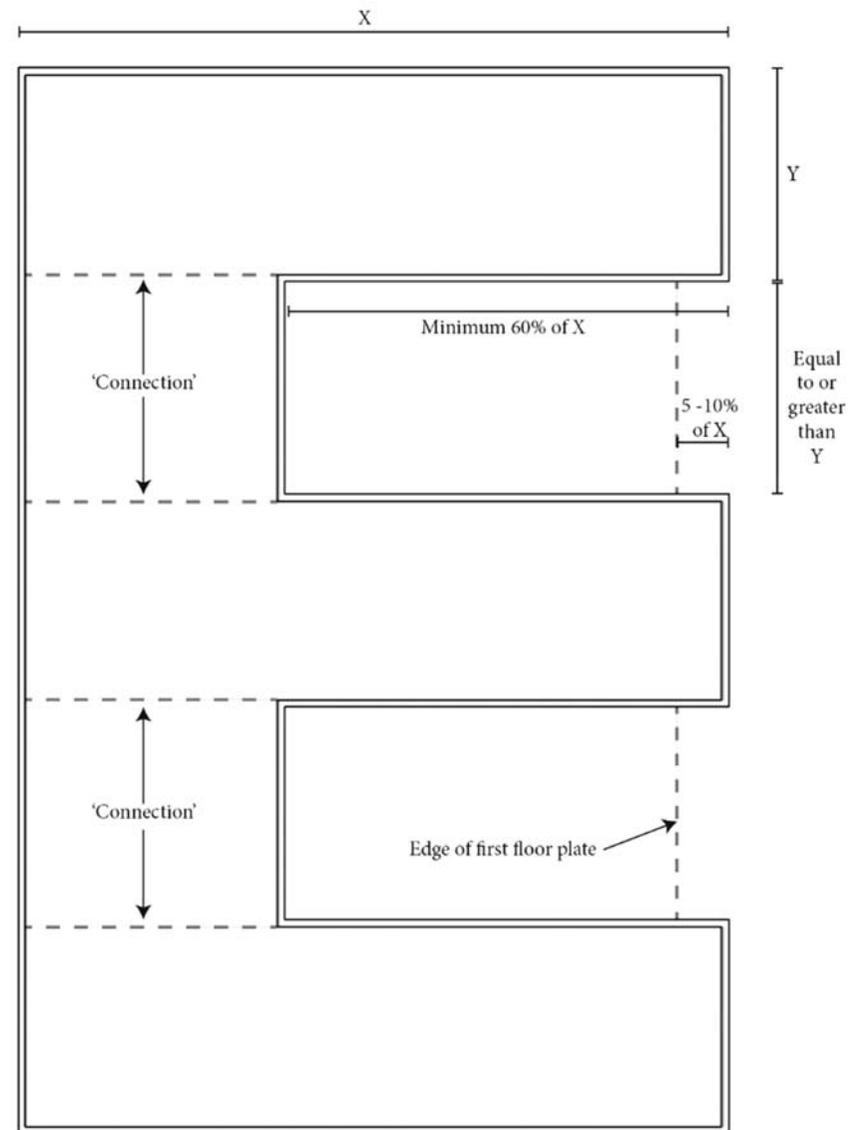
- “Connection” between 3’-0” and 7’-0” in depth and a minimum 7.5% of façade length
- “Connection” extends from grade to roofline of building
- Enhance distinct and separate elements through transition of building materials
- Floor area of units or office space not permitted
  - Habitable space not permitted
  - Space only allowed for exiting
- Portals and entries to be allowed as part of the “connection”



# Downtown-Wide: Connected Floor Plates

## Recommendations for Typical Sites

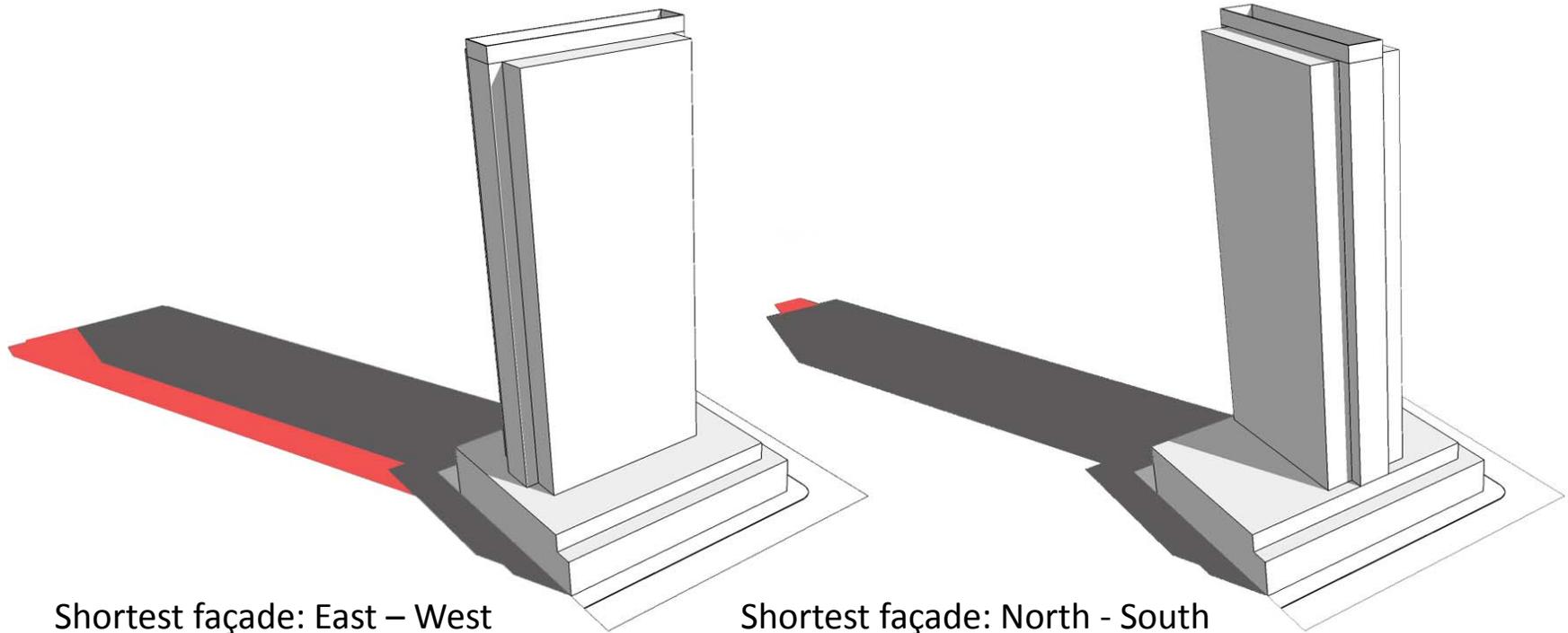
- Separation that establishes an aesthetic of distinctly separate buildings
- Enhance modulation
  - Entrances
  - Stoops
  - Recesses
  - Protrusions



# Downtown–Wide: Wind/Shade/Shadow

## Recommendations

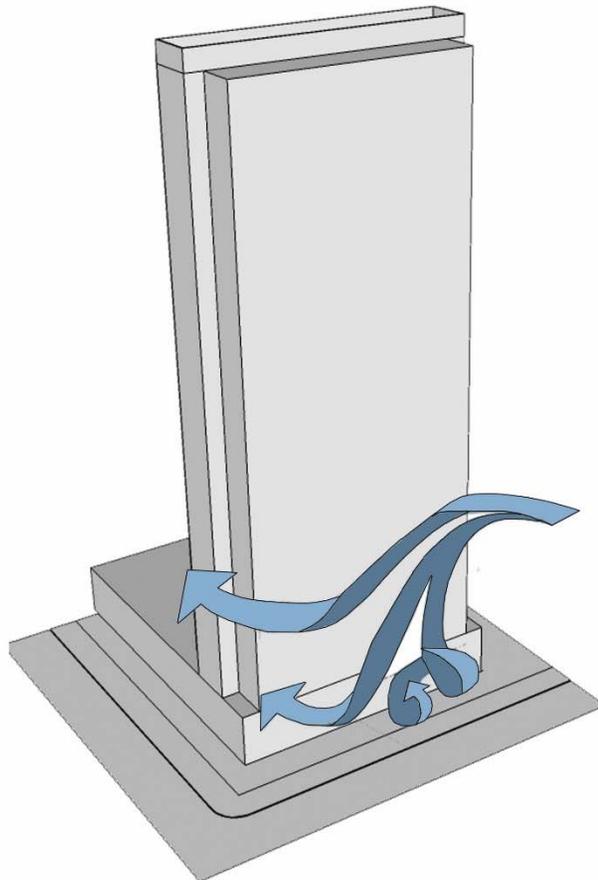
- Orient façade with shortest length north-south
- Require any public space earning FAR Amenity Incentive System points to conduct shade/shadow study
  - Impact during peak usage
  - 11 am – 2 pm



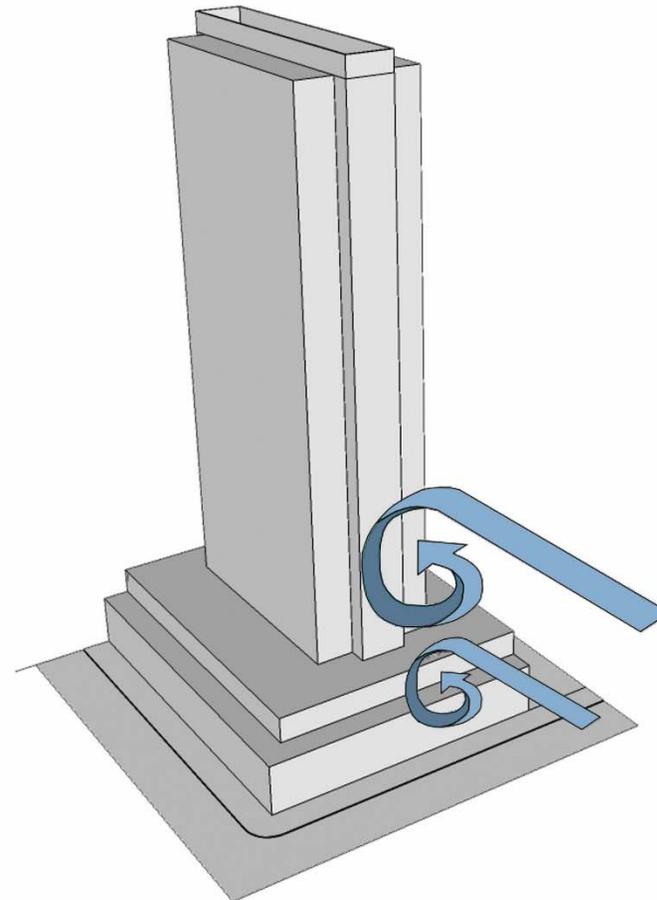
# Downtown-Wide: Wind/Shade/Shadow

## Recommendations

- Orient façade with shortest length north-south
- Provide stepbacks on all facades oriented towards public space



Shortest façade: East – West

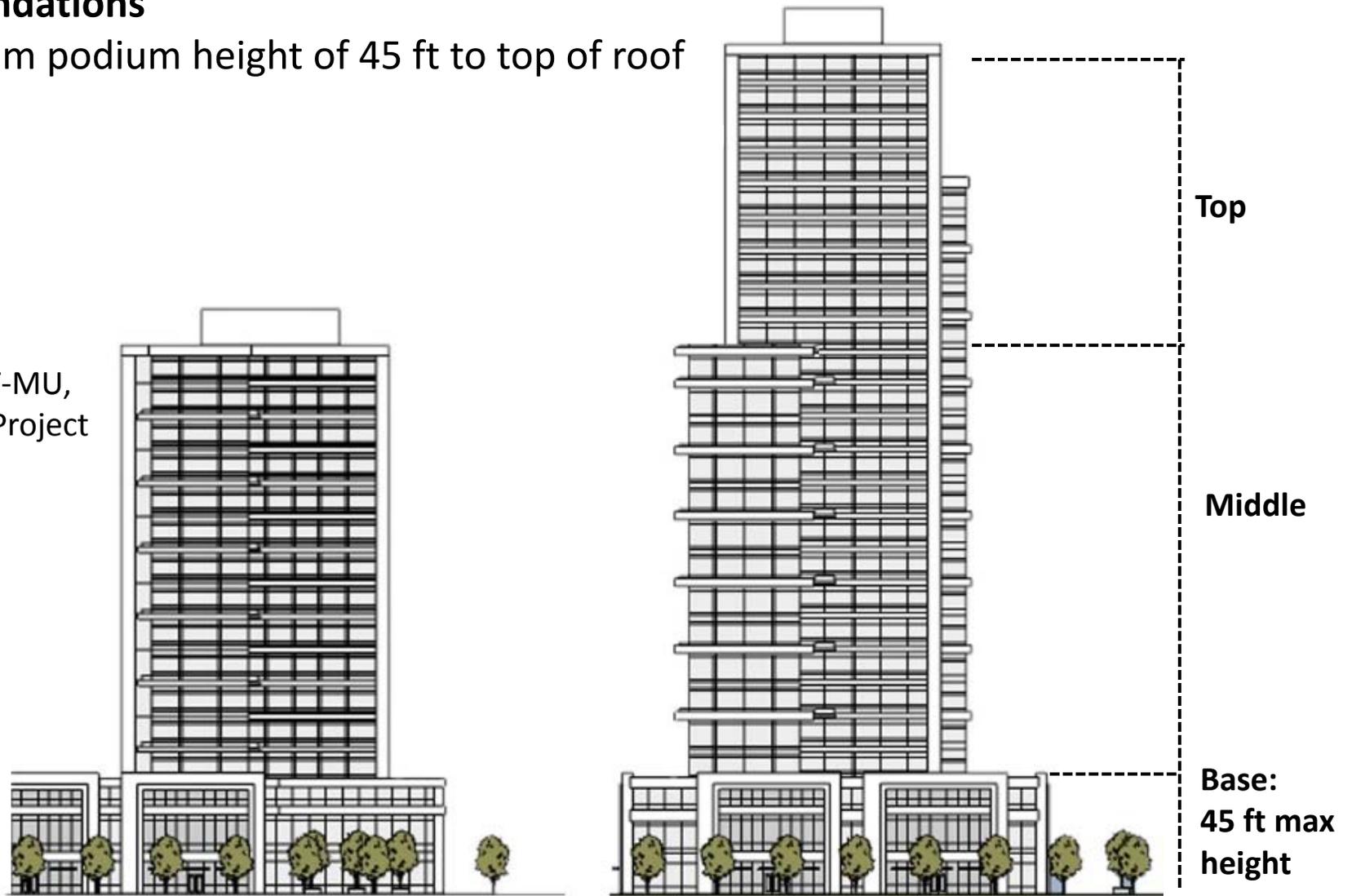


Shortest façade: North - South

# Downtown-Wide: Tripartite (Base, Middle, Top)

## Recommendations

- Maximum podium height of 45 ft to top of roof



Example: DT-MU,  
Residential Project

Top

Middle

Base:  
45 ft max  
height

30

# Downtown Livability Height and Form Recommendations

## Downtown MU

### CURRENT CODE

- FAR: 5.0 res / 3.0 nonres / NA parking structure
- Height: 200' res / 100' nonres / 60' parking structure
- Lot Coverage: 100% res & nonres / 75% parking structure

Previously discussed on Feb. 10, 2016



### District Specific Provisions

#### Floor Area Ratio

##### Direction from CAC:

- Consider up to 5.0 residential and nonresidential

##### Staff Analysis and Recommendation:

- Supports CAC direction.

#### Building Heights

##### Direction from CAC:

- Consider up to 300 ft residential, 200 ft nonresidential, No change to parking structures.
- Use appropriate mitigation to address tower design, separation, permeability from freeway, connectivity with Wilburton, transition issues, the effect of added height at pedestrian level and at larger scale, and localized transportation impacts.
- Address any impacts that may result from additional height or density (e.g. via design guidelines to address public views, shadows, tower spacing, and others).
- Building off the 15%/15 ft<sup>3</sup> rule, allow departure for increased building height if it is needed to accommodate mechanical equipment and/or interesting roof form.

##### Staff Analysis and Recommendations:

- Supports CAC direction with the provision that any building exceeding current code maximum heights (200 ft residential and 100 ft nonresidential) is subject to additional tower spacing, diminishing floor plate, and special open space requirements.
- Current code allows 15 ft additional height for mechanical equipment which can take up between 25% and 50% of the roof area for elevator overrun, cooling towers, etc. Staff recommendation is to allow a new departure for up to 25 ft for high-rise buildings relying on LUC criteria for Mechanical Equipment Screening and Location.
- See "Downtown-wide" recommendations for more detail on tower design, transition, and pedestrian scale.

<sup>3</sup> 15%/15 ft rule = Height may be increased by 15% or 15 ft, whichever is greater, if the additional height provides architecturally integrated mechanical equipment, interesting roof form, significant floor plate modulation, façade modulation, or other unique architectural features. Not applicable in "A" overlay and limited to 10% (9 ft) in "B" overlay.

## Downtown Livability Height and Form Recommendations

### Eliminate Perimeter Design District - "C" Overlay

#### Direction from CAC:

- Not addressed

#### Staff Analysis and Recommendations:

- The "C" overlay has the same dimensional requirements as the underlying "MU". The Code currently states that max FAR and height may be reached by providing food, retail, personal services, hardware, gas stations, child care, or garden supplies. These uses are being amply provided Downtown based on market demand without this criteria.
- This Code provision was adopted at a time when Downtown was losing its traditional neighborhood services. In the interim years, the Downtown residential population has grown to 11,000 residents and the market provides a wealth of neighborhood services on its own.
- Height and form standards are covered in the 'MU' district criteria. Neighborhood services and neighborhood oriented design can be achieved through market demand and Design Guidelines.
- Eliminate "C" overlay.

# Downtown Mixed-Use (DT-MU), Nonresidential

## Recommendations

- 5.0 FAR
- 200 ft height limit\*

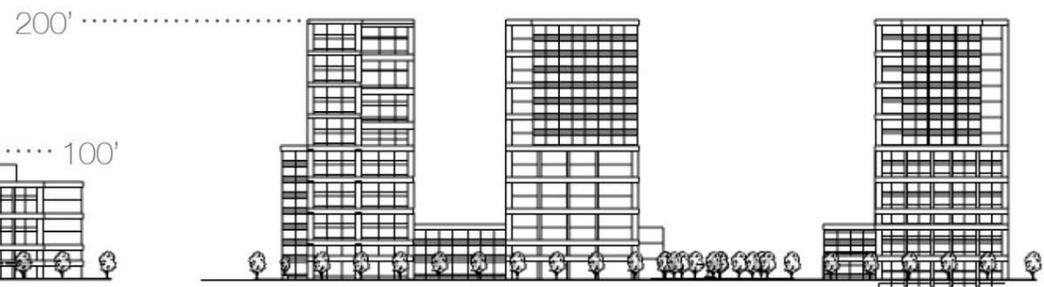
\*



33



Existing



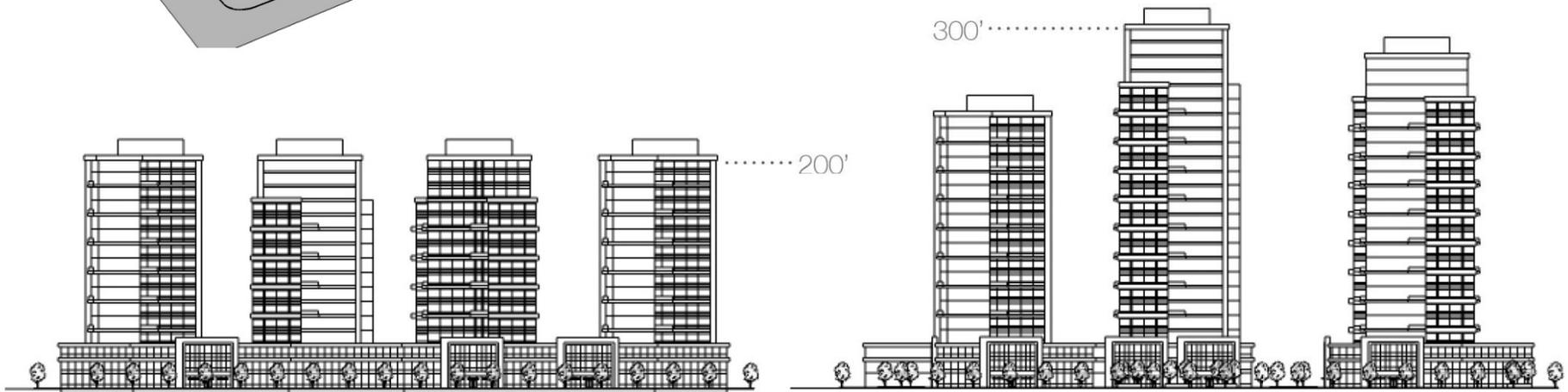
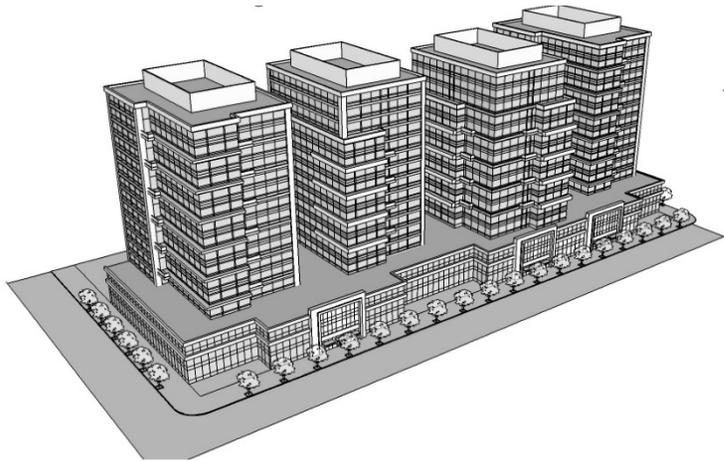
CAC Recommendations

\* Current code allows that height may be increased by 15% or 15 ft whichever is greater , if additional height provides architecturally integrated mechanical equipment, interesting roof form, significant floor plan modulation, façade modulation or other unique features.

# Downtown Mixed-Use (DT-MU), Residential

## Recommendations

- 5.0 FAR (no change)
- 300 ft height limit\*



Existing

CAC Recommendations

\* Current code allows that height may be increased by 15% or 15 ft whichever is greater, if additional height provides architecturally integrated mechanical equipment, interesting roof form, significant floor plan modulation, façade modulation or other unique features.

# Downtown Livability Height and Form Recommendations

## Downtown Deep “B”

### CURRENT CODE

- FAR: 5.0 res MU & R / 1.5 nonres MU / 0.5 nonres R / NA parking structure
- Height: 90’ res / 65’ nonres / 40’ parking structure
- Lot Coverage: 75%

Previously discussed on Feb. 10, 2016



District Specific Provisions	
<b>Floor Area Ratio</b>	
<b>Direction from CAC:</b>	
<ul style="list-style-type: none"> <li>• No change recommended.</li> </ul>	
<b>Staff Analysis and Recommendations:</b>	
<ul style="list-style-type: none"> <li>• Supports CAC direction.</li> </ul>	
<b>Building Heights</b>	
<b>Direction from CAC:</b>	
<ul style="list-style-type: none"> <li>• Consider up to 160 ft – 240 ft w/ 200 ft average residential buildings.</li> <li>• No change to nonresidential or parking structures.</li> <li>• Use appropriate mitigation to address tower design, separation, and transition issues and the effect of added height at pedestrian level and at larger scale.</li> <li>• Variable heights compared to a predominant pattern of 90 ft tall buildings would be preferable and could add significantly to district character and allow more public open space through alleys with addresses.</li> <li>• Use appropriate mitigation to address tower design, separation, transition issues, the effect of added height at pedestrian level and at larger scale, and localized transportation impacts.</li> <li>• Address any impacts that may result from additional height or density (e.g. via design guidelines to address public views, shadows, tower spacing, and others).</li> <li>• Building off the 15%/15 ft<sup>4</sup> rule, allow departure for increased building height if it is needed to accommodate mechanical equipment and/or interesting roof form.</li> </ul>	
<b>Staff Analysis and Recommendations:</b>	
<ul style="list-style-type: none"> <li>• Supports CAC direction with the provision that any building exceeding current code maximum (90 ft) is subject to additional tower spacing, diminishing floor plate, and special open space requirements.</li> <li>• Supports no change to nonresidential and parking structures.</li> <li>• Current code allows 15 ft additional height for mechanical equipment which can take up between 25% and 50% of the roof area for elevator overrun, cooling towers, etc. Staff recommendation is to allow a new departure for up to 25 ft for high-rise buildings relying on LUC criteria for Mechanical Equipment Screening and Location.</li> <li>• Single tower height limited to 160 ft.</li> <li>• Multiple building projects with variable heights of 160 ft – 240 ft w/ 200 ft average residential buildings require special approval such as a Master Development Plan as well as Design Review.</li> </ul>	

<sup>4</sup> 15%/15 ft rule = Height may be increased by 15% or 15 ft, whichever is greater, if the additional height provides architecturally integrated mechanical equipment, interesting roof form, significant floor plate modulation, façade modulation, or other unique architectural features. Not applicable in “A” overlay and limited to 10% (9 ft) in “B” overlay.

# Downtown – Deep “B”, Residential

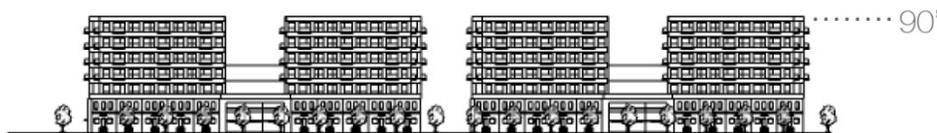
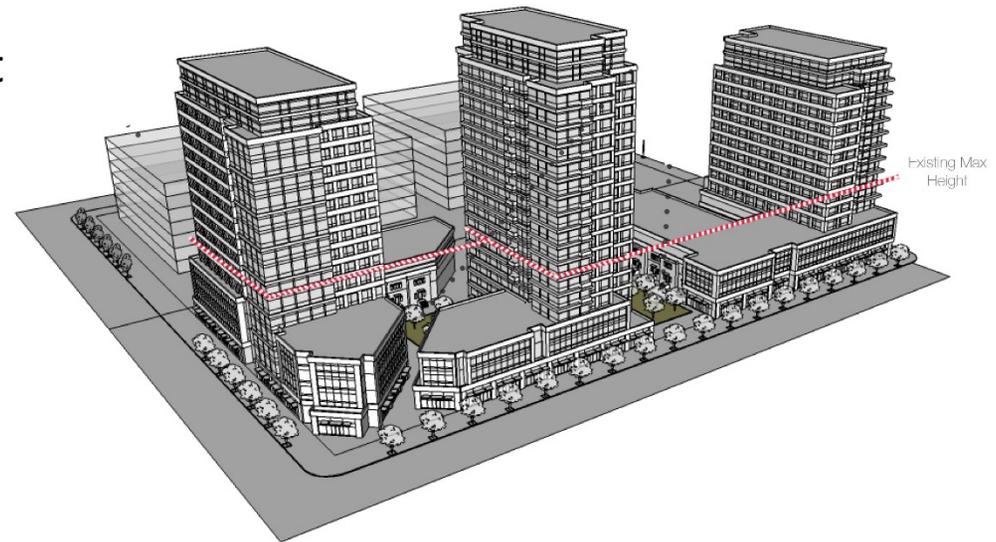
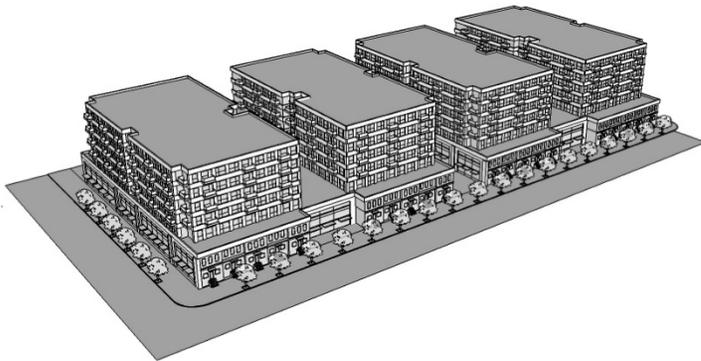
## Recommendations

5.0 FAR (no change)

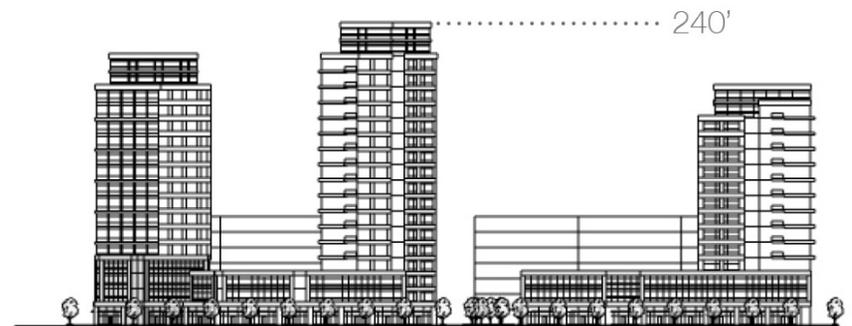
160-240 ft w/ 200 ft average height limit

160 ft for single building project\*

36



Existing



CAC Recommendations

\* Current code allows that height may be increased by 15% or 15 ft whichever is greater , if additional height provides architecturally integrated mechanical equipment, interesting roof form, significant floor plan modulation, façade modulation or other unique features.

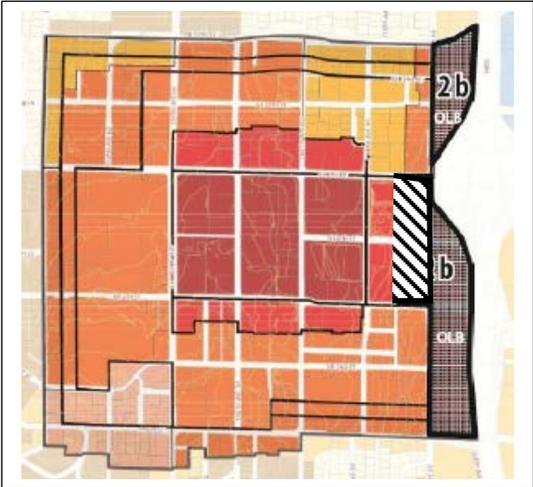
# Downtown Livability Height and Form Recommendations

## Downtown MU (Civic Center)

### CURRENT CODE

- FAR: 5.0 res / 3.0 nonres / NA parking structure
- Height: 250' res / 200' nonres / 60' parking structure
- Lot Coverage: 100% res/nonres / 60% parking structure

Previously discussed on Feb. 10, 2016



### District Specific Provisions

#### Floor Area Ratio

##### Direction from CAC:

- Consider up to 6.0 residential / nonresidential.
- Take advantage of freeway access and proximity to light rail.
- PC to identify appropriate mitigation to address tower design and separation, permeability from the freeway, connectivity with Wilburton, effect on pedestrian level and localized transportation impacts.

##### Staff Analysis and Recommendations:

- Supports CAC direction.

#### Building Heights

##### Direction from CAC:

- Consider up to 350 ft residential/nonresidential.
- No change to parking structures.
- Use appropriate mitigation to address tower design, separation, permeability from freeway and connectivity with Wilburton, transition issues, the effect of added height at pedestrian level and at larger scale, and localized transportation impacts.
- Building off the 15%/15 ft<sup>5</sup> rule, allow departure for increased building height if it is needed to accommodate mechanical equipment and/or interesting roof form.

##### Staff Analysis and Recommendations:

- Supports CAC direction with the provision that any building exceeding current code maximum (250 ft residential and 200 ft nonresidential) is subject to additional tower spacing, diminishing floor plate, and special open space requirements.
- Develop accommodations for protection of public view corridors of mountains as necessary.
- Incorporate Grand Connection vision into future Code amendments.
- Eliminate 15 ft maximum height limit for mechanical equipment. Rely on Mechanical Code for technical requirements and on LUC Mechanical Equipment Screening and Location for design guidance.
- See “Downtown-wide” recommendations for more detail on tower design, transition, and pedestrian scale.
- Departures allowed.

#### Floor Plates

##### Direction from CAC:

- Consider opportunities to expand floorplate allowances where topography drops away towards I-405

##### Staff Analysis and Recommendations:

- Supports CAC direction.

<sup>5</sup> 15%/15 ft rule = Height may be increased by 15% or 15 ft, whichever is greater, if the additional height provides architecturally integrated mechanical equipment, interesting roof form, significant floor plate modulation, façade modulation, or other unique architectural features. Not applicable in “A” overlay and limited to 10% (9 ft) in “B” overlay.

## Downtown Livability Height and Form Recommendations

- Use current Code opportunity to average floor plates above podium/base as long as light, air, permeability from the freeway and effect on pedestrians is mitigated.<sup>6</sup>

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<sup>6</sup> Currently floors above 40 ft, gross square feet per floor may be averaged unless an applicant takes advantage of the diminishing floor plates alternative. The diminishing floor plate provision is being proposed to be removed. Minimum tower spacing provisions result in reduced floor plates.

# Downtown Livability Height and Form Recommendations

## Downtown – “A” Overlay

-  Area across from single family zoned property
-  Area across from or abutting multifamily or commercial zoned property

Previously discussed on March 9, 2016



### CURRENT CODE

- FAR: 3.5 res / 0.5 nonres / NA parking structures
- Height: 55' res/ 40' nonres / 40' parking structures
- Lot coverage: 75% except 100% in Old Bellevue
- Setback: 20' buffer back of sidewalk and where Downtown boundary abuts non-Downtown property

District Specific Provisions
<b>Floor Area Ratio</b>
<b>Direction from CAC:</b> <ul style="list-style-type: none"> <li>• No change.</li> </ul>
<b>Staff Analysis and Recommendation:</b> <ul style="list-style-type: none"> <li>• Supports CAC direction.</li> </ul>
<b>Building Heights</b>
<b>Direction from CAC:</b> <ul style="list-style-type: none"> <li>• Consider up to 70 ft for residential. No change to nonresidential or parking structures.</li> <li>• 15 ft increase could result in better urban design outcomes for wood frame over concrete/steel construction</li> <li>• More functional floor to ceiling heights.</li> <li>• PC to address transition issues with surrounding neighborhood; guidelines to orient buildings to address view blockage, prevent shading of residences, attractive streetscapes comfortable pedestrian access into Downtown.</li> <li>• Additional amenities that support the neighborhoods such as open space.</li> </ul>
<b>Staff Analysis and Recommendation:</b> <ul style="list-style-type: none"> <li>• Supports CAC direction for no change to nonresidential or parking structures.</li> <li>• Maintain 55 ft height limit for residential where Downtown is directly across from single family zoned property.</li> <li>• Supports up to 70 ft for residential where Downtown Boundary is directly across from or abuts multi-family or commercial property with the provision that any building exceeding the current max height (55 ft) is subject to current requirement for upper level setback above 40 ft and special open space requirements.</li> <li>• Address any impacts that may result from additional height (e.g. via design guidelines).</li> <li>• Maintain 15 ft maximum height limit for mechanical equipment to minimize impact on surrounding properties. Rely on LUC Mechanical Equipment Screening and Location for design guidance.</li> <li>• See “Downtown-wide” recommendations for more detail on tower design, transition, and pedestrian scale.</li> </ul>
<b>Setbacks / Stepbacks</b>
<b>Direction from CAC:</b> <ul style="list-style-type: none"> <li>• Not addressed</li> </ul>
<b>Staff Analysis and Recommendation:</b> <ul style="list-style-type: none"> <li>• Allow flexibility for landscape and site improvements within required 20 ft linear buffer back of sidewalk to promote neighborhood character, and ground floor residential entries via design guidelines.</li> </ul>

# Downtown – “A” Overlay, Residential

## Recommendations

- 55 ft next to single family
- 70 ft next to commercial or multi family

### Perspective



### Elevation



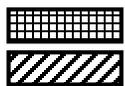
Existing Maximum Height



CAC Recommended Height

# Downtown Livability Height and Form Recommendations

## Downtown MU – “A” & “B” Overlay 112th Ave NE to 110th Ave NE (close proximity to East Main Light Rail Station)

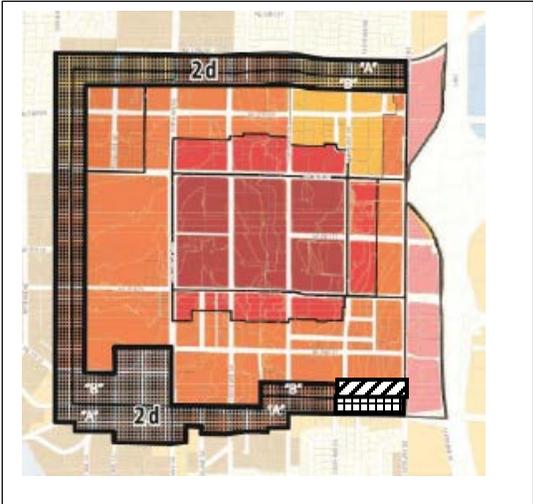


“A” Overlay



“B” Overlay

Previously discussed on March 9, 2016



### CURRENT CODE

- FAR: 3.5 A/res, 5.0 B/res, 1.0 A/nonres, 1.5/B nonres, NA/ parking structures
- Height: 55' A/res, 90' B/res, 45' A/res, 65' B/nonres, 40'/parking structures
- Lot coverage: 75% all
- Setback: 20' buffer back of sidewalk north side of Main Street

District Specific Provisions	
<b>Floor Area Ratio</b>	
<b>Direction from CAC:</b>	
<ul style="list-style-type: none"> <li>• No change</li> </ul>	
<b>Staff Analysis and Recommendation:</b>	
<ul style="list-style-type: none"> <li>• Recommends increase to 5.0 in “A” to take advantage of freeway access and proximity to light rail.</li> <li>• Maintain 5.0 FAR in “B”.</li> <li>• Allow transfer of FAR within project limits to provide for better urban design outcome, gateway feature and special open space requires special approval if result is better than status quo (i.e. Development Agreement or Master Development Plan).</li> </ul>	
<b>Building Heights</b>	
<b>Direction from CAC:</b>	
<ul style="list-style-type: none"> <li>• Consider up to 70 ft residential in “A”. No change to nonresidential or parking structures. No change to “B”.</li> <li>• 15 ft increase could result in better urban design outcomes for wood frame over concrete/steel construction.</li> <li>• More functional floor to ceiling heights.</li> <li>• Use appropriate mitigation to address tower design, separation, and transition issues and the effect of added height at pedestrian level and at larger scale.</li> <li>• Building off the 15%/15 ft<sup>7</sup> rule, allow departure for increased building height if it is needed to accommodate mechanical equipment and/or interesting roof form.</li> </ul>	
<b>Staff Analysis and Recommendation:</b>	
<ul style="list-style-type: none"> <li>• Supports CAC direction for no change to nonresidential or parking structures.</li> <li>• Supports up to 70 ft in “A” for residential where Downtown Boundary is directly across from or abuts multi-family or commercial property with the provision that any building exceeding the current max height (55 ft) is subject to current requirement for upper level stepback above 40 ft and special open space requirements.</li> <li>• Recommends 200 ft in “B” with provision that any building exceeding the current max height (90 ft) is subject to additional tower spacing, diminishing floor plates, and special open space requirements.</li> <li>• Apply 15%/15 ft rule in “B” only.</li> </ul>	

<sup>7</sup> 15%/15 ft rule = Height may be increased by 15% or 15 ft, whichever is greater, if the additional height provides architecturally integrated mechanical equipment, interesting roof form, significant floor plate modulation, façade modulation, or other unique architectural features. Not applicable in “A” overlay and limited to 10% (9 ft) in “B” overlay.

## Downtown Livability Height and Form Recommendations

- Current code allows 15 ft additional height for mechanical equipment which can take up between 25% and 50% of the roof area for elevator overrun, cooling towers, etc. Staff recommendation is to allow a new departure for up to 25 ft for high-rise buildings relying on LUC criteria for Mechanical Equipment Screening and Location.
- Maintain 15 ft maximum height limit for mechanical equipment in “A” to minimize impact on surrounding properties. Rely on LUC Mechanical Equipment Screening and Location for design guidance.
- Aligns with East Main CAC recommendation that increased FAR and height are appropriate for Transit Oriented Development within the ¼ mile walkshed of the East Main Light Rail Station.
- See “Downtown-wide” recommendations for more detail on tower design, spacing, transition, and pedestrian scale.

### Setbacks / Stepbacks

#### Direction from CAC:

- Not addressed

#### Staff Analysis and Recommendation:

- Allow flexibility for landscape and site improvements within required 20 ft linear buffer back of sidewalk to promote neighborhood character, and ground floor residential entries or gateway entry to Downtown and to promote Main Street as a segment of the Lake to Lake Greenway and a Shopping Street (Comp Plan).
- Accommodates Building Sidewalk ROW Designs Guidelines.

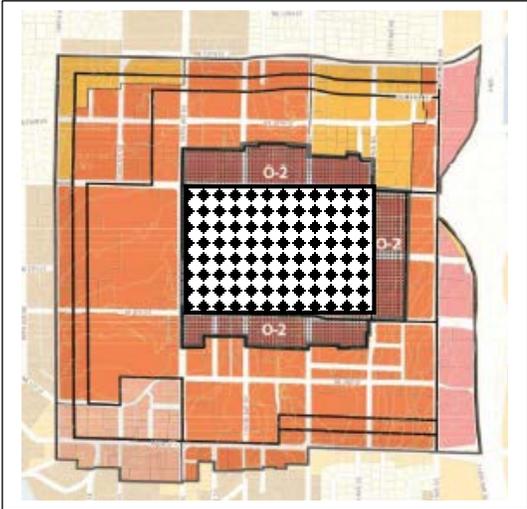
# Downtown Livability Height and Form Recommendations

## Downtown-01



NE 4th to NE 8th  
Bellevue Way to 110th

*Previously discussed on March 9, 2016*



### CURRENT CODE

- FAR: Unlimited res/ 8.0 nonres/ NA parking structures
- Height: 450' res/nonres / 100' parking structures
- Lot Coverage: 100% all

District Specific Provisions	
<b>Floor Area Ratio</b>	
<b>Direction from CAC:</b>	
<ul style="list-style-type: none"> <li>• No change</li> </ul>	
<b>Staff Analysis and Recommendation:</b>	
<ul style="list-style-type: none"> <li>• Supports CAC direction to maintain nonresidential FAR max at 8.0.</li> <li>• Maintain “unlimited FAR” for residential buildings that do not exceed current max height (450 ft).</li> <li>• Cap FAR at 10.0 for residential buildings that exceed current max height (450 ft). This reflects an achievable FAR within current max floor plate and max building height limits and ensures slender towers with separation for additional light and air between buildings.</li> </ul>	
<b>Building Heights</b>	
<b>Direction from CAC:</b>	
<ul style="list-style-type: none"> <li>• Consider up to 600 ft residential/nonresidential. No change to parking structures.</li> <li>• PC to identify appropriate mitigation to address tower design, separation, and transition issues, and the effect of added height at pedestrian level and at larger scale as well as any localized transportation impacts.</li> <li>• Building off the 15%/15 ft<sup>8</sup> rule, allow departure for increased building height if it is needed to accommodate mechanical equipment and/or interesting roof form.</li> </ul>	
<b>Staff Analysis and Recommendation:</b>	
<ul style="list-style-type: none"> <li>• Supports CAC direction with the provision that any building exceeding the current maximum height (450 ft) is subject to additional tower spacing, diminishing floor plates, and special open space requirements.</li> <li>• Maintain current code requirement that all building elements must fit within maximum height allowed.</li> <li>• See “Downtown-wide” recommendations for more detail on tower design, spacing, transition, and pedestrian scale.</li> </ul>	

<sup>8</sup> 15%/15 ft rule = Height may be increased by 15% or 15 ft, whichever is greater, if the additional height provides architecturally integrated mechanical equipment, interesting roof form, significant floor plate modulation, façade modulation, or other unique architectural features. Not applicable in “A” overlay and limited to 10% (9 ft) in ‘B’ overlay.

# Downtown-01, Residential

## Recommendations

- 10.0 FAR
- 600 ft height limit

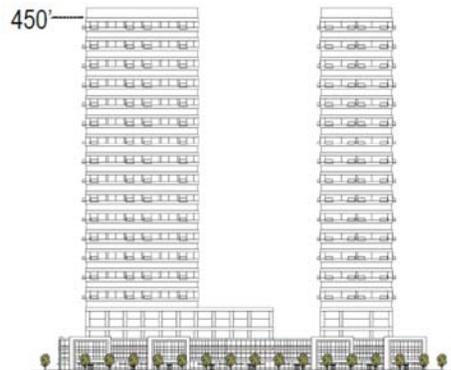


Existing Maximum Height

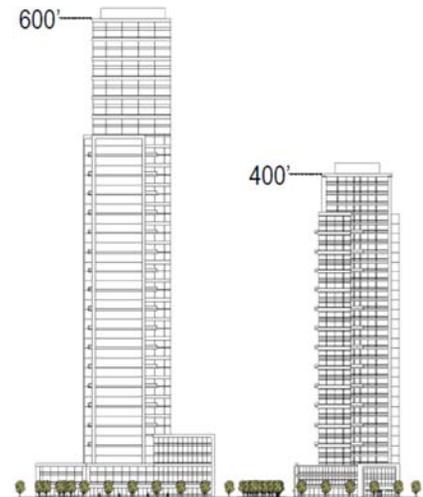


CAC Recommended Height

## Elevation



Existing Maximum Height



CAC Recommended Height

# Downtown Livability Height and Form Recommendations

## Downtown-02

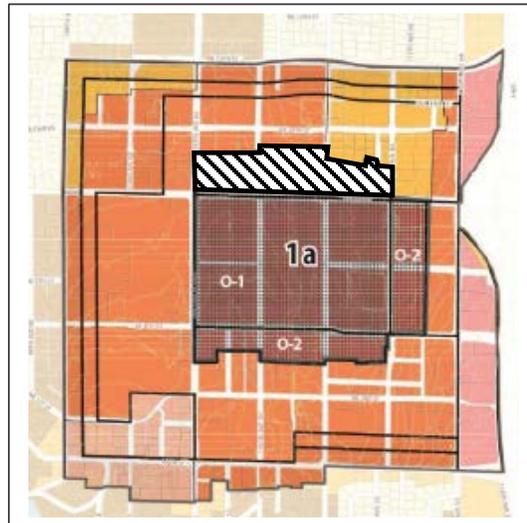


### North of NE 8th Street

Previously discussed on March 9, 2016

#### CURRENT CODE

- FAR: 6.0 res & nonres / NA parking structures
- Height: 250' res & nonres / 100' parking structures
- Lot coverage: 100%FAR



District Specific Provisions	
<b>Floor Area Ratio</b>	
<b>Direction from CAC:</b>	
<ul style="list-style-type: none"> <li>• 6.0 residential/ nonresidential</li> <li>• PC to identify appropriate mitigation to address tower design and separation, permeability from the freeway, connectivity with Wilburton, effect on pedestrian level and localized transportation impacts.</li> </ul>	
<b>Staff Analysis and Recommendation:</b>	
<ul style="list-style-type: none"> <li>• Supports CAC direction.</li> </ul>	
<b>Building Heights</b>	
<b>Direction from CAC:</b>	
<ul style="list-style-type: none"> <li>• Consider up to 300 ft residential/nonresidential. No change to parking structures.</li> <li>• Use appropriate mitigation to address tower design, separation, transition issues, the effect of added height at pedestrian level and at larger scale, and localized transportation impacts.</li> <li>• Building off the 15%/15 ft<sup>9</sup> rule, allow departure for increased building height if it is needed to accommodate mechanical equipment and/or interesting roof form.</li> </ul>	
<b>Staff Analysis and Recommendation:</b>	
<ul style="list-style-type: none"> <li>• Supports CAC direction for use of 15%/15 ft rule and no change to parking structures.</li> <li>• Allow up to 400 ft with the provision that any building exceeding the current max height (250 ft) is subject to additional tower spacing, diminishing floor plates, and special open space requirements.</li> <li>• Current code allows 15 ft additional height for mechanical equipment which can take up between 25% and 50% of the roof area for elevator overrun, cooling towers, etc. Staff recommendation is to allow a new departure for up to 25 ft for high-rise buildings relying on LUC criteria for Mechanical Equipment Screening and Location.</li> <li>• Consider permeability from the north.</li> <li>• See “Downtown-wide” recommendations for more detail on tower design, spacing, transition, and pedestrian scale.</li> <li>•</li> </ul>	

<sup>9</sup> 15%/15 ft rule = Height may be increased by 15% or 15 ft, whichever is greater, if the additional height provides architecturally integrated mechanical equipment, interesting roof form, significant floor plate modulation, façade modulation, or other unique architectural features. Not applicable in “A” overlay and limited to 10% (9 ft) in ‘B’ overlay.

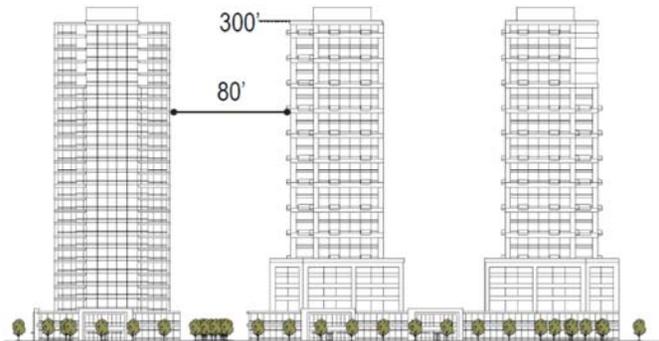
# Downtown-02 North of NE 8th Street, Residential

## Recommendations

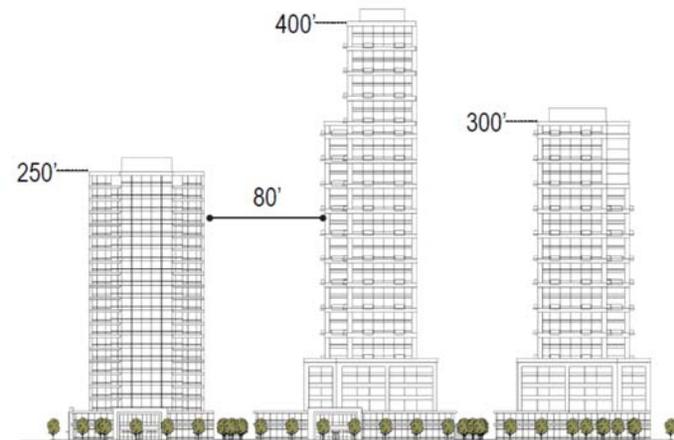
- 7.0 FAR
- 400 ft height limit\*



## Elevation



CAC Recommended Height



400' Additional Height Consideration Analysis

*Achieving maximum FAR would result in building height variation*

\* Current code allows that height may be increased by 15% or 15 ft whichever is greater , if additional height provides architecturally integrated mechanical equipment, interesting roof form, significant floor plan modulation, façade modulation or other unique features.

# Downtown Livability Height and Form Recommendations

## Downtown-02

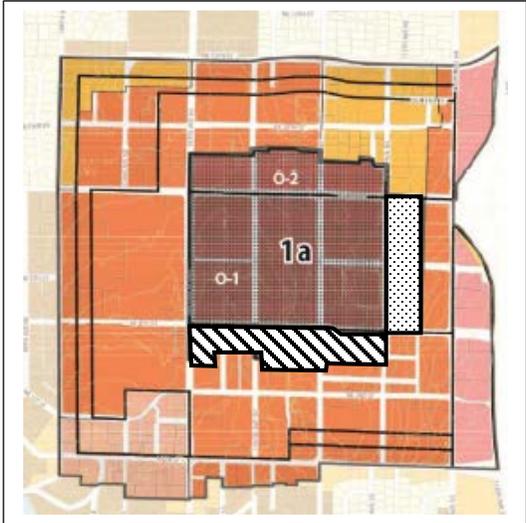


South of NE 4th



East of 110th Ave NE

Previously discussed on March 9, 2016



**CURRENT CODE**

- FAR: 6.0 res & nonres / NA parking structures
- Height: 250' res & nonres / 100' parking structures
- Lot coverage: 100% all

District Specific Provisions	
<b>Floor Area Ratio</b>	
<b>Direction from CAC:</b>	
<ul style="list-style-type: none"> <li>• No change</li> </ul>	
<b>Staff Analysis and Recommendations:</b>	
<ul style="list-style-type: none"> <li>• Supports CAC direction.</li> </ul>	
<b>Building Heights</b>	
<b>Direction from CAC:</b>	
<ul style="list-style-type: none"> <li>• South of NE 4<sup>th</sup> - Consider up to 300 ft residential / nonresidential.</li> <li>• East of 110<sup>th</sup> – Not addressed but intent was to maintain current height of 350 ft and continue this height east for OLB between NE 4<sup>th</sup> and NE 8<sup>th</sup> for residential / nonresidential.</li> <li>• No change to parking structures.</li> <li>• Use appropriate mitigation to address tower design, separation, permeability from freeway and connectivity with Wilburton, transition issues, the effect of added height at pedestrian level and at larger scale, and localized transportation impacts.</li> <li>• Address any impacts that may result from additional height (e.g. via design guidelines to address public view tower spacing, and others).</li> <li>• Building off the 15%/15 ft<sup>10</sup> rule, allow departure for increased building height if it is needed to accommodate mechanical equipment and/or interesting roof form.</li> </ul>	
<b>Staff Analysis and Recommendations:</b>	
<ul style="list-style-type: none"> <li>• South of 4<sup>th</sup> - Supports CAC direction with the provision that any building exceeding current code max (250 ft) is subject to additional tower spacing, diminishing floor plates, and special open space requirements.</li> <li>• East of 110<sup>th</sup> – Supports CAC recommendation of maintaining current max height of 350 ft east of 110<sup>th</sup>. This area is part of the Civic Center neighborhood and is developed as City Hall and will be included a portion of the NE 6<sup>th</sup> Light Rail Station.</li> <li>• Current code allows 15 ft additional height for mechanical equipment which can take up between 25% and 50% of the roof area for elevator overrun, cooling towers, etc. Staff recommendation is to allow a new departure for up to 25 ft for high-rise buildings relying on LUC criteria for Mechanical Equipment Screening and Location.</li> <li>• See “Downtown-wide” recommendations for more detail on tower design, spacing, transition, and pedestrian scale.</li> </ul>	

<sup>10</sup> 15%/15 ft rule = Height may be increased by 15% or 15 ft, whichever is greater, if the additional height provides architecturally integrated mechanical equipment, interesting roof form, significant floor plate modulation, façade modulation, or other unique architectural features. Not applicable in “A” overlay and limited to 10% (9 ft) in ‘B’ overlay.

# Downtown-O2 South of NE 4th Street, Residential

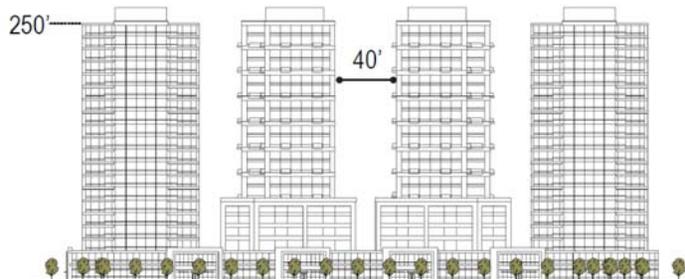
## Recommendations

- 6.0 FAR (no change)
- 300 ft height limit\*

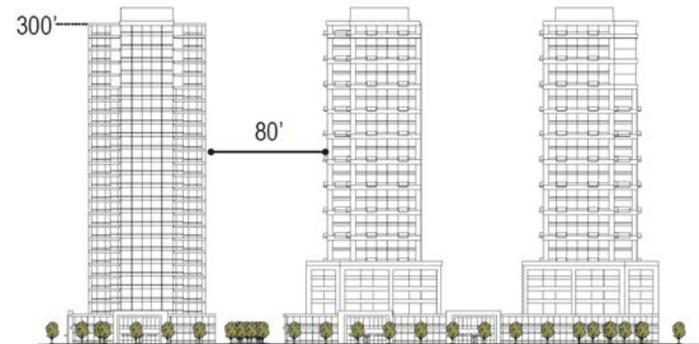


Existing Maximum Height

## Elevation



CAC Recommended Height



\* Current code allows that height may be increased by 15% or 15 ft whichever is greater, if additional height provides architecturally integrated mechanical equipment, interesting roof form, significant floor plan modulation, façade modulation or other unique features.

# Downtown Livability Height and Form Recommendations

## Downtown OLB/1 – NE 4th to NE 8th



### CURRENT CODE

- FAR: 3.0 res & nonres / NA parking
- Height: 90' res / 75' nonres / 45' parking
- Setbacks: 20' all sides
- Lot coverage: 75% res/ 60% nonres / 75% parking

### District Specific Provisions

#### Floor Area Ratio

##### Direction from CAC:

- 6.0 residential / nonresidential
- Take advantage of freeway access and proximity to light rail
- PC to identify appropriate mitigation to address tower design and separation, permeability from the freeway, connectivity with Wilburton, effect on pedestrian level and localized transportation impacts

##### Staff Analysis and Recommendation:

- Supports CAC direction.

#### Building Heights

##### Direction from CAC:

- 350 ft residential / nonresidential.
- No change to parking.
- Use appropriate mitigation to address tower design, separation, and transition issues and the effect of added height at pedestrian level and at larger scale.
- Building off the 15%/15 ft<sup>11</sup> rule, allow departure for increased building height if it is needed to accommodate mechanical equipment and/or interesting roof form.

##### Staff Analysis and Recommendation:

- Supports CAC direction with the provision that any building exceeding current code maximum (90 ft residential and 75 ft nonresidential) is subject to additional tower spacing, diminishing floor plate, and special open space requirements.
- Current code allows 15 ft additional height for mechanical equipment which can take up between 25% and 50% of the roof area for elevator overrun, cooling towers, etc. Staff recommendation is to allow a new departure for up to 25 ft for high-rise buildings relying on LUC criteria for Mechanical Equipment Screening and Location.
- Develop accommodations for protection of public view corridors of mountains as necessary  
Incorporate Grand Connection vision into future Code amendments.

#### Floor Plates

##### Direction from CAC:

- Consider opportunities to expand floorplate allowances where topography drops away towards I-405

##### Staff Analysis and Recommendation:

- Supports CAC direction
- Allow 30,000 square foot floor plates between 40 ft and 80 ft for permeability from I-405 and public views above 80 ft.

<sup>11</sup> 15%/15 ft rule = Height may be increased by 15% or 15 ft, whichever is greater, if the additional height provides architecturally integrated mechanical equipment, interesting roof form, significant floor plate modulation, façade modulation, or other unique architectural features. Not applicable in "A" overlay and limited to 10% (9 ft) in "B" overlay.

# Downtown Livability Height and Form Recommendations

## Setbacks / Stepbacks

### Direction from CAC:

- Not addressed

### Staff Analysis and Recommendation:

- Eliminate 20 ft setback all sides to accommodate recommended density increase and accommodate Building Sidewalk ROW Designations Guidelines.
- Develop accommodations for protection of public view corridors of mountains as necessary.
- Incorporate Grand Connection vision into future Code amendments.

## Lot Coverage

### Direction from CAC:

- Not addressed

### Staff Analysis and Recommendations:

- Increase to 100% residential/nonresidential, 60% parking to align with “MU” across 112<sup>th</sup> and accommodate density increase and Building Sidewalk ROW Designation Guidelines.



**DATE:** April 13, 2016

**TO:** Chair Hilhorst and Planning Commission Members

**FROM:** Terry Cullen, AICP, Comprehensive Planning Manager, [tcullen@bellevuewa.gov](mailto:tcullen@bellevuewa.gov),  
452-4070, *Planning & Community Development Department*

**SUBJECT:** Quarterly Check-in

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**DIRECTION NEEDED FROM PLANNING COMMISSION**

- Action
- Discussion
- Information

The Planning Commission, City Council Liaison and City Staff conduct a quarterly check-in to discuss progress on current initiatives, future ones and other related matters. This is the quarterly check-in for the first quarter, 2016. This agenda item is for discussion and information only and no action is required.

**BACKGROUND**

One of the outcomes of the Planning Commission annual retreat held on September 30, 2015 was the decision to hold a quarterly check-in to include the Planning Commission and City staff.

Mayor John Stokes, Planning Commission Chair Michelle Hilhorst, Vice-Chair John deVadoss, and City Planning Director Dan Stroh and City Comprehensive Planning Manager Terry Cullen met March 22, 2016 at City Hall to discuss items related to the quarterly check-in.

The Planning Commission held six meetings in the first quarter of 2016. Eight study sessions and one open house were conducted and no public hearings were held. All meetings took place at City Hall.

Four projects were studied:

- Downtown Livability Code Amendments
- Eastgate Land Use Code Amendments
- Comprehensive Plan Amendments (including Vision Zero, Transportation Element proposed amendments)
- Expansion of Floor Area Exception for Assisted Living Uses through Provisions of Affordable Housing

All of the projects are still ongoing and work will continue in the second quarter.

## Looking Ahead

- City Council Interests – Mayor John Stokes is a long-time leading proponent for the Planning Commission. The Mayor acknowledged the hard work of the Commission and thanked them for their service. The Mayor emphasized the role of the Planning Commission as a policy board, and encouraged the Commission to strengthen its good work and primary focus on policy. This is a beneficial role that helps City Council with their work. The Mayor identified Council’s top priorities that relate to the Planning Commission’s work:
  - Downtown Livability – Council has expressed a strong interest to finish and adopt the code amendments for this project by the end of 2016.
  - Eastgate – Council would like to have this project concluded too, and the code amendments adopted by the end of 2016.

The Mayor appreciated the Commission’s willingness to do the work and take the time to meet the deadlines.

The Mayor also discussed two other projects that were very important to the City – the Grand Connection and the Affordable Housing Strategy. Some of the resulting work needed to implement these projects will likely be on the Planning Commission’s work agenda next year.

- Planning Commission Initiatives – The Commission has several ongoing initiatives. One is to invite guest speakers to a Commission meeting to speak on topics that add value to existing planning initiatives and that educate Commissioners and the public about planning related matters. This quarter the Commission has invited senior staff members from the Bellevue School District to the April 27, 2016 Commission meeting to discuss the District’s capacity issues, current and future projected needs and capital projects.

The Commission is interested in conducting some of their meetings in neighborhood venues. The purpose is to make the Planning Commission more accessible to neighborhoods and for the Commissioners to learn more about the neighborhoods it visits. The Planning Commission will be discussing the neighborhoods they would like to include in the initial round, and expressed an interest to conduct one such meeting this quarter.

The members of the Planning Commission work in a variety of professional fields and bring to the table a variety of specialized knowledge, skills and abilities. The Commission is interested in leveraging this capacity to assist the City on future planning studies as it relates to the data initiatives needed to support a study. In a related interest, members of the Planning Commission would like to contribute to Bellevue’s Smart Cities initiatives.

- Staff Projects – There are many time sensitive items that will be coming to the Planning Commission in the second quarter:
  - Public Hearing - Expansion of Floor Area Exception for Assisted Living Uses through Provisions of Affordable Housing.
  - Study Session and Public Hearing – Threshold Review/Comprehensive Plan Amendments.
  - Study Sessions and Public Hearing – Low Impact Development Standards.
  - Study Sessions and Public Hearing – Eastgate Land Use Code Amendments.
  - Study Session – Critical Areas.
  - Study Sessions – Downtown Livability Project.

The next quarterly check-in is scheduled for the July 13, 2016 Planning Commission meeting.



## Planning Commission Correspondence

Please note:

The following section contains correspondence sent to the Planning Commission between March 24, 2016 (the day following the last Planning Commission meeting) and close of business day, Wednesday April 6, 2016. (The agenda packet was sent to the Planning Commission the following day, Thursday, April 7, 2016.)

Correspondence sent to the Planning Commission between April 7, 2016 up to 2 PM, April 13, 2016 (the day of the next Planning Commission meeting) will be printed, copied and placed in desk packets that will be delivered to the Planning Commissioners at the meeting.)



March 8, 2016

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

**RE: BDA Support for Downtown Livability Initiative Recommendations**

Dear Chair Hilhorst and Commissioners:

We are writing to share the Bellevue Downtown Association's (BDA) support for increased flexibility in allowable building height and floor area in Downtown, consistent with Citizen Advisory Committee (CAC) recommendations, along with updated principles and guidance for applicants who propose new projects.

The allowances and added flexibility align with the BDA's Land Use & Livability goals for Downtown. They would further:

- Strengthen Bellevue's competitive position to attract jobs, residents and new investments.
- Focus most of the city's growth Downtown as planned.
- Generate economic benefits for the entire city.
- Enhance livability Downtown and deliver community-serving amenities.
- Achieve excellent urban design and architectural variety in the built environment.

***Improve outcomes, set community expectations with clear design guidelines for taller buildings.***

Consideration of building height and form can be a complex and sensitive topic for any community. Constituents will ask for transparency and meaningful input in the process and a clear view of benefits and tradeoffs. Since late 2012, the Downtown Livability Initiative has invited extensive public feedback. From the CAC to Council to Commission, each discussion on building height touched on the rationale, risks, concerns and benefits tied to increases. You've advanced the work program with professional analysis and careful review of legal constraints, planning best practices and comprehensive plan policies.

The CAC acknowledged specific principles for recommended changes to height and form. Permitted projects should:

- Result in better urban design outcome than the status quo, adding to architectural excellence, district character, variety and memorability.
- Further distinguish the special market niche played by Downtown
- Help deliver new amenities that enhance the livability and character of Downtown.
- Address potential impacts that may result from the additional height and density.
- Continue to provide appropriate transitions between Downtown and adjoining residential neighborhoods.

*Making A Great Place Together*

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City staff recently presented draft “elements of urban form,” proposing new requirements for the pedestrian realm, tower spacing, floor plate size, shade and shadow, wind, building form and design, and public view preservation. However, as currently expressed, they read as too restrictive and have yet to reflect community feedback or a detailed review on how the new requirements would impact project viability (changes vs. status quo).

We believe design outcomes can be greatly influenced by a carefully crafted list of design guidelines that inspire, rather than dictate, and encourage certain building features and amenities. At a minimum, the standards should include departure opportunities that allow greater design flexibility for applicants even if their plans do not fit within the “box” created by the specific standards.

***Embrace flexibility through a Bellevue-specific, market-ready Downtown Land Use Code.***

Your work to date has noted that added height does not equal increased density. With clear guidance, height flexibility can lead to better site plans with variability in building height and form and options for smaller and varied floor plate sizes. A key benefit would be more light and air between buildings with an improved pedestrian experience at the ground level.

With regard to FAR increases, the CAC agreed that targeted increases in certain areas, such as the DT-OLB, have a nexus with policy direction to focus jobs and housing near transportation improvements (transit stations, I-405). Leveling the allowable commercial floor area in the DT-MU District to match the residential should help the market respond with investments to support both job growth and housing options. Importantly, the recent transportation analysis on the height and form changes showed no degradation of traffic operations in Downtown. These results will invite scrutiny, and we recommend added evaluation to ensure a high degree of confidence in the methodology and findings.

The BDA further supports an alternative path for development plans (optional at the election of the applicant) with a review process for projects that respond to the guidelines (not formulas) through new amenities and innovative architecture. This path would allow for departures, including height and/or FAR, and some degree of flexibility in requirements and amenity bonus values. Departures would be subject to approval and measured against then-applicable (not current) code requirements.

Applicants choosing this discretionary approach would take the risk they might not obtain approval because there is no formula and clear path to approval; however, there could be extraordinary benefit to the city from an “outside the box” project that provides great design and amenities for Downtown. We believe it’s vital to consider including this discretionary approach with upcoming work on the incentive system, the economic analysis on project feasibility and the refinement of design guidelines.

***BDA shares a commitment to a thriving, livable Downtown that benefits the entire city.***

The BDA took root in 1974 with the founding of the Bellevue Downtown Development Board. This initial group of citizen leaders worked with the city in the 1970s to outline and implement the current Land Use Code. BDA members continue to build and shape much of Downtown’s urban landscape. Today our members represent the diversity of our growing community, including property owners, tenants and businesses of various sizes and industries, retailers, restaurateurs, residents and nonprofit organizations.

**From:** Stead, Elizabeth  
**Sent:** Tuesday, March 22, 2016 4:27 PM  
**To:** King, Emil A. <[EAKing@bellevuewa.gov](mailto:EAKing@bellevuewa.gov)>; Rich Edwards <[r2edwards@comcast.net](mailto:r2edwards@comcast.net)>  
**Subject:** RE: Downtown Livability

Hello Rich,

My sincere apologies for the late reply, somehow I skipped past this in my inbox and did not deliver a timely reply. The concerns that you have raised about the Main Street project are well articulated and understandable. Some of the concerns that you have raised are absolutely consistent with the reasons for moving forward with the package of code updates aligned with the Downtown Livability Initiative.

Through this code review we are attempting to drill down more on the concepts associated with specific design guidelines for specific neighborhoods and to provide our planners with more tools to enforce issues around open space, such as the corner feature. The applicant for this project was extremely resistant to change, and while we worked to open the corner and create more openness we were unable to be successful at the ground plane with the tools we have now to accomplish that goal.

We do have a difference of opinion with the colors for the project. The applicant had originally requested a much more extreme color palette with ten different colors along the building frontages. The addition of the orange and green in panels along the back and sides of the building were deemed to be an acceptable design feature in this case. We do need to look at compatibility in colors, but also want to be able to let each developer and building owner have some flexibility to make their own statements with their buildings. We felt it was important to maintain a very consistent façade along Main Street but were comfortable with the splashes of color on the other facades.

I am always available to answer any further questions that you have, and am happy to speak with you further.

Thank you,

**Liz Stead, LEED AP, BD+C**  
Urban Design Planning Manager  
Development Services Department  
City of Bellevue  
425.452.2725, [estead@bellevuewa.gov](mailto:estead@bellevuewa.gov)

# HEARTLAND

March 9, 2016

Dan Stroh  
Director of Planning and Community Development  
City of Bellevue  
450 110<sup>th</sup> Ave. NE  
Bellevue, WA 98009  
Via Email: [DStroh@bellevuewa.gov](mailto:DStroh@bellevuewa.gov)

RE: *The Downtown Livability Study – The Value of Placemaking*

Dear Mr. Stroh:

As you know, Fortin Group is focused on positioning its Bellevue Village Property (zoned DNTN-MU with the B Overlay) to accommodate long-term redevelopment that will achieve many of the goals and ideals articulated in the Downtown Livability Study. Given that the Planning Commission is going to focus on FAR/height at their March 9 meeting, we feel this may be an opportune time to offer some perspectives on the relationship between quality placemaking and property values.

The following points summarize the key findings, which are discussed in more detail in the body of the letter:

1. Neighborhoods adjacent to downtowns benefit as new development brings amenity rich and pedestrian oriented urban spaces—placemaking creates value.
2. Over the past 20 years, the homes on the eastside of Vuecrest with their views of the evolving downtown skyline and proximity to services have increased in value at a slightly faster rate than the homes on the west side of the neighborhood with views of Lake Washington.

### **Placemaking Creates Value:**

One of the primary challenges faced by every major planning initiative is stakeholders' fear of change. Most of this fear comes from concerns that the changes will have a negative effect on property values in adjacent neighborhoods. The data does not support such a conclusion in our experience. Our empirical understanding of property values is established through market activity—the buying/selling/renting over time establishes our perception of how the “market” values a particular asset.

It has been suggested that future home buyers (the “market” for their homes) will prefer – and therefore place a higher value on – the neighborhood as it exists today. Comparing the type of place created under the current “wedding-cake” zoning in Exhibit A (consisting of 6-9 story buildings with no public spaces) versus our vision in Exhibit B (pushing the same density into taller, slender towers), it is clear that current zoning would not allow for the creation of a major pedestrian oriented public space.

**Exhibit A: Development Under Existing Zoning**



Yet these are precisely the types of public spaces that home buyers and homeowners find highly desirable.

To address those who express concern about property values, we would ask the following questions:

- Will a future homebuyer value the ability to walk to and through activated, pedestrian oriented public plazas?
- Will current and future residents of the Northwest Village have a greater sense of place and neighborhood identity if there is a vibrant public space within which to build community?

We believe the answer to both questions is yes.

**Exhibit B: Fortin Vision**



Project for Public Spaces (PPS) is a highly regarded nonprofit planning, design and educational organization focused on creating great public spaces. If they have not done so already, we would encourage the Planning Commission to explore the deep resources on their website at [www.pps.org](http://www.pps.org). Exhibit C below details the wide range of public benefits associated with high quality placemaking. While higher real estate values are on the list, we are struck by the less quantifiable but more important benefits such as “sense of belonging” and “improved sociability.” There is only one opportunity to create this type of holistic value in the northwest village.

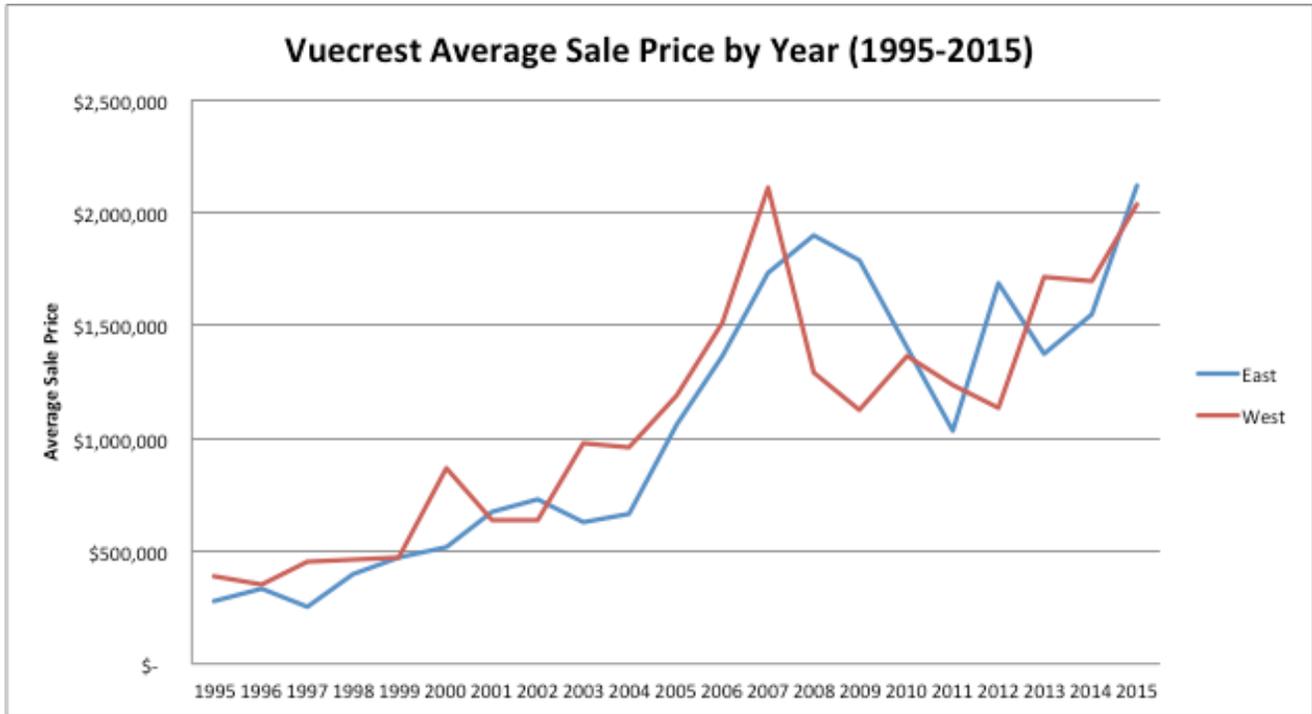
**Exhibit C: The Benefits of Great Places, Project for Public Spaces**



**The Value of the City View and Walk Scores:**

Any residential real estate agent can tell you about the value associated with “city views.” This value can also be quantified by looking at sales data. We reviewed all of the residential sales in the Vuecrest neighborhood between 1995 and 2015.

Vuecrest is a great case study in the value of views because it splits fairly evenly into a west half with views of Lake Washington and an east half with views of the evolving city skyline. The compound annual growth rate (CAGR) in home sale prices in the west half of the neighborhood over the 20 year period was 8.2 percent while the east half was 10.1 percent.



Water views are some of the most sought after in all of Puget Sound, so the slightly higher value appreciation in the east half of Vuecrest is somewhat surprising. Views are not, however, the only difference between the two halves of the neighborhood.

The west half of the neighborhood is between 1/3 and 2/3 of a mile from the amenities of Bellevue Village and downtown while most of the east side is within the magical 1/4 mile radius that is shown to draw people out of their cars. Walk Scores on the west side of the neighborhood are around 50 while the east side is in the 80s. In addition to bedrooms and walk-in-closets, homebuyers look at Walk Scores and views, and it is their incremental decision to buy that establishes property values.

While the data can't tell the entire story, it does help make the point that Vuecrest and other neighborhoods surrounding downtown will benefit from the growth of a downtown that combines great public spaces and a vibrant mix of uses to create a truly great sense of place.

We appreciate the complexity of revising the downtown zoning code and we look forward to working with City Staff, the Planning Commission and the City Council to find ways in which we can help nurture the downtown that Bellevue desires.

Sincerely,

HEARTLAND LLC

A handwritten signature in blue ink, appearing to read "Matt Anderson", with a long horizontal flourish extending to the right.

Matt Anderson  
Principal & Senior Project Director

CC: Emil King  
Patti Wilma  
Planning Commission Members

Dear Planning Commission Members:

I am the owner of the office building situated at the NE corner of NE 6th Street and 112th Avenue NE. The site is within Area 2B. It is zoned DTN-OLB. After exploring redevelopment concepts with my urban planning and architecture team, it has become clear that redevelopment of this site presents unique opportunities to improve the character and livability of the neighborhood.

This property presents an exceptional opportunity to connect and enliven major features of this unique area of Downtown. Attributes of the site that can help attain objectives of the Downtown Livability Initiative include:

- The NE 6th Street location abuts the Grand Connection Study Area, providing the opportunity to incorporate or link the Grand Connection into new development at this site.
- Redevelopment can facilitate a makeover of the NE 6<sup>th</sup> Street/112th Avenue NE intersection to create an inviting, pedestrian friendly crossing and sense of place.
- Proximity to the future light rail station and existing Downtown Transit Center enables urban scale development to leverage public investments in these transit facilities and mitigate traffic impacts.
- Immediate freeway access via NE 6th Street and NE 8<sup>th</sup> Street, combined with adjacent public transit centers, reduces traffic impacts.
- Through redevelopment of this site, Meydenbauer Center can be directly connected with a convention serving hotel via a skybridge across 112<sup>th</sup> Avenue NE, providing another option for pedestrian movements.
- The site can accommodate a mix of land uses that will bring residents, visitors and employees, activating the neighborhood throughout the day and into the evening.
- Mixed use redevelopment will complement the existing mix of uses in the neighborhood, including the Bravern.
- Two towers will provide a spectacular setting for a large, lively public plaza.
- Site development can provide connections with the regional bikeway that crosses the site on the west.

I support the recommendations of the CAC to increase the development capacity of this site and neighboring Downtown OLB properties. I am looking forward to working with you as you begin to focus on public amenities and development incentives. I believe creative approaches in this area can provide the flexibility required to facilitate redevelopment of this part of our Downtown into an exciting and important urban neighborhood.

Sincerely,

Alex Smith  
700 112<sup>th</sup> LLC

# Downtown Livability

## STAKEHOLDER EXHIBITS AND OPEN HOUSE

Wednesday, March 9, 2016

5:30-7:00 p.m. • Concourse

Bellevue City Hall • 450 110th Ave NE

### Sign-In Sheet

Would you like to be added  
to the Downtown Livability  
interested parties list?

Name	Address/Affiliation	Email	
Kim Lovezill Price	DASH	Kim@lovezillprice.com	<input type="checkbox"/>
JOHN POWERS	10655 NE 4 <sup>th</sup> St #700	john.powers@fanagroup.com	<input checked="" type="checkbox"/>
MING ZHANG	600 108th Ave. NE #108	Ming@mza-us.com	<input checked="" type="checkbox"/>
Joan St Marie	5 Lummi Key		<input type="checkbox"/>
W.A. Scott	Legacy Co's		<input type="checkbox"/>
Heather Trescases	Eastside Heritage Center		<input type="checkbox"/>
Lauren Fournier	10201 SE 23 <sup>rd</sup> St.	lauren26mi@aol.com	<input type="checkbox"/>
John Stout	Weber Thompson	jstout@weberthompson.com	<input type="checkbox"/>
Peter Sherrill	MZA	peter.sherrill@mza-us.com	<input type="checkbox"/>
Jenny Li	Link Design Group	jenny.li@linkdesigngroup.com	<input checked="" type="checkbox"/>
Phil McBride	JOHN L SCOTT	PHILMC@JOHNLSMOTT.COM	<input type="checkbox"/>
Alicia Camp D	DASH	aliciac@dashhousing.org	<input type="checkbox"/>

# Downtown Livability

## STAKEHOLDER EXHIBITS AND OPEN HOUSE

Wednesday, March 9, 2016

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Bellevue City Hall • 450 110th Ave NE

### Sign-In Sheet

Would you like to be added to the Downtown Livability interested parties list?

Name	Address/Affiliation	Email	Would you like to be added to the Downtown Livability interested parties list?
Derik Giner	Amanat Architect	mail@amanatarchitect.com	<input checked="" type="checkbox"/>
ALEX SMITH	700 112 <sup>TH</sup> LLC		<input checked="" type="checkbox"/>
Dave Meissner	888 108 <sup>TH</sup> AVENUE	davem@PARAGON REA.COM	<input checked="" type="checkbox"/>
DAN RENN	603 129 <sup>TH</sup> PL NE 98005	DAN_SABINA@YAHOO.COM	<input checked="" type="checkbox"/> YES
STEEN BRATNER	10700 NE 4 <sup>TH</sup> ST. 98004	bratners@msn.com	<input checked="" type="checkbox"/>
Jonathan Kagle <sup>KBodky Kagle</sup>	9342 Vineyard Crest	jonkalis@hotmail.com	<input checked="" type="checkbox"/>
Janea Klein	9851 Belfair Lane	janeaklein@comcast	<input checked="" type="checkbox"/>
DON HASSON	650 BELLEVUE WAY 98004		<input type="checkbox"/>
DAVE MARCUS	500 166th Ave NE	dave@112.com	<input type="checkbox"/>
Steve & Zbine Knapp	9429 Vineyard Crest #1	steve97004@gmail.com	<input checked="" type="checkbox"/>
Bradley Smith	600-108 <sup>th</sup> Ave NE MZA Architects	brad.smith@mza-us.com	<input checked="" type="checkbox"/>
TODD R. WOOSLEY	10633 SE 20 <sup>TH</sup> ST. HILL WOOSLEY PROPERTIES, INC.		<input type="checkbox"/>

# Downtown Livability

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### Sign-In Sheet

Would you like to be added  
to the Downtown Livability  
interested parties list?

Name	Address/Affiliation	Email	
Darcie Durr	West 77 Partners	darcie@west77partners.com	<input type="checkbox"/>
Charles Wu			<input type="checkbox"/>
CHARLES DIESING	P.O. Box 130 <sup>48360</sup> URTING	CHARLES DIESING @ COMCAST-NET	<input type="checkbox"/>
Jessica Powers	MHL	jpowers@mhs.seattle.com	<input checked="" type="checkbox"/>
Roseanne Jones	9406 Vineyard Crest	RLJ99@comcast.net	<input checked="" type="checkbox"/>
Monica Wallace	Wallace Properties	mwallace@wallaceproperties.com	<input checked="" type="checkbox"/>
Michael J. Nielson	West 77 Partners	mike@west77partners.com	<input type="checkbox"/>
Katherine Hughes	Northtowne Neighborhoods	Kathughes@comcast.com	<input checked="" type="checkbox"/>
Mike Nielsen	6557 127th Pl SE	mikennielsen@gmail.com	<input type="checkbox"/>
MISHA AVERILL	400 112th Ave NE	maverill@legacy-commercial.com	<input checked="" type="checkbox"/>
JOHN THOMAS	NBBJ	jthomas@nbbj.com	<input checked="" type="checkbox"/>
			<input type="checkbox"/>

# Downtown Livability

## STAKEHOLDER EXHIBITS AND OPEN HOUSE

Wednesday, March 9, 2016

5:30-7:00 p.m. • Concourse

Bellevue City Hall • 450 110th Ave NE

### Sign-In Sheet

Would you like to be added to the Downtown Livability interested parties list?

Name	Address/Affiliation	Email	Would you like to be added to the Downtown Livability interested parties list?
Harold Moniz	Collins/Wberman	hmoniz@collinswberman.com	<input checked="" type="checkbox"/>
Arden Collins	"	ardcollins.com	<input type="checkbox"/>
Steven Reed	"	sreed@	<input type="checkbox"/>
Linda Abe	SU Development	lindaabe@suddevelopment.com	<input type="checkbox"/>
Jackie Paston	BITTS	jackie.seattlehomes@gmail.com	<input type="checkbox"/>
EV RIPPORN	NBBJ	ERIPPORN@NBBJ.COM	<input checked="" type="checkbox"/>
JD Yu	Somerset	jingdong.yu@gmail.com	<input checked="" type="checkbox"/>
Bob Dentford	BNATAI	bobb@makersarch.com	<input type="checkbox"/> ON IT
Loretta Lopez	on CAG	llopez@mstarlabs.com	<input type="checkbox"/> ON IT
LINN HERBERT	WORTHOWNE	misslinnherbert@gmail.com	<input checked="" type="checkbox"/>
John deVados	Bellevue	John@devados.net	<input type="checkbox"/>
			<input type="checkbox"/>



## Cullen, Terry

---

**From:** bt.livability@gmail.com  
**Sent:** Wednesday, April 06, 2016 3:33 PM  
**To:** PlanningCommission; Stokes, John; Wallace, Kevin R; Robertson, Jennifer S.; Robinson, Lynne; Lee, Conrad; Chelminiak, John; wherman@moosewiz.com  
**Subject:** Concerns about Downtown Livability

Audrey Orgun [orguna@comcast.net](mailto:orguna@comcast.net) sent the following message:

Dear Planning Commissioner or City Council Member:

I am a resident of downtown Bellevue and I am concerned about the coming changes in the land use code. I applaud the goal of creating a more livable city. My most pressing concerns are;

(i) Increasing density by 67% in the MU district will increase traffic congestion, compounding what will be an intractable problem.

(ii) There is no rational plan to deal with congestion due to using the wrong measures and not considering diminished capacity,

(iii) Building height rules are nearly impossible to understand. Building height limits are regularly exceeded and it requires a trip to city hall and a spreadsheet to learn why. We suggest that a 300 foot limit mean that the building can not be taller than 300 feet, including everything.

(iv) An incentive system that rewards developers for providing underground parking when they would do it anyway is counterproductive and a waste of resources. Either be silent on underground parking or make it a requirement in an optional bundle of incentives.

Thank you for your consideration.

Sent by the [Steele.com](http://Steele.com) Contact Us Form Google Apps Script

## Cullen, Terry

---

**From:** bt.livability@gmail.com  
**Sent:** Wednesday, April 06, 2016 3:34 PM  
**To:** PlanningCommission; Stokes, John; Wallace, Kevin R; Robertson, Jennifer S.; Robinson, Lynne; Lee, Conrad; Chelminiak, John; wherman@moosewiz.com  
**Subject:** Concerns about Downtown Livability

Munir Orgun [orgun@comcast.net](mailto:orgun@comcast.net) sent the following message:

Dear Planning Commissioner or City Council Member:

I am a resident of downtown Bellevue and I am concerned about the coming changes in the land use code. I applaud the goal of creating a more livable city. My most pressing concerns are;

(i) Increasing density by 67% in the MU district will increase traffic congestion, compounding what will be an intractable problem.

(ii) There is no rational plan to deal with congestion due to using the wrong measures and not considering diminished capacity,

(iii) Building height rules are nearly impossible to understand. Building height limits are regularly exceeded and it requires a trip to city hall and a spreadsheet to learn why. We suggest that a 300 foot limit mean that the building can not be taller than 300 feet, including everything.

(iv) An incentive system that rewards developers for providing underground parking when they would do it anyway is counterproductive and a waste of resources. Either be silent on underground parking or make it a requirement in an optional bundle of incentives.

Thank you for your consideration.

Sent by the [Steele.com](http://Steele.com) Contact Us Form Google Apps Script

**Cullen, Terry**

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**From:** nareletsplayfair@aol.com  
**Sent:** Wednesday, April 06, 2016 12:48 PM  
**To:** nareletsplayfair@aol.com  
**Subject:** Self-competition Mainstreaming: Sports Without Opponents

Hello again,

Dr Brenner of the National Association for Recreational Equality thought you might find this edifying.

Phil Hoyle

**SELF-COMPETITION MAINSTREAMING: Sports Without Opponents**

**Ball playing sports facilities, including community fields, courts and courses, receive the greatest funding, attention, promotional support and real estate in our communities.**

**Stevie age 12 uses a wheelchair and his 10 year old brother Andy does not and with their seven-year-old sister they'd like to go out and play ball together at a community field or court of play on a nice Sunday at a Park facility like other kids without waiting for a program and supervision. They cannot. There are no inclusive mainstream sports that accomplish the matter of addressing the needs of the physically challenged. There are no drop-in, wheelchair accommodating ball playing sports in the community. All the sports are composed of competing teams; require physical contact, strength, stamina, age and are gender exclusionary. The three siblings have no play-together opportunity participating at mainstream sports and games in the community.**

**Programs, however excellently conducted, cannot replace facilities that are always drop-in available and accessible. Other youngsters do not have to wait till next Thursday for an activity or program that provides inclusive play.**

**The single basic requirement is that the community offers ballplaying fields for the inclusion of the differently able, of the physically challenged, and that the sport be *self competitive*, not against but like bowling golf and Bankshot - designed for that purpose - providing *alongside* play. Inclusive means alongside play not requiring rivals to defeat at play. No opponents necessary; a sport requiring no offense or defense permits full participation; one takes on the challenge of the court, not one another. Bankshot in particular was developed for the express purpose of alongside play based upon achieving total mix diversity. Facilities are purposefully non-exclusionary by virtue of providing self competitive play.**





**NARE**  
**National Association for Recreational Equality**  
**[www.nareletsplayfair.org](http://www.nareletsplayfair.org) \* [www.bankshot.com](http://www.bankshot.com)**  
**[nareletsplayfair@aol.com](mailto:nareletsplayfair@aol.com)**

## Cullen, Terry

---

**From:** King, Emil A.  
**Sent:** Wednesday, April 06, 2016 12:00 PM  
**To:** PlanningCommission  
**Subject:** FW: Material for Planning Commission Packet  
**Attachments:** Letter to PC 7000 112th.pdf

**From:** Martin, Larry [mailto:LarryMartin@dwt.com]  
**Sent:** Wednesday, April 06, 2016 11:54 AM  
**To:** King, Emil A. <EAKing@bellevuewa.gov>  
**Cc:** Wilma, Patti <PWilma@bellevuewa.gov>; Harold Moniz <hmoniz@collinswoerman.com>  
**Subject:** Material for Planning Commission Packet

Emil –

Here is our letter to the Planning Commission. Collins Woerman is completing two 11x17 pages of graphics to accompany the letter. They have run into a bit of a delay and need more time to complete them. Will it work if Harold Moniz emails the two pages to you by 2:00?

Larry

Dear Planning Commission Members:

I am the owner of the office building situated at the NE corner of NE 6th Street and 112th Avenue NE. The site is within Area 2B. It is zoned DTN-OLB. After exploring redevelopment concepts with my urban planning and architecture team, it has become clear that redevelopment of this site presents unique opportunities to improve the character and livability of the neighborhood.

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- Through redevelopment of this site, Meydenbauer Center can be directly connected with a convention serving hotel via a skybridge across 112<sup>th</sup> Avenue NE, providing another option for pedestrian movements.
- The site can accommodate a mix of land uses that will bring residents, visitors and employees, activating the neighborhood throughout the day and into the evening.
- Mixed use redevelopment will complement the existing mix of uses in the neighborhood, including the Bravern.
- Two towers will provide a spectacular setting for a large, lively public plaza.
- Site development can provide connections with the regional bikeway that crosses the site on the west.

I support the recommendations of the CAC to increase the development capacity of this site and neighboring Downtown OLB properties. I am looking forward to working with you as you begin to focus on public amenities and development incentives. I believe creative approaches in this area can provide the flexibility required to facilitate redevelopment of this part of our Downtown into an exciting and important urban neighborhood.

Sincerely,

Alex Smith  
700 112<sup>th</sup> LLC

## Cullen, Terry

---

**From:** Brittany Barker <BBarker@fortin-group.com>  
**Sent:** Wednesday, April 06, 2016 10:29 AM  
**To:** PlanningCommission  
**Cc:** Stroh, Dan; Wilma, Patti; King, Emil A.  
**Subject:** Comment Letter for April 13th Planning Commission Meeting  
**Attachments:** Comment Letter9\_040616.pdf

Dear Planning Commissioners,

Attached please find a comment letter regarding affordable housing and the downtown livability study for your April 13<sup>th</sup> meeting.

Kind Regards,

Brittany

**Brittany F. Barker**  
**Special Projects Manager**  
10112 NE 10<sup>th</sup> St., Ste 202, Bellevue, WA 98004 | 425.454.8295 x 106  
Direct: 425.732.6791 | Fax: 425.732.6793 | [www.fortin-group.com](http://www.fortin-group.com)



**Fortin Group**  
ASSET MANAGEMENT

PROPERTY DEVELOPMENT CORPORATION  
MONTE VILLA PROPERTIES, LLC

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# Fortin Group

ASSET MANAGEMENT

April 6, 2016

via email

City of Bellevue Planning Commission  
c/o Planning & Community Development  
450 110<sup>th</sup> Avenue NE  
Bellevue, WA 98004

**RE: *The Downtown Livability Study – Affordable Housing***

**Dear Planning Commissioners:**

Fortin Group is a multi-generational, family-owned real estate asset management company that owns more than 10 acres in the Northwest Village area of downtown. Our properties include the Bellevue Village Shopping Center, Bellevue Village North office building, and Le Chateau Apartments. We are committed to the continued smart growth and economic success of downtown Bellevue.

As such, we have been following and actively participating in the Downtown Livability Initiative since it was first approved by the City Council in 2012. Fortin Group actively participated in every phase of the Downtown Livability Initiative's extensive public process, including taking part in the open houses, walking tours, focus groups, community meetings and the 13 Citizen Advisory Committee (CAC) meetings where a wide range of ideas were studied and openly discussed.

As you may know, Fortin Group is focused on positioning its Bellevue Village property (zoned DNTN-MU with the "Deep B" Overlay) to accommodate redevelopment over the long-term that will achieve many of the goals and ideals articulated in the Downtown Livability Study. You may also recall that we submitted a letter on February 9, 2016 outlining some perspectives on the amenity incentive system.

As a result of ongoing discussion with neighbors and our continued research of this topic, we would like to state our support for incentivizing affordable housing as part of the Livability Update, and we encourage the City to study ways it can be implemented in a manner that is economically viable for property owners. We support incentive options that improve the public realm as well as those that make our city more livable. It's important that Bellevue continues to be a city that is welcoming and affordable to all—from young people who may



## Fortin Group

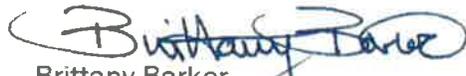
ASSET MANAGEMENT

be just starting out to those on a fixed income. Furthermore, incentivizing affordable housing fosters economic diversity that will help build strong and inclusive communities.

During its study, the CAC explored including affordable housing as a new item to add to the amenity incentive system. The CAC, in its final report dated October 13, 2014, provided direction for additional evaluation of affordable housing. We strongly encourage the Planning Commission to explore updating the Amenity Incentive System to include affordable housing as a new amenity eligible for bonus height, including consulting with experts to identify the most economically feasible way in which it can be implemented so the end result achieves desired outcomes.

We support the type of forward-thinking planning the Commission is studying, emphasizing connectivity, walkability, open space and civic vitality – as well as incentives for affordable housing – that will enhance the quality of life, and quality of experience, for residents and users of downtown. We appreciate the complexity of revising the downtown zoning code and we look forward to working with the Planning Commission, City staff and the City Council to find ways in which we can help nurture the downtown that Bellevue desires.

Regards,



Brittany Barker  
Special Projects Manager

cc: Dan Stroh  
Emil King  
Patti Wilma

## Cullen, Terry

---

**From:** Sayles, Bruce L <bruce.l.sayles@jpmchase.com>  
**Sent:** Tuesday, April 05, 2016 5:59 PM  
**To:** PlanningCommission  
**Cc:** King, Emil A.; Wilma, Patti; Darcie Durr; Kaplan, Tiffany D; Coleman, Greg  
**Subject:** Bellevue Planning Commission/Zoning Hearing  
**Attachments:** Chase Letter of Support 4.5.16.pdf

Dear Bellevue Planning Commissioners,

Please see the attached letter in support of the DNTN-02 zoning height and density increases.

Thank you for your consideration.

**Bruce L. Sayles**  
Market Director of Real Estate | Northwest Region  
**Vice President, JPMorgan Chase Bank**  
9200 Oakdale Avenue, CA2-4348  
Chatsworth, CA 91311  
818.775.7255 (office) 818.317.2899 (cell)  
[bruce.sayles@chase.com](mailto:bruce.sayles@chase.com)

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

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April 5, 2016

Planning Commission Chair Hillhorst & Planning Commission  
City of Bellevue  
450 110<sup>th</sup> Ave NE  
Bellevue, WA 98004  
Via Emil: [planningcommission@bellevuewa.gov](mailto:planningcommission@bellevuewa.gov)

Dear Commissioners:

I'm writing to you on behalf of JPMorgan Chase Bank, a national banking association, which owns the parcel of land located on the northwest corner of the intersection of NE 8<sup>th</sup> Street and 106<sup>th</sup> Ave NE, commonly known as 10550 NE 8<sup>th</sup> street and currently used as a bank branch.

We are following up on our letter to you dated March 1, 2016, in which we stated our support for an amendment to the zoning in the DNTN-O-2 North subdistrict to allow heights of up to 450' and floor area ratios ("FAR") of up to 9.0. We understand that since that time the City Staff has recommended an increase in height of up to 400' but no increase from the current 6.0 FAR.

**We urge the Commission to support the increase in the height limit to 400' and an increase in the FAR limit to an 8.0 FAR.** Additional FAR will allow the necessary density to incentivize the creation of tower forms that lend visual interest and vibrancy to the NE 8<sup>th</sup> corridor, consistent with the City's Comprehensive Plan (*e.g.* Downtown Subarea Policy S-DT-48). The additional FAR is crucial to promoting a graceful transition between the DNTN-O-2 zone and the DNTN-O-1 zone across NE 8<sup>th</sup> Street, where the proposed FAR is unlimited for residential buildings and 10.0 for other uses. The Comprehensive Plan expressly states the vision for 106<sup>th</sup> Ave NE "*to develop as Downtown's Entertainment Avenue. This area will include a concentration of shops, cafés, restaurants, and clubs that provide for an active pedestrian environment during the day and after-hours venues for residents and workers by night.*" (POLICY S-DT-44). An increase in FAR to 8.0 in the DNTN-O-2 North subdistrict would further the City's stated goals and keep downtown Bellevue at its best.

We appreciate your thoughtful consideration of our comments and look forward to seeing Downtown Bellevue continue to grow in vibrancy and livability.

Sincerely,

Bruce L. Sayles  
Market Director of Real Estate – Northwest  
JPMorgan Chase Bank

cc: **Emil King, City of Bellevue ([eking@bellevuewa.gov](mailto:eking@bellevuewa.gov))**  
**Patti Wilma, City of Bellevue ([pwilma@bellevuewa.gov](mailto:pwilma@bellevuewa.gov))**  
**Mike Nielson, West77 Partners., LLC**  
**Tiffany Kaplan, JPMorgan Chase Bank**  
**Greg Coleman, JPMorgan Chase Bank**

## Cullen, Terry

---

**From:** Alex Smith <Alex.Smith@kayesmith.com>  
**Sent:** Thursday, March 31, 2016 3:21 PM  
**To:** Cullen, Terry; PlanningCommission  
**Cc:** Joan St. Marie; Martin, Larry (LarryMartin@dwt.com); Arlan Collins; Harold Moniz (hmoniz@collinswoerman.com)  
**Subject:** Time Sensitive Information for Individual Planning Commission Members  
**Attachments:** 20160330\_163008.jpg; Alex Smith Invites Planning Commission Members to Briefing.pdf

Hello Terry,

Thank you for taking my call yesterday. Attached is my letter and a picture of our property development model (upper right corner of neighborhood model). Please forward this email to the Bellevue Planning Commission members. Our address and phone number is on the letter, however if they can “respond to all” via email that would include our team and help with the follow up.

For clarity, the property is owned by 700 112<sup>th</sup> LLC and I am the owner of said LLC. Kaye-Smith Enterprises, Inc. is our operating business entity and tenant in the building.

Best Regards,

**Alex Smith**

*Chief Executive Officer*

**KAYE - SMITH**

700 112<sup>th</sup> Ave NE, Suite 302, Bellevue, WA 98004  
direct 425-455-0934 | main 425-455-0923 | [www.kayesmith.com](http://www.kayesmith.com)

Alex Smith  
700 112<sup>th</sup> LLC  
700 112<sup>th</sup> Avenue NE #302  
Bellevue, WA 98004  
(425) 455-0923

March 31, 2016

Dear Planning Commission Member \_\_\_\_\_,

I own the office building at 700 112th Avenue NE, at the NE corner of NE 6th Street and 112th Avenue NE. The site is within Area 2B. It is zoned DTN-OLB. After exploring redevelopment concepts with my urban planning and architecture team, it has become clear that redevelopment of this site presents a unique opportunity to significantly improve the character and livability of the neighborhood.

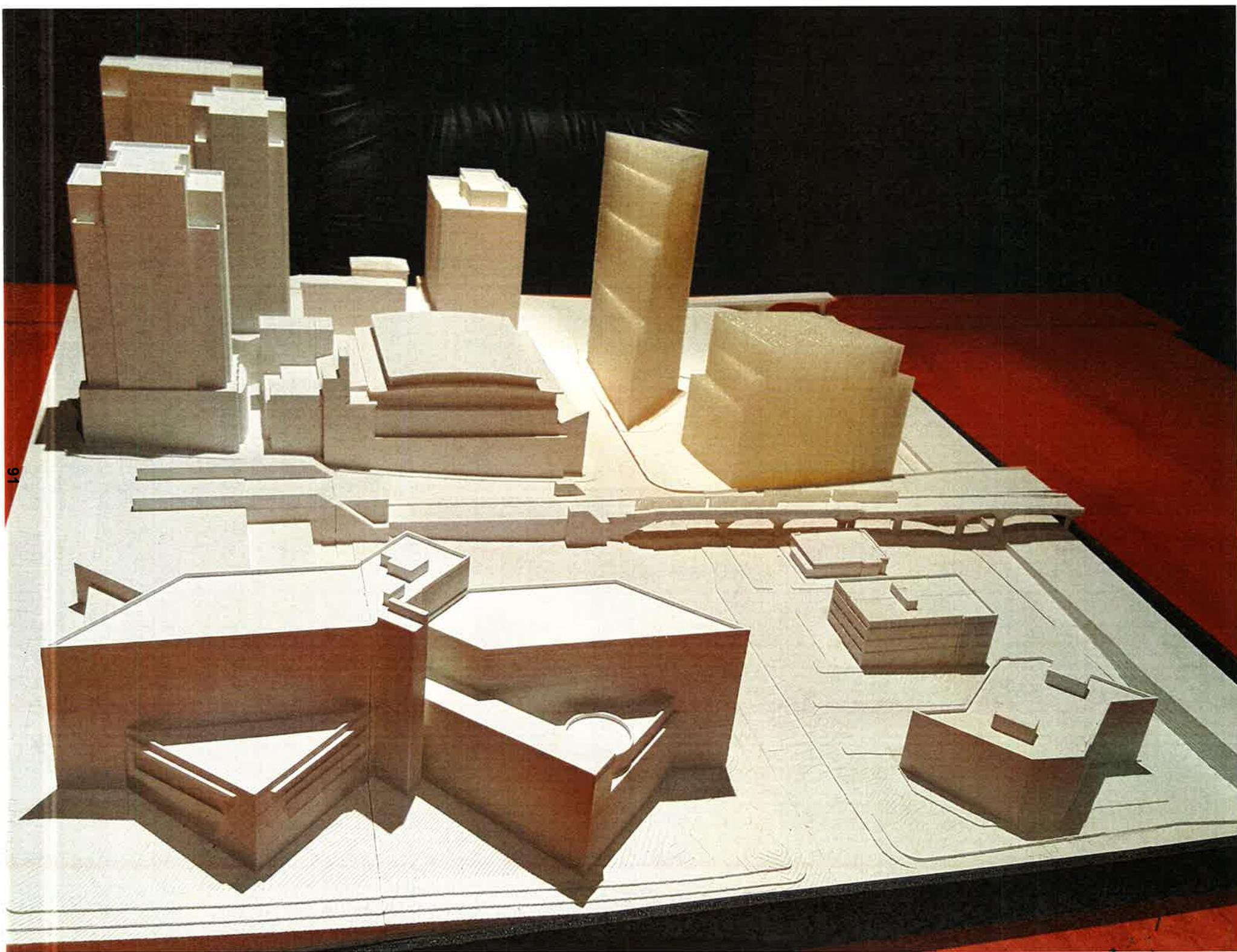
Attributes of the site that are key to the Downtown Livability Process include:

- Across the street from Meydenbauer Center, with potential for direct connection of the Center with a convention serving hotel
- Across the street from the Downtown Transit Station
- Onsite residents, employees and guests will add vitality to the neighborhood including the Bravern
- Abuts the Grand Connection Study Area with ability to incorporate extension of the public pathway
- Can provide connections to the regional bikeway that crosses the site
- Immediate freeway access via NE 6<sup>th</sup> and NE 8<sup>th</sup> as well as 114<sup>th</sup> Avenue NE
- Convention serving Hotel development provides lower traffic impact

We believe our property is uniquely situated to accomplish many City and community objectives, provided the site receives the flexibility to realize the appropriate density. I invite you to a short meeting to discuss our ideas and concepts. My intent is to provide information that will be beneficial to you in your efforts to forward reasonable and rational recommendations to the City Council. We participated at the March 9th Open House with our 3D model; you may have seen our presentation, a picture of the model is attached to this email.

We understand your busy schedule and the priority the Council has placed on completing the Downtown Livability Initiative. We will accommodate your time and date requests so please let us know if you have any time available prior to or after April 13<sup>th</sup> if this is of interest.

I look forward to sharing our ideas and concepts with you. Thank you for your service and consideration, Alex Smith



## Cullen, Terry

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**From:** Mulvihill-Kuntz, Jason <Jason.Mulvihill-Kuntz@kingcounty.gov>  
**Sent:** Tuesday, March 29, 2016 5:32 PM  
**Subject:** WRIA 8: Report on 10 years of progress in salmon recovery

Dear salmon recovery partner:

After ten years of work to recover Chinook salmon in the Lake Washington/Cedar/Sammamish Watershed (also known as Water Resource Inventory Area (WRIA) 8), our Salmon Recovery Council has much to celebrate and many challenges ahead.

*Since 2006, we have completed more than 85 habitat protection and restoration projects and another 90 are moving ahead. We have guided the investment of nearly \$25 million in federal, state and local funding, with partners investing significant additional money and resources. And last year, 28 local government partners recommitted to work together on salmon recovery in our watershed for another ten years.*

*However, while we have made progress on our goals for Chinook salmon in our watershed, population numbers are still short of a level that would support sustainable returns year to year. We face significant gaps in funding and staff capacity. Our watershed is the most populous in the state and our region's dramatic growth puts pressure on areas critical to healthy salmon runs.*

Our Progress Report "Salmon and People Living Together," which documents our progress during these first ten years of plan implementation, is available online at <http://www.govlink.org/watersheds/8/reports/progress-report-2015/default.aspx>. It describes the status of the fish and the watershed, the actions WRIA 8 partners have taken to implement the Plan, and outlines possible actions we should consider as we move forward. This report also serves as a starting point for the update to our Chinook Salmon Conservation Plan we will be working on throughout 2016.

If you have any questions about the WRIA 8 Chinook Salmon Conservation Plan, please contact me at [jason.mulvihill-kuntz@kingcounty.gov](mailto:jason.mulvihill-kuntz@kingcounty.gov).

For hard copies of the Progress Report, contact [polly.freeman@kingcounty.gov](mailto:polly.freeman@kingcounty.gov).

Thank you for all you do to support salmon recovery.

Best regards,  
Jason

-  
Jason Mulvihill-Kuntz  
Salmon Recovery Manager  
Lake Washington/Cedar/Sammamish Watershed (WRIA 8)  
206-477-4780 | [jason.mulvihill-kuntz@kingcounty.gov](mailto:jason.mulvihill-kuntz@kingcounty.gov)  
[Lake Washington/Cedar/Sammamish Watershed website](#)

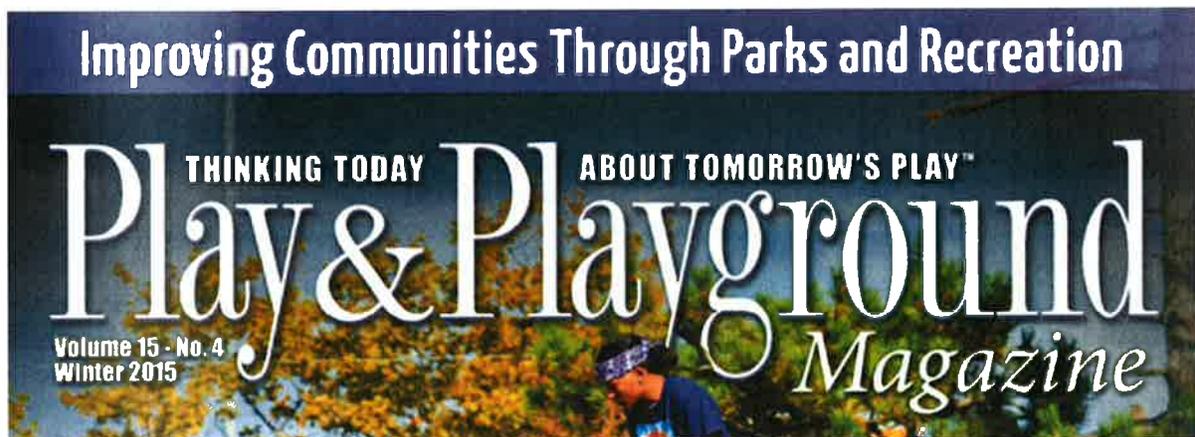
**Cullen, Terry**

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**From:** nareletsplayfair@aol.com  
**Sent:** Tuesday, March 29, 2016 10:30 AM  
**To:** nareletsplayfair@aol.com  
**Subject:** An Interesting Article from Play and Playground Magazine  
**Attachments:** SportStructures (Play and Playground).docx

Hello,

Please take note of the museums as well as the hundreds of parks and schools that have already introduced Bankshot into their communities. These museums include The Boston Children's Museum, Bridgeport Science Museum, Israel National Museum in Jerusalem, and The Museum of Modern Art Design Department. The latest is at the Children's Museum of Memphis. Indoors or outdoors, if there is an opportunity to bring Bankshot merging art and play to the general community, perhaps in some appropriate park or community center, please do pass this along to the mayor or recreation dept. And if interested in the merging of art and play, please look in at [www.bankshot.com](http://www.bankshot.com) and [www.nareletsplayfair.org](http://www.nareletsplayfair.org). p.h.



## Play and Playground News Center

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Today's Play News and Views™

Sports Structures, Sculpture,  
Bankboards, Calder, Picasso, Stella



Frank Stella's Abstractions (at the Whitney) and Reeve Brenner's SportStructures at several museums

The exuberant sense of play, merging the obvious aspects of art understood as form and function - itself a heady mixture - suggests to a visitor that Reeve Brenner's Bankshot Playcourt is something of the legendary logic of Abstract Impressionism's immersion into the world of sports.

Just imagine artists Paul Klee, Joan Miró and Wassily Kandinsky at a Bankshot Playcourt, with a basketball in their hands and seeing for the first time these striking geometries in bold inviting display. Also imagine famous sculptors Alexander Calder and Marcel Duchamp being asked to shoot a ball at these structures, which they inspired with whim and fancy. They might witness and bear testimony for themselves the transformation of art into the playful world of sports.

It would be what Frank Stella, an abstractionist artist, called "form" transforming into an inclusionary affordance he called "function." The functionality these sport structures present to children and adults, who have never heard of this art form, will perhaps only be seen as a sport's challenge. But form, when Bankshot structures are viewed alongside Frank Stella's work, is at once evident. Besides, children of all ages, sizes, shapes and diversity, including physically and cognitively challenged, and wheelchair users, participate together achieving real socialization and integration of the community within the world of art and play.

Bankshot's appearance provides a range of impetuously colored configurations, alternating with glowing abstract shapes and excursions relative to Picasso (when he was in his Cubist stage), Frank Stella's humongous-gigantic abstractionist structures (at the new Whitney Museum of American Art) and Alexander Calder's Stabiles. All the while participants are immersed in what Sports Illustrated, (in an article entitled the "Rabbi of Roundball"), referred to as an experience merging art with play: "With their odd shapes and bright colors, Brenner's bankboards have a surreal, futuristic look, like hoop saplings sprung from radioactive soil."

Although, for the most part, created at the Wingate Sports Institute outside of Netanya, the Israel National Museum in Jerusalem was the first international art museum, foreshadowing several others, to exhibit Bankshot as sports structures with the opportunity for play and participation. Available outdoor in the courtyard is a bin of basketballs in various sizes for visitors to choose from. Indoor, wall-hangings display Bankshot Bankboards merging art and play. Since then, the design department of The Museum of Modern Art in New York; the Boston children's Museum and the Bridgeport Connecticut Science Museum have placed Bankshot on permanent display indoors in space for that purpose. The Children's Museum of Memphis (CMOM) has begun construction of a Bank-around-the-circle Bankshot playcourt. Bankshot simultaneously art and play constitutes a kind of spiritual union formed within the surrounding post-modern space conceived as universal design and set aside for the socialization and the integration of a community.

*An important and novel aspect about Bankshot is its educational merit. The game offers an enriched play environment composed of a series of novel sport challenges that invigorate the brain with mind-nurturing play experiences. Bankshot's design is also intended to stimulate motor coordination in a dynamic kid-friendly, inclusionary game. Because of Bankshot's spatial relationships, particularly in geometrical composition and court design, the Bankshot court is part of a new genre in the art/play/think world of wonder. It combines creative and scientific elements to produce an advanced participatory art form for today's young person. Bankshot is pure physics: an exercise in translating science into action. (Florida Park & Recreation Quarterly)*



**NARE**

National Association for Recreational Equality

### **Bankshot Sports**

**Invented by Rabbi Dr. Reeve Brenner in 1981, the sport of Bankshot Basketball allows a large number of people of varying abilities to participate together at a challenging non-contact self-competitive ball-playing sport that merges art with play.**

Find the article online here:

<http://www.playgroundprofessionals.com/news/press-releases/sports-structures-sculpture-bankboards-calder-picasso-stella101>

Philip Hoyle  
National Association  
for Recreational Equality

Improving Communities Through Parks and Recreation

THINKING TODAY ABOUT TOMORROW'S PLAY™

# Play & Playground Magazine

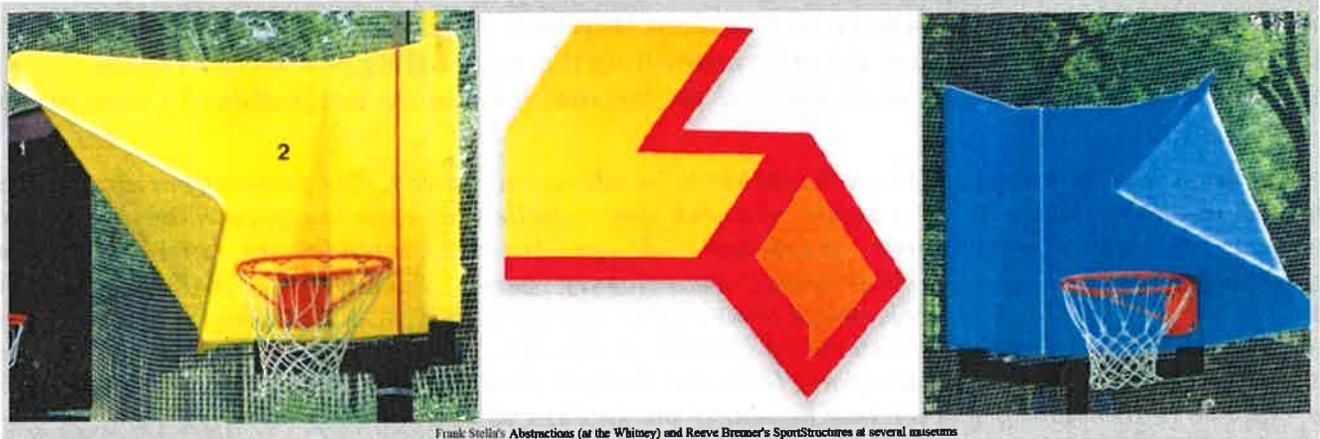
Volume 15 - No. 4  
Winter 2015

## Play and Playground News Center



Today's Play News and Views™

## Sports Structures, Sculpture, Bankboards, Calder, Picasso, Stella



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## Cullen, Terry

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**From:** bt.livability@gmail.com  
**Sent:** Sunday, March 27, 2016 9:42 PM  
**To:** PlanningCommission; Stokes, John; Wallace, Kevin R; Robertson, Jennifer S.; Robinson, Lynne; Lee, Conrad; Chelminiak, John; wherman@moosewiz.com  
**Subject:** Concerns about Downtown Livability

Alexandra Eikenbary [alex\\_eik@hotmail.com](mailto:alex_eik@hotmail.com) sent the following message:

Dear Planning Commissioner or City Council Member:

I am a resident of downtown Bellevue and I am concerned about the coming changes in the land use code. I applaud the goal of creating a more livable city. My most pressing concerns are;

(i) Increasing density by 67% in the MU district will increase traffic congestion, compounding what will be an intractable problem.

(ii) There is no rational plan to deal with congestion due to using the wrong measures and not considering diminished capacity,

(iii) Building height rules are nearly impossible to understand. Building height limits are regularly exceeded and it requires a trip to city hall and a spreadsheet to learn why. We suggest that a 300 foot limit mean that the building can not be taller than 300 feet, including everything.

(iv) An incentive system that rewards developers for providing underground parking when they would do it anyway is counterproductive and a waste of resources. Either be silent on underground parking or make it a requirement in an optional bundle of incentives.

Thank you for your consideration.

Sent by the [Steege.com](http://Steege.com) Contact Us Form Google Apps Script

## Cullen, Terry

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**From:** Cathy Louviere <louviere.c@gmail.com>  
**Sent:** Friday, March 25, 2016 8:51 AM  
**To:** PlanningCommission  
**Subject:** Lincoln Square expansion and 425 Centre

Good morning,

Are plans for the Lincoln Square expansion and 425 Centre available to the public? If so, how would I view them?

Thank you.  
Cathy Louviere

Sent from my iPad

## Cullen, Terry

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**From:** bt.livability@gmail.com  
**Sent:** Thursday, March 24, 2016 6:19 PM  
**To:** PlanningCommission; Stokes, John; Wallace, Kevin R; Robertson, Jennifer S.; Robinson, Lynne; Lee, Conrad; Chelminiak, John; wherman@moosewiz.com  
**Subject:** Concerns about Downtown Livability

Murat Divringi [muratd@gmail.com](mailto:muratd@gmail.com) sent the following message:

Dear Planning Commissioner or City Council Member:

I am a resident of downtown Bellevue and I am concerned about the coming changes in the land use code. I applaud the goal of creating a more livable city. My most pressing concerns are;

(i) Increasing density by 67% in the MU district will increase traffic congestion, compounding what will be an intractable problem.

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Thank you for your consideration.

Sent by the [Steeple.com](http://Steeple.com) Contact Us Form Google Apps Script

## Cullen, Terry

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**From:** bt.livability@gmail.com  
**Sent:** Thursday, March 24, 2016 3:34 PM  
**To:** PlanningCommission; Stokes, John; Wallace, Kevin R; Robertson, Jennifer S.; Robinson, Lynne; Lee, Conrad; Chelminiak, John; wherman@moosewiz.com  
**Subject:** Concerns about Downtown Livability

Allan and Becky Hopwood [kb7thx@hotmail.com](mailto:kb7thx@hotmail.com) sent the following message:

Dear Planning Commissioner or City Council Member:

We are residents of downtown Bellevue and are concerned about the coming changes in the land use code. We applaud the goal of creating a more livable city but we have concerns:

(i) Increasing density by 67% in the MU district will increase traffic congestion, compounding what will be an intractable problem.

(ii) Building height rules are nearly impossible to understand. Building height limits are regularly exceeded and it requires a trip to city hall and a spreadsheet to learn why. The area south of 4th we understand has a height limit of 250 feet yet the building on the corner with 106th will be 305.5 feet tall due to "amenities" included in the design via the incentive program. A height limit is a limit not to be exceeded.

As for you incentives; they were presented as benefits to the city's residents. A covered sidewalk, a wide sidewalk, landscaping, public art, an accessible courtyard, benches are all examples of an incentive that has dividends for the residents. A swimming pool and parking for building use only is something a developer would include anyway and is not something beneficial to the public.

Thank you for your consideration.

Sent by the [Steeple.com](http://Steeple.com) Contact Us Form Google Apps Script

**From:** Rich Edwards [<mailto:r2edwards@comcast.net>]  
**Sent:** Monday, March 07, 2016 4:56 PM  
**To:** DowntownLivability <[DowntownLivability@bellevuewa.gov](mailto:DowntownLivability@bellevuewa.gov)>  
**Subject:** FW: Downtown Livability

To: Downtown Livability

As an attendee of the Downtown Livability meetings, I am upset over the apartment building being built on the northwest corner of Main & Bellevue Way. It appears to me, the design objective was maximum usage of the footprint and disregard of the Old Bellevue community.

I am gravely disappointed in the lack of integration into "Old Bellevue", and wonder if the result is a matter of communication or management. Visual perception entering or within old Bellevue is that this particular building's décor would be much better suited for Capitol hill or south lake union.

In contrast, the apartment building on the southwest corner of Main and Bellevue Way fits the downtown livability vision perfectly.

The most visible aspect of the building besides it looks like it extends into the intersection is the color panel décor. Every day looking east, I wake up to lime green or rave green. The exterior has not been completed, but panels of the same lime green are repeated on the east side and "complemented" with orange??

This may seem a small matter to whoever managed the Bellevue oversight, but it is out of character for old Bellevue. Questions have been raised since it distracts from our livability, if it will decrease the value of our properties.

How did we get here and what can we do about it?  
What should we do to prevent a repeat?

Downtown resident,

Richard Edwards  
10042 Main Street  
Bellevue, WA, 98004

CITY OF BELLEVUE  
BELLEVUE PLANNING COMMISSION  
STUDY SESSION MINUTES

February 24, 2016  
6:30 p.m.

Bellevue City Hall  
City Council Conference Room 1E-112

COMMISSIONERS PRESENT: Chair Hilhorst, Commissioners Carlson, Barksdale,  
deVadoss, Laing, Walter

COMMISSIONERS ABSENT: Commissioner Morisseau

STAFF PRESENT: Mike Kattermann, Patricia Byers, Terry Cullen,  
Department of Planning and Community Development

COUNCIL LIAISON: Mayor Stokes

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER

The meeting was called to order at 6:34 p.m. by Chair Hilhorst who presided.

2. ROLL CALL

Upon the call of the roll, all Commissioners were present with the exception of Commissioner Morisseau who was excused.

3. APPROVAL OF AGENDA

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

4. PUBLIC COMMENT

Mr. Jack McCullough spoke representing Beacon Capital Partners, owners of the Sunset North and Lincoln Executive Center properties in the Eastgate corridor. He noted that the group was actively involved in the Eastgate/I-90 study and were instrumental in bringing forward the transit-oriented development concept which ultimately was firmly embraced by the CAC. One site that came up in conversations with the CAC was referred to as Lot 10 at Sunset North. The small site, which is located directly across the street from the park and ride garage, is the best near-term infill development site for transit-oriented development in the entire subarea. It currently has no use committed to it, it is high and dry, and it is ready to go. The recommendation of the CAC was to designate the site for transit-oriented development and the Planning Commission should recommend the same. There will be some new owners of the property who will be eager to see it developed.

Ms. Michelle Wannamaker, 4045 149th Avenue SE, said the recently published Bellevue Transportation Demand Management Plan indicates that the number of workers in Eastgate is expected to increase by 55 percent by 2027; the current 17,000 workers are projected to increase

to more than 25,000, an increase of 9000 over 11 years. The report also sets as a goal having 42.8 percent of people in Bellevue using mass transit, bicycles and other non-motorized options by 2027. Subtracting the 42.8 percent from the 9000 translates into an additional 5000 vehicles on the streets of Eastgate. Everyone who drives through Eastgate will be affected, the residents of Eastgate in existing single family residential neighborhoods will pay the highest price. There are already issues with getting into and out of the neighborhoods, and there are issues involving cut-through traffic; 136th Avenue SE is so bad the neighbors have asked for a roundabout and speed bumps; and 146th Avenue SE is not far behind and likely will need a stop light at SE 36th Street. Allowing the growth will violate Comprehensive Plan Policy S-EG-3, which calls for encouraging office and retail land uses that take advantage of freeway access, transit service and non-motorized transportation alternatives without adversely impacting residential neighborhoods. If the city allows the growth and traffic gets too bad, it could adversely affect any businesses in the new transit-oriented development buildings. If traffic is too bad, people will simply not come to Eastgate at all. The Commission has the opportunity to do things right and to build infrastructure before allowing growth to occur. At the very least, growth should not be allowed in the OLB-2 on SE 36th Street because of the resulting impacts on the local neighborhoods.

Mr. Wenhong Fan, 3273 164th Place SE, voiced support for allowing Neighborhood Mixed Use as proposed. Bellevue is known for technology and beauty, and people like to live where there is easy access to the freeway, and where there are good schools. The Eastgate area has all of that the Neighborhood Mixed Use will make Eastgate even more livable and attractive for the years to come. Eastgate should be made into a friendly urban center like many other areas have done successfully, including along Westlake Avenue in the South Lake Union area of Seattle. Roadway infrastructure will be needed along with the growth to make all the pieces work together. Good planning will result in people wanting to come to the area, including businesses.

Ms. Alice Wong, 14521 SE 60th Street, also indicated support for the Neighborhood Mixed Use approach which will have a positive impact. The zone will be far more family friendly than a commercial zone. She said she drives her children to choir and swimming classes via 148th Avenue SE every day after school while traffic is bad. It would be good to bring infrastructure online before new development is permitted. Bellevue is growing fast and most residents are proud of that, but the challenges will need to be faced.

## 5. COMMUNICATIONS FROM CITY COUNCIL, COMMUNITY COUNCILS, BOARDS AND COMMISSIONS

Mayor Stokes praised the Commissioners for working through so many difficult issues. He said the Council was very happy to receive the low-hanging fruit options for the Downtown Livability Initiative process. The Council has agreed to move forward with the pedestrian crossway between the Kemper Development Company developments in the downtown. He said he intended to reserve time at an upcoming Commission meeting to provide a briefing on where the city intends to go over the coming year or two. One major planning effort being ramped up is the grand connection from Meydenbauer Bay to the east side of I-405.

## 6. STAFF REPORTS

Senior Planner Mike Kattermann reminded the Commissioners about the planning commissioner short course scheduled for March 2 at City Hall. He urged those interested in attending to sign up. He also reminded the Commissioners about the open house on March 9 which will start at 5:30 p.m. in the City Hall concourse, and noted that the regular meeting would start at 7:00 p.m.

## 7. DRAFT MINUTES REVIEW

### A. January 27, 2016

Mr. Kattermann pointed out that the edits to the first paragraph on page 7 and the last paragraph on page 12 requested by the Commission on February 10 had been made.

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

### B. February 10, 2016

A motion to approve the minutes as submitted was made by Commissioner deVadoss. The motion was seconded by Commissioner Barksdale and the motion carried without dissent; Commissioner Laing abstained as he had not been present at the meeting.

## 8. STUDY SESSION

### A. Eastgate/I-90 Corridor Implementing Regulations

Code Development Manager Patricia Byers reminded the Commissioners that three new zones are proposed for the Eastgate corridor: EG-TOD, NMU and OLB-2. The latter is more complicated because it involves the areas covered by concomitant agreements and may be a zone that could be applied citywide. It grew out of the Eastgate/I-90 CAC study process, and gained support through the Comprehensive Plan update process in the form of Policy S-EG-X2, and the current focus is on drafting code language that supports the concept.

Ms. Byers explained that the OLB land use designation was originally all about the 70s and 80s office parks that were usually oriented toward highways and freeways. The OLB-2 as proposed is more generous with regard to allowed uses and allows for greater intensity. The idea is to have those who work in the office be able to easily walk to service and retail uses while providing easy access to highways, freeways and transit. The Eastgate/I-90 CAC highlighted its desire to see well-designed and attractive office environments developed on both sides of I-90. They also wanted to allow for infill growth to a maximum FAR of 1.0; allow for ground floor retail, service and restaurant uses to create a thriving district; develop safe and convenient pedestrian access; and build on the proximity of the area to the Mountains to Sound Greenway. Comprehensive Plan policies S-EG-3 and S-EG-4 support the proposed OLB-2 district, while Policy S-EG-6 specifically seeks to ensure that increases in impervious surface area or storm water runoff will not increase the quantity or worsen the storm water quality entering public drainage systems, streams, Phantom Lake, Lake Washington and Lake Sammamish. Since the 80s when the office parks were rezoned and developed, the storm water requirements have become much more stringent.

Commissioner Barksdale asked in what ways the policies are evaluated to determine if they are being implemented in ways that will achieve the desired outcomes. Ms. Byers said the work of transitioning from policy to concept to the Land Use Code belongs to the Commission. Mr. Kattermann added that most policies are qualitative in nature rather than quantitative. One way to measure how well policies are implemented is by looking at how the code matches up with the policies. Commissioner Barksdale said he would like to see accompanying language that specifically highlights what will actually be measured.

Ms. Byers noted that the issues of safety, convenience and access via an integrated internal

circulation system is outlined in Policy S-EG-14. Connectivity within the subarea for pedestrians and bicycles is detailed in Policy S-EG-17, and the need to protect the surrounding neighborhoods from future development in the I-90 Business Park is called out in Policy S-EG-40.

Chair Hilhorst highlighted the importance of protecting the surrounding neighborhoods from future development and said she would like staff to come back with visuals.

Commissioner Carlson pointed out that chief way the city deals with protecting the neighborhoods is by channeling the majority of growth into the already existing commercial areas such as Bel-Red and the downtown. Chair Hilhorst agreed but noted that the Commission's direction is to make some changes along the I-90 corridor, which in many places backs up to existing residential areas.

Commissioner Carlson asked if the park and ride lot is set for expansion in the next 15 to 20 years. Ms. Byers said there is no move to expand it as part of the current Eastgate/I-90 proposal. She said she would make inquiries as to whether there are any long-term plans to expand it.

Commissioner Walter pointed out that the entire Eastgate plan rests heavily on having adequate transit services. She said she recently attempted to ride a bus from Eastgate into Seattle at 9:00 a.m. and found all the buses to be full. The fact that transit service is lacking is disconcerting in that it is contributing to more cars on the streets. Ms. Byers said she would return with additional information about the traffic plans for the area.

Comprehensive Planning Manager Terry Cullen reported that he had recently had a conversation with Ms. Wannamaker who voiced the same concern. The question raised then was what plans are being made by the transit authorities to accommodate all the additional office workers who will occupy the new developments in the Eastgate corridor. He said he is following up on the transit planning process. Commissioner Walter said one approach would be for the city to develop and operate its own shuttle service.

Chair Hilhorst asked if code changes could be put in place that are contingent on transit levels of service adequate to address the new growth. Commissioner Laing explained that by state law, new development cannot be allowed where there is inadequate transit infrastructure. Level of service (LOS) acts like a report card to give grades ranging from A to F based on vehicle delay at signalized intersections, where F is complete gridlock. Jurisdictions are allowed to add development to the point of LOS F. In Bellevue, the LOS standards vary by area and are set by the City Council. In other words, the Council can set as a matter of policy how long vehicles can sit at intersections. Regionally, what cities have done instead of adding infrastructure or requiring more transit service is to simply lower the LOS thresholds. Issues relating to subarea equity, in which some areas are well served and others are not, have led to reductions in bus service and increased transit costs. The problems are real, but unfortunately the engineering solutions get tied up in the political processes that are outside the scope of the Planning Commission. Under the Growth Management Act, growth is supposed to pay for growth, and new development is not allowed to come online without a funded plan to also bring online the required infrastructure.

Mr. Kattermann explained that the Growth Management Act requires something called concurrency. The statute requires that there be a strategy in place to construct or fund the necessary infrastructure to support growth within six years of the new development that needs it. Jurisdictions are allowed to determine how much congestion they will permit. The only jurisdiction to date that has actually put a moratorium on development due to traffic concerns is

King County, and that was done in the mid 90s. With regard to tying development to the provision of transit services, some jurisdictions have begun utilizing a multimodal approach that incorporates all modes of travel, not just vehicle delay at intersections. The city has begun the development of a multimodal approach.

Mr. Cullen said the challenge with transportation concurrency for communities like Bellevue lies in part with the fact that there is so much passthrough traffic. As far as the Eastgate area is concerned, the capacity on I-90 is probably too low to accommodate the peak flows, and the result is the communities around the freeway are impacted by not being able to freely access it. The local communities get punished so to speak because of the passthrough traffic. The multimodal approach is preferable in that it reflects a more integrated approach that better serves the community.

Turning to the issue of manufacturing uses in the OLB-2, Ms. Byers suggested the appropriate uses would be measuring, analyzing, controlling instruments, photographic, medical and optical goods, watches and clocks, and computer software. She informed the Commissioners that the footnotes in the OLB-2 use charts were not correct in the draft materials and would be corrected.

Commissioner Laing called asked about food and beverage manufacturing and asked if that could include a brewery, a distillery, or a winery with a tasting facility. He noted that Footnote 6 allows such uses only where combined with an eating and drinking establishment. Ms. Byers said that footnote was included in the NMU district and if deemed appropriate could be used for the OLB-2 district as well. Commissioner Laing said it would be a good thing have a winery or a brewery within walking distance of offices and hotels, but he agreed the uses should only be allowed in conjunction with Footnote 6.

Commissioner Laing drew attention to apparel, fabric, accessories and leather goods manufacturing on the use chart and asked if that would include a boutique clothing store that makes its own goods to sell on site. He commented that the primary use would be retail but it would have a manufacturing component. The same could be true with shoes. Mr. Kattermann noted that the Commission had previously discussed the issue and concluded that it comes down to the level of activity for the different components. If the primary business is retail and the manufacturing is a minor component, the manufacturing is an accessory use and as such would be permitted even without Footnote 6. Ms. Byers said those same uses would not normally be appropriate for an office environment should the manufacturing component be the primary use and the retail sales a subordinate use.

Commissioner Barksdale asked if it would be appropriate to include an "S" in the use chart indicating uses allowed as subordinate to a primary use. Ms. Byers said the city has moved away from taking that approach by clearly defining in another part of the code what a subordinate use is.

With regard to the recreation land use chart, Ms. Byers said as drafted uses that are generally compatible with an office environment, such as health clubs and art galleries, are shown as permitted outright, by administrative conditional use permit, or by conditional use permit, whereas large outdoor recreational uses, such as a zoo or a fairgrounds, are not permitted.

Commissioner deVadoss suggested that commercial amusements, video arcades and electronic games, should not be excluded. The other Commissioners concurred and concluded the use should be permitted outright. There also was agreement that the public assembly outdoor use would not be appropriate in the zone.

Chair Hilhorst asked if there are any paths in the Eastgate area that people might want to use on horseback. Mr. Kattermann said he could not think of any. There was agreement not to permit the stables and riding academies use.

With regard to residential uses, Ms. Byers pointed out that as drafted all types are permitted with the exception of single family dwellings, which are not permitted, and assisted living facilities, which require a conditional use permit.

Commissioner Laing said he was surprised to see assisted living allowed by conditional use instead of being an outright use. Ms. Byers said she would seek to know why the conditional use requirement came about in the draft.

Commissioner Carlson asked if any of the recommendations made at the behest of neighbors in the Spiritridge area would be trumped by permitting the residential uses as outlined for the OLB-2. Ms. Byers said she did not believe so but would follow up to verify that.

Chair Hilhorst drew attention to the transient lodging use and noted that while a hostel might be a good fit in the zone, a homeless shelter may not be. Ms. Byers said requiring a conditional use permit might be the way to go for homeless shelters; it would certainly allow for addressing all of the impacts.

Commissioner Laing noted that Seattle requires a conditional use permit for homeless shelters even if they are located in an industrial area. One of the impacts that should be considered is the queuing that often associates the use given that shelters are not generally open 24 hours a day, and that can be addressed through a conditional use permit. Hotels and motels should be permitted uses. The Commissioners agreed.

Ms. Byers explained that as drafted the only use allowed under the resources land use classification was veterinary clinic and hospital. She noted that boarding and commercial kennels would be permitted as a subordinate use, and that doggy day care as a use is covered under the services category.

Commissioner deVadoss asked if a business conducting GMO research would fall into the resources category. Mr. Kattermann said the use falls under the services category as a permitted use.

Turning to the services category, Ms. Byers explained that the focus is on providing those services someone in an office environment would want to take advantage of. She noted that while most of those types of uses were permitted outright, governmental services, including executive, legislative, administrative and judicial, and protective functions and related activities, were listed as allowed through an administrative conditional use permit. Primary and secondary schools would also be allowed through an administrative conditional use permit.

Chair Hilhorst pointed out that as drafted child care services are not permitted but a child day care center is. Ms. Byers said she would research that and report back to the Commission.

Commissioner Barksdale questioned why repair services such as watch, TV, electrical and upholstery were not shown as permitted. Commissioner Walter pointed out that vocational schools that teach those crafts are allowed. There was agreement to permit both uses.

Commissioner Walter called attention to the hospitals use and reminded the Commissioners about the previous discussion about stand-alone emergency rooms being more like a hospital

than a medical clinic. The approach used for the downtown should be used in the OLB-2.

Ms. Byers called attention to the transportation category and noted that large regional uses such as bus terminals and taxi headquarters are not allowed in the OLB-2. As drafted, the transportation uses that are allowed essentially mirror those that are allowed in the OLB zone, which are more local transportation uses.

Commissioner Walter suggested that rail transportation, including right-of-way, yards, terminals and maintenance shops is out of place in the zone even under a conditional use permit. There was consensus not to allow the use even with a conditional use permit.

Commissioner Barksdale asked why radio and television broadcasting studies is included in the transportation and utilities category. Ms. Byers explained that the standard land use classification handbook classifies the use as a utility.

Commissioner Laing questioned not allowing for auto parking commercial lots and garages given how oversubscribed the park and ride is. People are choosing to park at the college and in other areas because the lot is full. Allowing them might actually spur some more public investment should the agencies realize they may see some competition from the private sector.

Commissioner Walter said her understanding was just the opposite, that people are in fact parking in the park and ride and then walking up to the college. Commissioner Laing allowed that it could simply be a matter of who gets there first. Ms. Byers noted that Bellevue College has reported that is happening. Chair Hilhorst said regardless of who is parking there, the fact is the park and ride is full and it would make sense to allow for commercial lots and garages to serve the area generally.

Commissioner Walter commented that a concrete parking structure is not aesthetically pleasing and would not necessarily be a good fit.

Commissioner Laing agreed that parking lots are auto oriented. The fact is, however, that there is already quite a lot of hide and ride parking going on. While it is a good thing they are focused on taking transit, it is not a good thing that the park and ride is so full they cannot park where they should be parking. It is the transit service that is creating the demand for more parking. Because the demand is not being met, the parking is being pushed out into business and residential areas. If the private sector is not permitted to come in and meet the demand, the demand will not be met, and that is a problem. The vision for the corridor is clear, but the Commission should allow commercial parking if for no other reason than to give the Council the opportunity to discuss the issue.

Commissioner Walter said she could see allowing the use in the OLB-2 zones in the western part of the corridor, but not in the eastern part closer to the neighborhoods. Large parking structures simply do not fit with the nearby residential uses. Commissioner Laing said he did not disagree with that approach. He proposed allowing the use but including a footnote regarding location restrictions.

Commissioner deVadoss suggested that it cannot be said with any degree of certainty what the world of automotive transportation will look like in 15 or 20 years. It would be presumptive to say just how things will play out. Commercial lots and garages should be allowed, but in very restricted areas.

There was consensus to allow auto parking, commercial lots and garages, with the footnote

allowing them only in the OLB-2 zone to the west of 142nd Avenue SE.

Mr. Kattermann pointed out that the park and ride use itself is allowed only with a conditional use permit, and that due to the issues of placement, access and aesthetics, all of which impacts surrounding areas and views. He questioned why a commercial parking garage would be treated any differently given that the impacts are similar if not the same. There was agreement to allow the use with a conditional use permit.

Ms. Byers reviewed with the Commissioners the uses on the wholesale and retail chart proposed to be allowed.

Commissioner Walter asked how recycling centers are defined. Ms. Byers said they are small areas that collect recyclable goods. Commissioner Walter said the fact that apartment buildings do not have recycling collections has never made sense. She suggested allowing some recycling in the OLB-2 zone so apartment dwellers will have some place to put their recycling.

Chair Hilhorst reminded the Commissioners that in presenting the early wins to the Council, there was some confusion as to what a recycling center is. While it could be defined as a large building that does the actual work of recycling, the Commission had in mind a much smaller use, a collection area rather than a processing facility. Ms. Byers said she would check into the solid waste issue and what is being done in that realm and then report back to the Commission.

Chair Hilhorst said she understood why retail boat sales were not permitted in the zone, namely the size of the lot needed. She asked, however, if the notion of a boat showroom could be entertained, particularly with a footnote saying the use is only allowed inside a building and that no outdoor storage would be allowed.

Commissioner Walter asked if taking that approach would open the door to indoor showrooms for trucks, cars, motorcycles and RVs as well. Chair Hilhorst said she would be alright with that.

With regard to concomitant agreements, Ms. Byers said they are site-specific regulations that are usually in response to some neighborhood concern. There are several concomitant agreements in place in the Eastgate corridor. For many of them, the conditions are either redundant, already met, or are not in line with the vision for the OLB-2 zone. The question is whether or not the concomitant agreements should be done away with by rezoning the individual properties to which they are attached.

Commissioner Walter said philosophically she liked getting rid of the concomitant agreements. She said she was struck, however, but the proposed buffers are in most cases much smaller.

Ms. Byers suggested it would be helpful to have a discussion about transition areas and how they work. The transition area code specifically deals with the issue of buffers. The code works like an overlay and establishes the basic standards for uses that abut other uses. Additional requirements apply for properties that fall within the transitional area design district. Even if the concomitant agreements are done away with, most of which are old and difficult to enforce, the design guidelines and development standards will still be in play.

Commissioner Laing said the concomitant agreements are basically mitigation agreements that were put in place for specific developments. The only way anything will meaningfully change on any of the properties to which the concomitant agreements are attached will be if a property owner goes through another permitting process. The code elements that are in place will provide the necessary controls.

Commissioner Walter said she was not opposed to having the concomitant agreements go away provided there will be something in place to provide a similar result.

Ms. Byers agreed to pull together for the March 23 meeting a tutoring session on the transition area codes so the Commission can fully understand what removing the agreements will mean on the ground. She noted that the next steps in the study will involve reviewing the draft Land Use Code for the EG-TOD district, the draft public amenity incentive system, the draft design guidelines, and moving ahead with the public outreach process which will initially involve sending out letters.

Commissioner Barksdale asked if the public outreach could involve a survey to generate some preliminary input. Ms. Byers said the CAC report constitutes preliminary input. People can also provide written comments to the Commission or attend a meeting and provide input in person. Mr. Cullen added that surveys are most helpful once there are draft recommendations in hand. The initial public outreach will seek to inform, to invite the public to attend the Commission meetings at which the guidelines will be developed, and to invite comment.

## 9. PUBLIC COMMENT

Ms. Michelle Wannamaker, 4045 149th Avenue SE, thanked the Commissioners for recognizing the issues relative to King County Metro. She pointed out that transit is a regional issue as well as an issue local to the Eastgate corridor. In talking about transit-oriented development, the assumption is that those who live in the residential units will be transit users, but if the transit services are not there for them to use, they will use cars to get around. She also thanked the Commission for its initial conclusion not to allow the FAR for the RV park site to be too high. The owner of the property is pushing for a six-story residential tower, but as has been pointed out there are many other uses that would be appropriate there. In talking with those living nearby, most indicated a desire to see uses ranging from a Trader Joe's to independent restaurants and a hardware store.

Chair Hilhorst made it clear that no final decision regarding the FAR for the RV park site has been made by the Commission. What was presented previously to the Commission was a recommendation for an FAR of 1.0. The property owner was seeking an FAR of 2.5 and the Commission discussed seeking something in between. The Commission will discuss the issue again before making a final recommendation.

Mr. Bucky Walter, 3702 136th Place SE, voiced his support for allowing commercial parking lots in the corridor. The parking lots on the frontage road on the south side of I-90 quickly fill up and the spillover parking ends up in residential areas. He pointed out that there is a Neighborhood Enhancement Project kicking off for the Eastgate neighborhoods and it would make sense to coordinate any surveys with that project to avoid any confusions.

Ms. Misa Averill, 400 112th Avenue NE, commented that a business such as GameWorks would be appropriate for the Eastgate corridor. They are focused primarily on adults and do not allow persons below a certain age after a certain time of day. She said she was happy to hear the Commission talk about changing transient lodging to conditional use. In addition to allowing auto showrooms, furniture showrooms should also be allowed; such uses typically do not stock on site and deliver from a warehouse. With regard to the LI district, said more information is needed with regard to the types of manufacturing, wholesale trade and distribution activities.

## 10. ADJOURN

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

Chair Hilhorst adjourned the meeting at 9:13 p.m.

CITY OF BELLEVUE  
BELLEVUE PLANNING COMMISSION  
STUDY SESSION MINUTES

March 9, 2016  
7:30 p.m.

Bellevue City Hall  
City Council Conference Room 1E-113

COMMISSIONERS PRESENT: Chair Hilhorst, Commissioners Carlson, Barksdale, deVadoss, Laing, Morisseau, Walter

COMMISSIONERS ABSENT: None

STAFF PRESENT: Terry Cullen, Nicholas Matz, Patti Wilma, Emil King, Department of Planning and Community Development

COUNCIL LIAISON: Not Present

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER

The meeting was called to order at 7:08 p.m. by Chair Hilhorst who presided.

2. ROLL CALL

Upon the call of the roll, all Commissioners were present.

3. APPROVAL OF AGENDA

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

4. PUBLIC COMMENT

Dr. Jeff Johnson, 5611 119th Avenue SE, said he is the owner of Newport Hills Professional Center directly across the street from the Newport Hills Shopping Center. He said his practice has been there for 30 years. It is exciting to see changes coming to the area. The Commission was asked to include his property in the scope of the proposed Newport Hills Comprehensive Plan amendment so it can have complementary height, form and structure.

Ms. Mary Smith, 1632 109th Avenue SE, addressed her proposed Comprehensive Plan amendment dealing with park lands preservation and protection. She said she served as one of the original members of the Save Mercer Slough committee that was instrumental in saving the land to become part of the Mercer Slough Nature Park. Land for more parks is becoming scarce and the city should treasure the parks it has. No one can see into the future and changes in use may be considered, but it should be required that the public who paid for park lands must be involved in any decision to change them. Park lands acquired through bond measures should remain park land unless the public votes to change the usage. Any park lands used for six months or longer should be considered permanent, consistent with state law. Park lands should be designated with their own zoning code so citizens are aware that the zoning is for parks only.

Under extreme conditions when parks are to be used for non-park uses, the Comprehensive Plan should be amended appropriately.

Mr. Geoff Bidwell, 1600 109th Avenue SE, said he has for many years been involved in protecting the Mercer Slough Nature Park. With regard to the proposed park lands Comprehensive Plan amendment, he concurred and fully supported Ms. Smith's comments. The amendments are necessary to protect taxpayer investments in park lands from non-park uses, including the sale of any park lands. The Commission was asked to consider a property that was purchased in 1988 through a Bellevue park bond measure supported by Bellevue taxpayers. The land was acquired by City Council resolution which states that the site, known as the Balitico property, was selected as having the highest priority for land acquisition, and it was necessary to retain view of the Slough from Bellevue Way and to provide an appropriate entrance to the park. Reference was made to an article from the *Seattle Times* written in 1988 dealing with the acquisition of the Balitico property and the citizens that worked to achieve the goal. He provided the Commission with a drawing of the trailhead of the Mercer Slough Nature Park and its improvements as authorized by the City Council. He also submitted a copy of the assessor's report of the Balitico property that was completed in 2011 showing that the property is unimproved and has a zoning of R-1 to protect the wetlands from high-intensity use. That is completely false and is contrary to the reason the City Council and taxpayers approved the purchase of the park land in 1988. It is clear that stronger language is needed to protect the city's unique and irreplaceable park lands for the present and into the future.

Mr. Jonathan Kagel, president of the Vuecrest Community Association, PO Box 312, thanked the Commission and the planning department for considering the concerns previously addressed about the areas immediately adjacent to Vuecrest along the 100th Avenue NE corridor. The Association favors restoring the originally defined building heights for the immediately adjacent to the neighborhood. There remain concerns about the Deep B area which is very close to the Vuecrest and Northtowne neighborhoods. The area was designated for lower heights during previous planning efforts. The current height limit is 90 feet and the CAC proposed allowing height of up to between 180 and 240 feet. Reaching the full proposed height would require a development plan, but nothing has been said about when such a plan would be required. The default height of 90 feet should be retained, and anyone wanting to build a taller tower should be required to go through the process of putting together a development plan and have it fully reviewed by planning, the Council and the adjacent neighbors. The process would take time, but extraordinary increases in height should require extraordinary planning and coordination. In the downtown area, there have been a lot of different bonuses earned. The Association would like to know more about the economics of those bonuses and what the exchange rate might be. Having a large backlog of bonuses that could be transferred could undermine many of the goals of the Downtown Livability Initiative.

Ms. Heather Trescases, executive director of Eastside Heritage Center, 11660 Main Street, said she attended many of the meetings of the Downtown Livability Initiative CAC. The Eastside Heritage Center sees the initiative as an opportunity to tell the Bellevue story. In going through the process, the Commission should take the same view. Downtown Bellevue is a destination for businesses and residents of the greater Eastside and also for tourists. Providing a sense of place will be critical to the character and vibrancy of the downtown, just as it is for any major metropolitan area. As Bellevue's mid-century modern suburban roots transform into 21st Century urban living and experiences, architects and developers should be inspired to honor the past. The city should provide a framework for them to do so through a variety of means, including interpretive signage, preservation of historic structures, preservation of significant historic features, and the utilization of historic images in new buildings. The amenity incentive system also provides opportunity to build community and connect people with their heritage

through the inclusion of space for non-profits, cultural uses and experiences. Challenges have been incurred with some of the use-related amenities in the past, but allowing for flexibility in the code can provide for opportunities and encourage partnerships for public benefit. The Commissioners were asked to keep in mind the role history can play in providing a sense of place and community identity.

Mr. Todd Bennett, 11100 Main Street, said his company BDR has been headquartered in Bellevue for over 30 years. He said the property at the northwest corner of Main Street and 112th Avenue NE on which is situated the old Lexus building is directly across the street from the planned East Main light rail station and the lid park. The site, along with the property to the west occupied by John L. Scott, represents a unique opportunity to create a signature gateway project at one of the few key gateway entry points into Bellevue. The properties are perfectly situated to provide a world-class transit-oriented development adjacent to a transit station. Under the current zoning and height restrictions, the most likely development scenario for the properties is four- or five-story mixed use over retail, an approach that certainly does not take full advantage of the key gateway location and adjacency to the light rail station. The property could be developed with a far more interesting mix of retail, office and residential uses under the proposed zoning and height changes, and could yield opportunity for open spaces and gathering spaces. Taller and skinnier buildings are more pleasing to the eye and offer a number of other benefits relative to light and air. He said he has been working with John L. Scott and other neighbors in the area to create a vision for what is being called the East Main district. The focus is on a plan that will respond to and take advantage of the light rail station while creating a gateway and character for the area. The staff recommendations for zoning and height are supported in general, but the FAR and height increase in Perimeter A should not be limited to residential uses only.

Mr. Phil McBride, Chief Operating Officer for John L. Scott, owner of the building at 11040 Main Street, said the property is only 200 feet from the East Main light rail station. He said John L. Scott worked with BDR to create the vision that was on display during the open house. The vision is for a development with office uses in the buildings in the front and residential uses in the buildings behind. He said he is excited to see what is happening in the area and to be part of charting a course forward for the evolution of the city.

Ms. Christy Becker, 10116 SE 6th Street, spoke as the associate director for housing and case management at Hopelink. She said everyone deserves the opportunity to have a safe, healthy and affordable home. A recent article published in the *Journal of Urban Affairs* found that for every additional \$100 in median rent, there is a 15 percent increase in homelessness in urban areas, and a 39 percent increase in suburban and rural areas. There is a clear need to prioritize affordable housing. Hopelink has seen an increase in the number of families struggling to locate affordable housing in Bellevue and east King County. Families are often paying a high percentage of their incomes for rent, leaving little for basic needs. Many working families are exciting homeless housing and are unable to locate affordable housing in Bellevue, forcing them to move out of the area even though they work in the city. The city has been a partner in serving the needs of low-income families and residents over the years. Hopelink provides Bellevue community members with food, housing, emergency financial assistance, heating assistance, employment services, and education. The package of services offered is designed to help people stabilize and to give them the tools and skills they need to exit poverty. Affordable housing in the community is a key factor needed for success. The Commission was asked to prioritize affordable housing for very low income, low income and moderate income housing units and to commit to implementing a development incentive for affordable housing.

Mr. Mike Nielson, 6557 127th Place SE, spoke as the former executive director of Imagine Housing. He said he spent the better part of his 40-year career developing and operating

affordable housing. He expressed concern about housing affordability in Bellevue. Over the years, many citizen surveys and focus groups have listed affordable housing as a priority. Approximately 50 percent of the new housing units to be developed in Bellevue over the next 20 years are going to be in the downtown area. If that is the case, the only way the city will be able to impact affordability will be to take aggressive steps to assure that a percentage of the new downtown units will be affordable. Bellevue will not be able to meet its affordability goals unless that is done. Additionally, much of the new development in the downtown will include wage earner retail jobs. Already those who hold such jobs cannot afford to live in Bellevue. That means they must seek housing outside of the city and travel to and from their jobs, impacting the transportation system. Developers are not going to develop affordable housing unless there are incentives to do so. In fact, it often takes mandatory inclusionary zoning to get affordable units included in the mix. The Commission was urged to take an aggressive look at creating incentive bonuses for affordable housing in the downtown.

Mr. Bill Herman, a resident of Bellevue Towers at NE 4th Street and 106th Avenue NE, stressed that when all the updates are considered and voted on, there should be a full understanding of the complete package. Parts of the package are currently missing, including a transportation plan that takes into account the additional FAR in the MU district, as well as the diminished capacity resulting from midblock crosswalks and having more pedestrians, bike lanes and narrower lanes to slow traffic. Traffic volumes on I-405 actually diminished by half a percent between 2012 and 2014, but trip times increased 46 percent during that same period. Where gridlock exists, traffic volume decreases. With regard to the bonus amenity system, the staff have recommended fixing the fact that developers earn maximum incentives by providing underground parking by making it a requirement. The proposed approach, however, would give the additional height anyway, thus institutionalizing the broken system. A different approach should be tried, one that does not require underground parking or give any bonus for it; it will still happen and the de facto backdoor downzoning will go away. The Commissioners were urged to clarify what is really meant by height limits. In the O-1 district, the limit is 450 feet and nothing is allowed to exceed that limit. In other downtown districts, however, the limit is actually allowed to be exceeded for various reasons.

Ms. Margo Blacker, 200 99th Avenue NE, thanked the Commission for its hard work. She said she participated in the 1981 rezone of the downtown, and the controversial 1992-1993 work that established scaled down height limits that has proven over time to serve the downtown well. All the arguments being made now about slender tall towers and plenty of amenities were made back then as well. The Vuecrest and Northtowne neighborhoods live next to a giant. With increased height and density consideration must be given to what the impacts will be on the surrounding neighborhoods. The Northtowne Community Club is opposed to any increased heights on the west and north side of the downtown. If increased heights are allowed, certain amenities should be required, including affordable housing. At one time in the past Bellevue had inclusionary housing requirements, but they were voted away. Northtowne wants to see McCormick Park extended to 112th Avenue NE. She agreed with Ms. Trescases that Bellevue needs to preserve and express its history.

Dr. Russ Paravecchio, 2495 158th Place NE, spoke against the proposed Naficy Comprehensive Plan amendment. He said the Sherwood Forest residents do not want to be at odds with city government, or viewed as obstructionists. The neighborhood supports controlled growth but not irresponsible growth that is willing to expend things that should be considered inviolate. Those who live in residential areas that have been specifically set aside for that use should be able to believe their properties will not come to a bad end because of poor planning that results in decreased property values. Bad planning results in traffic that makes it very difficult to access residential areas and reduces overall safety. It is not responsible, ethical or right to make

planning changes that will negatively impact established residential areas. The Sherwood Forest residents should not be asked to suffer the impacts that would result from approving the Naficy Comprehensive Plan amendment. Protective mechanisms in place should stand and should not be skirted around. Infrastructure should be built ahead of time to accommodate future growth.

Ms. Karen Campbell, 2447 160th Avenue NE, said she is a Sherwood Forest resident and taxpayer. She asked the Commission not to approve the proposed Naficy Comprehensive Plan amendment. The area should be kept in the Crossroads subarea and not be allowed to be transferred to the Bel-Red subarea. The Bel-Red subarea was previously allowed to encroach on the Crossroads area, something that should not have been allowed to happen. Notice of that action was not provided in a timely manner, and the result is the Live apartments and more apartments going up on the corner of NE 20th Street and 156th Avenue NE, as well further down on 156th Avenue NE. Traffic is terrible and it takes several cycles to get through an intersection. Even emergency vehicles are unable to get through. The Naficy structure is a one-story school and dental office. There are tall fir trees on the site that should not be cut down. The property is a little over half an acre in size, which is only twice the size of many properties in Sherwood Forest. Taller buildings in the area are not needed in the area given that taller buildings are already going up in the Overlake Park area that will allow the residents to look down into the Sherwood Forest neighborhood. Property values in Sherwood Forest are not increasing, largely due to the increased traffic and development. Neighborhood values should be kept and respected, and the neighborhood should remain safe. Increased development will bring in more crime. The environmental checklist filed with the city is incomplete and inconsistent; it says in one place there will be between 60 and 120 residents and workers, and in other place that there will be between 200 and 400 residents and workers. All of that will add tremendously to the existing traffic, and there are no plans in place to fully address the traffic. The proposed light rail alignment has been moved further away from the neighborhood, making it more difficult to access, and there are no plans to increase bus services. The city was supposed to keep a gateway to the neighborhoods, but that has failed. No more rezones are needed, and the open space in the area needs to be kept open. The Overlake Village master plan will house between 30,000 and 40,000 people once it is completed, and that is about half the size of Seattle's South Lake Union neighborhood.

Ms. Valerie Barber, 4644 122st Avenue SE, said there are inaccuracies in the Newport Hills Comprehensive Plan amendment request. The suggestion is made that traffic might decline as a result of going from Neighborhood Business (NB) to Multifamily-High (MF-H), but it makes no sense at all. Where there are 180 homes, there are 180 times two or more cars. The current retail center does not have that much traffic during peak times. The proposal also states that the current retail center is fairly vacant, which is incorrect. A number of services are offered that are vital to the neighborhood that not only improve the quality of life but also the walkability of the neighborhood. Some of the businesses in the center that were mentioned include: a mail center, restaurant, dry cleaning, dance studio, tailor, martial arts, nail bar, hair salon, sports bar and tutoring center. Reference was also made to the Mustard Seed, a sports bar that attracts many different sports teams of all ages to meet and celebrate. Additional references to existing businesses were made including Stod's Batting Cage, a burger restaurant and a gas station. The walkability of these business was emphasized. There are only two of the 15 storefronts that are vacant. This doesn't suggest this is a retail service center that is largely empty. The businesses have succeeded in spite of attempts on the part of the landlord to limit their ability to have a modern building and to have long leases that would encourage building improvements. They are hindered by the landlord to make it more attractive for even more businesses to succeed there. In spite of the current owners, they are successful which suggests how important those services are. The parking lot will have only a few cars during the morning hours, but during one Friday and Saturday evening at 7 PM, there was over a hundred and eighty cars in the parking lot. That

does not speak to an empty retail center. Additionally, that corresponds to the traffic going through the neighborhood and these are non-peak times. There are only 2 roads and both have a school with school drop-offs and there can be up to a 2 mile traffic back-up to get out of the neighborhood during peak hours. Does not understand why we need more high density housing in this neighborhood.

Mr. Sam Chung with Baylis Architects, 10801 Main Street, spoke representing Dr. Naficy in support of the proposed Naficy mixed use Comprehensive Plan amendment. He pointed out that changed conditions make the proposed amendment both timely and appropriate. Since the Comprehensive Plan was adopted for the site, the adjacent Bellevue zoning and land use has been substantially modified by the Bel-Red corridor plan, and the Bellevue Transit Master Plan which includes the East Link extension. The Bel-Red subarea plan increased the allowed FAR from 2.0 to 4.0, and increased heights from 45 feet to 75 feet. Additionally, Redmond has increased the zoning capacity on lands around the subject property. Dr. Naficy's property is surrounded by much higher density and allowed building height. Sound Transit's East Link Overlake Village station will be within a half mile/ten-minute walk of Dr. Naficy's property, and King County Metro already provides two service routes on 156th Avenue NE. The subject property is located within the 300-foot planning gap between Bellevue and Redmond, and good planning makes the proposed amendment very rational. He voiced support for expanding the geographic scope as suggested by the staff, and agreed that it should not extend south of Bel-Red Road. The concerns of the public in nearby residential areas are understandable. However, because of the FAR cap limit placed on Dr. Naficy's property, all that can be seen fronted on the street is a parking lot and an underutilized building. If the amendment is approved, the site will have an FAR base of 1.0 and the opportunity to increase that by including things like affordable housing through the bonus incentive system.

Mr. Steven Roberts, 620 West Lake Sammamish Parkway, said he works with Congregations for the Homeless whose mission is to help single men on the Eastside move from homelessness to independent living. The national initiative to end homelessness focuses on the lack of affordable housing as the major cause of homelessness. There are quite a few affordable housing units in Bellevue, though the waiting list for them averages four years and stretches out to six years. Congregations for the Homeless does a really good job of working with homeless men. It can help them get off the street into shelters; it can help them get a job; it can help them deal with their issues and addictions and health issues; and it can help get them into subsidized housing. There is, however, no place for the men to go once they achieve stability and are ready to pay rent. Affordable housing is desperately needed, especially in association with transit-oriented development. The only other option for the men is to find housing in some other city.

Mr. Alex Smith, 700 112th Avenue NE, spoke on behalf of 700 112th LLC. He said the property is currently zoned DT-OLB. He thanked the Commission for being allowed to participate in the stakeholder forum earlier in the evening. The event prompted a good exchange of ideas and helped to illustrate what is possible. The design team from CollinsWoerman along with land use attorney Larry Martin has given thought to what downtown livability means and has identified some exciting opportunities for the community, as well as some constraints. The constraints demonstrate how important it is to include flexibility in the Land Use Code. Sites that serve important public purposes should not be underdeveloped. Limiting FAR on the subject property to a maximum of 6.0 will result in buildings that are significantly smaller than what the site and the neighborhood needs. The model demonstrated at the forum utilized an FAR of 8.0. The site is one block from the downtown light rail station and Bellevue transit center, and is also adjacent to I-405 HOV access and the NE 8th Street ramp. Given the opportunity, a convention-serving hotel could be constructed on the site, increasing the viability of Meydenbauer Center. Depending on the design, the site could contribute to the Grand Connection as well as future

development in the Civic Center neighborhood. The property is highly visible from the north, south and east. It could become a civic landmark giving a sense of arrival and creating a sense of place. The Commissioners were encouraged to think in terms of flexibility where warranted rather than in terms of absolutes.

Mr. David MacDuff, 419 Occidental Avenue South, Suite 300, Seattle, spoke representing the applicant for the Newport Hills Shopping Center Comprehensive Plan amendment. He said the proposed amendment is based on a number of reports that have been compiled for the Newport Hills area over the years. The neighborhood has a wonderful character and much effort has been put in by the neighborhood and the city to come up with a plan that will work. No such plan has been put together to date that works for all involved. The proposed amendment seeks to continue combining a mix of retail and commercial uses with residential uses in the form of townhomes. The vision is for something far different from what exists in the neighborhood currently, something that will offer many things that matter to the community. There is not sufficient demand to rebuild the center with new retail of the type that are currently there, but that does not preclude existing users from coming into the new retail spaces if their business model accommodates it. The proposed approach does result in a reduction in the amount of commercial space currently on the site. A design concept is being prepared and will be shared with the public when it is ready, and the intent is to work with the neighbors and the neighborhood as well as with the city.

Mr. Jack McCullough, 701 Fifth Avenue, Suite 6600, Seattle, commented that there has been some suggestions that for some zones in the downtown there may be an interest in providing additional height without allowing for additional FAR. He suggested that would be a useless venture. Developers will not readily take advantage of additional height in the absence of additional FAR because as buildings get taller and floor plates get smaller, buildings become more expensive and less efficient. The amenity bonus system is a delicate creature. It was crafted in 1981 and it has served its purpose, not the least of which is getting developers to put parking underground, and getting developers to construct residential projects in the downtown. The amenity schedule does not impose significant cost on projects and the city should be careful in seeking to fine-tune it. If changed radically to an approach that will impose high costs, the result will be a de facto economic downzone, and developers will not develop new projects. One way to mitigate that is to provide additional FAR. Many people have worked for many years to make light rail in Bellevue a reality and construction is getting under way. No new plans for the downtown should be adopted if they do not include substantial increases in density to take advantage of light rail.

Mr. Mike Nielsen, 10650 NE 9th Place, Unit 2524, said he was part of the development team that originally developed the two Washington Square condominium towers but now is a principal with West 77 Partners which is currently developing the Hilton Hotel adjacent to the condominiums at the corner of NE 10th Street and 108th Avenue NE. He said he is also part of the ownership group that owns the balance of the Washington Square superblock. The Commission previously recommended that staff evaluate a potential height and FAR increase in the DT-O2 North zone, or the three half blocks that sit between Bellevue Way and 110th Avenue NE on the north side of NE 8th Street. Each of the O2 zones impact the city in different ways, and a continuity relative to them may be inconsistent with the zoning objectives of the downtown. NE 8th Street serves as a gateway to downtown Bellevue; that is certainly evident in the fact that most of the traffic coming into the downtown uses NE 8th Street. The West 77 Partners site is unique in that it has a maximum height of 250 feet and an FAR of 6.0 and sits directly across the street to the O1 zone for which a proposal has been made to increase the height limit to 600 feet and the FAR to 8.0. The model shared during the forum compared what could be created under the existing zoning and what would be there with an increase in height

and FAR. The Commissioners were thanked for at least asking staff to look at increasing height and density for the site. There appears to be some support for increasing the height, though increasing density is a more sensitive issue. The opportunity exists to allow for flexibility in how the FAR is allocated. The number of persons living in the downtown is steadily increasing, but there remains a dearth of places for children to safely enjoy. The desire is that the Washington Square site will be designed to include open spaces and areas for kids to play and adults to gather. Increased height and density can help to bring that about at the street level.

Ms. Heidi Dean, 11661 SE 56th Street, said she currently serves as the merchant liaison and shopping center revitalization chair for the Newport Hills Shopping Center for the community club, but stressed that she was not speaking for the club. She said the community has for many years been asking for help in revitalizing the shopping center. The concern is that what has been proposed will not revitalize the shopping center; rather it will simply create infill housing and a strip of retail left to appease the residents, which is not what the residents have asked for. It is not what was envisioned during the Heartland study in 2010. Including a certain amount of housing on the site has always been understood as a way of helping to support the retail, but what is being proposed does not fit the vision. The application is misleading in representing the center as currently being fairly empty. In fact, it is evident that whoever filled out the application knows little to nothing about it, including the fact that a bus line serving Bellevue and Seattle runs through Newport Hills. The lack of notification regarding the Commission meeting and the fact that the topic would be introduced is disconcerting; in fact she said she had been told the issue would not be introduced until the April 13 Commission meeting. The lack of communication between the city and the Newport Hills community is troubling. It has been rumored that the property owner has been shopping the property around since June, a fact that was only verified at the forum prior to the Commission meeting. The community has been clear about wanting to be part of the planning conversation. Changing the zoning from NB is not what the community wants; it wants the local businesses. There is no reason for the shopping center having empty spaces, except that it has been made impossible to rent them out because they have been made un-tenantable. The Heartland study is really no longer applicable given how much change that has occurred in the area and a new study should be done.

5. COMMUNICATIONS FROM CITY COUNCIL, COMMUNITY COUNCILS, BOARDS AND COMMISSIONS

Commissioner Morisseau said she met with the Fortin Group a week ago and learned their vision for their property on 100th Avenue NE across from the Vuecrest neighborhood.

6. STAFF REPORTS

Chair Hilhorst said she has been meeting regularly with Comprehensive Planning Manager Terry Cullen to discuss the Commission's full schedule. She noted that there is much that must be done in the coming five months or so and suggested the need for additional meetings or to start meetings earlier in the day. She asked the Commissioners to share with her their thoughts about how to proceed.

7. DRAFT MINUTES REVIEW - None

8. STUDY SESSION

A. 2016 Annual Comprehensive Plan Amendment Applications

Senior Planner Nicholas Matz said introduction of the Comprehensive Plan amendment

applications is only the first of many steps associated with the amendment process. He clarified that the Comprehensive Plan can under the Growth Management Act only be amended once annually and each of the submitted applications will ultimately be considered as a single amendment to the Comprehensive Plan. The proposed amendments will, however, be considered individually. The work program will be established by the City Council based on the recommendations the Commission will make after a public hearing. At the threshold review stage, the focus is on determining whether or not the proposed amendments should be considered for Comprehensive Plan amendment; those that make the cut are included the work program. At the final review stage, each proposed amendment is studied on its own merits. The recommendations of the Commission will be forwarded to the City Council for final action. Both phases include a public hearing.

Mr. Matz clarified that the only question before the Commission was whether or not the geographic scope for each proposed amendment should be expanded. In all there are five proposed amendments, three of which are site specific. He said the Commission will be asked to consider whether or not the proposed actions for the site-specific amendments should be addressed applied to more than just the subject site. The non site-specific amendments propose amendments to the text of the Comprehensive Plan, and the presumption that the amendments apply citywide leave no question of geographic scope.

i. Naficy Mixed Use 16-123605 AC

Mr. Matz said the privately initiated application would amend the map designation for the 0.574 acre site at 15700 Bel-Red Road from Office (O) to Bel-Red Residential-Commercial node 3 (BR-RC-3). A concurrent rezone application has been submitted along with Comprehensive Plan amendment application. The applicant's stated purpose is to allow for a denser mixed use center, additional housing support, and improved pedestrian activity in the neighborhood. In reviewing Comprehensive Plan amendment applications, however, the focus is on what could happen under a given designation and zoning, not just what the applicant proposes. The existing FAR allows up to 0.5, but the BR-RC-3 has a base FAR of 1.0 and a 45-foot height limit, which can be increased to an FAR of 4.0 and a 70-foot height limit. The Naficy site is currently developed with a medical-dental office building with surface parking.

The Land Use Code states that expansion of the geographic scope is recommended for a site-specific proposal if nearby, similarly-situated property shares the characteristics of the proposed amendment site, and indicates that expansion is to be limited to the minimum necessary to include properties with shared characteristics. The purpose of geographic scoping is to look at the circumstances and situation of the subject properties and conclude whether or not the same conversation should be held about a broader set of properties in the area. Mr. Matz explained that because the site-characteristics of the Naficy property are shared by the other adjacent sites, the recommendation of staff was that geographic scoping should be expanded to include all properties northwest of Bel-Red Road, east of 156th Avenue NE, and south of NE 28th Street.

Commissioner deVadoss asked why the staff was not proposing also expanding the geographic scope to include the properties to the southeast of Bel-Red Road. Mr. Matz said Bel-Red Road serves as a hard line, and as a result the sites to the southeast do not share the same characteristics.

Mr. Matz said to date one letter has been received which is strongly opposed to the proposed Comprehensive Plan amendment, and several emails have also been received. During the community rezone meeting held prior to the Commission meeting, several people noted their specific interest in the proposal. All written comments will be included as part of the staff

recommendation.

Commissioner deVadoss said he was unclear as to how staff reached the conclusion that the nearby properties share similar characteristics with the subject property. Mr. Matz said the Naficy site is zoned Office and is home to a small older single-level office building that has been developed for some time. The site has surface parking that is shared by the surrounding properties along with the Office zoning. The properties to the southeast of Bel-Red Road are primarily zoned Professional Office (PO), a zone that is significantly different when it comes to contemplating redevelopment. There is Office to the south. The properties proposed for inclusion through geographic scoping have a similar set of developed circumstances. They are all affected by the issues raised by the applicant relative to access and proximity to higher-density areas. The properties to the north of the proposed geographic scoping area are in Redmond, as are the properties to the west.

Commissioner deVadoss suggested that using boundaries between cities as the criteria for rezoning activities opens the door to a number of complications and unintended consequences. Mr. Matz clarified that the focus of the geographic scoping centers on the issue of the proximity and density proposed affects all of the properties equally.

Commissioner Carlson asked staff to comment on the testimony provided by the public regarding the proposed amendment. Mr. Matz said no conclusions have yet been reached with regard to what impacts, if any, the proposed action would have on the community. The staff report will ultimately take into account the implications for the geographic footprint recommended by the Commission.

Commissioner deVadoss opposed expanding the geographic scope as proposed by staff. The move could open the door to some problems with respect to the boundaries. The action also does not take into account the contextual issues associated with the Bellevue Technical Center site to the east of 148th Avenue NE. Without the larger context, the perspective is too narrow. Chair Hilhorst pointed out that by widening the geographic scope, the context circle will be widened as well. Not expanding the scope will not result in considering that site. Mr. Matz said all of the considerations that were given to the Bellevue Technical Center site will be taken into account if the geographic scope is expanded.

Chair Hilhorst asked staff to also include transportation data as the review moves forward. Mr. Matz said he absolutely would do that.

There was consensus of the Commissioners to expand the geographic scope as proposed in the staff memo. Chair Hilhorst directed staff to prepare a threshold review recommendation for the Naficy Comprehensive Plan amendment.

ii. Eastgate Office Park

Mr. Matz said the privately initiated application seeks to amend the map designation on the 14-acre site located at 153325-15395 SE 30th Place in the Eastgate subarea from Office (O) to Office Limited Business (OLB). In the submittal documents, the applicant stated that the Eastgate/I-90 Land Use and Transportation study missed a major opportunity to add moderate density to the site, and that to do so would be in support of the Eastgate vision for a transit-oriented development and mixed use center. From the perspective of the applicant, there is a limit on the ability to develop the site. Moving to a different designation would allow for a richer variety of density. There are currently four buildings on the site. The Commission is familiar with the Eastgate/I-90 plan and that will be made part of the conversation going forward

regardless of the geographic scoping. The applicant believes the OLB designation would yield more flexibility under the potential FAR that could occur on the site.

Mr. Matz recommended expanding the geographic scoping to including two sites to the west that are similarly situated. Both have older suburban office buildings of the same general low-density design of the subject property. The sites also share similar access and are zoned Office.

The Commissioners were informed that the only inquiry to date was from the owner of the Subaru dealership seeking to know the particulars of the proposal.

Commissioner Carlson asked why the site was not originally wrapped into the Eastgate/I-90 study. Mr. Matz said that question will be answered in the report after digging into the work that was done.

Commissioner Morisseau suggested a visit to the site by the Commissioners would be helpful. Mr. Matz said the Commission will be provided with pictures of the site in the report, and if needed a site visit could possibly be arranged.

There was consensus among the Commissioners to expand the geographic scope as proposed in the staff memo. Chair Hilhorst directed staff to prepare a threshold review recommendation for the Eastgate Office Park Comprehensive Plan amendment.

iii. Newport Hills Comprehensive Plan 16-123752 AC

Mr. Matz said the privately initiated application would amend the map designation for the 5.9 acre site at 5600 119th Avenue SE in the Newport Hills subarea from Neighborhood Business (NB) to Multifamily-High (MF-H). He pointed out that the applicant has suggested that 4.6 of the 5.9 acres would be designated MF-H and zoned R-30; the balance of the site along 119th Avenue SE would remain NB. The applicant's stated purpose in making the application is in support of redevelopment with a mix of uses, with a larger housing component. The applicant believes the NB designation is consistent with the policy redevelopment focus of the Newport Hills subarea plan but does not go far enough to promote the density needed to activate redevelopment.

Mr. Matz said staff was not suggesting any expansion of the geographic scope. The owner of the gas station site has been in contact with staff and is interested in observing as the process moves forward, and is paying particular attention to what will happen to the grocery store site. The owner of the real estate office near the subject property has also been in contact with staff.

Chair Hilhorst took a moment to explain that she got her passion for land use planning through working over a decade to see the Newport Hills Shopping Center revitalized. There have been years when the majority of spaces in the shopping center were empty; ironically the proposal has come forward at a time with the majority of the spaces are filled. It is exciting to see such a high level of interest in seeing the site redeveloped. It was disappointing that no notice of the issue being before the Planning Commission was given to the Newport Hills community. The neighborhood has a long history with the city, but something clearly was missed. Newport Hills is a very active community and the city will need to rebuild its level of communication and trust.

Commissioner deVadoss asked if there were a way to provide for visibility when applications are submitted. Mr. Matz reiterated that the introduction of amendment applications and the establishment of geographic scope is the first step of many. He said the lessons learned from the St. Luke's application in 2015 in terms of adequate notification and community involvement

have been built into the current process. Information about the applications submitted is readily available, though it could be the city needs to be more proactive in getting the information out. The first step having been taken, efforts will be taken going forward to make sure there will be public involvement.

Commissioner Walter said she is a member of NextDoor and highlighted the application as a good opportunity for getting the word out and expressing opinions. People want to be in the know and part of the solution, and when they do not hear about things they feel as if something has been withheld from them and that they are not being treated as equal partners.

There was consensus of the Commissioners to not expand the geographic scope consistent with the staff memo, to expand the notification process for the community and to come back with more data. Chair Hilhorst directed staff to prepare a threshold review recommendation for the Newport Hills CP Comprehensive Plan amendment.

iv. Park Lands Policy #1

The Commissioners were directed to the text of the two non site-specific Comprehensive Plan amendments in the packets. He said the gist of the proposal is to restrict or regulate review in changes of use of acquired park lands and park property variously by citizens, the Parks Board and the city's formal rezone process. Because the proposed policy would apply citywide, the question of geographic scoping does not come into play.

v. Park Lands Policy #2

Mr. Matz said the applicant has proposed three new policies restricting or regulating review in changes in use of acquired park lands and park property variously by citizens, the Parks Board and the city's formal rezone process, and requiring city owned park lands to be zoned with a 'Park' zoning designation. Because the proposed policy would apply citywide, the question of geographic scoping does not come into play.

Mr. Matz stressed that the City Council and the Planning Commission both have the authority to initiate Comprehensive Plan amendments into the process. On March 7, the Council directed the Commission to initiate a Comprehensive Plan amendment for what are called Vision Zero Transportation Element policies. The Commission will be working closely with the Transportation Commission to develop those policies and bring them forward. Amendments initiated by the Council start with the final review process.

A motion to extend the meeting to 10:00 p.m. was made by Commissioner deVadoss. The motion was seconded by Commissioner Morisseau and the motion carried unanimously.

B. Downtown Livability Land Use Code Update

Strategic Planning Manager Emil King reminded the Commissioners that on March 3 the stakeholder exhibits and open house event served as a good way to talk openly about ideas, visions for development, and community benefits. He reported that on March 7 the Council adopted the package of Downtown Livability Initiative early wins without making any changes.

Mr. King reminded the Commissioners that the MU equalization issue along with the Deep B and Civic Center districts were discussed but no preliminary recommendations were made. He added that no staff recommendation for any part of the OLB district between 112th Avenue NE and the freeway has been made pending a City Council study session tentatively set for March 24

that will include a discussion of the view corridor issues from major public spaces.

The attention of the Commissioners was drawn to the Downtown A overlay district. It was noted the Downtown Livability Initiative CAC recommended allowing residential building height up to 70 feet in the zone that currently has a limit of 55 feet. Their rationale was that the increased height would allow for more ample floor-to-ceiling space, particularly for ground floor uses, and would potentially allow for more articulation and open space. Mr. King said staff believes the recommendation is warranted for most of the overlay district, but not for the area by the library and the area by Vuecrest. The proximity to single family zoning in those two areas warrants retaining the 55-foot height limit. In the areas with the additional 15 feet, upper level stepbacks would still be required.

Commissioner Laing said he would not necessarily support the height change to 70 feet all along 100th Avenue NE. The additional height is especially appropriate along Main Street along the southwest corner of Downtown Park. Staff's observation about the abutting single family neighborhoods to the west is well taken. He added that in order to create viable retail spaces on the ground floor, the opportunity to have somewhere between 15 and 16 feet of clearance is needed. Being able to go up to 70 feet allows for maximum flexibility at the street level, and provides for very livable units higher up.

Mr. King noted that the Downtown MU A and B overlays have been generally referred to as the East Main planning area. It is the area north of Main Street between 112th Avenue NE and 110th Avenue NE where both BDR and John L. Scott are located. The CAC made no recommendation relative to changing the height and density allowed, but the Commission directed staff to look at the possibilities. Across the street to the east is the OLB area for which the CAC recommended building height to 200 feet and FAR up to 5.0. The East Main station area CAC has not yet finalized its recommendation for the area but is considering recommending FAR between 4.0 and 5.0 and buildings between 200 feet and 300 feet high.

Mr. King said after considering all the particulars, staff concluded it could support slightly more density in the A design district along Main Street by allowing FAR at 5.0 and height at 70 feet. For the B design district, staff believes the current FAR of 5.0 should be retained, but building height at 250 feet is warranted as a way of syncing the efforts of the Downtown Livability Initiative CAC and the work of the East Main CAC. In an earlier conversation about the residential and non-residential FAR in the A and B districts, it was noted that non-residential FARs are significantly lower. In A, residential is allowed an FAR of 3.5, whereas office is limited to 1.0, giving incentive to build residential in the areas closest to the neighborhood. In B, residential is 5.0 and office is 1.5.

Commissioner deVadoss said the distinction between residential and non-residential appears to be somewhat arbitrary. Mr. King said the policy difference has been in place for a long time. Residential aspects have been more desired for the edges of the downtown than an array of strictly retail and office buildings. Some think the characteristics of a building with an FAR of 5.0 are the same for residential or non-residential, but in fact they are quite different in terms of light and glare, what the buildings look like, the desired floor plates and traffic movements. Given that the outside edges of the downtown have a lot of residential, residential has long been thought to be the more compatible use.

Community Development Manager Patti Wilma pointed out that a large portion of the Professional Office-zoned site to the southwest of the intersection of Main Street and 112th Avenue SE will have a park on the lid covering the light rail line. The park will serve as a de facto buffer between the residential to the south and the more intense uses in the DT-MU/East

Main area.

Commissioner Laing said the Downtown Livability Initiative CAC did not give a lot of attention to the A and B overlay districts. There is what some downtown stakeholders refer to as the commercial penalty associated with residential having either no FAR limit or a large difference in the allowed FAR. The explanation that residential uses on the edges of the downtown are more compatible with residential uses that ring the downtown makes sense in transition areas. However, the CAC expressed concern about continuing the differential given that the priority given to residential to date has achieved its goal. Mr. King said the CAC argued that equalizing the FAR is particularly pertinent to the DT-MU district.

Chair Hilhorst asked when the East Main CAC will have its recommendations ready. Mr. King said the group is currently focused on building height and FAR for the area east of 112th Avenue SE between Main Street and SE 6th Street. The CAC will need a couple more meetings to reach a conclusion, but their current focus is on FAR in the range of 4.0 to 5.0 and building height between 200 and 300 feet. Part of the area is influenced by the view corridor between City Hall and Mt. Rainier.

Ms. Wilma said the DT-O1 district takes in the main part of the downtown. She said the CAC recommended no change to the FAR. However, the outcome of combining building height of up to 600 feet with an unlimited FAR was not necessarily the intent of the CAC. Staff's recommendation is to limit FAR to 10.0 for residential buildings that exceed 450 feet in height, otherwise to have no limit on residential FAR below 450 feet. Under that approach, buildings above 450 feet will be allowed to have only the square footage they would be allowed to have in a structure that does not exceed 450 feet. Both residential and non-residential buildings should be allowed to build to 600 feet. Staff also recommends eliminating the 15-foot height for mechanical equipment, leaving the screening requirements to deal with mechanical equipment. Tower spacing, floor plate setbacks and special open space requirements should also apply. Fundamental to the CAC's recommendation is that any additional height for FAR must be earned by the provision of exceptional amenities.

The Commissioners had no questions.

With regard to the DT-O2 district, Mr. King noted that staff had been directed to look at additional height and FAR for the area to the north of NE 8th Street. He said keeping the same 6.0 FAR and allowing up to 400-foot buildings would help to reinforce the wedding cake better than going from 450 feet and 600 feet all the way down to 300 feet across the street. The rest of the MU allows for 200-foot and 300-foot tall buildings. The benefit of having more light and air between towers and ground level open space with tower spacing is warranted. He recommended allowing height above the 300-feet recommended by the CAC without increasing the allowed FAR.

Commissioner Morisseau asked why the FAR should not be increased along with increasing the height to be consistent with what was across the street, which is 8.0 FAR. Mr. King said the potential for additional FAR was analyzed by the staff. However, throughout the CAC process whenever there was talk of additional height or FAR they defaulted back to the issue of urban form. As a result, their recommendations do not include just adding FAR in the downtown, other than in the OLB district, and in the MU district through equalization. The zoning in the downtown is already fairly dense and retains the earmark of having the most dense zoning of any zone in the city. The CAC analyzed an FAR of 7.2 and 9.6 for the O1, but concluded that additional FAR was not warranted.

Commissioner deVadoss said the Commission is not required to dogmatically adhere to the recommendations of the CAC. Mr. King agreed. He said the task of the Commission is to thoroughly review the CAC recommendations and amend them as the Commission sees fit in developing a recommendation of its own to send on to the Council.

With regard to the DT-O2 north district, Mr. King said the area takes in the western half of the Bravern block and the western half of the City Hall block. The zone currently has an FAR of 6.0 and a height limit of 350 feet. He said the recommendation of the staff was for no change to the CAC recommendation.

Mr. King said the DT-O2 south district lies to the south of NE 4th Street and east of 110th Avenue NE. He said the recommendation of the staff was to proceed with the CAC recommendation for increasing the height from 250 feet to 300 feet without increasing the FAR from the current limit of 6.0. The area is largely built out, but there are key redevelopment sites that are of interest to stakeholders, including Bellevue Towers.

Mr. King said he would seek preliminary planning direction from the Commission in April.

A motion to extend the meeting to 10:10 p.m. was made by Commissioner Walter. The motion was seconded by Commissioner deVadoss and the motion carried unanimously.

#### 9. PUBLIC COMMENT

Mr. Mike Nielsen, 10650 NE 9th Place, said the O1 zone currently has an FAR of 8.0 for commercial development and an unlimited FAR for residential. The recommendation is to increase that to an FAR of 10.0, yet right across the street the FAR steps down to 6.0, and then to a 5.0. He suggested looking for a midpoint. A modest increase is warranted given some of the height parameters under consideration.

#### 10. ADJOURN

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

Chair Hilhorst adjourned the meeting at 9:59 p.m.

CITY OF BELLEVUE  
BELLEVUE PLANNING COMMISSION  
STUDY SESSION MINUTES

March 23, 2016  
6:30 p.m.

Bellevue City Hall  
City Council Conference Room 1E-113

COMMISSIONERS PRESENT: Chair Hilhorst, Commissioners Carlson, Barksdale, deVadoss, Laing, Morisseau, Walter

COMMISSIONERS ABSENT: None

STAFF PRESENT: Terry Cullen, Patricia Byers, Carol Helland, Department of Planning and Community Development; Franz Loewenherz, Kevin McDonald, Department of Transportation

COUNCIL LIAISON: Mayor Stokes

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER

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

2. ROLL CALL

Upon the call of the roll, all Commissioners were present with the exception of Commissioner Carlson, who arrived at 6:37 p.m., and Commissioner Morisseau, who arrived at 6:58 p.m. Mayor Stokes arrived at 6:56 p.m.

3. APPROVAL OF AGENDA

A motion to move 8B follow 8C and to approve the agenda as revised was made by Commissioner Laing. The motion was seconded by Commissioner deVadoss and the motion carried unanimously.

4. PUBLIC COMMENT

Ms. Nicole DeLeon, 524 Second Avenue, Seattle, spoke as a land use attorney with Cairncross & Hemplemann representing Aegis Living. She thanked the Commission for its focus on expanding the floor area exception for assisted living uses. She said Aegis supports the proposal and encourages the Commission and the Council to move forward in processing the Land Use Code amendment. Cairncross & Hemplemann is willing to help shoulder any of the burden city staff may have in processing the amendment.

Mr. Walter Braun, 1812 10th Street West, Kirkland, senior vice president of development for Aegis Living, said he was present and willing to answer any questions that might arise during the study session. A project that is essentially ready to go depends on having the amendment approved, so there is a sense of urgency involved.

Ms. Michelle Wannamaker, 4045 149th Avenue SE, said the Eastgate/I-90 project is based in part on the premise that new residents and workers will use mass transit. At the previous Commission meeting, however, there was discussion of how King County Metro is not meeting the current need and that the park and ride facility routinely exceeds its capacity. She questioned proceeding with the amendment given that information. She said she was anxious to hear a response from Metro. While Eastgate was only annexed in 2012, it has always been surrounded by the city of Bellevue and there has not been any significant growth in Eastgate for decades; it is growth in Bellevue that has created the current Eastgate traffic nightmare. The city is working to alleviate the impacts of growth on traffic with multimodal approaches that encourage walking to stores and restaurants rather than driving, but with the shortage of housing in both Bellevue and greater Seattle, and the lack of affordable housing, people are limited as to where they can find housing and they may end up living nowhere near where they work. Traffic problems are regional and people are always looking for the quickest route to their destination, whether or not it is the most direct route; surface streets are often used to avoid freeway backups, and with 148th Avenue SE serving as an alternative north-south route, Eastgate is often part of people's Plan B for getting to their destinations. When growth is allowed in other parts of Bellevue, traffic worsens in Eastgate. Adding growth that includes housing and jobs in Eastgate will certainly make things worse. The city and the Commission are part of the problem of allowing growth to occur before the necessary infrastructure is in place to support the growth. For every additional worker and resident, the quality of life will be reduced for those who already live in Eastgate, and business productivity will also be reduced.

Mr. Andy Lahka, 500 108th Avenue NE, Suite 2050, spoke on behalf of Office Development Group which specializes nationally in urban mixed use developments. He addressed a property midblock on NE 8th Street between Bellevue Way and 102nd Avenue NE and across the street from Bellevue Square which is comprised of 2.7 acres on five separate parcels having both DTMU and DTMU-B zoning. He said the proposed development program for the site includes ground floor retail with a four-star hotel and urban residential units over subterranean parking. He thanked the city for being allowed to participate in the March 9 Downtown Livability Initiative stakeholders open house where there was great energy and a remarkable high-quality projects on display. He voiced strong support for the recommendation of the CAC for 300-foot building height in the MU zone, but unless additional FAR is allowed the additional height will not be used. To go higher will require the floor plates to be smaller, and smaller floor plates are less efficient and more expensive to build. The site currently has an existing income-producing asset with tenants in place, and return on the property will continue to be maximized until such time as redevelopment makes financial sense. At a minimum, an additional FAR of 1.5 should be considered for the MU zone. Development is the result of persistent and numerous negotiations to assemble a desirable midblock urban infill development site and the property is currently subject to strip zoning and it should be zoned to reflect current conditions, with DTMU for the entire site. Being subject to only one zone will allow for development most consistent with the vision of the city of the wedding cake form for the downtown. The vision for a sustainable vibrant downtown will only be realized through the solid transportation plan that is in place, which includes transit and light rail. The Commission was encouraged to reduce the minimum parking ratios in the downtown. The project is prepared to incorporate the proposed midblock crossing on NE 8th Street between 102nd Avenue NE and Bellevue Way, but to make it effective it will be important to include a traffic signal for vehicles, cyclists and pedestrians. The Commission was encouraged to provide significant flexibility in staff's seven recommended elements of urban form, including items such as tower spacing, building orientation, and floor plate reduction. Each site is unique and mandating regulations that apply everywhere could result in significant unintended consequences on a site-by-site basis.

Mr. Jack McCullough, 701 5th Avenue, Suite 6600, Seattle, stressed the importance of additional FAR in the downtown. He said the Commission likely will be told that there are process issues involved in considering additional FAR, but he reminded the Commissioners that the decisions the Commission and the Council make will result in the construction of buildings that will be in place for a hundred years. The problems associated with developing in high-capacity transit locations is underdevelopment, not overdevelopment. In making hundred-year commitments, it is necessary to make sure the assets brought online will be those the community will need for the long term. With regard to the view corridor issue, the Council received a briefing on March 21 and some concerns were voiced. The Sheraton site, which is completely impacted by the view corridor, is under new ownership. The Red Lion property is also impacted, and both properties are directly across the street from the East Main light rail station. The Council directed staff to sit down with the property owners and evaluate the impacts.

Ms. Cathy Louviere, a resident of Bellevue Towers, said she has personally been impacted by the 425 Center project and the Lincoln Square expansion project. Of great importance are the promises and policies that have been put in place for the perimeter areas. The Comprehensive Plan states that the downtown is unlike many other urban centers in that it is directly adjacent to vibrant single family neighborhoods on three of its four edges, the city is committed to protecting those neighborhoods through utilizing traffic parking management outside the downtown and defining perimeter areas through zoning within the downtown to reduce potential spillover impacts. By policy, the city has promised to protect the adjacent neighborhoods from significant adverse transportation impacts as the need arises. Those with residences in the downtown should not be forgotten; their needs should also be considered. It is somewhat discriminatory to separate residents on the perimeter from residents in the downtown and treat them differently. She shared with the Commissioners pictures showing how her residence has been impacted by the ongoing construction in the downtown. While construction does not begin until after 7:00 a.m., those who set up the traffic control measures begin their work between 6:00 a.m. and 6:30 a.m. There is noise and there is dust in the air from the construction work, and at night there is light pollution, particularly from the Lincoln Square tower project. Development is a good thing but those who live in the downtown should be taken into consideration.

Mr. Patrick Bannon with the Bellevue Downtown Association (BDA), 400 108th Avenue NE, Suite 110, thanked the Commission for hosting the recent open house focused on the Downtown Livability Initiative. He said the BDA has been a part of the process from the start and that he had served as a member of the CAC. He noted that the BDA had offered a number of comments in the form of a letter dated March 9 that was delivered prior to the Commission's last meeting. The letter reiterated the support of the BDA for the recommendations made by the CAC, with a strong emphasis on the opportunities that come with flexibility. The BDA continues to support a potential alternative path for development review that would allow for innovative project plans and designs that a more formulaic code may be too constrained to consider. At the same time, the community needs to be provided with some level of predictability.

Mr. Todd Woosley with Hal Woosley Properties, PO Box 3325, spoke on behalf of the Kramer family, owners of the Eastgate RV site who are desirous of seeing the property rezoned to support a new multifamily housing facility. He agreed with the need to have a sufficient amount of transportation capacity to accommodate all new development. An independent analysis has been done regarding the impacts of trip generation at the 2.5 FAR level and the finding was that current levels of service would not be degraded, adding no more than two seconds of delay at the absolute worst. There are capacity improvements on the way, some of which the city is investing in and some of which will be funded by the state in the form of an additional lane in each direction on I-90. The Liv Bel-Red development on 156th Avenue NE is built at an FAR of 2.25 and serves as a good example of what could be constructed on the RV site. At that density and

with the current incentive system, 75 affordable housing units could be provided as part of the overall development.

Comprehensive Planning Manager Terry Cullen pointed out that written correspondence received after the packet was mailed out was included in the Commission desk packet, including seven related to the downtown and one related to plan amendments.

## 5. COMMUNICATIONS FROM CITY COUNCIL, COMMUNITY COUNCILS, BOARDS AND COMMISSIONS

Mayor Stokes said the meeting on March 22 with the Commission chair, vice-chair and staff focused on the fact that the Commission's work plan is extremely aggressive. It is fair to say the Council is expecting a lot from the Commission, though it will be a challenge to get things done in a reasonable fashion while allowing for adequate public input. The Council is hoping the work on the Downtown Livability Initiative piece will be wrapped up by the end of the year. He noted that the Eastgate/I-90 CAC work was completed some time ago and the Commission is focusing on pieces of it now. Vision Zero is exciting and different and it will be interesting to see what the Commission's response to it is. He noted prior to the Commission meeting he attended a meeting focused on bicycle facilities in the city, which are growing in importance and acceptance. The Vision Zero strategies will be needed in order to make biking and walking as safe as possible. The Council is also very interested to see the outcome of the affordable housing action plans being put in place by the Council. One of the elements involves expansion of the floor area exception for assisted living uses. He also stressed that how the city deals with downtown livability will be very important. The needs of the development community and the residents living in what is clearly an urban center will need to be addressed.

Chair Hilhorst said the meeting with Mayor Stokes and staff on March 22 focused on the list of items on the Commission's plate that are critical and time sensitive. She said she recommended conducting additional meetings as a way of working through the list. She said she would work with staff to determine the topics to be addressed at any additional meetings. Staff is working to schedule a joint meeting with the Transportation Commission to discuss topics of interest to both groups.

Commissioner Barksdale suggested that holding additional meetings on Saturdays might be the best option for getting more community members to attend. Holding meetings away from City Hall might also be a good idea.

Chair Hilhorst said she pitched to staff the idea of having someone from the Bellevue School District address the Commission. The work of the Commission results in additional density and changes to neighborhoods, and it would be good to hear what the impact is on the schools. The Commission would benefit from understanding what the school district's plan for growth is. Of course, other school districts serve Bellevue and they may also need to be brought to the table. Staff has contacted the Bellevue School District and April 27 has been identified as a possibility.

## 6. STAFF REPORTS

Mr. Cullen reported that there have been some exciting developments relative to the Grant Connection project. A design firm has been chosen and a charrette has been planned for April 7, 8 and 9. A few representatives from the city's boards and commissions will be invited to attend two events over that weekend, a stakeholder open house on April 8 from noon to 2:00 p.m., and a roundtable discussion on April 9 from 2:00 p.m. to 4:00 p.m. There will also be an open house on April 9. It will be exciting to see well-known designers working together with business

owners and citizens.

Chair Hilhorst asked staff to send out the agenda for the weekend and noted that she would select three Commissioners to attend.

Mr. Cullen announced that the city would be hosting a citywide neighborhoods conference on May 21. The all-day conference will be very informative and will serve as a good way to get grounded into the neighborhoods served by the city.

## 7. DRAFT MINUTES REVIEW

### A. February 24, 2016

Commissioner Laing called attention to the third paragraph on page 6 and asked to have the first sentence amended to read "...allowed by conditional use instead of as an outright permitted use."

A motion to approve the minutes as amended was made by Commissioner Laing. The motion was seconded by Commissioner deVadoss and the motion carried without dissent; Commissioner Morisseau abstained from voting because she was not present at the meeting.

Commissioner deVadoss noted that emails sent to the Commissioners using a [bellevuewa.gov](mailto:bellevuewa.gov) address do not go directly to the Commissioners. Mr. Cullen said the emails using those addresses should bounce back as not deliverable. Commissioner deVadoss said he did not want the public to have the expectation that emails sent to Commissioners at that address are actually being read and that a response should be anticipated.

### B. March 9, 2016

Chair Hilhorst called attention to the last penultimate paragraph on page 11 and noted that it should be deleted given that the Commission had not in fact elected to expand the geographic scope of the Newport Hills Comprehensive Plan amendment. She directed staff to confirm the action taken before approving the minutes.

Commissioner Morisseau referred to the fifth paragraph on page 14 and suggested that as drafted the first sentence takes her statement out of context. She asked staff to listen to the meeting recording to clarify if the statement she made was in light of the fact that the FAR for the site across the street is 8.0.

## 8. STUDY SESSION

### A. Eastgate/I-90 Corridor Implementing Regulations

#### i. Review of Concomitant Agreements in Proposed OLB2 Zoned Areas

Code Development Manager Patricia Byers explained that concomitant agreements are used to protect neighboring properties from the impacts of a proposed development. When sites are legislatively rezoned, the concomitant agreements can either be left in place or they can be removed. There are a number of concomitant agreements in effect in Eastgate. Many of the provisions spelled out in the agreements have been codified, while in other instances, the requirements or the conditions have already been met. The agreements are very narrow in defining what uses are allowed, and the vision for the OLB includes a far more expansive number of uses to support those who will work in the area.

The Comprehensive Plan calls for providing graceful transitions between more intense development and existing residential land uses by maximizing the use of existing vegetation and topography to buffer and maintain the compatibility between different land uses. It also calls for protecting the surrounding neighborhoods from future development in the I-90 Business Park by observing the transition area requirements from residential uses.

The proposed OLB-2 zone is envisioned as having hotels, motels, offices, eating establishments and retail sales within walking distances of employment centers and is intended to serve those who work in the area. The OLB-2 zone has a greater intensity and mix of uses than the OLB zone; OLB-2 is intended to be a new district that started as part of the Comprehensive Plan update. The districts are located in areas that abut and have convenient access to freeways, major highways and transit.

Ms. Byers said the proposal includes rezoning the southern portion of the I-90 Business Park to OLB-2, and leaving the northern portion as OLB with the existing concomitant agreements in place. The biggest issue involves the five residential parcels and the fact that the buffer could be reduced from 60 feet to 20 feet upon redevelopment.

Commissioner Laing pointed out that in addition to the buffer between the southern portion of the I-90 Business Park and the five residential parcels, there is the 161st Avenue SE right-of-way. He commented that if the right-of-way is 30 feet, then the effective separation between the land uses would be 50 feet even with the buffer reduction. Ms. Byers confirmed that.

Commissioner Walter said she was under the impression that the 20 feet versus 60 feet applied to the entire perimeter along 161st Avenue SE. Ms. Byers clarified that only the southern portion was proposed to be rezoned to OLB-2, so the buffer reduction resulting from removing the concomitant agreement and applying the transition area design district would be effective only for the southern portion. The buffer for the northern portion would remain unchanged and the existing concomitant agreement would continue in place.

Ms. Byers said several uses are prohibited by the concomitant agreement in place for the parcel to the southwest of the I-90 Business Park. The proposed more expansive vision for Eastgate is not consistent with that agreement. She recommended the concomitant agreement, 11390, should go away. To the south of I-90, all of the requirements of concomitant agreement 8532 have been codified, thus the agreement should be deleted. Additionally, concomitant agreement 18767 includes a requirement for affordable housing should the site be developed with residential uses; the fact that a motel was developed instead, the agreement is outdated and should be deleted. Concomitant agreement 7930 restricts uses to wholesale and office, an approach that is not consistent with the Eastgate vision and the agreement should go away. Should the concomitant agreements be eliminated, adjacent residential districts would be buffered through the requirements of the transition area design district. Additionally, any sites at the toe of a steep slope would be required to maintain a 75-foot setback.

Chair Hilhorst asked if removing the concomitant agreement 7930 where Root Sports is located would affect the type of business or current use. Ms. Byers said the current use would not go away, but the site would no longer be restricted to just wholesale and office uses.

Commissioner Morisseau allowed that it is highly unlikely the concomitant agreement site 18767 will be converted from a motel use to a residential development by the time an incentive system for affordable housing is put in place. She asked if the city had anything in place that would ensure the provision of affordable housing should that happen. Ms. Byers said there are no

provisions currently in place.

There was agreement with the recommendation to eliminate concomitant agreements 7930, 6015, 8532 and 33217.

Commissioner Morisseau asked what the possible downside would be of leaving concomitant agreement 18767 in place. Ms. Byers said the proposal is to rezone the site to OLB-2, allowing for more density than what is currently allowed. If the concomitant agreement is not eliminated, the requirement to provide affordable housing as part of a residential development would remain in effect. Commissioner Morisseau said she wants to see more affordable housing developed and as such would like to retain the agreement along with the rezone to OLB-2. Ms. Byers said the Council is currently working on new affordable housing provisions. If 18767 is retained, its provisions relative to affordable housing would apply rather than whatever provisions the Council puts in place later on.

Commissioner Carlson said it is very likely the Council will have something on affordable housing on the books that will apply citywide sooner rather than later, so ultimately the site will be covered.

Land Use Director Carol Helland explained that in the past the city had an inclusionary zoning provision which mandated the inclusion of affordable housing. That provision was eliminated and the inclusion of affordable housing became optional. The Council has always provided an option for buyout which the owner of the 18767 site did not have to go through because a hotel was developed rather than housing. In every instance where a code has been reduced relative to affordable housing, the Council has created a path to align with the new direction for the people who had prior affordable housing restrictions placed on them. She said with the concomitant agreement eliminated, the site would still receive the benefit of any citywide affordable housing provision that would apply, simplifying matters. There is a small risk the hotel use will redevelop before citywide affordable housing provisions are put in place, but the risk is very small, particularly since applicants do not vest in the regulations in place at the time a design review application is submitted. The Council has set affordable housing as one of its priorities to be done before the end of 2018, and it is highly unlikely the hotel use could be converted in that timeframe.

There was majority consensus to eliminate concomitant agreement 18767, though Commissioners Morisseau and Barksdale were hesitant to do so.

Commissioner deVadoss commented that concomitant agreements are a part of the city's legacy, but their usage should be minimized in favor of citywide approaches.

ii. Review of Current and Planned Transportation Improvements in Eastgate

Commissioner Carlson asked if the recommended changes include an expansion of the Eastgate park and ride lot. Senior Transportation Planner Franz Loewenherz said there are no plans to expand it beyond its current configuration of 1600 stalls. He noted that between 2010 and 2012 the Eastgate/I-90 CAC worked to develop and recommend a preferred alternative to enhance the economic vitality of the I-90 corridor, provide for neighborhood retail services, improve transportation and mobility, upgrade the area's environmental quality and visual character, and support the institutional mission of Bellevue College. Their planning horizon year was 2030. Development of the city's Transit Master Plan also took into account the I-90 corridor, including access to transit. In Bellevue, 16 percent of all daily boardings and alightings occur at commuter

parking facilities; the vast majority of people access transit by walking and biking. There are currently 56,000 daily person transit boardings and alightings. Commuter parking is important as an element of accessing transit, but expanding the Eastgate lot is not part of the Eastgate/I-90 vision.

Commissioner Laing said the fact is people do access transit by driving to park and ride facilities such as the Eastgate park and ride, the South Bellevue park and ride, and the proposed Bel-Red park and ride. There can be no honest discussion about transportation planning and transportation facilities and mass transit master planning if the park and rides will be deliberately undersized based on using statistics for every bus stop in the city. The Eastgate park and ride is completely oversubscribed, and Sound Transit is already predicting the South Bellevue park and ride will be oversubscribed the day it opens based on the projected demand when light rail opens. Mr. Loewenherz pointed out that the Transit Master Plan includes a commuter parking strategy that is primarily focused on leased lots that are available for a lower cost, can be implemented rapidly, and which are distributed around the city to make them easier to access.

Continuing, Mr. Loewenherz said the Transit Master Plan looks at a variety of improvements to the freeways, arterials, transit facilities, and ped/bike facilities. With regard to freeway improvements, he noted that one of the challenges facing the Eastgate corridor is the queuing that occurs during the evening peak that backs up onto SE 37th Street down to SE 38th Street. The Washington State Department of Transportation coordinated with city staff as well as Sound Transit and King County Metro as the plan ideas were developed. The notion of an auxiliary lane improvement in the eastbound direction on I-90 was identified; it will add substantial capacity and will mitigate a lot of the queuing that impacts the Eastgate area arterial system. During the last legislative session, funding was set aside for design and construction of the auxiliary lane improvement; design work is under way and construction could happen in 2017. More information will be shared with the Commission as it becomes available.

Mr. Loewenherz said the city's Transportation Facilities Plan is a 12-year package of improvements. The projects in the TFP are funded, though in some cases only for design work. He shared with the Commissioners the list of improvements earmarked for the Eastgate corridor, including a study of how best to mitigate the congestion occurring at Eastgate Way and 148th Avenue SE. The intersections on 150th Avenue SE at SE 37th Street and SE 38th Street will be significantly mitigated with the I-90 auxiliary lane improvement.

Answering a question asked by Commissioner deVadoss about the development of the TFP, Mr. Loewenherz explained that the TFP is developed by the Transportation Commission with citizen input and handed off to the Council for approval. The projects in the plan are drawn from a number of sources, not the least of which are the subarea studies, and are those deemed to have the highest priority within the 12-year time horizon. With regard to transportation planning studies, he said they are typically done on a subarea basis and take the high view; micro-simulation modeling is needed to determine where to add lanes or effect operational improvements. All of the work is done as part of design projects funded with city dollars. Commissioner deVadoss pointed out that the plan has a long-term horizon. The fact is things are very dynamic and it cannot be said with any degree of certainty what will happen in just three or

four years. He asked if there is room to make adjustments to the analysis and the modeling over time. Mr. Loewenherz said the programming of funds allows for updating as needed. Planning work represents a snapshot in time. The work to develop the Eastgate/I-90 plan, staff came up with population and employment projections for the corridor, all of which was loaded into the model which then pointed out where intersection degradation would occur. The model was then populated with improvements to provide a with and without comparison at a gross level. The assumptions that go into the modeling work are regularly updated.

Chair Hilhorst asked what planning studies cost. Mr. Loewenherz said the Bellevue Way HOV lane study has a budget of many millions of dollars. The work includes environmental assessments and multiple assessments in addition to modeling work. While planning work is expensive, it is more expensive to do a project wrong and have to redo it later.

Turning to transit, Mr. Loewenherz said the Bellevue College connection project was identified several years ago and was followed up on in developing the Transit Master Plan. The transit Route 271 that comes from Issaquah serves Eastgate by coming up 150th Avenue SE, going under I-90, backtracking on Eastgate Way to serve the park and ride, then making several turning movements to onto 148th Avenue SE to access and serve the Bellevue College campus. In trying to serve both the park and ride and the college campus, the route is losing operational time. The Bellevue College connection project greatly simplifies operations by having the bus crossing the 142nd Place SE bridge structure, traveling along Snoqualmie River Road on the west side of the campus, and then progressing on. The estimates are that this new routing will save Metro \$500,000 annually in operating costs. Bellevue College is very interested in the project. An alternatives analysis project in conjunction with Bellevue College and Metro is under way to vet the concept further. Additionally, part of the 142nd Place SE bridge structure is envisioned as a potential ST-3 improvement.

Commissioner Carlson asked if any of the proposed changes result in less roadway capacity. Mr. Loewenherz said if anything operations for car drivers will be improved by taking buses off the very congested intersections of 148th Avenue SE and Eastgate Way. Because of who bogged down the bus gets using the current route, in 2014 as Metro was considering service cuts they were on the verge of pulling the bus out of the campus entirely and keeping it on 148th Avenue SE. The connection project will keep buses off the congested roadways and still serve the campus directly.

Mr. Loewenherz explained that the seven-year CIP projects are fully funded. The Mountains to Sound Greenway trail is included in the CIP. The Eastgate/I-90 work confirmed the alignment for the trail and resulted in securing \$150,000 to advance the preliminary design, and a year later a million dollars was secured to finalize the design. In the past legislative session, \$14 million was secured to advance construction of a portion of the trail, though when the work will begin is still being determined. To fully fund the project will take some \$30 million.

Chair Hilhorst asked if there has been any discussion around widening the heavily used sidewalk on the 142nd Place SE overpass. Mr. Loewenherz said that is precisely what hopefully will be accomplished with ST-3 funding. The sidewalk is some six feet wide and there frequently are

people spilling over into the roadway. The intent is to not only widen the sidewalk but to also create a covered walkway.

Mr. Cullen said because of the elongated planning process for Eastgate, and in listening to comments made by the public, the perception has come through that somehow transportation planning has become disconnected from the Eastgate planning process. The fact is nothing could be further from the truth. The planning efforts under way are flowing from the planning efforts of the past, and they are focused on the future. Transportation planning is extremely complex and the process is iterative, but it is fully interlinked with land use planning. What ultimately comes out of the Eastgate land use planning process will be incorporated into future transportation modeling. The process is admittedly not perfect but it has resulted in some good outcomes.

Commissioner Barksdale said one way to alleviate traffic is to provide people a place to pull off and shop at the end of the day. He said he saw in Washington, D.C. a large number of happy hours close to where people work, and people were going there to wait for traffic to die down. While a happy hour may not be the right approach, something similar might be. Mr. Loewenherz said the design process that has been worked through relative to the Mountains to Sound Greenway trail will result in significant positive benefits. Beyond offering alternative travel options, the trail will also improve the aesthetic quality of the I-90 corridor. The Eastgate/I-90 CAC process included a lot of back and forth on how much development should be allowed, but one thing everyone agreed on was the need to improve the aesthetics of the corridor. There will also be options for people to pull off the road and enjoy the trail, particularly at the 142nd Place SE location.

Chair Hilhorst said one big unknown is exactly when or even if light rail will come to I-90 and continue on to Issaquah. In the meantime, it would be a disservice to Bellevue citizens to not expand the Eastgate park and ride. A large number of those using the facility are coming from Issaquah and North Bend to take the bus into the downtown or into Seattle, and they need to be accommodated to prevent them from just driving to their ultimate destination, adding to the congestion levels.

Commissioner Carlson agreed and pointed out that even if light rail comes to the corridor, it will be a very long time before it does. The existing Eastgate park and ride is already too small, and the envisioned expansion of the corridor with retail, office and residential uses will only be accommodated by enlarging the facility. Commissioner Walter concurred and to disregard the public outcry would do everyone a disservice.

**\*\*BREAK\*\***

A motion to extend the meeting to 10:00 p.m. was made by Commissioner Barksdale. The motion was seconded by Commissioner Walter and the motion carried unanimously.

C. Expansion of Floor Area Exception for Assisted Living Uses Through Provisions of Affordable Housing

Ms. Helland said the proposed Land Use Code amendment (LUCA) was submitted by Aegis Living specifically for its assisted living project in Bel-Red called Genesis. In reviewing the application on February 1, the Council concluded that the issue is much broader and on February 22 initiated the LUCA to enable increased density in multifamily districts citywide for assisted living where it is combined with on-site or the fee in-lieu provision of affordable housing.

Aegis seeks additional FAR for its project located on 116th Avenue NE in the Medical Office district (BR-MO). They already have an approved design review which was issued in June 2015. Their request is for an increase in the base FAR from 1.0 to 2.0 in light of the anticipated demand for their services, specifically assisted living but also for congregate care and nursing homes. The Council's direction to the Commission is to look at application of the amendment anywhere in the city where FAR is not governed by a density requirement. The locations in the city where that is the practice are in Bel-Red and the downtown, and it may ultimately be applicable in Eastgate if the decision is made to regulate density for residential units. Specifically, the amendment would allow the use to exempt out from being counted 1.0 FAR in return for either providing affordable assisted living/congregate care/nursing home care on-site, or providing affordable housing off-site through a fee in-lieu. Fees in-lieu must be expended in the district in which the fees are collected.

The recommendation for accommodating affordable units on-site is to utilize the development agreement process to negotiate the terms of what would be necessary to achieve affordable units as a component of the development. That is not the approach Aegis has asked for. It is a very complex thing to determine unit affordability given all the assumptions that go into long-term care, and to come up with a square footage formula that can be converted to a direct amenity entitlement. The recommendation is for developers wanting to provide affordable assisted living/congregate care/nursing home care to negotiate a development agreement that ultimately would have to go before the Council for a public hearing and be approved by the Council; the agreement would determine how much additional FAR should be allowed in return for a set number of affordable units. The approach would apply in both Bel-Red and the downtown.

What Aegis has requested is to be allowed up to 1.0 additional FAR and to exempt it from being counted against their project in exchange for paying a fee in-lieu into the affordable housing program to construct units off site. The result would not be affordable assisted living/congregate care/nursing home units but rather a contribution to affordable housing. Effectively, the funds would flow to A Regional Coalition for Housing (ARCH). The interesting thing is that Bel-Red already has a fee in-lieu table and structure, but it only applies in areas where the amenity system applies, namely in the Bel-Red nodes, in the residential district, and in one other district. The BR-MO and Bel-Red-Office Residential (BR-OR) districts do not currently allow for taking advantage of the amenity chart, which includes a fee in-lieu rate for affordable housing.

Affordable housing is not currently included as an amenity in the downtown. That is largely because the downtown amenities have been in place for a very long time. The affordable housing amenities that were integrated into Bel-Red were considered to be a model to be mirrored in the downtown during the downtown livability update. In the interim, developers interested in doing

an affordable assisted living/congregate care/nursing home care in the downtown could negotiate a rate specific to the downtown.

Commissioner Laing said he was surprised by the reference to the development agreement. He said the requirement for a public benefit to be derived is subsumed in RCW 36.70B. The way a land use code is supposed to work is a developer receives a permit in exchange for doing certain specific things. The problem with the proposed approach is that the developer must sit down and negotiate with staff for a permit, without having any set parameters. There is also no way for the public to really evaluate the benefits of the exchange. There should be something more specific guiding the process, and it should apply citywide rather than just to Bel-Red. Ms. Helland clarified that that the application to Bel-Red is the piece that addresses just the Aegis proposal. In the BR-MO and BR-OR land use districts, they can get up to 1.0 FAR for the assisted living use, and because they are not providing it on-site, they simply must pay the fee in-lieu. There is no requirement for them to do a development agreement. There is a direct tie to the fee in-lieu table that is already in place in Bel-Red. One of the Council's objectives was to make the amendment applicable citywide. In the conversations about how best to accomplish that, there were two trains of thought: pay attention to Bel-Red where there is already a framework in place, and integrate the framework into Eastgate as the work there is done, and then into the downtown as the work is done there. The Council voiced concern about not losing the opportunity, and that is where the development agreement comes into play. Nothing would be done behind closed doors as ultimately there would be a public hearing before the Council, and the developer would know the rate before design work on the project begins.

Commissioner deVadoss stressed the need to apply the approach citywide. He asked where fees collected in-lieu go. Ms. Helland said they flow into the affordable housing trust fund which is administered by ARCH.

Commissioner Walter commented that as the Bellevue population continues to age, there will be an increased need for congregate care facilities, including affordable options. She asked if fees collected in-lieu from affordable assisted living/congregate care/nursing home care units could be set aside specifically for affordable senior housing in any format. Ms. Helland said that topic will be talked about more in-depth as part of the affordable housing action plan. The current issue is very targeted and the direction from the Council was to find a way to achieve some affordable housing in the interim.

Chair Hilhorst asked if any opposition to the issue has been voiced from any source. Ms. Helland allowed that there has been none. The public hearing will be the opportunity for concerns and support to be made known. She also clarified that the proposed amendment will weave the approach into the Bel-Red code so that Aegis and any other proposal for assisted living/congregate care/nursing home care could take advantage of the rules according to the framework that is already in the Bel-Red code for fee in-lieu and exempting affordable housing. Because there is currently no such framework in the downtown, the amendment would allow an applicant to negotiate a development agreement to determine a rate. At the point in time when the downtown livability amendments are adopted, the rate would be adopted and the interim requirement would be repealed.

There was consensus to give staff direction to move forward with scheduling a public hearing on the topic.

## B. Vision Zero Comprehensive Plan Amendment

Senior Transportation Planner Kevin McDonald shared with the Commission the recommendation of the Transportation Commission regarding the Vision Zero policies for the Comprehensive Plan. He explained that the idea behind Vision Zero is to eliminate traffic deaths and serious injuries by 2030. The concept began in Sweden and has been picked up by countries around the world. In the United States, a number of cities have adopted the approach as well. Washington state's version of the program is called Target Zero.

Under Vision Zero, deaths and serious injuries due to collisions are unacceptable and essentially preventable. One of the largest determinants is the speed of a vehicle intersecting with a vulnerable user. Vision Zero involves developing a framework for making changes to improve the picture. In December the Council approved the Vision Zero resolution which strives to reduce deaths and serious injuries to none by 2030. The resolution directed the Transportation Commission to review the existing Comprehensive Plan to determine if any updates, revisions or policies are warranted to move Vision Zero forward.

Mr. McDonald said there are a number of things the city already does by way of policy, engineering, enforcing traffic laws, and educating the community to be safe on the roadways. Despite the best efforts, collisions still happen. Injuries are incurred in between 20 and 30 percent of the total number of collisions. However, pedestrian collisions occur at twice the rate of bicycle collisions, and about 95 percent of collisions involving pedestrians and bicycles result in injuries. On average, there have been two or three fatalities annually over the past decade in collisions involving a car hitting an object, a car hitting another car, or a car hitting a pedestrian or bicycle. Additionally, the geographic dispersion of the collisions is citywide.

Commissioner Barksdale asked if staff could explain the increases and decreases in the number of collisions by year. Mr. McDonald said he could not. He said one of the reasons the Council directed the Transportation Commission to dig deeper into the Vision Zero concept was to look deeper at the data behind the figures to see if anything can be done via engineering, enforcement and education to prevent collisions. Collisions occur for a variety of reasons ranging from time of day to weather and inattentive driving. Better access to the data, particular the contributing factors, will allow for intelligently adjusting designs and programs to address the problems. While the data is available, it is deeply buried in reports and the resources are not available to dig through those reports to identify any cause and effect elements.

Commissioner deVadoss voiced his full support for the Vision Zero concept but cautioned against engaging in a simplistic analysis. No particular motivations should be ascribed to the data without a high degree of confidence. Mr. McDonald agreed with the need to dig deeper and fully analyze the raw data, and the Vision Zero program will allow for that. In the realm of the Transportation Commission, the approach will provide a framework for all of the separate things

the city is already doing, including education, encouragement, enforcement, engineering, equitable distribution of resources, and evaluation of programs for effectiveness. Vision Zero will provide both a framework and a goal for implementation of the different programs. The Transportation Commission has endorsed developing a Vision Zero action plan that will include digging into the data to better inform actions to reduce the number of collisions that result in injuries and deaths.

The Transportation Commission identified the need for specific policy amendments to be included in the 2016 Comprehensive Plan amendment package. The Council received the Transportation Commission's transmittal and initiated a Comprehensive Plan amendment for the Planning Commission's consideration that includes new policies TR-A, TR-B, TR-C and TR-D, and amendments to existing policies TR-53 and TR-55.

Commissioner Walter recommended that the data should be analyzed with an eye on establishing a baseline against which to measure future data. Commissioner Barksdale agreed and recommended getting to a fuller understanding of both the problems and the solutions so that as changes are made it will be possible to know they will be effective. Mr. McDonald said the Transportation Commission called for the same processes and outcomes and highlighted the need to embed them in the Vision Zero action plan. To do the work will require resources, and resources are allocated only where there is policy support.

A motion to extend the meeting by five minutes was made by Commissioner deVadoss. The motion was seconded by Commissioner Walter and the motion carried unanimously.

Commissioner Barksdale said it would be helpful to align the policy changes to the outcomes to make it easier to track progress and success. Mr. McDonald said the six E's of education, encouragement, enforcement, engineering, equity and evaluation are embedded in new policy TR-B and they will inform the Vision Zero action plan as it is developed. The ultimate outcome will be zero collisions, zero serious injuries and zero deaths, but how those E's get apportioned will be determined going forward.

## 9. PUBLIC COMMENT

Ms. Michelle Wannamaker, 4045 149th Avenue SE, urged the Commission to be cautious in reaching decisions relative to the Eastgate corridor. She stressed that the decisions the Commission makes can contribute to the problem or they can be part of the solution. Instead of having people standing around the water cooler or neighbors talking over the fence talk about the city being part of the traffic problem by allowing growth, it would be great if they were talking about how Bellevue is seen as a leader in developing and implementing solutions for the city and the region as a whole. Infrastructure must be in place at a level that will support the new growth before the new growth is allowed. She asked if the Land Use Code could be changed to reflect that approach.

Chair Hilhorst agreed to explore at a future meeting the issue of concurrency.

10. ADJOURN

A motion to adjourn was made by Commissioner Walter. The motion was seconded by Commissioner deVadoss and the motion carried unanimously.

Chair Hilhorst adjourned the meeting at 10:06 p.m.







