City of Bellevue

MEMORANDUM

DATE: February 5, 2013

TO: Chair Kasner, Members of the East Bellevue Community Council

FROM: Mike Bergstrom, Senior Planner, Planning & Community Development

SUBJECT: Courtesy Public Hearing Regarding Office/Limited Business (OLB) District LUCA re: Retail Auto Sales, File No. 12-132649-AD

On February 5, 2013, the East Bellevue Community Council will consider a proposed Land Use Code amendment (LUCA) to increase the number of geographic areas in the OLB District where auto retail sales can be permitted.

On January 22, Council initiated an amendment to the Bellevue Land Use Code (LUC) to identify an additional geographic area within the OLB District where retail auto sales could be permitted. LUC 20.10.440 (Land Use Charts) lists retail auto sales as a permitted use in the Office/Limited Business (OLB) district, but is clarified by footnote (6), which limits retail auto sales to two geographic areas within that district. One area is in Wilburton and the other is in Factoria. The proposed Land Use Code amendment (LUCA) would identify an additional area in the OLB district where retail auto sales would be permitted, located in Eastgate in the northwest quadrant of 148th Avenue SE and SE Eastgate Way.

Although the geographic area identified by the proposed amendment does not fall within the jurisdiction of the East Bellevue Community Council, the amendment is considered "city-wide" because it would amend the Land Use Code which applies in your jurisdiction as well as other parts of Bellevue.

A study session on the proposed amendment will be held by the Planning Commission on February 13, 2013, followed by a public hearing February 27.

Background:
Staff was recently contacted by a representative of a party who desires to locate an automobile dealership in the Eastgate area. Specifically, they wish to occupy the now-vacant Bally's/L.A. Fitness building at 3235 148th Avenue SE, the associated parking garage immediately to the north, and an additional parcel to the south, for a total site area of just over 3 acres. The parcels are in the OLB District, which allows retail auto sales only in specific locations – currently, one in Wilburton and one in Factoria. Because the site under consideration is not within either of those locations, an auto dealership at this location cannot occur unless the Land Use Code is amended to allow it. The proposed amendment as initiated by Council expanded the area under consideration to include two parcels north of the Bally's garage, resulting in an affected area of roughly 4 acres.

Retail automobile sales is an important component of Bellevue's economic health, generating approximately 14% of the city's retail sales tax revenues. However, Bellevue has a scarcity of sites readily available for auto retail use. This has become increasingly apparent with the contraction of Bellevue's historic "Auto Row" on 116th Ave. NE. Recognizing this situation, the City has recently been working with a consultant to assess the needs of local dealerships and identify locations that are suitable for new or relocating dealerships. While that report is not yet complete, early indications are that it will conclude that the location in question is well-suited for this type of use, particularly given its visibility and easy access to I-90 and its proximity to dealerships east of 148th Avenue SE (which are in the Community Business, versus the OLB, district).

The Eastgate Subarea land use policies are silent to this type of use in the OLB District. Unlike the dealership locations in Wilburton and Factoria, which have specific Comprehensive Plan policies supporting retail auto sales at those locations, the Eastgate location is neither supported nor opposed by Comprehensive Plan policies. While such a direct policy basis is not technically necessary, such a policy basis could be developed for consistency with the approach taken for the other two areas. This would likely occur as part of the Eastgate Implementation project scheduled for 2013-14 if this LUCA is ultimately adopted.

As the Community Council may be aware, the City completed the Eastgate/I-90 Land Use & Transportation Project in early 2012. That Project evaluated alternative future land use and transportation scenarios for the Eastgate/I-90 commercial corridor, culminating in a final report and recommended vision. Although that report has no official policy or regulatory standing since its recommendations have not yet been codified, it does provide a long-term vision for the corridor that reflects substantial community input. The report acknowledges the success of existing auto dealerships in the corridor and anticipates their continued success and growth.

The Eastgate report and recommendations did not anticipate the establishment of new dealerships in the corridor or at the location in question. Rather, the area between Eastgate Way and Bellevue College, and between the Eastgate park-and-ride and 148th Avenue SE, is foreseen as a high-activity transit-oriented hub for the corridor. However, the subject site is at the eastern end of this transit-oriented area, next to 148th Ave. Given the significance of a new auto dealership for economic development, the scarcity of available sites for these uses, the fact that it would make use of underutilized buildings, is in close proximity to other dealerships, and is on the edge of the envisioned transit-oriented development node rather than in its interior, staff has concluded that such a use could be accommodated without undermining the vision developed under the Eastgate/I-90 Land Use & Transportation Project.

Process: A LUCA is reviewed through Process IV per LUC 20.35.400 - .450. The Planning Commission holds a public hearing and forwards a recommendation to Council for final action, based on specific decision criteria set forth in the Code. Because the Land Use Code applies city-wide, this LUCA is subject to the jurisdiction of the East Bellevue Community Council (EBCC). Therefore, the proposed amendment is being presented to the EBCC at a courtesy hearing. The Planning Commission will conduct its own review and public hearing in February, after which it will forward a recommendation to the City Council.

Conclusion and Next Steps:

Following the courtesy hearing, any feedback or comments you have on the proposed ordinance will be forwarded to the Planning Commission. A study session is scheduled with the Planning Commission on February 13, 2013, followed by a public hearing two weeks later, on February 27. We anticipate the Council holding a study session mid-March, followed by final action in early April. If Council adopts the proposed ordinance, staff will bring the EBCC an approved ordinance in May for a final hearing.

Please contact me if you have any questions before the February 5 meeting.

Attachment A: Proposed Ordinance
Attachment B: Parcels affected by proposed amendment
Attachment C: Eastgate Subarea Policies

Chart 20.10.440

Uses in land use districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Wholesale and Retail – Nonresidential Districts									
		Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
		PO	O	OLB	LI	GC	NB (5)	CB (36*)	F1	F2	F3
5	Trade (Wholesale and Retail) (39)										
51	Wholesale Trade: General Merchandise, Products, Supplies, Materials and Equipment except the following: (1)				P	P					
5111 5156 5157 5191 5192	Wholesale Trade: Motor Vehicles, Primary and Structural Metals, Bulk Petroleum (2)				P	C					

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5193	Scrap Waste Materials, Livestock										
	Recycling Centers				P	P	P	P	P		
521 522 523 524	Lumber and Other Bulky Building Materials Including Preassembled Products (3)				P 35	P		P	P		
5251	Hardware, Paint, Tile and Wallpaper (Retail)				S 35	P	P	P	P		
5252	Farm Equipment				P 35						
53	General Merchandise: Dry Goods, Variety and Dept. Stores (Retail)							P	P		
54	Food and Convenience Store (Retail) (27)					P	P	P	P		
5511	Autos (Retail)			P 6	A 4, 35	P		C	C		
	Trucks, Motorcycles, Recreational			P 25	P 7, 35	P					

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	Vehicles (Retail)										
	Boats (Retail)				P 35	P					
552	Automotive and Marine Accessories (Retail)				P 35	P		P	P		
553	Gasoline Service Stations (40)			A 34	P 34, 35	P	P	P	P	A 34	A 34
56	Apparel and Accessories (Retail)			S		P		P	P	S	S
57	Furniture, Home Furnishing (Retail)				P 11, 35	P		P	P		
58	Eating and Drinking Establishments (37)		P 13	P 14	P 15, 29, 35	P	P 16, 28	P	P	P 14	P 14
59	Misc. Retail Trade: Drugs, Liquor, Antiques, Books, Sporting Goods, Jewelry, Florist, Photo Supplies, Video Rentals and Computer Supplies		P 17	S		P	P 19	P	P	S	S

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	Adult Retail Establishments (31)			S				P	P	S	S
5961	Farm Supplies, Hay, Grain, Feed and Fencing, etc. (Retail)				P 35	P					
596	Retail Fuel Yards				P 35	P					
5996	Garden Supplies, Small Trees, Shrubs, Flowers, Ground Cover, Horticultural Nurseries and Light Supplies and Tools				P 35	P	P 20	P 20	P 20		
5999	Pet Shop (Retail and Grooming)				P 26, 35	P 26	P	P	P		
	Computers and Electronics (Retail)				P 12, 35	P 12		P	P		

Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C and EH-D) are listed in LUC 20.25F.010.

Permitted uses in the Office and Limited Business-Open Space District (OLB-OS) are listed in LUC 20.25L.020.

Permitted uses in the Medical Institution District are listed in LUC 20.25J.020.

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Permitted uses in the Bel-Red District (BR) are listed in LUC 20.25D.070.

**Not effective within the jurisdiction of the East Bellevue Community Council.*

KEY

P – PERMITTED USE
C – CONDITIONAL USE (see Part 20.30B or Part 20.30C)
PD – PERMITTED subject to planned unit development only. (See Part 20.30D)
A – ADMINISTRATIVE CONDITIONAL USE (see Part 20.30E)
S – Permitted only as a subordinate use to a permitted or special use

Notes: Uses in land use districts – Wholesale and Retail

(1) – (5) *No change.*

(6) Retail auto sales are permitted only in the following locations:

a. The west side of 116th Avenue NE between NE 8th Street and the SE 8th Street off-ramp from northbound I-405; and

b. Along SE 36th Street west of the ravine located at the approximate alignment of 133rd Avenue SE and east of 132nd Avenue SE.

c. West of 148th Avenue SE between SE Eastgate Way and Bellevue College, on properties fronting wholly or partially on 148th Avenue SE. Retail auto sales located in this area shall be subject to Design Review per LUC Part 20.30F, and associated vehicle inventory storage shall predominantly occur within a building or buildings.

(7) - (40) *No change.*

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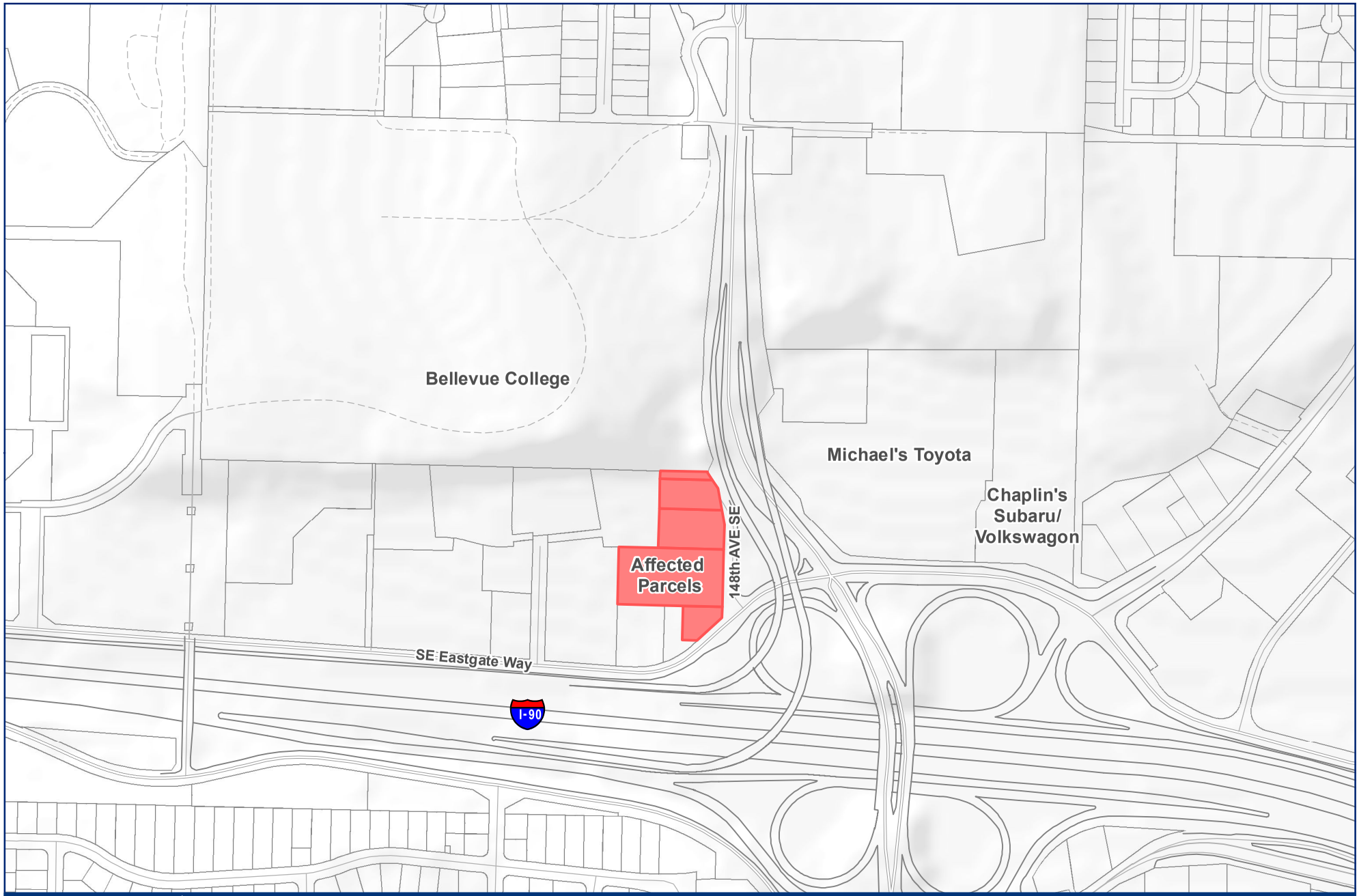

City of Bellevue

Retail Auto Sales in OLB - Eastgate

The City of Bellevue does not guarantee that the information on this map is accurate or complete. This data is provided on an "as is" basis and disclaims all warranties.

Coordinate System: State Plane, Washington North Zone, NAD83 NSRS2007 (Bellevue)

460 Feet

Sources: City of Bellevue

Date: never File Name: PCD Department

Eastgate Subarea Plan

GOAL:

To preserve and promote the accessibility and appearance of residential neighborhoods, local amenities, and business establishments within the Subarea.

Discussion: The Subarea is mostly developed. It is important that subsequent development and redevelopment improves the function and appearance of the various land uses and that they are compatible with each other.

OVERVIEW

The Eastgate Subarea provides a gateway for south Bellevue and an axis for travel between the Eastside and metropolitan Seattle. Rolling tree- and house-covered hills on either side of the I-90 corridor surround a major commercial interchange located at the center of the Subarea.

Convenient access makes the Eastgate Subarea a desirable place to live and work. Jobs, stores, schools, churches, parks, and trails all are within easy walking distance of each other. As one of Bellevue's older areas, the Subarea contains established residential neighborhoods, many with attractive views. Combined, these amenities have greatly enhanced the quality of life for the Subarea's residents and business owners alike.

The Eastgate Subarea encompasses approximately 1,500 acres. Its boundaries are 137th Avenue S.E. to the west, S.E. 23rd Street to the north, 168th Avenue S.E. to the east, and S.E. 41st Street to the south. The southern third and portions of the eastern edge of the Subarea lie outside the City of Bellevue's boundaries. In the future, the Subarea's boundaries may expand southward, to include areas that fall currently within the Newcastle Subarea and eastward up to Lake Sammamish.

The I-90 business corridor covers 10 percent of the Subarea, and is home to major corporations, hightechnology industries, and community shopping areas. The corridor, which has developed within the last ten years, owes its success to the area's accessibility to I-90 and its proximity to major urban centers. Sunset Village and the Eastgate Shopping Center, which serve the large residential neighborhoods in the Subarea, also are located in this corridor.

The area north of the I-90 corridor features large and small parks; a deep, wooded ravine; about 160 acres of publicly-owned land; and numerous public facilities such as churches, government agencies, and a community college. The area south of I-90 is largely within unincorporated King County, with the exception of the commercial

areas that front the freeway. Parks, schools, and churches also are found within the Subarea on both sides of I-90.

As of November, 1989, 95 acres of incorporated land remain vacant in the Subarea. Of those, about 22 acres are designated for commercial uses and about 73 acres are designated for residential uses. Eighty-two acres of the Subarea's vacant land is known as the Sunset Property, which will be developed with 750,000 square feet of office space and 312 multifamily homes. These multifamily homes will augment the Subarea's current supply of 522 multifamily and 725 single-family homes that lie within the incorporated portions of the Subarea. The potential residential population of the Subarea is approximately 3,250 people. This potential is not expected to increase or decrease dramatically. Employment growth, however, is projected to reach 9,000 workers by 2020, up from 7,270 workers in 1988.

Protecting residential neighborhoods from increased development and its resultant increased traffic, redeveloping existing retail properties, and creating a comprehensive trail system are expected to be the Subarea's major issues in the near future.

Land Use

POLICIES

POLICY S-EG-1. Encourage office and retail land uses that take advantage of the freeway access without impacting adversely the residential neighborhoods.

> *Discussion: Intense office development can generate adverse traffic impacts and block residential views. Site design also can impact residential quality. To support this policy, office and retail development should be limited so that it is compatible with surrounding neighborhoods.*

POLICY S-EG-2. Encourage restaurants and other commercial uses that serve local workers to be compatible in design with surrounding office development and accessible to pedestrians.

> *Discussion: The reason for encouraging restaurants and other commercial services within office developments is to reduce vehicular traffic between the office parks and retail areas. Retail areas are intended to serve primarily local needs*

Natural Determinants

Policies

POLICY S-EG-3. Protect the Vasa Creek riparian corridor from development to improve water quality, fisheries, and provide open space.

Discussion: The Vasa Creek riparian corridor has major segments that remain in a natural state. This creek is one of the few natural areas left in the Subarea and should be protected. A trail along the creek may be possible if environmental impacts can be avoided.

POLICY S-EG-4. Protect and improve the stormwater quality entering public drainage systems, streams, and Phantom Lake.

Discussion: Construction activities should control erosion and sedimentation. This could include seasonal limitation on grading activities, natural vegetative filtration, and use of the best available technology. Storm water quality from developments should be improved prior to discharge into the public drainage system.

Commercial

Policies

POLICY S-EG-5. Consolidate retail/commercial development within existing Community Business and General Commercial boundaries.

POLICY S-EG-6. Limit retail expansion to serve primarily neighborhood and community retail needs.

Discussion: Retail services should serve area residents but not become regional shopping centers.

Residential Development

Policies

POLICY S-EG-7. Maintain single-family housing as the predominant residential land use in the Subarea in land area and appearance.

POLICY S-EG-8. Limit multifamily housing to locations accessible directly from arterials, as depicted on the Land Use Plan *(Figure S-EG.1)*.

POLICY S-EG-9. Discourage multifamily and commercial traffic from passing through single-family neighborhoods.

POLICY S-EG-10. Multifamily housing may be appropriate to separate office and retail land uses from single-family neighborhoods.

POLICY S-EG-11. Encourage more opportunities for affordable housing in the Subarea by maintaining and rehabilitating existing housing stock.

Circulation

Policies

POLICY S-EG-12. Evaluate the impacts on parking, nonmotorized circulation, and site access when uses that have high trip generation or unusual traffic patterns are proposed.

Discussion: Certain land uses, such as health clubs and movie theaters, have high trip generation, unusual traffic patterns, and high parking demands. Appropriate considerations should be given to these land uses to determine their traffic impacts and suitable mitigating measures. Mitigating existing traffic problems also should be considered.

POLICY S-EG-13. Reduce parking spillover from commercial uses to maintain safety standards.

POLICY S-EG-14. Improve safety for pedestrians and other nonmotorized users by providing and maintaining an integrated on-street and off-street system.

Discussion: The City should create a nonmotorized action list that proposes projects to eliminate missing links in the nonmotorized transportation system. It is important to use this list when reviewing tasks such as capital projects, the Street Overlay Program, and maintenance projects. The list could identify both interim and long-term capital improvements.

POLICY S-EG-15. Consider interim solution for nonmotorized improvements until major improvements can be made.

Discussion: Use the City of Bellevue's Overlay Program, Minor Capital Project Fund, Neighborhood Enhancement Program fund, or other sources to provide interim solutions when practical. These interim projects should not preclude major improvements.

POLICY S-EG-16. Encourage improvement of Metro facilities and service to and from key points in the Eastgate Subarea.

Discussion: Eastgate needs Metro service during off-peak hours from shopping areas and along arterials.

POLICY S-EG-17. Plan for the long-range, trafficrelated needs in the Eastgate Subarea, including designated arterials, feeder (collector) streets, and residential streets.

Discussion: Such planning should include an evaluation of Eastgate's arterial facility needs for improvements to Eastgate Way and access to I-90.

Community Design

Policies

POLICY S-EG-18. Encourage a gateway within the I-90 interchange to accentuate Eastgate as an entry into Bellevue.

Discussion: The I-90 interchange at Eastgate is a major link between the northern and southern halves of the Subarea and is an access point for the freeway. A gateway should link both halves and include improved landscaping with seasonal color, pedestrian connections, lighting, district identification signs, and public artwork.

POLICY S-EG-19. Maximize the use of existing vegetation and topography to separate and buffer different land uses.

Discussion: The Subarea has natural, vegetated topographic breaks between the commercial/office developments and the residential neighborhoods. These natural buffers should be retained to keep these uses separate but compatible.

POLICY S-EG-20. Preserve the view amenities of adjacent single-family neighborhoods as development and redevelopment occurs.

POLICY S-EG-21. Discourage new development from blocking existing views.

POLICY S-EG-22. Encourage the preservation of sufficient natural vegetation to assure amenable views.

POLICY S-EG-23. Diminish the affect of rooftop equipment on views from residential areas.

POLICY S-EG-24. Design rooftop equipment to be low-profiled and screened to match the building's exterior color, building materials, and styles.

POLICY S-EG-25. Use landscaping to complement building and site design.

Discussion: Eastgate has a variety of land uses with large areas of office development. Site design should use street lighting and landscaping to accentuate walks and roads, soften paved areas, and screen development from adjacent residential uses. Large color spots of flowers should be used to accentuate areas visible from streets. When possible, plantings of trees and shrubs should be large enough to complement the scale of the building.

POLICY S-EG-26. Maintain the Subarea's predominantly treed skyline.

Discussion: Eastgate has a low-profile skyline with many trees. Buildings, especially in the I-90 corridor, should respect and complement this skyline.

POLICY S-EG-27. Encourage the State Department of Transportation to provide landscaping that clarifies access patterns and improves the appearance of their properties.

POLICY S-EG-28. Encourage cohesive site and building design in the redevelopment of the Eastgate retail, office, and service property.

Discussion: Some of the Subarea's retail, office, and service uses have immediate redevelopment potential. Therefore, redevelopment should enhance the surrounding arterials with pedestrian amenities such as well-defined pedestrian walkways that connect surrounding properties with street and building entrances. In addition, coordinate on-site auto circulation to reduce curb cuts and improve pedestrian safety. Landscaping should be in scale with the development. u

Planning District Guidelines

Policies

Planning District 1

POLICY S-EG-29. Retain significant vegetation and supplement vegetation on the steep slope along the southeast edge of Kamber Road between 137th Avenue S.E. and S.E. 24th Street.

POLICY S-EG-30. Retain sufficient vegetation on the eastern side of the Sunset property to visually buffer Bellevue Community College.

POLICY S-EG-31. Encourage residential Planned Unit Developments (PUD) to protect steep slopes and preserve open space in the northern half of the Sunset property.

Discussion: Steep slope protection and open space preservation at the north end of the Sunset property should buffer views of the development from the single-family residences across Kamber Road.

POLICY S-EG-32. Develop multifamily housing in the northern and central portion of the Sunset property to take advantage of the site's view potential.

POLICY S-EG-33. Encourage office uses in the southern half of the Sunset property to gain visibility and accessibility from I-90 and the frontage road.

Discussion: Policies S-EG-29 through S-EG-33 should guide the conditions of development as stated in these policies.

POLICY S-EG-34. Designate the 10.5 acre site northwest of the I-90 Business Park, known as the Old School District property, Single-family Urban Residential.

Discussion: At the reclassification stage particular attention should be given to the mitigation of traffic impacts to the adjacent residential neighborhoods that could result from the site's development. Multiple access points should be considered in order to disperse traffic. Alternatives to access from S.E. 26th Street/158th Avenue S.E. should be pursued.

POLICY S-EG-35. Designate the 4-acre Saint Andrews Church property and the northern 9.5 acres of the Latter Day Saints Temple property as Single-family High-density (SF-H).

Discussion: The development of congregate care senior housing, nursing home, or affordable housing may be appropriate for the site. A conditional use permit should be required to insure compatibility with adjacent development and insure that it is in keeping with the character of the Subarea. Multifamily Low-density may be appropriate for a rezone only to accommodate congregate care senior housing, nursing homes, or affordable housing.

POLICY S-EG-36. Designate the 1.25 acre triangular parcel directly opposite the eastern entrance to Bellevue Community College (B.C.C.) at the south end of 145th Place S.E. Professional Office.

Discussion: In no case should there be access to both 145th Place S.E. and the B.C.C. access road. The site may be appropriate for a Multifamily Low-density.

POLICY S-EG-37. Encourage light industrial development south of Kamber Road to buffer residences to the north.

Discussion: The buffer should be 30 feet wide along the south side of Kamber Road and include landscaping to accomplish maximum screening. In addition, outdoor lighting shall be shielded and loading docks shall be located away from residential land uses.

Planning District 2

POLICY S-EG-38. Protect the surrounding neighborhoods from future development in the I-90 Business Park by observing transition area requirements from residential uses as well as maintaining landscape buffers.

Discussion: Encourage retention of significant open space in the I-90 Business Park in conjunction with utilization of the remaining Development potential. Apply the OLB-OS designation in support of this policy. [Amended Ord. 5392]

POLICY S-EG-39. Designate the 6-acre parcel south of the Squibb Building west of Vasa Creek as Office, Limited Business.

Discussion: Any proposed residential development should include a portion of the units as affordable housing. If the site is developed with residential uses, nonmotorized access should be provided to 156th Avenue S.E. Hotel, motel, and retail uses should be prohibited. Before any development occurs at this site, a traffic/circulation study should be required to define a plan of action for dealing with increasing congestion in the area of the tunnel under I-90. Such a study would emphasize the importance of traffic considerations in development of the site to prevent further degradation and increasing safety problems.

POLICY S-EG-40. Auto sales, auto rental, and auto leasing uses are not appropriate in the Light Industrial District located east of 156th and north of I-90 nor along S.E. 24th.

Discussion: The Light Industrial District located east of 156th is currently known as the I-90 Business Park.