City of Bellevue
Development Services Department
Land Use Staff Report

Proposal Name:	**Radford Building Rezone**
Proposal Address:	11 105th Avenue SE
Proposal Description:	Application for Land Use approval for a site specific rezone of a 0.29 acre site from Office (O) zoning designation to Downtown Mixed Use (DNTN-MU).
File Number:	**15-120755-LQ**
Applicant:	Colin Radford, Tri-Western Syndicated Investments, LLC
Decisions Included:	Rezone (Process III)
Planner:	Elizabeth Stead, 425/452-2725
State Environmental Policy Act Threshold Determination:	**Determination of Non-Significance (DNS)** ***(Current proposal scope is the same as the previously approved Comprehensive Plan Amendment and is relying upon the DNS issued on February 12, 2015. See File #12-127970 AC.)***
Director's Recommendation:	**Approval with Conditions** Michael A. Brennan, Director Development Services Department By: Carol V. Helland Carol V. Helland, Land Use Director Development Services Department

Bulletin Publication Date:	October 29, 2015
Notice of Recommendation:	December 17, 2015
Hearing Examiner Hearing Date:	January 7, 2016
Hearing Examiner Recommendation:	To be determined
Hearing Examiner Appeal Deadline:	To be determined
City Council Date:	To be determined

For information on how to appeal a proposal, visit the Development Services Center at City Hall or call (425) 452-6864. Appeal of the Decision must be received in the City Clerk's Office by 5 PM on the date noted for appeal of the decision.

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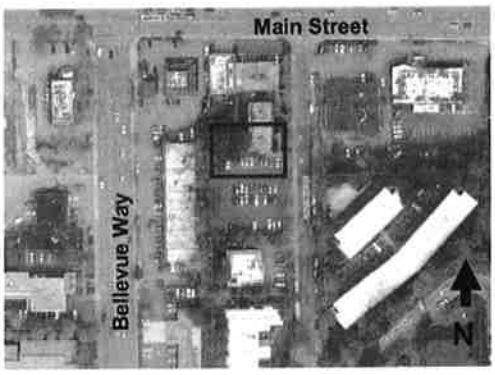
ATTACHMENTS:

1. Ordinance 6251
2. Proposed Downtown Subarea Map

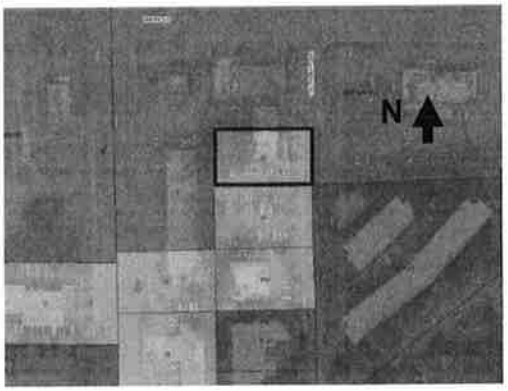
I. REQUEST

Proposal Description: The applicant proposes to rezone a 0.29 acre site from the existing Office (O) zoning designation to Downtown Mixed Use (DNTN-MU) to permit the development of the site according to the requirements of the DNTN-MU zone. On August 3, 2015, the City Council approved a Comprehensive Plan Amendment (File # 12-127970 AC) to change the land use designation of the site from Office to Downtown Mixed Use, making the proposed rezone possible. There is an accompanying Land Use Code Amendment (File #15-123469 AD) that is under review by the City of Bellevue Planning Commission to update the legal description and downtown map, (see Attachment 2) in the Land Use Code to provide consistency with the Comprehensive Plan Amendment to support this proposed rezone. There is a recommended condition of approval that this rezone not be enacted into law until the above mentioned Land Use Code amendment is passed and the accompanying ordinance is approved, see **Condition of Approval, Section X**. Through the Comprehensive Plan Amendment, the southern boundary of the downtown was updated to make the boundary line more regular, and the subject parcel was made a part of the Downtown subarea. This rezone will create alignment between the Comprehensive Plan designation and subarea map and the zoning designation for the site. The Council did not place any conditions of approval upon the Comprehensive Plan Amendment.



II. SITE DESCRIPTION AND CONTEXT

Existing Site Conditions: The project site is located at 11 105th Avenue SE in the Downtown subarea. The total area of the subject parcels is 0.29 acres. The site is currently developed with one two story wood frame office building with associated exterior parking. The building is partially located on the lot subject to rezone straddling a property line and being also located on an adjacent parcel to the north addressed at 10423 Main Street. The building is currently tenanted by a variety of small commercial businesses. The building is approximately 6,296 gross square feet. The site is sloping with the highest point at the southeast corner, and an approximate drop of 30 feet to the northwest corner.



The surrounding zoning is as follows:

North:	Downtown Mixed Use
South:	Office
East:	R-30
West:	Downtown Mixed Use

III. REVIEW PROCESS

Rezone: Rezones are Process III decisions (LUC 20.35.30), which are quasi-judicial decisions made by the City Council. Decision criteria and decision criteria compliance are discussed in Section VIII. The Hearing Examiner holds a public hearing and takes testimony from the public on the proposal and recommends an action to the City Council. Then, the City Council makes a decision based on the record established by the Hearing Examiner.

IV. STATE ENVIRONMENTAL POLICY ACT

A non-project SEPA final threshold determination was previously issued for this site under the associated Comprehensive Plan Amendment, File #12-127970 AC approved on August 3, 2015. The Environmental Coordinator for the City of Bellevue determined at that time that the proposal would not result in any probable, significant adverse environmental impacts, therefore, a Determination of Nonsignificance (DNS) was issued on February 12, 2015. The current Rezone proposal incorporates the previous SEPA determination by reference, as allowed under WAC 197-11-600(4)(a)). A copy of the prior SEPA documentation is available for review in the project file. A project level environmental review will be completed upon the receipt of any requests for development level approvals.

V. SUMMARY OF TECHNICAL REVIEWS

A. Utilities Review

Utilities Department technical staff has reviewed the proposed rezone for water, sewer, and drainage capacity concerns.

Water:
The higher density could necessitate additional reservoir storage and inlet capacity (off-site). Utilities will need more analysis to determine impacts and/or whether mitigation is needed based on a specific development/project proposal.

Sewer:
Assuming maximum density on the proposed zoning and design sub-district, the additional peak flow could exacerbate a potential capacity issue in Bellevue way between Main St and SE 3rd. Utilities will need more analysis to determine if up-sizing is needed based on a specific development/project proposal.
The West CBD project just completed (funded by direct facilities charges) would directly benefit this parcel if re-zoned. Without the West CBD project, this re-zone would otherwise result in the need for downstream improvements south of SE 3rd.

Drainage:
No impacts from the re-zone are expected. Project/development related impacts would be mitigated as a component of project/development review.

B. Transportation Department Review

The current use on this site is 6296 square feet of office on two parcels. The northern parcel is currently zoned Downtown Mixed Use, and the southern parcel is zoned Office.

Current zoning would allow for approximately 81 units on the two parcels. The proposal is to rezone the southern parcel from Office to Downtown Mixed Use. The resulting zoning would allow for construction of 134 units on the two parcels combined.

Anticipated p.m. peak hour trip generation of the scenarios is shown below.

Current Use – 6296 sf Office	Current Zoning – 81 MF units	Proposed Zoning – 134 MF units
p.m. trips - 6	p.m. trips - 33	p.m. trips - 55

The trip volumes for multifamily shown above use a trip rate of .41 trips per unit, which is the rate anticipated to be approved by the City Council in the upcoming action on the Impact Fee Rate Schedule and the associated Transportation Impact Fee Program Report. The current trip rate is .37 trips per unit, therefore, these volumes offer a conservative assessment of the impacts of the proposed rezone action.

These volumes indicate the potential for a p.m. peak hour increase of 22 trips from currently allowed development as a result of such a rezone. This volume of trips is relatively small. A complete analysis would be required at the time of a development application. In addition, concurrency analysis would be required for a development application generating 49 net new p.m. peak hour trips. Payment of a transportation impact fee per BCC 22.16, which contributes to funding of transportation improvement projects in the Transportation Facilities Plan, would be required for mitigation of long-term traffic impacts. Operational impacts at the access to site would be analyzed at the time of a development application.

VI. PUBLIC COMMENT AND RESPONSE

Application Date: August 12, 2015
Public Notice (500 feet): October 29, 2015 (Includes sign installation at the site)
Public Meeting Date: November 12, 2015

Notice of Application was published in the City of Bellevue's *Weekly Permit Bulletin* and the *Seattle Times* on October 29, 2015. It was mailed to property owners within 500 feet of the project site and a Public Information Sign was installed on the project site on the same day. A public meeting was held on November 12, 2015. There were four attendees from the public at the meeting, all attendees were provided information about the rezone process and had no further questions or concerns. One member of the public also requested further information about the project via email, and also had no further questions or concerns after being provided further information. No substantive public comments have been received regarding this project.

VII. CHANGES TO THE PROPOSAL DUE TO STAFF REVIEW

None.

VIII. DECISION CRITERIA

A. The City may approve, or approve with modifications, an application for a rezone

of property if:

1. The rezone is consistent with the Comprehensive Plan.

Following is a summary of relevant Comprehensive Plan policies.

Land Use Element Policies:
Policy LU-4. Support a land use vision that is consistent with the GMA goals, the regional Vision 2040, and the King County Countywide Planning Policies.

> **Finding:** The proposal is consistent with the Land Use Element Policies. The Rezone will allow the site to be redeveloped to a slightly higher residential intensity allowing the City to continue work toward meeting the agreed upon GMA goals.

Economic Development Goals & Policies:
Policy ED-16. Encourage development of a range of housing opportunities to accommodate Bellevue's growing workforce.

> **Finding:** The proposal will allow for higher residential density on the site than previously allowed under the existing Office zoning. The site location at the southern end of Downtown is an ideal location to provide additional housing for the downtown workforce.

Downtown Subarea Policies:
S-DT-2. Encourage a variety of land uses to occur in mixed-use buildings or complexes where appropriate.

> **Finding:** No development proposal has been received along with this rezone application. When a proposal is received, the options to provide a mixed-use building is enhanced by the Downtown Mixed Use zoning dimensional standards and the range of permitted uses in this zone.

S-DT-15. Encourage the assembly of land or coordination of development as appropriate to facilitate a quality built environment.

> **Finding:** By aligning the zoning for the subject parcel with the parcel to the north under the same ownership, coordinated development of the two parcels will be encouraged. The alignment in zoning will provide for a better opportunity to provide one higher quality building as the two lots will share the same zoning, and have the same development requirements placed upon them.

2. The Rezone bears a substantial relation to the public health, safety and welfare.

The rezone proposal promotes the public welfare by allowing a larger breadth of permitted uses and encouraging the provision of mixed-use development on this site. The surrounding area has seen significant development and has received significant transportation and infrastructure improvements to support urban development. The proposal will not require new public facilities because there is capacity within the transportation network, the utility system, and other public services such as fire and police to accommodate additional development.

3. The Rezone is warranted because the proposed zoning classification is appropriate for reasonable development of the subject property.

A rezone is warranted to achieve consistency with the Comprehensive Plan. In August of 2015, the City Council amended the Comprehensive Plan designation of the site from Office to Downtown Mixed Use. Approval of the rezone will provide consistency between the Comprehensive Plan land use map designation and zoning designation.

4. The Rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject property.

Development under the proposed Downtown Mixed Use zoning is consistent and compatible with the surrounding mixed use neighborhood and achieves many of the City's goals and policies as described in this report.

5. The Rezone has merit and value for the community as a whole.

Forecasts predict that Bellevue will continue to attract new residents and jobs, and this will consequently result in increased need for mixed use buildings. Allowing the existing office development to have the opportunity to redevelop as a mixed use building will provide greater residential opportunities and the assurance of a high quality project for the community. Any development within the downtown subarea will be required to be reviewed under the Design Review process.

IX. RECOMMENDATION

After conducting the various administrative reviews associated with the proposal, including applicable Land Use consistency, and City Code & Standard compliance reviews, the Director does hereby recommend **APPROVAL WITH CONDITIONS** of the Radford Building Rezone.

X. CONDITION OF APPROVAL:

This rezone approval shall be conditioned upon the approval by ordinance of Land Use Code Amendment, File # 15-123469 AD, including the revised legal description and map of the Downtown subarea consistent with the attachments provided in this rezone.

Reviewer: Elizabeth Stead
Authority: Land Use Code 20.30A.140.A.

1473-ORD
7/31/2015

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6251

AN ORDINANCE relating to the Comprehensive Plan of the City of Bellevue, as required and adopted pursuant to the Growth Management Act of 1990, as amended (Chapter 36.70A RCW); adopting update amendments to the Comprehensive Plan that consist of updating and replacing Volume 1 of the Comprehensive Plan, including the community vision, general elements, land use map, and glossary, and a new Neighborhoods Element, and select amendments to Volume 2, including changes to the Downtown and Southwest Bellevue subarea boundary, a change to the Southwest Bellevue policies, changes to the Factoria, Richards Valley, Eastgate subarea policies and land use maps, a change to the North Bellevue land use map, and replacing the transportation facility plans with a single consolidated transportation facility project list as set forth herein and in Ordinance Nos. 6248, 6249, and 6250.

WHEREAS, the Bellevue Comprehensive Plan was adopted on December 6, 1993, and updated November 29, 2004, as amended annually; and

WHEREAS, on October 22, 2012, the City Council initiated the Comprehensive Plan update to respond to the requirement of the state Growth Management Act to periodically update such plans; and

WHEREAS, the City Council established a set of principles to guide the update and ensure that it reflects the long-term needs and vision of the community; and

WHEREAS, these principles include ensuring that the plan remains relevant to the community; that it advances the community vision; that it addresses the needs of a more diverse community; that outreach for the plan engages the entire community; that the current plan is used as a foundation for the update; that the plan addresses emerging issues; that the plan is accessible and usable for the public; that state and regional requirements are met; that the plan clearly connects to implementation strategies; and that the progress and successes of the plan can be measured; and

WHEREAS, Bellevue has undergone tremendous changes since the last update in 2004, including rapid growth in Downtown, annexation of over 900 acres, population growth of about 13,000 people, and demographic change; and

WHEREAS, the City engaged in a multi-year planning process to update the Comprehensive Plan that included public events and open houses; over 70 meetings of different boards and commissions; an online strategy that included a project website, social media, and online open house; meetings with neighborhoods and stakeholders; a series of press releases and op-eds; and a speaker series; and

WHEREAS, the community envisions that in 2035 Bellevue will be a vibrant international center for innovation and commerce with safe, attractive neighborhoods that feature some of America's finest schools; most of Bellevue's jobs and many of its new housing opportunities will be found Downtown with its thriving arts scene, and in new business/residential centers at BelRed, Wilburton, and Eastgate, which feature their own unique cultural amenities and urban landscapes; neighborhoods will epitomize Bellevue's reputation as a "City in a Park" with visually breathtaking vistas, viewpoints, and recreation areas; neighborhoods will remain connected to one another, offering diverse housing choices, gathering spaces, and local and regional commercial services; and Bellevue's people – its ultimate strength – will continue to define both the city and its neighborhoods; and

WHEREAS, the Comprehensive Plan anticipates growth of 15,800 additional housing units and 51,800 jobs between 2012 and 2035; and

WHEREAS, the Comprehensive Plan supports a strategy that focuses the city's growth in Downtown and other areas served by a full range of transportation options and planned for compact, mixed-use development such as BelRed, Eastgate/Factoria, Wilburton, and Crossroads while enhancing the vitality of existing neighborhoods and providing for commercial uses that serve the community needs; and

WHEREAS, the Comprehensive Plan identifies the infrastructure and capital investments to support growth and changing community needs, and is linked to facility plans for transportation, utilities, parks and other public facilities; and

WHEREAS, the Comprehensive Plan seeks to preserve and enhance quality of life, including economic opportunities, public safety, human and community services, housing, education, parks and natural areas, quality neighborhoods, art and culture; and

WHEREAS, the Comprehensive Plan seeks to encourage housing choices affordable to all income levels and a range of mobility options to serve the entire community; and

WHEREAS, the Comprehensive Plan seeks to protect and restore ecological systems of the natural environment, including reducing greenhouse gases,

enhancing the city's overall tree canopy coverage, protecting critical areas, and preserving areas of open space; and

WHEREAS, this update includes a new Neighborhoods Element that provides specific information and policies related to Bellevue's neighborhoods and guides the neighborhood planning process; and

WHEREAS, the new Neighborhood Element identifies new neighborhood area boundaries that replace previous subarea boundaries, while established subarea boundaries will remain in effect for individual subarea plans until such plans are updated; and

WHEREAS, the new Neighborhoods Element uses updated neighborhood area names for BelRed, Cougar Mountain/Lakemont, Lake Hills, Factoria, Newport, Somerset, West Lake Sammamish, West Bellevue, Woodridge; and

WHEREAS, this update includes the current Shoreline Management Element, which is being updated through a separate process consistent with state law; and

WHEREAS, the Comprehensive Plan Vision will be realized by the entire city organization, in concert with the Bellevue community and regional partners; and

WHEREAS, the Growth Management Act allows for amendments to comprehensive plans once annually; and

WHEREAS, the Planning Commission held a public hearing on March 4, 2015, with regards to the proposed update to the Comprehensive Plan; and

WHEREAS, on March 25, 2015, the Planning Commission recommended that the City Council approve such proposed update; and

WHEREAS, the Planning Commission's recommendation was presented to the City Council by representatives of the Planning Commission, Arts Commission, Environmental Services Commission, Human Services Commission, Parks and Community Services Board, and Transportation Commission on April 6, 2015; and

WHEREAS, the City Council considered the recommended Comprehensive Plan update concurrently with the other 2015 amendments; and

WHEREAS, the City Council reviewed each element and component of the recommended Comprehensive Plan and directed a limited set of additional amendments and changes; and

WHEREAS, the City Council finds that the Comprehensive Plan update satisfies the decision criteria established in Part 20.30(I) of the Land Use Code; and

WHEREAS, the City of Bellevue has complied with the requirements of the State Environmental Policy Act (Chapter 43.21C RCW) and the City Environmental Procedures Code (Chapter 22.02 BCC), including the issuance of a Determination of Non-Significance on February 12, 2015; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Amendments. The Bellevue Comprehensive Plan, Volume 1, is hereby amended as set forth in Attachment A and is hereby adopted.

Section 2. Amendments. The Land Use Map of the Bellevue Comprehensive Plan is hereby amended as set forth in Attachment B and is hereby adopted.

Section 3. Amendments. The Downtown and Southwest Bellevue subarea plan maps as contained in the Comprehensive Plan are hereby amended as set forth in Attachment C and are hereby adopted.

Section 4. Amendments. Policy S-SW-27 of the Southwest Bellevue Subarea Plan, of Volume 2 of the Comprehensive Plan, is hereby repealed.

Section 5. Amendments. The new Comprehensive Transportation Project List in Volume 2 of the Comprehensive Plan is hereby adopted to replace the Bel-Red Overlake Transportation Facility Plan; the Bridle Trails, Bel-Red, Crossroads Transportation Facility Plan; the East Bellevue Transportation Plan; the Eastside Transportation Program; the Newcastle Transportation Facility Plan; and the Pedestrian and Bicycle Transportation Facility Plan as set forth in Attachment D.

Section 6. Finding. The City Council finds that public notice was provided for all 2015 amendments to the Comprehensive Plan as required by LUC 20.35.400 for Process IV amendment to the text of the Comprehensive Plan.

Section 7. Finding. The City Council finds that the above-referenced amendments to the Comprehensive Plan satisfy the decision criteria established in Part 20.30(I) of the Land Use Code.

Section 8. Effective Date. This ordinance shall take effect and be in force five (5) days after its passage and legal publication.

Section 9. Documents. This ordinance, Volume 1 and Volume 2 of the Comprehensive Plan, including their subcomponents, shall be available for public inspection in the office of the City Clerk.

1473-ORD
7/29/2015

ORIGINAL

Passed by the City Council this 3rd day of August, 2015, and signed in authentication of its passage this 3rd day of August, 2015.

(SEAL)

Claudia Balducci, Mayor

Approved as to form:

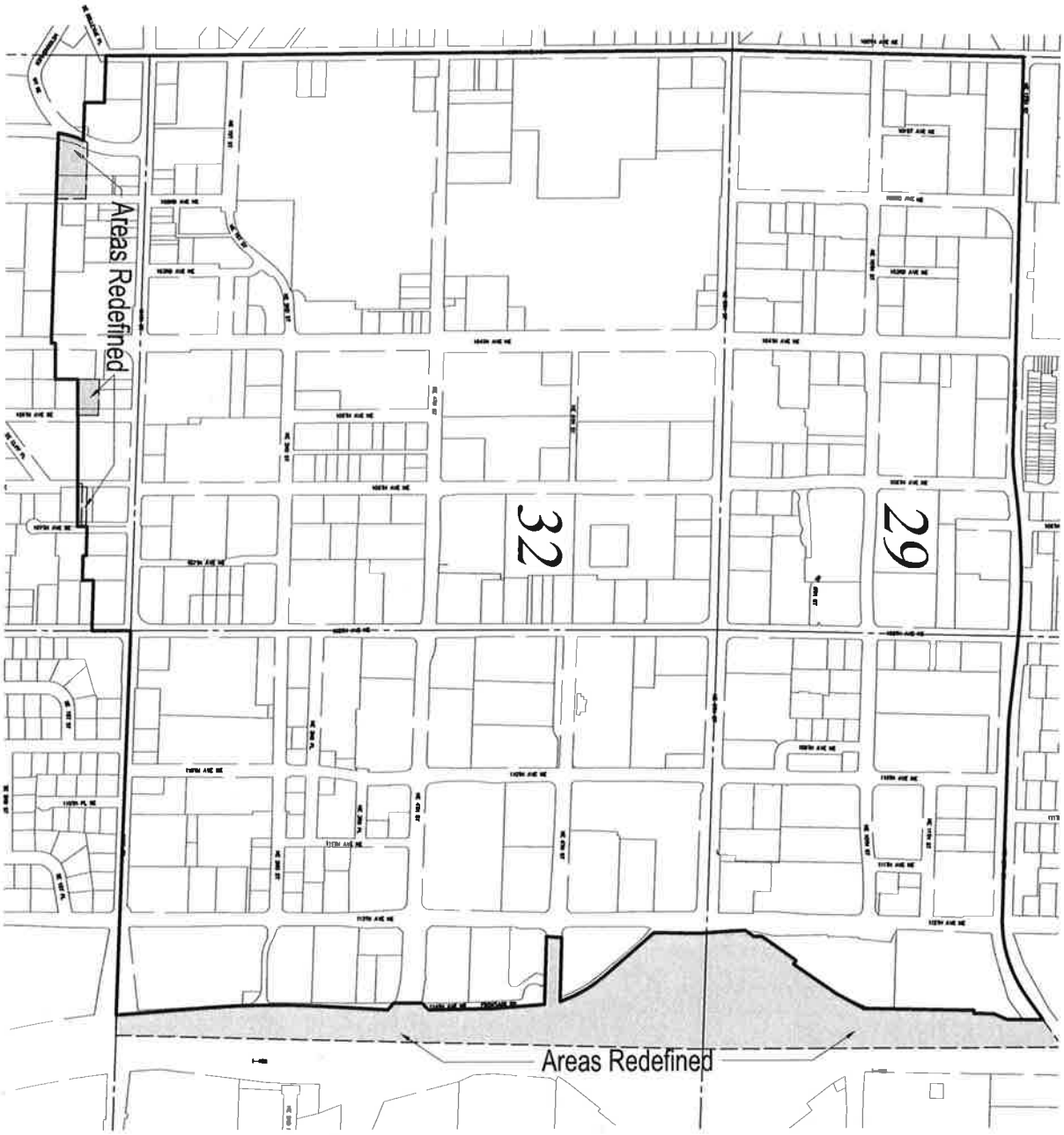
Lori M. Riordan, City Attorney

Darcie Durr, Assistant City Attorney

Attest:

Kyle Stamert
for Myrna L. Basich, City Clerk

Published: August 6, 2015



500' 250' 0' 500'

Scale 1 inch = 500 feet

Basis of Bearings: NAD 83 (2011)
Washington, North Zone

Zoning Exhibit

Downtown Definition

Secs. 29 & 32, T.25 N., R.5 E., W.M.
King County, Washington

City of Bellevue
Civic Services Department

job. no.: 15105
date: 12/15/2015
sheet: 1 of 1
drawn by: BKH
ACAD File: 15105_rezone.dwg