



DATE: April 25, 2008

TO: Bellevue Planning Commission

FROM: Paul Inghram AICP, Comprehensive Planning Manager 452-4070
pinghram@bellevuewa.gov
Nicholas Matz AICP, Senior Planner 452-5371
nmatz@bellevuewa.gov

SUBJECT: 2008 Annual Comprehensive Plan Amendments (CPA) Threshold Review staff recommendations, first set (Sambica, Newport Professional Buildings, Oh, Lee, and Wilburton Mixed Use)

INTRODUCTION

Attached please find the staff recommendations, maps, and applicant materials for the first set of the 2008 CPA Threshold Review applications. This material is being provided to you and to the applicants to coincide with the published public notice for the scheduled May 14, 2008 Planning Commission public hearing.

If you have any questions about these reports and materials, please contact the planner assigned to the application. The complete application files are available for review in the Planning Division offices at Bellevue City Hall.

The 2008 List of Initiated Applications has been established to consider amendments to the Comprehensive Plan. See Attachment 1.

RECOMMENDATIONS SUMMARY

1. Newport Professional Buildings 08-103679 AC **Attachment 1**
 - Staff recommendation: Do not include in CPA work program; if included, expand geographic scope
 - Included materials: staff recommendation, subarea map, geographic expansion map, applicant application
2. Sambica 08-103705 AC **Attachment 2**
 - Staff recommendation: Include in CPA work program; do not expand geographic scope
 - Included materials: staff recommendation, subarea map, applicant application
3. Oh 08-103739 AC **Attachment 3**
 - Staff recommendation: Do not include in CPA work program; do not expand geographic scope

- Included materials: staff recommendation, subarea map, applicant application
4. Lee 08-103731 AC **Attachment 4**
 - Staff recommendation: Do not include in CPA work program; do not expand geographic scope
 - Included materials: staff recommendation, subarea map, applicant application, public comments
 5. Wilburton Village Mixed Use 08-103709 AC **Attachment 5**
 - Staff recommendation: Do not include in CPA work program; do not expand geographic scope
 - Included materials: staff recommendation, subarea map, applicant application
 6. Wilburton Village Mixed Use (non site-specific policy) 08-103710 AC **Attachment 6**
 - Staff recommendation: Do not include in CPA work program
 - Included materials: staff recommendation, subarea map, applicant application

April 25, 2008



**2008 Annual Comprehensive Plan Amendments
List of Initiated Applications**

Site-Specific (SS) Non Site-Specific (NSS) CPA application (AC) Rezone application (LQ)	Application Subarea	PC Threshold Review Public Hearing	Applicant	Contact Planner
Newport Professional Building (SS) 08-103679 AC	Map change of 0.62 acres from PO (Professional Office) to CB (Community Business) 4307 and 4317 Factoria Blvd. SE <i>Factoria</i>	<i>May 14, 2008</i>	Lorge	Nicholas Matz (425) 452-5371 nmatz@bellevuewa.gov
Sambica (SS) 08-103705 AC 08-103706 LQ	Map change of 6.5 acres from SF-H (Single Family-High), NB (Neighborhood Business) and MF-M (Multifamily-Medium) to most appropriate designation for current and future uses 4114 West Lake Samm. Pkwy SE <i>Newcastle</i>	<i>May 14, 2008</i>	Sambica	Nicholas Matz (425) 452-5371 nmatz@bellevuewa.gov
Oh (SS) 08-103739 AC 08-103740 LQ	Map change of 0.32 acres from SF-H (Single Family-High) to MF-M (Multifamily-Medium) 12624 SE 30 th Street <i>Richards Valley</i>	<i>May 14, 2008</i>	Oh	Nicholas Matz (425) 452-5371 nmatz@bellevuewa.gov
Lee (SS) 08-103731 AC 08-103733 LQ	Map change of 0.56 acres from SF-M (Single Family-Medium) to PO (Professional Office) 1111 148 th Ave NE <i>Wilburton/NE 8th Street</i>	<i>May 14, 2008</i>	Lee	Nicholas Matz (425) 452-5371 nmatz@bellevuewa.gov
Wilburton Village Mixed Use Development (SS) 08-103709 AC	Map change of 12.6 acres from GC (General Commercial) to CB (Community Business) with an overlay district to enable a mixed-use "Wilburton Village" <i>Wilburton/NE 8th Street</i>	<i>May 14, 2008</i>	KG Investments	Paul Inghram (425) 452-4070 pinghram@bellevuewa.gov
Wilburton Village Mixed Use Development (NSS) 08-103710 AC	Amend the Wilburton/NE 8 th Street Subarea Plan to amend and create policies in support of an overlay district to enable a mixed-use "Wilburton Village" <i>Wilburton/NE 8th Street</i>	<i>May 14, 2008</i>	KG Investments	Paul Inghram (425) 452-4070 pinghram@bellevuewa.gov
Newport Covenant Church (SS) 08-103697 AC	Map change of 5.5 acres from SF-H (Single Family High) to (N) CB (Community Business) 12800 SE Coal Creek Parkway <i>Newport Hills/Factoria</i>	<i>Withdrawn by applicant</i>	Newport Covenant Church	Michael Kattermann (425) 452-2042 mkattermann@bellevuewa.gov

<p>Vander Hoek Multifamily (SS) 08 103615 AC 08 103616 LQ</p>	<p>Map change of 0.27 acres from MF-H (Multifamily-High) to DNTN (Downtown) 117 102nd Ave SE <i>Southwest Bellevue/Downtown</i></p>	<p><i>June 11, 2008</i></p>	<p>Vander Hoek Corporation</p>	<p>Nicholas Matz (425) 452-5371 nmatz@bellevuewa.gov</p>
<p>Pazooki (SS) 08 103680 AC 08 103683 LQ</p>	<p>Map change of 0.4 acres from SF-M (Single Family-Medium) to SF-H (Single Family-High) 504 98th Ave NE <i>North Bellevue</i></p>	<p><i>June 11, 2008</i></p>	<p>Pazooki</p>	<p>Nicholas Matz (425) 452-5371 nmatz@bellevuewa.gov</p>
<p>South Kirkland TOD (SS) 08 103700 AC 08-103701 LQ</p>	<p>Map change of 3.64 acres from MF-M (Multifamily-Medium) to newly proposed Transit Oriented Development 10800 NE 38th Street <i>North Bellevue</i></p>	<p><i>June 11, 2008</i></p>	<p>King County Department of Transportation</p>	<p>Michael Bergstrom (425) 452-6866 mbergstrom@bellevuewa.gov</p>
<p>Coal Creek UGB (NSS) 08-109519 AC</p>	<p>Amend the Potential Annexation Area boundary to include portions of Coal Creek Park within the Urban Growth Boundary (UGB)</p>	<p><i>June 11, 2008</i></p>	<p>City of Bellevue</p>	<p>Nicholas Matz (425) 452-5371 nmatz@bellevuewa.gov</p>

ATTACHMENT 3

Oh

2008 Annual Threshold Review Recommendation and Consideration of Geographic Scoping
Site-Specific Amendment

Oh

Staff recommendation: Recommend that the City Council **not include** the Oh CPA into the 2008 annual CPA work program. Do **not expand** the geographic scope of the proposal.

Permit Number: 08-103739 AC
Subarea: Richards Valley
Address: 12624 SE 30th Street
Applicant: Oh

PROPOSAL

This privately-initiated application would amend the map designation on this 0.32-acre site from SF-H (Single Family-High) to MF-M (Multifamily-Medium).

The application site is an existing single family home. If the CPA is adopted, the site would be rezoned to allow up to 20 dwelling units per acre, which would allow approximately 6 units on this site. See Attachment A for the application materials and Attachment B for a vicinity map.

THRESHOLD REVIEW DECISION CRITERIA

The Threshold Review Decision Criteria for an initiated Comprehensive Plan Amendment proposal are set forth in the Land Use Code Section 20.30I.140. Based on the criteria, Department of Planning and Community Development staff has concluded that the proposal **should not be included** in the annual CPA work program.

This conclusion is based on the following analysis:

- A. The proposed amendment presents a matter appropriately addressed through the Comprehensive Plan; and

The appropriate land use designation for the property at 12624 SE 30th Street is a matter appropriately addressed through amendment of the Comprehensive Plan.

- B. The proposed amendment is in compliance with the three-year limitation rules set forth in LUC 20.30I.130.A.2.d; and

The three-year limitation does not apply to this proposal to amend the site designation.

- C. The proposed amendment does not raise policy or land use issues that are more appropriately addressed by an ongoing work program approved by the City Council; and

This suggestion does not raise policy or land use issues that would be more appropriately addressed by an ongoing work program.

- D. The proposed amendment can be reasonably reviewed within the resources and timeframe of the Annual Comprehensive Plan Amendment Work Program; and

The suggestion can be reasonably reviewed within the resources and time frame of the current Annual Comprehensive Plan Amendment Work Program.

- E. The proposed amendment addresses significantly changed conditions since the last time the pertinent Comprehensive Plan map or text was amended. Significantly changed conditions are defined as:

Significantly changed conditions. Demonstrating evidence of change such as unanticipated consequences of an adopted policy, or changed conditions on the subject property or its surrounding area, or changes related to the pertinent Plan map or text; where such change has implications of a magnitude that need to be addressed for the Comprehensive Plan to function as an integrated whole. This definition applies only to Part 20.30I Amendment and Review of the Comprehensive Plan (LUC 20.50.046).

The proposed amendment does not address significantly changed conditions since the last time the Plan map or text was amended. There is a reason that the area that this application site is part of has never experienced Comprehensive Plan amendment pressure. It has developed—with its layering of density ranges from single family-medium to multifamily-high and then office—predictably and with stability, with its implementation of adopted Comprehensive Plan pattern and policy.

The application suggests that the single family site's dilapidated state and market attraction to redevelopment are results of the proximity of the multifamily uses that are to the west and south. The implication is that this is evidence of significantly changed conditions. The same argument could be made, however, in regard to the proximity of the adjacent single family to the north and east having the same effect. The changed conditions are not of the Comprehensive Plan implementation but of owner decisions regarding this property.

; and

- F. When expansion of the geographic scope of an amendment proposal is being considered, shared characteristics with nearby, similarly-situated property have been identified and the expansion is the minimum necessary to include properties with those shared characteristics; and

Expansion of the geographic scope of this amendment proposal should not be considered. This site sits along an edge that forms a land use boundary between adjacent single family and multifamily districts. Although slightly larger than parcels adjacent to it on the west, north, and east, the site is consistent with an

existing lot pattern throughout this boundary area that in turn has adapted to the different area residential densities (single family to the east of the application site, and duplex and fourplex sites west of it along SE 30th). Expanding the geographic scope is thus not recommended, in the absence of any other clearly-defined and similarly-situated properties within this border edge area.

- G. The proposed amendment is consistent with current general policies in the Comprehensive Plan for site specific amendment proposals. The proposed amendment must also be consistent with policy implementation in the Countywide Planning Policies, the Growth Management Act (GMA), other state or federal law, and the Washington Administrative Code (WAC); or

This request is likely inconsistent with current general policies in the Comprehensive Plan. The city does not need to amend land use designations to increase the supply or type of housing (Policy LU-5). The idea that this site will be successfully redeveloped if it tries out a multifamily designation instead of being redeveloped under its existing single family designation is likely inconsistent with Neighborhood Quality and Vitality policies in the Housing Element and with Residential/Neighborhood Areas policies in the Land Use Element.

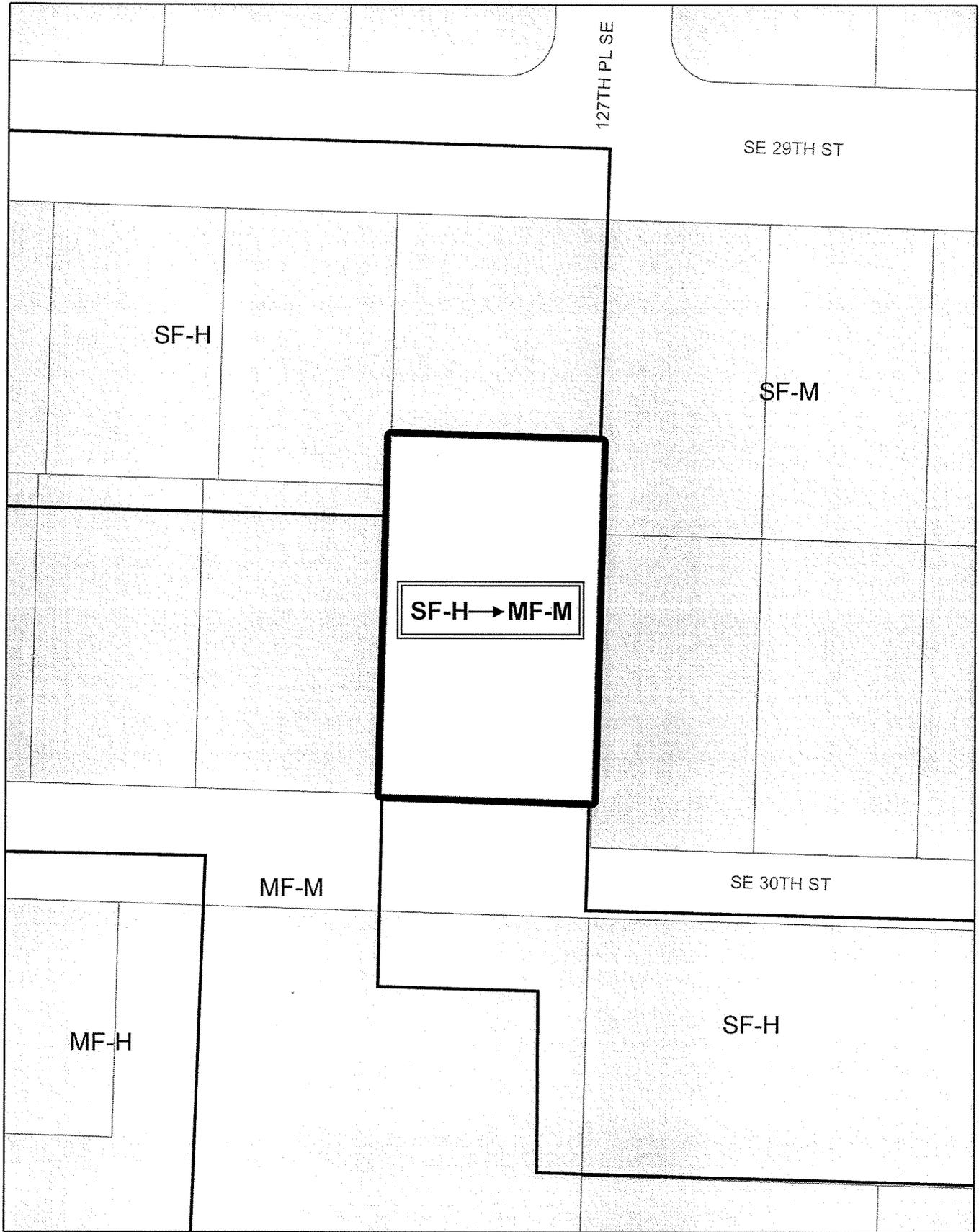
The application's likely inconsistency with Comprehensive Plan policies means it is also likely inconsistent with policy implementation in the CPPs and GMA for urban growth areas development. Because the focus of these policy sets are typically larger and regional in scale, if this proposed amendment is included in the annual work program additional analysis will be conducted prior to determining whether this request is fully consistent with all applicable and specific policies and regulations.

- H. State law requires, or a decision of a court or administrative agency has directed such a change.

State law, or a decision of a court or administrative agency has not directed the suggested change.

PUBLIC COMMENT

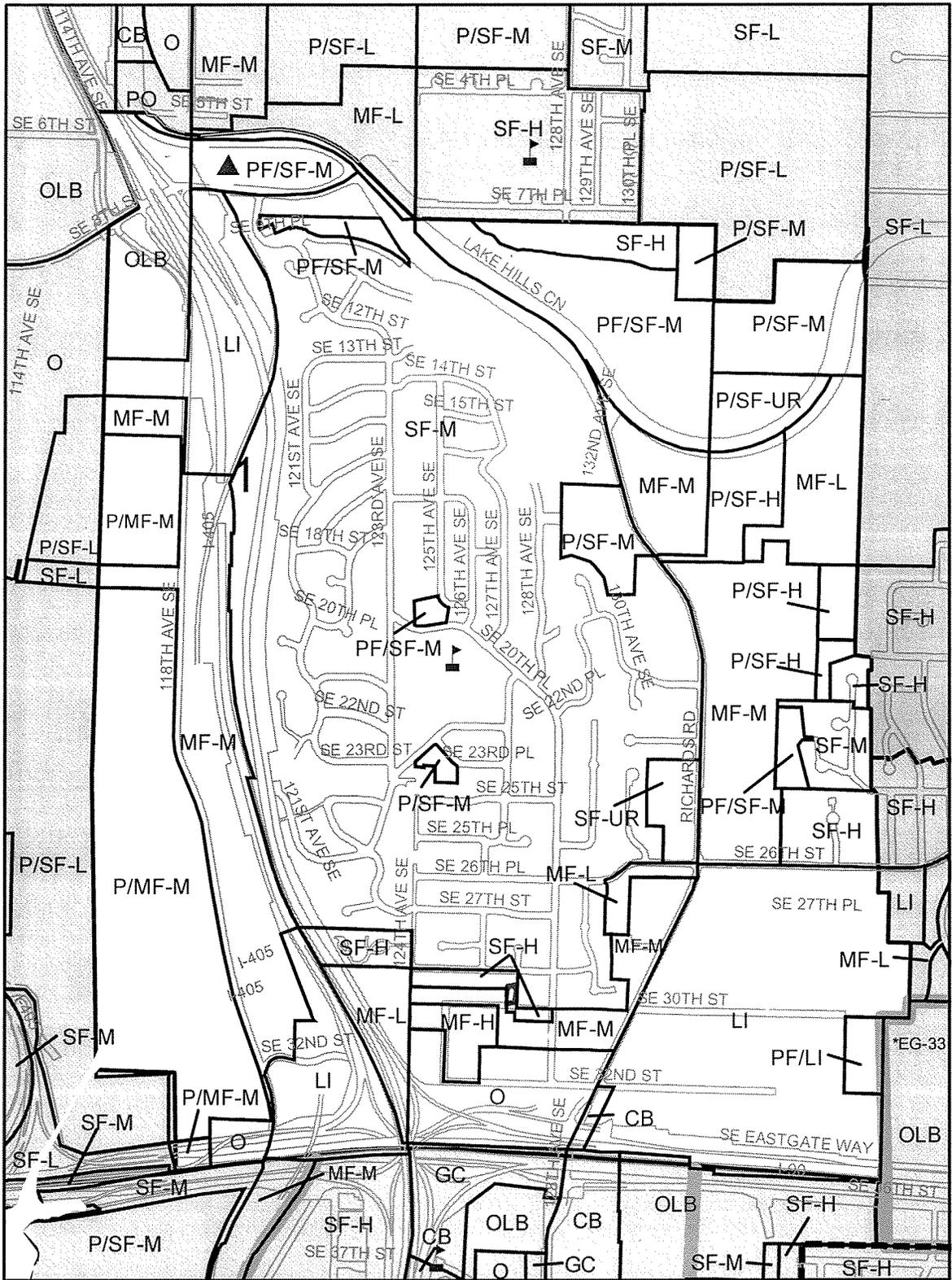
Several telephone inquiries have been received on this suggestion as of April 18, 2008.



March 2008



Oh CPA
 Proposed Comprehensive Plan Designations
 12624 SE 30th St



**FIGURE S-RV.1
Richards Valley Land Use Plan**

- SF Single Family
- MF Multi Family
- L Low Density
- M Medium Density
- H High Density
- UR Urban Residential

- PO Professional Office
- O Office
- OLB Office, Limited Business
- OLB-OS Office, Open Space
- NB Neighborhood Business
- CB Community Business

- GC General Commercial
- LI Light Industrial
- PF Public Facility
- P Park

- Fire Stations
- Public Schools
- Planning Districts
- Bellevue City Limits (6/2005)
- Lakes



DOCUMENT ROUTING FORM

Routed On: 02/01/2008
Prepared by: CBURGESO

Folder: 08 103739 AC

Target Date: 05/31/2008

Folder Name: Oh Rezone R-20 Comp Plan Amen and Rezone

Site Address: 12624 SE 30th St

Folder Type: Comprehensive Plan Amendment

Sub Type: Private

Work Proposed: Site Specific

Description:

Project Contact: TELEBYTE WILLIAM PALMER

Phone: (253) 858-3644

Subject: Application Intake Process

Materials Routed:

Routed On: 02/01/2008

XXX	Land Use
XXX	Utilities
XXX	Transportation
XXX	Policy Planning



COMPREHENSIVE PLAN AMENDMENT

APPLICATION DATE: <u>1/31/08</u> FOR CPA YEAR: 20	TECH INITIALS <u>CB</u>	PROJECT FILE # <u>08-103739 AC</u>
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1. Project name **OH REZONE - R-4 - R20 COMPREHENSIVE PLAN AMENDMENT & CONCURRENT REZONE**
2. Applicant name Seung K (SK) Oh Agent name William M. Palmer
3. Applicant address 1264 SE 30th Street, Bellevue, Washington 98005
4. Applicant telephone [206] 399-8078 fax [206] 306-0555 e-mail skoh7@yahoo.com
5. Agent telephone [253] 858-3644 fax [253] 858-3654 e-mail wpconslts@telebyte.net

This is a proposal to initiate a site-specific Comprehensive Plan Amendment (Go to **Block 1**)
 This is a proposal to initiate a non site-specific Comprehensive Plan Amendment (Go to **Block 2**)

BLOCK 1

Property address and/or 10-digit King County parcel number 0924059162

Proposed amendment to change the map designation from existing R-4 to proposed R-20

Site area (in acres or square feet) 13,860 S.F.

Subarea name FACTORIA/EASTGATE Richards Valley

Last date the Comprehensive Plan designation was considered Nov., 2004

Current land use district (zoning) R-4

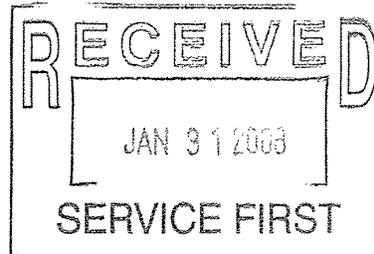
Is this a concurrent rezone application? Yes No Proposed land use district designation R-20

Go to **BLOCK 3**

Community Council: N/A East Bellevue

BLOCK 2

Proposed amendment language. This can be either conceptual or specific amendatory language; but please be as specific as possible so that your proposal can be adequately evaluated. If specific wording changes are proposed, this should be shown in ~~strike-out~~/underline format. Attach additional pages as needed.



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Reference Element of the Comprehensive Plan (e.g., Land Use, Transportation, Housing, Capital Facilities): PERMIT PROCESSING

Last date the Comprehensive Plan policy or text was considered / / .

Go to **BLOCK 3**



BLOCK 3

Support for the proposed amendment. Explain the need for

the amendment—why is it being proposed?

Describe how the amendment is consistent with the vision of the Comprehensive Plan. Include any data, research, or reasoning that supports the proposed amendment. Attach additional pages as needed.

Comprehensive plans while incorporating goals and policies designed to shape the future of a city or a county are not static documents like blueprints for the construction of a building. The planning staff who prepare the plans for adoption by the legislative body in this case the City Council may have a good overall perspective of the City and its Subarea planning districts, however, seldom do City staff have the time or resources to inventory each individual property characteristics as part of the data collection process. Even when the data is reasonably specific, it is still not possible to evaluate the experience in a neighborhood over time with existing land uses.

In this instance, the applicant's property borders on two sides R-20 Zoned properties. His driveway faces the entrance to an apartment complex. West of the applicant's property are more apartments and duplexes. The proposed Concurrent Comprehensive Plan Amendment and Rezone will allow the applicant to redevelop his property similar to that of his neighbors. One could argue that the proposed R-20 Zone might be extended further to the east to 124th Avenue SE. However, there is a topographic break between the applicant's lot and the four lots that step down the hill to 124th.

If the City is looking for a place to draw boundaries, land use changes work best when lot lines coincide with changes in topography. The merit of this application is the proposed zone change would place the applicant's property in a more homogenous environment with other multiple-family developed properties.

See also, the response to the questions in BLOCK 4 for further elaboration on the merits of the applicant's proposed comprehensive plan and concurrent rezone amendment.

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Go to **BLOCK 4**

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BLOCK 4a

Evaluating the proposed amendment. Explain how the proposed amendment is consistent with the Threshold Review Decision Criteria in LUC Section 20.301.140 (see Submittal Requirements Bulletin #53). Attach additional pages as needed.

A. *The proposed amendment represents a matter appropriately addressed through the Comprehensive Plan:*
and

Comment:

A rezone can only be processed by the City if it is first provided for in the Comprehensive Plan. If not then the Plan has to be amended to allow for the proposed rezone. In this case the applicant is applying to amend the Comprehensive Plan and Zoning Map through the Concurrent Plan / Zone amendment process.

B. *The proposed amendment is in compliance with the three year limitation rules set forth in LUC 20.301.130.A.2.d; and*

Comment:

Whereas there have been amendment to the plan as recently as April, 2007 the last full update of the plan occurred in November of 2004. None of the intervening plan amendments addressed the immediate area in which the applicant's property is found.

C. *The proposed amendment does not raise policy or land use issues that are more appropriately addressed by an ongoing work program approved by the City Council; and*

Comment:

The applicant is not aware of any work program commitments the City Council might of made regarding the immediate area in which the applicant's property is located.

D. *The proposed amendment can be reasonably reviewed within the resources and time frame of the annual Comprehensive Plan work program; and*

Comment:

The proposed amendment is small in scope and while somewhat more involved than a more routinely processed rezone, it is typical of the kind of amendment requests the City has processed in previous annual Comprehensive Plan work programs.

E. *The proposed amendment addresses significantly changed conditions since the last time the pertinent Comprehensive Plan map or text was amended. See LUC 20.50.046 for the definition of "significantly changed conditions;" and*

Comment:

While it is true the City's Comprehensive Plan makes provisions for a twenty-year time period in its land use allocations, it can not accurately predict the demand for multiple-family dwelling units. The applicant's property in an R-20 Zone would qualify for about six dwelling units. As increment in the total housing allowance for multiple-family housing, it represents a rather insignificant change.

See also the discussion found in BLOCK 3 and the following comments presented in response to Question F. Also, it is a fair assessment to characterize this particular plan amendment and rezone request as a "map correction" more than an amendment proposal that might introduce new zoning in an area otherwise substantially developed with single-family homes.

F. *When expansion of the geographic scope of an amendment proposal is being considered, share characteristics with nearby, similarly-situated property have been identified and the expansion is the minimum necessary to include properties with those shared characteristics; and*

Comment:

See Comments provided for the question in BLOCK 3. The proposed rezone would provide incentive for the applicant to develop his site in keeping the other multiple family uses on his street. As noted in previous discussions, this site lies immediately adjacent to a R-20 Zone area on the west and to an R-20 Zoned area on the South. The site is at the crest of the hill on SE 30th Street. The property to the west including the applicant's lot is relatively level. It is this level property that is zoned R-20 on both sides of the street. East of the site beginning near the east property line SE 30th slopes downhill to 128th Avenue SE. At that point on the slope the zoning is R-3.5 on both sides of the street. Given the physical characteristics of the applicant's property, it is more similar to the property to the west and south of his site than are the lots located to the east and north of the site. Regarding the property on the north, there are two different single-family residential zones - R-4 along the south side of SE 29th Street extending from 124th Avenue SE to an approximate alignment with 127th Place SE. From there the zoning changes to R-3.5 as it extends east to 128th Avenue SE.

On the north side of SE 29th Street, the lots that abut that side of the street are all zoned R-3.5. When the zoning pattern is examined in detail the out of logic sequence is this strip of R-4 Zoning found on the south side of SE 29th that drops down to include the applicant's property on SE 30th. What one finds in such analysis is the applicant's property is the only site on SE 30th Street that is zoned R-4, because the lots that immediately abut the subject site on the east drop to an R-3.5 Zone. The rationale for the decision made by the City back in 2004 seems to have ignored the characteristics of the applicant's property and the immediate environment along both sides of SE 30th.

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G. The proposed amendment is consistent with current general policies in the Comprehensive Plan for site-specific amendment proposals. The proposed amendment must also be consistent with policy implementation in the Countywide Planning Policies, the Growth Management Act, or other state or federal law, and the Washington Administrative Code; or

Comment:

The City's Factoria / Eastgate Subarea Plan is most pertinent to the applicant's proposal and in particular Policy S-EG-11. The Subarea Plan contains three Residential Development Policies that are pertinent to the consideration of this proposed amendment for which comment is appropriate. Policy S-EG-7 "Maintain single-family housing as the predominate residential land use in the Subarea in land area and appearance." In as much as the site size is a modest third of an acre, the proposed change will not change the character of the Eastgate are by this one change.

Policy S-EG-8 "Limit multifamily housing to locations accessible directly from arterials, as depicted on the Land Use Plan (Figure S-EG.1)." An examination of the zoning pattern in the comprehensive plan and zoning map for this area reveals multiple-family zoning extending from 128th Avenue on the west to 124th on the east. Even though this is the zoning pattern for the larger context area surrounding the applicant's site, there is along SE 30th Street where multiple-family residents pass through a single-family zoned area to gain access to a north-south arterial. That is the existing situation. The applicant's proposed change in zoning will not change the existing access patterns and will not in the final analysis exacerbate the situation for the possibility of adding five additional dwelling units at build out of his property.

Policy S-EG-9 "Discourage multifamily and commercial traffic from passing through single-family neighborhoods." See above response to Policy S-EG-8.

Policy S-EG-11 is referenced above as a compliance policy of the proposed comprehensive plan amendment and concurrent rezone. "Encourage more opportunities for affordable housing in the Subarea by maintaining and rehabilitating existing housing stock." The reason this Policy is listed in the compliance category is the words "Encourage more opportunities for affordable housing...." It is not necessarily true that "maintaining and rehabilitating existing housing stock" will result in "affordable housing." While a term used in used in the Growth Management Act, "affordable housing" it is an issue treated in most jurisdictions in western Washington as a "step child" subservient to the other twelve goals of GMA and their comprehensive plans. Like it or not the only real "affordable housing" alternative is rental apartments and on the east side of Puget Sound, what is "affordable housing" depends on the household income levels of at least median levels.

Interesting as it may seem if the focus of the City is on maintaining and rehabilitating existing housing stock that is a misplaced objective. The truly affordable house in the context of Bellevue's generally moderate to high income families is the unmaintained and dilapidated house. Nobody wants to admit this fact and no one wants to contemplate subdivisions with run-down houses. So it is a laudable objective to promote the maintenance and rehabilitation of structures, but if the City is going to do so, to the extent possible it needs to promote incentives for homeowners and investors to upgrade their houses. The referenced policy here as presently worded has no meaning.

An on-site inspection would reveal that the applicant's house and property is in need of maintenance. His incentive to "maintain and rehabilitate" in the context of a multifamily environment is limited. He can meet the affordable housing portion of this policy by the proposed comprehensive plan and concurrent zone amendment and from there going on to develop the site with multifamily units.

When this proposal is considered in the greater context of the City-wide goals and policies, it can be found that it would implement the City's Land Use policies including but not limited to: LU-4, LU-5 LU-9, LU-21, and LU-23.

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