

ATTACHMENT 3

South Kirkland TOD

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

South Kirkland Park and Ride Transit Oriented Development (TOD)

Staff recommendation: Recommend that the City Council **not include** the South Kirkland Park and Ride Transit Oriented Development CPA into the 2008 annual CPA work program. **Do not expand** the geographic scope of the proposal.

Permit Number: 08-103700 AC
Subarea: North Bellevue
Address: 10800 NE 38th Street
Applicant: Gary Prince, King County Department of Transportation

PROPOSAL

The South Kirkland Park and Ride facility is located on two adjacent parcels, totaling 6.97 acres. One parcel (the eastern 3.32 acres) lies within Bellevue, and the other (the western 3.65 acres) is located in Kirkland.

This non-city initiated application would amend the City of Bellevue Comprehensive Plan map designation on the Bellevue parcel from MF-M (Multifamily-Medium) to a new land use designation allowing transit-oriented development (preliminarily called "TOD"). See Attachment A for the application materials and Attachment B for a site map.

If the CPA is adopted, the site would need to be rezoned to allow mixed use development, including multifamily residential up to 60 dwelling units per acre and associated office and retail space. This would require the creation of a new district in the Land Use Code and a zoning map change to implement the new Comprehensive Plan provisions. The site currently lies in the R-15 land use district.

A companion Comprehensive Plan Amendment has been initiated by the City of Kirkland for the parcel that lies in that jurisdiction.

Although specific development plans have not been produced, the major components of future development envisioned by King County, if the CPA is approved, include:

- Expansion of the park and ride facility by approximately 250 stalls, from the current 603 stalls to 853 stalls (this would not expand the site area);
- Transit passenger loading and unloading areas;
- Residential development of up to 60 units per acre, or a Floor Area Ratio of 2.0;
- An affordable housing component (quantity and level of affordability has not yet been defined);
- Incidental office and retail (quantity not specified);
- Building height limit of 65 feet;

- Parking associated with the residential, office, and retail components (quantity not specified, but would be in addition to the 250 stall increase for the park and ride facility).

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 application meets this criterion. Creation of a new land use designation and the application of a land use designation to a specific site 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 application meets this criterion. The property, policy topic, or land use issue which is the subject of this application has not been reviewed by the City within the last three years, and therefore the application complies with the three-year limitation rules.

- 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

The application meets this criterion. There is no ongoing work program in which the policy or land use issues raised by this proposal would be more appropriately addressed.

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

The application does not meet this criterion. The application raises policy issues and has potential city-wide implications that require more in-depth review than can be reasonably accomplished within the resources and timeframe of the 2008 Annual Comprehensive Plan Amendment Work Program. Implementation of the request requires the creation of a new land use designation and district unlike any that exist in Bellevue, and raises several issues. It would introduce a density of 60 units per acre, twice that allowed in the city's most intensive multifamily district outside of

downtown and potentially the Bel-Red area. Compatibility with nearby residential areas would need to be addressed, and specific land use standards addressing such development aspects as parking and urban design would likely need to be developed. The potential impacts of non-transit vehicle trips generated by a relatively dense mixed-use development would need to be evaluated.

It would be difficult to create this policy basis without considering the potential for it to be applied to other existing or future park-and-ride facility locations, and some of those locations may be more suitable for TOD development than others due to physical, environmental, geographical, or other characteristics. Developing a TOD designation that is flexible enough to apply elsewhere, while structured in a way that avoids unintended consequences, will require more time and resources than that afforded by the current CPA work program.

- E. The proposed amendment addresses significantly changed conditions since the last time the pertinent Comprehensive Plan map or text was amended. LUC 20.50.046 defines “Significantly changed conditions” 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 LUC, Amendment and Review of the Comprehensive Plan.

; and

The application meets this criterion. The subject property was reclassified in 1996 from R-1 to R-15 (with conditions) as part of a larger area rezone initiated by the City of Bellevue in accordance with the North Bellevue Subarea Plan of the Comprehensive Plan. The reclassification had no practical effect on the use of the site, since the park and ride facility existed prior to the reclassification as a conditional use in the R-1 district and has continued as a conditional use in the R-15 district. The public ownership of the property and the purpose for which it is used has undoubtedly allowed it to withstand the market forces that might have otherwise resulted in its development in accordance with the R-15 zoning.

In the twelve years since the reclassification, much has changed and will continue to change that affects individual lifestyles and commute habits. Traffic congestion, fuel prices, commute times and distances, and affordable housing shortages have all increased dramatically in recent years and are likely to continue to do so. At the same time, the supply of developable land that is physically and geographically suitable for more intense development, particularly transit oriented development, is in decline. The current R-15 zoning does not provide sufficient development potential to address these issues at this site. TOD projects in King County and elsewhere have successfully combined lower vehicle ownership and operating costs, higher transit ridership, and greater housing choice and affordability.

The number of users of the South Kirkland Park and Ride has increased over the years, and the facility now operates at capacity. Demand will continue to grow, and the eventual replacement of the SR 520 bridge, if funded through tolls as the state currently intends, is estimated to increase transit ridership by up to 23%.

In August 2007 King County Metro, WSDOT, and the Puget Sound Regional Council were notified by the U.S. Department of Transportation that they won a federal Urban Partnership Grant competition for funds to use toward SR 520 bridge replacement and corridor improvements. The TOD that this comprehensive plan amendment would lead to would support those improvements.

The groundwork that has been laid for SR 520 bridge replacement and corridor improvements, combined with increased traffic congestion, fuel prices, commute times and distances, and demand for affordable housing, constitute significantly changed conditions. TOD at this site would respond to the changed conditions that have occurred over the past several years, anticipate the continuation of current housing and commute trends, and support the SR 520 bridge and corridor improvements that are now in the planning stages.

- 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

The applicant has not requested, and Staff does not recommend, consideration of expansion of the geographic scope of this amendment proposal. If the CPA is ultimately approved, the new TOD land use designation would be applied to the subject property through the creation of a new district in the Land Use Code and a zoning map change on the subject property.

However, if a policy basis for Transit Oriented Development is established in the Comprehensive Plan, it could be written in such a way that anticipates possible future implementation of that policy at other locations subject to site/area characteristics and/or decision criteria. In other words, even though only the subject property would initially be zoned for the proposed use, similar zoning could be applied elsewhere through future zoning map amendments.

- 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

The application meets this criterion. Preliminary analysis suggests that this request is likely consistent with current general policies in the Comprehensive Plan. It is

also likely consistent with policy implementation in the CPPs and GMA for urban growth areas development. 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.

This criterion does not apply to this application. State law, or a decision of a court or administrative agency has not directed the suggested change.

PUBLIC COMMENT

As of May 21, 2008, one comment letter has been received on this application. As stated above, a companion Comprehensive Plan Amendment has been initiated by the City of Kirkland for the parcel that lies in its jurisdiction. A letter of support for the Bellevue application was submitted by Kirkland Mayor Jim Lauinger. Mayor Lauinger points out that transit oriented development at this site has been identified by the Kirkland City Council as a top strategy to achieve affordable housing (see Attachment C - Public Comments).

ATTACHMENTS

- A. Application materials
- B. Site maps
- C. public comments

Attachment A

COMPREHENSIVE PLAN AMENDMENT

APPLICATION DATE: FOR CPA YEAR: 20	1/31/08	TECH INITIALS	U	PROJECT FILE #	08-103700
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1. Project name South Kirkland Transit Oriented Development
2. Applicant name King County Department of Transportation Agent name Gary Prince
3. Applicant address: 201 S. Jackson St., MS KSC-TR-0815, Seattle, WA 98104
4. Applicant telephone 206-263-6039 fax 206-263-3187 e-mail gary.prince@kingcounty.gov
5. Agent telephone _____ fax _____ e-mail _____

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
: 202505 9230 and 202505 9081

Proposed amendment to change the map designation from existing MF-M to proposed Transit Oriented Development.

Site area (in acres or square feet) parcel 9230 158,950 (Bellevue) parcel 9081 144,425 sq ft (Kirkland) Total parcel 303,375

Subarea name North Bellevue Subarea.

Last date the Comprehensive Plan designation was considered ___/___/___ Unknown

Current land use district (zoning) MH-M.

Is this a concurrent rezone application? Yes No Proposed land use district designation Transit Oriented Development.

Go to **BLOCK 3**

Community Council: N/A East Bellevue 1

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.

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

The Comprehensive Plan envisions increasing the supply and diversity of housing and encourages mixed use residential in commercial areas. The plan states that “residential densities that support transit use should be located along major transit corridors and near urban activity centers.” This goal certainly applies to the South Kirkland Park and Ride which is adjacent to the heavily travelled SR520 corridor. The proposed project also includes a major component of affordable housing which is a “Major Housing Policy” for the City.

Housing Policies HO-11, HO-13, HO-17 address projects of this size and character by encouraging in-fill and mixed use development on underutilized parcels.

POLICY HO-11. Encourage housing opportunities in mixed residential/commercial settings throughout the city.

POLICY HO-13. Ensure that mixed-use development complements and enhances the character of the surrounding residential and commercial areas.

POLICY HO-17. Encourage infill development on vacant or under-utilized sites that have adequate urban services and ensure that the infill is compatible with the surrounding neighborhoods.

Housing Policies HO-22, HO-23, and HO-26 speak directly to this project.

POLICY HO-22. Work cooperatively with King County, A Regional Coalition for Housing (ARCH), and other Eastside jurisdictions to assess the need for, and to create, affordable housing.

POLICY HO-23. Review Land Use Code regulations to remove barriers or unnecessary standards that discourage affordable multifamily housing and to refine affordable housing incentives so they are more successful.

POLICY HO-26. Involve both the public and private sectors in the provision of affordable housing.

ARCH has been involved with the redevelopment of this site and has participated with the King County TOD program on affordable housing supply at other TOD projects.

Changes in land-use are necessary for a housing project to proceed on this location. This project has support from other local governments and it is closely tied to the Urban Partnership Project for redevelopment of the SR520 project. Funding for additional park and ride stalls has been granted by the federal government to the Urban Partnership Project coordinated by PSRC, WSDOT, and King County.

Bellevue’s transportation plans are consistent with the rezoning of this parcel. The proposed project would provide additional transportation choices to housing residents and additional park and ride capacity will encourage additional bus and/or rail use at this site.

Transportation Policies TR-1 and TR-2 speak to the coordinated approach to this project.

POLICY TR-1. Integrate land use and transportation decisions to ensure that the transportation system supports the Comprehensive Plan Land Use vision.

POLICY TR-2. Work actively and cooperatively with other Eastside jurisdictions and regional and state agencies to plan, design, fund and construct regional transportation projects that carry out the city’s transportation and land use goals.

Coordination with King County, the City of Kirkland, and the participants in the Urban Partnership is a key cornerstone of improving transportation choices at this parcel. Policy TR-8 suggests that large surface parking lots not intervene between developments and the pedestrian environment.

POLICY TR-8. Incorporate transit-supportive and pedestrian-friendly design features in new development through the development review process. Examples include:

1. Orient the major building entries to the street and closer to transit stops;
2. Avoid constructing large surface parking areas between the building frontage and the street;
3. Provide pedestrian pathways that minimize walking distances to activities and to transit stops;
4. Cluster major buildings within developments to improve pedestrian and transit access;
5. Provide weather protection such as covered walkways or arcades connecting buildings in major developments, and covered waiting areas for transit and ridesharing;
6. Design for pedestrian safety, including providing adequate lighting and paved, hazard-free surfaces;
7. Provide bicycle connections and secure bicycle parking and storage convenient to major transit facilities;
8. Use design features to create an attractive, interesting pedestrian environment that will stimulate pedestrian use;
9. Design transit access into large developments, considering bus lanes, stops, and shelters as part of project design; and
10. Encourage the availability of restrooms for public use.

South Kirkland P & R is currently only a large surface parking lot in a hostile pedestrian environment. The redesign would create an environment conducive to pedestrians and provide ready access to transit services.

Policy TR-12 recommends other key strategies which are a component of Urban Partnership such as telecommuting and flexible work hours.

POLICY TR-12. Encourage employers to help reduce peak hour commute trips by facilitating employees use of telecommuting, flexible work hours, compressed work week schedules, and other scheduling options.

For additional detail on the Urban Partnership proposals in each of these areas the grant application is posted at <http://www.upa.dot.gov/agreements/docs/termsheetseattle.htm>.

Policies TR-23 and TR-29 also support this project.

POLICY TR-23. Coordinate improvements and operations among travel modes, providing connections between modes.

POLICY TR-29. Develop the transportation system in a manner that supports the regional land use and transportation vision presented in Vision 2020, Destination 2030 and the Countywide Planning policies for King County.

This project will provide integrated connections for many transportation modes and is supported by the PSRC's long-range plans. PSRC is a co-applicant in the Urban Partnership grant application. Policy TR-32 supports the planning currently proceeding between King County, Bellevue, and the City of Kirkland.

POLICY TR-32. Develop and implement strong interjurisdictional agreements for cooperative solutions to land use and transportation problems that cross the city border.

Go to **BLOCK 4**

BLOCK 4a

Evaluating the proposed amendment. Explain how the proposed amendment is consistent with the Threshold Review Decision Criteria in LUC Section 20.30I.140 (see Submittal Requirements Bulletin #53). Attach additional pages as needed.

The replacement of the SR520 bridge, and proposed tolling on this bridge, will increase the usage of park and ride stalls located at South Kirkland P & R. The Comprehensive Plan did not envision the toll rates proposed in the recent SR520 Finance Plan. The proposed toll rates – up to \$10 round trip – will significantly increase demand for transit service. The SR520 Finance Plan envisions a 23% increase in transit ridership and up to 10% diversion to other routes. Providing additional parking at the South Kirkland P & R is an effective strategy to reduce demand on the SR520 bridge and improve traffic congestion.

An improved transit facility – with new passenger loading amenities – will also increase ridership from non P & R users. A new facility is likely to include amenities such as real-time bus information, improved shelters, and access to retail services. The proposal also includes the potential for a rail connection on the BNSF right-of-way which borders the site.

The threshold decision criteria identify a number of reasons to amend the comprehensive plan.

Without a change in the comprehensive plan, redevelopment of this parcel for mixed use would not occur. Based on information from the City of Bellevue the policy and land use issues are not currently part of a work program approved by the City Council. As noted above, the significant changed conditions include the development of a toll bridge on this corridor, the rapid increases in housing prices since the last comprehensive plan, the priority for inclusion of affordable housing in the program. Also redevelopment of this site has strong support from the City of Kirkland. Transit Oriented Development has emerged as a successful strategy to increase transit ridership. TOD projects in King County, and around the nation, have successfully combined lower car ownership, high transit ridership, affordability and park and ride.

A TOD on this site will need a higher density than currently zoned. Other projects in the vicinity have accommodated multi-story housing projects and this is the anticipated housing type at this location.

BLOCK 4b complete this section only for a site-specific concurrent rezone

Evaluating the proposed concurrent rezone. Explain how the proposed rezone would be reviewed under Rezoning Decision Criteria in Land Use Code Section 20.30A.140. Attach additional pages as needed.

King County is requesting a new zoning for this parcel to accommodate the mix of uses and inclusion of multiple transportation modes. Rezoning the parcel is consistent with the goals of the Comprehensive Plan which requests higher urban density. The Comprehensive Plan also anticipates steps to reduce congestion and providing additional transportation choices which can only be accomplished with a rezoning. The addition of affordable housing meets important community objectives for both Kirkland and Bellevue.

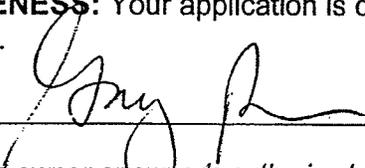
The proposed project will not be materially detrimental to adjoining parcels. There is significant elevation and physical separation from other residential housing in the vicinity. There will be traffic impacts from the proposed project; mitigation steps will be proposed as part of the project.

The proposed zoning classification is approximately 60 dwelling units per acre with a height limit of 65 feet. The proposed FAR is 2.0. The TOD zoning classification would include a transit passenger loading and unloading areas, park and ride, housing, and incidental retail and office development.

I have read the Comprehensive Plan and Procedures Guide 1

NOTICE OF COMPLETENESS: Your application is considered complete 29 days after submittal, unless otherwise notified.

Signature of applicant



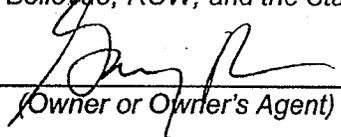
Date

1/31/2008

I certify that I am the owner or owner's authorized agent. If acting as an authorized agent, I further certify that I am authorized to act as the Owner's agent regarding the property at the above-referenced address for the purpose of filing applications for decisions, permits, or review under the Land Use Code and other applicable Bellevue City Codes and I have full power and authority to perform on behalf of the Owner all acts required to enable the City to process and review such applications.

I certify that the information on this application is true and correct and that the applicable requirements of the City of Bellevue, RCW, and the State Environmental Policy Act (SEPA) will be met.

Signature

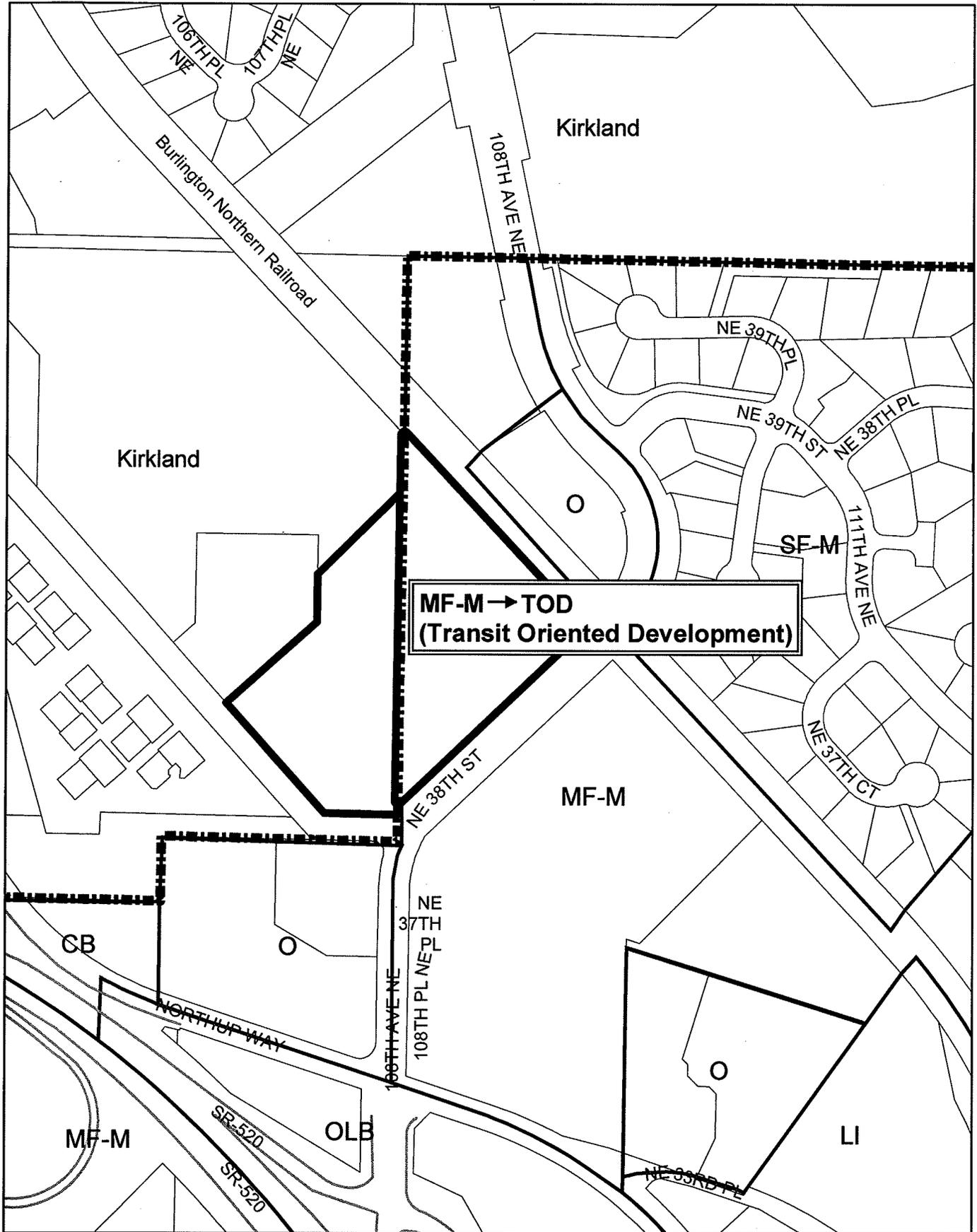


(Owner or Owner's Agent)

Date

1/31/2008

Attachment B



**MF-M → TOD
(Transit Oriented Development)**



South Kirkland TOD CPA
Proposed Comprehensive Plan Designations

10800 NE 38th St

March 2008

Attachment C



March 14 2008

The Honorable Grant Degginger
Mayor, City of Bellevue
P.O. Box 90012
Bellevue, WA 98009-9012

Dear Mayor Degginger:

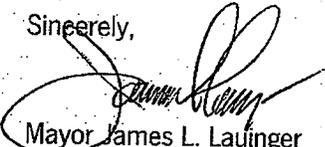
Even as our communities continue to grow, we face increased challenges in housing affordability. Our teachers, police officers, and health care providers are being priced out of the market. In East King County, nearly 24,000 households (17% of all households) are paying more than 30% of their income for housing, and 12,000 households pay more than half their income for housing, making them severely cost-burdened. Middle income families are having to move further and further out to find housing and then have to drive longer distances for jobs and services thus contributing to our congested roads.

We now have a unique opportunity to address this issue with a transit oriented development (TOD) at the South Kirkland Park and Ride. This site, owned by King County, is located within the corporate limits of Kirkland and Bellevue. The preliminary TOD concept includes a significant share of affordable housing units to be included in a mixed income housing development at the site. We intend to involve ARCH in this effort.

Both cities would need to work cooperatively to explore the potential for this project and both cities would need to amend their respective Comprehensive Plans and zoning. The City of Kirkland is very enthusiastic about this opportunity. At our City Council retreat in 2007, the creation of affordable housing at this site through transit-oriented-development was among the top two strategies supported by the Council, and its study is included on our adopted Planning Work Program.

At a recent meeting of the Kirkland City Council, Council members heard from the King County Department of Transportation regarding its interest and general intent to move forward with the development of a TOD project at the site. The Kirkland Council concluded that we would like to proceed with the development of general "Principles of Agreement" that will outline the objectives and expectations for the project that the two cities and King County can endorse as we move forward with this effort. We look forward to working closely with the City of Bellevue on this important issue.

Sincerely,



Mayor James L. Lauinger
City of Kirkland

cc: Kirkland City Council
David Ramsay, Kirkland City Manager

Dan Stroh, Planning Director, City of Bellevue
Arthur Sullivan, ARCH
Gary Prince, King County Metro
File: ZON08-00002
