



Bellevue Planning Commission

Wednesday, May 16, 2012

7:15 p.m. to 10:00 p.m. ▪ Council Conference Room 1E-113
Bellevue City Hall ▪ 450 110th Ave. NE ▪ Bellevue, WA 98004

Agenda

- 7:15 p.m.
1. **Call to Order**
Kevin Turner, Chair
 2. **Roll Call**
 3. **Public Comment***
Limited to 5 minutes per person or 3 minutes if a public hearing has been held on your topic
 4. **Approval of Agenda**
 5. **Communications from City Council, Community Council, Boards and Commissions**
 6. **Staff Reports**
- 7:30 p.m.
7. **Study Session**
2012 Site-Specific Annual Comprehensive Plan Amendment
Threshold Review and Geographic Scoping
 - A. [Holy Cross Lutheran Church 12-104586 AC \(4315 129th PI SE\)](#)
 - B. [Leggate-Balwada 12-104612 AC \(225, 231, 325 and 335 105th Ave SE\)](#)
 - C. [Banner Bank 12-104617 AC \(12433-12443-12453 Bel-Red Rd NE\)](#)
 - D. [Lorge-Benis/Newport Professional 12-104629 AC \(4307 and 4317 Factoria Blvd SE\)](#)
- 9:00 p.m.
8. **Other Business**
 9. **Public Comment*** - *Limited to 3 minutes per person*
 10. **Approval of Minutes**
 - A. January 11, 2012
 - B. March 28, 2012
 - C. April 11, 2012*Please see the May 9 packet*

11. **Next Planning Commission Meeting**

May 23, 2012

Short Course on Local Planning hosted by the State Department of Commerce, 6:30 p.m., Council Chambers

12. **Adjourn**

Agenda times are approximate

Planning Commission members

Kevin Turner, Chair

Hal Ferris

Jay Hamlin

Aaron Laing

John Carlson, Vice Chair

Pat Sheffels

Diane Tebelius

Staff contact:

Paul Inghram 452-4070

Janna Steedman 452-6868

** Unless there is a Public Hearing scheduled, "Public Comment" is the only opportunity for public participation.*

Wheelchair accessible. American Sign Language (ASL) interpretation available upon request. Please call at least 48 hours in advance. Assistance for the hearing impaired: dial 711 (TR).



MEMORANDUM

DATE: May 11, 2012

TO: Chair Turner and members of the 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
Janet Lewine AICP, Associate Planner 452-4884
jlewine@bellevuewa.gov

SUBJECT: 2012 site-specific annual Comprehensive Plan Amendment (CPA) Threshold Review and Geographic Scoping

On May 9, 2012, the Planning Commission held individual public hearings to hear testimony and receive comments on four site-specific applications for Comprehensive Plan amendment. The Planning Commission is asked to recommend whether the applications should be initiated into the 2012 Comprehensive Plan amendment work program under LUC 20.30I.140 and to recommend the appropriate geographic scope for each application in accordance with LUC 20.30I.130.A.1.a.ii. At the study session on May 16, the Planning Commission is scheduled to complete its deliberations and make recommendations to the City Council.

Sample motion language (for reference):

I move to recommend *initiation/no further consideration* of the [name] Comprehensive Plan amendment application for the 2012 Annual Comprehensive Plan work program, and *expand/not expand* through geographic scoping to include the *named* properties].

A staff report providing analysis of each application and a staff recommendation was posted online on April 19, made available to the applicants, and mailed to the Planning Commission. Additional materials submitted by applicants and members of the public were provided to the Commission at the May 9 public hearings.

Please bring your copies of the staff reports and other materials to the meeting.

THRESHOLD REVIEW

Consistent with the state Growth Management Act, the city of Bellevue limits requests to amend the Comprehensive Plan to an annual process. The purpose of this annual process is to consider all proposed amendments concurrently so that the city can weigh the cumulative effect of the various proposals.

Bellevue's process consists of two major stages. After applications are received each year, the Planning Commission reviews them to determine which should be considered for the

Comprehensive Plan amendment work program. This is referred to as Threshold Review. Threshold Review distinguishes between those proposals that are “ripe” for consideration and other proposals that might be more appropriately addressed through other means, such as a wider subarea study or a Land Use Code amendment, or those that are not timely for consideration.

The Threshold Review decision is not a decision as whether a proposal should be adopted. Because of the concurrent review nature of the process, Threshold Review is not based on whether a proposal has economic merit, its potential site design, or potential environmental impacts such as traffic. Threshold Review seeks only to determine whether a proposal meets the criteria for further review in the next step of the process, “Final” review.

A recommendation for an application to advance past Threshold Review is not an endorsement of the proposal by the city and should not be construed as to whether or not a proposal will be ultimately recommended for adoption. If a project is included in the annual work program, more detailed analysis would occur to assess the merits of the proposal and its potential impacts.

The annual amendment review process can be summarized as:

Threshold Review

Is a proposal appropriate and timely for including in the annual work program?

1. Planning Commission study sessions and public hearings
2. City Council action on Planning Commission recommendations - establishes the annual work program

Final Review

Should the proposal be adopted into the Comprehensive Plan?

3. Planning Commission study sessions and public hearings
4. City Council action on Planning Commission recommendations – adopts or denies amendments

The Planning Commission may recommend to the City Council the inclusion of a proposed amendment to the Comprehensive Plan in the annual CPA work program if all of the decision criteria set forth in LUC 20.30I.140 (see Attachment 1) have been met. The Department of Planning and Community Development staff reports include an analysis of the criteria for each application and may be used as guide for the Commission’s review.

Criterion E is often the focus of Threshold Review. It asks whether the proposal addresses significantly changed conditions *since the last time the pertinent Comprehensive Plan map or text was amended*. The criterion further notes that “significantly changed conditions” are “unanticipated consequences of 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.” That is, a significant change must be something that the Comprehensive Plan did not anticipate.

Historically, general changes to the city that were anticipated by the Comprehensive Plan have been ruled to *not* be significantly changed conditions. This includes general growth in population and employment, new buildings, infrastructure improvements, and other changes consistent with

the plan and zoning. Additionally, the passage of time is not considered a significantly changed condition. That a proposal is “good idea” is not sufficient to find “significantly changed conditions” under the test.

RECOMMENDATIONS SUMMARY

1. Holy Cross Lutheran Church 12-104586 AC (4315 129th Pl SE)
 - **Staff recommendation:** Include in CPA work program; do not expand geographic scope
 - Proposed map change from Single Family-High to Multifamily-Medium
 - 3-acre site
2. Leggate-Balwada 12-104612 AC (225, 231, 325 and 335 105th Ave SE)
 - **Staff recommendation:** Do not include in CPA work program; do not expand geographic scope
 - Proposed map change from Single Family-High to Multifamily-Medium
 - .94-acre site
3. Banner Bank 12-104617 AC (12433-12443-12453 Bel-Red Rd NE)
 - **Staff recommendation:** Do not include in CPA work program; if included, expand the geographic scope to include adjacent property at 1000 124th Ave NE and 12501, 12505, 12515, 12715, 12721 and 12737 Bel-Red Rd NE (Planning Commission direction focused on 1000 124th Ave NE and 12501, 12505 Bel-Red Rd NE)
 - Proposed map change from Bel-Red Office/Residential Transition to Bel-Red Commercial/Residential
 - 10.91-acre site, if fully geographically expanded; 6.18 acres according to Planning Commission direction
4. Lorge-Benis/Newport Professional 12-104629 AC (4307 and 4317 Factoria Blvd SE)
 - **Staff recommendation:** Do not include in CPA work program; if included, expand the geographic scope to include adjacent property at 4301 Factoria Blvd SE
 - Proposed map change from Professional Office to Community Business
 - .83-acre site, geographically expanded

ADDITIONAL COMMENT

Additional comments received following the May 9 public hearings are attached.

ATTACHMENTS

1. Threshold Review Decision Criteria (LUC 20.30I.140) and Consideration of Geographic Scoping (LUC 20.30I.130.A.1.a.ii)
2. Additional public comments received after the May 9 public hearings

Please bring your copies of the staff reports and other materials including written public testimony provided to the Commission at the May 9, 2012, public hearing to the meeting.

ATTACHMENT 1

20.30I.140 Threshold Review Decision Criteria

The Planning Commission may recommend inclusion of a proposed amendment to the Comprehensive Plan in the Annual Comprehensive Plan Amendment Work Program if the following criteria have been met:

- A. The proposed amendment presents a matter appropriately addressed through the Comprehensive Plan; and
- B. The proposed amendment is in compliance with the three year limitation rules set forth in LUC 20.30I.130.A.2.d; and
- 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
- D. The proposed amendment can be reasonably reviewed within the resources and time frame of the Annual Comprehensive Plan Amendment Work Program; and
- 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:

LUC 20.50.046 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); 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
- 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, other state or federal law, and the Washington Administrative Code; or
- H. State law requires, or a decision of a court or administrative agency has directed such a change.

(ii) Consideration of Geographic Scope

Prior to the public hearing, the Planning Commission shall review the geographic scope of any proposed amendments. Expansion of the geographic scope may be recommended if nearby, similarly-situated property shares the characteristics of the proposed amendment's site. Expansion shall be the minimum necessary to include properties with shared characteristics...

ATTACHMENT 2

Additional correspondence received since the May 9, 2012, public hearings

From: Matz, Nicholas
Sent: Friday, May 11, 2012 8:40 AM
To: Steedman, Janna
Subject: Planning Commission Threshold Review additional public comment #1

From: Gary Jones [<mailto:Gary@newhalljones.com>]
Sent: Wednesday, May 09, 2012 5:15 PM
To: Matz, Nicholas
Subject: 12515 Bel Red Road Property

Nicholas

I thought I would be able to attend this night's meeting but I cannot make it.

I am the owner of the building located at 12515 Bel Red Road.

We would like to be included in the study on the Banner Bank zoning change to BR-CR.

Respectfully

Gary

Gary D. Jones
Gary & Nancy Jones, Family LLC
Newhall, Jones & Stackman LLC
12515 Bel-Red Rd. #201
Bellevue, WA 98005

425-462-8200 v.
425-462-7876 f.
206-227-3950 m.

From: Jeff Byers [<mailto:jeffreypbyers@gmail.com>]
Sent: Thursday, May 10, 2012 12:49 PM
To: Steedman, Janna
Subject: Re: Planning Commissioner Jay Hamlin

Hello Commissioner Hamlin,

During last night's Planning Commission public hearing, you asked me about the following portion of my public comments regarding the Holy Cross Lutheran Church rezoning application:

"One of the primary goals outlined in Bellevue's Factoria Subarea Plan is to protect single family neighborhoods east of Factoria Boulevard and south of Newport Way from encroachment by more intense uses. Holy Cross Lutheran Church is situated in this area and its request to rezone to a Multifamily designation is completely contrary to that established city policy."

My source for that part of my comments can be found on page 2 of the "2012 Annual Threshold Review Recommendation and Consideration of Geographic Scoping Site-Specific Amendment" (http://www.bellevuewa.gov/pdf/land%20use/12-104586-AC_Holy_Cross_Lutheran_Church.pdf):

"The Factoria Subarea Plan establishes goals and policies for established District 1 and District 2. District 1 is mostly residential with policy direction to protect single family neighborhoods from encroachment by more intense uses (Policy S-FA-2). District 2 is largely commercial and multifamily with policy direction that encourages a mix of uses (Policy S-FA-29). District 2 is located generally on either side of Factoria Way from I-90 south to Newport Way. St. Margaret's Church, located north of Newport Way, is within District 2. Holy Cross Church, located south of Newport Way, is within District 1."

Thank you for your time and dedicated service to the City of Bellevue.

Sincerely,
Jeff Byers

May 6, 2012

James H. Sanderson

2650 148th Avenue SE, Suite 202

Bellevue, WA 98007

425.443.5063 (cell)

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In Re: Holy Cross Lutheran Church Proposed Bellevue Comprehensive Plan Amendment
& Rezone Application

Bellevue Planning Commission:

Stephen Norman, Executive Director, King County Housing Authority states “Housing is the first thing. You can’t deliver health care. You can’t make sure kids succeed in school until they have a safe, secure home. So it all starts with housing¹.”

According to the Committee to End Homelessness King County (CEHKC), the high cost and shortage of affordable housing is one of the causes for Homelessness.

Indeed, CEHKC states “It is difficult, if not impossible, for low-income individuals and families to find affordable housing in King County. Less than one percent of apartments in King County are affordable to households earning less than 30 percent of median income (\$25,700 for a family of four). The average rent plus utilities for a two-bedroom unit in...Bellevue it is \$1,502².”

In Bellevue’s 2011 – 2012 Needs Update (2012 NU) under The Continuing Impact of the Economic Recession (p.45) it states, “The quality and stability of the housing we live in is a critical element to our health and well-being. Families that lack access to stable, affordable, safe and clean housing are more likely to experience stress and depression, be exposed to unsafe environmental conditions (e.g., mold), and are more likely to be displaced or end up Homeless.”

The 2012 NU also states, “The City of Bellevue reports that 2009 production of low- and moderate-income housing units was low compared to its targets. In 2009, only 9 low-income units (publicly subsidized) and 3 moderate income units (publicly subsidized), well below the target of 110 low and 78 moderate income units per year.

This is attributable to a market slowdown in housing production, high housing costs presenting a challenge for non-profit housing developers, and for-profit developers not

taking advantage of the City's voluntary incentive program for low- and moderate-income housing unit production.³”

Furthermore the 2012 NU states, “The Washington State minimum wage is \$8.67/hour in 2011. Statewide, to afford a two-bedroom apartment without spending more than 30% of their income on housing, a household had to earn \$19.10 on average. In the Seattle-Bellevue area, that estimated figure is \$22.62.³”

What Homeless or low-income person is earning this wage?

The 2012 NU continues to say in its Implications For Action, “While governments, foundations, and service providers accept that Housing First and rapid re-housing are effective for segments of the Homeless population, service providers attending the Committee to End Homelessness charrette process (April 2011) noted that across the county ***there are not enough available housing units in the service system to shelter the thousands of unsheltered Homeless.**”

This is evidenced in the volume of individuals seen at the Eastside Winter Shelter and the 226 individuals who sought a roof overhead on the Eastside from November 2010 to March 2011. This reinforces the ongoing need for interim housing and shelter coupled with client engagement, until such a time as the Homeless housing system has sufficient unit production and maintenance to meet the existing need³.”

For Homeless and at-risk veterans it is said that there is an estimated gap of 610 – 770 units with the gap expected to increase as more veterans return from current conflicts (2012 NU, p. 174).

The Eastside Homelessness Advisory Committee calls for significant increases in prevention strategies and an additional 636 units of permanent supportive housing for single adults, 831 units for families, and 71 units for youth (2012 NU, p. 58).

The Homeless are not the only ones in need of affordable housing! According to the 2012 NU, a collaboration of five public agencies, including housing authorities, King County and the City of Seattle found that the need for affordable housing for the growing “tidal wave” of older adults was found to greatly surpass the supply. It is estimated that more than 900 additional units per year will be needed in King County until 2025 (2012 NU, p. 120).

According to The Seattle Foundation, in 2012 it is projected that Hopelink will turn away nearly 900 Homeless families due to the lack of housing⁴.

Clearly the immediate need for more affordable housing units in Bellevue and King County is at a critical stage.

As I see it, Holy Cross Lutheran Church is courageously stepping up to meet the critical need for more affordable housing in Bellevue.

All people want the same things in life: security, a chance to be productive citizens, an opportunity to grow and for their children to grow up healthy. We have learned what it takes to do that: healthy communities.

In closing, I sincerely believe that Holy Cross is committed to work with both the city and neighbors to meet the needs of all concerned. I ask that you completely support Holy Cross Lutheran Church in their efforts to provide Bellevue citizens with more affordable housing by approving the proposed Bellevue Comprehensive Plan Amendment & Rezone Application they have submitted.

Thank you for your time.

James H. Sanderson

¹(source: <http://www.cehkc.org/plan10/video.aspx>)

²(source: <http://www.cehkc.org/scope/causes.aspx#1>)

³(source: 2011 -2012 Human Services Needs Update, P. 60-62)

⁴(source: <http://www.seattlefoundation.org/npos/Pages/Hopelink.aspx>)

***(emphasis added)**

From: Lewine, Janet
Sent: Wednesday, May 09, 2012 2:39 PM
To: Lillian Yuen
Cc: Matz, Nicholas
Subject: RE: Holy Cross Public hearing

Ms. Yuen,

Thank you for your interest. I am attaching a link [here to the Planning Commission materials](#) for this evening, including the Agenda. The meeting begins at 6:30 p.m., and there will be a sign-up sheet near the door for those who wish to speak during the public hearing. We estimate that the public hearing for the Holy Cross Lutheran Church Comprehensive Plan Amendment (CPA) will start about 7 p.m.
Janet

Janet Lewine

Associate Planner
City of Bellevue Department of Planning & Community Development
(425) 452-4884
jlewine@bellevuewa.gov

From: Lillian Yuen [<mailto:lillianyuen@kw.com>]
Sent: Wednesday, May 09, 2012 2:12 PM
To: Lewine, Janet
Subject: Holy Cross Public hearing

Hello,

I am interested to make a oral comment for today's hearing regarding the Holy Cross Lutheran Church.

Lillian Yuen
Keller Williams Realty SES
560 Naches Ave SW Ste 100
Renton, WA 98055
mobile: 206-849-8286