



DATE: March 7, 2012

TO: Chair Turner and the Bellevue Planning Commission

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SUBJECT: 2012 Annual Comprehensive Plan Amendments (CPA) List of Initiated Applications – March 14, 2012, Planning Commission Study Session

The city received four requests for amendments in the annual Comprehensive Plan amendment application period (December-January) for 2012. A complete list of the applications is included as Attachment 1. This memo combines introducing the application to the Commission with the initial review required to set the geographic scope for site-specific CPA applications.

After the presentation at the study session, staff seeks direction on 1) whether or not to consider expansion of the geographic scope of the applications; 2) a Threshold Review public hearing date; and 3) any additional questions that the Commission would like information on prior to or at the upcoming hearing. A staff report and recommendation responding to the Threshold Review criteria (Attachment 4) will be available in advance of the public hearing.

### **ANNUAL COMPREHENSIVE PLAN AMENDMENT PROCESS**

The city's annual process includes evaluation and review steps referred to, respectively, as Threshold Review and Final Review. Each involves examination of decision criteria and a Planning Commission public hearing and recommendation. The purpose of Threshold Review is to evaluate proposals for inclusion in the annual CPA work program. Final Review then recommends on the merits of each proposed application. The four steps of the annual CPA process consist of:

#### Threshold Review

1. Planning Commission study sessions and public hearing to recommend whether initiated proposals should be considered for Comprehensive Plan amendment (February-April).
2. City Council action on Planning Commission recommendations to establish the annual work program (spring).

#### Final Review

3. Planning Commission study sessions and public hearing to consider and recommend on proposed Comprehensive Plan Amendments (summer/fall).
4. City Council action on Planning Commission recommendations to adopt amendments (fall).

## COMPREHENSIVE PLAN AMENDMENT REQUESTS

### 1. **Holy Cross Lutheran Church** 12-104586 AC

Subarea: Factoria  
Address: 4315 129<sup>th</sup> Pl SE  
Applicant: Holy Cross Lutheran Church

#### Background

This privately-initiated application includes property bounded by Factoria Boulevard, Newport Way, and [gains access from] 129<sup>th</sup> Pl SE.

This privately-initiated application would amend the map designation on this 3-acre site from SF-H (Single Family-High) to MF-M (Multifamily-Medium). This site is currently a church. If the CPA were adopted the site could then be rezoned to allow multifamily redevelopment at a density of up to twenty units per acre (R-20). The applicant's stated purpose is to allow development of approximately 40-50 affordable connected dwelling units. There is a concurrent rezone application as well. See Attachment 2.

The Goals for the Factoria Subarea Plan are two-pronged, intending to preserve and maintain a natural setting for residential areas (generally District 1) and to manage change in the commercial area (generally District 2) to improve it and with the goal of a mixed use urban neighborhood in the commercial core.

#### Geographic scoping

The Land Use Code states that expansion of the geographic scope is recommended for a site-specific proposal if nearby, similarly-situated property shares the characteristics of the proposed amendment site. Expansion shall be the minimum necessary to include properties with shared characteristics.

Staff does not recommend expansion of the geographic scope of the proposed Holy Cross Lutheran Church CPA.

Religious institutions in Bellevue have typically, though not exclusively, been designated single-family residential. The Holy Cross site is bounded by single-family residential and the streets that serve them. While the residential designation has often been shared with nearby housing, church uses and residential uses are distinctive and lack the shared characteristics necessary to expand the geographic scope of this proposal.

### 2. **Leggate-Balwada** 12-104612 AC

Subarea: Southwest Bellevue  
Address: 225, 231, 325 and 335 105<sup>th</sup> Ave SE  
Applicant: John Leggate, Ravi and Rakha Balwada, AR Whelpley

### Background

This privately-initiated application includes four of the six single family properties on the west side of 105<sup>th</sup> Ave SE, between multifamily development on the north and the access road (Wolverine Way) to Bellevue High School on the south. The Downtown boundary is approximately 500 feet north of this application past other multifamily, professional office, and office designations.

This privately-initiated application would amend the map designation on this total of 0.94-acres from SF-H (Single Family-High) to MF-M (Multifamily-Medium). This site is currently four residential properties. If the CPA were adopted the site could then be rezoned to allow multifamily redevelopment at a density of up to twenty units per acre (R-20). There is a concurrent rezone application as well. See Attachment 3.

The Land Use Goals for the Southwest Bellevue Subarea Plan seek to provide for land use patterns and densities that minimize conflicts, protect and maintain single family neighborhoods, maintain a variety of residential areas of different densities and housing for a wide range of opportunities, and preserve residential land uses at the entrance to neighborhoods.

This application site is on the western border edge of a larger single family neighborhood generally between 105<sup>th</sup> Ave NE and 108<sup>th</sup> Ave NE. The neighborhood is a mix of older and newer single family housing, and gains its access through multifamily development areas. There is a distinct and substantial topographic break between the application site and the commercial properties fronting Bellevue Way. Although 105<sup>th</sup>, 106<sup>th</sup> and 108<sup>th</sup> Avenues provide direct access to the Downtown from this neighborhood, the presence of Bellevue High School prevents the neighborhood from feeling the impact of pass-through traffic.

### Geographic scoping

Staff does not recommend expansion of the geographic scope of the proposed Leggate-Balwada CPA.

The property is similarly situated both to the other single family adjoining it to the south and across 105<sup>th</sup> as well as the other single family houses in the neighborhood. It is equally situated as well to the multifamily housing to the north and west which also shares this neighborhood with the single family. Because of this mutuality there is no credible stopping line if geographic expansion were contemplated to the south and east of the application site. This suggests there are no shared characteristics near the application site that warrant expansion of the geographic scope.

### **3. Banner Bank**      12-104617 AC

Subarea:            Bel-Red  
Address:           12433-12443-12453 Bellevue-Redmond Road NE  
Applicant:        Robert Sternoff

### Background

This privately-initiated application includes three office properties on the south side of Bel-Red Road across from the Coca-Cola plant. The properties gain access both from Bel-Red Road on

the north, and from NE 10<sup>th</sup> Pl on the south. The properties' southern boundary is coterminous with the southern boundary of the Bel-Red Subarea.

This privately-initiated application would amend the map designation of this total of 2.61-acres from BR-ORT (Bel-Red Office/Residential Transition) to BR-CR (Bel-Red Commercial/Residential). The site is currently three office buildings. If the CPA were adopted the site could then be rezoned to allow Bel-Red commercial redevelopment at an intensity of up to 2.0 FAR. There is a concurrent rezone application as well. See Attachment 4.

It is the Goal of the Bel-Red Subarea Plan to develop a sustainable urban development pattern that dramatically reshapes the future of the Subarea, while allowing it to transition gracefully from its past.

#### Geographic scoping

Staff suggests the Planning Commission consider the expansion of the geographic scope of the proposed Banner Bank CPA.

This site is similarly situated both to property to the west of it and the two properties to the east of it in this particular area south of Bel-Red Rd. Policy S-BR-93 speaks directly to this situation:

**Policy S-BR-93:** Provide for a mix of office and housing in this area, with low-intensity buildings of one or two stories serving as an appropriate buffer between the uses north of Bel-Red Rd and the single family residential neighborhoods to the south. While office should remain a focus, housing in this area is also a suitable transition use.

That is, the application site and adjacent properties fulfill this purpose but are themselves a buffer to Professional Office and Office-designated properties to the south. There are single family and multifamily areas subject to buffering under S-BR-93 located east of the geographically-expanded site. This suggests there are shared characteristics near the application site that are not adjacent to single family areas that warrant expansion of the geographic scope.

#### 4. **Lorge-Benis**      12-104629 AC

Subarea:            Factoria  
Address:           4307 and 4317 Factoria Blvd SE  
Applicant:        Dr. John P. Lorge and Christopher Benis

#### Background

This privately-initiated application would amend the map designation on this two-parcel, .62-acre site from PO (Professional Office) to CB (Community Business) with attached development conditions proposed by the applicant that would a) prohibit retail uses on a ground floor office level of redeveloped buildings, and b) require an affordable housing component in the allowed residential uses.

The proposal site currently consists of small office buildings on each of the two parcels. The third parcel in the northwest corner of this small group of offices contains a dentist, but is not

part of the application. If the CPA is adopted, the site could be rezoned to allow the range of uses permitted in the CB zone. See Attachment 5.

CPA applications for this site were made in 2008 and 2009. In 2008 the Planning Commission expanded the geographic scope of the proposal to include the third and separately-owned office building in this cluster.

The application was withdrawn prior to City Council action on the Planning Commission's Threshold Review recommendation in both 2008 and 2009. The timing of the withdrawal prior to Council action means that it did not invoke the 3-year limit on repeating CPA applications.

#### Geographic scoping

Staff suggests the Planning Commission consider the expansion of the geographic scope of the proposed Lorge-Benis CPA.

If this proposal is included in the 2012 work program, expansion of the geographic scope of the proposal should include the third and separately-owned medical office parcel at 4301 Factoria Boulevard. This third parcel that makes up this PO area is similarly situated and shares characteristics of access, use, and dimensional redevelopment issues.

#### **City-initiated CPAs**

Last year, the City Council initiated an amendment to provide policy support and clarity regarding public involvement during the City's master planning processes. This amendment is associated with the update to the City's Shoreline Master Program and therefore is continuing to be developed. This master planning process amendment is anticipated to be part of the 2012 work program.

#### **PLANNING COMMISSION ACTION**

The Planning Commission is requested tonight to reach a consensus on the extent of the expansion of the geographic scope of the applications, and then to establish a Threshold Review public hearing date. Staff proposes scheduling the Threshold Review public hearing for May 9, 2012. Finally, please direct to staff any additional questions or issues to address. Staff will include them in the staff report and recommendation responding to the Threshold Review criteria. That report will be available in advance of the public hearing.

#### **ATTACHMENTS**

1. 2012 List of Initiated Annual CPAs
2. Holy Cross Lutheran CPA location map
3. Leggate-Balwada CPA location map
4. Banner Bank CPA location map
5. Lorge-Benis CPA location map
6. Threshold Review criteria including expansion of geographic scope



**2012 Annual Comprehensive Plan Amendments  
List of Initiated Applications**

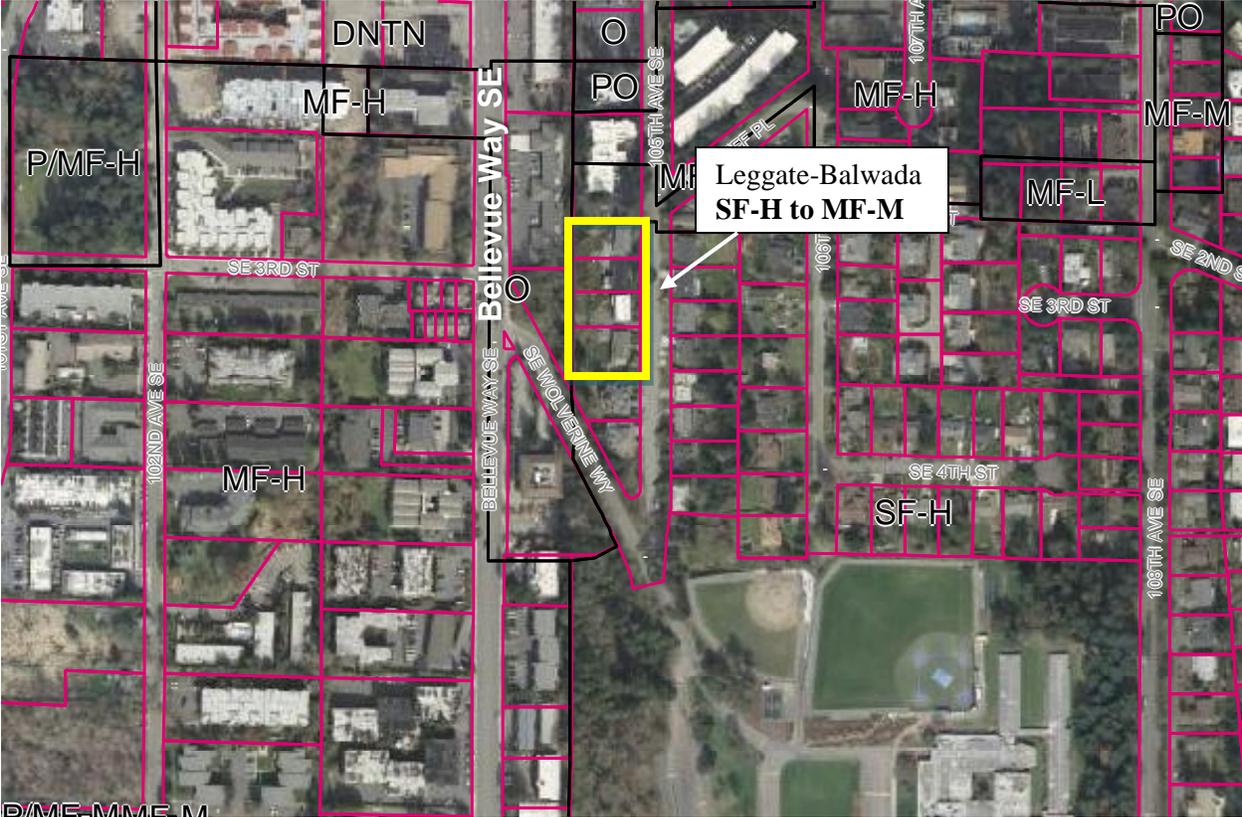
<i>CPA number (AC)</i>	Proposal <i>Subarea</i>	Applicant
<p><b>Holy Cross Lutheran Church</b> <i>12 – 104586 AC</i></p>	<p>Map change of 3 acres from SF-M (Single Family-Medium) to MF-M (Multifamily-Medium) <b>4315 129<sup>th</sup> Pl SE</b> <i>Factoria</i></p>	<p>Wimberly</p>
<p><b>Leggate-Balwada</b> <i>12- 104612 AC</i></p>	<p>Proposed map change of .94 acres from SF-H (Single Family – High) to MF-M (Multifamily Medium) <b>225, 231, 325 and 335 105<sup>th</sup> Ave SE</b> <i>Southwest Bellevue</i></p>	<p>Leggate Balwada</p>
<p><b>Banner Bank</b> <i>12- 104617 AC</i></p>	<p>Proposed map change of 2.61 acres from BR-ORT (Bel-Red Office/Residential Transition) to BR-CB (Bel-Red Commercial/Residential) <b>12433-12443-12453 Bellevue-Redmond Road NE</b> <i>Bel-Red</i></p>	<p>Robertson</p>
<p><b>Lorge-Benis</b> <i>12 – 104629 AC</i></p>	<p>Proposed map change of .62 acres from PO (Professional Office) to CB (Community Business) <b>4307 and 4317 Factoria Blvd SE</b> <i>Factoria</i></p>	<p>Lorge Benis</p>

ATTACHMENT 2



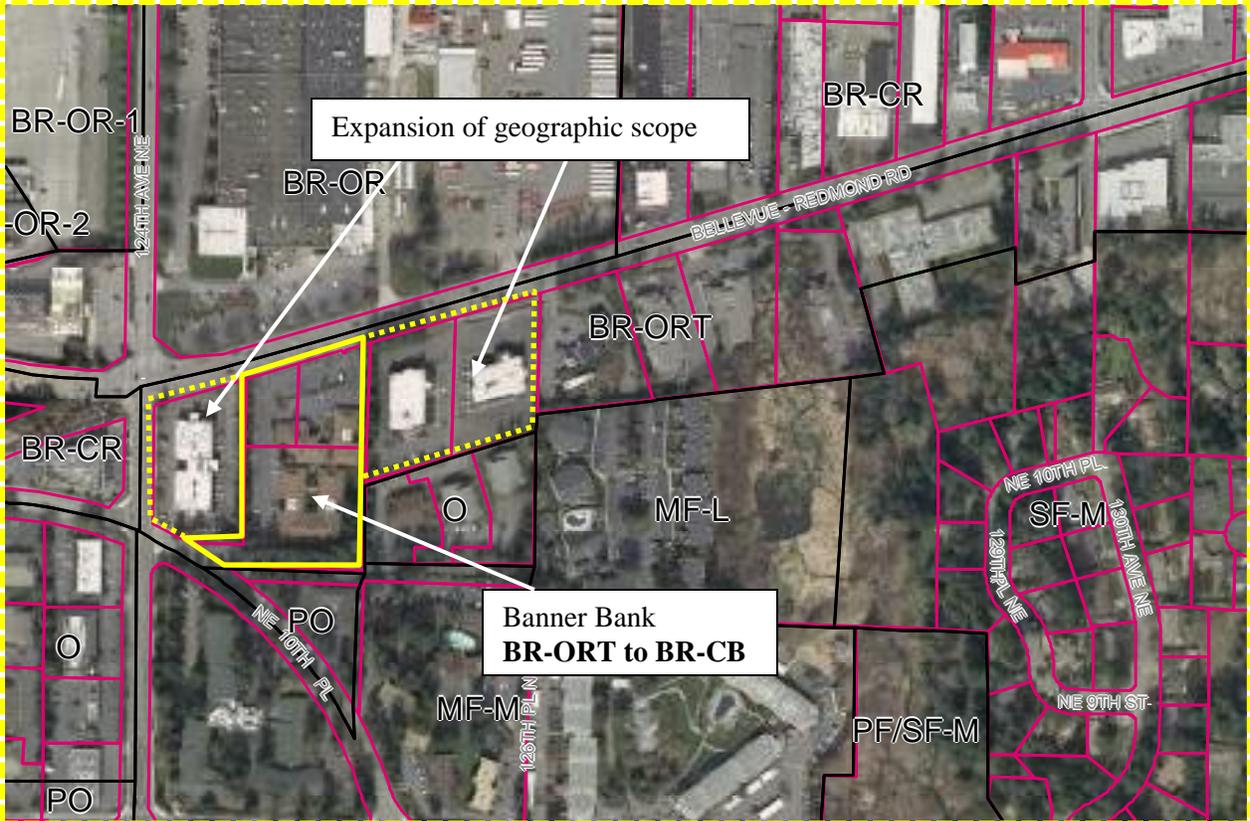
Holy Cross Lutheran Church CPA  
4315 129<sup>th</sup> Pl SE

ATTACHMENT 3



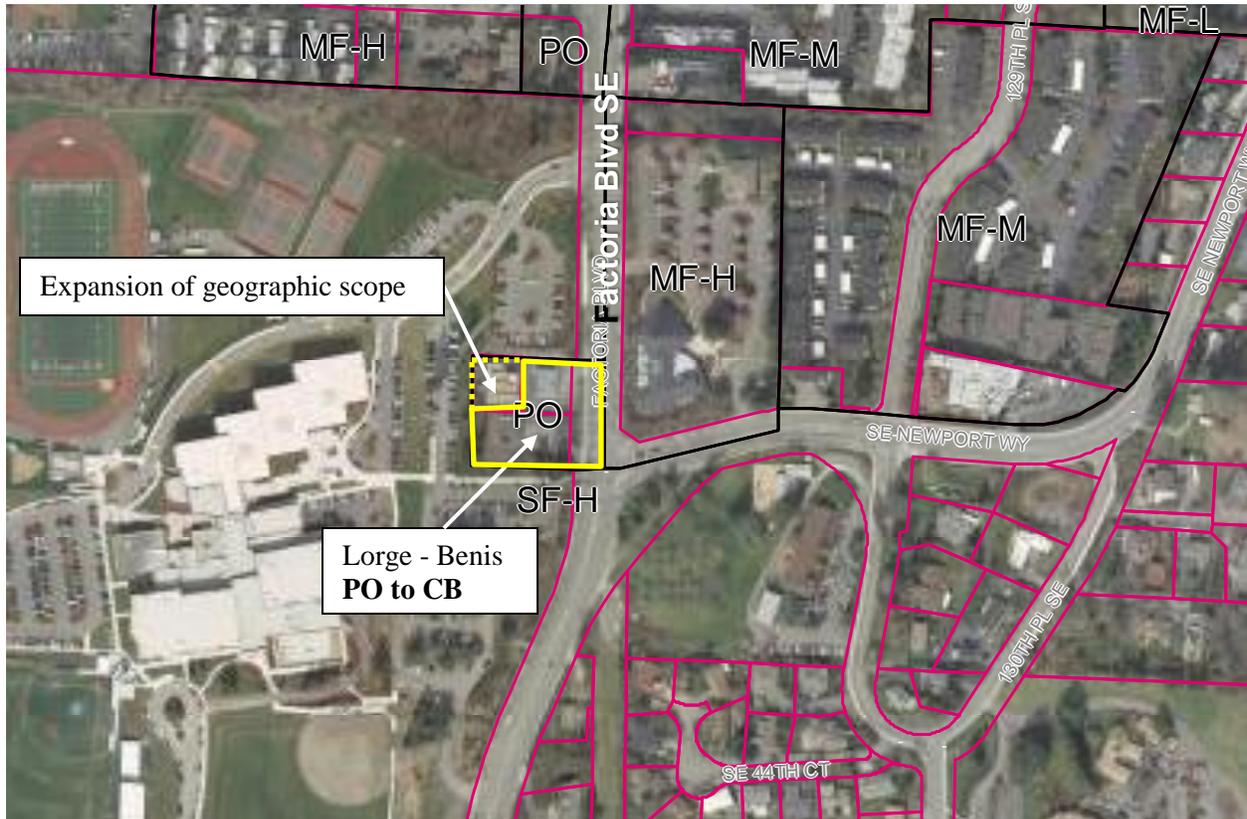
Leggate-Balwada CPA  
225, 231, 325 and 335 105<sup>th</sup> Ave SE

ATTACHMENT 4



Banner Bank CPA  
12433-12443-12453 Bellevue-Redmond Road NE

ATTACHMENT 5



Ren-Fu CPA  
1112-1114 Bellevue Way SE

## ATTACHMENT 6

### **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...