

City of
Bellevue



MEMORANDUM

DATE: December 5, 2007

TO: Chair Robertson
Members of the Planning Commission

FROM: Paul Inghram AICP, Comprehensive Planning Manager 452-4070
pinghram@bellevuewa.gov

SUBJECT: Public Hearing for Comprehensive Plan Amendment for the Wilburton/NE 8th St. Corridor Study (03-100826 AC)

On December 12, 2007 the Planning Commission will conduct a public hearing to receive testimony related to a Comprehensive Plan Amendment (CPA) for the Wilburton/NE 8th St. Corridor Study.

BACKGROUND

This city-initiated Comprehensive Plan Amendment (CPA) proposes map and policy amendments as described generally below:

- Amend the Subarea Plan to identify and support the vision for the commercial area, recognizing the Wilburton area as appropriate for a range of commercial services, such as those that complement Downtown, auto sales, convenient shopping for the adjacent neighborhoods, and mixed use opportunities.
- Support making both auto and motorcycle sales a permitted use along both sides of 116th Avenue south of NE 8th St whether zoned GC or CB to encourage continued use of this area as "Auto Row."
- Recognize a height limit of up to 75 feet along 116th Avenue between I-405 and the BNSF corridor, and between NE 8th Street and SE 1st Street as appropriate for the area. A 75-foot height limit already applies to a portion of this area along I-405.
- Support the long term development of a "retail village" at the edge between the commercial and residential areas along 120th Avenue. Amend the Comprehensive Plan map designation for approx. 36 acres west of 120th Ave NE between NE 8th and about NE 4th and on the east side of 116th Ave NE from about NE 4th to SE 1st Streets from General Commercial (GC) to General Commercial/Community Business (GC/CB).
- Consider future amendments to support appropriate transit and pedestrian oriented development if Sound Transit proposes a light rail transit station at NE 8th Street or near Lake Bellevue or pedestrian access to the Bellevue Transit Center is provided across I-405.
- Encourage new mixed use developments in the subarea to include housing that is affordable to a range of households.
- Recommend transportation improvements, including:
 - Extension of NE 4th Street from 116th to 120th Avenues to improve local circulation, commercial access, and system connectivity. Delete the portion of Wilburton Subarea Policy S-WI-17 prohibiting the extension of NE 4th Street east of 116th Ave NE.

- Traffic calming techniques to NE 5th Street between 120th and 124th Avenues.
- A new NE 6th Street transportation street and corridor to connect from the 112th Street to 120th Avenue NE. Such a corridor should include an HOV connection from the I-405 interchange to 120th Avenue, pedestrian and bicycle facilities, and general purpose access between the BNSF corridor and 120th Avenue.
- Streetscape improvements which include improved sidewalks, street trees, lighting, and landscape medians in select locations.

The November 21, 2007 staff report provides additional background information, discusses the public notice process, and analyzes the consistency of the proposal with the Comprehensive Plan Amendment decision criteria. Please **bring the November 21 staff report** to the December 12 Planning Commission public hearing.

PUBLIC COMMENT

The Bellevue City Council initiated the Wilburton/NE 8th Street corridor study in 2003. The Medical Institution amendments addressed the portion of the original study area north of NE 8th Street. The Wilburton/NE 8th study was then modified to include only the area south of NE 8th and restarted in 2005.

City staff worked with the Planning Commission, stakeholders, and the adjacent neighborhood to review alternatives approaches to meet the study's objectives, including a number of Planning Commission meetings held in 2006.

A CPA public hearing was held with the Planning Commission on January 17, 2007, after which the Planning Commission recommended approval of the draft amendments to the City Council. At about the same time as the hearing, KG Investments commented on the draft amendments and proposed several alternative options. Rather than act on the Planning Commission's recommendation, the City Council directed the staff to work with KG Investments and for the Planning Commission to conduct an additional public hearing to allow sufficient public review of the changes proposed by KG Investments.

Since that time, staff has worked with KG Investments to better understand their development interests and to discuss potential revisions to the draft amendments. This staff report recommends amendments that have been modified from those considered at the January 17, 2007, hearing in response to that dialog.

At the time of the January 17, 2007, public hearing on the draft amendments one citizen, a representative of Mutual Materials, and a representative of KG Investments each asked for additional information, which was supplied. KG Investment commented at the public hearing to encourage an increase of height limits to 75 feet, which they feel would support better designed mixed use developments.

Following the January 17, 2007, public hearing and Planning Commission recommendation, staff received one comment opposed to proposed policy S-WI-4 that identifies a special opportunity area adjacent to I-405. They state: "We do NOT need a large civic, institutional or cultural facility (including a sports arena) in Wilburton!" citing the lack of adequate transportation infrastructure.

As noted above, KG Investments continued to comment to staff and the City Council following the January 17, 2007, public hearing with concerns regarding several issues. Following Council direction to spend additional time on this project and to allow for additional public review, staff met with KG Investments a number of times to review potential alternatives to the January 17, 2007, recommendation. KG Investments continued to offer comments during 2007 Planning Commission study sessions where the Wilburton CPA was on the agenda.

STAFF RECOMMENDATION

As detailed in the November 21 staff report, this proposal satisfies the decision criteria for a Comprehensive Plan Amendment. Following the December 12 public hearing and consideration of the public comment and analysis in the staff report, staff recommends **APPROVAL** of the proposed Comprehensive Plan Amendment.

PLANNING COMMISSION ACTION

We request that you conduct and close the public hearing, discuss the proposal, ask questions of staff and reach a recommendation.

ATTACHMENT

1. Public comment
2. Letter from McCollough Hill PS (applicant representative) dated 11/28/07

Public Comments

Inghram, Paul

From: Inghram, Paul
Sent: Monday, November 26, 2007 9:46 AM
To: 'Amster, Glenn'
Subject: RE: Wilburton/NE 8th Street Study Returns to the Planning Commission

Hi Glenn,

Correct, the proposed area for the future rezone is north of the extended NE 4th Street, where it is east of BNSF. West of BNSF, it includes an area that goes south to SE 1st Street. In other words, the proposed area excludes the Home Depot site. This would avoid applying the potential 100,000 SF use limitation to Home Depot.

Let me know if you have any other questions about the proposal.

Paul Inghram, AICP

Comprehensive Planning Manager
City of Bellevue
P.O. Box 90012
Bellevue, WA 98009-9012
(425) 452-4070 - work
(206) 920-3890 - cell
(425) 452-5247 - fax

From: Amster, Glenn [mailto:AmsterG@LanePowell.com]
Sent: Monday, November 26, 2007 9:29 AM
To: Inghram, Paul
Subject: RE: Wilburton/NE 8th Street Study Returns to the Planning Commission

Thank you for the message. My understanding is the zoning change is going to affect the properties NORTH of NE 4th extended. If I am mistaken, please let me know immediately.

Glenn Amster



Shareholder
Lane Powell PC
1420 Fifth Avenue, Suite 4100
Seattle, WA 98101-2338
Direct: 206.223.6241
Cell: 206.954.4585
www.lanepowell.com

From: PInghram@bellevuewa.gov [mailto:PInghram@bellevuewa.gov]

11/26/2007

Sent: Wednesday, November 21, 2007 4:41 PM

Subject: Wilburton/NE 8th Street Study Returns to the Planning Commission

Wilburton/NE 8th Street Study Returns to the Planning Commission

This message is being sent to those who previously expressed interest in the city of Bellevue's Wilburton/NE 8th Study.

On November 28 the Planning Commission will resume their review of proposed Comprehensive Plan amendments for the Wilburton/NE 8th Street commercial corridor. Additionally, a public hearing on the proposed amendments is scheduled for December 12, 2007, at 7:00 p.m. at the regular Planning Commission meeting.

The proposed amendments seek to address the changing economics of Bellevue's Auto Row and the surrounding Wilburton commercial area with the intent of encouraging appropriate reinvestment as the area evolves.

Over the last several years, the Wilburton commercial area has seen a number of changes including auto dealerships moving into and out of the area, the relocation of City Hall, and the development of the new Overlake and Group Health hospital buildings. The Wilburton commercial area will continue to experience changes as land values rise.

The proposed amendments identify and support the vision for the Wilburton commercial area as a place that includes retail auto sales, commercial uses that complement downtown Bellevue, additional community-oriented retail services, and the opportunity for new mixed-use developments.

The key land use recommendation is to support a future rezone from General Commercial (GC) to Community Business (CB) for an area between 116th Avenue and 120th Avenue that includes the old Dodge and Chrysler dealership sites, Best Buy, the school district bus area, and other parcels. CB generally is more oriented towards businesses that serve the surrounding community, such as grocery stores and drug stores and mixed use developments, than the more broad array of commercial activity allowed in GC.

Under the proposed policies, the change in zoning would occur as NE 4th Street is extended from 116th Avenue to 120th Avenue to increase access and connectivity in the area. Traffic calming is proposed on NE 5th Street to minimize the potential for related cut-through traffic impacts. As revised, the policies would support developing the NE 4th Street connection in a phased manner synchronized with adjacent redevelopment.

The recommendations also call for extending the HOV interchange at NE 6th Street from I-405 to the east to enhance the transit network and to improve the connection between the Bellevue Transit Center and transit hubs located to the east. The NE 6th Street extension would include pedestrian and bicycle facilities from 112th Avenue to 120th Avenue and general vehicle access for the properties east of the BNSF railroad tracks.

The current recommendation includes support for future planning for transit oriented development opportunities if a light rail station is located at NE 8th Street, which replaces a

previous recommendation for a "special opportunity area" adjacent to I-405.

For more information about the Wilburton/NE 8th Street study, or to not receive future notices, please contact Paul Inghram, Comprehensive Planning Manager, at 425-452-4070 or pinghram@bellevuewa.gov.

This message is private or privileged. If you are not the person for whom this message is intended, please delete it and notify me immediately, and please do not copy or send this message to anyone else.

Please be advised that, if this communication includes federal tax advice, it cannot be used for the purpose of avoiding tax penalties unless you have expressly engaged us to provide written advice in a form that satisfies IRS standards for "covered opinions" or we have informed you that those standards do not apply to this communication.

Inghram, Paul

From: Inghram, Paul
Sent: Friday, November 16, 2007 8:43 AM
To: 'William/Sheila Mattick'
Subject: RE: Wilburton/NE 8th Study

Yes, I would be glad to! In fact, the city has decided to move ahead with a revised recommendation for the Wilburton/NE 8th Street study. Both the Wilburton/NE 8th Street study and the extension of NE 4th are scheduled for a public hearing on December 12. We anticipate having a Planning Commission study session on the Wilburton/NE 8th Street study on November 28. I'll write up a short statement on the status of the projects and an announcement of the hearing and get that to you early next week. I'll also seek to post the revised recommendation online soon.

Thanks Bill.

Paul Inghram, AICP
Comprehensive Planning Manager
City of Bellevue
P.O. Box 90012
Bellevue, WA 98009-9012
(425) 452-4070 - work
(206) 920-3890 - cell
(425) 452-5247 - fax

-----Original Message-----

From: William/Sheila Mattick [mailto:mattick1@gmail.com]
Sent: Friday, November 16, 2007 8:34 AM
To: Inghram, Paul
Subject: Wilburton/NE 8th Study

Paul

The Wilburton Community Association newsletter will be published in early December. Our copy deadline is the weekend of 24-25 November. We'd like to include an update on the Wilburton/NE 8th Study. Would it be possible for you to send me an email next week on the current status of the study, including the NE 4 extension action?

Bill Mattick

McCullough Hill, PS

MEMORANDUM

TO: Bellevue Planning Commission

FROM: Jack McCullough

DATE: November 28, 2007

RE: Wilburton Subarea Plan
KG Investments Issues

As we discussed earlier in 2007, KG Investment Management has assembled various land parcels critical to the implementation of the NE 4th Street extension and the ultimate redevelopment of the northern portion of the Wilburton subarea. As part of this redevelopment vision, we identified several recommended changes to the Wilburton Subarea Plan, which the Planning Commission recommended earlier this year.

After further deliberation, it became apparent that additional discussion and review would be required to address the redevelopment planning issues associated with the area east of the BNSF tracks. However, there remained broad consensus regarding approval of a set of planning and zoning changes to the separate area west of the BNSF tracks.

KG Investments has continued to work with City staff on the planning and development issues relating to the area east of the BNSF tracks through 2007. We recognize, however, that these issues are more likely to be addressed in the 2008 planning process.

In the meantime, the Planning Commission is considering Comprehensive Plan amendments that will lay the groundwork for future CB zoning in this portion of the Wilburton Subarea. We wanted to take this opportunity to remind the Commission that there are planning issues relating to the area west of the BNSF tracks that are uncontroversial, have been supported by the Commission in the past and are suitable for adoption at this time. Those issues are:

- Allowance of 75' heights in the future CB-zoned area west of the BNSF tracks.
- Allowance of retail stores larger than 100,000 s.f. in the future CB-zoned area west of the BNSF tracks.
- Inclusion of tax parcel no. 3325059151, located just north of the future NE 4th Street right-of-way (west of the BNSF tracks) in the future CB-zoned area (instead of in the "Special Opportunity Area").

Although issues relating to the area east of the BNSF track will await resolution in 2008, we strongly encourage the Commission to adopt and endorse the above-listed three measures in the current 2007 Comprehensive Plan amendment process.

In addition, we would appreciate an affirmation from the Commission that the remaining “east of tracks” issues will be addressed in 2008, since timely development of the NE 4th Street extension will depend upon this timing. We expect all NE 4th- related issues (including phasing of street construction and zoning implementation) will be addressed in a Development Agreement with the City early in 2008.

We appreciate this opportunity to provide input to the Commission. For your reference, we have attached a copy of the last memorandum we presented to the Commission earlier this year identifying pending issues. We have red-lined the memorandum to reflect the action plan identified in this memorandum.

KG Investments

Wilburton Subarea Proposals

March 14, 2007 Proposals
Revised November 27, 2007

Issue 1: Provide for 75' Height West of BN Tracks

Issue: Amend the height provisions for the area to be rezoned to CB west of BN tracks to permit 75-foot maximum heights, recognizing the topography of the area and the presence of 75-foot OLB zoning across 116th Avenue NE to the west.

Comment: This western portion of the CB-rezone area lies some 55 feet below the grade of the BN corridor and properties fronting 120th Avenue NE to the east, thereby ensuring that additional height will not result in view impacts. A 75-foot height for this area is consistent with the 75-foot OLB zoning across the street to the west. Further, this area will be disproportionately burdened by the loss of land area from the need to dedicate the new NE 4th Street corridor, and additional height will help to compensate for this loss of land area.

Action: Amend the Land Use Code to permit greater height in this location.

11/28/07 Action: Continue to support this amendment, which is not controversial.

Issue 2: Phase the Implementation of the CB Rezone East and West of BN Tracks, Based on Respective Build-Out of NE 4th

Issue: The City should phase the rezone of the CB area concurrent with the construction of an extension of NE 4th Street (project #582), as follows: the portion of the area west of the BN corridor should be rezoned to CB concurrent with street construction west of the BN corridor; the portion of the area east of the BN corridor should be rezoned to CB concurrent with completion of the NE 4th extension to 120th Avenue NE..

Comment: Phasing of the CB rezone will allow for the practical development of the NE 4th connection as sites become available. The "all-or-nothing" approach may be preferred in an ideal world, but in reality it makes development of the connection more unlikely.

Action: Amend Policy S-WI-3 as follows:

POLICY S-WI-3. Designate the area west of 120th Avenue NE between NE 8th and NE 2nd Streets, and on the east side of 116th Avenue from about NE 4th to SE 1st Streets General Commercial/Community Business (GC/CB). Without access improvements, the area is appropriate for General Commercial uses. The City shall rezone this area to CB concurrent with the construction of an extension of NE 4th Street (project #582), which will increase access to the area, as follows: the portion of the area west of the BN corridor shall be rezoned to CB concurrent with street construction west of the BN corridor; the portion of the area east of the BN corridor shall be rezoned to CB

~~concurrent with completion of the street extension to 120th Avenue NE. At such time an extension of NE 4th Street (project #582) is constructed to increase access to the area, Community Business uses are appropriate and the city may process a rezone to CB.~~

11/28/07 Action: Defer this issue to consideration with NE 4th Street Development Agreement in early 2008.

Issue 3: Add One More Parcel on NE 116th to the CB-Rezone Area

Issue: Modify the boundary of the Special Opportunity Area to exclude Tax Parcel No. 3325059151. Include this parcel in the CB-rezone area.

Comment: This parcel needs to be included in the CB-rezone area in order to provide a development site of adequate size and depth north of the to-be-constructed NE 4th Street corridor. Without this parcel, the single lot north of future NE 4th Street is too small and narrow to provide adequate development alternatives.

Action: Modify the Subarea map boundaries as indicated.

11/28/07 Action: Continue to support this amendment, which is not controversial.

Issue 4: Restore No Regulation of Store Size West of 120th Ave. NE

Issue: City staff has suggested limiting the large-retail allowance for the CB area only to the area west of the BN tracks. This new revision should not be adopted.

Comment: The large-retail allowance for this area has consistently been identified as being applicable to the entire CB area west of 120th. This allowance is necessary to permit the proposed redevelopment of the entire area. Limiting this allowance to the area west of the BN tracks dramatically impacts the market viability of this area and will prevent the timely redevelopment of the area east of the BN tracks and the vital final extension of NE 4th.

Action: Do not adopt revision suggested by city staff

11/28/07 Action: Concur with City staff's original position: allow large retail in CB area west of BN tracks in current cycle. Defer issue east of tracks to consideration in 2008 work program.

Issue 5: Allow for Consideration of 75' Heights East of BN Tracks

Issue: Allow for Planning Commission consideration in 2007 of possible 75-foot maximum heights in CB-rezone area east of BN tracks, without delaying other pending Comprehensive Plan Amendments. Consideration of additional heights in this area will require additional public process.

Comment: This eastern portion of the CB-rezone area may provide opportunities for implementation of additional height based on inclusion of affordable housing and large-

format retail in a mixed-use environment. Possible view impacts need to be understood and addressed through view corridors.

Action: Possible height incentives would require Land Use Code amendment, but no Comprehensive Plan amendment, so no amendment to the current package is required. We request the Planning Commission add a new "Additional Recommendation" to this effect and take up this issue on its work program as soon as possible.

11/28/07 Action: Defer height issue east of tracks to the 2008 work program.

Issue 6: Transfer of Density

11/28/07 Action: In 2008 work program, consider transfer of residential density from west to east across tracks.