



MEMORANDUM

DATE: February 13, 2013

TO: Chairman Carlson and Members of the Planning Commission

FROM: Paul Inghram, AICP, Comprehensive Planning Manager, PCD 452-4070
pinghram@bellevuewa.gov
Michael Bergstrom, AICP, Senior Planner, PCD 452-6866
mbergstrom@bellevuewa.gov

SUBJECT: Study Session Regarding Office/Limited Business (OLB) District LUCA re: Retail Auto Sales, File No. 12-132649-AD

On January 22, Council initiated an amendment to the Bellevue Land Use Code (LUC) to identify a third geographic area within the OLB District, this one in Eastgate, where retail auto sales could be permitted. Tonight, staff will present the Commission with information on the nature of the proposed amendment, related background information, the amendment process, and next steps.

On February 27 we will return for a public hearing on the amendment and will ask for the Planning Commission's recommendation at that time. Your recommendation would be presented to Council in March, and final Council action is anticipated in early April. We are enclosing with tonight's packet our staff recommendation on this matter, which will be the subject of the February 27 public hearing. That recommendation provides additional information about the proposed amendment and its background. However, we are not requesting Planning Commission deliberation or action on the staff recommendation at tonight's study session.

LUC 20.10.440 (Land Use Charts) lists retail auto sales as a permitted use in the Office/Limited Business (OLB) district, but is clarified by footnote (6), which limits retail auto sales to two geographic areas within that district. One area is in Wilburton (Auto Row) and the other is in Factoria (Honda of Bellevue). The proposed Land Use Code amendment (LUCA) would identify an additional area in the OLB district where retail auto sales would be permitted, located in Eastgate in the northwest quadrant of 148th Avenue SE and SE Eastgate Way.

Any new or additional information or public comment received prior to the public hearing will be provided to the Planning Commission at the hearing, and could result in revisions to the staff recommendation.

NEXT STEPS

February 27, 2013: Planning Commission Public Hearing and Recommendation
March 18, 2013: City Council Study Session – Planning Commission Recommendation
April 1, 2013: City Council Final Action
Early May 2013: East Bellevue Community Council Final Action

ENCLOSURE

Staff Recommendation



DEVELOPMENT SERVICES DEPARTMENT
ENVIRONMENTAL COORDINATOR
11511 MAIN ST., P.O. BOX 90012
BELLEVUE, WA 98009-9012

DETERMINATION OF NON-SIGNIFICANCE

PROPONENT: City of Bellevue

LOCATION OF PROPOSAL: Citywide

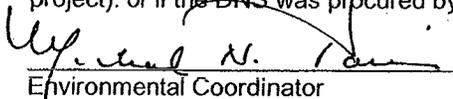
DESCRIPTION OF PROPOSAL: Land Use Code Amendment (LUCA) to amend LUC 20.10.440 – Land Use Charts – Wholesale and Retail Uses in Nonresidential Districts. Specifically, the LUCA would amend “Uses in land use districts – Wholesale and Retail” Note (6) which identifies locations within the Office/Limited Business (OLB) district where Retail Auto Sales is a permitted use by adding a new location in the northwest quadrant of 148th Avenue SE and SE Eastgate Way.

FILE NUMBER: 12-132649-AD

The Environmental Coordinator of the City of Bellevue has determined that this proposal does not have a probable significant adverse impact upon the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(C). This decision was made after the Bellevue Environmental Coordinator reviewed the completed environmental checklist and information filed with the Land Use Division of the Development Services Department. This information is available to the public on request.

- There is no comment period for this DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision. A written appeal must be filed in the City Clerk's office by 5:00 p.m. on _____.
- This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS. Only persons who submitted written comments before the DNS was issued may appeal the decision. An appeal of the SEPA Decision shall be filed together with an appeal of the underlying Process IV action. The appeal shall be by petition to the Growth Management Hearings Board and shall be filed within the 60-day time period set forth in RCW 36.70A.290. For information on how to appeal a proposal, visit the Permit Center at City Hall or call 452-6864.
- This DNS is issued under WAC 197-11-340(2) and is subject to a 14-day comment period from the date below. Comments must be submitted by 5 p.m. on _____. This DNS is also subject to appeal. A written appeal must be filed in the City Clerk's Office by 5:00 p.m. on _____.

This DNS may be withdrawn at any time if the proposal is modified so as to have significant adverse environmental impacts; if there is significant new information indicating a proposals probable significant adverse environmental impacts (unless a non-exempt license has been issued if the proposal is a private project); or if the DNS was procured by misrepresentation or lack of material disclosure.

 February 7, 2013
Environmental Coordinator Date

OTHERS TO RECEIVE THIS DOCUMENT:

State Department of Fish and Wildlife
State Department of Ecology, Shoreline Planner N.W. Region
Army Corps of Engineers
Attorney General
Muckleshoot Indian Tribe



City of Bellevue
Department of Planning and Community Development
Environmental Review and State Environmental Policy Act Threshold
Determination

Proposal Name: Land Use Code Amendment (LUCA) re: Retail Auto Sales in Office/Limited Business (OLB) District

Proposal Address: City-wide

Proposal Description: Land Use Code Amendment (LUCA) to amend LUC 20.10.440 – Land Use Charts – Wholesale and Retail Uses in Nonresidential Districts. Specifically, the LUCA would amend “Uses in land use districts – Wholesale and Retail” Note (6) which identifies locations within the Office/Limited Business (OLB) district where Retail Auto Sales is a permitted use by adding a new location in the northwest quadrant of 148th Avenue SE and SE Eastgate Way.

File Number: 12-132649-AD

Applicant: City of Bellevue

Decisions Included: SEPA Threshold Determination

Planner: Michael Paine, Environmental Planning Manager

State Environmental Policy Act
Threshold Determination:

Determination of Non-Significance (DNS)
Carol Helland
Carol Helland
Environmental Coordinator

Application Date: December 20, 2012

Application Publication Date
in Bulletin: December 27, 2012

SEPA Decision Publication
Date: February 7, 2013

SEPA Appeal Deadline: Comments on State Environmental Policy Act (SEPA) Determinations can be made with or without appealing the proposal within the noted comment period for a SEPA Determination. An appeal of the SEPA Decision shall be filed together with an appeal of the underlying Process IV action. The appeal shall be by petition to the Growth Management Hearings Board and shall be filed within the 60-day time period set forth in RCW 36.70A.290. For information on how to appeal a proposal, visit the Permit Center at City Hall or call 452-6864.



DATE: February 27, 2013

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FROM: Paul Inghram, AICP, Comprehensive Planning Manager, PCD 452-4070
pinghram@bellevuewa.gov
Michael Bergstrom, AICP, Senior Planner, PCD 452-6866
mbergstrom@bellevuewa.gov

SUBJECT: Public Hearing Regarding Office/Limited Business (OLB) District LUCA re:
Retail Auto Sales, File No. 12-132649-AD

On January 22, Council initiated an amendment to the Bellevue Land Use Code (LUC) to identify an additional geographic area within the OLB District where retail auto sales could be permitted. LUC 20.10.440 (Land Use Charts) lists retail auto sales as a permitted use in the Office/Limited Business (OLB) district, but is clarified by footnote (6), which limits retail auto sales to two geographic areas within that district. One area is in Wilburton and the other is in Factoria. The proposed Land Use Code amendment (LUCA) would identify an additional area in the OLB district where retail auto sales would be permitted, located in Eastgate in the northwest quadrant of 148th Avenue SE and SE Eastgate Way.

The Planning Commission held a study session on this matter on February 13, 2013, at which Staff presented the Commission with information on the nature of the proposed amendment, related background information, the amendment process, and next steps. At that meeting, the Commission was notified of tonight's public hearing.

BACKGROUND

Staff was recently contacted by a representative of a party who desires to locate an automobile dealership in the Eastgate area. Specifically, they wish to occupy the now-vacant Bally's/L.A. Fitness building at 3235 148th Avenue SE, the associated parking garage immediately to the north, and an additional parcel to the south, for a total site area of just over 3 acres. The parcels are in the OLB District, which allows retail auto sales only in specific locations – currently, one in Wilburton and one in Factoria. Because the site under consideration is not within either of those locations, an auto dealership at this location cannot occur unless the Land Use Code is amended to allow it. The proposed amendment as initiated by Council expanded the area under consideration to include two parcels north of the Bally's garage, resulting in an affected area of roughly 4 acres.

Retail automobile sales is an important component of Bellevue's economic health, generating approximately 14% of the city's total sales tax revenues. However, Bellevue has a scarcity of sites readily available for auto retail use. This has become increasingly apparent with the

contraction of Bellevue's historic "Auto Row" on 116th Ave. NE. Recognizing this situation, the City has recently been working with a consultant to assess the needs of local dealerships and identify locations that are suitable for new or relocating dealerships. While that report is not yet complete, early indications are that it will conclude that the location in question is well-suited for this type of use, particularly given its visibility and easy access to I-90 and its proximity to dealerships east of 148th Avenue SE (which are in the Community Business, versus the OLB, district).

The Eastgate Subarea land use policies are silent to this type of use in the OLB District (though Eastgate Subarea Policy S-EG-40 does say that auto sales and similar uses are not appropriate in the Light Industrial District located east of 156th and north of I-90 nor along SE 24th St – an area that has since been rezoned to OLB). Unlike the dealership locations in Wilburton and Factoria, which have specific Comprehensive Plan policies supporting retail auto sales at those locations, the Eastgate location is neither supported nor opposed by Comprehensive Plan policies. While such a direct policy basis is not technically necessary, such a policy basis could be developed for consistency with the approach taken for the other two areas. This would likely occur as part of the Eastgate Implementation project scheduled for 2013-14 if this LUCA is ultimately adopted.

As the Planning Commission is aware, the City completed the Eastgate/I-90 Land Use & Transportation Project in early 2012. That Project evaluated alternative future land use and transportation scenarios for the Eastgate/I-90 commercial corridor, culminating in a final report and recommended vision. Although that report has no official policy or regulatory standing since its recommendations have not yet been codified, it does provide a long-term vision for the corridor that reflects substantial community input. The report acknowledges the success of existing auto dealerships in the corridor and anticipates their continued success and growth.

The Eastgate report and recommendations did not anticipate the establishment of new dealerships in the corridor or at the location in question. Rather, the area between Eastgate Way and Bellevue College, and between the Eastgate park-and-ride and 148th Avenue SE, is foreseen as a high-activity transit-oriented hub for the corridor. However, the subject site is at the eastern end of this transit-oriented area, next to 148th Ave. Given the significance of a new auto dealership for economic development, the scarcity of available sites for these uses, the fact that it would make use of underutilized buildings, is in close proximity to other dealerships, and is on the edge of the envisioned transit-oriented development node rather than in its interior, staff has concluded that such a use could be accommodated without undermining the vision developed under the Eastgate/I-90 Land Use & Transportation Project.

REVIEW PROCESS

A LUCA is reviewed through Process IV per LUC 20.35.400 - .450. The Planning Commission holds a public hearing and forwards a recommendation to Council for final action, based on specific decision criteria set forth in the Code. Because the Land Use Code applies city-wide, this LUCA is subject to the jurisdiction of the East Bellevue Community Council (EBCC). The proposed amendment was presented to the EBCC at a courtesy hearing on February 5, 2013. Following the close of tonight's public hearing, Staff will ask for your recommendation to Council.

DECISION CRITERIA

LUC 20.30J.135 establishes the decision criteria for an application to amend the text of the Land Use Code. Those criteria, and the relationship of the proposal to them, are discussed below:

- A. The amendment is consistent with the Comprehensive Plan; and
The Eastgate Subarea Plan as well as the Comprehensive Plan General Elements contain policies relevant to this proposal:

S-EG-1: Encourage office and retail land uses that take advantage of the freeway access without impacting adversely the residential neighborhoods.

The affected area has good freeway and arterial access, and is separated from residential neighborhoods by other existing non-residential development.

S-EG-28: Encourage cohesive site and building design in the redevelopment of the Eastgate retail, office, and service property.

The proposed amendment would require that auto retail sales uses in the affected area be reviewed through Design Review to ensure appropriate design.

S-EG-40: Auto sales, auto rental, and auto leasing uses are not appropriate in the Light Industrial District located east of 156th and north of I-90 nor along SE 24th.

The proposed amendment does not affect the area described in this policy (note: the area described in this policy has been rezoned to OLB since this policy was written).

ED-1: Maintain a business climate that supports the retention and expansion of the city's economic base.

The proposed amendment will help retain or expand retail auto sales opportunities in the city, which is an important component of Bellevue's economic picture.

LU-9: Maintain compatible use and design with the surrounding built environment when considering new development or redevelopment within an already developed area.

The proposed amendment would require that auto retail sales uses in the affected area be reviewed through Design Review to ensure compatibility with the surrounding built environment.

LU-31: Encourage and foster economic development in areas designated for commercial uses.

The proposed amendment would foster economic development opportunities by identifying an additional area in the OLB District that is suitable for retail auto sales.

LU-32: Maintain commercial areas outside the Downtown which can provide additional business opportunities and serve other parts of the community.

The Eastgate/I-90 commercial corridor is an existing commercial area outside the Downtown that provides business opportunities. The proposed amendment will take advantage of this fact by directing additional business opportunities to the area.

- B. The amendment enhances the public health, safety or welfare; and
The amendment will create additional economic opportunities in an area that is well-suited for retail auto sales, is well-served by the transportation network, and is separated from residential uses by surrounding development, thereby enhancing the public health, safety, and welfare.
- C. The amendment is not contrary to the best interest of the citizens and property owners of the City of Bellevue.
The amendment is not contrary to the interests of citizens and property owners as it will provide additional economic development opportunities in Bellevue that will contribute to the City's economic health.

STATE ENVIRONMENTAL POLICY ACT

A SEPA Determination of Nonsignificance was issued on February 7, 2013. Following is a summary of the environmental review for this proposal:

- A. Proposal Description and Objectives
Land Use Code Amendment (LUCA) to identify an additional geographic area within the Office/Limited Business (OLB) district where retail auto sales would be permitted. Currently, two such areas exist: One in Wilburton and one in Factoria. The proposed third area would be located in Eastgate, in the northwest quadrant of 148th Avenue SE and SE Eastgate Way. Retail auto sales in this area would be subject to Design Review per LUC Part 20.30F.

The objectives of the proposal are to capture economic development opportunities by establishing an additional area where retail auto sales is permitted and to support positive reuse of underutilized buildings, while ensuring that such uses exhibit high quality urban design.

- B. Environmental Record
The environmental summary consists of analysis based on the following documents and studies in the environmental record or, if noted, incorporated by reference.
- Environmental Checklist, Supplemental Sheet for Nonproject Actions, prepared by Michael Bergstrom, City of Bellevue Planning & Community Development, dated December 19, 2012 (*revised January 14, 2013*).

- Draft Proposed Land Use Code Amendment, File No. 12-132649-AD.
- Map showing affected parcels.

C. Proposed Timing and Phasing

The Planning Commission is anticipated to hold a public hearing on the amendments in February of 2013. The City Council will likely act on the amendments in March or April of 2013.

D. Environmental Summary

Purpose and Need to Which the Proposal is Responding

Retail auto sales are an important source of revenue to the City. As dealerships look to expand or relocate due to redevelopment pressures, appropriately-located land needs to be made available to accommodate them. Recent serious inquiries by auto dealership owners, and realtors working on behalf of auto dealership owners, into the Eastgate area suggest that this area is suitable and desirable for such uses.

Major Conclusions, Significant Areas of Controversy and Uncertainty

The major conclusion is that the area proposed for retail auto sales is suitable and desirable for such uses. Two aspects of a future automobile dealership on the affected parcels that could be controversial or uncertain if not addressed are aesthetics and transportation.

Aesthetics

The aesthetic impacts of any future automobile dealership that might choose to locate in the area affected by the amendment, if left unaddressed, would be uncertain. However, the proposed amendment contains a requirement for Design Review as well as an emphasis on inside storage of vehicle inventory. These provisions will add certainty regarding aesthetics and adequate mitigation of potential aesthetic impacts.

Transportation

At the non-project level, it is not possible to predict with specificity the transportation impacts of a potential future automobile dealership or dealerships. Typically, transportation concerns associated with such uses have less to do with trip generation (volumes) than with operational characteristics such as site access, loading/unloading of inventory, and operational impacts to nearby street intersections. The area identified in the proposed amendment has convenient access both from the surrounding freeway and arterial system and into the area itself. Until a dealership is proposed in this area, attempting to identify specific operational impacts would be speculative. These

transportation-related issues will be reviewed and addressed pursuant to SEPA at the project level, as part of the Design Review process.

Issues to be Resolved, Including Environmental Choices to Made Between Alternatives Courses of Action

No issues to be resolved. The alternative course of action would be to not adopt the proposed LUCA. In terms of environmental impacts, the two alternatives are not significantly different.

E. **Conclusion and Determination**

For the proposal, environmental review indicates no probability of significant adverse environmental impacts. Therefore, issuance of a **Determination of Non-Significance** pursuant to WAC 197-11-340 and Bellevue City code 22.02.034 is appropriate.

Other adverse impacts that are less than significant may be mitigated pursuant to Bellevue City Code 22.02.140, RCW 43.21C.060, and WAC 197-11- 660.

F. **Mitigation Measures**

There are no recommended SEPA-based mitigating measures for this proposal. The lead agency has determined that the requirements for environmental mitigation have been adequately addressed in the development regulations and comprehensive plans adopted under Chapter 36.70A RCW and in other applicable local, state or federal laws or rules, as provided by RCW 42.21C.240 and WAC 197-11-158. Our agency will not require any additional mitigation measures under SEPA.

RECOMMENDATION

Move to recommend that Council approve the proposed Land Use Code Amendment regarding Retail Auto Sales uses in the Office/Limited Business District.

NEXT STEPS

March 18, 2013: City Council Study Session – Planning Commission Recommendation

April 1, 2013: City Council Final Action

May 7, 2013: East Bellevue Community Council Final Action

ATTACHMENTS

- A. Draft Land Use Code Amendment
- B. Geographic area identified by draft LUCA
- C. Eastgate Subarea Policies

Chart 20.10.440

Uses in land use districts

Wholesale and Retail – Nonresidential Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
5	Trade (Wholesale and Retail) (39)	PO	O	OLB	LI	GC	NB (5)	CB (36*)	F1	F2	F3
51	Wholesale Trade: General Merchandise, Products, Supplies, Materials and Equipment except the following: (1)				P	P					
5111	Wholesale Trade:										
5156	Motor Vehicles,										
5157	Primary and				P	C					
5191	Structural Metals,										
5192	Bulk Petroleum (2)										

5193	Scrap Waste Materials, Livestock																		
	Recycling Centers																		
521	Lumber and Other																		
522	Bulky Building																		
523	Materials Including																		
524	Preassembled Products (3)																		
5251	Hardware, Paint, Tile and Wallpaper (Retail)																		
5252	Farm Equipment																		
53	General Merchandise: Dry Goods, Variety and Dept. Stores (Retail)																		
54	Food and Convenience Store (Retail) (27)																		
5511	Autos (Retail)																		
	Trucks, Motorcycles, Recreational																		

	Vehicles (Retail)																		
	Boats (Retail)																		
552	Automotive and Marine Accessories (Retail)																		
553	Gasoline Service Stations (40)																		
56	Apparel and Accessories (Retail)																		
57	Furniture, Home Furnishing (Retail)																		
58	Eating and Drinking Establishments (37)																		
59	Misc. Retail Trade: Drugs, Liquor, Antiques, Books, Sporting Goods, Jewelry, Florist, Photo Supplies, Video Rentals and Computer Supplies																		

	Adult Retail Establishments (31)		S						P	P	P	S	S
5961	Farm Supplies, Hay, Grain, Feed and Fencing, etc. (Retail)			P 35	P								
596	Retail Fuel Yards			P 35	P								
5996	Garden Supplies, Small Trees, Shrubs, Flowers, Ground Cover, Horticultural Nurseries and Light Supplies and Tools			P 35	P	P 20	P 20	P 20					
5999	Pet Shop (Retail and Grooming)			P 26, 35	P 26	P	P	P					
	Computers and Electronics (Retail)			P 12, 35	P 12		P	P					

Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C and EH-D) are listed in LUC 20.25F.010.

Permitted uses in the Office and Limited Business-Open Space District (OLB-OS) are listed in LUC 20.25L.020.

Permitted uses in the Medical Institution District are listed in LUC 20.25J.020.

Permitted uses in the Bel-Red District (BR) are listed in LUC 20.25D.070.

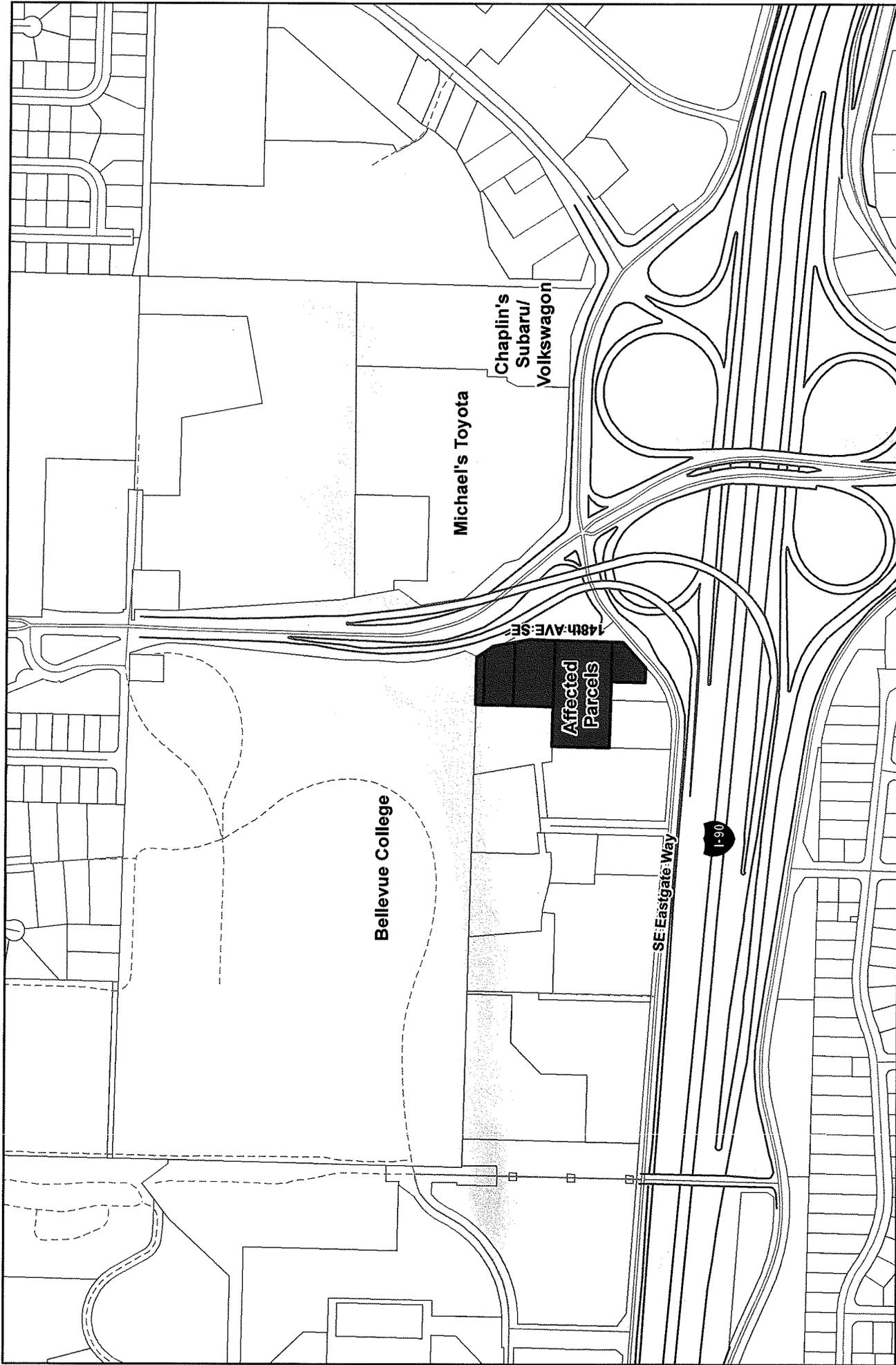
**Not effective within the jurisdiction of the East Bellevue Community Council.*

KEY	
P	PERMITTED USE
C	CONDITIONAL USE (see Part 20.30B or Part 20.30C)
PD	PERMITTED subject to planned unit development only. (See Part 20.30D)
A	ADMINISTRATIVE CONDITIONAL USE (see Part 20.30E)
S	Permitted only as a subordinate use to a permitted or special use

Notes: Uses in land use districts – Wholesale and Retail

- (1) – (5) No change.
- (6) Retail auto sales are permitted only in the following locations:
 - a. The west side of 116th Avenue NE between NE 8th Street and the SE 8th Street off-ramp from northbound I-405; and
 - b. Along SE 36th Street west of the ravine located at the approximate alignment of 133rd Avenue SE and east of 132nd Avenue SE.
 - c. West of 148th Avenue SE between SE Eastgate Way and Bellevue College, on properties fronting wholly or partially on 148th Avenue SE. Retail auto sales located in this area shall be subject to Design Review per LUC Part 20.30F, and associated vehicle inventory storage shall predominantly occur within a building or buildings.

(7) - (40) No change.



The City of Bellevue does not guarantee that the information on this map is accurate or complete. This data is provided on an "as is" basis and disclaims all warranties.

Coordinate System: State Plane, Washington North Zone, NAD83 NRSR2007 (Bellevue)

Retail Auto Sales in OLB - Eastgate



Date: never

File Name:

PCD Department

Sources:
City of Bellevue

Eastgate Subarea Plan

GOAL:

To preserve and promote the accessibility and appearance of residential neighborhoods, local amenities, and business establishments within the Subarea.

Discussion: The Subarea is mostly developed. It is important that subsequent development and redevelopment improves the function and appearance of the various land uses and that they are compatible with each other.

OVERVIEW

The Eastgate Subarea provides a gateway for south Bellevue and an axis for travel between the Eastside and metropolitan Seattle. Rolling tree- and house-covered hills on either side of the I-90 corridor surround a major commercial interchange located at the center of the Subarea.

Convenient access makes the Eastgate Subarea a desirable place to live and work. Jobs, stores, schools, churches, parks, and trails all are within easy walking distance of each other. As one of Bellevue's older areas, the Subarea contains established residential neighborhoods, many with attractive views. Combined, these amenities have greatly enhanced the quality of life for the Subarea's residents and business owners alike.

The Eastgate Subarea encompasses approximately 1,500 acres. Its boundaries are 137th Avenue S.E. to the west, S.E. 23rd Street to the north, 168th Avenue S.E. to the east, and S.E. 41st Street to the south. The southern third and portions of the eastern edge of the Subarea lie outside the City of Bellevue's boundaries. In the future, the Subarea's boundaries may expand southward, to include areas that fall currently within the Newcastle Subarea and eastward up to Lake Sammamish.

The I-90 business corridor covers 10 percent of the Subarea, and is home to major corporations, hightechnology industries, and community shopping areas. The corridor, which has developed within the last ten years, owes its success to the area's accessibility to I-90 and its proximity to major urban centers. Sunset Village and the Eastgate Shopping Center, which serve the large residential neighborhoods in the Subarea, also are located in this corridor.

The area north of the I-90 corridor features large and small parks; a deep, wooded ravine; about 160 acres of publicly-owned land; and numerous public facilities such as churches, government agencies, and a community college. The area south of I-90 is largely within unincorporated King County, with the exception of the commercial

areas that front the freeway. Parks, schools, and churches also are found within the Subarea on both sides of I-90.

As of November, 1989, 95 acres of incorporated land remain vacant in the Subarea. Of those, about 22 acres are designated for commercial uses and about 73 acres are designated for residential uses. Eighty-two acres of the Subarea's vacant land is known as the Sunset Property, which will be developed with 750,000 square feet of office space and 312 multifamily homes. These multifamily homes will augment the Subarea's current supply of 522 multifamily and 725 single-family homes that lie within the incorporated portions of the Subarea. The potential residential population of the Subarea is approximately 3,250 people. This potential is not expected to increase or decrease dramatically. Employment growth, however, is projected to reach 9,000 workers by 2020, up from 7,270 workers in 1988.

Protecting residential neighborhoods from increased development and its resultant increased traffic, redeveloping existing retail properties, and creating a comprehensive trail system are expected to be the Subarea's major issues in the near future.

Land Use

POLICIES

POLICY S-EG-1. Encourage office and retail land uses that take advantage of the freeway access without impacting adversely the residential neighborhoods.

Discussion: Intense office development can generate adverse traffic impacts and block residential views. Site design also can impact residential quality. To support this policy, office and retail development should be limited so that it is compatible with surrounding neighborhoods.

POLICY S-EG-2. Encourage restaurants and other commercial uses that serve local workers to be compatible in design with surrounding office development and accessible to pedestrians.

Discussion: The reason for encouraging restaurants and other commercial services within office developments is to reduce vehicular traffic between the office parks and retail areas. Retail areas are intended to serve primarily local needs

Natural Determinants

POLICIES

POLICY S-EG-3. Protect the Vasa Creek riparian corridor from development to improve water quality, fisheries, and provide open space.

Discussion: The Vasa Creek riparian corridor has major segments that remain in a natural state. This creek is one of the few natural areas left in the Subarea and should be protected. A trail along the creek may be possible if environmental impacts can be avoided.

POLICY S-EG-4. Protect and improve the stormwater quality entering public drainage systems, streams, and Phantom Lake.

Discussion: Construction activities should control erosion and sedimentation. This could include seasonal limitation on grading activities, natural vegetative filtration, and use of the best available technology. Storm water quality from developments should be improved prior to discharge into the public drainage system.

Commercial

POLICIES

POLICY S-EG-5. Consolidate retail/commercial development within existing Community Business and General Commercial boundaries.

POLICY S-EG-6. Limit retail expansion to serve primarily neighborhood and community retail needs.

Discussion: Retail services should serve area residents but not become regional shopping centers.

Residential Development

POLICIES

POLICY S-EG-7. Maintain single-family housing as the predominant residential land use in the Subarea in land area and appearance.

POLICY S-EG-8. Limit multifamily housing to locations accessible directly from arterials, as depicted on the Land Use Plan (*Figure S-EG.1*).

POLICY S-EG-9. Discourage multifamily and commercial traffic from passing through single-family neighborhoods.

POLICY S-EG-10. Multifamily housing may be appropriate to separate office and retail land uses from single-family neighborhoods.

POLICY S-EG-11. Encourage more opportunities for affordable housing in the Subarea by maintaining and rehabilitating existing housing stock.

Circulation

POLICIES

POLICY S-EG-12. Evaluate the impacts on parking, nonmotorized circulation, and site access when uses that have high trip generation or unusual traffic patterns are proposed.

Discussion: Certain land uses, such as health clubs and movie theaters, have high trip generation, unusual traffic patterns, and high parking demands. Appropriate considerations should be given to these land uses to determine their traffic impacts and suitable mitigating measures. Mitigating existing traffic problems also should be considered.

POLICY S-EG-13. Reduce parking spillover from commercial uses to maintain safety standards.

POLICY S-EG-14. Improve safety for pedestrians and other nonmotorized users by providing and maintaining an integrated on-street and off-street system.

Discussion: The City should create a nonmotorized action list that proposes projects to eliminate missing links in the nonmotorized transportation system. It is important to use this list when reviewing tasks such as capital projects, the Street Overlay Program, and maintenance projects. The list could identify both interim and long-term capital improvements.

POLICY S-EG-15. Consider interim solution for nonmotorized improvements until major improvements can be made.

Discussion: Use the City of Bellevue's Overlay Program, Minor Capital Project Fund, Neighborhood Enhancement Program fund, or other sources to provide interim solutions when practical. These interim projects should not preclude major improvements.

POLICY S-EG-16. Encourage improvement of Metro facilities and service to and from key points in the Eastgate Subarea.

Discussion: Eastgate needs Metro service during off-peak hours from shopping areas and along arterials.

POLICY S-EG-17. Plan for the long-range, traffic-related needs in the Eastgate Subarea, including designated arterials, feeder (collector) streets, and residential streets.

Discussion: Such planning should include an evaluation of Eastgate's arterial facility needs for improvements to Eastgate Way and access to I-90.

Community Design

POLICIES

POLICY S-EG-18. Encourage a gateway within the I-90 interchange to accentuate Eastgate as an entry into Bellevue.

Discussion: The I-90 interchange at Eastgate is a major link between the northern and southern halves of the Subarea and is an access point for the freeway. A gateway should link both halves and include improved landscaping with seasonal color, pedestrian connections, lighting, district identification signs, and public artwork.

POLICY S-EG-19. Maximize the use of existing vegetation and topography to separate and buffer different land uses.

Discussion: The Subarea has natural, vegetated topographic breaks between the commercial/office developments and the residential neighborhoods. These natural buffers should be retained to keep these uses separate but compatible.

POLICY S-EG-20. Preserve the view amenities of adjacent single-family neighborhoods as development and redevelopment occurs.

POLICY S-EG-21. Discourage new development from blocking existing views.

POLICY S-EG-22. Encourage the preservation of sufficient natural vegetation to assure amenable views.

POLICY S-EG-23. Diminish the affect of rooftop equipment on views from residential areas.

POLICY S-EG-24. Design rooftop equipment to be low-profiled and screened to match the building's exterior color, building materials, and styles.

POLICY S-EG-25. Use landscaping to complement building and site design.

Discussion: Eastgate has a variety of land uses with large areas of office development. Site design should use street lighting and landscaping to accentuate walks and roads, soften paved areas, and screen development from adjacent residential uses. Large color spots of flowers should be used to accentuate areas visible from streets. When possible, plantings of trees and shrubs should be large enough to complement the scale of the building.

POLICY S-EG-26. Maintain the Subarea's predominantly treed skyline.

Discussion: Eastgate has a low-profile skyline with many trees. Buildings, especially in the I-90 corridor, should respect and complement this skyline.

POLICY S-EG-27. Encourage the State Department of Transportation to provide landscaping that clarifies access patterns and improves the appearance of their properties.

POLICY S-EG-28. Encourage cohesive site and building design in the redevelopment of the Eastgate retail, office, and service property.

Discussion: Some of the Subarea's retail, office, and service uses have immediate redevelopment potential. Therefore, redevelopment should enhance the surrounding arterials with pedestrian amenities such as well-defined pedestrian walkways that connect surrounding properties with street and building entrances. In addition, coordinate on-site auto circulation to reduce curb cuts and improve pedestrian safety. Landscaping should be in scale with the development. u

Planning District Guidelines

POLICIES

Planning District 1

POLICY S-EG-29. Retain significant vegetation and supplement vegetation on the steep slope along the southeast edge of Kamber Road between 137th Avenue S.E. and S.E. 24th Street.

POLICY S-EG-30. Retain sufficient vegetation on the eastern side of the Sunset property to visually buffer Bellevue Community College.

POLICY S-EG-31. Encourage residential Planned Unit Developments (PUD) to protect steep slopes and preserve open space in the northern half of the Sunset property.

Discussion: Steep slope protection and open space preservation at the north end of the Sunset property should buffer views of the development from the single-family residences across Kamber Road.

POLICY S-EG-32. Develop multifamily housing in the northern and central portion of the Sunset property to take advantage of the site's view potential.

POLICY S-EG-33. Encourage office uses in the southern half of the Sunset property to gain visibility and accessibility from I-90 and the frontage road.

Discussion: Policies S-EG-29 through S-EG-33 should guide the conditions of development as stated in these policies.

POLICY S-EG-34. Designate the 10.5 acre site northwest of the I-90 Business Park, known as the Old School District property, Single-family Urban Residential.

Discussion: At the reclassification stage particular attention should be given to the mitigation of traffic impacts to the adjacent residential neighborhoods that could result from the site's development. Multiple access points should be considered in order to disperse traffic. Alternatives to access from S.E. 26th Street/158th Avenue S.E. should be pursued.

POLICY S-EG-35. Designate the 4-acre Saint Andrews Church property and the northern 9.5 acres of the Latter Day Saints Temple property as Single-family High-density (SF-H).

Discussion: The development of congregate care senior housing, nursing home, or affordable housing may be appropriate for the site. A conditional use permit should be required to insure compatibility with adjacent development and insure that it is in keeping with the character of the Subarea. Multifamily Low-density may be appropriate for a rezone only to accommodate congregate care senior housing, nursing homes, or affordable housing.

POLICY S-EG-36. Designate the 1.25 acre triangular parcel directly opposite the eastern entrance to Bellevue Community College (B.C.C.) at the south end of 145th Place S.E. Professional Office.

Discussion: In no case should there be access to both 145th Place S.E. and the B.C.C. access road. The site may be appropriate for a Multifamily Low-density.

POLICY S-EG-37. Encourage light industrial development south of Kamber Road to buffer residences to the north.

Discussion: The buffer should be 30 feet wide along the south side of Kamber Road and include landscaping to accomplish maximum screening. In addition, outdoor lighting shall be shielded and loading docks shall be located away from residential land uses.

Planning District 2

POLICY S-EG-38. Protect the surrounding neighborhoods from future development in the I-90 Business Park by observing transition area requirements from residential uses as well as maintaining landscape buffers.

Discussion: Encourage retention of significant open space in the I-90 Business Park in conjunction with utilization of the remaining Development potential. Apply the OLB-OS designation in support of this policy. [Amended Ord. 5392]

POLICY S-EG-39. Designate the 6-acre parcel south of the Squibb Building west of Vasa Creek as Office, Limited Business.

Discussion: Any proposed residential development should include a portion of the units as affordable housing. If the site is developed with residential uses, nonmotorized access should be provided to 156th Avenue S.E. Hotel, motel, and retail uses should be prohibited. Before any development occurs at this site, a traffic/circulation study should be required to define a plan of action for dealing with increasing congestion in the area of the tunnel under I-90. Such a study would emphasize the importance of traffic considerations in development of the site to prevent further degradation and increasing safety problems.

POLICY S-EG-40. Auto sales, auto rental, and auto leasing uses are not appropriate in the Light Industrial District located east of 156th and north of I-90 nor along S.E. 24th.

Discussion: The Light Industrial District located east of 156th is currently known as the I-90 Business Park.



DEVELOPMENT SERVICES DEPARTMENT
ENVIRONMENTAL COORDINATOR
11511 MAIN ST., P.O. BOX 90012
BELLEVUE, WA 98009-9012

DETERMINATION OF NON-SIGNIFICANCE

PROPONENT: City of Bellevue

LOCATION OF PROPOSAL: Citywide

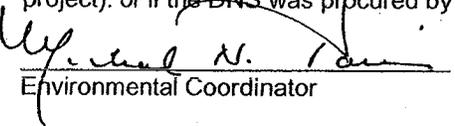
DESCRIPTION OF PROPOSAL: Land Use Code Amendment (LUCA) to amend LUC 20.10.440 – Land Use Charts – Wholesale and Retail Uses in Nonresidential Districts. Specifically, the LUCA would amend “Uses in land use districts – Wholesale and Retail” Note (6) which identifies locations within the Office/Limited Business (OLB) district where Retail Auto Sales is a permitted use by adding a new location in the northwest quadrant of 148th Avenue SE and SE Eastgate Way.

FILE NUMBER: 12-132649-AD

The Environmental Coordinator of the City of Bellevue has determined that this proposal does not have a probable significant adverse impact upon the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(C). This decision was made after the Bellevue Environmental Coordinator reviewed the completed environmental checklist and information filed with the Land Use Division of the Development Services Department. This information is available to the public on request.

- There is no comment period for this DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision. A written appeal must be filed in the City Clerk's office by 5:00 p.m. on _____.
- This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS. Only persons who submitted written comments before the DNS was issued may appeal the decision. An appeal of the SEPA Decision shall be filed together with an appeal of the underlying Process IV action. The appeal shall be by petition to the Growth Management Hearings Board and shall be filed within the 60-day time period set forth in RCW 36.70A.290. For information on how to appeal a proposal, visit the Permit Center at City Hall or call 452-6864.
- This DNS is issued under WAC 197-11-340(2) and is subject to a 14-day comment period from the date below. Comments must be submitted by 5 p.m. on _____. This DNS is also subject to appeal. A written appeal must be filed in the City Clerk's Office by 5:00 p.m. on _____.

This DNS may be withdrawn at any time if the proposal is modified so as to have significant adverse environmental impacts; if there is significant new information indicating a proposals probable significant adverse environmental impacts (unless a non-exempt license has been issued if the proposal is a private project); or if the DNS was procured by misrepresentation or lack of material disclosure.


Environmental Coordinator February 7, 2013
Date

OTHERS TO RECEIVE THIS DOCUMENT:

State Department of Fish and Wildlife
State Department of Ecology, Shoreline Planner N.W. Region
Army Corps of Engineers
Attorney General
Muckleshoot Indian Tribe



City of Bellevue
Department of Planning and Community Development
Environmental Review and State Environmental Policy Act Threshold
Determination

Proposal Name: Land Use Code Amendment (LUCA) re: Retail Auto Sales in Office/Limited Business (OLB) District

Proposal Address: City-wide

Proposal Description: Land Use Code Amendment (LUCA) to amend LUC 20.10.440 – Land Use Charts – Wholesale and Retail Uses in Nonresidential Districts. Specifically, the LUCA would amend “Uses in land use districts – Wholesale and Retail” Note (6) which identifies locations within the Office/Limited Business (OLB) district where Retail Auto Sales is a permitted use by adding a new location in the northwest quadrant of 148th Avenue SE and SE Eastgate Way.

File Number: 12-132649-AD

Applicant: City of Bellevue

Decisions Included: SEPA Threshold Determination

Planner: Michael Paine, Environmental Planning Manager

State Environmental Policy Act
Threshold Determination:

Determination of Non-Significance (DNS)
Carol Helland
Carol Helland
Environmental Coordinator

Application Date: December 20, 2012

Application Publication Date
in Bulletin: December 27, 2012

SEPA Decision Publication
Date: February 7, 2013

SEPA Appeal Deadline: Comments on State Environmental Policy Act (SEPA) Determinations can be made with or without appealing the proposal within the noted comment period for a SEPA Determination. An appeal of the SEPA Decision shall be filed together with an appeal of the underlying Process IV action. The appeal shall be by petition to the Growth Management Hearings Board and shall be filed within the 60-day time period set forth in RCW 36.70A.290. For information on how to appeal a proposal, visit the Permit Center at City Hall or call 452-6864.



DATE: February 27, 2013

TO: Chairman Carlson and Members of the Planning Commission

FROM: Paul Inghram, AICP, Comprehensive Planning Manager, PCD 452-4070
pinghram@bellevuewa.gov
Michael Bergstrom, AICP, Senior Planner, PCD 452-6866
mbergstrom@bellevuewa.gov

SUBJECT: Public Hearing Regarding Office/Limited Business (OLB) District LUCA re:
Retail Auto Sales, File No. 12-132649-AD

On January 22, Council initiated an amendment to the Bellevue Land Use Code (LUC) to identify an additional geographic area within the OLB District where retail auto sales could be permitted. LUC 20.10.440 (Land Use Charts) lists retail auto sales as a permitted use in the Office/Limited Business (OLB) district, but is clarified by footnote (6), which limits retail auto sales to two geographic areas within that district. One area is in Wilburton and the other is in Factoria. The proposed Land Use Code amendment (LUCA) would identify an additional area in the OLB district where retail auto sales would be permitted, located in Eastgate in the northwest quadrant of 148th Avenue SE and SE Eastgate Way.

The Planning Commission held a study session on this matter on February 13, 2013, at which Staff presented the Commission with information on the nature of the proposed amendment, related background information, the amendment process, and next steps. At that meeting, the Commission was notified of tonight's public hearing.

BACKGROUND

Staff was recently contacted by a representative of a party who desires to locate an automobile dealership in the Eastgate area. Specifically, they wish to occupy the now-vacant Bally's/L.A. Fitness building at 3235 148th Avenue SE, the associated parking garage immediately to the north, and an additional parcel to the south, for a total site area of just over 3 acres. The parcels are in the OLB District, which allows retail auto sales only in specific locations – currently, one in Wilburton and one in Factoria. Because the site under consideration is not within either of those locations, an auto dealership at this location cannot occur unless the Land Use Code is amended to allow it. The proposed amendment as initiated by Council expanded the area under consideration to include two parcels north of the Bally's garage, resulting in an affected area of roughly 4 acres.

Retail automobile sales is an important component of Bellevue's economic health, generating approximately 14% of the city's total sales tax revenues. However, Bellevue has a scarcity of sites readily available for auto retail use. This has become increasingly apparent with the

contraction of Bellevue's historic "Auto Row" on 116th Ave. NE. Recognizing this situation, the City has recently been working with a consultant to assess the needs of local dealerships and identify locations that are suitable for new or relocating dealerships. While that report is not yet complete, early indications are that it will conclude that the location in question is well-suited for this type of use, particularly given its visibility and easy access to I-90 and its proximity to dealerships east of 148th Avenue SE (which are in the Community Business, versus the OLB, district).

The Eastgate Subarea land use policies are silent to this type of use in the OLB District (though Eastgate Subarea Policy S-EG-40 does say that auto sales and similar uses are not appropriate in the Light Industrial District located east of 156th and north of I-90 nor along SE 24th St – an area that has since been rezoned to OLB). Unlike the dealership locations in Wilburton and Factoria, which have specific Comprehensive Plan policies supporting retail auto sales at those locations, the Eastgate location is neither supported nor opposed by Comprehensive Plan policies. While such a direct policy basis is not technically necessary, such a policy basis could be developed for consistency with the approach taken for the other two areas. This would likely occur as part of the Eastgate Implementation project scheduled for 2013-14 if this LUCA is ultimately adopted.

As the Planning Commission is aware, the City completed the Eastgate/I-90 Land Use & Transportation Project in early 2012. That Project evaluated alternative future land use and transportation scenarios for the Eastgate/I-90 commercial corridor, culminating in a final report and recommended vision. Although that report has no official policy or regulatory standing since its recommendations have not yet been codified, it does provide a long-term vision for the corridor that reflects substantial community input. The report acknowledges the success of existing auto dealerships in the corridor and anticipates their continued success and growth.

The Eastgate report and recommendations did not anticipate the establishment of new dealerships in the corridor or at the location in question. Rather, the area between Eastgate Way and Bellevue College, and between the Eastgate park-and-ride and 148th Avenue SE, is foreseen as a high-activity transit-oriented hub for the corridor. However, the subject site is at the eastern end of this transit-oriented area, next to 148th Ave. Given the significance of a new auto dealership for economic development, the scarcity of available sites for these uses, the fact that it would make use of underutilized buildings, is in close proximity to other dealerships, and is on the edge of the envisioned transit-oriented development node rather than in its interior, staff has concluded that such a use could be accommodated without undermining the vision developed under the Eastgate/I-90 Land Use & Transportation Project.

REVIEW PROCESS

A LUCA is reviewed through Process IV per LUC 20.35.400 - .450. The Planning Commission holds a public hearing and forwards a recommendation to Council for final action, based on specific decision criteria set forth in the Code. Because the Land Use Code applies city-wide, this LUCA is subject to the jurisdiction of the East Bellevue Community Council (EBCC). The proposed amendment was presented to the EBCC at a courtesy hearing on February 5, 2013. Following the close of tonight's public hearing, Staff will ask for your recommendation to Council.

DECISION CRITERIA

LUC 20.30J.135 establishes the decision criteria for an application to amend the text of the Land Use Code. Those criteria, and the relationship of the proposal to them, are discussed below:

- A. The amendment is consistent with the Comprehensive Plan; and
The Eastgate Subarea Plan as well as the Comprehensive Plan General Elements contain policies relevant to this proposal:

S-EG-1: Encourage office and retail land uses that take advantage of the freeway access without impacting adversely the residential neighborhoods.

The affected area has good freeway and arterial access, and is separated from residential neighborhoods by other existing non-residential development.

S-EG-28: Encourage cohesive site and building design in the redevelopment of the Eastgate retail, office, and service property.

The proposed amendment would require that auto retail sales uses in the affected area be reviewed through Design Review to ensure appropriate design.

S-EG-40: Auto sales, auto rental, and auto leasing uses are not appropriate in the Light Industrial District located east of 156th and north of I-90 nor along SE 24th.

The proposed amendment does not affect the area described in this policy (note: the area described in this policy has been rezoned to OLB since this policy was written).

ED-1: Maintain a business climate that supports the retention and expansion of the city's economic base.

The proposed amendment will help retain or expand retail auto sales opportunities in the city, which is an important component of Bellevue's economic picture.

LU-9: Maintain compatible use and design with the surrounding built environment when considering new development or redevelopment within an already developed area.

The proposed amendment would require that auto retail sales uses in the affected area be reviewed through Design Review to ensure compatibility with the surrounding built environment.

LU-31: Encourage and foster economic development in areas designated for commercial uses.

The proposed amendment would foster economic development opportunities by identifying an additional area in the OLB District that is suitable for retail auto sales.

LU-32: Maintain commercial areas outside the Downtown which can provide additional business opportunities and serve other parts of the community.

The Eastgate/I-90 commercial corridor is an existing commercial area outside the Downtown that provides business opportunities. The proposed amendment will take advantage of this fact by directing additional business opportunities to the area.

- B. The amendment enhances the public health, safety or welfare; and
The amendment will create additional economic opportunities in an area that is well-suited for retail auto sales, is well-served by the transportation network, and is separated from residential uses by surrounding development, thereby enhancing the public health, safety, and welfare.
- C. The amendment is not contrary to the best interest of the citizens and property owners of the City of Bellevue.
The amendment is not contrary to the interests of citizens and property owners as it will provide additional economic development opportunities in Bellevue that will contribute to the City's economic health.

STATE ENVIRONMENTAL POLICY ACT

A SEPA Determination of Nonsignificance was issued on February 7, 2013. Following is a summary of the environmental review for this proposal:

- A. Proposal Description and Objectives
Land Use Code Amendment (LUCA) to identify an additional geographic area within the Office/Limited Business (OLB) district where retail auto sales would be permitted. Currently, two such areas exist: One in Wilburton and one in Factoria. The proposed third area would be located in Eastgate, in the northwest quadrant of 148th Avenue SE and SE Eastgate Way. Retail auto sales in this area would be subject to Design Review per LUC Part 20.30F.

The objectives of the proposal are to capture economic development opportunities by establishing an additional area where retail auto sales is permitted and to support positive reuse of underutilized buildings, while ensuring that such uses exhibit high quality urban design.

- B. Environmental Record
The environmental summary consists of analysis based on the following documents and studies in the environmental record or, if noted, incorporated by reference.
- Environmental Checklist, Supplemental Sheet for Nonproject Actions, prepared by Michael Bergstrom, City of Bellevue Planning & Community Development, dated December 19, 2012 (*revised January 14, 2013*).

- Draft Proposed Land Use Code Amendment, File No. 12-132649-AD.
- Map showing affected parcels.

C. Proposed Timing and Phasing

The Planning Commission is anticipated to hold a public hearing on the amendments in February of 2013. The City Council will likely act on the amendments in March or April of 2013.

D. Environmental Summary

Purpose and Need to Which the Proposal is Responding

Retail auto sales are an important source of revenue to the City. As dealerships look to expand or relocate due to redevelopment pressures, appropriately-located land needs to be made available to accommodate them. Recent serious inquiries by auto dealership owners, and realtors working on behalf of auto dealership owners, into the Eastgate area suggest that this area is suitable and desirable for such uses.

Major Conclusions, Significant Areas of Controversy and Uncertainty

The major conclusion is that the area proposed for retail auto sales is suitable and desirable for such uses. Two aspects of a future automobile dealership on the affected parcels that could be controversial or uncertain if not addressed are aesthetics and transportation.

Aesthetics

The aesthetic impacts of any future automobile dealership that might choose to locate in the area affected by the amendment, if left unaddressed, would be uncertain. However, the proposed amendment contains a requirement for Design Review as well as an emphasis on inside storage of vehicle inventory. These provisions will add certainty regarding aesthetics and adequate mitigation of potential aesthetic impacts.

Transportation

At the non-project level, it is not possible to predict with specificity the transportation impacts of a potential future automobile dealership or dealerships. Typically, transportation concerns associated with such uses have less to do with trip generation (volumes) than with operational characteristics such as site access, loading/unloading of inventory, and operational impacts to nearby street intersections. The area identified in the proposed amendment has convenient access both from the surrounding freeway and arterial system and into the area itself. Until a dealership is proposed in this area, attempting to identify specific operational impacts would be speculative. These

transportation-related issues will be reviewed and addressed pursuant to SEPA at the project level, as part of the Design Review process.

Issues to be Resolved, Including Environmental Choices to Made Between Alternatives Courses of Action

No issues to be resolved. The alternative course of action would be to not adopt the proposed LUCA. In terms of environmental impacts, the two alternatives are not significantly different.

E. **Conclusion and Determination**

For the proposal, environmental review indicates no probability of significant adverse environmental impacts. Therefore, issuance of a **Determination of Non-Significance** pursuant to WAC 197-11-340 and Bellevue City code 22.02.034 is appropriate.

Other adverse impacts that are less than significant may be mitigated pursuant to Bellevue City Code 22.02.140, RCW 43.21C.060, and WAC 197-11- 660.

F. **Mitigation Measures**

There are no recommended SEPA-based mitigating measures for this proposal. The lead agency has determined that the requirements for environmental mitigation have been adequately addressed in the development regulations and comprehensive plans adopted under Chapter 36.70A RCW and in other applicable local, state or federal laws or rules, as provided by RCW 42.21C.240 and WAC 197-11-158. Our agency will not require any additional mitigation measures under SEPA.

RECOMMENDATION

Move to recommend that Council approve the proposed Land Use Code Amendment regarding Retail Auto Sales uses in the Office/Limited Business District.

NEXT STEPS

March 18, 2013: City Council Study Session – Planning Commission Recommendation

April 1, 2013: City Council Final Action

May 7, 2013: East Bellevue Community Council Final Action

ATTACHMENTS

- A. Draft Land Use Code Amendment
- B. Geographic area identified by draft LUCA
- C. Eastgate Subarea Policies

Chart 20.10.440

Uses in land use districts

Wholesale and Retail – Nonresidential Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Light Industry	General Commercial	Neighborhood Business	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
5	Trade (Wholesale and Retail) (39)	PO	O	OLB	LI	GC	NB (5)	CB (36*)	F1	F2	F3
51	Wholesale Trade: General Merchandise, Products, Supplies, Materials and Equipment except the following: (1)				P	P					
5111	Wholesale Trade:										
5156	Motor Vehicles,										
5157	Primary and				P	C					
5191	Structural Metals,										
5192	Bulk Petroleum (2)										

5193	Scrap Waste Materials, Livestock																		
	Recycling Centers																		
521	Lumber and Other																		
522	Bulky Building																		
523	Materials Including																		
524	Preassembled Products (3)																		
5251	Hardware, Paint, Tile and Wallpaper (Retail)																		
5252	Farm Equipment																		
53	General Merchandise: Dry Goods, Variety and Dept. Stores (Retail)																		
54	Food and Convenience Store (Retail) (27)																		
5511	Autos (Retail)																		
	Trucks, Motorcycles, Recreational																		

	Vehicles (Retail)																		
	Boats (Retail)																		
552	Automotive and Marine Accessories (Retail)																		
553	Gasoline Service Stations (40)																		
56	Apparel and Accessories (Retail)																		
57	Furniture, Home Furnishing (Retail)																		
58	Eating and Drinking Establishments (37)																		
59	Misc. Retail Trade: Drugs, Liquor, Antiques, Books, Sporting Goods, Jewelry, Florist, Photo Supplies, Video Rentals and Computer Supplies																		

	Adult Retail Establishments (31)		S						P	P	P	S	S
5961	Farm Supplies, Hay, Grain, Feed and Fencing, etc. (Retail)			P 35	P								
596	Retail Fuel Yards			P 35	P								
5996	Garden Supplies, Small Trees, Shrubs, Flowers, Ground Cover, Horticultural Nurseries and Light Supplies and Tools			P 35	P	P 20	P 20	P 20					
5999	Pet Shop (Retail and Grooming)			P 26, 35	P 26	P	P	P					
	Computers and Electronics (Retail)			P 12, 35	P 12		P	P					

Permitted uses in the Evergreen Highlands Design District (EH-A, EH-B, EH-C and EH-D) are listed in LUC 20.25F.010.

Permitted uses in the Office and Limited Business-Open Space District (OLB-OS) are listed in LUC 20.25L.020.

Permitted uses in the Medical Institution District are listed in LUC 20.25J.020.

Permitted uses in the Bel-Red District (BR) are listed in LUC 20.25D.070.

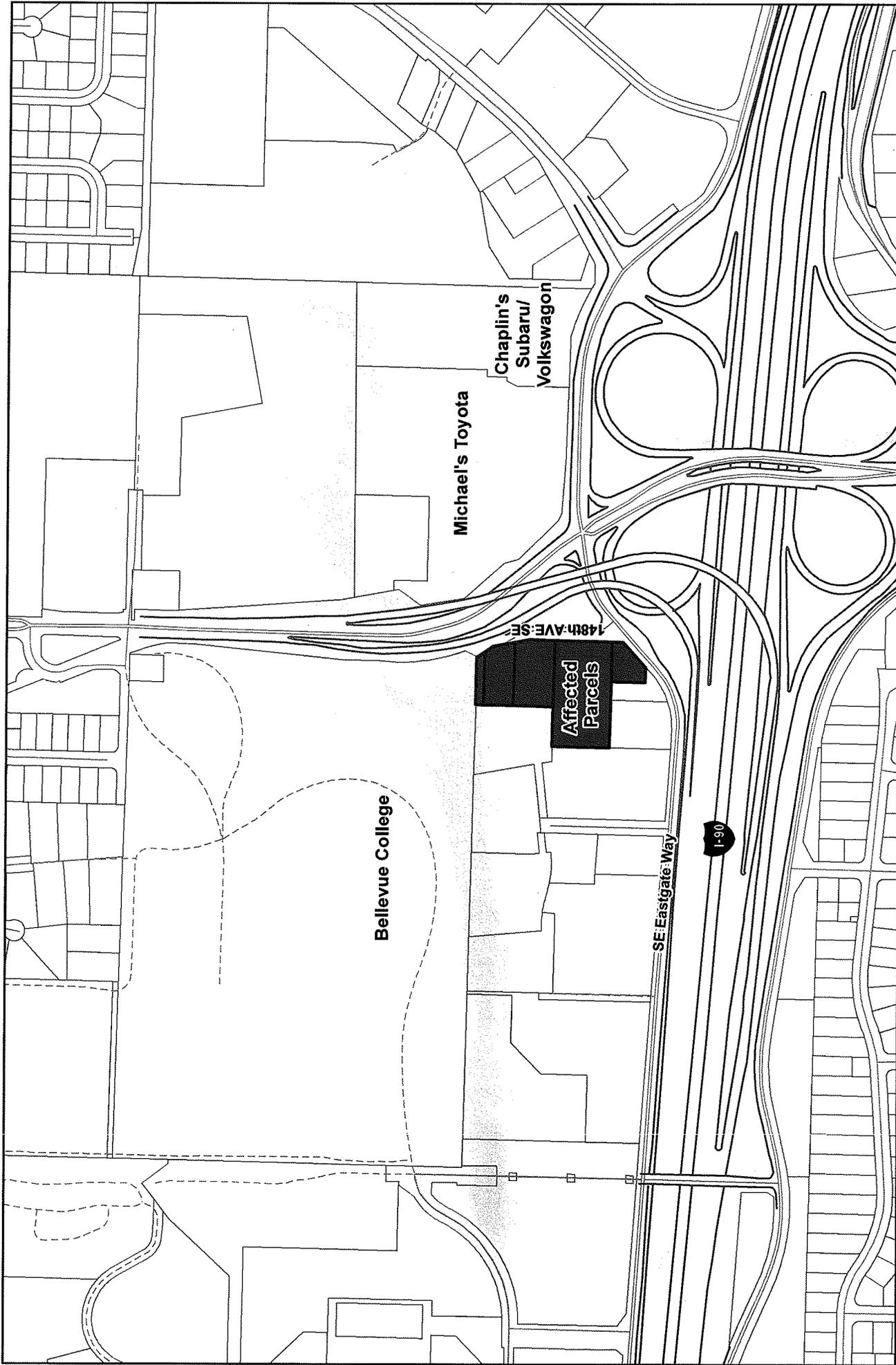
**Not effective within the jurisdiction of the East Bellevue Community Council.*

KEY	
P	PERMITTED USE
C	CONDITIONAL USE (see Part 20.30B or Part 20.30C)
PD	PERMITTED subject to planned unit development only. (See Part 20.30D)
A	ADMINISTRATIVE CONDITIONAL USE (see Part 20.30E)
S	Permitted only as a subordinate use to a permitted or special use

Notes: Uses in land use districts – Wholesale and Retail

- (1) – (5) No change.
- (6) Retail auto sales are permitted only in the following locations:
 - a. The west side of 116th Avenue NE between NE 8th Street and the SE 8th Street off-ramp from northbound I-405; and
 - b. Along SE 36th Street west of the ravine located at the approximate alignment of 133rd Avenue SE and east of 132nd Avenue SE.
 - c. West of 148th Avenue SE between SE Eastgate Way and Bellevue College, on properties fronting wholly or partially on 148th Avenue SE. Retail auto sales located in this area shall be subject to Design Review per LUC Part 20.30F, and associated vehicle inventory storage shall predominantly occur within a building or buildings.

(7) - (40) No change.



Retail Auto Sales in OLB - Eastgate

The City of Bellevue does not guarantee that the information on this map is accurate or complete. This data is provided on an "as is" basis and disclaims all warranties.

Coordinate System: State Plane, Washington North Zone, NAD83 NRSR2007 (Bellevue)



Sources:
City of Bellevue

Eastgate Subarea Plan

GOAL:

To preserve and promote the accessibility and appearance of residential neighborhoods, local amenities, and business establishments within the Subarea.

Discussion: The Subarea is mostly developed. It is important that subsequent development and redevelopment improves the function and appearance of the various land uses and that they are compatible with each other.

OVERVIEW

The Eastgate Subarea provides a gateway for south Bellevue and an axis for travel between the Eastside and metropolitan Seattle. Rolling tree- and house-covered hills on either side of the I-90 corridor surround a major commercial interchange located at the center of the Subarea.

Convenient access makes the Eastgate Subarea a desirable place to live and work. Jobs, stores, schools, churches, parks, and trails all are within easy walking distance of each other. As one of Bellevue's older areas, the Subarea contains established residential neighborhoods, many with attractive views. Combined, these amenities have greatly enhanced the quality of life for the Subarea's residents and business owners alike.

The Eastgate Subarea encompasses approximately 1,500 acres. Its boundaries are 137th Avenue S.E. to the west, S.E. 23rd Street to the north, 168th Avenue S.E. to the east, and S.E. 41st Street to the south. The southern third and portions of the eastern edge of the Subarea lie outside the City of Bellevue's boundaries. In the future, the Subarea's boundaries may expand southward, to include areas that fall currently within the Newcastle Subarea and eastward up to Lake Sammamish.

The I-90 business corridor covers 10 percent of the Subarea, and is home to major corporations, hightechnology industries, and community shopping areas. The corridor, which has developed within the last ten years, owes its success to the area's accessibility to I-90 and its proximity to major urban centers. Sunset Village and the Eastgate Shopping Center, which serve the large residential neighborhoods in the Subarea, also are located in this corridor.

The area north of the I-90 corridor features large and small parks; a deep, wooded ravine; about 160 acres of publicly-owned land; and numerous public facilities such as churches, government agencies, and a community college. The area south of I-90 is largely within unincorporated King County, with the exception of the commercial

areas that front the freeway. Parks, schools, and churches also are found within the Subarea on both sides of I-90.

As of November, 1989, 95 acres of incorporated land remain vacant in the Subarea. Of those, about 22 acres are designated for commercial uses and about 73 acres are designated for residential uses. Eighty-two acres of the Subarea's vacant land is known as the Sunset Property, which will be developed with 750,000 square feet of office space and 312 multifamily homes. These multifamily homes will augment the Subarea's current supply of 522 multifamily and 725 single-family homes that lie within the incorporated portions of the Subarea. The potential residential population of the Subarea is approximately 3,250 people. This potential is not expected to increase or decrease dramatically. Employment growth, however, is projected to reach 9,000 workers by 2020, up from 7,270 workers in 1988.

Protecting residential neighborhoods from increased development and its resultant increased traffic, redeveloping existing retail properties, and creating a comprehensive trail system are expected to be the Subarea's major issues in the near future.

Land Use

POLICIES

POLICY S-EG-1. Encourage office and retail land uses that take advantage of the freeway access without impacting adversely the residential neighborhoods.

Discussion: Intense office development can generate adverse traffic impacts and block residential views. Site design also can impact residential quality. To support this policy, office and retail development should be limited so that it is compatible with surrounding neighborhoods.

POLICY S-EG-2. Encourage restaurants and other commercial uses that serve local workers to be compatible in design with surrounding office development and accessible to pedestrians.

Discussion: The reason for encouraging restaurants and other commercial services within office developments is to reduce vehicular traffic between the office parks and retail areas. Retail areas are intended to serve primarily local needs

Natural Determinants

POLICIES

POLICY S-EG-3. Protect the Vasa Creek riparian corridor from development to improve water quality, fisheries, and provide open space.

Discussion: The Vasa Creek riparian corridor has major segments that remain in a natural state. This creek is one of the few natural areas left in the Subarea and should be protected. A trail along the creek may be possible if environmental impacts can be avoided.

POLICY S-EG-4. Protect and improve the stormwater quality entering public drainage systems, streams, and Phantom Lake.

Discussion: Construction activities should control erosion and sedimentation. This could include seasonal limitation on grading activities, natural vegetative filtration, and use of the best available technology. Storm water quality from developments should be improved prior to discharge into the public drainage system.

Commercial

POLICIES

POLICY S-EG-5. Consolidate retail/commercial development within existing Community Business and General Commercial boundaries.

POLICY S-EG-6. Limit retail expansion to serve primarily neighborhood and community retail needs.

Discussion: Retail services should serve area residents but not become regional shopping centers.

Residential Development

POLICIES

POLICY S-EG-7. Maintain single-family housing as the predominant residential land use in the Subarea in land area and appearance.

POLICY S-EG-8. Limit multifamily housing to locations accessible directly from arterials, as depicted on the Land Use Plan (*Figure S-EG.1*).

POLICY S-EG-9. Discourage multifamily and commercial traffic from passing through single-family neighborhoods.

POLICY S-EG-10. Multifamily housing may be appropriate to separate office and retail land uses from single-family neighborhoods.

POLICY S-EG-11. Encourage more opportunities for affordable housing in the Subarea by maintaining and rehabilitating existing housing stock.

Circulation

POLICIES

POLICY S-EG-12. Evaluate the impacts on parking, nonmotorized circulation, and site access when uses that have high trip generation or unusual traffic patterns are proposed.

Discussion: Certain land uses, such as health clubs and movie theaters, have high trip generation, unusual traffic patterns, and high parking demands. Appropriate considerations should be given to these land uses to determine their traffic impacts and suitable mitigating measures. Mitigating existing traffic problems also should be considered.

POLICY S-EG-13. Reduce parking spillover from commercial uses to maintain safety standards.

POLICY S-EG-14. Improve safety for pedestrians and other nonmotorized users by providing and maintaining an integrated on-street and off-street system.

Discussion: The City should create a nonmotorized action list that proposes projects to eliminate missing links in the nonmotorized transportation system. It is important to use this list when reviewing tasks such as capital projects, the Street Overlay Program, and maintenance projects. The list could identify both interim and long-term capital improvements.

POLICY S-EG-15. Consider interim solution for nonmotorized improvements until major improvements can be made.

Discussion: Use the City of Bellevue's Overlay Program, Minor Capital Project Fund, Neighborhood Enhancement Program fund, or other sources to provide interim solutions when practical. These interim projects should not preclude major improvements.

POLICY S-EG-16. Encourage improvement of Metro facilities and service to and from key points in the Eastgate Subarea.

Discussion: Eastgate needs Metro service during off-peak hours from shopping areas and along arterials.

POLICY S-EG-17. Plan for the long-range, traffic-related needs in the Eastgate Subarea, including designated arterials, feeder (collector) streets, and residential streets.

Discussion: Such planning should include an evaluation of Eastgate's arterial facility needs for improvements to Eastgate Way and access to I-90.

Community Design

POLICIES

POLICY S-EG-18. Encourage a gateway within the I-90 interchange to accentuate Eastgate as an entry into Bellevue.

Discussion: The I-90 interchange at Eastgate is a major link between the northern and southern halves of the Subarea and is an access point for the freeway. A gateway should link both halves and include improved landscaping with seasonal color, pedestrian connections, lighting, district identification signs, and public artwork.

POLICY S-EG-19. Maximize the use of existing vegetation and topography to separate and buffer different land uses.

Discussion: The Subarea has natural, vegetated topographic breaks between the commercial/office developments and the residential neighborhoods. These natural buffers should be retained to keep these uses separate but compatible.

POLICY S-EG-20. Preserve the view amenities of adjacent single-family neighborhoods as development and redevelopment occurs.

POLICY S-EG-21. Discourage new development from blocking existing views.

POLICY S-EG-22. Encourage the preservation of sufficient natural vegetation to assure amenable views.

POLICY S-EG-23. Diminish the affect of rooftop equipment on views from residential areas.

POLICY S-EG-24. Design rooftop equipment to be low-profiled and screened to match the building's exterior color, building materials, and styles.

POLICY S-EG-25. Use landscaping to complement building and site design.

Discussion: Eastgate has a variety of land uses with large areas of office development. Site design should use street lighting and landscaping to accentuate walks and roads, soften paved areas, and screen development from adjacent residential uses. Large color spots of flowers should be used to accentuate areas visible from streets. When possible, plantings of trees and shrubs should be large enough to complement the scale of the building.

POLICY S-EG-26. Maintain the Subarea's predominantly treed skyline.

Discussion: Eastgate has a low-profile skyline with many trees. Buildings, especially in the I-90 corridor, should respect and complement this skyline.

POLICY S-EG-27. Encourage the State Department of Transportation to provide landscaping that clarifies access patterns and improves the appearance of their properties.

POLICY S-EG-28. Encourage cohesive site and building design in the redevelopment of the Eastgate retail, office, and service property.

Discussion: Some of the Subarea's retail, office, and service uses have immediate redevelopment potential. Therefore, redevelopment should enhance the surrounding arterials with pedestrian amenities such as well-defined pedestrian walkways that connect surrounding properties with street and building entrances. In addition, coordinate on-site auto circulation to reduce curb cuts and improve pedestrian safety. Landscaping should be in scale with the development. u

Planning District Guidelines

POLICIES

Planning District 1

POLICY S-EG-29. Retain significant vegetation and supplement vegetation on the steep slope along the southeast edge of Kamber Road between 137th Avenue S.E. and S.E. 24th Street.

POLICY S-EG-30. Retain sufficient vegetation on the eastern side of the Sunset property to visually buffer Bellevue Community College.

POLICY S-EG-31. Encourage residential Planned Unit Developments (PUD) to protect steep slopes and preserve open space in the northern half of the Sunset property.

Discussion: Steep slope protection and open space preservation at the north end of the Sunset property should buffer views of the development from the single-family residences across Kamber Road.

POLICY S-EG-32. Develop multifamily housing in the northern and central portion of the Sunset property to take advantage of the site's view potential.

POLICY S-EG-33. Encourage office uses in the southern half of the Sunset property to gain visibility and accessibility from I-90 and the frontage road.

Discussion: Policies S-EG-29 through S-EG-33 should guide the conditions of development as stated in these policies.

POLICY S-EG-34. Designate the 10.5 acre site northwest of the I-90 Business Park, known as the Old School District property, Single-family Urban Residential.

Discussion: At the reclassification stage particular attention should be given to the mitigation of traffic impacts to the adjacent residential neighborhoods that could result from the site's development. Multiple access points should be considered in order to disperse traffic. Alternatives to access from S.E. 26th Street/158th Avenue S.E. should be pursued.

POLICY S-EG-35. Designate the 4-acre Saint Andrews Church property and the northern 9.5 acres of the Latter Day Saints Temple property as Single-family High-density (SF-H).

Discussion: The development of congregate care senior housing, nursing home, or affordable housing may be appropriate for the site. A conditional use permit should be required to insure compatibility with adjacent development and insure that it is in keeping with the character of the Subarea. Multifamily Low-density may be appropriate for a rezone only to accommodate congregate care senior housing, nursing homes, or affordable housing.

POLICY S-EG-36. Designate the 1.25 acre triangular parcel directly opposite the eastern entrance to Bellevue Community College (B.C.C.) at the south end of 145th Place S.E. Professional Office.

Discussion: In no case should there be access to both 145th Place S.E. and the B.C.C. access road. The site may be appropriate for a Multifamily Low-density.

POLICY S-EG-37. Encourage light industrial development south of Kamber Road to buffer residences to the north.

Discussion: The buffer should be 30 feet wide along the south side of Kamber Road and include landscaping to accomplish maximum screening. In addition, outdoor lighting shall be shielded and loading docks shall be located away from residential land uses.

Planning District 2

POLICY S-EG-38. Protect the surrounding neighborhoods from future development in the I-90 Business Park by observing transition area requirements from residential uses as well as maintaining landscape buffers.

Discussion: Encourage retention of significant open space in the I-90 Business Park in conjunction with utilization of the remaining Development potential. Apply the OLB-OS designation in support of this policy. [Amended Ord. 5392]

POLICY S-EG-39. Designate the 6-acre parcel south of the Squibb Building west of Vasa Creek as Office, Limited Business.

Discussion: Any proposed residential development should include a portion of the units as affordable housing. If the site is developed with residential uses, nonmotorized access should be provided to 156th Avenue S.E. Hotel, motel, and retail uses should be prohibited. Before any development occurs at this site, a traffic/circulation study should be required to define a plan of action for dealing with increasing congestion in the area of the tunnel under I-90. Such a study would emphasize the importance of traffic considerations in development of the site to prevent further degradation and increasing safety problems.

POLICY S-EG-40. Auto sales, auto rental, and auto leasing uses are not appropriate in the Light Industrial District located east of 156th and north of I-90 nor along S.E. 24th.

Discussion: The Light Industrial District located east of 156th is currently known as the I-90 Business Park.