



DATE: March 20, 2013

TO: Chair Carlson and the Bellevue Planning Commission

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SUBJECT: 2013 Annual Comprehensive Plan Amendments (CPA) List of Initiated Applications – March 27, 2013, Planning Commission Study Session

The city received four requests for amendments in the annual 2013 Comprehensive Plan amendment (CPA) application period (December-January). This memo combines introducing the applications to the Commission with the initial review required to set the geographic scope for the four site-specific CPAs. A complete list and citywide map of the applications is included as Attachment 1.

After tonight's presentation, staff seeks direction on 1) consideration of expansion of the geographic scope of the site-specific applications; 2) a Threshold Review public hearing date; and 3) any additional questions that the Commission would like information on prior to or at the upcoming hearing. A staff report and recommendation responding to the Threshold Review criteria (Attachment 7) will be available in advance of the public hearing.

ANNUAL COMPREHENSIVE PLAN AMENDMENT PROCESS

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

Threshold Review

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

Final Review

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

COMPREHENSIVE PLAN AMENDMENT REQUESTS

1. **Bellevue Apartments** 12-132257 AC

Subarea: Wilburton/NE 8th
Address: 13902 NE 8th St
Applicant: Tsai

Background

This privately-initiated application includes a site located at the northwest corner of NE 8th St. and 140th Ave NE.

This application would amend the map designation on this 1.84-acre site from Office (O) to Multifamily-High (MF-H). This site is developed as an apartment complex. If the CPA were adopted the site could then be rezoned to allow multifamily redevelopment at a density of up to thirty units per acre (R-30). The applicant's stated purpose is to have the property zoning align with its land use, and then to add density to the existing complex in the form of additional dwelling units. There is a concurrent rezone application. See Attachment 2.

The property was designated and rezoned to Office in 1981. The designation likely anticipated rudimentary mixed land use development of the type allowed in office districts since Office allows for a residential component. Then concomitant agreements were used to assure that site design, storm detention and access issues were addressed. The site was developed in 1993 with the residential use.

Wilburton/NE 8th St Subarea Plan policies are generally silent on the intent of the land use designation at this site. Policies focus on the 116th-120th Avenue corridor, manage the transition edge between Wilburton residential and commercial uses, and assure continued compatibility with the Wilburton park facilities.

Geographic scoping

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

Staff does not recommend expansion of the geographic scope of the proposed Bellevue Apartments CPA.

The Bellevue Apartments site is bounded on the east and south by ROW, on the north by an existing office and office-zoned property, and on the west by existing multifamily and R-20-zoned property. The applicant here is seeking zoning that accurately reflects the land use today as well as an increment of density. Neither of these characteristics apply to the residentially-zoned property to the west of this site. It thus lacks the shared characteristics necessary to expand the geographic scope of this proposal.

2. **Bel-Kirk Office Park** 13-106131 AC

Subarea: North Bellevue
Address: 11100 NE 33rd Pl
Applicant: Martin Seelig, John Burns

Background

This privately-initiated application includes an existing (1988) two-building office complex site located between NE 33rd Pl and the former BNSF rail right-of-way, and more generally between SR 520 and I-405, approximately 4/10ths of a mile northwest of the intersection of those highways.

This application would amend the map designation on this 7.26-acre site from Light Industrial (LI) to O (Office). If the CPA were adopted the site could then be rezoned to allow general office redevelopment. The applicant's stated purpose is to align the Comprehensive Plan designation with the existing land use. There is a concurrent rezone application. See Attachment 3.

This application is similar to the previous Bellevue Apartments CPA application. Although the Growth Management Act's (GMA) requirement to align comprehensive plan designation with zoning is met, in both instances there are longstanding land uses on site with misaligned underlying zoning.

The Land Use Goal for the North Bellevue Subarea Plan seeks to provide for land use which protects the predominantly single-family character of the subarea from encroachment by other uses. Policy supports scaling down multifamily and office development as it approaches single-family areas so as to create an appropriate transition.

Geographic scoping

Staff does not recommend expansion of the geographic scope of the proposed Bel-Kirk Office Park CPA.

The property is bounded on the east and north by existing multifamily housing (although the BNSF rail right-of-way represents a substantial buffer) and by an existing office complex to the west that is already zoned Office. Across NE 33rd Pl to the southwest are a collection of independently smaller warehouses zoned Light Industrial. Farther to the southeast is the [City of] Bellevue Service Center, also zoned Light Industrial. Both of these properties are appropriately designated as are the adjacent office- and multifamily-zoned properties to the northwest and northeast. This suggests there are no shared characteristics properties near the application site that warrant expansion of the geographic scope.

3. **Banner Bank** 13-106265 AC

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

Background

This privately-initiated application includes three office properties on the south side of Bel-Red Road across from the Coca-Cola plant. The properties gain access both from Bel-Red Road on the north, and from NE 10th Pl on the south. The properties' southern boundary is coterminous with the southern boundary of the Bel-Red Subarea.

This CPA was previously submitted in 2012. After making a May 16, 2012, recommendation not to advance the application out of Threshold Review, commissioners asked to reconsider the proposal under a different geographic scoping configuration. The initial geographic scoping had included one property to the west and up to six properties to the east, along the south side of Bel-Red Rd. These properties were considered similarly situated because policy intended them to act as buffers between more intense Bel-Red zoning north of Bel-Red Road and less intense single-family zoned areas south, as well as buffers to the office and multifamily zoned areas, all in the adjacent Wilburton/NE 8th Subarea.

After reconsidering potential impacts to residential densities, of viewing height allowed in more intense districts, and economic considerations of redevelopment for these properties, commissioners concluded that only the property to the west was similarly situated under geographic scoping. The Commission then voted 4-3 to advance the application.

The applicant withdrew it in September before the City Council could take action. The timing of the withdrawal prior to Council action means that it did not invoke the 3-year, no-repeat application limit.

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

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

The Bel-Red Subarea Plan Goal for this area south of Bel-Red Road is to:

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

Geographic scoping

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

The Commission may wish to consider a geographic scoping that includes only the property to the west. This would mirror the geographic scoping recommendation of 2012.

The Commission may also wish to consider again whether any one of five properties (12501-12721 Bel-Red Rd) to the east should be included in an expansion of the geographic scope. This is because from a Comprehensive Plan perspective all seven (the “west” site at 1000 124th Ave NE, the Banner Bank property, and the five “east” sites) are similarly situated—they are all subject to Policy S-BR-93 and all lack contiguity with single-family zoned property.

4. Overlake Investors 13-106273 AC

Subarea: Bel-Red
Address: 1835 116th Ave NE (vacant land)
Applicant: Kim Faust

Background

This privately-initiated application includes vacant property on the west side of 116th Avenue NE. The site was occupied by four single family homes which were demolished sometime before 2005. A medical office building had previously been proposed for the vacant site.

This application would amend the map designation on this 0.8-acre site from BR-MO (Bel-Red Medical Office) to BR-CR (Bel-Red Commercial/Residential). If the CPA is adopted, the site could be rezoned to allow Bel-Red commercial redevelopment at an intensity of up to 2.0 FAR. There is a concurrent rezone application. See Attachment 5.

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

Geographic scoping

Staff does not recommend expansion of the geographic scope of the proposed Overlake Investors CPA.

The site is located almost in the center of a 90-acre swath of a BR-MO zoned area which extends from SR 520 to NE 12th St. and from I-405 to the former BNSF rail right-of-way. There is essentially no boundary line at which to stop consideration of the expansion of geographic scope to include this entire BR-MO zoned area, because the geographic scoping decision criterion calls for identifying shared characteristics with nearby, similarly situated property, with expansion the minimum necessary to include properties with those shared characteristics. Contemplating such a large area for amendment is more appropriately done through the Subarea review process.

PLANNING COMMISSION ACTION

The Planning Commission is requested tonight to reach a consensus on the extent of the expansion of the geographic scope of the applications, and then to establish a Threshold Review public hearing date. Staff proposes scheduling the Threshold Review public hearing for April 24, 2013. Finally, please direct to staff any additional questions or issues you would like addressed. Staff will include them in the staff report and recommendation responding to the Threshold Review criteria. That report will be available in advance of the public hearing.

ATTACHMENTS

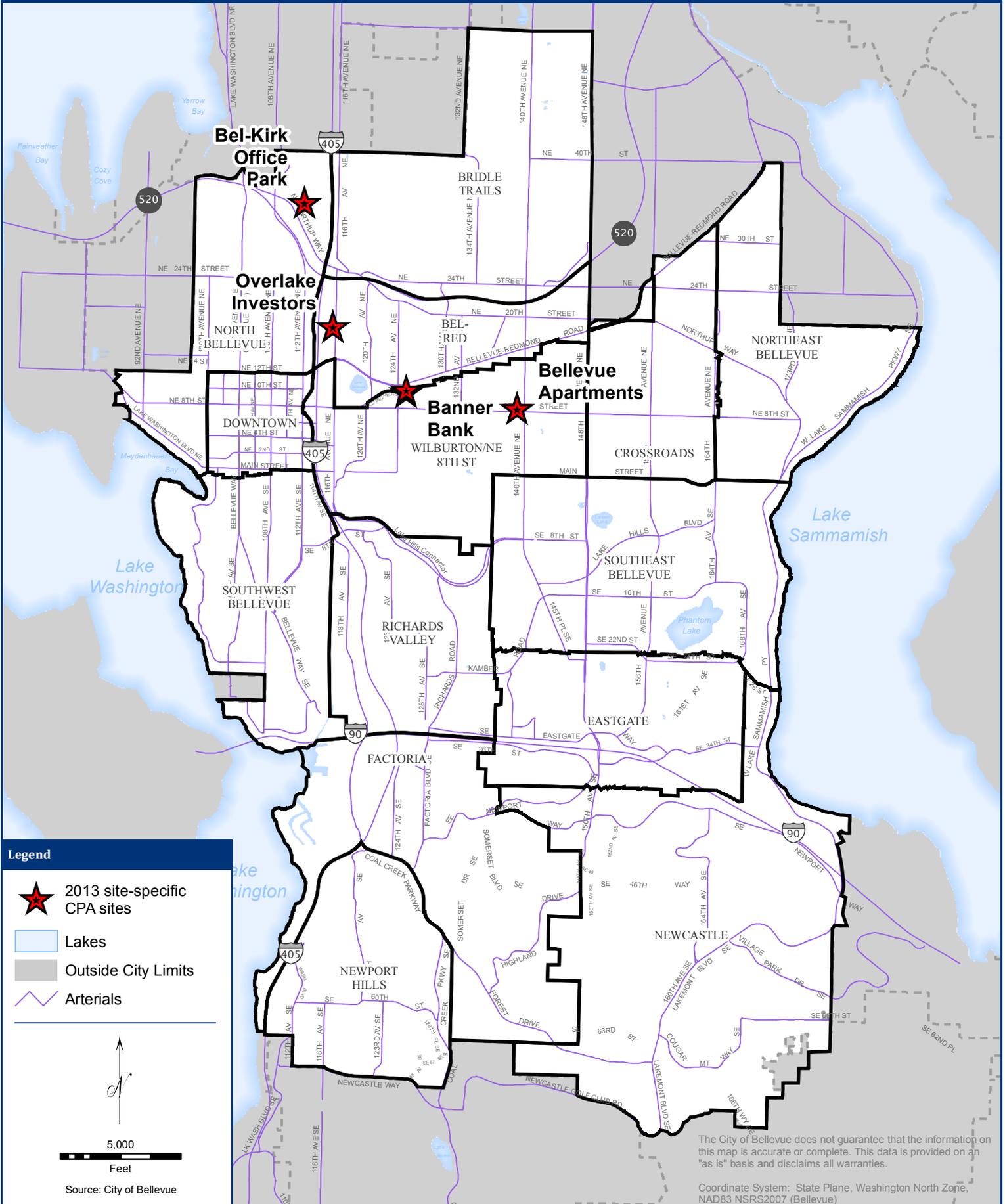
1. 2013 List and Map of Initiated Annual CPAs
2. Bellevue Apartments CPA location map
3. Bel-Kirk Office Park CPA location map
4. Banner Bank CPA location map
5. Overlake Investors CPA location map
6. Threshold Review criteria including expansion of geographic scope



2013 Annual Comprehensive Plan Amendments - List of Initiated Applications

<i>CPA number (AC)</i>	Site-specific Proposal <i>Subarea</i>	Applicant
<p>Bellevue Apartments <i>12 – 132257 AC</i></p>	<p>Proposed map change of 1.84 acres from Office (O) to Multifamily-High (MF-H) 13902 NE 8th St <i>Wilburton/NE 8th</i></p>	<p>Tsai</p>
<p>Bel-Kirk Office Park <i>13-106131 AC</i></p>	<p>Proposed map change of 7.26 acres from Light Industrial (LI) to Office (O) 11100 NE 33rd Pl <i>North Bellevue</i></p>	<p>Burns Seelig</p>
<p>Banner Bank <i>13-106265 AC</i></p>	<p>Proposed map change of 2.61 acres from BR-ORT (Bel-Red Office/Residential Transition) to BR-CR (Bel-Red Commercial/Residential) 12433, 12443, and 12453 Bellevue-Redmond Road NE <i>Bel-Red</i></p>	<p>Sternoff</p>
<p>Overlake Investors <i>13-106273 AC</i></p>	<p>Proposed map change of 0.8 acres from BR-MO (Bel-Red Medical Office) to BR-CR (Bel-Red Commercial/Residential) 1835 116th Ave NE <i>Bel-Red</i></p>	<p>Faust</p>

2013 Comprehensive Plan Amendments



Legend

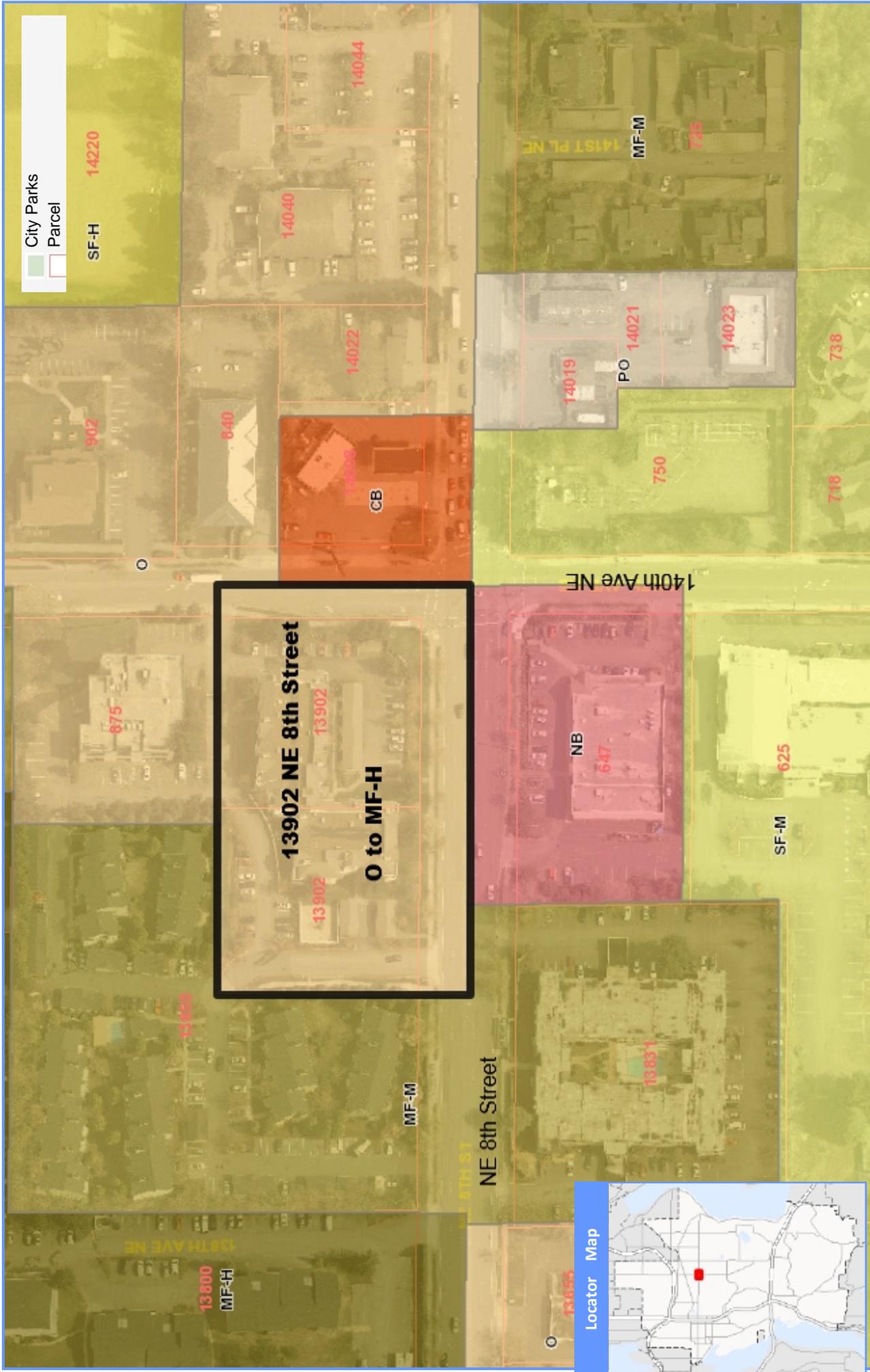
-  2013 site-specific CPA sites
-  Lakes
-  Outside City Limits
-  Arterials

Scale: 5,000 Feet

Source: City of Bellevue

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.

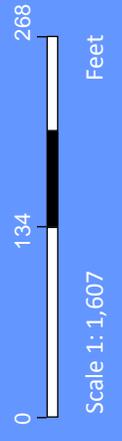
Coordinate System: State Plane, Washington North Zone, NAD83 NSRS2007 (Bellevue)

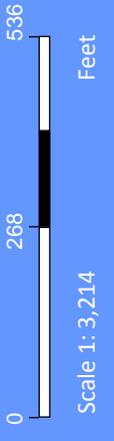
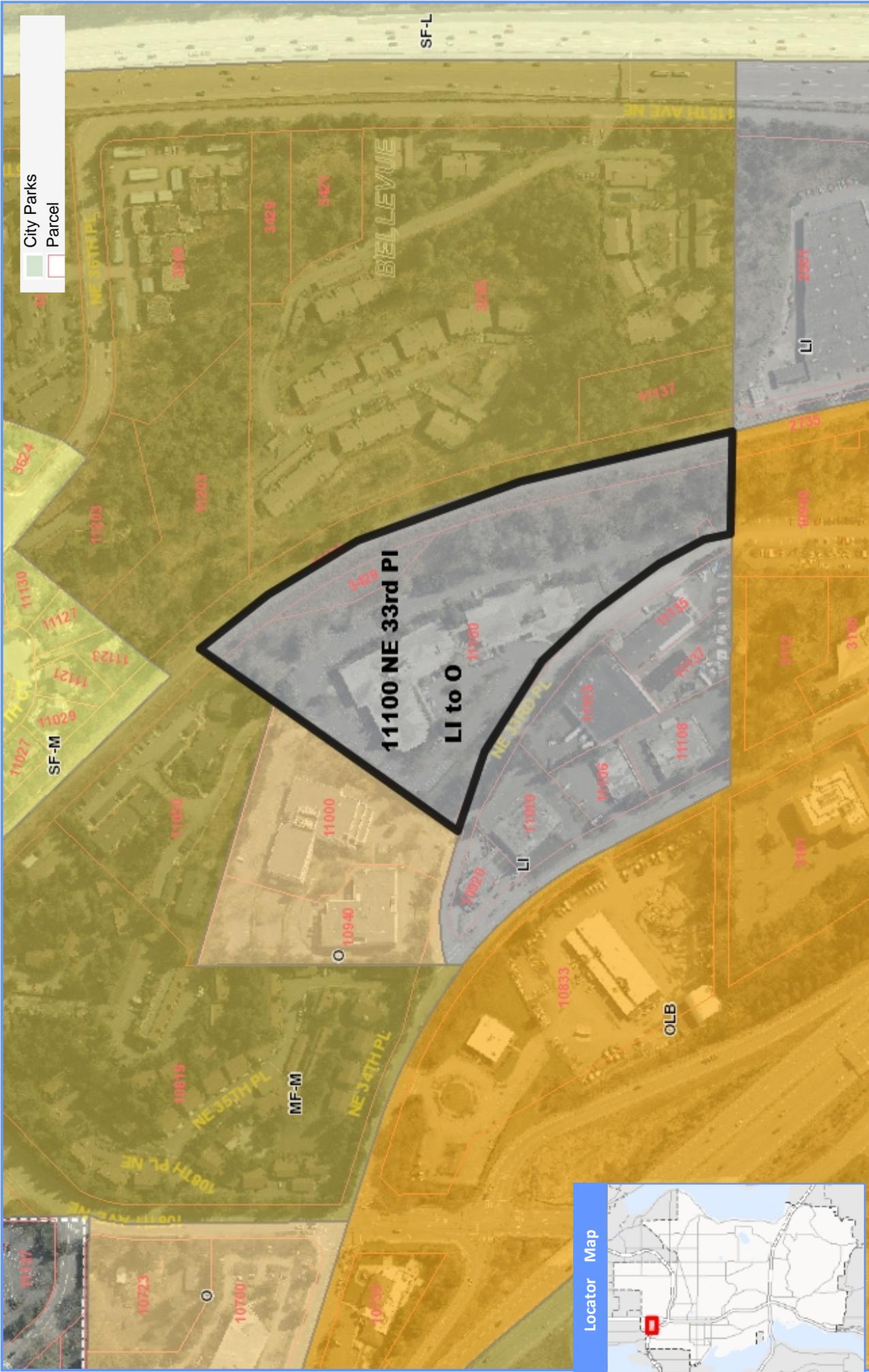


Locator Map



Bellevue Apartments CPA

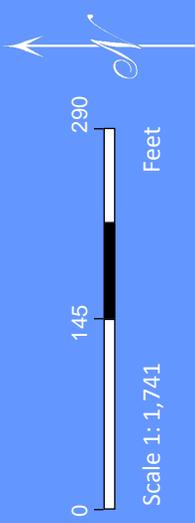




Locator Map

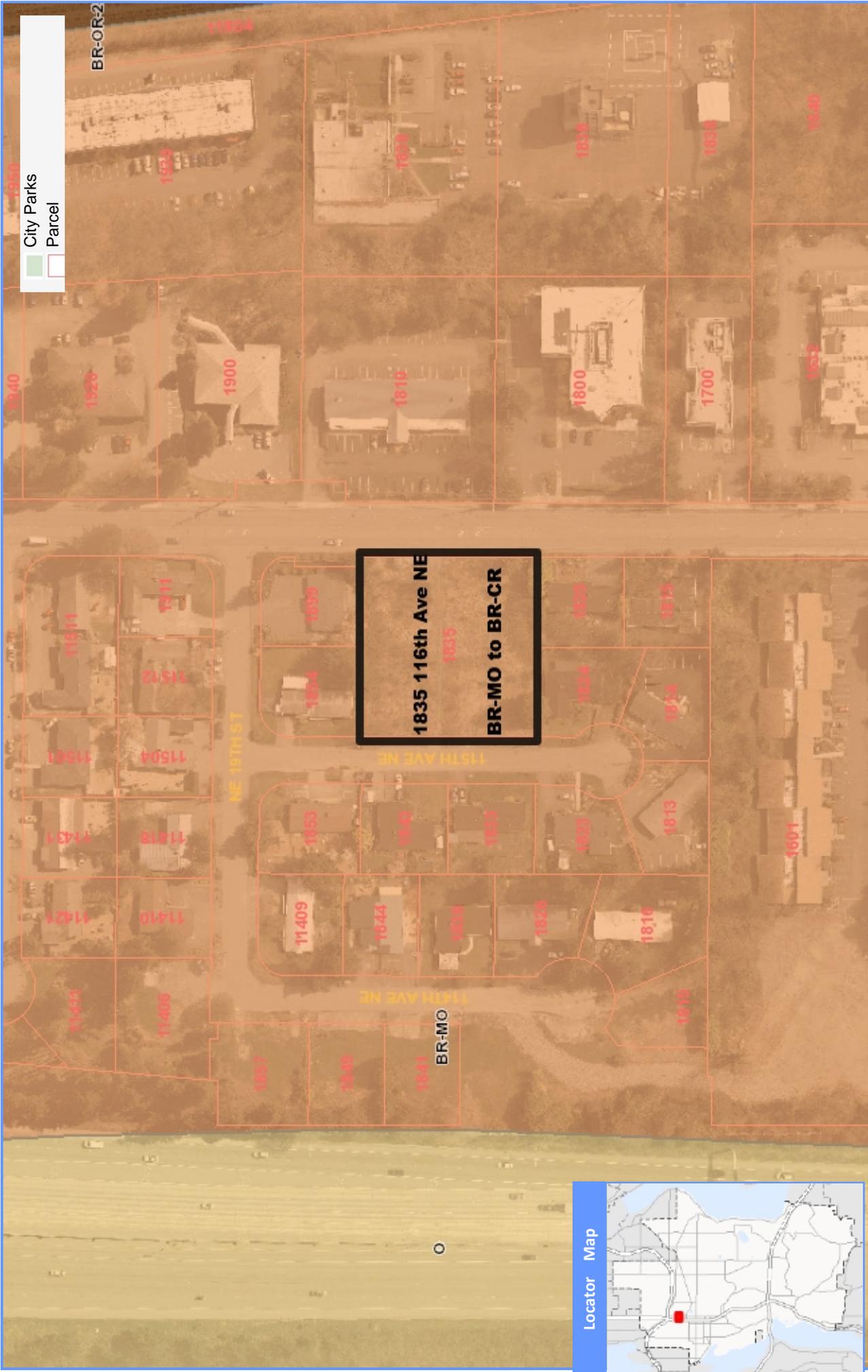
Bel Kirk Office Park CPA





Banner Bank CPA





Overlake Investors CPA



ATTACHMENT 6

20.30I.140 Threshold Review Decision Criteria

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

- A. The proposed amendment presents a matter appropriately addressed through the Comprehensive Plan; and
- B. The proposed amendment is in compliance with the three year limitation rules set forth in LUC 20.30I.130.A.2.d; and
- C. The proposed amendment does not raise policy or land use issues that are more appropriately addressed by an ongoing work program approved by the City Council; and
- D. The proposed amendment can be reasonably reviewed within the resources and time frame of the Annual Comprehensive Plan Amendment Work Program; and
- E. The proposed amendment addresses significantly changed conditions since the last time the pertinent Comprehensive Plan map or text was amended. Significantly changed conditions are defined as:

LUC 20.50.046 Significantly changed conditions. Demonstrating evidence of change such as unanticipated consequences of an adopted policy, or changed conditions on the subject property or its surrounding area, or changes related to the pertinent Plan map or text; where such change has implications of a magnitude that need to be addressed for the Comprehensive Plan to function as an integrated whole. This definition applies only to Part 20.30I Amendment and Review of the Comprehensive Plan (LUC 20.50.046); and

- F. When expansion of the geographic scope of an amendment proposal is being considered, shared characteristics with nearby, similarly-situated property have been identified and the expansion is the minimum necessary to include properties with those shared characteristics; and
- G. The proposed amendment is consistent with current general policies in the Comprehensive Plan for site-specific amendment proposals. The proposed amendment must also be consistent with policy implementation in the Countywide Planning Policies, the Growth Management Act, other state or federal law, and the Washington Administrative Code; or
- H. State law requires, or a decision of a court or administrative agency has directed such a change.

(ii) Consideration of Geographic Scope

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