

2016 Annual Threshold Review CPA Recommendation
and Consideration of Geographic Scoping
Site-Specific Amendment

Naficy Mixed Use

Staff recommendation: Do not include the Naficy Mixed Use CPA proposal in the 2016 annual CPA work program. If included, **expand** the geographic scope of the proposal.

Application Number: 16-123605 AC
Subarea: Crossroads
Original Addresses: 15700 Bel-Red Rd
Applicant(s): Naficy

PROPOSAL

This is the Threshold Review stage of the annual Comprehensive Plan amendment (CPA) process. The purpose of Threshold Review is to determine whether a proposed amendment should be considered in the Comprehensive Plan amendment work program for Final Review.

The Comprehensive Plan Amendment process has two phases: Threshold Review—to determine whether a proposed amendment should be considered in the Comprehensive Plan amendment work program for Final Review; and Final Review, where the merits of an application are considered. Both phases use Land Use Code decision criteria for review.

This privately-initiated application would amend the map designation on this 0.574-acre site from Office (O) to Bel-Red Residential-Commercial node 3 (BR-RC-3). The single property is developed with a medical/dental office building and surface parking. There is a concurrent rezone application.

The applicant's stated purpose is that the re-designation and rezone of the subject property and the neighboring properties in this vicinity from Office to BelRed Residential Commercial Node 3 would allow for a denser mixed use center and provide additional housing to support the growth protections stated in the comprehensive plan, and add to the pedestrian activity in the neighborhood.

STAFF RECOMMENDATION

Staff recommends not including this Comprehensive Plan amendment application in the 2016 work program. If the application is included, the geographic scope should be expanded to include the four other similarly situated properties (two office buildings, a telephone switching building, and an extended stay hotel) making up the balance of this triangular area, itself bounded by 156th Ave NE, NE 28th St., and Bel-Red Road.

By proposing a BelRed designation and density in an area that is not within the BelRed Subarea, the proposed amendment raises policy or land use issues that are more appropriately addressed by an ongoing work program approved by the City Council. That

work program is the BelRed “Look Back,” a retrospective of what has happened in BelRed since adoption of the Subarea Plan and code regulations in 2009. The purpose of the “Look Back” is to identify implementation strategies that are working well, and those that may need adjustment to more effectively achieve the vision for the BelRed Subarea. BelRed boundary issues are more appropriately reviewed through this larger work program that is now underway.

BACKGROUND

The Office (O) Comprehensive Plan designations amended the former Evergreen Highlands (EH) Subarea as part of the 2004 major Comprehensive Plan update. The EH Subarea—a tool to jointly regulate the jurisdiction interface in this area—was deleted through Ordinance 5565 as it was no longer needed to mitigate land use and transportation issues. No previous CPA applications have been made for this site.

THRESHOLD REVIEW DECISION CRITERIA

The Threshold Review Decision Criteria for an initiated Comprehensive Plan Amendment proposal are set forth in the Land Use Code Section 20.30I.140. Based on the criteria, Department of Planning and Community Development staff has concluded that the proposal **not be included** in the annual CPA work program.

This conclusion is based on the following analysis:

- A. The proposed amendment presents a matter appropriately addressed through the Comprehensive Plan; and

The question of the most suitable land use designation for the site is appropriately addressed through the Comprehensive Plan amendment review process.

- B. The proposed amendment is in compliance with the three-year limitation rules set forth in LUC 20.30I.130.A.2.d; and

The three-year limitation does not apply to this proposal.

- 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

The proposed amendment raises policy or land use issues more appropriately addressed by an ongoing work program. The BelRed “Look Back” just underway in 2016, a retrospective of what has happened in BelRed since adoption of the Subarea Plan and code regulations in 2009. The purpose of the Look Back is to identify implementation strategies that are working well, and those that may need adjustment to more effectively achieve the vision for the BelRed Subarea.

The proposal would require not just a change in designating one district to another, but a major expansion of the BelRed Subarea boundary. This has significant impacts beyond the subject property, and is more appropriately addressed through the BelRed “Look Back.”

- D. The proposed amendment can be reasonably reviewed within the resources and timeframe of the Annual Comprehensive Plan Amendment Work Program; and

The proposed amendment cannot be reasonably reviewed within the resources and timeframe of the annual Comprehensive Plan amendment work program because it raises BelRed Subarea issues. The proposal would require not just a change in designating one district to another, but a major expansion of the BelRed Subarea boundary. This has significant impacts beyond the subject property, and is more reasonably reviewed through the BelRed "Look Back."

- 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:

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

The proposal does not address significantly changed conditions of the broader implications of the change in designation and district. It is not clear the changes support amending the boundary.

- 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

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 recommends expanding the geographic scope of the proposal to include the similarly situated properties which together with the Naficy site make up this triangular area bounded by 156th Ave NE, NE 28th St, and Bel-Red Rd. This is a block of parcels that are similarly situated. See Attachment 3.

- 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 (GMA), other state or federal law, and the Washington Administrative Code (WAC); or

Bellevue's land use pattern creates sufficient land capacity to achieve growth targets, while directing growth to appropriate areas. This is difficult to accomplish via a site-specific proposal since it also raises the boundary issue.

The proposed amendment is consistent with such policy intent in seeking a middle ground solution between urban center densities to the north and west, and existing residential densities in its Crossroads neighborhoods to the east and south.

The Neighborhoods Element speaks to enabling neighborhood-tailored solutions to be localized issues while ensuring they meet citywide responsibilities (Policy N-11).

The proposal is also supported by BelRed Vision intent for appropriately scaling development: "Development and redevelopment in BelRed should complement, not compete with, Downtown and should provide graceful transitions in scale in areas adjacent to residential neighborhoods."

BelRed's interjurisdictional coordination goal also intends "To provide for effective coordination and mitigation of impacts that cross jurisdictional boundaries."

and:

- H. State law requires, or a decision of a court or administrative agency has directed such a change.

State law or a decision of a court or administrative agency has not directed the suggested change.

PUBLIC COMMENT

PCD has received a number of public comments on this application, predominantly related to the traffic impacts of development intensification. Others note concern about impacts to Crossroads residential neighborhoods. Two comments were received advocating for the proposal as a means to provide affordably priced housing in Bellevue.

ATTACHMENTS

1. Application materials
2. Site map
3. Expansion of Geographic Scope map
4. Public Comments



Department of Planning & Community Development
425-452-6800 www.bellevuewa.gov

Application for COMPREHENSIVE PLAN AMENDMENT

CPA YEAR 20 APPLICATION DATE: <u>1/28/10</u>	TECH INITIALS <u>KW</u>	AMANDA PROJECT FILE: <u>14-123605 AC</u>
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1. Project name Naficy Mixed Use
2. Applicant name Parkay Investments Agent name Baylis Architects
3. Applicant address 15700 Bel-Red Road Bellevue
4. Applicant telephone (425) 881 8180 fax () e-mail keyvan@drnaficy.com
5. Agent telephone (425) 454 0566 fax () e-mail wagnerr@baylisarchitects.com

This is a proposal to initiate a site-specific Comprehensive Plan Amendment proposal (Go to **Block 1**)
 This is a proposal to initiate a non site-specific Comprehensive Plan Amendment proposal (Go to **Block 2**)

BLOCK 1
 Property address and/or 10-digit King County parcel number 0673100089
 Proposed amendment to change the map designation from existing Office to proposed BR-RC3
 Site area (in acres or square feet) 25,000 sf
 Subarea name Crossroads
 Last date the Comprehensive Plan designation was considered ___/___/___
 Current land use district (zoning) Office
 Is this a concurrent rezone application? Yes No Proposed land use district designation BR-RC3

Go to **BLOCK 3** Concurrent rezone application will soon follow Community Council: N/A East Bellevue

BLOCK 2
 Proposed amendment language. This can be either conceptual or specific amendatory language; but please be as specific as possible so that your proposal can be adequately evaluated. If specific wording changes are proposed, this should be shown in strike-out/underline format. Attach additional pages as needed.

Proposed map change of 0.574 acre from Office to BelRed Residential Commercial Node 3

Reference Element of the Comprehensive Plan (e.g., Land Use, Transportation, Housing, Capital Facilities):

Last date the Comprehensive Plan policy or text was considered ___/___/___
 Go to **BLOCK 3**



BLOCK 3

Support for the proposed amendment. Explain the need for the amendment—why is it being proposed? Describe how the amendment is consistent with the Comprehensive Plan Vision (Web link). Include any data, research, or reasoning that supports the proposed amendment. Attach additional pages as needed.

See Attached summary

Go to **BLOCK 4**

BLOCK 4a

Evaluating the proposed amendment. Explain how the proposed amendment is consistent with the Threshold Review Decision Criteria in LUC Section 20.30I.140 (see Submittal Requirements Bulletin #53). Attach additional pages as needed.

See Attached summary

BLOCK 4b complete this section only for a site-specific concurrent rezone

Evaluating the proposed concurrent rezone. Explain how the proposed rezone would be reviewed under Rezoning Decision Criteria in Land Use Code Section 20.30A.140. Attach additional pages as needed.

See Attached summary

I have read the Comprehensive Plan and Procedures Guide

NOTICE OF COMPLETENESS: Your application is considered complete 29 days after submittal, unless otherwise notified.

Signature of applicant Dr. Kayron Nafey Date 1-28-2016

I certify that I am the owner or owner's authorized agent. If acting as an authorized agent, I further certify that I am authorized to act as the Owner's agent regarding the property at the above-referenced address for the purpose of filing applications for decisions, permits, or review under the Land Use Code and other applicable Bellevue City Codes and I have full power and authority to perform on behalf of the Owner all acts required to enable the City to process and review such applications.

I certify that the information on this application is true and correct and that the applicable requirements of the City of Bellevue, RCW, and the State Environmental Policy Act (SEPA) will be met.

Signature Dr. Kayron Nafey Date 1-28-2016
(Owner or Owner's Agent)

*N. Magner, Agent
Boyle's Architects*

1-28-2016

Naficy Mixed-Use

1/28/16

Comprehensive Plan Amendment summary

Block 1

Sub Area: Crossroads

Parcel No: 0673100089

Address: 15700 Bel-Red Rd Bellevue, WA 98008

Proposed amendment to change the map designation from existing office to proposed BelRed Residential Commercial Node 3.

Current land use district (Zoning): Office

Block 2

Proposed map change of 0.574 acre from Office to BelRed Residential Commercial Node 3.

Block 3

This Comprehensive Plan Map Amendment is requested to change the current designation from O to BR-RC-3. A rezone application would be expected to follow shortly after approval of the map amendment, although, if encouraged by the City, the Rezone application can be filed by the applicant to run concurrent with this Comprehensive Plan Amendment.

Since the Comprehensive Plan was adopted for this site and this area, the adjacent Bellevue Zoning and Land-Use Code has been substantially modified by the Bel-Red Corridor Plan, the Sound Transit Plan, the Metro Transit and Rapid Ride Plans, and the Redmond Land-Use Code abutting the subject property. The Redmond LUC is of great impact in that the massive development anticipated on the Redmond side of the line (immediately abutting the subject site) will allow Redmond to capture all of the employment and all of the municipal tax income, while Bellevue will receive all of the traffic impacts.

This requested amendment is needed to promote a rezone of property currently zoned "Office" into "Bel-Red". Under the current zoning, the Floor Area Ratio (FAR) is capped at 0.5 for Office, which would limit the subject property of 25,000 SF to only 12,500 SF of floor area. This 0.5 FAR should be compared to the 2.0 to 4.0 FAR to the west and to the 3.5 FAR to the north and to the east. Our request is to allow a maximum FAR of 4.0.

Received
JAN 28 2016
Permit Processing

Additionally, the current Comprehensive Plan designation and LUC zoning limits the ability to develop housing. For Bellevue to capture greater densities in this existing commercial district, the subject property should be re-designated, and in future, re-zoned, to support residential units to encourage pedestrian support the commercial district itself.

CHANGED CONDITIONS

The most recent Comprehensive Plan update relevant to the subject site was adopted on December 6, 1993 and includes visions to promote enhanced livability of the local communities. However, since the adoption of the Comp Plan for this area, many conditions have changed.

The Bel-Red Sub-Area Plan was adopted in 2010 and greatly intensified the development immediately to the south and west. This Plan encourages both housing and commercial redevelopment to an FAR ranging from 1.0 to 4.0. The current Redmond Land-Use Code was adopted in 2011 and opens the way for intensive development as high as 3.7 FAR. (See Figures D, E and F.)

The land gap between these Comprehensive Plan Designations and Redmond Zones is only 300 to 400 ft. It is here that the subject property lays fallow with a cap on the FAR of 0.5. (See Figure D).

The Bellevue Transit Master Plan, which includes relevant portions of the Sound Transit Plan, was adopted in July of 2014 and provides services to this land gap with the provision of a station only an 8 minute walk to the north. Further, the Metro Transit and Rapid Ride Plans, now traverses along 156th Ave. NE with service only 2 minutes away from the subject site. These two plans, individually and especially together, clearly foretell the future of this land gap and the subject property. (See Figures A and C).

COMPREHENSIVE PLAN and LAND USES

Our request for this Comprehensive Plan Amendment and concurrent Rezone is to increase the allowable FAR from 0.5 to a maximum of 4.0 and to increase the allowable residential density to 100 DU per acre. Our selection of the BR-RC-3 appears to be best choice to accomplish our re-development goal. Further, to fill the existing density in this existing gap of land usage, the extension of the Bel Red Plan through this 300 ft. planning void appears to be the most logical action and accomplishes both intentions.

The greater Bel-Red Commercial districts currently end just at the West side of 156th Ave NE. Here, there are pockets of Bel-Red nodes on the west side and sparsely populated Office zones east side. However, one can also predict, because there are two major transit stops to the north on 156th Ave NE, (Overlake Village Station and Overlake Transit Center), that properties near these major hubs will need to allow greater densities than what is currently allowed under the existing floor area ratios.

One of the land use visions describes growth that is now focused in denser mixed use centers, while maintaining the city's outstanding natural environment and the health and vitality of established residential neighborhoods.

The re-designation and rezone of the subject property and the neighboring properties in this vicinity from "Office" to "Bel Red Residential Commercial Node 3" would allow for a denser mixed use center and provide additional housing to support the growth projections stated in the comprehensive plan, and add to the pedestrian activity in the neighborhood.

Of note, the property is surrounded by other small properties with a mix of allowed and under-utilized capacities. To the east and north are properties designated and zoned EH-D, a zone that has brought little development since its tortured negotiations between the cities. To the west is a three-story office building, made possible due to a much larger site. And to the south are smaller O and PO zones, which further south, abut single family residential uses. These residences are more than 200 ft from the subject site, are fully accessed from the NE 24th St to the south, and have no direct auto connection to Bel Red Road. The principal arterial Bel Red Rd separates the properties that are zoned for higher densities to the north from the properties that are zoned for less density to the south. (See Figures B and C).

The Comprehensive Plan also notes that major growth and change is to be expected for the Bel-Red Corridor. And, as evidenced by the Redmond plan and the referenced Transportation Plans, these major changes will extend north along both sides of 156th Ave. NE. In anticipation of these major changes and the growth expected of this corridor, it is logical to make the proposed Comprehensive Plan and future Zoning updates to embrace this vision of urban vitality.

It is also logical that building frontage and the allowance of mixed use, such as retail and commercial would be necessary to create a more urban front which is pedestrian friendly, rather than a parking lot that fronts the property, which is what exists today.

TRANSPORTATION, MOBILITY and PARKING

According to the City of Bellevue Website under Bel-Red Transformation:

Between 2005 and 2009, the city worked with businesses, residents and other stakeholders to determine a new role for Bel-Red in the city's overall plan for growth and economic development. With the City Council's adoption of a Bel-Red zoning and code ordinance in 2009, the area is poised for transformation.

It further states that by 2030, Bel-Red area is expected to generate 10,000 new jobs, 5,000 new housing units, transit-oriented developments around light rail stations, better local and regional transportation connections, new parks trails bike paths and other amenities.

Furthermore, Sound Transit's East Link light rail line will pass through Bel-Red into Redmond. To begin operation in 2023, East Link will connect downtown Seattle to Bellevue and Redmond/Overlake. Two stations will be in Bel-Red, offering opportunities for the city to plan for transit-oriented communities around them.

Metro Transit has already implemented more intensive bus services and has bus stops on 156th, only three minutes from the subject property. And the proposed Overlake Village Sound Transit Station will be only an eight minute walk from the subject property up north near 156th. Maximizing residential uses on the subject property at the proposed floor area ratio will support the vision for nearby mass transportation, as residents can easily take the Metro and the ST Link to downtown Bellevue and to the tech offices to the north.

To achieve higher quality pedestrian frontage, parking should be located behind the building or utilized underground or underbuilding. It is highly desirable to maximize parking by utilizing a parking structure and have commercial uses abutting the property front. This arrangement would allow residential units to be built above ground-level commercial uses and would fulfill the Comprehensive Plan vision of pedestrian engaging interactive retail fronts, ...not the current zoning requirement where the structure is set back a 30 feet from the front property line, which encourages parking up front.

To soften the visual impacts caused by the higher densities of BR-RC3, zones in this node may consider more native landscaping, modulated building facades, variations of building materials, and upper level building setbacks along the frontage road.

Block 4a

The subject comprehensive plan amendment is consistent with the threshold review design criteria listed in the land use code 20.30I.140.

A. The proposed amendment presents a matter appropriately addressed through the comprehensive plan. The proposal includes supporting documentation explaining how the map amendment supports the vision of the comprehensive plan.

B. The proposed amendment is in compliance with the three-year limitation rules set forth in LUC 20.30I.130.A.2.d. The proposed amendment is not an issue that is initiated by the public and reviewed by the city more frequently than once every three years.

C. The proposed amendment also does not raise policy or land use issues that more appropriately addressed by an on-going work program approved by the City Council.

D. The proposed amendment can be reasonably reviewed within the resources and time frame of the Annual Comprehensive Plan Amendment Work Program; and

E. *This proposed amendment addresses the significantly changed conditions since the last time the comprehensive updates were adopted. These changed conditions, specifically regarding higher density development of the Bel-red neighborhoods to the West of 156th have been addressed in Block 3.*

F. *When expansion of the geographic scope of an amendment 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 Countrywide Planning Policies, the Growth Management Act, other state or federal law, and the Washington Administrative Code; or*

The proposed amendment supports many of the new policies included in the 2010 Subarea plan for this Bel-red corridor, including Policy BR-6, 7, 8 and 9. These new policies address specifically future of Bel-Red growth into a series of mixed use, pedestrian friendly and transit oriented development nodes. The policies mention higher densities and height through incentive system.

H. *State law requires, or a decision of a court or administrative agency has directed such a change.*

Block 4b

The proposed amendment supports the decision criteria listed under 20.30A.140.

A. *The rezone is consistent with the Comprehensive Plan.*

B. *The rezone bears a substantial relation to the public health, safety or welfare; and*

C. *The rezone is warranted in order to achieve consistency with the comprehensive plan or because of a need for additional property land use district classification or because the proposed zoning classification is appropriate or reasonable development of the subject property; and*

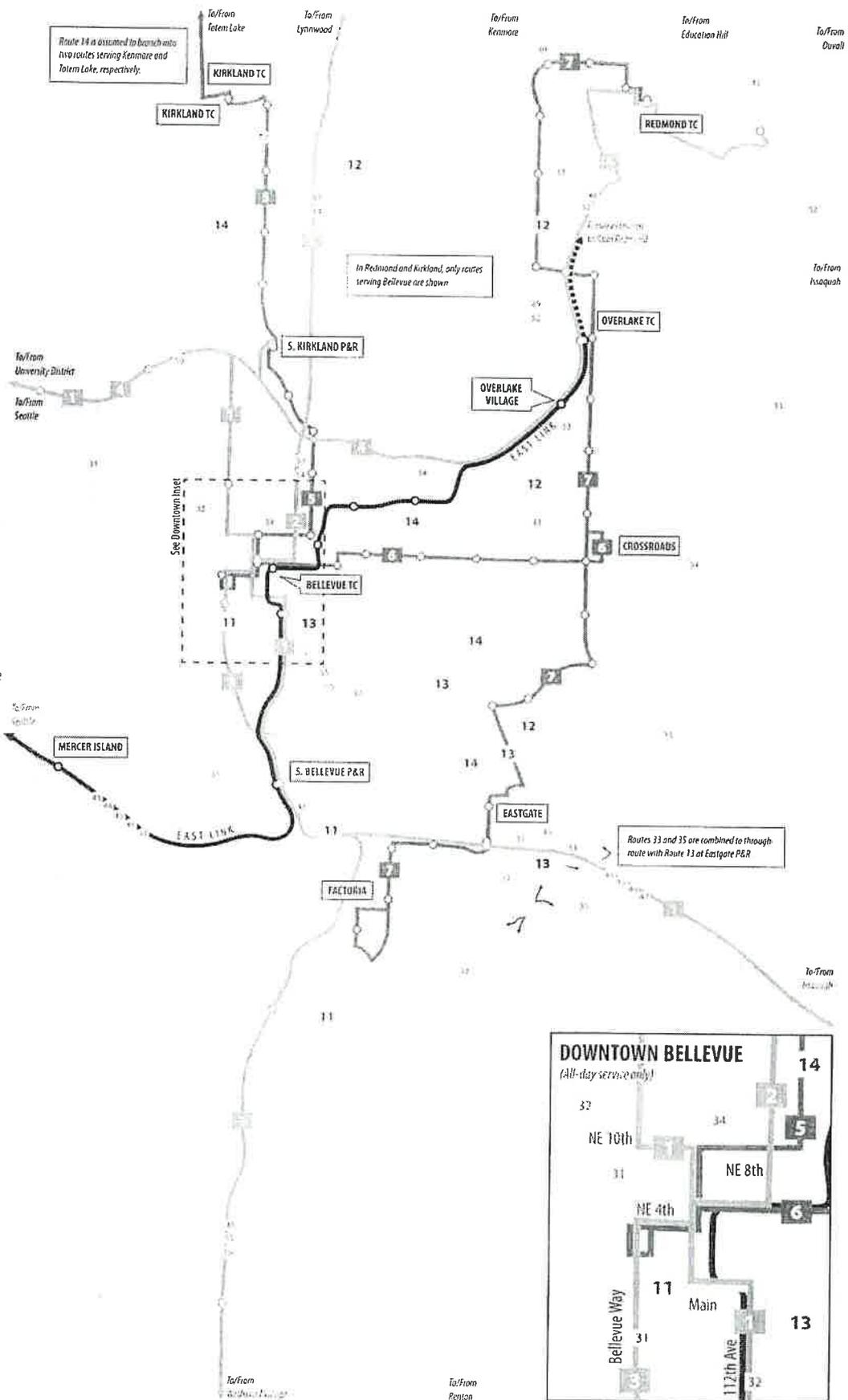
D. *The rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject property; and*

E. *The rezone has merit and value for the community as a whole.*

Figure 14 The 2030 Growing Resources Network,

BELLEVUE TRANSIT VISION 2030 Growing Resources Scenario

- East Link (Seattle - Bellevue - Overlake)
- 1 Issaquah Highlands - Bellevue - U. District
- 2 Lynnwood - Bellevue
- 3 Westwood Village - Renton - Bellevue
- 4 Redmond - U. District
- 5 Totem Lake - Kirkland - Bellevue
- 6 Crossroads - Bellevue
- 7 Redmond - Crossroads - Eastgate - Factoria
- 11 Bellevue - Factoria - Renton
- 12 Eastgate - Overlake Village - Kirkland
- 13 Bellevue - Eastgate
- 14 Kirkland - Bel-Red - Eastgate
- 31 South Bellevue - Bellevue - Yarrow Point
- 32 Eastgate - Factoria - Bellevue - Yarrow Point
- 33 Redmond - Overlake - Crossroads - Eastgate
- 34 Crossroads - Bel-Red - Bellevue
- 35 Issaquah - Eastgate
- 41 South Bellevue - Lake Kathleen
- 41 Eastgate - Seattle
- 44 North Bend - Issaquah - Eastgate - Seattle
- 45 Bear Creek - Sammamish - Eastgate - Seattle
- 45 Seattle - Eastgate - North Issaquah
- 47 Issaquah Highlands - Eastgate - Seattle
- 40 Duvall - Redmond - Overlake
- 49 Kenmore - Kingsgate - Overlake
- 50 Kirkland - Seattle
- 52 Issaquah - Sammamish - Overlake
- 61 Shoreline - Bothell - Bellevue
- 53 Everett - Bellevue
- 55 Auburn - Kent - Renton - Bellevue
- 56 Kent - Bellevue



WEEKDAY SERVICE FREQUENCIES (in minutes):

	Peak	Base	Night
Frequent Express	8	10 - 15	30
Frequent Rapid	8	10	15
Frequent Local	8	10	15
Coverage	30	30	30
Peak-Only	Frequency varies by route		



SOURCE: BELLEVUE
TRANSIT MASTER PLAN 2014

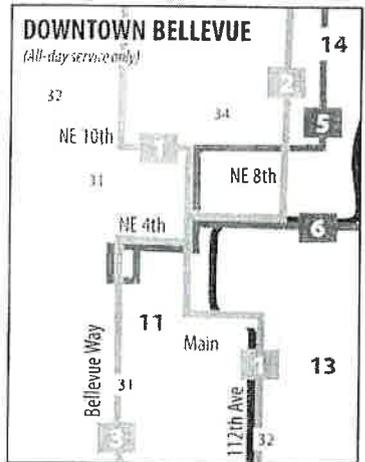


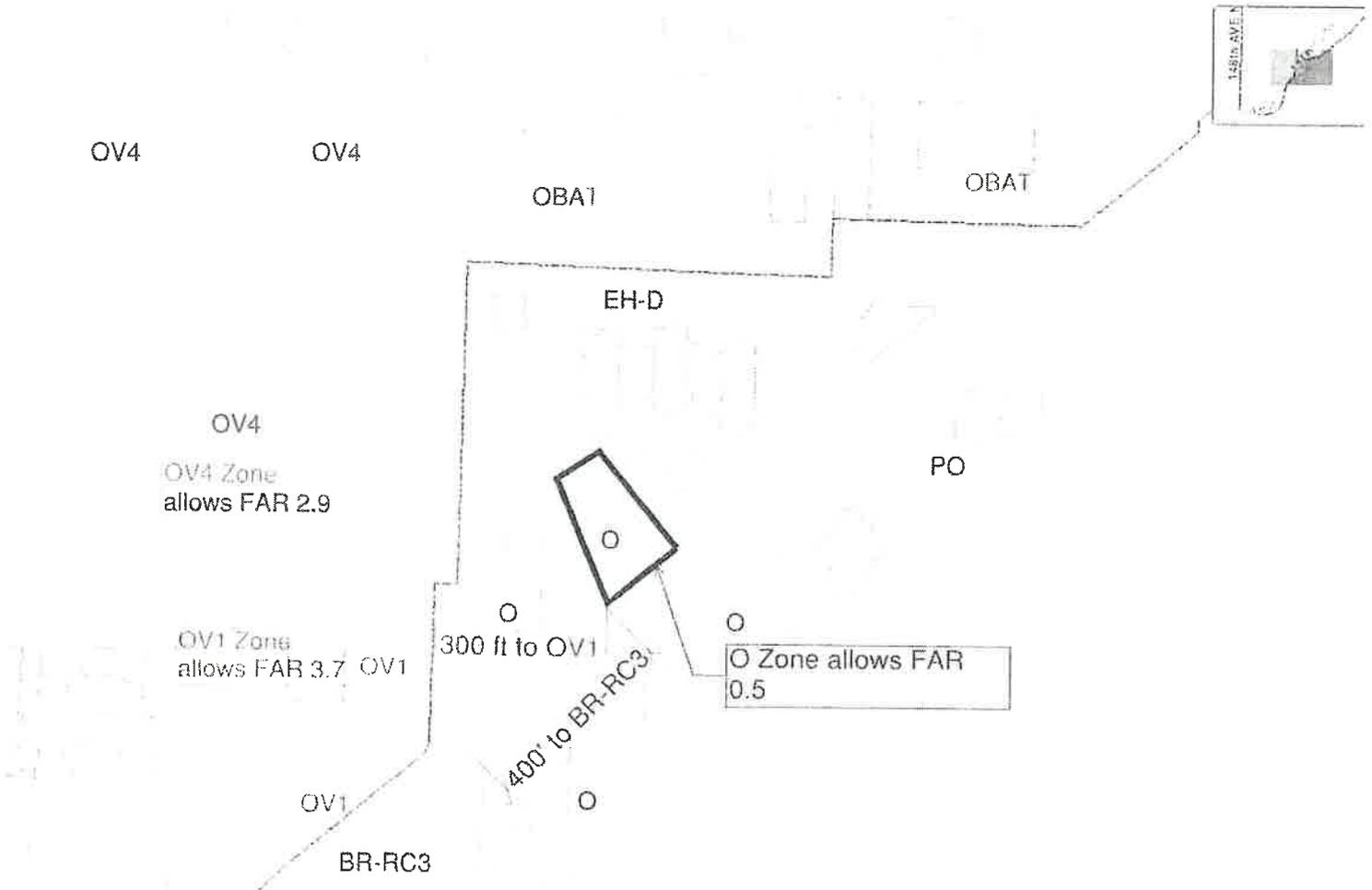
FIGURE A

REDMOND ZONES:

OV1: OVERLAKE
VILLAGE 1

OV2: OVERLAKE
VILLAGE 2

OBAT: OVERLAKE
BUSINESS AND
ADVANCED
TECHNOLOGY



BELLEVUE ZONES:

O: OFFICE

PO: PROFESSIONAL
OFFICE

EH-D: EVERGREEN
HIGHLANDS
PERFORMANCE AREA D

BR-RC3: BEL-RED
RESIDENTIAL
COMMERCIAL NODE 3

SOURCE: CITY OF
REDMOND PROPERTY
VIEWER

FIGURE D

ARTICLE I ZONE BASED REGULATIONS

RZC 21.12 OVERLAKE REGULATIONS

21.12.190 OBAT Maximum Development Yield

Table 21.12.190A Maximum Development Yield					
Floor area ratio (FAR)	1.47	TDRs or GBP: 0.08 FAR	1.55	Example of a 4-story building with FAR = 1.47	Example of 5-story building with FAR = 1.55
Height	4 stories (9 stories in 148-Foot Height Overlay Area)	TDRs or GBP: 1 story	5 stories (10 stories in 148-Foot Height Overlay Area)		

ARTICLE I ZONE BASED REGULATIONS

RZC 21.12 OVERLAKE REGULATIONS

21.12.040 OV Zone 1

A. **Purpose.** Zone 1 encompasses a majority of the eastern half of Overlake Village, including both sides of 152nd Avenue NE. Residential uses are emphasized here as part of mixed-use developments. The land within this zone offers a strong opportunity to attract residents to this area due to its location within the core and proximity to transit options and the employment center to the north.

B. **Maximum Development Yield.**

Table 21.12.040A Maximum Development Yield					
Floor area ratio (FAR)	3.7	TDRs or GBP: 0.05 Incentive Program: 1.69	5.35	Example of a 5-story building with FAR = 3.7	Example of 9-story building with FAR = 5.35
Height	5 stories	TDRs or GBP: 1 story Incentive Program: 4 stories	9 stories		

ARTICLE I ZONE BASED REGULATIONS

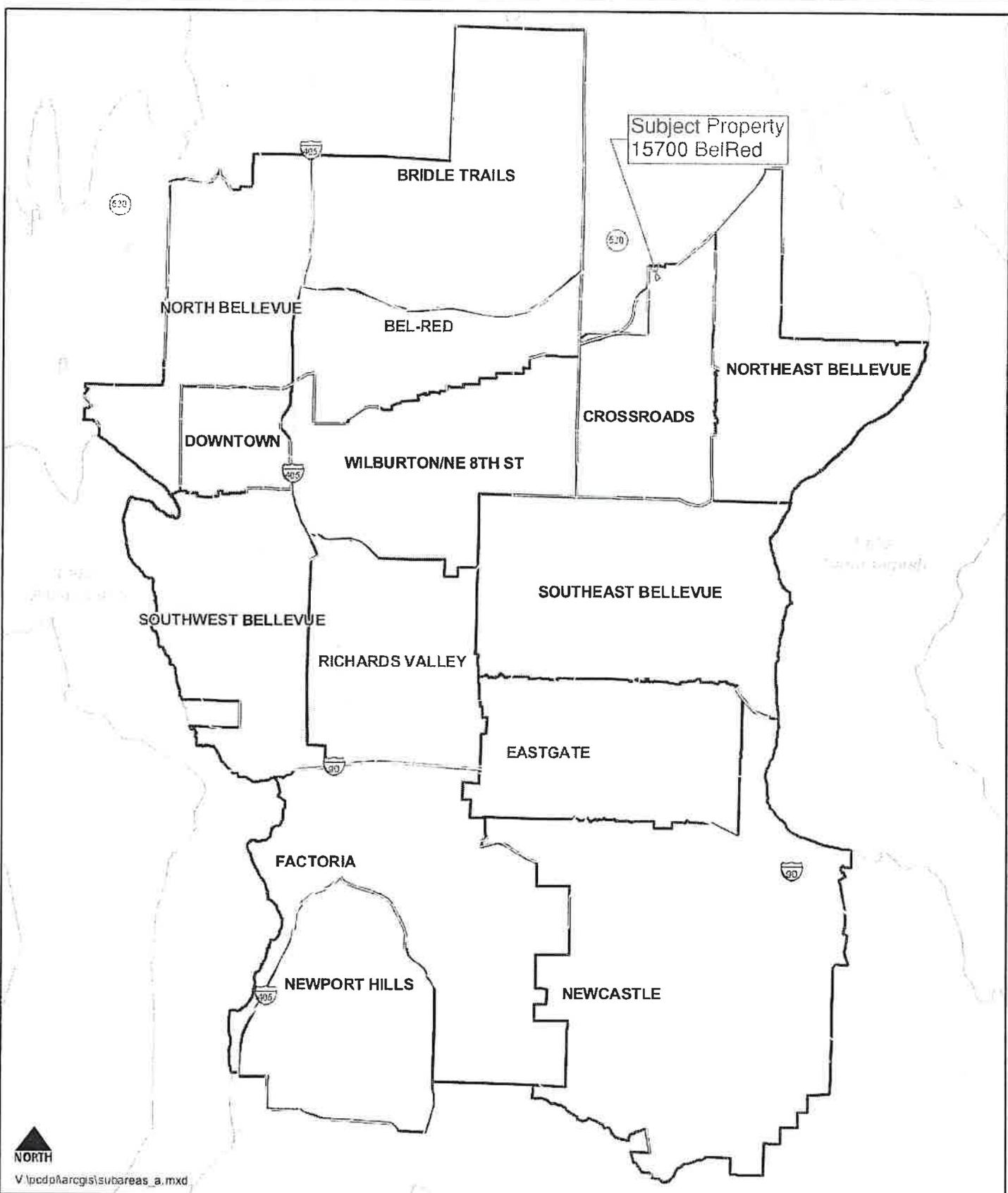
RZC 21.12 OVERLAKE REGULATIONS

21.12.070 OV Zone 4

A. **Purpose.** Zone 4 provides for redevelopment of a unique 28-acre, sloped site located at the core of the Overlake Village. This site is intended to provide a compact, mixed-use development with substantial residential development, as well as employment, retail and services, which are integrated with a major urban neighborhood public park that provides a central gathering place through plazas and green spaces. The substantial residential component is intended to achieve a site that is active during the day and during the evening, supports retail and other commercial space that is developed on the site, and supports the site as a transit-oriented place. For that reason, a 50 percent minimum residential floor area requirement is established. With its central location and proximity to major employers, the site is well-suited for pedestrian- and transit-supportive development. The design and development of this district will be controlled by a Master Plan. The Master Plan ensures that development here carries out the vision for Overlake.

B. **Maximum Development Yield.**

Table 21.12.070A Maximum Development Yield					
Floor area ratio (FAR)	2.9	TDRs or GBP: 0.05 Incentive Program: 2.25	5.2	Example of a 5-story building with FAR = 2.9	Example of 9-story building with FAR = 5.2
Height	5 stories	TDRs or GBP: 1 story Incentive Program: 6 stories	12 stories		



V:\pdp\arcgis\subareas_a.mxd

Scale bar = 5,000 feet

City of Bellevue
IT Department
GIS Services

Plot Date: 3/13/2009

City of Bellevue Subareas

This data is a geographic representation derived from the City of Bellevue Geographic Information System. The City of Bellevue does not guarantee that the information provided herein is accurate or complete. This information is provided on an "as is" basis and disclaims all warranties, express or implied, including but not limited to warranties of merchantability, fitness for a particular purpose and non-infringement. Any commercial use or sale of the information and data provided herein, or portions thereof, is prohibited without express written authorization by the City of Bellevue. The City of Bellevue is not responsible for any damages arising from the use of this data. Users should verify the

Chart 20 25D 080 A

Dimensional Requirement in Bel-Red Districts

Bel-Red Land Use District (19)	Tower Type (1) (17)	Minimum Setbacks/Stepbacks (3) (5) (7) (8) (10)			Gross SF/Floor Above 40 ft. (gsf/f) (16) (20) (21)	Gross SF/Floor Above 80 ft. (gsf/f) (16) (20) (21)	Maximum Impervious Surface/Lot Coverage (6)	Building Height (4) (22)		Floor Area Ratio (4) (9)	
		Front	Rear	Side				Base	Max.	Base	Max.
		MO-1 OR-1 RC-1	Nonresidential Residential	0 (2)				0 (14)	0 (14)	28,000 28,000/12,000	28,000 9,000
OR-2 RC-2	Nonresidential Residential	0 (2)	0 (14)	0 (14)	28,000 28,000/12,000	28,000 9,000	75%	45	125	1.0	4.0
RC-3 (15)	Nonresidential Residential	0 (2)	0	0	28,000 28,000	NA	75%	45 (13)	70 (13)	1.0	4.0
CR (15)	Nonresidential Residential	0 (2)	0	0	28,000 28,000	NA	75%	45 (13)	70 (13)	1.0	2.0
R	Nonresidential Residential	0 (2)	0	0	NA	NA	75%	30	45	1.0	2.0
MO OR	Nonresidential Residential	0 (2)	0	0	28,000 28,000	NA	75%	70	70	1.0	1.0
GC	Nonresidential Residential	0 (2)	0	0	NA	NA	75%	45	45	1.0	1.0
ORT	Nonresidential Residential	20	30	20	NA	NA	75%	45/11 (11)	45 (11)	0.75	0.75
All	Parking (12) (18)				NA	NA	75%	30	30	0.5	0.5

SOURCE: CITY OF BELLEVUE LAND USE CODE

FIGURE H

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
		PO	O	OLB	LI	GC	NB	CB	F1	F2	F3
	DIMENSIONS	(8, 21)	(8, 21)	(8, 21)	(8, 21)	(8, 21)	(8, 21)	(8, 21)	(28)	(21, 31)	(21, 32)
	Minimum Setbacks of Structures (feet) Front Yard (18) (20)	30	30	50	15	15				50	20
	Rear Yard (17) (18) (20)	25	25	50	(2)	(2)	(2)	(2)		30	5
	Side Yard (17) (18) (20)	20	20	30	(2)	(2)	(2)	(2)		30	5
	2 Side Yards (17) (18) (20)	40	40	60	(2)	(2)	(2)	(2)		60	10
	Minimum Lot Area Acres (A) or Thousands of Sq Ft (3)			2A						2A	2A
	Dwelling Units per Acre (15) (22)	10 (23)	20 (23)	30 (23)			15 (23)	30 (23)		30 (23)	30 (23)
	Minimum Dimensions (feet) Width of Street Frontage			200						200	200
	Width Required in Lot (4)			200						200	200
	Depth Required in Lot (4)										
	Maximum in Building Height (feet) (10) (19)	20	30	45 (6)	45 (9)	30	20 (25)	45 (46)		75	75/135 (33, 34)
	Maximum Lot Coverage by Structures (percent) (13) (14) (16)	35 (24)	35 (24)	35 (24)	50		35 (24)			35 (24)	40 (24)
	Maximum Impervious Surface (percent) (35) (37)	80	80	90	85	85	80	85		80	80

(8) Any office building or any office portion of a building in the PO, O, OLB, LI, GC, NB, CB or F1 Districts shall comply with the following limitations on Floor Area Ratio

- (a) At 0.5 FAR, no office building or office portion of a building may exceed 50,000 square feet of gross floor area; and
- (b) For any office building or office portion of a building greater than 50,000 square feet in gross floor area, the following sliding scale shall be observed as interpolated and extrapolated below:
 - (i) At 0.3 FAR, no office building or office portion of a building may exceed 100,000 square feet of gross floor area; and
 - (ii) At 0.1 FAR, no office building or office portion of a building may exceed 150,000 square feet of gross floor area.
- (c) In an O District, north of Factoria Mall and directly adjacent to an F2 District, any office building or any office portion of a building may have a Floor Area Ratio greater than 0.50, not to exceed a Floor Area Ratio of 0.75 FAR. In this district, the sliding FAR scale does not apply.

This footnote 8 shall not apply to sites in the Critical Areas Overlay District. Density/intensity on sites in the Critical Areas Overlay District is calculated pursuant to LUC 20.25H.045

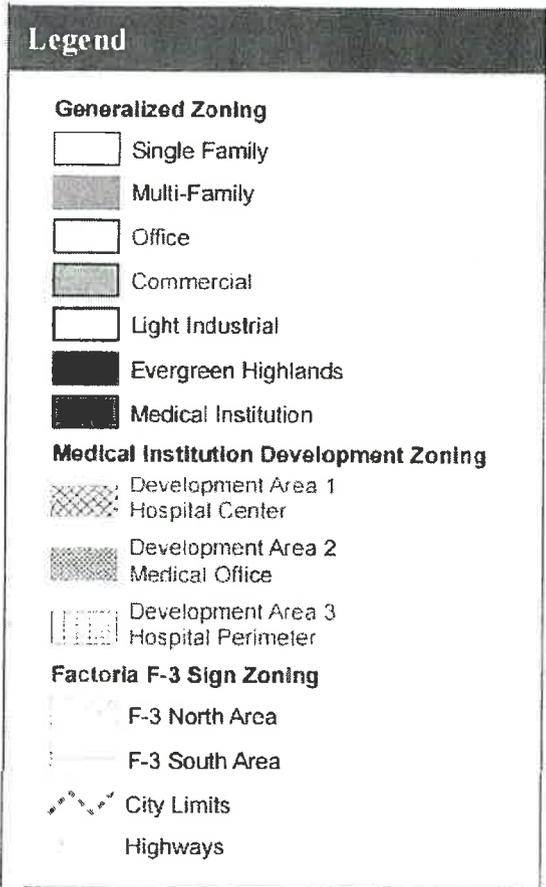
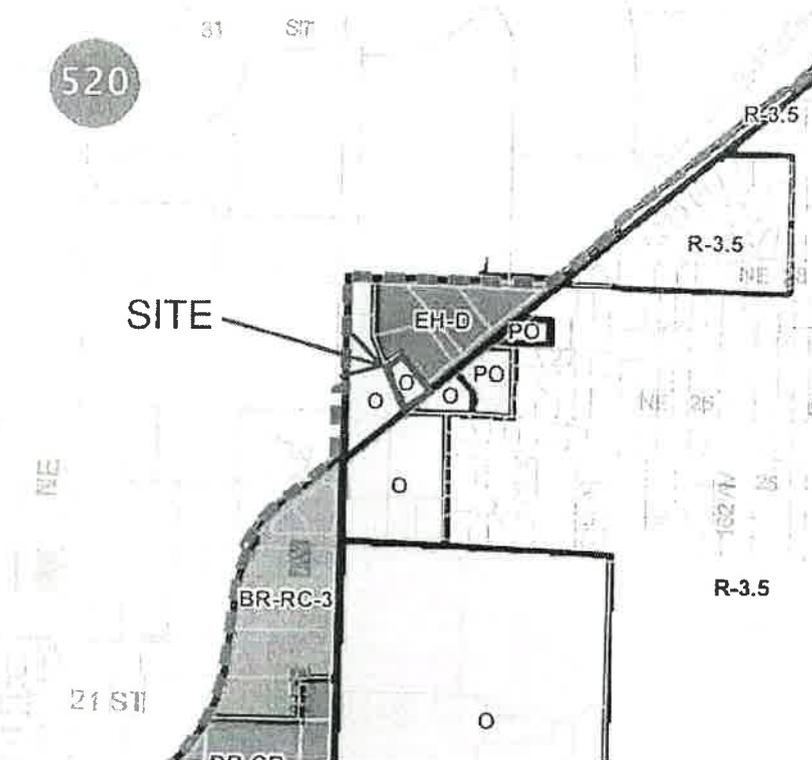
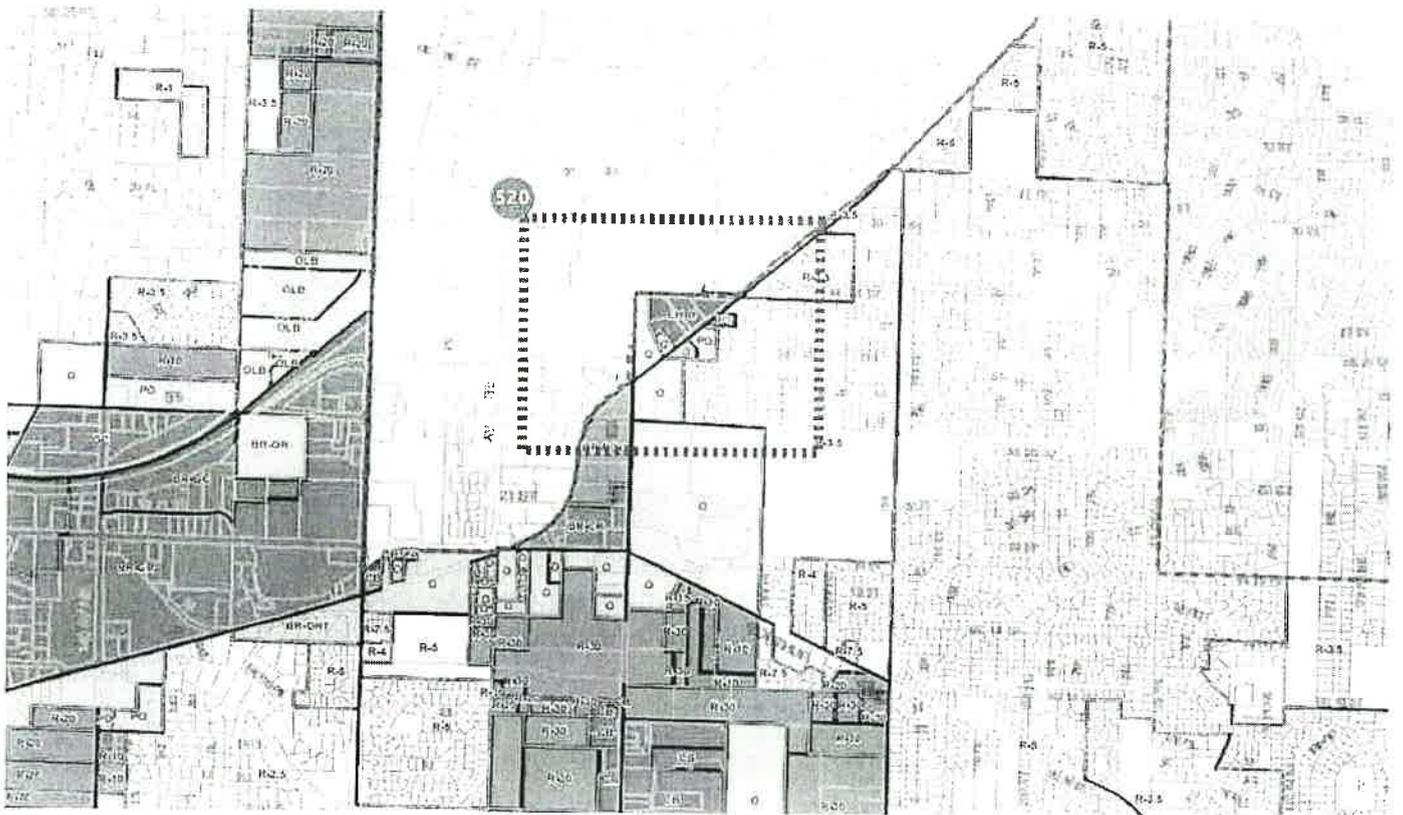
SOURCE: CITY OF
BELLEVUE LAND USE
CODE

FIGURE I

Site Requirements	Performance Area			
	EH-A	EH-B	EH-C	EH-D
1. Maximum Number of Dwelling Units Per Gross Acre	11	N/A	N/A	N/A
2. Minimum Setback of Structures (in feet): (4)				
Front/Street (1)	50/20	50/20	50/20	50/20
Rear	25	25	15	15
Side (minimum each side)	15	15	15	15
3. Minimum Separation Between Buildings, Excluding Accessory Structures (in feet) (4)	30	30	30	30
4. Minimum Percentage of Pervious Surface (in percent) (7)	50	45	35	35
5. Maximum Height of Structures (in feet/stories)	30/3	45/3 (5)	45/3 (3)	45/3
6. Maximum Floor Area Ratio (2, 10)	N/A	.20	.40	.30
7. Minimum Area of Public/Private Parkland (6)	1:200(8)	1:1000(9)	1:1000(9)	1:1000(9)

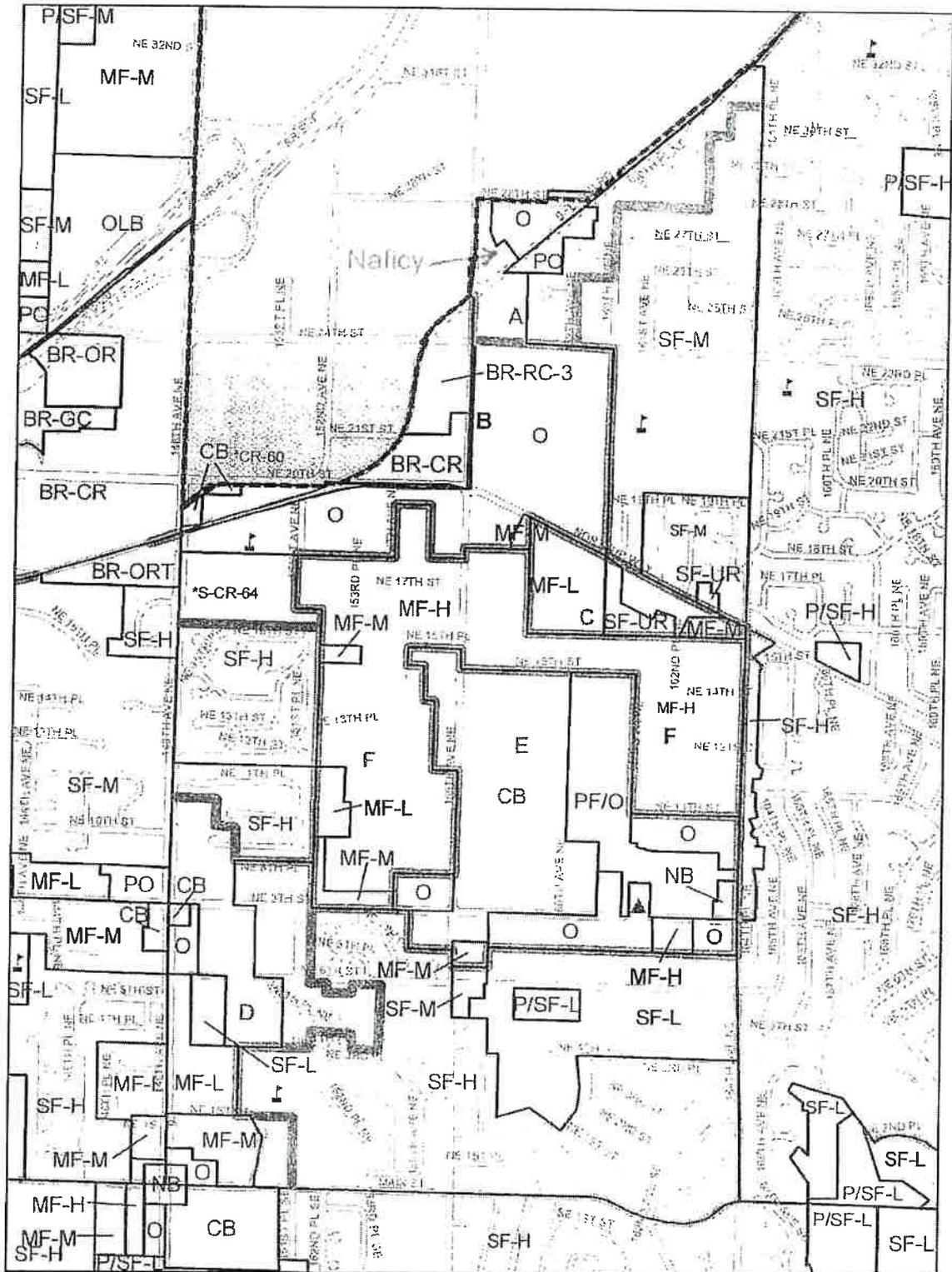
SOURCE: CITY OF
BELLEVUE LAND USE
CODE

FIGURE J



SOURCE: BELLEVUE LAND
USE MAP

FIGURE B



16-123605 AC Naficy Mixed Use Comprehensive Plan amendment

Redevelopment scenario simulations

May 2016



baylis ARCHITECTS

10601 Main Street, #10 | Bellevue, WA 98004
1934 Third Avenue, #300 | Seattle, WA 98101

BaylisArchitects.com (425) 454 0566

Project **NAFICY MIXED-USE**

Job No. **15-0760**

Sheet Title

PROPOSED PROJECT IN CONTEXT OF ALLOWED REDMOND DEVELOPMENT

Date **04/14/16**

Matz, Nicholas

From: Rich Wagner <wagnerr@baylisarchitects.com>
Sent: Friday, April 22, 2016 3:08 PM
To: Matz, Nicholas
Cc: Keyvan Naficy (keyvan@drnaficy.com)
Subject: Naficy Comp Plan Amendment
Attachments: Naficy Mixed Use - Context Perspective.pdf

Hi Nicholas.....

Our encouragement of the adoption of the Naficy Comp Plan Amendment is grounded in the reality that the existing, more intensive Bel-Red zones to the west and the more intensive Redmond zones to the north will redefine the context of this neighborhood.

As presented in the application, Bel-Red zones allow for an FAR of up to 4.0 and Redmond zones allow up to 3.75. These compare to the allowable FAR of 0.50 for Naficy.

As a visual demonstration of these surrounding densities, we've created the attached aerial sketch that shows the density coming from the north, juxtaposed with our proposed concept for our Naficy site.

Your thoughts on presenting this graphic to the Commission would be appreciated.

Thanks

Rich Wagner | FAIA
Senior Principal

baylis

Sponsors of the Louis Kahn: The Power of Architecture
at the Bellevue Art Museum, January 29 through May 1, 2016

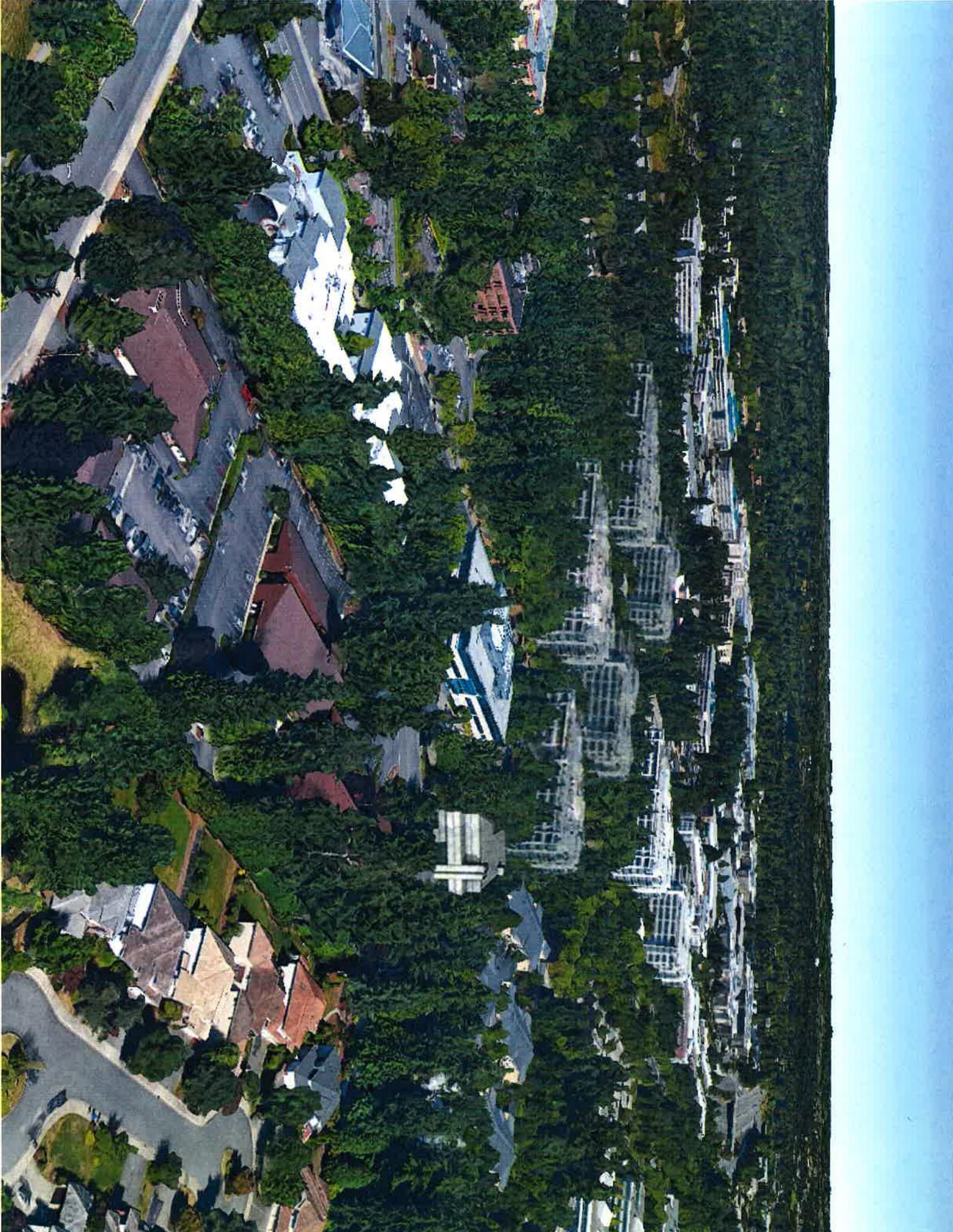
10801 Main Street, # 110 | Bellevue, WA 98004
1904 Third Avenue, # 330 | Seattle, WA 98101

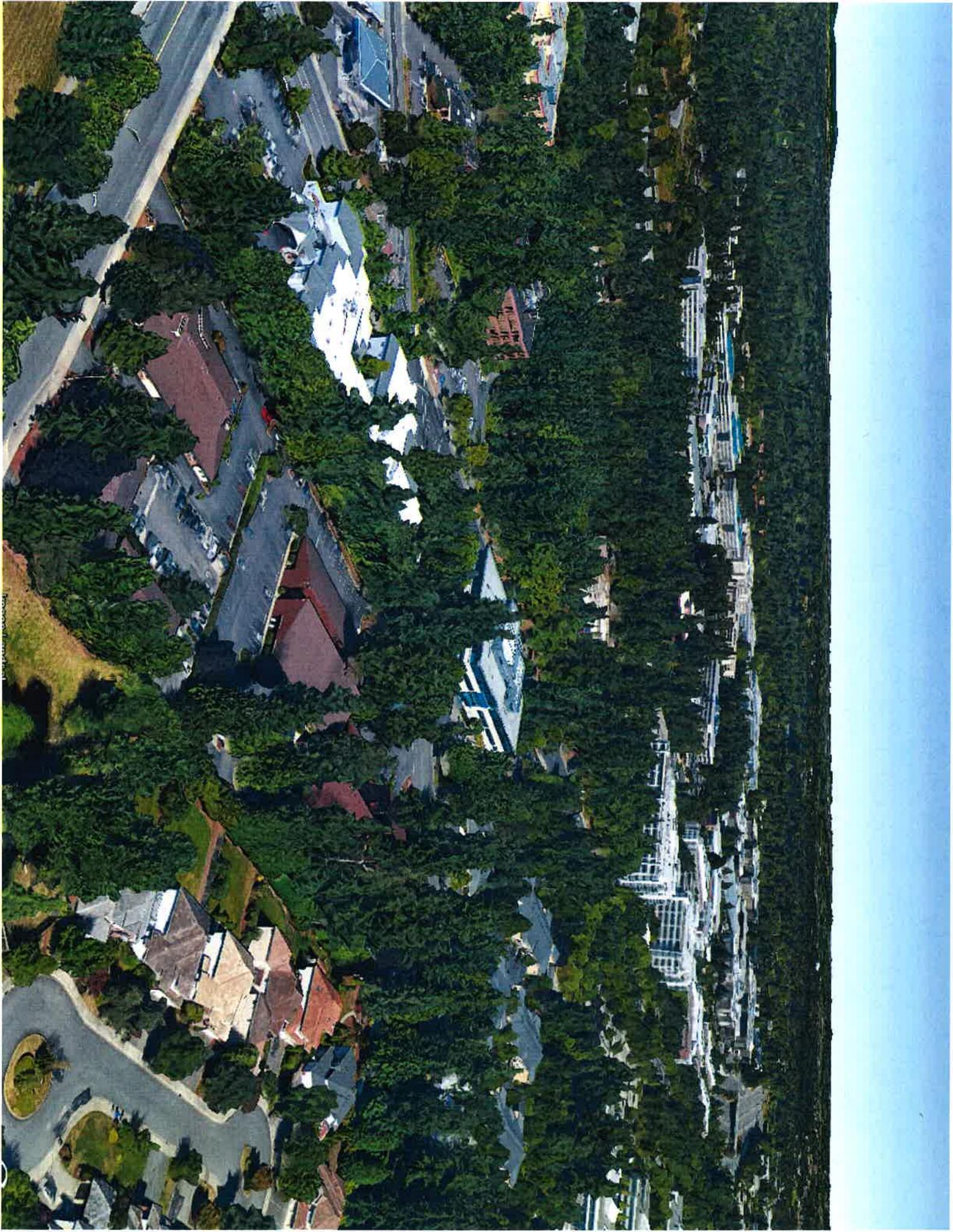
T: 425.454.0566

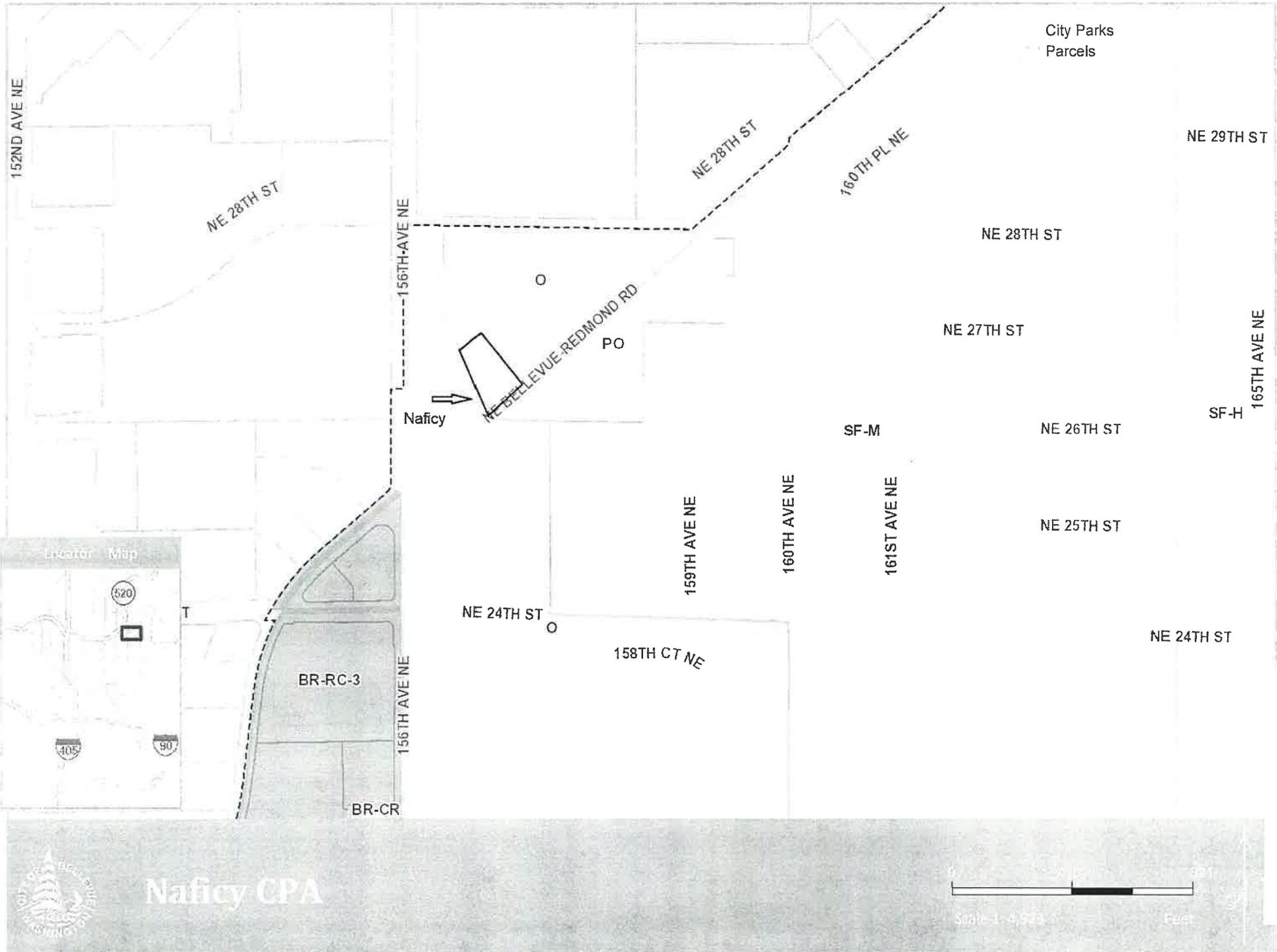
C: 425.894.4646

www.BaylisArchitects.com

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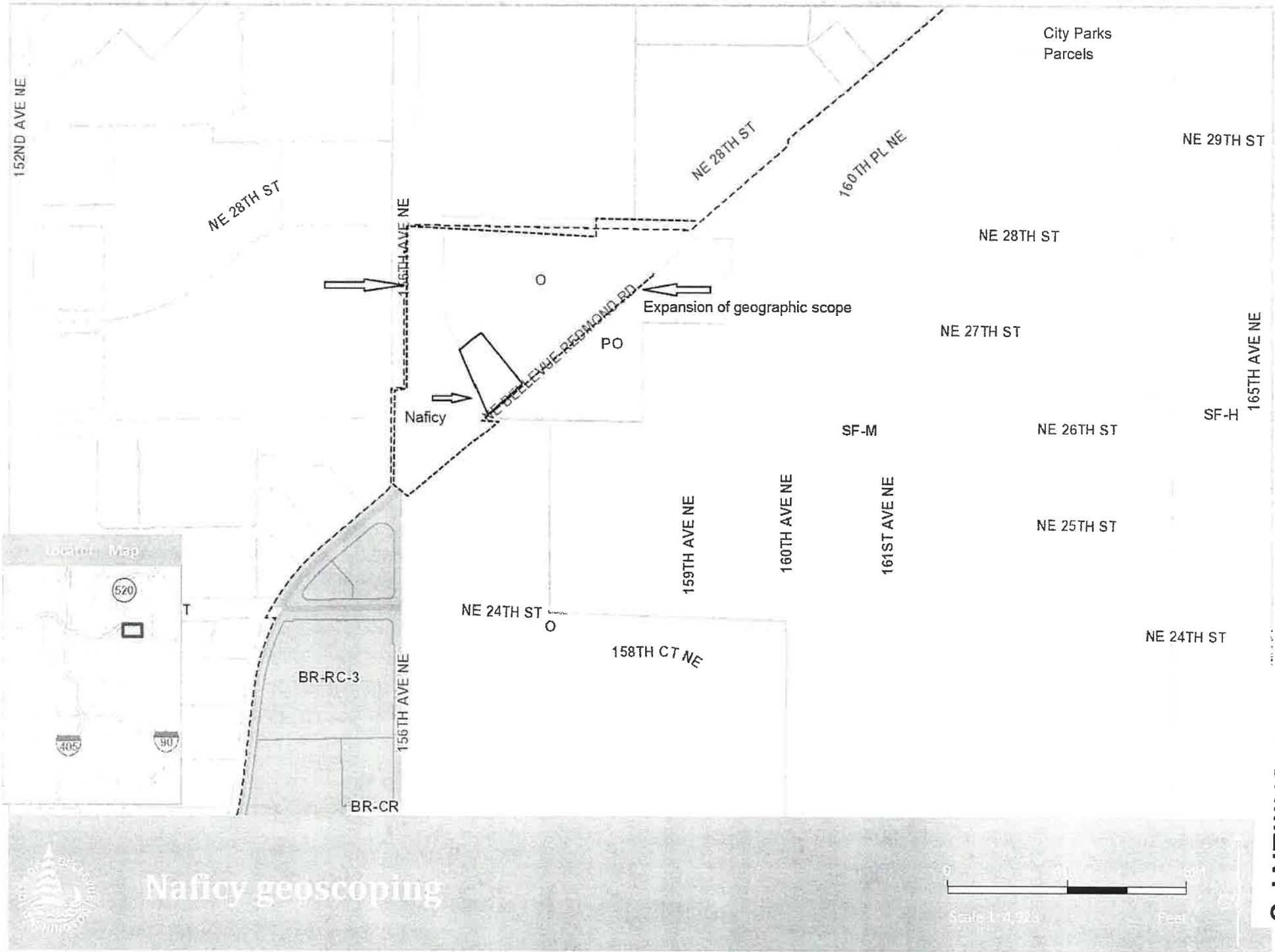






Naficy CPA





Naficy geoscopy



ATTACHMENT 4

April 18, 2016

City of Bellevue
Planning and Community Development
Attn: Nicholas Matz, AICP
450 110th Ave NE
Bellevue, WA 98009

RE: Project Application #'s 16-123605-AC and 16-124339-LQ
Project Address: 15700 Bel-Red Rd, Bellevue, WA

Dear Mr. Matz,

My name is Whitney Garbe and I am a single mother of two boys. Although I am a resident of Kent, I have been working in Bellevue for the last two and a half years as a chairside assistant at Dr. Naficy's orthodontic practice, Bellevue Eastside Orthodontic Center, located at 15700 Bel-Red Road. Because my daily commute is about three hours round-trip, I have been looking for an affordable apartment in Bellevue. Unfortunately, there are not enough available units in my price range.

Recently, I learned that Dr. Naficy is interested in converting this location into a mixed use commercial/residential building with smaller apartments, and thus more competitive rents. I fully support this project, as it would allow people like me to live and work in Bellevue, without adding to air pollution, traffic, etc. Additionally, the proposed building's apartment residents who work in other locations would have only an eight minute walk to the nearby transit station. Because of my situation, it would be a dream for me to be able to live and work in the same town, in an apartment that fits my budget.

I respectfully ask that you consider Dr. Naficy's proposal, as it would be a great benefit to this community.

Kind regards,

A handwritten signature in cursive script that reads "Whitney Garbe".

Whitney Garbe

March 30, 2016

Mr. Nicholas Matz
City of Bellevue
Planning and Community Development
450 110th Avenue NE
Bellevue, WA 98009

RE: Project Application Numbers 16-123605-AC and 16-124339-LQ
Project Address: 15700 Bel-Red Road, Bellevue, WA

Dear Mr. Nicholas Matz,

My name is Elena Turcan and I live in Bellevue. My son is a patient of Dr. Naficy's at Bellevue Eastside Orthodontic Center. I noticed the Proposed Land Use sign in the parking lot, so I asked the staff about it. They explained that Dr. Naficy is applying to build a mixed-use commercial/residential building.

My family is originally from Moldova. My mother lives and works in Bellevue, but because she cannot drive and doesn't speak much English, she frequently depends on my sister and me to help her. It's so important in our culture for us to be near our parents, especially as they get older. In order to be more available to help our mother, my sister has been looking for an affordable apartment in this area. However, this has been without success, because of the lack of apartments in her price range in Bellevue. In fact, although she was able to get on a waiting list for affordable housing, the wait is at least four years. She would much rather prefer to just find an apartment in the near future, rather than having to wait so many years.

Actually, my husband and I were on a waiting list for affordable housing for five years, before we were able to rent our current apartment.

Dr. Naficy's project would help people like my sister and me who need to live in this area, because there just aren't enough apartments with a reasonable rent in Bellevue at this time.

As a resident of Bellevue, I encourage you to consider approving Dr. Naficy's project.

Sincerely,

Elena Turcan

A handwritten signature in black ink, appearing to read 'E. Turcan', written in a cursive style.

Matz, Nicholas

From: Cynthia Vautier <waltzing7@gmail.com>
Sent: Friday, March 18, 2016 6:08 PM
To: Matz, Nicholas; swalter@bellevuewa.gov; amorisseau@bellevuewa.gov; jcarlson@bellevuewa.gov; alaing@bellevuewa.gov; jdeVadoss@bellevuewa.gov; mhilhorst@bellevuewa.gov; PlanningCommission; Stokes, John; Council; Slatter, Vandana; Cullen, Terry
Subject: Vying with Baltimore

March 18, 2016

Mr. Nicholas Matz AICP

Planning & Community Development

Senior Planner

City of Bellevue, WA.

Dear Mr. Nicholas,

I am a resident of the city of Bellevue. I live not too far from the Overlake area, in Lake Hills.

Every day I drive north from my house to businesses in Overlake. And some days, I drive through Overlake to get onto the SR 520 bridge. The traffic is fierce, but would driving into downtown Bellevue be any better? But I cringe at the thought of Overlake. What if I want to eat at Crossroads? I'd probably be wise to drop that idea.

My points here are twofold: if the City of Bellevue rezones the .5 acre parcel at 15700 Bel-Red Road, Bellevue, WA, two events of similar and significant awfulness will occur:

First, traffic will inarguably be even more of a nightmare than it already is. Have you driven though Overlake, going south from SR 520, at 5:00 PM lately? What do you think would happen if the volume of traffic AND pedestrians increased by 30%? There would certainly be more accidents. There would be more pedestrians hit. There would be something else that the desirable city of Bellevue would NOT

want to happen: road rage, and the lowbrow associations that go along with it, once the press gets hold of a juicy altercation in Overlake. Ambulances called? Even better!

Secondly, think about the concept of “choice”. Do you think that such a concept might arise in people’s minds when they think of confronting the circus that driving in Overlake is? Hmm. Let’s see, what else can I do? Well, I could drive to Issaquah, thereby avoiding Overlake! There are lots of shops in Issaquah. Maybe instead of driving through Overlake, I should go where it’s prettier, anyway. Issaquah has a lot more grass and a lot less pavement. Not so many 6-story apartment buildings. And then there’s Coal Creek. That’s not as pretty, but it’s closer. Anything but Overlake!

Please, Mr. Nicholas, do not let these 5 and 6-story apartment buildings go up in an area of Bellevue that is already overgrown, and that has the highest crime rate in the city. Please do not allow the rezoning that would give rise to population densities and traffic densities that remind us of the plight of inner cities.

Cynthia Vautier 516 157th Ave. SE. Bellevue, WA. 98008 waltzing7@gmail.com

cc:

swalter@bellevuewa.gov;

amorisseau@bellevuewa.gov;

jcarlson@bellevuewa.gov;

alaing@bellevuewa.gov;

jdeVadoss@bellevuewa.gov;

mhilhorst@bellevuewa.gov;

planningcommission@bellevuewa.gov;

jstokes@bellevuewa.gov;

council@bellevuewa.gov;

vslatter@bellevuewa.gov;

tcullen@bellevuewa.gov;

JOHN C. EMMEL

15849 NORTHUP WAY, BELLEVUE WA 98008
JCEEMMEL@GMAIL.COM 425-736-4748

City of Bellevue
Development Services Department
PO Box 90012
Bellevue, WA 98009-9012

Good Day,

I would like to object, in the strongest possible manner, to the proposed land use change in the Naficy Mixed Use, File #16-123605-AC. When Unigard was originally granted limited development of this farm property, there was established an agreement that the wooded buffer, a green belt, would be maintained in it's entirety and could not be developed. This argument and the fact that development east of 156th is contrary to the spirit if not the letter of the Bellevue Comprehensive Plan was presented to the Planning Commission 2 years ago regarding the Bellevue Technology Proposal and the zoning change was found to not be in the public interest. This new proposal is nothing but a continuance of a bad idea that was rejected 2 years ago and I strongly urge the Planning Commission to reject this new attempt at further development of the Bellevue Technology property.

Sincerely,

A handwritten signature in black ink, appearing to read "John C. Emmel". The signature is fluid and cursive, with the first name "John" being the most prominent part.

John C. Emmel