

2012 Annual Threshold Review Recommendation  
and Consideration of Geographic Scoping  
Site-Specific Amendment

**Leggate-Balwada**

**Staff recommendation:** Recommend **not including** the Leggate-Balwada CPA in the 2012 annual CPA work program. Do not expand the geographic scope of the proposal.

Application Number: 12-104612 AC  
Subarea: Southwest Bellevue  
Addresses: 225, 231, 325 and 335 105<sup>th</sup> Ave SE  
Applicant(s): Leggate and Balwada

**PROPOSAL**

This privately-initiated application would amend the map designation on a four-parcel, 0.94-acre site from SF-H (Single Family-High) to MF-M (Multifamily-Medium). The applicants have also submitted a concurrent rezone application. See Attachment 1.

**REVIEW OF STAFF RECOMMENDATION**

Staff recommends not including this Comprehensive Plan amendment application in the 2012 work program because it does not address the criterion of significantly changed conditions. While Bellevue and Downtown have changed dramatically over the last twenty years, the Downtown plan has been in place since 1981 and has changed little over that time. Development Downtown has been consistent with expectations of the Comprehensive Plan.

The applicant noted that noise and visual impacts are unanticipated consequences of adopted policy. However, changing the use to a higher density would not resolve those impacts and the development of single family properties to the south shows that the surrounding area remains appropriate for single family residential development. There have been no changes to the Plan map or text in the area that suggest an unanticipated consequence for this site.

The Southwest Bellevue Subarea Plan guides redevelopment in this area of close proximity to the Downtown by specifying the location of land uses in the Bellevue Way SE corridor in order to lend stability to development expectations for this important city corridor.

**BACKGROUND**

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

This privately-initiated application would amend the map designation on this total of .94-acres from SF-H (Single Family-High) to MF-M (Multifamily-Medium). This site is

currently four residential properties. If the CPA were adopted the site could then be rezoned to allow multifamily redevelopment at a density of up to twenty units per acre (R-20).

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

This application site is on the western border edge of a larger single family neighborhood generally between 105th Ave NE and 108th Ave NE. The neighborhood is a mix of older and newer single family housing, and gains its access through multifamily development areas. There is a distinct and substantial topographic break between the application site and the commercial properties fronting Bellevue Way. Although 105th, 106th and 108th Avenues provide direct access to the Downtown from this neighborhood, the presence of Bellevue High School prevents the neighborhood from feeling the impact of pass-through traffic. Conversely, the applicant notes that Bellevue High School itself generates pass-through traffic through the area from Main Street, contributing to a perception of higher than normal traffic flow.

#### **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 **should 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 appropriate land use designation on a specific site or sites is a matter appropriately addressed through amendment 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; and

*The three-year limitation does not apply to this proposal to amend the site designations. The sites have not been examined since the 1996 version of the Southwest Bellevue Subarea Plan (formerly South Bellevue) was adopted.*

- 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

*This proposal raises land use issues that are appropriately addressed through the annual CPA process and not some other ongoing work program.*

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

*The application can be reasonably reviewed within the resources and time frame of the current Annual Comprehensive Plan Amendment Work Program.*

- 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 proposed amendment does not address significantly changed conditions on the subject property or its surrounding area.*

*The applicant notes the scale of noise and visual impacts from traffic generated by the proximity of Bellevue High School, that same traffic cutting south through from Main, a proposal for an office building immediately west of the CPA site, and the impacts of a shift away from owner-occupied properties in the neighborhood, have all had an impact that was not foreseen by growth expectations and policy in 1996 or from even when this neighborhood was built.*

*The noise and visual impacts noted by the applicant are not the unanticipated consequences of adopted policy, however they may be perceived in the neighborhood. The single family redevelopment of single family properties to the south shows the lack of changed conditions on the subject property or its surrounding area. And there have been no changes to the pertinent Plan map or text in the area that suggest an unanticipated consequence for this site.*

*Given that the neighborhood already co-exists successfully with a variety of single and multifamily densities and house types both old and new, redeveloped and aging in place, it is difficult to see how multifamily at the scale contemplated by this proposal would create a problem for the neighborhood. The scale of multifamily redevelopment would be unlikely to be any larger than that of existing multifamily. This could warrant final review to answer the question of how these sites could meet decision criteria for being able to be developed under city codes. Nevertheless there are no significantly changed conditions that would warrant such an examination through the CPA process.*

*The Southwest Bellevue Subarea Plan guides redevelopment in this area of close proximity to the Downtown by specifying the location of land uses in the Bellevue*

*Way SE corridor in order to lend stability to development expectations for this important city corridor.*

- 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

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

*The property is similarly situated both to the other single family adjoining it to the south and across 105th as well as the other single family houses in the neighborhood. It is equally situated as well to the multifamily housing to the north and west which also shares this neighborhood with the single family. Because of this there is no credible stopping line if geographic expansion were contemplated to the south and east of the application site (although the applicant suggests expansion to include the entire neighborhood).*

*This suggests there are no shared characteristics near the application site that warrant expansion of the geographic scope.*

- 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

*Staff believes the proposal will likely prove inconsistent with current general policies in the Comprehensive Plan that focus opportunities for consideration of higher residential densities in the Bellevue Way SE corridor in highly selective areas.*

*If the proposed amendment is included in the annual work program additional analysis will be conducted prior to determining whether this request is fully consistent with all applicable and specific policies and regulations.*

; and

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

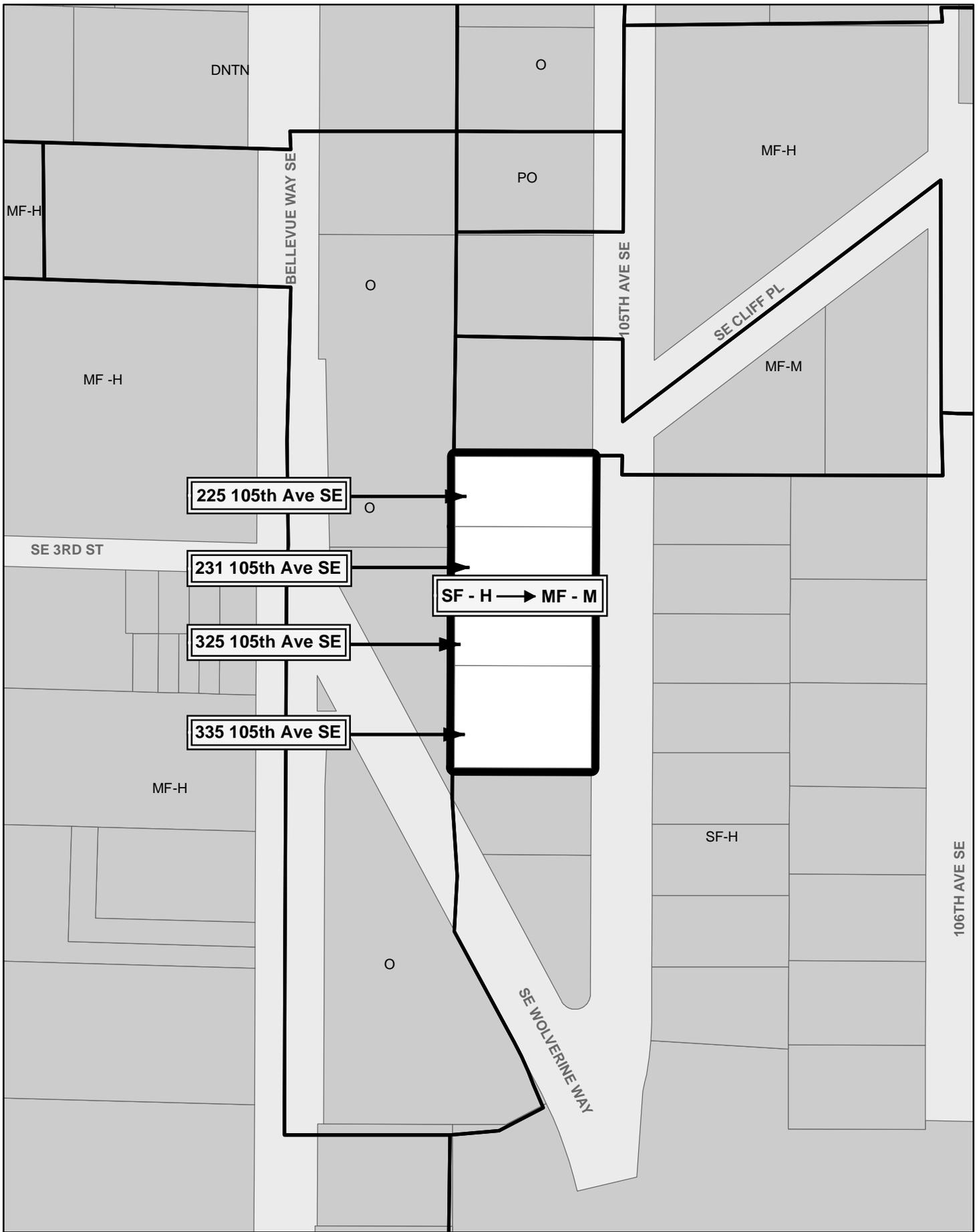
*State law, or a decision of a court or administrative agency has not directed the suggested change.*

## **PUBLIC COMMENT**

Staff spoke to or received comments from owners and residents of property in the neighborhood. These comments have generally been oppositional in nature, and discussed property value, noise and visual impacts, and rezoning impacts.

## **ATTACHMENTS**

1. Applicant materials
2. Site map
3. Public comments received to date including the applicant's



March 2012



Leggate - Balwada CPA  
Proposed Comprehensive Plan Designations



# COMPREHENSIVE PLAN AMENDMENT

CPA YEAR 20__ APPLICATION DATE: <u>1/31/12</u>	TECH INITIALS <u>JS</u>	AMANDA PROJECT FILE: <u>12 104612A2</u>
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1. Project name 105<sup>th</sup> Avenue SE Concurrent CPA and Rezone
2. Applicant name John A. Leggate Agent name Donna Leggate
3. Applicant address 325 105<sup>th</sup> Avenue SE, Bellevue WA 98004
4. Applicant telephone (425) 454 4798 fax ( ) e-mail
5. Agent telephone (425) 516-1971 fax ( ) e-mail donna.leggate@gmail.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 225, 231, 325, 335 105<sup>th</sup> Avenue SE  
 Proposed amendment to change the map designation from existing SF High Density to proposed medium density multifamily. Site area (in acres or square feet) 40,867 sf, or 0.94 acres  
 . Subarea name SW Bellevue  
 . Last date the Comprehensive Plan designation was considered \_\_\_/\_\_\_/1996.  
 Current land use district (zoning) R-4  
 Is this a concurrent rezone application? Yes No Proposed land use district designation RM-15.

Go to **BLOCK 3** 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.

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. The amendment is being proposed to provide greater housing opportunity and diversity in a single family area that is in transition and heavily impacted by surrounding multifamily and office development. The proposal is consistent with the City's vision that calls for higher densities near employment centers, diverse housing types and densities to reflect the needs of Bellevue's changing demographics, and land use and transportation that work together to provide mobility through multiple modes of travel. Compared to the City as a whole, the proposal area provides greater opportunities for pedestrians and transit use, with a walkability score of 89, compared to an average of 53 in Bellevue as whole (<http://www.walkscore.com/score/325-105th-Ave-SE-Bellevue-WA>). The proposed amendment will provide an appropriate future land use pattern, recognizing the area's location near amenities, services and transit. Also, the parcels and structures on the subject property, which lie to the west of 105<sup>th</sup> Ave SE, are between 10 and 20 feet lower than the elevation of the parcels and structures east of the street. See photos attached. This elevation change helps make the property an effective buffer and transition between the upland homes and commercial uses on Bellevue Way.

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 20.301.140 (see Submittal Requirements Bulletin #53). Attach additional pages as needed.

The Threshold Review Decision Criteria include seven specific criteria that are discussed a separate part of this submittal. The following is a brief summary of each criterion:

**A. Appropriately addressed through the Comprehensive Plan.** The proposal addresses land use designations, which are an appropriate Comprehensive Plan topic.

(continued on the attached page)

**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 Rezone Decision Criteria in Land Use Code Section 20.30A.140. Attach additional pages as needed.

See attached pages.



**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 John A. Leggato Date 1/31/2012

*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 Dogatz Date 1/31/12  
(Owner or Owner's Agent)



**BLOCK 4A (continued)**

- B. Three-year limitation rules.** There have been no proposed amendments within the proposal area in the past three years.
- C. Other work program elements.** There is no other ongoing work program element to address this issue.
- D. Resources and timeframe.** The proposal is straightforward and should not require excessive resources.
- E. Significantly changed conditions.** Insert text
- F. Geographic scope.** The proposal is focused on the six contiguous parcels which abut commercial uses on Bellevue Way SE and multifamily uses to the north.
- G. Plan and policy consistency.** The proposal is consistent with existing local, regional and state policies.

**BLOCK 4B (continued)**

**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; and

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

**RESPONSE:** It is appropriate to address the proposed amended through the Comprehensive Plan because the Future Land Use Map is a component of the Plan. The proposed amendment is to re-designate the subject property (four contiguous single-family designated parcels on 105<sup>th</sup> Ave. SE) to the "medium density multifamily" designation, which would align with the designations of the property immediately to the north. If the Future Land Use Map is amended, it would be appropriate to rezone the subject property to R-15 (LUC 20.10.220)

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

**RESPONSE:** The Southwest Bellevue Subarea Plan was last adopted in 1996. There has been no comprehensive plan amendment proposal addressing the subject property since that time.

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

**RESPONSE:** There is no ongoing work program item that addresses the policy and land use issues raised in the proposed amendment.

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

**RESPONSE:** As a relatively simple, non-project legislative action of small scope, it is not expected that the proposed amendment would require an unusual amount of City resources or time to review.

E. The proposed amendment addresses significantly changed conditions since the last time the pertinent Comprehensive Plan map or text was amended. See LUC 20.50.046 for the definition of "Significantly Changed Conditions"; and

**RESPONSE:** Several significant changes have occurred in the immediate and surrounding area that were not apparently anticipated by the City when the Southwest Bellevue Neighborhood Plan was adopted in 1996. These include the noise and visual impacts on the homes along 105<sup>th</sup> Ave SE from increased background traffic on Bellevue Way and cut-through traffic by both busses and cars between Main Street and Bellevue High School. The "no right turn" sign posted on Wolverine Way approaching 105<sup>th</sup> Ave SE

- To maintain a variety of residential areas of different densities and housing types so that a wide range of housing opportunities will be available.

Also, the Comprehensive Plan's Vision at page 22 provides:

Remodeling and upgrading have made older neighborhoods attractive to young families, while respectful development has enabled these neighborhoods to retain their character.

The proposed amendment recognizes that the housing stock in the subject property is older than homes to the east, and nearing the end of their economic life. This area was of 105<sup>th</sup> Ave SE lacks sidewalks or on-street parking, and is closer to, and therefore more subject to, light and noise impacts along Bellevue Way than the newer homes further to the east. The redevelopment of this property as medium density residential also increases the variety of housing opportunities close to transit and services on Bellevue Way and in the Downtown.

H. State law requires, or a decision of a court or administrative agency has directed such a change. (Ord. 5650, 1-3-06, § 2)

**RESPONSE:** Not applicable.

#### CONCURRENT REZONE PROCEDURE

##### 20.30A. 140 Rezone Decision Criteria

The City may approve or approve with modifications an application for a rezone of the property if:

A. The rezone is consistent with the Comprehensive plan; and

**RESPONSE:** If the proposed site specific Comprehensive Plan amendment is approved, the rezoning of the property to R-15 would be appropriate to achieve consistency between the Plan and the zoning.

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

**RESPONSE:** By providing a buffer between Bellevue Way and the single family homes to the east, the rezone would help serve the longer-term viability of the neighborhood. The redevelopment of these properties as multifamily would also provide an opportunity for extending sidewalks further into the neighborhood as frontage improvements are made.

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



Existing  
Zoning



Proposed  
Zoning



**ENVIRONMENTAL CHECKLIST**

4/18/02

If you need assistance in completing the checklist or have any questions regarding the environmental review process, please visit or call the Permit Center (425-452-6864) between 8 a.m. and 4 p.m., Monday through Friday (Wednesday, 10 to 4). Our TTY number is 425-452-4636.

**BACKGROUND INFORMATION**

Property Owner: *Ravi & Rekha Balwada; John A. Leggate; AR Whelpley*

Proponent: *Ravi & Rakha Balwada; John A. Leggate; AR Whelpley*

Contact Person: *Donna Leggate*

(If different from the owner. All questions and correspondence will be directed to the individual listed.)

Address: *2020 108<sup>th</sup> Avenue NE, Bellevue*

Phone: *425.516.1971*

Proposal Title: *105<sup>th</sup> Ave SE Concurrent CPA and Rezone*

Proposal Location: *225, 231, 325, 335 105<sup>th</sup> Avenue SE, Bellevue, 98004*

(Street address and nearest cross street or intersection) Provide a legal description if available.

8 ½" x 11" vicinity map that accurately locates the proposal site was submitted 1/31/112

Give an accurate, brief description of the proposal's scope and nature:

1. General description: *The proposal would redesignate the proposal area from a Single Family High Density Comprehensive Plan designation and R-4 zoning to a Multi-Family Medium Density designation and R-15 zoning.*
2. Acreage of site: *40,867 sf, or 0.94 acres*
3. Number of dwelling units/buildings to be demolished: *The non-project proposal would not result in demolition of any dwelling units. If the proposal is adopted, the property owners may propose future project level actions that could include the demolition of the existing three single family residences and replacement with new dwelling units or professional offices as permitted by the R-15 zoning and other applicable development standards. Future project specific development proposals within the proposal area will be reviewed consistent with the provisions of the Comprehensive Plan and applicable provisions of the Bellevue City Code, including the Land Use Code.*
4. Number of dwelling units/buildings to be constructed: *The non-project proposal would not result in construction of any dwelling units. If the proposal is adopted, the property owners may propose future project level actions that could include construction of new dwelling units as permitted by the R-15 and other applicable development standards. Future project specific development proposals within the proposal area will be reviewed consistent with the provisions of the Comprehensive Plan and applicable provisions of the Bellevue City Code, including the Land Use Code.*
5. Square footage of buildings to be demolished: *Please see the response to Question #3, above.*
6. Square footage of buildings to be constructed: *Please see the response to Question #3, above.*
7. Quantity of earth movement (in cubic yards): *The non-project proposal does not include any grade, fill or other earth movement. Please see the responses to Questions A. 1, below.*
8. Proposed land use: *Future development would be consistent with the Multi-Family Medium Density and R-15 zoning.*
9. Design features, including building height, number of stories and proposed exterior materials: *Not applicable.*
10. Other. *None*

Estimated date of completion of the proposal or timing of phasing:

*No project-specific development is proposed at this time and a schedule for future development is unknown.*

Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

*If the proposal is adopted, the property owners may propose future project level actions that could include construction of new dwelling units as permitted by the R-15 zoning and other applicable development standards. Future project specific development proposals within the proposal area will be reviewed consistent with the provisions of the Comprehensive Plan and applicable provisions of the Bellevue City Code, including the Land Use Code.*

List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

*There is no other known environmental information that has been prepared for this proposal.*

Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. List dates applied for and file numbers, if known.

None

List any government approvals or permits that will be needed for your proposal, if known. If permits have been applied for, list application date and file numbers, if known.

*The proposal would require approval of the proposed Comprehensive Plan map amendment and implementing rezone by the City of Bellevue City Council.*

Please provide one or more of the following exhibits, if applicable to your proposal. (Please check appropriate box(es) for exhibits submitted with your proposal):

Land Use Reclassification (rezone) Map of existing and proposed zoning

Preliminary Plat or Planned Unit Development

Preliminary plat map

Clearing & Grading Permit

Plan of existing and proposed grading

Development plans

Building  
Permit (or  
Design  
Review)  
Site plan

Clearing & grading plan

Shoreline Management Permit

Site plan

#### A. ENVIRONMENTAL ELEMENTS

##### 1. Earth

a. General description of the site:  Flat     Rolling     Hilly     Steep slopes  
Mountains    Other

*The developed eastern portion of the proposal area is generally flat. The western portion of the area consists of a steep slope that slopes down to adjoining properties located along Bellevue Way SE.*

b. What is the steepest slope on the site (approximate percent slope)?

The steepest slope is estimated at approximately 20%, located along the undeveloped westerly edge of the area.

c. What general types of soil are found on the site (for example, clay, sand, gravel, peat, and muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

*The proposal area does not contain any prime farmland. Based on USDA Soils Survey review, the area contains two soils types:*

- *Arents, Alderwood material is found in the northern portion of the proposal area,*

comprising approximately 60% of the area. These soils are characterized as containing moderately well drained gravelly sandy loam on slopes of 6 to 15%.

- Ragnar, Indianola Association is found in the southern portion of the proposal area, comprising approximately 40% of the area. These soils are characterized as containing well drained fine sandy loam on slopes of 15% to 20%.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

*The City of Bellevue has designated areas within and surrounding the site as an erosion hazard area.*

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

*As a non-project action, the proposal does not propose fill or grading. Future project specific development proposals within the proposal area will be reviewed consistent with the provisions of the Washington State Environmental Policy Act (SEPA), the City of Bellevue Comprehensive Plan and applicable provisions of the Bellevue City Code, including the Land Use Code.*

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

*Please see response to Question 1.e, above.*

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

*Please see response to Question 1.e, above.*

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

*As a non-project action, the proposal is not expected to result in impacts to the earth. No mitigating measures are proposed. Future project-specific proposals will be reviewed pursuant to SEPA, applicable provisions of the Bellevue Comprehensive Plan and City Code to identify potential environmental impacts and applicable mitigating measures.*

## **2. AIR**

a. What types of emissions to the air would result from the proposal (i.e. dust, automobile odors, and industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

*As a non-project action, the proposal will not directly result in impacts to air quality.*

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

*None*

c. Proposed measures to reduce or control emissions or other impacts to the air, if any:

*As a non-project action, the proposal is not expected to result in impacts to air quality. No mitigating measures are proposed. Future project-specific proposals will be reviewed pursuant to SEPA, applicable provisions of the Comprehensive Plan and City Code to identify potential environmental impacts and applicable mitigating measures.*

## **3. WATER**

a. Surface

(1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

None

(2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If

Yes, please describe and attach available plans.

*Not applicable*

(3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

*As a non-project action, the proposal does not propose fill or dredge material associated with surface water or wetlands. Future project specific development proposals within the proposal area will be reviewed consistent with the provisions of SEPA, the Bellevue Comprehensive Plan and applicable provisions of the Bellevue City Code, including the Land Use Code.*

(4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

*Please see response to Question 3.a(3), above.*

(5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

*The proposal area is not located within a 100-year floodplain.*

(6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

*Please see response to Question 3.a(3), above.*

b. Ground

(1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description.

*As a non-project action, the proposal will not withdraw or discharge to groundwater. Future project specific development proposals within the proposal area will be reviewed consistent with the provisions of SEPA, the Bellevue Comprehensive Plan and applicable provisions of the Bellevue City Code, including the Land Use Code.*

(2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals.\_\_\_\_, agricultural; etc.) Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

*See Response to Question 3.b(1), above.*

c. Water Runoff (Including storm water)

(1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

*As a non-project action, the proposal will not result in water runoff. Future project specific development proposals within the proposal area will be reviewed consistent with the provisions of the Comprehensive Plan and applicable provisions of the Bellevue City Code, including the Land Use Code.*

(2) Could waste materials enter ground or surface waters? If so, generally

describe.

Please see response to Question 3.c(1), above.

- d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

*As a non-project action, the proposal is not expected to result in surface, ground, or runoff water impacts. No mitigating measures are proposed. Future project-specific proposals will be reviewed pursuant to SEPA, and applicable provisions of the Bellevue Comprehensive Plan and City Code to identify potential environmental impacts and applicable mitigating measures.*

#### 4. Plants

- a. Check or circle types of vegetation found on the site: **deciduous tree: alder, maple, aspen, other evergreen tree: fir, cedar, pine, other**

shrubs grass pasture

crop or grain

wet soil plants: cattail, buttercup, bulrush,  
skunk cabbage, other water plants: water  
lily, eelgrass, milfoil, other

other types of vegetation

- b. What kind and amount of vegetation will be removed or altered?

*As a non-project action, the proposal will not remove or alter vegetation. Future project specific development proposals within the proposal area will be reviewed consistent with the provisions of SEPA, the Bellevue Comprehensive Plan and applicable provisions of the Bellevue City Code, including the Land Use Code.*

- c. List threatened or endangered species known to be on or near the site.

*No known threatened or endangered species.*

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

*As a non-project action, the proposal is not expected to result in impacts to vegetation. No mitigating measures are proposed. Future project-specific proposals will be reviewed pursuant to SEPA, applicable provisions of the Bellevue Comprehensive Plan and City Code to identify potential environmental impacts and applicable mitigating measures.*

#### 5. ANIMALS

- a. Check or circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

Birds: hawk, heron,  
eagle, songbirds,  
other: Mammals:  
deer, bear, elk,  
beaver, other:

Fish: bass, salmon, trout, herring, shellfish, other:

- b. List any threatened or endangered species known to be on or near the site.

*The Washington Department of Fish and Wildlife Priority Habitat Species database does not contain any records of endangered or threatened species in or immediately surrounding the proposal area.*

c. Is the site part of a migration route? If so, explain.

*No known migration routes.*

d. Proposed measures to preserve or enhance wildlife, if any:

*As a non-project action, the proposal is not expected to result in impacts to animals. No mitigating measures are proposed. Future project-specific proposals will be reviewed pursuant to SEPA, applicable provisions of the Bellevue Comprehensive Plan and City Code to identify potential environmental impacts and applicable mitigating measures.*

## **6. Energy and Natural Resources**

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy need? Describe whether it will be used for heating, manufacturing, etc.

*As a non-project action, the proposal will not directly result in any additional need for energy. Future site specific development proposals may use electric, natural gas, oil, wood stove, or solar energy sources.*

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

*As a non-project action, the proposal will not affect the use of solar energy.*

c. What kinds of energy conservation features are included in the plans of the proposal? List other proposed measures to reduce or control energy impacts, if any:

*As a non-project action, the proposal does not directly impact energy consumption. No mitigating measures are proposed. Future project-specific proposals will be reviewed pursuant to SEPA, applicable provisions of the Comprehensive Plan and City Code to identify potential environmental impacts and applicable mitigating measures.*

## **7. Environmental Health**

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

*As a non-project action, the proposal is not expected to cause environmental health hazards. Use of any hazardous materials on a project-by-project basis would be subject to federal and state law and applicable provisions of the Bellevue City Code.*

(1) Describe special emergency services that might be required.

*No special emergency services are required for this non-project proposal.*

(2) Proposed measures to reduce or control environmental health hazards, if any.

*As a non-project action, the proposal will not result in increased environmental health hazards. No mitigating measures are proposed. Future project-specific proposals will be reviewed pursuant to SEPA, applicable provisions of the Bellevue Comprehensive Plan and City Code to identify potential environmental impacts and applicable mitigating measures.*

b. Noise

(1) What types of noise exist in the area which may affect your project (for

example, traffic, equipment, operation, other)?

*Existing noise in the subject area are typical for an urban setting and do not include any unique or significant noise sources.*

- (2) What types and levels of noise would be created by or associated with the project on a short-term or long-term basis (for example, traffic, construction, operation, other)? Indicate what hours noise would come from the site.

*As a non-project action, the proposal is not expected to create noise. In the future, as project-specific development occurs, construction activities could result in temporary noise impacts. Future development may also add traffic and related background noise. However, proposed land uses are consistent with adjacent development and not expected to be associated with any unusual noise sources.*

- (3) Proposed measures to reduce or control noise impacts, if any:

*As a non-project action, the proposal would not directly impact noise levels and no mitigation is proposed. Future project-specific development proposals will be reviewed pursuant to SEPA and the Bellevue City Code to identify potential environmental impacts and applicable mitigating measures.*

*Future development would also be subject to state requirements, including the maximum environmental noise levels established pursuant to the Noise Control Act of 1974, (RCW 70.107) and the State of Washington Motor Vehicle Noise Performance Standards (Chapter 173-62 WAC).*

## **8. Land and Shoreline Use**

a. What is the current use of the site and adjacent properties? *The site is developed with three single family residences.*

b. Has the site been used for agriculture? If so, describe. *No known use for agriculture in the past 50 years.*

c. Describe any structures on the site. *Existing structures include three single family residences.*

d. Will any structures be demolished? If so, what?

*No structures will be demolished as a result of this non-project proposal.*

e. What is the current zoning classification of the site?

*Existing zoning is R-4.*

f. What is the current comprehensive plan designation of the site?

*Single Family High Density*

g. If applicable, what is the current shoreline master program designation of the site?

*Not applicable*

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

*A portion of the proposal area is classified as erosion hazard and steep slope.*

i. Approximately how many people would reside or work in the completed project?

*The non-project proposal will not impact the number of people residing the proposal area. Future site-specific development may increase the total number of people residing in the area.*

j. Approximately how many people would the completed project displace?

*This non-project proposal is not expected to displace any residents.*

- k. Proposed measures to avoid or reduce displacement impacts, if any:

*As a non-project action, the proposal would not directly cause displacement and no mitigation is proposed. Future project specific development proposals within the study areas that may result in displacement will be reviewed consistent with the provisions of SEPA, the Bellevue Comprehensive Plan and applicable provisions of the Bellevue City Code.*

- i. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

*The proposal is for a Comprehensive Plan amendment to establish future consistency.*

## **9. Housing**

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

*As a non-project proposal, no new housing units would be provided. If the proposal is approved, future development could provide additional housing units, consistent with the proposed R-15 zoning and other applicable provisions of the City of Bellevue City Code.*

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

*As a non-project action, the proposal would not eliminate any housing units.*

- c. Proposed measures to reduce or control housing impacts, if any:

*As a non-project action, the proposal would not result in housing impacts and no mitigation is proposed. Future project specific development proposals within the proposal area that may result in displacement will be reviewed consistent with the provisions of the Comprehensive Plan and applicable provisions of the Bellevue City Code.*

## **10. Aesthetics**

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

*The proposal is a non-project action that does not include any proposed structures. Future development would be required to meet the height requirements of the Bellevue City Code. If approved future development in the R-15 zoning is limited to 30 feet in structure and is similar to the height regulations in the existing R-4 zone.*

- b. What views in the immediate vicinity would be altered or obstructed?

*Views in the immediate vicinity would not be altered or obstructed by the proposed non-project action.*

- c. Proposed measures to reduce or control aesthetic impacts, if any:

*As a non-project action, the proposal would not result in aesthetic and no mitigation is proposed. Future project specific development proposals within the proposal area that may result in displacement will be reviewed consistent with the provisions of SEPA, the Bellevue Comprehensive Plan and applicable provisions of the City Code.*

## **11. Light and Glare**

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

*The proposed non-project action would not result in light or glare impacts. Potential light*

*and glare impacts associated with future project-specific development would be evaluated consistent with SEPA requirements and applicable sections of the Bellevue City Code.*

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

*The proposed non-project action is not expected to result in a safety hazard or interfere with views. Potential safety hazard or view impacts associated with future project-specific development would be evaluated consistent with SEPA requirements, the Bellevue Comprehensive Plan and applicable sections of the City Code.*

- c. What existing off-site sources of light or glare may affect your proposal?

*Off-site sources of light and glare are typical to an urban setting and are not expected to impact the proposal.*

- d. Proposed measures to reduce or control light or glare impacts, if any:

*As a non-project action, the proposal would not result in light and glare impacts and no mitigation is proposed. Future project-specific development proposals will be reviewed pursuant to SEPA and applicable provisions of the Bellevue City Code to identify potential environmental impacts and applicable mitigating measures.*

## **12. Recreation**

- a. What designated and informal recreational opportunities are in the immediate vicinity?

*Bellevue High School is located immediately south of the proposal area and provides open space for informal and scheduled recreational use.*

- b. Would the proposed project displace any existing recreational uses? If so, describe.

*The non-project proposal is not expected to displace any existing recreational uses. Similarly, because the proposal area does not contain any recreational uses, future site-specific development is not expected to displace any existing recreational uses.*

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

*As a non-project action, the proposal would not result impacts on recreational opportunities and no mitigation is proposed. Future project specific development proposals within the proposal area will be reviewed consistent with the provisions of SEPA, the Bellevue Comprehensive Plan and applicable provisions of the City Code.*

## **13. Historic and Cultural Preservation**

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

*Based on review of the online Washington Information System for Architectural and Archaeological Records Data, there are not listed sites for national, state or local preservation on or next to the proposal area.*

- b. Generally describe any landmarks or evidence of historic, archeological, scientific, or cultural importance known to be on or next to the site.

*Not applicable*

- c. Proposed measures to reduce or control impacts, if any:

*None proposed.*

## **14. Transportation**

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

*The proposal area fronts on 105<sup>th</sup> Avenue SE. Arterials that provide access to the area include Main Street to the north and Bellevue Way South from the west.*

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

*Transit service is provided along Bellevue Way SE, Main Street, and 108<sup>th</sup> Ave SE.*

- c. How many parking spaces would be completed project have? How many would the project eliminate?

*The proposed non-project action would not create or eliminate parking spaces.*

- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not

Including driveways? If so, generally describe (indicate whether public or private).

*The proposed non-project action would not require any new roads or streets.*

- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

*The proposal area is not located in the vicinity of water, rail or air transportation.*

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

*The non-project proposal would not generate new vehicular trips.*

- g. Proposed measures to reduce or control transportation impacts, if any:

*As a non-project action, the proposal will not impact transportation and no mitigation is proposed. Future project-specific development proposals will be reviewed pursuant to SEPA and the applicable provisions of the Bellevue City Code to identify potential environmental impacts and applicable mitigating measures.*

*In general, roads segments and intersections that are approaching the adopted LOS standard would be evaluated and improved as needed before additional development could be allowed. Issues that would be reviewed include access, circulation, non-motorized movement, paving and safety, among others.*

## 15. Public Services

- a. Would the project result in an increased need for the public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

*The non-project proposal would not directly result in an increased need for public services.*

- b. Proposed measures to reduce or control direct impacts on public services, if any.

*As a non-project action, the proposal would not result in public service impacts and no mitigation is proposed. Future project specific development proposals within the study areas that may result in public service impacts will be reviewed consistent with the provisions of SEPA, the Bellevue Comprehensive Plan and applicable provisions of the City Code.*

## 16. Utilities

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse

service, telephone, sanitary sewer, septic system, other. *All services are available in the proposal area.*

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

*As a non-project action, the proposal would not result in impacts on utilities and no mitigation is proposed. Future project specific development proposals within the proposal area that may result in impacts on utilities will be reviewed consistent with the provisions of SEPA, the Bellevue Comprehensive Plan and applicable provisions of the City Code.*

**Signature**

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature.....  
..... Date  
Submitted.....  
.....

**SUPPLEMENTAL SHEET FOR NONPROJECT ACTION**

Continuation of the Environmental Checklist

4/18/02

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment (see Environmental Checklist, B. Environmental Elements). When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms. If you have any questions, please contact the Development Services reviewer in the Permit Center (425-452-6864) between 8 a.m. and 4 p.m., Monday through Friday (Wednesday, 10 to 4). Our TTY number is 425-452-4636.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

*Please see sections B 2, 3 and 7 for a discussion of water, air, hazardous substances and noise.*

Proposed measures to avoid or reduce such increases are:

*No mitigation is required or proposed.*

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

*Please see sections B 4 and 5 for discussion of plants and animals.*

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

*No mitigation is required or proposed.*

3. How would the proposal be likely to deplete energy or natural resources?

*Please refer to section B.6.a for a discussion of energy and natural resources.*

Proposed measures to protect or conserve energy or natural resources are:

*No mitigation is required or proposed.*

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection--such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

*Please refer to pertinent discussion in Section B.*

Proposed measures to protect such resources or to avoid or reduce impacts are:

*No mitigation is required or proposed.*

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

*See discussion Section B.8 for discussion of land use. The proposal area is not located near any designated shorelines.*

Proposed measures to avoid or reduce shoreline and land use impacts are:

*No mitigation is required or proposed.*

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

*Please see sections B 14 and 16 for a discussion of transportation, public services and utilities.*

Proposed measures to reduce or respond to such demand(s) are:

*No mitigation is required or proposed.*

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

*With approval of the proposed amendment, there are no conflicts with local, state or federal laws.*

April 16, 2012

Bellevue Planning Commission  
450 110<sup>th</sup> Ave NE  
Bellevue, WA 98009

Dear Commissioners:

My name is John A. Leggate. My wife Irene and I have been Bellevue homeowners since 1959, residing at 325 105<sup>th</sup> Ave SE. Together with the Balwada and Whelpley families, we respectfully ask the City to consider amending the comprehensive plan and zoning designations for our properties from low density single family (R-4) to medium density multifamily (R-15). We believe that our proposal meets the criteria for the City to docket this issue. We understand that a favorable decision to docket our proposal would not constitute approval of the proposed amendments, but simply begin the City's process of a more detailed evaluation of the merits. A decision to docket our request would enable better informed public comment and allow a realistic discussion of the likely future alternatives for the properties along this small stretch of 105<sup>th</sup> Ave SE.

This was a great place to raise a family for many years. Our two children grew up here, Irene worked nearby teaching at Bellevue High School, we knew our neighbors, and they knew us. It was a small but tight-knit neighborhood of families in single homes. But all that has changed dramatically, particularly over the last decade. Cut-through traffic between the High School and Main Street has become such a problem that the City posted a "no right turn" sign on Wolverine Way at 105<sup>th</sup> Ave SE. We appreciate that the Police have periodically issued tickets to offenders, but as they have told me, they can't be there all the time. So we still have the cut-through traffic on this street, which is also a problem because we have no sidewalks now and kids still use this as a walking route to and from the high school.

In terms of changes in land use in our area, we have been effectively surrounded by change and impacts. To the north of our properties are several medium density multifamily buildings, on land zoned R-20. To the west of our properties are commercially zoned lands along Bellevue Way. Within the past year, an application was submitted to the City to build a multi-story mixed use building directly west of our property. While a series of new tall buildings along Bellevue Way may be consistent with the City's codes, there is no question that it will have major impacts on our homes' access to light, air, and views.

Across 105<sup>th</sup> Ave SE to our east, some of the single family homes have transitioned to rental properties. At least one of them has been used as a rooming house for several years and been the subject of City code enforcement actions. We have no quarrel with the need for rooming houses or rental homes as part of Bellevue's housing stock, but the fact that the east side of 105<sup>th</sup> Ave SE has transitioned to those uses is a major changed fact affecting the long-term viability of our properties for single family homes. We no longer know our neighbors and they no longer know us. Our small, tight-knit neighborhood is a thing of the past.

We believe that these changes have irreversibly altered the character of this tiny neighborhood and destroyed its viability as a realistic place for families in single family homes. We do not believe that the City's last look at land use in this area, the 1996 Southwest Bellevue Subarea Plan, either disclosed or fully evaluated the impacts of development along Bellevue Way and in downtown Bellevue on our properties along 105<sup>th</sup> Ave SE. Nor did that Plan look specifically at the changes that have occurred to land uses on 105<sup>th</sup> Ave SE itself. In view of the changes that have occurred since 1996, we strongly believe the criteria for "changed circumstances" has definitely been met and warrants docketing consideration of our request.

We see a number of positive outcomes from the redesignation of our acre of land from R-4 to R-15. For one, it would make a more advantageous use of lands located in close walking distance to downtown Bellevue. This would be consistent with the City's vision calling for higher densities near employment centers, diverse housing types and densities to reflect the needs of Bellevue's changing demographics and improve mobility by providing more residents with easy access to multiple modes of travel. Also significant would be the opportunity with redevelopment of our properties to have new sidewalks installed on the west side of 105<sup>th</sup> Ave SE. This would provide another 300 feet of safe walkways for the pedestrian movements on our street, connecting to existing sidewalks that now dead end at Cliff Drive.

Also, I would like to respond to some of the comments we have read. There are some unfortunate misunderstandings about what the redevelopment of this acre of land would look like with the requested R-15 zoning, particularly regarding building height. R-15 limits building heights to 30 feet, which is essentially the same height as the existing multifamily buildings north of us along 105<sup>th</sup> Ave SE. 30 feet is the same height allowed for the R-4 zone, which means all of the other homes in the area. Also important to understand is that the topography of the area rises sharply east of 105<sup>th</sup> Ave SE. The homes on the east side of the street are from 15 to 20 feet higher than our homes, and those homes even further east (on 106<sup>th</sup> Ave SE) are even higher with territorial views that look over the homes on *both* sides of 105<sup>th</sup> Ave SE.

We are also aware that some have expressed a concern that this docket request may set a precedent. Well, the docketing request deadline has passed. But we also believe that we have a fairly unique situation. When you consider the combination of the steep topography that isolates our homes from a larger residential neighborhood, the somewhat quirky local street configuration, cut-through traffic and unlike uses on all sides of us, you can distinguish our situation from others. Therefore, this is unlikely to create a precedent.

in closing, I would like to thank you for the opportunity to place this docketing proposal before you. We sincerely believe that these plan and zoning revisions would be in the interest of all the citizens of Bellevue as well as those of us who now own and reside on this part of 105<sup>th</sup> Ave SE. We will be at your hearing to respond to questions you may have of us.

Sincerely,

  
John A. Leggate  
325 105<sup>th</sup> Ave SE

**Matz, Nicholas**

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**From:** Cathy Whelpley <cwhelpley@gmail.com>  
**Sent:** Monday, April 16, 2012 2:57 PM  
**To:** Matz, Nicholas  
**Subject:** Zoning Plan

Dear Mr. Matz

My name is Robert Whelpley, I owned the house on 335 105th Ave S.E. Bellevue, I think I understand that you are handling the request for possible changes to the zoning at this address.

We are in favor of the change, I grew up in this house and when my parents bought it, it was a family neighborhood, I could ride my bike on the road and ect. now there are no kids that live there and most of the houses are rentals, which sense the passing of my Dad 3 weeks ago, Iam now also going to be renting my house. I think with the houses being so old on that street it might help to have some of the houses fixed up and turned into some nicer looking rental units as long as there not to high. This street no longer seems to be a neighborhood, when the street was built in the 1950s there was no way to know how Bellevue would change and grow by 2012. 105th is a corridor into downtown now. Many of the properties are owned by investment properties for the value of the land, the owners lives elsewhere.

Th

ank You, Robert Whelpley

**Matz, Nicholas**

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**From:** Renay Bennett <renaybennett@msn.com>  
**Sent:** Thursday, April 05, 2012 10:49 AM  
**To:** Matz, Nicholas  
**Subject:** Re: That upzone...

Thanks. It looks like there is a single family parcel just north of this proposal. Is that right?

**From:** [NMatz@bellevuewa.gov](mailto:NMatz@bellevuewa.gov)  
**Sent:** Thursday, April 05, 2012 9:11 AM  
**To:** [renaybennett@msn.com](mailto:renaybennett@msn.com)  
**Subject:** RE: That upzone...

Renay-

Here is a map showing the L-G CPA and the surrounding zoning extent.

Nicholas

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**From:** Renay Bennett [mailto:[renaybennett@msn.com](mailto:renaybennett@msn.com)]  
**Sent:** Thursday, April 05, 2012 8:46 AM  
**To:** Matz, Nicholas  
**Subject:** Re: That upzone...

Hi Nicholas,

Thanks! I drove by it yesterday and there are single family homes to the north. How far does the MF designation go to the north? All the way to the office buildings?

**From:** [NMatz@bellevuewa.gov](mailto:NMatz@bellevuewa.gov)  
**Sent:** Thursday, April 05, 2012 8:23 AM  
**To:** [renaybennett@msn.com](mailto:renaybennett@msn.com)  
**Subject:** RE: That upzone...

Renay-

The Leggate-Balwada Comprehensive Plan Amendment application (any rezone would occur through a subsequent separate process; this is a map amendment proposed to the long-range plan) is bounded by Office (O) zoning to the west, Multifamily-Medium (R-20) zoning to the north, and Single-Family High (R-5) zoning to the east and south.

Nicholas Matz AICP  
Senior Planner  
425 452-5371



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**From:** Renay Bennett [mailto:[renaybennett@msn.com](mailto:renaybennett@msn.com)]  
**Sent:** Wednesday, April 04, 2012 8:19 PM

**To:** Matz, Nicholas  
**Subject:** That upzone...

Hi Nicholas,

Can you tell me what the zoning is around the perimeter of the upzoning from SF to MF on that property I asked about? It is on 105th, I think.

Thank you,  
Renay

**Matz, Nicholas**

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**From:** Jerry(Hao) Feng <haof@microsoft.com>  
**Sent:** Tuesday, April 03, 2012 5:08 PM  
**To:** Matz, Nicholas  
**Cc:** Jing Zhang  
**Subject:** RE: Question regarding to application 12- 104612 AC

Hi, Nicholas,

I just read the recent memo of "2012 Annual Comprehensive Plan Amendments (CPA) List of Initiated Applications – March 14, 2012, Planning Commission Study Session"  
(<http://www.bellevuewa.gov/pdf/Planning%20Commission/2012/03-14-12CPAs%20SS%20memo7A.pdf>)

I agree with the staff's (not) recommendation on application 12 – 104612 for the reasons listed in the document as well as factors including reduced neighboring properties' value, and increased traffic/density for the neighbor etc.

My question to you is that if or not I need to express our objection to the application (as well as collecting neighbor's opinion on this issue) assuming the applicant want to continue to pursue. If we need to do so, it seems email of our opinions to you and city council is sufficient and proper channel, is this true? If I understand correctly from the document, there will be a public hearing for Theshold Review soon. Please let me know if we should attend in order to express our opinion.

Thanks,

Jerry Hao Feng

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**From:** Jing Zhang [mailto:jizhang@expedia.com]  
**Sent:** Tuesday, April 03, 2012 2:05 PM  
**To:** Jerry(Hao) Feng; NMatz@bellevuewa.gov  
**Subject:** RE: Question regarding to application 12- 104612 AC

Dear Nicholas Matz,

Please add my name into "the parties of record for this application" also.

Thanks!

Jing

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**From:** Jerry(Hao) Feng [mailto:haof@microsoft.com]  
**Sent:** Thursday, March 08, 2012 1:42 PM  
**To:** NMatz@bellevuewa.gov  
**Cc:** Jing Zhang  
**Subject:** RE: Question regarding to application 12- 104612 AC

Hi Nicholas,

Thank you very much for the detailed information. At this moment, I think the information you gave is enough and I don't have any other question yet. I will pay attention and participate whenever I can for this application.

Thanks and have a good day.

Jerry

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**From:** NMatz@bellevuewa.gov [mailto:NMatz@bellevuewa.gov]  
**Sent:** Thursday, March 08, 2012 12:50 PM  
**To:** Jerry(Hao) Feng  
**Subject:** RE: Question regarding to application 12- 104612 AC

Mr. Feng-

The Leggate-Balwada Comprehensive Plan Amendment (CPA) application is file number 12-104612 AC.

The Comprehensive Plan is the City's long-range development plan. A CPA application is a proposal to amend the existing Comprehensive Plan designation on property. In order to do a [later] rezone and build on property, an owner must first obtain a CPA approval. You can read more about the CPA and process at:

[http://www.bellevuewa.gov/comprehensive\\_planning.htm](http://www.bellevuewa.gov/comprehensive_planning.htm)

The Leggate-Balwada proposal is made by the owners of the four properties at 225, 231, 235, and 335 105<sup>th</sup> Ave SE, to change their existing designation from single-family to multifamily. This would allow them to rezone and build to a higher residential density than they are currently allowed. The CPA process is a public review, designed to determine (by recommendation of the Planning Commission and by decision of the City Council) whether an amendment to the long-range plan is appropriate.

This application goes through an extensive, nearly year-long review process, as the CPA is a legislative action of the Bellevue City Council and not a permit approval. Since the application is not a building proposal there is no information about proposed building height and that would in fact be premature. The first step of this review is before the Planning Commission with a March 14, 2012, study session. You can review Planning Commission agenda materials at:

[http://www.bellevuewa.gov/planning\\_commission.htm](http://www.bellevuewa.gov/planning_commission.htm)

With your email to me I am adding you to the parties of record for this application and you will receive all advice and notice of agendas and public hearings in regard to Leggate-Balwada.

Please let me know if there is anything else I can assist with at this point.

Nicholas Matz AICP  
Senior Planner  
425 452-5371



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**From:** Jerry(Hao) Feng [mailto:haof@microsoft.com]  
**Sent:** Thursday, March 08, 2012 10:39 AM  
**To:** Matz, Nicholas  
**Cc:** jizhang@expedia.com  
**Subject:** Question regarding to application 12- 104612 AC

Dear Nicholas Matz,

My name is Hao "Jerry" Feng, current owner of house addressed at 205 106<sup>th</sup> Ave, SE, Bellevue. From the recent "The Weekly Permit Bulletin" I noticed that the houses near us are initialized to be converted to apt/condo, on the application file number "12- 104612 AC" which you are the planner for it.

I am wondering if you can provide me more information about the proposed modification and the biggest concern for us is how high the proposed building will be and if it will block the view from my house to the Lake of Washington and Seattle. I hope you can understand our concern and help us at your early convenience.

Thanks,

Jerry

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**From:** Jing Zhang [<mailto:jizhang@expedia.com>]

**Sent:** Thursday, March 08, 2012 8:20 AM

**To:** Jerry(Hao) Feng

**Subject:** 12- 104612 AC

**Leggate-Balwada 12- 104612 AC 225, 231, 325 and 335 105th Ave**

**SE**

This privately initiated application would amend the map designation of this total of .94 acres from SF-H (Single Family-Medium) to MF-M (Multifamily-Medium). The site is currently four single family residential properties. If the CPA were adopted the site could then be rezoned to allow multifamily redevelopment at a density of up to twenty units per acre (R-20). *Concurrent rezone.*

**Matz, Nicholas**

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**From:** Tan, Jenny <Jenny.Tan@CenturyLink.com>  
**Sent:** Friday, March 30, 2012 2:02 PM  
**To:** PlanningCommission  
**Cc:** Matz, Nicholas; Tan, Jenny  
**Subject:** Leggate-Balwada

To Whom This May Consider:

This is Jenny Tan, a resident in Bellevue. I have recently reviewed the Leggate-Balwada application, which involves the properties directly north of my property on the 105<sup>th</sup> Ave SE. My husband and I recently bought this house at 345 105<sup>th</sup> Ave SE, Bellevue. We moved to Bellevue from Issaquah because the wonderful city and school system for my two young kids. I disagree with the proposed plan to change the 4 single family houses to multifamily housing. We already have several multifamily condo/apartments on the 105<sup>th</sup> AVE SE. I am also concerned the lighting the future multifamily structure will block, since I will be directly south of it. Also I have two young kids, the safety is my top concern as this will add more density, noise, foot and car traffic. My kids are getting dropped off from school bus on Main St and 105<sup>th</sup> Ave SE today, so they will have to walk through the entrance of these properties to get home. The rezone will bring less green on the street, more people, more traffic (which we already have from the high school) and more parking problems. I hope you will take these consideration and disapprove the application.

Let me know if you need any further information from me.

Thank you for your time.

**Jenny Tan**

206.224.1114 \ [JENNY.TAN@centurylink.com](mailto:JENNY.TAN@centurylink.com)



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**Matz, Nicholas**

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**From:** Renay Bennett <renaybennett@msn.com>  
**Sent:** Wednesday, March 21, 2012 4:26 PM  
**To:** Matz, Nicholas  
**Subject:** Leggate-Balwada

Hi Nicholas,  
Can you tell me where in the process this is?  
Thanks,  
Renay

Leggate-Balwada  
Location: 225, 231, 325 and 335 105  
th  
Ave SE  
Subarea: Southwest Bellevue  
Neighborhood: West Bellevue  
File Number: 12-104612 AC  
Description: Map change of .94 acres from SF-H  
(Single Family-High) to MF-M (Multifamily-Medium).  
Date of Application: January 31, 2012  
Completeness Date: February 28, 2012  
Applicant Contact: Donna Leggate 425 454-4798  
Planner: Nicholas Matz AICP, 425-452-5371

**Matz, Nicholas**

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**From:** Tan, Jenny <Jenny.Tan@CenturyLink.com>  
**Sent:** Tuesday, March 20, 2012 3:18 PM  
**To:** Matz, Nicholas  
**Subject:** Leggate-Balwada

Hi Nicholas,

Thank you for taking my call today regarding Leggate-Balwada. I am the owner of the house directly south of the 4 properties on the 105<sup>th</sup> Ave SE. I would like to see their application and receive further information on this proposal. Please let me know if you can do so.

Thank you in advance for your time and help.

**Jenny Tan**

Strategic Account Manager  
206.224.1114 \ JENNY.TAN@centurylink.com



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**Matz, Nicholas**

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**From:** Mary Chu <mango.chu@gmail.com>  
**Sent:** Tuesday, March 20, 2012 1:31 PM  
**To:** Matz, Nicholas  
**Subject:** File #12-104612 AC Leggate-Balwada

Hi Nicholas,

Sorry I was not able to attend the meeting in regards to the above, it's difficult to get out with 3 little kids. Could you please put me on your mailing list for matters relating to the above so that I'm inform as to what's happen in my neighborhood.

I'm living directly across from the Leggate's at 310 105th Avenue SE.

Thank you,  
Mary Chu  
206-992-0559

**Matz, Nicholas**

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**From:** hutsonshome@aol.com  
**Sent:** Sunday, March 11, 2012 8:22 PM  
**To:** Matz, Nicholas  
**Subject:** Fwd: Map Change SF-MF 225, 231, 325, and 335 -- 105th Ave SE  
**Attachments:** CIMG0005.jpg

Mr. Matz,

My name is Dale Hutson and my wife Sharon and I reside at 328 105th Ave SE in Bellevue. There are concerns my neighbors and I have of the proposed multi-family construction in the single family community.

The first, is the traffic to Bellevue HS approaching from Main Street as you can see in the photo.

There has always been a Zone 3 Parking requirement for residents on 105th as student parking is not allowed. There are no sidewalks for pedestrian traffic so students walk in the street, which is a safety matter as well as a traffic obstruction, causing further delays.

Residents have requested improvements in the past but have been short on the priority list from the City of Bellevue to improve the conditions in the years we have lived here. We have been told that the HS entrance is off Bellevue Way on Wolverine Way, but as you see that is clearly not the case. I would request a traffic review of the intersection of 105th Ave SE and Wolverine for any evening school event, any morning arrivals, and at school dismissal. Also, what is the proposed planned driveway access to the property? Traffic and parking are the first of my concerns.

We have not seen the proposed plans or heard of the quantity of units in the MF design. That may be something you or the COB could provide on PDF? Height restriction is a major concern as well, since our view of Meydenbaur Bay has been blocked by the growth of trees and roof lines.

We were to believe when we purchased here in the westerly part of Surrey Downs, that the mid rise and multi-family were restricted to Main Street and not permitted to extend into the residential area. Therefore it is our opinion to oppose the multi-family medium density on 105th Ave SE.

Sincerely,

Dale Hutson

**Matz, Nicholas**

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**From:** henry lin <henrylin68@gmail.com>  
**Sent:** Sunday, March 11, 2012 5:56 PM  
**To:** Matz, Nicholas  
**Subject:** Leggate

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Nocholas :

Can I get more information on the map change of .94 acres from SF-H tp MF-M on 225,231,325 and 335 105 th Ave SE in Southwest Bellevue?

I would like to know what would happen to the even numbers houses on the same street ? potential impact of the rezoning as well?

Best Regards,

Henry Lin