

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

Newport Professional Buildings/ Lorge-Benis

Staff recommendation: Recommend **not including** the Newport Professional Buildings/Lorge-Benis CPA in the 2012 annual CPA work program. If the proposal is included, **expand** the geographic scope of the proposal to include the similar adjacent parcel at 4301 Factoria Boulevard SE.

Permit Number: 12 104629 AC
Subarea: Factoria
Address: 4307 and 4317 Factoria Boulevard SE
Applicant: Lorge/Benis

PROPOSAL

This privately-initiated application would amend the map designation on this two-parcel, 0.62-acre site from PO (Professional Office) to CB (Community Business). The applicant proposes to attach development conditions which would a) prohibit retail uses on the ground floor of redeveloped buildings, and b) require an affordable residential housing component. See Attachment 1.

The Planning Commission directed consideration for expanding the geographic scope of similarly situated property to include an adjacent third parcel, for a total of 0.83 acres. See Attachment 2.

REVIEW OF STAFF RECOMMENDATION

The proposal does not meet the criterion of a changed circumstance that warrants new review of the Comprehensive Plan. The Factoria Subarea Plan was last updated in 2006 and clearly established a focus for commercial activity in and around the Factoria Mall. The site has been considered in the past and the Professional Office (PO) designation was deemed appropriate as a transitional use between the more intense commercial uses to the north, the surrounding high school, and the residential neighborhood to the east. There is no clear change to the area that was unanticipated by the plan that suggests a need to reconsider the designation of the site.

The proposal identifies other CPAs adopted in the Factoria Subarea, including that of the St. Margaret's site across the street, as significantly changed conditions. However, because these CPAs were reviewed and adopted within the existing framework of the Subarea Plan—with its distinct locations for the intensities of development—they do not significantly change conditions on this site or its surrounding area. The designation of the St. Margaret's site remained residential, increasing its allowed density to be consistent with the adjacent residential area and to support a residential use on the church site. It met the changed circumstances criterion due to the change in the role of churches and church land in housing. These conditions don't apply to the Lorge-Benis site and the development of the St. Margaret's site with housing doesn't impact the Lorge-Benis site in a way that suggests a need for a new use or greater intensity of use.

With this proposal, the applicant recommends including conditions to the rezone that would restrict retail uses and promote affordable housing. While these potential conditions may address concerns with the proposal that would be reviewed during the Final Review stage of the process, they do not create a “changed circumstance” that warrants including the proposal in the work program.

Professional offices remain an appropriate and suitable use for this small site. PO designations and uses are appropriate for smaller, older sites that are typically located closer to residential uses, and isolated from other areas of more intense commercial or office focus.

BACKGROUND

The application site is two parcels with small office buildings on each of them. The single-building Newport Chiropractic Center is located on the northeast corner, at 4307 Factoria Boulevard SE, and two small office buildings are located on the larger, southern site at 4317 Factoria Boulevard SE. There is a third parcel with a dental office building bordering the application site to the northwest at 4301 Factoria Boulevard SE. This third parcel—not part of the CPA application—is recommended for inclusion through the expansion of the geographic scope of the proposal because it shares characteristics with the two application parcels. See Attachment 2.

Previous CPA applications for this site were made in 2008 and 2009.

The Planning Commission recommended at its May 14, 2008, public hearing on the application to not advance it out of Threshold Review. The Commission based its recommendation on a lack of significantly changed circumstances in the Factoria area applicable to the proposal. The Commission acknowledged that other CPAs for Factoria redevelopment (FATS) and for multifamily residential density (St. Margaret’s Church) reacted to significantly changed redevelopment and affordable housing issues, respectively, but noted that these did not influence this application.

The Planning Commission recommended at its April 22, 2009, public hearing on the application to not advance the proposal out of Threshold Review, for the same reasons as were recommended for the 2008 CPA application.

The difference between the 2008 CPA and the 2009 and 2012 applications are the applicant’s proposal to attach development conditions. Before that, the question of appropriate designation was last examined in 1996. When the site was annexed in 1994 it was designated SF-H (Single Family-High). Then in 1996 the city-initiated “Factoria Inconsistencies” CPA proposed a PO (Professional Office) designation for the three parcels. The owner at 4307 Factoria Boulevard SE (and current applicant) requested consideration of O (Office) instead; the City Council remanded the proposal back to the Planning Commission for further consideration of that request. Ultimately, both the Commission recommendation and the final Council action under Ordinance No. 5028 confirmed the PO designation on the parcels. During the FATS update adopted in 2006, the city reviewed the commercial code of the Factoria Subarea and no change was recommended for the Lorge-Benis site at that time.

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 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 designation. While an application was submitted in 2008 and 2009, these applications were withdrawn prior to City Council action.

- 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 proposal 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).

The proposed amendment does not meet this criterion. It addresses no significantly changed conditions since the last time the Plan map or text was amended in 1996.

The Factoria Subarea Plan was last updated in 2006 and clearly established a focus for commercial activity in and around the Factoria Mall. The site has been considered in the past and the Professional Office designation was deemed appropriate as a transitional use between the more intense commercial uses to the north, the surrounding high school, and the residential neighborhood to the east. There is no clear change to the area that was unanticipated by the plan that suggests a need to reconsider the designation of the site.

The Factoria Subarea Plan calls for developing a true mixed use district focused in the commercial core while maintaining distinctly less intense residential, office, and other commercial land use areas elsewhere in Factoria. This proposal doesn't point to any change in the area that suggests a need to revisit that vision for the subarea.

The applicant proposes development conditions to make the proposal more compatible, but such conditions don't, by themselves, create a changed condition that warrants revisiting the vision of the subarea plan.

The proposal also identifies other Comprehensive Plan amendments adopted in the Factoria Subarea as significantly changed conditions. Other adopted amendments do not necessarily equate to changed conditions that are relevant to the proposal. In this instance, the recent amendments, including the development of the ST. Margaret's site, do not indicate a need to revisit the planned land used for the Lorge-Benis site. In fact, retaining professional office services, continues to be appropriate.

These other Factoria subarea CPAs adopted since 1996 trigger none of the Threshold Review criteria for significantly changed conditions for this proposal because they were adopted consistent with the fundamental concentration of commercial uses in the core commercial district, and do not change conditions relevant to this site. There is no basis for amending the Comprehensive Plan on a site simply because the designation was changed on other sites in the Subarea.

- 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

If this proposal is included in the 2012 work program, the geographic scope of the proposal should be expanded include the third and separately-owned medical office parcel at 4301 Factoria Boulevard. This third parcel makes up the remainder of this PO area and is similarly situated and shares characteristics of access, use, and dimensional redevelopment issues.

- 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

A CB district, even constrained by development conditions, would signal an expansion of the Factoria commercial core. Commercial Business in Factoria is appropriate in the commercial core only, and change to CB is inconsistent with policies that focus commercial development there.

PO remains a deliberate and appropriate designation to reflect the existing and expected use and intensity among the three small and older properties in this area. The PO designation and dimensional requirements are designed to limit the intensity of use of small sites. More intense office and commercial uses should more appropriately be located on larger sites.

The constraints created by the potential conflicts between the small, nonconforming nature of these sites and redevelopment are dimensional in nature. These constraints include the origin and history of the buildings' use, setbacks and height; the amount, location and access to parking; signage placement; Factoria Boulevard frontage; and access easements. Because the sites are both small and separate in relation to each other, and are contained within an area bounded by Newport High School and a major arterial, significant redevelopment runs into both nonconforming use and dimensional limits. The Comprehensive Plan process would be appropriate if the community vision for this area changes, but is not the appropriate path to resolve issues with dimensional standards. Other options exist.

Balancing site constraints and the application of regulations to redeveloping the sites is a unique circumstance for these small sites. A variance under the Land Use Code could be considered to address regulatory restraints applicable to this site and applicable to any individual or combination of redeveloping these sites.

; 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

The owner of the property being considered for geographic expansion has made extensive inquiries about the proposal and has submitted written comments. Other comments have been received in opposition as well.

ATTACHMENTS

1. Application materials
2. Site map
3. Public comments received to date



Lorge-Benis CPA
 Proposed Comprehensive Plan Designations



Application for
COMPREHENSIVE PLAN AMENDMENT

CPA YEAR 20 <u>12</u> APPLICATION DATE: Jan. 30/2012	TECH INITIALS <u>CB</u>	AMANDA PROJECT FILE: <u>12 104629 AC</u>
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1. Project name Newport Professional Building / Lorge Comprehensive Plan Amendment
2. Applicant name Mr. Christopher Benis/ Dr. John P. Lorge Agent name R. W. Thorpe & Assoc., Inc.
3. Applicant address 4307 Factoria Blvd SE, Bellevue, WA 98006-1936
4. Applicant telephone (425) 445-8980 fax () N/A e-mail cbenis@hbslegal.com/drlorge@drlorge.com
5. Agent telephone (206) 624-6239 fax (206) 625-0930 e-mail rwta@rwta.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 1624059070 & 1624059206.

Proposed amendment to change the map designation from existing PO to proposed CB.

Site area (in acres or square feet) 0.62 acres (-9070 = 0.21 acres & -9206 = 0.41 acres).

Subarea name Factoria (optional inclusion of -9299 0.21 acres in City study area to be determined by Staff).

Last date the Comprehensive Plan designation was considered / / 2008

Current land use district (zoning) Professional Office (PO).

Is this a concurrent rezone application? Yes No Proposed land use district designation _____.

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.

Block 2 is not applicable to the proposed amendment.

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**



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

Application for
COMPREHENSIVE PLAN AMENDMENT

Page 2

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 site-specific proposed amendment is necessary to address significantly changed Land Use, Transportation, and Housing conditions since the last time the pertinent Comprehensive Plan was amended. For example, the City Council initiated Comprehensive Plan Amendment (07-117934AC), involving St. Margaret's Episcopal Church located east of the proposed amendment site in addition to a change within the Factoria Subarea policy framework to incorporate the 2005 Factoria Area Transportation Study (FATS) recommended urban design strategies both represent a "significantly changed condition". Please see attached "Lorge/Benis Land Use Study" for additional supporting research.

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.

The proposed amendment is consistent with the Threshold Review Decision Criteria as outlined in LUC Section 20.30I.140. Additionally, The applicant proposes to include a condition to the comprehensive plan amendment and future rezone that prohibits retail and restaurant land use to reduce competition with the existing retail land uses in the Factoria Mall. Please see page 3 of the attached "Lorge/Benis Land Use Study" for a complete analysis of the Threshold Review Decision Criteria.

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.

Block 4B is not applicable to the proposed amendment.

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 Lorge Date 1/30/2012

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 John Lorge Date 1/30/2012
(Owner or Owner's Agent)

City of
Bellevue



"Bill To" Form

Permit/Approval #

Your application is a type that requires deposit(s) and may have billable hours. That means you may receive bills in the mail for review or inspection time spent on your project in addition to the fees you pay at submittal, or will be required to pay at or prior to issuance.

Please send the bills to:

Name/Company: Newport Professional Building

Attention: Christoper Benis & John Lorge

Billing Address: Benis: 2101 4th Ave Ste 1900, Seattle, WA 98121

City, State, and Zip: Lorge: 4307 Factoria Blvd SE, Bellevue, WA 98006

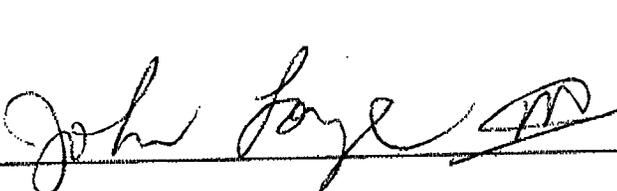
10-digit Phone #: 206-448-0402(Benis) / 425-445-8980 (Lorge)

For address changes: Notify Billing Customer Service (425-452-6860).

For ownership changes: The new owner must provide the billing administrator with the ownership transfer date before any billing information can be changed.

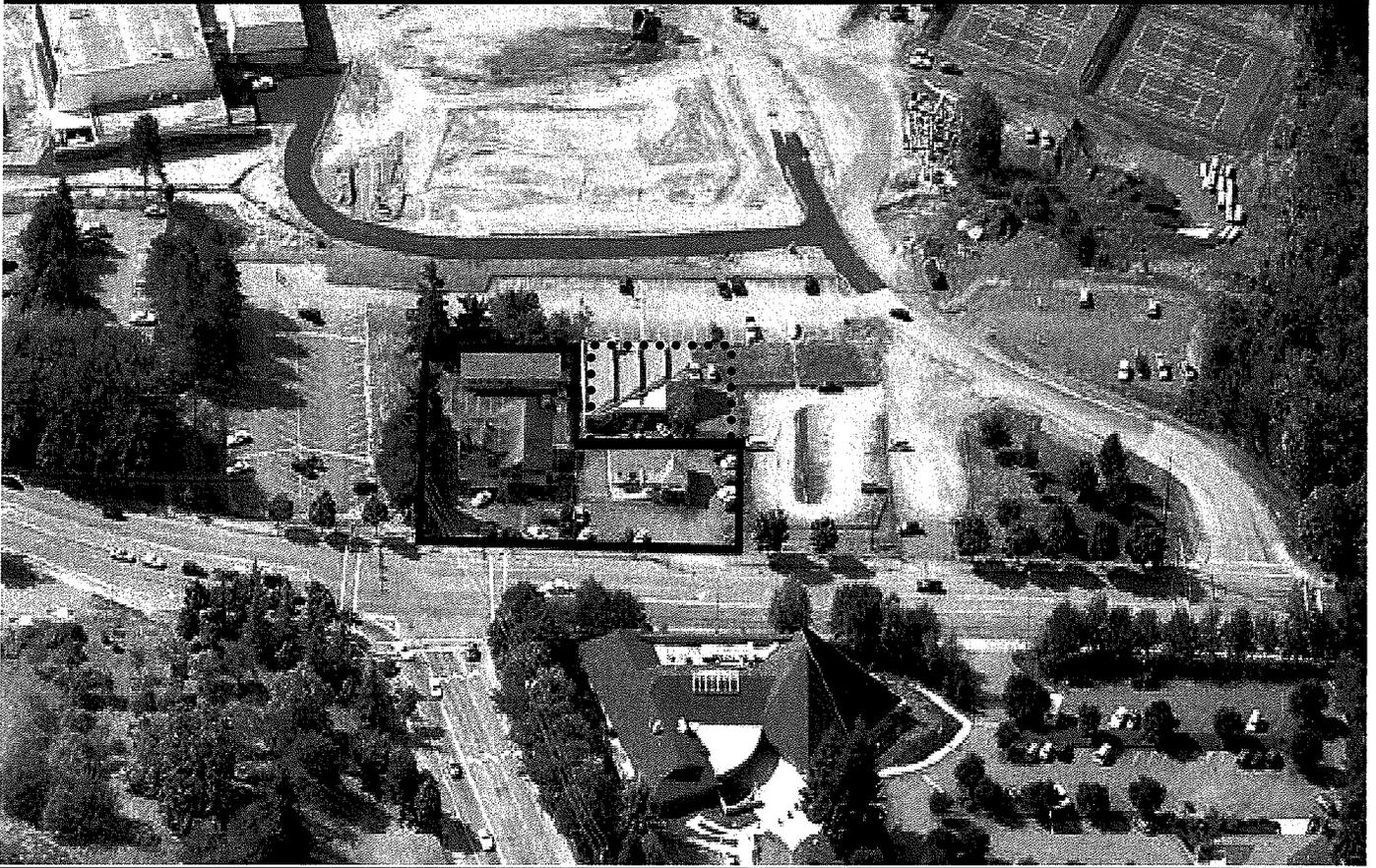
For billing liability changes: Contact Billing Customer Service (425-452-6860).

City/School/Agency Projects: Please see use "City Applicant/Other Agency Form"

Signature: 

Date: 1/30/2012

Lorge/Benis Land Use Study
4307 Factoria Blvd SE, Bellevue, WA



Prepared by:

R.W. Thorpe & Associates, Inc.
Planning / Landscape Architecture / Economics
7438 SE 27th Street
Mercer Island, Washington 98040

January 30, 2008 (Updated January 2012)

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I. Executive Summary:

The purpose of this Land Use Study is to provide background information for a proposed amendment to the Bellevue Comprehensive Plan Land Use Map to allow for the redesignation of approximately +/- .62-Acres of land located at 4307 Factoria Blvd SE and 4317 (128th Ave SE) from Professional Office (PO) to Community Business (CB) (See Figure #1 - Vicinity Map). An additional .21 acres of adjacent land located at 4301 Factoria Blvd SE, may be included in the amendment or study area if determined appropriate by city staff. The proposed amendment would support a future rezone of the property to land use designation CB, which allows for mixed commercial and residential developments. **Based on the "Threshold Decision Criteria for a Comprehensive Plan Amendment" as provided within the Bellevue Municipal Code (BMC), Section 20.30I.140, it is the professional opinion of R.W. Thorpe & Associates that the proposed amendment merits approval and support by City of Bellevue Planning Staff, Planning Commission, and City Council. Our conclusion is based upon the amendments compatibility with the Goals and Policies of the Factoria Subarea Plan, Bellevue Comprehensive Plan, King Countywide Planning Policies as demonstrated within the analysis provided below and the attached Compatibility Matrix.**

It is the intent of the applicant to allow for the future potential of redeveloping the proposed amendment site with a Higher and Better Use consisting of a mixed-use structure with ground/1st floor and 2nd floor office space and residential dwelling units located on the upper 3rd and 4th floors (Please See Figure #2 - Conceptual Massing Study).

II. Site Information / Existing Conditions

The proposed amendment area is located along Factoria Boulevard SE amid St. Margaret's Episcopal Church and the Holy Cross Lutheran Church to the east and the Newport High School campus to the west. Additionally, the amendment site is one third of a mile (1/3) south of the Kimschott Factoria Square Mall and approximately one-half (1/2) a mile north of Coal Creek Parkway SE. Currently a total of ten businesses are located within amendment/ potential study area. Newport Chiropractic Center is located within parcel 1624059070 (4307 Factoria Boulevard SE).

III. Assessment Criteria

The Threshold Decision Criteria for a Comprehensive Plan Amendment are set forth in the City of Bellevue Land Use Code, Section 20.30I.140. Based upon our analysis of the criteria it is our professional opinion that the proposed amendment merits approval. Our recommendation is based upon the following analysis:

A. BMC 20.30I.140(A): *The proposed amendment presents a matter appropriately addressed through the Comprehensive Plan; and*

- **RWT/A Response:** It is the professional opinion of R.W. Thorpe & Associates that the proposed amendment to the City of Bellevue Comprehensive

Plan Land Use Map is a matter that is appropriately addressed through the Comprehensive Plan amendment process.

B. BMC 20.30I.140(B): *The proposed amendment is in compliance with the three-year limitation rules set forth in LUC 20.30I.130.A.2.d; and*

➤ **RWT/A Response:** The proposed amendment has not been the subject of a comprehensive plan amendment proposal within the past three years.

C. Review Criteria 20.30I.140(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*

➤ **RWT/A Response:** R.W. Thorpe & Associates feels that the annual Comprehensive Plan Amendment process is the most appropriate means by which the City Council should address the proposed change.

D. Review Criteria 20.30I.140(D) *The proposed amendment can be reasonably reviewed within the resources and time frame of the Annual Comprehensive Plan Amendment Work Program; and*

➤ **RWT/A Response:** The proposed amendment represents two relatively small parcels that should not require an exuberant amount of time or resources to review.

E. Review Criteria 20.30I.140 (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*

➤ **RWT/A Response:** **The site-specific proposed amendment addresses "significantly changed Land Use, Transportation, and Housing conditions" since the last time the pertinent Comprehensive Plan was amended.**

- **Land Use:** The City Council initiated Comprehensive Plan Amendment (07-117934AC), involving St. Margaret's Episcopal Church is located east of the proposed amendment site and represents a "significantly changed condition". If approved Amendment 07-117934AC would allow the future development of Affordable Housing within the Episcopal Church site by redesignating the site from Single Family High Density (SF-H) to Multifamily High Density (MF-H). **The Episcopal Church amendment is similar to the proposed amendment addressed by this study in that both amendments would allow for the future potential of redevelopment of underutilized property and urban infill.**

Additionally, as Bellevue matures as a city the amount of vacant developable land has become scarce. An analysis of Bellevue's capacity for growth released in 2003 identified, with the exception of the Downtown area, only 961 acres of vacant and redevelopable land. **The City of Bellevue should look to property such as the proposed amendment site for redevelopment and infill to accommodate future growth and jobs.**

- **Transportation:** A change within the Factoria Subarea policy framework and list of associated transportation facility projects to incorporate the 2005 Factoria Area Transportation Study (FATS) recommended urban design strategies represents a "significantly changed condition". Approval of the proposed amendment would address this significantly changed transportation condition by constructing well-integrated mixed-use structures that would be transit-supportive and pedestrian-oriented.

Additionally, the recommended implementation of a multi-modal transportation system represents a city-wide "significantly changed condition". The proposed amendment addresses the changes in city-wide transportation conditions by supporting the goals and policies of the Comprehensive Plan Transportation Element. If approved the proposed amendment would allow for well-integrated mixed-use structures that discourage the use of single occupant vehicles by providing more accessible features that accommodate users of transit, carpooling, pedestrians, and bicyclists.

- **Housing:** As mentioned in the Comprehensive Plan Land Use Policy #3, the city must accommodate growth targets of 10,117 additional households for the 2001- 2022 period. The proposed amendment demonstrates the type of redevelopment and urban infill that will be necessary to accommodate future growth targets.

F. Review Criteria 20.30I.140 (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

- **RWT/A Response:** The following is a brief outline of the uses currently surrounding the proposed amendment site. The analysis demonstrates that the requested land use amendment includes at the minimum, similarly situated properties with like characteristics. Please see Figure #3 - Future Land Use Designation Map.

NORTH: A dental office not included within the proposed amendment abuts both parcels of the proposed amendment site. Additionally, a Newport High School parking area is directly north the proposed amendment site. A veterinary clinic, apartment complexes, and a fire station are located approximately one-

tenth (1/10) of a mile north of the proposed amendment site. Additionally, the Factoria Mall is approximately one-third (1/3) of a mile north of the proposed amendment site.

The Comprehensive Plan shows the land use designation corresponding with the dental office as Professional Office (PO), the Newport High School and its parking area as Single Family High (SF-H), the veterinary clinic designated as PO and the apartment complexes designated as Multi-Family-High Density (MFH).

EAST: To the East, the amendment site is fronted by Factoria Boulevard SE, which separates it from St. Margaret's Episcopal Church and the Holy Cross Lutheran Church. SE Newport Way, which runs directly east of the proposed amendment site, separates these two churches to the north and south respectively. Development of Affordable Housing is being considered for the Episcopal Church site through a City Council initiated Comprehensive Plan Amendment (07-117934AC), which re-designated the land use from SF-H to MF-H. Further to the east of the proposed amendment site are town-homes and single-family homes.

The properties directly east of the proposed amendment site are designated MF-H.

SOUTH: The Newport High School campus extends south of the proposed amendment site approximately one-half of a mile to the intersection of Coal Creek Parkway and Factoria Boulevard SE. The entire Newport High School Campus has been designated by the Comprehensive Plan as a SF-H land use.

WEST: The Newport High School campus extends west of the subject site approximately one-third of a mile where it abuts 124th Ave SE.

As previously stated the entire Newport High School campus has been designated by the Comprehensive Plan as a SF-H land use.

G. Review Criteria 20.30I.140 (G). *The proposed amendment is consistent with current general policies in the Comprehensive Plan for site-specific amendment proposals. The proposed amendment must also be consistent with policy implementation in the Countywide Planning Policies, the Growth Management Act, other state or federal law, and the Washington Administrative Code; or*

- **RWT/A Response: The proposed amendment is highly compatible with the applicable Goals and Policies of the Factoria Subarea and Comprehensive Plan. Analysis by our staff and Certified Planners does not reveal any incompatibility with the Washington State Growth Management Act (GMA) or King County Countywide Planning Policies. Please see the**

attached Decision Criteria / Land Use Compatibility Matrix for a full analysis of the applicable Comprehensive Plan.

H. Review Criteria 20.30I.140 (H). *State law requires, or a decision of a court or administrative agency has directed such a change. (Ord. 5650, 1-3-06, § 2)*

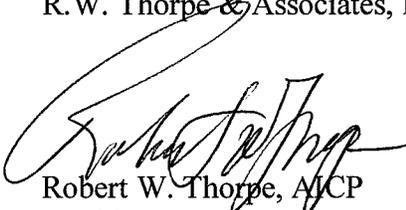
- **RWT/A Response:** The proposed amendment was not submitted in response to a State Law requirement, decision of a court, or at the direction of an administrative agency.

IV. Summary

The above analysis demonstrates that the proposed amendment meets the "Threshold Decision Criteria for a Comprehensive Plan Amendment" as outlined within the Bellevue Municipal Code (BMC), Section 20.30I.140. The amendment represents a public benefit by providing an opportunity for the city to align itself with the "community vision" as established within the Comprehensive Plan. **The amendment is highly compatible with the applicable Goals and Policies of the Factoria Subarea and Bellevue Comprehensive Plan. Analysis by our staff and Certified Planners does not reveal any incompatibility with the Washington State Growth Management Act (GMA) or King County Countywide Planning Policies. It is therefore the professional opinion of R.W. Thorpe & Associates that the proposed amendment merits approval and support by City of Bellevue Planning Staff, Planning Commission, and City Council.**

Please contact the undersigned for questions or clarification of the analysis in this report. Qualifications of report Team can be found at <http://www.rwta.com/>.

Respectfully,
R. W. Thorpe & Associates, Inc.



Robert W. Thorpe, AICP
President

UNDERLYING ASSUMPTIONS OF STUDY

This Study is constrained by the assumptions and limiting conditions contained therein, including the understanding that the report is to be utilized by the client(s) and their real estate agents to aid in the determination of the current status of the property.

The office of R. W. Thorpe & Associates, Inc. does hereby certify that:

We have no present or contemplated future interest in the real estate that is the subject of this Study.

We have no personal interest or bias concerning the subject matter of this Study.

To the best of our knowledge and belief, the statements of fact contained in this Study, upon which analyses, opinions and conclusions expressed herein are true and correct.

This Study sets forth all the limiting conditions affecting any analyses, opinions and/or conclusions expressed.

With the exceptions of discussions with jurisdictional staff concerning methodology and preliminary analysis of data, no one other than the undersigned prepared this Study or analyses, conclusions and opinions concerning the subject real estate set forth in this Study.

It is our opinion that this Study is based on information and data relevant to the date of the Study. Although subsequent historical data exists, any other analysis at a later date would require the updating of the Study to reflect current plans, policies, and regulations.

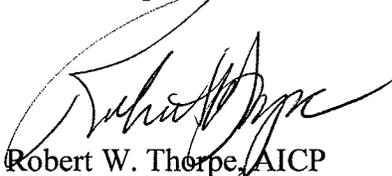
Please note that with ever-changing land use regulations to comply with Washington GMA, information contained in this Study may need to be verified periodically.

We have utilized the current Appraisal Institutes definitions.

According to the Appraisal of Real Estate 13th Edition, Copyright 2008 by the Appraisal Institute, the definition of Highest and Best Use is as follows:

The reasonable probable and legal use of vacant land or an improved property, which is physically possible, appropriately supported, financially feasible, and that results in the highest value.

R. W. Thorpe & Associates



Robert W. Thorpe, AICP
President

Decision Criteria / Land Use Compatibility Matrix Complete Analysis of BMC Section 20.30I.140(G)

Symbol Key	"++" Highly Compatible	"+" Somewhat Compatible	"S" Subjective	"-" Somewhat Incompatible	"--" Highly Incompatible
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Table #1 - Bellevue Comprehensive Plan Analysis

<p>POLICY LU-3. Accommodate growth targets of 10,117 additional households and 40,000 additional jobs for the 2001- 2022 period. These targets represent the city's commitment to develop the zoning and infrastructure to accommodate this level of growth; they are not a commitment that the market will deliver these numbers.</p>	Compatibility Current/Future S / ++
<p>Response to Goal / Policy: If approved the proposed amendment would allow for the future potential of a mixed-use office and residential development. The amendment would comply with LU-3 by providing residential dwelling units to meet the future growth targets.</p>	
<p>POLICY LU-4. Encourage new residential development to achieve a substantial portion of the maximum density allowed on the net buildable acreage.</p>	Compatibility Current/Future S / ++
<p>Response to Goal / Policy: Approval of the proposed amendment would support a future rezone of the property to Community Business (CB). This would allow for the future potential of a mixed-use development that would increase the available office area currently available, while achieving the maximum residential density allowed on the net buildable acreage of the amendment site.</p>	
<p>POLICY LU-13. Reduce the regional consumption of undeveloped land by facilitating redevelopment of existing developed land when appropriate.</p>	Compatibility Current/Future S / ++
<p>Response to Goal / Policy: The proposed amendment complies with LU-13 by helping to reduce the consumption of undeveloped / raw land within the City of Bellevue by proposing to redevelop the existing amendment site to provide for additional office space and residential units.</p>	
<p>POLICY LU-23. Provide, through land use regulation, the potential for a broad range of housing choices to meet the changing needs of the community.</p>	Compatibility Current/Future S / ++
<p>Response to Goal / Policy: As outlined within the Housing Element of the Comprehensive Plan the City of Bellevue plans to accommodate over 80 percent of their projected 20 year residential growth within the downtown area and within mixed-use developments located in commercial areas. The proposed amendment would support a future rezone to CB and would achieve Policy LU-23 by allowing for a mixed-use development within the Factoria Commercial District.</p>	
<p>POLICY LU-27. Encourage mixed residential/commercial development in all Neighborhood Business and Community Business land use districts where compatibility with nearby uses can be demonstrated.</p>	Compatibility Current/Future + / ++
<p>Response to Goal / Policy: The land-owners intent by requesting a Comprehensive Plan Land use redesignated from Professional Office (PO) to Community Business (CB), is to provide for the future potential to achieve a Higher & Better Use of the amendment site by constructing a mixed-use structure that provides office space on the lower two floors (ie first and second floor) and the maximum allowable residential density on the upper two floors (ie third and fourth floor). The analysis of surrounding land uses provided above demonstrates the proposed amendments conformance with adjacent land uses and development patterns.</p>	

POLICY LU-36. <i>Encourage continued development of office uses in designated districts.</i>	Compatibility Current/Future S / ++
Response to Goal / Policy: It is the intent of the applicants that if approved the proposed amendment would support the future development of mixed use structures, which would provide for an increase in overall area available for office use. It is also the intent of the applicants to maintain similar office uses to those currently on site within the proposed mixed use structures.	
POLICY HO-11. <i>Encourage housing opportunities in mixed residential/commercial settings throughout the city.</i>	Compatibility Current/Future S / ++
Response to Goal / Policy: The proposed amendment would achieve Policy HO-11 by allowing for the amendment site to be redesignated from Professional Office (PO) to Commercial Business (CB), which supports the future potential of redevelopment of the site with mixed-use urban infill.	
POLICY HO-13. <i>Ensure that mixed-use development complements and enhances the character of the surrounding residential and commercial areas.</i>	Compatibility Current/Future S / ++
Response to Goal / Policy: As provided in the above analysis of "LUC Review Criteria 20.30I.150 (B)(2) & B(3), the proposed amendment demonstrates its conformance with adjacent land uses and development patterns in addition to demonstrating how it would enhance and complement the future vision of the area.	
Table #2 - Factoria Subarea Plan Goals & Policies	
POLICY S-FA-2. <i>Protect single-family neighborhoods from encroachment by more intense uses.</i>	Compatibility Current/Future ++ / ++
Response to Goal / Policy: St. Margaret's Episcopal Church and the Newport High School respectively border the proposed amendment site to the East and West. Single-family neighborhoods do not directly border any part of the proposed amendment site.	
POLICY S-FA-4. <i>Encourage infill development and redevelopment in a manner that is compatible with surrounding uses and meets adopted design guidelines.</i>	Compatibility Current/Future ++ / ++
Response to Goal / Policy: It is the intent of the applicant to provide for infill mixed-use development that meets all adopted design guidelines as set by the Bellevue Municipal Code. Additionally, the proposed amendment would support the implementation of the Factoria Area Transportation Study (FATS) recommended urban design strategies adapted into the Factoria Subarea Plan by constructing well-integrated mixed-use structures that would be transit-supportive and pedestrian-oriented.	
POLICY S-FA-7. <i>Restrict all future office expansion to districts shown on the Land Use Plan (Figure S-FA.1).</i>	Compatibility Current/Future ++ / ++
Response to Goal / Policy: The proposed amendment would not expand office uses onto any other sites within the Factoria Subarea.	

POLICY S-FA-11. <i>Encourage mixed-use residential and commercial development within community level retail districts.</i>	Compatibility Current/Future ++ / ++
Response to Goal / Policy: If approved, the proposed amendment would allow for the future potential of redevelopment of a mixed-use residential and office development along Factoria Boulevard SE (Factoria Boulevard), which is currently characterized by office, commercial, and retail development.	
POLICY S-FA-14. <i>Implement the Factoria Area Transportation Study (FATS) Update transportation and urban design recommendations.</i>	Compatibility Current/Future S / ++
Response to Goal / Policy: If approved the proposed amendment supports a future rezone of the amendment site to CB and would align all future potential development of mixed use structures with the FATS Update transportation and urban design recommendations so as to front Factoria Boulevard SE and would provide direct pedestrian connections between the sidewalk and the primary building entrance. Please see Figure #2 - Conceptual Massing Study.	

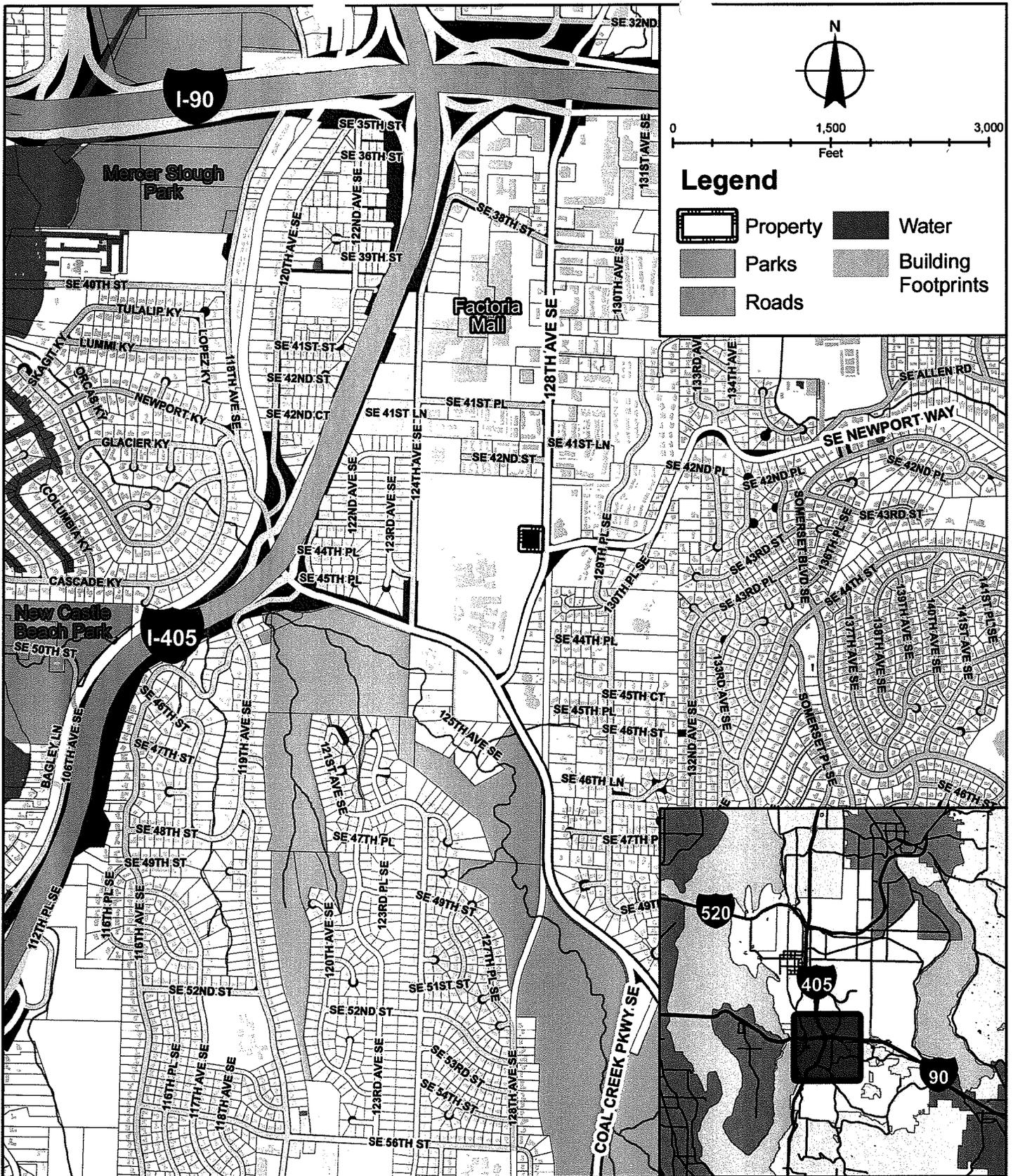
Table #3 - Growth Management Act

GMA Goal #1 - Urban Growth. <i>Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.</i>	Compatibility Current/Future ++ / ++
Response to Goal / Policy: The proposed amendment site is located within an urban area that currently has adequate public facilities and services available to serve future tenants and owners in an efficient manner.	
GMA Goal #2 - Reduce Sprawl. <i>Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.</i>	Compatibility Current/Future + / ++
Response to Goal / Policy: The proposed amendment complies with GMA Goal #2 by helping to reduce the consumption of undeveloped/raw land within the City of Bellevue by proposing to redevelop the existing amendment site to provide for additional office space and residential units.	
GMA Goal #3 - Transportation. <i>Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.</i>	Compatibility Current/Future S / ++
Response to Goal / Policy: The proposed amendment supports the Factoria Area Transportation Study (FATS) Update and its recommended transportation and urban design strategies. The proposed amendment would encourage the future potential for a well-integrated, transit supportive, pedestrian oriented, mixed-use structure that compliments the existing land uses in Factoria's commercial core.	
GMA Goal #4 - Housing. <i>Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.</i>	Compatibility Current/Future S / ++
Response to Goal / Policy: The proposed amendment would support a future rezone of the amendment property to Community Business (CB), which would achieve GMA Goal #4 by allowing a mixed-use development that would increase the available office area while achieving the maximum residential density allowed on the net buildable acreage of the amendment site.	

<p>GMA Goal #5 - Economic Development. <i>Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.</i></p>	<p>Compatibility Current/Future</p> <p>S / ++</p>
<p>Response to Goal / Policy: The proposed amendment would support a future rezone to Community Business (CB) which would achieve GMA Goal #5 by promoting the retention of existing businesses located within the site while recruiting new business by expanding the available square footage for office space.</p>	
<p>GMA Goal #10 - Environment. <i>Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.</i></p>	<p>Compatibility Current/Future</p> <p>+ / ++</p>
<p>Response to Goal / Policy: No critical areas and or environmentally sensitive areas would be adversely impacted by the proposed amendment. All future development would adhere to the City of Bellevue Development guidelines, which may enhance the sites ability to protect air quality, water quality and the availability of water.</p>	
<p>GMA Goal #12 - Public Facilities and Services. <i>Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.</i></p>	<p>Compatibility Current/Future</p> <p>++ / ++</p>
<p>Response to Goal / Policy: The proposed amendment site is located within an urban area that currently has adequate public facilities and services available to serve future tenants in an efficient manner.</p>	

<p>Table #4 - County Wide Planning Policies</p>	
<p>CWPP - Critical Areas</p>	<p>Compatibility Current/Future</p> <p>++ / ++</p>
<p>Response to Goal / Policy: No critical areas and or environmentally sensitive areas would be adversely impacted by the proposed amendment.</p>	
<p>CWPP - Land Use Pattern</p>	<p>Compatibility Current/Future</p> <p>S / ++</p>
<p>Response to Goal / Policy: The proposed amendment is consistent with the implementation of the desired pedestrian/ transit oriented land use pattern envisioned for the Factoria Subarea, by providing a land use designation which allows for mixed-use development.</p>	

<p>CWPP - Transportation</p>	<p>Compatibility Current/Future S / ++</p>
<p>Response to Goal / Policy: As previously mentioned the proposed amendment supports the Factoria Area Transportation Study (FATS) Update and its recommended transportation and urban design strategies. The FATS Update encourages the potential for mixed-use developments similar to the proposed amendment in order to create a well integrated, transit supportive, pedestrian oriented, mixed-use neighborhood in Factoria's commercial core.</p>	
<p>CWPP - Community Character and Open Space</p>	<p>Compatibility Current/Future ++ / ++</p>
<p>Response to Goal / Policy: The proposed amendment is not anticipated to affect the implementation of regulations dealing with historic resources, urban design, human and community services, and open space lands and corridors.</p>	
<p>CWPP - Affordable Housing</p>	<p>Compatibility Current/Future -- / S</p>
<p>Response to Goal / Policy: The proposed amendment represents a future opportunity to increase the supply and variety of housing available along Factoria Boulevard SE without encroaching on existing residential areas. The FATS Update recommends mixing housing and commercial uses in the same building as a method to help reduce vehicle use. Additionally, the proposed amendment lends itself to the future potential for affordable housing.</p>	
<p>CWPP - Contiguous and Orderly Development and Provision Of Urban Services to Such Department</p>	<p>Compatibility Current/Future ++ / ++</p>
<p>Response to Goal / Policy: As previously mentioned the services are available to the proposed amendment site, which is located within a developed urban area.</p>	
<p>CWPP - Siting Public Capital Facilities of a Countywide or Statewide Nature.</p>	<p>Compatibility Current/Future NA</p>
<p>Response to Goal / Policy: This policy is not applicable to the proposed amendment.</p>	
<p>CWPP - Economic Development</p>	<p>Compatibility Current/Future S / ++</p>
<p>Response to Goal / Policy: The proposed amendment would support economic development by recruiting new business through expansion of the available square footage for office space.</p>	
<p>CWPP - Regional Finance and Governance</p>	<p>Compatibility Current/Future NA</p>
<p>Response to Goal / Policy: This policy is not applicable to the proposed amendment.</p>	



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Job	date
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R.W. Thorpe & Associates, Inc.
 Seattle / Anchorage / Denver / Winthrop
 710 Hoge Building 705 2nd Avenue Seattle, WA 98104

Phone: 206.624.6239
 Fax: 206.625.0930
 E-mail: planning@rwta.com
 Web: <http://www.rwta.com>

Planning
 Landscape Architecture
 Project Management
 Environmental
 Economics

FIG. 1

LARGE PROPERTY
Bellevue, WA

VICINITY MAP
 Source: King County (2007), City of Bellevue (2007)

EXISTING INGRESS/
EGRESS EASEMENT PER
LORGE (RECORDING
NOS.
8108270644, 8707060821,
8505210397 &
7812210944)

Factoria Blvd SE

OPTIONAL INCLUSION
OF PARCEL -9289
WITH COMPREHENSIVE
PLAN AMENDMENT
REQUIRED TO BE
DETERMINED BY CITY
STAFF STUDY AREA

*2 FLOORS WITH A TOTAL
OF ±8,240 SQ. FT. OFFICE
SPACE

TOP OF RAMP
TO BASEMENT
AT FIRST FLOOR
OFFICE AREA
SECOND FLOOR

TYPICAL 10'-12'
LANDSCAPE AREA
MAY REQUIRE VARIANCE
OR ALTERNATIVE
LANDSCAPE OPTION TO
20' TRANSITION
LANDSCAPE BUFFER

*2 FLOORS WITH A TOTAL OF
±7,250 SQ. FT. OFFICE SPACE

TOP OF RAMP
TO BASEMENT
PARKING

TYPICAL 8' - 15' LANDSCAPE AREA
MAY REQUIRE VARIANCE
OR ALTERNATIVE
LANDSCAPE OPTION TO
20' TRANSITION
LANDSCAPE BUFFER

PROFESSIONAL OFFICE & PARKING ON
GROUND FLOOR/ 1ST FLOOR & OFFICE
ON 2ND FLOOR
TOTAL OFFICE AREA: ±15,490 SQ. FT.
(1ST & 2ND FLOOR)

9 FIRST FLOOR STALLS
+39 BASEMENT STALLS
= 48 STALLS

IF PARKING 4-1,000 SQ. FT. TYPICAL FOR OFFICE USE:
29 STALLS FOR OFFICE USE
HOWEVER PARKING RATIO TO BE DETERMINED FROM
SHARED PARKING MANUAL 1983

Sources:
King County Assessor Map
City of Bellevue Zoning Map
Ingress/Egress Easements &
Parking Agreement Info from
Lorge
Note:
The site plan is approximate
based on the listed sources.

Lorge & Benis
Comprehensive Plan
Land Use Amendment

FACTORIA AREA

Existing Comp/Zoning: PO Prof. Office
Proposed Comp/Zoning: CB
Community Business
Factoria Land Use District 2
Transitional Overlay

**R.W. Thorpe
& Associates, Inc.**

Seattle - Anchorage - Denver - Winthrop
Planning & Landscape Architecture
Engineering & Construction
Project Management
710 West Hilling
700 Second Avenue
Seattle Washington 98104
Telephone: 206.266.8839
E-MAIL: planning@rwa.com

Parcels:
1624059070 (9270) 21 ac
4307 Factoria Blvd SE
1624059206 (9209) 41 ac
4317 128th Ave SE
Optional Parcel (bd by city) study:
1624059289 (9239) 21 ac
4301 128th Ave SE
Source: King County Assessor Map
W/Map No. 111206
SAL

Comprehensive Plan
Amendment Request Only
Concept Site Plan
Not for Permit Application

REVISION	DATE	BY	DESCRIPTION
1	11/11/2008	JL	ISSUED FOR PERMIT
2	11/11/2008	JL	ISSUED FOR PERMIT

REVISION	DATE	BY	DESCRIPTION
1	11/11/2008	JL	ISSUED FOR PERMIT
2	11/11/2008	JL	ISSUED FOR PERMIT

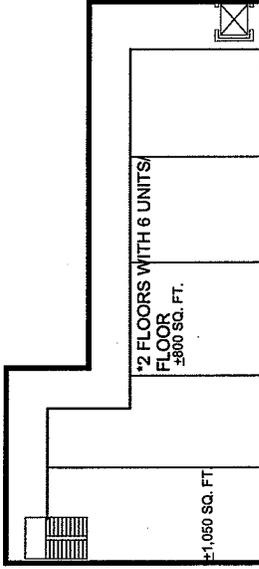
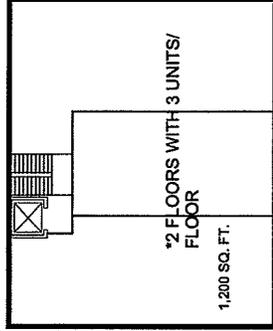
RWTA JOB NO. 1108053
SHEET TITLE



0' 30'

IF PARKING FOR 12 TWO BEDROOM & 6 UNITS
18 x 1.6-29 STALLS FOR RESIDENTIAL
HOWEVER PARKING RATIO TO BE DETERMINED FROM
SHARED PARKING MANUAL 1983

RESIDENTIAL
ABOVE
PROFESSIONAL OFFICE
MAX. 18 UNITS PER
BELLEVUE LAND USE CODE

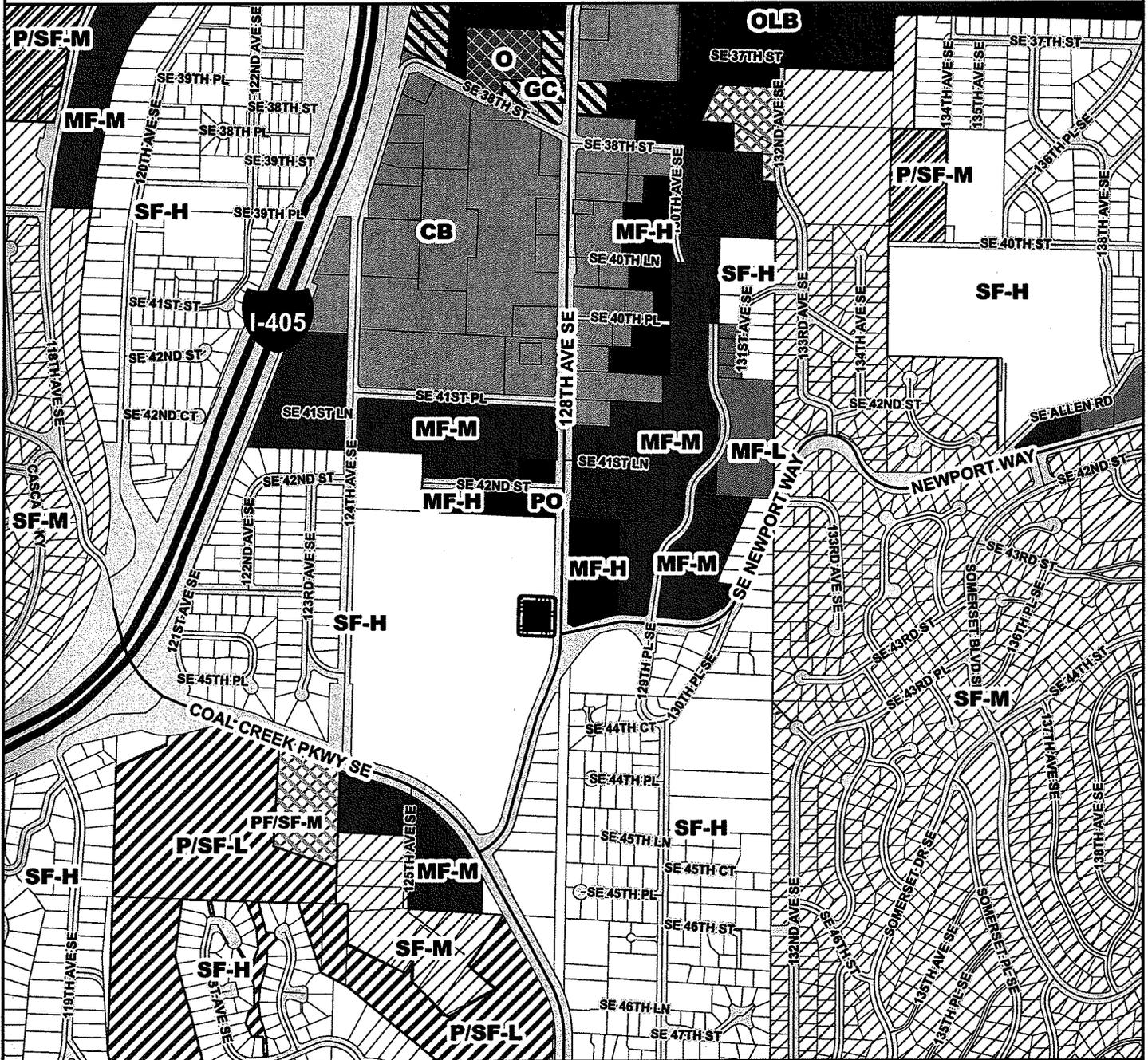


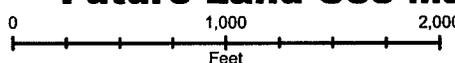
CONCEPTUAL
MASSING
STUDY
FIG. 2A

2 FLOORS PROFESSIONAL OFFICE
W/ 2 FLOORS RESIDENTIAL ABOVE

Legend

- | | | |
|--|--|--|
|  Property |  General Commercial |  Single-family High-density |
| Future Land Use |  Park Single-family Low-density |  Multifamily Low-density |
|  Professional Office |  Park Single-family Medium-density |  Multifamily Medium-density |
|  Office |  Public Facility Single-family Low-density |  Multifamily High-density |
|  Office and Limited Business |  Public Facility Single-family Medium-density | |
|  Community Business |  Single-family Medium-density | |



dm LD	ckd LM app'd RT	R.W. Thorpe & Associates, Inc. Seattle / Anchorage / Denver / Winthrop 7438 SE 27th Street Mercer Island, Washington 98040	Phone: 206.624.6239	Planning Landscape Architecture Project Management Environmental Economics
Job 0712130	date 01/23/08		Fax: 206.625.0930	
Figure 3		LARGE/BENIS PROPERTY Bellevue, WA	Future Land Use Map 	



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
ENVIRONMENTAL COORDINATOR
11511 MAIN ST., P.O. BOX 90012
BELLEVUE, WA 98009-9012

OPTIONAL DETERMINATION OF NON-SIGNIFICANCE (DNS) NOTICE MATERIALS

The attached materials are being sent to you pursuant to the requirements for the Optional DNS Process (WAC 197-11-355). A DNS on the attached proposal is likely. This may be the only opportunity to comment on environmental impacts of the proposal. Mitigation measures from standard codes will apply. Project review may require mitigation regardless of whether an EIS is prepared. A copy of the subsequent threshold determination for this proposal may be obtained upon request.

File No. 12-10629 AC

Project Name/Address: Lorge-Benis 4307 and 4317 Factoria Blvd SE

Planner: Nicholas Matz AICP
Phone Number: 425-452-5371

Minimum Comment Period Ends: X

Materials included in this Notice:

- Blue Bulletin
- Checklist
- Vicinity Map
- Plans
- Other:

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: *LORGE, JOHN PETER III (1624059070) & BENIS, THOMAS C. (1624059206)*

Proponent: *LORGE, JOHN PETER III (1624059070) & BENIS, THOMAS C. (1624059206)*

Contact Person: *Agent: Robert W. Thorpe, AICP, President-R.W. Thorpe & Associates*
(If different from the owner. All questions and correspondence will be directed to the individual listed.)

Address: *705 Second Ave, Suite 710, Seattle, WA 98104*

Phone: *(206) 624-6239* E-mail: *rwta@rwta.com*

Proposal Title: *Newport Professional Buildings / Lorge Comprehensive Plan Land Amendment.*

Proposal Location: *4307 and 4301 Factoria Blvd SE, Bellevue, WA 98006-1936*
(Street address and nearest cross street or intersection) Provide a legal description if available.

Nearest cross street is SE Newport Way.

Please attach an 8 1/2" x 11" vicinity map that accurately locates the proposal site.

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

A proposed amendment to the Bellevue Comprehensive Plan Land Use Map to

1. General description: *redesignate property located at 4307 and 4301 Factoria Blvd SE, from Professional Office (PO) to Community Business (CB).*
2. Acreage of site: *Approximate acreage of the site is +/- .62-Acres.*
3. Number of dwelling units/buildings to be demolished: *Not Applicable to proposal.*
4. Number of dwelling units/buildings to be constructed: *Not Applicable to proposal.*
5. Square footage of buildings to be demolished: *Not Applicable to proposal.*
6. Square footage of buildings to be constructed: *Not Applicable to proposal.*
7. Quantity of earth movement (in cubic yards): *Not Applicable to proposal.*
8. Proposed land use: *The Comprehensive Plan Amendment proposed to change the Land Use Designation from PO to CB.*
9. Design features, including building height, number of stories and proposed exterior materials:
Not Applicable to proposal.
10. Other
Not Applicable to proposal.

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

The Bellevue City Council takes coordinated and concurrent action on all proposed amendments to the Comprehensive Plan in the current annual work program.

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

Unknown by author at this time.

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

None known by author at this time.

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 known by author at this time.

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.

Final approval of the requested Comprehensive Plan Amendment would be necessary from the 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

b. What is the steepest slope on the site (approximate percent slope)? *Maximum slopes on site approximately 15% to 20%. The proposed amendment site has been graded and is improved to allow for existing development. The site has been engineered with average slope of 12% for driveways with intervening benches.*

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.

Alderwood gravelly sandy loam (AGc), 6 to 15 percent slopes and Urban land (Ur).

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

None known by author at this time.

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

Not Applicable to proposal.

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

Not Applicable to proposal.

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

Not Applicable to proposal.

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

Not Applicable to proposal.

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.

Not Applicable to proposal.

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

Not Applicable to proposal.

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

Not Applicable to proposal.

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 known by author at this time.

- (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 to proposal.

- (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.

Not Applicable to proposal.

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

Not Applicable to proposal.

- (5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.
King County 100-year floodplain mapping does not indicate that the proposal site is within the 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.

Not Applicable to proposal.

b. Ground

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

Not Applicable to proposal.

- (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.

Not Applicable to proposal.

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.

Not Applicable to proposal.

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

Not Applicable to proposal.

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

Not Applicable to proposal.

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?

Not Applicable to proposal.

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

None known by author at this time.

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

Not Applicable to proposal.

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.

None known by author at this time.

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

Unknown by author at this time.

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

Not Applicable to proposal.

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.

Not Applicable to proposal.

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

Not Applicable to proposal.

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:

Not Applicable to proposal.

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.

Not Applicable to proposal.

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

Not Applicable to proposal.

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

Not Applicable to proposal.

b. Noise

- (1) What types of noise exist in the area which may affect your project (for example, traffic, equipment, operation, other)?

Not Applicable to proposal.

- (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.

Not Applicable to proposal.

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

Not Applicable to proposal.

8. Land and Shoreline Use

a. What is the current use of the site and adjacent properties? *Currently there are three office structures located within the proposed amendment area. Newport High School is located directly to the north, south and west of the site with St. Margaret's Episcopal Church and the Holy Cross Lutheran Church directly to the east.*

- b. Has the site been used for agriculture? If so, describe.

Unknown by author at this time.

- c. Describe any structures on the site. *The structures on-site are used as office buildings. Within parcel 1624059070, there is a 2,276sf office building and within parcel 1624059206 there are two buildings one is approximately 4,100sf and the other is 1,408sf.*

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

No.

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

Professional Office (PO)

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

Professional Office (PO)

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

Not Applicable to proposal.

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

None known by author at this time.

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

Not Applicable to proposal.

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

Not Applicable to proposal.

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

Not Applicable to proposal.

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

Not Applicable to proposal.

9. Housing

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

Not Applicable to proposal.

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

Not Applicable to proposal.

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

Not Applicable to proposal.

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?

Not Applicable to proposal.

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

Not Applicable to proposal.

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

Not Applicable to proposal.

11. Light and Glare

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

Not Applicable to proposal.

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

Not Applicable to proposal.

- c. What existing off-site sources of light or glare may affect your proposal?
Not Applicable to proposal.
- d. Proposed measures to reduce or control light or glare impacts, if any:
Not Applicable to proposal.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?
Informal recreation opportunities can be found within a one mile radius at Newport High School, Sunset Ravine Neighborhood Park, Coal Creek Park, and East Gate Park.
- b. Would the proposed project displace any existing recreational uses? If so, describe.
No recreational opportunities would be displaced by the project.
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:
Not Applicable.

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.
None known by author at this time.
- b. Generally describe any landmarks or evidence of historic, archeological, scientific, or cultural importance known to be on or next to the site.
None known by author at this time.
- c. Proposed measures to reduce or control impacts, if any:
Not applicable.

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.
Primary access is provided via Factoria Boulevard SE. The proposed access is not applicable to this proposal.
- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?
The subject site is currently served by King County Metro. These following are the surrounding bus stops: 1) Factoria Blvd SE & SE 42nd St (0.04 mile), 2) Factoria Blvd SE & SE Newport Way (0.06 mile), 3) Factoria Blvd SE & SE 41st Ln (0.08 mile), 4) SE Newport Way & Factoria Blvd SE (0.12 mile), 5) Factoria Blvd SE & SE Newport Way (0.15 mile).
- c. How many parking spaces would be completed project have? How many would the project eliminate?

Not applicable.

- 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).
Not applicable.

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

The proposal is not within the immediate 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.

Not applicable.

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

Not applicable.

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.

No increases are expected to result from proposal.

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

Not applicable.

16. Utilities

a. Circle utilities currently available at the site: (electricity) (natural gas) (water) (refuse service) (telephone) (sanitary sewer) (septic system, other).

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.

Not applicable.

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..... *Robert W. Jaeger ACP* *RWJA@nrc.com*
Date Submitted..... *February 2009*

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?

The proposed amendment would support a future rezone of the property to land use designation CB, which allows for mixed commercial and residential developments. Future re-development may increase storm water runoff depending upon the amount of new impervious surface. Vehicle emission will increase due to increased traffic trips from the future residents. There is no anticipated release of toxic or hazardous substance as part of this project. Noise will increase due to new residents.

Proposed measures to avoid or reduce such increases are:

Measures to control storm-water run off include both on site infiltration and if there are not suitable soils then the water will be treated and captured in the existing storm-water system at levels acceptable to the City of Bellevue. Traffic Mitigation fees will be paid along with any frontage improvements required during the development phase of the project.

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

The proposal will likely affect plants on the property, but will most probably not affect animals and there are no fish or marine life on the property.

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

Measures to protect plants will be the preservation of existing trees that are not affected by construction. Future residential landscaping will also mitigate for loss of vegetation.

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

Not likely at all since the proposed structures will meet the maximum building height of 45ft, which is not tall enough to block the sun used for solar power.

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

None proposed since there are no impacts anticipated

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?

There are no environmentally sensitive areas designated on the property.

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

No measures proposed because no impact is anticipated.

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?

The proposed amendment would support a future rezone of the property to land use designation CB, which allows for mixed commercial and residential developments. This type of development would be a higher and better use for the site and more compatible and consistent with the existing plans.

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

No measures proposed because no impact is anticipated.

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

An small increase in demand for transportation, public services, and utilities similar to that of a small multi-family development may occur if the site is redeveloped with commercial and residential mixed use structures.

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

Payment of appropriate mitigation fees and the construction of street frontage improvements, if required, will be completed.

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

There is no anticipated conflict with local, state, or federal laws regarding the protection of the environment.

April 9, 2012

Cole M. Sherwood
4121 East Lake Sammamish Pkwy. SE
Sammamish, Washington 98075

Mr. Nicolas Matz
Senior Planner
Department of Planning & Community Development
450 110th Avenue NE Bellevue, WA. 98004
P.O. Box 90012
Bellevue, Washington 98009-9012

Dear Mr. Matz:

Please accept my humble attempt to analyze Lorge Land use study – Comprehensive Plan Amendment PO to CB.

In Mr. Thorpe's summary paragraph, he speaks of "public benefit by providing an opportunity for the city to align itself with the "community vision" as established within the Comprehensive Plan". The community vision most certainly should foresee the public's health care needs of the Factoria Sub-area. Within this area, only two small parcels qualify for PO, Professional Office Space zoning. Given a proper chance for redevelopment, the existing PO zoned parcels could be an outstanding location for medical and dental office space.

Serving the public's need should be the City's highest priority. This priority is already served by four churches in the Newport Way and Factoria Blvd. area and the newly remodeled, and very attractive, Newport High School. The school's parking areas are newly landscaped, lending an ambience to the community. In addition, the community can watch the high school's sport activities (baseball, football, soccer, track and field).

These are the building blocks of a 'village community concept' realized through planning and foresight. We should not want to interrupt this forward movement now and introduce high impact, four story office buildings.

Sincerely,



Cole M. Sherwood

RESPONSE TO CITY OF BELLEVUE'S PLANNING COMMISSION ON
CPA12 104629AC

Mr. Nicholas Matz, Senior Planner has requested I write a response to the application for Comprehensive Plan Amendment 12 104629AC (CPA). Upon review of 12 104629AC, I must say it looks like a mere duplication of the 2009 application. There were drawings in the 2009 application that were questionable and I will duplicate my 2009 writings concerning them. The Commission must understand I am no expert in planning and development. I have felt uncomfortable and inadequate while writing my two responses.

The terms "community vision" and "highest and best use" must mean different things to different people. They are subjective terms. Each year the volunteers for committee work under City Planning and Development will change and hence their individual views change as to what is "community vision" and "highest and best use". This writer assumes they are largely undefined.

The Commission also must understand my background. In 1958, as a chemical engineer, I was performing analytical combustion analysis and did so through 1965. From 1969 through 2003 I was a dentist in the Bellevue area. The application CPA 12 104629 appears very subjective. I, therefore, am somewhat critical of the pathway followed. A more fact based presentation would have been preferred.

MY COMMUNITY VISION

Taking a bird's eye view, I would first notice a beautiful new redesigned and remodeled Newport Hills High school. Adjacent areas have been redesigned, relocated ball fields, and tennis courts, all with improved egress and ingress. All in all, a superb job which Bellevue and the smaller area of Factoria can be proud of. It compliments the older Mockingbird Hill residential community to the west as well as the area to the east of Coal Creek Pkwy SE, Factoria Blvd. and SE Newport Way. Further to the east is the Somerset Hill residential community. North of the high school and Newport Way are additional living locations represented by the coding of MF-H, MF-M, MF-L and SF-H. To the south of Coal Creek Pkwy SE lies Newport Hills. Although the focus of the many families may be Newport Hills Shopping Center, we cannot discount that many travel to the Factoria Mall and the surrounds. All of this is complimented by the Mountain to Sound Greenway Park with a trail extending, I understand, to Cougar Mountain and beyond. In my talks with City Planners all this resulted from previous city planning and forethought.

Factoria Mall may be catching on with the introduction of Wall-Mart retail. Wall-Marts are popular and more popular in recessionary periods. This should attract more shops for the existing Mall. Increased pedestrian flow will increase retail business. There were plans for housing (condominiums) in the Southwest corner of Factoria Mall property. I believe the Factoria area should become more pedestrian friendly, encouraging people to walk 2, 3 or 7 and 8 blocks. All of the above is meant to say Factoria can be a very people oriented community.

There are also many business locations, north, east and south of the Mall which need a broader customer base for viability. Further north are the high rise office buildings, cinema theatres, restaurants and Loehmans Plaza. These are supported by the office workers, the surrounding families and high school students. In my last writing, I opined about a local shuttle service moving people around within the Factoria Sub area. This would lower car density and perhaps, make the community and businesses more prosperous and cohesive.

But people, and families of the greater Factoria sub area need services to benefit their lives. Many services exist already, but what could be more important than medical/dental services? Can anyone think of a better location than the land under (CPA) consideration? This land is at the intersection of two main arterials, Factoria Blvd and Newport Way. In a word or several: it is convenient to dwellers of apartments, condominiums and to St. Margaret's affordable housing as well as the families of Somerset, Coal Creek Parkway, Mocking Bird Hill and Newport Hills and Shores. The more upscale future medical/dental buildings become, the better identity those practitioners will have. The owners of the land appropriately prosper as well as the practitioners. The land under consideration will have long term positive identity. It may be the "highest and best use".

Properly handled, with the school grounds and four nearby churches, the area could become an exceedingly beautiful area. Life, in general, would be complimented: family life, religious life, school life, health and business needs.

FACTORIA DENTAL PLACE(KCP# 162405 9299)

Factoria Dental Place (FDP) came about by an architectural design and the financial efforts of Dr. Brett Fidler and his father. The architect, Mr. William Walker, received an award from his fellow professionals for the building design. Dr. Vern Callero, the original owner of 4307, sold the FDP property to Dr. Fidler coupled with a Shared Parking Agreement. FDP was constructed in 1982. My wife and I became half owners on December 30, 1982. Dr. Lorge purchased Dr. Callero's remaining property in 1996. I am very pleased with the remodeled Newport High School. Factoria Dental Place has been complimented by the same architectural design used on the school.

A limitation of the location is its' visibility from Factoria Blvd. Visibility is better for south bound traffic, but less so for north bound. At the intersection of Newport Way and Factoria Blvd. the western view compliments visibility but is still limited because FDP is about 15 feet below Factoria Blvd. The Lorge building (4307) is located directly east of FDP and accounts for FDP's low visibility. The FDP office spaces are well laid out and function extremely well.

Parking and traffic flow were recognized by Drs. Fidler and Callero to be a possible problem. They, in turn, signed a Shared Parking Agreement that rides with the ownership of both properties, 4301 and 4307. The Agreement is hard to enforce since there are no mentioned penalties. The development of Factoria Dental Place utilized King County land and building codes during its construction. Professional Office zoning must have been in effect at the time, since three dentists had offices in the Benis building before FDP was built. Dr. Fidler was one of those dentist.

PRESUMED AFFECT OF THE COMPREHENSIVE PLAN ADMENDMENT
AND PROJECT ON FACTORIA DENTAL PLACE

As already stated, Factoria Dental Place was built in 1982 using King County Building and Zoning Codes. It has won an architectural award and has been further complimented by the newly remodeled Newport High School. Factoria Dental Place has two dental suites but is designed to handle four dentists during a six-day week.

Assume the proposed building (see CPA 12 104629AC) has been built. The following would either be an encroachment upon FDP or a denial of use (Please refer to the City of Bellevue's aerial photo of the ~~three~~^{two} King County Parcels of land.)

- The current six shared parking places to the east of FDP would be lost to the ramp driveway.
- No same level parking places remain for the elderly or disabled (my son is disabled) to the entrance of FDP.
- In general, the Shared Parking Agreement with its drive around privileges will be violated or parking for FDP would be forced into the basement of the new building. The question of adequate parking for all complexes must be raised.
- No access area is available (or the area is constrained) for:
 - >Fire equipment
 - >Ambulance
 - >Ingress/Egress is blocked into the proposed basement parking if fire or ambulance are present.
- No consideration has been given to earthquake conditions. The east side of FDP represents the best exit but would be blocked by the sloping ramp or fences in place.
- Looking east from FDP, the viewer would see a 45 to 60 foot structure about 8 feet from the front of FDP. (4 stories at 10', parking garage 11' to 12', roof equipment, 5')
- The 1982 northern triangular landscaped area of FDP would be lost including our 6' directional sign.



- The landscaped area, south of the above area and directly adjacent to FDP would be captured between FDP's east wall and a descending ramp-driveway, an ultimately dangerous drop off.
- The ingress/ egress of the basement parking flow would be negatively affected.
Consider:
 - >Daytime: Office leasers, their clients, as well as 1 or 2 cars per each housing unit..
 - >Nighttime: What can one expect from affordable housing drivers? What age do they represent?
 - >Upkeep and Maintenance are required for a professional appearance. Currently, potholes decorate the 4307 property.
- The FDP tenants would experience a decline in revenue. The value of FDP would decline, perhaps becoming unrentable. Places of design quality have spaciousness and a sense of luxury that would be unattainable with an alley (ramp) nearby.
- The visibility of FDP from Factoria Blvd. would be totally blocked.

If we assume the structure is to be built:

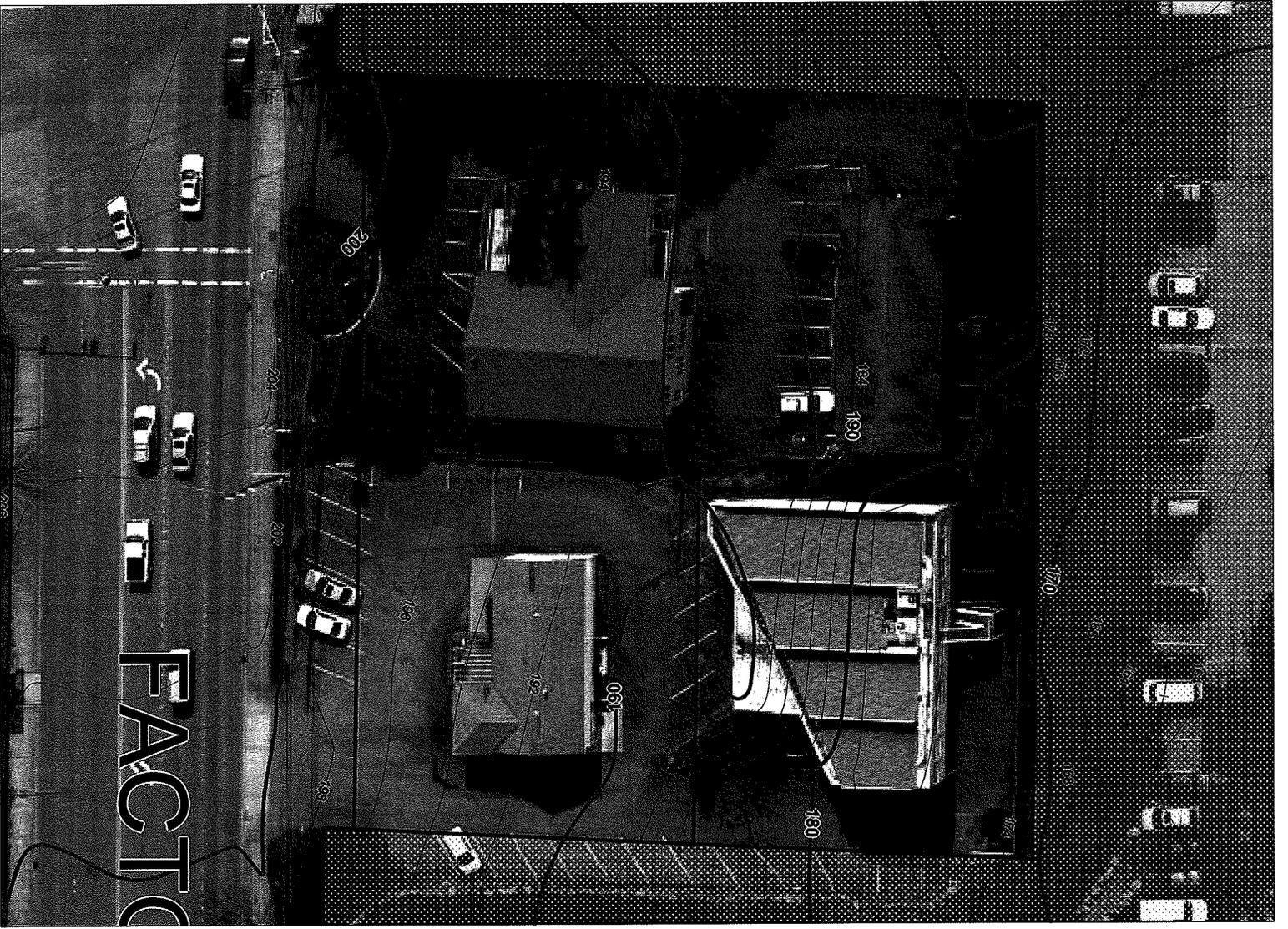
- A considerable excavation problem is at hand with all the noise, ground shaking, dust, and debris affecting the staff and patients of FDP.
- Supply lines will be disrupted and hence, down time for the practices. This cost would have to be reimbursed to the dental practitioners in FDP. Any loss of production time would have to be reimbursed.
- Construction time, greater than one year, would do great harm to FDP practices.
- Construction equipment could not violate the right of way or easement leading to Factoria Dental Place. This would affect patients, supply vehicles, and emergency vehicles.
- Scaffolding could not be permitted on FDP property or easement.

CONCEPTUAL MASSING STUDY FIG2A and FIG2B

Upon studying the above figures, I became aware the layouts are not quite accurate. With the use of dividers and one inch equals thirty feet (scale), I produced lines that fall within the boundary lines shown. Starting with the dividers and the NE corner of lot 9070 I produced differences in widths about two feet too wide and lengths three feet too long, as we go south and west. Further, the intersection of the internal lot lines are skewed which led me to think the boundary lines were not in their proper compass directions. It therefore appears the available land has diminished in size according to the above analysis. The drawings present an optimistic point of view.

What is incorrect is the relative position (as shown) of Factoria Dental Place. Using three methods (1) Aerial photograph, (2) topological layout (both provided by the City of Bellevue) and (3) the known lot dimensions, I estimated 7.28 feet between the property line and FDP by method (1) and 6.14 feet by method (2). I then actually measured the distance between present concrete structures on lots 9299 and 9206 and found it to be about eleven feet or 5.5 feet to the property line from each property. Using any one of these numbers together with the 20 ft. setback requirement between structures, places the planned basement parking area approximately fifteen feet to the south of the northerly property (9206) line. This will either have the effect of cramping available internal parking, or constraining the transition district 30ft. setback from the southern property line of lot 9206 down to between 20 to 21 feet.

The land (lots 9070 and 9206) has certain topographical features which caused me to wonder about how much soil needs to be removed to provide basement parking. Please see City of Bellevue topographical lined aerial photograph procured as of April 4, 2012. I believe this is different from the topo sheet obtained in 2009, but not greatly so. Knowing the projected building is designed for four floors (two professional offices and two affordable housing floors) and allowing ten feet per floor (i.e. 40 ft. plus roof equipment, i.e. 45 ft.), it would seem fair to allot ten feet of height for basement parking. Analyzing the topographical data sheet showing only lots 9070 and 9299 allows postulation (assuming the first floor is at or near ground level of 190) that a rectangular body of soil extending from the NE corner of the parking basement to west of the elevator on the north end to the complete south end of the building requires removing 10 ft. (height) by 59 ft. (North end width) by 133 ft. or 78,470 cubic feet of soil plus.



Sitting on top of that volume is a triangular volume (the slope changes from 190 to 197) for the two lots 9070 and 9206. Therefore, $\frac{1}{2}(59 \times 7 \times 133) = 27,465$ cubic feet, totaling 105,935 cubic feet thus far. Still assuming 190 is our datum line, the garage floor is at 180 and 180 is attainable without soil removal at or near the westerly end of lot 9206. Some soil would have to be removed for the parking basement, which is another triangular slab going westerly. Therefore, $\frac{1}{2}(61.88 \times 82.5 \times 10) = 25,525.5$ cubic feet. The ramp down to the parking basement requires $\frac{1}{2}(90 \times 10 \times 20.62) = 9,284$ cubic ft. or a grand total of 140,745 cubic feet or 5,213 cubic yards.

However, it doesn't all have to be trucked away. If retaining walls are used around three sides of the most westerly end of lot 9206, tapering upward towards the east, then some soil can be compacted around the basement parking walls. I estimate 14,975 cubic feet can be compacted between the basement parking and retaining walls. Therefore, a preliminary guess would be ninety percent of the soil would have to be trucked away. At 10 to 12 yds. per truck load, it would require from 390 to 470 truck loads. At \$200/ load, the cost would be \$80,000 to \$100,000 dollars. We know for delivery of 1 or 2 loads trucking companies charge about \$300/ load, hence, I used the lower cost.

THE CPA AS PRESENTED BY RW THORPE & ASSOCIATES

I want the Planning Commission to know I am highly critical of the approach taken by RW THORPE & ASSOCIATES. I truly hope other CPA submissions are filled with more fact based information. I believe this will end up being a total waste of time invested by the voluntary committee, the Bellevue Planning Commission and myself. However, it is necessary to defend my investment in Factoria Dental Place. Let me explain further.

Please note Fig. 2a-----

- Existing adjacent Parking on the northern boundary of parcels -9299 and -9070 does exist, but not for the exclusive use of -9070. Further, the right for use may be taken away by the school district as with the Factoria Dental Place sign (Placed unfortunately in 1982 on school property) as shown by the shadow in the SE corner of the aerial view.

- The outline drawing of FDP on Fig. 2a is not placed properly (Please see Aerial view of the three parcels of land and building placement relative to red lot lines).
- If the setback is correct on the eastern boundary of the building on KC parcel - 9206, then it is incorrectly drawn on the eastern building's boundary on -9070 thereby placing the western face over the property line towards Factoria Dental Place. In effect, there is no setback shown between the proposed building on - 9070 and the Factoria Dental Place property.

Consider Decision Criteria/LAND Use Compatibility Matrix etc. The City of Bellevue is in the middle of a 20 year 2001-2021 growth plan and we should know where the City stands relative to the objectives originally laid out. Take Policy LU-3, which talks about 10,117 additional households and 40,000 additional jobs for the 20 year period. Where do we stand? Are we on target, above or below? What fact based numbers can be provided? The Response to Goal/Policy is: (If approved the proposed amendment would allow for the future potential of a mixed-use office and residential development). The amendment would comply with LU-3 by providing residential dwelling units.....etc.)
Well,.....

Why is CB zoning so much better than PO zoning? If PO zoning is properly developed, how many additional jobs would that provide? (Contrast that with the proposed CB zoning). How does one define the proposed building as enhancing the "community vision"? How does it detract? How is the proposal better for the community over and above PO zoning? Is it not better to concentrate office space in the Factoria core area, building that space up, following the same prescription as was followed in the Bellevue City core area?

How many affordable housing units will be needed in Bellevue? How many do we have? If Holy Cross Lutheran Church develops theirs, is that sufficient? Is there ever a sufficient number?

Almost all of the responses use some or all of the original policy statements in their answers. It is like an echo, as if we are talking in a canyon.

If the Lorge/Benis Land Use Study wants to switch from PO to CB, how does that achieve a "Higher and Better Use" over and above the original PO zoning? (Just to possibly build a larger building, a monolith adjacent to Factoria Blvd.?) If the land owners want to redevelop their properties, then attractive medical/dental spaces and buildings can be provided with the upside of many more stable paying tenants versus the indefinable, constantly fluctuating office rental and housing cliental.

Block 3 of the application for Comprehensive Plan Amendment asks for explanation of the need and why of the amendment being proposed. Supplement the need and why with dates, research, or reasoning that supports the proposed amendment. This application is not fact based and is very subjective.

The Lorge/Benis Land Use Study has not strictly stated why CB zoning is a better land use than PO. PO zoning is perhaps more restrictive, but is totally necessary in a sub-area as large as Factoria and the surrounds. They have not stated how transportation plans, either now or in the future, enhances use by zoning changes from PO to CB.

They have not given any facts (research) to support the need for additional affordable housing over and above the units already built on St. Margaret's Church property or to be built on Holy Cross Lutheran Church's land. Both of these are larger land pieces and can accommodate larger units of affordable housing.

Finally, investigating Block 4a, it is interesting to note, the inclusion of a condition that prohibits retail and restaurant land use to reduce competition with the existing Factoria Mall Area and at the same time proposing a construction and use that would decimate Factoria Dental Place.

Matz, Nicholas

From: Angela <angela.hung.byers@gmail.com>
Sent: Saturday, March 17, 2012 5:38 PM
To: Matz, Nicholas
Cc: Steedman, Janna; Lewine, Janet; Inghram, Paul
Subject: RE: Thank you for your time & signing up as interested party

Hello Nicholas,

Thank you for the materials you passed along. I am submitting this email in order to record my opposition to the Lorge-Benis CPA request (application to rezone 4307 and 4317 Factoria Blvd into CB that would a) prohibit retail use on ground floor and b) require affordable housing). I will submit a separate email to record my opposition to the Holy Cross Church CPA request as well though much of my case below applies to that as well.

I understand that you have not heard much from the community regarding this application. I believe this is entirely because we have been unaware that affordable housing is the intention of the applicants. I feel this application hurts the nearby residential community in much the same way the Holy Cross application impacts the value and characteristics of our community. I have read the Lorge-Benis CPA and it simply reads that they assert “++” next to every decision criteria with little to no fact base. I trust that you and your team will examine the application closely rather than taking their blanket assertions.

My rationale for opposing the CPA request are as follows:

- a) The increase in traffic will create additional congestion on Factoria Blvd during rush hours (failing Factoria Subarea Policy S-FA-3/ S-FA-4?). I turn onto Newport Way from Factoria Blvd every day during the morning and afternoon rush hours, and there is always an abrupt slow down due to southbound drivers on Factoria Blvd turning left onto Newport Way. Adding people who also want to turn right at that intersection into 4307/4317 Factoria Blvd will make the situation even worse. In addition, we need to consider the additional traffic resulting from the imminent arrival of Walmart.
- b) High-density affordable housing is going to bring more kids to Newport High School and Tyee Middle School - schools that are already extremely overcrowded. For this reason and the one above, I do not see how this proposed change is “in general conformance with adjacent land use and the surrounding development pattern”. And certainly, this violates GMA goal #1 – that “adequate public facilities and services exist or can be provided efficiently”
- c) Concern about additional affordable housing adjacent to Newport High School: my kids will have to walk by that area every day to get to Newport High, and honestly, that makes me, as a mom, concerned for their safety. It certainly does not “enhance public safety” of my children (B5).
- d) I understand the perceived need for more affordable housing in this economy. However, I'm very concerned that applications to rezone in order to provide high-density affordable housing in Bellevue won't consider the concerns of the community. I see that being played out in the St. Margaret's decision. Any further decisions to rezone to allow for affordable housing is negatively impacting the image of the neighborhood. Put simply, options are being put before the City of Bellevue to re-brand Factoria as the center for low-income housing. In my opinion, this CPA violates policy HO-13, S-FA-2: it does NOT enhance the character of the surrounding residential and commercial areas, and it threatens the single family characteristic of the nearby residential community.

e) While I understand Bellevue as a city has an explicit goal to provide affordable housing, I want to point out that actual supply and demand data does NOT support the "significantly changed condition" to provide affordable housing that St. Margaret and now Lorge-Benis, and Holy Cross are trying to argue for. Take a look at

<http://aptfinder.org/listingsBellevuesorta.html>

Bellevue, as a city, is already bearing its fair share of affordable housing (Bellevue has 14 low income housing properties (13 in the search results plus Andrew's Glen), significantly more than the 7 in Issaquah, 5 in Kirkland, and just 3 in Renton). By the way, over half of the Bellevue low income housing properties show little to no wait (4 shows "no waitlist at this time"). South Bellevue area is already bearing its fair share of the responsibility (4 in the area: St. Margaret's Andrew's Glen, Andrew's Heights, Newporter Apartments, Vasa Creek Apartment homes; not to mention all the apartments along Factoria Blvd, which are certainly not luxury). On the contrary, there is almost no low income housing in West Bellevue.

I am passionate about this because the economic well-being of my family, as well as any hard working family with a single family home in the neighborhood, is at risk. Our property values are threatened by these applications to change the use and make-up of our community. Sure, there are academic studies that say property values are not significantly impacted by the presence of low income housing, academic studies also say property values are not negatively impacted by the presence of correction facilities. Where the rubber meets the road, any real estate agent would take the presence of high density, low income housing as a mark against single family homes in this neighborhood.

I very much want to make sure the entire planning commission is aware of these concerns. Let me know how I can voice this to them, other than sending them individual emails.

Sincerely,
Angela Byers

From: NMatz@bellevuewa.gov [mailto:NMatz@bellevuewa.gov]
Sent: Thursday, March 15, 2012 4:32 PM
To: angela.hung.byers@gmail.com
Subject: RE: Thank you for your time & signing up as interested party

Angela-

Here is the Lorge-Benis application material at your request, and you are a party of record to the 2012 CPAs which means you get notice of actions. Not having gotten the application materials doesn't mean something; we provide these application materials upon request.

Please let me know what else I can provide.

Nicholas

From: Angela [mailto:angela.hung.byers@gmail.com]
Sent: Wednesday, March 14, 2012 9:43 PM
To: Matz, Nicholas
Cc: Lewine, Janet
Subject: RE: Thank you for your time & signing up as interested party

Thank you Nicolas very much. My husband was able to attend the study session tonight and we just learned of the intention of the application of 4307 and 4317 Factoria Blvd. I understand that you said you have not heard much from

the community on this and I, along with the community, had been blindsided by this until tonight. I am very concerned about that application, along with the Holy Cross application, and I will write you a separate email detailing my concerns which I want as part of the public record for consideration.

Also, I think I'm signed up to receive notification on that CPA as well, but haven't gotten their application. Could you check that I am indeed on the interested party for that one as well?

Cheers,
Angela

From: NMatz@bellevuewa.gov [<mailto:NMatz@bellevuewa.gov>]
Sent: Monday, March 12, 2012 3:34 PM
To: angela.hung.byers@gmail.com
Cc: JLewine@bellevuewa.gov
Subject: RE: Thank you for your time & signing up as interested party

Ms. Byers:

Attached please find the St. Margaret's CPA Final Review staff report (staff recommendation), the Planning Commissions' Transmittal (PC recommendation), and reference to the minutes for January 22, 28 and February 25, 2008 where the City Council discussed and then took action on the CPA in the form of Ordinance 5797. All of these minutes and the ordinance are available on the City web site, and it is these latter documents that review the Council's decision-making process on St. Margaret's.

Please let me know what else we can provide.

Nicholas Matz AICP
Senior Planner
425 452-5371



From: Angela Byers [<mailto:angela.hung.byers@gmail.com>]
Sent: Saturday, March 10, 2012 1:37 PM
To: Matz, Nicholas
Subject: Re: Thank you for your time & signing up as interested party

Hello Nicholas,

Thank you for getting me signed up for the notices. I want to follow up on getting the public record documenting the rationale for approving the CPA for St. Margaret. Would you send me that? Or I'm happy to swing by the city hall to get a copy.

Thank you,
Angela
425-306-2751

On Feb 28, 2012, at 10:20 AM, <NMatz@bellevuewa.gov> wrote:

Hello Angela-

Yes, you are 2x. You should be receiving the Notice of Application when it is published (Mar 1).

Nicholas

From: Angela [<mailto:angela.hung.byers@gmail.com>]
Sent: Thursday, February 23, 2012 9:10 AM
To: Matz, Nicholas
Subject: FW: Thank you for your time & signing up as interested party

Hi Nicholas,

Just want to follow up and see if I'm on the interested party list yet and the public record for approving the CPA for St. Margaret.

Cheers,
Angela

From: Angela [<mailto:angela.hung.byers@gmail.com>]
Sent: Friday, February 17, 2012 5:20 PM
To: 'nmatz@bellevuewa.gov'
Subject: Thank you for your time & signing up as interested party

Hello Nicholas,

I want to thank you for your time today to talk me through how the comprehensive plan amendment works along with broader planning issues and processes.

As a follow up, could you forward me or point me to the public record about the application for CPA and decision to approve the CPA for St. Margaret? (I tried to look up the mygov site you mention, but I don't think I found that site).

Also, could you put me as an interested party for both the Holy Cross application and the application by the professional offices next to Newport High?

Thank you very much. Have a great weekend.

Angela

Matz, Nicholas

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