



DATE: October 25, 2012

TO: Chair Carlson  
Bellevue Planning Commission

FROM: Nicholas Matz, Senior Planner 452-5371  
[nmatz@bellevuewa.gov](mailto:nmatz@bellevuewa.gov)

SUBJECT: Lorge-Benis Comprehensive Plan Amendment (12-104629 AC)  
November 14, 2012, Final Review Public Hearing (LUC 20.30I.A.1.b)

## I. PROPOSAL

Following Threshold Review of the privately-initiated Lorge-Benis Comprehensive Plan Amendment (CPA) on September 4, 2012, the City Council directed the application for Final Review. This private site-specific application would amend the map designation on a three-parcel, .83-acre site from PO (Professional Office) to CB (Community Business). See Attachment 1 for a location map.

At the recommendation of the Planning Commission and of staff the original two-parcel proposal at 4307 (Lorge) and 4317 (Benis) Factoria Boulevard SE was geographically expanded by the City Council to include a third parcel at 4301 (Sherwood). This third parcel is similarly situated and shares characteristics of access, use, and due to its size, dimensional redevelopment issues. The proposal site contains small office buildings on each of 4307 and 4317, and a dental office building on 4301. See Attachment 4 for a site map.

Permit Number: 12 104629 AC  
Subarea: Factoria  
Address: 4307, 4317 and 4301 Factoria Boulevard SE  
Applicant: Lorge/Benis

## II. STAFF RECOMMENDATION

This proposal does not satisfy the Decision Criteria for a Comprehensive Plan Amendment and **staff recommends disapproval of the Comprehensive Plan Amendment to:**

- Amend the map designation on a three-parcel, .83-acre site at 4307, 4317, and 4301 Factoria Boulevard SE from PO (Professional Office) to CB (Community Business).

## III. BACKGROUND

### Site and ownership

Dr. Lorge has a chiropractic practice and has owned his building (4307) since 1996. Mr. Benis and his family have owned their buildings (4317) since 1969. Dr. Sherwood owns a dental practice and has owned his building (4301) since 1982. Dr. Sherwood was not one of the original applicants; noting his opposition to the proposal in a letter dated April 9, 2012, Dr. Sherwood suggested the community vision should foresee the public's health care needs in this Subarea and that given a proper chance for redevelopment, the existing PO parcels could remain an outstanding location for

medical and dental office space. In an August 27, 2012, letter restating his objections, Dr. Sherwood emphasized his view of the transitional nature of the PO district, especially in this area adjacent to the high school, accessible to neighborhoods, and distinct from the Subarea's commercial development focus on Factoria Mall.

The proposal site area includes the Lorge and Sherwood properties each at about .2 acres or 9,000 square feet; the Benis property is about .4 acres or 18,000 square feet. The site is surrounded on three sides by Newport High School parking and by Factoria Boulevard, with its close proximity to the intersection with Newport Way, on the fourth side.

#### Review and legislative chronology – Factoria Subarea

When Factoria was annexed in 1993 the Comprehensive Plan adapted to a pattern of existing core areas of higher density office and retail that had been allowed by King County codes. The Plan has always contemplated a core commercial area, surrounded by decreasing densities of commercial and residential uses. Annexation created the opportunity to move Factoria farther in the direction of a mixed use urban neighborhood, anchored by the core density areas. See Attachment 3 for a Subarea map.

Plan updates in 1996 and 2005 furthered the vision of a well-integrated, transit-supportive, pedestrian-oriented, mixed-use urban neighborhood in the commercial core area of District 2. Consisting of the CB, OLB, and O districts, the core is intended for some of the most intense commercial redevelopment anticipated outside of Downtown or the Bel-Red Corridor. CB districts typically serve community markets and provide areas for the location of community-serving services and retail outlets. In contrast, PO districts normally provide areas for low-intensity offices in the transition areas at the edges of more intense districts.

In particular, the 2005 Factoria Area Transportation Study (better known by its acronym FATS) set the stage to recognize the core Factoria area as sufficiently able—due to size, proximity, and access—to redevelop into such an urban neighborhood:

#### Subject PO District

Dr. Lorge submitted multiple site-specific CPA applications in 1996, 2008, 2009, and 2012. Mr. Benis first joined him in the 2012 application. Dr. Sherwood's parcel was for the first time included in 2012 through the expansion of geographic scope, although Dr. Sherwood hasn't applied for a CPA.

The question of appropriate designation was first 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. Dr. Lorge 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 confirmed the PO designation.

Dr. Lorge made a CPA application in 2008 to change from PO to CB. The Planning Commission (5/14/08) recommended to not advance it out of Threshold Review. The Commission recommendation did not find 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), did have significantly changed redevelopment and affordable housing issues, respectively, but noted that these did not have an influence on the Lorge application. Dr. Lorge withdrew his application before the City Council could take up the Planning Commission recommendation.

Dr. Lorge introduced the idea of constraining development with conditions that would apply to a rezone of the property in the 2009 CPA proposal (also a change to CB). His proposed rezone conditions would have prohibited retail uses on a ground floor office of buildings, and required an affordable housing component in allowed residential uses. Faced with another Planning Commission recommendation (4/22/09) to not advance the application out of Threshold Review he again withdrew the application.

In 2010 Dr. Lorge began to inquire about the City's GMA-mandated Comprehensive Plan Update process. In December 2010 City staff laid out the schedule for adopting the seven-year Comprehensive Plan Update (CPU) that would have occurred in 2011. Subsequent to that the State of Washington moved the Update deadline to 2015 and the city's process was delayed. In 2012, Dr. Lorge and Mr. Benis applied again seeking a change from the PO designation to CB.

#### IV. DECISION CRITERIA

The Decision Criteria for a Comprehensive Plan Amendment are set forth in the Land Use Code, Section 20.30I.150. Based on the criteria, Department of Planning and Community Development staff recommends disapproval of the proposed amendment. This conclusion is based on the following analysis:

**A. There exists obvious technical error in the pertinent Comprehensive Plan provision, or**

*Not applicable to this proposal.*

**B1. The proposed amendment is consistent with the Comprehensive Plan and other goals and policies of the city, the Countywide Planning Policies (CPP), the Growth Management Act and other applicable law; and**

*The proposed amendment is inconsistent with the Comprehensive Plan and other goals and policies of the City for urban growth development in the Factoria Subarea.*

*This Comprehensive Plan vision is a well-integrated, transit-supportive, pedestrian-oriented, mixed-use urban neighborhood in the commercial core area of District 2. It could be some of the most intense commercial redevelopment anticipated outside of Downtown or the Bel-Red Corridor.*

*A Community Business (CB) district, even constrained by development conditions, would signal an expansion of the Factoria commercial core. CB in Factoria is appropriate in the commercial core portion of District 2 only, and change to CB is inconsistent with policies that focus commercial development there.*

*The subject sites are small, with essentially old houses on them, and have problems with the amount, location and access to parking precisely because of the buildings' origin. These constraints create a potential conflict with actually realizing redevelopment because the much larger (than PO) potential for CB onto these sites requires achieving an amount of parking and office space outside of the Downtown which staff believes is not possible on these sites. However, these constraints are ultimately dimensional, not land use-based, and at the PO scale are resolvable for such a small site.*

*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. Just as it would not be appropriate, for example, for an older single family house in a residential neighborhood to be replaced with an office building just because the house was worn out, or because the lot was big enough. More intense office and commercial uses are more appropriately located on larger sites.*

*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.*

### **Growth Management Act**

*The proposal is inconsistent with GMA planning goals encouraging urban growth where adequate public facilities and services exist or can be provided in an efficient manner in specific areas.*

### **Countywide Planning Policies**

*The Comprehensive Plan is consistent with the framework Countywide Planning Policies (CPP) for King County. If this proposal is found consistent with the Comprehensive Plan, then it would be considered consistent with the CPP.*

**B2. The proposed amendment addresses the interests and changed needs of the entire city as identified in its long-range planning and policy documents; and**

*The proposed amendment does not address the interests and changed needs of the entire city. These interests and changed needs intend to create new neighborhoods in areas where they are supported by design, infrastructure, and access considerations, while assuring that less dense neighborhoods continue to have access to support services and retail. This proposal's location is not consistent with where CB designations should be located, and there is no need for additional Community Business designations citywide.*

*The applicant proposes future rezone conditions which would prohibit ground-floor retail and encourage housing. Limiting retail would be inconsistent with CB. While residential is located across Factoria Boulevard, it is not clear that this site—on that same arterial and also surrounded by a high school parking lot—is a good location for multifamily residential.*

**B3. 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 [below] for the definition of “significantly changed conditions”; and**

**Significantly changed conditions are defined as:** 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).*

*Acknowledging that the Planning Commission and City Council found that the proposal met this criterion sufficiently for Threshold Review, it is now given additional consideration under Final Review.*

*The Factoria Subarea Plan was last updated in 2006 and reaffirmed a focus for commercial activity in and around the Factoria Mall. The subject 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 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.*

*The continued need for housing for specific populations, commercial growth, including that of Walmart at Factoria Mall, and traffic have all been cited as grounds for significantly changing conditions. These factors represent the face of growth, but one that has been anticipated by the Plan.*

*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.*

- B4. If a site-specific proposed amendment, the subject property is suitable for development in general conformance with adjacent land use and the surrounding development pattern, and with zoning standards under the potential zoning classifications; and**

*For this proposal, the land use/dimensional and transportation impacts of redevelopment of the site under a CB land use district are posed here in broad dimensional terms, and by splitting the examination into a Lorge-Benis and a Sherwood redevelopment in order to mirror the application status.*

*The Lorge and Benis parcels total 27,000 square feet (9,000 on Lorge and 18,000 on Benis).*

*The existing building area is 7,800 square feet (2,276 on Lorge and two buildings totaling 5,508 on Benis). The Sherwood parcel totals 9,000 square feet. The existing building area is 6,784 square feet.*

*Even with Transition building height and setback limits, each of PO and CB designations could allow more building square footage than is currently capable of being placed on the parcels. The space needed for required parking and the non-Downtown 0.5 FAR limit prevent the Lorge-Benis site from achieving these maximums. After the office square foot FAR limit is reached, retail requires a lot more parking than residential. It is therefore likely that any amount of parking would have to go somewhere other than in surface areas. The 30-foot and 45-foot height limits in PO and CB, respectively, would be affected by the slope of the properties to the west down from Factoria Boulevard.*

#### **Professional Office**

*A PO designation could possibly produce a maximum of approximately 19,200 square feet of building space in two stories up to 30 feet high on the combined Lorge/Benis properties. No more than 13,500 square feet of this space could be office as defined by the 0.5 office FAR limit. The setback from property lines would be 30 feet from Factoria Boulevard, 30 feet from Newport High School boundaries, and 20 feet from Factoria Dental (Sherwood). Parking required for such space is approximately 90 stalls, requiring approximately 33,000 square feet of space.*

*The Sherwood parcel could possibly produce a building size comparable to the one that exists today, or roughly 6,400 square feet, all of which could be professional office. Parking required for such space is approximately 30 stalls, requiring approximately 11,000 square feet of space.*

#### **Community Business**

*A CB designation could possibly produce a maximum of approximately 43,000 square feet of building space in three stories up to 45 feet high only. No more than 13,500 square feet of this space could be office as defined by the 0.5 office FAR limit. The setback from property lines would be 0 feet (10 foot-landscaping only) from Factoria Boulevard, 30 feet from Newport High School boundaries, and 8 feet from Factoria Dental. Parking required for such space is approximately 209 stalls for commercial uses or a total of 83 parking spaces for office and 18 residential units. This latter combination of office and residential parking would require approximately 31,000 square feet of space.*

*The Sherwood parcel could possibly produce approximately 14,300 square feet of building space under CB. No more than 6,400 square feet of this space could be office as defined by the 0.5 office FAR limit.*

#### **Transportation**

*For transportation-related impacts, the sites are essentially small enough that either PO or CB redevelopment is unlikely to generate trips sufficient to create significant adverse impacts to Factoria Boulevard.*

*The existing parking agreement (for shared parking between the Lorge and Sherwood properties) was a requirement of King County zoning which granted a ten percent reduction in parking requirements on condition that the properties mutually share parking spaces. If one of these properties redeveloped without the other, review would look to assuring the affected party continued to receive access to parking as defined by the agreement if one of these properties redeveloped without the other.*

**B5. The proposed amendment demonstrates a public benefit and enhances the public health, safety and welfare of the city.**

*By being disruptive to the Subarea goal of concentrating community-based intensities in the Factoria commercial core the proposed amendment does not demonstrate a public benefit, and therefore does not enhance the public health, safety and welfare of the city and its residents.*

**V. STATE ENVIRONMENTAL POLICY ACT**

The Environmental Coordinator for the City of Bellevue has determined that this proposal will not result in any probable, significant adverse environmental impacts. A final threshold determination of non-significance (DNS) was issued on October 25, 2012.

**VI. PUBLIC NOTICE AND COMMENT**

Notice of the Application was published in the Weekly Permit Bulletin and in the Seattle Times on March 1, 2012. Notice of the Public Hearing before the Planning Commission was published in the Weekly Permit Bulletin and in the Seattle Times on October 25, 2012.

Pursuant to the requirements of the Growth Management Act, state agencies must be given 60 days to review and comment on proposed amendments to the Comprehensive Plan. A list of the 2012 amendments to the Bellevue Comprehensive Plan was provided to state agencies on October 19, 2012, for review.

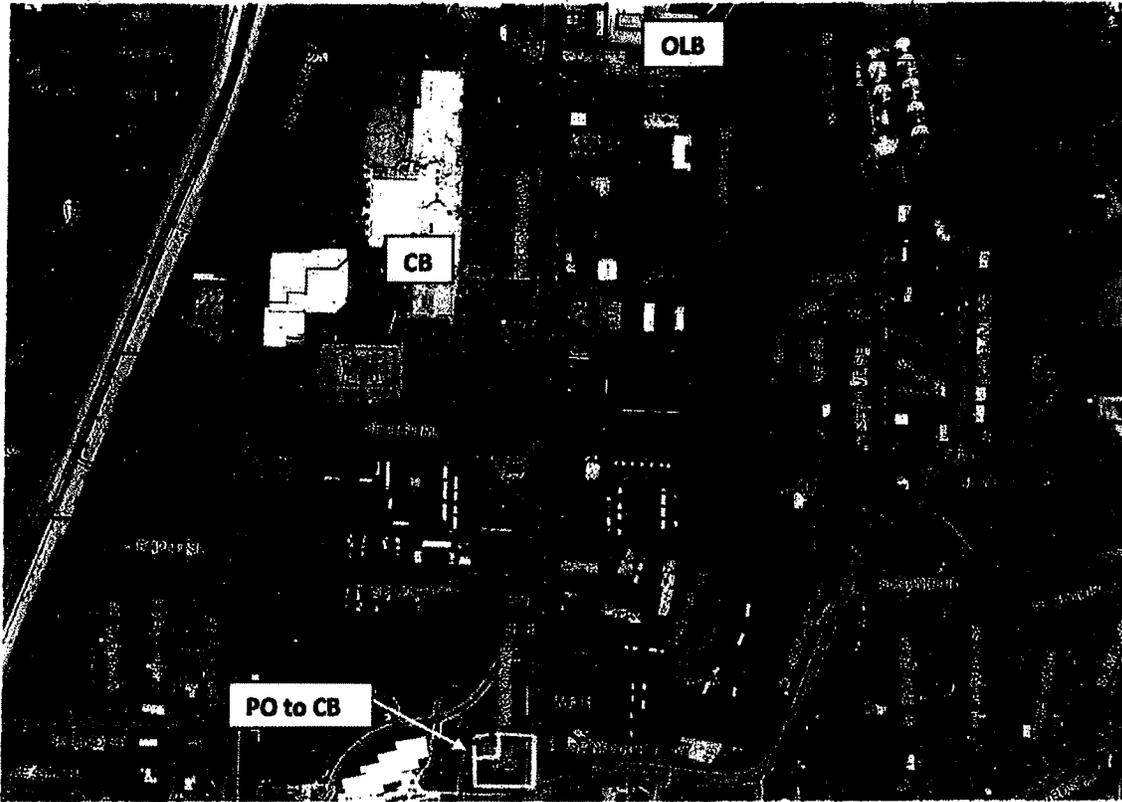
**V. NEXT STEPS**

**We request you conduct and close the public hearing, discuss the proposal, ask questions of staff, and make a recommendation.**

**VI. ATTACHMENTS**

1. Location map
2. Final Review Decision Criteria
3. Factoria Subarea
4. Site map

# Attachment 1



**Lorge/Benis/Sherwood  
Newport Professional Building**

4301, 4307, 4317 Factoria Blvd. SE

## Attachment 2

### **20.30I.140 Threshold Review Decision Criteria**

The Planning Commission may recommend inclusion of a proposed amendment to the Comprehensive Plan in the annual CPA work program if the following criteria have been met:

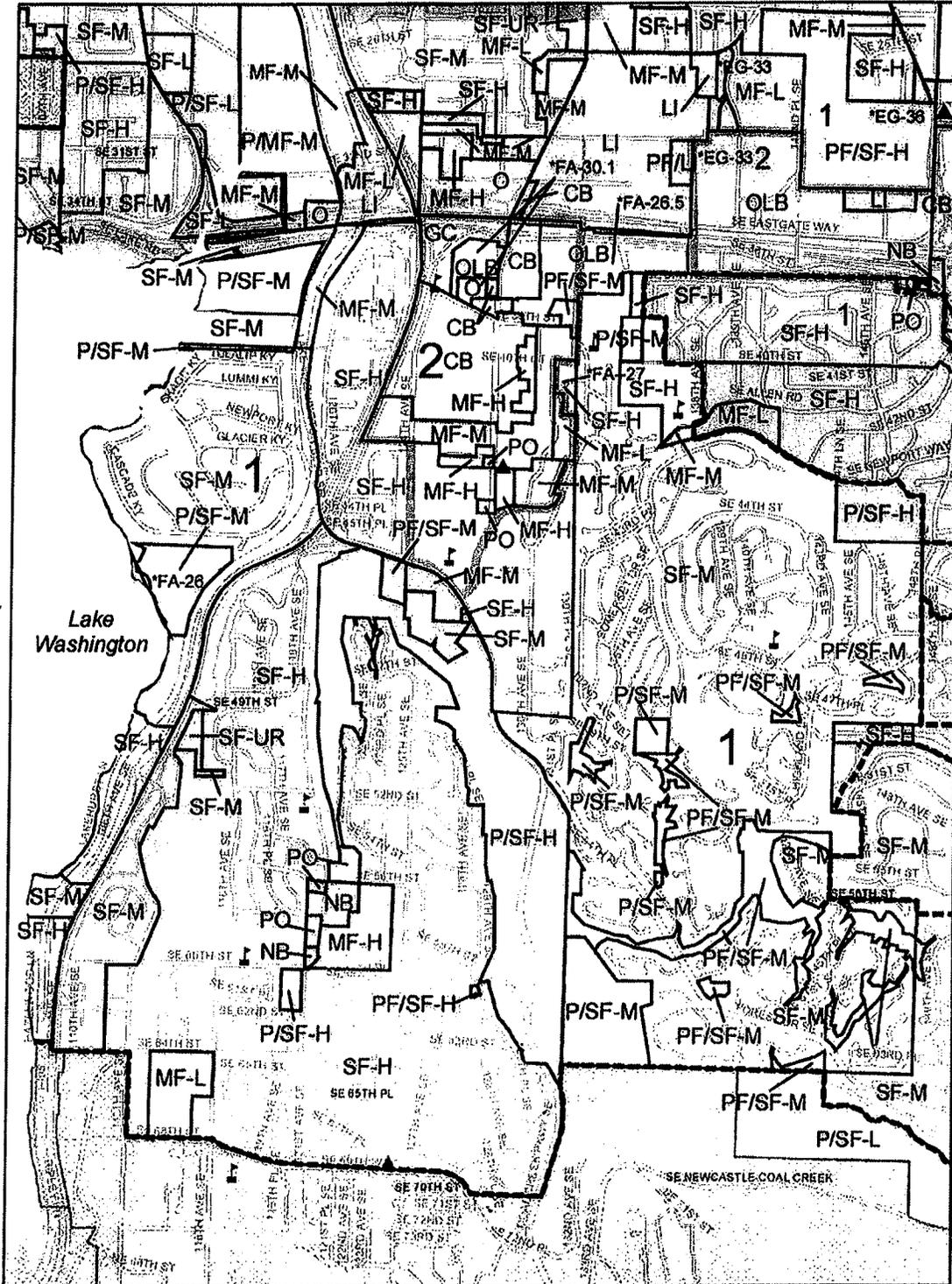
- A. The proposed amendment represents a matter appropriately addressed through the Comprehensive Plan; and
- B. The proposed amendment is in compliance with the three year limitation rules set forth in LUC 20.30I.130.A.2.d; and
- C. The proposed amendment does not raise policy or land use issues that are more appropriately addressed by an ongoing work program approved by the City Council; and
- D. The proposed amendment can be reasonably reviewed within the resources and time frame of the annual Comprehensive Plan work program; and
- 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
- F. When expansion of the geographic scope of an amendment proposal is being considered, shared characteristics with nearby, similarly-situated property have been identified and the expansion is the minimum necessary to include properties with those shared characteristics; and
- G. The proposed amendment is consistent with current general policies in the Comprehensive Plan for site-specific amendment proposals. The proposed amendment must also be consistent with policy implementation in the Countywide Planning Policies, the Growth Management Act, other state or federal law, and the Washington Administrative Code; or
- H. State law requires, or a decision of a court or administrative agency has directed such a change.

### **20.30I.150 Final Review Decision criteria**

The Planning Commission may recommend and the City Council may adopt or adopt with modifications an amendment to the Comprehensive Plan if:

- A. There exists obvious technical error in the pertinent Comprehensive Plan provision; or
- B. The following criteria have been met:
  - 1. The proposed amendment is consistent with the Comprehensive Plan and other goals and policies of the City, the Countywide Planning Policies, the Growth Management Act and other applicable law; and
  - 2. The proposed amendment addresses the interests and changed needs of the entire City as identified in its long-range planning and policy documents; and
  - 3. 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
  - 4. If a site-specific proposed amendment, the subject property is suitable for development in general conformance with adjacent land use and the surrounding development pattern, and with zoning standards under the potential zoning classifications; and
  - 5. The proposed amendment demonstrates a public benefit and enhances the public health, safety and welfare of the City.

# Attachment 3



**FIGURE S-FA.1**  
**Facteria Land Use Plan**

- SF Single Family
- MF Multi Family
- L Low Density
- M Medium Density
- H High Density
- UR Urban Residential

- PO Professional Office
- O Office
- OLB Office, Limited Business
- OLB-OS Office, Open Space
- NB Neighborhood Business
- CB Community Business

- GC General Commercial
- LI Light Industrial
- PF Public Facility
- P Park

- ▲ Fire Stations
- ▤ Public Schools
- Bellevue City Limits (6/2005)
- Lakes
- Planning Districts
- Outside of Bellevue

Attachment 4





**City of Bellevue**  
**Department of Community Development**  
**State Environmental Policy Act Threshold Determination**

Created on 3/26/2004 1:37 PM PCD Page 1 10/22/2012

Proposal Name: Lorge-Benis Comprehensive Plan Amendment

Proposal Address: A .83-acre site located at 4301, 4307 and 4317 Factoria Boulevard SE.

Proposal Description: This application proposes to change the Comprehensive Plan designation for a .83 acre site from Professional Office (PO) to Community Business (CB). This change would support a future rezone of the property to CB.

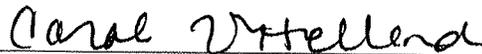
File Number: 12-104629 AC

Applicant: Dr. John Lorge, Christopher Benis

Decisions Included: SEPA Threshold Determination

Planner: Nicholas Matz AICP, Senior Planner

State Environmental Policy Act Threshold Determination: **Determination of Non-Significance (DNS)**



Carol Helland,  
Environmental Coordinator

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Bulletin Publication Date: October 25, 2012

Appeal Deadline: An appeal shall be filed together with an appeal of the underlying Process IV action. The appeal shall be by petition to the Growth Management Hearings Board and shall be filed within the 60-day time period set forth in RCW 36.70A.290.

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For information on how to appeal a proposal, visit the Permit Center at City Hall or call (425) 452-6800.

## **I. Proposal Description and Objectives**

This application proposes to change the Comprehensive Plan designation for a .83 acre site from Professional Office (PO) to Community Business (CB). This change would support a future rezone of the property to CB. Such districts typically serve community markets and provide areas for the location of services and retail outlets other than Downtown. The property owner may seek to rezone the property immediately following the potential approval of the Comprehensive Plan amendment.

The proposal's objectives are to increase the allowed density beyond that of PO in order to make the site more viable for redevelopment.

## **II. Environmental Record**

The environmental review consisted of analysis based on the following documents included in the environmental record or incorporated by reference if so noted:

- Environmental checklist for the proposal dated February 2009 and submitted 1-31-2012
- City of Bellevue Comprehensive Plan
- Determination of Non-Significance – Comprehensive Plan Update (Bellevue) – fall 2004

## **III. Proposed Timing and Phasing**

The Bellevue Planning Commission is scheduled to hold public hearings on the amendment on November 14, 2012. The City Council will likely act on the amendment during the last quarter of 2012.

Additional environmental review will be phased as outlined at WAC 197-11-060(5). Actual development will be subject to environmental review at the time a specific application for development is made.

## **IV. Environmental Summary**

### **Purpose and Need to Which the Proposal is Responding**

The applicants are seeking to respond to their belief that a market-based redevelopment demand for commercially-zoned property exists outside of the Downtown.

### **Major Conclusions, Significant Areas of Controversy and Uncertainty**

By changing the Comprehensive Plan designation for the site to CB, and the subsequent rezone to CB, the site could conceivably redevelop to up to 43,000 square feet of CB uses v.s. 19,000 square feet of PO uses. (The actual square footage that might be achieved on the site will be determined by specific site development issues such as required parking.)

The addition of CB uses on the site is likely to result in additional traffic in the Factoria neighborhood. An analysis of potential vehicle trips concludes that the anticipated traffic impacts that might occur can be accommodated by the city's future transportation network, with the transportation improvement projects included in the Factoria plan (FATS 2) and the citywide Transportation Facility Program (TFP). It also recommends the relocation of the site's driveway on Factoria Blvd. at the time of future redevelopment to be consistent with intersection improvements on Factoria Blvd at Newport Way.

**Issues to be Resolved, Including Environmental Choices to be Made Between Alternative Courses of Action** None.

### **Environmental Impacts of the Proposal**

A cumulative impact analysis for the 2012 Annual Amendment to the Comprehensive Plan has been prepared and is attached.

Environmental Review of the attached non-project environmental checklist indicates no probability of significant adverse environmental impacts occurring as a result of the proposals. Therefore, issuance of a Determination of Non-Significance (DNS) is the appropriate threshold determination under the State Environmental Policy Act (SEPA) requirements. The Environmental Checklist is available for review in the project file.

Adverse impacts which are less than significant are usually subject to City Code or Standards which are intended to mitigate those impacts. Where such impacts and related regulatory items correspond, no further documentation is necessary. For other adverse impacts which are less than significant, Bellevue City Code Section 22.02.140 provides substantive authority to mitigate impacts disclosed through the environmental review process.

### **V. Conclusion and Determination**

For the proposal, environmental review indicates no probability of significant adverse environmental impacts. Therefore, issuance of a **Determination of Non-Significance** pursuant to WAC 197-11-355 and Bellevue City Code 22.02.034 is appropriate.

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

### **VI. Mitigation Measures**

There are no recommended SEPA-based mitigating measures for this proposal. The lead agency has determined that the requirements for environmental analysis, protection and mitigation measures have been adequately addressed in the development regulations and comprehensive plan adopted under chapter 36.70A RCW, and in other applicable local, state or federal laws or rules, as provided by RCW 43.21C.240 and WAC 197-11-158. This agency will not require any additional mitigation measures under SEPA.



DEVELOPMENT SERVICES DEPARTMENT  
ENVIRONMENTAL COORDINATOR  
450 110<sup>th</sup> Ave NE., P.O. BOX 90012  
BELLEVUE, WA 98009-9012

### DETERMINATION OF NON-SIGNIFICANCE

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**PROPONENT:** Lorge-Benis

**LOCATION OF PROPOSAL:** N/A

**DESCRIPTION OF PROPOSAL:** 2012 Annual Amendments to the Comprehensive Plan, including a Work Program and proposed amendments to the Bellevue Comprehensive Plan for purposes of RCW 36.70A.130, assuring that the Plan continues to comply with the requirements of the GMA and including consideration of emerging local and regional needs, changes to state and federal laws, Bellevue's progress towards meeting GMA Goals, and whether the Plan is internally consistent.

**FILE NUMBER(S):** 12-104629AC to amend the map designation on a three-parcel, .83-acre site from PO (Professional Office) to CB (Community Business) at 4307 (Lorge) 4317 (Benis) and 4301 (Sherwood) Factoria Boulevard SE.

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

- This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.
- This DNS is issued under WAC 197-11-340(2) and is subject to a 14-day comment period from the date below. Comments must be submitted by 5 p.m. on \_\_\_\_\_.

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

This DNS is only appealable as part of the City's action on the amendment to the Land Use Code. In order to comply with requirements of SEPA and the State of Washington Growth Management Act for coordination of hearings, any appeal of the SEPA threshold determination herein will be considered by the Growth Management Hearings Board along with an appeal of the City Council's action. See LUC 20.35.250C.

Carol McAllend  
Environmental Coordinator

October 25, 2012  
Date

OTHERS TO RECEIVE THIS DOCUMENT:

State Department of Fish and Wildlife	King County
U.S. Army Corps of Engineers	Muckleshoot Indian Tribe
Attorney General	

**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 ½" 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. [unclear] ACP* *[unclear]*  
Date Submitted..... *February 26, 2009*  
*[unclear]*  
*[unclear]*

**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.*



**2012 Annual Comprehensive Plan Amendments  
Work Program STAFF REPORT AND RECOMMENDATION STATUS**

Application Name <i>CPA application number (AC)</i>	Proposal	Status	
		Council action to date <b>Planning Commission public hearing date</b>	Staff Recommendation <b>Report Available</b>
Lorge-Benis PO to CB  12-104629 AC	Amend the map designation on a three-parcel, .83-acre site from PO (Professional Office) to CB (Community Business)	Council initiated 9/04/12 November 14, 2012	Do not Approve October 25, 2012

2012 CPA Cumulative Impacts Matrix	Impacts to non-project elements of the environment (see the environmental summary for details)						Cumulative impacts conclusion	Mitigation measures
(see reference for topic details)	impacts to water, air, toxic substances, noise impacts	affect plants, animals, fish, marine life	deplete natural resources	affect governmentally protected areas	affect adopted land and shoreline use	increase demands on transportation or public services/utilities	<ul style="list-style-type: none"> <li>• Foreseen by the Plan</li> <li>• Consistent with GMA Goals</li> <li>• Internally consistent</li> </ul>	Impacts mitigated with regulatory or SEPA-authority mitigation
Lorge-Benis PO to CB <i>Environmental checklist</i> Created on 3/2/2004 4:51 PM	N/A	N/A	N/A	N/A	Inconsistent with Plan	No	Impacts to Plan	N/A