



MEMORANDUM

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TO: Chair Orrico and Members of the Planning Commission

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SUBJECT: Draft Bel-Red Subarea Plan and Land Use Code Amendments

The Planning Commission is asked to make a recommendation to the City Council on the draft Bel-Red Subarea Plan, Land Use Code and related amendments following review of the remaining discussion topics. The July 23 study session will continue the Planning Commission's review of the draft Bel-Red Subarea Plan and related plan and code amendments with a focus on:

- Revised draft documents
- Parks system projects
- Environmental and trail project list descriptions
- Density and dimension chart
- Use charts
- Auto sales
- Vesting
- Design guidelines

The goal is for the Commission to be able to complete its review of the Bel-Red amendments at this study session to enable the City Council to begin its review in September. If the Commission completes its review on July 23, formal action may be taken to transmit the Commission's recommendation to Council. If additional time is needed for review, July 30 is being held as a potential meeting date.

Revised Draft Documents

Attached are revised versions of the Comprehensive Plan and Land Use Code amendments that incorporate the changes discussed with the Planning Commission over the last several study sessions and also include those changes proposed for review on July 23. Changes made to the May 8 hearing drafts are generally shown in underline and ~~strike through~~ or otherwise annotated to indicate the changes. When transmitted to the City Council, editing marks will generally be removed except where shown to track legislative changes to adopted texts. At the July 23 study session, staff will review the changes that have not been previously discussed.

Parks System Projects

Policy question: Should the list and map of parks and open space projects be adjusted to better take advantage of the opportunity of the proposed Spring District development?

Staff recommendation:

- *Modify project list and map to change planned neighborhood park N-2 to a mini park, and increase the planned size for neighborhood park N-1 (located near the crossing of the West Tributary by NE 15th Street) from 4 acres to 7 acres to maintain overall park acreage in the Subarea. Do not add the Wright Runstad proposed soccer field to the park plan. (Figure S-BR.3 and Table 2 of the Subarea Plan.)*
- *Make corresponding changes to the parks and open space map in the Land Use Code (Figure 20.25D.040A.2).*
- *Fix Figure 20.25D.040A.2, to have sharp resolution.*

The draft Subarea Plan calls for a neighborhood park of approximately four acres to be located within Wright Runstad's proposed Spring District, south of NE 15th Street between 120th and 124th avenues. This is a proposed park area larger than the planned park/open space contemplated by Wright Runstad. The criteria in the new development regulations say that for the dedication/development of this park property to qualify under the Tier 1 incentive program, the park area must be consistent with the location and size identified in the Bel-Red Subarea Plan. Wright Runstad has commented that a four acre park would consume too much of their planned development area and would force them to significantly alter development plans, but they would consider providing a one acre park. If the four acre neighborhood park is maintained in the Subarea Plan, Wright Runstad will likely pass on the opportunity to dedicate that much land to the park system. The City could be in the position of needing to purchase the land outright to preserve the potential for a four acre park or end up with no park in this location. Changing the designation of the neighborhood park to a mini park would enable Wright Runstad to meet the City requirement for the Tier 1 bonus for dedicating the land to the City and make it feasible for the City to achieve a park facility, albeit of less size, strategically located in the mixed use node near a concentration of residences.

To maintain the overall park acreage in the study area the size of the neighborhood park located at the crossing of the West Tributary and NE 15th Street would be increased from 4 acres to 7 acres to extend north and south of NE 15th Street. This change is consistent with the thinking about open space along the West Tributary, would maximize the parks/stream corridor interface, and would enhance the park space adjacent to NE 15th Street between the nodes.

Wright Runstad also proposes to build a sports field adjacent to 120th Avenue. This facility is proposed to be at a size less than typical soccer field standards and located on top of a Wright Runstad privately operated underground parking garage. The sports field is not on the City's plan and therefore would not qualify for the Tier 1 bonus. The City encourages Wright Runstad to build this facility, but does not seek to own or program the field. Wright Runstad would have the ability to use the FAR (floor area ratio) from the sports field area as part of their overall site area for development.

If the Planning Commission chooses to include these changes to N-2 and N-1, or some other change to the parks system, in its recommendation to the City Council, staff recommends also forwarding this element to the Parks and Community Services Board and suggests that the Parks and Community Services Board then provide any additional feedback about the change directly to the City Council in September.

Environmental and Trail Project List Descriptions

Staff recommendation:

- *Edit the wording of the environmental and trail project list descriptions in Table 3 of the Subarea Plan to clarify the potential width of the stream corridors.*

Table 3 Bel-Red Environmental and Trail Project List

Project	Description of Environmental and Trail Improvements	Size/ Length
301	West Trib Riparian Corridor & neighborhood park—100 feet wide Restore 100-foot width native plant riparian corridor on both sides of the West Tributary from the BNSF right of way to Bel-Red Road with a paved ped-bike path (10 feet) on one side of the stream. Improve fish passage, and rehabilitate in-stream habitat.	6350 lf stream 27 acre riparian corridor
302	Goff Creek Riparian Corridor—50 feet wide Develop a 50 foot wide native plant and social amenity riparian corridor <u>on each side</u> , integrating natural drainage practices, 8-foot paved/boardwalk trail, art and place-making features as part of redevelopment north of NE 16th Street. Realign and daylight Goff Creek with additional floodplain storm water capacity. Restore fish passage.	4200 lf 1.5 acre
303	Kelsey Creek Trib Riparian Corridor—50 feet wide Restore a 50-foot average width native plant and social amenity riparian corridor <u>on each side</u> . Integrate natural drainage practices, soft surface pathway, art and place-making features in corridor. Restore fish passage.	2000 lf 12 acre
304	Valley Creek Riparian Corridor—100 feet wide Restore a 100-foot average width native plant riparian corridor <u>on each side</u> between Highland Community Park and State Route 520. Include paved multi-use trail/boardwalk on one side.	500 lf 3 acre
305	Sears Creek Riparian Corridor —50 feet wide Restore a 50-foot average width native plant riparian corridor along <u>each side of</u> Sears Creek. Rehabilitate salmon habitat, channel capacity, restore riparian functions and provide soft surface pedestrian pathway. Daylight piped area of stream.	1300 lf 8.5 acre

The stream restoration projects listed in the draft Subarea Plan are intended to describe the restoration of areas of 50 or 100 feet on *each side* of the streams. While these restoration areas would be measured like critical areas buffers, staff suggests avoiding the term “buffer” to limit confusion between the planning projects listed here and the regulatory aspects of critical areas. The distances here do not translate to a critical areas protection area. The project descriptions as originally written, however, were confusing with some wondering whether the distance applies

once across the streams or on each side. Edits proposed seek to make it clear that the intent is to restore the distance on each side of the streams.

Density and Dimension Chart

Staff recommendation:

- *Modify the maximum allowable upper level floor-plate size for nonresidential development in select Bel-Red districts to 28,000 square feet.*

The proposed density and dimensional requirements for the Bel-Red Subarea are included in Chart 20.25D.080A. The chart reflects the modifications made by the Commission on July 9 regarding maximum FAR and the change discussed on July 16 to require a minimum percent of residential use in OR-1 and OR-2. The chart also includes proposed staff modifications to maximum floor-plate sizes for nonresidential development above 40 feet and 80 feet as applicable.

The city received comments during the public review phase stating that the development type envisioned for office use in Bel-Red would function better with 28,000 square feet upper-level floor-plates as opposed to the 24,000 square feet or 20,000 square feet included in the public review materials. Staff has reviewed the design implications of this increase and feels that the increase to a maximum of 28,000 square feet will still provide for human-scaled development consistent with the vision for the Bel-Red area. The proposed modification to upper-level floor-plate size does impact the underlying maximum FARs or height limitations in the affected districts.

Use Charts

Staff recommendation:

- *Modify the draft land use charts for Bel-Red to include “E” for several of the use categories for the Bel-Red Commercial Residential district, and make other modifications as indicated in the revised draft.*

Comments, including those specifically by Todd and T.J. Woosley, expressed concern about the lack of allowance for existing uses in the new Bel-Red Commercial Residential district (BR-CR). The draft Land Use Code includes a set of regulations to address the continuation of existing conditions and existing uses and has corresponding “E”s in the land use charts. Whereas, “E”s are used for a number of uses where Light Industrial zoning is changing over to node zoning, relatively fewer “E”s were originally used for the transition from General Commercial to Commercial Residential zoning. Since the last Commission meeting, staff re-investigated the mix of uses in the Bel-Red area specifically noting the uses in existence today in the Brierwood Center GC zoned area that is proposed to be changed to CR zoning. These GC areas include a wide range of uses, such as auto service, flooring, remodeling services, costume supply, sporting goods retail, retail furniture, and others. Staff recommends an approach to not include the “E” designation for every possible use category where it is clear that no existing uses of a type are currently present. Adding “E” for these categories could create unnecessary confusion during future land use reviews. Examples of use categories not recommended to be allowed as existing

include airports, hospitals, drive-in theaters, and poultry hatcheries. However, recognizing that it may be appropriate to take a more conservative approach than the current draft, staff proposes to add “E” designations to the CR column for a number of use categories that may exist today. Additionally, as staff conducted additional review of the existing uses and the proposed use chart, we identified other changes that would be appropriate. For example, the poultry hatchery use was proposed to be listed as “E” for several of the zones in Bel-Red. Since that use doesn’t exist today, there is no need for it to be listed and staff recommends removing the “E”s entirely for that use category.

Auto Sales

Staff recommendation:

- *Correct the text of the draft Land Use Code so that no outside auto storage or display is permitted between the building and public right of way inside nodes, or on streets with required sidewalk-oriented development (previously active edges) or on Bel Red Road.*

While discussed publicly with the Planning Commission previously, the current draft doesn’t include the limitation related to Bel-Red Road. This is proposed to be added to the language as follows:

20.25D.090 Automobile Sales, Leasing and Rental

The following decision criteria, in addition to the criteria in LUC 20.30E.140, apply to an Administrative Conditional Use Permit application for the leasing, rental and/or retail sale of automobiles in the BR land use districts:

1. The applicant shall provide adequate off street unloading area for vehicle carriers; and
2. No outside on-site storage or display is permitted between the building and public right-of-way inside nodes, ~~or~~ on streets with required active edges (refer to LUC 20.25D.120.C. Required Active Edges) or on the north side of Bel-Red Rd.
3. The provisions of LUC 20.20.135 shall not apply within Bel-Red.

Vesting

Staff recommendation:

- *Modify the required review section of the draft Land Use Code to enable extensions of vesting through the development agreement process pursuant to state law.*

Wright Runstad has suggested that vesting should be longer than the two year period that is commonly allowed by the City and proposed for Bel-Red and that vesting should be permitted to extend for 10 to 15 years. As a practical matter, vesting often extends for more than a two year period because a permit remains vested as it continues to be active through the permit review and construction periods of a development. Staff’s concern with extending vesting is that if a substantial amount of development takes advantage of extended vesting, it could make review of the implementation of the Bel-Red plan in about five years irrelevant. Any adjustments made at

that time would have limited effect as much of the development would already be vested under the prior regulations. That said, staff supports a change that would enable extending vesting through a development agreement process, which would allow the City a high degree of control to limit the application of extended vesting and to ensure that it doesn't compromise the vision for the Subarea.

Design Guidelines

Staff recommendation:

- *Discuss the currently proposed Bel-Red Design Guidelines on July 23 and make any necessary refinements based on Commission feedback.*

The urban design goal for the Bel-Red area is to achieve a design character that results in aesthetically beautiful, distinctive, and long-lasting places that evoke a strong sense of Bellevue and the Northwest, and a dynamic public realm that encourages social interaction. The current Bel-Red package includes both a set of development standards (for *Build-to Lines*, *Ground-floor Uses*, *Sidewalk-oriented Development*, etc.) and design guidelines as complementary pieces to further the Bel-Red vision. There was Commission discussion of the development standards on July 16.

The proposed Bel-Red Design Guidelines consist of six chapters covering character and site guidelines, pedestrian emphasis, architecture, lighting and signage. The Commission provided input on the draft design guidelines at their April 16, 2008 meeting. The Commission's comments were incorporated into the May 8 Public Hearing Draft.

The design guidelines are intended to apply to all mixed use, office and residentially designated areas of the Subarea (see policy BR-C1). The policy also states that additional depth and attention be given to the design details within the development nodes. As proposed, design review would not apply to the BR-GC district. Exceptions to design review would be provided for expansion of Existing Uses.

The Bel-Red guidelines are intended to give developers and citizens an understanding of the city's expectations and provide consistent criteria by which to review proposed projects. They support the policies in the Bel-Red Subarea Plan, while offering a flexible tool for quality and innovation. The guidelines do not prescribe specific design solutions or dictate a single style or theme.

The proposed Bel-Red Design Guidelines will be administered by staff, as is currently done in downtown and other parts of the city. This has proven to be a successful framework for interaction between city staff and the development and design professionals.

Staff will be available on July 23 to answer any questions about the proposed Design Guidelines, and to respond to any comments received from Commission members ahead of the meeting.

Alternatives for Action

Following review of the discussion topics, the Commission may choose to take action to forward a recommendation to the City Council. Alternatives include:

1. Move to:
 - APPROVE the new Bel-Red Subarea Plan replacing the existing Bel-Red/Northup Subarea Plan outright and adoption of related Comprehensive Plan amendments, including modification of the Crossroads and Wilburton/NE 8th Street subarea boundaries, and amendments to the Transportation Element and the Glossary; and
 - APPROVE Land Use Code amendments including new Bel-Red regulations, design standards and design guidelines; other related Code changes, and adoption of new zoning districts for the Bel-Red area.
2. Make an alternative recommendation.

Staff recommends alternative 1, adoption of the new Bel-Red Subarea Plan replacing the existing Bel-Red/Northup Subarea Plan outright and adoption of related Comprehensive Plan amendments, including modification of the Crossroads and Wilburton/NE 8th Street subarea boundaries, and amendments to the Transportation Element and the Glossary; adoption of Land Use Code amendments including new Bel-Red regulations, design standards and design guidelines; other related Code changes, and adoption of new zoning districts for the Bel-Red area. As expressed in the May 8, 2008 staff report, this proposal satisfies the Decision Criteria for a Comprehensive Plan Amendment (see Section VII) and the Decision Criteria for a Land Use Code Amendment (see Section VIII).

Attachments

- A. Draft Planning Commission Transmittal of Bel-Red Subarea Plan and Land Use Code Amendments, with sub-attachments