Agenda

BELLEVUE PLANNING COMMISSION
Wednesday, May 28, 2008
6:30 PM – Room 1E-126 (Council Chambers)
Bellevue City Hall - 450 110th Avenue NE

6:30 p.m. 1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF AGENDA

4. STAFF REPORTS

5. *PUBLIC COMMENT **(Limited to 5 minutes per person or 3 minutes if a public hearing has been held on your topic)**

6. COMMUNICATIONS FROM CITY COUNCIL, COMMUNITY COUNCIL, BOARDS AND COMMISSIONS

7. REPORTS FROM COMMISSIONERS

6:45 p.m. 8. PUBLIC HEARING
(note: timing is approximate)

A. **Bel-Red Project** **Pages 1-10**

PURPOSE**:** Receive public testimony on Bel-Red Project

STAFF CONTACT: Paul Inghram, PCD

9. STUDY SESSION

9:00 p.m. A. **Bel-Red Project**

PURPOSE**:** Review testimony on Bel-Red Project.

ACTION: No Action

STAFF CONTACT: Paul Inghram, PCD

9:30 p.m. 10. NEW BUSINESS

11. OLD BUSINESS

12. APPROVAL OF MINUTES **Pages 11-60**

A. February 13, 2008
B. February 27, 2008
C. March 12, 2008

13. *PUBLIC COMMENT **(Limited to 3 minutes per person)**

10:00 p.m 14. ADJOURNMENT

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BELLEVUE PLANNING COMMISSION MEMBERS
JENNIFER ROBERTSON, Chair

JAMES BACH, Vice Chair
HAL FERRIS
WILLIAM LAI
DOUGLAS MATHEWS
VICKI ORRICO
PAT SHEFFELS

STAFF: PAUL INGHRAM, 452-4070
Jeanie Christensen, 452-7857

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* Unless there is a Public Hearing scheduled, "Public Comment" is the only opportunity for public participation

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Wheelchair accessible. American Sign Language (ASL) interpretation available upon request. Please call at least 48 hours in advance. Assistance for the hearing impaired: dial 711 (TR).

City of Bellevue

MEMORANDUM

DATE: May 23, 2008

TO: Chair Robertson and Members of the Planning Commission

FROM: Paul Inghram, AICP, Comprehensive Planning Manager
pinghram@bellevuewa.gov 425-452-4070

SUBJECT: May 28, 2008, Public Hearing for:
Bel-Red Comprehensive Plan Amendments (08-114836-AC) and Land Use Code Amendments (07-138331-AD), and Medical Institution Land Use Code Amendments (08-114835-AD)

On May 28, 2008, the Planning Commission is scheduled to hold a public hearing to receive testimony on the proposed amendments for the Bel-Red Subarea, including Comprehensive Plan amendments, Land Use Code amendments, and Land Use Code amendments for the Medical Institution district.

Members of the public are encouraged to provide comments verbally at the hearing and in writing at or before the close of the hearing. This memorandum provides a summary of the background, proposed amendments, and the review process for Bel-Red. The complete staff report and proposed amendments were previously provided to the Planning Commission and are available for public review online (http://www.bellevuewa.gov/bel-red_intro.htm) or at City Hall.

Please bring your copies of the staff report and draft Bel-Red amendments with you for reference. If you need an additional copy, please let us know.

Following the close of the public hearing, the Planning Commission will be asked to deliberate on the proposed Bel-Red amendments, identify issues that require further exploration, refine the proposal, and ultimately make a recommendation to the City Council. Staff will collect and tabulate all the comments received on the draft amendments to facilitate the Commission's review and discussion.

BACKGROUND

The proposal would adopt a new Subarea Plan, land use regulations and zoning for the Bel-Red area. The Subarea Plan envisions the area transforming over time from the current light industrial and commercial uses to new vibrant neighborhoods and thriving businesses served by an integrated system of multi-modal transportation choices, parks and open space, and restored stream corridors that connect to the greater city and the region.

Following a two year planning and public involvement process, in September 2007 the Bel-Red Steering Committee recommended a new vision for the Bel-Red area. In October 2007 the City

Council provided direction to five of the city's boards and commissions to develop planning policies and other strategies to implement the Bel-Red Steering Committee recommendation for the Bel-Red area. Over the course of the last several months the city's commissions have reviewed and discussed Bel-Red issues specific to their area of expertise and in January, staff distributed the first draft of a new Bel-Red Subarea Plan. Four of the city's boards and commissions presented their policy recommendations for Bel-Red to the Planning Commission on February 27, 2008. Following additional direction and review by the Planning Commission specifically, and some continued involvement by other boards and commissions, city staff prepared an updated draft Bel-Red Subarea Plan, draft Land Use Code regulations that implement the plan, and other draft Comprehensive Plan and Code amendments related to the Bel-Red Subarea. Draft amendments to the Medical Institution district were also crafted in response to Children's Hospital interest in siting a new facility in the Bel-Red area.

ZONING AND NEIGHBORHOOD DISTRICTS

As indicated in the staff report dated May 8, 2008, the proposal to amend the Land Use Code calls for a legislative rezone of the Bel-Red subarea to enable application of the new development regulations. There are currently 23 ordinances in effect that enable existing zoning in Bel-Red. The legislative rezone would repeal and replace these ordinances with a new ordinance containing the Land Use Code Amendments and the Bel-Red Subarea Zoning Map. Zoning ordinances adopted through the quasi-judical process often contain site specific conditions or concomitant agreements. Legislative zoning map adoptions cannot be tailored to apply specific conditions to individual properties. As a result, when the applicable ordinances are repealed, the site specific conditions will also be eliminated.

Staff have reviewed the 23 ordinances in effect in the proposed Bel-Red Subarea and listed the conditions that would be repealed as a component of the legislative rezone (refer to Attachment A). These conditions are pertinent to the existing zoning. The complete repeal of site specific conditions effectuated with the legislative rezone will enable the implementation of the new zoning and be a benefit to Bel-Red area property owners, businesses, residents and the city as a whole, and is not contrary to their best interests. The repeal of site specific conditions will:

- Ensure that the Bel-Red Subarea is governed holistically by regulations that are applied consistently and predictably across zoning districts to accomplish the long term vision that is being developed for Bel-Red.
- Eliminate the potential for conflicts between old site specific conditions and new Bel-Red regulations.
- Eliminate site specific conditions aimed at environmental protection that were imposed prior to the adoption of critical areas ordinances that are now in place to govern allowable site development with appropriate mitigation consistent with current policy.
- Eliminate a layer of regulatory complexity that will enable more effective administration of regulations proposed for implementation of the Bel-Red Subarea vision (refer to proposed new Land Use Code Part 20.25D).

Staff wanted this information to be available at the public hearing. Staff will be available, at the hearing and at future meetings, to respond to questions that Planning Commissioners may have

regarding the site specific conditions that are currently in effect and recommended for repeal through the legislative rezone process.

NEW DEFINITIONS

With release of the draft amendments staff noted that a number of new definitions would need to be included in the Land Use Code consistent the new Bel-Red code sections. Draft definitions are included in Attachment B.

PUBLIC COMMENT

The city has received detailed comments from property owners, developers, and members of the public. Written comments received on the draft amendments to date include those from Bel-Green Developments, Wright Runstad, David Plummer, Diane Kelso, The Housing Development Consortium, the Parks and Community Services Board, Ken Shiring, Nine Lake Bellevue Owners Association, and Coca-Cola (this is likely an incomplete list as comments continue to come in). The city also conducted a series of business and property owner panel meetings and a public open house on May 15. Transcripts from the panel meetings, notes from the open house, and a package of all of comments received will be provided to the Commission. Some of the most common questions and comments have had to do with the proposed incentive system, phasing, the design of the NE 15th/16th right of way, and affordable housing.

Additional discussion of public comments and the public involvement process is provided in the May 8, 2008, staff report and the Steering Committee Final Report.

Staff will continue collect and catalog comments up through the close of the Public Hearing. This will facilitate the Commission being able to review and respond to comments in a organized process, following the public hearing, rather than attempt to respond to comments individually.

STAFF RECOMMENDATION

As detailed in the May 8, 2008, staff report, this proposal satisfies the decision criteria for Comprehensive Plan and Land Use Code amendments. Staff recommends 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; amendments to the Medical Institution regulations; other related Code changes; and adoption of new zoning districts for the Bel-Red area.

A Final Environmental Impact Statement (FEIS) was issued by the City of Bellevue on July 19, 2007, which analyzed environmental impacts associated with a no action alternative and the preliminary preferred alternative for potential future land use and transportation changes and development anticipated through 2030 in the 912-acre Bel-Red study area. The FEIS may be viewed on the Bel-Red Corridor Project web site:

http://www.bellevuewa.gov/bel-red_intro.htm.

PLANNING COMMISSION ACTION

Staff requests that the Commission conduct and close the public hearing, discuss the proposal, and ask questions of staff. Following continued discussion and review of public comments, staff requests that the Commission make a recommendation to the Council. Recognizing the extent of the Bel-Red project and the proposed amendments, the Commission is encouraged to continue discussion and deliberation of the proposed amendments and the public comments over several meetings.

ATTACHMENTS

A. Pre-Existing Rezone and Concomitant Zoning Conditions
B. Draft Bel-Red Land Use Code Definitions

Attachment A

PRE-EXISTING REZONE AND CONCOMITANT ZONING CONDITIONS

Address	**Rezone of CZA Conditions**
1601 to 1611 – 116th Avenue NE – Ord 3906 – Date: 04/18/1988	• Landscape Buffer requirements • Prior to development must complete Design Review • Limitations in gross floor area • Restrictions on hours of operation • Submittal of landscape maintenance agreement • Tree removal restrictions
1636 116th Avenue NE – Ord 2625 – Date: 08/24/1978	• Provision of soil survey and structural design prior to development • Setback requirements based on vertical cut into hillside • Execution of access easement
Property located east of 116th Avenue NE at approximately NE 15th Street – Ord 2592 – Date: 07/10/1978	• Provision of soil survey and structural design prior to development • Setback requirements based on vertical cut into hillside • Execution of access easement • If residential use is placed on the O-zoned property, 15 unit per acre limitation
Southeast corner of Lot 2 of Short Plat 83-04 east of 1636 – 116th Avenue NE – Ord 3606 – Date: 02/20/1986	• SEPA review
Property located approximately 150 feet south of Bellevue Redmond Road at 139th Avenue NE – Ord 2642 – Date: 11/02/1978	• Access to Bel-Red Road shall minimize impact on stream and to assure proper turning movements onto Bel-Red Road • Retention of existing vegetation • Review of site development and landscaping buffer to insure compatibility with the adjoining residential development to the south • No residential uses are permitted
Property located east of 140th Avenue NE, approximately 200 feet north of NE 15th Street – Ord 3379 – Date: 04/30/1984	• A coordinated access plan to include access and circulation with the rest of the site (inclusion of curb cuts) • Provision of a 12 foot right-of-way easement adjacent to 140th Avenue NE along the site's frontage and additional width of that easement as necessary to meander the sidewalk around the existing cedar trees • If developed prior to LID for improvements to 140th Avenue NE, shall construct all street improvements, including curbs, gutters, sidewalks and storm drainage (and extension of equestrian trial from the south) • If no LID, shall not protest formation

Ordinance contains only a legal description - Ord 2505 – Date: 12/14/1977	• Should property located on the south side of Bel-Red, between 132nd and 134th Avenues NE is rezoned from R-13.5 to O and OL the following conditions apply: • No residential uses • Existing stream shall not be enclosed or relocated • No development in flood plain area • Development subject to Design Review
Property located south of NE 12th Street west of the BN Railroad – Ord. 3558 – Date: 10/07/1985	• No direct or indirect vehicular access to the site to be permitted to NE 12th Street • Applicant may not protest LID for street improvements to 116th Ave NE and for signalization at the NE 12th Street intersection.
Property located on the south side of Bel-Red Road between 130th and 132nd Avenue NE – Ord 2764 – Date: 10/03/1979	• 125 foot building setback from the south property line
Property located at the southwest corner of 130th Avenu NE and Bel-Red Road – Ord 2486 –Date: 11/09/77	• Vehicular access to the property shall be only from 130th Avenue NE • No residential uses • Site screening on the southern property lines of the property must have at least 18 feet of planted area with evergreen trees at least 6 feet in height. • Site screening shall be dense, subject to Design Review, and site screening. • Development limited to structure configuration and location as included in proposal submitted on August 4, 1997
Property located approximately 200 feet south of the Bel Red Road on the west side of 132nd Avenue NE - Ord 2382 – Date: 01/07/1977	If property located on the west side of 132nds Avenue NE, approximately 200 feet south of Bel-Red Road is rezoned from R-13.5 to OL the following conditions apply: • Detailed landscaping requirements for south and east property line • Access to Bel Red Road only • Lighting in the parking area shall be low level and shielded so that no light spills onto the single family zoned property • Property shall be used for the exclusive use of parking in connection with the immediately contiguous O zoned property on which a one-story office building with approximately 12,000 square feet will be built.
No address or description – Ord 2351 – Date: 11/08/1976	•Should the northerly 287.29 feet of property located generally east of 124th Ave NE between NE 8th St and Bel Red Road is rezoned from R-10 to O the following conditions apply: • Only uses designated as essential use in Chapter 18.14 • All development is subject to Design Review
Property located at the northwest corner of NE 12th and 116th Avenue NE – Ord 2610 – Date: 08/09/1978	• Restriction on vehicular access (limited to northeast corner) • development is limited to non-residential uses only

Property located on the west side of 116th Avenue NE, approximately 300 feet south of NE 24th Street – Ord 2575 – Date: 05/24/1978	• Restriction on vehicular access (no vehicular access to the property from the south) • Development is limited to non-residential uses only • Additional access to 116th Ave NE of the existing easement may be permitted
Property located on the north side of NE 20th Street east of 132nd Avenue NE – Ord 3665 – Date: 05/22/1986	• Prohibited uses include: Auto Parking – commercial lots and garages; park and ride; food (retail); banks and savings and loans; public assembly (day time) • Eating and drinking establishments subject to conditions 18 and 32 of Wholesale Use Chart
Property located on the east side of 116th Avenue NE between NE 18th and NE 21st – Ord 2283	• C-M commercial access to be oriented toward the manufacturing area to the north • Detailed soils survey • Design review • Development of O is subject to OL standards • Building setbacks shall be a minimum of 40 feet from the common O-cm boundary in those areas requiring more than 20 feet to the cut or fill
1854 – 115th Avenue NE 19th Street – Ord 4064 – Date: 09/18/1989	• Before non-residential use established on the property if the adjoining property located at 11515 NE 19th Street is to remain as a residential use, a 5-foot high solid fence shall be established and maintained between the two properties • Prior to redevelopment, shall submit circulation plans (see CZA for specifics) • Director approves parking plan • Limit impacts of traffic and noise on remaining residential uses
Property located approximately 250 feet east of 116th Avenue NE at approximately NE 16th Street – Ord 2485 – Date: 09/10/1977	• Soils testing • Building setbacks minimum of 40 feet from the property line in those areas of the property requiring more than 20 feet of vertical cut into the hillside on the property • execution of easement agreement
Property located south of Bel Red Road, 320 feet east of 124th Avenue NE – Ord 2077 – Date: 07/11/1974	• 50 feet wide buffer zone of a solid evergreen planting screen on the east and south side of Parcel C
Property in the Bel-Red Northup Subarea, bounded by I-405 on the west, Bel-Red on the south, 148th Avenue NE on the east and NE 24th Street on the North – Ord 3075 – Date: 01/20/1982	• Access shall be only from 130th Avenue NE • Design Review • No building or parking lots shall be constructed on north 75 feet of the property (no vegetation removed) • All structures shall be located on the north 200 feet of the property • Evergreen screening
3.56 acres of property from LI to GC/C (north side of NE 20th street east of 132nd Ave NE) – Ord 3665 – Date: 05/22/1986	• Limitation on property for auto dealerships

Properties located generally north of NE 17th Street, south of NE 21st street, west of 116th Avenue NE, and east of I-405 (Dogwood Park) – Ord 4612 – Date: 11/30/1993	• Restaurants and drugstores permitted only as subordinate uses • Circulation plan • Visual barrier to SF uses • Affordable housing
12408 NE 10th Place, 1505-140th Avenue NE, and 13037, 13133, 13201, 13333, 13343, 13353, and 13555 Bel Red Road – Ord 4897 – Date: 08/02/1996	• Landscape buffer maintained along the south side

Attachment B

Bel-Red Land Use Code Definitions

BROTS
An interlocal agreement between the cities of Bellevue and Redmond regarding land use planning and the funding and construction of transportation improvements in the Bel-Red/Overlake Transportation Study Area, as adopted by Resolution No. 6353 and subsequently amended.

Build-to-Line
A location along a designated block or right-of-way where a building must be constructed. The build-to line is the property line unless designated otherwise by an adopted street design.

Curb extension
A section of sidewalk that projects into the street at an intersection or midblock crossing that reduces the crossing width of a street or right-of-way for pedestrians.

Average Finished Grade Along Façade
Proposed grade after development as measured along a building façade from perpendicular wall to perpendicular wall including offsets, bays and other minor modulating treatments not more than five feet deep.

Façade Length
The length of a building from perpendicular wall to perpendicular wall including offsets, bays and other minor modulating treatments not more than five feet deep.

Gross Square Feet/Floor
Floor area in square feet within the surrounding exterior walls measured from the interior wall surface and including openings in the floor plate such as vent shafts, stairwells, and interior atriums.

Health Club
A place of business with equipment and facilities for exercising and improving physical fitness. A broader range of services such as restaurant and meeting rooms are not provided.

Natural Drainage Practices
Techniques such as rain gardens, pervious pavement, vegetated roofs and amended soils that manage stormwater runoff in a manner that improves the quality of runoff and more closely mimics natural drainage flows and rates than traditional stormwater techniques.

Node
An area, or district where planned transportation facilities will support sufficient development intensity, amenities, recreation opportunities, and a mix of uses that foster a high level of pedestrian activity.

Project Limit
A lot, portion of a lot, or combination of lots or portions of lots treated as a single development parcel for purposes of the Land Use Code. A project limit may cross a right-of-way as long as the project limit results in a cohesive design and the Master Development Plan process is used.

Required Ground Floor Uses
Retail and commercial activities or a combination thereof as permitted by 20.25D.070 that are required to be located on the ground floor. Ground floor uses shall be located as indicated in LUC Figure 20.25D.120.A.

SF
Square Feet

Tree Well
A tree planting area, generally within a paved surface area.

Work-Live
A building or tenant space where residential is a subordinate use. Employees and walk-in trade are permitted.