



DATE: June 2, 2016

TO: Planning Commission

FROM: Trish Byers, Code Development Manager 452-4241  
Development Services Department  
Terry Cullen, Comprehensive Planning Manager, 452-4070  
Planning and Community Development

SUBJECT: Land Use Code Amendment from Eastgate/I-90 Land Use and Transportation Project implementing the Citizen Advisory Committee's recommendations to create three new districts including a transit-oriented development district, an expanded version of Office and Limited Business and a Neighborhood Mixed Use district. Use tables, dimensional requirements, development standards and design guidelines will be adopted for each new district. The recommendation also includes rezoning other areas to districts that already exist. Some concomitant agreements will be repealed with the rezoning effort. File No. 12-132861AD

## **I. BACKGROUND**

### **A. Process.**

The Eastgate/I-90 Land Use and Transportation Project was initiated to evaluate land use and transportation conditions, policies and regulation in the corridor and to produce a plan that builds on the area's assets. These assets include accessibility, visibility, job diversity and the stability of nearby residential neighborhoods. The area is home to a number of Fortune 500 companies, Bellevue College, and the Eastgate Park and Ride. In addition, the Mountains to Sound Greenway runs through the corridor, which offers multi-modal transportation opportunities to those who live, work, and play in the area.

The Eastgate /I-90 Citizen Advisory Committee (CAC) went through a planning process from November 2010 through April 2012. That process included monthly meetings, several public open houses, online surveys, stakeholder interviews, presentations to interest groups and website updates. The Council provided guidance to the CAC in the 9 principles specific to the Eastgate / I-90 Land Use and Transportation Project Initiative. See Attachment B. Using the year 2030 as the planning horizon, the CAC created a plan to:

- Provide a more coherent identity for the area,
- Improve its economic vitality and character and
- Ensure that that area has adequate transportation infrastructure and services to meet changing community needs.

To implement the CAC's vision, amendments to Bellevue's Comprehensive Plan, Transportation Plan and Land Use Code would be required. The Comprehensive Plan Update in August 2015 included updates to the Eastgate Subarea Plan that reflected the CAC's recommendations. In addition, the Transportation Facilities Plan 2016-2027 and Capital Improvements Plan 2015-2021 were updated to reflect the recommendations necessary to address the CAC's

transportation concerns.<sup>1</sup> This Land Use Code Amendment is the third piece necessary for implementation of the CAC's vision.

After the conclusion of the CAC's work, the Eastgate Subarea Plan was amended to reflect the CAC's vision. The updated subarea plan has the following characteristics:

- It builds on the success of the corridor as a major employment center by adding capacity for additional office growth and allowing a greater mix of support retail and service uses.
- It establishes a mixed-use Transit-Oriented Development center around the transit center and south of Bellevue College. A substantial portion of the future office and residential growth in the corridor is expected to occur at this location.
- It increases opportunities for residential development in the corridor, to add vibrancy to the area, provide housing in proximity to Bellevue College and places of work, benefit from existing transit service, and support nearby retail uses.
- It seeks to enhance Bellevue College's visual presence and connections to the adjacent community.
- It promotes the Mountains-to-Sound Greenway by supporting the development of the Mountains-to-Sound Greenway trail through Bellevue and by incorporating sustainable design and abundant natural landscaping into the built environment.
- It identifies modest but effective motorized and non-motorized transportation improvements that may be accomplished through partnerships with other agencies.
- It supports increased floor area ratios and building heights throughout the corridor to meet demand for continued job and economic growth.

The Eastgate Draft Land Use Code Amendments are based on the CAC's recommendations and the Comprehensive Plan. Refer to Attachment A for the Eastgate Draft Land Use Code Amendments.

After the CAC completed its work and a final report had been written, the Planning Commission scheduled five meetings in 2015 to discuss the land use code amendments. The first meetings with the Planning Commission oriented them to the work of the CAC, and included a walking tour of the area chosen for the transit oriented development. In 2016, the Planning Commission held five meetings to consider considered the following topics as they related to three new districts: Permitted uses, dimensional requirements, development standards, and design guidelines. They also discussed some of the concomitant agreements<sup>2</sup> that would be removed by rezoning parcels.

A list of public comments received by the Planning Commission is provided in Attachment C.

## **B. Amendment Description**

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<sup>1</sup> A more detailed discussion of the transportation impacts can be found in the Planning Commission materials for March 23, 2016. <http://www.bellevuewa.gov/planning-commission-agendas-2016.htm>

<sup>2</sup> A concomitant agreement is a form of land use control that was applied prior to the authorization of the use of development agreements by the state legislature in 1995. By using a concomitant agreement, communities could condition development by applying property specific provisions at the time of zoning or rezoning. Development provisions within the agreement are applied to the property until the concomitant is amended or repealed.

The draft Eastgate Land Use Code Amendments are included in Attachment A. The amendments are organized under the three new districts that that are summarized below. They are the Eastgate Transit Oriented Development Land Use District (EG-TOD), the Office Limited Business District 2 Land Use District (OLB 2), and the Neighborhood Mixed Use Land Use District (NMU):

**1. Eastgate Transit Oriented Development Land Use District (EG-TOD).**

**a. Location.** The EG-TOD will be located between Bellevue College and Eastgate Way adjacent to the Eastgate Park and Ride. See Attachment D.

**b. CAC Recommendation.** The CAC recommended a transportation oriented development center with a mixture of office residential and retail uses, true integration of transit services, inviting pedestrian environment, and a strong relationship with Bellevue College. Any development over .5 Floor Area Ratio (FAR) should have ground floor retail, a master plan, substantial residential component and the provide public benefit. The CAC recommended a maximum 2.0 FAR and a building height of 10-12 stories.

**c. Description.** The purpose of the TOD District is to provide an area for a mix of housing, retail, office, and service uses, with an emphasis on housing. The district is limited in area so that there is an appropriate level of density nearest the highest levels of transit service.

**d. Uses.** (Attachment A, proposed LUC section 20.25P.030)

**Manufacturing.**

- Microbreweries would be allowed when combined with an eating and drinking establishment which constitutes a majority of the use.
- Textiles and Apparel Manufacturing would be allowed when combined with retail store which constitutes a majority of the use.

**Recreation, Culture, and Entertainment.**

- Most recreational uses would be permitted outright or with an Administrative Conditional Use Permit (ACUP), except that public assembly uses would be limited to 20,000 square feet.

**Residential.**

- Most residential uses would be allowed in this district. Group quarters such as dormitories would require a Conditional Use Permit (CUP).
- Transient Lodging such as youth hostels or the YMCA would require an ACUP.

**Resources.**

- Veterinary Clinic and Hospital would be allowed. Boarding and commercial kennels are allowed as subordinate uses. Their operating hours would be from 7 a.m. to 10 p.m.

**Services.**

- Child Day Care Center would be allowed.
- Auto washing and detailing within a garage would be allowed.
- Medical Clinics would be allowed.
- Pet Grooming and Day Care would be allowed.
- Primary and Secondary Education would require an ACUP.

**Transportation and Utilities.**

- Some uses would require a CUP such as Essential Public Facilities, Regional Utility Systems, and Electrical Utility Facilities.

**Wholesale and Retail.**

- Eating and Drinking Establishments would be allowed outright, but drive-in windows would not be allowed.
- Miscellaneous Retail Trade would be allowed but drive through facilities such as drive-through pharmacies would only be allowed in a structured parking area.
- Pet Shops would be allowed.

**e. Dimensional Requirements.** (Attachment A, proposed LUC section 20.25P.060)

- Façade Separation – 10 feet
- Front Setback – 0 feet
- Side/Rear Yard - 5 feet
- FAR - 2.0 (Up to 1.0 FAR excepted for Affordable Housing, Open Space, Public Restrooms, Special Dedications and Transfers)
- Maximum Building Height-160 ft. except 45 ft. maximum for parking structures
- Maximum Lot Coverage by Structures -75%<sup>3</sup>
- Maximum Impervious Surface -75%<sup>4</sup>

**f. Development Standards.** (Attachment A, proposed LUC section 20.25P.070-.090)

i. Landscaping

- The general landscaping requirements apply with respect to types of landscaping, species selection, and maintenance.
- Street trees/landscaping are proposed for the EG-TOD.
- Interior property line softened with landscaping.

ii. Fencing

- No sight obstruction.
- No barbed wire, electric or chain link (except construction or temporary use).

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<sup>3</sup> This percentage was modeled after BelRed, but will ultimately be aligned with the Low Impact Development project.

<sup>4</sup> This percentage was modeled after BelRed, but will ultimately be aligned with the Low Impact Development project.

iii. Parking

- Requirements are modeled after nodes in Bel-Red which are essentially transit-oriented development.
- Requirements are reduced from those in other parts of the City as recommended by CAC. The idea behind transit oriented development is to provide other transportation opportunities so that fewer cars and less parking is necessary.
- Parking requirements may be modified by the Director if the applicant provides a parking demand analysis.

iv. Bicycle parking

- 1 per 10,000 net square feet (nsf) of nonresidential uses over 20,000 nsf.
- 1 per 10 dwelling units.
- 50% of spaces must be covered.

**g. Design Guidelines.** (Attachment A, proposed LUC section 20.25P.100.)

i. Integrate the Natural Environment. Development should provide:

- Access to open space.
- Views of urban elements against green backdrop.
- Access points to MTS Greenway.
- Architectural elements that harmonize with natural surroundings.
- MTS access points and complementary open spaces.
- Green walls and roofs, rain gardens.
- Promotion of environmental sustainability.

ii. Enhance Pedestrian System. Development should:

- Pedestrian hill climb and plaza that connects EG-TOD and Bellevue College.
- Pedestrian routes that are safely integrated with streets.
- Pedestrian access connections shall be linked to public right of way, EG Park and Ride and all areas of EG-TOD.
- Walkways should be sufficiently wide, unobstructed, offer visibility, paved with high quality materials, and lit with pedestrian scale lighting.

iii. Establish and Strengthen Gateways. Development should provide:

- Architectural treatments in buildings adjacent to gateways.
- Free standing architectural elements.
- Signage, landscaping, and lighting to identify gateways.
- Markers or inlaid art in sidewalks.

iv. Create a Variety of Activated Outdoor Spaces. Development should provide:

- Walkways and courtyards should be incorporated into residential and office development.
- Courtyards and plazas should be adjacent to active ground floor uses.
- Public spaces should be defined with materials such as furniture pavers, colored concrete.

- Plantings and buildings can define the open space.
  - Easy access to outdoor spaces.
- v. Pedestrian Emphasis Guidelines. Development should provide:
- Building entrances that are accessible from the street level.
  - Transparent windows at street level.
  - Walls with visual interest through form and materials.
  - Selection and coordination of streetscape furnishing.
  - Signs and lighting at ground level at pedestrian scale.
- vi. Protect Pedestrians from the Elements. Development should provide continuous weather protection - metal canopies, marquees, canopies, awnings.
- vii. Integrate art. Development should:
- Incorporate art that relates to TOD characteristics.
  - Use art that emphasizes gateways.
  - Uses durable materials.
  - Ensures that the art will age well.
  - Uses art that is designed for the site and is functional or interactive.
- viii. Promote Architectural Compatibility.
- Architectural elements used at a scale and level of detailing proportionate to the size of the building.
  - Refuse/recycling receptacles should be inside the building.
- iv. Provide Interesting Building Massing.
- Long expanses of building frontage must be broken down vertically and vertically (about 50 feet for nonresidential uses).
  - Tripartite façade division- base, middle, and top should be used for buildings over 5 stories.
  - Vertical articulation of windows columns and bays.
  - Building massing should maximize solar access to publicly accessible open spaces.
- v. Create Attractive Building Silhouettes and Rooflines. Development should have:
- If visible from I-90, a distinctive silhouette to announce entry into Bellevue.
  - Vertical expression of important building functions.
  - Varied roof line heights.
  - Green roofs or rooftop terraces.
- vi. Foster Attractive Rooftops. Development should provide:
- Green roofs and rooftop terraces.
  - Reduce and treat stormwater runoff.

- Rooftop mechanical equipment should not be visible and should be full screened and integrated in the buildings architectural style.
- v. Promote Welcoming Residential Entries. Lobby entries and ground floor individual entries should provide:
- Weather protection.
  - Transparent doors windows or glazing (and transom windows or side lights).
  - Double or multiple doors.
  - Visibility and security.
- vi. Design Inviting Retail, Office and Commercial Entries
- Entries on street frontage and to each tenant space.
  - Doors with 50% window area or more.
  - Lighting that emphasizes entries.
  - Large café or restaurant doors that open to the street.
- vii. Activate and Emphasize Corners
- Primary building entrance at corner
  - Weather protection, special paving and lighting
- viii. Provide Inviting Ground Floor Retail and Commercial Windows
- Clear window glazing with visual access to activity.
  - Operable and transom windows.
- ix. Build Compatible Parking Structures and Surface Parking
- Structures should have habitable ground floor space if fronting on a local street.
  - Structures visible from I-90 should have green walls or other screening.
  - Surface parking should be located behind building.
  - Parking areas should be screened by landscaping.
- x. Lighting Guidelines. (For this guideline and the following two guidelines, please refer to Attachment A)
- xi. Integrate Building Lighting.
- xii. Sign Guidelines.

## **2. Office Limited Business 2 (OLB 2).**

**a. Location.** Parcels that will be rezoned to OLB 2 are located in three general areas: north of I-90 and east of 148<sup>th</sup> Ave. S.E., south of I-90 and east of Eastgate Plaza, and south of I-90 and west of 150<sup>th</sup> Ave. S.E. See Attachment D.

**b. CAC Recommendation.** The CAC recommendation focused on the I-90 Office Park which comprises the corridor's greatest concentration of office development and largest employment center. This district is has an expanded mix of retail and service uses from

Office and Limited Business to serve those who are employed in the area. The CAC recommended a maximum FAR of 1.0 and a maximum height of 4 to 6 stories.

**c. Description.** The purpose of the OLB 2 District is to provide an area of integrated complexes made up of offices, hotels, or motels, eating and drinking establishments, and retail sales within walking distance to support business and employees. The OLB 2 District has greater intensity and a larger mix of uses than the OLB District. Such districts are located in areas that abut and have convenient access to freeways, major highways, and transit. (Attachment A, proposed LUC section 20.10.285)

**d. Uses** (Attachment A, proposed LUC section 20.10.440)

**Manufacturing.**

- Microbreweries would be allowed when combined with an eating and drinking establishment which constitutes a majority of the use.
- Measuring, Analyzing and Controlling Instruments Manufacturing would be allowed when combined with retail store which constitutes a majority of the use.

**Recreation, Culture, and Entertainment.**

- Most recreational uses would be allowed except that public assembly uses would be limited to 20,000 square feet.

**Residential.**

- All residential uses would be permitted outright except for single family dwellings and nursing homes which would not be permitted.

**Resources.**

- Veterinary Clinics and Hospitals would be allowed and would be allowed to have boarding and commercial kennels as subordinate uses. They would be required to open to the public between 7 a.m. and 10 p.m.

**Services.**

- Finance Insurance, Personal Services, Child Day Care, Business Services, and Small Repair Services would all be allowed.
- Professional Services would be allowed.
- Pet Grooming and Pet Day Care would be allowed and boarding and commercial kennels would be allowed as a subordinate use.
- Some government services, secondary and primary educational uses would require an ACU.
- Religious Activities would be allowed.
- Social Service Providers would be allowed.

**Transportation and Utilities.**

- Utility Facility, Essential Public Facility, and Regional Utility Systems would require a CUP.
- Commercial Parking Lots would require a CUP and could only be located west of 142<sup>nd</sup> Ave. S.E.

**Wholesale and Retail.**

- Hardware, Variety, Food, Apparel and Furniture Stores would all be allowed.
- Retail auto, truck, RB and boat showrooms would be allowed through a development agreement. No outdoor storage of autos, trucks, boats and RVs would be allowed.
- Motorcycle sales would be allowed, however outdoor storage would not be permitted.
- Eating and Drinking Establishments would be allowed, but drive through windows would not be allowed.

**e. Dimensional Requirements.** (Attachment A, LUC section 20.20.010)

- Front Setback – 0
- FAR – 1.0
- Maximum Building Height (feet) – 75
- Maximum Lot Coverage by Structure – 40%<sup>5</sup>
- Maximum Impervious Surface – 80%<sup>6</sup>

**f. Development Standards.**

i. Landscaping (Attachment A, LUC 20.20.520) Perimeter landscaping is a Type III<sup>7</sup>, 10 foot wide landscape buffer applies on street frontage and interior property lines unless the Transitional Area Design District applies because the parcel is adjacent to a residential district. (See Attachment A, LUC Part 20.25B)

ii. All other Development Standards. Since the OLB 2 is a district that could be applied citywide, all of the other citywide development standards would apply including landscaping, parking, and circulation.

**g. Design Guidelines. (Attachment A, Part 20.25C LUC)**

i. Integrate the Natural Environment

- Protect and incorporate natural environments and connections.
- Maximize retention of existing vegetation
- Promote environmental sustainability in features such as LID, green walls, and green roofs.

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<sup>5</sup> This provision may change with the Low Impact Development Project.

<sup>6</sup> This percentage may decrease to 60% with the Low Impact Development Project.

<sup>7</sup> Type III landscaping is intended to provide visual separation of uses from streets, and visual separation of compatible uses so as to soften the appearance of streets, parking areas and building elevations. It is comprised of deciduous and evergreen trees and shrubs.

- ii. Promote Architectural Compatibility (with the quality and character of the area)
  - Architectural elements at a scale and level of detailing proportionate to building.
  - Elements should be sensitive to and enhance surrounding area.
  - Multi-site development should have a unity of design.
  - Fences, walls refuse and receptacles should be consistent with scale and architectural design of primary structure.
- iii. Promote Community Gathering
  - Incorporate outdoor gathering spaces near active ground floor uses.
  - Landscaping should defined spaces, walkways and amenities.
  - Incorporate public art.
- iv. Build Compatible Parking Structures and Lots
  - Surface parking located behind building.
  - Parking areas should be designed to minimize pedestrian/car conflicts.
  - Parking areas should be landscaped.
  - Parking areas along street or pathway must be screened.
  - Bicycle parking shall be provided.
- v. Design Welcoming Entries
  - Street frontage should have entries.
  - Entrances at frequent intervals for retail.
  - Weather protection.
  - Transparent doors.
  - Double or multiple doors.
  - Visibility and security.
  - Lighting that emphasizes entrances.
- iv. Promote Visually Interesting and Inviting Windows

### 3. Neighborhood Mixed Use (NMU).

**a. Location.** The parcels that will be rezoned NMU are located in or near Eastgate Plaza. See Attachment D.

**b. CAC Recommendation** Many different uses are encouraged including office, retail, eating and drinking establishments, general commercial, lodging and multi-family residential. All of these uses are to serve the surrounding neighborhoods. The vision for the district is to feature a highly visible and attractive multistory mixed use development with structured or inconspicuously located parking. The CAC recommended a maximum FAR of 1.0 with 4 to 6 stories if the surrounding single family residences can be protected from development impacts.

**c. Description.** The purpose of the NMU District is to provide an area with a mix of retail, service, office and residential uses with an emphasis on neighborhood retail and service uses. This district is designed to be compatible with nearby neighborhoods and is easily accessible from the nearby office and residential uses. (See Attachment A, proposed LUC section 20.10.350).

**d. Uses.**

**Manufacturing.**

- Microbreweries would be allowed when combined with an eating and drinking establishment which constitutes a majority of the use.
- Handcrafted Products Manufacturing would be allowed when combined with retail store which constitutes a majority of the use.

**Recreation, Culture, and Entertainment.**

- Most recreational uses would be allowed except that public assembly uses would be limited to 20,000 square feet.

**Residential.**

- Most residential uses are allowed except for single family residences.
- Group quarters such as dormitories would require a conditional use permit.
- Multi-family dwellings and senior citizen dwellings are allowed only if located on the second floor and above the permitted ground floor nonresidential use.

**Resources.**

- Veterinary Clinics and Hospitals would be allowed and would be allowed to have boarding and commercial kennels as subordinate uses. They would be required to open to the public between 7 a.m. and 10 p.m.

**Services.**

- Finance Insurance, Personal Services, Child Day Care, Business Services, and Small Repair Services would all be allowed.
- Professional Services would be allowed.
- Pet Grooming and Pet Day Care would be allowed and boarding and commercial kennels would be allowed as a subordinate use.
- Some government services, secondary and primary educational uses would require an ACUP.
- Religious Activities would be allowed.
- Social Service Providers would be allowed.

**Transportation and Utilities.**

- Utility Facility, Essential Public Facility, and Regional Utility Systems would require a CUP.
- Commercial Parking Lots and Garages would not be permitted.

**Wholesale and Retail.**

- Hardware, Variety, Food, Apparel and Furniture Stores would all be allowed.
- Eating and Drinking Establishments would be allowed, but drive through windows would not be allowed.

**e. Dimensional Requirements.** (See Attachment A, LUC section 20.10.010)

- Front Setback – 0
- FAR – 1.0 (up to 1.0 FAR is excepted for Affordable Housing)
- Maximum Building Height (feet) – 75
- Maximum Lot Coverage by Structure – 40%<sup>8</sup>
- Maximum Impervious Surface – 80%<sup>9</sup>

**f. Development Standards.**

i. Landscaping (Attachment A, LUC section 20.20.520). Perimeter landscaping is a Type III<sup>10</sup>, 10 foot wide landscape buffer on the street frontage and a Type III, 10 foot wide on interior property lines unless the Transitional Area Design District applies because the parcel is adjacent to a residential district. (See Attachment A, LUC Part 20.25B LUC)

ii. All other Development Standards. Since the NMU is a district that could be applied citywide, all of the other citywide development standards would apply including landscaping, parking, and circulation.

**g. Design Guidelines.** (Attachment A, LUC Part 20.25I LUC)

NMU is incorporated into the Community Retail Design District (CRDD). The CRDD already has building and site design guidelines and design standards. The proposed design guidelines are NMU-specific and are in addition to those applied to other districts in the CRDD.

i. Integrate the Natural Environment

- Orient open spaces and walkways around parks and open, natural spaces.
- Convenient access to open space.
- Access points to local and regional trails.
- Maximize retention of existing vegetation.
- Promote environmental sustainability in design features-green roofs, LID, green walls.

ii. Promote Community Gathering

- Incorporate outdoor gathering spaces near active ground floor uses.
- Landscaping should defined spaces, walkways and amenities.
- Incorporate public art.

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<sup>8</sup> This percentage may change to be aligned with the recommendations of the Low Impact Development Project.

<sup>9</sup> This percentage may decrease to 60% with the Low Impact Development Project.

<sup>10</sup> Type III landscaping is intended to provide visual separation of uses from streets, and visual separation of compatible uses so as to soften the appearance of streets, parking areas and building elevations. It is comprised of deciduous and evergreen trees and shrubs.

- iii. Build Compatible Parking Structures and Lots
  - Surface parking located behind building (see also design requirements for actual structure).
  - Parking areas should be designed to minimize pedestrian/car conflicts.
  - Parking areas should be landscaped.
  - Parking areas along street or pathway must be screened.
- iv. Enhance the Pedestrian System
  - Minimal curb cuts.
  - Safe convenient pleasant pedestrian connections to transit.
  - Traffic and emergency access and evacuation.
  - Direct walking routes.
  - Internal streets shall have street trees and sidewalks.
  - Weather protection of building walkway at entrances.
- v. Provide Interesting Building Massing
  - Break down long masses of building frontage both vertically and horizontally.
  - Buildings over 5 stories shall have vertically articulated tripartite façade division - base, middle and top
  - Vertical articulation of windows, columns and bays
- vi. Create Attractive Building Silhouettes and Rooflines
  - Visible from I-90 should have distinctive silhouette.
  - Incorporate a combination of:
    - Vertical expressions of important building functions.
    - Varied roof line heights.
    - Well detailed cornices.
- vii. Promote Welcoming Residential Entries
  - Ground related individual entries should have a clear transition from public realm.
  - Lobby entries to multi-family buildings should provide:
    - Weather protection at entries.
    - Transparent doors and windows.
    - Double or multiple doors
- viii. Promote Visually Interesting Upper Floor Residential Windows
- ix. Design Inviting Retail and Commercial Entries
  - Street frontage should include public entrances.
  - In retail areas with high-use pedestrian areas, entrances should be provided at least every 50 feet to generate pedestrian activity.
  - Doors with 50% window area or more.
  - Lighting that emphasizes entries.
  - Large café or restaurant doors that open to the street.

- x. Design Inviting Ground Floor Retail and Commercial Windows
  - Clear window glazing that provides visual access should be provided on ground floor facades.

## **II. REVIEW PROCESS**

The review process began with the CAC as discussed in the Background, Section I, above. The CAC completed its final report and the Eastgate land use code amendments were referred to the Planning Commission. The Planning Commission conducted a walking tour of the EG-TOD area on September 9, 2015. The Planning Commission also scheduled numerous study sessions to discuss the land use code amendments. The 2015 dates included: June 10, July 22, October 14 and December 9. The 2016 dates include: January 27, February 24, March 23, April 27, and May 25. The public hearing is scheduled to be held on June 22, 2016, after which the Planning Commission will hold a study session and make its recommendation to the City Council.

## **III. PUBLIC NOTICE**

Notice of the Application for the Land use Code Amendment and associated review pursuant to the State Environmental Policy Act (SEPA), was published on May 19, 2016. Notice of the public hearing was published on June 2, 2016 in the Weekly Permit Bulletin. Notice of the SEPA threshold determination is expected on June 9, 2016.

Pursuant to the Washington State Growth Management Act, state agencies must be given 60 days to review and comment on proposed amendments to the Land Use Code. A copy of the proposed amendment was provided to state agencies on June 2, 2016. City Council final action can be taken anytime on or after August 3, 2016.

The balance of this Staff Report analyzes the decision criteria in the Land Use Code that must be met to support adoption of a Land Use Code Amendment.

## **IV. DECISION CRITERIA**

LUC 20.30J.135 establishes the decision criteria for an application to amend the text of the Land Use Code. Those criteria, and the relationship of the proposal to them, are discussed below:

### **A. The amendment is consistent with the Comprehensive Plan; and**

The proposed amendments are supported by the following Comprehensive Plan policies:

**POLICY S-EG-1.** Focus Eastgate growth into a mixed use center adjacent to the Eastgate Transit Center with greater height and intensity than the surrounding area.

**POLICY S-EG-2.** Establish a pedestrian-oriented street that provides a community plaza and allows for connections between Bellevue College, the Eastgate Park and Ride, and the office, retail, and residential development in the transit-oriented development center.

**POLICY S-EG-3.** Encourage office and retail land uses that take advantage of freeway access, transit service, and non-motorized transportation alternatives without adversely impacting residential neighborhoods.

*Discussion: Intense office development can generate adverse traffic impacts and block residential views. Site design also can impact residential quality. To support this policy, office*

*and retail development should be well designed so that it is compatible with surrounding neighborhoods and be oriented around a multi-modal transportation system that reduces vehicular congestion and traffic impacts.*

**POLICY S-EG-4.** Encourage the integration of restaurants and other commercial uses that serve local workers into and adjacent to office development to enhance the mix of uses within walking distance of employment areas.

*Discussion: The reason for encouraging restaurants and other commercial services within office developments is to reduce vehicular traffic between the office parks and retail areas. Retail areas are intended to serve primarily local needs.*

**POLICY S-EG-10.** Multifamily housing may be appropriate to separate office and retail land uses from single-family neighborhoods or as a part of mixed use developments where there is close proximity to transit or neighborhood-serving commercial uses, with a special emphasis on meeting the housing needs of Bellevue College.

**POLICY S-EG-11.** Encourage more opportunities for affordable housing in the Subarea by maintaining and rehabilitating existing housing stock.

**POLICY S-EG-13.** Consider allowing a reduction in parking requirements where it is possible to do so because of proximity to transit.

**POLICY S-EG-14.** Improve safety, convenience, and access by ensuring that internal circulation systems are integrated with the street system to improve multimodal mobility within and between developments.

**POLICY S-EG-17.** Improve connectivity within the subarea for pedestrians and bicycles where opportunities exist by integrating land uses, improving roadway safety for all modes of travel, and linking commercial, office, parks, and public spaces with trails and pathways.

**POLICY S-EG-19.** Reinforce the area's location on the Mountains to Sound Greenway, accentuate Eastgate as a major entry into Bellevue, and emphasize the emerging urban character of the Eastgate I-90 corridor through the application of land use regulations, public amenity incentives, and design guidelines.

**POLICY S-EG-20.** Provide graceful edges and transitions between more intense development and existing residential land uses by maximizing the use of existing vegetation and topography to buffer and maintain compatibility between different land uses through land use regulations.

**POLICY S-EG-21.** Consider design review for commercial, office, and mixed use development that promotes pedestrian-friendly design, ensures quality and a sense of permanence, promotes environmental sustainability and creates a distinct identity.

**POLICY S-EG-22.** Preserve the view amenities of adjacent single-family neighborhoods as development and redevelopment occurs.

**POLICY S-EG-24.** Support the overall sustainability and green identity of the I-90 corridor consistent with the Mountains to Sound Greenway by including visibly recognizable natural

features in public and private development. Examples include, but are not limited to green walls, façade treatments, green roofs, retained native vegetation, and abundant natural landscaping,

**POLICY S-EG-25.** Diminish the effect of rooftop equipment on views from residential areas by requiring rooftop equipment to be low-profiled and screened to match the building's exterior color, building materials, and styles.

**POLICY S-EG-26.** Maintain the Subarea's predominantly treed skyline and encourage preservation of existing stands of trees and landscaping.

**POLICY S-EG-28.** Create community character in commercial, office, and mixed use development through the use of standards and incentives that support public art, street lighting, landscaping, distinctive building design, and pedestrian-oriented site design.

**POLICY S-EG-29.** Encourage the development of a dynamic public realm by integrating publicly accessible plazas, open spaces, and other gathering spaces within private development in commercial, office, and mixed use areas.

**POLICY S-EG-31.** Create and encourage an interconnected system of nonmotorized trails as a part of public and private development within the subarea that will link community amenities, provide recreational opportunities, and offer transportation benefits.

**POLICY S-EG-32.** Develop local connections to the Mountains to Sound Greenway through the subarea in order to enhance the trail as a local and regional recreational asset.

**POLICY S-EG-42.** Encourage a mixed use area between Bellevue College and I-90 into a walkable, transit-oriented center at the level of intensity needed to create a vibrant mix of offices, residences, and locally-serving shops and restaurants that are urban in character.

**POLICY S-EG-43.** Retain neighborhood-serving commercial uses through flexible zoning that allows a rich combination of neighborhood retail and services.

**Finding:** These code amendments will provide the necessary regulatory framework in the Land Use Code to implement the policies contained in the Eastgate Subarea Plan. Proposed Land Use Code amendments necessary to implement the CAC direction and the Subarea Plan policies are discussed in greater detail in Section I.B above.

**B. The amendment enhances the public health, safety or welfare; and**

**Finding:** The amendment will enhance the public health, safety, and welfare by ensuring that development in the Eastgate corridor includes appropriate permitted uses, dimensions, development standards and design guidelines. The Eastgate Land Use Code Amendment will enhance the health, safety, and welfare of the public by providing safe and pleasant places to live, work, and visit in Eastgate.

**C. The amendment is not contrary to the best interest of the citizens and property owners of the City of Bellevue.**

**Finding:** The amendment is consistent with the best interest of the citizens and property owners. It will allow for a variety of business and residential housing opportunities in the Eastgate/I-90 Corridor while preserving the quality and character of each Eastgate District with standards to help ensure that policy of the Comprehensive Plan is implemented through application of the LUC to new development and to redevelopment.

**V. STATE ENVIRONMENTAL POLICY ACT**

An optional Determination of Non-Significance (DNS) has been issued for this code amendment, and a DNS is expected to be issued on June 9, 2016.

**VI. RECOMMENDATION**

The requested Land Use Code Amendment included in Attachment A is consistent with the decision criteria required for adoption of a Land Use Code Amendment. Staff recommends that the Planning Commission hold a public hearing on the draft amendment, and following consideration of the testimony provided at the hearing transmit a recommendation approving all of the draft amendments.

**ATTACHMENTS**

- A. Eastgate Draft Land Use Code Amendments
- B. Council Principles for Eastgate / I-90 Corridor Project
- C. Public Comment
- D. Map of New Districts

## Attachment B

### Eastgate/I-90 Land Use and Transportation Project Council Principles

Approved by the Bellevue City Council on February 1, 2010.

The following Council Principles are intended to provide consistent direction over the course of this project. An over-arching consideration that cuts across all these Principles is the reality of fiscal constraints that limit the City's ability to fund major new infrastructure projects. To the extent that new infrastructure is needed to support potential land use changes, costs and ability to fund these improvements must be serious and early considerations.

1. Enhance the Eastgate corridor's economic vitality without degrading mobility in other parts of the City, and ensure that it continues to contribute to the diversity of the City's economic mix.
2. Retain and enhance neighborhood-oriented services and businesses, which are important to nearby residents of Bellevue and the adjacent Eastgate potential annexation area.
3. Improve linkages with Bellevue College, which may include land use and transportation strategies, as well as a variety of partnerships that benefit both the College and the City as a whole.
4. Better integrate land use and transportation across Eastgate, which may include consideration of transit-oriented development in portions of the area. Changes in land use should be informed by transportation opportunities and impacts. For example, the large Eastgate park and ride facility may create an opportunity for a transit overlay district, with well integrated land use and transportation performance.
5. Continue to evolve Eastgate's transportation infrastructure to a high performing, multi-modal system, including coordinating with service providers on increased transit service to the area.
6. Increase connectivity across the Eastgate corridor, addressing the area's numerous barriers such as its limited street and non-motorized (both pedestrian and bicycle) network, and stand-alone developments.
7. Model environmental sustainability in planning for Eastgate's future, so that future plans for the area produce measurable environmental benefits.
8. Improve the Eastgate Corridor's urban design quality and coherence, recognizing the area as a major City gateway and prominent location on the Mountain to Sound Greenway.
9. Work to improve the performance of state facilities in the area – I-90 and its access points—which today create major issues for the City's land use and arterial system.

## Attachment C

Planning Commission 2015 Eastgate Public Comment

Thank you so much Erika for your response! I will support this proposal, and appreciate for your hard work!

Best Regards  
JD Yu

On Thu, Feb 11, 2016 at 11:14 AM, <[ERhett@bellevuewa.gov](mailto:ERhett@bellevuewa.gov)> wrote:

Mr. Yu,

Thank you for your question. In the proposed zoning regulations Marijuana retail outlets would not be permitted in the new Neighborhood Mixed Use district. This is the new zoning district proposed for the Eastgate Plaza Shopping Center and nearby commercial area.

I have attached the latest proposal for uses in the Eastgate corridor. If you scan to page 16 of the attachment it shows a blank in the chart next to Marijuana Retail Outlets. The blank on the chart means not permitted.

**Erika Rhett, AICP**

Senior Planner

City of Bellevue

[425-452-2898](tel:425-452-2898)

**From:** Jingdong Yu [mailto:[jingdong.yu@gmail.com](mailto:jingdong.yu@gmail.com)]  
**Sent:** Tuesday, February 09, 2016 4:28 PM  
**To:** PlanningCommission <[PlanningCommission@bellevuewa.gov](mailto:PlanningCommission@bellevuewa.gov)>  
**Cc:** Rhett, Erika <[ERhett@bellevuewa.gov](mailto:ERhett@bellevuewa.gov)>  
**Subject:** inquiry about Eastgate/I-90 Land Use & Transportation Project

Dear Bellevue Planning Commissioners,

My name is JD Yu, a resident at Somerset. Recently I got a chance to know about this project of Eastgate/I-90 Land Use & Transportation. I am glad to know that there will be more business opportunities to be introduced in this area, which will benefit local economy and enhance services for the people living around. Meanwhile I have some concern about the details of new eased land use code, whether it would allow marijuana stores in those area? There are some parks, schools, and day cares around Eastgate area, and we have kids activities too, and my concern is about allowing marijuana

stores under new code will have negative impact on the kids. Would you please let me know if the project is related to my concern?

Best Regards!

JD Yu

4501 138th Ave SE

Bellevue, WA 98006

February 24, 2016

Members of the Planning Commission,

My name is Carrie Blanton and I was an appointed member of the CAC on the Eastgate/I-90 Land use and transportation project. I was selected because of my role as the Real Estate Director for the Honda Auto Center of Bellevue and the office building next door and to the west, called Newport Heights. This office building is the place of business for 5 local companies including UW Medicine Factoria Medical and Urgent Care Clinic.

As you know, over the course of 18 months, we spent many hours deliberating and providing input on the final plans for the Mountains to Sound Greenway Trail (“Trail Project”).

There were a few alternate routes for the proposed Trail Project extension through Bellevue. The Honda Auto Center of Bellevue, and the Courter Family who own this parcel and the Newport Heights building, were reluctant to support the current plan because of concerns about how the trail would very likely compromise the visibility of the dealership from the freeway and along SE 36<sup>th</sup> and the increased traffic on SE 36<sup>th</sup> with the introduction of the landscape islands that reduce channeling of cars turning into office buildings and businesses along SE 36<sup>th</sup>. The Trail Project proposal has already interfered with our ability to get inventory to the dealership by restricting our ability to load and unload vehicles along SE 36<sup>th</sup>. At this study, we were assured by Dan Stroh and Fran Lowenhertz that the City would listen to our concerns and work with us.

We have attended several open houses and have been in contact with the Project manager of the Trail Project for the City, Chris Masek. I have attached a copy of a letter we sent to him in December 2015 voicing our concerns with the current design. We want the Planning Commission to know that we generally support the trail link, but not at the expense of the businesses in the area. We ask that you look to reduce the density and height of the current proposed landscaping along the freeway and in the landscape islands to allow for visibility to the businesses and pedestrians. We have seen this done beautifully in downtown Kirkland and along 85<sup>th</sup> street corridor and other cities in the

Thank you for considering our comments,  
Sincerely,  
Carrie C. Blanton  
Real Estate Director  
Courter Corporate Group  
13231 SE 36<sup>th</sup> Street Suite 200  
Bellevue WA 98027  
425-373-5562  
carrieb@courtergroup.com

SENT VIA US MAIL & EMAIL TO:  
[cmasek@bellevuewa.gov](mailto:cmasek@bellevuewa.gov)

Chris Masek  
City of Bellevue Transportation  
4501 110<sup>th</sup> Avenue NE  
PO Box 912  
Bellevue, WA 98009

**Re: Mountains to Sound Greenway Trail**

Dear Chris:

In November 2010, the City of Bellevue asked me to participate in the Eastgate/I-90 land use transportation project citizen committee. Many topics were discussed over my time serving on the committee, including the Mountains to Sound Greenway Trail ("Trail"). I was asked to represent the interest of the automobile dealers and the Courter family with respect to the issues presented to the citizen committee.

We felt confident at that time that the City appreciated how important automobile dealers are to the economic vitality of the City. However, recent dealings with the City have caused us to question whether the City does indeed value our business. It is critical that the City balance the decisions to participate in the Trail extension with the interests of business owners.

The primary concerns that the Courter family have with the Trail are how the Trail might compromise the visibility of the dealership from the freeway and SE 36<sup>th</sup> Street as well as interfering with the ability to get our inventory to our location by eliminating the ability to load and unload vehicles along SE36th.

When the initial proposed location for the Trail extension was presented to us and the citizens committee for approvals, we expressed our concerns with the plan. Many at the City, including Dan Stroh, Michael Bergstrom and Frank Loewenherz listened to and appeared at the time to validate our concerns. They assured us the City did not want to see this design jeopardize our business. However, the current Trail plan is, in fact, compromising how we conduct business.

The current landscaping plan calls for large trees with a height of 14 feet or taller and an increase in density of vegetation. We do not know why the trees have to be so tall and close together in this urban area of the trail. We also have informed the City that we do not believe WSDOT will maintain plantings within the trail and/or median and we asked the City to allow us the opportunity to maintain this vegetation.

In addition, there is now a bike trail on the south side of SE 36<sup>th</sup> which further compromises our ability to conduct business. With the landscape island buffer a part of the Trail and this bike lane, we are being squeezed. We have been recently informed by your Transportation Department that the right of way permit to load and unload cars that we have had for many years may not be renewed. This is a major concern we have with Trail plan. It is not reasonable for the City to impose not one, but two bike trials on our frontage and then ask our dealership to bear the full consequence of these decisions.

We look forward to continuing our discussions and working with the City to agree upon a final design that is in the best interest of all stakeholders.

Very truly yours,

Carrie Blanton

cc: Liz G. Gibon (KPG Design) via email at liz@kpg.com  
Brad Miyake, City Manager  
450 110<sup>th</sup> Avenue NE  
P.O. Box 90012  
Bellevue, WA 98009

*Terry Me. Eastgate - Kate*  
*FYI*

*Copies To:*  
*B. Mizack*  
*K. Carrens*  
*C. Salomone*  
*M. Brennan*

*Dropped off at Service First desk*

**To:** Bellevue Mayor John Stokes

**From:** Todd R. Woosley, Hal Woosley Properties, Inc. *T.R.W.*  
Representing Trailer Inns Eastgate RV Park

**Date:** March 21, 2016

**Re:** Eastgate/I-90 Neighborhood Mixed Use Multi-Family Development

**RECEIVED**  
MAR 22 2016  
CITY COUNCIL

Thank you for taking the time to meet with me to discuss the potential for multifamily development in the Eastgate/I-90 Corridor. I appreciate your interest in an updated Land Use Code that would support the type of new apartment homes that are most feasible for the area. In particular, we would like zoning in the new Neighborhood Mixed Use (NMU) district that allows for six story residential buildings at a 2.5 Floor Area Ratio (FAR).

This density would allow for a high quality project that could deliver both private and public benefits. In addition to providing a significant increase in Bellevue's overall housing supply, apartments built at the requested FAR have the potential to provide public benefits beyond creating a nice new place to live for Bellevue's growing population. Some of these benefits could include affordable housing units, public open space, bicycle and pedestrian connectivity between neighborhoods and the Mountain To Sound Greenway, support for the neighborhood's retail stores, and/or a contribution to area parks.

For your information, please find attached a Conceptual Design Study illustrating how such an apartment project could look on the Trailer Inns Eastgate RV park site.

The owners and potential purchasers of the Trailer Inns Eastgate RV Park are all very encouraged by the Planning Commission's interest in allowing a FAR of up to 2.5 for multifamily housing in the Eastgate/I-90 Corridor's new Neighborhood Mixed Use (NMU) zoning district.

Also, a very good comparable example of how the proposed development could look can be found right here in Bellevue. The brand new LIV BelRed Apartments, located at 2170 N.E. Bel-Red Road, were recently built to nearly the same FAR (~2.25).

Please let me know if you would like a private tour of LIV BelRed. I would be happy to arrange it at your convenience.

For your information, Bellevue's code incentives encouraged the inclusion of several affordable housing units at LIV BelRed. Unfortunately, other incentives proved to be unfeasible, negating the potential for further public benefits in exchange for maximizing the allowed FAR in that project's zoning district. Hopefully, the incentives for the Eastgate/I-90 NMU zoning district will work better.

5.16.16 Response to NOA

Please include us in the mailing list for Eastgate Land Use Code Amendment decisions, activities public meetings and all venues applicable.

Comments: The residents that reside in this neighborhood are obviously directly impacted by all development within this region. Motor vehicle traffic is an absolute ridiculous nightmare; peak hours for commuting at the metered area require typical 20-25 minutes to merge onto I-90 westbound, and that's on a clear day. Impossible to merge from I-90 to I-405 at any given time. Double the time in our seasonable rainy days. To consider the massive influx of what is being proposed for this area, including retail, business, etc., maximize empty office areas and redesign areas for retail (i.e., Eastgate Business Park), without the necessary EIS and traffic mitigation studies, is irresponsible but not unusual for the city in order to justify a greater tax base. The impacts of what is being proposed is not supported by the majority of residential homeowners in this area. Can you please provide the names associated with this Eastgate Advisory Board? They are ill-advised thinking there is majority support enacting this proposed land use amendment. We do not want a sub area of what a monstrosity downtown Bellevue has become as the city has mandated with "proposed" land use code amendments...it's an atrocity to all surrounding communities. Once the current buildout for retail and housing is occupied, that's when everyone will complain as waiting time at stop lights and trips generated per hour will impact every citizen within and surrounding outlying communities. We've noticed there has been no visible or published traffic studies (or mitigation for that fact) for new development to address the impacts of increased traffic generated on the existing infrastructure. Unknown to us is whether monies to be paid by the developer is secured for future LID; and that money is to be appropriated for its intended use within what time frame?

Again, Please provide the membership roster or notice of public meeting when or where this proposal was or is to be brought before the Eastgate/Factoria/Newcastle communities. We bet that hasn't been a consideration as yet for those sub areas; as they also will be directly impacted and most likely will not support this endeavor. This proposed land use amendment is not in our best interest as Eastgate residents, nor the other aforementioned communities.

Linda and Dan Belliveau

For email:

[linda@lakestreetstudios.com](mailto:linda@lakestreetstudios.com)

For postal delivery, address is:

Dan and Linda Belliveau  
3273-163rd Place SE  
Bellevue, WA

Appendix D Map of New Districts

