



City of Bellevue Development Services Department Land Use Staff Report

Proposal Name: **100 Bellevue**

Proposal Address: 100 Bellevue Way SE

Proposal Description: Land Use approval for a site-specific rezone of a .87 acre parcel from a split-zoned Downtown Multi-Use (DT-MU) zone and Office (O) zone to a single DT-MU zone over the entire parcel.

File Number: **21-100101-LQ**

Applicant: Jon O'Hare, PCNW

Decision: Process III - Rezone

Planner: Mark C. Brennan, Associate Planner

State Environmental Policy Act
Threshold Determination

Current proposal is within same scope as the previously approved Comprehensive Plan Amendment (file #20-102643-AC) and is therefore relying upon the final SEPA Threshold DNS issued on October 8, 2020, consistent with WAC 197-11-600(4)(a).

Director's Recommendation: **Approval with Conditions**
Michael A. Brennan, Director
Development Services Department

By: Elizabeth Stead
Elizabeth Stead, Land Use Director

Application Date: January 5, 2021
Notice of Application: February 11, 2021
Public Meeting: March 3, 2021
Notice of Recommendation: April 29, 2021
Hearing Examiner's Hearing Date: May 20, 2021
Hearing Examiner's Appeal Deadline: June 3, 2021
City Council Date: To be determined

For information on how to participate in a public hearing, visit the City Hearing Examiner's office webpage at: <https://bellevuewa.gov/city-government/departments/city-clerks-office/hearing-examiners-Office> or call 425-452-6934

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ATTACHMENTS:

Ordinance 6558

Approved Downtown Subarea Map

I. REQUEST, BACKGROUND, AND PROCESS

A. Request

The applicant is requesting Land Use approval for a site-specific rezone of the 38,041 SF (.87 acre) parcel at 100 Bellevue Way. The site currently is split-zoned between a Downtown Multi-Use (DT-MU) land use district on the north portion of the site (approximately 24,327 SF) and an Office (O) land use district on the south portion of the site (approximately 13,714 SF). The proposal would rezone the Office portion of the site to the DT-MU land use district, resulting in a single designation of DT-MU over the entire site

B. Background

On December 14, 2020, the City Council approved a Comprehensive Plan Amendment (file #20-102643-AC) to change the land use designation of the site from a split Office (O) and Downtown Multi-Use (DNTN-MU) to a single DNTN-MU designation over the entire subject property, making the proposed rezone possible. Through the approved Comprehensive Plan Amendment, the southern boundary of the of the DNTN-MU was updated to make the entire boundary of the subject parcel part of the Downtown Subarea. This rezone is proposed for consistency with the adopted Comprehensive Plan Amendment designation and to enable potential future development on the property to be reviewed under a single DT-MU land use district.

C. Process

Rezoning is subject to a Process III review procedure (Land Use Code 20.35.300) that requires a quasi-judicial decision made by the City Council. The Director makes a recommendation to the Hearing Examiner for approval, approval with conditions, or denial based on the applicable Land Use Code decision criteria. This Staff Report contains the Director's recommendation to the Hearing Examiner concerning this rezone proposal and the compliance with rezone decision criteria is discussed in Section VII of this report.

The Hearing Examiner holds a public hearing and takes testimony from the public on the proposal. Following the public hearing, the Hearing Examiner recommends to the City Council approval, approval with conditions, or denial based on whether the proposal complies with the applicable decision criteria by a preponderance of the evidence. The City Council will then make a final decision based on the record established by the Hearing Examiner.

Approval of this rezone does not constitute an approval of any Land Use Entitlement review, or any other ancillary permits that may be required for the design and construction of any proposed development or improvements on the rezone site. **Refer to Condition of Approval regarding Rezone Authority in Section X of this report.**

II. SITE DESCRIPTION, CONTEXT AND ZONING

A. Site Description

The subject property is approximately 0.87 acres (38,041 SF) and is within the Downtown Subarea. The site is located along the east side of Bellevue Way to the south of its intersection with Main Street (refer to **Figure 1 - Vicinity Map/Aerial Map** below)

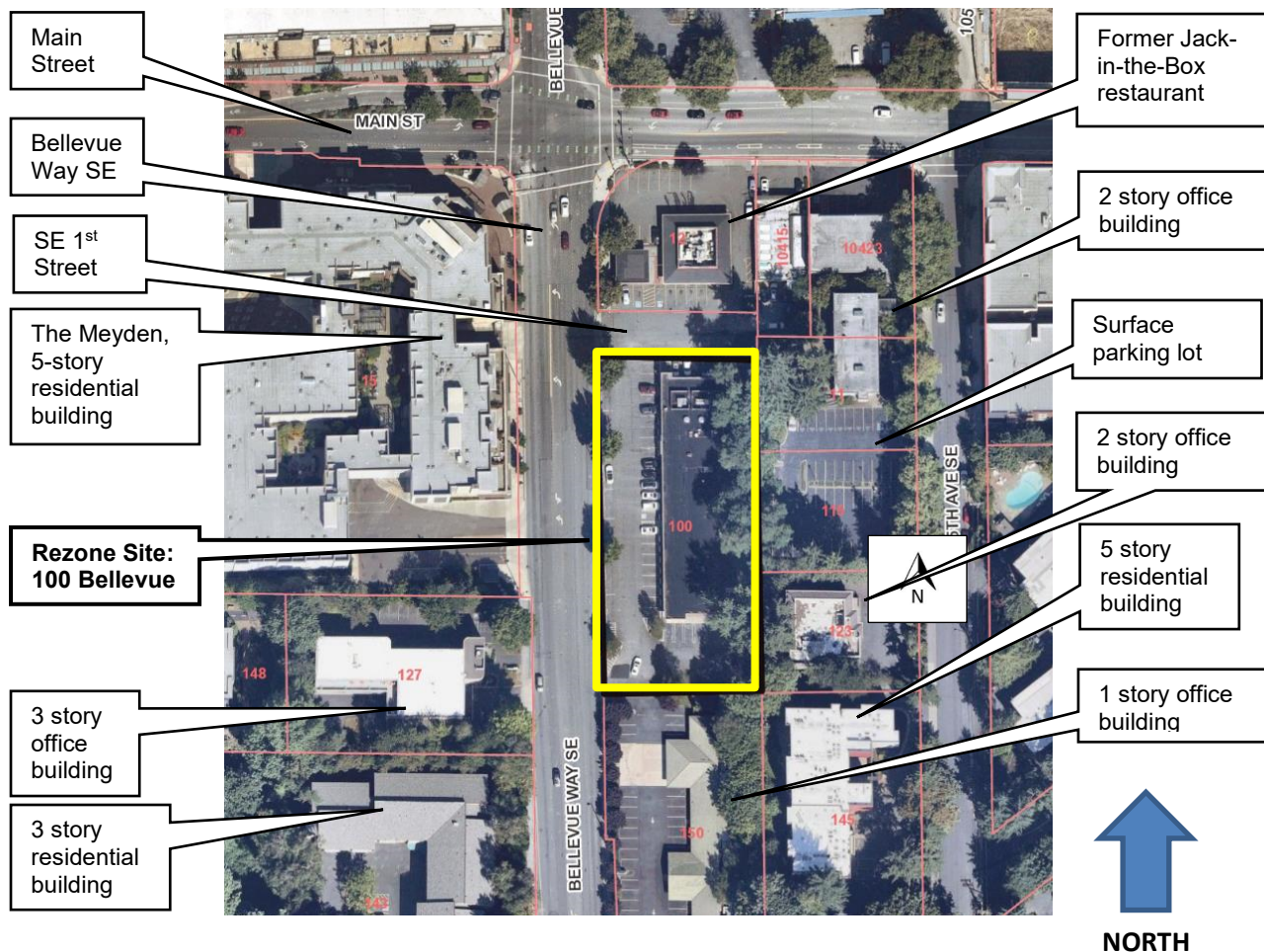
Access to the site will continue to be provided from two curb-cuts along Bellevue Way SE - - off a short section of ROW (SE 1st Street) to the north of the site and along the south property line, a shared driveway with the adjoining property to the south, for which the southernmost 20' of the site is within an existing 40' wide ingress/egress easement.

Currently the site is developed with a 1 story commercial building (a retail strip mall) and a surface parking along the site's west property boundary adjoining Bellevue Way SE. The elevation along the east edge of the site is several feet higher than rest of the property and is vegetated with trees and shrubs behind a retaining wall.

Context

Low-scale office buildings and a surface parking lot border the property to the east. To the north the property is bordered with the former Jack-in-the-Box restaurant and with a small section of ROW (SE 1st Street) that provides access to the subject site and to parking for a veterinarian office to the northeast. To the west, across Bellevue Way, the site is bordered with multi-family residential development and a small office building. The site is bordered with a 1 story commercial office building to the south, with which it shares the access driveway discussed above

Figure 1 – Vicinity Map/Aerial Map



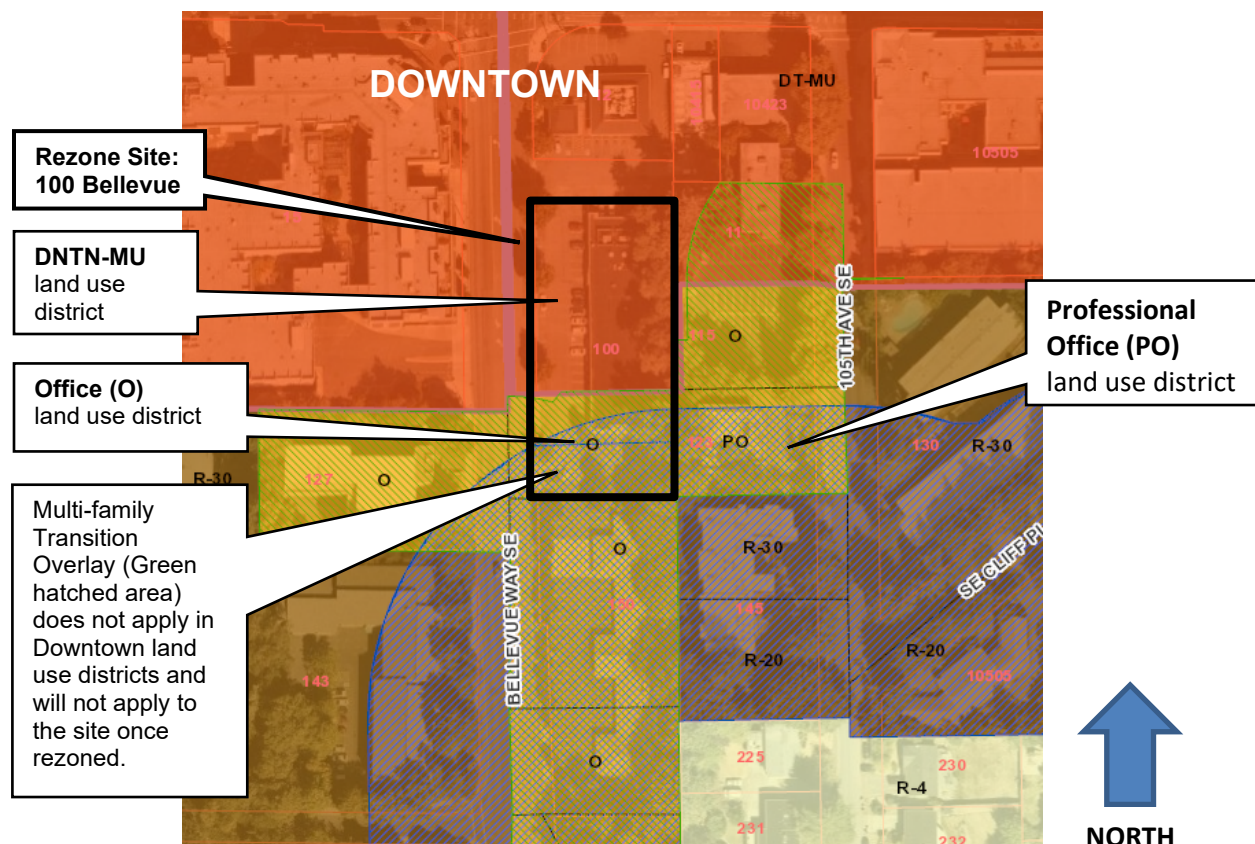
B. Zoning and Land Use

The site is currently split between a Downtown Multi-Use (DNTN-MU) land use district on the north and an Office (O) district on the south as shown on **Figure 2-Existing Zoning Map** below.

Surrounding zoning and land uses are:

- North: DT-MU –fast food restaurant use (formerly Jack-in-the-Box)
- East:
 - north: DT-MU – surface parking lot
 - middle: Office (O) – surface parking lot
 - south: Professional Office (PO) – office use
- South: Office (O) office use
- West:
 - north: DT-MU – multi-family residential use (The Meyden)
 - south: Office (O) – office use

Figure 2 – Existing Zoning Map



C. Comprehensive Plan Amendment Approval Process

This property received a Comprehensive Plan designation change from a split Office (O) and Downtown Multi-Use (DNTN-MU) to a single DNTN-MU designation in December, 2020.

- The Notice of Application for the 100 Bellevue Way Comprehensive Plan Amendment (20-102643-AC) was published in the Weekly Permit Bulletin on February 21, 2020.
- Notice of the Public Hearing before the Planning Commission was published in the Weekly

Permit Bulletin on June 18, 2020.

- A public hearing before the Planning Commission was held on July 8, 2020.
- Notice of Final Review Public Hearing, Staff Recommendation, and SEPA Determination was published on October 8, 2020.
- The Planning Commission completed its recommendation to the City Council at the Commission's meeting of October 28, 2020.
- On December 14, 2020, the City Council adopted the proposed amendment to the Comprehensive Plan (Ordinance 6558) attached to this staff report.

III. CONSISTENCY WITH LAND USE CODE/ ZONING REQUIREMENTS

A. General Provisions of Land Use Code

1. General Dimensional Requirements

While no redevelopment is proposed or approved under this rezone application, the site was reviewed for conformance with the general provisions of the Land Use Code. A general listing of applicable Land Use Code elements, most footnotes not included, for Office (existing) and Downtown Multi-Use - Perimeter A-2 (existing and proposed) is provided below:

Zoning	Office (existing)	Downtown Multi-Use Perimeter A-2 (existing & proposed)	Comments
ITEM	REQUIRED/ ALLOWED	REQUIRED/ ALLOWED	
Minimum Lot Area	No minimum	No minimum	
Minimum Setback of Structures	Front – 30' Rear – 25' Side – 20' 2 Sides – 40'	Front – 0 Rear – 0/20' Side – 0/20' 2 Sides – 0	20' minimum setback from Downtown boundary per LUC 20.25A.110
Floor Area Ratio	.5 for non-Downtown Office	Nonresidential Base/Max: 1.0/1.0 Residential Base/Max: 3.25/3.5	Maximum permitted FAR may only be achieved by participation in FAR Amenity Incentive System in LUC 20.25A.070
Dwelling Units per Acre	20	N/A	
Maximum Building Height	30 ' may be increased 1 story, not to exceed 15 feet, w/ basement parking	Nonresidential: 40'/(60' w/mechanical) Residential: 70'/(90' w/mechanical). Trigger for additional height: 55'	Refer to LUC 20.25A.075 for additional requirements when exceeding the trigger for additional height.
Lot Coverage	35%	75%	
Maximum Impervious Surface	60%	N/A	

Maximum Hard Surface Coverage	85%	N/A	
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2. Transition Area Dimensional Requirements:

As shown in the table above, there are differences in the dimensional standards between the existing split zoning districts of Office (O) and the existing (and proposed) Downtown Multi-Use (DT-MU). In addition, the portion of the property in the existing Office (O) zoning district within 150 feet of the R-30 multi-family zoning district to the southeast is subject to the requirements of the Transition Area Design District Standards, unless developed with a legally permitted nonresidential use. Development within the DT-MU land use district is **not** subject to Transition Area Design District requirements. A general listing of applicable Transition Area Design District development standards, footnotes not included, for Office (existing) is provided below:

Zoning	Office (existing)
ITEM	REQUIRED/ALLOWED
Maximum Building Height w/out Bonuses	30'
Maximum Building Height w/ Bonus Limitation	40'
Setback from Property Line of District Receiving Transition	30'

IV. TECHNICAL REVIEW

A. Utility Department

Water:

No impacts are expected. Project/development related impacts would be reviewed and mitigated during any project-specific review of entitlements and/or construction permits.

Sewer:

There are two existing sewer mains within Bellevue Way SE, and both have known capacity issues downstream of the site. Assuming maximum density, the additional peak flow could exacerbate this downstream capacity issue. Utilities has flow monitoring data for the 15-inch pipe along the east side of Bellevue Way SE that shows unknown daily surges, and video inspections that indicate debris build-up and grease along the crown of this pipe that may cause backwater conditions in front of this parcel. Further analysis of both sewer systems within Bellevue Way SE will be required by a future development to determine the ideal connection location, and if upsizing or mitigation is needed based on the specific development/proposal.

Drainage:

The parcel is within the Meydenbauer Creek drainage basin and is bisected by the "No Detention Zone" (NDZ) special flow control district. However, this parcel drains directly to Meydenbauer Creek and not the high flow bypass as initially envisioned and should not be mapped within the NDZ. This site is very close to an area where there are known bank stability issues on downgradient private property. Utilities will likely require conventional stormwater controls from any redevelopment on this property as mitigation to avoid exacerbating any

significant adverse impacts to downgradient properties. Any other project/development related impacts would also be mitigated at that time.

B. Transportation Department

The applicant is proposing to rezone this property from Office (O) to Downtown-Mixed-Use (DT-MU). This may result in a few additional vehicle trips generated when the site is re-developed but is not expected to result in a significant traffic or transportation impact. The transportation review of any specific development proposal will include the incremental impacts of the rezone, and any mitigation required for the development proposal will mitigate potential rezone impacts as well.

V. STATE ENVIRONMENTAL POLICY ACT

A non-project SEPA final Determination of Non-Significance (DNS) was previously issued for the Comprehensive Plan Amendment (CPA) on the site; file #20-102643-AC on October 8, 2020. The current rezone proposal is the same proposal as was previously evaluated; there is no new information, regulatory changes, or changes to the proposal that would necessitate additional review of potential environmental impacts. Therefore, the SEPA determination for the CPA is being adopted consistent with WAC 197-11-600(4)(a). A project-level environmental review will be completed for review of development applications on the site.

VI. PUBLIC NOTICE AND COMMENT

Application Date:	January 5, 2021
Notice of Application:	February 11, 2021
Minimum Comment Period:	February 25, 2021
Public Meeting:	March 3, 2021

The rezone application was noticed on February 11, 2021; published in the City of Bellevue's Weekly Permit Bulletin and mailed to taxpayers and occupants within 500 feet of the project site. Two (2) two-sided Public Information Signs were installed along Bellevue Way SE on the same date. The Notice of Application included notice of a Public Meeting which was held at 6 PM on March 3, 2021 via Zoom. There were no attendees at the public at the meeting other than the applicant's team. No public written comments have been received regarding this project and there are no Parties of Record.

VII. CHANGES TO THE PROPOSAL DUE TO STAFF REVIEW

No substantive changes have been requested for this proposal. The rezone is being processed to ensure consistency between the Land Use designation in the previous approved Comprehensive Plan Amendment (Ordinance 6558) and the zoning applicable to the project. The applicant did revise the Site Plan to include only pertinent information for the proposed Rezone and to align the Legal Description as shown thereon with the Legal Description submitted with the Title Report.

VIII. DECISION CRITERIA

A. Pursuant to LUC 20.30A.140, the City may approve, or approve with modifications, an application for a rezone of property if:

1. The rezone is consistent with the Comprehensive Plan:

The proposed rezone is consistent with the following Land Use and Downtown policies:

Policy LU-1: Promote a clear strategy for focusing the city's growth and development as follows:

- 1. Direct most of the city's growth to the Downtown regional growth center and to other areas designated for compact, mixed use development served by a full range of transportation options.*
- 2. Enhance the health and vitality of existing single family and multifamily residential neighborhoods.*
- 3. Continue to provide for commercial uses and development that serve community needs.*

Finding: The proposed rezone will allow the construction of high-quality mixed-use development in the Downtown Subarea where the proximity to services and transit are suited for this type of development.

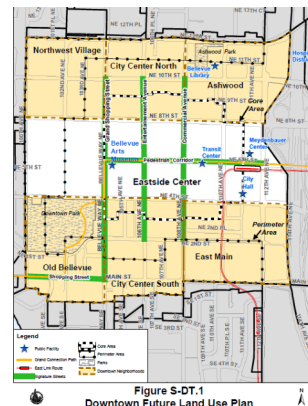
Policy LU-4: Support a land use vision that is consistent with the GMA goals, the regional Vision 2040, and the King County Countywide Planning Policies.

Policy LU-20: Support Downtown's development as a regional growth center, with the density, mix of uses and amenities, and infrastructure that maintain it as the financial, retail, transportation, and business hub of the Eastside.

Finding: This rezone is warranted to achieve consistency with the Comprehensive Plan and the GMA. In December 2020 the City Council amended the Comprehensive Plan designation and the Downtown boundary to provide a more regular boundary and to amend split-zoned parcels. The GMA urban growth planning goals encourage development in urban areas such as Downtown Bellevue, where adequate public facilities and services exist or can be provided in an efficient manner.

Policy S-DT-4: The highest intensity development shall be located in the core of Downtown, with diminishing intensities towards the edges of Downtown (see Figure S-DT.1 for delineation of Core Area and Perimeter Area).

Finding: The rezone will assure consistent perimeter densities and will provide an opportunity to have appropriately scaled transitional development along Bellevue Way SE.



2. The rezone bears a substantial relation to the public health, safety, or welfare.

Finding: The rezone proposal promotes the health, safety, and welfare of the public by encouraging the provision of mixed-use development over the entire site. The Downtown area has seen significant recent development and there is capacity within the existing transportation network, the utility system, and other public services such as fire and police to accommodate the scale of development this rezone will support.

3. The rezone is warranted in order to achieve consistency with the Comprehensive Plan or because of a need for additional property in the proposed land use district classification or because the proposed zoning classification is appropriate for reasonable development of the

subject property.

Finding: The proposed rezone is warranted to achieve consistency with the 100 Bellevue Comprehensive Plan land use designation of DT-MU and associated policies. The proposed rezone will align the entire 100 Bellevue property to an appropriate land use district designation (DT-MU) which will allow for reasonable development and improvements on the 100 Bellevue property.

4. *The rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject property.*

Finding: Development of the entire property under the proposed Downtown Mixed Use zoning will be consistent and compatible with the surrounding neighborhood and will achieve a number of the city's goals and policies as described above in this report.

5. *The rezone has merit and value for the community as a whole.*

Finding: Forecasts predict that Bellevue will continue to attract new residents and jobs and consequently result in an increased need for mixed-use buildings of a scale the proposed rezone will support. The rezone will facilitate compatible redevelopment of the entire 100 Bellevue property with a potential residential component at a higher level of intensity than would be allowed under the current split DT-MU and Office zoning on the site.

IX. RECOMMENDATION

After conducting the various administrative reviews associated with the proposal, including applicable Land Use consistency, and City Code & Standard compliance reviews, the Director does hereby recommend **APPROVAL WITH CONDITIONS** of the 100 Bellevue rezone proposal.

X. RECOMMENDED CONDITION OF APPROVAL

1. Rezone Authority

Approval of this rezone does not constitute an approval of any Land Use Entitlement review, or any other ancillary permits that may be required for the design and construction of any proposed development or improvements on the rezone site.

AUTHORITY: LUC 20.30A

REVIEWER: Mark C. Brennan, Land Use

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6558

AN ORDINANCE adopting the 100 Bellevue Way SE (20-102643 AC) 2020 amendment to the Comprehensive Plan of the City of Bellevue pursuant to the Growth Management Act, Chapter 36.70A RCW, and Chapter 35A.63 RCW; and establishing an effective date.

WHEREAS, the City Council adopted the Comprehensive Plan of the City of Bellevue on December 6, 1993, as required by the Growth Management Act of 1990, as amended, and also adopted the Comprehensive Plan pursuant to Chapter 35A.63 RCW; and

WHEREAS, the Growth Management Act authorizes the City to, among other things, amend the Comprehensive Plan on an annual basis; and

WHEREAS, a privately-initiated proposal to amend the Downtown and Southwest Bellevue Subarea Plan maps from split Office (O) and Downtown Mixed Use (DNTN-MU) to a single DNTN-MU on the site at 100 Bellevue Way SE was submitted for consideration with the 2020 annual Comprehensive Plan amendments; and

WHEREAS, the Planning Commission held public meetings and a public hearing pursuant to legally-required notice on the proposed amendment to the Comprehensive Plan and recommended approval to the City Council; and

WHEREAS, the City Council considered and discussed the proposed annual amendment to the Comprehensive Plan; and

WHEREAS, the City of Bellevue has complied with the requirements of the State Environmental Policy Act (Chapter 43.21C RCW) and the City Environmental Procedures Code (Chapter 22.02 BCC); and

WHEREAS, the City Council desires to amend the Comprehensive Plan consistent with the foregoing; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The Downtown and Southwest Bellevue Subarea Plan maps included as Attachment A to this Ordinance and changing the comprehensive plan land use designation of the property located at 100 Bellevue Way SE from split Office (O) and Downtown Mixed Use (DNTN-MU) to a single DNTN-MU is hereby adopted.

Section 2. The City Council finds that the 2020 100 Bellevue Way SE Comprehensive Plan Amendment (CPA) has met the CPA decision criteria contained in the Land Use Code (Part 20.301 LUC); that the amendment is consistent with the Comprehensive Plan and other goals and policies of the City; that the amendment addresses the interests and changed needs of the entire City as identified in its long-range planning and policy documents; that the amendment addresses significantly changed conditions since the last time the pertinent Comprehensive Plan map or text was considered; that if the CPA is a site-specific amendment, then the subject property is suitable for development in general conformance with adjacent land use, the surrounding development pattern, and with zoning standards under the potential zoning classifications; and that the proposed amendment demonstrates a public benefit and enhances the public health, safety and welfare of the City.

Section 3. The City Council finds that public notice was provided for all 2020 amendments to the Comprehensive Plan as required by LUC 20.35.400 through 20.35.435 for Process IV amendments to the Comprehensive Plan.

Section 4. The Comprehensive Plan adopted pursuant to Chapter 35A.63 RCW, to the same extent and in the same respect as the Comprehensive Plan required by the Growth Management Act of 1990, as amended, is amended consistent with Section 1 of this Ordinance and the separate ordinances referenced therein.

Section 5. This Ordinance shall take effect and be in force five (5) days after its passage and legal publication. This Ordinance and the Comprehensive Plan shall be available for public inspection in the office of the City Clerk.

Passed by the City Council this 14th day of December, 2020,
and signed in authentication of its passage this 14th day of December,
2020.

(SEAL)






Lynne Robinson, Mayor

Approved as to form:
Kathryn L. Gerla, City Attorney

/s/ Matt McFarland

Matthew McFarland, Assistant City Attorney

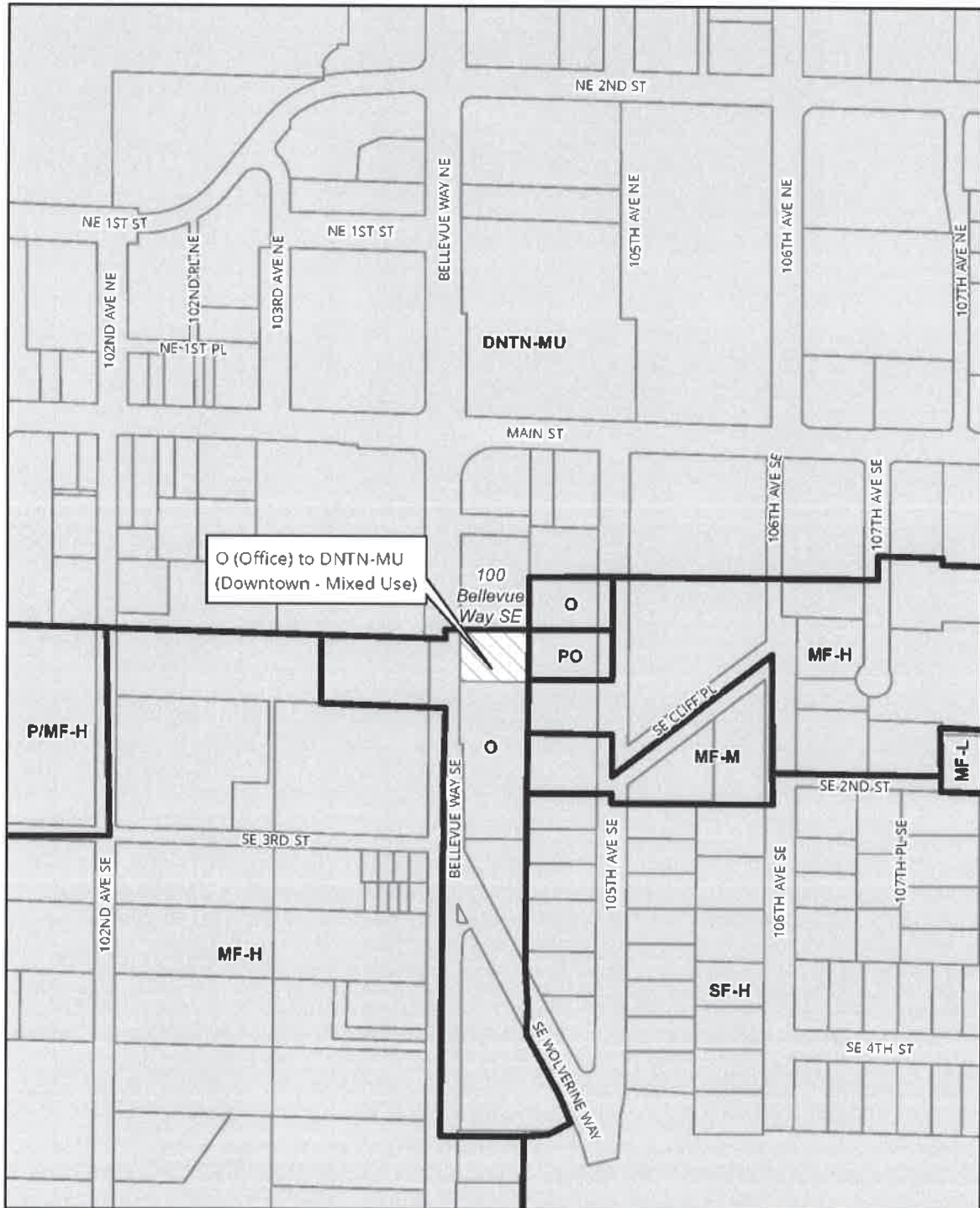
Attest:



Charmaine Arredondo, City Clerk





Published 12/17/20

100 Bellevue Way SE



100 Bellevue Way SE



 Area of Interest
 Comprehensive Plan
 Parcel
 Public School



SEPA Environmental Checklist

The City of Bellevue uses this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions

The checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully and to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions.

You may respond with "Not Applicable" or "Does Not Apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies and reports. Please make complete and accurate answers to these questions to the best of your ability in order to avoid delays. For assistance, see [SEPA Checklist Guidance](#) on the Washington State Department of Ecology website.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The city may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Background

1. Name of proposed project, if applicable 100 Bellevue Way SE Comprehensive Plan Amendment
2. Name of applicant Jon O'Hare
3. Contact person Jon O'Hare Phone 425-301-9541
4. Contact person address 17479 7th Ave SW, Normandy Park, WA
5. Date this checklist was prepared 1/16/2020
6. Agency requesting the checklist City of Bellevue Department of Development Services

7. Proposed timing or schedule (including phasing, if applicable)

Our proposal will be considered by the Bellevue Planning Commission and Bellevue City Council as part of the City's 2020 annual amendment cycle. A subsequent Land Use Code amendment would follow upon our proposal's approval.

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

Upon our proposal's approval and a subsequent change to the Bellevue Land Use Code, we anticipate developing a mixed-use multi-family residential building on the property.

A separate project-specific SEPA analysis for such future development would be prepared.

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

We do not know of any environmental information that has been, or is anticipated to be, prepared directly related to this proposal.

10. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

We are not aware of any current applications pending for governmental approvals of other proposals directly affecting the Property.

11. List any government approvals or permits that will be needed for your proposal, if known.

This non-project proposal requires City Council approval to amend the Comprehensive Plan land use map, and upon such Council approval, we will seek City Council approval for a Land Use Code zoning change for the Property.

12. Give a brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

This non-project proposal proposes amending the Comprehensive Plan land use map to redesignate the Property from an Office zone to a Downtown Mixed-Use zone. If the proposal and a subsequent Land Use Code change is approved, we anticipate providing mixed-use multi-family housing on the Property.

13. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and the section, township and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The proposed rezone is located at 104 Bellevue Way SE. The parcel number is 5223300065.

Environmental Elements

Earth

1. General description of the site:

☒ Flat

☐ Rolling

☐ Hilly

☒ Steep Slopes

☐ Mountainous

☐ Other The site is generally flat with small areas containing steep slopes on the property edge.

2. What is the steepest slope on the site (approximate percent slope)? Indicated 40+%

3. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

We do not know the soil character and composition on the site.

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

We are unaware of any surface indications or history of unstable soils in the immediate vicinity of the site. While GIS mapping indicates the property may contain steep slope areas, the mapping does not show any liquefaction critical areas or indicate any known slide events on the site.

5. Describe the purpose, type, total area and approximate quantities and total affected area of any filling, excavation and grading proposed. Indicate the source of the fill.

This proposal is for a non-project Comprehensive Plan amendment and thereby does not involve any filling, excavation or grading of the property.

A separate project-specific SEPA analysis for a future development is anticipated.

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

This proposal is for a non-project Comprehensive Plan amendment and thereby does not involve any clearing, construction, or other similar use.

A separate project-specific SEPA analysis for a future development is anticipated.

7. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? No change.

8. Proposed measures to reduce or control erosion, or other impacts to the earth, if any.

This proposal is for a non-project Comprehensive Plan amendment and thereby does not, involve any actions that would lead to erosion or other impacts to the earth.

A separate project-specific SEPA analysis for a future development is anticipated.

Air

1. What types of emissions to the air would result from the proposal during construction, operation and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

This proposal is for a non-project Comprehensive Plan amendment and thereby does not create or involve emissions due to any construction, operation, or maintenance upon the property.

A separate project-specific SEPA analysis for a future development is anticipated.

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

This proposal is for a non-project Comprehensive Plan amendment and thereby does not create any off-site sources of emissions or odor.

A separate project-specific SEPA analysis for a future development is anticipated.

3. Proposed measures to reduce or control emissions or other impacts to air, if any.

This proposal is for a non-project Comprehensive Plan amendment and thereby does not involve any emissions or other impacts to the air.

A separate project-specific SEPA analysis for a future development is anticipated.

Water

1. Surface Water

- a. Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

There are no surface water bodies on or in the immediate vicinity of the Property.

- b. Will the project require any work over, in or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

This proposal is for a non-project Comprehensive Plan amendment and thereby does not involve any work over, in or adjacent to any surface water.

A separate project-specific SEPA analysis for a future development is anticipated. However, it does not appear there are any surface water bodies within 200 feet of the Property.

- c. Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of the fill material.

This proposal is for a non-project Comprehensive Plan amendment and thereby does not involve any placement or removal of fill and dredge material.

A separate project-specific SEPA analysis for a future development is anticipated.

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

This non-project Comprehensive Plan amendment proposal neither requires nor involves any surface water withdrawals or diversions.

A separate project-specific SEPA analysis for a future development is anticipated.

- e. Does the proposal lie within a 100-year floodplain? No, the proposal does not.
If so, note the location on the site plan.

- f. Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

This proposal is for a non-project Comprehensive Plan amendment and thereby does not involve any discharges of waste materials to surface waters.

A separate project-specific SEPA analysis for a future development is anticipated.

2. Ground Water

- a. Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

This proposal is for a non-project Comprehensive Plan amendment and thereby does not involve withdrawing water from a well.

A separate project-specific SEPA analysis for a future development is anticipated.

- b. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

This proposal is for a non-project Comprehensive Plan amendment and thereby does not involve discharging anything into the ground.

A separate project-specific SEPA analysis for a future development is anticipated.

3. Water Runoff (including stormwater)

- a. Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

This proposal is for a non-project Comprehensive Plan amendment and thereby does not involve nor affect runoff on the Property.

A separate project-specific SEPA analysis for a future development is anticipated.

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

This proposal is for a non-project Comprehensive Plan amendment and thereby neither involves nor affects runoff on the Property and would therefore not lead to waste materials entering ground or surface waters.

A separate project-specific SEPA analysis for a future development is anticipated.

- c. Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

This proposal is for a non-project Comprehensive Plan amendment and thereby neither involves nor affects drainage patterns in the vicinity of the site.

A separate project-specific SEPA analysis for a future development is anticipated.

Indicate any proposed measures to reduce or control surface, ground and runoff water, and drainage pattern impacts, if any.

This proposal is for a non-project Comprehensive Plan amendment and thereby neither involves nor affects runoff or drainage patterns on the Property, and therefore includes no such measures.

A separate project-specific SEPA analysis for a future development is anticipated.

Plants

1. Check the types of vegetation found on the site:

- ☒ deciduous tree: alder, maple, aspen, other _____
- ☒ evergreen tree: fir, cedar, pine, other _____
- ☒ shrubs
- ☒ grass
- ☐ pasture
- ☐ crop or grain
- ☐ orchards, vineyards or other permanent crops
- ☐ wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other _____
- ☐ water plants: water lily eelgrass, milfoil, other _____
- ☐ other types of vegetation _____

2. What kind and amount of vegetation will be removed or altered?

This proposal is for a non-project Comprehensive Plan amendment and thereby does not involve the removal or alteration of vegetation.

A separate project-specific SEPA analysis for a future development is anticipated.

3. List any threatened and endangered species known to be on or near the site.

We are not aware of any threatened or endangered species on or near the site.

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

This proposal is for a non-project Comprehensive Plan amendment and thereby does not involve landscaping.

A separate project-specific SEPA analysis for a future development is anticipated.

5. List all noxious weeds and invasive species known to be on or near the site.

We do not have knowledge of any noxious weeds or invasive species known to be on or near the site.

Animals

1. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include:

Birds: ☐hawk, ☐heron, ☐eagle, ☐songbirds, ☒other Urban birds.

Mammals: ☐deer, ☐bear, ☐elk, ☐beaver, ☒other Urban mammals.

Fish: ☐bass, ☐salmon, ☐trout, ☐herring, ☐shellfish, ☐other None.

2. List any threatened and endangered species known to be on or near the site.

We are not aware of any threatened or endangered species on or near the site.

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

Yes, the entire Puget Sound region is within the Pacific Flyway, a major north-south flyway for migratory birds extending from Alaska to Patagonia.

4. Proposed measures to preserve or enhance wildlife, if any.

This proposal is for a non-project Comprehensive Plan amendment and thereby does not affect wildlife. Accordingly, this proposal does not include preservation measures.

A separate project-specific SEPA analysis for a future development is anticipated.

5. List any invasive animal species known to be on or near the site.

We are not aware of any invasive animal species on or near the site.

Energy and Natural Resources

1. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

This proposal is for a non-project Comprehensive Plan amendment and thereby does not have energy needs.

A separate project-specific SEPA analysis for a future development is anticipated.

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

This proposal is for a non-project Comprehensive Plan amendment and thereby does not affect the potential use of solar energy by adjacent properties.

A separate project-specific SEPA analysis for a future development is anticipated.

3. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any.

This proposal is for a non-project Comprehensive Plan amendment and thereby does not involve energy consumption. Accordingly, this proposal does not include energy conservation features.

A separate project-specific SEPA analysis for a future development is anticipated.

Environmental Health

1. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill or hazardous waste, that could occur as a result of this proposal? If so, describe.

This proposal is for a non-project Comprehensive Plan amendment and thereby does not pose any environmental health risks.

A separate project-specific SEPA analysis for a future development is anticipated.

- a. Describe any known or possible contamination at the site from present or past uses.

We are not aware of any present or past contamination at the Property.

- b. Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

We are not aware of any existing hazardous chemicals/conditions that might affect future development or design.

- c. Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

This proposal is for a non-project Comprehensive Plan amendment and thereby does not involve the storage, use, or production of toxic or hazardous chemicals.

A separate project-specific SEPA analysis for a future development is anticipated.

- d. Describe special emergency services that might be required.

This proposal is for a non-project Comprehensive Plan amendment and thereby does not involve any actions that would require any special emergency services.

A separate project-specific SEPA analysis for a future development is anticipated.

- e. Proposed measures to reduce or control environmental health hazards, if any.

This proposal is for a non-project Comprehensive Plan amendment and thereby does not pose any environmental health hazards. Accordingly, our proposal does not include such measures.

A separate project-specific SEPA analysis for a future development is anticipated.

2. Noise

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

This proposal is for a non-project Comprehensive Plan amendment and thereby will not be effected by noise.

A separate project-specific SEPA analysis for a future development is anticipated.

- b. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)?
Indicate what hours noise would come from the site.

This proposal is for a non-project Comprehensive Plan amendment and thereby neither creates noise nor causes noise to be created.

A separate project-specific SEPA analysis for a future development is anticipated.

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

This proposal is for a non-project Comprehensive Plan amendment and thereby does not create noise. Accordingly, our proposal does not include such measures.

A separate project-specific SEPA analysis for a future development is anticipated.

Land and Shoreline Uses

1. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The property currently contains a strip mall with a convenience store, cleaners, nail and spa salon, and an upholstery shop. To the north is a former drive-through fast food restaurant. The properties to the West, South, and East are all zoned Office or Professional Office and contain uses suitable for those zones.

This proposal is for a non-project Comprehensive Plan amendment that is consistent with surrounding development and Comprehensive Plan policies and thereby is unlikely to adversely affect current land uses on nearby or adjacent properties. Our proposal maintains a lower intensity Office zoned buffer between our proposed DT-MU property and any nearby residential zoned properties.

A separate project-specific SEPA analysis for a future development is anticipated.

2. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to non-farm or non-forest use?

We do not believe this project site has been used as working farmlands or working forest lands.

- a. Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling and harvesting? If so, how?

As there is no working farm or forest land surrounding our site, our proposal will not affect or be affected by these lands.

3. Describe any structures on the site.

The comprehensive plan amendment-specific site contains a 12,000 square foot strip mall. The larger site which we plan to redevelop with mixed-use multi-family housing units also contains a 16,700 square foot drive-through fast food restaurant.

4. Will any structures be demolished? If so, what?

This proposal is for a non-project Comprehensive Plan amendment and thereby does not involve the demolition of any structures.

A separate project-specific SEPA analysis for a future development is anticipated.

5. What is the current zoning classification of the site? Office

6. What is the current comprehensive plan designation of the site? Office

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

The shoreline master program designation is not applicable to our site.

8. Has any part of the site been classified as a critical area by the city or county? If so, specify.

Small portions of the site, on its eastern border, appear to be classified as steep slope areas. We are not aware whether these areas are naturally occurring or human-created.

9. Approximately how many people would reside or work in the completed project? No Change

10. Approximately how many people would the completed project displace? Zero.

11. Proposed measures to avoid or reduce displacement impacts, if any.

This proposal is for a non-project Comprehensive Plan amendment and thereby does not involve actions that would displace individuals currently on the site.

A separate project-specific SEPA analysis for a future development is anticipated. However, as this future development contemplates providing multi-family mixed-use housing on a site currently containing a fast food restaurant and strip mall, displacement is highly unlikely.

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

This proposal is for a non-project Comprehensive Plan amendment and contemplates changing the land use code to allow future development to be compatible with the changed land use on the Property.

A separate project-specific SEPA analysis for a future development is anticipated.

13. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any.

This proposal is for a non-project Comprehensive Plan amendment and thereby does not affect any nearby agricultural or forest lands of long-term commercial significance.

A separate project-specific SEPA analysis for a future development is anticipated.

Housing

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

This proposal is for a non-project Comprehensive Plan amendment and thereby does not provide housing.

A separate project-specific SEPA analysis for a future development is anticipated. While this future development is likely to provide multi-family housing units, we are too early in the design process to provide the approximate number of housing units created.

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

This proposal is for a non-project Comprehensive Plan amendment and thereby does not involve eliminating housing units.

A separate project-specific SEPA analysis for a future development is anticipated. However, as this future development contemplates providing multi-family mixed-use housing on a site currently containing a fast food restaurant and strip mall, we do not anticipate any housing units will be eliminated.

3. Proposed measures to reduce or control housing impacts, if any.

This proposal is for a non-project Comprehensive Plan amendment and thereby does not create any housing impacts.

A separate project-specific SEPA analysis for a future development is anticipated.

Aesthetics

1. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

This proposal is for a non-project Comprehensive Plan amendment and thereby neither proposes nor involves the construction of any structures.

A separate project-specific SEPA analysis for a future development is anticipated.

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

No views in the immediate vicinity would be altered or obstructed as a result of this proposal.

3. Proposed measures to reduce or control aesthetic impacts, if any

This proposal is for a non-project Comprehensive Plan amendment and thereby does not create any aesthetic impacts.

A separate project-specific SEPA analysis for a future development is anticipated.

Light and Glare

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

This proposal is for a non-project Comprehensive Plan amendment and thereby does not produce any light or glare.

A separate project-specific SEPA analysis for a future development is anticipated.

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

This proposal is for a non-project Comprehensive Plan amendment and thereby does not produce any light or glare.

A separate project-specific SEPA analysis for a future development is anticipated.

3. What existing off-site sources of light or glare may affect your proposal?

This proposal is for a non-project Comprehensive Plan amendment and is thereby not affected by any off-site sources of light or glare.

A separate project-specific SEPA analysis for a future development is anticipated.

4. Proposed measures to reduce or control light and glare impacts, if any.

This proposal is for a non-project Comprehensive Plan amendment and thereby does not produce any light or glare. Accordingly, this proposal has no such measures.

A separate project-specific SEPA analysis for a future development is anticipated.

Recreation

1. What designated and informal recreational opportunities are in the immediate vicinity?

Our property lies .2 miles away from Wildwood Park, .3 miles from Downtown Park and Inspiration Playground, and .3 miles from the Bellevue High School softball, baseball, and soccer fields.

2. Would the proposed project displace any existing recreational uses? If so, describe.

This proposal would not displace any existing recreational uses.

3. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any.

This proposal is for a non-project Comprehensive Plan amendment and thereby does not impact recreational opportunities.

A separate project-specific SEPA analysis for a future development is anticipated.

Historic and Cultural Preservation

1. Are there any buildings, structures or sites located on or near the site that are over 45 years old listed in or eligible for listing in national, state or local preservation registers located on or near the site? If so, specifically describe.

We are not aware of any buildings or sites located on or near the site that are listed in or eligible for listing in national, state, or local preservation registers.

2. Are there any landmarks, features or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

We are not aware of any landmarks, features, or other evidence of Indian or historic use or occupation on or near our site.

3. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

To assess the potential impacts to cultural and historic resources on or near the project site, we consulted GIS maps and conducted internet research.

4. Proposed measures to avoid, minimize or compensate for loss, changes to and disturbance to resources. Please include plans for the above and any permits that may be required.

This proposal is for a non-project Comprehensive Plan amendment and thereby does not affect or disturb any historical or culturally significant areas.

A separate project-specific SEPA analysis for a future development is anticipated.

Transportation

1. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

The Property is served by Bellevue Way SE.

2. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

The site is surrounded by bus stops serving routes 249, 550, and 556. The closest bus stop is less than 300 feet away. Additionally, the Bellevue Transit Center is roughly .8 miles away. The future Downtown Bellevue LinkRail station will be approximately .9 miles away.

3. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

This proposal is for a non-project Comprehensive Plan amendment and thereby does not impact parking.

A separate project-specific SEPA analysis for a future development is anticipated. However, as this non-project Comprehensive Plan amendment proposal would increase density, we would expect some future increase in parking spaces.

4. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

This proposal is for a non-project Comprehensive Plan amendment and thereby does not require any newly constructed or improved rights of way or transportation facilities.

A separate project-specific SEPA analysis for a future development is anticipated.

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

This proposal is for a non-project Comprehensive Plan amendment and thereby will not use these modes of transportation.

A separate project-specific SEPA analysis for a future development is anticipated. However the site is near the future Downtown Bellevue LinkRail station, and residents/tenants of the future development would likely use LinkRail.

6. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates?

This proposal is for a non-project Comprehensive Plan amendment and thereby will not impact the number of vehicular trips per day generated at the Property.

A separate project-specific SEPA analysis for a future development is anticipated.

7. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

This proposal is for a non-project Comprehensive Plan amendment and thereby will not interfere with, affect, or be affected by the movement of agricultural or forest products on roads or streets in the area.

A separate project-specific SEPA analysis for a future development is anticipated.

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

This proposal is for a non-project Comprehensive Plan amendment and thereby will not have any transportation impacts.

A separate project-specific SEPA analysis for a future development is anticipated.

Public Service

1. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

This proposal is for a non-project Comprehensive Plan amendment and thereby does not require increased need for public services.

A separate project-specific SEPA analysis for a future development is anticipated.

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

This proposal is for a non-project Comprehensive Plan amendment and thereby does not have any impact on public services.

A separate project-specific SEPA analysis for a future development is anticipated.

Utilities

1. Check the utilities currently available at the site:

- ☒ Electricity
- ☐ natural gas
- ☒ water
- ☒ refuse service
- ☒ telephone
- ☒ sanitary sewer
- ☐ septic system
- ☐ other

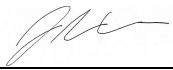
2. Describe the utilities that are proposed for the project, the utility providing the service and the general construction activities on the site or in the immediate vicinity which might be needed.

This proposal is for a non-project Comprehensive Plan amendment and thereby does not contemplate site-related utilities.

A separate project-specific SEPA analysis for a future development is anticipated.

Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature  _____

Name of signee Jon O'Hare

Position and Agency/Organization owners agent - PCNW

Date Submitted 1/28/20



Non-project Action SEPA Checklist

Supplement to Environmental Checklist

These questions pertain to land use actions that do not involve building and construction projects, but rather pertain to policy changes, such as code amendments and rezone actions.

Because the questions are very general, it may be helpful to read them in conjunction with the Environmental Checklist. When answering these questions, be aware of the extent to which the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented.

Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

This proposal is for a non-project Comprehensive Plan amendment and thereby does not affect the discharge to water, emissions to air, the production, storage, or release of toxic or hazardous substances, or the production of noise. The proposed amendment allows for a slight increase in development capacity. This increase would not change the water, air, environmental, or noise impact of any future redevelopment.

A separate project-specific SEPA analysis for a future development is anticipated.

Indicate proposed measures to avoid or reduce such increases.

As no impacts are anticipated, mitigation is not necessary.

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

This proposal is for a non-project Comprehensive Plan amendment and thereby does not affect plants, animals, fish or marine life.

A separate project-specific SEPA analysis for a future development is anticipated. Such future redevelopment would be consistent with existing buildings in the area and would therefore be unlikely to create any appreciable adverse effects on local flora and fauna.

The slight increase in development capacity allowed by the Comprehensive Plan Amendment would not fundamentally change the footprint of a future development.

Indicate proposed measures to protect or conserve plants, animals, fish or marine life.

As no impacts are anticipated, mitigation is not necessary.

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

This proposal is for a non-project Comprehensive Plan amendment and thereby will not deplete energy or natural resources. The slight increase in development capacity would not create significant additional energy needs.

A separate project-specific SEPA analysis for a future development is anticipated.

Indicate proposed measures to protect or conserve energy and natural resources.

As no impacts are anticipated, mitigation is not necessary.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains or prime farmlands?

This proposal is for a non-project Comprehensive Plan amendment and thereby will not use or affect environmentally sensitive areas.

A separate project-specific SEPA analysis for a future development is anticipated. However, the property contains a small steep slope area and a future development would likely affect such area. This impact would be the same with or without the Comprehensive Plan Amendment.

Indicate proposed measures to protect such resources or to avoid or reduce impacts.

As no impacts are anticipated, mitigation is not necessary.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

This proposal is for a non-project Comprehensive Plan land use map amendment and intends to increase the density allowed on the site. The Property is not within the Shoreline Overlay District.

A separate project-specific SEPA analysis for a future development is anticipated.

Indicate proposed measures to avoid or reduce shoreline and land use impacts.

As no impacts are anticipated, mitigation is not necessary.

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

This proposal is for a non-project Comprehensive Plan amendment and thereby will not increase demands on transportation or public services and utilities. Slight increase in development capacity allowed by the Comprehensive Plan amendment could result in the generation of additional traffic in the future development. However, recent local infrastructure improvement, including the Downtown Bellevue LinkRail station and the Grand Connection, will help ameliorate possible increased demand on public transportation caused by future development.

A separate project-specific SEPA analysis for a future development is anticipated.

Indicate proposed measures to reduce or respond to such demand(s).

As no impacts are anticipated, mitigation is not necessary.

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

Our proposal does not conflict with local, state, or federal laws or requirements for the protection of the environment.

2020 Annual Final Review Comprehensive Plan Amendment Recommendation
Site-Specific Amendment

100 Bellevue Way SE

Staff recommends approving this proposed amendment because the application satisfies Land Use Code decision criteria for Final Review of a privately initiated Comprehensive Plan Amendment (LUC 20.30I.150) amending the map designation on 0.87 acres from a split Downtown (Mixed Use) DNTN-MU and Office (O) to a single DNTN-MU for property known as 100 Bellevue Way SE.

Application Number: 20-102643 AC

Subarea: Downtown/Southwest Bellevue

Original Addresses: 100 Bellevue Way SE

Applicant: Christopher Leadly

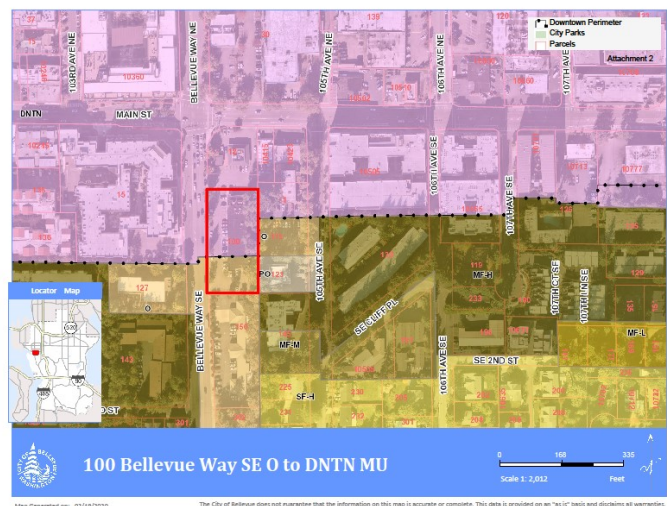
Final Review is the second step in Bellevue's two-part plan amendment review process. It evaluates the merits of proposed amendments included in the annual Comprehensive Plan Amendment work program. Final Review evaluation and decision includes staff review, a Planning Commission public hearing and recommendation by resolution, and City Council action by ordinance.

PROPOSAL

This proposed plan amendment would amend 0.87 acres from a split Downtown (Mixed Use) DNTN-MU and Office (O) to a single DNTN-MU at 100 Bellevue Way SE. The site is developed with a retail building and parking.

Work Program

The City Council on August 3, 2020, accepted the Planning Commission's recommendation to advance the 100 Bellevue Way SE application. The Planning Commission found for all the decision criteria, and in particular that the proposed amendment is appropriately addressed through the Comprehensive Plan.



The history of how the Downtown boundary came to be on the site has been discussed. A review of applicable materials notes that it is consistent with the history of other lots split by the boundary, and reconciled over the last five years of plan amendment actions by the City Council.

Today's property boundaries derive during original and historical platting decisions laid over the area south of Main Street, and by zoning decisions to define a growing business and commercial area developing in "old" Bellevue. This development saw Main Street as a *spine* rather than an *edge*, where the latter is typical for the other Downtown boundaries.

Today's southern Downtown boundary generally occurs where business, commercial and residential zoning diverged from this historical development pattern.

OVERVIEW OF STAFF RECOMMENDATION

This proposal satisfies the Final Review Decision Criteria for a Comprehensive Plan Amendment:

- √ The proposed amendment is **consistent with the Comprehensive Plan** *because it was the approach used to amend such split, similarly-situated designations through the 2015 major Comprehensive Plan Update and subsequent amendments; and it is consistent with “...a major objective of the Land Use Element to maintain the vitality, quality, and character of Bellevue’s neighborhoods while recognizing that neighborhoods will continue to adapt even while maintaining their character.” ([Land Use Element - Residential Areas \(p. 42\)](#)). This is because “the city’s land use strategies work to ensure that new infill development appropriately fits into existing neighborhoods.”;*
- √ The proposed amendment **addresses the interests and changed needs of the entire city** *because the city now has the policies and tools to successfully manage the hard line transitions between similarly situated Downtown neighborhoods and their adjacent, high-density neighborhoods; and it is adaptive to changing economic conditions by ensuring the city has the land use and building types that it needs to meet changing markets ([Land Use Element - Vision p. 34](#));*
- √ The proposed amendment **addresses significantly changed conditions (since the last time the pertinent CP map or text was amended)** *affecting the subject property because of changes related to the pertinent Plan map or text. The split designation has created a constraint—a changed condition, since implementing the Comprehensive Plan should not prevent compatible redevelopment—on realizing the land use vision for Downtown and adjacent neighborhoods. Implementing this vision has been resolved for other similarly-situated property.*

There is a strong public interest and established policy in having a stable and predictable boundary for the city center. These changes seek to create comparable circumstances for property to redevelop. But, the Comprehensive Plan cannot function as an integrated whole if map designations attempt to implement one set of policies (protecting property) while preventing another set (redevelopment) for a specific area. This conflict should be addressed in the Comprehensive Plan, through the amendment process, since stability and predictability need to go both ways;

- √ The subject property **could be suitably developed** *under the potential zoning classifications because the amendment supports effective use of transition elements built into the Land Use Code and because the environmental impacts of a change in land use designation, specifically forecasted trip generation, can be mitigated with existing city code;*
- √ The proposed amendment **demonstrates a public benefit** *because the amendment acknowledges community interest in making the boundary more regular and to resolve some of the odd parcel configurations while maintaining established policy direction of not extending Downtown development into the residential neighborhood to the south.*

BACKGROUND

The site consists of a single retail strip building and associated parking. The site is on the east side of Bellevue Way SE and south of the closed Jack-in-the-Box restaurant at the southeast corner of the intersection of Bellevue Way SE and Main Street.

The boundary between the Downtown and Southwest Bellevue Subareas splits the building. This boundary is not coterminous with a property or other surveyed line. Unlike the clearly defined west,

north and east Downtown boundaries, the south boundary is jagged, splitting some parcels and buildings as it makes its way between 100th Avenue and 108th Avenue.

During 2012 to 2014 scoping for the respective Downtown Livability and the major Comprehensive Plan Update (CPU) work programs, owners of property split by the southern Downtown boundary asked the city, based on previous individual Comprehensive Plan Amendment (CPA) submittals in 2008 and 2009, to examine the impact of adjusting the boundary. Council included the issue in the Comprehensive Plan Update work program, directing its examination in a more comprehensive way along this entire southern boundary. Unlike the clearly defined west, north and east Downtown boundaries, the south boundary is jagged, splitting some parcels and buildings as it makes its way between 100th and 108th Avenues.

The city's 2015 major Comprehensive Plan Update action amended four of the five identified split parcels along this line (this site was not included because attempts to contact the property owner did not receive any responses) acknowledging community interest in making the boundary more regular and to resolve some of the odd parcel configurations, while maintaining the established policy direction of not extending Downtown development into the residential neighborhood to the south. See Attachment B.

How did the boundary come to be, specific to the split property? Today's property boundaries derive from the original platting decisions during historical platting laid over the area south of Main Street, and by zoning decisions to define a growing business and commercial area developing in "old" Bellevue. This development saw Main Street as a spine rather than an edge, where the latter is typical for the other Downtown boundaries.

The first modern zoning of the evolving business district can be traced to 1953. As zoning changed so did the extent of the commercial district. At some point after the 1953 incorporation of the city, the three separate lots making up the site were combined, but a 1972 rezone to office split the southernmost lot from the other two former parcels making up the site. Following the 1974 construction of the retail center on the combined parcel, the 1981 adoption of Downtown Central Business District-Old Bellevue (CBD-OB) and Central Business District-Mixed Use (CBD-MU) zonings stopped at the office zoning lines in this area that had been established previously, regardless of property configuration, after the 1979 establishment of the Downtown Subarea Plan.

Today's southern Downtown boundary generally occurs where business, commercial and residential zoning diverged from this historical development pattern.

In general, the Comprehensive Plan framework draws from the Downtown and Southwest Bellevue Subarea Plans and from the Urban Design Element to provide protection between the various neighborhood densities, and assures an urban design focus on the relationship between Downtown and surrounding land uses through consistent perimeter densities, building scaling and pedestrian access. It intends to create viable, livable and memorable places to live, shop and work regardless of location along the boundary:

The proposed amendment demonstrates such benefit and enhancement because the amendment acknowledges community interest in making the boundary more regular and to resolve some of the odd parcel configurations while maintaining established policy direction of not extending Downtown development into the residential neighborhood to the south.

FINAL REVIEW DECISION CRITERIA

The Final Review Decision Criteria for a proposed Comprehensive Plan amendment are set forth in the Land Use Code in Section 20.30I.150. A proposal must meet all of the criteria to be recommended for approval. Based on the criteria, Department of Community Development staff recommends **approval** of the proposed amendment:

Final Review Decision Criteria	Meets/Does Not Meet
A – Obvious technical error	N/A
B1 – Consistent with Plan and other plans and law	Meets
B2 – Addresses interests and changed needs of entire city	Meets
B3 – Addresses significantly changed conditions	Meets
B4 – Could be suitably developed	Meets
B5 – Demonstrates a public benefit	Meets

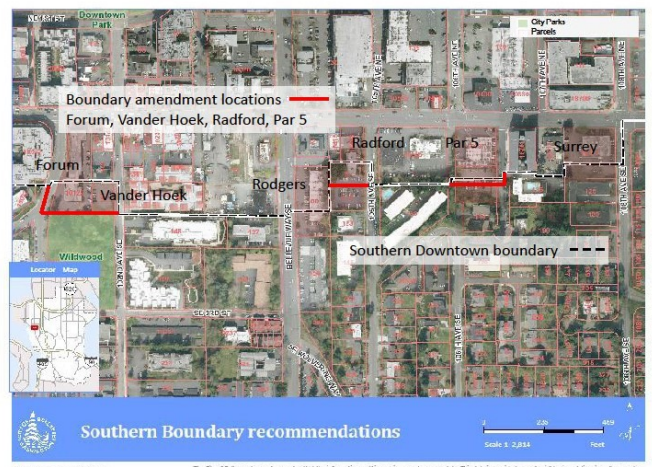
This conclusion is based on the following:

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

Not applicable to this proposal.

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

The proposed amendment is consistent with such plans, goals, and policies of the city and of the CPP, the GMA, and other applicable law because it was the approach used to amend such split, similarly-situated designations through the 2015 major Comprehensive Plan Update; and it is consistent with “...a major objective of the Land Use Element to maintain the vitality, quality, and character of Bellevue’s neighborhoods while recognizing that neighborhoods will continue to adapt even while maintaining their character.” ([Land Use Element - Residential Areas \(p. 42\)](#)). This is because “the city’s land use strategies work to ensure that new infill development appropriately fits into existing neighborhoods.”



There is a strong public interest in having a stable and predictable boundary for the city center. The burden of proof for change lies with the affected property to show that any change to the existing boundary is clearly in the public interest. Moreover, it is important to note that in no case is a change to a higher zoning designation for these properties needed for the City to have capacity to meet its growth targets; this is not a rationale for a change.

Given this strong public interest, the city through the extensive public engagement associated

with the major Comprehensive Plan Update concluded that since the existing southern Downtown boundary is irregularly drawn that its split Comprehensive Plan designation should be examined on a case by case basis, conceptualizing where the concern lies, and whether split property can reasonably be developed similar to other property.

Comprehensive Plan Policy Framework

In general, the Comprehensive Plan framework draws from the Downtown and Southwest Bellevue Subarea Plans and from the Urban Design Element to provide transition between the various neighborhood densities, and assures an urban design focus on the relationship between Downtown and surrounding land uses through consistent perimeter densities, building scaling and pedestrian access. It intends to create viable, livable and memorable places to live, shop and work regardless of location along the boundary:

- **Policy LU-1:** *Promote a clear strategy for focusing the city's growth and development as follows:*
 1. *Direct most of the city's growth to the Downtown regional growth center and to other areas designated for compact, mixed use development served by a full range of transportation options.*
 2. *Enhance the health and vitality of existing single family and multifamily residential neighborhoods.*
 3. *Continue to provide for commercial uses and development that serve community needs.*
- **Policy LU-20:** *Support Downtown's development as a regional growth center, with the density, mix of uses and amenities, and infrastructure that maintain it as the financial, retail, transportation, and business hub of the Eastside.*
- **Policy UD-3:** *Encourage a variety of site and building designs which are compatible and consistent with surrounding development and that implement the policies of this Plan.*
- **Downtown Urban Design Goal:** *To develop a functional and esthetically pleasing Downtown which creates a livable and highly pedestrian-oriented urban environment that is compatible with adjacent neighborhoods.*
- **Policy S-DT-38:** *Minimize the adverse impact of Downtown development on residential neighborhoods with consideration of through-traffic, views, scale, and land use relationships.*
- **Policy S-DT-7:** *Encourage Downtown to continue to serve surrounding residential areas as a neighborhood retail district.*
- **City Center South**
The City Center South District is emerging as a true mixed-use neighborhood. New and exciting restaurant, retail, and residential uses are adding a greater level of activity in this area. The proximity to the Surrey Downs and 108th Avenue neighborhoods

provides an opportunity to have appropriately-scaled transitional uses along the edge of Downtown.

Growth Management Act

The proposed amendment is consistent with GMA urban growth planning goals encouraging development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

Countywide Planning Policies

The proposed amendment is consistent with Countywide Planning Policies' Urban Design vision: "...intended to integrate urban development into existing built and natural environments in ways that enhance both the urban and natural settings. These elements include high quality design, context sensitive infill and redevelopment, historic preservation, and the interdependence of urban and rural and agricultural lands and uses."

Goal statement: *The built environment in both urban and rural settings achieves a high degree of high quality design that recognizes and enhances, where appropriate, existing natural and urban settings.*

DP-39: *Develop neighborhood planning and design processes that encourage infill development, redevelopment, and reuse of existing buildings and that, where appropriate based on local plans, enhance the existing community character and mix of uses.*

DP-44: *Adopt design standards or guidelines that foster infill development that is compatible with the existing or desired urban character.*

B2. The proposed amendment addresses the interests and changed needs of the entire city as identified in its long-range planning and policy documents *because the city now has the policies and tools to successfully manage the hard line transitions between similarly situated Downtown neighborhoods and their adjacent, high-density neighborhoods; and it is adaptive to changing economic conditions by ensuring the city has the land use and building types that it needs to meet changing markets ([Land Use Element - Vision p. 34](#)); and*

B3. The proposal addresses significantly changed conditions since the last time the pertinent Comprehensive Plan map or text was amended. See LUC 20.50.046 (below) for the definition of "Significantly Changed Conditions:" whole.

Significantly changed conditions. Demonstrating evidence of change such as 1) unanticipated consequences of an adopted policy, or 2) changed conditions on the subject property or its surrounding area, or 3) changes related to the pertinent Plan map or text; where such change has implications of a magnitude that need to be addressed for the Comprehensive Plan to function as an integrated whole. This definition applies only to Part 20.30I Amendment and Review of the Comprehensive Plan (LUC 20.50.046); and

The proposed amendment **addresses significantly changed conditions (since the last time the pertinent CP map or text was amended)** affecting the subject property *because of changes related to the pertinent Plan map or text. The split designation has created a constraint—a changed condition, since implementing the Comprehensive Plan should not prevent compatible redevelopment—on realizing the land use vision for Downtown and adjacent neighborhoods. Further, the amendment seeks to remedy a split zone on one parcel, rather than extend the limit of the Downtown boundary established to incorporate a new parcel. Also, implementing this vision has been resolved for other similarly-split properties.*

There is a strong public interest and established policy in having a stable and predictable boundary for the city center. These changes seek to create comparable circumstances for property to redevelop. But, the Plan cannot function as an integrated whole if map designations attempt to implement one set of policies (protecting property) while preventing another set (redevelopment) for a specific area. This conflict should be addressed in the Comprehensive Plan, through the amendment process, since stability and predictability need to go both ways.

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

The proposed amendment could be suitably developed under the potential zoning classifications because the amendment supports effective use of transition elements built into the Land Use Code and because the impact of the additional 45,500 square feet of additional development capacity, specifically forecasted trip generation, would be mitigated with existing city code;

This chart shows the impact on development potential of keeping the 100 Bellevue Way SE site split, and redeveloping it under a single designation (140,000 minus 78,000 square feet is roughly 62,000 square feet of unrealized capacity.) In a split situation, the challenge facing property owners is in realizing a development capacity expectation for each designation. In the absence of a cleanly assembled property, neither designation is effectively realized.

LUC Requirements		Site remains split	Site in single designation
Designation	Lot areas	Density	Density
Downtown MU portion	24,000 sf*	24,000 square feet @ 3.25 FAR = 78,000 square feet of building capacity within 70' height and 75% lot coverage limits	38,000 square feet @ 3.25 FAR = 123,500 square feet of building capacity within 70' height and 75% lot coverage limits
Office portion	14,000 sf	.5 FAR for non-Downtown Office = ca. 7,000 sf building capacity ¹	

*sf = square feet. FAR = Floor Area Ratio

¹The entire 38,000 square foot site currently has a 12,000 square foot retail building on it. Redeveloping just the 14,000 square foot Office-designated parcel would allow approximately 7,000 square feet of building capacity.

The Transportation Department noted that a single designation for this site, with 123,500 square feet of residential building capacity, would produce 76 pm peak trips. A traffic study would be required, but no mitigation is needed beyond that accomplished by city code. Redeveloping the site with 24,000 square feet of residential building capacity and 14,000 square feet of office capacity

would produce 19 pm peak trips. No traffic impacts are anticipated as a result of redevelopment that could not be mitigated by city code. These pm peak trip estimates cannot be directly compared; the 24,000 square feet of the site is likely to be added to any development capacity measured for the right-of-way parcel and the former Jack-in-the-Box parcel that are directly north of this site.

The Utilities Department reviewed the proposed amendment for water, sewer and drainage capacity concerns, concluding that no impacts are expected to water supply; and that impacts to the existing sewer system in this area will be examined with a specific development proposal to determine the ideal connection location; and that impacts expected to surface water drainage will likely require conventional stormwater controls from any redevelopment on this property as mitigation to avoid impacts to downgradient properties. Any other project/development related impacts would also be mitigated at that time.

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

The proposed amendment demonstrates such benefit and enhancement because the amendment acknowledges community interest in making the boundary more regular and to resolve some of the odd parcel configurations while maintaining established policy direction of not extending Downtown development into the residential neighborhood to the south.

STATE ENVIRONMENTAL POLICY ACT

The Environmental Coordinator for the City of Bellevue has determined that this proposal will not result in any probable, significant adverse environmental impacts. A final threshold determination of non-significance (DNS) was issued on October 8, 2020.

PUBLIC NOTICE AND COMMENT

The 2020 annual proposed amendments were introduced to the Planning Commission with a February 26 study session, a June 10 study session examining the potential expansion of geographic scope for each of the privately-initiated applications, and a September 23 study session on the proposals included in the work program.

Notice of the 100 Bellevue Way SE application was published in the Weekly Permit Bulletin on February 21 and mailed and posted as required by LUC 20.35.420. Notice of the July 8 Threshold Review Public Hearing before the Planning Commission was published in the Weekly Permit Bulletin on June 18 and included notice sent to parties of interest. Notice of the October 28 Final Review Public Hearing before the Planning Commission was published in the Weekly Permit Bulletin on October 8, and included parties of interest. Owners and residents within the 500-foot noticing perimeter of the sites receive official notice, as do people signed up to receive such notices.

Public comments come in throughout the process. All written comments are included in the public record. Public comments are also posted on the proposed Comprehensive Plan amendments web site.

Only the applicants spoke to the application at the July 8 Planning Commission Threshold Review public hearing. One additional comment was received from the applicant at the September 23 Planning Commission meeting.

Effective community engagement, outreach and public comments at Threshold Review

Applicants, residents and communities are engaging across a variety of media in proactive public participation during the 2020 annual plan amendment review process. The city's early and continuous community engagement includes:

- Responsive early outreach to requests for information and to become parties of interest
- Responding in writing to each written public comment submitted and returning phone calls
- Expanded web page material for Comprehensive Plan Amendments with the review schedule, the applications list, and a "What's Next" timeline
- A February 26 "Introductory and statutory process review" Planning Commission study session
- A June 10 geographic scoping analysis Planning Commission study session
- Official Weekly Permit Bulletin notice as required
- A July 8 Threshold Review Planning Commission public hearing
- A September 23 Planning Commission study session on the proposals included in the work program.

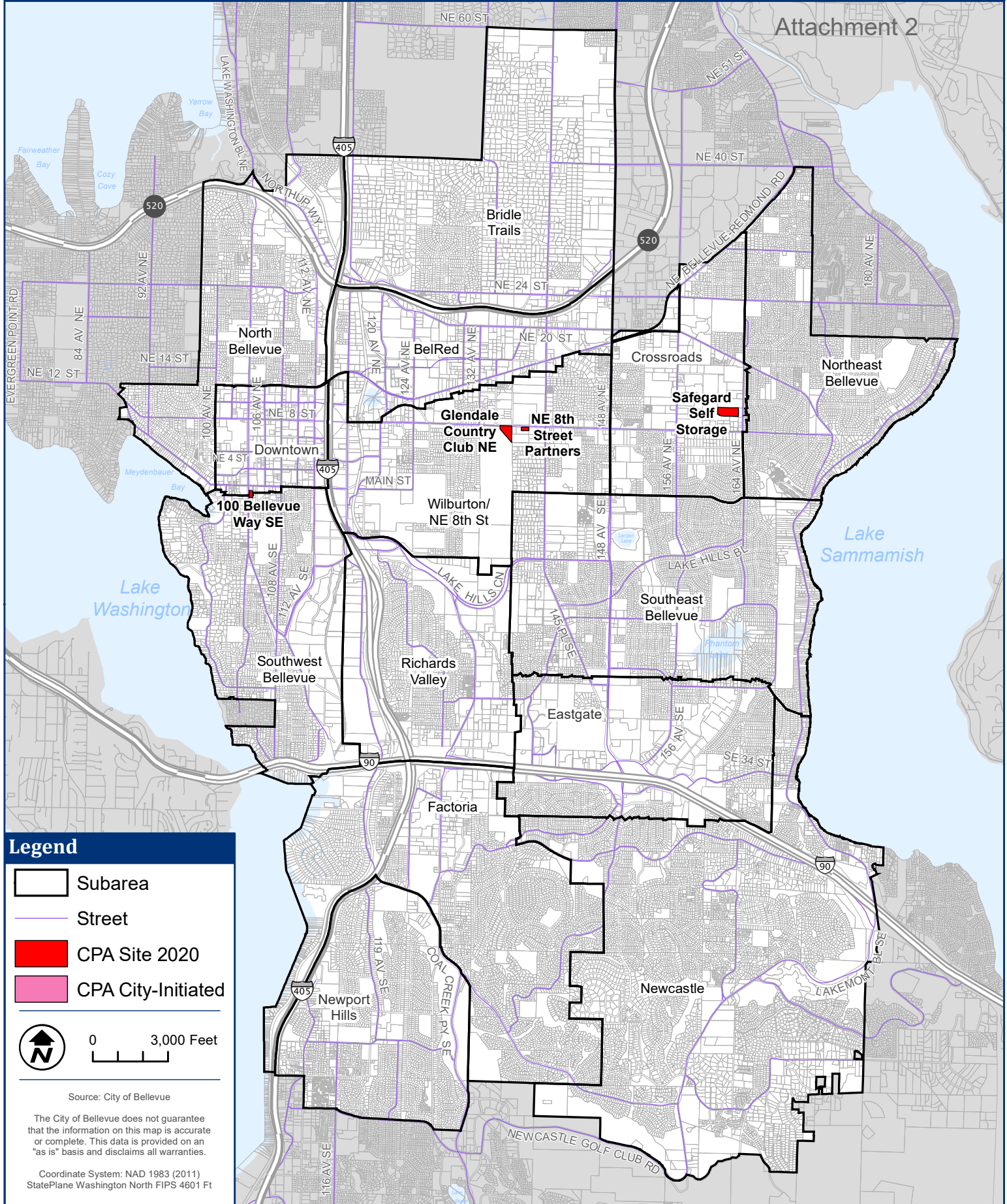
ATTACHMENTS

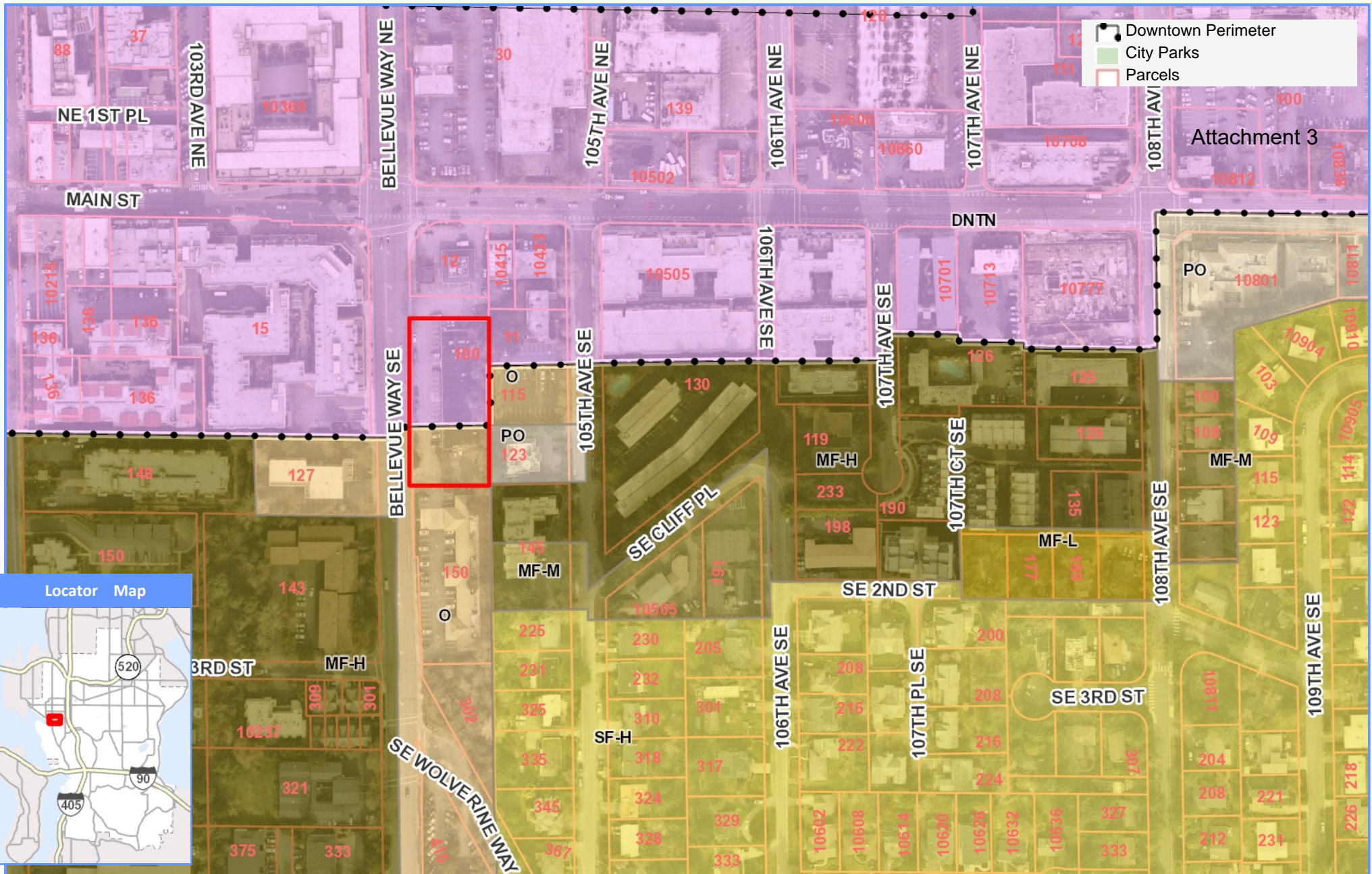
- A. City map of 2020 Comprehensive Plan amendment applications
- B. Site map

2020 Comprehensive Plan Amendments



Attachment 2





100 Bellevue Way SE - O to DNTN-MU

0
222
445

Scale 1: 2,669 Feet

Map Generated on: 05/29/2020

The City of Bellevue does not guarantee that the information on this map is accurate or complete. This data is provided on an "as is" basis and disclaims all warranties.