

From: Jane Boulware <jane@jboulware.com>
Sent: Tuesday, December 14, 2021 1:39 PM
To: Nesse, Katherine
Subject: Project #21-120635-AC

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Hi Katherine –

I am writing to oppose the proposed land use change from multi-family-high to neighborhood mixed use (NMU) for the site at 115 100th Ave NE (the burned apartment building).

My family and I live a few houses away at 9822 Lake WA Blvd NE. For nearly 20 years, I've enjoyed the Lochleven neighborhood and have been active in ensuring it is a safe place for families and kids. I am currently the Chairman of the Board for the Boys & Girls Clubs of Bellevue and am passionate that the 'downtown' area of Bellevue remains east of 100th street so that the Lochleven neighborhood, roads, sidewalks etc remain safe and accessible for kids and families. Rezoning this plot and others along 100th street would materially, adversely change the neighborhood, creating commerce, traffic and a non-family-friendly space.

I understand that LCA is petitioning to drop the proposal but am realistic that another may follow. I am requesting that you deny the petition and retain west-of-100th from further commercial development.

Kindly,

Jane Boulware family
9822 Lake WA Blvd NE



Oral Comments to Bellevue Council City on Monday December 13

Re: ORD 6635

Ordinance adopting the Northwest Bellevue Neighborhood Area Plan Comprehensive Plan Amendment (21-100174-AC) pursuant to the Growth Management Act, Chapter 36.70A RCW, and Chapter 35A.63 RCW; providing for severability; and establishing an effective date.

Mayor Robinson, Deputy Mayor Nieuwenhuis and members of City Council, my name is Craig Spiezle and I am speaking tonight on behalf of the Lochleven Community Association, also known as LCA.

LCA supports the updated draft NW Bellevue Neighborhood Plan and would like to extend our appreciation for the hard work of all involved and demonstrates that city staff, the Planning Commission and City Council listens. We believe the current draft reflects a balanced and measured approach to preserving the sense of community and neighborhood character and further defining the boundaries from downtown Bellevue, while increasing an emphasis on neighborhood safety and ability for residents to age in place. It is important to note that one size does not fit all, and all parties needs to be aware of this as the City looks to draft other neighborhood plans. We encourage you to vote in support of this draft before you.

As outlined in our previous comments, we believe there is a path forward to embrace and implement a mix of housing typographies including affordable housing alternatives as outlined in Policy S-NW-24. LCA would welcome participation in an advisory role towards evaluating considerations and establishing “guardrails” to support this objective, while protecting the character of our neighborhoods.

Looking ahead it is important we remain steadfast to the principles and policies within this plan and not permit private parties and developers to compromise the integrity of this work.

As I speak before you the City is now faced with a proposed amendment to the NW Bellevue Comprehensive Plan. For the record, LCA has challenged the applicant's legal standing and have asked the City Attorney to disqualify this application. The applicant did not own the property on September 8th when first engaging the City and as of today they still do not own it.

If approved this amendment would change a property from Multi-Family High (MF-H) to Neighborhood Mixed Use (NMU) which will allow retail and commercial use increasing the height from 30-45 feet. Additionally, it would be subject to a threshold review which could expand this to other similar properties within Lochleven. Our analysis is this proposal would conflict with over 40% of the principles in the plan and in effect invalidate the plan you being asked to approve tonight.

We are requesting the Council to stand your ground and your previous commitment of "doing no harm" as it applies to our neighborhoods and put the brakes on such efforts which threaten to undermine the very fabric of our neighborhood.

Thank you in advance for your support and your hard work on the NW Bellevue Neighborhood Plan. Standing our ground and continued support of "doing no harm" principle will pay dividends for future generations.

Thank you.

A handwritten signature in cursive script that reads "Craig Spizle".

Craig Spizle, On Behalf of the Board of the Lochleven Community Association

Joyce Doland
Treasurer

Mike Hatmaker
Vice President

Steve McConnell
Director

Paresh Rajwat
Director

Craig Spiezle
President

Mark D. Walters
Secretary

cc: Bellevue City Council
City Planning Commission
Matt McFarland, Assistant City Attorney
Kate Nesse, City Planning Department



SENT VIA EMAIL AND US MAIL

December 10, 2021

Hongbin "Ben" Wei (ben@mydianus.com)

Qiuyan Yang (QIUME611@GMAIL.COM)

WYMOND INVESTMENT LLC

125 100th Avenue NE

Bellevue WA, 98004

Re: Chimneys Condo Property – Public Safety Requests

Dear Messrs. Wei and Yang:

I write on behalf of the Lochleven Community Association, (LCA).

We understand that WYMOND INVESTMENT LLC is presently in the process of purchasing the Chimneys condominium site and that it intends to develop this property. As you know, the Chimneys condominium buildings were destroyed in a tragic accidental fire in 2016, and the current owner has ignored the property, creating a hazardous and dangerous property in our community.

The LCA welcomes the development of this property for residential use, however, we oppose your rezone application. Nevertheless, we welcome you to the Lochleven neighborhood, and we look forward to working with you to find common ground. In particular, we welcome the comments of your representative Dane Jorgensen at the recent Bellevue Planning Commission meeting that you are committed to preserving and improving the neighborhood.

At this time, we request that, immediately upon the closing of your transaction to acquire this property, you take steps to secure the entire perimeter of the property from the carports (which are continually used by homeless for overnight camping and third parties for parking) to NE 1st Street, and from 99th Avenue NE to 100th Avenue NE. We ask that you install semi-permanent fencing to secure the entire perimeter of the property.

In addition, we would like to bring to your attention that Lochleven neighbors previously attempted to contact the current owners of this property regarding ignored plant growth and

Hongbin "Ben" Wei and Qiuyan Yang
WYMOND INVESTMENT LLC
Re: Chimneys Condo Property – Public Safety Requests
December 10, 2021
Page 2 of 3

vegetation and garbage obstructing the sidewalks, street parking and encroaching on over 5 feet of NE 99th Ave NE. This created a dangerous walking and traffic condition on the corner of 99th Ave. NE and NE 1st Street. Thus, over the weekend of September 11, 2021, neighbors collectively spent over 40 hours removing debris and spent nearly \$300 in dump fees to reduce the safety and health obstacles. This debris included garbage, empty alcoholic containers, drug paraphernalia, dead animal carcasses and human feces.

We also have safety concerns regarding the overgrowth from this property along 100th Ave NE, which forces pedestrians to walk dangerously close to the street and traffic. Local property owners also report that the garbage collection containers on site are full and overflowing. These issues will need your prompt attention.

As the review and subsequent permitting process for your development of this property will likely take two years, we also ask that, upon the closing of your transaction to acquire this property, you promptly take all necessary steps to obtain the required demolition permits to remove the existing structures from the property and that, upon issuance of these demolition permits, you promptly remove these structures from the property.

We thank you in advance for your cooperation with these public safety requests and ask that you respond to this letter within 10 days of the date you obtain title to this property.

Finally, enclosed with this letter is an application that you can use to join the Lochleven Community Association.

Respectfully,



Mark D. Walters, On Behalf of the Board of the Lochleven Community Association
loclevenWA@gmail.com

Craig Spiezle
President

Joyce Dolan
Treasurer

Mark D. Walters
Secretary

Mike Hatmaker
Vice President

Steve McConnell
Director

Paresh Rajwat
Director

Hongbin "Ben" Wei and Qiuyan Yang
WYMOND INVESTMENT LLC
Re: Chimneys Condo Property – Public Safety Requests
December 10, 2021
Page 3 of 3

cc: Katherine Nesse, Bellevue Planning Commission (KNesse@bellevuewa.gov)
Thara Johnson, Bellevue Planning Commission (TMJohnson@bellevuewa.gov)
Councilmember Jeremy Barksdale, Bellevue City Council (JBarksdale@bellevuewa.gov)
City of Bellevue, Code Compliance Team (codecompliance@bellevuewa.gov)
Board of Directors and Board Members of the Boys & Girls Clubs of Bellevue
Mike and Cathy Roeter
Bayshore East Condominium Association



Lochleven Community Association Membership Application – 2021/2022

<https://www.lochlevenwa.org/membership>

Primary Member

First Name _____
Last Name _____
Address _____
Cell Phone _____ Home Phone _____
Email _____

Spouse / Partner

First Name _____
Last Name _____
Cell Phone _____ Home Phone _____
Email _____

Annual Membership Fees

\$25 Annual Fee per Household _____ Additional Contribution

Mail to: Lochleven Community Association c/o Craig Spiezle, 726 99th Ave NE, Bellevue, WA 98004

- I would like to join a working committee and/or be nominated to the board of directors.
- I am interested in becoming a "Block Captain" to help connect with neighbors on my street.
- I have completed CERT Training or have first aid training to assist neighbors in an emergency.
- I am interested in learning more about the Bellevue Community Emergency Response Team (CERT) training program.

Other than member's names, no information will be shared with any third party or posted online. Information will only be used for management of LCA and to send notices and alerts to members.

December 8, 2021

To: City of Bellevue Planning Commission
Re: Oral Comments: Project Name: 115 100th Ave
File Number: 21-120635-AC
Applicant: Ben Wei, WYMOND Investment LLC

Good evening. My name is Craig Spiezle. I am speaking tonight echoing recent comments submitted by the Lochleven Community Association and those voiced by others.

Before I proceed it is important to notify the Commission that it has been revealed the applicant does not have legal standing and if verified, the only action the city can take is to nullify the application. This matter has been referred to the City Attorney by the Planning Department. The community has since requested an ethics and conflict of interest review.

As a community we want to see this property developed, however we strongly object to the application. This rezone would significantly impact our neighborhood and conflict with over 40% of the policies outlined in the draft NW Bellevue Neighborhood plan. Further as stated the application could eliminate up to 23 residential units from the available housing stock which also conflicts with the comprehensive plan.

The rezone would increase the existing building height from 30 up to 45 feet, overshadowing adjacent properties, while inserting commercial use into a residential area. It would be an unnecessary intrusion of the established transition buffer and as proposed it risks significantly impacting the tree canopy including over twenty trees designated as significant per LUC 20.20.900. Further the neighborhood opposes any discussions to potentially amend the application to expand the boundaries to include nearby similarly situated properties.

In addition to the apparent lack of legal standing, this submission contains other material misstatements. These include but are not limited to the unfounded assertions this rezone would provide a public benefit to the "grand connection" and that the current zoning has impeded the development of the property.

Approval would benefit a single investor, while providing no public benefit and negatively impacting the neighborhood.

This property shares an easement with the Bellevue Boys and Girls Club and is directly adjacent to a downtown park and children's play area. The safety of these children and family's needs to be prioritized. This property has been an eyesore and safety hazard for over 5 years. It has neither been maintained or kept secure, attracting homeless, drug users and other illicit activities.

I encourage the Planning Department to flag this property as a public safety and health risk and expedite the demolition. In the meantime, semi- permanent fencing should be required around its entire perimeter to help maximize the security of the neighborhood.

In summary City Council has unanimously supported the “do no harm principle”. Now is the time to stand by these principles and 1) deny this application in totality, 2) require the property to be maintained and kept secure 3) accelerate its demolition and 4) drive efforts to restore this property to residential housing as soon as possible.

Thank you. I look forward to working with staff and the Commission to further protect and enhance our neighborhoods while expanding housing opportunities.

Craig Spiezle

726 99th Ave NE
Bellevue, WA



<https://LochlevenWA.org>

December 10, 2021

Mr. Matt McFarland
Assistant City Attorney
City of Bellevue
450 110th Ave Ne
Bellevue, WA, 98004-5514

Project Name: 115 100th Ave
Location: 115 100th Ave NE
File Number: 21-120635-AC
Applicant: Ben Wei, WYMOND INVESTMENTS LLC

Dear Mr. McFarland,

I write on behalf of the Lochleven Community Association to respectfully request the City of Bellevue nullify the application to rezone the above referenced property because the Applicant, Mr. Ben Wei, lacked legal standing when he submitted this site-specific rezoning application.

Since September, the Lochleven Community Association has been attempting to contact the current owner of this property (Caymus Development, Inc.) as recorded by King County. (See Exhibit 1). We have concurrently contacted City of Bellevue Staff to try to determine the true owner. We confirmed on Wednesday December 8, prior to the Planning Commission meeting that neither the Applicant nor his firm owns this property or represents the current owners.

20.30I.130 (2)(c)(i) of the Land Use Code states, "A property owner or authorized agent of the property owner may propose a site-specific amendment to the Comprehensive Plan." Neither Mr. Wei nor WYMOND INVESTMENT LLC (Wymond) owns this property, and there is nothing in the record that shows the current owner, Caymus Development, appointing or authorizing Mr. Wei or Wymond as its authorized agent or legal representative.

As such, we believe that the Applicant did not have legal standing to submit this site-specific rezoning application on September 15, 2021. Indeed, it now appears that the Applicant will not have the necessary legal standing until the sale of the property closes on Friday, December 17, 2021 (assuming the sale closes). This timing of ownership, or rather lack thereof, was acknowledged by Mr. Dane Jorgensen when he spoke on behalf of Mr. Ben Wei before the Planning Commission the evening of December 8, 2021.

In addition, the Applicant appears not to have used his legal name when submitting the rezone application. Documents obtained from the Corporation Division of the Washington Secretary of State for Wymond indicates the legal representative is Hongbin Wei and does not list anyone named Ben Wei.

Under the LUC, the applicant must have standing to submit an application for a site-specific rezoning at the time the application is submitted. These rules exist for a reason, for example, to prevent a non-owner from submitting a rezone application while a transaction is pending, and then backing out of the transaction after the site-specific application is approved, potentially leaving the true owner of the site in a compromised position.

In this instance, the Applicant will not be eligible to submit an application for a site-specific rezoning until after the change of ownership occurs which the applicant has stated is December 17, 2021, 100 days after first engaging the City. Per city policy the window for submitting rezoning applications in the next review of the Comprehensive Plan is closed. Because of the timing involved, the new owner of the property will need to wait until the City of Bellevue's next review cycle in 2023 to submit an application for rezoning.

The City's rezoning application timeline is designed to provide time for community individuals and organizations to become informed and to engage in the rezoning process. Part of that process is understanding the parties involved, the history of their development projects, the impact they have had on their communities during past development projects, and related issues. Further the process is in place to allow staff, the Planning Commission and City Council to review all applicants in a fair and transparent manor. Making an exception would be in direct conflict with City policy.

The Lochleven Community Association opposes granting any waiver or exception to the LUC's site specific rezone application process. The City of Bellevue's rules and regulations around site specific rezoning are designed to protect the City and its residents. They are not in place to provide a 100-day grace period for investors.

We believe the only just result here is for the City to nullify this Application. We look forward to working with the City to protect the interests of the City and its residents.

Craig Spiezle, On Behalf of the Board of the Lochleven Community Association



LochlevenWA@gmail.com

Joyce Doland, Treasurer
Paresh Rajwat, Director

Mike Hatmaker, Vice President
Craig Spiezle, President

Steve McConnell, Director
Mark D. Walters, Secretary

Instrument Number: 20171130001509 Document:WD Rec: \$76.00 Page-1 o
Record Date:11/30/2017 1:30 PM
King County, WA

When recorded return to:
 Caymus Development Inc.
 19516 S Susana Road
 Compton, CA 90221



20171130001509

WARRANTY DEED Rec: \$76.00
 11/30/2017 1:30 PM
 KING COUNTY, WA

SPECIAL WARRANTY DEED

OLD REPUBLIC TITLE LTD

17-023038 3/76

THE GRANTOR(S) **CHIMNEY HOMEOWNERS' ASSOCIATION**, a Washington non-profit corporation, as trustee for the holders of all interests in the former units of The Chimneys, a Condominium for and in consideration of \$10.00 and good and other valuable consideration in hand paid, bargains, sells, and conveys to **CAYMUS DEVELOPMENT INC.**, a California corporation the following described estate, situated in the County of King, State of Washington:

Lots 10, 11, 12 and 13, Block 4, LOCHLEVEN, according to the plat thereof recorded in Volume 16 of Plats, page 46, records of King County, Washington; EXCEPT the North 50 feet of said Lot 13.

SITUATE in the County of King, State of Washington, SUBJECT TO THE MATTERS SET FORTH ON EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF:

Abbreviated Legal: Lots 10-12 and portion of Lot 13, Block 4, LOCHLEVEN

Tax Parcel Number(s): 156350-0010-04, 156350-0020-02, 156350-0030-00, 156350-0060-03, 156350-0070-01, 156350-0080-09, 156350-0090-07, 156350-0100-05, 156350-0110-03, 156350-0120-01, 156350-0130-09, 156350-0140-07, 156350-0150-04, 156350-0160-02, 156350-0170-00, 156350-0190-06, 156350-0200-04, 156350-0210-02, 156350-0040-08, 156350-0050-05 and 156350-0180-08

The Grantor does by these presents expressly limit the covenants of the deed to those herein expressed, and excludes all covenants arising or to arise by statutory or other implication, and does hereby covenant that against all persons whomsoever lawfully claiming or to claim by, through or under said Grantor and not otherwise.

E2903554

EXCISE TAX AFFIDAVITS
 11/30/2017 1:30 PM KING COUNTY, WA
 Selling Price:\$11,310,000.00
 Tax Amount:\$201,323.00

LPB 16-09(r)
 Page 1 of 3

Exhibit 1

Search and Download Date 12.10.2021

**Instrument Number: 20171130001509 Document:WD Rec: \$76.00 Page-2 of 2
Record Date:11/30/2017 1:30 PM King County, WA**

Dated: 11/29/17

CHIMNEY HOMEOWNERS' ASSOCIATION, a Washington non-profit corporation

By: [Signature]
Xiao Cai, Secretary

Unofficial Copy

STATE OF Washington
COUNTY OF King

ss.

I certify that I know or have satisfactory evidence that Xiao Cai is the person who appeared before me, and said person acknowledged that she signed this instrument, on oath stated that she is authorized to execute the instrument and acknowledge it as the Manager of Chimney Homeowners' Association to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Dated: 11/29/17

[Signature]
Notary name printed or typed: Cidney Bryan
Notary Public in and for the State of Washington
Residing at Lake Forest Park, WA
My appointment expires: 11/29/20



LPB 16-09(r)
Page 2 of 2

**Exhibit 1
Search and Download Date 12.10.2021**

**Instrument Number: 20171130001509 Document: WD Rec: \$76.00 Page-3 of 3
Record Date: 11/30/2017 1:30 PM King County, WA**

EXHIBIT A

1. Terms and provisions as contained in an instrument,

Entitled: Notice of Charges by Water, Sewer, and Storm & Surface Water Utilities
Executed By: City of Bellevue
Recorded: December 22, 2011 in Official Records under Recording Number
20111222000589

Said document being a re-record of that certain document recorded under Recording No.
9612200938.

And recorded July 27, 2017 in Official Records under Recording Number 20170727001075

2. Any rights, interests or claims which may exist or arise by reason of the facts shown on a ALTA/ NSPS Survey plat prepared by Terrane, on June 14, 2017, designated Job No. 171043, as follows:
 - A) Legal description recited on Survey is the legal description prior to the termination of the Condominium by recorded termination;
 - B) Rebar cap in Northwesterly corner located 0.12 feet South of actual property corner;
 - C) Wall along Northerly lot line encroaches onto Northerly adjoinder by 2.0 feet to 0.2 feet;
 - D) Fence located in Northeast corner of property encroaches onto Northerly adjoinder by 0.5 feet;
 - E) Surveyor sets Northeast rebar/cap offset by 2.00 feet East of actual location;
 - F) Surveyor notes found rebar/cap in Northeast corner set by Triad, located 0.12 feet South and 0.04 feet East of calculated location;
 - G) Rockery along portion of Northeasterly line encroaches over Lot line onto Northeasterly adjoinder;
 - H) Rockery along Southeasterly portion of property encroaches into right-of-way of 100th Avenue Northeast by 0.3 feet;
 - I) Rockery along portion of Southwesterly line encroaches into right-of-way of NE 1st Avenue by 1.0 feet to 0.1 feet; and
 - J) Concrete stairs along portion of Southwesterly line encroaches into right-of-way of NE 1st Avenue.

LPB 16-09(r)
Page 3 of 3

Exhibit 1
Search and Download Date 12.10.2021

From: Craig Spiezle <craigsp@agelight.com>
Sent: Thursday, December 9, 2021 11:11 AM
To: Nesse, Katherine
Cc: McFarland, Matthew; Johnson, Thara
Subject: RE: Project 115th 100 Ave NE/ File # 21-120635AC

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Thanks you. We also learned today it appears the applicant did not use their legal name on the application.

From: Craig Spiezle <craigsp@agelight.com>
Sent: Thursday, December 9, 2021 9:52 AM
To: Nesse, Katherine; City_Attorney; King, Emil A.
Cc: Johnson, Thara
Subject: RE: Project 115th 100 Ave NE/ File # 21-120635AC

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Kate,

Can you direct me to who in the City Attorney's office is investigating the standing of the application. By the applicants on omissions last night the property will not close until Dec 17th, over 100 days from first meeting with you.

Craig Spiezle
Lochleven Community Association

From: Craig Spiezle <craigsp@agelight.com>
Sent: Wednesday, December 8, 2021 9:24 AM
To: Nesse, Katherine; City_Attorney
Cc: Johnson, Thara; PlanningCommission
Subject: RE: Project 115th 100 Ave NE/ File # 21-120635AC

Importance: High

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Thank you for taking my call confirming the property has not closed and the application and the representatives who met with City staff mis-represents ownership. The application was deceptive and expedited knowing the timeline and deadlines for submission of September 15th. It is nearly 90 days and we learned this morning they hope to close the transaction this Friday.

I appreciate your willingness to engage the City Attorney to consider nullifying the application. Rules and procedures are in place for a purpose. Further it is recommended an ethics and conflict of interest assessment be completed due to the applicant's attorney past role on the planning commission and how this may have contributed to this misrepresentation.

Katherine Nesse, PhD

Senior Planner, Community Development, City of Bellevue
knesse@bellevuewa.gov | 425-452-2042 | BellevueWA.gov

The data you seek is now online!

<https://bellevuewa.gov/city-government/departments/community-development/data>

From: Craig Spiezle <craigsp@agelight.com>

Sent: Tuesday, December 7, 2021 2:17 PM

To: Nesse, Katherine <KNesse@bellevuewa.gov>; PlanningCommission <PlanningCommission@bellevuewa.gov>

Subject: RE: Project 115th 100 Ave NE/ File # 21-120635AC

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

It was just shared to me off the record the applicant is not the owner and the purchase is contingent on the re-zone. It was my understand that an application can only be submitted by the owner. As such would the re-zone application be null and voided?

From: Nesse, Katherine <KNesse@bellevuewa.gov>

Sent: Wednesday, December 1, 2021 1:49 PM

To: Craig Spiezle <craigsp@agelight.com>; PlanningCommission <PlanningCommission@bellevuewa.gov>

Cc: Barksdale, Jeremy <JBarksdale@bellevuewa.gov>; Robinson, Lynne <LRobinson@bellevuewa.gov>; Nieuwenhuis,

Jared <JNieuwenhuis@bellevuewa.gov>; Lee, Conrad <CLee@bellevuewa.gov>; Stokes, John

<JStokes@bellevuewa.gov>; Zahn, Janice <JZahn@bellevuewa.gov>; Robertson, Jennifer S.

<j.robertson@bellevuewa.gov>; Paresh Rajwat (Paresh.rajwat@gmail.com) <Paresh.rajwat@gmail.com>; Mike

Hatmaker (mikeh1357@aol.com) <mikeh1357@aol.com>; Mark Walters <walters.mdw@gmail.com>; Joyce Doland

<bendol@seanet.com>; stevemcc@construx.com; Craig Spiezle <craigsp@agelight.com>; Johnson, Thara

<TMJohnson@bellevuewa.gov>

Subject: RE: Project 115th 100 Ave NE/ File # 21-120635AC

Mr. Spiezle,

Thank you for your comments. I will add it to the other comments I have received regarding this privately-initiated Comprehensive Plan Amendment for the 2022 CPA cycle.

Kate

Katherine Nesse, PhD

Senior Planner, Community Development, City of Bellevue
knesse@bellevuewa.gov | 425-452-2042 | BellevueWA.gov

The data you seek is now online!

<https://bellevuewa.gov/city-government/departments/community-development/data>

From: Craig Spiezle <craigsp@agelight.com>

Sent: Wednesday, December 1, 2021 12:48 PM

To: Nesse, Katherine <KNesse@bellevuewa.gov>; PlanningCommission <PlanningCommission@bellevuewa.gov>

Cc: Barksdale, Jeremy <JBarksdale@bellevuewa.gov>; Robinson, Lynne <LRobinson@bellevuewa.gov>; Nieuwenhuis,

Jared <JNieuwenhuis@bellevuewa.gov>; Lee, Conrad <CLee@bellevuewa.gov>; Stokes, John

<JStokes@bellevuewa.gov>; Zahn, Janice <JZahn@bellevuewa.gov>; Robertson, Jennifer S.

<j.robertson@bellevuewa.gov>; Paresh Rajwat (Paresh.rajwat@gmail.com) <Paresh.rajwat@gmail.com>; Mike

Hatmaker (mikeh1357@aol.com) <mikeh1357@aol.com>; Mark Walters <walters.mdw@gmail.com>; Joyce Doland

<bendol@seanet.com>; stevemcc@construx.com; Craig Spiezle <craigsp@agelight.com>

Subject: Project 115th 100 Ave NE/ File # 21-120635AC

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

In response to this rezone application from multi-family to mixed use, the Lochleven Community Association, (LCA), submits the attached letter. This submission provides added context and concerns from the comments previously submitted on October 14, 2021.

As a community we strongly object to the proposal to modify the land use code for this property location as well as any parcel on the west side of 100th Ave NE, from NE 1st street to NE 8th street. As outlined in the attached document, the proposed up-zoning conflicts with over 40% of the policies and objectives outlined in the revised draft Northwest Bellevue Comprehensive Plan.

If approved, this rezone will significantly impact our neighborhood and community at large, diminishing a sense of place and sense of community. The application runs counter to the city's goals of preserving, strengthening and enhancing community. The existing zoning was established as a transition envisioning current development we see today in Downtown. The proposed change would be an unnecessary intrusion of the established transition buffer.

We look forward to working with the city preserving the character and safety of our neighborhood and not approve any re-zoning or change in permitted use of this or any other parcel in Lochleven. We are happy to meet to provide any additional context to these and other concerns.

cc: Lochleven Board of Directors
Bellevue City Council

Craig Spiezle
President, Lochleven Community Association
<https://LochlevenWA.org>
425-985-1421



<https://LochlevenWA.org>

From: Craig Spiezle <craigsp@agelight.com>
Sent: Tuesday, December 7, 2021 3:52 PM
To: Nesse, Katherine
Cc: Johnson, Thara
Subject: Re: Project 115th 100 Ave NE/ File # 21-120635AC

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

I should note this is not confirmed but does gel with what King County told me when I called as there is no reason it would take 100 days to be recorded.

Craig Spiezle
<https://www.agelight.com>
425-985-1421

From: Craig Spiezle <craigsp@agelight.com>
Sent: Tuesday, December 7, 2021 2:17 PM
To: Nesse, Katherine; PlanningCommission
Subject: RE: Project 115th 100 Ave NE/ File # 21-120635AC

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

It was just shared to me off the record the applicant is not the owner and the purchase is contingent on the re-zone. It was my understand that an application can only be submitted by the owner. As such would the re-zone application be null and voided?

From: Dean Brown <deancarsonbrown@gmail.com>
Sent: Sunday, December 5, 2021 9:09 AM
To: Nesse, Katherine
Subject: Project #21-120635-AC

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Ms. Nesse,

Good day. We object to the application to rezone the property with the burned down condos. It is both not necessary and objectionable. There are plenty of properties downtown for the development of retail and hotel space. No need to rezone this property for more.

We need residential space in the city.

The hotel and retail plans will degenerate our neighborhood with traffic and other impacts that don't belong here.

Please maintain our residential community and deny the rezone request.

Thank you,

Dean and Susan Brown
9847 NE 1st St, Bellevue, WA 98004 (one block from the property)
310-962-7612

From: Blenda Mariani <blenret@gmail.com>
Sent: Saturday, December 4, 2021 10:40 AM
To: Nesse, Katherine
Subject: Project #21-12065-AC

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Katherine Nesse

I am writing to provide input on this project in Downtown Bellevue. Living directly across from Downtown Bellevue Park, I am strongly opposed to changing the land use code from multi-family to multi-use.

Traffic on 100th Avenue is already quite heavy and noisy. Many people living in this area walk to all activities and breathe quite a bit of exhaust fumes when walking to pick up prescriptions or groceries on 8th Street NE. Please do NOT add commercial zoning to any location east of the park (100th Avenue).

Downtown residents already have easy walking access to a variety of restaurants and shops, including Bellevue Square. We definitely do not want or need additional commercial sites!

Thank you for acquiring input via Nextdoor,
Blenda Mariani

December 4, 2021

Bellevue Planning Commission
c/o Katherine Nesse, PhD
Senior Planner Comprehensive Planning
City of Bellevue

Re: Land Use Application #1020225 - 115 100th Ave NE Rezone

To Katherine Nesse and the Bellevue Planning Commission:

I am providing the following comments for your consideration in determining whether or not to advance the referenced application for a site-specific Comprehensive Plan Amendment and rezone of the property from MH-H to NMU. I have been a resident of Lochleven for 32 years and have enjoyed the many benefits and the community that this unique location provides. My comments are intended to provide you with the perspective of a long-term resident who has chosen to locate in this neighborhood because of the long-term vision for downtown and the transitional buffer zoning in place.

Comments regarding the application:

- “The current zoning is an impediment to redeveloping the site and should be revisited.”
 - The adjacent property that was the site of the old Bellevue Boys and Girls Club, also facing 100th Street, was recently very successfully redeveloped under the existing zoning as a multifamily project. Just to the north of the new Bellevue Boys and Girls Club at 371 100th Ave NE, Park West was developed in 2008 under the existing zoning. These projects are both examples that the property can successfully be redeveloped under the current zoning regulations.
- “The property is adjacent to the Downtown subarea, adjacent to the Downtown Park, along the Grand Connection and primed to provide a buffer/transition to the Downtown subarea.”
 - The current routing of the Grand Connection is from the south park entry along 102nd Ave to Old Main and west along Old Main to the future entry to Phase II of Meydenbauer Bay Park. The current route is not contiguous to the property and more appropriately directs higher volumes of pedestrians to the Old Main village where dining, shopping and services are concentrated.
 - The current zoning was enacted to provide a transition buffer for the Lochleven neighborhood from the Downtown subarea. It was put in place in the 90’s when the downtown was upzoned with a promise from the City Council that it would be maintained in perpetuity. The realization of that Downtown subarea high density zoning has been phenomenal with expansion of highly successful retail, office, and residential developments within blocks of Lochleven. The existing Lochleven zoning has been successful in buffering the neighborhood from the Downtown subarea and in maintaining diversity in the types of multifamily and single-family homes. The change to a NMU zone on the property and potential geographic expansion of the zone change is

unnecessary to develop the property and would reduce the effectiveness of the current transition buffer zoning.

Comments regarding Threshold Review Decision Criteria Response:

- Policy S-NW—6:
 - The property location and any potential geographic expansion of the zone change is already located adjacent to a true neighborhood-centric or “Village”, the Old Main area. The addition of commercial uses would be a breach of the transition buffer zoning in place, adding additional traffic, hours of operation, noise, and other incompatibility impacts.
- Policies S-NW-12 to 16:
 - Lochleven already contains community gathering spaces at the BB&G Club and its proximity to Old Main businesses, Bellevue Square, Meydenbauer Bay Park, Downtown Park and more provide ample opportunities. These policies are more appropriately applied to neighborhoods that do not already have these elements in place and not to a single lot or area that already has the abundance of these elements.

It is also worth noting that upzoning of the area between 100th and 99th and Lake Washington Blvd. and NE 1st street was considered during the master planning of the Meydenbauer Bay Park to provide for hotel and commercial uses. It was dismissed early in the park planning process due to concerns with neighborhood compatibility and determined to not be necessary to support park uses.

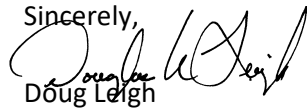
Regarding policies of the new Northwest Bellevue Subarea Plan not addressed by the applicant:

- S-NW-24:
 - The project if developed as a hotel would not address providing a variety of housing types or affordability.
- S-NW-8:
 - While the bulk and height scale may not be changed, a hotel typically has a different modulation related to the room size that is not consistent with surrounding multifamily design. Elements to support the commercial uses such as signage, lighting and covered outdoor areas, drop off and pickup drives could also conflict with existing surrounding multifamily buildings.
- S-NW-9:
 - The proposal would do nothing to support this policy and the existing zoning was put in place to support this policy in the 90’s when the current upzoning of Downtown Bellevue was enacted.

Please consider these comments and others from the Lochleven neighborhood when considering this Comprehensive Plan Amendment and the potential impact of the zone change, if granted. The property is developable as is and as has been demonstrated on other similar properties without imposing a zone change on the neighborhood. I have during my 32 years in the neighborhood felt firsthand the pressures from the intensity of new development in Downtown and the increased use of the Downtown Park, Meydenbauer Bay Park and Old Main businesses. Any change to the existing Comprehensive Plan

or zoning should be weighed against the impacts to the residents and not the financial advantage that changing the zoning will provide to an individual.

Sincerely,

A handwritten signature in black ink, appearing to read "Doug Leigh". The signature is written in a cursive style with a large initial "D" and "L".

Doug Leigh

508 98th Ave NE

Bellevue, WA 98004

dnleigh@comcast.net



<https://LochlevenWA.org>

Submitted via email knesse@bellevuewa.gov

December 1, 2021

City of Bellevue Planning Commission
Katherine Nesse, PhD, Senior Planner, Comprehensive Planning
City of Bellevue
450 110th Avenue NE
Bellevue, WA 98004

Project Name: 115 100th Ave
Location: 115 100th Ave NE
File Number: 21-120635-AC
Applicant: Ben Wei, WYMOND Investment LLC

In response to this application, the Lochleven Community Association, (LCA), submits the following comments. This submission provides added context and concerns from the comments previously submitted on October 14, 2021.

As a community we strongly object to the proposal to modify the land use code for this property location as well as any parcel on the west side of 100th Ave NE, from NE 1st street to NE 8th street. As outlined in this document, (Attachment A on page 3), the proposed up-zoning conflicts with over 40% of the policies and objectives outlined in the revised draft Northwest Bellevue Comprehensive Plan, presented to city council on November 22, 2021.

If approved, this rezone will significantly impact our neighborhood and community at large, diminishing a sense of place and sense of community. The application runs counter to the city's goals of preserving, strengthening and enhancing community. The existing zoning was established as a transition envisioning current development we see today in Downtown. The proposed change would be an unnecessary intrusion of the established transition buffer.

The rezone request attempts to make the case that a commercial development in this location will support the Grand Connection envisioned to connect Downtown Bellevue to The Meydenbauer Bay Park. We believe this statement is inaccurate and non-applicable as the property does NOT run contiguous to the Grand Connection and as such would have no public benefit. On the contrary, it is expected traffic related to the development will add congestion, pedestrian safety and parking issues.

Competition for both street and other parking will create additional traffic as residents and pedestrians seek access to both the Downtown and Meydenbauer Bay parks.


This rezone would adversely impact Residential Zone Parking 9 (RPZ). RPZ 9 is designated for residential use and the proposed rezone would need to provide onsite parking for employees and customers of the proposed commercial business. In addition, it is likely the rezone would create a spill-over effect using Downtown Park parking which is frequently at capacity. Traffic related to commercial activities is very likely to be much more frequent throughout the day than residential traffic. Additionally, the traffic patterns introduced by commercial hotel and retail usage, would increase drive-through traffic potentially introducing safety issues with the Boys & Girls Club, who enjoy a shared driveway. This application is silent to any traffic or parking impact.

The applicant also points out that the property has been vacant and unused since it was destroyed by fire in 2016 and suggests that rezoning is therefore necessary for the redevelopment of the site. This is not a valid or accurate statement. More accurately as supported by public records, several issues have had a direct impact on the property being developed. These include a protracted and contested insurance settlement involving over 20 individual property owners, a wrongful death lawsuit and multiple flips of the property. The property has been purchased by an experienced developer aware of the current zoning.

In addition, it is generally recognized that such spot-zoning directly favors the financial interests of a single owner while negatively impacting the neighborhood and adjacent properties. Further we oppose the suggestion by representatives of this property to potentially amend the application to include 100th Ave NE from NE 1st Street to NE 8th Street.

While not directly related to this rezone application, it is important to note the property owner has failed to maintain the property, creating health-safety risks. Current and past owners of this property have failed to keep the property secure and allowed vegetation to obstruct the public right-of-way including encroaching into 5 feet of 99th Ave NE. After repeated calls to the city for assistance, residents of Lochleven removed the vegetation and debris including empty alcohol containers and drug paraphernalia. We are requesting the City require the owner to secure and maintain the property and proceed with the demolition ASAP to help prevent further risks to the community at large.

We look forward to working with the city preserving the character and safety of our neighborhood and not approve any re-zoning or change in permitted use of this or any other parcel in Lochleven. We are happy to meet to provide any additional context to these and other concerns.



Craig Spiezle, On Behalf of the Board of the Lochleven Community Association

Joyce Doland, Treasurer
Paresh Rajwat, Director

Mike Hatmaker, Vice President
Craig Spiezle, President

Steve McConnell, Director
Mark D. Walters, Secretary

cc: Bellevue City Council

Attachment A
Impact to Draft Comprehensive Plan for Northwest Bellevue
dated November 22, 2021

Policy S-NW-1 calls for the “protection and enhancement of existing land uses within the neighborhood” This rezone request seeks to increase the intensity of use of this property.

Policy S-NW-2 calls for transition areas when “areas adjacent to lower density areas are rezoned”. The area in question is not adjacent to, it is within a current lower density area. There is no benefit from a rezone, and no need for a transition area.

Policy S-NW-3 calls for the encouragement of preservation of, and rehabilitation of existing housing stock. This rezone request seeks to permanently diminish the potential housing stock by changing zoning from residential to commercial. Shifting from a multi-unit residential unit to mixed-use including a commercial hotel property with transient guests and employees would reduce ties to the community and neighborhood and the overall vision for Northwest Bellevue of creating a “sense of community” This request is in direct conflict with this policy and goals.

Policy S-NW-6 seeks to maintain and enhance neighborhood character. This request conflicts with the policy by introducing commercial development into a residential neighborhood.

Policy S-NW-11 calls for a seamless transition when crossing jurisdictional boundaries. This rezone request asserts that there is a benefit in the rezone. There is no jurisdictional boundary involved in this request, and no benefit from a rezone.

Policies S-NW 12 through S-NW-16 call for the creation of opportunities for NW Bellevue residents to gather informally, provide recreation opportunities, and provide public access covered spaces for community-oriented programs and services. This request asserts that the commercial facilities resulting from the rezone - most likely hotel, restaurant or retail facilities will accomplish these goals. It is highly unlikely that the spaces created will be provided and no-charge used for community use, but rather be used to serve guests and customers of the businesses occupying the development.

Policy S-NW-8 & 9 call for a “clear distinction between the scale and intensity of Downtown Bellevue and Northwest Bellevue”. 100th Avenue NE and current zoning currently provides this distinction and separation. This rezone request is to bring commercial development into a residential neighborhood and further diminishes the existing separation and buffer.

Policy S-NW-24 calls for the encouragement of a mix of housing typologies – maintaining the existing zoning supports this goal. There are few opportunities remaining within NW Bellevue to add to the stock of multifamily housing in a smaller scale building. This request removes over 20 residential units.

Policy S-NW-36. Calls for maintaining a clear distinction between arterials and neighborhood streets, discouraging commuter through-traffic from using residential streets to get to their destination. Inserting an additional commercial business would only increase and attract cut-through traffic on NE 1st Street and 99th Ave NE.

Policy S-NW-41, 42 & 43. Pursue opportunities for increasing tree canopy through planting of new trees on public and private property throughout Northwest Bellevue. This parcel has over two-dozen “protected” trees and this application is silent on the impact to the tree canopy, plants and animal habitat.

From: pat amador <patsyamador@gmail.com>
Sent: Wednesday, December 1, 2021 5:20 PM
To: Nesse, Katherine
Subject: Re: #21-120635-AC

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Thanks Kate for taking the time to respond. We lived in Vue Crest for some time and when Bellevue began to talk about the twenty year plan for building and going upright we couldn't believe how it would look after having such a quiet downtown. From our kitchen window, we had a straight shot down NE 8th street for the view of the Cascades. And now look at it... at that time we understood that there would be no commercial space west of 100th. The Residence Inn was already in place , but it was low slung so blended into the neighborhood. So if there is a multi use for this property, would it be in line with the Boys and Girls Club in height?

Pat

From: Faye Kraft <fayekraft@gmail.com>
Sent: Sunday, November 28, 2021 3:29 PM
To: Nesse, Katherine
Subject: 115-100th Avenue NE/Application Notice

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

I am Faye Kraft, I have been an owner at Bayside Place, 9909 NE 1st St, for the past two years, previous address was Ashley House, 200 99th Ave NE, residing there 8 years, prior to this address I lived in Enatai for 30 years. I think I am very familiar with the area, as well as, a real estate agent for 20 years serving the greater eastside. I am definitely not opposed to watching Bellevue grow to become a destination city, I am opposed to changing the zoning from R-30 to Mix Used. I watched the Chimney Condos burn some five years ago, since then I've watched this property increase in land values tremendously, and this burned out property has since become a haven for homeless persons and 4 legged creatures. Why has the city allowed this deterioration to happen all these past years?

As to the Application Notice for this property changing zoning from R30 to NMU (mixed used and retail, restaurants etc) I strongly express NO to rezone; we sit here between two parks - the overflow of traffic from both parks is directed to 99th Avenue and NE 1st Street consequently more car prowls and with more people more environmental issues. This part of NW Bellevue has the unique attribute of being walking distance to the famous Bellevue Square, the gateway to Seattle via easy access of two bridges across Lake Washington, and also allows the community to use the light rail, when completed.

Old Main Street is a treasure to behold, retail, restaurants belong to Old Main, 100th Avenue should be the red line for retail, etc. Again NO to a rezone

Respectfully submitted
Faye Kraft

From: Philip Matthews <philiprmatthews@mac.com>
Sent: Tuesday, November 23, 2021 8:58 PM
To: Nesse, Katherine
Subject: Public Comment on 2022 Annual Amendments to the Bellevue Comprehensive Plan

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Re: Project 115 100th Ave. File: 21-120635-AC Proposal to rezone from Multifamily-High to Neighborhood Mixed Use.

I am a resident in Bayside Place Condominiums that is across the street from 115 100th Ave. I object to this proposal for several reasons:

1. The west side of 100th Ave is zoned MF-H. It should stay that way. I suspect that if this property is rezoned, the whole street will eventually be rezoned as mixed residential/commercial. It would end up looking like Main Street and lose its original character.
2. Rezoning to mixed use would result in a significant increase in car and pedestrian traffic, noise, increased property taxes, increased crime with car prowling, theft, and vandalism. The night time lights would disturb residents facing the street.
3. Of great concern is that the building height limitation all along 100th and Lake Washington Blvd would be rewritten to allow much taller structures like those seen on Main Street with eventual obstruction of our highly valued views of Meydenbauer Bay and Mt Rainier. My view adds tremendous value to my condo which would be lost in such a circumstance.
4. A rezoning as proposed would upset the original comprehensive development plan of the Bellevue City Council. The Council would lose its credibility as a reliable planner if it changes its plans to fit the interests of big developers.

For these reasons, I request that Bellevue reject the proposal for this rezoning of this property. Thank you.

Philip Matthews, DO

From: Craig Spiezle <craigsp@agelight.com>
Sent: Tuesday, November 23, 2021 3:53 PM
To: Nesse, Katherine
Subject: RE: City of Bellevue Notice of Application 11-18-21

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Thanks for the quick reply. This helps.

Note as you may have heard at night nights council study session DADUs and affordable housing was a big focus. I mentioned that since the rezone has the potential to reduce housing options.

From: Craig Spiezle <craigsp@agelight.com>
Sent: Tuesday, November 23, 2021 3:53 PM
To: Nesse, Katherine
Subject: RE: City of Bellevue Notice of Application 11-18-21

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Thanks for the quick reply. This helps.

Note as you may have heard at night nights council study session DADUs and affordable housing was a big focus. I mentioned that since the rezone has the potential to reduce housing options.

BAYSIDE PLACE CONDOMINIUM ASSOCIATION

Submitted via email knesse@bellevuewa.gov

October 20, 2021

Katherine Nesse, PhD
Senior Planner, Comprehensive Planning
City of Bellevue
450 110th Avenue NE
Bellevue, WA 98004

Re: Land Use Application #1020225 / Proposed 2022 Comprehensive Plan Amendment

On behalf of the Bayside Place Condominium Association, we are requesting to be classified as “parties of record” as it pertains to the application for an amendment to include an up-zone from a multifamily High R-30 to Neighborhood Mixed Use, (NMU). The proposal as written would allow the site to be redeveloped to include first floor retail and/or food service with either residential or hotel above.

Bayside Place includes 32 condominiums immediately south of the subject property. Our community is facing several threats which are diminishing the sense of community and neighborhood including but not limited to the massive development projects in the pipeline, ongoing efforts of unzoning and the increasing spill over impact of traffic and parking from downtown Bellevue.

We believe any such up-zoning is in direct conflict to the NW Bellevue Comprehensive Plan. As proposed this application risks negatively impacting the neighborhood and community at large. While we understand the application process is in the early stages, this letter serves to record of our objection to any such re-zone on this property.

Respectively,



Scott Lampe

President, Bayside Place Condominium Association
9909 NE 1st St., Apt 408
Bellevue, WA 98004
425-442-8438 Cell
scottlampe@msn.com



<https://LochlevenWA.org>

Submitted via email knesse@bellevuewa.gov

October 14, 2021

Katherine Nesse, PhD
Senior Planner, Comprehensive Planning
City of Bellevue
450 110th Avenue NE
Bellevue, WA 98004

Re: Land Use Application #1020225 / Proposed 2022 Comprehensive Plan Amendment

On behalf of the Lochleven Community Association, (LCA), we are requesting to be classified as "parties of record" as it pertains to the application for an amendment to include an up-zone from a multifamily High R-30 to Neighborhood Mixed Use, (NMU). The proposal as written would allow the site to be redeveloped to include first floor retail and/or food service with either residential or hotel above.

Lochleven includes over 500 households representing over 1,200 residents. Our community is facing several threats which are diminishing the sense of community and neighborhood including but not limited to the massive development projects in the pipeline, ongoing efforts of unzoning, loss of tree canopy and the increasing spill over impact of traffic and parking from downtown Bellevue.

We believe any such up-zoning is in direct conflict to the NW Bellevue Comprehensive Plan. As proposed this application risks negatively impacting the neighborhood and community at large. While we understand the application process is in the early stages, this letter serves to record of our objection to any such re-zone on this property and/or any property on 100th Ave NE.

Respectively,

A handwritten signature in black ink that reads "Craig D. Spiegle".

Craig Spiegle
President, Lochleven Community Association
craigsp@agelight.com