

CITY OF BELLEVUE  
CITY COUNCIL

Summary Minutes of Study Session

December 2, 2013  
6:00 p.m.

Council Conference Room  
Bellevue, Washington

PRESENT: Mayor Lee, Deputy Mayor Robertson, and Councilmembers Balducci, Chelminiak and Stokes

ABSENT: Councilmembers Davidson and Wallace

1. Executive Session

At 6:02 p.m., Deputy Mayor Robertson called the meeting to order and declared recess to Executive Session for approximately 65 minutes to discuss two items of potential litigation and one item of property acquisition.

The meeting resumed at 7:26 p.m., with Mayor Lee presiding.

2. Study Session

- (a) Review of the Planning Commission recommendation to amend the Comprehensive Plan with the Bellevue Apartments and the Bel-Kirk Office Park 2013 Comprehensive Plan Amendments (CPA), as part of the 2013 Comprehensive Plan amendment work program adopted by City Council on July 8, 2013.

Acting City Manager Brad Miyake opened discussion regarding the Planning Commission's recommendations on the 2013 Comprehensive Plan Amendments (CPAs).

Nicholas Matz, Senior Planner, reviewed the CPA process. Five privately-initiated, site-specific applications were received this year. Two were withdrawn and one was not advanced beyond threshold review. Two were advanced to final review without expansion of their geographic scope.

The two CPAs for final review are the Bellevue Apartments proposal and the Bel-Kirk Office Park proposal. The final review is subject to the Land Use Code decision criteria. The Planning Commission held a public hearing on October 23, 2013, and Council action is anticipated for December 9.

The Bellevue Apartments CPA requests a change in the map designation from Office (O) to Multifamily-High (MF-H) for property located at 13902 NE 8<sup>th</sup> Street.

Diane Tebelius, Planning Commission Chair, said the Planning Commission voted 6-0 to approve the Bellevue Apartments site-specific CPA. The Commission determined that it is consistent with Comprehensive Plan policy, conforms with the surrounding area, and benefits the Wilburton/NE 8<sup>th</sup> Street Subarea. It provides the potential for an additional housing choice and takes advantage of the adjacent RapidRide line. While the property is currently designated as Office, it was developed with apartments under a conditional use permit. Ms. Tebelius noted that the Land Use Code assures that infill development will be compatible with the surrounding built environment.

Councilmember Balducci requested information on the specific policies referred to when the CPA is said to be consistent with existing policies. She would like this information for both CPA proposals before the Council takes a vote.

Mr. Matz said he provided the staff report for the Bel-Kirk CPA because he thought that was Ms. Balducci's previous request. He will provide the staff report for the Bellevue Apartments CPA as well.

Ms. Balducci noted adjacent Multifamily-Medium (MF-M) property and questioned why that designation was not chosen for the Bellevue Apartments site.

Mr. Matz said the Bellevue Apartments site is already developed at a density that equates to the maximum of Multifamily-Medium (20 units per acre) but the applicant would like to provide additional development at the higher density. Responding to Ms. Balducci about whether this would set a precedent for adjacent property, Ms. Matz said the neighboring MF-M property has maximized the use of its site and there is no potential for infill development.

Responding to Ms. Balducci, Planning Director Dan Stroh said staff's consideration of the appropriate density included the property's location at a major intersection adjacent to a Neighborhood Business use and its proximity to the RapidRide bus line.

Responding to Mayor Lee, Mr. Stroh said the MF-H designation will allow for some increased density on the Bellevue Apartments site. Mr. Matz said the site could add up to 15 units but is more likely to add 8 to 12 units.

Councilmember Balducci questioned the number of other MF-M developments along NE 8<sup>th</sup> Street and wondered whether they will also want to change their map designations to MF-H. She is not opposed to the CPA proposal, but she tends to struggle with site-specific CPA applications in terms of how they might influence potential future proposals.

Councilmember Stokes observed that areas throughout the community continue to change due to changes in population, demographics, and transportation/transit access. He believes the requested map designation change is appropriate for this specific property and that it is not setting a

negative precedent. Mr. Stokes said he is comfortable with supporting the Bellevue Apartments CPA.

Responding to Councilmember Chelminiak, Mr. Matz said that at the time the apartments were developed, the Office district allowed up to 50 percent of a property's use to be residential. The existing site is developed at half of its potential with no office use at all. The property to the north is an office building.

Deputy Mayor Robertson said she shared Ms. Balducci's question about whether a designation of MF-H for this site would represent a changed circumstance for the MF-M site next door. She noted that the answer was no because the MF-M property is fully developed.

Mr. Matz said the change would not represent a changed circumstance for adjacent property because the Bellevue Apartments site is zoned as Office. This is not the case for the property next door.

Ms. Robertson said one of the changed circumstances for the Bellevue Apartments CPA is the bus rapid transit (BRT) line. She shares Ms. Balducci's earlier question about whether other properties along the route will want to change their zoning for the same reason.

Ms. Robertson said the City is currently undergoing, with the Planning Commission as lead, the major Comprehensive Plan Update. If transit can be considered a changed circumstance, she suggested it would be useful for the Planning Commission to consider that potential along the light rail alignment as part of the Comprehensive Plan Update.

Mr. Stroh said that makes sense in a global perspective. The implications for development adjacent to light rail will be refined beyond the 2014 Comprehensive Plan Update, however.

Ms. Robertson said she feels comfortable knowing that staff and the Planning Commission are taking this into consideration. She said changed circumstances typically applies to unplanned changes. If the light rail alignment is deliberately addressed through the Comprehensive Plan Update, the presence of transit should not generate a flurry of CPA proposals later.

Responding to Ms. Robertson regarding the written communication from David Plummer, Mr. Matz said that Mr. Plummer was involved in the Planning Commission's public hearing and his comments were considered in their deliberations.

Following up on Ms. Robertson's comments, Mayor Lee stated that light rail alone would not create a changed circumstance to allow higher zoning densities. He said the local context will remain the most important consideration.

Mr. Stroh confirmed that the Council has been clear that the light rail alignment will not automatically cause land use changes.

Deputy Mayor Robertson clarified that her comment intended to state that the Comprehensive Plan Update should consider the light rail alignment so that it does not create a claim of changed circumstance for any properties later when light rail begins operating.

Councilmember Chelminiak observed that most of the light rail stations will be located where originally anticipated. The exception is the Hospital Station, which Sound Transit initially wanted to locate on the west side of I-405.

Councilmember Stokes commented that the Bellevue Apartments site is a fairly unique situation, and the RapidRide bus line is different than light rail. He is comfortable with the Planning Commission's recommendation to approve the CPA request.

Mayor Lee summarized that the Council is comfortable with the Planning Commission's recommendation regarding the Bellevue Apartments CPA.

Moving on, Nicholas Matz said the Bel-Kirk CPA requests a change in the map designation from Light Industrial (LI) to Office (O) for property located at 11100 NE 33<sup>rd</sup> Place. He said existing development and land uses in the area are predominately non-industrial, and the site is relatively small and isolated. He noted the Kirkland Park and Ride/transit-oriented development (TOD) nearby and the repurposing of the BNSF rail corridor as further indicators of non-industrial uses. Together these represent a pattern of adaptive land use changes whose cumulative effect was not anticipated in the North Bellevue Subarea Plan. Mr. Matz said the City is not aware of any specific plans for redevelopment of the site, which includes critical areas (i.e., steep slopes).

Chair Tebelius said the Planning Commission voted 6-0 to recommend approval of the Bel-Kirk Office Park CPA, which changes the Light Industrial (LI) map designation to Office (O). Issues important to the Commission were the expansion of SR 520, proximity to the Kirkland TOD, and the repurposing of the BNSF rail corridor. Ms. Tebelius said the Commission determined that the North Bellevue Subarea Plan did not anticipate the significant change to non-industrial and office uses.

Ms. Tebelius said the Commission concluded that the application is consistent with the North Bellevue Subarea Plan goal of protecting the predominately single-family character of the subarea. It would encourage growth where adequate facilities and services exist, however. The existing building was constructed in 1988 and it is largely occupied by offices today.

As a separate broader issue, Ms. Tebelius said the Planning Commission is concerned about the increasing disappearance of the LI district and believes this should be addressed as part of the Comprehensive Plan Update.

Deputy Mayor Robertson said she appreciates the Commission's concern about the loss of LI properties. She believes this will be addressed as part of the Eastgate/I-90 Update as well. She expressed support for both CPA proposals.

Responding to Councilmember Chelminiak, Mr. Matz said the Bel-Kirk property was rezoned to LI in 1985 and the building was constructed in 1988. He said it is possible that at least some of the building space was used as light industrial at some point.

Mr. Chelminiak observed that the term light industrial is potentially a misnomer for the specific types of uses allowed in LI districts. It does not necessarily refer to manufacturing, which might be the more common interpretation. He noted that he does not see the Kirkland TOD as a changed circumstance because the site was already a Park and Ride lot.

Responding to Councilmember Balducci, Mr. Matz said the change would provide a clear zoning designation for the property owner. However, he is not aware of any immediate plans for redevelopment.

Mayor Lee thanked Chair Tebelius and the Planning Commission for their work.

Ms. Tebelius thanked Mr. Matz for his work with the Planning Commission.

At 8:04 p.m., Mayor Lee declared recess to the Regular Session.

Myrna L. Basich, MMC  
City Clerk

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