



Planning Commission

TRANSMITTAL

DATE: April 9, 2015

TO: Mayor Balducci and Members of the City Council

FROM: Aaron Laing, Chair
Members of the Bellevue Planning Commission

SUBJECT: Threshold Review Recommendation for 2015 **privately-initiated** site-specific Comprehensive Plan Amendments (CPA): **Public Storage CPA (15-103770 AC)**

The Planning Commission recommends by a vote of 6-0 that the City Council initiate the Public Storage site-specific Comprehensive Plan Amendment (CPA) proposal, and geographically expand it to include three properties adjacent to the north.

I. SUMMARY OF PROPOSAL

If approved, this privately-initiated application would amend the map designation on this 2.9-acre site from Office Limited Business (OLB) to Light Industrial (LI). The single property is used for warehousing and storage services. See Attachment PC-1.

If the CPA were adopted, the applicant's stated purpose is to "reconcile the existing zoning designation (which causes the existing use to be nonconforming) with the current and long term future use of the site which will allow Public Storage to invest capital in aesthetic and structural improvements to the building and site and decrease impacts on the Mercer Slough."

II. RECOMMENDATION

The Planning Commission finds that the Threshold Review Decision Criteria have been satisfied for this proposed Comprehensive Plan Amendment as set forth in the Land Use Code in Section 20.30I.140 (Threshold Review Decision Criteria).

The annual Comprehensive Plan amendment process provides the applicant the opportunity to seek the LI land use designation for the site. While LI (and GC) designations allow for storage uses, it is far from clear that LI would be the most appropriate designation for this site that is adjacent to the natural area of Mercer Slough, the Belle Fields office park, and the SE 8th freeway interchange. Resolution of the long term vision for this property and the surrounding mix of land uses would ideally be addressed through a larger subarea planning process.

Use and expansion of the existing storage use on site remains allowed under the Land Use Code through the use of conditional use permitting to address the nonconforming status of the use and site. Resolving the broader mix of land use designations across the larger area would be more

appropriately addressed through an upcoming subarea plan update. However, the LI designation would provide more relaxed dimensional standards and at this time it is unknown where the Richards Valley Subarea Plan will be in the overall subarea plan update cycle and the proposal meets the criteria for Threshold Review.

III. BACKGROUND

This area of the Richards Valley Subarea is a mix of OLB, LI and MF-M land use designations and existing land uses in this area roughly between Belle Fields Office Park, the Woodridge neighborhood, SE 8th Street and the Mercer Slough. In several cases the current uses are not consistent with the Comprehensive Plan land use designations.

The OLB-designated sites in this area were established in 1981. A 2006 CPA application was made for this site. It was the same OLB to LI proposal and staff recommended the same expansion of geographic scope. But, the staff recommended denial on the basis that an LI designation would yield the potential for uses not anticipated that would create a greater conflict with the policies intended to protect the adjacent Mercer Slough. The Planning Commission recommended denial of the application and the City Council affirmed that recommendation in action on April 2, 2007.

IV. PUBLIC NOTICE AND COMMENT

The application was introduced to the Planning Commission during study session on March 11, 2015. Notice of the Application was published in the Weekly Permit Bulletin on March 5, 2015, and mailed and posted as required by LUC 20.35.420. Notice of the April 8, 2015, Public Hearing before the Planning Commission was published in the Weekly Permit Bulletin on March 19, 2015, and included notice sent to parties of record.

The applicant provided testimony at the hearing about how Public Storage designs and builds its warehouse facilities to be specific to each individual site. No other oral testimony or written comment was or has been received on this application.

V. STATE ENVIRONMENTAL POLICY ACT (SEPA)

The proposed amendment would be subject to State Environmental Policy Act review, if it is included in the Annual Comprehensive Plan Amendment Work Program. The Environmental Coordinator of the City of Bellevue will determine a Threshold Decision.

VI. REVIEW PROCESS AND APPLICATION OF DECISION CRITERIA

The Threshold Review Decision Criteria for a proposed Comprehensive Plan Amendment are set forth in the Land Use Code in Section 20.30I.140. A proposal must meet all of the criteria to be included in the annual CPA work program.

Based on the criteria, the Planning Commission recommends that the 2015 annual CPA work program include the Public Storage privately initiated site-specific CPA proposal. This

recommendation is based on information in the application materials, the staff report, and testimony and material provided at the public hearing.

This conclusion is based on the following analysis:

- A. The proposed amendment presents a matter appropriately addressed through the Comprehensive Plan; and

The question of the most suitable land use designation for the site is appropriately addressed through the Comprehensive Plan amendment review process.

- B. The proposed amendment is in compliance with the three-year limitation rules set forth in LUC 20.30I.130.A.2.d; and

The three-year limitation does not apply to this proposal.

- C. The proposed amendment does not raise policy or land use issues that are more appropriately addressed by an ongoing work program approved by the City Council; and

The proposed amendment does not raise policy or land use issues more appropriately addressed by an ongoing work program. It may be appropriate to address this site and the surrounding LI designated property through a subarea plan update, although an update for the Richards Valley Subarea Plan is not currently ongoing.

- D. The proposed amendment can be reasonably reviewed within the resources and timeframe of the Annual Comprehensive Plan Amendment Work Program; and

The applicant's question of applying the LI designation to this site can be reasonably reviewed in the amendment work program. How to fully address the long-term use of this site and resolve other nearby land use questions may go beyond the question of just applying LI, however, and would likely be a larger effort than the current work program allows.

- E. The proposed amendment addresses significantly changed conditions since the last time the pertinent Comprehensive Plan map or text was amended. Significantly changed conditions are defined as:

Significantly changed conditions. Demonstrating evidence of change such as unanticipated consequences of an adopted policy, or changed conditions on the subject property or its surrounding area, or 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 Richards Valley Subarea Plan originally established intent to guide appropriate land use in the vicinity of the Mercer Slough sometime in the 1980's. The inconsistency between the mix of multiple Comprehensive Plan land use designations and the current uses in the area indicates that the intended uses have not been resolved in the way originally anticipated by the subarea plan.

This circumstance is also within the context of a broader set of significant changes in the area since subarea plan designations were last updated, including the expansion of I-405, development of the Mercer Slough Environmental Education Center, and development of commercial uses on nearby properties. Additionally, plans for light rail transit along the west side of the Mercer Slough area have been established.

These circumstances call into question the appropriate designation for this site and area, given the evolving and increased awareness of the environmental role of the Mercer Slough. This is an unanticipated consequence of the adopted plan that needs to be addressed.

- F. When expansion of the geographic scope of an amendment proposal is being considered, shared characteristics with nearby, similarly-situated property have been identified and the expansion is the minimum necessary to include properties with those shared characteristics; and

The Land Use Code states that expansion of the geographic scope is recommended for a site-specific proposal if nearby, similarly-situated property shares the characteristics of the proposed amendment site. Expansion shall be the minimum necessary to include properties with shared characteristics.

Staff recommends expanding the geographic scope of the proposal to include the three similarly situated properties to the north of the Public Storage site. See Attachment 3.

Their existing uses are inconsistent with their OLB designation: One site contains Davey Tree, a landscaping and maintenance service with outdoor equipment storage; the other site, consisting of two properties, was used until recently for garbage truck storage. These properties are comparably sized; they border the Mercer Slough (with the potential for impacts); and gain access on 118th Avenue SE.

- G. The proposed amendment is consistent with current general policies in the Comprehensive Plan for site specific amendment proposals. The proposed amendment must also be consistent with policy implementation in the Countywide Planning Policies, the Growth Management Act (GMA), other state or federal law, and the Washington Administrative Code (WAC); or

The existing Richards Valley Subarea Plan acknowledges that “although the community recognizes the need for maintaining working opportunities in the Subarea, they want to ensure that the quality of the residential community and natural features (especially dense vegetation and wooded vistas) remain at a high level...” and that “A mix of light industrial and additional residential uses is appropriate in the lower elevations of the valley”:

POLICY S-RV-30. *Develop areas designated for light industrial uses with sensitivity to the natural constraints of the sites.*

The proposed LI designation can be found reasonably consistent with the subarea plan at this stage, which acknowledges light industrial uses. Whether or not this change in use at this site also maintains the subarea plan's intent of sensitivity to the adjacent Mercer Slough can be explored during final review.

and:

- H. State law requires, or a decision of a court or administrative agency has directed such a change.

State law or a decision of a court or administrative agency has not directed the suggested change.

VII. CONCLUSION

The Planning Commission recommends by a vote of 6-0 the City Council initiate the Public Storage site-specific Comprehensive Plan Amendment (CPA) proposal into the 2015 Annual CPA work program, and geographically expanded to include three properties adjacent to the north.

VIII. ATTACHMENTS

PC-1. Proposed CPA site area

