

March 20, 2017

## **CITY COUNCIL STUDY SESSION ITEM**

### **SUBJECT**

Planning Commission recommendation of Proposed Eastgate/I-90 Land Use Code amendments.

### **STAFF CONTACTS**

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### **POLICY ISSUES**

Should the proposed Eastgate Land Use Code Amendments be adopted? Are the code amendments consistent with, and do they further the intent of, the Bellevue Comprehensive Plan?

The 2015 Comprehensive Plan update incorporated significant new direction for the Eastgate corridor, in pursuit of the CAC Land Use and Transportation Project. These updates included both new policies and substantial updates to the Plan map. The subject LUCAs implement this updated policy direction. A sample of these policies includes the following:

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

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

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

## **DIRECTION NEEDED FROM COUNCIL**

### **ACTION**



### **DIRECTION**



### **INFORMATION ONLY**



This is the Council's second study session to review and discuss the Planning Commission's recommended Eastgate Land Use Code amendments. No action is requested tonight. The Council will be asked to take action regarding these LUCAs following upcoming reports on the affordable housing strategy and the homeless shelter. Staff is seeking Council direction as to whether the right options have been identified for Council action at a later date.

## **BACKGROUND/ANALYSIS**

The City Council appointed a Citizens' Advisory Committee (CAC) in 2010 to "evaluate land use and transportation conditions, policies, and regulations in the Eastgate/I-90 commercial corridor, and to produce a plan that builds on the area's assets of accessibility, visibility, job diversity, and stable nearby residential neighborhoods."

The CAC oversaw technical studies and extensive public outreach including open houses, online surveys, and an economic forum. The CAC's final report recommended increases in land development potential and supporting transportation network improvements that were modest in scale. These were intended to build on the success of Eastgate as an office and employment center, increase the residential presence in the corridor, complement Bellevue College's land use needs and visual presence, leverage the Mountains to Sound Greenway, and pursue modest but effective motorized and non-motorized transportation improvements. City Council approved the study in 2012.

In 2014-15 the Council approved changes in the Transportation Facilities Plan and the Comprehensive Plan to support the CAC recommendations. Staff then began the process to amend the Land Use Code to be consistent with the Eastgate provisions adopted in the Comprehensive Plan. The Planning Commission held eleven study sessions, conducted a public hearing, and made a recommendation to City Council on July 27, 2016 to adopt a package of Land Use Code amendments to implement the CAC plan.

Council conducted its first study session for the proposed Land Use Code amendments on September 19, 2016. Council raised a number of questions, which are addressed in Attachment A. Moreover, a number of citizens voiced concern over traffic congestion in the area during the Planning Commission review process and to the City Council. This is further addressed under *Issues*, below.

### *Summary of the Proposed Land Use Code Amendments*

The proposed Land Use Code amendments include the creation of three new zoning districts: the Eastgate Transit-Oriented Design District (EG-TOD), the Neighborhood Mixed Use District (NMU), and the Office Limited Business 2 District (OLB 2). The code amendments include new language in the Land Use Code and changes to the City's zoning map. The EG-TOD is specific to Eastgate, but the NMU and OLB 2 zoning districts could potentially be applied elsewhere in the city if deemed appropriate through a later study process. In addition, two parcels in the north end of the corridor on 148<sup>th</sup> Avenue SE will be rezoned to Community Business.

Included are dimensional requirements, development standards, and design guidelines for each new zoning district. The proposal also includes Transition Area Design District amendments and

conformance amendments. The rezoning will supersede an array of older zoning concomitants; all of these were carefully examined to ensure that still-pertinent provisions are not lost. Attachments E and F provide the full text of the proposed code amendments.

## **Specific Issues**

### *Transportation*

As noted above, traffic congestion was a major concern of the CAC, and their report included a number of modest but feasible enhancements to the transportation system, noting that “while there will always be “choke points” at particular intersections in the corridor regardless of what changes in land use might occur, we believe the consequences of growth can be addressed through a combination of intersection improvements, improved transportation mode choice, non-motorized transportation facilities, (e.g. pedestrian paths and bike lanes), and partnerships with transit service providers.” Attachment B summarizes multiple agencies’ progress implementing CAC recommendations for Interstate 90, city arterials, the pedestrian/bike system, and transit service.

The transportation modelling completed during the Eastgate/I-90 Land Use and Transportation Project was consistent with other corridor/subarea long range land use and transportation studies conducted in Bellevue. In terms of the Eastgate area, the long range modeling showed both the “2030 preferred land use with transportation improvements” and the “2030 preferred land use without transportation improvements” met the city’s adopted level of service, aka concurrency, standards. These level of service standards are the baseline for determining whether the transportation facilities can accommodate new development. Therefore, in 2014-15 the Council approved changes in the Transportation Facilities Plan and the Comprehensive Plan to support the CAC recommendations.

While the area will continue to meet concurrency and level of service standards, to address concerns about existing congestion Mayor Stokes proposed to Council on November 28, 2016 that a near-term traffic study be performed to focus on lower cost improvements that can make a near-term impact on congestion in the area. The Transportation Commission subsequently recommended a set of intersection improvements at 150<sup>th</sup> Avenue/Newport Way and 150<sup>th</sup> Avenue/SE 37<sup>th</sup> Street that work synergistically to relieve some of the most significant congestion pressures. On March 6, Council designated funding (from the budget appropriation associated with the Transportation Levy that Council approved on February 21) to advance these projects to 60 percent design. Also planned is a broader operational analysis of Eastgate conditions; this will incorporate WSDOT’s I-90 Peak Use Shoulder Lane project and will be completed later this year and will help inform the timing and priorities of future transportation investments in the corridor, including but not limited to, those projects identified through the Eastgate/I-90 Land Use and Transportation Project.

### *Affordable Housing*

The Affordable Housing Strategy (a separate project coming to Council in the coming weeks) will include analyses and recommendations for the Eastgate area, specifically with regard to an affordable housing FAR exemption. Council will then have the opportunity to include any Eastgate-specific recommendations in the Code, as it sees fit.

### *Bellevue College*

The proposed Land Use Code amendments include a Transit Oriented Development (TOD) district at the College's southern boundary. While the College is now moving forward with some student housing on campus, the TOD district provides an opportunity for additional student and faculty housing serving the institution and helps to address the single family room rental concern.

### *Homeless Shelter*

With regard to the homeless shelter proposed for the King County Public Health site, questions have been raised as to whether such a facility is compatible with the Eastgate TOD District. Though the proposed shelter location did not emerge until after the Planning Commission had completed its Eastgate recommendations, the Commission recommended that transient lodging be considered a conditional use in this district and in the NMU and OLB 2 districts.

Staff has previously commented that, if properly designed and operated, the shelter can be an appropriate fit for the TOD district:

- The building will have to meet the new design standards and guidelines applicable to the TOD area.
- Shelter development will likely be required to enhance east-west pedestrian connectivity across the Public Health site to connect with the Park and Ride.
- As a component of the project, permanent housing is a classic fit for a mixed use, transit-oriented development pattern.
- We have not heard from property owners in the TOD area that such a facility would be disruptive to their redevelopment plans.

If the shelter moves forward, we anticipate significant mitigation measures to ensure it is designed and operated to be a good neighbor to surrounding properties.

### *Land Use "Metering"*

As noted above, some members of the public have expressed concerns about the transportation impacts of the proposed Eastgate amendments. The situation is exacerbated by pass-through trips generated outside Eastgate itself. While CAC-recommended improvements are moving forward, and the area meets adopted standards, concerns remain about the shorter-term operational impacts of any land use changes.

The Transportation Commission recommendations for near-term improvements, discussed by the Council on March 6 and moving forward to 60 percent design, will help address this situation. If the Council wishes to go further, a land use metering approach could be used, as the city has occasionally done for other zoning changes in the past. The idea is to sequence the land use changes so that some or all are conditional on certain pre-conditions being met. A "metering" approach is included below.

The Planning Commission Transmittal is included as Attachment C. A majority of the Planning Commission voted to recommend the Eastgate amendments (5 to 1 in favor with Commissioner Laing absent).

## **OPTIONS**

Direct staff to prepare:

Option 1. Eastgate LUCAs as recommended by the Planning Commission, effective within the standard number of days from Ordinance adoption.

Option 2. Eastgate LUCAs as recommended by the Planning Commission, to be fully effective at such time that the Transportation Commission's March 6 recommendations on near-term improvements have been fully funded for construction.

Option 3. Do not adopt the proposed Eastgate Land Use Code amendments.

## **RECOMMENDATION**

Staff will present a recommendation when this matter comes back for Council action. As noted above, no action is requested tonight. The Council will be asked to take action regarding these LUCAs following upcoming reports on the affordable housing strategy and the homeless shelter.

## **ATTACHMENTS**

- A. Responses to Council Questions from the Sept. 9, 2016 Eastgate Study Session
- B. Status Report on Eastgate Transportation Improvements
- C. Planning Commission Transmittal to Council (reprinted from Sept. 9 agenda packet)
- D. Staff Report - Eastgate LUCA with SEPA (reprinted from Sept. 9 agenda packet)
- E. Proposed Ordinance (District Descriptions, Dimensions, Dev. Regs, Design Guidelines)
- F. Proposed Ordinance (Rezone and Repeal of Concomitant Agreements)
- G. Proposed Rezone Map

## **AVAILABLE IN COUNCIL DOCUMENT LIBRARY**

N/A