



<https://LochlevenWA.org>

Submitted via email

January 26, 2022

Bellevue City Council
City of Bellevue Planning Commission
City of Bellevue Planning Department
450 110th Avenue NE
Bellevue, WA 98004

Project Name: 115 100th Ave (the "Property") File # 21-120635-AC
Applicant: Ben Wei, WYMOND Investment LLC (Applicant)

I am submitting this letter on behalf of the Board and members of the Lochleven Community Association (LCA). This letter is being submitted in advance of the February 14, 2022 City Council meeting where this privately initiated Comprehensive Plan Amendment (CPA) is slated to be introduced. If approved the CPA as submitted would revise the zoning designation from Multifamily R-30 to Neighborhood Mixed Use (NMU). This CPA will increase the permitted height to 45 feet and be subject to a threshold review of other similar properties in the neighborhood. For the record LCA opposes this CPA in its entirety and we encourage the Council, Planning Commission and Planning Department to deny it.

It is our assessment that the CPA will not provide any public benefit, will not enhance the public health, safety, and welfare of the Lochleven neighborhood and will not advance the interests and needs of the city at-large. Subsequently based on the rezone decision criteria in LUC 20.30A.140, this CPA should be denied. As outlined in Exhibit A, it is our assessment the CPA conflicts 100% of the relevant policies within the recently approved Comprehensive Plan for Northwest Bellevue.

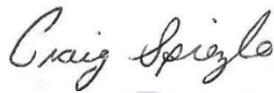
As Council considers this CPA, we ask you to consider these fundamental questions. If you answer no to any, we believe Council should deny this CPA.

1. Do the benefits of the CPA override the vision and goals of the NW Bellevue Neighborhood Plan including the negative impact to the goals of "a sense of place and sense of community"?
2. Does diminishing and moving the boundary between the Downtown and the Lochleven neighborhood justify an intrusion into the long-established transition buffer of 100th Ave. NE?
3. Does the need to add hotel rooms and or commercial space which will eliminate up to twenty-one residential units outweigh the goal of maintaining housing stock adjacent to downtown?
4. Does the Lochleven neighborhood need retail/commercial space when there are existing vacancies within a 3-minute walk of the subject area?
5. Does the CPA justify creating non-residential parking and traffic issues around the Downtown Park including potential pedestrian safety issues at the Boys & Girls Club, which shares a driveway?
6. Does expanding the CPA from a "spot re-zone" through a threshold review, justify diminishing the unique nature of Lochleven and its' defined "sense of place" as recognized in the Comprehensive Plan for Northwest Bellevue?

In considering the CPA we would like to point out what we believe are two incorrect statements in the CPA application. The applicant asserts the CPA would enhance the Grand Connection which runs through the middle of Downtown Park along 103rd Avenue and Main Street to Meydenbauer Park. This statement is incorrect. The Property is two blocks away from Grand Connection pathway and is not contiguous to it. As such the CPA has no public benefit or relevancy to the Grand Connection.

The Applicant states the Property has been vacant since it was destroyed by fire in 2016 and suggests rezoning is therefore necessary for the redevelopment. This is incorrect. More accurately several issues including multiple lawsuits between the condominium owners, the condominium association and the insurance company have no doubt delayed development. Further negating this argument, the Applicant purchased the property on December 14, 2021, subject to current zoning, paying over \$15 million to the previous owner. If the current zoning limits its development, one must ask why a developer would pay such a premium.

As outlined above we believe the only answer is to deny this application and maintain existing residential zoning. Doing so helps protect and strengthen the great neighborhoods we live in and the integrity of the Comprehensive Plan for Northwest Bellevue. For additional context to this letter, refer to LCA's previous communications submitted and posted at <https://www.lochlevenwa.org/chimney-rezone>.



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On Behalf of the Lochleven Community Association

<https://LochlevenWA.org>

Exhibit A

Review of the CPA and the impact to NW Bellevue Comprehensive Plan

Areas of Conflict with Policies Referenced in CPA Application

S-NW-1 - Protect and enhance the existing distinctions between land uses throughout the Neighborhood Area through the use of transition areas between higher-intensity use districts and lower-intensity use districts as well as encouraging design features such as landscape buffers. This CPA would compromise and diminish the existing distinctions of current land use within the comprehensive plan. The CPA fails to provide any public benefit or address needs of the city at-large.

S-NW-2 - Promote transition areas when areas adjacent to a lower intensity land use district are rezoned, and encourage the integration of pedestrian traffic into the neighborhood structure. The parcel in the CPA is not adjacent to low intensity land use, it is within a current lower density area. Rather than increase pedestrian traffic the CPA will likely increase vehicle traffic and parking congestion in the existing Restricted parking Zone, (RPZ 9). The neighborhood lacks continuous sidewalks and increased pedestrian traffic in the streets creates a public safety risk. There is no benefit from a rezone, and no need for a transition area. The CPA fails to provide any public benefit or address needs of the city at-large.

S-NW-6 - Encourage new development to maintain and enhance the neighborhood character of the individual sub-neighborhood. The CPA conflicts with the policy by introducing commercial development into a residential neighborhood and will degrade the neighborhood character and sense of community and negatively impact existing home values. The CPA fails to provide any public benefit or address the needs of the city at-large.

S-NW-11 - Collaborate with neighboring jurisdictions to promote a consistent experience when crossing jurisdictional boundaries. The CPA rezone asserts that there is a benefit in the rezone. There is no jurisdictional boundary involved in this request. Jurisdictional boundaries to NW Bellevue pertain to adjacent cities/towns such as Medina, Clyde Hill and/or Kirkland. This statement is inaccurate, the CPA fails to provide any public benefit nor address the needs of the city at-large.

S-NW-12 - Support efforts to create gathering opportunities, bringing together residents from different sub-neighborhoods, cultures, ages, or backgrounds. The CPA overstates that the it would provide any public benefit. Based on the parcel's footprint, it is unlikely the CPA would be able create and provide space for community use. Rather the space will likely be used to serve guests and customers of the businesses occupying the development and it is highly unlikely residents of the neighborhood would access to any open areas.

S-NW-13 - Encourage efforts to bring neighbors together to help one another, either with ongoing or time-specific challenges, to enhance community resilience and cohesion. The CPA asserts there would be benefit but fails to articulate how the community would have access to any open areas. Based on the parcel's footprint it is unlikely the CPA would be able create and provide space at no-charge for community use. Rather the space will be used to serve guests and customers of the businesses occupying the development and it is highly unlikely local residents would have access to any open areas.

S-NW-14 - Support the continued use of existing facilities and the introduction of new businesses and facilities that provide gathering opportunities for community-oriented programs and services. Based on the parcel's footprint it is unlikely the CPA would be able to create and provide space at no-charge for community use. Rather the space will be used to serve guests and customers of the businesses occupying the development and it is highly unlikely residents of the neighborhood would have access to any open areas.

S-NW-15 - Improve public access to outdoor covered areas for residents to gather informally throughout the year. Based on the parcel's footprint it is unlikely the CPA would be able to provide space at no-charge for community use. Rather the space will be used to serve guests and customers of the businesses occupying the development and it is highly unlikely residents of the neighborhood would have access to any open areas.

Areas of Conflict with Policies Referenced in CPA Application (continued)

S-NW-16 - Introduce and retain existing recreational opportunities in public spaces, such as pickle-ball courts or outdoor games. Based on the parcel's footprint it is unlikely the CPA would be able to create and provide space at no-charge for community use. Rather the space will be used to serve guests and customers of the businesses occupying the development and unlikely local residents would access to any open areas. The CPA fails to provide any public benefit or address needs of the city at-large.

Significant Policy Conflicts Not Addressed in the CPA Application

S-NW-3 - Preserve the existing sub-neighborhood characters by supporting efforts to renovate and maintain the existing housing stock. This CPA seeks to decrease the potential housing stock in the city. Shifting from a multi-unit residential unit to mixed-use including a hotel with transient guests will reduce ties to the community and neighborhood. Further the CPA diminishes the overall vision for NW Bellevue of creating a "sense of community". This CPA conflicts with this policy. As proposed the CPA could eliminate up to 21 residential units from the existing housing stock. The CPA fails to provide any public benefit or address the needs of the city at-large.

S-NW-8 - Maintain a clear distinction between the scale of Downtown Bellevue and that of Northwest Bellevue. The CPA will dilute and diminish the scale and distinction by adding commercial properties and increasing the permitted height from 30 to 45 feet overshadowing homes directly adjacent to the property and across the street, negatively impacting existing home values and sense of community. The CPA fails to provide any public benefit or address the needs of the city at-large.

S-NW-9 - Create a separation between the low-intensity uses within Northwest Bellevue and Downtown Bellevue, utilizing buffers such as McCormick Park and/or gradients of building scale within Northwest Bellevue to ease that transition where appropriate. Current zoning provides an appreciated buffer to the Lochleven neighborhood. This CPA as proposed diminishes an existing buffer. The proposed rezone increases the permitted height, further negatively impacting the buffer and gradients of building scale. The CPA fails to provide any public benefit or address the needs of the city at-large.

S-NW-10 - Direct vehicles moving between Downtown Bellevue and Northwest Bellevue to the minor and major arterial network rather than residential streets. The CPA if approved will add non-residential traffic patterns throughout the day onto residential streets, utilizing a public alley from 100th Ave NE, through the Boys and Girls parking lot to 99th Ave NE and NE 1st Streets. The CPA fails to provide any public benefit or address the needs of the city at-large and will intrude into RPZ 9.

S-NW-26 - Create opportunities for a mix of housing typologies, within both lower and higher intensity districts, to allow for a range of affordability options with a variety of housing units and visual styles and ease of movement for the physically disabled. The CPA as proposed could remove up to 21 residential units and fails to provide any public benefit nor would it address the needs of the city at-large.

S-NW-38 - Maintain a clear distinction between arterials and neighborhood streets, discouraging commuter through traffic from using residential streets to get to their destination. The CPA would only increase and attract cut-through traffic on NE 1st Street and 99th Ave NE. The CPA fails to provide any public benefit or address the needs of the city at-large.

S-NW-45 - Support efforts to protect Northwest Bellevue's tree canopy, preserve its trees, and enhance the health of trees on both public and private property. This parcel has over two-dozen "protected" trees and this application and the SEPA environmental checklist is silent on the impact to the tree canopy and any commitment to retain the protected trees.