

CITY COUNCIL STUDY SESSION

Planning Commission recommendations to amend the Comprehensive Plan with five 2018 annual proposed plan amendments (CPA), and City staff recommendation on the East Main amendment.

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Community Development

DIRECTION NEEDED FROM COUNCIL

DIRECTION

Direct staff to return for final action on December 10 with Ordinances approving the five 2018 proposed amendments, and with the general Ordinance documenting the City's annual plan amendment process under the Growth Management Act.

RECOMMENDATION

Direct staff to return with Ordinances approving the five 2018 proposed amendments, and with the general documenting Ordinance.

BACKGROUND & ANALYSIS

In 2018 the City Council initiated five proposed Comprehensive Plan amendments into the annual work program, including the site-specific City Dacha LLC, Bellevue Nursery, and Red Town proposed amendments, after Planning Commission Threshold Review recommendations to advance them. The City Council also initiated Final Review for the Grand Connection and East Main proposed amendments. Tonight, the Chair of the Planning Commission will be in attendance to present the Commission's recommendations.

After thorough study, notice, and Final Review public hearings, the Planning Commission recommends **approval** of the five 2018 proposed plan amendments:

- The Planning Commission recommends by a 5-0 vote that the City Council adopt the City Dacha LLC amendment, a 0.43-acre Plan map change from Public/Single Family-Low (P/SF-L) to Multifamily-Medium (MF-M) at 160 118th Avenue SE in the Wilburton Subarea;
- The Planning Commission recommends by a 3-2 vote that the City Council adopt the Bellevue Nursery amendment, a 0.53-acre Plan map change from Single Family-High (SF-H) to Neighborhood Business (NB) at 842 104th Avenue SE in the Southwest Bellevue Subarea;
- The Planning Commission recommends by a 5-0 vote that the City Council adopt the Red Town amendment, a 1.56-acre Plan map change from Single Family-Medium (SF-M) to Single Family-Urban Residential (SF-UR) at 16425 SE Cougar Mountain Way in the Cougar Mountain Subarea;
- The Planning Commission recommends by a 4-1 vote that the City Council adopt the Grand Connection amendment, incorporating the Grand Connection's high-level vision policies into the

Urban Design and Arts Element and policies and maps into the Downtown and Wilburton/NE 8th Street Subareas; and

- The Planning Commission recommends by a 7-0 vote that the City Council adopt the East Main amendment, incorporating East Main policies into the Land Use Element and Map, the Glossary, and the Southwest Bellevue Subarea plan, reflecting the vision of the East Main Station Area Plan process.

The Commission’s recommendation differs from the City staff recommendation for East Main. Please see Attachment I.

2018 Annual Comprehensive Plan Amendments List

CPA	Site-specific Proposal and Subarea	Planning Commission Recommendation
City Dacha LLC 17-131046-AC	Proposed site-specific map change of 0.43 acres from Public/ Single Family-Low (P/SF-L) to Multifamily-Medium (MF-M) 160 118th Ave SE Wilburton	Approve
Bellevue Nursery 18-103877-AC	Proposed site-specific map change of 0.53 acres from Single Family-High (SF-H) to Neighborhood Business (NB) 842 104th Ave SE Southwest Bellevue	Approve
Red Town 18-103926-AC	Proposed site-specific map change of 1.56 acres from Single Family-Medium (SF-M) to Single Family-Urban Residential (SF-UR) 16425 SE Cougar Mountain Way Newcastle	Approve
Grand Connection Framework Plan 18-103888-AC	Amend the Comprehensive Plan to incorporate the Grand Connection’s high-level vision as a memorable place-making element along its entire corridor length, adopting Grand Connection policies into the Urban Design and the Arts Element, and policies and maps into the Downtown and Wilburton/NE 8th Street Subarea Plans. <i>Downtown, Wilburton</i>	Approve
East Main 18-103885-AC	Amend Comprehensive Plan maps and text to incorporate East Main policies into the Land Use Element and Map, the Glossary, and the Southwest Bellevue Subarea Plan to reflect the vision of the East Main Station Area Plan process. <i>Southwest Bellevue</i>	Approve

Summary Recommendation: City Dacha LLC 17-131046 AC

The Commission recommends approving this proposed amendment because the application satisfies all Land Use Code decision criteria for Final Review of a privately initiated Comprehensive Plan Amendment (LUC 20.30I.150.)

Specifically, the proposed amendment addresses significantly changed conditions since the last time the pertinent Comprehensive Plan map or text was amended, due to the unanticipated consequences of the adopted Public designation of the site (P/SF-L).

This designation considered the site to be a future part of Wilburton Hill Community Park. Changes to the area which occurred because of park development influenced the Commission’s recommendation discussion. Critical issues associated with park development are not influenced by this site’s development status. Since the site will not be acquired for park development, the designation is an unintended consequence in that it prevents consideration of the appropriate density on this site.

Summary Recommendation: Bellevue Nursery 18-103877 AC

The Commission recommends approving this proposed amendment because the application satisfies all Land Use Code decision criteria for Final Review of a privately initiated Comprehensive Plan Amendment (LUC 20.30I.150).

Specifically, the proposed amendment addresses significantly changed conditions since the last time the pertinent Comprehensive Plan map or text was amended, due to the unanticipated consequences of unresolved and conflicting adopted policies.

The nursery is a long-established business anchoring other neighborhood-scale commercial uses in this corridor. The historically-established residential land use designation conflicts with policies supporting the site’s sustaining role as a community “third place.” The consequence is that a long-established business cannot avail itself of land use strategies ensuring that neighborhood center redevelopment continues its fit in neighborhoods, with mutual goals for maintaining and enhancing shared qualities of stability, maintenance, and healthy levels of re-investment.

It is incumbent upon the Plan to resolve conflicts in policy. Comprehensive Plan guidance favors redevelopment because the city’s code demonstrates—as does the nursery site itself—the ability of neighborhood scale uses to coexist with their neighborhoods. It is of mutual benefit to the property owner, neighboring community, and the city at large to do so.

The Commission’s divided vote reflected concerns over whether the Land Use Code’s nonconforming use provisions provide a reasonable alternative to continuing the nursery use with site redevelopment. Commissioners noted an apparent owner lack of resources to enable this, as well.

Summary Recommendation: Red Town 18-103926 AC

The Commission recommends approving this proposed amendment because the application satisfies all Land Use Code decision criteria for Final Review of a privately initiated Comprehensive Plan Amendment (LUC 20.30I.150).

Specifically, the proposed amendment addresses significantly changed conditions since the last time the pertinent Comprehensive Plan map or text was amended, due to the unanticipated consequences of inconsistently applying adopted policy for appropriate levels of urban development.

Lakemont-area neighborhoods have been built out at densities that have effectively supported the parks, critical areas preservation, streets and transit infrastructure intended for these area levels of urban development. When appropriate density is implemented on surrounding sites and the question of appropriate density has never been asked for Red Town, it is a significantly changed condition.

Summary Recommendation: Grand Connection Framework Plan 18-103888 AC

The Commission recommends approving this proposed amendment because the application satisfies all Land Use Code decision criteria for Final Review of a City Council-initiated Comprehensive Plan Amendment (LUC 20.30I.150).

Specifically, the proposed amendment addresses significantly changed conditions: with City Council's decision to advance the Grand Connection as the City's signature gathering space (Council Vision 2018-2020: [Great Places Where You Want to Be](#)) a gap was identified in policy cross-connections. These now need changes to the pertinent plan map and/or text so that the Grand Connection can serve its intent as a unique and signature element in Bellevue's urban landscape. The Grand Connection is planned to start at Meydenbauer Bay Park, connect to the Downtown Park, integrate with the Pedestrian Corridor, and terminate at the Eastside Rail Corridor in Wilburton.

The Planning Commission's recommendation includes policies amended to prioritize pedestrian safety in the Corridor alignment, after testimony during the November 7 public hearing.

Summary Recommendation: East Main 18-103885 AC

The Commission recommends approving this proposed amendment because the application satisfies all Land Use Code decision criteria for Final Review of a City Council-initiated Comprehensive Plan Amendment (LUC 20.30I.150.)

The City initiated this amendment. It is intended to address the interests and changed needs of Bellevue that resulted from the approval and construction of the Sound Transit East Link rail corridor. Adoption of the proposal would support development of a future high density urban transit-oriented neighborhood consistent with the city's vision for growth and for the East Main station area. It addresses significantly changed conditions—in the form of the extension of East Link light rail through Bellevue—since the last time the pertinent Comprehensive Plan map or text was amended

Staff proposes a modified set of recommendations than those proposed by the Planning Commission. Although the Planning Commission and staff concurred with most of the policies in the plan amendment, staff differs with a few policy areas that are essential to maintain the integrity of the intended outcomes of the station area development.

The Commission's changes do not capture the vision that was forwarded by the CAC and the City Council's guiding principles. Further, staff contends that language was taken out of the original

proposed amendment that is integral to the station area vision. Also, the Commission has proposed new language that dilutes the purpose of the comprehensive plan. The policy areas are:

- **Streets and Open Space**
The Commission recommended removing the generalized street and open space diagrams and replacing them with text. Staff is concerned that text alone cannot adequately describe the concepts and intent behind each diagram. Both diagrams illustrate connectivity, hierarchy, functionality, and spatial arrangement, which the text cannot. It is common to include such generalized diagrams and they have been successfully used in Bel-Red and Downtown.
- **Access**
The Commission added a policy to explore an access point to Main Street and from Main Street to 114th Avenue SE. However, staff believes this will create vehicular turning movement conflicts as it will be too close to the 112th Avenue SE/Main Street intersection.
- **Retail Size**
The Commission added a policy to encourage neighborhood-serving commercial uses regardless of size. While staff is not opposed to neighborhood serving commercial uses, it is concerned about allowing excessively large commercial footprints which would compromise the station area development intent.
- **Pedestrian Skybridge**
The Commission recommended a policy to allow for a pedestrian skybridge connection from the light rail station to the transit-oriented development. Staff is concerned this is contrary to station development concepts necessary to activate ground level uses and ensure a lively public realm. Pedestrian safety will not be an issue because there will be a signalized pedestrian crossing at the south end of the train platform and an enhanced intersection at 112th Avenue SE and Main Street, north of the station.
- **Land Use Code**
The Commission also added several site-specific amendments that are regulatory in nature and not appropriate for the Comprehensive Plan, which is a general policy document. These include establishing a consistent datum point to measure height and limiting parking access to the perimeter of large sites. Staff experience suggests that this level of specificity constrains development flexibility. Overall, many of the above policies are development standards and are more appropriately placed in the land use code.

Both recommendations are presented in Attachments J, K and L respectively.

Public Hearing and Comments

Final Review public hearings with the Planning Commission were held on [October 24](#) and [November 7](#), 2018. Notice of the public hearings was published in the Weekly Permit Bulletin and in the Seattle Times on [October 4](#) and [October 18](#), 2018, respectively. Testimony was offered for each of the site-specific amendments, and for each of the City-initiated amendments. All Final Review [public comments](#) have been posted to the [Comprehensive Plan Amendments web site](#).

POLICY & FISCAL IMPACTS

Comprehensive Plan

The Growth Management Act states that comprehensive plans may be amended no more frequently than once per year (with limited exceptions) so that the cumulative effect of the proposals can be considered. Bellevue's annual Comprehensive Plan Amendment work program includes privately-initiated amendment proposals advanced into Final Review, and city-initiated amendments in Final Review by action of the City Council under LUC 20.30I.130.B.1.

State Environmental Policy Act

The Environmental Coordinator for the City of Bellevue determined that the 2018 Comprehensive Plan Amendment work program—consisting of the five 2018 proposed Comprehensive Plan amendments—will not result in any probable, significant adverse environmental impacts. Final threshold Determinations of Non-Significance (DNS) were issued on October 4 and October 18.

Decision Criteria for Comprehensive Plan Amendments

The Planning Commission may recommend, and the City Council may approve or approve with modifications an amendment to the Comprehensive Plan if all the Final Review Decision Criteria from Section 20.30I.150 of the Land Use Code are met:

- A.1 There exists obvious technical error in the pertinent Comprehensive Plan provision; or
- B.1 The proposed amendment is consistent with the Comprehensive Plan and other goals and policies of the City, the Countywide Planning Policies (CPP), the Growth Management Act, and other applicable law; and
- B.2 The proposed amendment addresses the interests and changed needs of the entire City as identified in its long-range planning and policy documents; and
- B.3 The proposed amendment addresses significantly changed conditions since the last time the pertinent Comprehensive Plan map or text was amended. See LUC 20.50.046 (below) for the definition of "significantly changed conditions"; and

Significantly changed conditions are defined as: 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*

- B.4 If a site-specific proposed amendment, the subject property is suitable for development in general conformance with adjacent land use and the surrounding development pattern, and with zoning standards under the potential zoning classifications; and
- B.5 The proposed amendment demonstrates a public benefit and enhances the public health, safety, and welfare of the City.

OPTIONS

1. Direct staff to return with Ordinances approving the five 2018 proposed amendments.
2. Direct staff to return with Ordinances approving or denying one or more of the five 2018 proposed amendments, with modifications.
3. Provide alternative direction to staff.

ATTACHMENTS & AVAILABLE DOCUMENTS

- A. City map of 2018 Comprehensive Plan Amendments
- B. Planning Commission map for City Dacha LLC Comprehensive Plan Amendment
- C. Planning Commission resolution for City Dacha LLC Comprehensive Plan Amendment
- D. Planning Commission map for Bellevue Nursery Comprehensive Plan Amendment
- E. Planning Commission resolution for Bellevue Nursery Comprehensive Plan Amendment
- F. Planning Commission map for Red Town Comprehensive Plan Amendment
- G. Planning Commission resolution for Red Town Comprehensive Plan Amendment
- H. Planning Commission recommendation for Grand Connection Comprehensive Plan Amendment
- I. Planning Commission resolution for Grand Connection Comprehensive Plan Amendment
- J. Planning Commission recommendation for East Main Comprehensive Plan Amendment
- K. Planning Commission resolution for East Main Comprehensive Plan Amendment
- L. City staff recommendation for East Main Comprehensive Plan Amendment

AVAILABLE IN COUNCIL LIBRARY

- A. October 24 draft Planning Commission minutes
- B. November 7 draft Planning Commission minutes
- C. City Dacha LLC original application file materials
- D. Bellevue Nursery original application file materials
- E. Red Town original application file materials