



# Bellevue Planning Commission

January 27, 2021

## PLANNING COMMISSION STUDY SESSION ITEM

### **SUBJECT**

Threshold Review Geographic Scoping Study Session: 2021 Annual Comprehensive Plan Amendments

### **STAFF CONTACT(S)**

Nicholas Matz AICP, Senior Planner, 452-5371  
*Community Development*

### **POLICY ISSUES**

*The Comprehensive Plan is Bellevue's foundational policy document which guides the nature and intensity of development in the City and sets out the community's vision for the future, provides policies to guide city actions, and provides a framework to allow the city and community organizations to work towards common goals.*

*- Introduction and Vision, Comprehensive Plan*

*An amendment to the Plan is a mechanism by which the City may modify its land use, development or growth policies.*

*- Land Use Code (LUC) 20.30I.120 - Purpose*

Pursuant to the state Growth Management Act (GMA), the Bellevue City Code permits property owners to propose site-specific Comprehensive Plan amendments, and for anybody to propose non-site-specific (i.e. text) amendments. These privately-initiated applications are accepted and reviewed annually; they are not part of a broader city initiative. Site-specific amendments approved by the City Council lead to rezoning, to ensure development regulations that are consistent with and [implement](#) the Comprehensive Plan.

The city processes these applications through procedures and criteria set forth in the Land Use Code at LUC 20.30I. The city considers the scope of geographic expansion to accurately define a proposal's geographic extent; Threshold Review determines whether a proposal is eligible for a full, or Final review; and Final Review itself gives substantial consideration to a proposal's merits framed by the Comprehensive Plan.

The Planning Commission holds Threshold Review public hearings and makes recommendations. The City Council's subsequent action on those recommendations will establish the Final Review work program.

Tonight's study session continues introductory work from December that informs Threshold Review public hearings. The Commission will review the potential for expansion of the geographic scope of each site-specific proposed amendment. Consideration is given to nearby, similarly-situated property with shared characteristics. The Planning Commission can then give staff direction on the Threshold Review public hearing noticing requirements as to whether to include such expansion. The Commission will review each of the proposals and evaluate whether the applications meet the eight threshold review criteria at a public hearing, tentatively scheduled for March 10, 2021.

### **DIRECTION NEEDED FROM THE PLANNING COMMISSION**

**ACTION**

**DIRECTION**

**INFORMATION ONLY**

1. Review the applications for consideration of the expansion of the geographic scope at LUC 20.30I.130.A.1.a.ii. Staff recommends the following language for motions on this consideration: I move expansion/no expansion of the geographic scope of the *NAME* proposed plan amendment.
2. Set a Threshold Review public hearing date of March 10 at the end of tonight’s Study Session.
3. Determine if there is any data that would help the Planning Commission to inform a decision for Threshold Review public hearing. Please be mindful that the amount and type of requested data is contingent upon availability of information and staff resources.
4. Audit the Background and Analysis information for evaluating comprehensive plan amendment process effectiveness and efficiency as it unfolds throughout 2021.

**2021 Annual Comprehensive Plan Amendments List of Proposed Amendments**

See Attachment A

Proposed Plan Amendment <i>Subarea</i>	Site-specific Proposal	Applicant
<p align="center"><b>15 Lake Bellevue</b> 20 114296 AC 15 Lake Bellevue Dr. <i>BelRed</i></p>	<p>This privately-initiated application proposes a map amendment from BelRed-General Commercial (BR-GC) to BelRed-Office Residential 2 (BR-OR-2) on a 2.8-acre site, and amend Policy S-BR-96 for maximum building heights allowances.</p> <p>Subject to geographic scoping</p>	<p align="center">American Capital Group</p>
<p align="center"><b>DASH Glendale</b> 20-114270 AC 12600 NE 8th St and 900 124th Ave NE <i>Wilburton/NE 8th St</i></p>	<p>This privately-initiated application proposes a map amendment on two parcels totaling 7.5 acres from Multifamily-Medium (MF-M) to Neighborhood Mixed Use (NMU)</p> <p>Subject to geographic scoping</p>	<p align="center">DASH</p>

In addition to these 2021 site-specific proposals, the Northeast and Northwest Bellevue Great Neighborhoods subarea plan updates, initiated by City Council in 2019, will be coming on to the commission’s 2021 plan amendments work program. They will be reviewed through Final Review, starting in late spring 2021.

Staff report recommendations will be available with the published public hearing notice for the proposed Threshold Review public hearings.

**BACKGROUND/ANALYSIS**

Consideration of the Expansion of the Geographic Scope of the proposal

*Prior to the public hearing, the Planning Commission shall review the geographic scope of any proposed amendments. Expansion of the geographic scope may be recommended if nearby, similarly-situated property shares the characteristics of the proposed amendment’s site. Expansion shall be the minimum necessary to include properties with shared characteristics...*

*-Land Use Code (LUC) 20.30I.130.A.1.a.ii*

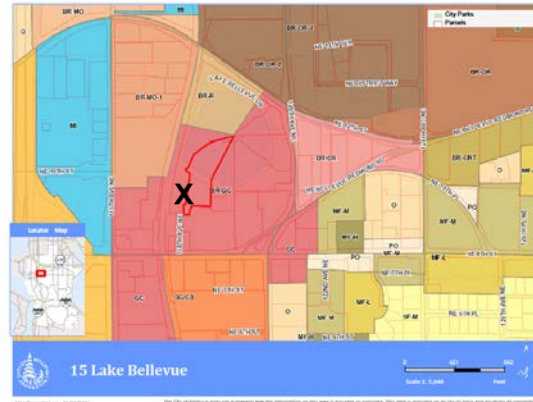
## 15 Lake Bellevue

This privately-initiated application proposes a map amendment from BelRed-General Commercial (BR-GC) to BelRed-Office Residential 2 (BR-OR-2) on a 2.8-acre site in the BelRed Subarea, and to amend Policy S-BR-96 for maximum building heights allowances.

Staff recommends no expansion of geographic scope.

The site is an existing 36,500 square foot building, constructed over Lake Bellevue, and containing an equally-sized (35,000 s.f.) surface parking area.

The applicant is negotiating for the purchase of 9 Lake Bellevue. This property is adjacent to the west of 15 Lake Bellevue. This adjacent property is similarly constructed, and the applicant has verbally indicated they would like to expand their application to include this site. **X** on the map.



The site should not be geographically expanded, either to include the adjacent 9 Bellevue site or any of the other BR-GC designated areas. This is because there is no way to limit expansion of the geographic scope of the proposal to anything less than all of the ten BR-GC designated properties that are contiguous to Lake Bellevue. This becomes an unintended consequence of geographic scoping, where such areawide analysis of an entire BelRed designation is appropriate only for the subarea plan amendment process and not the limited site-specific annual process. Criteria C of the threshold review specifically requires that the proposed amendment does not raise policy or land use issues that may be appropriately addressed by an ongoing work program approved by City Council, and expansion of geographic scope would ultimately result in this criteria not being met. This is reinforced by the substantially different purposes of the BR-GC and BR-OR-2 designations, respectively, where the:

***BelRed General Commercial (BR-GC)*** [is] *A land use designation in the BelRed Subarea that provides for a wide variety of business activities that provide goods and services to other businesses and the general public.*

and the:

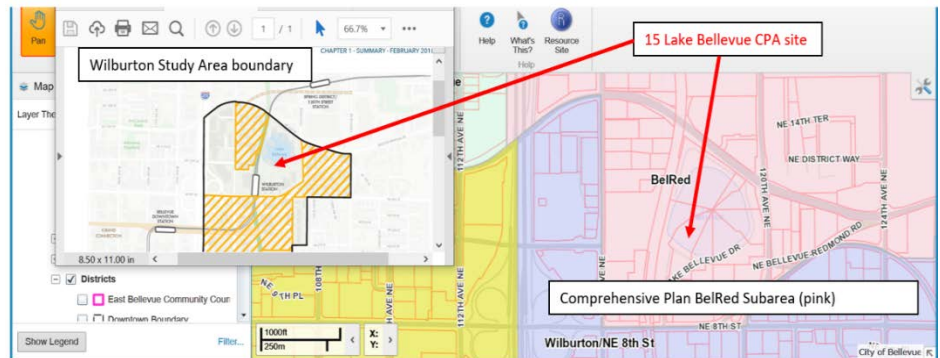
***BelRed Office/Residential Node 2 (BR-OR-2)*** [is] *A land use designation in the BelRed Subarea that provides for a mix of office, housing and retail uses, with office as the predominant use. The district is located within a node but outside the node's core, and building heights provide for a transition between the node's core and areas outside the node.*

In regards to determining if there is any data that would help the Planning Commission to inform a decision for Threshold Review public hearing there is reference here to the site's environmental analysis information provided at the December 9, 2020 Introductory study session:

The 15 Lake Bellevue proposed plan amendment site is within a section of the BelRed Subarea that is the subject of the BelRed Look Back, a study and assessment of the zoning regulations put in place in 2009. This study is not yet underway.

The site is also within the Wilburton Study Area, whose boundaries extend north of NE 8th Street. The Wilburton Study Area plan amendments proposed as part of Study implementation are also not yet

underway, and the Study Area Final Environmental Impact Statement (FEIS) has not been completed. The FEIS will address impacts to **Transportation, Ecosystem** and **Water Resource** elements that could influence any site redevelopment around Lake Bellevue:



- **Transportation:** A significant component of the analysis for the Wilburton Study Area contained in the Draft Environmental Impact Statement relates to transportation and multimodal mobility. It currently includes the initial transportation analysis, to be completed as part of the Final EIS, to evaluate the impacts from enacting potential zoning and transportation network changes for the overall Wilburton Study Area.
- **Ecosystems:** The site is not within the 2035 growth areas identified in the Wilburton Draft Environmental Impact Statement (DEIS.) See yellow cross-hatch areas (above left.) The DEIS notes that ecosystem resources evaluated included aquatic resources and wetlands, and that solutions or mitigation related to specific redevelopment projects could vary on a case by case basis. Opportunities to improve the natural network could be achieved by enhancing, exposing, and utilizing the natural systems such as Lake Bellevue, riparian wetlands and uplands, and Sturtevant Creek as amenities.
- **Water Resources:** New and redevelopment projects are required to implement best management practices (BMPs) to the maximum extent feasible to reduce identified impacts from stormwater runoff and provide flow control per the City's stormwater code. This could provide mitigation to reduce runoff volume and flow rate, and mitigation in the study area could result in enhancement of natural systems such as Lake Bellevue and Sturtevant creek as amenities.

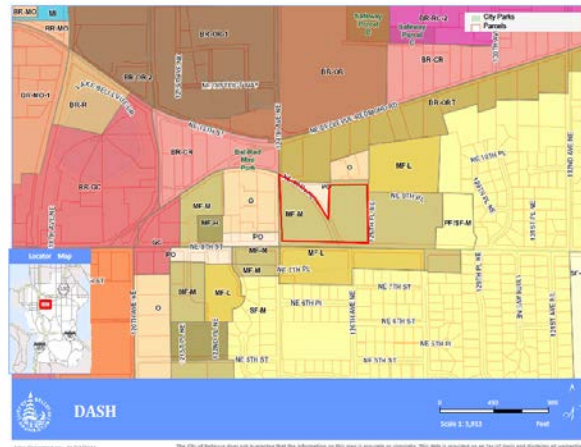
Given their age, the buildings that are built next to and over Lake Bellevue are likely nonconforming to requirements that would regulate such construction today.

**DASH Glendale CPA 18-103949 AC**

This privately-initiated application proposes a map amendment from Multifamily-Medium (MF-M) to Neighborhood Mixed Use (NMU) on two parcels totaling 7.5 acres in the Wilburton Subarea.

Staff recommends no expansion of geographic scope.

The sites on NE 8th Street and 124th Avenue NE are bounded on the north and west by properties in the BelRed Subarea, and by properties with fully developed multifamily designations to the east and across NE 8<sup>th</sup> Street to the south. A separately-owned triangularly-shaped property wedged between the two parcels is designated Professional Office (PO).



The unique ownership of this site, its inclusion in the Wilburton Study Area, and the applicability of affordable housing policy to this site compared to other adjacent multifamily-designated properties indicates there are no other similarly-situated properties

**Effective community engagement, outreach and public comments at Threshold Review**

Applicants, residents and communities are engaging across a variety of media in proactive public participation during the 2021 annual plan amendment review process. The city’s early and continuous community engagement includes:

- ✓ Responsive early outreach to requests for information and to become parties of interest
- ✓ Responding in writing to each written public comment submitted and returning phone calls
- ✓ Expanded web page material at Comprehensive Plan Amendments with the review schedule, the applications list, and a “What’s Next” timeline
- ✓ A December 9, 2020 “Introduction and process review” Planning Commission study session
- ✓ Official Weekly Permit Bulletin notice as required

Public comments come in throughout the process. All written comments are included in the public record, for reference and for use by decision-makers. At the various steps, the comments are included in their original form to the Planning Commission as attachments to staff report recommendations. They are also posted on the CPA web site.

Below is a summary of the comments received through January 9. This chart is provided solely for informational purposes and does not represent the city staff position, thinking, analysis or judgement regarding a Threshold Review recommendation.

Proposed Plan Amendment	Number	Summary
15 Lake Bellevue	0	
DASH	2	In favor

**Using Final Review to address merit-based issues**

The applications that advance past Threshold Review are those that will be considered together in the work program. This work program is Bellevue's Final Review and examines the merits of proposed amendments. The Final Review timeframe is through the end of the year.

The second part, Final Review, addresses specific merit-based issues and fulfills GMA requirements that amendments proposed to the Comprehensive Plan be considered cumulatively (WAC 365-196-640 (5)). Final Review addresses issues such as how the Plan's Land Use Strategy locates jobs and housing growth; where the geography of the city's planning areas affects the Land Use Strategy; why consistency with other, similar amendments is important in plan review; and is appropriate when reviewing a potential environmental impact such as traffic.

**ATTACHMENT(S)**

- A. City map of 2021 proposed plan amendment applications
- B. 15 Lake Bellevue map location
- C. DASH map location
- D. Threshold Review Decision Criteria