

CITY COUNCIL REGULAR SESSION

Threshold Review of Planning Commission Recommendations of Private Applications for 2021 Annual Comprehensive Plan Amendment Work Program.

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EXECUTIVE SUMMARY

To establish the 2021 Annual Comprehensive Plan Amendment (CPA) work program, the City Council considers the Planning Commission's Threshold Review recommendations for privately-initiated amendment proposals per LUC 20.30I.130 and .140. A privately-initiated amendment proposal must be found to meet all of the Threshold Review Decision Criteria in order to advance into the annual work program and its Final Review merit-based process.

During the Threshold Review process, the Planning Commission recommendation to not include the DASH Glendale proposal in the 2021 CPA work program differed from the staff recommendation as described in this memo.

RECOMMENDATION

Move to consider the Planning Commission Threshold Review recommendations for two privately-initiated proposals; determine which, if any, should move forward to Full Review as part of the 2021 Annual CPA work program. See Planning Commission Resolutions (Attachments C-D).

BACKGROUND & ANALYSIS

Consideration of proposals to amend the Comprehensive Plan may be done no more frequently than once every year under the state Growth Management Act (GMA). Also, pursuant to the GMA, the Bellevue City Code at Part 20.30I LUC permits the City Council to initiate CPAs at any time and provides a one-step process for review by the Planning Commission and approval by Council once incorporated into the annual CPA work program.

The Bellevue City Code, at Part 20.30I and in compliance with the GMA, permits property owners to propose site-specific CPAs and for anyone to propose non-site-specific, or Citywide, amendments. Privately proposed applications are accepted and reviewed annually, and include the two-tier process of threshold review and final review, which include the following five-step process:

1. Planning Commission Threshold Review study, evaluation, and public hearings to recommend whether proposals should be considered for further review in the annual work program;
2. City Council action on Planning Commission recommendations to establish the annual work program;
3. Proposals included in the annual work program are referred back to the Planning Commission for Final Review;

4. Planning Commission Final Review study, evaluation, and public hearings; and
5. City Council legislative action on the Planning Commission’s Final Review Recommendation.

2021 Proposed Privately-Initiated Amendments

The following are the Planning Commission’s Summary Recommendations for the two privately-initiated CPA applications. The complete application materials are available on the City web site at the link below.¹ The link leads to the original applications, staff recommendations, links to Planning Commission agendas, and to all public comments.

CPA	Proposal	Planning Commission Recommendation
<p>15 Lake Bellevue 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>Do not include in the 2021 CPA work program</p>
<p>DASH Glendale 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>Do not include in the 2021 CPA work program</p>

The Planning Commission reviews applications during Threshold Review per the criteria as set forth in LUC 20.30I.140. See Attachment B for the complete text of the Threshold Review Decision Criteria.

Threshold Review Decision Criteria LUC 20.30I.140
A – Appropriately addressed through Plan
B – Compliance with three-year limit
C – Does not raise policy issues outside CPA
D – Reasonably reviewed with resources
E – Addresses significantly changed conditions
F – Expand geographic scope
G – Consistent with current general Plan policies
H – State law, court or admin decision requires it

¹ [Application materials](#)

Summary Recommendation: 15 Lake Bellevue - 20-114296-AC, 20-114325-LQ

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

The Planning Commission recommends not including this proposed amendment in the 2021 work program because the application did not meet all the Land Use Code decision criteria for Threshold Review of a privately-initiated CPA at LUC 20.30I.140, specifically criteria C, D, F and G.

- The proposed amendment raises policy issues that would be better addressed through an ongoing work program. The site is located within the BelRed Subarea, whose zoning was adopted in 2009, and was subsequently included in the Wilburton Commercial Area Study that examined areas north and south of NE 8th Street adjacent the Wilburton light rail station (Decision criteria C).
- The application cannot reasonably be reviewed within the resources and time frame of the current Annual Comprehensive Plan Amendment Work Program because understanding the redevelopment capacity of this site and potential impacts cannot be done in isolation from the rest of the Lake Bellevue area and larger Wilburton Study Area (Decision criteria D).
- Expansion of the geographic scope of the proposal to include property to the west (9 Bellevue site) or any of the other BR-GC designated areas could not occur without limiting 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 annual process (Decision criteria F).
- The proposed amendment is inconsistent with current general policies in the Comprehensive Plan for site-specific amendment proposals and with other policy implementation. The proposed amendment is inconsistent with general Comprehensive Plan policies because changing the development intensity on this single site in isolation from its context within BR-GC Lake Bellevue-designated sites, within the BelRed Subarea's tiered, node-based land use density patterns, and without deference to identified environmental impacts in the Wilburton Land Use Study does not allow a staff conclusion that the application would meet the Goal of the Land Use Element and BelRed Subarea plan policy direction (Decision criteria G).

Summary Recommendation: DASH Glendale - 20-114270 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/NE 8th Street Subarea.

The Planning Commission recommends not including this proposed amendment in the 2021 work program because they determined with a 3-2 vote that the application did not meet all the Land Use Code decision criteria for Threshold Review of a privately-initiated CPA in LUC 20.30I.140, specifically criteria C.

- The Commission determined that the proposed amendment raised policy or land use issues that are more appropriately addressed by an ongoing work program approved by the City Council because the site became part of the Wilburton Study Area based on Council direction in 2018

and should therefore be evaluated as part of the Wilburton Implementation effort (Decision criteria C).

Staff recommended including the DASH Glendale amendment in the 2021 work program. Staff felt it met all the Land Use Code decision criteria for Threshold Review of a privately-initiated CPA in LUC 20.30I.140. Criteria C evaluates whether the proposed amendment raises policy or land use issues that are more appropriately addressed by an ongoing work program approved by the City Council. Staff's evaluation of the amendment specific to this criteria is that the proposal meets the threshold of not raising policy issues that would be better addressed through an ongoing work program. The site was originally not a part of the Wilburton study area and the CAC recommendations; however, the City Council provided direction that the site be included within the Wilburton study area. Also, DASH has indicated previously that building age and refinancing considerations play an increasingly deadline-driven role in their needing to make a decision about their project future.

The City Council in 2018 recognized the unique opportunity represented by a combination of the site's proximity to the broader Wilburton study area; proximity to transit walksheds and other infrastructure; and a willing property owner whose ownership mission is to provide workforce housing on property it owns. The CAC also heard from staff that the proposal could add to the affordable housing supply identified in the Wilburton Draft Environmental Impact Statement.

Staff confirms that the proposed use of the Neighborhood Mixed Use (NMU) designation to address DASH and affordable housing strategy implementation presents a reason to examine this application through the annual CPA process.

CPA Process Overview

The 2021 annual proposed amendments were introduced to the Planning Commission with a December 9 study session, and a January 27 study session examining the potential expansion of geographic scope for each of the privately-initiated applications.

Notice of the Application was published in the Weekly Permit Bulletin on January 7 and mailed and posted as required by LUC 20.35.420. Notice of the March 10 Public Hearing before the Planning Commission was published in the Weekly Permit Bulletin on February 18 and included notice sent to parties of interest. Owners and residents within the 500-foot noticing perimeter of the sites receive official notice, as do people signed up to receive such notices.

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 "Introductory and statutory process review" Planning Commission study session;
- ✓ A January 27 geographic scoping analysis Planning Commission study session;
- ✓ Official Weekly Permit Bulletin notice as required; and

- ✓ A March 10 public hearing with the Planning Commission.

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 March 10. 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	3	Favor (2) Information (1)
DASH Glendale	7	Favor (6) Concern (1)

The next step in this continuous public engagement process includes the City Council’s agenda item establishing the annual work program.

POLICY & FISCAL IMPACTS

Policy Impact

Pursuant to the GMA, the Bellevue City Code at Part 20.30I LUC permits property owners to initiate site-specific CPAs and for anyone to propose non-site-specific, or Citywide amendments. Privately-initiated applications are accepted and reviewed annually; they are not part of a broader City initiative. Proposed site-specific amendments approved by the City Council lead to rezoning, to ensure development regulations that are consistent with and implement the Comprehensive Plan.

Fiscal Impact

There is no fiscal impact associated with the Annual CPA work program.

OPTIONS

1. Adopt the 2021 Annual CPA work program for privately-initiated proposals as recommended by the Planning Commission through their Resolutions (Attachments C-D).
2. Take other action on the 2021 Annual CPA work program by advancing some or modifying the recommendations for the proposed plan amendments.
3. Provide alternative direction to staff.

ATTACHMENTS & AVAILABLE DOCUMENTS

- A. City map of 2021 CPA applications
- B. Threshold Review Decision Criteria LUC 20.30I.140
- C. Planning Commission Resolution for the 15 Lake Bellevue proposed plan amendment
- D. Planning Commission Resolution for the DASH Glendale proposed plan amendment

AVAILABLE IN COUNCIL LIBRARY

N/A