



# Bellevue Planning Commission

October 24, 2018

## PLANNING COMMISSION AGENDA ITEM

### **SUBJECT**

Final Review Public Hearings: 2018 Annual Comprehensive Plan Amendments – Privately Initiated Amendments

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

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Community Development (CD)

### **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. 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 (CPA), 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. 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.

The city reviews these applications through a two-step process set forth in the Land Use Code at [LUC 20.30I](#). The second, Final Review step evaluates the merits of proposed amendments included in the annual Comprehensive Plan Amendment work program. Final Review evaluation and decision includes staff review, a Planning Commission public hearing and recommendation by resolution, and City Council action by ordinance.

The Planning Commission holds tonight's Final Review public hearings for the City Dacha LLC, Bellevue Nursery, and Red Town proposed amendments, each followed by a study session tonight to make recommendations. The Commission's recommendations are captured in resolution form.

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

<b>ACTION</b> <input checked="" type="checkbox"/>	<b>DIRECTION</b> <input checked="" type="checkbox"/>	<b>INFORMATION ONLY</b> <input type="checkbox"/>
Request	Summary Guidance	
1. Conduct a Final Review public hearing for each proposed amendment	Direct staff to first review and present the staff recommendation, then open the public hearing and accept public testimony. Close the public hearing.	
2. Conduct a study session following each public hearing to make a recommendation	Review the application, staff recommendation, public record, and testimony. Ask questions of staff, applicants and persons giving testimony; review the proposed resolution.	

[2018 Annual Comprehensive Plan Amendments List of Proposed Amendments](#)

CPA	Site-specific Proposal <i>Subarea</i>	Staff Recommendation
<b>City Dacha LLC</b> 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) <b>160 118<sup>th</sup> Ave SE Wilburton</b>	<a href="#">Approve</a>
<b>Bellevue Nursery</b> 18-103877-AC	Proposed site-specific map change of 0.53 acres from Single Family-High (SF-H) to Neighborhood Business (NB) <b>842 104<sup>th</sup> Ave SE Southwest Bellevue</b>	<a href="#">Approve</a>
<b>Red Town</b> 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) <b>16425 SE Cougar Mountain Way Newcastle</b>	<a href="#">Approve</a>

**RECOMMENDATIONS SUMMARY**

The Final Review Decision Criteria for a proposed Comprehensive Plan Amendment are set forth in the Land Use Code in Section 20.30I.150. Based on a review and application of the criteria, and using a process as described in 2018 study sessions before the Planning Commission, Community Development staff developed Final Review recommendations.

The staff recommendations for the private 2018 applications are summarized in the Recommendations Summary (below.) The full reports are available [online](#); in detail in the report materials provided to Commissioners along with the October 4, 2018, notice of Final Review public hearing; and can be requested in print. Both versions include the staff recommendation, the application materials, public comment summary, and a site map.

**Summary Recommendation:** [City Dacha LLC 17-131046 AC](#)

This proposal would amend 0.43 acres of the Wilburton Subarea map from Public/Single Family-Low (P/SF-L) to Multifamily-Medium (MF-M) at 160 118<sup>th</sup> Ave SE in the Wilburton Subarea. The site is currently developed with a vacant single-family home.

Staff 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 the Wilburton Hill Community Park. Since the site will not be acquired for park purposes, 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](#)

This proposal would amend 0.53 acres of the Southwest Bellevue Subarea map from Single Family-High (SF-H) to Neighborhood Business (NB) at 842 104<sup>th</sup> Avenue SE. The site is developed with a garden nursery and buildings.

Staff 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 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 fits into 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. It is of mutual benefit to the property owner, neighboring community, and the city at large to do so.

**Summary Recommendation:** [Red Town 18-103926 AC](#)

This proposal would amend 1.56 acres of the Newcastle Subarea map from Single Family-Medium (SF-M) to Single Family-Urban Residential (SF-UR) at 16425 SE Cougar Mountain Way. The site is developed with a single-family home.

Staff 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 an adopted policy.

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 urban development levels. When appropriate density is implemented on surrounding sites it is a significantly changed condition for the Red Town site, where the question of appropriate density has never been asked.

**BACKGROUND/ANALYSIS**

Consideration of proposals to amend the Comprehensive Plan is limited to an annual process under the state Growth Management Act. The City Council establishes the 2018 annual CPA work program, which consists of a two-part, four-step review.

### *Threshold Review*

1. Planning Commission study sessions and public hearings to recommend whether initiated proposals should be considered for further review in the annual work program (June);
2. City Council action on Planning Commission recommendations to establish the annual work program (July);

### *Final Review*

3. Planning Commission study sessions and public hearings to consider and recommend on proposed Comprehensive Plan Amendments (October and November);
4. City Council action on Planning Commission recommendations (late fall).

## **REVIEW AND PUBLIC NOTICE**

### *Review*

The 2018 annual privately-initiated proposed amendments were introduced to the Planning Commission with a January 24 “Comprehensive Plan Amendment Overview” study session; a March 14 “Introductory and statutory process review” study session; and an April 25 study session examining the potential expansion of geographic scope for each of the privately-initiated applications.

### *Notice*

Notice of the Applications was published in the Weekly Permit Bulletin on February 22, 2018 and mailed and posted as required by LUC 20.35.420. Notice of the June 13, 2018, Threshold Review Public Hearing before the Planning Commission was published in the Weekly Permit Bulletin on May 24, 2018, and included notice sent to parties of interest. Notice of the October 24, 2018, Final Review Public Hearing before the Planning Commission was published in the Weekly Permit Bulletin on October 4, 2018, and included notice sent to parties of interest. For both notices, owners, and residents within the 500-foot noticing perimeter of each site received official notice as did people signed up to receive such notices.

## **EFFECTIVE COMMUNITY ENGAGEMENT, OUTREACH AND PUBLIC COMMENTS**

Applicants, residents, and communities are engaging across a variety of media in proactive public participation during the 2018 annual CPA 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 January 24 “CPA Overview” Planning Commission study session
- ✓ A March 14 “Introductory and statutory process review” Planning Commission study session
- ✓ Multiple study sessions for each of the applications
- ✓ 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. Comments are also posted on the city web site.

**ATTACHMENT(S)**

1. City map of 2018 Comprehensive Plan Amendment applications
2. Planning Commission resolution for City Dacha LLC
3. Planning Commission resolution for Bellevue Nursery
4. Planning Commission resolution for Red Town