



Bellevue Planning Commission

April 25, 2018

PLANNING COMMISSION STUDY SESSION ITEM

SUBJECT

Threshold Review and Geographic Scoping Study Session: 2018 Annual Comprehensive Plan Amendments

STAFF CONTACT(S)

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Planning and Community Development (PCD)

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](#). Under the first-step, Threshold Review, a proposed amendment is reviewed using decision criteria that must be met to determine if the proposal qualifies for Final Review. See Attachment 6.

The Planning Commission will hold Threshold Review public hearings and make recommendations in June. The City Council's action in July or early August on those recommendations will establish the CPA Final Review work program which is also subject to Planning Commission and City Council actions.

DIRECTION NEEDED FROM THE PLANNING COMMISSION

ACTION <input checked="" type="checkbox"/>	DIRECTION <input checked="" type="checkbox"/>	INFORMATION ONLY <input type="checkbox"/>
Request	Summary Guidance	
1. Review the applications	See below and the applications page.	
2. Consideration of expansion of geographic scope LUC 20.30I.130.A.1.a.ii	Staff recommendation for motion: <i>I move expansion of geographic scope [only] for DASH Glendale and Jewish Day School CPAs.</i>	
3. Set June 13 and 27, 2018, Threshold Review public hearing dates at the end of tonight's Study Session	<i>I move the PC set a June 13 Threshold Review public hearing date for the DASH, Bellevue Nursery and Red Town CPAs, and a June 27 public hearing date for the Newport Hills, JDS and City Dacha CPAs.</i>	
4. Request data related to the Threshold Review* public hearing	Answers will be in the PCD staff report recommendation.	

* Please be mindful that the amount and type of requested data is contingent upon availability of information and staff resources.

Tonight's study session continues the broader Threshold Review work from March 14 that informs and precedes Threshold Review public hearings in June. This agenda item covers the following Threshold Review areas:

- 1) Reviews the potential for expanding the geographic scope of each site-specific proposed amendment (LUC 20.30I.140.F). Consideration is given to nearby similarly-situated property with shared characteristics. The Planning Commission can then give staff direction on the June public hearing noticing requirements whether to include such expansion;
- 2) Examines past Bellevue CPAs for consideration of significantly changed conditions, and to what extent a condition is considered changed enough to warrant being *significant*; and
- 3) Provides background from other Washington jurisdictions planning under the GMA as to how their code instructs decision-makers in finding for or against a comp plan amendment recommendation.

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

<i>CPA</i>	<i>Site-specific Proposal Subarea</i>	<i>Applicant</i>
City Dacha LLC <i>17-131046-AC</i>	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	City Dacha, LLC
Bellevue Nursery <i>18-103877-AC</i>	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	Rich Fielding Holding, LLC
Red Town <i>18-103926-AC</i>	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	Bliss
DASH Glendale <i>18-103949-AC</i>	Proposed site-specific map change of 3.8 acres from Multifamily- Medium (MF-M) to Neighborhood Mixed Use (NMU) 12600 NE 8th St Wilburton	DASH
Jewish Day School <i>18-103963-AC</i>	Proposed site-specific map change of 6.2 acres from Single Family-Low (SF-L) to Single Family-High (SF-H) 15749 NE 4th St Crossroads	Rosen
Newport Hills Shopping Center Redevelopment <i>18-103965-AC</i>	Proposed site-specific map change of 6.4 acres from Neighborhood Business (NB) to Neighborhood Mixed Use (NMU); and amendments to the text of the Land Use Element 5600 119th Ave SE, 11905 and 11919 SE 56th St, 12235 SE 56th St Newport Hills	Toll Brothers, LLC

Staff report recommendations will be available with May 31 and June 7 published public hearing notices for the June 13 and 27, 2018 Threshold Review public hearings, respectively.

BACKGROUND/ANALYSIS

- **Consideration of the Expansion of the Geographic Scope of the proposal**

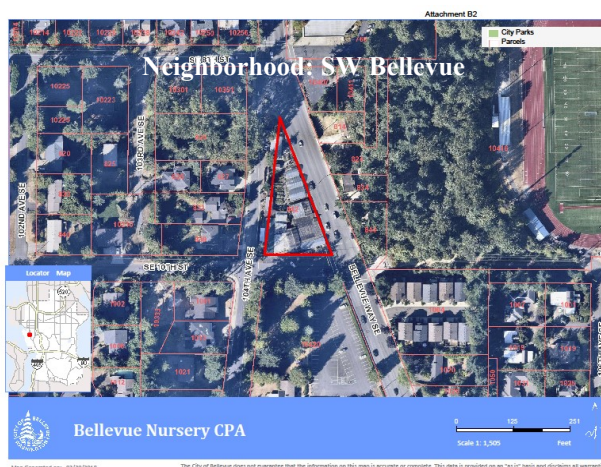
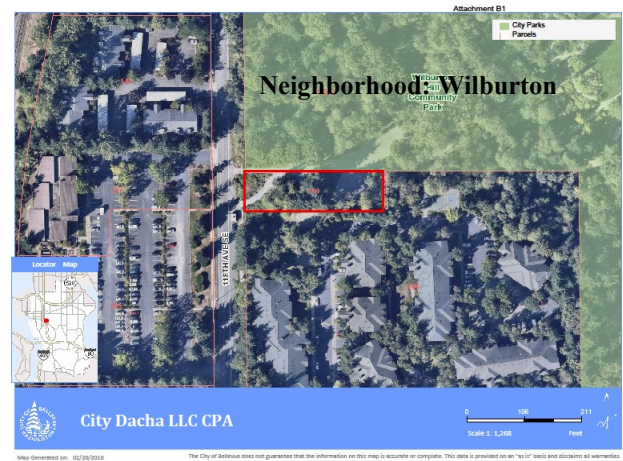
Prior to the public hearing, the Planning Commission shall review the geographic scope of any proposed amendments. Expansion of the geographic scope may be recommended if nearby, similarly-situated property shares the characteristics of the proposed amendment's site. Expansion shall be the minimum necessary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

-Land Use Code 20.301.130.A.1.a.ii

City Dacha LLC CPA 17-131046 AC

This privately-initiated application proposes a 0.43-acre map change from Public/Single Family-Low (P/SF-L) to Multifamily-Medium (MF-M) at 160 118th Ave SE in the Wilburton Subarea.

The site is located between Park Highlands multifamily housing to the south and east and the Wilburton Park (with Bellevue Botanical Gardens) on the north. It is across 118th Ave SE from existing office complexes. The Park Highlands Housing is MF-M and Wilburton Park is SF-L, and the office complex is O. There are no similarly situated or shared characteristics of these other sites. Staff recommends no expansion of the geographic scope.



Bellevue Nursery CPA 18-103877 AC

This privately-initiated application proposes a 0.53-acre map change from Single Family-High (SF-H) to Neighborhood Business (NB) at 842 104th Ave SE in the Southwest Bellevue Subarea.

The site is bounded on all three of its sides by right-of-way (ROW). The street ROW creates a strong divide of the site to surrounding uses and there as such are no similarly situated or shared characteristics. Staff recommends no expansion of the geographic scope.

Red Town CPA 18-103926 AC

This privately-initiated application proposes a 1.56- acre map change from Single Family-Medium (SF-M) to Single Family-Urban Residential (SF-UR) at 16425 SE Cougar Mountain Way in the Newcastle Subarea.



Red Town CPA (continued)

The site is located near the southwest intersection of SE Cougar Mountain Way and 166th Ave SE. It is surrounded by properties developed at various residential densities using planned unit developments (PUD) and with retained open and critical areas spaces. The three houses to the north are fully developed. There are no similarly situated or shared characteristics of these other sites. Staff recommends no expansion of the geographic scope.

DASH Glendale CPA 18-103949 AC

This privately-initiated application proposes a 3.8-acre map change from Multifamily-Medium (MF-M) to Neighborhood Mixed Use (NMU) at 12600 NE 8th St in the Wilburton Subarea.

The site on NE 8th Street is bounded on the north by properties in the BelRed Subarea, and by properties with fully developed multifamily designations to the east and across NE 8th Street to the south.

Two properties to the west are the DASH-owned Evergreen Court assisted living complex, designated MF-M; and a triangular property designated Professional Office (PO). Evergreen Court is similarly situated and shares site characteristics with DASH Glendale. Staff recommends expansion of the geographic scope to include Evergreen Court.



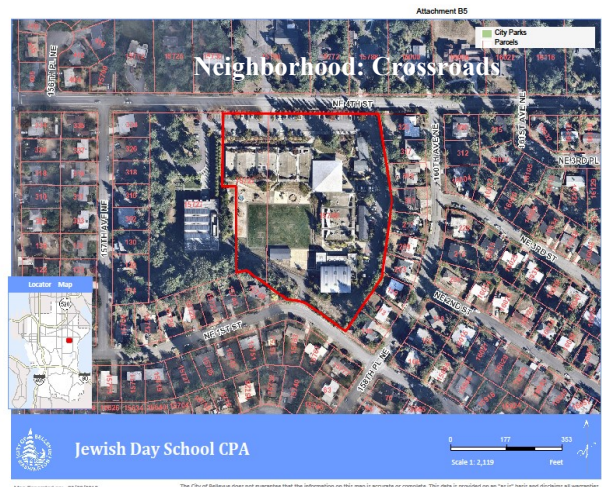
Jewish Day School (JDS) CPA 18-103963 AC

This privately-initiated application proposes a 6.2-acre map change from Single Family-Low (SF-L) to Single Family-High (SF-H) at 15749 NE 4th Street in the Crossroads Subarea.

The site is located on NE 4th Street just east of 156th Avenue NE. Across NE 4th Street to the north are existing single-family properties with the same allowed density as the JDS site. To the east and south of the site are existing single-family properties at the same density as that sought by the applicants. To the west is the separately-owned Temple B'nai Torah site.

The temple property owners have asked to be added to the proposal through the expansion of geographic scope. See Attachment 3.

The JDS site and the Temple site are similarly situated in relationship to their surrounding neighborhoods and share characteristics of being bounded by NE 4th (effectively stopping consideration north of the street) and surrounding single family. Staff recommends expansion of the geographic scope to include the Temple property.



Newport Hills Shopping Center Redevelopment CPA 18-103965 AC

This privately-initiated application proposes a 6.4-acre map change (and amendments to the Land Use Element) from Multifamily-Medium (MF-M) to Neighborhood Mixed Use (NMU) at 5600 119th Avenue SE and 11905 and 11919 SE 56th Street in the Newport Hills Subarea.

The site is the main part of the Newport Hills shopping area and includes the gas station and former bank building on the southwest and northwest corners, respectively. Other Neighborhood Business area properties include an older building repurposed as an S-Mart grocery store across 119th Ave SE to the west. Farther to the southwest from the main site, and still across 119th Avenue SE is another collection of buildings housing retail and office uses. There are no similarly situated or shared characteristics of these other separately-owned properties. Staff recommends no expansion of the geographic scope.



- **To what extent is a condition changed enough to warrant being significant?**

This is a follow up to the March 14, 2018 Study Session discussion on the application of decision criteria. The Planning Commission is not being asked to make any decisions related to this Threshold Review criteria tonight. This is for discussion purposes only.

Demonstrating evidence of change not anticipated by the existing Comprehensive Plan is the purpose of the “significantly changed conditions” decision criterion, found in both Threshold and Final Review. The bar that the significantly changed conditions criterion sets is a qualitative one. Attachment 4—a chart of recent CPAs and their significantly changed conditions discussion—illustrates by example the application of the Glossary definition at LUC 20.50.046:

Significantly changed conditions

Demonstrating evidence of change such as:	CONTEXT OF ISSUE
<ul style="list-style-type: none">• <i>unanticipated consequences of an adopted policy, or</i>• <i>changed conditions on the subject property or its surrounding area, or</i>• <i>changes related to the pertinent Plan map or text;</i>	← CHOOSE ONE
<i>where such change has implications of a magnitude that need to be addressed for the Comprehensive Plan to function as an integrated whole.</i>	AND APPLY IT TO ↓

- **How does preamble code instruct decision-makers in applying their decision criteria?**

This is a follow up to the March 14, 2018 Study Session discussion on cities using a two-step review process, when you requested staff provide you information on how other jurisdictions' preamble code instructs decision-makers in applying decision criteria.

Using the same cities as before (March 14 Study Session), staff collected preamble text to determine where such text instructs in how decision criteria must be found applicable to recommend a CPA, and whether a recommendation must be based on those criteria. The text demonstrates that each jurisdiction is required to comply with criteria established in their respective codes. The directive nature of the instructions in these codes varies in a "may" to "shall" range. Covington, for example, requires that [any] one of a series of criteria be met; if that is not reached then a proposal must meet all of a second set of criteria. Kirkland also uses a two-part test, with different paths depending on compliance. Jefferson County takes an "include but not limited to" approach.

The key phrase or wording is shown below; see Attachment 5 for the full text.

Bellevue (LUC 20.30I.140) – "may recommend inclusion...if the following criteria have been met"

Seattle (Resolution No. 31807) – "considers a variety of criteria in determining whether a proposed CPA will be placed on the docket"

Jefferson County (Ch. 18.45) – "recommendation shall be based on, but not limited to...to recommend approval...must make the following findings"

Covington (LUC 14.25.060) – "meet one of the following criteria [if not] then must meet all of the following criteria"

Redmond (Ch. 21.76.060) – "recommend...if it complies with the applicable decision criteria"

Kirkland (Ch. 140.25-30) – "must meet subsections (X) and either subsections [Y] or [Z]...may amend the plan only if it finds that"

Snohomish County (Ch. 30.74.030) – "recommend processing only if all of the following criteria are met"

Likewise, the Bellevue Planning Commission makes its recommendation to the City Council based on the authority provided in [BCC 3.64.070](#) and the decision criteria in LUC 20.30I.140 and .150.

- **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 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

Threshold Review and Geographic Scoping Study Session: 2018 Annual Comprehensive Plan Amendments (CPA)

April 25, 2018

Page | 6

- ✓ 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
- ✓ 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 posted on the CPA web site.

Below is a summary of the comments received through April 17. This is provided solely for informational purposes and does not represent the city staff position, thinking, analysis or judgement regarding a Threshold Review recommendation.

Proposed CPA	Number	Summary
Newport Hills Shopping Center Redevelopment	39 3 phone	Balanced among favorable (13), opposed (15), and just requesting information or asking to be a party of interest (11). Favorable comments reflect the enduring contribution of this local center to the community, a desire for attractive redevelopment, and the need for housing in Bellevue. Opposing comments touch on crowded schools, too much traffic from growth, the impact of market rate housing, the desire to retain local merchants, and a lack of street parking; one suggested the approved CPA would be a land use taking.
Jewish Day School	10	All requesting information
DASH Glendale	5 2 phone	Raising issues of traffic and density (4)
Red Town	4	All requesting information
Bellevue Nursery	3 phone	All requesting information
City Dacha LLC	0	

- **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 from July through to the end of the year.

As the second step in this process, Final Review is also used to fulfill GMA requirements that the amendments proposed to the Comprehensive Plan be considered together so that community engagement reflects the full weight of amending the Plan.

Final Review will address merit-based issues such as the Comprehensive Plan Land Use Strategy for locating jobs and housing growth; the geography of how the city’s planning areas affect the Land Use

Threshold Review and Geographic Scoping Study Session: 2018 Annual Comprehensive Plan Amendments (CPA)
April 25, 2018

Strategy; why consistency is important in plan review with other, similar CPA applications; and when environmental impacts such as traffic will be measured.

ATTACHMENT(S)

1. City map of 2018 Comprehensive Plan Amendment applications
2. Location maps for each privately-initiated application
3. Temple B’nai Torah letter request for JDS expansion of geographic scope
4. Significant changed conditions examples chart
5. Other GMA jurisdictions code text examples
6. Threshold Review Decision Criteria