



# Bellevue Planning Commission

April 24, 2019

## PLANNING COMMISSION AGENDA ITEM

### **SUBJECT**

Threshold Review Public Hearings: 2019 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. 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) 20.301.120 - Purpose*

Under the 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 reviews these applications through a two-step process set forth in the Land Use Code at [LUC 20.301](#). 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.

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

### **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 Threshold 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.	

2019 Annual Comprehensive Plan Amendments List of Proposed Amendments  
See Location Map Attachment 1

CPA	Site-specific Subarea	Staff Recommendation
<p><b>The Park in Bellevue</b> 19-104143 AC 1515 Bellevue Way NE North Bellevue</p>	<p>This privately-initiated application proposes a site-specific amendment to the 9.4-acre site from Multifamily-Medium (MF-M) to a Comprehensive Plan designation—Multifamily-Urban Residential (MF-UR)—that does not exist in the Comprehensive Plan.</p> <p>This privately-initiated application also proposes non-site-specific amendments to the Comprehensive Plan to add a Multifamily-Urban Residential (MF-UR) definition (allowing more than 30 units per acre) to the Glossary, and to delete Policy S-NB-39 in the North Bellevue Subarea Plan providing for conditions on any rezone in the vicinity of the intersection of Bellevue Way NE and NE 12<sup>th</sup> Street to minimize the impact of any development of adjoining single-family areas.</p> <p><b>NOTE:</b> Only the Planning Commission, City Council, or Development Services Director can initiate amendments to the text of the Land Use Code (LUC 20.30J). The following text is provided here as an informational courtesy:</p> <p>The applicant also requests the city initiate a Land Use Code Amendment to establish an “R-110” zone that would be consistent with the MF-UR designation under the Growth Management Act, allowing up to 110 units per acre, with a maximum building height of 75 feet, and amending LUC Sections 20.10.220, 20.10.440, 20.10.010 and 20.25B.</p>	<p>Do not include in 2019 work program</p>
<p><b>Bellevue Technology Center</b> 19-104146 AC 15801 NE 24<sup>th</sup> Street (six parcels) Crossroads</p>	<p>This privately-initiated application proposes a site-specific amendment to approximately 4.7 acres (880300-0040) of the Bellevue Technology Center (BTC) site from Office (O) to Multifamily-Medium (MF-M); and proposes site-specific directed amendments to the Crossroads Subarea Plan with seven new policies that would apply to redevelopment of the entire 47-acre BTC site. These proposed policies would enable transit-oriented development densities, add a multi-part affordable housing component, identify urban design considerations for neighborhood edges and conservation easements, encourage multi-modal mobility options, and seek to strengthen economic vitality in the BTC area through implementing transit-oriented development. Then it would amend Crossroads Subarea Plan Figure S-CR.1 accordingly.</p> <p>This privately-initiated application also proposes non-site-specific amendments to the Comprehensive Plan which would direct city actions to encourage innovative transportation</p>	<p>Do not include in 2019 work program</p>

<b>Bellevue Technology Center</b> ( <i>cont'd</i> )	demand management techniques for new transit-oriented development in the city; add improvements to the Transportation Facility Plan (TFP) for transit-oriented development that support and implement the city's adopted Multimodal Level-of-Service (MMLOS) metrics and targets (as applicable); and encourage neighborhood stability by providing transportation mitigation measures when improving the regional [transportation] system.	
<b>12620 Northup Way</b> 19-104147 AC 12620 Northup Way <i>BelRed</i>	This privately-initiated application would amend a 1.47-acre site in the BelRed Subarea from BelRed-General Commercial (BR-GC) to BelRed-Commercial-Residential (BR-CR).	Do not include in 2019 work program

Staff report recommendations were available with April 4 published public hearing notices for the April 24 Threshold Review public hearing.

### **RECOMMENDATIONS SUMMARY**

The Threshold Review Decision Criteria for a proposed Comprehensive Plan Amendment are set forth in the Land Use Code in Section 20.30I.140. See Attachment 2. Based on a review and application of the criteria, and using a process as described in earlier February 27 and March 13 study sessions before the Planning Commission, Community Development staff developed Threshold Review recommendations.

The staff recommendations for the 2019 site-specific applications are summarized in the Recommendations Summaries below. The full reports are available [online](#), provided in detail in the report materials provided to Commissioners along with the April 4, 2019, notice of Threshold Review public hearing, and can be requested in print. All versions include the staff recommendation, the application materials, public comment summary, and a site map.

### **Summary Recommendation: The Park in Bellevue 19-104143 AC**

This privately-initiated application proposes a site-specific amendment from Multifamily-Medium (MF-M) to Multifamily-Urban Residential (MF-UR)—a designation that does not exist in the Comprehensive Plan. It also proposes non-site-specific amendments to add an MF-UR definition (allowing more than 30 units per acre) to the Glossary, and to delete Policy S-NB-39 in the North Bellevue Subarea Plan. Although only certain city officials can initiate Land Use Code Amendments, the applicant also requests an amendment to establish an “R-110” zone allowing 110 DU/acre, 75-foot building heights, and other code amendments to align the LUC with this zone.

**Staff recommends not including this proposed amendment in the 2019 work program because** the application does not meet Land Use Code decision criteria for Threshold Review of a privately initiated Comprehensive Plan Amendment (LUC 20.30I.140).

It is premature to consider the annual plan amendment process the appropriate place to address this multi-part proposal. Such proposals that are outside of the existing Plan framework are accomplished only through City Council direction on major initiatives, with extensive formal citizen engagement process and specific environmental analysis.

Threshold Review Public Hearing: 2019 Annual Comprehensive Plan Amendments

April 24, 2019

Page | 3

Proposing a designation that does not exist, Downtown-level densities outside of the Downtown, and without the role that formal citizen engagement is appropriately addressed only through a formal work program of the Council.

The proposal would require a needs analysis outside of the annual amendment process.

The proposal fails to demonstrate significantly changed conditions in the city's adopted growth strategy, a strategy examined as recently as 2015.

The proposal is inconsistent with the city's Comprehensive Plan foundational policies for where growth is directed, through geography and density bright lines.

### **Summary Recommendation: Bellevue Technology Center 19-104146 AC**

This privately-initiated application proposes a site-specific amendment on a portion of the six-parcel BTC site from O to MF-M; seven new policy amendments to the Crossroads Subarea Plan that would apply to redevelopment of the entire 47-acre BTC site enabling transit-oriented development densities, a multi-part affordable housing component, urban design considerations for neighborhood edges and conservation easements, multi-modal mobility options, and strengthened economic vitality in the BTC area through implementing transit-oriented development.

It also proposes that the city develop non-site-specific amendments to the Comprehensive Plan which would encourage innovative transportation demand management techniques for new transit-oriented development in the city; add improvements to the Transportation Facility Plan (TFP) for transit-oriented development; and encourage neighborhood stability by providing transportation mitigation measures when improving the regional [transportation] system.

**Staff recommends not including this proposed amendment in the 2019 work program because** the application does not meet Land Use Code decision criteria for Threshold Review of a privately initiated Comprehensive Plan Amendment (LUC 20.30I.140).

The Comprehensive Plan amendment process has consistently rejected the Plan as a venue for amending the regulations governing this site's development; the environmental analysis associated with Plan amendment actions is insufficient to address city-sponsored, citywide non-site-specific policy; and the GMA requires (optional) subarea plans to be consistent with general plan elements, not identical to them.

The policy or land use issues—BelRed densities outside of BelRed—are inappropriate to the annual amendment process, the Great Neighborhoods process, the BelRed Look Back, or the ten-year major update.

The proposal cannot be reasonably reviewed within the annual amendment process; the necessary work is outside the expectations inherent in the annual process for the issues needing analysis: traffic modeling of site- and area-wide capacities, lack of infrastructure planning, application of regulating and

monitoring tools to mitigate area-wide impacts, and sidestepping the city's approach to transit-oriented development locations.

The proposal fails to demonstrate significantly changed conditions in the city's adopted growth strategy, a strategy examined as recently as 2015. Passage-of-time and Plan-anticipation conditions do not meet the significantly changed standard.

The proposal does not qualify for expansion of geographic scope.

The proposal is inconsistent with the city's Comprehensive Plan foundational policies for where growth is directed, through geography and density bright lines, employment areas versus mixed-use center designations, GMA consistency, Affordable Housing Strategy implementation direction, and changing TOD location decisions.

### **Summary Recommendation: 12620 Northup Way 19-104147 AC**

This privately-initiated application proposes a site-specific amendment to a 1.47-acre site at 12620 Northup Way NE in the BelRed Subarea from BelRed-General Commercial (BR-GC) to BelRed-Commercial Residential (BR-CR).

**Staff recommends not including this proposed amendment in the 2019 work program because** the application does not meet Land Use Code decision criteria for Threshold Review of a privately initiated Comprehensive Plan Amendment (LUC 20.30I.140).

The issues raised by this proposal—inadvertent inclusion in the existing designation, a belief in the role of the SR 520/NE 124th interchange regarding the “porosity” of the site, and the application of incentive FAR to generate revenue for the city—are inappropriate to the annual amendment process.

The BelRed Look Back would be the only place to appropriately address these, but staff has indicated that mis-arranged BelRed densities are not grounds for redirect, and the Look Back has not been authorized by City Council.

Significantly changed conditions have not been demonstrated regarding interchange redevelopment, the catalyst focus planned for redevelopment growth in BelRed, and the densities surrounding planned light rail station sites.

The state's ownership of a site immediately to the west of this one in the context of the general BelRed concentration of density addressed in significantly changed conditions make this unqualified for the expansion of geographic scope.

The proposal is inconsistent with Plan focus on nodes as centers of redevelopment concentration, with the purpose of higher densities supported by transit options, and by the Land Use Element's affirmation of the land use and building types necessary to achieve the city's economic development strategy.

## **BACKGROUND/ANALYSIS**

The 2019 list of initiated applications has been established to consider amendments to the Comprehensive Plan. Consideration of proposals to amend the Comprehensive Plan is limited to an annual process under the state Growth Management Act.

Threshold Review action produces proposed amendments for the annual CPA work program. This 2019 annual work program consists of four steps:

### **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 (*current step*);
2. City Council action on Planning Commission recommendations to establish the annual work program (June);

### **Final Review**

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

## **PUBLIC NOTICE**

The 2019 annual proposed amendments were introduced to the Planning Commission with a February 27 “Introductory and statutory process review” study session; and a March 13 study session examining the potential expansion of geographic scope for each of the privately-initiated applications.

Notice of the Applications was published in the Weekly Permit Bulletin on February 21, 2019, and mailed and posted as required by LUC 20.35.420. Notice of the April 24, 2019, Public Hearing before the Planning Commission was published in the Weekly Permit Bulletin on April 4, 2019, and included notice sent to parties of interest. Owners and residents within the 500-foot noticing perimeter of each site receive official notice, as did 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 2019 annual 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 February 27 “Comprehensive Plan Amendment Overview” Planning Commission study session
- ✓ A March 13 “Introductory and statutory process review” Planning Commission study session
- ✓ “Drop-in” CPA sessions at Mini City Hall on March 22 (nine individuals) and March 25 (four individuals)
- ✓ Official Weekly Permit Bulletin notice

Threshold Review Public Hearing: 2019 Annual Comprehensive Plan Amendments

April 24, 2019

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, and are posted on the web site.

Below is a summary of the comments received through April 15.

Proposed CPA	Number	Summary
The Park in Bellevue	10	Information (2) Oppose (8)
Bellevue Technology Center	83	Information (8) Oppose (72) Favor (3) Online opposition petition at <a href="https://www.change.org">change.org</a> : 1,600+ signatures
12620 Northup Way	3	Information (3)

The next step in this continuous public engagement process includes the City Council's agenda item establishing the annual work program. After that, the city will take any proposed amendments out into the various neighborhoods for discussion during Final Review evaluation.

#### **ATTACHMENT(S)**

1. City map of 2019 Comprehensive Plan Amendment applications
2. Threshold Review Decision Criteria LUC 20.30I.140
3. Planning Commission resolution for The Park in Bellevue
4. Planning Commission resolution for Bellevue Technology Center
5. Planning Commission resolution for 12620 Northup Way