

2017 PLANNING COMMISSION



BELLEVUE

Meeting
6:30 pm May 10

Location

Commission meetings are held in the Council Conference Room unless otherwise posted.

Public Access

All meetings are open to the public and include opportunities for public comment.

425-452-6800
planningcommission@bellevuewa.gov

www.bellevuewa.gov

MAY 10



Bellevue Planning Commission

AGENDA

Regular Meeting

May 10, 2017

6:30 PM - Regular Meeting

City Hall, Room 1E-113, 450 110th Avenue NE, Bellevue WA

6:30 PM – 6:35 PM Call to Order

6:35 PM – 6:40 PM Roll Call

6:40 PM – 6:45 PM Approval of Agenda

6:45 PM – 7:00 PM Communications from City Council, Community Council,
Boards and Commissions and Staff

7:00 PM – 7:30 PM Public Comment

The public is kindly requested to supply a copy of any presentation materials and hand-outs to the Planning Commission so it may be included in the official record.

Please note, public comment for items related to a public hearing already held are limited to 3 minutes.

7:30 PM – 9:30 PM

Study Session

1

Downtown Livability – Review of Draft Downtown Land Use Code Amendment (LUCA)

Staff: Carol Helland, Code and Policy Development Director, Development Services Dept.

Patricia Byers, Code Development Manager, Development Services Dept.;

Emil King, AICP, Strategic Planning Manager, Planning & Community Development Dept.

General Order of Business – This is the fourth study session (past - Mar 22, Apr 19, Apr 26) post Planning Commission public hearing (Mar 08 2017). May 03, 2017 was canceled.

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1. Staff outlines follow-up issues and requests for information from the last meeting (Apr 26).
 2. Staff provides brief review of material included in the meeting packet and any new material as requested by the Commission.
 3. The Planning Commission provides initial direction to staff on identified issues, and requests for additional follow-up as needed.

Anticipated Outcome – The Planning Commission will work towards making a recommendation to City Council.

9:30 PM – 9:45 PM

Minutes to be Signed (Chair):

March 01, 2017

March 08, 2017

March 22, 2017

Draft Minutes Previously Reviewed & Now Edited:

-

New Draft Minutes to be Reviewed:

April 19, 2017

9:45 PM – 10:00 PM

Public Comment

Please note, public comment for items related to a public hearing already held are limited to 3 minutes.

10:00 PM

Adjourn

Please note:

- Agenda times are approximate only.
- Generally, public comment is limited to 5 minutes per person or 3 minutes if a public hearing has been held on your topic. The last public comment session of the meeting is limited to 3 minutes per person. The Chair has the discretion at the beginning of the comment period to change this.

Planning Commission Members:

John deVadoss, Chair

Stephanie Walter, Vice Chair

Jeremy Barksdale

John Carlson

Michelle Hilhorst

Aaron Laing

Anne Morisseau

John Stokes, Council Liaison

Staff Contacts:

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May 5, 2017

SUBJECT

Downtown Livability Land Use Code Update

STAFF CONTACTS

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DIRECTION NEEDED FROM PLANNING COMMISSION

- Action
- Discussion
- Information

BACKGROUND

Over the past 18 months, the Planning Commission has been reviewing and further refining recommendations from the Downtown Livability Citizen Advisory Committee (CAC). The Consolidated Draft Code (included at Attachment A) represents the comprehensive Downtown Land Use Code (LUC) Update necessary to advance the Downtown Livability Initiative to completion. This comprehensive update incorporates and builds on the “Early Wins” code amendments that were adopted in March 2016.

Public Engagement

On March 8, 2017, the Planning Commission conducted a public hearing on the draft Downtown LUC Update. All written comment and verbal testimony has been provided to the Planning Commission, along with a summary of themes in the March 22, April 19, April 26, and May 3 meeting packets. The Planning Commission meeting on May 3 was cancelled due to a lack of quorum. The packet materials for May 10 include the Consolidated Draft Code, as well as a reprint of the materials from May 3 in Attachments A and B, respectively. Some minor corrections have been made to the May 3 packet that are noted for ease of review.

Staff also continues to received feedback and engage with Downtown stakeholders regarding elements in the Draft LUC Update. This has helped create a better understanding of the issues and helps in the development of specific code refinements for the Commission to consider.

SUMMARY OF INITIAL DIRECTION FROM PLANNING COMMISSION

The following matrix summarizes initial direction from the Planning Commission regarding changes to the March 8, 2017 Public Hearing Draft of the Downtown Land Use Code. The Commission’s initial direction has been incorporated into a Consolidated Draft Land Use Code Package for Commission consideration. Final Commission direction on the code package will provide the basis for its recommendation to the City Council. The Consolidated Draft Land Use Code Package is Attachment A.

Date	Initial Commission Direction	Status
General		
3/22	Amend the draft Code to reflect the “Early Wins” Code amendments enacted by Ordinance 6277.	<i>Matrix included in 4/19 packet materials comparing Early Wins vs. Public Hearing Draft Code language. No changes necessary to draft Code to reflect Commission direction.</i>
Affordable Housing		
3/22	Include a 1.0 FAR exemption for affordable housing, and that the exemption be used in conjunction with the multifamily tax exemption program.	<i>Commission’s recommendation to be forwarded to Council for consideration as part of citywide Affordable Housing Strategy. Noted at LUC 20.25A.070.B.2 of the Consolidated Code Package (page 45).</i>
Amenity Incentive System		
3/22	Revise the dimensional requirement table in section 20.25A.060 to show the base FAR to be 90% of the proposed maximum FAR in all instances.	<i>Revisions included in 4/19 packet material. Integrated into Consolidated Code Package at LUC 20.25A.060.A.4 (pages 36-38).</i>
3/22	Create a dedicated account for in-lieu fees collected through the amenity incentive system, and expend only for acquisition or improvement of publicly accessible open space within Downtown.	<i>Revision included in 4/19 packet materials. Integrated into Consolidated Code Package at LUC 20.25A.070.D.2 (page 48).</i>
4/19	Provide more granularity and transparency regarding the collection, fund allocation, expenditure and accounting of in-lieu fees.	<i>Accounting practice to be coordinated with the Bellevue Finance Department.</i>
4/19	Incorporate suggested edits to incentive system regarding Pedestrian Corridor bonus and transferability, Lake to Lake Trail, plaza criteria, arts amenity, and green building certification.	<i>Revisions included in 4/19 packet material. Integrated into Consolidated Code Package at LUC 20.25A.070.D.4 (pages 50-55).</i>

Date	Initial Commission Direction	Status
4/19	Do not further explore (1) concept of “Super Bonus” or (2) elimination of incentive system with replacement by additional development requirements.	<i>No changes necessary to draft Code to reflect Commission direction.</i>
4/26	Desire to review list of bonusable amenities along with additional ideas to potentially bonus as suggested during the public comment on the draft Code.	<i>Reprint of 4/19 Amenity Incentive System in 5/3 packet with notes added regarding new ideas for bonusable amenities. Reprinted in 5/10 packet.</i>
4/26	Desire to have a shorter periodic review cycle than every 7-10 years for Amenity Incentive System and to incorporate provisions for adaptive management.	<i>Reprint of 4/19 Amenity Incentive System in 5/3 packet. Reprinted in 5/10 packet.</i>
Tower Separation and Other Requirements		
3/22	Bring back additional information regarding the 80-foot tower spacing and 40-foot tower setback.	<i>Information regarding comparable cities and revised approach to tower spacing and departures developed for 4/19 Commission meeting.</i>
4/19	Reduce 40-foot tower setback in draft Code from internal property lines to 20 feet.	<i>Integrated into Consolidated Code Package at LUC 20.25A.060.A.4 (pages 36 - 38) and LUC 20.25A.075 (page 57).</i>
4/19	Modify definition of tower (75 feet to 100 feet) and raise point at which tower spacing applies (above 80 feet of building height).	<i>Revision included in 4/19 packet material. Integrated into Consolidated Code Package at LUC LUC 20.25A.020.A (page 8), LUC 20.25A.060.A.4 (pages 36 – 38) and 20.25A.075.B.3 (page 56-57).</i>
4/19	Bring back examples to support additional Commission discussion of 60-foot vs. 80-foot tower separation within project limit.	<i>Material provided in 5/3 packet. Reprinted in 5/10 packet.</i>
4/19	Remove 10% outdoor plaza requirement for buildings that exceed trigger height (i.e. current maximum height).	<i>Integrated into Consolidated Code Package at LUC 20.25A.075.A.3 (page 56).</i>
4/26	Further discussion of reduced floorplate sizes and other associated urban form provisions for allowing taller buildings.	<i>Information to be presented on 5/3, including potential options for floorplate reductions in different zone, floorplate size feasibility for different uses, and the relationship to allowed FAR by underlying zoning and tower spacing. Reprinted in 5/10 packet.</i>

Date	Initial Commission Direction	Status
District and Site-Specific Issues		
3/22	Amend Perimeter Overlay A-1 south of NE 12th Street from 102nd Avenue NE eastward to 112th Avenue NE to become Perimeter Overlay A-2.	<i>Revision included in 4/19 packet material. Integrated into Consolidated Code Package at LUC 20.25A.060.A.3 (page 34).</i>
3/22	Incorporate changes reflected by the BDR and John L. Scott property representatives for Perimeter Overlay A-3 and B-3.	<i>Revisions included in 4/19 packet materials. Integrated into Consolidated Code Package at LUC 20.25A.010.B.3 (page 3) and 20.25A.060.A.4 (pages 37-38).</i>
4/19	Retain the Draft Code maximum height of 345 feet for the DT-O-2 District.	<i>No changes necessary to draft Code to reflect Commission direction.</i>
4/19	Bring back additional information on the implications of allowing multi-tower projects that straddle the DT-MU District and B-2 Overlay to have a residential tower height of 264 feet in the B-2 portion.	<i>Material provided in 5/3 packet. Reprinted and corrected in the 5/10 packet. Integrated into Consolidated Code Package at LUC 20.25A.060.A.4 (page 39).</i>
4/19	Amend Downtown Sidewalk map in portions of DT-OLB to reflect proximity to I-405 abutments.	<i>Revision included in 4/19 packet material. Integrated into Consolidated Code Package at LUC 20.25A.090.A.1 (page 68).</i>
4/19	Raise maximum parking garage height in DT-OLB-S, remove Active Uses requirement for garages that front 114th Ave NE and ensure garages have glazed openings and are compatible with urban environment.	<i>Revision included in 4/19 packet material. Integrated into Consolidated Code Package at LUC 20.25A.060.A.4 (page 37) and 20.25A.180 (pages 139-140).</i>
4/19	Additional discussion of increasing maximum nonresidential floorplates between 40 feet and 80 feet in DT-OLB Districts.	<i>Packet material from 4/26 re-printed for 5/3 discussion. Reprinted in 5/10 packet.</i>
Parking Flexibility		
3/22	Bring back approaches relating to Downtown parking flexibility for further discussion.	<i>Approaches for parking flexibility included in 4/19 and 4/26 packets.</i>
4/19	Remove 20% shared parking reduction allowed in existing (adopted) Code, and remove flexibility amendments in draft Code.	<i>Deleted following 4/26 discussion. Did not accurately reflect Planning Commission initial direction.</i>

Date	Initial Commission Direction	Status
4/26	Remove parking flexibility in draft Code until a Comprehensive Downtown Parking Study is done.	<i>Packet material from 4/26 re-printed for 5/3 discussion. Reprinted in 5/10 packet.</i>
4/26	Desire to have additional discussion of 20% shared parking provisions.	<i>Packet material from 4/26 re-printed for 5/3 discussion. Reprinted in 5/10 packet.</i>
Miscellaneous		
3/22	Revise definition of Active Uses to include specific examples.	<i>Revised definition included in 4/19 packet, with additional refinements in 4/26 packet.</i>
4/26	Use revised definition of Active Uses as presented by staff.	<i>Direction from Commission on 4/26. Integrated into Consolidated Code Package at LUC 20.25A.020.A (page 5).</i>

MAY 10 MEETING

The following information is included in the May 10 Commission packet. Staff will also be providing additional information and graphics at the meeting to support Commission discussion.

Consolidated Code Package

Packet Material from May 3 Meeting – Updated and Reprinted for May 10 Meeting

- Parking topics.
- Amenity list and interval for review.
- Tower separation and other requirements (focus on 60-foot vs. 80-foot tower separation within project limit, and discussion of reduced floorplate sizes and other associated urban form provisions for allowing taller buildings)
- OLB floorplates.
- Upper level stepback administrative departure.
- Implications of allowing multi-tower projects that span the DT-MU District and B-2 Overlay to have a residential tower height of 264 feet in the B-2 portion – *Updated.*
- Code clarifications.

POST-PUBLIC HEARING MEETING SCHEDULE

The proposed schedule below anticipates completion of the Commission’s work in a timeframe that will facilitate delivery of its recommendation to Council by June 5 for final review and approval.

- Meeting 1 March 22 – *Completed.*
- Meeting 2 April 19 – *Completed.*
- Meeting 3 April 26 – *Completed.*
- ~~Meeting 4~~ May 3 – *Cancelled due to a lack of quorum.*
- Meeting 4 May 10 – *Meeting materials to include Consolidated Code Package that incorporates initial Commission direction to date.*

Meeting 5 May 17 – *If needed to complete Planning Commission work on May 24.*
Meeting 6 May 24

ATTACHMENTS

- A. Consolidated Land Use Code Package
- B. Updated and Reprinted Packet Material from May 3

PART 20.25A Downtown

~~2.16.17 Draft~~ 5.5.17 Consolidated Draft

Part 20.25A Downtown

Commented [BT(1): Undated notes are from the original public hearing draft on 2.16.17. Dated notes are to memorialize the Planning Commission’s initial direction following the public hearing.

20.25A.010 General

A. Applicability of Part 20.25A

Commented [HC2]: UPDATED to align with code organization developed as part of BelRed (LUC 20.25D.010) and the Light Rail Overlay (20.25M.010) Improves Land Use Code Consistency and Ease of Use

1. General. This Part 20.25A, Downtown (DNTN), contains requirements, standards, criteria and guidelines that apply to development and activity within the Downtown land use districts. Except to the extent expressly provided in this Part 20.25A and as referenced in subsection A of this section, the provisions of the Land Use Code, other development codes, the City development standards, and all other applicable codes and ordinances shall apply to development and activities in the Downtown land use districts.

Commented [HC3]: UPDATES LUC 20.25A.010.A

2. Relationship to Other Regulations. Where there is a conflict between the Downtown land use district regulations and the Land Use Code and other City ordinances, the Downtown land use district regulations shall govern.

Commented [HC4]: Incorporates language of general applicability that is currently located at the beginning of Chapter 20.25. Limits references outside Downtown Code Part

3. Land Use Code sections not applicable in Downtown. The following sections of the Land Use Code, Title 20 Bellevue City Code (BCC) now or as hereafter amended, do not apply in Downtown. Unless specifically listed below, all other sections apply.

- a. 20.10.400
- b. 20.10.440
- c. 20.20.005 through 20.20.025
- d. 20.20.030
- e. 20.20.060 and 20.20.070
- f. 20.20.120 and 20.20.125
- g. 20.20.135 and 20.20.140
- h. 20.20.190 and 20.20.192
- i. 20.20.250
- j. 20.20.400
- k. 20.20.520
- l. 20.20.525
- m. 20.20.560

PART 20.25A Downtown~~2-16-17 Draft~~ 5.5.17 Consolidated Draft

- n. 20.20.700 and 20.20.720
- o. 20.20.750 through 20.20.800
- p. 20.20.890 and 20.20.900

B. Organization of Part 20.25A. Organization of Part 20.25A is composed of several regulatory layers that inform development in Downtown.

Commented [HC5]: NEW – Improves Ease of Code Use

1. Purpose. Downtown Bellevue is the symbolic as well as functional heart of the Eastside Region. It is to be developed as an aesthetically attractive area of intense use. Toward this end, the City shall encourage the development of cultural, entertainment, residential, and regional uses located in distinct, mixed-use neighborhoods connected by a variety of unique public places and great public infrastructure. Development must enhance people orientation and facilitate pedestrian circulation, and provide for the needs, activities, and interests of people. The City will encourage land uses which emphasize variety, mixed uses, and unity of form within buildings or complexes. Specific land use districts have been established within the Downtown District to permit variation in use and development standards in order to implement the objectives of the Downtown Subarea Plan.

2. Land Use District Classifications. These are applied to each parcel of land in Downtown and determine uses, dimensional requirements (including Floor Area Ratio), and requirements for participation in the Amenity Incentive System. Specific sections of the Downtown code apply to the following land use classifications. See Figure 20.25A.060.A.2 for a map of the Downtown Land Use Classifications.

Commented [BT(6)]: Legal descriptions Land Use District and Perimeter Overlay Districts will be included in the Draft Code when they are complete.

Commented [HC7]: MOVED and UPDATED – Limits references outside Downtown Code Part. Currently located in LUC 20.10.370.

- a. Downtown-Office District 1 (DNTN-O-1). The purpose of the Downtown-O-1 Land Use District is to provide an area for the most intensive business, financial, specialized retail, hotel, entertainment, and urban residential uses. This district is limited in extent in order to provide the level of intensity needed to encourage and facilitate a significant level of transit service. Day and nighttime uses that attract pedestrians are encouraged. All transportation travel modes are encouraged to create links between activities and uses.
- b. Downtown-Office District 2 (DNTN-O-2). The purpose of the Downtown-O-2 Land Use District is to provide an area for intensive business, financial, retail, hotel, entertainment, institutional, and urban residential uses and to serve as a transition between the more intensive Downtown-O-1 Land Use District and the less intensive Downtown-Mixed Use Land Use District. The Downtown-O-2 District includes different maximum building heights for areas north of NE 8th Street, east of 110th Avenue NE, and south of NE 4th Street based on proximity to the Downtown Core and access to the regional freeway system and transit, creating the Downtown O-2 Districts North, East, and South (DNTN-O-2 North, DNTN-O-2 East, and DNTN-O-2 South).
- c. Downtown-Mixed Use District (DNTN-MU). The purpose of the Downtown-MU Land Use District is to provide an area for a wide range of retail, office, residential, and support uses. Multiple uses are encouraged on individual sites, and in individual buildings, as well as broadly in the district as a whole. The Downtown-MU District allows for taller buildings and additional density in the Civic Center portion of the District east of 111th Avenue NE between NE 4th and NE 8th Street based on its proximity to the Downtown core and convenient access to the regional

20.25A.010 2

PART 20.25A Downtown

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freeway system and transit. This area is called the Downtown Mixed Use District–Civic Center (DNTN-MU Civic Center) while the rest of the District is called Downtown-Mixed Use District (DNTN-MU).

d. Downtown-Residential District (DNTN-R). The purpose of the Downtown-R Land Use District is to provide an area for predominantly urban residential uses. Limited office and retail uses are permitted as secondary to residential use, in order to provide the amenity of shopping and services within easy walking distance of residential structures.

e. Downtown-Old Bellevue District (DNTN-OB). The purpose of the Downtown-OB Land Use District is to reinforce the character of the Old Bellevue area and assure compatibility of new development with the scale and intensity of the area. The social and historic qualities of this area are to be preserved.

f. Downtown-Office and Limited Business District (DNTN-OLB). The purpose of the Downtown-OLB Land Use District is to provide an area for integrated complexes made up of office, residential, and hotel uses, with eating establishments and retail sales secondary to these primary uses. The district abuts and has access to both I-405 and light rail transit service. The Downtown-OLB District differentiates maximum building heights and allowed density for areas north of NE 8th Street, between NE 4th and NE 8th Street, and south of NE 4th Street based on proximity to the Downtown Core and convenient access to the regional freeway system and transit. This creates three districts Downtown-OLB North, Downtown-OLB Central and Downtown-OLB South (DNTN-OLB North, DNTN-OLB Central, and DNTN-OLB South).

3. Perimeter Overlay Districts may impose ~~more stringent~~ dimensional requirements ~~that differ from~~ ~~than are allowed by~~ the underlying land use district to provide an area for lower intensity development that provides a buffer between less intense uses and more intensively developed properties in Downtown. Specific sections of the Downtown code apply to the following overlay districts. See Figure 20.25A.060.A.3 for a map of the Downtown Perimeter Overlay Districts.

Commented [BT(8)]: Initial PC direction on 4.19.17 as a part of the Bellevue Gateway (A-3/B-3) discussion.

a. Perimeter Overlay District A

A-1

A-2

A-3

b. Perimeter Overlay District B

B-1

B-2

B-3

PART 20.25A Downtown**2-16-17 Draft 5.5.17 Consolidated Draft**

4. Neighborhood Design Districts are a key organizing principle to implement the Great Place Strategy of the Downtown Subarea Plan. These neighborhood design districts create a series of distinct, mixed-use neighborhoods (or districts) within Downtown that reinforce their locational assets and unique identities. More information can be found in the Downtown Subarea Plan of the Comprehensive Plan.

- a. Northwest Village
- b. City Center North
- c. Ashwood
- d. Eastside Center (including Bellevue Square, City Center, and Convention Civic)
- e. Old Bellevue
- f. City Center South
- g. East Main

5. Right-of-Way Designations. The right-of-way designations provide design guidelines for Downtown streets that are organized by streetscape type. These designations are a representation of the Downtown vision for the future, rather than what currently exists. The designations create a hierarchy of rights-of-way reflecting the intensity of pedestrian activity. The "A" Rights-of-Way are those streets that have the highest amount of pedestrian activity, while the "D" Rights-of-Way would have a smaller amount of pedestrian activity. These guidelines are intended to provide activity, enclosure, and protection on the sidewalk for the pedestrian. See Figure 20.25A.170.B for a map of the Right-of-Way Designations.

- a. Rights-of-Way- Pedestrian Corridor / High Streets
- b. Rights-of-Way- Commercial Streets
- c. Rights-of-Way- Mixed Streets
- d. Rights-of-Way- Neighborhood Streets
- e. Rights-of-Way- Perimeter Streets

6. Major Pedestrian Corridor. An alignment which is generally for exclusive pedestrian use providing a reasonably direct, but interesting pedestrian route in the immediate vicinity of NE 6th Street between 102nd Avenue NE and the east side of 112th Avenue NE.

Commented [HC9]: MOVED from Design Guidelines Building/Sidewalk Relationships IV.E. Limits references outside Downtown Code Part.

PART 20.25A Downtown

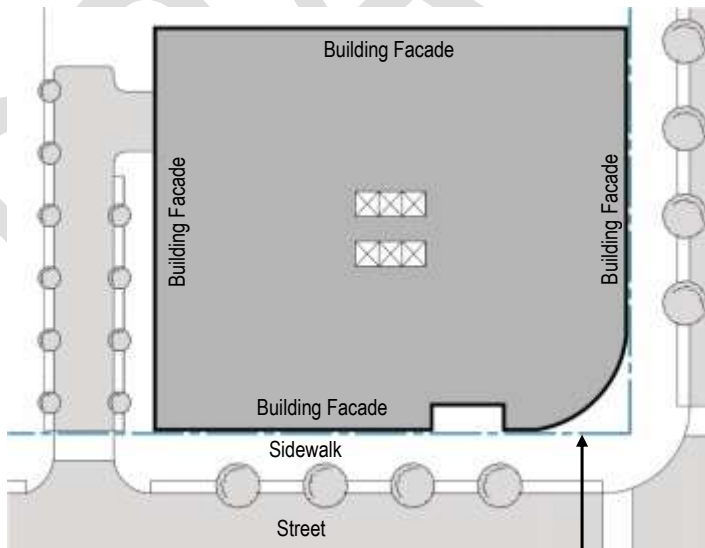
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20.25A.020 Definitions

A. Definitions Specific to Downtown

DT - Active Uses: ~~Those uses listed in LUC 20.25A.050 under “Cultural, Entertainment and Recreation”, “Wholesale and Retail” (with the exception of recycling centers and gas stations), and “Service Uses” (limited to finance, insurance, real estate services; barber and beauty shops; photography studios; shoe repair; and travel agencies). Those uses listed in LUC 20.25A.050 under “Residential” (including entrance lobbies and private indoor amenity space), “Service Uses” (except those uses listed above), “Transportation and Utilities”, and “Resources” are not considered Active Uses, but may be determined to meet the definition for an Active Use through an administrative departure pursuant LUC 20.25A.030.D.1 and 20.25A.070.C.2. An Active Use must meet the design criteria in the FAR Exemption for Ground Level and Upper Level Active Uses in LUC 20.25A.070.C.1 and the design guidelines for the applicable right-of-way designation in LUC 20.25A.170.B. Uses within a building that support pedestrian activity and promote a high degree of visual and physical interaction between the building interior and adjacent public realm. Entrance lobbies, private indoor amenity space, service uses, and enclosed privatized spaces are typically not considered active uses.~~ (NEW)

DT - Build-To Line: A location along a designated block or right-of-way where a building must be constructed. The build-to line is the back of the required sidewalk unless, upon the request of the applicant, it is designated otherwise by the Director.



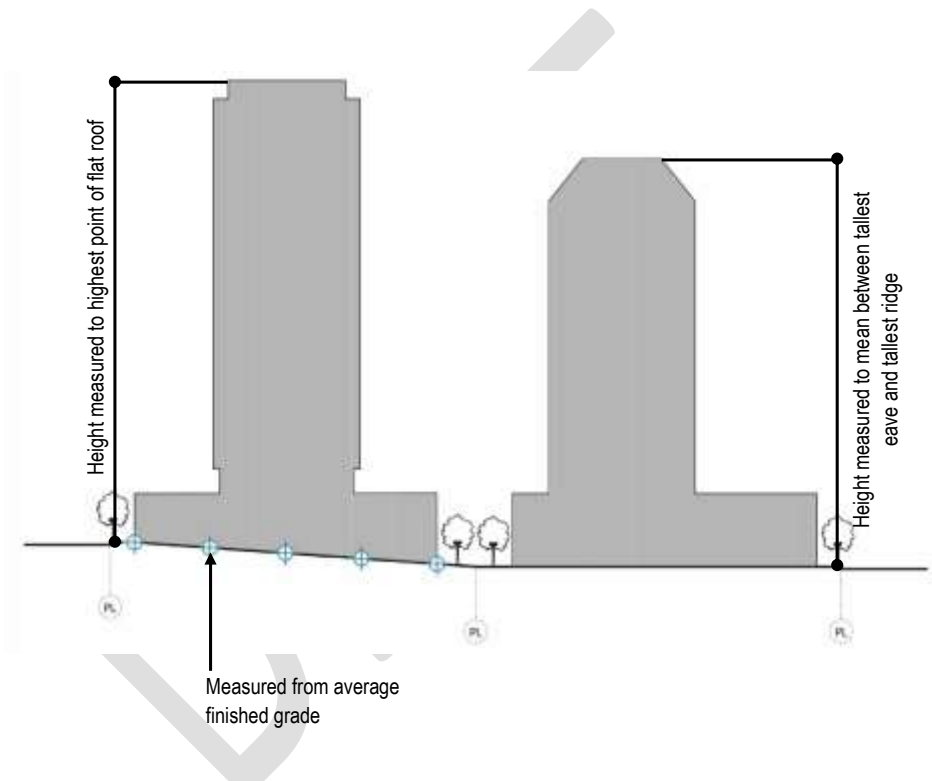
Build-to-line located at back of sidewalk unless designated otherwise

Commented [HC10]: NEW – to align with organization developed as part of BelRed (LUC 20.25D.020) and the Light Rail Overlay (20.25M.020). Improves Land Use Code Consistency and Ease of Use.

Commented [BT(11)]: Initial PC Direction on 4.26.17

Commented [BT(12)]: Code clarification prepared for 5.3.17 packet, reprinted in 5.10.17 packet. No initial direction provided by Planning Commission.

DT - Building Height: The vertical distance measured from average of finished ground level adjoining the building at exterior walls to the highest point of a flat roof, or to the mean height between the tallest eave and tallest ridge of a pitched roof. Where finished ground level slopes away from the exterior walls, reference planes shall be established by the lowest points within the area between the building and the lot line, or back of sidewalk where back of sidewalk is the setback line. If lot line or back of sidewalk is more than 6 feet from the building, between the building and a point 6 feet from the building.



DT-Caliper: The diameter measurement of the stem or trunk of nursery stock. Caliper measurement is taken six inches above the ground level for field grown stock and from the soil line for container grown stock, which should be at or near the top of the root flare, and six inches above the root flare for bare root plants, up to and including the four-inch caliper size interval (i.e., from four inches up to, but not including, 4 inches). If the caliper measured at six inches is four and one-half inches or more, the caliper shall be measured at 12 inches above the ground level, soil line, or root flare, as appropriate.

DT-Downtown Core: The Downtown Core District encompasses the area bounded by the extension of the centerlines of 102nd Avenue NE on the west, NE 9th Street on the north, 112th Avenue NE on

Commented [HC13]: NEW - to define industry-based terminology used in the Green Factor section.

Commented [BT14]: Errata - Definition taken from existing LUC 20.25A.100. Needed when code requirements are applicable only in the Downtown Code (e.g., Minor Publicly Accessible Space in LUC 20.25A.090.C.3).

PART 20.25A Downtown

~~2-16-17 Draft~~ 5.5.17 Consolidated Draft

the east and NE 3rd Street on the south plus any area within the Downtown-O-2 Land Use District not described above.

DT-Diameter at Breast Height: Diameter at Breast Height (D.B.H.): The diameter of the tree trunk at four and one-half feet (or 54 inches) above natural grade level. The diameter may be calculated by using the following formula: D.B.H.= circumference at 4.5-feet divided by 3.14. To determine the D.B.H. of multi-trunk trees or measuring trees on slopes, consult the current *Guide for Plant Appraisal*, published by the Council of Tree and Landscape Appraisers.

Commented [HC15]: NEW - to define industry-based terminology in the Green Factor section.

DT - Floor Area Ratio (FAR): A measure of development intensity equal to the gross floor area, excluding parking and mechanical floors or areas, divided by the net on-site land area in square feet. Net on-site area land includes the area of an easement and public right-of-way as provided in LUC 20.25A.070C.

DT - Floor Plate: Floor area in square feet within the surrounding exterior walls, measured from the interior wall surface and including all openings in the floor plate.

DT – Interior Property Line: A property line other than the build-to line.

DT-Open Space: Landscaped areas, walkways, gardens, courtyards and lawns; excluding areas devoted to buildings, traffic circulation roads, or parking areas. Outdoor plazas, Major Pedestrian Open Space and Minor Publicly Accessible Spaces are a kind of open space.

Commented [BT(16)]: Definition in Amenity Incentive System. More closely aligns with CAC vision.

DT - Pedestrian Scale: The quality of the physical environment that reflects a proportional relationship to human dimensions and that contributes to a person's comprehension of buildings or other features in the built environment.

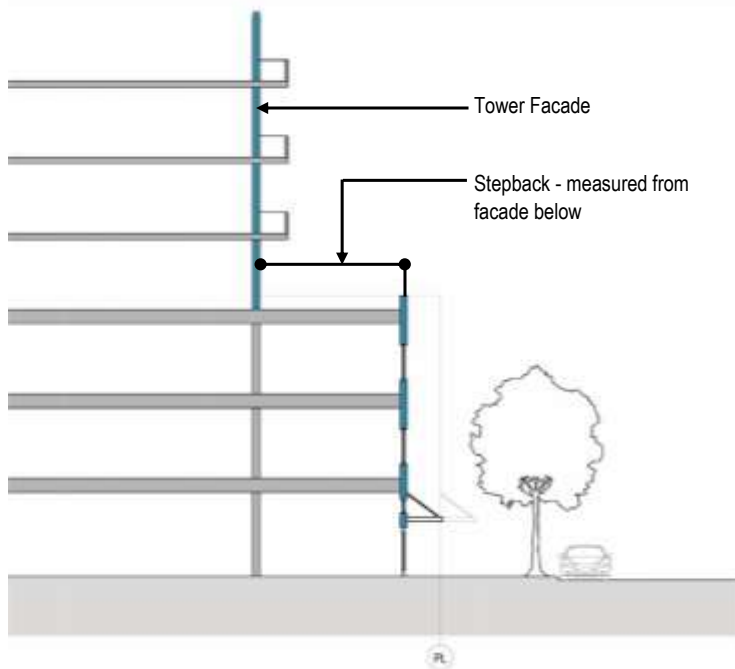
DT- Point of Interest: Elements of a building's façade at the street level or in the streetscape that contribute to the active enrichment of the pedestrian realm and design character of a building. Some examples include permanent public artwork, architectural elements, landscape features, special walkway treatments (e.g. pavement mosaic, inlaid art) and seating areas.

DT - Project Limit: A lot, portion of a lot, combination of lots, or portions of combined lots treated as a single development parcel for purposes of the Land Use Code.

DT -Public Realm: Streets, parks and other open spaces and the accessible parts of private buildings.

DT-Setback: A space unoccupied by structures except where intrusions are specifically permitted by this Code. Front setbacks are measured from the back of the required sidewalk to face of the building. All other setbacks are measured from the property line.

DT – Stepback: A building stepback of a specified distance, measured from the façade below that occurs at a defined height above the average finished grade. No portion of the building envelope can intrude into the required stepback above the defined height, except where intrusions are specifically permitted by this code.



DT-Street Wall: A street wall is a building wall that generally abuts the sidewalk although there may be occasional setbacks and recesses for the purpose of plazas and open space. The street wall helps define and enclose the street corridor, creating a sense of activity, intensity, and spatial containment. Street walls can incorporate arcades at the sidewalk level with habitable space above.

Commented [HC17]: NEW definitions added below to clarify terminology used in the dimensional chart and design guidelines.

DT-Transparency: Ability to see through a window or door at the pedestrian eye level. The pedestrian eye level is 30 inches to 8 feet up from the sidewalk, following the adjacent sidewalk slope.

Commented [HC18]: Eight feet is used as the maximum height because overhead awnings must maintain an eight-foot clearance above the sidewalk.

DT-Tower: Any building located in the Downtown subarea with a minimum height of ~~75~~ 100 feet or greater.

Commented [BT(19)]: Initial PC Direction on 4.19.17.

DT-Tower Separation: The horizontal space between the closest exterior points of two or more towers located within a single project limit.

DT-Tower Setback: A building setback of a specified distance, measured from the interior property line that occurs at a defined height above average finished grade, when the building exceeds a specified height. No portion of the building envelope can intrude into the required setback above the defined height, except where specifically permitted by code or administrative departure.

DT-Weather Protection – A continuously covered area projecting from a building which functions as weather protection or a canopy projecting from the elevation of the building that is designed to

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provide pedestrians protection from the elements. Weather protection includes but is not limited to marquees and awnings that are made with durable materials.

B. General Definitions not applicable to Downtown. The general definitions contained in Chapter 20.50 LUC apply unless specifically listed below as inapplicable to Downtown.

Alley. LUC 20.50.010

Active Recreation Area. LUC 20.50.010

Caliper. LUC 20.50.014

Floor Area Ratio. (FAR). LUC 20.50.020

Open Space. LUC 20.50.038

Setback. LUC 20.50.046

Setback, Front. LUC 20.50.046

Setback, Rear. LUC 20.50.046

Setback, Side. LUC 20.50.046

Stepback. LUC 20.50.046

Tree-Large Diameter. LUC 20.50.048

Tree-Small Diameter. LUC 20.50.048

PART 20.25A Downtown~~2-16-17 Draft~~ **5.5.17 Consolidated Draft****20.25A.030 Review Required****A. Applicable Review**

1. Review is Required. All development in Downtown shall be reviewed by the Director consistent with the terms of this Part 20.25A through the administration of Part 20.30V LUC (Master Development Plan), Part 20.30F LUC (Design Review) and Part 20.30L (Development Agreement) using the applicable procedures of Chapter 20.35 LUC. A Master Development Plan is required where there is more than one building or where development of a project is proposed to be phased. Design review is required on all Downtown projects. A Development Agreement is required for departures from the code which are not permitted to be granted through an administrative process.

2. Effect of Approval. Approval of the Design Review, and the Master Development Plan and any Development Agreement where required, shall constitute the regulations governing development and operation of an approved development for the life of the project. Such approval shall be contingent upon compliance with the conditions specified in the approval, conformance with all applicable development standards, the payment of all fees, and the submittal of assurance devices as may be required. The approval shall expire as provided pursuant to LUC 20.40.500, unless otherwise provided for in this Chapter 20.25A LUC.

B. Master Development Plan

1. Scope of Approval. Master Development Plan review (Part 20.30V LUC) is a mechanism by which the City shall ensure that the site development components of a multiple building or phased single building proposal are consistent with the Comprehensive Plan and meet all applicable site development standards and guidelines. Design, character, architecture and amenity standards and guidelines shall be met as a component of the Design Review (Part 20.30F LUC). Master Development Plan approvals required pursuant to subsection B.2 of this section shall identify proposed building placement within the project limit and demonstrate compliance with the following site development requirements, standards, and guidelines:

- a. Dimensional requirements pursuant to LUC 20.25A.060 as listed below:
 - i. Setbacks;
 - ii. Lot coverage;
 - iii. Building height for each building identified in subsection B.1 of this section;
 - iv. Floor area ratio for each building; and
 - v. Outdoor plaza space required to achieve maximum building heights above the trigger for additional height identified in LUC 20.25A.075.A, or the variable heights allowed by LUC 20.25A.060.A Note 13.
- b. Areas identified to accommodate required parking with entrance and exit points and required loading shown in relationship to the right-of-way as required pursuant to LUC 20.25A.090.

Commented [HC20]: EXPANDED SECTION – to align with organization developed as part of BelRed (LUC 20.25D.030) and the Light Rail Overlay (20.25M.030)
Improves Land Use Code Consistency and Ease of Use
Expands on current provisions contained in LUC 20.25A.010.B and C

Commented [HC21]: ALIGNS with Administrative Enforcement provisions in LUC 20.40.450 and Civil Violation provisions of BCC 1.18.020.K.6 to ensure compliance with issued permit requirements and conditions. Improves transparency and certainty.

Commented [HC22]: MOVED from Design Guidelines Building/Sidewalk Relationships IV.A through C to limit references outside Downtown Code Part.

Commented [HC23]: UPDATED – to ensure consistency with Amenity Design Criteria

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- c. Areas identified to accommodate street and pedestrian circulation pursuant to LUC 20.25A.090, including the anticipated location of any pedestrian corridor construction, and pedestrian bridges pursuant to 20.25A.100.
 - d. Areas identified to accommodate Major Public Open Spaces and Minor Publicly Accessible Spaces pursuant to LUC 20.25A.090.
 - e. Areas identified to accommodate landscape development pursuant to LUC 20.25A.110.
2. When Required. An applicant for a project with multiple buildings located within a single project limit shall submit a Master Development Plan for approval by the Director pursuant to Part 20.30V LUC. An applicant for a single building project shall submit a Master Development Plan for approval by the Director pursuant to Part 20.30V LUC when building construction is proposed to be phased.
3. For the purposes of this section, the project limit may be drawn to encompass a right-of-way that bisects a site, provided the Director finds that the following connectivity criteria can be met:
- a. A system of corner and mid-block crossings shall be provided to functionally connect on-site pedestrian paths across the bisecting right-of-way within the proposed project limit;
 - b. Pedestrian paths shall be provided to connect all buildings and right-of-way crossings located within the proposed project limit;
 - c. Visual connections shall be provided between all buildings located within the project limit by minimizing topographic variation and through use of vegetation and outdoor spaces; and
 - d. Only a right-of-way meeting the requirements of LUC 20.25A.070.C.2 may be included in the land area located within the proposed project limit for the purpose of computing maximum FAR.

C. Design Review

1. Scope of Approval. Design review is a mechanism by which the City shall ensure that the design, character, architecture and amenity components of a proposal are consistent with the Comprehensive Plan and any previously approved Master Development Plan, and meet all applicable standards and guidelines contained in City Codes including the terms of any departure granted pursuant to paragraph D of this section. Design review is a mechanism by which the City shall ensure that the site development components of a proposal are consistent with the Comprehensive Plan and meet all applicable standards and guidelines contained in City Codes when site development components were not approved as part of a Master Development Plan.
2. When Required. Design Review is required on all Downtown projects. An applicant shall submit a Design Review application for approval by the Director pursuant to Part 20.30F LUC.
3. Compliance with an applicable Master Development Plan or Departure. In addition to the decision criteria in LUC 20.30F.145, each structure and all proposed site development shall comply with any approved Master Development Plan applicable to the project limit described in a Design Review application. If the application for Design Review contains elements inconsistent with an applicable Master Development Plan, the Director shall not approve the design review unless the Master Development Plan is amended to include those elements.

Commented [HC24]: MOVED from LUC 20.25A.010.C and UPDATED to improve Ease of Code Use

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1. Administrative Departures by the Director. Due to the varied nature of architectural design and the unlimited opportunities available to enhance the relationship that occurs between the built environment and the pedestrians, residents and commercial tenants that use built spaces, strict application of the Land Use Code will not always result in the Downtown livability outcomes envisioned by the Comprehensive Plan. The purpose of this subsection is to provide an administrative departure process to modify provisions of the Land Use Code when strict application would result in a Downtown development that does not fully achieve the policy vision as it is articulated in the general sections of the Comprehensive Plan and the Downtown Subarea Plan.

Commented [HC25]: NEW – Provides code flexibility supported by the CAC

a. Applicability. The Director may, through the Master Development Plan or Design Review processes, approve a proposal that departs from specific numeric standards contained in LUC 20.25A.090, LUC 20.25A.110 and LUC 20.25A.140 through LUC 20.25A.180, or that departs from Land Use Code requirements that specifically provide an opportunity for the Director to approve a departure subject to the provisions of this paragraph. For example, specific administrative departures are allowed from the dimensional requirements pursuant to the terms of LUC 20.25A.060.B which describes a range of exceptions and intrusions that can be approved as part of a permit review process.

Commented [HC26]: UPDATED to improve clarity based on commenter feedback.

b. Decision Criteria. The Director may approve or approve with conditions a departure from applicable provisions of the Land Use Code if the applicant demonstrates that the following criteria have been met:

- i. The resulting design will advance a Comprehensive Plan goal or policy objective that is not adequately accommodated by a strict application of the Land Use Code;
- ii. The resulting design will be more consistent with the purpose and intent of the code;
- iii. The modification is the minimum reasonably necessary to achieve the Comprehensive Plan objective or code intent;
- iv. Any administrative departure criteria required by the specific terms of the Land Use Code have been met; or
- v. The modification is reasonably necessary to implement or ensure consistency with a departure allowed through a Development Agreement with the City pursuant to LUC 20.25A.030.D.2.

c. Limitation on Authority. Administrative departures may only be approved consistent with the limitations contained in the Land Use Code section that authorizes the departure, or through a variance granted under the terms of Part 20.30G LUC. This paragraph does not limit the ability of an applicant to pursue legislative departures that are authorized through a Development Agreement (Part 20.30L) pursuant to the terms of LUC 20.25A.030.D.2.

2. Legislative City Council Departures. There are unlimited opportunities for creativity and innovation in the design of Downtown projects that advance the vision and policy goals articulated in the Comprehensive Plan. The accommodation of iconic opportunities can be constrained by the code Land Use Code Amenity list and associated Amenity Design Criteria that were drafted to foster development of a livable Downtown while ensuring timely, predictable and consistent administration of regulations that are drafted to be applicable to a widely variable range of projects. The purpose of

Commented [HC27]: UPDATED to improve clarity based on commenter feedback

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this subsection is to provide a legislative departure process to foster adaptive reuse of buildings that existed as of adoption date of this code, to create a Flexible Amenity as envisioned in LUC 20.25A.070.D.18, and to approve final construction design for privately developed spaces that function as part of the public realm.

- a. Applicability. The City Council may, through a Development Agreement processed in accordance with Part 20.30L LUC:
 - i. Modify the following provisions of the Land Use Code:
 - (1) Uses prohibited under the terms of LUC 20.25A.040 and LUC 20.25A.050 when necessary to facilitate the adaptive reuse of a building that was in existence on [INSERT DATE of ordinance adoption], provided that this departure may not be used to locate a new Manufacturing Use in the Downtown; and
 - (2) Amenities specifically identified for participation in the FAR Amenity Incentive System (LUC 20.25A.070) may be expanded to include a new Flexible Amenity subject to the terms of LUC 20.25A.070.D.18.
 - ii. Approve the final construction design for the following features that function as part of the public realm:
 - (1) Pedestrian Bridges identified in LUC 20.25A.100;
 - (2) Pedestrian Corridor Design Development Plans that depart from the conceptual designs contained in the Pedestrian Corridor Design Guidelines; and
 - (3) Major Public Open Space Design Development Plans that depart from the conceptual designs contained in the Major Public Open Space Design Guidelines.
- b. Decision Criteria. The City Council may approve or approve with conditions a Legislative Departure from strict application of the Land Use Code consistent with the requirements of Part 20.30L LUC (Development Agreements).

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c. Limitations on Modification.

- i. Development Agreements are an exception, and not the rule and shall not be used to vary provisions of the Land Use Code which, by the terms of that Code, are not identified as appropriate for modification through Part 20.30L LUC (Development Agreements).
- ii. Development Agreements may not be used to depart from the FAR bonus values adopted for the amenities specifically identified in LUC 20.25A.070.D.
- iii. Development Agreements are not appropriate for proposals that are capable of being approved through administration of the Master Development Plan or Design Review processes using the flexibility tools such as administrative departures and variances that currently exist in the code.
- iv. Development Agreements may not be used to vary the procedural provisions contained in Chapters 20.30 or 20.35 of the Land Use Code.

E. Procedural Merger

Within a Downtown land use district, any administrative decision required by this Part 20.25A or by the Land Use Code, including but not limited to the following, may be applied for and reviewed as a single Process II Administrative Decision, pursuant to LUC 20.35.200 through 20.35.250:

- 1. Master Development Plan, Part 20.30V LUC;
- 2. Administrative Conditional Use Permit, Part 20.30E LUC;
- 3. Design Review, Part 20.30F LUC; and
- 4. Variance, Part 20.30G LUC.

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~~2-16-17 Draft~~ 5.5.17 Consolidated Draft**20.25A.040 Nonconforming uses, structures and sites.****A. Nonconforming Uses.**

1. A nonconforming use may be continued by successive owners or tenants, except where the use has been abandoned. No change to a different use classification shall be made unless that change conforms to the regulations of this Code.
2. If a nonconforming use of a structure or land is discontinued for a period of 12 months with the intention of abandoning that use, any subsequent use shall thereafter conform to the regulations of the district in which it is located. Discontinuance of a nonconforming use for a period of 12 months or greater constitutes prima facie evidence of an intention to abandon.
3. A nonconforming use may be expanded pursuant to an Administrative Conditional Use Permit.

B. Nonconforming Structures.

1. A nonconforming structure may be repaired or remodeled, provided there is no expansion of the building, and provided further, that the remodel or repair will not increase the existing nonconforming condition of the structure.
2. A nonconforming structure may be expanded; provided, that the expansion conforms to the provisions of the Land Use Code, except that the requirements of LUC 20.25A.140 through 20.25A.180 shall be applied as described in paragraphs B.3 and B.4 of this section.
3. For expansions made within any three-year period which together do not exceed 50 percent of the floor area of the previously existing structure, the following shall apply:
 - a. Where the property abuts a street classified as a 'D' or 'E' right-of-way, the expansion is not required to comply with LUC 20.25A.140 through 20.25A.180.
 - b. Where the property abuts a street classified as an 'A', 'B' or 'C' right-of-way the expansion shall be in the direction of the classified street so as to reduce the nonconformity of the structure, except that an expansion which is no greater than 300 square feet in floor area and which is for the purpose of loading or storage is exempted from this requirement.
4. For expansions made within any three-year period which together exceed 50 percent of the floor area of the previously existing structure, the structure shall be brought into conformance with LUC 20.25A.140 through 20.25A.180.
5. If a nonconforming structure is destroyed by fire, explosion, or other unforeseen circumstances to the extent of 100 percent or less of its replacement value, it may be reconstructed consistent with its previous nonconformity. Provided that, the reconstruction may not result in an expansion of the building, nor an increase in the preexisting nonconforming condition of the structure.

Commented [HC28]: MOVED from Downtown LUC 20.25A.025 and conformed to other sections of the draft code amendment for consistency. UPDATED to ensure that nonconforming use expansions will always require an Administrative Conditional Use Permit (ACU) rather than a Conditional Use Permit (CUP). The ACU process is shorter than the CUP process. Allows destroyed nonconforming structures to be rebuilt consistent with prior nonconformities. Previous code required structures destroyed more than 75% of replacement value to rebuild in compliance with new code.

PART 20.25A Downtown~~2-16-17 Draft~~ 5.5.17 Consolidated Draft**C. Nonconforming Sites.**

1. A nonconforming site may not be changed unless the change conforms to the requirements of this Code, except that parking lots may be reconfigured within the existing paved surface. This paragraph shall not be construed to allow any parking lot reconfiguration that would result in a parking supply that does not conform to the minimum/maximum parking requirements for the Downtown, LUC 20.25A.080.
2. A structure located on a nonconforming site may be repaired or remodeled, provided there is no expansion of the building, and provided further, that the remodel or repair will not increase the existing nonconforming condition of the site.
3. For expansions of a structure on a nonconforming site made within any three-year period which together exceed 20 percent of the replacement value of the previously existing structure:
 - a. Easements for public sidewalks shall be provided, unless the Director of the Department of Transportation determines such easements are not needed; and
 - b. A six-foot-wide walkway shall be provided from the public sidewalk or street right-of-way to the main building entrance, unless the Director determines the walkway is not needed to provide safe pedestrian access to the building. The Director may allow modification to the width of walkways so long as safe pedestrian access to the building is still achieved.
4. Expansions of a structure located on a nonconforming site, made within any three-year period which together do not exceed 50 percent of the previously existing floor area, do not require any increase in conformance with the site development provisions of this Code, except as otherwise provided in B.3 of this section.
5. Expansion of a structure located on a nonconforming site made within any three-year period which together exceed 50 percent of the floor area of the previously existing structure shall require compliance with the site development provisions of this Code.

PART 20.25A Downtown~~2-16-17 Draft~~ **5.5.17 Consolidated Draft****20.25A.050 Downtown Land Use Charts****A. Permitted Uses.**

Specific categories of uses are listed in Chart 20.25A.050.D. Paragraph C of this section explains Chart 20.25A.050.D, and describes the applicable review procedures. The use chart description and interpretation provisions of LUC 20.10.400 do not apply to the Downtown land use districts.

B. Prohibited Uses.

The manufacturing use table has been removed from the Downtown because there are no manufacturing uses that are generally permitted in any Downtown district unless they have been specifically added to another chart such as wholesale and retail.

C. Use Chart Description and Interpretation.

1. Description. In Chart 20.25A.050.D, land use classifications and standard Land Use Code reference numbers are listed on the vertical axis. City of Bellevue land use districts are shown on the horizontal axis.

- a. If no symbol appears in the box at the intersection of the column and the row, the use is not allowed in that district, except for short-term uses, which are regulated under Part 20.30M LUC (Temporary Use Permits) and subordinate uses which are regulated under LUC 20.20.840.
- b. If the symbol “P” appears in the box at the intersection of the column and row, the use is permitted subject to applicable general requirements of Chapter 20.20 LUC for the use and the district-specific requirements of this Part 20.25A LUC.
- c. If the symbol “C” appears in the box at the intersection of the column and the row, the use is permitted subject to the Conditional Use provisions specified in Part 20.30B in addition to any applicable general requirements for the use and the land use district.
- d. If the symbol “A” appears in the box at the intersection of the column and the row, the use is permitted subject to the Administrative Conditional Use provisions as specified in Part 20.30E LUC in addition to any applicable general requirements for the use and the land use district.
- e. If a number appears in the box at the intersection of the column and the row, the use is permitted through the applicable review process and subject to the special limitations indicated in the corresponding Notes.

2. Interpretation of the Land Use Code Charts by the Director. In the case of a question as to the inclusion or exclusion of a particular proposed use in a particular use category, the Director shall have the authority to make the final determination per LUC 20.10.420.

Commented [HC29]: MOVED from Downtown LUC 20.25A.015.
Updated as part of Early Wins. Updated with one amended footnote in Residential Use Chart – Note 2.

Commented [HC30]: UPDATED to include provision in existing code from LUC 20.25A.010.D

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D. Use Charts.

The following charts apply to Downtown. The use charts contained in LUC 20.10.440 do not apply within the Downtown land use districts.

Chart 20.25A.050.D – Uses in Downtown Land Use Districts

Culture, Entertainment, and Recreation – Downtown Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
711	Library, Museum	P	P	P	A	A	P
7113	Art Gallery	P	P	P	P (3)	P	P
712	Nature Exhibitions: Aquariums and Botanical Gardens	P	P	P			
7212 7214 7222 7231 7232	Public Assembly (Indoor): Sports, Arenas, Auditoriums and Exhibition Halls but Excluding School Facilities	P	P	P	A (3)	A	P
7212 7214 7218	Motion Picture, Theaters, Night Clubs, Dance Halls and Teen Clubs	P	P	P	A (3)	A	P
7213	Drive-In Theaters						
	Adult Theaters (4)	P	P	P			P
7223 73	Public Assembly (Outdoor): Fairgrounds and Amusement Parks, Miniature Golf, Golf Driving Ranges, Go- Cart Tracks, BMX Tracks and Skateboard Tracks (1)						
73	Commercial Amusements: Video Arcades, Electronic Games	P	P	P		P	P
7411 7413 7422 7423 7424 7441 7449	Recreation Activities: Miniature Golf, Tennis Courts, Community Clubs, Athletic Fields, Play Fields, Recreation Centers, Swimming Pools (2)	P	P	P	P (5)	P	P

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Culture, Entertainment, and Recreation – Downtown Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
744	Marinas, Yacht Clubs						
7413 7414 7415 7417 7425	Recreation Activities: Skating, Bowling, Gymnasiums, Athletic Clubs, Health Clubs, Recreational Instruction	P	P	P	A/P (3) (5)	P	P
7491 7515	Camping Sites and Hunting Clubs						
76	Private Leisure and Open Space Areas Excluding Recreation Activities Above	P	P	P	P (5)	P	P
	Public/Private Park	P	P	P	P (5)	P	P
	Stables and Riding Academies						
	Boarding or Commercial Kennels (6)						
	City Park (5)	P	P	P	P	P	P

Notes: Uses in Downtown land use districts – Culture, Entertainment, and Recreation

- (1) For carnivals, see LUC 20.20.160.
- (2) Limited to a maximum of 2,000 gross square feet per establishment.
- (3) Nonresidential uses are permitted in Downtown-R Districts only when developed in a building which contains residential uses.
- (4) Adult theaters are subject to the regulations for adult entertainment uses in LUC 20.20.127.
- (5) Outdoor recreation facilities that include lighted sports and play fields or sports and play fields with amplified sound require administrative conditional use approval when located in the Downtown-R Zone.
- (6) Boarding and commercial kennels are allowed as subordinate uses to a veterinary clinic or hospital meeting the criteria of LUC 20.20.130.

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Residential – Downtown Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
	Two or More Dwelling Units Per Structure	P	P	P	P	P	P
12	Group Quarters: Dormitories, Fraternal Houses, Excluding Military and Correctional Institutions and Excluding Secure Community Transition Facilities	P	P	P	P	P	P
13	Hotels and Motels	P	P	P	P	P	P
15	Transient Lodging	C	C	C	C	C	C
	Congregate Care Senior Housing (1)	P	P2	P	P	P	P
6516	Nursing Home, Assisted Living			P	P	P	P

Notes: Uses in Downtown land use districts – Residential

- (1) An agreement must be recorded with the King County Recorder’s Office (or its successor agency) and provided to the Director, restricting senior citizen dwellings or congregate care senior housing to remain for the life of the project.
- (2) Where it is ancillary to Congregate Care Senior Housing, a maximum of forty percent of the area of a Congregate Care Senior Housing facility may be dedicated to a nursing home use, assisted living use, or a combination of both uses.

Commented [HC31]: NOTE ADDED since Downtown Livability Early Wins to offer code flexibility. Proposed code amendment adds a new Residential Use Note (2) which allows Congregate Care Senior Housing to have 40 percent nursing home use, assisted living use or a combination of both uses.

Services – Downtown Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
61	Finance, Insurance, Real Estate Services	P (10)	P (10)	P (10)	P (4) (5) (11)	P (11)	P (10)
62	Personal Services: Laundry, Dry Cleaning, Barber and Beauty, Photography Studio and Shoe Repair	P	P	P	P (4) (5)	P	P (4)
6241	Funeral and Crematory Services						

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Services – Downtown Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
6262	Cemeteries						
	Family Child Care Home in Residence (1)	P	P	P	P	P	P
629	Child Day Care Center (1) (2)	P	P	P	P	P	P
629	Adult Day Care	P	P	P	P	P	P
63	Business Services, Duplicating and Blue Printing, Steno, Advertising (Except Outdoor), Travel Agencies, Employment, and Printing and Publishing	P	P	P	P (4) (5)	P	P
634	Building Maintenance and Pest Control Services						
637	Warehousing and Storage Services, Excluding Stockyards						
639	Rental and Leasing Services: Cars, Trucks, Trailers, Furniture and Tools	P	P	P			P
641	Auto Repair and Washing Services			P (3) (8)			
649	Repair Services: Watch, TV, Electrical, Upholstery	P	P	P		P	
	Professional Services: Medical Clinics and Other Health Care Related Services (12)	P	P	P	P (4) (5)	P (4)	P
	Professional Services: Other	P	P	P	P (4) (5)	P (4)	P
	Pet Grooming and Pet Day Care (9)	P	P	P	P/A (11)	P	P
6513	Hospitals (12)			C	C		
66	Contract Construction Services: Building Construction, Plumbing, Paving and Landscape						

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Services – Downtown Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
671	Governmental Services: Executive, Legislative, Administrative and Judicial Functions	P	P	P	P (5)	P (5)	P
672 673	Governmental Services: Protective Functions and Related Activities Excluding Maintenance Shops			P	C	C	P
	Limited Governmental Services: Executive and Administrative, Legislative and Protective Functions (6)	P	P	P	P (5)	P (5)	P
674 675	Military and Correctional Institutions						
	Secure Community Transition Facility						
681	Education: Primary and Secondary (7)	A	A	A	A/C (7)	A	A
682	Universities and Colleges	P	P	P			P
683	Special Schools: Vocational, Trade, Art, Music, Driving, Barber and Beauty Schools	P	P	P	P/A (5) (11)	P (5)	P
691	Religious Activities	P	P	P	C	C	P
692 (A)	Professional and Labor Organizations Fraternal Lodge	P	P	P	C	C	P
692 (B)	Social Service Providers	P	P	P	C	C	P
	Administrative Office – General	P	P	P	P (4) (5)	P	P
	Computer Program, Data Processing and Other Computer-Related Services	P	P	P	P (4) (5)	P	P
	Research, Business Incubation, Development and Testing Services	P	P	P	P (4) (5)	P	P

PART 20.25A Downtown~~2-16-17 Draft~~ 5.5.17 Consolidated Draft**Notes: Uses in Downtown land use districts – Services**

- (1) Refer to Chapter 20.50 LUC for definitions of child care service, family child care home, and child day care center.
- (2) A child care service may be located in a community facility in any land use district pursuant to LUC 20.20.170.E.
- (3) Auto repair and washing services are permitted only if washing services are a subordinate use pursuant to LUC 20.20.840. All auto repair must be performed in a structure.
- (4) Limited to a maximum of 2,000 gross square feet per establishment.
- (5) Nonresidential uses are permitted in Downtown-R Districts only if developed in a building which contains residential uses.
- (6) Uses are limited to 1,000 square feet, except for protective functions which are limited to community police stations of 1,500 square feet or less.
- (7) Primary and secondary educational facilities are an administrative conditional use in all land use districts; provided, that in the DNTN-R District a Conditional Use Permit is required for:
 - (a) The siting of such educational facility on a site not previously developed with an educational facility; or
 - (b) The addition to or modification of a site previously developed with an educational facility where that addition or modification involves:
 - (i) An increase of 20 percent or more in the number of students occupying the school. The increase shall be measured against the number of students for which the school was designed prior to the addition or modification, without regard to temporary structures that may have been added to the site over time. If there is no information establishing the number of students for which the school was originally designed, then the increase shall be measured against the average number of students occupying the school in the three academic years immediately preceding the proposed addition or modification; or
 - (ii) A change in the age group of students occupying the school, or the addition of an age group where such age group was not previously served at the school, except that the addition of students younger than kindergarten age consistent with the definition of school in LUC 20.50.046 shall not be considered a change in the age group of students or an addition of an age group for purposes of this subsection. For purposes of this subsection, age group refers to elementary, middle, junior or high school, as defined and used by the school district operating the school; or
 - (iii) The addition of facilities or programs that may result in impacts not anticipated at the time the original school was developed, including, for example: development of lighted ballfields or the addition of lighting to existing ballfields; development of an exterior sound amplification system; development of fixed outdoor seating; or a proposal to increase the height of the facility pursuant to LUC 20.20.740.A.3.b.
- (8) Battery exchange stations are ancillary to auto repair and washing services, and are permitted through the applicable review process as a component of that use. Operators of battery exchange stations must comply with federal and state law regulating the handling, storage, and disposal of batteries.
- (9) Boarding and commercial kennels are permitted as a subordinate use to a pet grooming or pet day care meeting the criteria of LUC 20.20.130.

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(10) Drive-in and drive-through facilities are permitted as a subordinate use pursuant to LUC 20.20.840 only if located within a structured parking area and not adjacent to any publicly accessible space. Parking must comply with LUC 20.25A.080.A.

(11) When the use occupies less than or equal to 2,000 square feet, the use is permitted outright. When the use occupies more than 2,000 square feet, an Administrative Conditional Use Permit is required.

(12) Stand-alone emergency rooms shall only be allowed when affiliated with a hospital.

Transportation and Utilities – Downtown Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
41	Rail Transportation: Right-of-Way, Yards, Terminals, Maintenance Shops						
42 4291	Motor Vehicle Transportation: Bus Terminals, Taxi Headquarters	A	A	A			A
4214 422	Motor Vehicle Transportation: Maintenance Garages and Motor Freight Services						
43	Aircraft Transportation: Airports, Fields, Terminals, Heliports, Storage and Maintenance	A (3)	A (3)	A (4)			A (3)
	Accessory Parking (1) (2) (12)	P	P	P	P (14)	P	P
46	Auto Parking: Commercial Lots and Garages (12)	P (5)	P (5)	P (5)	A	P (5)	P (5)
	Park and Ride						
475	Radio and Television Broadcasting Studios	P	P	P		P	P
485	Solid Waste Disposal						
	Highway and Street Right-of-Way (12)	P	P	P	P	P	P
	Utility Facility	C	C	C	C	C	C
	Local Utility System	P	P	P	P	P	P
	Regional Utility System	C	C	C	C	C	C
	On-Site Hazardous Waste Treatment and Storage Facility						

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Transportation and Utilities – Downtown Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
	Off-Site Hazardous Waste Treatment and Storage Facility						
	Essential Public Facility (9)	C	C	C	C	C	C
	Regional Light Rail Transit Systems and Facilities (13)	C/P	C/P	C/P	C/P	C/P	C/P
	Wireless Communication Facility (WCF): (without WCF Support Structures)	(6) (7) (10)	(6) (7) (10)	(6) (7) (10)	(6) (7) (10)	(6) (7) (10)	(6) (7) (10)
	Communication, Broadcast and Relay Towers Including WCF Support Structures (Freestanding)	(6) (7)	(6) (7)	(6) (7)	(6) (7)	(6) (7)	(6) (7)
	Satellite Dishes (8)	P	P	P	P	P	P
	Electrical Utility Facility (11)	A/C	A/C	A/C	A/C	A/C	A/C

Notes: Uses in Downtown land use districts – Transportation and Utilities

- (1) The location of an off-site parking facility must be approved by the Director. See LUC 20.25A.080.D.
- (2) Accessory parking requires approval through the review process required for the primary land use which it serves pursuant to this section.
- (3) Aircraft transportation is limited in these districts to government heliports used exclusively for emergency purposes and regulated pursuant to the terms of LUC 20.20.450.
- (4) Aircraft transportation is limited in these districts to government and hospital heliports used exclusively for emergency purposes and regulated pursuant to the terms of LUC 20.20.450.
- (5) Design Review approval, Part 20.30F LUC, is required to establish a commercial parking facility. Refer to LUC 20.25A.080.E for additional development requirements.
- (6) Wireless communication facilities (WCFs) are not permitted on any residential structure, undeveloped site located in a residential land use district, or site that is developed with a residential use; except WCFs are allowed on mixed-use buildings that include residential uses. This note does not prohibit locating WCF: on any nonresidential structure (i.e., churches, schools, public facility structures, utility poles, etc.) or in public rights-of-way in any residential land use district.
- (7) Refer to LUC 20.20.195 for general requirements applicable to wireless communication facilities and other communication, broadcast and relay facilities.

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- (8) Refer to LUC 20.20.730 for general requirements applicable to large satellite dishes.
- (9) Refer to LUC 20.20.350 for general requirements applicable to essential public facilities (EPF).
- (10) Antenna and associated equipment used to transmit or receive fixed wireless signals when located at a fixed customer location are permitted in all land use districts and are exempt from the requirements of LUC 20.20.010, 20.20.195 and 20.20.525 so long as the antenna and equipment comply with 47 C.F.R. 1.400, now or as hereafter amended. A building permit may be required to ensure safe installation of the antenna and equipment.
- (11) For the definition of electrical utility facility, see LUC 20.50.018, and for reference to applicable development regulations relating to electrical utility facilities, see LUC 20.20.255. For new or expanding electrical utility facilities proposed on sensitive sites as described by Map UT-7 of the Utilities Element of the Comprehensive Plan, the applicant shall obtain Conditional Use Permit approval under Part 20.30B LUC, complete an alternative siting analysis as described in LUC 20.20.255.D and comply with decision criteria and design standards set forth in LUC 20.20.255. For expansions of electrical utility facilities not proposed on sensitive sites as described by Map UT-7, the applicant shall obtain Administrative Conditional Use Permit approval under Part 20.30E LUC and comply with decision criteria and design standards set forth in LUC 20.20.255.
- (12) Electric vehicle infrastructure, excluding battery exchange stations, is ancillary to motor vehicle parking and highways and rights-of-way, and is permitted through the applicable review process as a component of that use.
- (13) Refer to Part 20.25M LUC, Light Rail Overlay District, for specific requirements applicable to EPF defined as a regional light rail transit facility or regional light rail transit system pursuant to LUC 20.25M.020. A Conditional Use Permit is not required when the City Council has approved a regional light rail transit facility or regional light rail transit system by resolution or ordinance, or by a development agreement authorized by Chapter 36.70B RCW and consistent with LUC 20.25M.030.B.1.
- (14) Accessory parking is not permitted in residential land use districts as accessory to uses which are not permitted in these districts.

Wholesale and Retail – Downtown Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
51	Wholesale Trade: General Merchandise, Products, Supplies, Materials and Equipment except the following:						
5111 5156 5157 5191 5192	Wholesale Trade: Motor Vehicles, Primary and Structural Metals, Bulk Petroleum						
5193	Scrap Waste Materials, Livestock						

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Wholesale and Retail – Downtown Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
	Recycling Centers (15)	P	P	P	A	A	P
521 522 523 524	Lumber and Other Bulky Building Materials Including Preassembled Products						
5251	Hardware, Paint, Tile and Wallpaper (Retail)	P	P	P	P (1)	P (5)	P
5252	Farm Equipment						
53	General Merchandise: Dry Goods, Variety and Dept. Stores (Retail)	P	P	P	P (1)	P (5)	P
54	Food and Convenience Store (Retail) (3)	P	P	P	P (1)	P (5)	P
5511	Autos (Retail), Motorcycles (Retail)	P (2)	P (2)	P (2)			P (2)
	Commercial Trucks, Recreational Vehicles (Retail)						
	Boats (Retail)	P (2)	P (2)	P (2)			P (2)
552	Automotive and Marine Accessories (Retail)			P			P
553	Gasoline Service Stations (8)	P	P	P			P
56	Apparel and Accessories (Retail)	P	P	P	P (1)	P (2)	P
57	Furniture, Home Furnishing (Retail)	P	P	P	P (1)	P (2)	P
58	Eating and Drinking Establishments (4) (7)	P	P	P	P	P	P
59	Misc. Retail Trade: Drugs, Liquor, Antiques, Books, Sporting Goods, Jewelry, Florist, Photo Supplies, Video Rentals and Computer Supplies (12)	P	P	P	P (1)	P (2)	P
	Handcrafted Products (Retail) (11) (14)	P	P	P	P (1)	P	P

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Wholesale and Retail – Downtown Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
	Adult Retail Establishments (6)	P	P	P		P	P
59	Marijuana Retail Outlet	A (4) (10)	A (4) (10)	A (4) (10)		A (4) (10)	A (4) (10)
5961	Farm Supplies, Hay, Grain, Feed and Fencing, etc. (Retail)						
596	Retail Fuel Yards						
5996	Garden Supplies, Small Trees, Shrubs, Flowers, Ground Cover, Horticultural Nurseries and Light Supplies and Tools			P (13)	P (13)	P (13)	P (13)
5999	Pet Shop (Retail)	P	P	P	P (1)	P (5)	P
	Computers and Electronics (Retail)	P	P	P	P (1)	P (5)	P

Notes: Uses in Downtown land use districts – Wholesale and Retail

- (1) Nonresidential uses are permitted in Downtown-R Districts only when developed within the same project limit and simultaneously with an equal or greater amount of floor area devoted to residential uses.
- (2) No on-site outdoor display or inventory storage. Loading and unloading shall not be permitted in the right-of-way.
- (3) Food and convenience stores (retail) must contain at least 75 percent square footage of retail food sales not for consumption on premises.
- (4) Drive-in windows and drive-throughs are not permitted.
- (5) Limited to a maximum of 15,000 gross square feet per establishment or up to 25,000 gross square feet through a conditional use.
- (6) Adult retail establishments are subject to the regulations for adult entertainment uses in LUC 20.20.127.
- (7) Microbrewery manufacturing is permitted when combined with an eating and drinking establishment.
- (8) All wholesale and retail uses, which offer shopping carts to customers, shall (a) designate a shopping cart containment area as defined in BCC 9.10.010; (b) display signage around shopping cart corrals and at the perimeter of the shopping cart containment area that provides notice that unauthorized removal of a shopping cart from the premises constitutes theft under RCW 9A.56.270 and unauthorized abandonment of a shopping cart more than 100 feet away from the parking area of a retail establishment or shopping cart containment area is a Class 3 civil infraction

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as defined in RCW 7.80.120; and (c) display information on each shopping cart that is consistent with the labeling requirements of RCW 9A.56.270 and includes a 24-hour toll-free phone number to report abandoned shopping carts. Abandoned shopping carts or shopping carts located outside of a shopping cart containment area constitute a public nuisance under BCC 9.10.030(H) and may be abated through the provisions of Chapter 1.18 BCC.

(9) Battery exchange stations are ancillary to gasoline service stations, and are permitted through the applicable review process as a component of that use. Operators of battery exchange stations must comply with federal and state law regulating the handling, storage, and disposal of batteries.

(10) See LUC 20.20.535 for general development requirements for marijuana uses.

(11) Handcrafted product manufacturing is permitted subordinate to a retail establishment selling that product; provided, that the manufacturing use occupies not more than 50 percent of the total square footage of the combined establishment.

(12) Drive-in and drive-through pharmacies are permitted as a subordinate use pursuant to LUC 20.20.840 only if located within a structured parking area and not adjacent to any publicly accessible space.

(13) Garden supplies excludes items such as large trees, rock and bulk supplies which require special handling equipment.

(14) No unreasonable threat to human health and the environment shall be caused by flammable, dangerous or explosive materials associated with this use.

(15) A recycling center is allowed as a subordinate use if it is consistent with LUC 20.20.725.

Resources – Downtown Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
8	Resource Production (Minerals, Plants, Animals Including Pets and Related Services)						
81	Agriculture, Production of Food and Fiber Crops, Dairies, Livestock and Fowl, Excluding Hogs						
	Marijuana Production						
8192	Other Horticultural Specialties: Medical Cannabis Collective Gardens (4)						
821	Agricultural Processing						
	Marijuana Processing						

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Resources – Downtown Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office District 1	Downtown Office District 2	Downtown Mixed Use District	Downtown Residential District	Downtown Old Bellevue District	Downtown Office and Limited Business District
		DNTN O-1	DNTN O-2	DNTN MU	DNTN R	DNTN OB	DNTN OLB
8221	Veterinary Clinic and Hospital (1) (3)	P	P	P	P	P/A (2)	P
8222	Poultry Hatcheries						
83	Forestry, Tree Farms and Timber Production						
8421	Fish Hatcheries						
85	Mining, Quarrying (Including Sand and Gravel), Oil and Gas Extraction						

Notes: Uses in Downtown land use districts – Resources

- (1) See LUC 20.20.130 for general requirements applicable to this use.
- (2) When the veterinary clinic and hospital occupies less than or equal to 2,000 square feet, the use is permitted outright. When the veterinary clinic and hospital occupies more than 2,000 square feet, an Administrative Conditional Use Permit is required.
- (3) Boarding and commercial kennels are permitted as a subordinate use to a veterinary clinic or hospital meeting the criteria of LUC 20.20.130.
- (4) Medical cannabis collective gardens are prohibited in Bellevue.

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20.25A.060 Dimensional Charts

A. Dimensional Requirements in Downtown Districts.

1. General. The provisions of this section set forth the dimensional requirements for each land use district and Perimeter Overlay District in the Downtown as depicted in Figures 20.25A.060.A.2 and 3. Each structure, development, or activity in a Downtown Land Use District shall comply with these requirements except as otherwise provided in this Part. In Downtown, front setbacks rarely apply. Buildings are built to the “build-to” line which is either the property line or the right-of-way line unless otherwise determined by the Director.

2. Land Use District Map. Figure 20.25A.060.A.2 illustrates the locations of the Downtown Land Use Districts within the boundaries of the Downtown Subarea. The Land Use District Map should be viewed together with the Perimeter District Overlay Map below for a complete overview of the zoning applicable on any specific site.

DRAFT

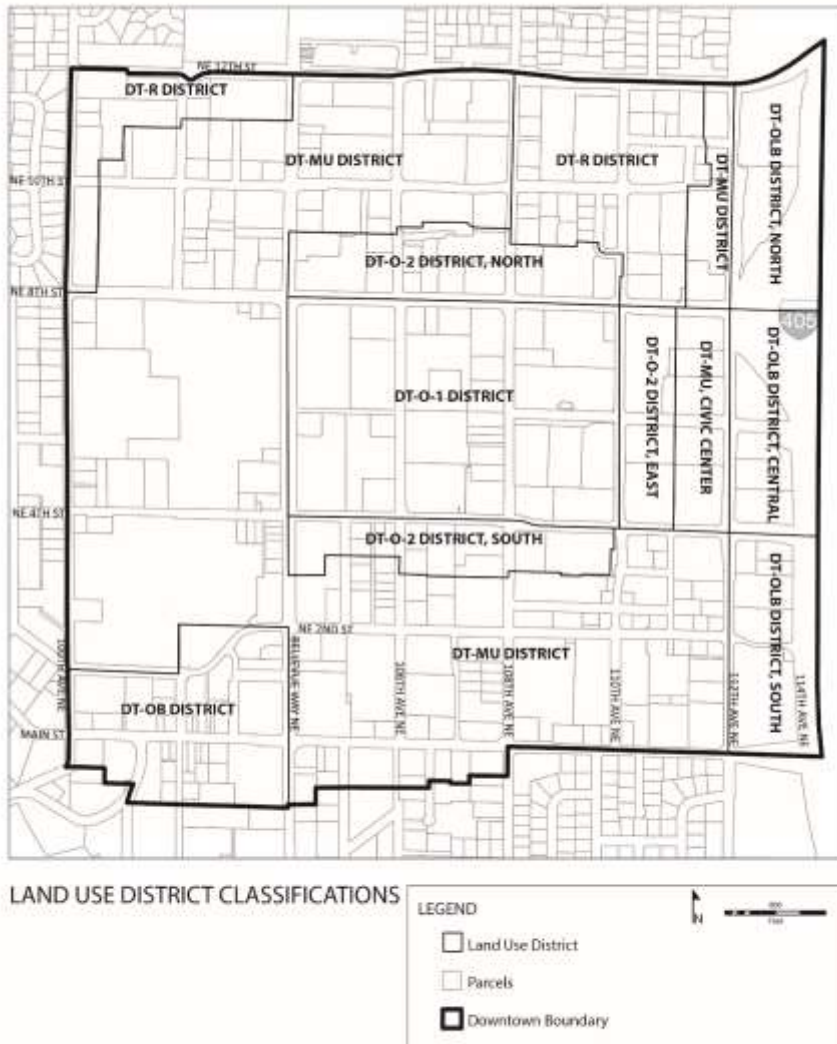
Commented [HC32]: MOVED from 20.25A.020.A.2 and UPDATED to respond to CAC and Planning Commission direction.

REMOVED Perimeter C Design District.

UPDATED to divide DT-O-2 and DT-OLB into 3 smaller districts each. The DT-MU was divided into 2 smaller districts. Renamed Design Districts A and B to Perimeter Overlay Districts A and B. Divided each Perimeter Overlay District into 3 smaller districts. Increased maximum heights in some districts.

ADDED in 15' or 15% to maximum height for transparency. Increased max. FAR in some districts.

Figure 20.25A.060.A.2



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3. Perimeter Overlay District Map. Figure 20.25A.060.A.3 illustrates the locations of the Downtown Perimeter Overlay Districts within the boundaries of the Downtown Subarea in relationship to the Downtown Land Use Districts. The Perimeter District Overlay Map should be viewed together with the Land Use District Map above for a complete overview of the zoning applicable on a site. In addition to the applicable Land Use District, a site may be located partially or entirely with a Perimeter District.

Figure 20.25A.060.A.3

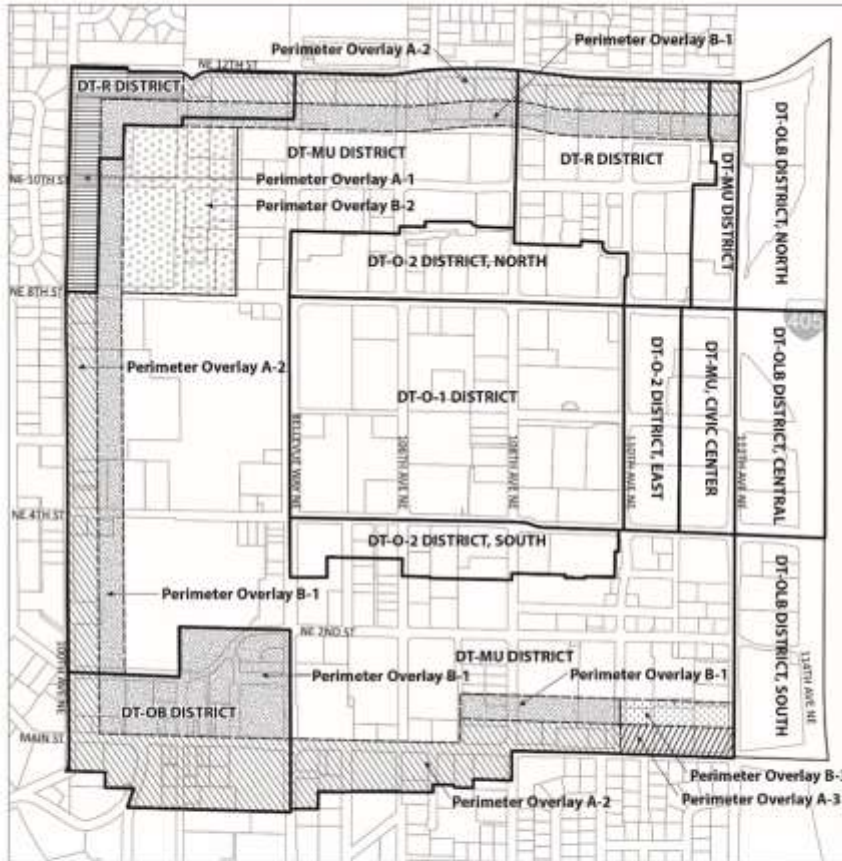
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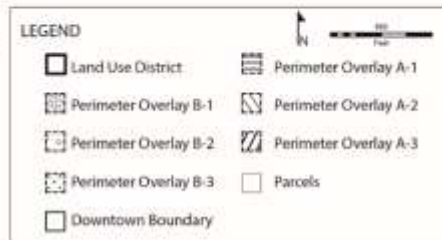
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INSERT MAP Initial PC Direction 4.19.17

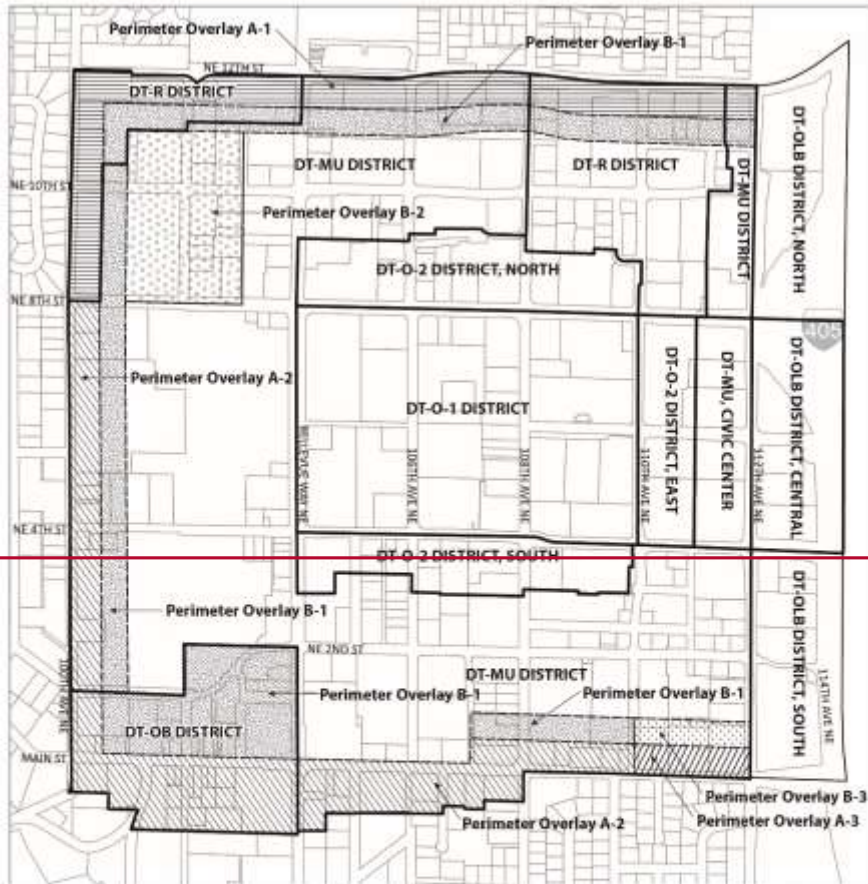
Commented [BT(33)]: Initial PC direction on 4.19.17 was to substitute Perimeter Overlay A-2 in for Perimeter Overlay A-1 on 112th Ave. NE from 102nd Ave. NE to 112th Ave. NE



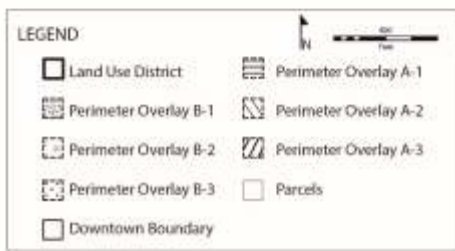
DIMENSIONAL REQUIREMENTS BY LAND USE DISTRICT AND PERIMETER OVERLAY



~~DELETE MAP BELOW Initial PC Direction 4.19.17~~



DIMENSIONAL REQUIREMENTS BY LAND USE DISTRICT AND PERIMETER OVERLAY



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4. Dimensional Chart. Chart 20.25A.060.A.4 sets forth the dimensional requirements applicable to each Land Use District and Perimeter Overlay District that are mapped in Figures 20.25A.060.A.2 and 3 above.

Note: For the purposes of this dimensional chart, the DT-O-2, DT-MU, and DT-OLB are divided into smaller areas. The rest of this Part 20.25A does not divide these Districts into smaller areas.

Dimensional Requirements in Downtown Districts

Downtown Land Use District	Building Type (2)(5)	Minimum Tower Setback above 45' Where Building Exceeds 75' 100'	Maximum Floor Plate Above 40' (4)	Maximum Floor Plate Above 80' (4)	Maximum Lot Coverage (13)	Maximum Building Height	Floor Area Ratio: Base / Maximum (3)	Tower Separation Above 4580' Where Building Exceeds 75' 100'	Base Building Height	Trigger for additional height
DT-O-1	Nonresidential	20' 40' <u>(15)(14)</u>	24,000 gsf/f	24,000 gsf/f	100%	600' (8)	6.7 <u>6.2</u> / 8.0	80'(14)	<u>345'</u>	345' (7)
	Residential	20' 40' <u>(15)(14)</u>	22,000 gsf/f	13,500 gsf/f	100%	600' (8)	8.5 <u>9.0</u> / 10.0	80'(14)	<u>450'</u>	450' (7)
	Above-Grade Parking	40' (15) <u>N/A</u>	20,000 gsf/f	20,000 gsf/f	100%	100' (9)	N/A	80'(14)	<u>N/A</u>	N/A (10)
DT-O-2 North of NE 8 th St.	Nonresidential	20' 40' <u>(15)(14)</u>	24,000 gsf/f	24,000 gsf/f	100%	460'	5.0 <u>5.4</u> / 6.0	80'(14)	<u>288'</u>	288' (7)
	Residential	20' 40' <u>(15)(14)</u>	22,000 gsf/f	13,500 gsf/f	100%	460'	5.0 <u>5.4</u> / 6.0	80'(14)	<u>288'</u>	288' (7)
	Above-Grade Parking	40' (15) <u>N/A</u>	20,000 gsf/f	20,000 gsf/f	100%	100' (9)	N/A	80'(14)	<u>N/A</u>	N/A (10)
DT-O-2 East of 110 th Ave. NE	Nonresidential	20' 40' <u>(15)(14)</u>	24,000 gsf/f	24,000 gsf/f	100%	403'	5.0 <u>5.4</u> / 6.0	80'(14)	<u>288'</u>	288' (7)
	Residential	20' 40' <u>(15)(14)</u>	22,000 gsf/f	13,500 gsf/f	100%	403'	5.0 <u>5.4</u> / 6.0	80'(14)	<u>288'</u>	288' (7)
	Above-Grade Parking	40' (15) <u>N/A</u>	20,000 gsf/f	20,000 gsf/f	100%	100' (9)	N/A	80'(14)	<u>N/A</u>	N/A (12)
DT-O-2 South of NE 4 th	Nonresidential	20' 40' <u>(15)(14)</u>	24,000 gsf/f	24,000 gsf/f	100%	345'	5.0 <u>5.4</u> / 6.0	80'(14)	<u>288'</u>	288' (7)
	Residential	20' 40' <u>(15)(14)</u>	22,000 gsf/f	13,500 gsf/f	100%	345'	5.0 <u>5.4</u> / 6.0	80'(14)	<u>288'</u>	288'
	Above-Grade Parking	40' (15) <u>N/A</u>	20,000 gsf/f	20,000 gsf/f	100%	100' (9)	N/A	80'(14)	<u>N/A</u>	N/A (10)
DT-MU	Nonresidential	20' 40' <u>(15)(14)</u>	22,000 gsf/f	20,000 gsf/f	100%	230'	3.2 <u>5.4</u> / 5.0	80'(14)	<u>115'</u>	115' (7)
	Residential	20' 40' <u>(15)(14)</u>	20,000 gsf/f	13,500 gsf/f	100%	288'	4.2 <u>5.4</u> / 5.0	80'(14)	<u>230'</u>	230' (7)
	Above-Grade Parking	N/A	20,000 gsf/f	N/A	75%	60' (9)	N/A	N/A	<u>N/A</u>	N/A (10)
DT-MU Civic Center	Nonresidential	20' 40' <u>(15)(14)</u>	22,000 gsf/f	20,000 gsf/f	100%	403'	3.2 <u>5.4</u> / 6.0	80'(14)	<u>115'</u>	115' (7)
	Residential	20' 40' <u>(15)(14)</u>	20,000 gsf/f	13,500 gsf/f	100%	403'	4.2 <u>5.4</u> / 6.0	80'(14)	<u>230'</u>	230' (7)
	Above-Grade Parking	N/A	20,000 gsf/f	N/A	75%	60' (9)	N/A	N/A	<u>N/A</u>	N/A (10)
DT-OB	Nonresidential	20' 40' <u>(15)(14)</u>	20,000 gsf/f	13,500 gsf/f	100%	(11)	(11)	80'(14)	<u>(11)</u>	N/A (10)
	Residential	20' 40' <u>(15)(14)</u>	20,000 gsf/f	13,500 gsf/f	100%	(11)	(11)	80'(14)	<u>(11)</u>	N/A (10)
	Above-Grade Parking	N/A	N/A	N/A	75%	(11)	(11)	N/A	<u>(11)</u>	N/A (10)

Commented [KEA35]: April 19 Draft – Errata to reflect Amenity Incentive System terminology for Base Heights – reflects existing maximum heights in each zone.

Commented [BT(34)]: Initial PC direction on 4.19.17 to change tower definition to a minimum of 100 feet high and separation to be measured at 80 feet.

Commented [BT(36)]: Initial PC direction on 4/19 to reduce the 40-foot tower setback from internal property lines to 20 feet.

Commented [BT(37)]: Initial PC direction on 4.19 set building height in the DT-O-2 at 345 feet. CAC direction was 300 feet. Another 45 feet was added for the 15%/15 rule that has been incorporated into the building heights.

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Downtown Land Use District	Building Type (2)(5)	Minimum Tower Setback above 45' Where Building Exceeds 75-100'	Maximum Floor Plate Above 40' (4)	Maximum Floor Plate Above 80' (4)	Maximum Lot Coverage (13)	Maximum Building Height	Floor Area Ratio: Base / Maximum (3)	Tower Separation Above 4580' Where Building exceeds 75-100'	Base Building Height	Trigger for additional height
DT-R	Nonresidential	N/A	20,000 gs/f	NA	75%	75'	0.5 / 0.5	N/A	N/A	N/A (10)
	Residential	20-40' (15)(14)	20,000 gs/f	13,500 gs/f	100%	230'	4-254.5 / 5.0	80'(14)	N/A	N/A (10)
	Above-Grade Parking	N/A	N/A	N/A	75%	40' (9)	N/A	N/A	N/A	N/A (10)
DT-OLB North (between NE 8th Street and NE 12th Street)	Nonresidential	40' (15) 20' (14)	30,000 gs/f	20,000 gs/f	100%	86'	2-52.7 / 3.0	80' N/A	N/A	N/A (10)
	Residential	20-40' (15)(14)	20,000 gs/f	13,500 gs/f	100%	104'	2-52.7 / 3.0	80'(14)	N/A	N/A (10)
	Above-Grade Parking	N/A	20,000 gs/f	N/A	75%	45'(9)	N/A	N/A	N/A	N/A (10)
DT-OLB Central (between NE 4th Street and NE 8th Street)	Nonresidential	20-40' (15)(14)	30,000 gs/f	20,000 gs/f	100%	403'	2-55.4 / 6.0	80'(14)	90'	90' (7)
	Residential	20-40' (15)(14)	20,000 gs/f	13,500 gs/f	100%	403'	2-55.4 / 6.0	80'(14)	105'	105' (7)
	Above-Grade Parking	N/A	20,000 gs/f	N/A	75%	45' (9)	N/A	N/A	N/A	N/A (10)
DT-OLB South (between Main Street and NE 4th Street)	Nonresidential	20-40' (15)(14)	30,000 gs/f	20,000 gs/f	100%	230'	2-54.5 / 5.0	80'(14)	90'	90' (7)
	Residential	20-40' (15)(14)	20,000 gs/f	13,500 gs/f	100%	230'	2-54.5 / 5.0	80'(14)	105'	105' (7)
	Above-Grade Parking	N/A	20,000 gs/f	N/A	75%	45-55 (9)	N/A	N/A	N/A	N/A (10)

Commented [KEA35]: April 19 Draft – Errata to reflect Amenity Incentive System terminology for Base Heights – reflects existing maximum heights in each zone.

Commented [BT(34)]: Initial PC direction on 4.19.17 to change tower definition to a minimum of 100 feet high and separation to be measured at 80 feet.

Commented [BT(38)]: Unless noted otherwise, changes to base FAR in this column in this table and the Perimeter Overlay table below reflects the PC's initial direction on 4.19.17 that the base FAR should be 90% of the new maximum FAR.

Commented [BT(39)]: Initial PC Direction on 4.19.2017.

Additional Dimensional Requirements in Downtown Perimeter Overlay Districts

Downtown Perimeter Overlay District	Building Type (2)(5)	Minimum Tower Setback above 45' Where Building Exceeds 100-75'	Minimum Setback from Downtown Boundary (1)	Maximum Lot Coverage (13)	Maximum Building Height	Floor Area Ratio: Base / Maximum (3)	Triggers for Additional Height
Perimeter Overlay A-1	Nonresidential	N/A	20' (6)	75%	40' (8)	1.0 in MU; 0.5 in R/ 1.0 in DT-MU and DT-OB; 0.5 in DT-R	N/A (10)
	Residential	N/A	20' (6)	75%	55' (8)	3-03.15 / 3.5	N/A (10)
	Above-Grade Parking	N/A	20' (6)	75%	40' (9)	N/A	N/A (10)
Perimeter Overlay A-2	Nonresidential	N/A	20' (6)	75% in DT-MU 100% in DT-OB	40' (8)	1.0 / 1.0	N/A (10)
	Residential	N/A	20' (6)	75% in DT-MU 100% in DT-OB 75% in DT-R	70' (7) (8)	3.25 in DT-MU, 3.25 in DT-OB, 3.0 in DT-R, 3.5	55' (9) (7)
	Above-Grade Parking	N/A	20' (6)	75%	40' (9)	N/A	N/A (10)
Perimeter Overlay A-3	Nonresidential	N/A	20' (6) 0'	75%	70' (8)	1-0-1.5 / 1-0-1.5	40' (7)
	Residential	N/A	20' (6) 0'	75%	70' (8)	3-25-4.5 / 5.0 (4-15)	55'
	Above-Grade Parking	N/A	20' (6) 0'	75%	40' (9)	N/A	N/A (10)

Commented [BT(40)]: Footnote 8 should be deleted here. It only applies to DT-O-1 and Perimeter A-3. Errata

Commented [BT(41)]: No change to Base FAR because base was already 93% of max. FAR.

Commented [BT(42)]: Initial PC Direction on 4.19.17. With the Planning Commission directed modification, the Perimeter Overlay District A-2 now covers a portion of the DT-R. The table has been modified so that the Lot Coverage and FAR from A-1 for DT-R has been moved to A-2.

Commented [BT(43)]: Initial PC direction on 4.19.17 for the Bellevue Gateway.

Commented [BT(44)]: Initial PC direction 4.19.17. Footnote 14 was originally inserted for The Bellevue Gateway, but was not sufficient to meet their goals.

Commented [BT(45)]: Initial PC direction 4.19.17 for the Bellevue Gateway project. Setback from DT Boundary and Linear Buffer not needed across Main Street from the Tunnel Portal Park.

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Downtown Perimeter Overlay District	Building Type (2)(5)	Minimum Tower Setback above 45' Where Building Exceeds 100'75'	Minimum Setback from Downtown Boundary (1)	Maximum Lot Coverage (13)	Maximum Building Height	Floor Area Ratio: Base / Maximum (3)	Triggers for Additional Height
Perimeter Overlay B-1	Nonresidential	N/A	N/A	75% in DT-MU and DT-R 100% in DT-OB	72'	1.5 in DT-MU; 1.0 in OB; 0.5 in DT-R / 1.5 in DT-MU; 1.0 in DT-OB; 0.5 in DT-R	N/A (10)
	Residential	40' (-15) N/A	N/A	75% in DT-MU and DT-R 100% in DT-OB	99'	4.54-25+ 5.0	99' (7)
	Above-Grade Parking	N/A	N/A	75%	40' (9)	N/A	N/A (10)
Perimeter Overlay B-2	Nonresidential	N/A	N/A	75%	72'	1.5 / 1.5	N/A (10)
	Residential (15)	40' (-15), 20' (14)	N/A	75%	176'-264' (7) (12) (14) (-15)	4.25 / 5.0	105' (7)
	Above-Grade Parking	N/A	N/A	75%	40' (9)	N/A	N/A (10)
Perimeter Overlay B-3	Nonresidential	N/A	N/A	100%-75%	72'	1.5 / 1.5	N/A (10)
	Residential	40' (-15) 20' (14)	N/A	100%-75%	220'-230' (7)	4.25/ 5.0 (-14) 6.3 / 7.0	105' (7)
	Above-Grade Parking	N/A	N/A	75%	40' (9)	N/A	N/A (10)

Commented [BT(46)]: Initial PC direction on 4/19 for the Bellevue Gateway Project.

Commented [BT(47)]: Initial PC direction on 4/19 for The Bellevue Gateway and 90% of max. FAR for base FAR.

Commented [BT(48)]: Initial PC Direction on 4.19.17. An FAR of 7 would allow development of the proposed residential towers on the Perimeter Overlay B-3 portion of the site with use of retail exemption and/or affordable housing exemption (directed by the Planning Commission to be included in the code amendment). Minimum FAR set at 90% of the new FAR maximum as directed by the Planning Commission

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Notes: Dimensional requirements in Downtown Districts and Perimeter Overlay Districts

- (1) Minimum setbacks from Downtown boundary are subject to required landscape development. See LUC 20.25A.110.
- (2) A single building is considered residential if more than 50 percent of the gross floor area is devoted to residential uses. See LUC 20.50.020 for the definition of "floor area, gross."
- (3) The maximum permitted FAR may only be achieved by participation in the FAR Amenity Incentive System, LUC 20.25A.070. Where residential and nonresidential uses occur in the same building, the FAR is limited to the maximum FAR for the building type as determined in accordance with Note (2).
- (4) See paragraph B of this section for exceptions to the minimum stepback and maximum building floor plate requirements.
- (5) Hotels and motels shall be considered as residential structures for all dimensional standards except for maximum floor plate where they shall be considered nonresidential.
- (6) On lots that are bisected by the Downtown boundary, the Director may allow the minimum setback from the Downtown boundary to be measured from the perimeter property lines abutting other lots located outside the Downtown boundary. The modification must be consistent with the Perimeter District purpose statement contained in 20.25A.010.B. This provision may be used to modify only the setback location and not the minimum setback size.
- (7) Refer to LUC 20.25A.075.A for additional requirements when exceeding the trigger for additional height.
- (8) No additional building height allowed. All standards must be met.

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(9) No additional height allowed for parking garages. Any mechanical equipment shall be placed inside the structure.

(10) No additional building height above the maximum shall be permitted through the administrative departure process.

(11) The DT-OB has no maximum heights or floor area ratios that are independent of the perimeter overlay districts because the entire district is covered by overlays. The applicable maximum heights and floor area ratios in the DT-OB shall be controlled by the applicable perimeter overlay district provisions.

(12) Within Perimeter Overlay B-2, multiple tower projects are allowed variable tower heights of 176 feet to 264 feet with an average of no more than 220 feet. Master Development Plan approval is required. Multiple tower projects that straddle the Perimeter Overlay B-2 and DT-MU Districts in the Northwest Village Neighborhood of Downtown are allowed to locate a single tower within the Perimeter Overlay B-2 that does not exceed a maximum height of 264 feet. Single tower projects within the Perimeter Overlay B-2 shall be limited to ~~160~~ 220 feet unless the Director approves an Administrative Departure pursuant to LUC 20.25A.030.D.

Commented [HC49]: PC initial direction on 4/19. Planning Commission requested additional information regarding potential unintended consequences of the change. Information provided in 5.3.17 packet and reprinted in 5.10.17 packet.

(13) Underground buildings as defined in LUC 20.50.050 are not structures for the purpose of calculating lot coverage.

~~(14) If a residential development falls within both Perimeter Overlay Districts A-3 and B-3, then a maximum of 1.0 FAR may be transferred within the project limit from Perimeter Overlay District A-3 to B-3 so long as the average FAR throughout the project does not exceed 5.0 FAR.~~

Commented [HC50]: PC initial direction on 3/22 to incorporate changes reflected by BDR and John L. Scott property representatives for A-3/B-3

~~(14.5) The tower setback shall be applied from interior property lines only. Please see LUC 20.25A.060.B.4 for additional tower setback provisions. Refer to LUC 20.25A.075 for Downtown Tower Requirements, which also include an exception for small sites and opportunities to depart from dimensional requirements applicable to towers located in Downtown.~~

Commented [HC51]: Initial PC direction on 4/19 to reduce the 40-foot tower setback from internal property lines to 20 feet.

~~(15) Towers in the Perimeter Overlay District B-2 shall be subject to the 80 foot tower separation above 80 feet if the building exceeds 100 feet.~~

Commented [HC52]: Planning Commission requested additional discussion regarding 60' versus 80' tower separation within a single project limit. Included in 5.3.17 packet for PC discussion. Reprinted in 5.10.17 packet.

B. Exceptions to Dimensional Requirements.

Exceptions authorized pursuant to this paragraph shall be reviewed as administrative departures subject to the terms of LUC 20.25A.030.D.1.

1. Floor Plate Exceptions.

Commented [HC53]: MOVED from LUC 20.25A.020.B.1 and UPDATED

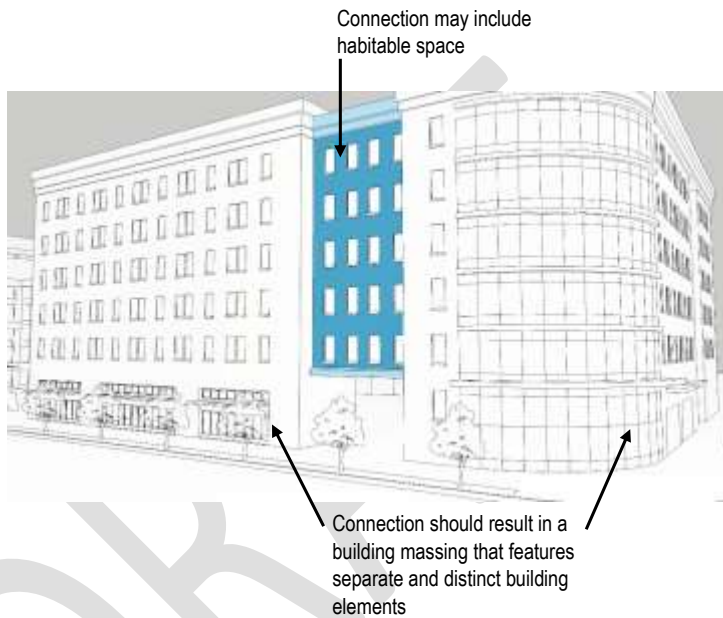
a. Connecting Floor Plates. For structures that do not exceed 70 feet in height (as defined by the International Building Code, as adopted and amended by the City of Bellevue), the Director may approve the connection of floor plates above 40 feet such that those floor plates exceed the "Maximum Building Floor Area per Floor Above 40 Feet;" provided, that:

- i. The connection is to allow for safe and efficient building exiting patterns;
- ii. The connecting floor area shall include required corridor areas, but may include habitable space;
- iii. The alternative design results in a building mass that features separate and distinct building elements;
- iv. The connection shall act as a dividing point between two floor plates, neither of which exceeds the maximum floor plate size; and

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- v. The connecting floor area shall comply with the design guidelines for Connecting Floor Plates in LUC 20.25A.180.C.



- b. Performing Arts Centers may have unlimited floorplates up to 100 feet in height, measured from average finished grade, provided that:
 - i. The floor plate exception applies only to that portion of the building which contains the performing arts use;
 - ii. The area is the minimum area necessary to accommodate the performing arts use;
 - iii. Subordinate uses do not exceed 25 percent of the total area; and
 - iv. The ground floor design is consistent with the design guidelines for “A” rights-of-way, excluding the arcade provision.

2. Intrusions into Required Dimensional Standards.

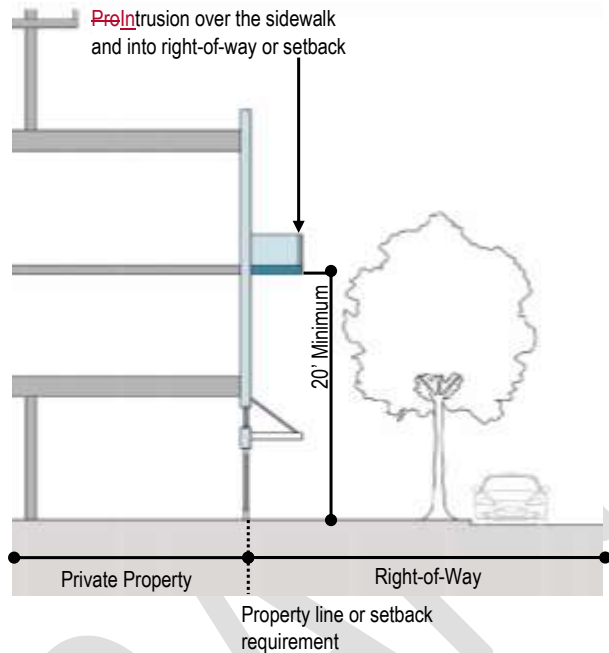
- a. Intrusions over the Sidewalk

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- i. Marquees, awnings, or other kinds of weather protection which comply with the requirements of 20.25A.170.A.2.b are permitted to extend over the public right-of-way upon approval of the Director of the Transportation Department and the Director notwithstanding the provisions of the Sign Code, Chapter 22B.10 BCC, or any other City Code.
 - ii. External decks and balconies are permitted to extend over the right-of-way upon approval of the Director or the Transportation Department and the Director and shall be a minimum clearance of 20 feet above the right-of-way, and no greater in depth that 50% of the width of the required sidewalk.
- b. Intrusions into Setbacks
- i. Architectural elements such as louvers and fins may intrude into the setback upon approval of the Director.
 - ii. External decks and balconies that intrude into the tower setback are permitted upon approval of the Director.
- c. Intrusions into Stepbacks
- i. The Director may approve modifications to the minimum required stepback if:
 - (1) The applicant can demonstrate that the resulting design will be more consistent with the Design Guidelines of 20.25A.140 through 20.25A.180; and
 - (2) The intrusions for building modulation or weather protection features shall be a maximum of 20 percent of the length of the whole façade, 25 percent of the depth of the required stepback, and a maximum of 10 feet in length per intrusion.
 - ii. The Director may approve modifications to the stepback requirements for performing arts centers if:
 - (1) Interesting roof forms, significant floor plate modulation, significant façade modulation, or other such unique architectural features are provided to minimize impacts to abutting structures.

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3. Height Exceptions for Mechanical Equipment. The Director may approve intrusions that are necessary for mechanical equipment, such as elevator overruns, up to a maximum of 20 feet or as necessary to accommodate new technology above the maximum height limit if the following conditions are met:
 - a. The applicant can demonstrate that the intrusion is the minimum necessary to serve the needs of the building;
 - b. No more than a maximum of twenty percent of the rooftop may be covered with mechanical structures or housings; and
 - c. All mechanical equipment shall be consolidated in a central location or integrated with the building architecture.

~~4. Tower Setback Exception.~~

- ~~a. If a parcel is less than or equal to 30,000 square feet, the tower setback may be reduced to 20 feet as measured 45 feet above average finished grade.~~

Commented [BT(54)]: Initial PC direction on 4.19.17 moved all of the tower exceptions into LUC 20.25A.075.

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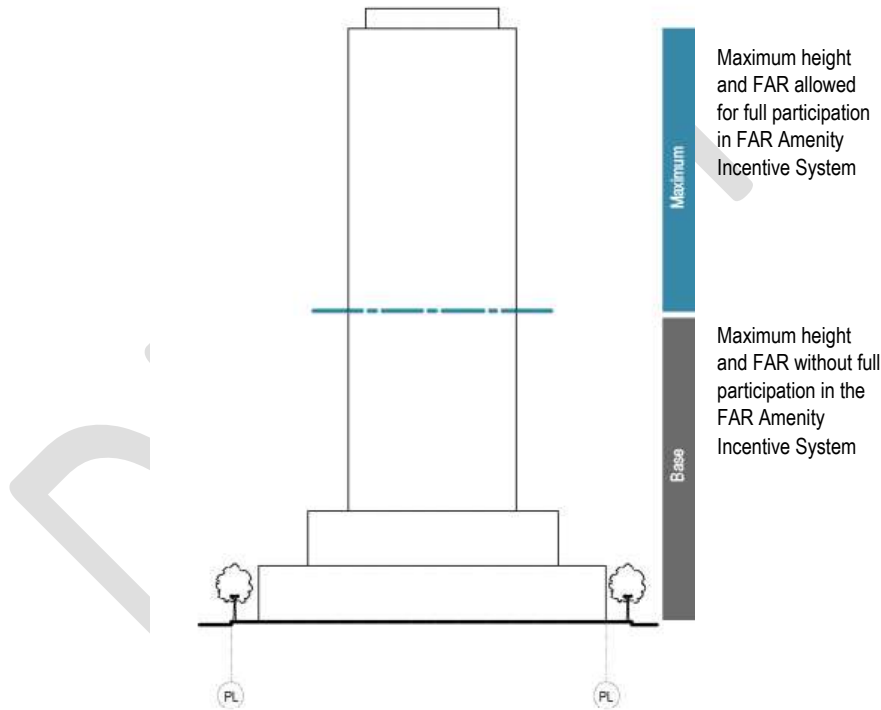
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20.25A.070 Amenity Incentive System and Floor Area Ratio

Commented [HC55]: MOVED from LUC 20.25A.030 and amended based on BERK analysis

A. General.

A building may exceed the base floor area ratio or base building height permitted for development within a Downtown Land Use District or Perimeter Overlay pursuant to LUC 20.25A.060.A.4 only if it complies with the requirements of this section. In no case may the building exceed the maximum floor area ratio permitted for the district or overlay unless expressly permitted by the terms of this code. The bonus ratios have been calibrated by neighborhood to provide higher incentives for amenities that contribute to neighborhood character objectives.



B. Required Review.

The Director may approve an amenity which complies with subsection D of this section if all the specific amenity system requirements are satisfied and established design criteria for the amenity have been met.

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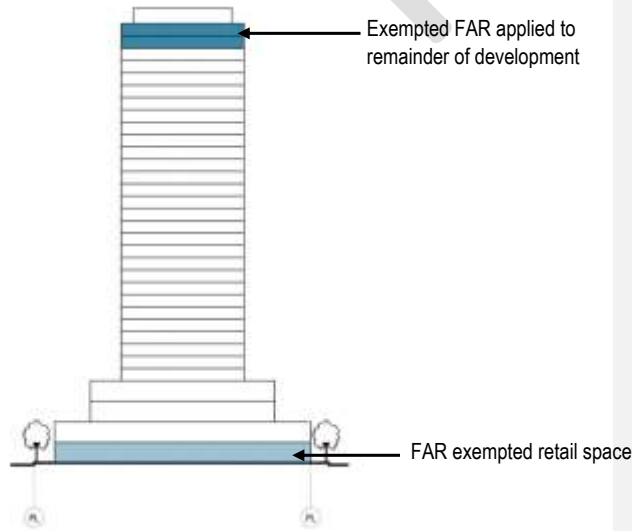
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C. FAR Exemptions, Special Dedications, and Conversion of Previously Approved Exempt Retail Activity Space.

1. FAR Exemption for Ground Level and Upper Level Active Uses. For purposes of applying the Amenity Incentive System, a level shall be considered the ground level so long as less than half of that ground level story height is located below the average finished grade of the adjacent public right-of-way or pedestrian connection. The single building story immediately above the ground level story and intended to activate the ground level pedestrian environment through demonstrated compliance with the Upper Level Active Uses design guidelines contained in LUC 20.25A.170.D, shall be considered an upper level.

a. Ground Level Floor Areas Meeting the Definition of Active Uses. Each square foot of ground level floor area of active uses that satisfies the requirements of 20.25A.020.A and complies with the design guidelines contained in LUC 20.25A.170.B.1 (Pedestrian Corridor / High Streets – A Rights of Way) shall be eligible for an exemption from calculation of maximum floor area of up to 1.0 FAR, except where specifically provided by the terms of this code.

Commented [BT(56): Moved diagram from this location from the area after paragraph 1.b. Errata.



b. Upper Level Floor Areas Meeting the Definition of Active Uses. Each square foot of upper level floor area of active uses that satisfies the requirements of LUC 20.25A.020.A and complies with the design guidelines contained in LUC 20.25A.170.D (Upper Level Active Uses) shall be eligible for an exemption from calculation of maximum floor area of up to 0.5 FAR, except where specifically provided by the terms of this code.

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c. Designation of an Active Use. The Director may approve an Active Use not otherwise listed in the definition contained in LUC 20.25A.020, through an administrative departure pursuant to LUC 20.25A.030.D.1 if the following criteria are met:

Commented [BT(57)]: Initial PC Direction on 4.26.17.

- i. The use is within a building and supports pedestrian activity;
- ii. The use promotes a high degree of visual and physical interaction between the building interior and the adjacent public realm; and
- iii. The use meets the design criteria in FAR Exemption for Ground Level and Upper Level Active Uses in LUC 20.25A.070.C.1.a and b, and the design guidelines for the applicable right-of-way designation in LUC 20.25A.170.B.

2. FAR Exemption for Affordable Housing (RESERVED)

Commented [BT(58)]: PC recommended on 3/22 a 1 FAR exemption for affordable housing that can be used with the MFTE tax exemption; will be integrated into the Planning Commission Transmittal.

3. Floor Area Earned from Special Dedications

a. General. Land which is dedicated to the City of Bellevue for right-of-way or to accommodate the linear alignment of an RLRT system without compensation to the owner in conformance with subsection 3.b of this section is included in land area for the purpose of computing maximum FAR notwithstanding the definition of floor area ratio (FAR) contained in LUC 20.25A.020.A.

b. Special Dedications.

i. A property owner may make a special dedication by conveying land identified for right-of-way or linear alignment of an RLRT system acquisition in a Transportation Facilities Plan of the Comprehensive Plan, the Transportation Facilities Plan adopted by the City Council or the Capital Investment Program Plan to the City of Bellevue by an instrument approved by the City Attorney.

ii. A property owner may also make a special dedication by conveying land identified by the Director of Transportation as necessary for safety or operational improvement projects.

c. Recording Requirements. The applicant shall record the amount (square footage) of floor area earned by area dedicated in conformance this paragraph with the King County Recorder’s Office, or its successor agency, and provide a copy of the recorded document to the Director.

4. Conversion of Previously Approved Exempt Retail Activity Space

a. General. Exempt Retail Activity space approved pursuant to the Downtown Overlay Part 20.25A. LUC in effect prior to [INSERT EFFECTIVE DATE OF THE ORDINANCE] may be converted to Active Use space pursuant to the provisions of this paragraph.

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b. Requirements. The Director may approve a conversion of Exempt Retail Activity Space approved pursuant to the Downtown Overlay Part 20.25A. LUC in effect prior to [INSERT EFFECTIVE DATE OF THE ORDINANCE] provided the following requirements are met:

i. Prior to Conversion. The applicant shall show a good faith effort to locate retail tenants meeting the Pedestrian Oriented Frontage use requirements of the previous approval before a conversion may be considered by the Director.

ii. Requirements for Conversion to be Approved.

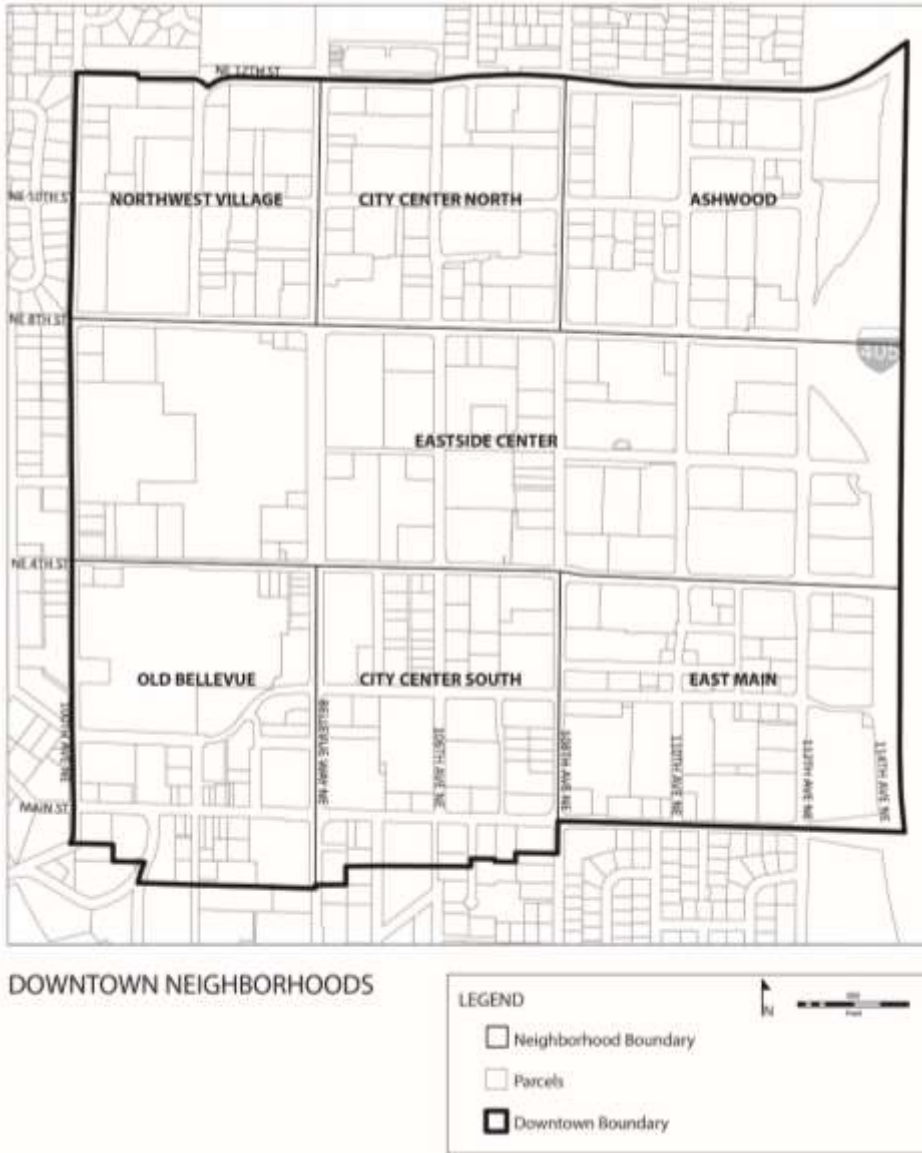
- (1) Uses allowed to occupy the previously approved exempt retail activity space shall meet the definition of DT – Active Uses contained in LUC 20.25A.020;
- (2) Conversion of the previously approved exempt retail activity space shall not allow the building to exceed the maximum FAR contained in LUC 20.25A.060; and
- (3) The converted space shall be retrofitted, to the maximum extent feasible, to comply with the requirements of LUC 20.25A.170.B.1 (Pedestrian Corridor / High Streets – A Rights of Way).

Commented [BT(59)]: Errata

D. Specific Amenity Incentive System Requirements.

1. Participation in the Amenity Incentive System shall comply with Chart 20.25A.070.D.4, provided below. Amenity bonus rates and applicability will follow Downtown Neighborhood boundaries as shown in Figure 20.25A.070.D.1.

Figure 20.25A.070.D.1



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2. Development within a project limit may only exceed its base FAR or base building height by providing amenities as described in Chart 20.25A.070.D.4 and this subsection.

a. Calculation of Required Amenity Incentive Points Need. The process below shall be used to determine the required amenity incentive points need by individual building. There are two conditions that will guide a building's required amenity incentive points need based on it being above or below the base building heights shown in LUC 20.25A.060.A.4.

Condition 1: All building floor area is developed below the base building height. In this case, the amount of square footage above the base FAR is equal to the required amenity need expressed in amenity points.

Condition 2: A portion of the building floor area is developed above the base building height. In this case, the greater of the floor area being constructed above base FAR, OR the floor area being constructed above base height divided by two shall count as the required amenity incentive need in points for each building. For example: A building has 60,000 square feet above base FAR and 30,000 square feet above base building height divided by two = 15,000; the requirement e-amenity need would be 60,000 amenity points. A building with zero square feet above base FAR and 20,000 square feet above base building height divided by two would require have an amenity need of 10,000 amenity points.

For multi-building development, the individual building amenity calculations will be combined for an overall development's required amenity incentive points need.

b. Allocation of Amenities. The Amenity Incentive System has a focus on public open space features. It is required that 75 percent or more of a project's amenity points need must utilize one or more of the following amenities: Major Pedestrian Corridor, Outdoor Plaza, Donation of Park Property, Improvement of Public Park Property, Enhanced Streetscape, Active Recreation Area, Enclosed Plaza or Alleys with Addresses. Up to The remaining 25 percent of a project's required amenity points need may be comprised of utilize any other amenity on the amenity list or continue to use public open space feature amenities.

c. In-lieu Fees. In-lieu fees may be used for up to 50 percent of a project's required amenity incentive points need. The in-lieu fee as of [EFFECTIVE DATE] 2017 is \$28.00 per amenity point. In-lieu fees shall be assessed and collected at building permit issuance. In-lieu fees collected by the City will be placed in a dedicated account and used exclusively for the acquisition or improvement of publicly accessible open space within Downtown. The collected in-lieu fees will be used for public open space improvements by the City. The amenity incentive system in-lieu fee rate, published in the City's fee rate schedule, will be reviewed annually, and, effective January 1st of each year, may be administratively increased or decreased by an adjustment to reflect the current published annual change in the Seattle Consumer Price Index for Wage Earners and Clerical Workers as needed in order to maintain accurate costs for the region.

3. In a multi-building development within a single project limit, amenities may be allocated among all buildings within the project limit; provided, that such allocation shall be approved by the Director through a Master Development Plan (MDP). If construction of the multi-building

Commented [BT(60)]: Initial PC direction 4.19.17 changed language from amenity need to required amenity incentive points. The latter phrase is used in the existing code.

Commented [BT(61)]: Initial PC direction on 4.19.17 for an in-lieu fee account used exclusively for public open space within Downtown.

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development is to be phased, each phase shall provide for a proportionate installation of amenities as established in an approved MDP phasing plan. ~~¶~~No phase may depend on the future construction of amenities.

Commented [BT(62)]: Code clarification prepared for 5.3.17. Reprinted for 5.10.17 packet.

4. Amenity Incentive System

Chart 20.25A.070.D.4 Amenity Incentive System

LIST OF BONUSABLE AMENITIES	APPLICABLE NEIGHBORHOODS/DISTRICTS AND BONUS RATIOS						
	Northwest Village	City Center North	Ashwood	Eastside Center	Old Bellevue	City Center South	East Main
PUBLIC OPEN SPACE FEATURE AMENITIES							
1. Major Pedestrian Corridor and Major Public Open Spaces: The Major Pedestrian Corridor and Major Public Open Spaces located on or in the immediate vicinity of NE 6th Street between Bellevue Way and 112th Avenue NE.				25013.316:1			
	13.3 250 bonus points per linear square foot of Pedestrian Corridor or Major Public Open Space constructed. Major Public Open Space calculated separately through Outdoor Plaza bonus provisions, below: DESIGN CRITERIA: 1. Pedestrian Corridor and Major Public Open Space improvements must comply with the requirements of LUC 20.25A.090.C.1.						
2. Outdoor Plaza: A publically publicly accessible, continuous open space, predominantly open from above, and designed to relate to the surrounding urban context. Outdoor plazas prioritize pedestrian use and serve as opportunities to activate the Downtown for residents and users.	9.3:1	9.3:1	8.4:1	9.3:1	8.4:1	8.4:1	8.4:1
	8.4 bonus points per square foot of outdoor plaza in Priority Neighborhoods; 9.3 bonus points per square foot in High Priority Neighborhoods. DESIGN CRITERIA: 1. Minimum plaza size is 3,000 square feet with a maximum bonusable area of 20 percent of the gross lot area. Plazas larger than 10,000 square feet may earn <u>10 percent</u> additional bonus points if they are designed in a manner to provide for activities to promote general public assembly. 2. Minimum plaza size may be met through the linking of smaller plaza spaces in a cohesive, logical manner with a strong design narrative. 3. Minimum seating provided shall be 1 linear foot of seating space per 30 square feet of plaza space. 4. A minimum of 20 percent of the area eligible for bonus amenity points in the plaza must be landscaped. 5. Plaza amenities to enhance the users experience must be provided, e.g. art and water elements. 6. Plaza should be located within 30 inches of the adjacent sidewalk grade, and shall provide Provide physical and visual access from the adjacent right-of-way to the plaza from the sidewalk and be located within thirty inches of adjacent sidewalk grade. 7. Provide for sense of security to users through well-lit and visible spaces. 8. Must provide directional signage that identifies circulation routes for all users and informs the public that the space is accessible to the public at all times. The signage must be visible from all points of access. The Director shall require signage as provided in the City of Bellevue Transportation Department Design Manual. If the signage requirements are not feasible, the applicant may propose an alternative that is						

Commented [BT(63)]: Initial PC direction on 4.19.17 changed bonus ratio to 16:1 based on comments from SRO and BDA.

Commented [F64]: Pedestrian Corridor and Major Public Open Space bonus rate based on \$300 per square foot construction cost estimate and \$22.50 FAR exchange rate.

Commented [BT(65)]: Errata

Commented [F66]: Outdoor plaza bonus based on \$210 per square foot construction cost estimate and \$25 FAR exchange rate. Adjustment for High Priority locations articulated in the CAC Final Report using \$22.50 FAR exchange rate. Added Old Bellevue as applicable Neighborhood; not included as bonusable location in CAC Final Report.

Commented [BT(67)]: Errata

Commented [BT(68)]: Initial PC Direction on 4.19.17 for The Bellevue Gateway project.

LIST OF BONUSABLE AMENITIES	APPLICABLE NEIGHBORHOODS/DISTRICTS AND BONUS RATIOS						
	Northwest Village	City Center North	Ashwood	Eastside Center	Old Bellevue	City Center South	East Main
	consistent with this provision and achieves the design objectives for the building and the site may propose an alternative that is consistent with this provision and achieves the design objectives for the building and the site. 9. Plazas must be open to the public at all times require an easement for public right of pedestrian use in a form approved by the City. 10. Plazas must meet all design criteria for design guidelines for public open spaces. 11. Square footage for purposes of calculating amenity points shall not include vehicle or loading drive surfaces.						
3. Donation of Park Property: Property which is donated to the City, with no restriction, for park purposes.	45 bonus points for every \$1,000 of appraised value of property donated for park purposes if property is located in Northwest Village or East Main Neighborhood. 40 bonus points for every \$1,000 of appraised value if property is located in any other Downtown Neighborhood. Park property donation may occur in Downtown neighborhoods that are different from where the development project occurs.						
	DESIGN CRITERIA: 1. The need for such property in the location proposed must be consistent with City-adopted policies and plans. 2. The minimum size of a donated park parcel is 4,000 square feet. 3. Donated park parcels must be located within the Downtown, but need not be contiguous with the site for which development is proposed						
4. Improvement of Public Park Property: Improvements made to City-owned community, neighborhood, and miniparks within the Downtown Subarea.	45 bonus points for every \$1,000 of public park property improvement if park is located in Northwest Village or East Main Neighborhood. 40 bonus points for every \$1,000 of public park property improvement if located in any other Downtown Neighborhood. Park property improvement may occur in Downtown neighborhoods that are different from where the development project occurs.						
	DESIGN CRITERIA: 1. Improvements made to a City-owned community, neighborhood, and mini-park must be consistent with the Downtown Subarea Plan. 2. Improvements made to City-owned parks must be constructed by the developer consistent with applicable City plans, and approval by the Director of the Parks & Community Services Department.						
5. Enhanced Streetscape: A continuous space between the back of the curb and the building face which allows internal activities to be externalized or brought out to the sidewalk. This space is provided along the building front and activated by residential patios or stoops, small retail, restaurant, and other commercial entries.	7:1	7:1	7:1	7:1	7.8:1	7.8:1	7.8:1
	7 bonus points per square foot of enhanced streetscape constructed; 7.8 bonus points per square foot if part of Lake-to-Lake Trail in Old Bellevue, City Center South and East Main neighborhoods.						
	DESIGN CRITERIA: 1. Space between back of curb and building face shall meet the minimum sidewalk and landscape dimensions. This amenity bonus is intended for an additional four to eight-foot frontage zone that is above and beyond the minimum requirements. 2. Frontage zone shall contain street furniture, including movable tables and chairs, and may be used for retail and food vendor space. 3. Applicant must provide three of the five design standards below: <ol style="list-style-type: none"> Additional landscaping such as seasonal pots and plantings. Decorative paving. 						

Commented [F69]: Donation of park property bonus based on \$25 FAR exchange rate; adjustment for High Priority neighborhoods Northwest Village and East Main using \$22.50 FAR exchange rate. Example: \$1,000,000 appraised value = 40,000 bonus points at 40:1 or 45,000 bonus points at 45:1.

Commented [F70]: Improvement of park property bonus based on \$25 FAR exchange rate; adjustment for High Priority neighborhoods Northwest Village and East Main using \$22.50 FAR exchange rate. Example: \$1,000,000 appraised value = 40,000 bonus points at 40:1 or 45,000 bonus points at 45:1.

Commented [KEA71]: Initial PC direction on 4.19.17 for clarity.

LIST OF BONUSABLE AMENITIES	APPLICABLE NEIGHBORHOODS/DISTRICTS AND BONUS RATIOS						
	Northwest Village	City Center North	Ashwood	Eastside Center	Old Bellevue	City Center South	East Main
	c. Small artistic elements. d. Additional weather protection. e. Other features suggested that assist in activating the space. 4. Visual access shall be provided into abutting commercial spaces. For residential use this may be provided through a private patio or stoop.						
6. Active Recreation Area: An area which provides active recreational facilities and is open to the general public. Does not include health or athletic clubs.	2:1	2:1	2:1	2:1	2:1	2:1	2:1
	2 bonus points per square foot of active recreation area provided.						
	DESIGN CRITERIA: 1. May be located indoors or outdoors. 2. Recreational facilities include, but are not limited to, sport courts, child play areas, climbing wall, open space for play, and dog relief areas. 3. May be fee-for-use but not used exclusively by membership. 4. The maximum bonusable area is 1,500 square feet.						
7. Enclosed Plaza: A publicly accessible, continuous open space located within a building and covered to provide overhead weather protection while admitting substantial amounts of natural daylight (atrium or galleria). Enclosed Plazas function as a "Third Place," and are "anchors" of community life and facilitate and foster broader, more creative interaction.	4:1	4:1	4:1	4:1	4:1	4:1	4:1
	4 bonus points per square foot of enclosed plaza provided.						
	DESIGN CRITERIA: 1. Must be open and accessible to the public during the same hours that the building in which it is located is open. 2. Must provide signage to identify the space as open to the public as provided per the Bellevue Transportation Department Design Manual. Must provide directional signage that identifies circulation routes for all users and informs the public that the space is accessible to the public at all times. The signage must be visible from all points of access. If the signage requirements are not feasible, the applicant may propose an alternative that is consistent with this provision and achieves the design objectives for the building and the site. 3. Must be visually and physically accessible from a publically accessible space. 4. At least 5 percent of the area must be landscaped. Landscape requirements may be modified if an equal or better result is provided through the use of interesting building materials, art, and architectural features which soften and enhance the enclosed plaza area. 5. The minimum sitting space shall be 1 linear foot of seating per 30 square feet of enclosed plaza space. More than 50 percent of the seating shall be provided in the form of movable chairs and furniture. 6. Minimum horizontal dimension is 20 feet. 7. Minimum area is 750 square feet.						

Commented [F72]: Active recreation area bonus based on \$50 per square foot construction cost estimate and \$25 FAR exchange rate.

Commented [F73]: Enclosed plaza based on \$100 per square foot construction cost for plaza amenities and \$25 FAR exchange rate.

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<p>8. Alleys with Addresses: Pedestrian oriented ways off the main vehicular street grid that provide an intimate pedestrian experience through a combination of residential, small retail, restaurant, and other commercial entries with meaningful transparency along the frontage building walls. This area does not have a “back of house” feel.</p>	6.7:1					6.7:1	6.7:1
<p>6.7 bonus points per square foot of alley with address improvement based on Neighborhood location.</p> <p>DESIGN CRITERIA:</p> <ol style="list-style-type: none"> 1. Must be open to the public 24 hours a day and 7 days a week and require an easement for public right of pedestrian use in a form approved by the City. 2. May not be enclosed. 3. Must provide a finer scaled building design at the pedestrian level to emphasize the pedestrian realm and to provide scale relief from the primary massing. 4. Alley frontage must meet guidelines for C Rights-of-Way, Mixed Streets in LUC 20.25A.170.B. 5. Residential use must provide a strong connection to the alleyway through the use of patios or stoops. 6. Must provide pedestrian scaled lighting. 7. Must provide signage to show open to the public and the hours. 8. Automobile access and use shall be secondary to pedestrian use and movement. 9. Must meet design guidelines at LUC 20.25A.170.C. 10. Square footage for purposes of calculating amenity points shall not include vehicle or loading drive surfaces. 							
<p>OTHER AMENITIES</p>							
<p>9. Freestanding canopies at street corners and transit stops (non-building weather protection)</p>	40:1	40:1	40:1	40:1	40:1	40:1	40:1
<p>40 bonus points per every \$1,000 of investment in freestanding canopies. Maximum 1,000 bonus points per freestanding canopy.</p> <p>DESIGN CRITERIA: Location of freestanding canopies shall be approved by Transportation Department. Design must be consistent with design adopted through a Transportation Director’s Rule.</p>							
<p>10. Pedestrian bridges: Pedestrian bridges over the public right-of-way at previously designated mid-block locations meeting specific design criteria.</p>		250:1		250:1		250:1	
<p>250 bonus points per linear foot of pedestrian bridge constructed.</p> <p>DESIGN CRITERIA:</p> <ol style="list-style-type: none"> 1. This bonus shall apply only to pedestrian bridges meeting the location and design criteria of LUC 20.25A.100. 2. Bridge must connect to upper level Active Uses on both sides to qualify for bonus. 							
<p>11. Performing Arts Space: Space containing fixed seating for public assembly for the purpose of entertainment or cultural events (live performances only).</p>	16:1	16:1	16:1	16:1	16:1	16:1	16:1
<p>16 bonus points per square foot of performing arts space provided.</p> <p>DESIGN CRITERIA: This bonus shall apply only to performing arts spaces that are less than 10,000 square feet.</p>							

Commented [F74]: Alley with addresses bonus based on \$150 per square foot construction cost estimate and \$22.50 FAR exchange rate for High Priority locations as articulated in CAC Final Report.

Commented [F75]: Freestanding canopy bonus based on \$25 FAR exchange rate. Example: \$25,000 investment = 1,000 bonus points.

Commented [F76]: Pedestrian bridge bonus based on bonus for Pedestrian Corridor construction.

Commented [F77]: Performing arts space bonus based on \$400 per square foot construction cost estimate and \$25 FAR exchange rate.

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<p>12. Public Art: Any form of permanent artwork that is outdoors and publicly accessible or visible from a public place. <u>The purpose is to create a memorable civic experience and affinity between artist and community.</u></p>	40:1	40:1	40:1	40:1	40:1	40:1	40:1
<p>40 bonus points per every \$1,000 of appraised art value.</p> <p>DESIGN CRITERIA:</p> <ol style="list-style-type: none"> 1. Must be located outside in areas open to the general public or visible from adjacent public right-of-way, perimeter sidewalk or pedestrian way. 2. May be an <u>artist-made</u> object or <u>artist-made</u> integrated feature of the building's exterior or other visible infrastructure such as paving, hand railings, walls, seating or other elements visible to the public or in publicly accessible areas. 3. Public art can include murals, sculptures, art elements integrated with infrastructure, and special artist designed lighting. 4. Stand alone or landmark artworks should be at a scale that allows them to be visible at a distance. 5. Value of art to be determined through appraisal accepted by Bellevue Arts Program. 6. Maintenance of the art is the obligation of the owner of that portion of the site where the public art is located for the life of the project. 							
<p>13. Water Feature: A fountain, cascade, stream water, sculpture, or reflection pond. The purpose is to serve as a focal point for pedestrian activity.</p>	40:1	40:1	40:1	40:1	40:1	40:1	40:1
<p>40 bonus points per every \$1,000 of appraised value of water feature, or actual construction cost, whichever is greater.</p> <p>DESIGN CRITERIA:</p> <ol style="list-style-type: none"> 1. Must be located outside of the building, and be publicly visible and accessible at the main pedestrian entrance to a building, or along a perimeter sidewalk or pedestrian connection. 2. Water must be maintained in a clean and non-contaminated condition. 3. Water must be in motion during daylight hours. 							
<p>14. Historic Preservation of Physical Sites/Buildings: Historic and cultural resources are those identified in the City's resource inventory, or identified by supplemental study submitted to the City.</p>	40:1	40:1	40:1	40:1	40:1	40:1	40:1
<p>40 bonus points per every \$1,000 of documented construction cost to protect historic façades or other significant design features.</p> <p>DESIGN CRITERIA:</p> <ol style="list-style-type: none"> 1. Voluntary protection of historic façades or other significant design features when redevelopment occurs. 							
<p>15. Historic and Cultural Resources Documentation: Historic and cultural resources are those identified in the City's resource inventory, or identified by supplemental study submitted to the City.</p>	40:1	40:1	40:1	40:1	40:1	40:1	40:1
<p>40 bonus points per every \$1,000 of documented cost of plaques/interpretive markers or construction cost of space dedicated to collect, preserve, interpret, and exhibit items.</p> <p>DESIGN CRITERIA:</p> <ol style="list-style-type: none"> 1. Use plaques and interpretive markers to identify existing and past sites of historic and cultural importance. 2. Space dedicated to collect, preserve, interpret, and exhibit items that document the history of Downtown Bellevue. 							

Commented [F78]: Public art bonus based on \$25 FAR exchange rate.

Commented [BT(79)]: Initial PC direction on 4.19.17 based on Bellevue Arts Commission input.

Commented [F80]: Water feature bonus based on \$25 FAR exchange rate.

Commented [F81]: Bonus based on \$25 exchange rate.

Commented [F82]: Bonus based on \$25 exchange rate.

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<p>16. Neighborhood Serving Uses: Allocation of space for noncommercial neighborhood serving uses that bolster livability for residents (e.g., community meetings rooms and non-profit child care).</p>	8:1	8:1	8:1	8:1	8:1	8:1	8:1
<p>17. Sustainability Certification: The City has a vested interest in supporting sustainable building practices and provides amenity bonus points commensurate with the level of sustainability provided in each building. Bonus FAR will be earned according to the level of rating applicant completes. Building practices are rapidly evolving and sustainability features are becoming mainstream. The purpose of this amenity is to incentivize performance significantly above the industry norm.</p>	<p>8 bonus points per square foot of space dedicated to Neighborhood Serving Uses.</p> <p>DESIGN CRITERIA:</p> <ol style="list-style-type: none"> 1. Bonusable neighborhood serving uses include child care, community meeting rooms, or non-profit space, 2. Up to 5,000 square feet per project are eligible for this bonus, any floor area beyond that limit will not be eligible for amenity bonus points. 3. The floor area delineated for these uses will be required to remain dedicated to Neighborhood Serving Uses for the life of the project. 4. Applicant shall record with King County Recorder’s Office (or its successor agency) and provide a copy to the Director of a binding document allocating those spaces only for neighborhood serving uses for the life of the building. 5. No other uses shall be approved for future tenancy in those spaces if they are not consistent with the uses outlined in the definition of Neighborhood Serving Uses in LUC 20.25A.020.A. 6. Tenant spaces must remain open to the public and may not require fees or admissions to enter. 7. Spaces must provide visual access from the street. 						
<p>FLEXIBLE AMENITY</p>							
<p>18. Flexible Amenity: For proposed amenities not identified in items 1 – 17 of this list, the Flexible Amenity allows an applicant the opportunity to propose an additional amenity that would substantially increase livability in the Downtown. Credit will be determined on a case-by-case basis; it is expected that the public benefit will equal or exceed what would be provided by amenities on the standard list provided above.</p>	<p>Values for this amenity will be set through the Legislative Departure process in 20.25A.030 and require a Development Agreement. May be pursued in all Downtown Neighborhoods.</p> <p>DESIGN CRITERIA:</p> <ol style="list-style-type: none"> 1. Bonus proposal must be approved by City Council through a Legislative Departure and Development Agreement. 2. Proposed bonus must have merit and value to the community. 3. Proposed bonus must be outside of the anticipated amenity bonus structure. 4. Proposed bonus shall not be in conflict with existing Land Use Code regulations. 						

Commented [F83]: Neighborhood serving uses bonus based on \$200 per square foot construction cost credit and \$25 FAR exchange rate, and comparison with other incentive systems.

Commented [BT(84)]: Initial PC direction on 4.19.17 based on Master Builders’ Association comments.

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E. Recording.

The total amount of bonus floor area earned through the Amenity Incentive System for a project, and the amount of bonus floor area to be utilized on-site for that project must be recorded with the King County Recorder’s Office, or its successor agency. A copy of the recorded document shall be provided to the Director.

F. Bonus Floor Area Earned from Pedestrian Corridor or MPOS Construction.

1. Use of Floor Area Earned. Bonus floor area earned for actual construction of the major Pedestrian Corridor or Major Public Open Space may be used within the project limit or transferred to any other property within the area of the Downtown bounded on the west by Bellevue Way, on the east by 112th Avenue NE, on the south by NE 4th Street and on the north by NE 8th Street. Properties may utilize this earned floor area to exceed the Floor Area Ratio Maximum of LUC 20.25A.060.A.4, but must remain within maximum building height limits.

~~2. Amount of Floor Area Transfer. No more than 25 percent of the gross floor area of a proposed project may be transferred floor area. This limitation does not include floor area generated by construction of the major pedestrian corridor or major public open spaces.~~

Commented [BT(85): Initial PC direction on 4.19.17. Reflects existing code provisions that do not limit the amount of excess Pedestrian Corridor or Major Public Open Space bonus floor area that may be transferred.

3-2 Recording Required. The property owner shall record each transfer of floor area with the King County Recorder’s Office, or its successor agency, and shall provide a copy of the recorded document to the Director.

4-3 Notwithstanding any provision of this Code, no transfer of floor area occurs when all property is included in one project limit.

G. Periodic Review.

The Amenity Incentive System will be periodically reviewed every 7-10 years with initiation by City Council.

Commented [BT(86): Planning Commission interested in discussing frequency of periodic review and adaptive management techniques on 5.3.17. Reprinted for discussion on 5.10.17.

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20.25A.075 Downtown Tower Requirements

A. Requirements for Additional Height

1. Applicability. Buildings with heights that exceed the trigger for additional height shall be subject to the diminishing floor plate requirement ~~in paragraph A.2, and an outdoor plaza space requirement.~~
2. Diminishing Floor Plate Requirement. The floor plates above the trigger for additional height shall be reduced by 10 percent. The reduction shall be applied on all floor plates above the trigger for additional height. The 10 percent reduction may be averaged among all floor plates above 80 feet, but no single floor plate shall exceed the maximum floor plate size above 80 feet.
3. ~~Outdoor Plaza Requirement. Buildings with heights that exceed the trigger for additional height shall provide outdoor plaza space in the amount of 10 percent of the project limit, provided that the outdoor plaza space shall be no less than 3,000 square feet in size. The open space shall be provided within 30 inches of the adjacent sidewalk and shall comply with the requirements for Outdoor Plazas in the Amenity Incentive System of LUC20.25A.070.D.2. Vehicle and loading drive surfaces shall not be counted as outdoor plaza space.~~
 - ~~a. Modification of the Plaza Size with Criteria. The Director may approve a modification to the 10 percent requirement for outdoor plaza space through an administrative departure pursuant to 20.25A.030.D.1 provided that the following minimum criteria are met:

 - ~~i. The outdoor plaza is not less than 3,000 square feet in size;~~
 - ~~ii. The outdoor plaza is functional and is not made up of isolated unusable fragments;~~
 - ~~iii. The outdoor plaza meets the design criteria for Outdoor Plazas in the Floor Area Ratio and Amenity Incentive System, LUC 20.25A.070.D.2; and~~
 - ~~iv. The size of the plaza is roughly proportional to the additional height requested.~~~~

Commented [HC87]: MOVED from footnotes in dimensional chart. Provides design standards for Downtown Towers that increase transparency and ease of code use.

Commented [BT(88)]: Errata and deletion of reference to open space pursuant to initial PC Direction on 4.19.2017.

Commented [BT(89)]: Deletion was initial PC direction on 4.19.2017.

B. Required Tower Separation - Tower separation is intended to provide privacy, natural light and air, and contribute to a distinctive skyline.

1. Applicability. This paragraph shall apply to multiple towers within the Downtown subarea built within a single project limit.
2. Separation. Two or more towers built within a single project limit must maintain a tower separation of 80 feet.
3. Modification with Criteria. Tower separation may be reduced to a minimum of 20 feet between the closest points of multiple towers measured ~~8045~~ feet above average finished grade through an administrative departure pursuant to 20.25A.030.D.1 if the following criteria are met:
 - a. A maximum of 10% of the façade is within the tower separation distance of another building's façade; and,

Commented [HC90]: Planning Commission requested additional discussion regarding 60' versus 80' tower separation within a single project limit. Included in 5.3.17 packet for PC discussion. Reprinted in 5.10.17 packet.

Commented [HC91]: Initial direction from Planning Commission on 4.19.17 to raise point at which tower spacing applies to align with revised definition of DT-Tower.

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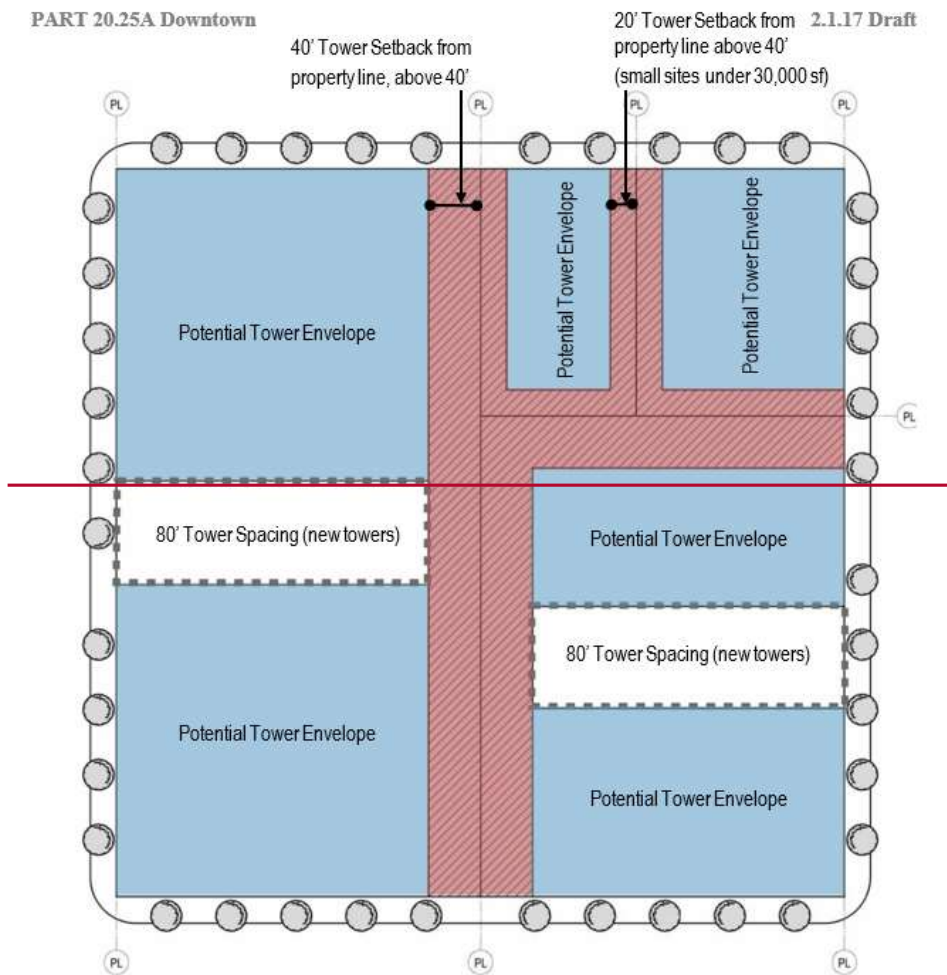
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- c. The applicant demonstrates that the intrusion does not affect the light, air or privacy of the users of either building.

4. Small Site Exception. If a parcel is less than or equal to 40,000 square feet, the tower separation requirement does not apply.

Commented [HC92]: Moved from LUC 20.25A.060.B.4 in response to initial Planning Commission direction on 4.19.17. Increased small site exception from 30,000 sf to 40,000 sf.

Commented [HC93]: Deleted in response to initial Planning Commission direction on 4.19.17 to reduce tower setback from internal property lines from 40' to 20'.



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C. Upper Level Stepbacks

1. Upper Level Stepback. Each building facade depicted in Figure 20.25A.075.C.2 shall incorporate a minimum 15 or 20-foot-deep stepback at a height between 25 feet and the level of the first floorplate above 40 feet. The required depth of the stepback is shown on Figure 20.25A.075.C.2. This required stepback may be modified or eliminated if the applicant demonstrates through Design Review (Part 20.30F LUC) that:

a. Such stepback is not feasible due to site constraints, such as a small or irregularly shaped lot;
~~or~~

b. The modification is necessary to achieve design elements or features encouraged in the design guidelines of 20.25A.140-.180, and the modification does not interfere with preserving view corridors. Where a modification has been granted under LUC 20.25A.060.B.2.c, the upper level stepback may be incorporated between 25 feet and the level of the first floorplate above 45 feet;
~~or -~~

c. The modification is necessary to provide a property owner with the same development opportunity as an adjacent existing development that did not incorporate an upper level stepback. Where the upper level stepback on properties adjacent to a site is less than the upper level stepback required by LUC 20.25A.075.C.1, the maximum required upper level stepback shall be modified as set forth in this paragraph. The modification shall be determined by connecting the portion of each adjacent structure that encroaches into the required upper level stepback. The mid-point of the line establishes the maximum upper level stepback that may be imposed for the site. The modification in this paragraph does not preclude an applicant from requesting a further modification or elimination of the maximum required upper level stepback pursuant to the terms of LUC 20.25A.075.C.1. a and b.

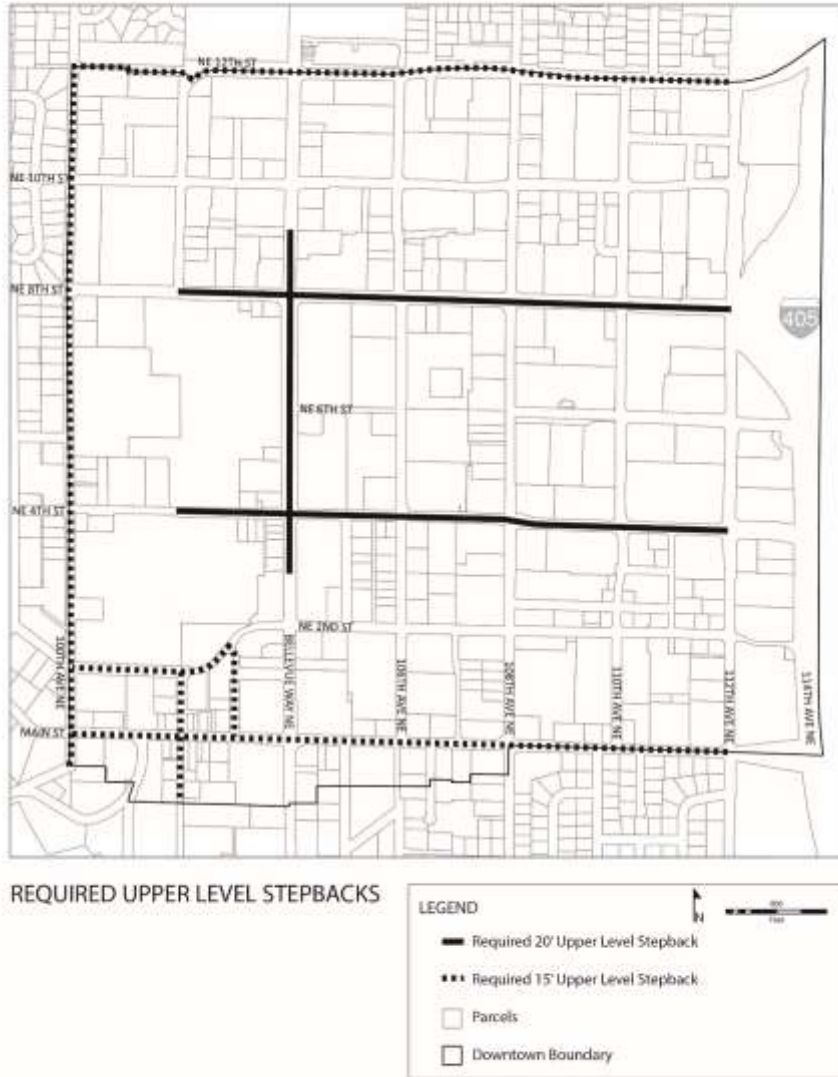
Commented [HC94]: MOVED from 20.25A.100E.7 and applied to Downtown Core and Perimeter

Commented [BT(95)]: 4.19.17 draft for PC consideration. Adds new "string test" departure applicable to upper level stepbacks. Reprinted in 5.3.17 packet. Updated to ensure code clarity and reprinted in the 5.10.17 packet. No initial direction provided by the Planning Commission.

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Figure 20.25A.075.C.2



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20.25A.080 Parking Standards

A. General.

The provisions of LUC 20.20.590, except as they conflict with this section, apply to development in the Downtown Land Use Districts.

B. Minimum/Maximum Parking Requirement by Use – Specified Uses.

This subsection supersedes LUC 20.20.590.F.1. Subject to LUC 20.20.590.G and 20.20.590.H, the property owner shall provide at least the minimum and may provide no more than the maximum number of parking stalls as indicated below unless modified pursuant to applicable departure allowances contained in this section:

Commented [HC96]: MOVED from Downtown LUC 20.25A.050 and aligned with code organization use in BelRed (LUC 20.25D.120). Provides increased flexibility by including process to modify required parking ratios for either fewer or more parking stalls based on a comprehensive parking study.

ADDS visitor parking for residential buildings at a rate of 1 stall per 20 units. Adds required bicycle parking. Requires 8 feet for parking structure entries instead of 7.5 feet to accommodate accessible van parking.

Downtown Parking Requirements

Land Use	Unit of Measure	Downtown Zones			
		-O-1,-O-2		-R,-MU,-OB,-OLB	
		Min.	Max.	Min.	Max.
a. Auditorium/Assembly Room/Exhibition Hall/Theater/Commercial Recreation (1)	per 8 fixed seats or per 1,000 nsf (if there are no fixed seats)	1.0 (10.0)	2.0 (10.0)	1.5 (10.0)	2.0 (10.0)
b. Financial Institution	per 1,000 nsf	3.0	4.0	4.0	5.0
c. Funeral Home/Mortuary (1)	per 5 seats	1.0	1.0	1.0	no max.
d. High Technology/Light Industry	per 1,000 nsf	2.0	3.5	2.0	3.5
e. Home Furnishing/Retail/Major Appliances – Retail	per 1,000 nsf	1.5	3.0	1.5	3.0
f. Hospital/In-Patient Treatment Facility/Outpatient Surgical Facility	per 1.5 patient beds	1.0	2.0	1.0	2.0
g. Manufacturing/Assembly (Other than High Technology/Light Industrial)	per 1,000 nsf	0.7	1.0	1.0	1.5
h. Office (Business Services/Professional Services/General Office) (3)	per 1,000 nsf	2.0	2.7	2.5	3.0
i. Office (Medical Dental/Health Related Services)	per 1,000 nsf	3.0	4.0	4.0	5.0
j. Personal Services:					
Without Fixed Stations	per 1,000 nsf	2.0	2.0	2.0	3.0
With Fixed Stations	per station	0.7	2.0	1.0	1.5
k. Residential (6)	per unit	0	2.0	1.0(5)	2.0

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			Downtown Zones			
Land Use	Unit of Measure	-O-1,-O-2		-R,-MU,-OB, -OLB		
		Min.	Max.	Min.	Max.	
		i. Restaurant	per 1,000 nsf	0	15.0	10.0(4)
m. Retail	per 1,000 nsf	3.3	5.0	4.0(4)	5.0	
n. Retail in a Mixed Development (except Hotel) (2)	per 1,000 nsf	0	3.3	2.0(4)	4.0	
o. Senior Housing:						
Nursing Home	per patient bed	0.4	0.8	0.4	0.8	
Senior Citizen Dwelling or Congregate Care	per living unit	0	1.0	0.33	1.0	

nsf = net square feet (see LUC 20.50.036)

Notes to Parking Requirements:

- (1) Room or seating capacity as specified in the International Building Code, as adopted and amended by the City of Bellevue, at the time of the application is used to establish the parking requirement.
- (2) If retail space in a mixed development exceeds 20 percent of the gross floor area of the development, the retail use parking requirements of subsection B of this section apply to the entire retail space.
- (3) Special Requirement in Perimeter Overlay District. The Director may require the provision of up to 3.5 parking stalls per 1,000 net square feet for office uses within the Perimeter Overlay District to avoid potential parking overflow into adjacent land use districts outside Downtown.
- (4) Parking for existing buildings in Downtown-OB shall be provided according to the criteria set forth in this Note (4).
 - (a) Existing Building Defined. For this Note (4), “existing building” shall refer to any building in existence as of December 31, 2006, or any building vested as of December 31, 2006, per LUC 20.40.500, and subsequently constructed consistent with the 2006 vesting.
 - (b) First 1,500 Net Square Feet of a Restaurant or Retail Use – No Parking Required. The first 1,500 net square feet of a restaurant or retail use located in an existing building shall have a minimum parking ratio of zero (0).
 - (c) Restaurant or Retail Uses in Excess of 1,500 Net Square Feet. A restaurant or retail use that exceeds 1,500 net square feet and is located within an existing building shall provide parking according to the above table for any floor area in excess of 1,500 net square feet.
 - (d) Limitation on Applicability of Note (4).
 - (i) Buildings that do not meet the definition of an existing building shall provide parking for all uses according to the above table.
 - (ii) Parking in existing buildings for uses other than restaurant and retail uses shall be provided according to the above table.

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(5) The minimum requirement for studio apartment units available to persons earning 60 percent or less than the median income as determined by the United States Department of Housing and Urban Development for the Seattle Metropolitan Statistical Area is 0.25 stalls per unit. An agreement to restrict the rental or sale of any such units to an individual earning 60 percent or less of the median income shall be recorded with the King County Recorder's Office (or its successor agency), and a copy shall be provided to the Director.

(6) Visitor parking shall be provided in residential buildings at a rate of 1 stall per 20 units, but in no case will the visitor parking be less than 1 stall.

C. Shared Parking.

1. General. In the Downtown, this subsection supersedes LUC 20.20.590.I.1.
2. Subject to compliance with other applicable requirements of this Code, the Director may approve shared development or use of parking facilities located on adjoining separate properties or for mixed use or mixed retail use development on a single site through approval of an administrative departure pursuant to LUC 20.25A.030.D.1 and if:
 - a. A convenient pedestrian connection between the properties or uses exists; and
 - b. The availability of parking for all affected properties or uses is indicated by directional signs, as permitted by Chapter 22B.10 BCC (Sign Code).
3. Number of Spaces Required.
 - a. Where the uses to be served by shared parking have overlapping hours of operation, the Director may approve a reduction of the total required parking stalls pursuant of the provisions of LUC 20.25A.080.H; and
 - b. Where the uses to be served by shared parking do not overlap their hours of operation, the property owner or owners shall provide parking stalls equal to the greater of the applicable individual parking requirements.
4. Documentation Required. Prior to establishing shared parking or any use to be served thereby, the property owner or owners shall file with the King County Recorder's Office or its successor agency, a written agreement approved by the Director providing for the shared parking use. A copy of the written agreement shall be retained by the Director in the project file. The agreement shall be recorded on the title records of each affected property.

Commented [BT97]: Planning Commission requested additional discussion of 20% shared parking provisions. Shared parking materials provided in 5.3.17 packet and reprinted in 5.10.17 packet.

Commented [HC98]: Requires a parking study to allow for any reduction, instead of only the reductions that exceed 20%.

D. Off-Site Parking Location.

1. General. In the Downtown, this subsection supersedes LUC 20.20.590.J. Except as provided in paragraph D.2 of this section, the Director may approve a portion of the approved parking through approval of an administrative departure pursuant to LUC 20.25A.030.D.1 for a use to be located on a site other than the subject property if:
 - a. Adequate visitor parking exists on the subject property; and
 - b. Adequate pedestrian, van or shuttle connection between the sites exists; and

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- c. Adequate directional signs in conformance with Chapter 22B.10 BCC (Sign Code) are provided.
2. District Limitations. Downtown-R Limitations. Parking located in the Downtown-R District may only serve uses located in that district unless otherwise permitted through Design Review, Part 20.30F LUC, and then, only if such parking is physically contiguous and functionally connected to the use which it serves in an adjacent land use district.
 3. Short-Term Retail Parking Facilities. The Director may approve the development of short-term retail parking facilities (see definition at LUC 20.50.040) not associated with a specific use. Upon the separate approval of an administrative departure pursuant to LUC 20.25A.030.D.1 by the Director, a property owner or owners may satisfy all or a portion of the parking requirement for a specified retail use through an agreement providing parking for the use at a designated short-term retail parking facility; provided, that:
 - a. Adequate pedestrian, van or shuttle connection exists between the sites; and
 - b. Adequate directional signs in conformance with Chapter 22B.10 BCC (Sign Code) are provided.
 4. Documentation Required. Prior to establishing off-site parking or any use to be served thereby, the property owner or owners shall file with the King County Recorder's Office (or its successor agency) a written agreement approved by the Director providing for the shared parking use. The agreement shall be recorded on the title records of each affected property and a copy of the recorded document shall be provided to the Director.

E. Commercial Use Parking.

1. Any parking facilities or parking stalls located in the Downtown and developed to meet the requirements of the Land Use Code for a particular use may be converted to commercial use parking (see definition at LUC 20.50.040); provided, that the property owner shall:
 - a. Comply with all parking and dimensional requirements and with the performance standards for parking structures of this Code.
 - b. If the parking facility or parking stalls proposed for commercial use were approved for construction subsequent to the effective date of Ordinance 2964 (enacted on March 23, 1981), the commercial use parking facility or parking stalls shall comply with all landscaping requirements set forth at LUC 20.25A.110.
 - c. If the parking facility or parking stalls proposed for commercial use were approved for construction prior to the effective date of Ordinance 2964 (enacted on March 23, 1981), and the commercial use parking facility occupies more than 30 spaces, the minimum landscaping requirements of this Code shall be deemed met where the property owner installs landscaping in compliance with an approved landscaping plan which achieves the following objectives:
 - i. Surface parking areas shall be screened from street level views to a minimum height of four feet by a wall, hedge, berm or combination thereof.

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- ii. The minimum width of any hedge planting area shall be three feet.
- iii. Visual relief and shade shall be provided in the parking area by at least one deciduous shade tree (12 feet high at planting) for every 20 parking stalls, provided such trees shall not be required in covered or underground parking. Each tree planting area shall be at least 100 square feet in area and four feet in width, and shall be protected from vehicles by curbing or other physical separation. If irrigation is provided, the planting area may be reduced to 40 square feet.
- iv. The proposed landscaping plan shall be reviewed by the Director for compliance with these objectives and shall be approved by the Director prior to initiation of the commercial use parking.

2. Assurance Device. The Director may require an assurance device pursuant to LUC 20.40.490 to ensure conformance with the requirements and intent of this subsection.

F. Parking Area and Circulation Improvements and Design.

1. Landscaping. Paragraph F.1 of this section supersedes LUC 20.20.590.K.7. The property owner shall provide landscaping as required by LUC 20.25A.110.
2. Compact Parking. Paragraph F.2 of this section supersedes LUC 20.20.590.K.9. The Director may approve through an administrative departure pursuant to LUC 20.25A.030.D.1, the design and designation of up to 65 percent of the spaces for use by compact cars.
3. Vanpool/Carpool Facilities. The property owner must provide a vanpool/carpool loading facility that is outside of required driveway or parking aisle widths. The facility must be adjacent to an entrance door to the structure and must be consistent with all applicable design guidelines.
4. Performance Standards for Parking Structures. The Director may approve a proposal for a parking structure through Design Review, Part 20.30F LUC and an administrative departure through LUC 20.25A.030.D.1. The Director may approve the parking structure only if:
 - a. Driveway openings are limited and the number of access lanes in each opening is minimized;
 - b. The structure exhibits a horizontal, rather than sloping, building line;
 - c. The dimension of the parking structure abutting pedestrian areas is minimized, except where retail, service or commercial activities are provided;
 - d. The parking structure complies with the requirements of LUC 20.25A.140 through 20.25A.180;
 - e. A wall or other screening of sufficient height to screen parked vehicles and which exhibits a visually pleasing character is provided at all above-ground levels of the structure. Screening from above is provided to minimize the appearance of the structure from adjacent buildings;
 - f. Safe pedestrian connection between the parking structure and the principal use exists;
 - g. Loading areas are provided for vanpools/carpools as required by paragraph F.3 of this section; and

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- h. Vehicle height clearances for structured parking must be at least eight feet for the entry level to accommodate accessible van parking.

G. Bicycle Parking.

Office, residential, institutional, retail, and education uses are required to provide bicycle parking pursuant to the following standards:

1. Ratio.
 - a. One space per 10,000 nsf for nonresidential uses greater than 20,000 nsf.
 - b. One space per every 10 dwelling units for residential uses.
2. Location. Minimum bicycle parking requirement shall be provided on-site in a secure location.
3. Covered Spaces. At least 50 percent of required parking shall be protected from rainfall by cover.
4. Racks. The rack(s) shall be securely anchored and a bicycle six feet long can be securely held with its frame supported so the bicycle cannot be pushed or fall in a manner that will damage the wheels or components.
5. Size Requirement. Each required bicycle parking space shall be accessible without moving another bicycle.

~~**H. Director's Authority to Modify Required Parking**~~

~~Through approval of an administrative departure pursuant to LUC 20.25A.030.D.1, the Director may modify the minimum or maximum parking ratio for any use in LUC 20.25A.080.B as follows:~~

- ~~1. The modified parking ratio is supported by a parking demand analysis provided by the applicant, including but not limited to:~~

- ~~a. Documentation supplied by the applicant regarding actual parking demand for the proposed use; or~~
- ~~b. Evidence in available planning and technical studies relating to the proposed use; or~~
- ~~c. Required parking for the proposed use as determined by other compatible jurisdictions.~~

- ~~2. Periodic Review. The Director may require periodic review of the proposed review of the reduced parking supply to ensure the terms of the approval are being met.~~

- ~~3. Assurance Device. The Director may require an assurance device pursuant to LUC 20.40.490 to ensure compliance with the requirements and intent of subsection F.1 of this section.~~

- ~~4. Shared or off site parking is not available or adequate to meet demand.~~

- ~~5. Any required Transportation Management Program will remain effective.~~

Commented [BT99]: Public Hearing Draft version. Fashioned after BelRed Code. Initial Planning Commission direction on 4.26.17 to remove additional parking flexibility until Comprehensive Parking Study could is completed.

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H. Director's Authority to Require Parking Exceeding Maximum.

In Downtown Districts, the Director of the Development Services Department may require the installation of more than the maximum number of parking stalls, for other than office uses, if the Director determines that:

1. Such additional parking is necessary to meet the parking demand for a specified use; and
2. Shared or off-site parking is not available or adequate to meet demand; and
3. Any required Transportation Management Program will remain effective.

Commented [BT(100): Existing code language to remain until Downtown Parking study is done. Initial Planning Commission direction on 4.26.17 to remove additional parking flexibility presented in Public Hearing draft until Comprehensive Parking Study could is completed.

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20.25A.090 Street and Pedestrian Circulation Standards

A. Walkways and Sidewalks – Standards and Map

1. Sidewalk Widths. The minimum width of a perimeter walkway or sidewalk shall be as prescribed in Figure 20.25A.090A.1 of this section, plus a 6-inch curb. A planter strip or tree pit shall be included in within the prescribed minimum width of the walkway or sidewalk as provided in Plate 20.25A.090A.1 of this section.

Commented [HC101]: MOVED from Downtown LUC 20.25A.060. Planter Strips and Tree Pits were included in Early Wins.

UPDATED to include Sidewalk widths.

DRAFT

Figure 20.25A.090.A.1

Commented [BT(102): Initial PC direction on 4.19.17 removed the requirement for sidewalks below the freeway access on NE 4th and NE 6th between 112th Ave. NE and 114th Ave. NE.

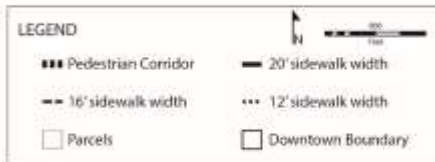


DOWNTOWN SIDEWALK DIMENSIONS





DOWNTOWN SIDEWALK DIMENSIONS



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20.25A.090A.1 Plate A

PLATE A - Downtown Bellevue Planter Strip/Tree Pits Required

East-West	Planter Strip/Tree Pits
NE 12th (102nd to I-405)	Planter Strip
NE 11th (110th to 112th)	Planter Strip
NE 10th (100th to 106th)	Planter Strip
NE 10th (106 to I-405)	Planter Strip
NE 9th (110th to 111th)	Tree Pits
NE 8th (100th to 106th)	Planter Strip
NE 8th (106th to 112th)	Planter Strip
NE 6th (Bellevue Way to 106th)	See Pedestrian Corridor Design Guidelines
NE 6th (106th to 108th)	See Pedestrian Corridor Design Guidelines
NE 6th (108th to 110th)	Tree Pits
NE 6th (110th to 112th)	Planter Strip on the south side, Tree Pits on the north side
NE 4th (100th to I-405)	Planter Strip
NE 3rd Pl (110th to 111th)	Tree Pits
NE 2nd Pl (108th to 111th)	Planter Strip
NE 2nd (Bellevue Way to I-405)	Planter Strip
NE 1st/2nd (100th to Bellevue Way)	Planter Strip
NE 1st (103rd to Bellevue Way)	Tree Pits
Main St (100th to Bellevue Way)	Tree Pits
Main St (Bellevue Way to I-405)	Planter Strip
North-South	
100th (NE 12th to Main)	Planter Strip
100th (NE 10th to NE 1st)	Planter Strip
100th (NE 1st to Main)	Planter Strip

PLATE A - Downtown Bellevue Planter Strip/Tree Pits Required

101st (near NE 10th)	Tree Pits
101st Ave SE (south of Main St)	Tree Pits
102nd (NE 12th to NE 8th)	Planter Strip
102nd (NE 1st to south of Main St)	Tree Pits
103rd (near NE 10th)	Tree Pits
103rd (NE 2nd to Main St)	Tree Pits
Bellevue Way (NE 12th to NE 10th)	Planter Strip
Bellevue Way (NE 10th to NE 4th)	Planter Strip
Bellevue Way (NE 4th to Main)	Planter Strip
Bellevue Way (Main to Downtown Boundary)	Planter Strip
105th (NE 4th to NE 2nd)	Planter Strip
105th SE (near Main St)	Planter Strip
106th (NE 12th to NE 8th)	Planter Strip
106th (NE 8th to NE 4th)	Tree Pits
106th (NE 4th to Main)	Planter Strip
106th Pl NE (near NE 12th)	Tree Pits
107th (NE 2nd to south of Main)	Tree Pits
108th (NE 12th to NE 8th)	Tree Pits
108th (NE 8th to NE 4th)	Tree Pits
108th (NE 4th to south of Main)	Tree Pits
109th (near NE 10th)	Planter Strip
110th (NE 12th to NE 8th)	Planter Strip
110th (NE 8th to NE 4th)	Planter Strip
110th (NE 4th to Main)	Planter Strip

PLATE A - Downtown Bellevue Planter Strip/Tree Pits Required

111th (NE 11th to NE 9th)	Planter Strip
111th (NE 4th to NE 2nd)	Planter Strip

2. **Minimum Width.** Along any other street not listed in of this section, the minimum width of a perimeter walkway or sidewalk is 12 feet plus a 6-inch curb. Included in that 12 feet and adjacent to the curb, there shall be a planter strip or tree pit as prescribed in Plate A of this section.

3. **Unobstructed Travel Path.** Within the width of the walkway or sidewalk, at least six feet of unobstructed travel path shall be maintained for safe pedestrian access.

B. Planter Strips and Tree Pits.

Planter strips shall be at least five feet wide and as long as the street frontage, excluding curb cuts, driveways and spacing for utilities. Planter strips and tree pits shall be located adjacent to the curb unless precluded by existing utilities which cannot be reasonably relocated. Tree pits shall be covered with protective grates or pavers. Where stormwater facilities are used in conjunction with tree pits, removable grates shall be utilized. Pursuant to LUC 20.25A.030.D.1, the Director may approve an administrative departure for the location or size of tree pits and planter strips if the applicant is unable to meet the requirements of this-paragraph to utility placement or other obstruction that is out of the applicant’s control.

C. Downtown Core.

1. **Major Pedestrian Corridor.**

- a. **Purpose.** The major pedestrian corridor is to serve as a focus for pedestrian use.
- b. **Location.** The alignment of the major pedestrian corridor is defined as the area within 30 feet of the extension of the north line of Lots 3 and 4, Block 2 of Cheriton Fruit Gardens Plat No. 1 recorded in the King County Recorder’s Office (or its successor agency) in Volume 7 of Plats at page 47, extending from the eastern edge of the enclosed portion of Bellevue Square to 108th Avenue NE and the area within 30 feet north of the north curb and 30 feet south of the south curb of the Bellevue Transit Center traffic lanes as hereafter approved by the City, extending across the 108th Avenue NE right-of-way and to 110th Avenue NE. This alignment may be modified by the Bellevue Pedestrian Corridor Guidelines or by a Corridor Development Design Plan for a specific property.
- c. **Bellevue Pedestrian Corridor Guidelines.** Each development abutting the Pedestrian Corridor as described in paragraph C.1.c.v of this section must comply with the provisions of this paragraph and the Bellevue Pedestrian Corridor Guidelines and Major Open Space Design Guidelines as adopted by the City Council, or as the same may hereafter be amended. The Bellevue Pedestrian Corridor and Major Public Open Space Design Guidelines consist of general design guidelines consistent with provisions of this paragraph.

Commented [HC103]: MOVED from Downtown LUC 20.25A.090.E. UPDATED citations to ensure conformance with the draft Downtown Code.

Pedestrian Corridor provisions will be updated following completion of Wilburton-Grand Connection Initiative Discussed with the Planning Commission on October 26, 2016.

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- i. The corridor must present a coordinated design. The City will consider coordinated design features such as uniform treatment of signing, landscaping and lighting over the entire length of the corridor. Variety in design will be allowed and in some cases encouraged in order to provide visual interest and harmony with adjacent development. The corridor must incorporate numerous pedestrian amenities such as seating areas, landscaping, art features, weather protection and pedestrian scale lighting.
- ii. The major pedestrian corridor must provide predominantly continuous pedestrian-oriented frontage, plazas, pedestrian ways, street arcades, landscape features, or enclosed plazas along its entire length.
- iii. The entire corridor must be open to the public 24 hours per day. Segments of the corridor may be bridged or covered for weather protection, but not enclosed. Temporary closures will be allowed as necessary for maintenance purposes.
- iv. Pedestrian movement across 104th Avenue NE, 106th Avenue NE or 108th Avenue NE shall be at grade.
- v. The major pedestrian corridor width is established as part of the Bellevue Pedestrian Corridor Guidelines. The corridor width shall average 60 feet and in no case be less than 40 feet over each superblock west of 108th Avenue NE, and shall average 30 feet and in no case be less than 20 feet on each side over the superblock extending from the western edge of the 108th Avenue NE right-of-way to 110th Avenue NE.

All subdivisions or short subdivisions hereafter approved or permits for any structure or permanent parking or circulation area shall be reviewed for compatibility with the alignment of the major pedestrian corridor and major public open space as specified in paragraph C.1.b of this section or in the Bellevue Pedestrian Corridor and Major Public Open Space Design Guidelines if any lot line, structure or permanent parking or circulation area is within:

- (1) 330 feet of the centerline of the major pedestrian corridor if west of 108th Avenue NE; or
 - (2) The area between the exterior edge of the curblines of the Transit Center and the eastward extension of the trigger lines as defined in paragraph C.1.c.v(1) of this section to 110th Avenue NE.
- d. Preservation of the Major Pedestrian Corridor.
- i. Prior to the issuance of a Building Permit for any structure other than surface parking; and other than any interior remodel or exterior remodel which enlarges exterior dimensions such that new floor area not exceeding a total of 20 percent of the gross floor area of the existing building is added; and provided, that all new floor area is devoted to pedestrian-oriented uses; located within the major pedestrian corridor as defined in paragraph C.1.b of this section, the following conditions must be met:
 - (1) The alignment of the major pedestrian corridor related to the proposed structure or permanent parking or circulation area must be established by the execution and recording of a legal agreement in accordance with paragraph C.1.e.i or ii of this section.

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- (2) A Design Development Plan for the section of the corridor required to be constructed under paragraph C.1.c.iii of this section. Corridor must be approved by the Director as required by paragraph C.1.e.ii of this section. Construction must begin prior to the issuance of certificate of occupancy or a temporary certificate of occupancy for the structure other than surface parking as required by paragraph C.1.e.iii(2) of this section.
- ii. Building Permits for surface parking areas to be located in this corridor as defined in paragraph C.1.b of this section may be granted for up to a five-year period, subject to the landscape requirement for surface parking areas in the Downtown-MU Land Use District, as specified in LUC 20.25A.110.B. Building Permits for parking areas may be renewed only if the Director finds that an extension is necessary to meet the maximum Code requirements for parking and the extension is necessary for the construction of a building requiring utilization of the surface parking area.
- e. Provision of the Corridor.
- i. If the property owner wishes to at any time obtain bonus FAR for construction of the major pedestrian corridor, the City may approve the subdivision or short subdivision of property resulting in any interior lot line which is within the distances specified in paragraph C.1.c.v of this section only if:
- (1) The owner of the property to be subdivided or short subdivided executes a legal agreement providing that all property that he/she owns within the superblock in which any of the property to be subdivided or short subdivided is located and which is within the alignment of the major pedestrian corridor established under paragraph C.1.b, C.1.c or C.1.e.iii of this section (hereafter the "Corridor Property") shall be subject to a nonexclusive right of pedestrian use and access by the public. The agreement shall legally describe and shall apply to only that property of the owner located within the distances specified in paragraph C.1.c.v of this section. Such an agreement shall further provide that:
 - (a) The public right of pedestrian use established thereunder shall be enforceable by the City of Bellevue, and the City shall have full rights of pedestrian access to and use of the corridor property for purposes of enforcing the rights of the public under this agreement.
 - (b) The obligations under the agreement shall run with the corridor property. The agreement shall be reviewed at the end of 50 years from the date the agreement is signed and shall continue or change in accordance with the then existing public need for pedestrian use and access of the corridor for subsequent 50-year terms.
 - (c) The owner will design and construct the corridor within such corridor property in accordance with the requirements of paragraph C.1 of this section.
 - (d) The agreement shall be recorded with the King County Recorder's Office (or its successor agency) and provided to the Director.
 - (e) The owner will maintain the portion of the corridor located on the corridor property and keep the same in good repair.
 - (f) The City will provide adequate police protection.

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(g) No modifications may be made to the corridor without approval of the City in accordance with paragraph C.1.e.ii of this section.

(h) The alignment of any such portion of the pedestrian corridor established by a legal agreement may be modified or terminated by the property owner and the City if the alignment of any section of the major pedestrian corridor changes pursuant to paragraph C.1.e.ii of this section.

(i) The owner may adopt reasonable rules and regulations for use of his/her portion of the corridor; provided, that the same may not be inconsistent with the requirements or intentions of this section.

(j) Any other terms and conditions that the owner(s) and the City agree to.

ii. Corridor Design Development Plan. Prior to the issuance of a Building Permit for the construction of any structure other than surface parking; and other than any interior remodel or exterior remodel which enlarges exterior dimensions such that new floor area not exceeding a total of 20 percent of the gross floor area of the existing building is added; and provided that all new floor area is devoted to pedestrian-oriented uses; on the property, any portion of which abuts the major pedestrian corridor and is within the distances specified in paragraph C.1.c.v of this section, a Design Development Plan for the section of the corridor required to be constructed under paragraph C.1.e.iii of this section must be submitted to and approved by the Director, through Design Review, Part 20.30F LUC. If the owner constructs a temporary pedestrian linkage under paragraph E.1.e.iii of this section, preparation of the Corridor Design Development Plan will not be required until the property to be developed is located within:

(1) 130 feet of the centerline of the major pedestrian corridor, west of 108th Avenue NE; or

(2) The area between the exterior edge of the curblines of the Transit Center and the eastward extension of the trigger lines as defined in paragraph C.1.e.ii(1) of this section to 110th Avenue NE. The proposed plan must specify the following elements:

(a) Landscaping,

(b) Lighting,

(c) Street furniture,

(d) Color and materials,

(e) Relationship to building frontage,

(f) Specific alignment for property on which the corridor will have to be constructed by the applicant proposing development,

(g) Any other physical element which the Director and the City Council, in their review, determine is necessary for and consistent with the Design Development Plan for a specific section of the major pedestrian corridor, not including specific requirements to construct structures containing retail uses abutting the corridor.

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iii. The City may issue a permit for the construction of a structure other than surface parking and other than any interior remodel or exterior remodel which enlarges exterior dimensions such that new floor area not exceeding a total of 20 percent of the gross floor area of the existing building is added; and provided, that all new floor area is devoted to pedestrian-oriented uses; on property any part of which abuts the major pedestrian corridor and is within the distances specified in paragraph C.1.c.v of this section at the time of the adoption of Ordinance No. 2945 only if:

(1) The owner complies with paragraph C.1.e.i(1)(a) through (j) of this section if that owner wishes to earn bonus FAR for construction of the major pedestrian corridor; and

(2) The owner files a Building Permit application to construct his/her section of the corridor on (a) land he/she owns within the corridor and within the superblock of the subject construction permit for a structure, and (b) on one-half the width of any abutting City-owned land in the corridor (except for intersections listed below). The City shall initiate or abutting property owners may initiate a street vacation for right-of-way the City owns between 104th Avenue NE and 106th Avenue NE at NE 6th Street in conjunction with or prior to an owner application to construct the major pedestrian corridor. Actual construction of the corridor must begin prior to the issuance of a certificate of occupancy or temporary certificate of occupancy for the structure other than surface parking. The City shall construct the corridor at the street intersections of the corridor and 104th Avenue NE, 106th Avenue NE, and 108th Avenue NE. The width of the corridor that would have to be constructed under the requirements of paragraph C.1.e.iii of this section may be modified when the final alignment of the corridor is established as part of Corridor Design Development Plan (paragraph C.1.e.ii of this section). Notwithstanding this potential change in the width of the corridor that would have to be constructed under paragraph E.1.e.iii of this section, property owners shall at a minimum be required to construct the section of the corridor as specified in paragraph C.1.e.iii(2)(a) of this section. Building Permits for surface parking areas to be located on property any part of which abuts the major pedestrian corridor and is within the distances specified in paragraph C.1.c.v of this section at the time of the adoption of the ordinance codified in this chapter may be issued subject to the conditions specified in paragraph C.1.d.ii of this section. Notwithstanding any other requirement of this section, if a temporary pedestrian linkage is constructed as specified in paragraph C.1.f of this section, construction of the corridor will not be required unless the property to be developed is located within the distances specified in paragraph C.1.e.ii of this section.

f. Temporary Pedestrian Linkage.

i. Any temporary pedestrian linkage developed under paragraph C.1.c.iii of this section shall at a minimum include a combination of paving, landscaping and lighting to permit safe pedestrian movement at night.

ii. The City Council must approve a plan for any temporary pedestrian linkage to be prepared as part of a Corridor Design Planning process approved through a Development Agreement (Part 20.30L LUC).

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- iii. Any owner constructing a temporary pedestrian linkage under paragraph C.1.e.iii of this section must construct the linkage across all lands that he/she owns within the superblock where development is proposed that abut or are within the alignment of the corridor.
- g. Maintenance. Each segment of the major pedestrian corridor shall be maintained by the property owners abutting it. The City shall maintain the intersections of all public streets with the corridor.
- h. Bonus Floor Area for Major Pedestrian Corridor Construction. Bonus floor area associated with the major pedestrian corridor shall be awarded pursuant to the terms of LUC 20.25A.070 to owners of property within the distances specified in paragraph C.1.c.v of this section through Design Review, Part 20.30F LUC, and according to the provisions of paragraph C.1.e.iii(2) of this section, in conjunction with an application for a permit to construct a structure, permanent parking, or circulation area within the major pedestrian corridor and the provision of a legal agreement establishing the public right of pedestrian use pursuant to paragraph C.1.e.i(1)(a) through (j) of this section.
- i. Exempt Activity/Use. Notwithstanding the provisions of paragraph C.1 of this section, the following activities and uses may occur on property within the distances specified in paragraph C.1.c.v of this section without concurrent construction of the major pedestrian corridor, the temporary pedestrian linkage or the intermediate pedestrian corridor:
- i. Surface parking approved pursuant to paragraph C.1.d.ii of this section;
 - ii. Landscape development;
 - iii. Street, access and sidewalk improvements, including the Transit Center as provided for in paragraph C.2 of this section;
 - iv. Any interior remodel;
 - v. Any exterior remodel; provided, that if exterior dimensions are enlarged new floor area may not exceed a total of 20 percent of the gross floor area of the structure as it existed on the effective date of this provision; and provided, that all new pedestrian level floor area is devoted to pedestrian-oriented uses;
 - vi. Development of the temporary pedestrian linkage or the intermediate pedestrian corridor.
- j. Intermediate Pedestrian Corridor.
- i. Notwithstanding any provision of this Code which requires construction of the major pedestrian corridor, a property owner may phase construction of that section of the major pedestrian corridor otherwise required to be built by delaying any portion not directly abutting or adjacent to the project limit which triggered the construction requirement if the owner provides an intermediate pedestrian corridor for that delayed portion of the corridor property which:
 - (1) Is at least 16 feet in width from the centerline of the major pedestrian corridor west of 108th Avenue NE, or extending outward from the exterior edge of the north or south curblines of the Bellevue Transit Center traffic lanes. This space shall be designed to

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include a minimum four feet edge separating and defining the space, a minimum eight feet pedestrian movement area and a minimum four feet recreation/activity area.

- (2) Incorporates lighting, planting, seating, and scored or decorative paving.
 - (3) Provides a sense of enclosure along the exterior edge of the space by the use of a design element which both physically and visually separates the intermediate corridor from abutting property. Nonexclusive examples of such an element sculptural wall, dense planting, or berm.
 - (4) Is consistent with the applicable provisions of the Bellevue Pedestrian Corridor Guidelines, as determined by the Director.
- ii. Design for any intermediate pedestrian corridor must be approved through Design Review, Part 20.30F LUC, in conjunction with the Design Development Plan for the major pedestrian corridor required to be constructed.
 - iii. An intermediate pedestrian corridor satisfies any requirement of this Code to construct the temporary pedestrian linkage.
 - iv. Space developed as an intermediate pedestrian corridor must be replaced by the major pedestrian corridor at the time of development on any project limit abutting or adjacent to the major pedestrian corridor. Construction of the major pedestrian corridor must be in conformance with all requirements of paragraph C.1.e of this section.

2. Major Public Open Spaces.

- a. Purpose. Major public open spaces serve as focal points for pedestrian activity within the Downtown Core Design District, and are design elements fully integrated with the major pedestrian corridor.
- b. Location. The major public open spaces are to be located at or near the junction of the major pedestrian corridor and:
 - i. Bellevue Way;
 - ii. 106th Avenue NE;
 - iii. 110th Avenue NE.
- c. Design. Each development abutting a location of the major open public spaces as defined in paragraph C.2.b of this section must comply with the provisions of this paragraph and the Bellevue Pedestrian Corridor Guidelines and Major Public Open Space Guidelines as adopted by the City Council, or as the same may hereafter be amended. The Bellevue Pedestrian Corridor and Major Open Space Design Guidelines consist of general design guidelines consistent with provisions of this paragraph.
 - i. The major public open spaces must be designed with numerous pedestrian amenities such that these areas serve as focal points. Pedestrian amenities include elements such as seating, lighting, special paving, planting, food and flower vendors, artwork and special recreational features. Design must be coordinated with that of the major pedestrian corridors.

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- ii. The major public open spaces at or near 106th Avenue NE and 110th Avenue NE shall be a minimum of 30,000 square feet in size. A maximum of 37,000 square feet is allowed for the purpose of obtaining bonus floor area. The major public open space at or near Bellevue Way shall be a minimum of 10,000 square feet in size. A maximum of 15,000 square feet is allowed for the purpose of obtaining bonus floor area.
 - iii. Area devoted to a major public open space must be in addition to any area devoted to the major pedestrian corridor.
 - iv. Pedestrian-oriented frontage is required on at least two sides of a major public open space unless the major public space is linear in design, in which case pedestrian-oriented frontage is required on at least one side.
- d. Specific Development Mechanism.
- i. General. The provisions of paragraph C.4.d of this section establish alternative development mechanisms and specific requirements for each of the major public open spaces. Each affected property owner must comply with the major public open space design and construction requirements. Only those property owners who establish public access through a recorded legal agreement may utilize the FAR bonus for these open spaces.
 - ii. Ownership. The owners of property to be devoted to a major public open space will retain fee ownership of that property.
 - iii. Public Access – Legal Agreement.
 - (1) Each owner of property to be devoted to a major public open space who chooses to participate in the FAR bonus system for a major public open space shall execute a legal agreement providing that such property is subject to a nonexclusive right of pedestrian use and access by the public.
 - (2) The agreement shall further provide that the public right of pedestrian use established thereunder shall be enforceable by the City of Bellevue, and the City shall have full rights of pedestrian access to and use of the major public open space for purposes of enforcing the rights of the public under the agreement.
 - (3) The agreement shall be recorded with the King County Recorder’s Office and Bellevue City Clerk.
 - (4) The obligations under the agreement shall run with the land devoted to a major public open space. The agreement shall be reviewed at the end of 50 years from the date the agreement is signed and shall continue or change in accordance with the then-existing public need for pedestrian use and access of a major public open space for subsequent 50-year terms.
 - (5) The owner of property to be devoted to a major public open space will maintain that portion of the major public open space and keep the same in good repair.

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(6) The owners of property to be devoted to a major public open space may adopt reasonable rules and regulations for the use of that space; provided, that the rules and regulations are not in conflict with the right of pedestrian use and access and the intention of paragraph C.2.d.iii of this section.

iv. Arrangement of Space. The general apportionment, location, and major design features of at least the minimum area of a major public open space shall be established as part of the Bellevue Pedestrian Corridor and Major Public Open Space Design Guidelines. The specific apportionment and specific design of a major public open space on each affected parcel shall be established through the Design Development Plan described in paragraph C.4.d.x of this section.

v. Development Rights. Space above and beneath the area to be devoted to a major public open space may be developed by the property owner so long as that development is not in conflict with any established pedestrian use of and access to the major public open space, the intentions of paragraph C.2.d.iii of this section, if applicable, and the Bellevue Pedestrian Corridor and Major Public Open Space Design Guidelines.

vi. Floor Area Ratio Bonus

~~(1) Basic. Area to be devoted to a major public open space may at any time be used to calculate the basic floor area ratio of development for any project limit which incorporates that major public open space, or of development on property in the same ownership which abuts property which incorporates the major public open space. For purposes of this provision, abutting property includes all property in the same ownership separated from the major public open space by only a single public right of way. Any transfer of basic floor area to an abutting property must be recorded with the King County Recorder's Office (or its successor agency) and provided to the Director.~~

~~(2) Bonus.~~

(1a) Bonus floor area associated with major public open space shall be awarded pursuant to the terms of LUC 20.25A.070.F to owners of property to be devoted to the major public open space who provide a recorded legal agreement pursuant to paragraph C.2.d.iii of this section upon approval of an application to construct that major public open space.

(2b) Bonus floor area earned for construction of a major public open space may be:

~~(i) — used within the project limit incorporating the Major Public Open Space or transferred to any other property within the area of the Downtown bounded on the west by Bellevue Way, on the east by 112th Avenue NE, on the south by NE 4th Street and on the north by NE 8th Street. Properties may utilize transferred floor area only to the extent that the building height does not exceed maximum height limits established for the applicable Land Use District. Each transfer must be recorded with the King County Recorder's Office (or its successor agency) and provided to the Director; and~~

~~(ii) — Utilized to exceed the maximum building height of structures on the project limit incorporating the major public open space, or of structures to which~~

Commented [HC105]: UPDATED to align with Amenity Incentive System ratios provided in LUC 20.25A.070 and to retain the current "super bonus" associated with construction of the Pedestrian Corridor.

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~~the bonus floor area is transferred, subject to the limitations in paragraph C.4.d.vi(2)(b)(i) of this section.~~

vii. Construction Required. Subject to paragraph C.4.d.viii of this section, construction by the property owner of all or part of a major public open space on property in that ownership at the location identified in the Bellevue Pedestrian Corridor and Major Public Open Space Design Guidelines is required in conjunction with any development on property in that ownership within:

- (1) 175 feet of the intersection of the eastern edge of the 106th Avenue NE right-of-way and the centerline of the major pedestrian corridor, but including only that area east of the 106th Avenue NE right-of-way; or
- (2) 175 feet of the intersection of the centerline of the 110th Avenue NE right-of-way and the centerline of the major pedestrian corridor, or the extension thereof; or
- (3) 175 feet of the intersection of the centerline of the Bellevue Way right-of-way and the centerline of the major pedestrian corridor.

viii. Exempt Activity/Use. Notwithstanding the provisions of paragraph C.4.d.vii of this section, the following activities and uses may occur on property described therein without concurrent construction of the major public open space:

- (1) Surface parking, subject to the landscape development provisions of this Code, for a period of not more than five years;
- (2) Temporary major pedestrian corridor improvements in conformance with the Interim Corridor Design Plan;
- (3) Landscape development;
- (4) Street improvements;
- (5) Any interior remodel; and
- (6) Any exterior remodel which enlarges exterior dimensions such that new floor area not exceeding a total of 20 percent of the gross floor area of the existing building is added, and all new floor area is devoted to pedestrian-oriented uses.

ix. Major Public Open Space Design.

- (1) Prior to issuance of a Building Permit for any structure which requires construction of all or part of a major public open space, or prior to actual construction of all or part of a major public open space, whichever comes first, the Bellevue Pedestrian Corridor and Major Public Open Space Design Guidelines shall contain an illustrative design generally apportioning the minimum required amount of major public open space for that entire open space. Each major public open space may have a separate illustrative design.
- (2) The property owners shall record the approved illustrative design with the King County Recorder's Office and provide a copy to the Director.

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x. Design Development Plan.

(1) Prior to issuance of a Building Permit for any structure which requires construction of all or part of a major public open space, or prior to actual construction of all or part of a major public open space, whichever comes first, a Design Development Plan for that portion to be constructed must be submitted to and approved by the Director.

(2) The Director shall review the plan, or amend any approved plan through Design Review, Part 20.30F LUC. Plans that depart from the conceptual design in the Pedestrian Corridor and Major Public Open Space design guidelines shall be approved by the City Council through a Development Agreement (Part 20.30L LUC). A plan approved by the Council through the City Council Design Review process may be amended by the Director through Part 20.30F LUC.

(3) The proposed plan must specify the following elements:

- (a) Landscaping;
- (b) Lighting;
- (c) Street furniture;
- (d) Color and materials;
- (e) Relationship to building frontage;
- (f) Specific location of the major public open space;
- (g) All design features required pursuant to paragraph C.4.c of this section;
- (h) Relationship to and coordination with other portions of the major public open space, and with the major pedestrian corridor;
- (i) Any other physical element which the Director determines is necessary for and consistent with the Major Public Open Space Design Plan.

3. Minor Publicly Accessible Spaces.

a. Purpose. Minor publicly accessible spaces provide relief from high intensity urban development, serve as visual gateways to the intensive Downtown Core, and provide opportunities for active or passive recreation.

b. Applicability. Minor publicly accessible spaces shall be required when a development in the Downtown Core does not participate in the Amenity Incentive System of LUC 20.25A.070.

c. Location. Minor publicly accessible spaces shall be located ~~throughout in the~~ Downtown. At least two spaces shall be located in each superblock based on coordination of design and proximity to other publicly accessible spaces, or pedestrian connections.

d. Design Guidelines.

Commented [BT(106): UPDATED to clarify that MPAS is required where the applicant does not have to comply with the Amenity Incentive System and remain consistent with the current code.

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- i. Minor publicly accessible spaces may be outdoors or enclosed as long as adequate access is provided and their existence is easily identifiable.
 - ii. A minor publicly accessible space must be open at least during the hours of 8:00 a.m. to 10:00 p.m., or during the hours of operation of adjacent uses, whichever is lesser.
 - iii. A minor publicly accessible open space must be developed as a plaza, enclosed plaza, or art or landscape feature. The design criteria of LUC 20.25A.070.D.2 or 7. must be met, and the FAR amenity bonus may be utilized.
 - iv. Directional signage shall identify circulation routes for all users and state that the space is accessible to the public at the times specified by subsection C.3.c.ii. of this section. The signage must be visible from all points of access. The Director shall require signage as provided in the City of Bellevue Transportation Department Design Manual. If the signage requirements are not feasible, the applicant may propose an alternative that is consistent with this section and achieves the design objectives for the building and the site.
- e. Public Access – Legal Agreement.
- i. Owners of property that is used for a minor publicly accessible open space shall execute a legal agreement providing that such property is subject to a nonexclusive right of pedestrian use and access by the public during hours of operation.
 - ii. The agreement shall provide that the public right for pedestrian use shall be enforceable by the City of Bellevue, and the City shall have full rights of access to the minor publicly accessible space and associated circulation routes for purposes of enforcing the rights of the public under this agreement.
 - iii. Owners of property subject to this legal agreement will maintain the pedestrian access route and may adopt reasonable rules and regulations for the use of this space; provided, that the rules and regulations are not in conflict with the right of pedestrian use and access, and are consistent with this section.
 - iv. The agreement shall be recorded with the King County Recorder's Office (or its successor agency) and provided to the Director.

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20.25A.100 Downtown Pedestrian Bridges

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A. Where Permitted.

Pedestrian bridges over the public right-of-way may be allowed at or near the mid-block in the following locations; provided, that no more than one bridge may be allowed on any side of a 600-foot superblock:

1. On NE 4th Street between Bellevue Way and 110th Avenue NE;
2. On NE 8th Street between Bellevue Way and 110th Avenue NE; and
3. On Bellevue Way between NE 4th Street and NE 8th Street.

Above-grade pedestrian crossings over the public right-of-way in existence at the time of adoption of the ordinance codified in this section shall not be considered nonconforming, and may be repaired or replaced in their current locations without compliance with this section.

B. Location and Design Plan.

The City Council shall review any Downtown Pedestrian Bridge Location and Design Plan, by entering into a Development Agreement pursuant to the terms of LUC 20.25A.030.D.2.

1. Prior to issuance of any permits for a proposed Downtown pedestrian bridge, a Downtown Pedestrian Bridge Location and Design Plan must be submitted to and approved by the City Council, through a development agreement process pursuant to Part 20.30L LUC.
2. A Downtown Pedestrian Bridge Location and Design Plan shall identify the location of the Downtown pedestrian bridge, include a finding by Council that the proposal satisfies the public benefit test set forth in paragraph C of this section, be consistent with the development standards of paragraph D of this section, and be consistent with the Comprehensive Plan.
3. The Director shall ensure that the approved Downtown pedestrian bridge is constructed consistent with the Design Plan. Modification to the location of the Downtown pedestrian bridge, or to the articulated public benefits requires approval by the City Council pursuant to this section. Modifications to the design of the crossing that do not modify the location or public benefits, and that are consistent with the intent of the Design Plan may be approved by the Director through the process set forth in Part 20.30F LUC.
4. The property owners shall record the approved Design Plan with the King County Recorder's Office or its successor agency and provide a copy to the Director.

C. Public Benefit Required.

The Council may approve, or approve with modifications, a proposed Downtown pedestrian bridge if it finds that the bridge provides a public benefit. For the purposes of this section, a Downtown pedestrian bridge shall be determined to provide a public benefit when it meets all of the following criteria:

1. The bridge improves pedestrian mobility;
2. The bridge does not detract from street level activity; and

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3. The bridge functions as part of the public realm.

D. Development Standards.

Each proposed Downtown pedestrian bridge must be developed in compliance with the following standards:

1. The bridge must be open from at least 6:00 a.m. to midnight, or during the hours of operation of adjacent uses, whichever is greater. Signs shall be posted in clear view stating that the pedestrian bridge is open to the public during these hours;
2. The bridge connects upper-level publicly accessible space to upper-level publicly accessible space and provides a graceful and proximate connection between the sidewalk and bridge level that is visible and accessible from the sidewalk. The vertical connection should occur within 50 feet of the sidewalk;
3. Vertical circulation elements must be designed to indicate the bridge is a clear path for crossing the public right-of-way;
4. Directional signage shall identify circulation routes for all users;
5. Structures connected by the bridge shall draw pedestrians back to the sidewalk at the ground level immediately adjacent to both ends of the pedestrian bridge;
6. It is preferred that the bridge remain unenclosed on the sides, but allow enclosure or partial enclosure if the applicant demonstrates it is necessary for weather protection;
7. Visual access shall be provided from the sidewalk and street into the bridge;
8. Bridge may not diverge from a perpendicular angle to the right-of-way by more than 30 degrees;
9. The interior width of the bridge, measured from inside face to inside face shall be no less than 10 feet and no more than 14 feet;
10. Bridge shall be located at the second building level, with a minimum clearance of 16 feet above the grade of the public right-of-way;
11. Impacts on view corridors, as described in LUC 20.25A.150.D, shall be minimized;
12. Impacts on the function of City infrastructure, including but not limited to utilities, lighting, traffic signals, etc., shall be avoided or mitigated;
13. Lighting shall be consistent with public safety standards;
14. Signage on the exterior of the bridge, or on the interior of the bridge that is visible from a public sidewalk or street is not permitted;
15. Bridge must be architecturally distinct from the structures that it connects; and
16. Bridge must exhibit exemplary artistic or architectural qualities.

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E. Public Access – Legal Agreement.

1. Owners of property that is used for pedestrian bridge circulation and access between the bridge and public sidewalk shall execute a legal agreement providing that such property is subject to a nonexclusive right of pedestrian use and access by the public during hours of bridge operation.
2. The agreement shall provide that the public right for pedestrian use shall be enforceable by the City of Bellevue, and the City shall have full rights of access for the pedestrian bridge and associated circulation routes for purposes of enforcing the rights of the public under this agreement.
3. Owners of property subject to this legal agreement will maintain the pedestrian access route and may adopt reasonable rules and regulations for the use of this space; provided, that the rules and regulations are not in conflict with the right of pedestrian use and access and consistent with this section.
4. The agreement shall be recorded with the King County Recorder's Office or its successor agency and a copy provided to the Director.

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20.25A.110 Landscape Development

A. Street trees and landscaping – Perimeter – Plate B

1. Tree Species. The property owner shall install street trees, in addition to any landscaping required by LUC 20.25A.110.B, according to the requirements of 20.25A.110.A.1 Plate B of this section as now or hereafter amended.

20.25A.110A.1 Plate B

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UPDATED to add additional flexibility for tree species substitution.

Plate B – Downtown Bellevue Street Tree Species Plan

East-West	Proposed Street Trees	Tree Size
NE 12th (102nd to I-405)	Pear: Pyrus calleryana ‘Glens form’	Small
NE 11th (110th to 112th)	*Katsura: Cercidiphyllum japonicum’	Large
NE 10th (100th to 106th)	Tupelo: Nyssa sylvatica ‘Firestarter’	Medium
NE 10th (106 to I-405)	Zelkova serrata ‘Village Green’	Medium
NE 9th (110th to 111th)	Katsura: Cercidiphyllum japonicum	Large
NE 8th (100th to 106th)	Honeylocust: Gleditsia tricanthos ‘Shademaster’	Medium
NE 8th (106th to 112th)	Pac Sunset Maple: Acer truncatum x platanoides ‘Warrenred’	Medium
NE 6th (Bellevue Way to 106th)	Honeylocust: Gleditsia tricanthos ‘Shademaster’	Medium
NE 6th (106th to I-405)	Katsura: Cercidiphyllum japonicum	Large
NE 4th (100th to I-405)	Autumn Blaze Maple: Acer x Freemanii ‘Jeffersred’	Large
NE 3rd Pl (110th to 111th)	Tupelo: Nyssa sylvatica ‘Firestarter’	Large
NE 2nd Pl (108th to 111th)	Persian ironwood: Parrotia persica ‘Vanessa’	Medium
NE 2nd (Bellevue Way to I-405)	English oak: Quercus robur ‘Pyramich’	Large
NE 1st/2nd (100th to Bellevue Way)	Hungarian oak: Quercus frainetto ‘Schmidt’	Large
NE 1st (103rd to Bellevue Way)	Ginkgo: Ginkgo biloba ‘Magyar’	Medium
Main St (100th to Bellevue Way)	Ginkgo: Ginkgo biloba ‘Magyar’	Medium
Main St (Bellevue Way to I-405)	Tupelo: Nyssa sylvatica ‘Afterburner’	Medium

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North-South	Proposed Street Trees	Tree Size
100th (NE 12th to NE 10th)	Pear: Pyrus calleryana 'Aristocrat'	Small
100th (NE 10th to NE 1st)	Scarlet oak: Quercus coccinea	Large
100th (NE 1st to Main)	Ginkgo: Ginkgo biloba 'Magyar'	Medium
101st (near NE 10th)	Ginkgo: Ginkgo biloba 'Autumn Gold'	Medium
101st Ave SE (south of Main St)	Katsura: Cercidiphyllum japonicum	Large
102nd (NE 12th to NE 8th)	Miyabe maple: Acer miyabei 'Rugged Ridge'	Large
102nd (NE 1st to south of Main St)	Katsura: Cercidiphyllum japonicum	Large
103rd (near NE 10th)	Ginkgo: Ginkgo biloba 'Autumn Gold'	Medium
103rd (NE 2nd to Main St)	Katsura: Cercidiphyllum japonicum	Large
Bellevue Way (NE 12th to NE 10th)	Tulip tree: Liriodendron tulipifera 'JFS-oz'	Large
Bellevue Way (NE 10th to NE 4th)	Honeylocust: Gleditsia tricanthos 'Shademaster'	Medium
Bellevue Way (NE 4th to Main)	Tulip tree: Liriodendron tulipifera 'JFS-oz'	Large
105th (NE 4th to NE 2nd)	Sweetgum: Liquidambar styraciflua 'Worplesdon'	Large
105th SE (near Main St)	London planetree: Platanus x acerifolia 'Bloodgood'	Large
106th (NE 12th to NE 8th)	Elm: Ulmus propinqua 'Emerald Sunshine'	Large
106th (NE 8th to NE 4th)	Elm: Ulmus Americana 'Jefferson'	Large
106th (NE 4th to Main)	Elm: Ulmus 'Morton Glossy'	Large
106th Pl NE (near NE 12th)	London planetree: Platanus x acerifolia 'Bloodgood'	Large
107th (NE 2nd to south of Main)	Hornbeam: Carpinus caroliniana 'Palisade'	Medium
108th (NE 12th to NE 8th)	Persian ironwood: Parrotia persica 'Ruby Vase'	Medium
108th (NE 8th to NE 4th)	Sweetgum: Liquidambar styraciflua 'Worplesdon'	Large
108th (NE 4th to south of Main)	Zelkova serrata 'Green Vase'	Medium
109th (near NE 10th)	Linden: Tilia cordata 'Chancole'	Large
110th (NE 12th to NE 8th)	Linden: Tilia americana 'Redmond'	Large
110th (NE 8th to NE 4th)	Zelkova serrata 'Village Green'	Medium

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110th (NE 4th to Main)	Red maple: Acer rubrum ‘Somerset’	Large
111th (NE 11th to NE 9th)	Ginkgo: Ginkgo biloba ‘Autumn Gold’	Medium
111th (NE 4th to NE 2nd)	Ginkgo: Ginkgo biloba ‘Autumn Gold’	Medium
112th (NE 12th to Main)	Scarlet oak: Quercus coccinia	Large

2. Street Landscaping. Street trees together with shrubbery, groundcover and other approved plantings are required in a planter strip along the length of the frontage. Vegetation included in the planter strip shall be able to withstand urban conditions, shall be compatible with other plantings along the same street, and shall reflect the character of the area within which they are planted, as approved by the Director.

3. Installation and Irrigation

a. Installation. Street trees, at least 2.5 inches in caliper or as approved by the Director, must be planted at least 3 feet from the face of the street curb, and spaced a maximum of 20 feet for small trees, 25 feet for medium trees, and 30 feet for large trees. The size of the tree shall be determined by Plate B of this section, as now or hereafter amended. A street tree planting area may also include decorative paving and other native plant materials, except grass that requires mowing. The use of planter strips for stormwater treatment is encouraged. Installation shall be in accordance with the Parks and Community Services Department Environmental Best Management Practices and Design Standards, as now or hereafter amended.

b. Irrigation. A permanent automatic irrigation system shall be provided at the time of installation of street trees and sidewalk planting strip landscaping located in a required planter strip or tree pit. The irrigation system shall be served by a separate water meter installed by the applicant and served by City-owned water supply with 24-hour access by the City. The use of rainwater to supplement irrigation is encouraged. Irrigation system shall be designed per the Parks and Community Services Department Environmental Best Management Practices and Design Standards, as now or hereafter amended.

4. Species substitution. If a designated tree species is not available due to circumstances such as spread disease or pest infestation, it may be substituted with a different species or cultivar as approved by the Director as an administrative departure pursuant to LUC 20.25A.030.D.1. The substitution shall be of the same size and canopy spread as the tree species that is being replaced.

B. On-site landscaping

1. The provisions of LUC 20.20.520, except as they conflict with this section, apply to development in the Downtown Land Use Districts.

2. Site perimeter and parking structure landscaping shall be provided in Downtown Land Use Districts according to the following chart, Landscape Development Requirements. In addition, street trees may be required by LUC 20.25A.110.A.1.

Commented [BT(111)]: MOVED from 20.25A.040. UPDATED because vehicular access between the front of a building and the street is no longer allowed, thus vehicular access is not needed in the column entitled "Street Frontage."

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20.25A.110 Landscape Development Requirements

Land Use District	Location On-Site		
	Street Frontage	Rear Yard	Side Yard
Downtown-O-1 Downtown-O-2 Downtown OB	If buffering a parking area – 8' Type III (1)	None Required	None Required
Downtown-MU Downtown-R Downtown OLB Perimeter Overlay Districts	If buffering a parking area – 8' Type III (1)	If buffering a surface vehicular access or parking area – 5' Type III	If buffering a surface vehicular access or parking area – 5' Type III

(1) An alternative design may be approved through Alternative Landscape Option, LUC 20.20.520.J through the Administrative Departure process contained in LUC 20.25A.030.D.1.

C. Linear Buffer

1. General. The standards of this paragraph supplement other landscape requirements of this Part 20.25A and LUC 20.20.520 for development in the Perimeter Overlay District.
2. Linear Buffers.
 - a. General. Any development situated within Perimeter Overlay Districts A-1 and A-2 shall provide a linear buffer within the minimum setback from the Downtown boundary required by LUC Chart 20.25A.060.A.4. The purpose of this feature is to produce a green buffer that will soften the visual impact of larger buildings as viewed from the lower intensity Land Use Districts adjacent to Downtown. These design standards are minimum requirements for the size and quantity of trees and other linear buffer elements. The specific design of the linear buffer for each project will be determined through the Design Review Process. Design considerations include, but are not limited to, the placement of elements and their relationship to adjacent property as well as to the proposed development. Different sets of design standards apply to each of the locational conditions.
3. Requirements for All Linear Buffers. All linear buffers:
 - a. Shall have a minimum width of 20 feet;
 - b. Shall not be used for parking, and vehicular access drives shall be no more than 25 percent of the total area of the linear buffer;
 - c. Must include seasonal color in an amount of at least 10 percent of the perimeter setback area; and
 - d. Must utilize native species for at least 50 percent of the plantings located within the perimeter setback area.

Commented [HC112]: MOVED from LUC 20.25A.090.D.4
UPDATED to allow increased flexibility for property owners to use the buffers.

Commented [BT(113): Initial PC Direction on 4.19.17.
Linear buffer is unnecessary in Perimeter Overlay A-3 because it is across Main Street from the Tunnel Portal Park.

Commented [BT(114): Errata

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4. Linear Buffers that are Adjacent to Rights-of-Way or Public Property shall have:
 - a. Three deciduous trees, with a minimum caliper of 2.5 inches, per each 1,000 square feet of the perimeter setback area.
 - b. Two flowering trees, with a minimum caliper of two inches, per each 1,000 square feet of perimeter setback area.
 - c. Ten evergreen shrubs, minimum five-gallon size, per 1,000 square feet of the perimeter setback area.
 - d. Living ground cover that provides cover of unpaved portion of buffer within three years.
 - e. Walls and fences that do not exceed 30 inches.
 - f. Accessibility both visually and physically abutting the sidewalk and being within three feet of the sidewalk or providing alternative access.
 - g. Seventy-five percent of the buffer must be planted. The other 25 percent may be paved with pervious pavement, brick, stone or tile in a pattern and texture that is level and slip-resistant. The paved portion of the buffer may be used for private recreational space and residential entries.
5. Where the Downtown boundary abuts property outside the Downtown other than right-of-way or public property, the minimum setback from the Downtown boundary (or perimeter property lines when the setback has been relocated pursuant to Note 6 of subsection LUC 20.25A.060.A.4 shall be landscaped as follows:
 - a. The entire setback shall be planted except for allowed paved portions. No portion may be paved except for vehicular entrance drives, required through-block connections, patios that do not exceed 25 percent of the area of the required setback, and residential entries that do not exceed 25 percent of the area of the required setback.
 - b. The setback shall be planted with:
 - i. Evergreen and deciduous trees, with no more than 30 percent deciduous, a minimum of 10 feet in height, at intervals no greater than 20 feet on center;
 - ii. Evergreen shrubs, a minimum of two-gallon in size, at a spacing of three feet on center; and
 - iii. Living ground cover so that the entire remaining area will be covered in three years.

D. Fences

1. No fence may violate the sight obstruction restrictions at street intersections. (See BCC 14.60.240.)
2. Any fence which exceeds eight feet in height requires a Building Permit and shall conform to the International Building Code, as adopted and amended by the City of Bellevue.

Commented [HC115]: MOVED from LUC 20.25A.040.C

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3. Height shall be measured from finished grade at the exterior side of the fence. No person may construct a berm upon which to build a fence unless the total height of the berm plus the fence does not exceed the maximum height allowable for the fence if the berm was not present.
4. Prohibited Fences. Barbed wire may not be used in fencing in any Downtown land use district. Electric fences are not permitted in any Downtown land use district. Chain link fences are not permitted in any Downtown land use district, except:
 - a. To secure a construction site or area during the period of construction, site alteration or other modification; and
 - b. In connection with any approved temporary or special event use.

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20.25A.120 Green and Sustainability Factor

A. General All new development shall provide landscaping and other elements that meets a minimum Green and Sustainability Factor score. All required landscaping shall meet standards promulgated by the Director to provide for the long-term health, viability, and coverage of plantings. These standards may include, but are not limited to, the type and size of plants, spacing of plants, depth of soil, and the use of drought-tolerant plants. The Green and Sustainability Factor score shall be calculated as follows:

1. Identify all proposed elements, presented in Figure 20.25A.120.A.5.
2. Multiply the square feet, or equivalent ~~square footage~~unit of measurement where applicable, of each landscape element by the multiplier provided for that element in Figure 20.25A.120.A.5 according to the following provisions:
 - a. If multiple elements listed in Figure 20.25A.120.A.5 occupy the same physical area, they may all be counted. For example, groundcover and trees occupying the same physical space may be counted under the ground cover element and the tree element.
 - b. Landscaping elements and other frontage improvements in the right-of-way between the lot line and the roadway may be counted.
 - c. Elements listed in Figure 20.25A.120.A.5 that are provided to satisfy any other requirements of Part 20.25A may be counted.
 - d. Unless otherwise noted, elements shall be measured in square feet.
 - e. For trees, large shrubs and large perennials, use the equivalent square footage of each tree or shrub provided in Figure 20.25A.120.A.5. Tree sizing shall be determined by the Green and Sustainability Factor Tree List maintained by the Director in the Development Services Department. If a tree species is not included on the list, the Director shall determine the size of the proposed tree species.
 - f. For green walls systems, use the square footage of the portion of the wall that will be covered by vegetation at three years. Green wall systems must include year-round irrigation and a submitted maintenance plan ~~to shall~~ be included as an element in the calculation for a project's Green and Sustainability Factor Score.
 - g. All vegetated structures, including fences counted as ~~green-vegetated~~ walls shall be constructed of durable materials, provide adequate planting area for plant health, and provide appropriate surfaces or structures that enable plant coverage. Vegetated walls must include year-round irrigation and a submitted maintenance plan shall be included as an element in the calculation for a project's Green and Sustainability Factor Score.
 - h. For all elements other than trees, large shrubs, large perennials, green walls, structural soil systems and soil cell system volume; square footage is determined by the area of the portion of the horizontal plane that lies over or under the element.
 - j. All permeable paving and structural soil credits may not count for more than one third of a project's Green and Sustainability Factor Score.

Commented [HC116]: NEW - Reviewed by the Planning Commission on October 26, 2016. Improves walkability, reinforces "City in a Park" character, increases tree canopy, helps with stormwater runoff infiltration, and softens and mitigates the effects of dense urban environment. Uses Seattle model.

Commented [HC117]: CODE CLARIFICATION – modified to better differentiate between Green Wall Systems and Vegetated Walls.

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3. Add together all the products calculated in Figure 20.25A.120.A.5 below to determine the Green and Sustainability Factor numerator.
4. Divide the Green and Sustainability Factor numerator by the lot area to determine the Green and Sustainability Factor score. A development must achieve a minimum score of 0.3.
5. The Director has the final authority in determining the accuracy of the calculation of the Green and Sustainability Factor score.

Figure 20.25A.120.A.5

A. Landscape Elements		Multiplier
	1. Bioretention Facilities and Soil Cells. Bioretention facilities and soil cells must comply with Bellevue’s Storm and Surface Water Engineering Standards. Bioretention facilities shall be calculated in horizontal square feet. The soil cell systems shall be calculated in cubic feet. The volume of the facility shall be calculated using three feet of depth or the depth of the facility, whichever is less.	1.2
	2. Structural Soil Systems. The volume of structural soil systems can be calculated up to 3 feet in depth. The volume of structural soil systems shall be calculated in cubic feet. The volume of the facility shall be calculated using three feet of depth or the depth of the facility, whichever is less.	0.2
	3. Landscaped Areas with Soil Depth Less than 24 Inches	0.1
	4. Landscaped Areas with Soil Depth of 24 Inches or More	0.6
	5. Preservation of Existing Trees. Existing trees – proposed for preservation shall be calculated at 20 square feet per inch d.b.h. Trees shall have a minimum diameter of 6 inches at d.b.h. Existing street trees proposed for preservation must be approved by the Director.	1.0
	6. Preservation of Landmark Tree Bonus. Landmark trees proposed for this bonus shall be calculated at 20 square feet per inch d.b.h. and shall meet the City’s definition for Landmark Trees. This bonus is in addition to the preservation of existing trees.	0.1
	7. Preservation of Existing Evergreen Trees Bonus. Existing evergreen trees proposed for this bonus shall be calculated at 20 square feet per inch d.b.h. and shall have a minimum diameter of 6 inches at d.b.h.	0.1

Commented [BT(118)]: Errata

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	8. Preservation of Existing Evergreen Trees Bonus. Existing evergreen trees proposed for this bonus shall be calculated at 20 square feet per inch d.b.h. and shall have a minimum diameter of 6 inches at d.b.h.	0.1
	9. Shrubs or Large Perennials. Shrubs or large perennials that are taller than 2 feet at maturity shall be calculated at 12 square feet per plant.	0.4
	10. Small Trees. Small trees shall be calculated at 90 square feet per tree. Consult the Green and Sustainability Factor Tree List for size classification of trees.	0.3
	104. Medium Trees. Medium trees shall be calculated at 230 square feet per tree. Consult the Green and Sustainability Factor Tree List for size classification of trees.	0.3
	114. Large Trees. Large trees shall be calculated at 360 square feet per tree. Consult with the Green and Sustainability Factor Tree List for size classification of trees.	0.4
B. Green Roofs		
	1. Green Roof, 2 to 4 Inches of Growth Medium. Roof area planted with at least 2 inches of growth medium, but less than 4 inches of growth medium.	0.4
	2. Green Roof, At Least 4 Inches of Growth Medium. Roof area planted with at least 4 inches of growth medium.	0.7
C. Green Walls		
	1. Vegetated Wall. Façade or structural surface obscured by vines. Vine coverage shall be calculated with an estimate of 3 years' growth. A year-round irrigation and maintenance plan shall be provided.	0.2
	2. Green Wall System. Façade or wall structural surface planted with a green wall system, with a year-round irrigation and maintenance plan calculated with an estimate of 3 years' growth shall be provided.	0.7
D. Landscape Bonuses		
	1. Food Cultivation. Landscaped areas for food cultivation.	0.2
	2. Native or Drought-Tolerant Landscaping. Landscaped areas planted with native or drought-tolerant plants.	0.1
	3. Landscape Areas at Sidewalk Grade.	0.1

Commented [HC119]: Deleted as duplicate of Landscape Element A.7.

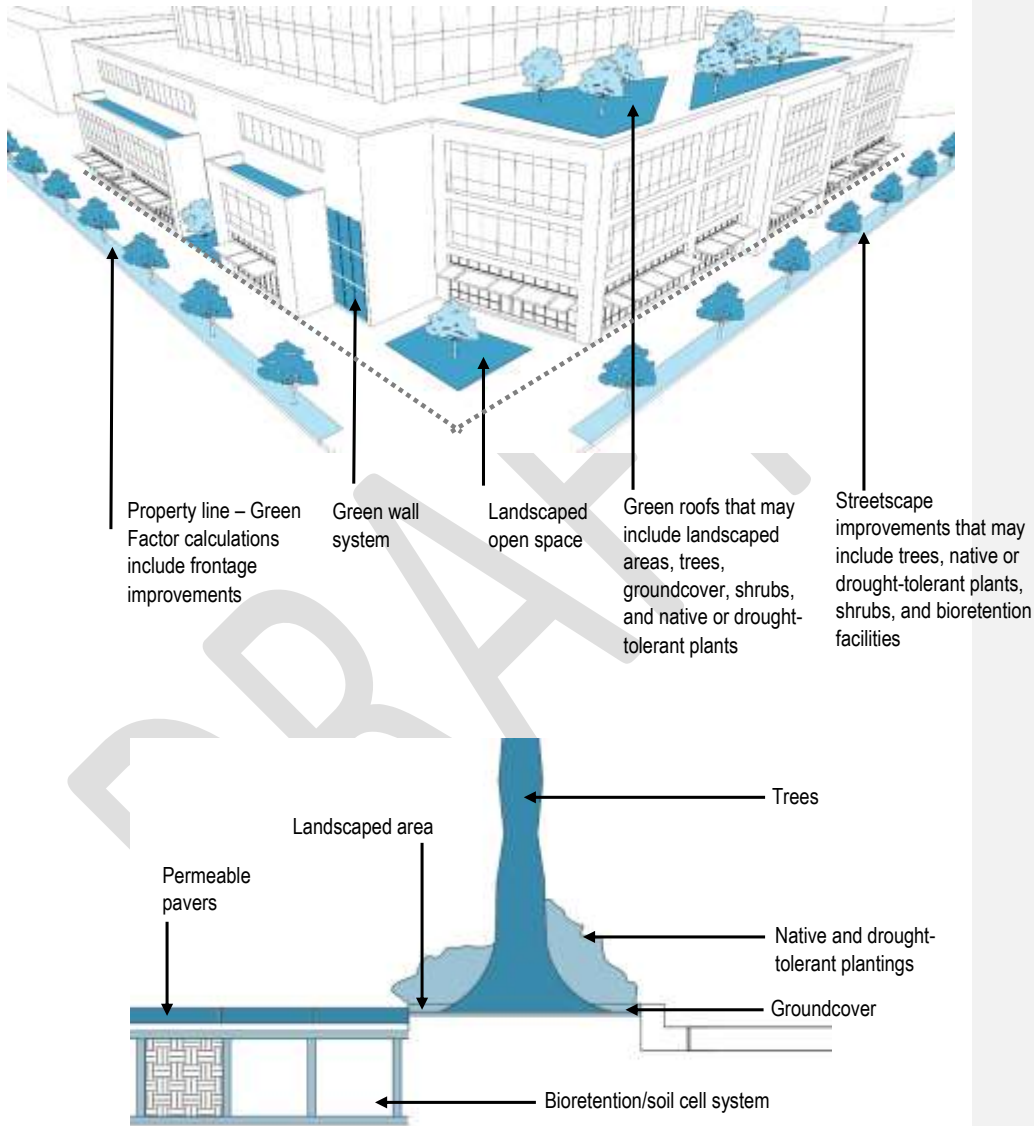
Commented [HC120]: CODE CLARIFICATION – modified to better differentiate between Green Wall Systems and Vegetated Walls.

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	4. Rainwater Harvesting. Rainwater harvesting for landscape irrigation shall be calculated as a percentage of total water budget times total landscape area.	0.2
E. Permeable Paving		
	1. Permeable Paving, 6 to 24 Inches of Soil or Gravel. Permeable paving over a minimum of 6 inches and less than 24 inches of soil or gravel.	0.2
	2. Permeable Paving over at Least 24 Inches of Soil or Gravel.	0.5
F. Publicly Accessible Bicycle Parking		
	1. Bicycle Racks. Bicycle racks in publicly accessible locations shall be calculated at 9 square feet per bike locking space and must be visible from sidewalk or public area.	1.0
	2. Bicycle Lockers. Bicycle lockers in publicly accessible locations –shall be calculated at 12 square feet per locker, and must be visible from public areas and open for public use.	1.0

Commented [HC121]: MOVED Green Building Initiatives to the FAR Amenity section LUC 20.25A.070 because certificates are not awarded until after the building is built and sometimes even later. Green building certificates and awards are counted in the FAR system because they can be valued. This allows the developer to pay a fee in lieu if certification is not awarded and FAR bonus was used to support development program.



Heritage Trees -TBD

Commented [BT(122)]: There is a landmark tree bonus in the Green and Sustainability Factor above. We will include Heritage Trees and Landmark Trees more comprehensively when the City wide conversation regarding tree retention has been initiated and completed.

PART 20.25A Downtown**2-16-17 Draft 5.5.17 Consolidated Draft****20.25A.130 Mechanical Equipment Screening and Location Standards.****Commented [HC123]:** MOVED from Downtown LUC
20.25A.045 Early Wins.**A. Applicability.**

The requirements of this section shall be imposed for all new development, and construction or placement of new mechanical equipment on existing buildings. Mechanical equipment shall be installed so as not to detract from the appearance of the building or development.

B. Location Requirements.

1. To the maximum extent reasonable and consistent with building and site design objectives, mechanical equipment shall be located in the building, below grade, or on the roof.
2. Where the equipment must be located on the roof, it shall be consolidated to the maximum extent reasonable rather than scattered.
3. Mechanical equipment shall not be located adjacent to a sidewalk, through-block pedestrian connection, or area designated open to the public, such as a plaza.

C. Screening Requirements.

1. Exposed mechanical equipment shall be visually screened by a predominantly solid, non-reflective visual barrier that equals or exceeds the height of the mechanical equipment. The design and materials of the visual barrier or structure shall be consistent with the following requirements:
 - a. Architectural features, such as parapets, screen walls, trellis systems, or mechanical penthouses shall be consistent with the design intent and finish materials of the main building, and as high, or higher than the equipment it screens.
 - b. Vegetation or a combination of vegetation and view-obscuring fencing shall be of a type and size that provides a visual barrier at least as high as the equipment it screens and provides 50 percent screening at the time of planting and a dense visual barrier within three years from the time of planting.
 - c. Screening graphics may be used for at-grade utility boxes.
2. Mechanical equipment shall be screened from above by incorporating one of the following measures, in order of preference:
 - a. A solid non-reflective roof. The roof may incorporate non-reflective louvers, vents, or similar penetrations to provide necessary ventilation or exhaust of the equipment being screened;
 - b. Painting of the equipment to match or approximate the color of the background against which the equipment is viewed;
 - c. Mechanical Equipment Installed on Existing Roofs. The Director may approve alternative screening measures not meeting the specific requirements of this section if the applicant demonstrates that:

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- i. The existing roof structure cannot safely support the required screening, or
- ii. The integrity of the existing roof will be so compromised by the required screening as to adversely affect any existing warranty on the performance of the roof.

D. Exhaust Control Standards.

1. Purpose. Where technically feasible, exhaust equipment shall be located so as not to discharge onto a sidewalk, right-of-way, or area designated accessible to the public; including but not limited to a plaza, through-block connection, pedestrian bridge, and minor publicly accessible space.
2. Exhaust Location Order of Preference. Mechanical exhaust equipment shall be located and discharged based on the following order of preference:
 - a. On the building roof;
 - b. On the service drive, alley, or other façade that does not abut a public street, sidewalk or right-of-way;
 - c. Located above a driveway or service drive to the property such as a parking garage or service court; or
 - d. Location that abuts a public street or easement; provided, that the exhaust discharge is not directly above an element that has earned FAR Amenity Incentive System points, such as a public plaza.
3. If mechanical exhaust equipment is located as provided in subsection D.2.c or d of this paragraph, then it shall be deflected from such public space and located at least 16 feet above finished grade, street, easement or other area designated accessible to the public.
4. Exhaust outlets shall not be allowed to discharge to an area that has earned FAR Amenity Incentive System points, such as a public plaza.

E. Modifications.

The location and screening of mechanical equipment and exhaust systems is subject to review and approval at the time of land use review. The Director may approve an administrative departure pursuant to LUC 20.25A.030.D.1. if the applicant demonstrates that the alternate location or screening measures provide an equal or better result than the requirements of this section.

F. Noise Requirements.

1. Mechanical equipment shall meet the requirements of Chapter 9.18 BCC, Noise Control.
2. The applicant shall be required to demonstrate the mechanical system compliance with the requirements of Chapter 9.18 BCC prior to issuance of certificate of occupancy.

PART 20.25A Downtown~~2.16.17 Draft~~ 5.5.17 Consolidated Draft**20.25A.135 Downtown Neighborhood Specific Standards****A. Eastside Center, Convention Civic Neighborhood**

1. Definition of District. The Convention Civic Neighborhood encompasses the area bounded by the centerlines of 110th Avenue NE on the west, NE 8th Street on the north, I-405 on the east, and NE 4th Street on the south.
2. Purpose. The purpose of the Convention Civic Center Neighborhood is to implement the Downtown Subarea policies concerning the Special Opportunity Area, by providing specific standards. These standards will permit the development of cultural, conference and exhibition facilities and other uses as envisioned by the policies.
3. Development Standards. All provisions of this Part 20.25A LUC shall apply to this district, with the following exceptions:
 - a. Within the Convention Civic Neighborhood, maximum lot coverage may be up to 100 percent for buildings in which more than 50 percent of the gross floor area, excluding parking, is comprised of one or more of the following uses: city government facilities, cultural facilities, conference facilities and exhibition facilities.
 - b. Within the Convention Civic Neighborhood, the building floor area per floor above 40 feet high may be unlimited for buildings and floors in which more than 50 percent of the gross floor area, excluding parking, is comprised of one or more of the following uses: city government facilities, cultural facilities, conference facilities and exhibition facilities.
 - c. Building types listed in paragraphs 3.a and 3.b of this section should incorporate special design features as described below:
 - i. Building facades should be divided into increments through the use of offsets, facets, recesses or other architectural features which serve to break down the scale. Roof forms should incorporate terraces, planting areas, decorative features, or other elements to soften the rectilinear profile.
 - ii. Special attention should be given to the provision of elements at or near the ground level such as awnings, recessed entries, water features, address signs, seasonal flower beds, seating, pedestrian-oriented uses and display kiosks.
 - d. Nothing in these provisions shall affect the maximum floor area ratios permitted for the underlying land use districts.
 - e. Within the Convention Civic Neighborhood, the minimum side and rear setback required above 40 feet for all buildings with a building height in excess of 75 feet may be eliminated for buildings and floors in which more than 50 percent of the gross floor area, excluding parking, is comprised of one or more of the following uses: city government facilities, cultural facilities, conference facilities and exhibition facilities.

Commented [HC124]: MOVED from LUC 20.25A.065 and updated to conform to the balance of the code

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B. Downtown – Old Bellevue Neighborhood District

Commented [HC125]: MOVED from LUC 20.25A.070. UPDATED to conform to the balance of the code and to remove redundancies.

1. Design Review Required. All development within the Downtown-Old Bellevue Neighborhood must be reviewed by the Director using the Design Review process, Part 20.30F LUC, and applying the Downtown Design Review Criteria, LUC 20.25A.110, in reviewing an application for development in the Downtown-Old Bellevue Neighborhood.
2. Development Requirements. Development within the Old Bellevue Neighborhood must comply with the following if the property abuts the named streets:
 - a. Street Improvements. The applicant shall provide half-street and sidewalk improvements including paving, street trees, lighting and other street furniture comparable to the existing Main Street streetscape between 102nd Avenue and Bellevue Way on:
 - i. Both sides of Main Street between 100th Avenue and Bellevue Way; and
 - ii. 102nd and 103rd Avenues between SE 1st Street and NE 1st Street; and
 - iii. The west side of Bellevue Way between SE 1st Street and NE 2nd Street; and
 - iv. The east side of 100th Avenue between SE Bellevue Place and NE 1st Street; and
 - v. Both sides of NE 1st and NE 2nd between 100th Avenue and Bellevue Way.
 - b. Pedestrian-oriented frontage must include display windows having mullions that are spaced two to six feet apart.



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20.25A.140 Downtown Design Guidelines Introduction.

The Downtown Design Guidelines have the following predominant goals:

- A. To ensure that Downtown is viable, livable, memorable, and accessible.
- B. To promote design excellence, innovation, and reinforce a sense of place for Downtown.
- C. To improve the walkability, streetscapes, and public spaces for Downtown residents, employees and visitors.
- D. To foster a vibrant pedestrian environment by providing a welcoming streetscape with Active Uses, open spaces, street furniture, landscaping, and pedestrian-scaled amenities.
- E. To improve connectivity through Downtown and from Downtown to adjacent neighborhoods.
- F. To encourage sustainable and green design features, including those that promote water, resource, and energy conservation.
- G. To encourage the design of attractive rooftops that contribute to a memorable Downtown skyline.
- H. To advance the theme of “City in a Park” for Downtown, create more green features and public open space, and promote connections to the rest of the park and open space system.

Commented [HC126]: MOVED from Design Guidelines Building/Sidewalk Relationships II and UPDATED in response to CAC Recommendations and Updated Comprehensive Plan.

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PART 20.25A Downtown**2-16-17 Draft 5.5.17 Consolidated Draft****20.25A.150 Context.**

Commented [HC127]: NEW – Incorporated CAC Recommendations, Updated Comprehensive Plan Policy direction and Design Criteria from LUC 20.25A.110, and aligned with BelRed code organization (LUC 20.25D.150). Improves Land Use Code Consistency and Ease of Use.

A. Relationship to Height and Form of Other Development.

1. Intent. Each new development provides an opportunity to enhance the aesthetic quality of Downtown and its architectural context. The relationship that a development has to its environment is a part of creating a well-designed, accessible, vibrant community.
2. Guidelines.
 - a. Architectural elements should enhance, not detract from, the area’s overall character;
 - b. Locate the bulk of height and density in multi-building projects away from lower intensity land use districts;
 - c. Minimize offsite impacts from new development, such as lights and noise, by directing them away from adjacent properties and less intense uses;
 - d. Incorporate architectural elements at a scale and location that ensures detailing is proportionate to the size of the building; and
 - e. Use forms, proportions, articulation, materials, colors and architectural motifs that are suggested by and complement adjacent buildings.

B. Relationship to Publicly Accessible Open Spaces

1. Intent. Publicly accessible open spaces including Outdoor Plazas, Major Pedestrian Open Spaces and Minor Publicly Accessible Spaces are provided for public enjoyment and are an area of respite for those who live and work in the area. Publicly accessible open spaces provide numerous benefits for people including: active and passive recreation, a place to sit and gather, a place for events, and relief from the built environment. Any negative impacts from new projects to adjacent publicly accessible spaces should be minimized.
2. Guidelines.
 - a. Organize buildings and site features to preserve and maximize solar access into existing and new public open spaces wherever possible;
 - b. When designing a project base or podium, strive to enhance the user’s experience of adjacent public open spaces. For example, views of an adjacent existing public open space can be framed by new development; and
 - c. Promote use and accessibility of publicly accessible open spaces through site and building design.

C. Relationship to Transportation Elements

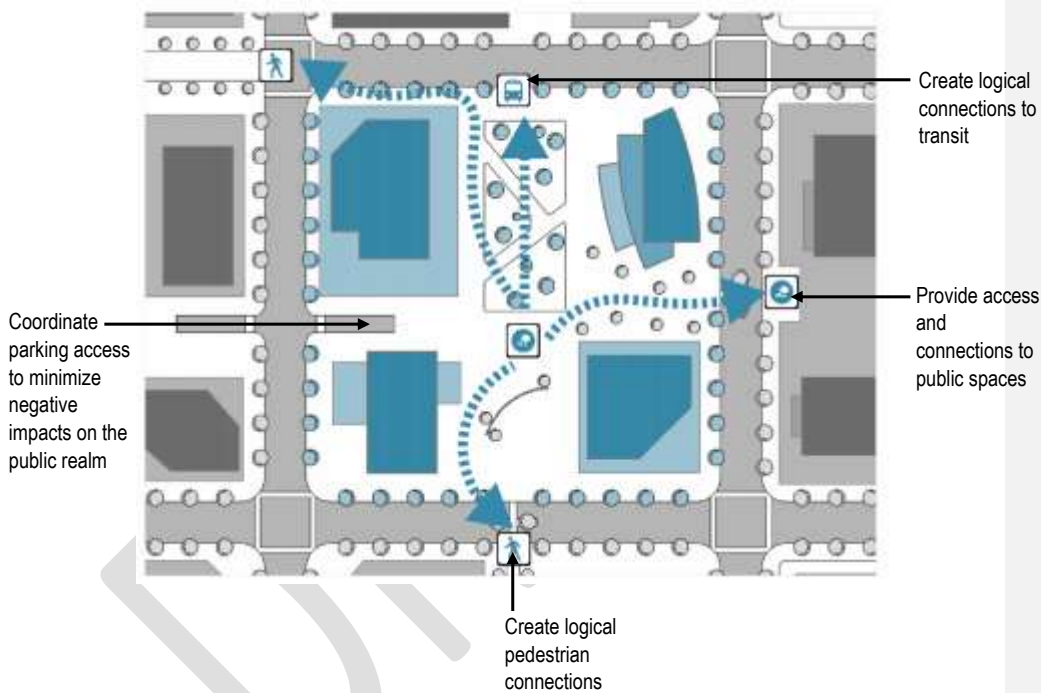
1. Intent. Downtown residents, employees, and visitors depend on safe, inviting, efficient transportation options. New development is a key link in creating a reliable transportation system with connections to different modes of transportation that place an emphasis on safety for the pedestrian.

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- 2. Guidelines.
 - a. Create logical connections to transit options, walking and biking trails, pedestrian routes, and streets; and
 - b. Coordinate service and parking access to maximize efficiency and minimize negative impacts on adjacent land uses and the public realm.



D. Emphasize Gateways

- 1. Intent. Entrances and transitions into and within Downtown should be celebrated.
- 2. Guideline. Use architectural and landscape elements to emphasize gateways. Pedestrians, cyclists, transit passengers, and motorists should experience a sense of “entering” or moving into Downtown, as well as entry into unique neighborhoods in Downtown. Refer to the Gateways and Wayfinding section of the Downtown Subarea Plan in the City of Bellevue Comprehensive Plan for a map of gateways.

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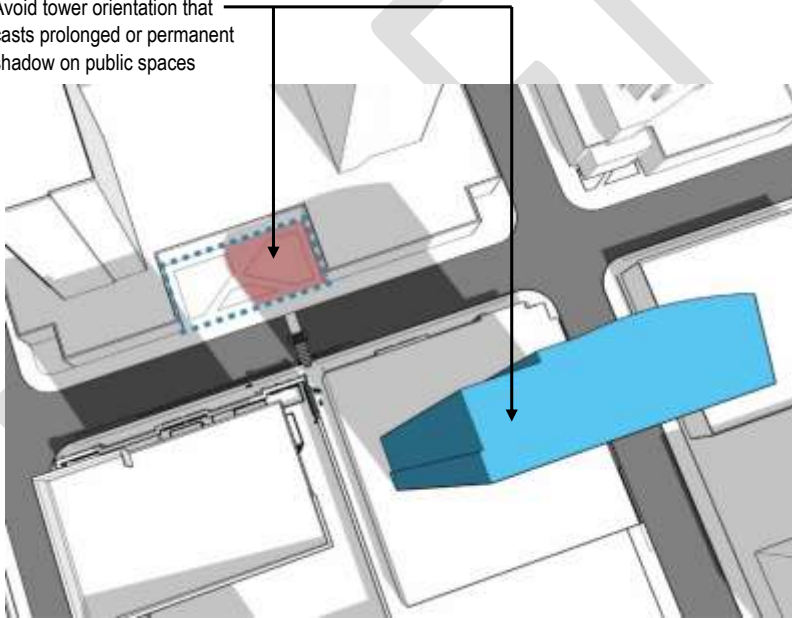
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E. Maximize Sunlight on Surrounding Area

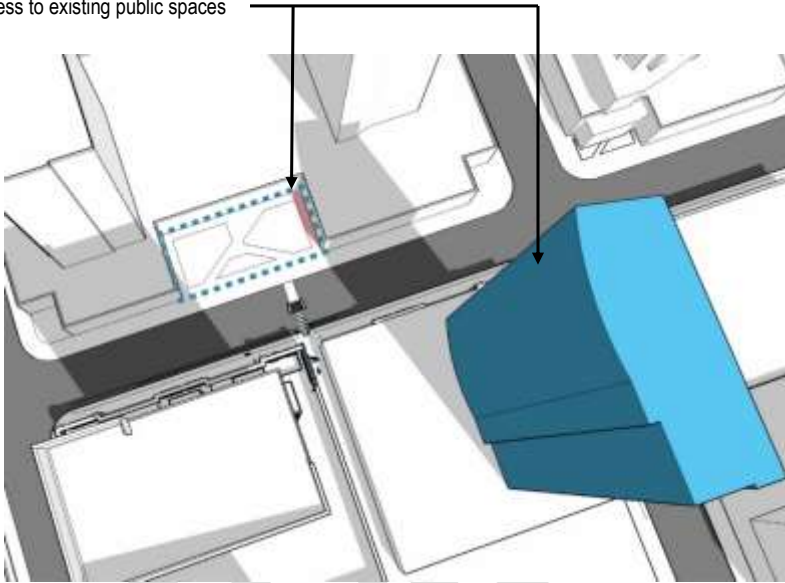
1. Intent. Outdoor spaces are more enjoyable and functional if they are filled with sunlight. Loss of sunlight and sky view reduces the comfort, quality, and use of publicly accessible open space. Trees and vegetation need sunlight to thrive.
2. Guidelines.
 - a. Evaluate alternative placement and massing concepts for individual building sites at the scale of the block to secure the greatest amount of sunlight and sky view in the surrounding area;
 - b. Maximize sunlight and sky view for people in adjacent developments and streetscape; and
 - c. Minimize the size of shadows and length of time that they are cast on pedestrians in the streetscape.

Avoid tower orientation that casts prolonged or permanent shadow on public spaces



20.25A.150 105

Orient towers to preserve solar access to existing public spaces



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20.25A.150 106

PART 20.25A Downtown~~2.16.17 Draft~~ 5.5.17 Consolidated Draft**20.25A.160 Site Organization.****A. Introduction**

Downtown Bellevue is unique in its 600-foot superblock configuration. These large blocks, which constitute the majority of the blocks in Downtown, create greater flexibility in site design. However, they create a greater need to provide for street activation and coordinated internal circulation.

B. On-Site Circulation

1. Intent. The vitality and livability of Downtown is dependent on a safe, walkable environment that prioritizes the pedestrian and reduces conflicts between pedestrians and other modes of transportation. The design should encourage the free flow of pedestrians, cyclists and cars onto, off, and through the site. Walkability includes the creation of through-block pedestrian connections and other paths that offer attractive and convenient connections away from heavy arterial traffic. These connections also break down superblocks into a pedestrian-friendly grid.
2. Guidelines.
 - a. Site Circulation for Servicing and Parking.
 - i. Minimize conflicts between pedestrians, bicycles and vehicles;
 - ii. Provide access to site servicing and parking at the rear of the building from a lane or shared driveway, if possible;
 - iii. Provide access to site servicing, such as loading, servicing, utilities, vehicle parking, either underground or within the building mass and away from the public realm and public view;
 - iv. Minimize the area of the site used for servicing through the use of shared infrastructure and shared driveways;
 - v. Provide service access through the use of through-lanes rather than vehicle turnarounds, if possible; and
 - iv. Locate above-ground mechanical and site servicing equipment away from the public sidewalk, through-block connections, and open spaces.
 - b. On-site Passenger and Guest Loading Zones, Porte Cocheres, and Taxi Stands
 - i. Plan for increased activity found in passenger and guest loading areas during site plan development. Loading functions must take place on private property, except as provided below;
 - ii. Locate passenger and guest loading zones and taxi stands so that the public right-of-way will remain clear at all times;
 - iii. Locate passenger and guest loading zones and taxi stands to minimize conflicts with pedestrians and other modes of transportation. Limit the number and width of curb cuts and

Commented [HC128]: NEW – Incorporated CAC Recommendations, Updated Comprehensive Plan Policy direction and Design Criteria from LUC 20.25A.110, and aligned with BelRed code organization (LUC 20.25D.150). Improves Land Use Code Consistency and Ease of Use.

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vehicular entries to promote street wall continuity and reduce conflicts with pedestrians, bicyclists, and other modes of transportation;

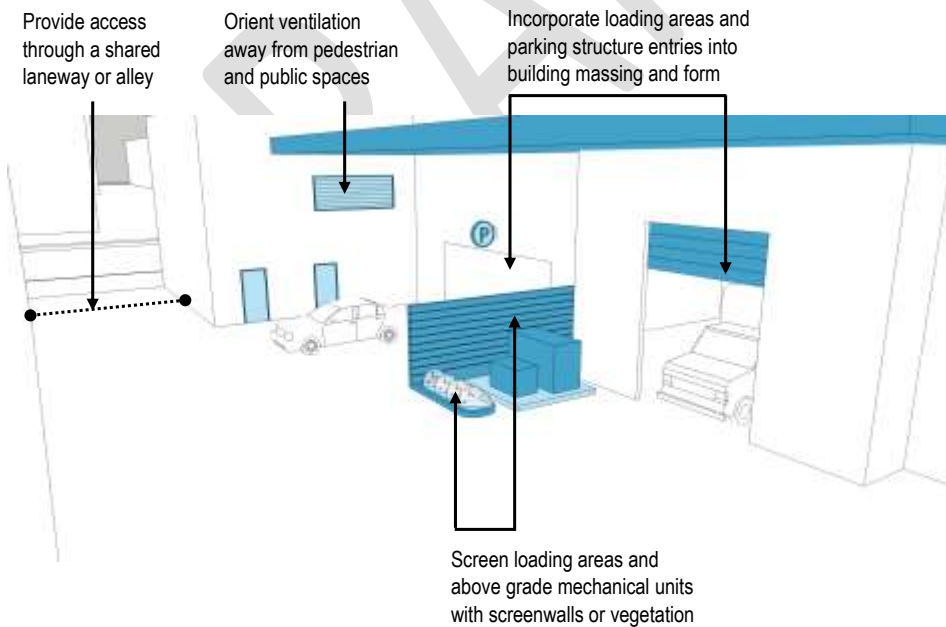
iv. Walkways should be placed to provide pedestrian access from the public sidewalk to the building entry without requiring pedestrians to walk in the driveway or come into conflict with vehicles;

v. Pull-through drives should have one lane that is one-way where they enter from and exit to the street;

vi. Long-term parking is not allowed in passenger and guest loading areas;

vii. If private bus activity is anticipated, provide an off-street passenger loading area for this size of a vehicle. Passenger loading functions may not take place in the public right-of-way; and

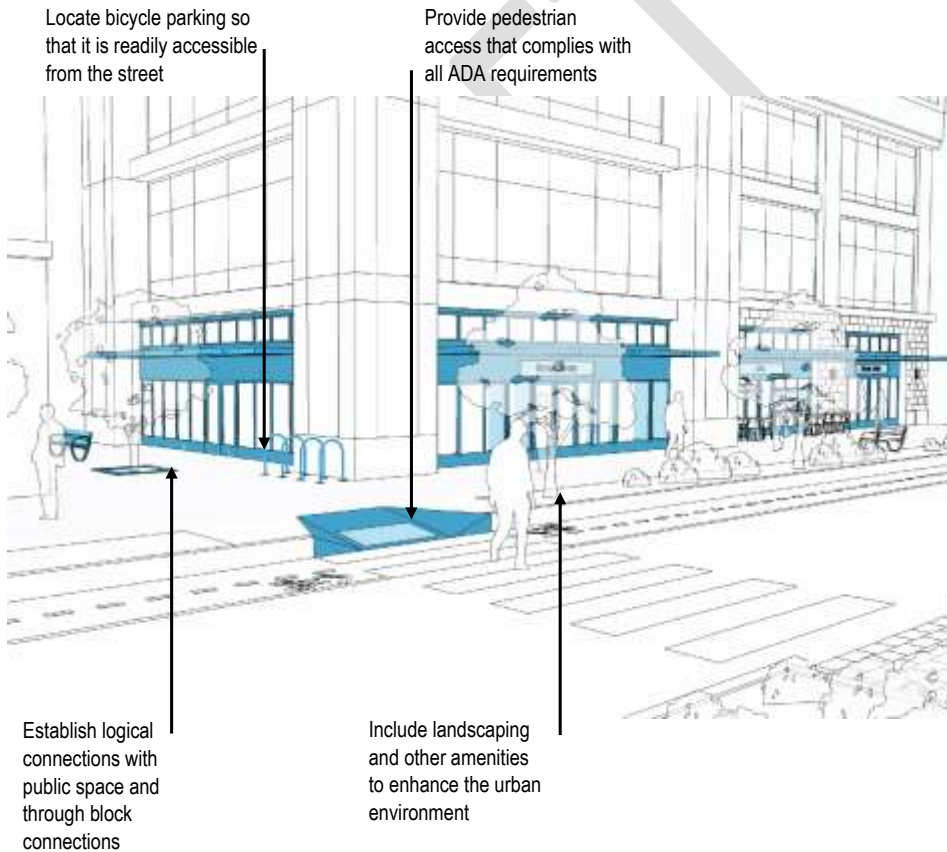
viii. Passenger loading functions for hotels, other than guest arrival and departure, are allowed on streets with moderate intensity, such as a C Right-of-Way, via a curb setback loading area. Right-of-Way Classifications can be found in LUC 20.25A.170.B. Provided: the loading area must have a direct relationship to the building entry, and the required streetscape (curb, sidewalk, and planting strip) widths must be maintained between the loading area and building entries, and the Director of Transportation has approved the configuration.



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c. Pedestrian and Cycling Connections

- i. Include direct, logical, safe, and continuous routes for pedestrians and cyclists;
- ii. Provide pedestrian access through the site that is available to all and consistent with the Americans with Disabilities Act;
- iii. Include landscaping, pedestrian-scale lighting, and other amenities that enhance use of such connections during every season; and
- iv. Locate bicycle parking so that it has direct and visible access to the public street, building entrances, transit, and other bicycle infrastructure.



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C. Building Entrances

1. Intent. Direct access from the public sidewalk to each building animates the street and encourages pedestrian activity to occur in the public realm rather than inside the building.
2. Guidelines. Ensure that the primary building entrances front onto major public streets, are well-defined, clearly visible, and accessible from the adjacent public sidewalk.

Multiple entrances.

D. Through-Block Pedestrian Connections. ||

1. Through-Block Pedestrian Connection Map.

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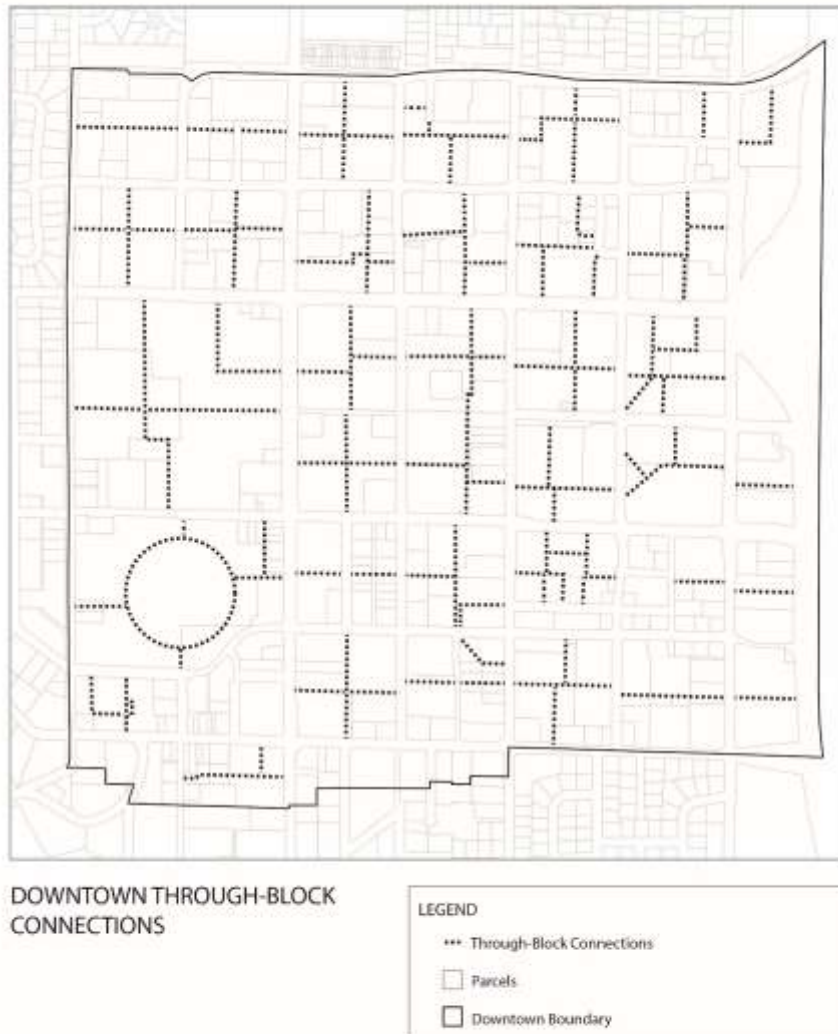
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Figure 20.25A.160.D.1





DOWNTOWN THROUGH-BLOCK CONNECTIONS



2. Intent. A through-block pedestrian connection provides an opportunity for increased pedestrian movement through superblocks in Downtown and helps to reduce the scale of the superblocks.

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3. Standards.
 - a. Location. Through-block pedestrian connections are required in each superblock as provided in the map above. A through-block pedestrian connection shall be outdoors, except where it can only be accommodated indoors. The Director may approve a location shift on a through-block pedestrian connection provided that it provides similar pedestrian access as would have been required in the map above.
 - b. Proportionate Share. If a new development is built adjacent to a required through-block pedestrian connection as provided in the map in LUC 20.25A.160.D.1, the applicant shall construct a proportionate share of the through-block pedestrian connection.
 - c. Hours. A through-block pedestrian connection shall be open to the public 24 hours a day. Provided, if the through-block pedestrian connection is within a building, its hours shall coincide with the hours during which the building is open to the public.
 - d. ~~Easement. Through block connections require an easement for public right of pedestrian use in a form approved by the City.~~ Legal Agreement. Owners of property that is required to provide a through-block connection as part of the Design Review process, shall execute a legal agreement providing that such property is subject to a nonexclusive right of pedestrian use and access by the public during hours of operation.
 - e. Signage. Directional signage shall identify circulation routes for all users and state that the space is accessible to the public at all times. The signage must be visible from all points of access. The Director shall require signage as provided in the City of Bellevue Transportation Department Design Manual. If the signage requirements are not feasible, the applicant may propose an alternative that is consistent with this section and achieves the design objectives for the building and the site.
4. Guidelines. A through-block pedestrian connection should:
 - a. Form logical routes from its origin to its destination;
 - b. Offer diversity in terms of activities and pedestrian amenities;
 - c. Incorporate design elements of the adjacent right-of-way, such as paving, lighting, landscaping, and signage to identify the through-block pedestrian connection as a public space;
 - d. Accentuate and enhance access to the through-block pedestrian connection from the right-of-way by use of multiple points of entry that identify it as a public space;
 - e. Identify the connection as a public space through clear and visible signage;
 - f. Provide lighting that is pedestrian-scaled, compatible with the landscape design, and that improves safety;
 - g. Provide high quality design and durable materials;
 - h. Provide landscaping to define and animate the space wherever possible;

Commented [BT(130)]: Code clarification prepared for 5.3.17 meeting, reprinted in 5.10.17 packet.

Commented [HC131]: Tracks language for Legal Agreements required for Minor Publicly Accessible Open Space in LUC 20.25A.090.C.3.e

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- i. Incorporate trees and landscaping to provide enclosure and soften the experience of the built environment;
- j. The use of artistic elements and water features is encouraged to provide moments of interest for the user;
- k. Provide access that complies with the Americans with Disabilities Act, additional access may be provided through the building, if necessary to meet this requirement;
- l. Provide weather protection for pedestrians at key intersections, building entrances, or points of interest;
- m. Be developed as a walkway or a combination walkway and vehicular lane. If the combination walkway and vehicular lane does not have a separate raised walkway, the walkway surface must be paved with unit paver blocks or other unique paving surface to indicate that it is a pedestrian area;
- n. Incorporate decorative lighting and seating areas; and
- o. Be visible from surrounding spaces and uses. Provide windows, doorways and other devices on the through-block connection to ensure that the connection is used, feels safe, and is not isolated from view.

E. Open Space

1. Intent: Open space is an integral part of a livable urban environment because it provides people a place for recreation, gathering, and reflection in a built environment. A vibrant Downtown includes open space that encourage active and passive recreation, spontaneous and planned events, and the preservation of the natural environment.
2. Guidelines.
 - a. Site and building design should capitalize on significant elements of the natural environment, planned parks, outdoor plazas, and open space. Designs should incorporate open space amenities for residents, employees, and visitors. Depending on the location, this may be accomplished through integration of the natural environment with new development or providing a smooth transition between the natural and built environments;
 - b. Orient gathering places and walkways toward parks and open spaces. Provide clear and convenient public access to open space amenities;
 - c. Include elements that engage the natural environment where the sight, sound, and feel of nature can be directly experienced;
 - d. Locate buildings to take maximum advantage of adjacent open spaces.
 - e. Create attractive views and focal points;
 - f. Use publicly accessible open space to provide through-block pedestrian connections where possible;

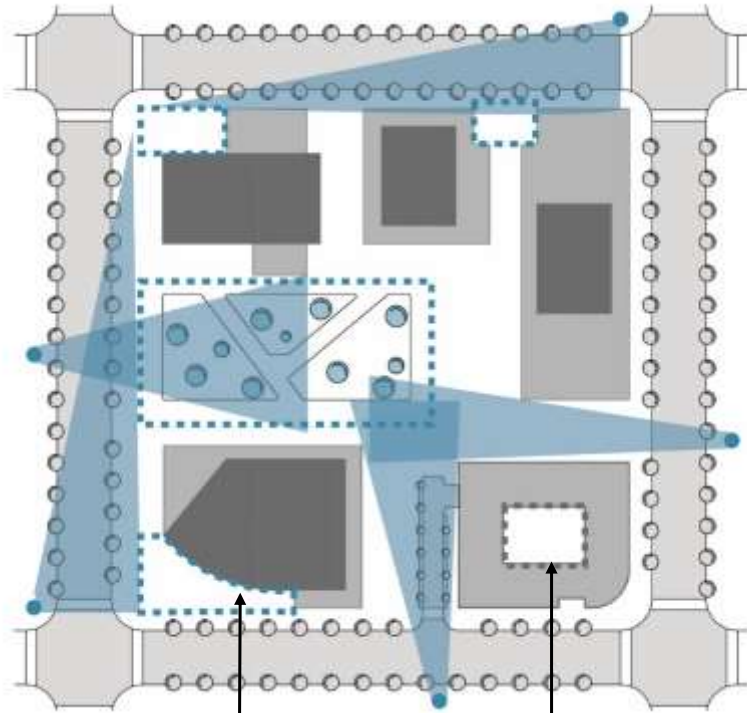
Commented [HC132]: NEW – Incorporated Design Criteria in LUC 20.25A.110, and aligned with BelRed code organization (LUC 20.25D.150). Improves Land Use Code Consistency and Ease of Use.

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- g. Include features and programming opportunities to encourage year-round use;
- h. Define and animate the edges of publicly accessible open space with well-proportioned building bases, permeable facades, and Active Uses at-grade;
- i. Provide access that complies with the Americans with Disabilities Act, additional access may be provided through the building if necessary to meet this requirement;
- j. Provide weather protection for pedestrians at key intersections, building entrances, and points of interest;
- k. Use artistic elements and water features where possible.
- l. Use design elements, such as surface materials, furnishings, landscaping and pedestrian-scale lighting that are high-quality, functional, and environmentally sustainable; and
- m. Maximize safety and comfort by including access to sunlight, clear views to and from adjacent streets and buildings, compliance with the Americans with Disabilities Act, and protection from wind and inclement weather; and
- n. Design for events where feasible by providing electrical hookups and areas for staging.
- o. Open space design should not incorporate loading, refuse handling, parking, and other building and site service uses at the ground level facade, though such activities may be conducted in an open space when reasonable alternatives are not feasible. When the above-referenced activities must be incorporated into an Open Space Design, operational procedures should require the above-referenced activities to occur after normal business hours.
- p. Employ decorative lighting.

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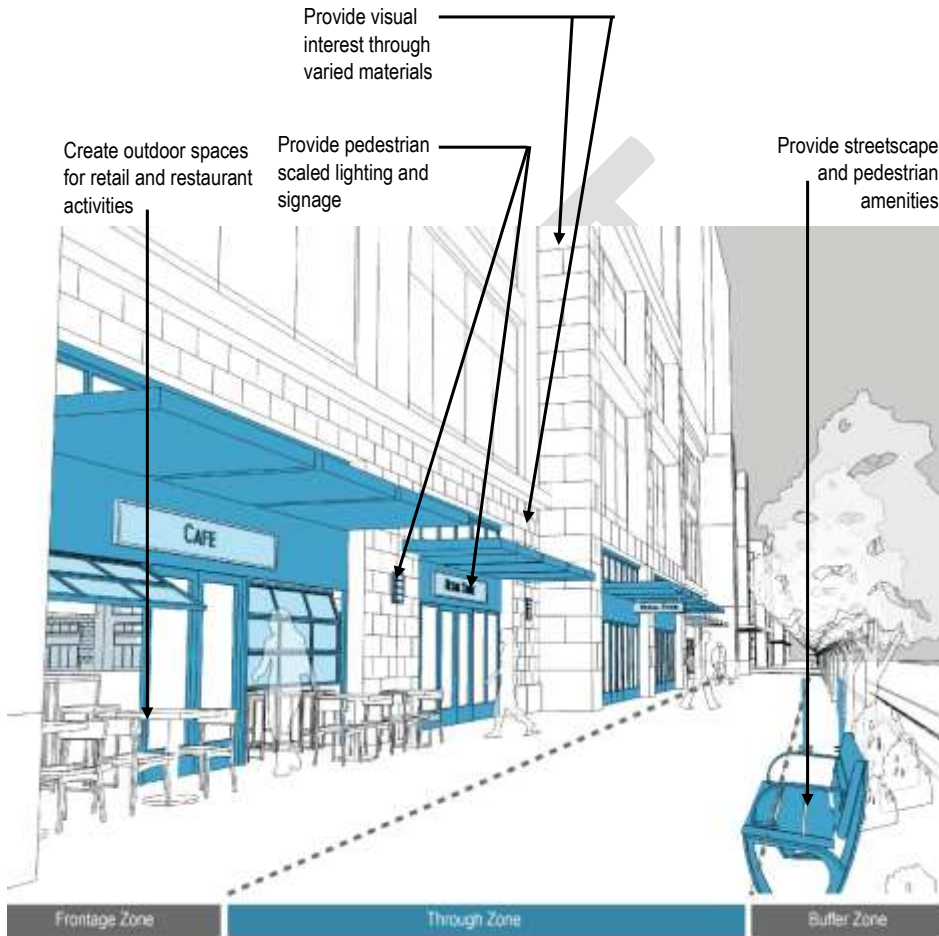
Ensure public spaces are visible and oriented towards sidewalks and other pedestrian connections

Orient towers to preserve solar access to existing public spaces

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PART 20.25A Downtown~~2.16.17 Draft~~ 5.5.17 Consolidated Draft**20.25A.170 Streetscape and Public Realm****A. Streetscapes**

- 1 Define the Pedestrian Environment.
 - a. Intent. A building should provide a continuous, visually rich pedestrian experience along its ground-floor or second floor street front where active uses are present
 - b. Guidelines.
 - i. The most important part of a building to a pedestrian is its ground floor which a person experiences walking past or entering the building. This “pedestrian experience zone” should provide a sense of enclosure, and a continuous and comfortable street edge for the pedestrian. Ground floor building transparency should foster interaction between the public and private realms;
 - ii. Provide windows that are transparent at the street level;
 - iii. Create visual interest on walls by using a variety of forms, colors, and compatible cladding materials;
 - iv. Facades should provide a provide a varied pedestrian experience by using bays, columns, pilasters, or other articulation at the street level;
 - v. Weather protection should help to define the upper edge of the pedestrian experience zone. A change in materials and scale will further defined this zone; and
 - vi. Signs and lighting at the ground level should complement the pedestrian scale; and
 - vii. Provide building edges that maintain strong visual and physical connections to the sidewalk.



2. Protect Pedestrians from the Elements.

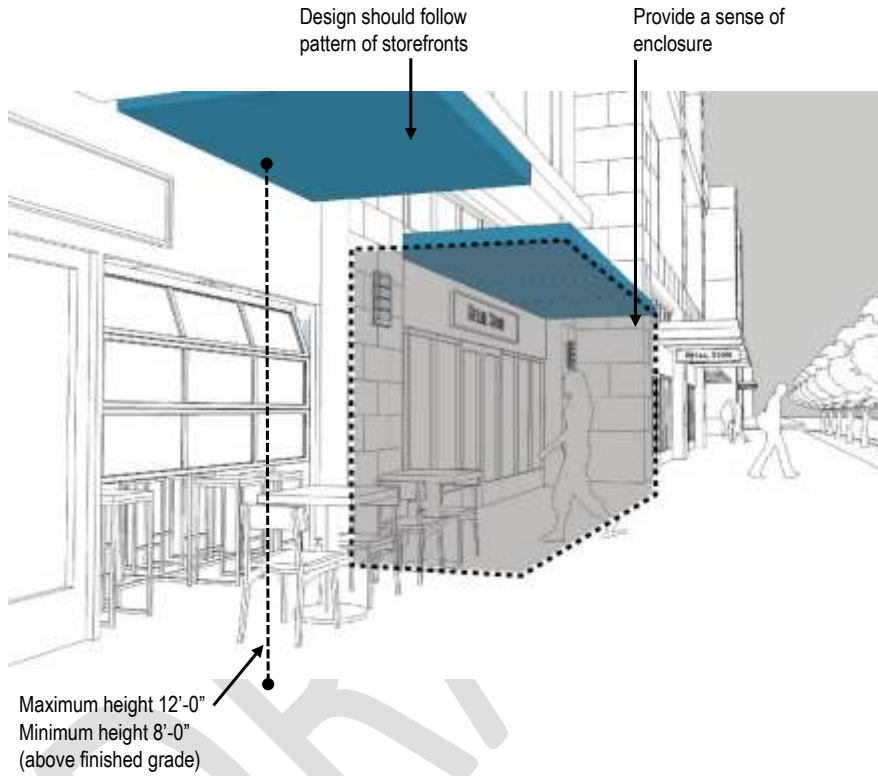
a. Intent. Provide pedestrians with protection from wind, sun, and rain while allowing light to filter through to the occupants below.

b. Guidelines.

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- i. Weather protection along the ground floor of buildings should protect pedestrians from rain and provide shade in summer, but allow some daylight penetration;
- ii. The design of weather protection should be an integral component of the building façade;
- iii. Weather protection should be in proportion to the building and sidewalk, and not so large as to impact street trees, light fixtures, or other street furniture;
- iv. Weather protection should assist in providing a sense of enclosure for the pedestrian;
- v. Use durable materials for weather protection;
- vi. Awning and marquee designs should be coordinated with building design.
- vii. The minimum height for awnings or marquees is 8 feet above finished grade, or 8 feet above the upper level walk except as otherwise required in the International Building Code, as adopted and amended by the City of Bellevue.
- viii. The maximum height for awnings or marquees is 12 feet above finished grade or 12 feet above the upper level walk;
- ix. Pavement below weather protection should be constructed to provide for drainage;
- x. Weather protection should have a horizontal rather than a sloping orientation along the building elevation; and
- ix. Weather protection should follow the pattern of storefronts.



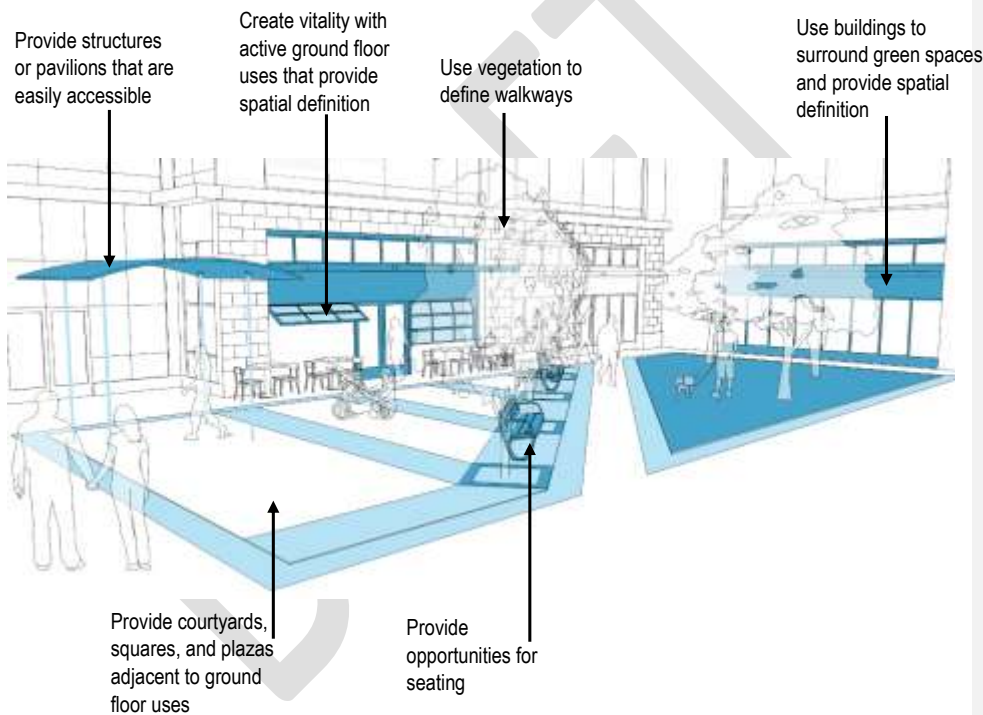
3. Create a Variety of Outdoor Spaces.

- a. Intent. Provide comfortable and inviting outdoor spaces for a variety of activities during all hours and seasons.
- b. Guidelines.
 - i. Outdoor gathering spaces should be inviting and maximize opportunities for use. They should be spatially well-defined, inviting, secure, easy to maintain. They may be intimate and quiet or active and boisterous;
 - ii. All outdoor areas should work well for pedestrians and provide space for special events, as well as passive activities;
 - iii. Provide courtyards, squares, and plazas to enhance adjacent ground floor uses.

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- iv. Use buildings to surround green spaces and give the space visual definition. Vitality can be generated by active ground floor uses and programming within the space;
- v. Use trees, shrubs, and plants to help define walkways, create transitions from open spaces to the street, and provide visual interest;
- vi. Provide for outdoor spaces that can support active uses such as farmers’ markets, festivals, and community events.
- vii. Provide structures, pavilions, and seating areas that are easily accessible and feel safe and secure during day and evening hours; and
- viii. Provide pedestrian walkways and courtyards in residential or office development areas.

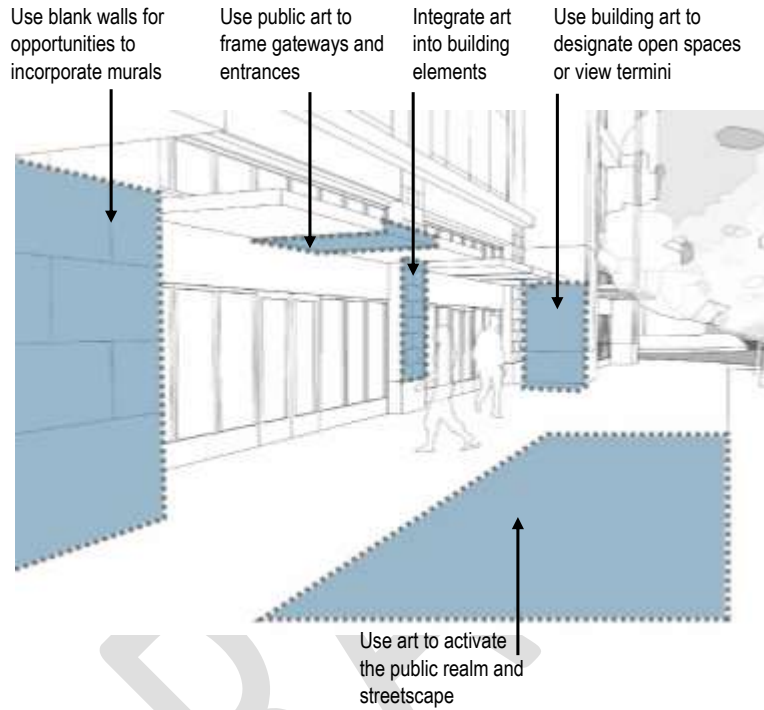


4. Provide Places for Stopping and Viewing.

a. Intent. People-watching, socializing, and eating are restful and pleasurable activities for the pedestrian; providing special places where they can do these activities increases the pedestrian’s sense of enjoyment. Seating and resting places can add vitality to the urban environment. People will use available seating in open, well-designed areas, not in secluded or highly exposed areas.

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- b. Guidelines.
 - i. Use formal benches, moveable seating, and informal seating areas such as wide steps, edges of landscaped planters and low walls;
 - ii. Provide more seating areas near active retail establishments especially outside eating and drinking establishments and near food vendors;
 - iii. Provide seating adjacent to sidewalks and pedestrian walkways;
 - iv. Create places for stopping and viewing adjacent to and within parks, squares, plazas, and courtyards; and
 - v. Create a sense of separation from vehicular traffic.
 - vi. Provide comfortable and inviting places where people can stop to sit, rest and visit.
- 5. Integrate Artistic Elements.
 - a. Intent. Artistic elements should complement the character of a site, building or district as a whole. Art enriches the development by making buildings and open spaces more engaging and memorable. Art is integral to creating a memorable experience for those who live, work, and visit Downtown, especially when the art is integrated into the design of the building or outdoor space. To maximize the opportunities for art on a site, applicants are encouraged to include artists on design teams.
 - b. Guidelines.
 - i. Use art to provide a conceptual framework to organize open spaces including plazas, open spaces, setbacks, and streetscapes;
 - ii. Use art to mark entryways, corners, gateways and view termini;
 - iii. Integrate art into building elements, including but not limited to: facades, canopies, lighting, etc.;
 - iv. Designate a location for the artwork that activates the public realm and is in scale with its location; and
 - v. Use materials and methods that will withstand public use and weathering if sited outdoors.



6. Orient Lighting toward Sidewalks and Public Spaces.
 - a. Intent. Pedestrian-scaled lighting should be used to highlight sidewalks, bike racks and lockers, street trees, and other features, and harmonize with other visual elements in the subarea.
 - b. Guidelines.
 - i. Pedestrian-scaled lighting should be provided along pedestrian walkways and public open spaces;
 - ii. Lighting should be compatible among projects within neighborhood districts to accentuate the subareas.
 - iii. Fixtures should be visually quiet as to not overpower or dominate the streetscape.
 - iv. Lighting may also be used to highlight trees and similar features within public and private plazas, courtyards, walkways and other similar outdoor areas and to create an inviting and safe ambiance;
 - v. Use lighting to highlight landscape areas.

Commented [BT(133)]: Added in response to request from Planning Commission.

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- vi. Integrate and conceal fixtures into the design of buildings or landscape walls, handrails, and stairways;
 - vii. Install foot lighting that illuminates walkways and stairs;
 - viii. Use energy-efficient lighting, such as LED;
 - ix. Direct bollard lighting downward toward walking surfaces;
 - x. Provide festive lighting along signature streets on buildings and trees; and
 - xi. Decorative lighting may be used in open spaces to make the area more welcoming.
7. Orient Hanging and Blade Signs to Pedestrians.
- a. Intent. Hanging signs should be oriented to the pedestrian and highly visible from the sidewalk. Hanging signs can contribute significantly to a positive retail and pedestrian environment and reinforce a sense of place. Signs shall comply with the provisions of the Chapter 22.10B, BCC (Sign Code).
 - b. Guideline.
 - i. Signs should not overwhelm the streetscape. They should be compatible with and complement the building's architecture, including its awnings, canopies, lighting, and street furniture;
 - ii. Sign lighting should be integrated into the facade of the building;
 - iii. Signs should be constructed of high-quality materials and finishes;
 - iv. Signs should be attached to the building in a durable fashion; and
 - v. Signs should be constructed of individual, three-dimensional letters, as opposed to one single box with cutout flat letters.

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B. Right-of-Way Designations

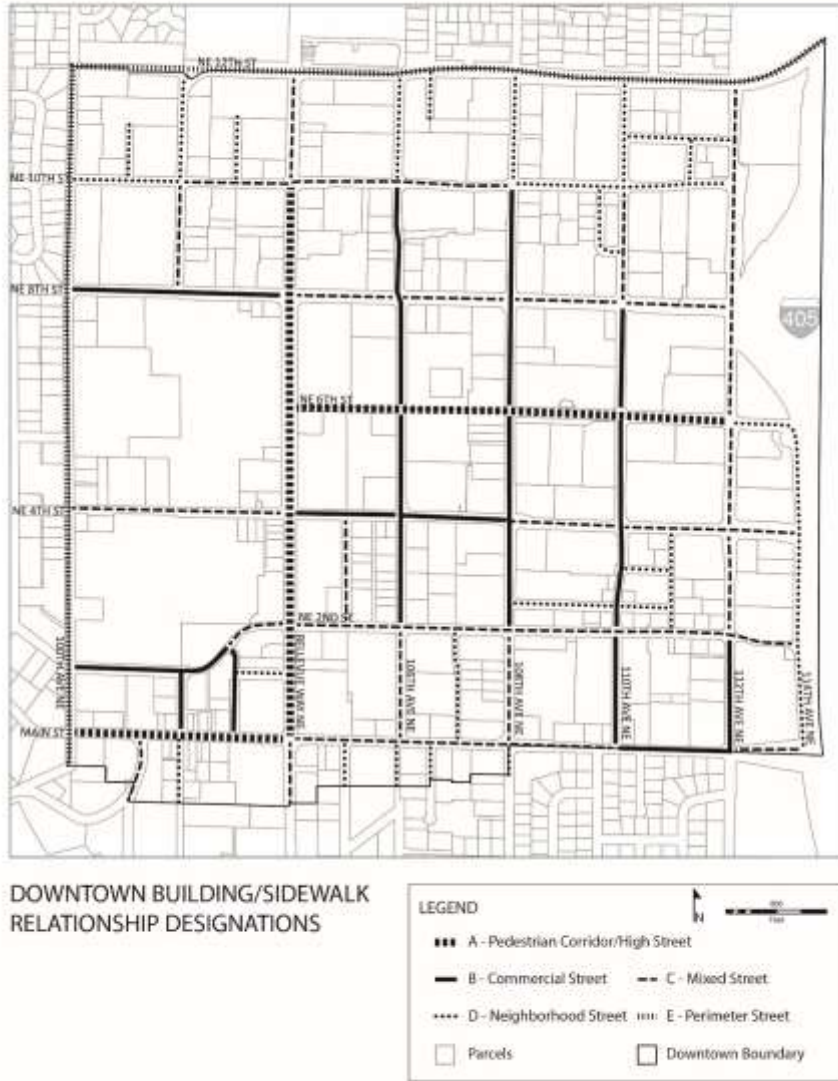
Introduction: The Right-of-Way Designations provide design guidelines for the streetscape organized by Downtown streets. These designations are a representation of the Downtown vision for the future, rather than what currently exists. The designations create a hierarchy of rights-of-way reflecting the intensity of pedestrian activity. The "A" Rights-of-Way are those streets that have the highest amount of pedestrian activity, while the "D" Rights-of Way would have a smaller amount of pedestrian activity. These guidelines are intended to provide activity, enclosure, and protection on the sidewalk for the pedestrian.

Commented [HC135]: MOVED from Design Guideline Building/Sidewalk Relationships IV.E and UPDATED in response to CAC Recommendations and Updated Comprehensive Plan.

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Figure 20.25A.170.B



1. Pedestrian Corridor / High Streets - A Rights-of-Way

a. Intent. Rights-of-way designated 'A' should have the highest orientation to pedestrians. This shall be achieved by emphasizing the design relationship between the first level of the structure and the horizontal space between the structure and the curb line. This relationship should emphasize, to the greatest extent possible, both the physical and visual access into and from the structure, as well as the amenities and features of the outside pedestrian space. In order to achieve the intended level of vitality, design diversity, and people activity on an 'A' right-of-way, Active Uses should be provided for in the design.

b. Standards and Guidelines

i. Transparency: 75% minimum.

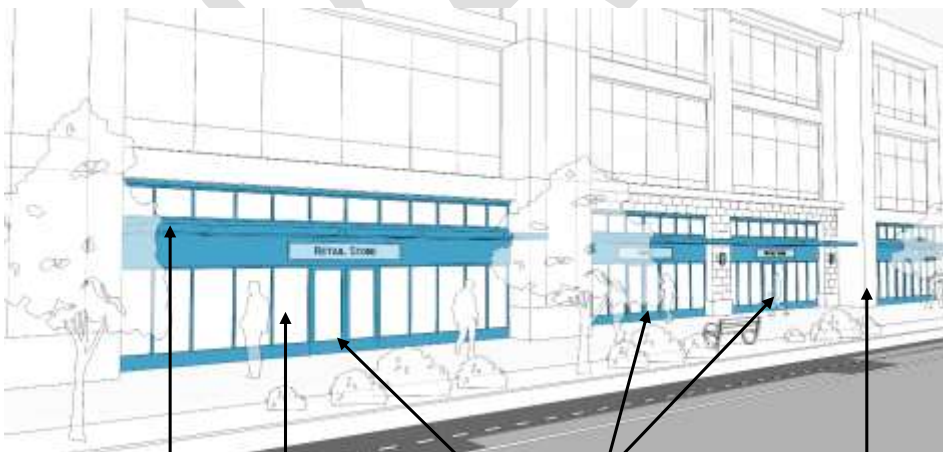
ii. Weather Protection: 75% minimum, 6 feet deep. When a building is adjacent to two or more rights-of-way, weather protection shall be provided for the two rights-of-way with the highest pedestrian orientation. Refer to LUC 20.25A.170.A.2 for more guidelines on weather protection;

iii. Points of Interest: Every 30 linear feet of the façade, maximum;

iv. Vehicular Parking: No surface parking or vehicle access should be allowed directly between sidewalk and main pedestrian entrance; and

v. 100 % of the street wall within the project limit shall incorporate Active Uses.

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75% weather protection, 6' minimum depth

75% transparency (minimum)

30' separation between entrances and other points of interest (maximum)

Use setbacks and protrusions in façade to create visual interest

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2. Commercial Streets - B Rights-of Way

a. Rights-of-way designated 'B' shall have moderate to heavy orientation to pedestrians. This should be achieved by developing the design so that there is a close relationship between exterior and internal activities with respect to both physical and visual access. Design attention should be given to sidewalk related activities and amenities. 'B' rights-of-way are to provide a diverse and active connection between the Active Use dominated "A" rights-of-way, and the other Downtown rights-of-way.

b. Standards and Guidelines.

i. Transparency: 75% minimum;

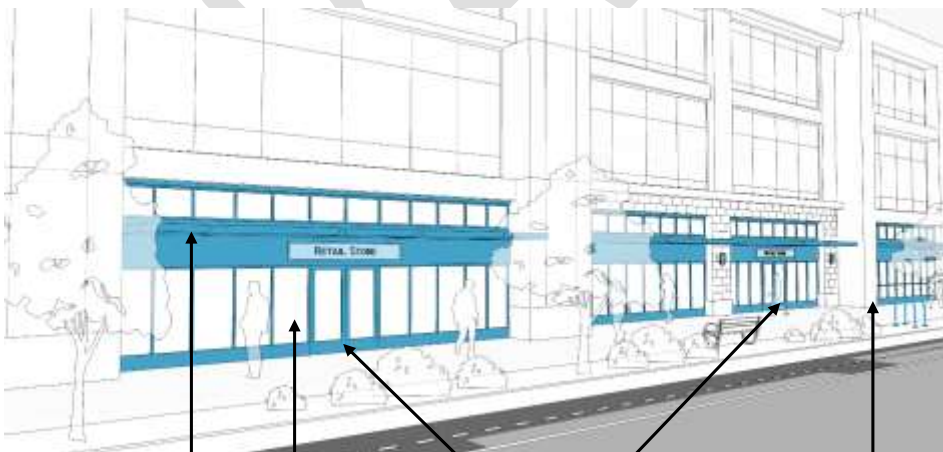
ii. Weather Protection: 75% minimum, 6 feet deep minimum. When a building is adjacent to two or more rights-of-way, weather protection shall be provided for the two rights-of-way with the highest pedestrian orientation. Refer to LUC 20.25A.170.A.2 for more guidelines on weather protection;

iii. Points of Interest: Every 60 linear feet of the façade, maximum;

iv. Vehicular Parking: No surface parking or vehicle access directly between perimeter sidewalk and main pedestrian entrance; and

v. 100% of the street wall shall incorporate Active Uses and service uses, at least 50% percent of which shall be Active Uses.

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75% weather protection, 6' minimum depth

75% transparency (minimum)

60' separation between entrances and other points of interest (maximum)

Use setbacks and protrusions in façade to create visual interest

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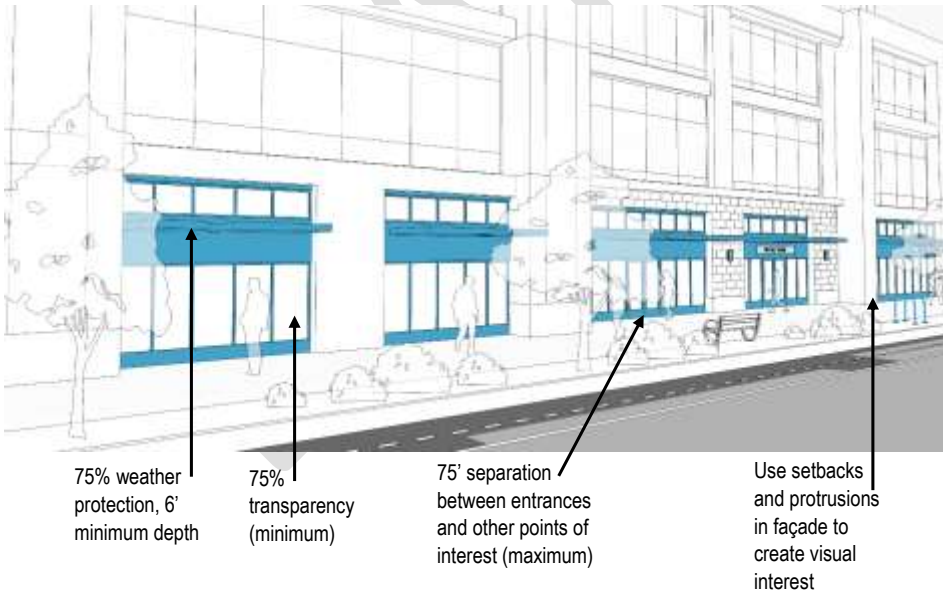
3. Mixed Streets - C Rights-of-Way

a. Intent. Rights-of-way designated 'C' shall have moderate orientation to pedestrians. This shall be achieved by designing some relationship between exterior and interior activities with respect to visual access. Design attention should be given to sidewalk related activities and amenities. 'C' rights-of-way are to provide a major pedestrian connection between the core area and residential areas surrounding Downtown.

b. Standards and Guidelines.

- i. Transparency: 75%;
- ii. Weather Protection: 75%. When a building is adjacent to two or more rights-of-way, weather protection shall be provided for the two rights-of-way with the highest pedestrian orientation. Refer to LUC 20.25A.170.A.2 for more guidelines on weather protection;
- iii. Points of Interest: 75 linear feet of façade, maximum; and
- iv. Vehicular Parking: No surface parking or vehicle access directly between perimeter sidewalk and main pedestrian entrance.
- v. 50% of street wall shall incorporate Active Uses or service uses.

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a. Intent. Rights-of-way designated 'D' shall have low to moderate orientation to pedestrians and should complement residential uses. This shall be achieved by designing some relationship between exterior and interior activities with respect to visual access and by incorporating landscape features that soften the urban edge. Design attention should be given to sidewalk related activities and amenities that complement these areas' residential character and moderate the urban environment, while providing attractive visual access for pedestrians and other passersby.

b. Standards and Guidelines.

- i. Transparency: Blank walls and inactive uses may occupy no more than 25% of the façade;
- ii. Weather Protection: 50%. When a building is adjacent to two or more rights-of-way, weather protection shall be provided for the two rights-of-way with the highest pedestrian orientation Refer to LUC 20.25A.170.A.2 for more guidelines on weather protection;
- iii. Points of Interest: 90 linear feet of façade, maximum; and
- iv. Vehicular Parking: No surface parking or vehicle access directly between perimeter sidewalk and main pedestrian entrance.

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5. Perimeter Streets – E Rights-of-Way.

a. Intent. Rights-of-way designated 'E' may have a lower volume of pedestrians. Such rights-of-way are intended to provide a visual buffer between the Downtown and surrounding residential neighborhoods. Emphasis shall be placed on how the street is viewed from outside the Downtown. These streets should provide a graceful transition to adjacent residential districts.

b. Standards and Guidelines.

- i. Transparency: Blank walls and inactive uses may occupy 25% of the façade;
- ii. Weather Protection: At entries;
- iii. Points of Interest: Every 90 linear feet of façade, maximum; and
- iv. Vehicular Parking: No surface parking or vehicle access directly between perimeter sidewalk and main pedestrian entrance.

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C. Alleys with Addresses

1. Intent. Alleys with Addresses act as active through-block connections and are faced with a mix of Active Uses and residential uses. Alleys with Addresses shall have a high orientation to pedestrians with any vehicular activity being secondary to the pedestrian. This is achieved by emphasizing the relationship between the vertical street wall and the ground plane devoted to through-block access and the public right-of-way. This relationship should emphasize to the greatest extent possible, both

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physical and visual access into and from the structure at frequent intervals, as well as the amenities and features of the outside pedestrian space. In order to achieve the intended level of vitality, design diversity, and pedestrian activity on an Alley with an Address, retail restaurant, and other commercial entries shall be provided for in the design. Ground floor live/work units and residential units with stoops can also help to bring life to the paths with multiple entrances and meaningful transparency along the building frontage.

2. Standards

- a. At least one entire side of the Alley with an Address shall comply with guidelines i. through v. for Pedestrian Corridor / High Streets - 'A' rights-of-way found in paragraph B of this section.
- b. Minimum dimension for an alley with an address shall be 20 feet wide exclusive of drive lane widths.
- c. Alleys with Addresses shall be open to the public 24 hours a day and 7 days a week. Signs shall be posted in clear view stating the Alley with an Address is open to the public during these hours.
- d. Each tenant space shall have an exterior entrance facing onto the alley and be addressed off the alley.

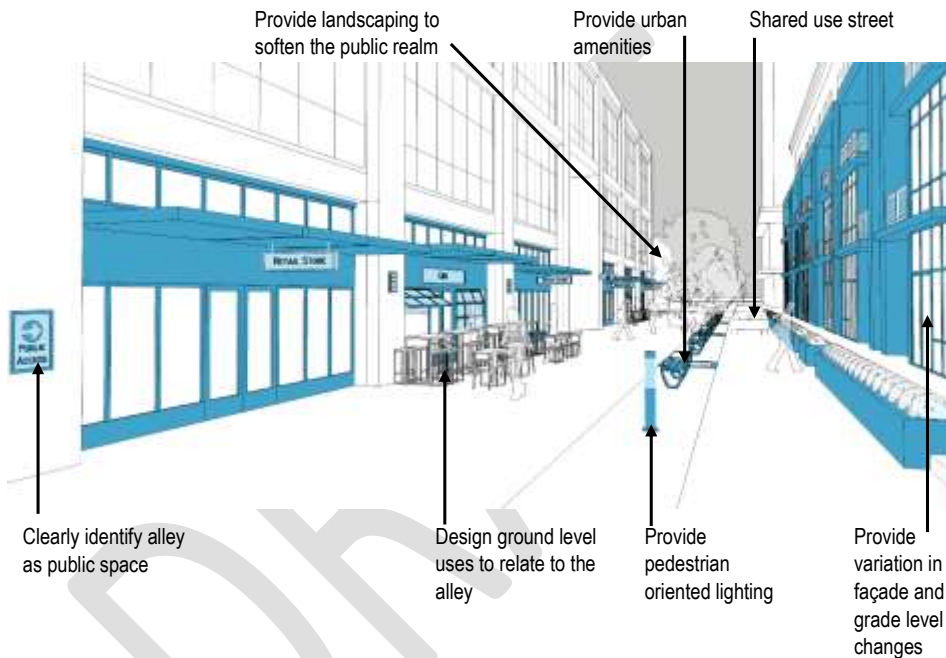
3. Guidelines

- a. Materials and design elements such as paving, lighting, landscaping, and signage should incorporate design elements of the adjacent right-of-way to identify it as part of the public realm.
- b. The Alley with an Address may be covered in some areas but should not be predominantly enclosed.
- c. Access from the public right-of-way should be encouraged and enhanced by multiple clear points of entry that identify the Alley as a public space. Access through the site should form a clear circulation logic with the street grid.
- d. Wayfinding, signage, symbols and lighting should identify the alley as a public space.
- e. Design of the ground level and upper level retail should relate to the alley and be distinct from the rest of the building. This can be achieved through the use of common architectural style, building materials, articulation, and color.
- f. Variation should be incorporated into the design by including dimensional and level changes at both the ground plain and building walls.
- g. Pedestrian-oriented lighting should be provided that is compatible with the landscape design, improves safety and minimizes glare. Design should be high quality, and materials should be durable and convey a sense of permanence.
- h. Landscaping should be used to animate and soften the space. The use of art and water is also encouraged.

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- i. Alley design should not incorporate loading, refuse handling, parking, and other building and site service uses at the ground level facade, though such activities may be conducted in an Alley when reasonable alternatives are not available. Operational procedures should encourage the above-referenced activities after normal business hours.
- j. Provide complete project design for all phases within a project limit to ensure coordinated design and construction across multiple phases.



D. Upper Level Active Uses

1. Intent. Upper level active uses are intended to activate the ground level pedestrian environment. This is accomplished through extensive visual access to the upper level from the exterior, convenient and frequent access from the street or Alley with an Address, clear line of sight from grade and visibility of ongoing activity within the upper level active use. An upper level active use should be designed and managed so as to draw the attention and interest of the pedestrian to the upper level and to increase opportunities for interaction and movement between the ground and upper levels. To achieve the intended level of vitality, design diversity, and human activity at the upper level active use, the following characteristics shall be provided in the design.
2. Standards.
 - a. Points of physical vertical access between the ground level and upper levels shall be located no more than 150 feet apart to facilitate frequent pedestrian access to upper level active uses.

Commented [HC142]: MOVED from Design Guideline Building/Sidewalk Relationships IV.E and UPDATED in response to CAC Recommendations and Updated Comprehensive Plan.

Commented [HC143]: MOVED to be consistent with guideline organization in other sections (standards first, followed by guidelines).

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- b. Each tenant space shall have an exterior entrance.
 - c. Floor area and building facades directly below upper level active uses shall comply with guidelines i. through v. for Pedestrian Corridor / High Streets - 'A' rights-of-way found in paragraph B of this section.
 - d. Visual access shall not be impaired by small, enclosed display windows, window coverings and tinted or reflective glazing.
3. Guidelines.
- a. Architectural treatment of the upper level active use space should read as part of the ground level and be distinct from the architectural treatment of the building above.
 - b. Extensive visual access into the upper level retail space should be available from the sidewalk or the alley with an address with frequent clear lines of sight from grade.
 - c. Lighting and signage should be used to enliven and draw attention to upper level arcade or balcony, or directly through ground level retail for a multilevel single tenant.

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20.25A.180 Building Design (Base, Middle, and Top)

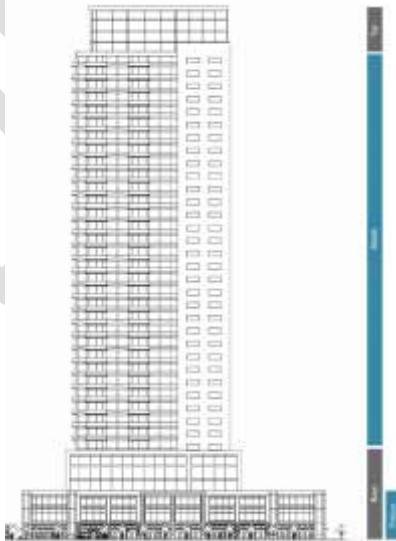
Commented [HC144]: NEW – Incorporated CAC Recommendations, Updated Comprehensive Plan Policy direction and Design Criteria from LUC 20.25A.110, and aligned with BelRed code organization (LUC 20.25D.150). Improves Land Use Code Consistency and Ease of Use.

A. Introduction

A tall building should consist of three carefully integrated parts: a building base, middle, and top.

B. Overall Building Design

1. Encourage High Quality Materials.
 - a. Intent. Create a sense of permanence in Downtown through the use of high quality building materials. Quality facade materials can provide a sense of permanence and bring life and warmth to a neighborhood. Facade and building materials must enhance the street environment while complementing the aesthetic quality of adjacent buildings.
 - b. Guidelines.
 - i. Articulation of façade materials should be bold, with materials that demonstrate depth, quality and durability;
 - ii. It should be apparent that the materials have substance and mass, and are not artificial, thin “stage sets” applied only to the building’s surface;
 - iii. Use natural high quality materials such as brick, finished concrete, stone, terra cotta, cement stucco, and wood in natural or subdued building colors; and
 - iv. Use varied, yet compatible cladding materials. Window and storefront trim should be well-defined and contribute to the overall aesthetic quality.



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2. Provide Interesting Building Massing.
 - a. Intent. Use scale-defining articulation and other techniques to break up the longitudinal dimensions of buildings, creating a comfortable sense of enclosure and human scale by establishing a dynamic, continuous street edge.
 - b. Guidelines.
 - i. The length and breadth of a building should be pedestrian-scaled. Portions of a large building mass should be broken into smaller, appropriately scaled modules, with changes in plane indicated by bold projections and recesses. This results in larger elevations being reduced to human scale;
 - ii. Vertical and horizontal elements should be used to create a human scale and form a coherent aesthetic providing visual interest to the pedestrian;
 - iii. Reduce the scale of elevations both horizontally and vertically;
 - iv. Buildings over three stories should exhibit a vertically articulated tripartite facade division – base, middle, and top through material and scale; and
 - v. Design should feature vertical articulation of windows, columns, and bays.

**C. Connected Floor Plates**

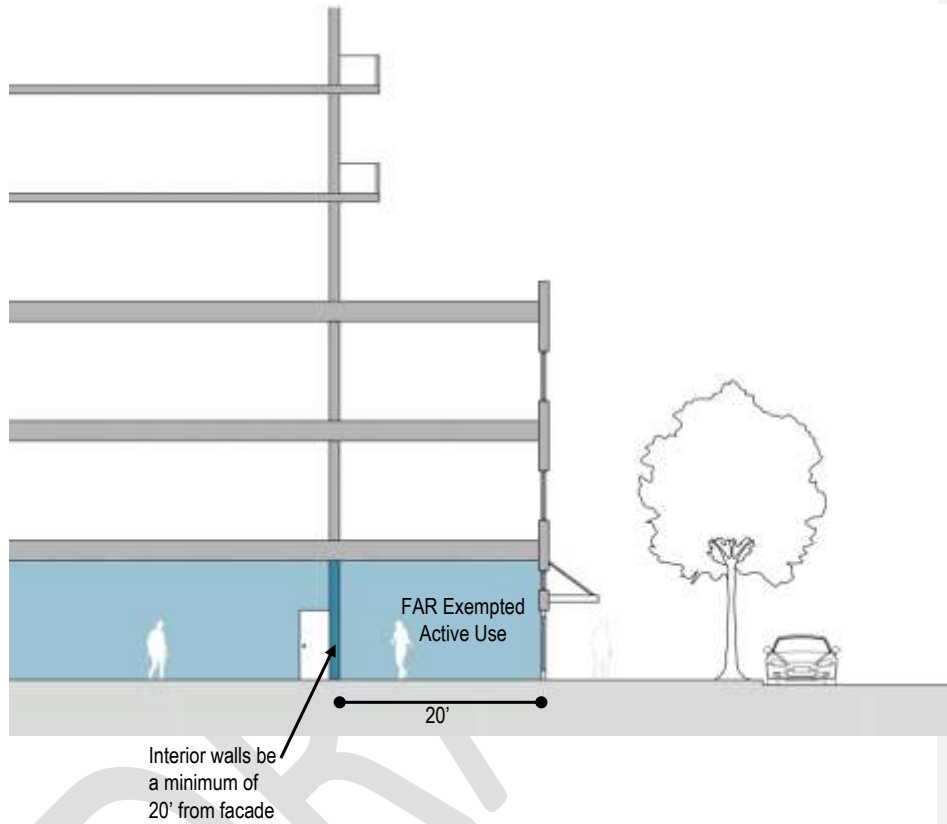
1. Intent. The intent of connecting floor plates is to allow a development to gain the benefits of a connected building while having the appearance of two or more separate buildings. The connection or corridor should recede from view as compared to the floor plates.
2. Guidelines.
 - a. From the right-of-way, the development should appear as separate and distinct buildings to the pedestrian: and

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- b. The connection should appear to be distinct from the adjacent masses.

D. Building Base (Podium)

1. Introduction. The role of the building base is to relate tall buildings to the human scale and fit harmoniously within the existing or planned street wall context; define the edges of adjacent streets, parks, and open space in good proportion; and maintain access to sunlight for pedestrians, open and public spaces, and adjacent properties.
2. Articulate the building base with high-quality materials and design elements that fit with the aesthetic quality of neighboring buildings and contribute to the pedestrian scale and experience.
 - a. Intent. The building façade should provide architectural expression that relates to its surroundings and include materials and elements that can be viewed and appreciated at the speed, scale, and proximity of the pedestrians.
 - b. Guidelines.
 - i. Provide architectural expression and design elements such as cornice lines, window bays, entrances, canopies, building materials, and fenestration, in a pattern, scale, and proportion that relate to neighboring buildings and engages pedestrians;
 - ii. Use high-quality, durable materials, an appropriate variety in texture, and carefully crafted details to achieve visual interest and longevity for the façade. Environmentally sustainable materials and construction methods are encouraged; and
 - iii. A building's profile should be compatible with the intended character of the area and enhance the streetscape. In some cases, it may be appropriate to mark an entryway with a distinct form, such as a tower, to emphasize the significance of the building entry.
3. Provide clear, unobstructed views into and out from ground floor uses facing the public realm.
 - a. Intent. At street level a series of unobstructed views into and out of buildings enriches the urban experience for pedestrians and building occupants. Transparency enhances visual interest, vitality, and increases safety for all.
 - b. Guidelines.
 - i. Transparent windows should be provided on facades facing streets, parks, and open spaces;
 - ii. Views into and out from ground floor Active Uses may not be obstructed by window coverings, internal furnishings, or walls.
 - iii. Interior walls may be placed a minimum of 20 feet from the window on the façade where Active Uses are a part of an exemption in the FAR Amenity System.



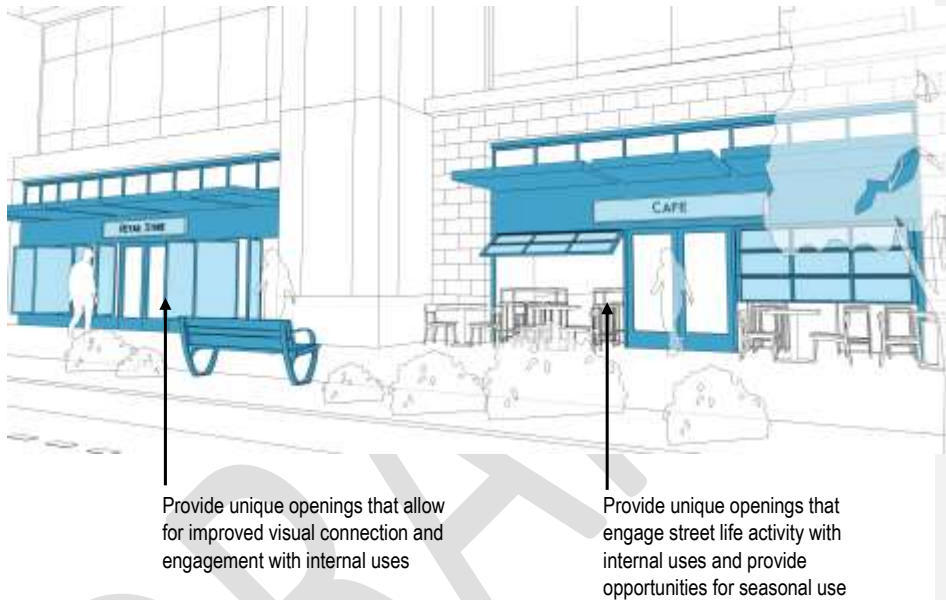
4. Design Inviting Retail and Commercial Entries.

- a. Intent. Design retail and commercial entries to create an open atmosphere that draws customers inside, while creating opportunities to engage the public.
- b. Guidelines.
 - i. Primary entries to retail and commercial establishments should be transparent, allowing passersby to see the activity within the building and bring life and vitality to the street;
 - ii. Architectural detail should be used to help emphasize the building entry including canopies, materials, and depth;
 - iii. Building lighting should emphasize entrances;
 - iv. Provide transom, side lights, or other combinations of transparency to create visual interest;

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- v. Provide double or multiple door entries; and
- vi. Provide a diverse and engaging range of doors, openings and entrances to the street such as pivoting, sliding or roll up overhead entrances.



Provide unique openings that allow for improved visual connection and engagement with internal uses

Provide unique openings that engage street life activity with internal uses and provide opportunities for seasonal use

3. Encourage Retail Corner Entries.
 - a. Intent. Use corner entries to reinforce intersections as important places for pedestrian interaction and activity.
 - b. Guidelines.
 - i. Locate entry doors on the corners of retail buildings wherever possible. Entries at 45-degree angles and free of visual obstructions are encouraged;
 - ii. Locate primary building entrance at the corner;
 - iii. Use weather protection, special paving, and lighting, to emphasize corner entry;
 - iv. Use architectural detailing with materials, colors, and finishes that emphasize the corner entry; and
 - v. Use doors with areas of transparency and adjacent windows.
4. Encourage Inviting Ground Floor Retail and Commercial Windows.

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- a. Intent. Use transparency to enhance visual interest and to draw people into retail and commercial uses.
 - b. Guideline.
 - i. Retail and commercial uses should use unobstructed windows that add activity and variety at the street level, inviting pedestrians into retail and commercial uses and providing views both in and out;
 - ii. Use clear window glazing;
 - iii. Provide operable windows that open by pivoting, sliding or shuttering for restaurants, cafes, retail and commercial activity;
 - iv. Install transom windows or other glazing combinations that promote visual interest.
5. Provide Multiple Entrances.
- a. Intent. Multiple entrances break up monotonous facades, enhance visual interest, and enrich the pedestrian experience.
 - b. Guideline. Provide pedestrian entrances at frequent intervals to contribute to variety and intensity.
6. Build Compatible Parking Structures.
- a. Intent. Use design elements to enhance the compatibility of parking garages and integrated structured parking with the urban streetscape.
 - b. Standards and Guidelines.
 - i. Where adjacent to ~~the a~~ right-of-way ~~other than 114th Avenue N.E.~~ or a through-block pedestrian connections, a minimum of twenty feet of the first and second floors measured from the façade inward shall be habitable for commercial activity;
 - ii. Parking garages and integrated structured parking should be designed so that their streetscape interface has a consistent aesthetic through massing and use of materials complementing the vision for the area;
 - iii. On a streetscape, openings should be glazed when adjacent to right-of-way or adjacent to through-block pedestrian connections above the second floor;
 - iv. Openings should be provided adjacent to interior property lines to avoid blank walls and should be glazed to function as windows;
 - v. Parking garage floors should be horizontal to accommodate adaptive reuse;
 - vi. Stairways, elevators, and parking entries and exits should occur at mid-block;
 - vii. Design a single auto exit/entry control point to minimize number and width of driveway openings (entry and exit points may be separated) and potential conflicts;

Commented [BT(145)]: Initial PC direction on 4.19.17.

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viii. Design should include vertical expression of building structure that provides continuity with the surrounding development; ~~and~~

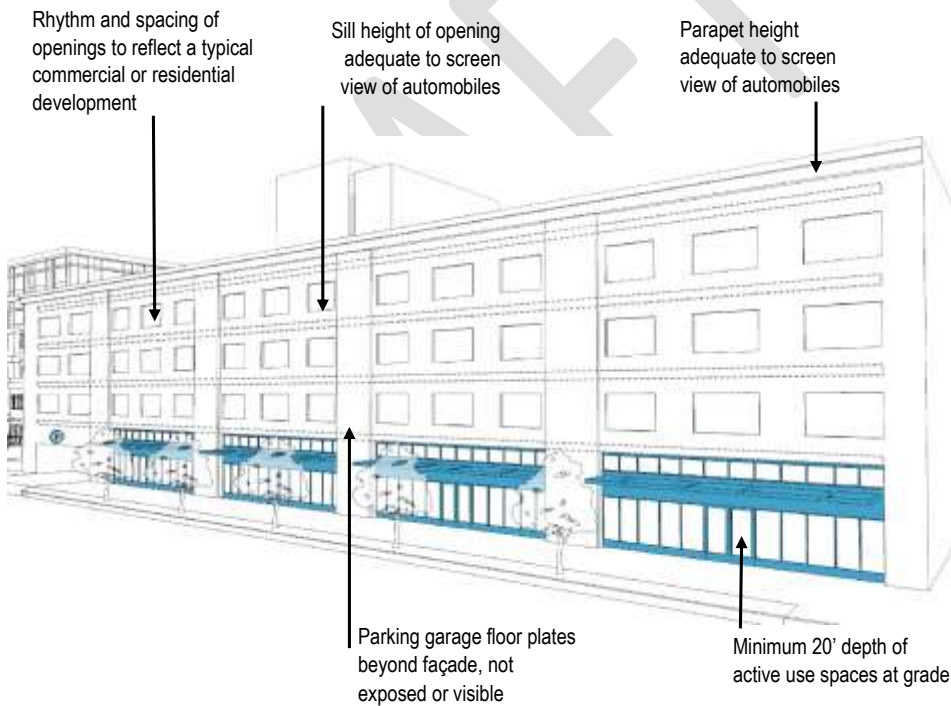
ix. Profiles of parking structure floors should be concealed and not visible to the public through façade treatments and materiality; while providing openings consistent with residential and non-residential buildings;

x. Parking garages and structured parking should be designed to be compatible with the urban streetscape;

xi. Sill heights and parapets should be sufficient to screen view of automobiles; and

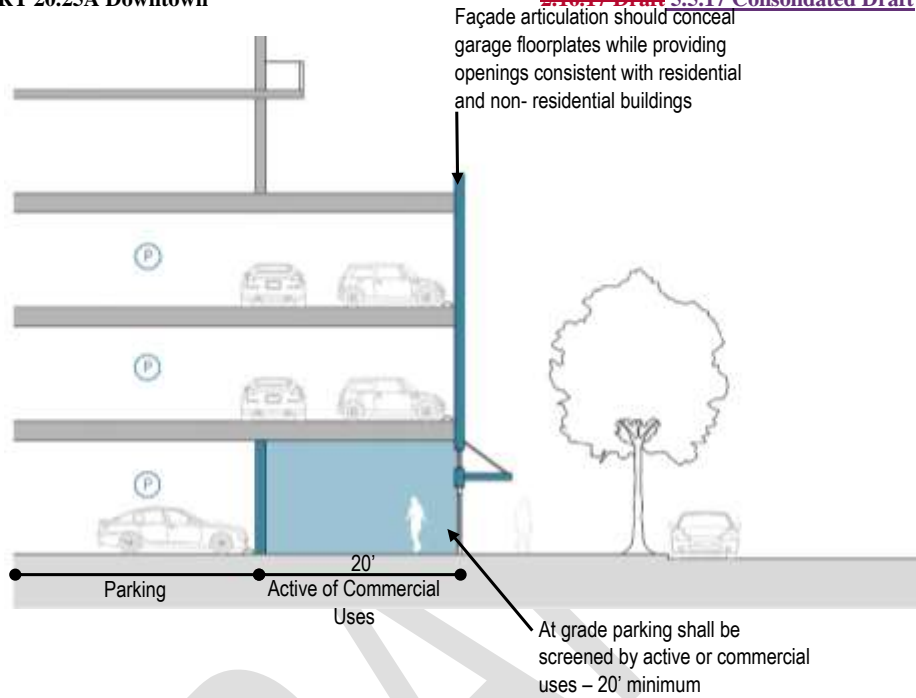
xii. Rhythm and spacing of openings should reflect a typical commercial or residential development.

Commented [BT(146): Included in 4.26.17 packet.
Reprinted in 5.10.17 packet.



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7. Integrate Building Lighting.

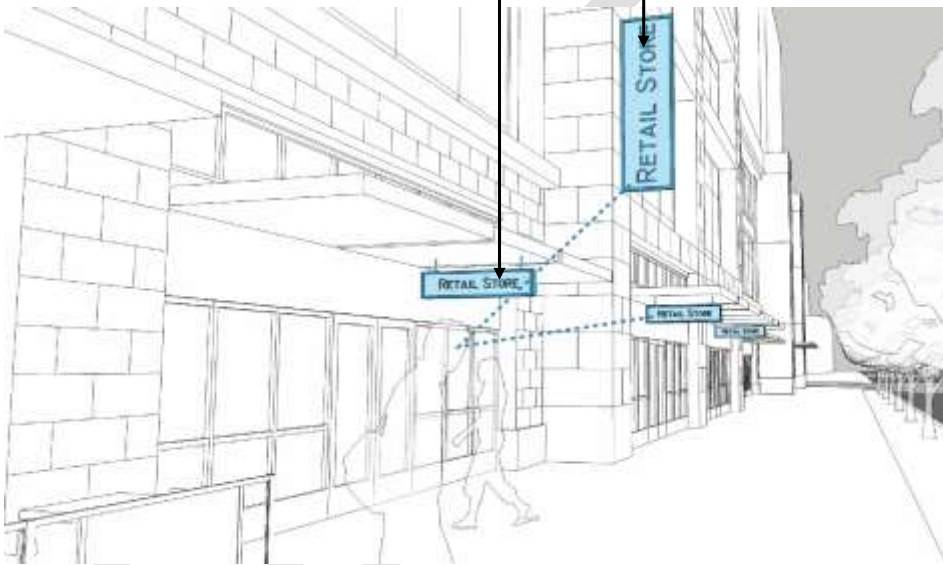
- a. Intent. Architectural lighting that enhances and helps articulate building design, including illumination of architectural features and entries, points of interest, uplighting and other effects.
- b. Guidelines.
 - i. Exterior lighting of buildings should be an integral component of the facade composition. Lighting should be used to create effects of shadow, relief and outline that add visual interest and highlight aspects of the building;
 - ii. Lighting should not cast glare into residential units or onto adjacent development or streets;
 - iii. Use accent lighting for architectural features;
 - iv. Provide pedestrian-oriented lighting features;
 - v. Integrate lighting within the landscape; and
 - vi. Provide dimmable exterior lighting.

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8. Signs.

- a. Intent. Signs may provide an address, identify a place of business, locate residential buildings or generally offer directions and information. Their function should be architecturally compatible with and contribute to the character of the surrounding area. Signs can contribute significantly to a positive retail and pedestrian environment, improve public safety perceptions, and reinforce a sense of place. All signs shall comply with the Chapter 22.10B, BCC (Sign Code).

Signs should be oriented to pedestrians and visible from the sidewalk

**E. Middle (Tower)**

1. Tower Placement

- a. Intent. Tower placement can directly affect those on the ground plane by affecting wind conditions and the scale of the building as compared to the pedestrian. Thoughtful tower placement can minimize these effects.
- b. Guidelines.
- i. Place towers away from parks, open space, and neighboring properties to reduce visual and physical impacts of the tower and allow the base building to be the primary defining element for the site and adjacent public realm.

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- ii. Coordinate tower placement with other towers on the same block and adjacent blocks to maximize access to sunlight and sky view for surrounding streets, parks, open space, and properties.
- 2. Maximize energy efficiency in tower orientation and articulation.
 - a. Intent. Tower orientation, articulation and other features should be designed to respond to maximize solar orientation and to reduce mechanical heating and cooling.
 - b. Guidelines.
 - i. Orient towers to improve building energy performance, natural ventilation, and daylighting, provided that access to sky view is maintained and adverse wind and shadow impacts are minimized;
 - ii. Vary the design and articulation of each tower façade to respond to changes in solar orientation. Where appropriate, adjust internal layouts, glazing ratios, balcony placement, fenestration, and other aspects of the tower design to manage passive solar gain and improve building energy performance;
 - iii. Where possible, include operable windows to provide natural ventilation and help reduce mechanical heating and cooling requirements; and
 - iv. When multiple towers are proposed, stagger the tower heights to create visual interest within the skyline, mitigate wind, and improve access to sunlight and sky view. In general, variation of five stories or more provides a difference in height that can be perceived at street level.
- 3. Design tower to provide visual interest and articulation.
 - a. Intent. Tower design should incorporate articulation, design excellence, and sustainable materials.
 - b. Guidelines.
 - i. Incorporate variation and articulation in the design of each tower façade to provide visual interest and to respond to design opportunities and different conditions within the adjacent context; and
 - ii. Articulate tall building towers with high-quality, sustainable materials and finishes to promote design excellence, innovation, and building longevity.
- 4. Design towers to accommodate changing occupancy requirements.
 - a. Intent. Flexible floor plate and internal layout design features in towers will accommodate changing occupancy requirements.
 - b. Guideline. Where possible, provide internal flexibility within the tower to accommodate changing floor layouts and uses over time. In residential and mixed-use buildings, the inclusion of "break-out" panels or other relevant construction techniques are encouraged to allow residential units to be converted or combined to meet changing occupancy requirements.

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5. Promote Visually Interesting Upper Floor Residential Windows.
 - a. Intent. Upper floor residential windows should create an open and inviting atmosphere that adds visual interest and enhances the experience of the building both inside and out.
 - b. Guidelines.
 - i. The windows of a residential building should be pleasing and coherent. Their size and detailing should be of a human scale with regular spacing and a rhythm of similarly shaped windows;
 - ii. Windows should have multiple lights or divisions;
 - iii. Windows should be operable; and
 - iv. Windows should have trim round framed openings and be recessed from the building façade, not flush.

F. Top

1. Create Attractive Building Silhouettes and Rooflines.
 - a. Intent. Building rooflines should enliven the pedestrian experience and provide visual interest with details that create dynamic and distinct forms.
 - b. Guidelines.
 - i. Building rooflines should be dynamic, fluid, and well-articulated to exhibit design excellence while creating a dynamic and attractive skyline;
 - ii. Include towers or similar vertical architectural expressions of important building functions such as entries;
 - iii. Vary roof line heights; and
 - iv. Incorporate well-detailed cornices that have significant proportions (height and depth) and create visual interest and shadow lines.
2. Foster Attractive Rooftops.
 - a. Intent. Integrate rooftop elements into the building design.
 - b. Guidelines.
 - i. Roof shape, surface materials, colors, and penthouse functions should all be integrated into the overall building design. LUC 20.25A.130 provides guidance for rooftop mechanical equipment;
 - ii. Provide rooftop terraces, gardens, and open spaces;
 - iii. Incorporate green roofs that reduce stormwater runoff; and

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- iv. Consolidate and screen mechanical units.
- v. Occupied rooftop amenity areas are encouraged provided that potential noise and light impacts on neighboring developments are minimized.

DRAFT

20.25A.180 144

Topic: Downtown Parking Flexibility

Reprinted from April 26, 2017 Planning Commission Study Session -
Reprinted for May 10

PLANNING COMMISSION INITIAL DIRECTION FROM APRIL 19:

Initial direction on Downtown Parking Flexibility was provided by the Planning Commission on April 19. During that meeting, the Planning Commission concluded that inclusion of additional parking flexibility in the draft code could not be adequately evaluated without results of a Comprehensive Downtown Parking Study. The necessary study has been funded in the 2017-18 budget, but has not been initiated. The Planning Commission directed staff to prepare draft code for its consideration that:

1. Removes the flexibility amendments that were included in the Downtown Update draft prepared for the public hearing (with the understanding that these elements could be re-evaluated at a future date after the Comprehensive Downtown Parking Study is complete)
2. Amends the existing code provisions to eliminate the 20% reduction allowed where uses served by shared parking have overlapping hours of operation.

Draft Code for Planning Commission consideration:

LUC 20.25A.050.C Shared Parking

1. General. In the Downtown, this subsection supersedes LUC [20.20.590.I.1](#) – 2. Subject to compliance with other applicable requirements of this Code, the Director of the Development Services Department may approve shared development or use of parking facilities located on adjoining separate properties or for mixed use or mixed retail use development on a single site if:
 - a. A convenient pedestrian connection between the properties or uses exists; and
 - b. The availability of parking for all affected properties or uses is indicated by directional signs, as permitted by Chapter [22B.10](#) BCC (Sign Code).
2. Number of Spaces Required.
 - a. Where the uses to be served by shared parking have overlapping hours of operation, the property owner or owners shall provide parking stalls equal to the total of the individual parking requirements for the uses served. ~~reduced by 20 percent of that total number; provided, that the Director may approve a further reduction of that total number if the property owner or owners demonstrate to the satisfaction of the Director that the resulting provision of parking will be adequate for the proposed uses.~~

Commented [HC1]: April 26 Draft for Commission consideration - Reflects Commission discussion on April 19

Commented [HC2R1]: PC Initial Direction from April 26 – Make no changes to the Downtown parking requirements until the comprehensive Downtown parking study is completed. PC requested additional discussion of the 20% shared parking provisions. Materials prepared for May 3 and reprinted for May 10.

b. Where the uses to be served by shared parking do not overlap their hours of operation, the property owner or owners shall provide parking stalls equal to the greater of the applicable individual parking requirements.

3. Documentation Required. Prior to establishing shared parking or any use to be served thereby, the property owner or owners shall file with the King County Division of Records and Elections and with the Bellevue City Clerk a written agreement approved by the Director of the Development Services Department providing for the shared parking use. The agreement shall be recorded on the title records of each affected property.

Potential Implications of the Initial Planning Commission Direction:

Staff notes that this provision for shared parking has been used across Downtown since the inception of the existing Land Use Code by small to very large developments, and could potentially create some unintended consequences if eliminated. The shared parking provisions are applicable to new development as well as re-tenanting. This code provision is especially well used when re-tenanting occurs in smaller, multi-use buildings at the outer edges of downtown. If this provision is deleted from the Land Use Code, there will potentially be leasable spaces that cannot be re-tenanted upon the relocation of an existing tenant leading to vacant storefronts, leading to negative economic impacts.

ALTERNATIVE TO THE PLANNING COMMISSION INITIAL DIRECTION:

On March 22, the Planning Commission began its discussion of the Public Hearing Draft Code relating to parking flexibility. This original discussion included consideration of modifications to the public hearing draft that would make clear that the Director does not have the authority to modify residential guest parking standards. It was also stated that any parking demand studies required by the code would need to be based on Bellevue-specifics, not comparable jurisdictions, and be performed by a professional traffic engineer using the ITE (Institute of Transportation Engineers) manual as reference. There was also interest in ensuring that the Director would accept a parking demand study that complies with professional methodologies.

The code draft provided below provides an alternative to the Planning Commission Initial Direction provided on April 19 that incorporates the prior direction provided on March 22. This alternative would allow the 20% reduction for shared parking that is permitted by the code in effect today, provided it was supported by a parking study that met professional methodologies described by the Planning Commission in their March 22 meeting.

LUC 20.25A.050.C Shared Parking

1. General. In the Downtown, this subsection supersedes LUC [20.20.590.I.1](#) – 2. Subject to compliance with other applicable requirements of this Code, the Director of the Development Services Department may approve shared development or use of parking facilities located on

Commented [HC3]: April 26 Draft for Commission consideration – Continues to allow 20% reduction of shared parking for overlapping uses, provided the reduction is supported by a parking study the meets professional standards.

Commented [HC4R3]: PC Initial Direction from April 26 – Make no changes to the Downtown parking requirements until the comprehensive Downtown parking study is completed. PC requested additional discussion of the 20% shared parking provisions. Materials prepared for May 3 and reprinted in May 10 packet.

adjoining separate properties or for mixed use or mixed retail use development on a single site if:

- a. A convenient pedestrian connection between the properties or uses exists; and
- b. The availability of parking for all affected properties or uses is indicated by directional signs, as permitted by Chapter [22B.10](#) BCC (Sign Code).

2. Number of Spaces Required

- a. Where the uses to be served by shared parking have overlapping hours of operation, ~~the property owner or owners shall provide parking stalls equal to the total of the individual parking requirements for the uses served reduced by 20 percent of that total number; provided, that the~~ Director may approve a reduction of up to 20 percent further reduction of that the total required parking stalls pursuant to the provisions of LUC 20.25A.080.H number if the property owner or owners demonstrate to the satisfaction of the Director that the resulting provision of parking will be adequate for the proposed uses.
- b. Where the uses to be served by shared parking do not overlap their hours of operation, the property owner or owners shall provide parking stalls equal to the greater of the applicable individual parking requirements.

3. Documentation Required. Prior to establishing shared parking or any use to be served thereby, the property owner or owners shall file with the King County Division of Records and Elections and with the Bellevue City Clerk a written agreement approved by the Director of the Development Services Department providing for the shared parking use. The agreement shall be recorded on the title records of each affected property.

20.25A.080 Parking Standards

H. Director's Authority to Modify Required Parking.

Through approval of an administrative departure pursuant to LUC 20.25A.030.D.1, the Director ~~shall~~may modify the minimum or maximum parking ratio for any use in LUC 20.25A.080.B, with the exception of required visitor parking for residential uses, if the following criteria are met as follows:

- 1. The modified parking ratio is supported by a parking demand analysis performed by a professional traffic engineer, as follows:~~provided by the applicant, including but not limited to:~~

Commented [HC5]: April 26 Draft for Commission consideration – Continues to allow 20% reduction of shared parking for overlapping uses, provided the reduction is supported by a parking study that meets professional standards.

Commented [HC6R5]: PC Initial Direction from April 26 – Make no changes to the Downtown parking requirements until the comprehensive Downtown parking study is completed.

Commented [HC7R5]: May 3 Draft retained for Commission consideration – should interim limitations should be placed on the calculation of shared parking to prohibit the inclusion of residential spaces, residential visitor spaces, and ADA accessible spaces [Laing proposal]. May 3 materials reprinted in May 10 packet.

Commented [HC8]: April 26 Draft for Commission consideration – Updates professional standards applicable to preparation of a parking study consistent with the Planning Commission discussion on March 22.

Commented [HC9R8]: PC Initial Direction from April 26 – Make no changes to allow additional parking ratio modifications until the comprehensive Downtown parking study is completed.

Commented [HC10R8]: May 3 materials reprinted in May 10 packet.

- a. Documentation ~~supplied by the applicant regarding actual of the estimated~~ parking demand for the proposed use adheres to professional methods; ~~and/or~~
- b. Evidence in available ~~planning and~~ technical studies or manuals relating to the proposed use; ~~and/or~~
- c. Parking demand analysis for the proposed use may take into consideration how parking supply for a similar use has been calculated and performed at other locations in Bellevue where available or other comparable circumstances in other jurisdictions. ~~Required parking for the proposed use as determined by other compatible jurisdictions.~~

Commented [KEA11]: Slight re-wording of language in April 19 Commission packet.

2. Periodic Review. The Director may require periodic review of the proposed review of the reduced parking supply to ensure the terms of the approval are being met.
3. Assurance Device. The Director may require an assurance device pursuant to LUC 20.40.490 to ensure compliance with the requirements and intent of subsection F.1 of this section.
4. Shared or off-site parking is not available or adequate to meet demand.
5. Any required Transportation Management Program will remain effective.

ANALYSIS:

The Downtown CAC did not include changes to Downtown parking ratios in their Final Report. They instead recommended to Council that a Comprehensive Downtown Parking Study be conducted. Council subsequently provided funding for such a study in the 2017-18 budget, with the full scope to be defined. At this time, Council has not provided direction when they might initiate the study. In this interim period, the parking discussion before the Planning Commission has focused on flexibility and visitor parking.

Over the past few years there have been inquiries for increased parking as more office workers occupy the same 1,000 square feet that the parking ratios are based on. There are also requests for less parking, especially for residential projects that feel 1.0 stall per unit is too much based on demand in the transit rich Downtown. Looking at 42 market-rate residential projects in Downtown between 1987 and 2015, 12 were built at a parking ratio of just over 1.0 stall per unit. There appears to a growing trend for projects to come in at the low end of what is required. Of the eight apartment projects that came online from 2010-2015, two were at the minimum, and the average of them all was only 1.15 stalls per unit.

The Commission has discussed opportunities for flexibility throughout the draft Land Use Code, but has expressed some concern about parking flexibility if it were to go too low and perhaps add to congestion with people driving around looking for a place to park. The materials provided in this attachment presents language that will accomplish the initial direction provided by the Planning Commission on April 19. An alternative is also provided for Planning Commission consideration that would continue to allow a 20% reduction in shared parking when uses have overlapping hours of operation, provided that the reduction is supported by a parking study that meeting professional standards for methodology. The alternative is intended to provide the Planning Commission with language that blends feedback from the Planning Commission received on both March 22 and April 19.

Topic: Amenity Incentive System

Attachment B-2

**May 3, 2017 Planning Commission Study Session –
Reprinted for May 10**

SUMMARY OF PUBLIC HEARING COMMENTS:

A summary of issues relating to the amenity incentive system is as follows:

- A number of questions have been raised regarding the legality of the incentive system. Suggestions have also been made about eliminating the incentive system and adding new development requirements in its place.
- The level that new base FAR and base height should be set relative to existing maximums and proposed new maximums (see Commission direction, below).
- Interest in a “super bonus” through a legislative departure. It would need a clear public benefit and be no greater than 1.0 FAR beyond the maximum and/or a certain percentage of a project’s total height.
- Eliminate the height penalty for projects that are below the bonus FAR limits, but exceed the base height.
- Consider reducing the 75% public open space amenity requirement to provide more flexibility for projects attempting to achieve maximum FAR within a limited amount of parcel space.
- Have a greater focus of amenities by downtown neighborhood.
- Reduce the in-lieu fee exchange rate of \$28 to match the bonus amenity exchange rate of \$25; allow in-lieu fee to be used for greater than 50% of a project’s need if amenities don’t make sense for the site.
- Suggestions for additional new amenities to be added to the list.
- Open space amenity requirements are too prescriptive, consider more flexibility.
- Desire to restore Pedestrian Corridor/Major Public Open Space bonus ratio to what is in existing code.
- Parks and Community Services Board feedback relating to the goals of Parks and Open Space Plan.
- Arts Commission feedback on the Public Art amenity.
- Suggestions regarding the tiering for Sustainability Certifications.
- Desire to have Flexible Amenities approved through an administrative departure instead of legislative departure.
- Clarification regarding the use of excess Pedestrian Corridor/Major Public Open Space bonus floor area.

INITIAL DIRECTION FROM PLANNING COMMISSION:

- 3/22 Revise base FAR to be 90% of the proposed maximum FAR in all instances.
- 3/22 Create dedicated account for in-lieu fees collected through the amenity incentive system, and expend only for acquisition or improvement of publicly accessible open space within Downtown.
- 4/19 Provide more granularity and transparency regarding the collection, fund allocation, expenditure and accounting of in-lieu fees.

- 4/19 Incorporate edits to incentive system regarding Pedestrian Corridor bonus and transferability, Lake to Lake Trail, plaza criteria, arts amenity, and green building certification.
- 4/19 Do not further explore (1) concept of “Super Bonus” or (2) elimination of incentive system with replacement by additional development requirements.
- 4/26 Desire to review list of bonusable amenities along with additional ideas to potentially bonus as suggested during the public comment on the draft Code.

NOTE: The following additional bonusable amenity ideas came up during the public hearing process:

- Performing arts center
- Sports and recreation facilities
- Public open air markets
- Museums
- Publicly accessible amenity spaces on rooftops or tops of podiums
- Roof gardens
- Residential amenity space
- Mid-block pedestrian crossings
- Through-block connections

- 4/26 Desire to have a shorter periodic review cycle than every 7-10 years for Amenity Incentive System and to incorporate provisions for adaptive management.

Initial Direction re: Base FAR and Draft Amenity Inentive System Language

20.25A.060

Dimensional Requirements in Downtown Districts

Downtown Land Use District	Building Type (2)(5)	Minimum Tower Setback above 45' Where Building Exceeds 75'	Maximum Floor Plate Above 40' (4)	Maximum Floor Plate Above 80' (4)	Maximum Lot Coverage (13)	Maximum Building Height	Floor Area Ratio: Base / Maximum (3)	Tower Separation Above 45' Where Building exceeds 75'	Base Building Height	Trigger for additional height
DT-O-1	Nonresidential	40' (45)	24,000 gsf/f	24,000 gsf/f	100%	600' (8)	5.75 / 8.0	80'	345'	345' (7)
	Residential	40' (45)	22,000 gsf/f	13,500 gsf/f	100%	600' (8)	5.9 / 10.0	80'	450'	450' (7)
	Above-Grade Parking	40' (45)	20,000 gsf/f	20,000 gsf/f	100%	100' (9)	N/A	80'	N/A	N/A (10)
DT-O-2 North of NE 8 th St.	Nonresidential	40' (45)	24,000 gsf/f	24,000 gsf/f	100%	460'	5.0 / 6.0	80'	288'	288' (7)
	Residential	40' (45)	22,000 gsf/f	13,500 gsf/f	100%	460'	5.0 / 6.0	80'	288'	288' (7)
	Above-Grade Parking	40' (45)	20,000 gsf/f	20,000 gsf/f	100%	100' (9)	NA	80'	N/A	N/A (10)
DT-O-2 East of 110 th Ave. NE	Nonresidential	40' (45)	24,000 gsf/f	24,000 gsf/f	100%	403'	5.0 / 6.0	80'	288'	288' (7)
	Residential	40' (45)	22,000 gsf/f	13,500 gsf/f	100%	403'	5.0 / 6.0	80'	288'	288' (7)
	Above-Grade Parking	40' (45)	20,000 gsf/f	20,000 gsf/f	100%	100' (9)	NA	80'	N/A	N/A (12)

- Commented [KEA1]:** Reflects 3/22 initial Commission direction.
- Commented [KEA2]:** Reflects 3/22 initial Commission direction re: base FAR.
- Commented [HC3R2]:** Included in Consolidated Code Draft
- Commented [KEA4]:** Reflects 3/22 initial Commission direction re: base FAR.
- Commented [KEA5]:** Reflects 3/22 initial Commission direction re: base FAR.
- Commented [KEA6]:** Reflects 3/22 initial Commission direction re: base FAR.
- Commented [KEA7]:** Reflects 3/22 initial Commission direction re: base FAR.
- Commented [KEA8]:** Reflects 3/22 initial Commission direction re: base FAR.

Downtown Land Use District	Building Type (2)(5)	Minimum Tower Setback above 45' Where Building Exceeds 75'	Maximum Floor Plate Above 40' (4)	Maximum Floor Plate Above 80' (4)	Maximum Lot Coverage (13)	Maximum Building Height	Floor Area Ratio: Base / Maximum (3)	Tower Separation Above 45' Where Building exceeds 75'	Base Building Height	Trigger for additional height
DT-O-2 South of NE 4th	Nonresidential	40' (15)	24,000 gsff	24,000 gsff	100%	345'	5.0 5.4 / 6.0	80'	288'	288' (7)
	Residential	40' (15)	22,000 gsff	13,500 gsff	100%	345'	5.0 5.4 / 6.0	80'	288'	288'
	Above-Grade Parking	40' (15)	20,000 gsff	20,000 gsff	100%	100' (9)	NA	80'	N/A	N/A (10)
DT-MU	Nonresidential	40' (15)	22,000 gsff	20,000 gsff	100%	230'	3.25 4.5 / 5.0	80'	115'	115' (7)
	Residential	40' (15)	20,000 gsff	13,500 gsff	100%	288'	4.25 4.5 / 5.0	80'	230'	230' (7)
	Above-Grade Parking	N/A	20,000 gsff	N/A	75%	60' (9)	N/A	NA	N/A	N/A (10)
DT-MU Civic Center	Nonresidential	40' (15)	22,000 gsff	20,000 gsff	100%	403'	3.25 5.4 / 6.0	80'	115'	115' (7)
	Residential	40' (15)	20,000 gsff	13,500 gsff	100%	403'	4.25 5.4 / 6.0	80'	230'	230' (7)
	Above-Grade Parking	N/A	20,000 gsff	N/A	75%	60' (9)	N/A	NA	N/A	N/A (10)
DT-OB	Nonresidential	40' (15)	20,000 gsff	13,500 gsff	100%	(11)	(11)	80'	(11)	N/A (10)
	Residential	40' (15)	20,000 gsff	13,500 gsff	100%	(11)	(11)	80'	(11)	N/A (10)
	Above-Grade Parking	N/A	N/A	N/A	75%	(11)	(11)	N/A	(11)	N/A (10)
DT-R	Nonresidential	N/A	20,000 gsff	NA	75%	75'	0.5 / 0.5	N/A	N/A	N/A (10)
	Residential	40' (15)	20,000 gsff	13,500 gsff	100%	230'	4.25 4.5 / 5.0	80'	N/A	N/A (10)
	Above-Grade Parking	N/A	N/A	N/A	75%	40' (9)	N/A	NA	N/A	N/A (10)
DT-OLB North (between NE 8th Street and NE 12th Street)	Nonresidential	40' (15)	30,000 gsff	20,000 gsff	100%	86'	2.5 2.7 / 3.0	80'	N/A	N/A (10)
	Residential	40' (15)	20,000 gsff	13,500 gsff	100%	104'	2.5 2.7 / 3.0	80'	N/A	N/A (10)
	Above-Grade Parking	N/A	20,000 gsff	N/A	75%	45' (9)	N/A	NA	N/A	N/A (10)
DT-OLB Central (between NE 4th Street and NE 8th Street)	Nonresidential	40' (15)	30,000 gsff	20,000 gsff	100%	403'	2.5 5.4 / 6.0	80'	90'	90' (7)
	Residential	40' (15)	20,000 gsff	13,500 gsff	100%	403'	2.5 5.4 / 6.0	80'	105'	105' (7)
	Above-Grade Parking	N/A	20,000 gsff	N/A	75%	45' (9)	N/A	NA	N/A	N/A (10)
DT-OLB South (between Main Street and NE 4th Street)	Nonresidential	40' (15)	30,000 gsff	20,000 gsff	100%	230'	2.5 4.5 / 5.0	80'	90'	90' (7)
	Residential	40' (15)	20,000 gsff	13,500 gsff	100%	230'	2.5 4.5 / 5.0	80'	105'	105' (7)
	Above-Grade Parking	N/A	20,000 gsff	N/A	75%	45' (9)	N/A	NA	N/A	N/A (10)

Commented [KEA1]: Reflects 3/22 initial Commission direction.

Commented [KEA9]: Reflects 3/22 initial Commission direction re: base FAR.

Commented [KEA10]: Reflects 3/22 initial Commission direction re: base FAR.

Commented [KEA11]: Reflects 3/22 initial Commission direction re: base FAR.

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Commented [KEA19]: Reflects 3/22 initial Commission direction re: base FAR.

Commented [KEA20]: Reflects 3/22 initial Commission direction re: base FAR.

Commented [KEA21]: Reflects 3/22 initial Commission direction re: base FAR.

Additional Dimensional Requirements in Downtown Perimeter Overlay Districts

Downtown Perimeter Overlay District	Building Type (2)(5)	Minimum Tower Setback above 45' Where Building Exceeds 75'	Minimum Setback from Downtown Boundary (1)	Maximum Lot Coverage (13)	Maximum Building Height	Floor Area Ratio: Base / Maximum (3)	Base Building Height	Triggers for Additional Height
Perimeter Overlay A-1	Nonresidential	N/A	20' (6)	75%	40' (8)	1.0 in MU; 0.5 in R/ 1.0 in DT-MU and DT-OB; 0.5 in DT-R	N/A	N/A (10)
	Residential	N/A	20' (6)	75%	55' (8)	3.0 3.15 / 3.5	N/A	N/A (10)
	Above-Grade Parking	N/A	20' (6)	75%	40' (9)	N/A	N/A	N/A (10)
Perimeter Overlay A-2	Nonresidential	N/A	20' (6)	75% in DT-MU 100% in DT-OB	40' (8)	1.0 / 1.0	N/A	N/A (10)
	Residential	N/A	20' (6)	75% in DT-MU 100% in DT-OB	70' (7) (8)	3.25 in DT-MU, 3.25 in DT-OB, 3.0 in DT-R / 3.5	55'	55' (9) (7)
	Above-Grade Parking	N/A	20' (6)	75%	40' (9)	N/A	N/A	N/A (10)
Perimeter Overlay A-3	Nonresidential	N/A	20' (6)	75%	70' (8)	1.0-1.5 1.5 / 1.0	40'	40' (7)
	Residential	N/A	20' (6)	75%	70' (8)	3.25 4.5 / 5.0 (14)	55'	55'
	Above-Grade Parking	N/A	20' (6)	75%	40' (9)	N/A	N/A	N/A (10)
Perimeter Overlay B-1	Nonresidential	N/A	N/A	75% in DT-MU and DT-R 100% in DT-OB	72'	1.5 in DT-MU; 1.0 in OB; 0.5 in DT-R / 1.5 in DT-MU; 1.0 in DT-OB; 0.5 in DT-R	N/A	N/A (10)
	Residential	40' (15)	N/A	75% in DT-MU and DT-R 100% in DT-OB	99'	4.25 4.5 / 5.0	99'	99' (7)
	Above-Grade Parking	N/A	N/A	75%	40' (9)	N/A	N/A	N/A (10)
Perimeter Overlay B-2	Nonresidential	N/A	N/A	75%	72'	1.5 / 1.5	N/A	N/A (10)
	Residential	40' (15)	N/A	75%	176'-264' (7) (12) (15)	4.25 4.5 / 5.0	105'	105' (7)
	Above-Grade Parking	N/A	N/A	75%	40' (9)	N/A	N/A	N/A (10)
Perimeter Overlay B-3	Nonresidential	N/A	N/A	75%	72'	1.5 / 1.5	N/A	N/A (10)
	Residential	40' (15)	N/A	75%	220' (7)	4.25 6.3 / 7.0 5.0 (14)	105'	105' (7)
	Above-Grade Parking	N/A	N/A	75%	40' (9)	N/A	N/A	N/A (10)

Commented [HC22]: Footnote 8 should be deleted here. It only applies to DT-O-1 and Perimeter A-3. Errata

Commented [KEA23]: Reflects 3/22 initial Commission direction re: base FAR.

Commented [KEA24]: No change to base FAR as 3.25 in draft Code was 93% of 3.5 FAR.

Commented [KEA25]: Reflects 3/22 initial Commission direction for A-3/B-3 changes.

Commented [KEA26]: Reflects 3/22 initial Commission direction for A-3/B-3 changes.

Commented [KEA27]: Reflects 3/22 initial Commission direction re: base FAR.

Commented [KEA28]: Reflects 3/22 initial Commission direction re: base FAR.

Commented [KEA29]: Reflects 3/22 initial Commission direction for A-3/B-3 changes.

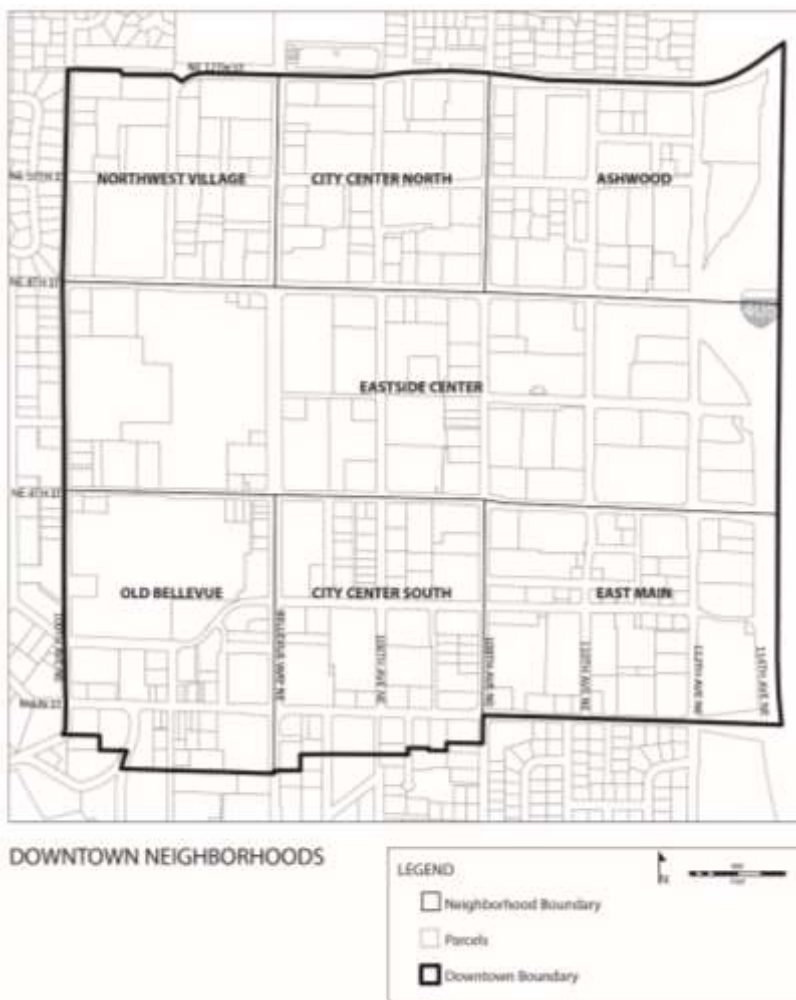
Commented [KEA30]: Reflects 3/22 initial Commission direction for A-3/B-3 changes.

20.25A.070

D. Specific Amenity Incentive System Requirements.

1. Participation in the Amenity Incentive System shall comply with Chart 20.25A.070.D.4, provided below. Amenity bonus rates and applicability will follow Downtown Neighborhood boundaries as shown in Figure 20.25A.070.D.1.

Figure 20.25A.070.D.1



2. Development within a project limit may only exceed its base FAR or base building height by providing amenities as described in Chart 20.25A.070.D.4 and this subsection.

a. Calculation of Required Amenity Incentive Points~~Need~~. The process below shall be used to determine the required amenity incentive points~~need~~ by individual building. There are two conditions that will guide a building's required amenity incentive points~~need~~ based on it being above or below the base building heights shown in LUC 20.25A.060.A.4.

Condition 1: All building floor area is developed below the base building height. In this case, the amount of square footage above the base FAR is equal to the required amenity need~~expressed in~~ amenity points.

Condition 2: A portion of the building floor area is developed above the base building height. In this case, the greater of the floor area being constructed above base FAR, OR the floor area being constructed above base height divided by two shall count as the required amenity incentive need~~in~~ points for each building. For example: A building has 60,000 square feet above base FAR and 30,000 square feet above base building height divided by two = 15,000; the requirement amenity need~~in~~ would be 60,000 amenity points. A building with zero square feet above base FAR and 20,000 square feet above base building height divided by two would require have an amenity need of 10,000 amenity points.

For multi-building development, the individual building amenity calculations will be combined for an overall development's required amenity incentive points~~need~~.

b. Allocation of Amenities. The Amenity Incentive System has a focus on public open space features. It is required that 75 percent or more of a project's required amenity points~~need~~ must utilize one or more of the following amenities: Major Pedestrian Corridor, Outdoor Plaza, Donation of Park Property, Improvement of Public Park Property, Enhanced Streetscape, Active Recreation Area, Enclosed Plaza or Alleys with Addresses. Up to The remaining 25 percent of a project's required amenity points~~need~~ may be comprised of utilize~~any other amenity on the amenity list or continue to use public open space feature amenities~~.

c. In-lieu Fees. In-lieu fees may be used for up to 50 percent of a project's required amenity incentive points~~need~~. The in-lieu fee as of [EFFECTIVE DATE] 2017 is \$28.00 per amenity point. In-lieu fees shall be assessed and collected at building permit issuance. The collected in-lieu fees collected by the City will be placed in a dedicated account and used exclusively for the acquisition or improvement of publicly accessible open space within downtown improvements by the City. [The amenity incentive system in-lieu fee rate, published in the City's fee rate schedule, will be reviewed annually, and, effective January 1st of each year, may be administratively increased or decreased by an adjustment to reflect the current

Commented [KEA31]: Reflects 4/19 initial Commission direction.

Commented [HC32R31]: Included in Consolidated Code Draft

Commented [EK33]: Reflects 3/22 initial Commission direction to establish dedicated account for in-lieu fees and use exclusively for acquisition or improvement of publicly accessible open space within downtown.

Commented [HC34R33]: Included in Consolidated Code Draft

published annual change in the Seattle Consumer Price Index for Wage Earners and Clerical Workers as needed in order to maintain accurate costs for the region.

3. In a multi-building development within a single project limit, amenities may be allocated among all buildings within the project limit; provided, that such allocation shall be approved by the Director through a Master Development Plan. If construction of the multi-building development is to be phased, each phase shall provide for a proportionate installation of amenities as established in an approved Master Development Plan phasing plan. No phase may depend on the future construction of amenities.

4. Amenity Incentive System

Commented [EK35]: 5/3 draft language for Commission consideration based on public comment.
Commented [HC36R35]: Included in Consolidated Code Draft

Chart 20.25A.070.D.4 Amenity Incentive System

LIST OF BONUSABLE AMENITIES	APPLICABLE NEIGHBORHOODS/DISTRICTS AND BONUS RATIOS						
	Northwest Village	City Center North	Ashwood	Eastside Center	Old Bellevue	City Center South	East Main
PUBLIC OPEN SPACE FEATURE AMENITIES							
1. Major Pedestrian Corridor and Major Public Open Spaces: The Major Pedestrian Corridor and Major Public Open Spaces located on or in the immediate vicinity of NE 6th Street between Bellevue Way and 112th Avenue NE.				13.316 :1			
	13.316 bonus points per square foot of Pedestrian Corridor or Major Public Open Space constructed. DESIGN CRITERIA: 1. Pedestrian Corridor and Major Public Open Space improvements must comply with the requirements of LUC 20.25A.090..						
2. Outdoor Plaza: A publicly publically accessible, continuous open space, predominantly open from above, and designed to relate to the surrounding urban context. Outdoor plazas prioritize pedestrian use and serve as opportunities to activate the Downtown for residents and users.	9.3:1	9.3:1	8.4:1	9.3:1	8.4:1	8.4:1	8.4:1
	8.4 bonus points per square foot of outdoor plaza in Priority Neighborhoods; 9.3 bonus points per square foot in High Priority Neighborhoods. DESIGN CRITERIA: 1. Minimum plaza size is 3,000 square feet with a maximum bonusable area of 20 percent of the gross lot area. Plazas larger than 10,000 square feet may earn <u>10 percent</u> additional bonus points if they are designed in a manner to provide for activities to promote general public assembly. 2. Minimum plaza size may be met through the linking of smaller plaza spaces in a cohesive, logical manner with a strong design narrative. 3. Minimum seating provided shall be 1 linear foot of seating space per 30 square feet of plaza space. 4. A minimum of 20 percent of the area eligible for bonus amenity points in the plaza must be landscaped. 5. Plaza amenities to enhance the users experience must be provided, e.g. art and water elements. 6. <u>Plaza should be located within 30 inches of the adjacent sidewalk grade, and shall provide physical and visual access from the adjacent right-of-way to the</u>						

Commented [EK37]: Based on Commissioner interest for review on 5/3, the following additional bonusable amenity ideas are noted that came up during the public hearing process:
 - Performing arts center
 - Sports and recreation facilities
 - Public open air markets
 - Museums
 - Publicly accessible amenity spaces on rooftops or tops of podiums
 - Roof gardens
 - Residential amenity space
 - Mid-block pedestrian crossings
 - Through-block connections

Commented [HC38R37]: Reprinted for PC discussion on May 10
Commented [EK39]: Reflects 4/19 initial Commission direction.

Commented [KEA40]: Errata.

Commented [KEA41]: Previously identified as errata.

LIST OF BONUSABLE AMENITIES	APPLICABLE NEIGHBORHOODS/DISTRICTS AND BONUS RATIOS						
	Northwest Village	City Center North	Ashwood	Eastside Center	Old Bellevue	City Center South	East Main
	<p>plaza from the sidewalk and be located within thirty inches of adjacent sidewalk grade.</p> <p>7. Provide for sense of security to users through well-lit and visible spaces. 8. Must provide directional signage that identifies circulation routes for all users and informs the public that the space is accessible to the public at all times. The signage must be visible from all points of access. The Director shall require signage as provided in the City of Bellevue Transportation Department Design Manual. If the signage requirements are not feasible, the applicant may propose an alternative that is consistent with this provision and achieves the design objectives for the building and the site may propose an alternative that is consistent with this provision and achieves the design objectives for the building and the site. 9. Plazas must be open to the public at all times require an easement for public right of pedestrian use in a form approved by the City. 10. Plazas must meet all design criteria for design guidelines for public open spaces. 11. Square footage for purposes of calculating amenity points shall not include vehicle or loading drive surfaces.</p>						
3. Donation of Park Property: Property which is donated to the City, with no restriction, for park purposes.	45 bonus points for every \$1,000 of appraised value of property donated for park purposes if property is located in Northwest Village or East Main Neighborhood. 40 bonus points for every \$1,000 of appraised value if property is located in any other Downtown Neighborhood. Park property donation may occur in Downtown neighborhoods that are different from where the development project occurs. DESIGN CRITERIA: 1. The need for such property in the location proposed must be consistent with City-adopted policies and plans. 2. The minimum size of a donated park parcel is 4,000 square feet. 3. Donated park parcels must be located within the Downtown, but need not be contiguous with the site for which development is proposed						
4. Improvement of Public Park Property: Improvements made to City-owned community, neighborhood, and miniparks within the Downtown Subarea.	45 bonus points for every \$1,000 of public park property improvement if park is located in Northwest Village or East Main Neighborhood. 40 bonus points for every \$1,000 of public park property improvement if located in any other Downtown Neighborhood. Park property improvement may occur in Downtown neighborhoods that are different from where the development project occurs. DESIGN CRITERIA: 1. Improvements made to a City-owned community, neighborhood, and mini-park must be consistent with the Downtown Subarea Plan. 2. Improvements made to City-owned parks must be constructed by the developer consistent with applicable City plans, and approval by the Director of the Parks & Community Services Department.						
5. Enhanced Streetscape: A continuous space between the	7:1	7:1	7:1	7:1	7:1 , 7.8:1	7:1 , 7.8:1	7:1 , 7.8:1

Commented [EK42]: Reflects 4/19 initial Commission direction relating to A-3/B-3 revisions.

LIST OF BONUSABLE AMENITIES	APPLICABLE NEIGHBORHOODS/DISTRICTS AND BONUS RATIOS						
	Northwest Village	City Center North	Ashwood	Eastside Center	Old Bellevue	City Center South	East Main
back of the curb and the building face which allows internal activities to be externalized or brought out to the sidewalk. This space is provided along the building front and activated by residential patios or stoops, small retail, restaurant, and other commercial entries.	<p>7 bonus points per square foot of enhanced streetscape constructed; 7.8 bonus points per square foot if part of Lake-to-Lake Trail in Old Bellevue, City Center South and East Main neighborhoods.</p> <p>DESIGN CRITERIA:</p> <ol style="list-style-type: none"> Space between back of curb and building face shall meet the minimum sidewalk and landscape dimensions. This amenity bonus is intended for an additional four to eight-foot frontage zone that is above and beyond the minimum requirements. Frontage zone shall contain street furniture, including movable tables and chairs, and may be used for retail and food vendor space. Applicant must provide three of the five design standards below: <ol style="list-style-type: none"> Additional landscaping such as seasonal pots and plantings. Decorative paving. Small artistic elements. Additional weather protection. Other features suggested that assist in activating the space. Visual access shall be provided into abutting commercial spaces. For residential use this may be provided through a private patio or stoop. 						
6. Active Recreation Area: An area which provides active recreational facilities and is open to the general public. Does not include health or athletic clubs.	2:1	2:1	2:1	2:1	2:1	2:1	2:1
	<p>2 bonus points per square foot of active recreation area provided.</p> <p>DESIGN CRITERIA:</p> <ol style="list-style-type: none"> May be located indoors or outdoors. Recreational facilities include, but are not limited to, sport courts, child play areas, climbing wall, open space for play, and dog relief areas. May be fee-for-use but not used exclusively by membership. The maximum bonusable area is 1,500 square feet. 						
7. Enclosed Plaza: A publicly accessible, continuous open space located within a building and covered to provide overhead weather protection while admitting substantial amounts of natural daylight (atrium or galleria). Enclosed Plazas function as a “Third Place,” and are “anchors” of community life and facilitate and foster broader, more creative interaction.	4:1	4:1	4:1	4:1	4:1	4:1	4:1
	<p>4 bonus points per square foot of enclosed plaza provided.</p> <p>DESIGN CRITERIA:</p> <ol style="list-style-type: none"> Must be open and accessible to the public during the same hours that the building in which it is located is open. Must provide signage to identify the space as open to the public as provided per the Bellevue Transportation Department Design Manual. Must provide directional signage that identifies circulation routes for all users and informs the public that the space is accessible to the public at all times. The signage must be visible from all points of access. If the signage requirements are not feasible, the applicant may propose an alternative that is consistent with this provision and achieves the design objectives for the building and the site may propose an alternative that is consistent with this provision and achieves the design objectives for the building and the site. Must be visually and physically accessible from a publically accessible space. At least 5 percent of the area must be landscaped. Landscape requirements may be modified if an equal or better result is provided through the use of interesting building materials, art, and architectural features which soften and enhance the enclosed plaza area. 						

Commented [KEA43]: Reflects 4/19 initial Commission direction.

LIST OF BONUSABLE AMENITIES	APPLICABLE NEIGHBORHOODS/DISTRICTS AND BONUS RATIOS						
	Northwest Village	City Center North	Ashwood	Eastside Center	Old Bellevue	City Center South	East Main
	5. The minimum sitting space shall be 1 linear foot of seating per 30 square feet of enclosed plaza space. More than 50 percent of the seating shall be provided in the form of movable chairs and furniture. 6. Minimum horizontal dimension is 20 feet. 7. Minimum area is 750 square feet.						
8. Alleys with Addresses: Pedestrian oriented ways off the main vehicular street grid that provide an intimate pedestrian experience through a combination of residential, small retail, restaurant, and other commercial entries with meaningful transparency along the frontage building walls. This area does not have a “back of house” feel.	6.7:1					6.7:1	6.7:1
	6.7 bonus points per square foot of alley with address improvement based on Neighborhood location. DESIGN CRITERIA: 1. Must be open to the public 24 hours a day and 7 days a week and require an easement for public right of pedestrian use in a form approved by the City. 2. May not be enclosed. 3. Must provide a finer scaled building design at the pedestrian level to emphasize the pedestrian realm and to provide scale relief from the primary massing. 4. Alley frontage must meet guidelines for C Rights-of-Way, Mixed Streets in LUC 20.25A.170.B. 5. Residential use must provide a strong connection to the alleyway through the use of patios or stoops. 6. Must provide pedestrian scaled lighting. 7. Must provide signage to show open to the public and the hours. 8. Automobile access and use shall be secondary to pedestrian use and movement. 9. Must meet design guidelines at LUC 20.25A.170.C. 10. Square footage for purposes of calculating amenity points shall not include vehicle or loading drive surfaces.						
OTHER AMENITIES							
9. Freestanding canopies at street corners and transit stops (non-building weather protection)	40:1	40:1	40:1	40:1	40:1	40:1	40:1
	40 bonus points per every \$1,000 of investment in freestanding canopies. Maximum 1,000 bonus points per freestanding canopy. DESIGN CRITERIA: Location of freestanding canopies shall be approved by Transportation Department. Design must be consistent with design adopted through a Transportation Director’s Rule.						
10. Pedestrian bridges: Pedestrian bridges over the public right-of-way at previously designated mid-block locations meeting specific design criteria.		250:1		250:1		250:1	
	250 bonus points per linear foot of pedestrian bridge constructed. DESIGN CRITERIA: 1. This bonus shall apply only to pedestrian bridges meeting the location and design criteria of LUC 20.25A.100. 2. Bridge must connect to upper level Active Uses on both sides to qualify for bonus.						
11. Performing Arts Space: Space containing fixed seating	16:1	16:1	16:1	16:1	16:1	16:1	16:1

LIST OF BONUSABLE AMENITIES	APPLICABLE NEIGHBORHOODS/DISTRICTS AND BONUS RATIOS						
	Northwest Village	City Center North	Ashwood	Eastside Center	Old Bellevue	City Center South	East Main
for public assembly for the purpose of entertainment or cultural events (live performances only).	16 bonus points per square foot of performing arts space provided. DESIGN CRITERIA: This bonus shall apply only to performing arts spaces that are less than 10,000 square feet.						
12. Public Art: Any form of permanent artwork that is outdoors and publicly accessible or visible from a public place. <u>The purpose is to create a memorable civic experience and affinity between artist and community.</u>	40:1	40:1	40:1	40:1	40:1	40:1	40:1
	40 bonus points per every \$1,000 of appraised art value. DESIGN CRITERIA: 1. Must be located outside in areas open to the general public or visible from adjacent public right-of-way, perimeter sidewalk or pedestrian way. 2. May be an <u>artist-made</u> object or <u>artist-made</u> integrated feature of the building's exterior or other visible infrastructure such as paving, hand railings, walls, seating or other elements visible to the public or in publicly accessible areas. 3. Public art can include murals, sculptures, art elements integrated with infrastructure, and special artist designed lighting. 4. Stand alone or landmark artworks should be at a scale that allows them to be visible at a distance. 5. Value of art to be determined through appraisal accepted by Bellevue Arts Program. 6. Maintenance of the art is the obligation of the owner of that portion of the site where the public art is located for the life of the project.						
13. Water Feature: A fountain, cascade, stream water, sculpture, or reflection pond. The purpose is to serve as a focal point for pedestrian activity.	40:1	40:1	40:1	40:1	40:1	40:1	40:1
	40 bonus points per every \$1,000 of appraised value of water feature, or actual construction cost, whichever is greater. DESIGN CRITERIA: 1. Must be located outside of the building, and be publicly visible and accessible at the main pedestrian entrance to a building, or along a perimeter sidewalk or pedestrian connection. 2. Water must be maintained in a clean and non-contaminated condition. 3. Water must be in motion during daylight hours.						
14. Historic Preservation of Physical Sites/Buildings: Historic and cultural resources are those identified in the City's resource inventory, or identified by supplemental study submitted to the City.	40:1	40:1	40:1	40:1	40:1	40:1	40:1
	40 bonus points per every \$1,000 of documented construction cost to protect historic façades or other significant design features. DESIGN CRITERIA: 1. Voluntary protection of historic façades or other significant design features when redevelopment occurs.						
15. Historic and Cultural Resources Documentation:	40:1	40:1	40:1	40:1	40:1	40:1	40:1

Commented [EK44]: Reflects 4/19 initial Commission direction.

Commented [EK45]: Reflects 4/19 initial Commission direction.

LIST OF BONUSABLE AMENITIES	APPLICABLE NEIGHBORHOODS/DISTRICTS AND BONUS RATIOS						
	Northwest Village	City Center North	Ashwood	Eastside Center	Old Bellevue	City Center South	East Main
Historic and cultural resources are those identified in the City's resource inventory, or identified by supplemental study submitted to the City.	<p>40 bonus points per every \$1,000 of documented cost of plaques/interpretive markers or construction cost of space dedicated to collect, preserve, interpret, and exhibit items.</p> <p>DESIGN CRITERIA:</p> <ol style="list-style-type: none"> 1. Use plaques and interpretive markers to identify existing and past sites of historic and cultural importance. 2. Space dedicated to collect, preserve, interpret, and exhibit items that document the history of Downtown Bellevue. 						
16. Neighborhood Serving Uses: Allocation of space for noncommercial neighborhood serving uses that bolster livability for residents (e.g., community meetings rooms and non-profit child care).	8:1	8:1	8:1	8:1	8:1	8:1	8:1
	<p>8 bonus points per square foot of space dedicated to Neighborhood Serving Uses.</p> <p>DESIGN CRITERIA:</p> <ol style="list-style-type: none"> 1. Bonusable neighborhood serving uses include child care, community meeting rooms, or non-profit space, 2. Up to 5,000 square feet per project are eligible for this bonus, any floor area beyond that limit will not be eligible for amenity bonus points. 3. The floor area delineated for these uses will be required to remain dedicated to Neighborhood Serving Uses for the life of the project. 4. Applicant shall record with King County Recorder's Office (or its successor agency) and provide a copy to the Director of a binding document allocating those spaces only for neighborhood serving uses for the life of the building. 5. No other uses shall be approved for future tenancy in those spaces if they are not consistent with the uses outlined in the definition of Neighborhood Serving Uses in LUC 20.25A.020.A. 6. Tenant spaces must remain open to the public and may not require fees or admissions to enter. 7. Spaces must provide visual access from the street. 						
17. Sustainability Certification: The City has a vested interest in supporting sustainable building practices and provides amenity bonus points commensurate with the level of sustainability provided in each building. Bonus FAR will be earned according to the level of rating applicant completes. Building practices are rapidly evolving and sustainability features are becoming mainstream. The purpose of this amenity is to incentivize performance significantly above the industry norm.	<p>Tier 1: Living Building Challenge Full Certification; 0.3 FAR Bonus; Tier 2: Living Building Petal Certification; or Built Green Energy Star; 0.25 FAR Bonus; Tier 1 Tier 3: Living Building Net Zero Energy; Built Green 5-Star; or LEED Platinum; 0.25 FAR Bonus. Tier 2: Passivhaus PHIUS+2015 Verification; Built Green 4-Star; or LEED Gold; 0.2 FAR Bonus. Note: Other Sustainability Certifications with an expected public benefit equal to or in excess of Tier 1 or Tier 2 may be pursued under the Flexible Amenity provisions.</p> <p>DESIGN CRITERIA:</p> <ol style="list-style-type: none"> 1. Buildings shall meet minimum criteria for LEED, Built Green or Living Building Challenge certification in chosen category. 2. A performance bond equivalent to the value of the bonus shall be provided to the City by the developer. In the event the project does not achieve the planned rating within 18 months of project completion, the bonded funded shall be used for environmental improvements within Downtown identified by the City. 						
FLEXIBLE AMENITY							

Commented [EK46]: Reflects 4/19 initial Commission direction.

LIST OF BONUSABLE AMENITIES	APPLICABLE NEIGHBORHOODS/DISTRICTS AND BONUS RATIOS						
	Northwest Village	City Center North	Ashwood	Eastside Center	Old Bellevue	City Center South	East Main
<p>18. Flexible Amenity: For proposed amenities not identified in items 1 – 17 of this list, the Flexible Amenity allows an applicant the opportunity to propose an additional amenity that would substantially increase livability in the Downtown. Credit will be determined on a case-by-case basis; it is expected that the public benefit will equal or exceed what would be provided by amenities on the standard list provided above.</p>	<p>Values for this amenity will be set through the Legislative Departure process in 20.25A.030 and require a Development Agreement. May be pursued in all Downtown Neighborhoods.</p> <p>DESIGN CRITERIA:</p> <ol style="list-style-type: none"> 1. Bonus proposal must be approved by City Council through a Legislative Departure and Development Agreement. 2. Proposed bonus must have merit and value to the community. 3. Proposed bonus must be outside of the anticipated amenity bonus structure. 4. Proposed bonus shall not be in conflict with existing Land Use Code regulations. 						

E. Recording.

The total amount of bonus floor area earned through the Amenity Incentive System for a project, and the amount of bonus floor area to be utilized on-site for that project must be recorded with the King County Recorder’s Office, or its successor agency. A copy of the recorded document shall be provided to the Director.

F. Bonus Floor Area Earned from Pedestrian Corridor or MPOS Construction.

1. Use of Floor Area Earned. Bonus floor area earned for actual construction of the major Pedestrian Corridor or Major Public Open Space may be used within the project limit or transferred to any other property within the area of the Downtown bounded on the west by Bellevue Way, on the east by 112th Avenue NE, on the south by NE 4th Street and on the north by NE 8th Street. Properties may utilize this earned floor area to exceed the Floor Area Ratio Maximum of LUC 20.25A.060.A.4, but must remain within maximum building height limits.

~~2. Amount of Floor Area Transfer. No more than 25 percent of the gross floor area of a proposed project may be transferred floor area. This limitation does not include floor area generated by construction of the major pedestrian corridor or major public open spaces.~~

23. Recording Required. The property owner shall record each transfer of floor area with the King County Recorder’s Office, or its successor agency, and shall provide a copy of the recorded document to the Director.

34. Notwithstanding any provision of this Code, no transfer of floor area occurs when all property is included in one project limit.

Commented [EK47]: 4/19 initial Commission direction to reflect existing code provisions that do not limit amount of excess Pedestrian Corridor or Major Public Open Space bonus floor area that may be transferred.

G. Periodic Review.

The Amenity Incentive System will be periodically reviewed every 7-10 years with initiation by City Council.

Commented [EK48]: Commission interest to discuss frequency of periodic review and adaptive management techniques on 5/3.

Commented [HC49R48]: Reprinted for PC discussion on May 10

Topic: Tower Separation and Other Requirements

May 3, 2017 Commission Study Session – Updated and Reprinted for May 10

The Planning Commission has indicated a desire to address the following topics:

- **60-foot vs. 80-foot tower separation within a project limit.**
Previous materials from the 4/19 Commission packet and presentation are re-printed on the following pages. Staff will also provide examples at the 5/3 Commission meeting at instances in Bellevue and other places of 60 to 80-foot tower separation.
- **Further discussion of reduced floorplate sizes and other associated urban form provisions for allowing taller buildings.**
Information to be presented at the 5/10 Commission meeting will include potential options for floorplate reductions in different zone, floorplate size feasibility for different uses, and the relationship to allowed FAR by underlying zoning and tower spacing.

The Commission provided initial direction on changes to the following related Code elements:

- 4/19 Reduce 40-foot tower setback in draft Code from internal property lines to 20 feet.
- 4/19 Modify definition of tower (75 feet to 100 feet) and raise point at which tower spacing applies (above 80 feet of building height).
- 4/19 Remove 10% outdoor plaza requirement for buildings that exceed trigger height (i.e. current maximum height).

SUMMARY OF ISSUES FROM PUBLIC HEARING COMMENT:

Definition of Tower – Bob Wallace commented that the definition of tower should refer to buildings that were 100 feet. Brian Franklin suggested 125 feet. MZA Architects said that the tower limit should not be at 75 feet.

Tower Separation – John Su stated that the 80 foot separation doesn't get at the issue. It will just force larger floor plates to get FAR. The issue is privacy, view, wind and trade-off for height and FAR. The FANA proponent stated that 80 feet is unrealistic for small sites. Katherine Crouch-Hughes was in favor of the 80 foot tower separation to achieve goals around light and air. Jeff Taylor stated that flexibility with regard to the separation made sense. Architects from Webber Thompson said that the combination of the 40 foot setback, 80 foot tower separation and 20 foot street setback would reduce development potential up to 50 percent. Scott Matthews from Vulcan concurred with the other comments about the 80 foot tower separation and 40 foot setbacks.

Tower Setbacks – Several commenters were in favor of 20 foot setbacks rather than 40 foot internal setbacks. They included Brian Franklin, FANA, the BDA, Dave Meissner, Mark Neilson, Arne Hall and Webber Thompson. MZA Thompson said that it will leave little leasable space. Jack McCullough representing the Elan/Fortress project stated that the 40 foot setbacks protects those who are not ready to develop now. Jeff Taylor says that the setback provides an

incentive to divide larger sites into 30,000 square foot sites so that the setbacks do not apply. Katherine Crouch-Hughes supports the setbacks.

Upper Level Stepbacks. – Bob Wallace requested relief from upper level setbacks where two adjacent buildings have built to the street thereby requiring the latest built building to stepback into the shadows.

Trigger for Additional Height. – Brian Franklin and Bob Wallace requested that the Planning Commission eliminate the open space and reduced floor plate required in the Draft Code when a building exceeds the trigger for additional height in LUC 20.25A.060.A.4. Brian Franklin stated that this would discourage taller, more slender buildings. Bob Wallace stated that there should be no trigger in the Perimeter Overlay Districts A-2, A-3 and B-1 because there can be no towers in those districts. In addition, he requests that the Planning Commission increase the height in the DT-OLB District to the same height as the DT-MU District.

ANALYSIS:

Tower Separation – The following information was provided to the Commission on 4/26. Staff will provide any additional examples at the meeting on 5/10.

City	Minimum Tower Separation	Beginning Height where Separation is Applied	Maximum Height	Setback from Interior Property Lines	Other
Bellevue Draft Code 2.16.17	80' for multiple towers in same project limit Note: To be discussed on 5/3	45' Note: Current direction from Commission to increase to 80'	600'	40' Note: Current direction from Commission to eliminate 40' setback	Small site exception for tower separation
San Francisco	115'	85'	550' in most circumstances	--	
Toronto	82' (25 m.)	40'	none	40'	No small site exception
Honolulu TOD Overlay	80'	75' (Boulevards) 65' (Other streets)	418'	Flexibility granted through design review.	
Vancouver	80'	--	700'	40' or reduced where minimum 80' to existing tower or where a tower would likely be on an adjacent site.	

City	Minimum Tower Separation	Beginning Height where Separation is Applied	Maximum Height	Setback from Interior Property Lines	Other
Philadelphia (Market St.)	75'	60'	1145'	36.5'	No small site exception
Downtown LA	80' from existing tower, 40 feet from shared property line or shared alley center line from a parcel where there could be a tower.	150'	none	40'	Exceptions- Towers are offset, Curved or Angled (average of 80'), or largest windows in primary rooms are not facing one another.
Seattle	80' (Belltown), 60' (Denny Triangle)	125' (for buildings over 160')	none	20' for buildings over 45'	Can get departure if tower is on the same block and can't meet requirement, but only 2 per block.

Trigger for Additional Height. – At the start of the Downtown Livability Initiative, the discussion began with the idea that there should be a public benefit/mitigation in exchange for additional height and FAR. Some of the public benefits discussed are open space; taller, more slender towers; and a more distinctive skyline. The taller, more slender towers allow more light and air on the ground plane. The Downtown Subarea Plan recognizes that open space is a key component for livability as did the CAC. As a part of this process, the Planning Commission's draft Code included provisions to obtain public benefit for heights that exceed those in the current code. The triggers for additional height are the maximum height currently allowed in the same district. This results in the draft Code providing open space and a more slender tower in exchange for additional height. Note: The most-recent initial direction from the Commission on 4/19 did remove the 10% outdoor plaza requirement for projects that exceed the trigger height.

20.25A.020 Definitions

DT-Tower: Any building located in the Downtown subarea with a minimum height of ~~75~~
100 feet or greater.

Commented [KEA1]: Reflects 4/19 initial Commission direction.
-Improves alignment with the IBC
-Removes application to the B Overlays
-Simplifies preparation of design review application

20.25A.060.A.4 Dimensional Chart

Dimensional Requirements in Downtown Districts

Downtown Land Use District	Building Type (2)(5)	Minimum Tower Setback above 45' Where Building Exceeds 75 <u>100</u> '	Maximum Floor Plate Above 40' (4)	Maximum Floor Plate Above 80' (4)	Maximum Lot Coverage (13)	Maximum Building Height	Floor Area Ratio: Base / Maximum (3)	Tower Separation Above 450 <u>75</u> <u>100</u> ' Where Building exceeds 75 <u>100</u> '	Base Building Height	Trigger for additional height
DT-O-1	Nonresidential	20' (14) 40' (45)	24,000 gsiff	24,000 gsiff	100%	600' (8)	6-7.5 7.2 / 8.0	80' (15)	345'	345' (7)
	Residential	20' (14) 40' (45)	22,000 gsiff	13,500 gsiff	100%	600' (8)	8-5 9.0 / 10.0	80' (15)	450'	450' (7)
	Above-Grade Parking	40' (45) N/A	20,000 gsiff	20,000 gsiff	100%	100' (9)	N/A	80' (15)	N/A	N/A (10)
DT-O-2 North of NE 8 th St.	Nonresidential	20' (14) 40' (45)	24,000 gsiff	24,000 gsiff	100%	460'	5-0 5.4 / 6.0	80' (15)	288'	288' (7)
	Residential	20' (14) 40' (45)	22,000 gsiff	13,500 gsiff	100%	460'	5-0 5.4 / 6.0	80' (15)	288'	288' (7)
	Above-Grade Parking	40' (45) N/A	20,000 gsiff	20,000 gsiff	100%	100' (9)	N/A	80' (15)	N/A	N/A (10)
DT-O-2 East of 110 th Ave. NE	Nonresidential	20' (14) 40' (45)	24,000 gsiff	24,000 gsiff	100%	403'	5-0 5.4 / 6.0	80' (15)	288'	288' (7)
	Residential	20' (14) 40' (45)	22,000 gsiff	13,500 gsiff	100%	403'	5-0 5.4 / 6.0	80' (15)	288'	288' (7)
	Above-Grade Parking	40' (45) N/A	20,000 gsiff	20,000 gsiff	100%	100' (9)	N/A	80' (15)	N/A	N/A (12)
DT-O-2 South of NE 4 th	Nonresidential	20' (14) 40' (45)	24,000 gsiff	24,000 gsiff	100%	345'	5-0 5.4 / 6.0	80' (15)	288'	288' (7)
	Residential	20' (14) 40' (45)	22,000 gsiff	13,500 gsiff	100%	345'	5-0 5.4 / 6.0	80' (15)	288'	288'
	Above-Grade Parking	40' (45) N/A	20,000 gsiff	20,000 gsiff	100%	100' (9)	N/A	80' (15)	N/A	N/A (10)
DT-MU	Nonresidential	20' (14) 40' (45)	22,000 gsiff	20,000 gsiff	100%	230'	3-25 4.5 / 5.0	80' (15)	115'	115' (7)
	Residential	20' (14) 40' (45)	20,000 gsiff	13,500 gsiff	100%	288'	4-25 4.5 / 5.0	80' (15)	230'	230' (7)
	Above-Grade Parking	N/A	20,000 gsiff	N/A	75%	60' (9)	N/A	N/A	N/A	N/A (10)
DT-MU Civic Center	Nonresidential	20' (14) 40' (45)	22,000 gsiff	20,000 gsiff	100%	403'	3-25 5.4 / 6.0	80' (15)	115'	115' (7)
	Residential	20' (14) 40' (45)	20,000 gsiff	13,500 gsiff	100%	403'	4-25 5.4 / 6.0	80' (15)	230'	230' (7)
	Above-Grade Parking	N/A	20,000 gsiff	N/A	75%	60' (9)	N/A	N/A	N/A	N/A (10)
DT-OB	Nonresidential	20' (14) 40' (45)	20,000 gsiff	13,500 gsiff	100%	(11)	(11)	80' (15)	(11)	N/A (10)
	Residential	20' (14) 40' (45)	20,000 gsiff	13,500 gsiff	100%	(11)	(11)	80' (15)	(11)	N/A (10)

Commented [HC2R1]: Included in Consolidated Draft Code

Commented [HC6]: Reflects 4/19 initial Commission direction. Increases the height at which the tower separation requirement begins.

Commented [KEA5]: Reflects initial direction from Commission re: Base FAR.

Commented [HC3]: Reflects 4/19 initial Commission direction.

Commented [HC4R3]: Included in Consolidated Draft Code

Commented [HC7]: For discussion on 5/3.

Downtown Land Use District	Building Type (2)(5)	Minimum Tower Setback above 45' Where Building Exceeds 75100'	Maximum Floor Plate Above 40' (4)	Maximum Floor Plate Above 80' (4)	Maximum Lot Coverage (13)	Maximum Building Height	Floor Area Ratio: Base / Maximum (3)	Tower Separation Above 4590' Where Building exceeds 75100'	Base Building Height	Trigger for additional height
	Above-Grade Parking	N/A	N/A	N/A	75%	(11)	(11)	N/A	(11)	N/A (10)
DT-R	Nonresidential	N/A	20,000 gsf/f	NA	75%	75'	0.5 / 0.5	N/A	N/A	N/A (10)
	Residential	20' (14) 40' (15)	20,000 gsf/f	13,500 gsf/f	100%	230'	4.25 4.5 / 5.0	80' (15)	N/A	N/A (10)
	Above-Grade Parking	N/A	N/A	N/A	75%	40' (9)	N/A	N/A	N/A	N/A (10)
DT-OLB North (between NE 8th Street and NE 12th Street)	Nonresidential	40' (15) N/A	30,000 gsf/f	20,000 gsf/f	100%	86'	2.5 2.7 / 3.0	80' (15)	N/A	N/A (10)
	Residential	20' (14) 40' (15)	20,000 gsf/f	13,500 gsf/f	100%	104'	2.5 2.7 / 3.0	80' (15)	N/A	N/A (10)
	Above-Grade Parking	N/A	20,000 gsf/f	N/A	75%	45'(9)	N/A	N/A	N/A	N/A (10)
DT-OLB Central (between NE 4th Street and NE 8th Street)	Nonresidential	20' (14) 40' (15)	30,000 gsf/f	20,000 gsf/f	100%	403	2.5 5.4 / 6.0	80' (15)	90'	90' (7)
	Residential	20' (14) 40' (15)	20,000 gsf/f	13,500 gsf/f	100%	403	2.5 5.4 / 6.0	80' (15)	105'	105' (7)
	Above-Grade Parking	N/A	20,000 gsf/f	N/A	75%	45' (9)	N/A	N/A	N/A	N/A (10)
DT-OLB South (between Main Street and NE 4th Street)	Nonresidential	20' (14) 40' (15)	30,000 gsf/f	20,000 gsf/f	100%	230'	2.5 4.5 / 5.0	80' (15)	90'	90' (7)
	Residential	20' (14) 40' (15)	20,000 gsf/f	13,500 gsf/f	100%	230'	2.5 4.5 / 5.0	80' (15)	105'	105' (7)
	Above-Grade Parking	N/A	20,000 gsf/f	N/A	75%	45' (9)	N/A	N/A	N/A	N/A (10)

Commented [HC6]: Reflects 4/19 initial Commission direction. Increases the height at which the tower separation requirement begins.

Commented [KEA5]: Reflects initial direction from Commission re: Base FAR.

Commented [HC3]: Reflects 4/19 initial Commission direction.

Commented [HC4R3]: Included in Consolidated Draft Code

LUC 20.25A.060

Notes: Dimensional requirements in Downtown Districts and Perimeter Overlay Districts

....

(15) The tower setback shall be applied from interior property lines only. ~~Please see LUC 20.25A.060.B.4 for additional tower setback provisions. Refer to LUC 20.25A.075 for Downtown Tower Requirements, which also include an exception for small sites and opportunities to depart from dimensional requirements applicable to towers located in Downtown.~~

Commented [HC8]: For 5/3 discussion.

Commented [HC9R8]: Updated and reprinted in May 10 packet

....

20.25A.060B. Exceptions to Dimensional Requirements.

....

~~4. Tower Setback Exception.~~

~~a. If a parcel is less than or equal to 30,000 square feet, the tower setback may be reduced to 20 feet as measured 45 feet above average finished grade.~~

Commented [HC10]: For 5/3 discussion, exception no longer needed for Tower Setback. Updated to apply to Tower Separation requirement and increased to apply to parcels greater than 40,000 sf and moved to LUC 20.25A.075.

Commented [HC11R10]: Reprinted in May 10 packet

LUC 20.25A.075 Downtown Tower Requirements

A. Requirements for Additional Height

1. Applicability. Buildings with heights that exceed the trigger for additional height shall be subject to the diminishing floor plate requirement and an outdoor plaza space requirement.

2. Diminishing Floor Plate Requirement. The floor plates above the trigger for additional height shall be reduced by 10 percent. The reduction shall be applied on all floor plates above the trigger for additional height. The 10 percent reduction may be averaged among all floor plates above 80 feet, but no single floor plate shall exceed the maximum floor plate size above 80 feet.

~~3. Outdoor Plaza Requirement. Buildings with heights that exceed the trigger for additional height shall provide outdoor plaza space in the amount of 10 percent of the project limit, provided that the outdoor plaza space shall be no less than 3,000 square feet in size. In no event shall the Outdoor Plaza Space be required by the Director to exceed one acre in size. The open space shall be provided within 30 inches of the adjacent sidewalk and shall comply with the requirements for Outdoor Plazas in the Amenity Incentive System of LUC 20.25A.070.D.2. Vehicle and loading drive surfaces shall not be counted as outdoor plaza space.~~

~~a. Modification of the Plaza Size with Criteria. The Director may approve a modification to the 10 percent requirement for outdoor plaza space through an administrative departure pursuant to 20.25A.030.D.1 provided that the following minimum criteria are met:~~

~~i. The outdoor plaza is not less than 3,000 square feet in size;~~

~~ii. The outdoor plaza is functional and is not made up of isolated unusable fragments;~~

~~iii. The outdoor plaza meets the design criteria for Outdoor Plazas in the Floor Area Ratio and Amenity Incentive System, LUC 20.25A.070.D.2; and~~

~~iv. The size of the plaza is roughly proportional to the additional height requested.~~

B. Required Tower Separation ~~within a Single Project Limit~~ - Tower separation is intended to provide privacy, natural light and air, and contribute to a distinctive skyline.

1. Applicability. ~~This paragraph applies to towers that are permitted to be constructed to a height of 100 feet or greater and that are located within a common Downtown superblock. This paragraph shall apply to multiple towers within the Downtown subarea built within a single project limit. This tower separation requirement does not apply across public rights of way that are greater than 40 feet in width.~~

2. Separation. ~~The portion of a tower above 80 feet shall be spaced at least 80 feet from existing or possible future towers located within the same superblock, unless the distance~~

Commented [KEA12]: Initial PC direction on 4/19 to eliminate 10% outdoor plaza requirement.

Commented [HC13]: For 5/3 discussion.

Commented [HC14R13]: Reprinted in May 10 packet

Commented [KEA15]: Defined in LUC 20.50.046 **Superblock.** In the area bounded by Main Street, 100th Avenue NE, NE 12th St., and 112th Avenue NE, superblocks are those areas bounded by the intersections of the centerlines of even-numbered avenues, or their extensions with the centerlines of even-numbered streets, or their extensions.

is modified pursuant to the criteria set forth below. ~~Two or more towers built within a single project limit must maintain a tower separation of 80 feet.~~

3. Modification with Criteria. Tower separation may be reduced to ~~a minimum of no less than XXX~~ feet between the closest points of multiple towers measured ~~8045~~ feet above average finished grade through an administrative departure pursuant to 20.25A.030.D.1 if the following criteria are met:

- a. ~~Offset towers [DIAGRAM TO BE PROVIDED] may be located within 80 feet of one another, provided that no more than 25% of each façade is located within the tower separation distance of another tower's façade;~~

- b. ~~Curved or angular towers [DIAGRAM TO BE PROVIDED] may meet the 80 foot separation requirement by averaging the distance between the towers; A maximum of 10% of the façade is within the tower separation distance of another building's façade; and;~~

- c. ~~The applicant demonstrates that the intrusion does not affect the light, air or privacy of the users of either building's users.~~

4. Small Site Exception. ~~If a parcel is less than or equal to 40,000 square feet, the tower separation requirement does not apply.~~

Commented [KEA16]: For 5/3 discussion.
Reprinted in May 10 packet

Commented [KEA17]: For 5/3 discussion.

Commented [HC18R17]: Reprinted in May 10 Packet

Commented [KEA19]: For 5/3 discussion.

Commented [HC20R19]: Reprinted in May 10 packet

Commented [KEA21]: For 5/3 discussion.

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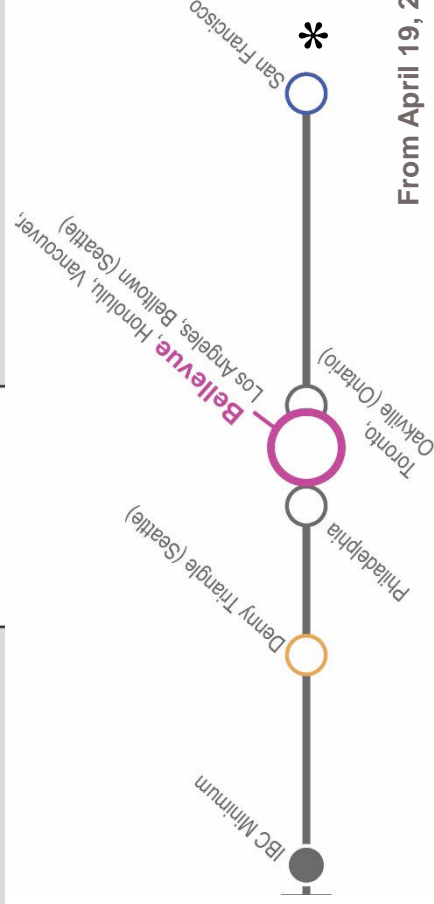
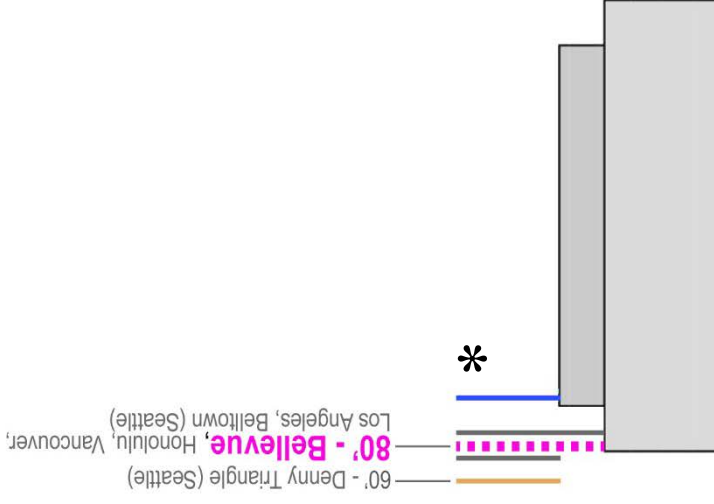
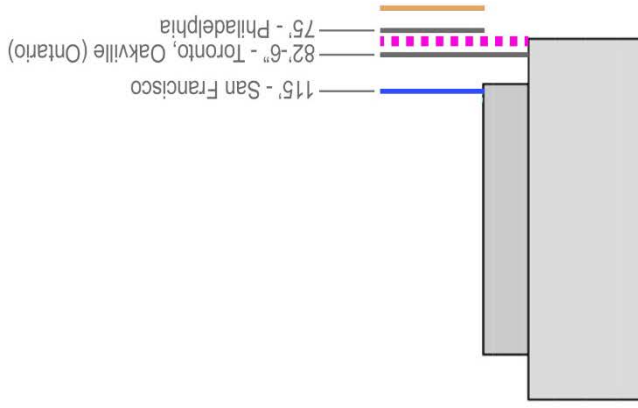
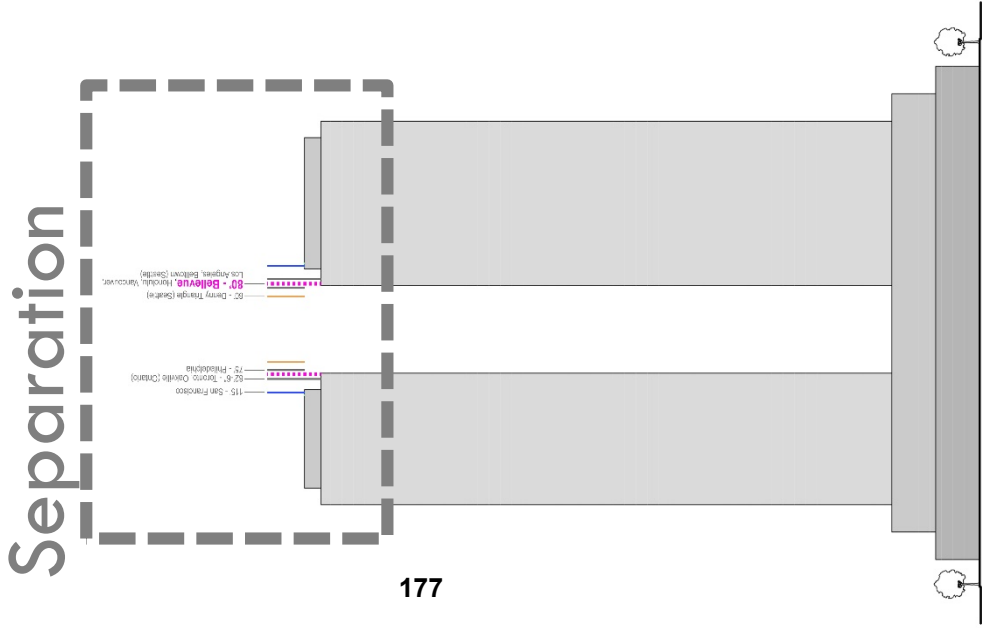
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Commented [HC24R23]: Reprinted in May 10 packet

Commented [KEA25]: For 5/3 discussion.

Commented [HC26R25]: Reprinted in May 10 packet

Tower Separation – Comparable



*Seattle has 120' spacing for Yesler Terrace Master Planned Community and 200' spacing in code for Pike Place Market area (effectively limiting to one tower per block).

Tower Separation – Comparable

Cities with Separation

Requirements

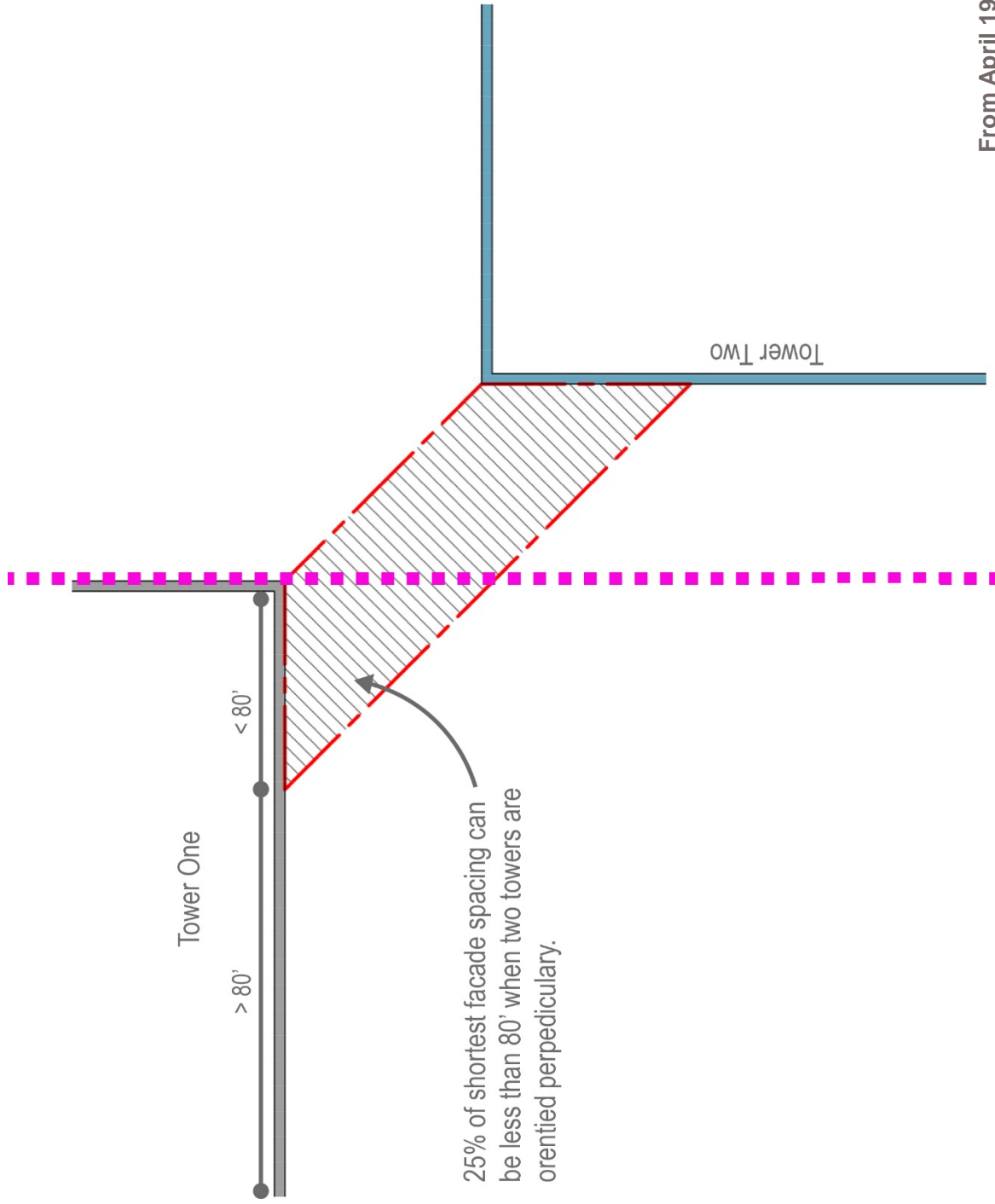
- Boston
- Calgary
- Honolulu
- New York
- Oakville (Ontario)
- Philadelphia
- Portland
- Sacramento
- San Francisco
- Seattle
- Toronto
- Vancouver (British Columbia)

Cities without Separation

Requirements (other tools):

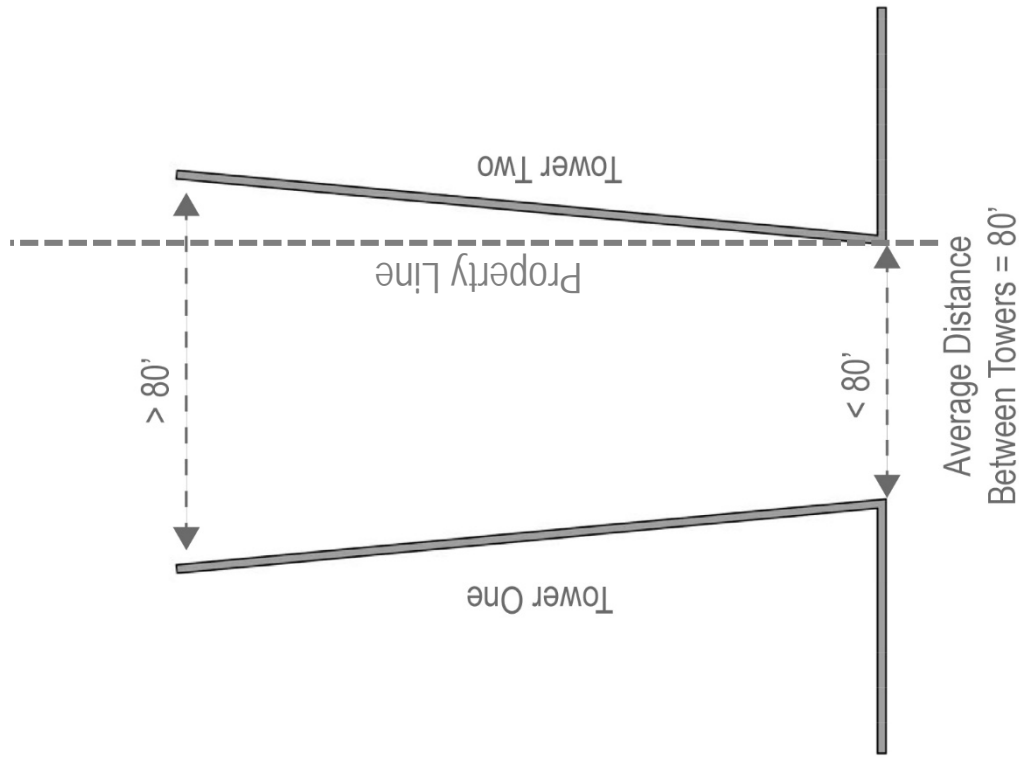
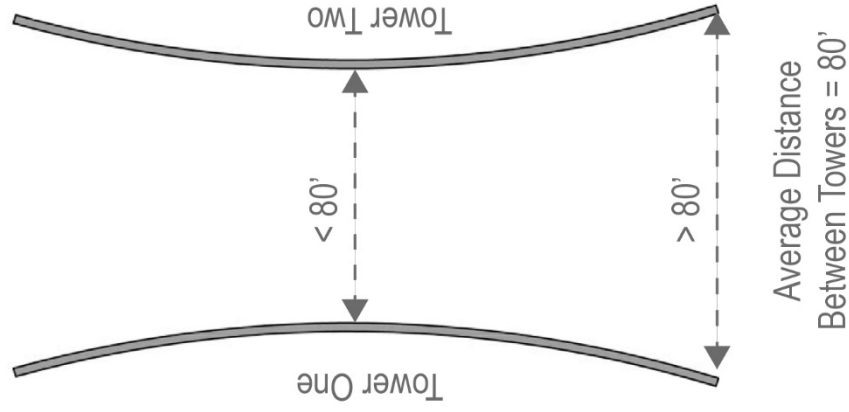
- Maximum façade length
- Maximum number of towers per site
- Maximum number of towers per block
- Tower setback requirements
- View corridor preservation

Tower Separation – Departures



Tower Separation – Departures

Unique Form



2 - TOWER SPACING

ELEMENTS OF URBAN FORM

Rationale

To preserve and enhance the quality of life for those who live, work, and visit Downtown, providing opportunities for access to sunlight, sky views, and privacy are essential. Tower spacing plays a critical role in preserving and enhancing these elements, in addition to the scale of the pedestrian environment. Towers with inadequate separation can create adverse impacts on the public realm through excessive shade and shadow, obstruction of adequate sky views, and a scale that is detrimental to a pleasurable pedestrian environment. Appropriate tower separation can improve these conditions while also enhancing the quality of the interior environment by providing improved access to daylighting and privacy. Bellevue does not have a precise requirement for tower separation, rather relying on stepback requirements and the International Building Code to establish a minimum 40' separation. Figure 2.1 illustrates comparisons between International Building Code requirements and best practices found in other cities.

The primary objectives of providing appropriate tower separation are:

Sunlight

A rich network of public spaces interconnects the fabric of Downtown, working in support of streetscapes and other public open spaces. Sunlight is an essential element to activating the public realm. When towers are spaced too closely opportunities for sunlight to penetrate to the ground level is significantly diminished.

Scale

When separation is not adequately provided an overwhelming and constrained pedestrian environment can be established. Public spaces such as plazas, parks, through block connections, and streetscapes can appear uninviting, unsafe, and uncomfortable. Appropriate tower separation can establish relief from the overall massing while emphasizing a pedestrian scaled podium.

Privacy

An issue primarily relative to residential developments, appropriate tower spacing can be an integral element to establishing privacy. Appropriate orientation, placement, and spacing can enhance a sense of privacy between residential and office buildings.

Sky Views

Visual access to the sky is important for not only sunlight, but enhancing the feeling of openness and connection to environmental conditions such as weather and sunlight. In a dense urban environment, the clustering of high rise buildings can often create a tight sense of enclosure and intrusion creating an overwhelming and uncomfortable environment. Adequate tower separation enhances opportunities for sky views and creates a feeling of openness that enhances comfort and livability.



Figure 2.1 - Tower Separation Scenarios on a Typical Bellevue Block

Material Previously Reviewed by Planning Commission - February 10, 2016

Design Excellence

Tower separation requirements can enhance the placement of multiple towers on a single site and can create opportunities for abstraction and uniqueness in form. Added visual interest and variation can allow building forms and massings to create fluidity in design, resulting in a more aesthetically pleasing form and skyline as a whole. Towers can become more expressive and offer variation from a more traditional rectilinear form.

Building Performance and Conditions

Adequate tower separation can improve opportunities for daylight internal to buildings. While improving the quality of life of residents and users, daylighting is critical to sustainable building practices. Inadequate tower separation increases the amount of shade and shadow cast upon adjacent buildings, increasing the reliance of artificial lighting. This diminishes the quality of the internal space while reducing building efficiency.

Recommended Requirements

- Tower separation should be a minimum of 80 feet from face of building to face of building above 40 feet in height.
- Departure from the 80 foot separation requirement may be provided for unique & slender forms, spaces not intended for habitation, and fluid forms that demonstrate design excellence.
- Greater separation above the 80 foot minimum would be required for any development pursuing additional height and/or FAR above the existing maximums
- Consideration and coordination should be given to how a proposal relates to the existing and proposed adjacent developments to ensure that the proposal satisfies the separation requirement.
- Where departure of the maximum floor plate is granted, tower separation shall increase by a corresponding percentage. (Ex. Floor plate increase over maximum allowed by 10% = Tower separation increase of 80 feet + 10%)
- Where 80 foot separation is not feasible a site may not be appropriate for multiple towers unless project can demonstrate satisfying the departure requirement for unique & slender forms.
- Sites under 30,000 square feet may be eligible for a departure. See *Small Sites* section.

Precedent

Tower separation has become an important consideration to many urban environments. This separation is to ensure access to light, air, and design excellence within an urban environment. Some examples are as follows:

- **San Francisco**
Minimum Separation: 115'
Beginning Height: 85'
- **Toronto**
Minimum Separation: 82' (25 meters)
Beginning Height: 40'
Exception made for small sites
- **Honolulu (TOD Overlay)**
Minimum Separation: 80'
Beginning Height: Required for all towers below 240' in height
- **Vancouver, BC**
Minimum Separation: 80'

CAC References

Downtown Livability Initiative - Pg. 45

Land Use Code Reference

20.25A.020.A.2

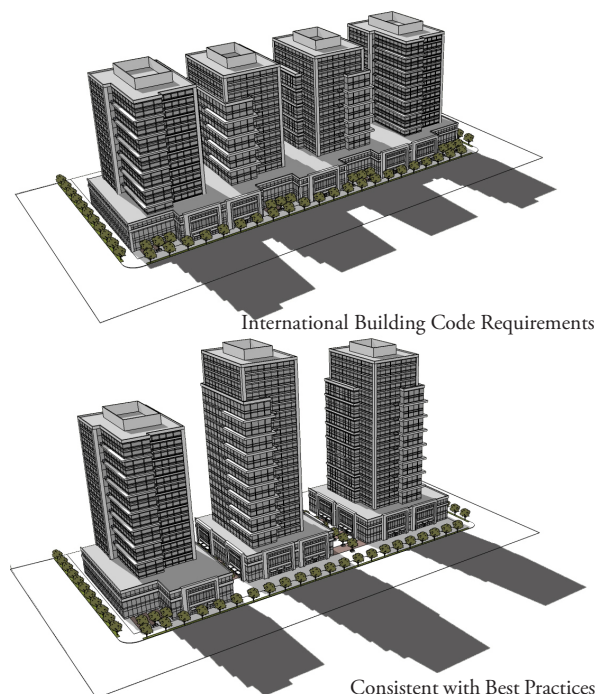


Figure 2.2 - Combined with increased building height, tower separation requirements can reduce the total number of towers per site accommodating the same FAR while, mitigating impacts of shade and shadow on the public realm.

Material Previously Reviewed by Planning Commission - February 10, 2016

Cumulative Impact and Impact on Adjacent Sites

The cumulative impact of multiple towers on a single site or city block can enhance the negative impacts of towers. New towers should avoid locating too closely to property or setback lines so to not negatively affect future development opportunities of adjacent parcels. By locating too closely to the property or setback line, adjacent properties may be restricted in their development opportunity.

When planning for a new tower, the applicant shall consider the impact of all towers, existing and proposed, within the immediate area. The sum of all developments may further restrict access to sunlight and sky views. This consideration should inform the placement and form of the tower so to mitigate these impacts when considered within its greater context. Unique forms and placement of towers can serve as adequate mitigation to protect public space and the street level environment.

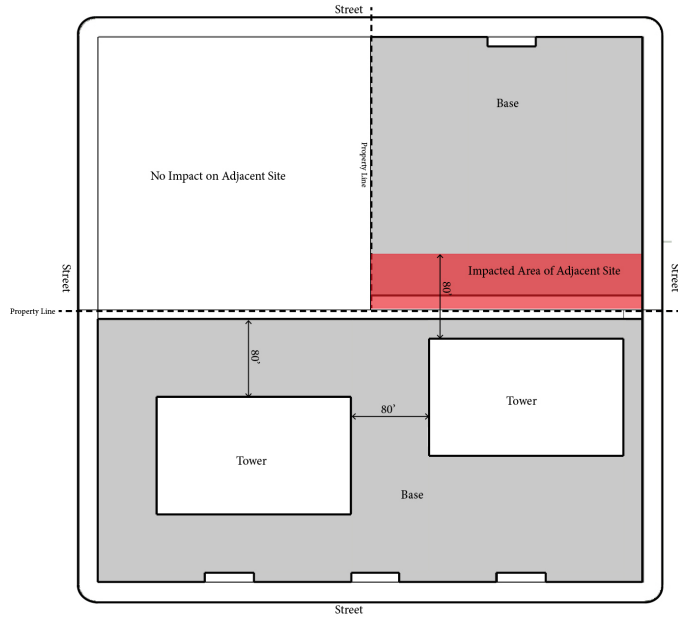


Figure 2.3 - Site to Site Impacts

By providing an adequate setback from the property line a tower can avoid negatively impacting adjacent sites while allowing for adequate separation

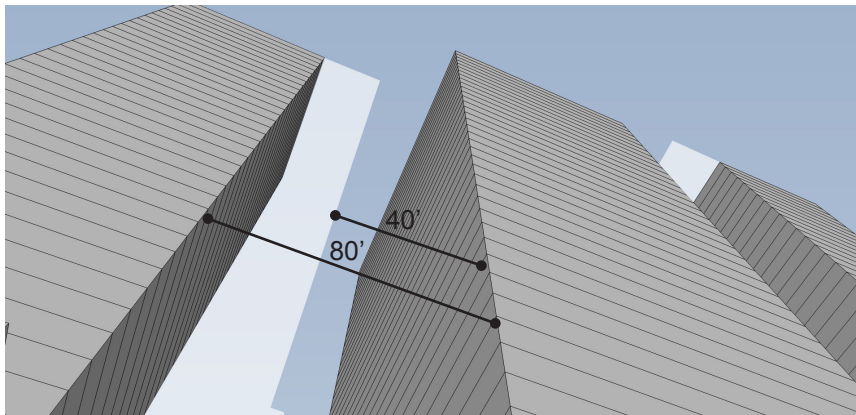


Figure 2.4 - Skyview - Existing Maximum Building Height 450'

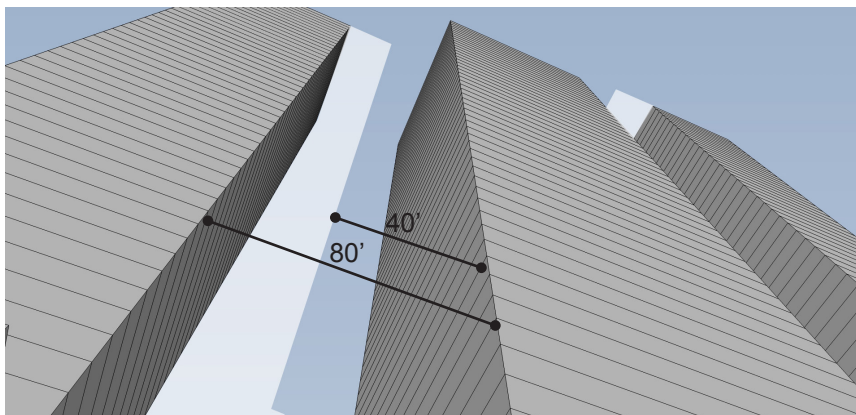


Figure 2.5 - Skyview - Proposed Maximum Building Height 600'

As building height increases, opportunity for light and sky views diminishes. Maintaining a minimum tower separation requirement ensures access to light and sky views that would otherwise be diminished.

Material Previously Reviewed by Planning Commission - February 10, 2016

Small Sites

Small sites can be highly beneficial to an urban environment by providing a more granular scale to the pedestrian realm and variation from large towers. However, smaller sites can be disadvantaged by tower separation requirements as neighboring properties could adversely affect their ability to develop within the separation parameters. To maximize development opportunities while still meeting the City's goals for a livable Downtown, accommodations to tower separation requirements are proposed for small sites.

Small sites are those defined by 30,000 square feet or less. Exceptions to tower separation requirements only apply to small sites where a single tower is proposed. Departure from the separation requirements cannot be applied to buildings that span across multiple parcels or sites.

The following setback requirements for small sites are offered to maximize development opportunity and achieve city objectives in preserving sky views and sunlight.

Stepback from street

Tower shall stepback from base a minimum of 15' from the back of sidewalk.

Stepback from internal property lines, alleys, and through block connections

Tower shall stepback from base a minimum of 20' from property line or public space.

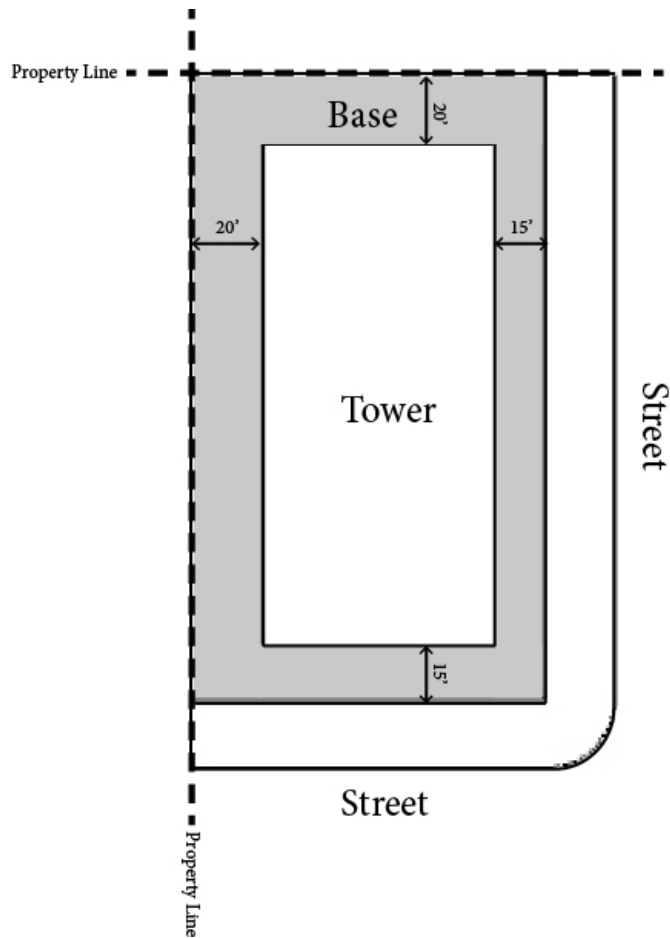


Figure 2.6 - Small Site Departure

3 - FLOOR PLATE SIZE

ELEMENTS OF URBAN FORM

Why it is Important

Floor plate size can have a profound impact on shade, shadow, sky views, and project feasibility. If the scale of a floor plate is too large it can cast important public spaces and the pedestrian realm into permanent shade or diminish opportunities for skyviews. Additionally, large floor plates can create an imposing feeling on the pedestrian realm, impacting the sense of comfort of the urban environment. If the scale of a floor plate is too small it can make the project no longer economically or structurally feasible creating a restraint on the development market. Establishing a balance is essential to preserving quality of life for residents and businesses, while ensuring feasibility for developers.

The determining factors and existing code for floor plates are as follows:

Commercial Office Towers

Based on existing research by the Urban Land Institute, Bellevue's maximum floor plate sizes for office buildings is competitive with industry preferences. Current code allows for up to 24,000 square feet above 80 feet with provisions for increases when deemed appropriate. The City may consider alternatives that influence form to produce more desirable outcomes that are amenable to a high quality urban environment. Such alternatives may include design guidelines that encourage substantial articulation and modulation in a tower massing facade that diminish scale. This may include recesses and protrusions substantial enough to create the aesthetic of multiple forms.

Recommended Requirements

- All residential floor plates above existing maximum height shall reduce by 20% up to the proposed maximum height.

Residential Towers

Residential towers desire smaller floor plate sizes and present the greatest opportunity to capitalize on an increase in building height. Current floor plate sizes are allowed up to 20,000 square feet between building heights of 40 and 80 feet. Above 80 feet the maximum floor plate size is 12,000 square feet. As residential buildings have greater flexibility in layout, there is an opportunity to produce improved design quality by incorporating minor building stepbacks for heights above the existing building height as well as maximum facade lengths.

Topic: Upper Level Stepbacks

May 3, 2017, postponed from April 26, 2017 Planning Commission Study Session – Updated and Reprinted for May 10

UPPER LEVEL STEPBACKS

Commented [BT(1)]: This topic was originally provided on April 19 and again on April 26th.

SUMMARY OF ISSUE FROM PUBLIC COMMENT:

Upper Level Stepbacks. Bob Wallace requested relief from upper level setbacks where two adjacent buildings have built to the street thereby requiring the latest built building to stepback into the shadows.

DRAFT CODE REFERENCES:

Upper Level Stepbacks Upper level setbacks are required in the Draft Code pursuant to LUC 20.25A.075.C. Fifteen-foot upper level setbacks are required around the perimeter of Downtown. Twenty-foot upper level setbacks are required from NE 8th Street, Bellevue Way, and NE 4th Street in the Downtown core and its vicinity.

DIRECTION FROM COMMISSION:

No direction was provided by the Planning Commission with regard to the upper level stepbacks.

ALTERNATIVES:

1. Upper Level Stepback
 - a. Retain current departure opportunities to reduce or eliminate the upper level stepback
 - b. Add a “string test” departure as an addition mechanism to reduce the upper level stepbacks

ANALYSIS:

Upper Level Stepbacks Additional departure flexibility and certainty was requested by the public to allow reductions to and elimination of the upper level stepback. There was comment that a “string test” would be useful. New departure language has been added to the upper level stepback paragraph to allow a reduction to a stepback where adjacent buildings have smaller setbacks. The idea is to run an imaginary string from one adjacent stepback to the other. The string creates the new line for the stepback.

Below is a new draft of the upper level stepback provision for Planning Commission consideration. The difference from the Draft Code of February 16, 2017 are:

- A “string test” departure has been added to the Upper Level Stepback provisions.

These changes add additional flexibility to the tower separation and tower setback requirements and align well with comparable jurisdictions and the CAC recommendations.

LUC 20.25A.075 Downtown Tower Requirements

...

C. Upper Level Stepbacks

1. Upper Level Stepback. Each building facade depicted in Figure 20.25A.075.C.2 shall incorporate a minimum 15 or 20-foot-deep stepback at a height between 25 feet and the level of the first floorplate above 40 feet. The required depth of the stepback is shown on Figure 20.25A.075.C.2. This required stepback may be modified or eliminated if the applicant demonstrates through Design Review (Part 20.30F LUC) that:

a. Such stepback is not feasible due to site constraints, such as a small or irregularly shaped lot. ~~or~~

b. The modification is necessary to achieve design elements or features encouraged in the design guidelines of LUC 20.25A.140-.180, and the modification does not interfere with preserving view corridors. Where a modification has been granted under LUC 20.25A.060.B.2.c, the upper level stepback may be incorporated between 25 feet and the level of the first floorplate above 45 feet. ~~or~~

c. The modification is necessary to provide a property owner with the same development opportunity as an adjacent existing development that did not incorporate an upper level stepback. Where the upper level stepback on properties adjacent to a site is less than the upper level stepback required by LUC 20.25A.075.C.1, the maximum required upper level stepback shall be modified as set forth in this paragraph. The modification shall be determined by connecting the portion of each adjacent structure that encroaches into the required upper level stepback. The mid-point of the line establishes the maximum upper level stepback that may be imposed for the site. The modification in this paragraph does not preclude an applicant from requesting a further modification or elimination of the maximum required upper level stepback pursuant to the terms of LUC 20.25A.075.C.1. a and b.

Commented [HC2]: April 19 Draft for Planning Commission consideration. Adds new "string test" departure applicable to Upper Level Stepbacks.

Commented [HC3R2]: Updated from May 3 packet to ensure code clarity and included in Consolidated Draft Code

OLB District-Specific Topics: Larger Floorplates

May 3, 2017 – Reprinted for May 10

SUMMARY OF FLOOR PLATE TOPIC FROM PUBLIC COMMENT:

1. Larger Floorplates. Both Brian Franklin and Bob Wallace requested larger floor plates. Brian Franklin asked for 30,000 square feet rather than 20,000 square feet at 80 feet or higher, or no smaller than 24,000 square feet at any height. Bob Wallace requested an increase from 20,000 square feet to 22,000 square feet in DT-MU and OLB for nonresidential over 80 feet or to exclude nonresidential buildings in the DT-OLB and DT-MU from the diminishing floorplate requirement in LUC 20.25A.075.A.2. He also requested an increase from 30,000 square feet to 40,000 square feet in DT-OLB Nonresidential between 40 feet and 80 feet. Finally, he suggests an increase from 20,000 square feet to 30,000 square feet above 80 feet for OLB nonresidential.
2. With respect to the floor plates in OLB Central and OLB South and in response to the packet materials of April 26th, PMF requests that Footnote 17 below be applied to floors above 80 feet as well. Wallace Properties wants to increase the maximum limit by 20% from 30,000 to 36,000 square feet and from 20,000 to 24,000 square feet, presumably for floor plates above 40 feet and 80 feet respectively.

Commented [BT(1): These comments were in response to the packet materials issued for the April 26th packet.

DRAFT CODE REFERENCE: The floor plate sizes are in Draft Code LUC 20.25A.060.A.4 and in the analysis section below.

DIRECTION FROM PLANNING COMMISSION: None

ALTERNATIVES:

1. Larger Floor Plates
 - a. Retain the Draft Code as it is.
 - b. Amend the Draft Code to incorporate one or all of the stakeholders' requests.
 - c. Amend the Draft Code to incorporate a site-specific departure to increase floor plates by no more than 20 percent between 40 feet and 80 feet.

ANALYSIS:

Larger Floorplates

The OLB nonresidential floorplate sizes are depicted below with the requests from the stakeholders.

	40' to 80'	Over 80'
Current Code	22,000 sq. ft.	N/A (Building height limit 75')
Draft Code	30,000 sq. ft.	20,000 sq. ft.
Wallace Request	40,000 sq. ft.	22,000 sq. ft. or 30,000 sq. ft. for tech.
Franklin Request	-----	More than 30,000 sq. ft. or no smaller than 24,000 sq. ft. at any height

Commented [BT(2)]: This table does not reflect the comments discussed in paragraph 2 above under the heading Summary of Floor Plate Topic from Public Comment.

The direction from the CAC and the Planning Commission was to work toward taller, more slender towers. Further, the CAC wanted more open space, and more light and air between buildings as they go increase in height. Larger floor plates, as requested, will make these goals more difficult. Other than the OLB, a floor plate of 24,000 in nonresidential is the largest floor plate allowed in the Draft Code and it is only allowed in nonresidential construction in the DT-O1 and DT-O2. The blocks in the OLB are not as large as the superblocks in the DT-O1 and O2. If the floor plates in the OLB are increased, the result will be larger floor plates on smaller blocks creating shorter, blocky buildings. This would be the opposite of the tall, slender towers that the CAC envisioned.

The floor plates from 40 feet to 80 feet have increased 36 percent from the current code to the Draft Code. Also, heights will increase significantly from 75 feet in the current code to 86 feet in DT-OLB North, 403 feet in DT-OLB Central, and 230 feet in DT-OLB South. Though these increases are significant, Staff prepared a new departure to respond to the request for even larger floorplates. This departure would provide an opportunity for a 20 percent site-specific increase to the floorplates between 40 feet to 80 feet, where the increase will not undermine livability requirements.

LUC 20.25A.060.A.4

Downtown Land Use District	Building Type (2)(5)	Minimum Tower Setback above 45' Where Building Exceeds 75'	Maximum Floor Plate Above 40' (4)	Maximum Floor Plate Above 80' (4)	Maximum Lot Coverage (13)	Maximum Building Height	Floor Area Ratio: Base / Maximum (3)	Tower Separation Above 45' Where Building exceeds 75'	Trigger for additional height
Note: The dimensions for the other districts were deleted for the sake of brevity.									
DT-OLB North (between NE 8th	Nonresidential	40' (15)	30,000 [17] gsff	20,000 gsff	100%	86'	2.5 / 3.0	80'	N/A (10)
	Residential	40' (15)	20,000 gsff	13,500 gsff	100%	104'	2.5 / 3.0	80'	N/A (10)

Commented [BT(3)]: April 26 Draft for Planning Commission consideration.

Commented [HC4R3]: Reprinted for May 10

Downtown Land Use District	Building Type (2)(5)	Minimum Tower Setback above 45' Where Building Exceeds 75'	Maximum Floor Plate Above 40' (4)	Maximum Floor Plate Above 80' (4)	Maximum Lot Coverage (13)	Maximum Building Height	Floor Area Ratio: Base / Maximum (3)	Tower Separation Above 45' Where Building exceeds 75'	Trigger for additional height
Note: The dimensions for the other districts were deleted for the sake of brevity.									
Street and NE 12th Street)	Above-Grade Parking	N/A	20,000 gsiff	N/A	75%	45'(9)	N/A	N/A	N/A (10)
DT-OLB Central (between NE 4th Street and NE 8th Street)	Nonresidential	40' (15)	30,000 (17) gsiff	20,000 gsiff	100%	403	2.5 / 6.0	80'	90' (7)
	Residential	40' (15)	20,000 gsiff	13,500 gsiff	100%	403	2.5 / 6.0	80'	105' (7)
	Above-Grade Parking	N/A	20,000 gsiff	N/A	75%	45' (9)	N/A	N/A	N/A (10)
DT-OLB South (between Main Street and NE 4th Street)	Nonresidential	40' (15)	30,000 (17) gsiff	20,000 gsiff	100%	230'	2.5 / 5.0	80'	90' (7)
	Residential	40' (15)	20,000 gsiff	13,500 gsiff	100%	230'	2.5 / 5.0	80'	105' (7)
	Above-Grade Parking	N/A	20,000 gsiff	N/A	75%	45' (9)	N/A	N/A	N/A (10)

....

(17) Modification with Criteria. The maximum floor plate between 40 feet and 80 feet may be increased through an administrative departure pursuant to 20.25A.030.D.1 if the following criteria are met:

- a. The maximum allowed floorplate is increased by no more than 20 percent;
- b. All buildings or portions of buildings located above 40 feet shall include a minimum building separation of 40 feet. The required separation shall provide for a continuous building separation corridor that extends between I-405 and 112th Ave NE; and
- c. The applicant demonstrates that the increased floorplate size does not affect the light, air or privacy for pedestrians or adjacent properties, and any publicly accessible space that is located in the vicinity.

Commented [BT(5)]: Allows for flexibility.

Commented [BT(6)]: Continuous corridor provides permeability between Downtown and I-405.

Topic: Elan / Fortress Project

May 3, 2017 Planning Commission Study Session –

Updated and Reprinted for May 10

ELAN / FORTRESS PROJECT

SUMMARY OF ISSUE FROM PUBLIC COMMENT: The project proponent wishes to build two towers within a project limit that straddles the DT-MU and the Perimeter Overlay District B-2. It is located at the northwest corner of the intersection of NE 8th Street and Bellevue Way.

DRAFT CODE REFERENCES:

In the Public Hearing Draft, the building heights for DT-MU were 288 feet for residential and 230 feet for nonresidential. This would not change. In the Perimeter Overlay B-2, the Public Hearing Draft listed the residential height limit a 176 to 264 feet for multiple buildings on the same site. Footnote 12 stated: “Within Perimeter Overlay B-2, multiple tower projects are allowed variable tower heights of 176 feet to 264 feet with an average of no more than 220 feet. Master Development plan approval is required. Single tower projects within the Perimeter Overlay B-2 shall be limited to 264 feet.”

However, upon a second look, this does not address the owner’s concerns. Staff suggests the following change: Within Perimeter Overlay District B-2, multiple tower projects are allowed variable tower heights of 176 feet to 264 feet with an average of no more than 220 feet. Master Development plan approval is required. Multiple tower projects that straddle the Perimeter Overlay B-2 and DT-MU Districts in the Northwest Village Neighborhood of Downtown are allowed to locate a single tower within the Perimeter Overlay B-2 that does not exceed a maximum height of 264 feet. Single tower projects within the Perimeter Overlay B-2 shall be limited to 224 feet unless the Director approves an Administrative Departure pursuant to LUC 20.25A.030.D.

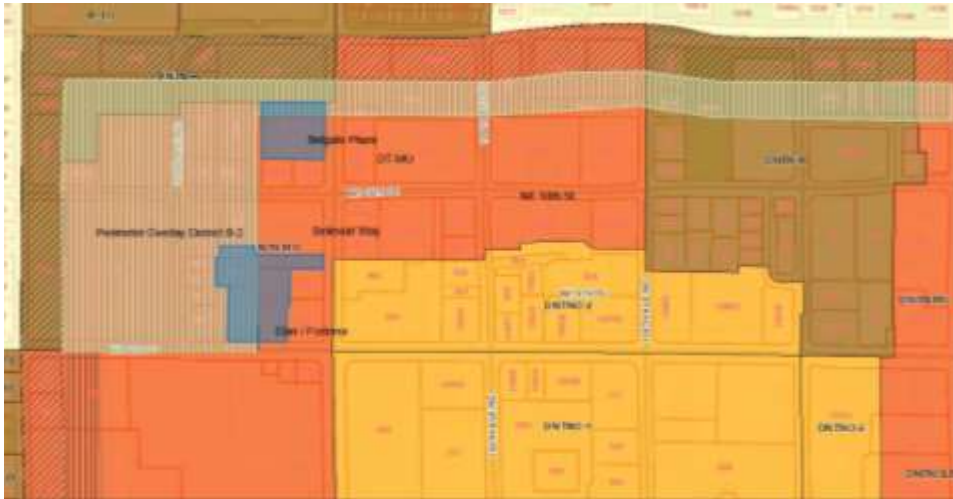
DIRECTION FROM COMMISSION:

On April 19, 2017, the Planning Commission asked Staff to bring back the language to address Mr. Lahka’s concerns regarding Elan / Fortress and what unintended consequences might occur as a result of the code change.

ANALYSIS:

Upon review of the April 19 version of Footnote 12, Staff determined that the footnote was not sufficient to address Mr. Lahka’s concerns. Footnote 12 has been redrafted to address Mr. Lahka’s concerns.

On April 19, the Planning Commission asked Staff to determine what other consequences there would be as a result of the change to Footnote 12. The only parcels or groups of parcels that would be affected are the sites for Elan / Fortress and Belgate Plaza. The latter is already built.



The portion of the Belgate Plaza that is in the Perimeter Overlay B-2 is approximately 15,000 square feet (approximately 60 feet by 291 feet). This does not include area that would be deducted for setbacks. With setbacks, the area is quite small for a tower. However, it would be possible to build at least one tower on the southern portion of the site that is zoned DT-MU. There are approximately 45,000 square feet on the portion of the site that is zoned DT-MU.

Below are the proposed changes to the dimensional chart and footnotes.

Down town Land Use District	Building Type (2)(5)	Minimum Tower Set-back above 45' Where Building Exceeds 75'	Maximum Floor Plate Above 40' (4)	Maximum Floor Plate Above 80' (4)	Maximum Lot Coverage (13)	Maximum Building Height	Floor Area Ratio: Base / Maximum (3)	Tower Separation Above 45' Where Building exceeds 75'	Trigger for additional height
DT-MU	Nonresidential	40' (15)	22,000 gsf/f	20,000 gsf/f	100%	230'	3.25 / 5.0	80'	115' (7)
	Residential	40' (15)	20,000 gsf/f	13,500 gsf/f	100%	288'	4.25 / 5.0	80'	230' (7)
	Above-Grade Parking	N/A	20,000 gsf/f	N/A	75%	60' (9)	N/A	NA	N/A (10)

Downtown Perimeter Overlay District	Building Type (2)(5)	Minimum Tower Setback above 45' Where Building Exceeds 75'	Minimum Setback from Downtown Boundary (1)	Maximum Lot Coverage (13)	Maximum Building Height	Floor Area Ratio: Base / Maximum (3)	Triggers for Additional Height
Perimeter Overlay B-2	Nonresidential	N/A	N/A	75%	72'	1.5 / 1.5	N/A (10)
	Residential	40' (15)	N/A	75%	176'-264' (7) (12) (15)	4.25 / 5.0	105' (7)
	Above-Grade Parking	N/A	N/A	75%	40' (9)	N/A	N/A (10)

...

(7) Refer to LUC 20.25A.075.A for additional requirements when exceeding the trigger for additional height.

(12) Within Perimeter Overlay B-2, multiple tower projects are allowed variable tower heights of 176 feet to 264 feet with an average of no more than 220 feet. Master Development Plan approval is required. Multiple tower projects that straddle the Perimeter Overlay B-2 and DT-MU Districts in the Northwest Village Neighborhood of Downtown are allowed to locate a single tower within the Perimeter Overlay B-2 that does not exceed a maximum height of 264 feet. Single tower projects within the Perimeter Overlay B-2 shall be limited to ~~160~~220 feet unless the Director approves an Administrative Departure pursuant to LUC 20.25A.030.D.

Commented [HC1]: Included in Consolidated Draft Code

(15) The tower setback shall be applied from interior property lines only. Please see LUC 20.25A.060.B.4 for additional tower setback provisions.

Topic: Code Clarifications

Reprint from April 26, 2017 Commission Study Session
with New Code Clarifications (shown in underline) and Annotation Notes –
Reprinted for May 10

NOTE: All page references below are to the public hearing draft Land Use Code included in the March 8 and March 22 Commission packets.

1. Summary of Issue from Public Comment: Protect against spillover lighting.

Draft Code References:

- Pedestrian-scaled lighting is required in through-block connections, open space, and streetscapes that is, by definition, lower to the ground and will not cause as much glare. LUC 20.25A.160.D.4.f and .E.2.l, pages 110 and 112; LUC 20.25A.170.A1.b.vi., page 114;
- Lighting from new developments is required to be directed away from adjacent developments and less intense uses to minimize adverse impacts. LUC 20.25A.150.A.2.c, page 101;
- Orientation of lighting must be toward sidewalks and public spaces. LUC 20.25A.170.A.6, page 120;
- No glare into residential units or adjacent developments or streets. LUC 20.25A.180.D.7, page 132; and
- Dimmable exterior lighting. LUC 20.25.180.D.7.b.vi, page 137.

Additionally, the current code provisions in LUC 20.20.522, which will remain in effect after adoption of the draft code, requires:

- Cutoff shields on lighting in parking lots and driveways; and
- Other exterior lights must be designed to avoid spillover glare beyond site boundaries.

Clarification: The updated and current code include enhanced protection against spillover lighting, as suggested by this comment.

2. Summary of Issue from Public Comment: Soften the mandates in the Through-Block Connections.

Draft Code Reference: Through-Block Pedestrian Connection standards and guidelines can be found in in LUC 20.25A.160.D; page 108.

Clarification: Mid-block Connections were renamed “Through-Block Pedestrian Connections” in March 2016 as a part of the Early Wins package. These provisions can be found in the current code in LUC 20.25A.060.A. Along with the name change, a new provision, LUC 20.25A.060.D was added to the Downtown Code Update to provide more flexibility to the applicant. Though the Through-Block Pedestrian Connections have been moved in the updated code to LUC 20.25A.160.D, page 160 and the flexibility provision did not move with them, they are still

Commented [HC1]: To align with terminology used in the Downtown Livability Initiative CAC Final Report (October 14, 2014)

Commented [HC2R1]: Included in Consolidated Draft Code

Commented [HC3]: •Added Proportionate Share provision: Applicant is only required to provide proportionate share of adjacent through-block pedestrian connection (codifies practice).
•Added administrative departure flexibility (BDA request)

subject to the administrative departure procedure in LUC 20.25A.030, page 12. This procedure offers applicants the flexibility requested. Additional provisions were included in the Code Update to advance CAC recommendations and ensure consistency across the Downtown code. One code clarification is suggested to better ensure consistency across the Downtown code. The Land Use Code currently requires applicants to enter into a “Legal Agreement” to ensure that pedestrian access is maintained on Major Public Open Spaces and Minor Publicly Accessible Spaces. The legal agreement requirement was added to the Through-Block Connection standards in the Code Update, but was mistakenly referred to as an “Easement.” This was brought to the attention of staff by several stakeholders. To ensure consistency across the Downtown code, staff suggests that the following modification to the Code Update be included in the Consolidated Draft.

Commented [HC4]: •Added a map of the Through-Block Connections (CAC recommendation)
•Strengthened Design Guidelines to advance livability objectives (CAC recommendation)
•Added easement language for public access to Through-Block Connections (aligned with requirements to provide legal agreements for public access to Major Public Open Spaces and Minor Publicly Accessible Spaces)

LUC 20.25A.060.D.3 Standards

d. ~~Easement~~Legal Agreement. Through-block connections require an easement for public right of pedestrian use in a form approved by the City. Owners, of property that is required to provide a through-block connection as part of the Design Review process, shall execute a legal agreement providing that such property is subject to a nonexclusive right of pedestrian use and access by the public during hours of operation.

Commented [HC5]: Tracks language for Legal Agreements required for Minor Publicly Accessible Open Space in LUC 20.25A.090.C.3.e

3. **Summary of Issue from Public Comment:** Make sure that alleys function as alleys and provide a location for solid waste receptacles.

Commented [HC6R5]: Included in Consolidated Draft Code

Draft Code Reference: LUC 20.25A.160B.2.iv, p. 105; states that site servicing equipment should be located away from the public sidewalk and through-block connections.

Clarification: The design guideline will help to keep sidewalks clear of mechanical equipment and solid waste receptacles. Also, the Transportation keeps the right-of-way clear as a part of its development review. Finally, a Director’s Rule is being drafted by Solid Waste Division of the Utilities Department that will address these concerns. When this rule is complete, it will be adopted by reference into the updated Downtown Code. Altogether, these provisions ensure that solid waste receptacles and other servicing equipment will be kept off the sidewalks and right-of-way and in the alley or building.

4. **Summary of Issue from Public Comment:** PMF Investments and other stakeholders have requested clarification regarding application of the “DT-Build-to Line” in LUC 20.25A.020 “to eliminate the Director’s ability to administratively, in its sole discretion, move the line.” Refer to Letter sent to the Planning Commission from PMF Investments dated April 26, 2017. The provision included in the Draft Code Update was not intended to create uncertainty, and the following fix proposed by representatives of PMF Investments would clarify the intent of the provision. Staff suggests that the following modification to the Code Update be included in the Consolidated Draft.

LUC 20.25A.020.A Definitions

DT-Build-To Line: A location along a designated block or right-of-way where a building must be constructed. The build-to line is the back of the required sidewalk unless, upon the request of the applicant, it is designated otherwise by the Director.

Commented [HC7]: Included in Consolidated Draft Code

5. Summary of Issue from Public Comment: PMF Investments has requested a modification to the Draft Code Update to clarify that amenities may be phased with build-out of a Master Development Plan. Refer to Letter sent to the Planning Commission from PMF Investments dated April 26, 2017. The modification requested by PMF Investments is consistent with City practice and staff suggests that the following modification to the Code Update be included in the Consolidated Draft to provide additional certainty to developers regarding the timing of amenity construction.

LUC 20.25A.070.D Specific Amenity Incentive System Requirements

3. In a multi-building development within a single project limit, amenities may be allocated among all buildings within the project limit; provided, that such allocation shall be approved by the Director through a Master Development Plan (MDP). If construction of the multi-building development is to be phased, each phase shall provide for a proportionate installation of amenities as established in an approved MDP phasing plan. ~~No~~ phase may depend on the future construction of amenities.

Commented [HC8]: Included in Consolidated Draft Code

Upcoming Planning Commission Meeting Schedule

<u>Mtg</u>	<u>Date</u>	<u>Agenda Item Topic</u>	<u>Priority</u>	<u>Agenda Type</u>	<u>Location</u>
17-8	26-Apr-17	Comprehensive Plan Amendment Cycle Study Session	2	Discussion of plan amendment scope & types of information that will help the Commission in plan amendment review.	City Hall
		Downtown Livability Land Use Code	2	Downtown Livability Study Session #3 Post Public Hearing	
17-9	3-May-17	Downtown Livability Land Use Code	2	Downtown Livability Study Session #4 Post Public Hearing	City Hall
		(Canceled)			
17-9	10-May-17	Downtown Livability Land Use Code	2	Downtown Livability Study Session #5 Post Public Hearing	City Hall
17-10	24-May-17	Downtown Livability Land Use Code	2	Downtown Livability Study Session #6 Post Public Hearing	City Hall
17-11	14-Jun-17	Comprehensive Plan Amendment Cycle Threshold Review	1	Public hearing	City Hall
		Comprehensive Plan Amendment Cycle Threshold Review	2	Study Session to make recommendation to City Council regarding threshold determination for plan amendments in cycle.	
17-12	28-Jun-17	Comprehensive Plan Amendment Cycle Threshold Review	2	Study Session to make recommendation to City Council regarding threshold determination for plan amendments in cycle.	City Hall
17-13	12-Jul-17	Digital Transition	3	Commission get an orientation on digital packets.	City Hall
		Planning Commission Post Retreat - Guiding Principles & Public Engagement	3	Commission reviews current guiding principles and public engagement practices and amends, as needed.	
17-14	26-Jul-17	TBD			
The Planning Commission will set public hearings, as needed, when the Commission approaches the conclusion of their deliberations.					

PLANNING COMMISSION - CORRESPONDENCE



May 3, 2017

Planning Commission Meeting



WALLACE PROPERTIES

April 26, 2017

City of Bellevue
Planning Commission
450 110th Ave. NE
Bellevue, WA 98004
E-mail: planningcommission@bellevuewa.gov

Re: Downtown Livability Code Amendments
Comments from Wallace Bellevue Partners LLC and Wallace/Scott LP Regarding
Bellevue North, Bellevue Way & 10th, 4th & 111th and 222 & 330 112th Properties.
First Update

To the members of the Planning Commission:

Wallace Bellevue Partners owns the Bellevue North Shopping Center (“BNSC”) located at 1100 Bellevue Way and the Bellevue Way & 10th parcels located at 1000 & 1020 Bellevue Way. Wallace/Scott LP owns the Lakeshore/305 parcels located at 11027 NE 4th Street & 305 111th Ave. NE and the 112th Ave. parcels located at 222, 330 and 399 112th Ave. NE. Please see the map in **Attachment 5** for the location of the properties. On March 8 we submitted a letter with several comments. This letter updates those comments based on the discussions and outcomes of your March 8, March 22 and April 19 meetings. We also comment below on the items addressed in tonight’s Agenda Memo.

Tonight’s Agenda Memo.

1. **Parking.** We endorse the recommended changes to 20.25A.080.H shown on page 75. This allows new projects to provide the correct amount of parking – not more, not less. It also provides a new level of clarity, which is greatly appreciated.

With this change we are less concerned about the elimination of the shared parking reduction on page 74, but we do believe a shared parking reduction is appropriate and that the problems in the Old Main area are unique to Old Main.

2. **Active Uses.** Adoption of the language on page 77 and 78 would resolve our concerns with respect to the definition of Active Uses.
3. **OLB Specific Issues (Pages 79-81).**
 - ***Sidewalks.*** Thank you for removing the sidewalk requirement on 4th. The requirement for landscaping also needs to be removed.
 - ***Parking Garages.*** The proposed language on page 79 is acceptable. We provided a diagram on **Attachment 4, Page 2** for your consideration.
 - ***Larger Floorplates.*** We request that you increase the maximum limit by 20%, from 30,000 to 36,000, and from 20,000 to 24,000. These floorplates would be adequate for tech office buildings. Please keep in mind that there is a 10% reduction in floorplate for towers above the trigger

Investment/Development | Brokerage | Property Management

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height, so 24,000 would be reduced down to 21,600. The minimum viable nonresidential floorplate is 20,000.

4. Through-block Crossing Requirements (page 82). Please see the attached analysis of the Through-Block Crossing requirements in **Attachment 1**. There are significant additions to what was unanimously adopted in the Early Wins Ordinance. These changes are often vague and expensive. In summary, we ask that the Commission:
 - delete subsections 160.D.3(d) and 4(c), (d), (f), (g), (i), (j), (n), and (o). These were not in the Early Wins Ordinance and are excessive;
 - add back in Section 3(f) from the Early Wins Ordinance (currently found in 20.25A.060.C.3.f);
 - clarify that “proportionate” in D.3(b) means both horizontal and vertical.
 - eliminate the second sentence in D.3(a) that effectively prohibits crossings from being indoors; and
 - give the owner the discretion to choose where the through-block crossing will run, and not leave it to the discretion of the Director (see D.3(a)).
5. Provide a Location for Solid-Waste Receptacles (Page 83). The issue here is that projects are required to design garages that enable garbage companies to pick up trash *inside the garage*. This is unduly expensive, adversely impacts design and is unique to *newer* buildings in Downtown Bellevue. Seattle does not require this for its urban buildings, it is not required in lower density areas of Bellevue, and many of the older buildings in Downtown Bellevue put dumpsters on the street for garbage pickup. Property owners need the ability to designate an exterior location for bi-weekly dumpster *retrieval*, but have interior garbage rooms to store the dumpsters at other times. The language below would limit this to the streets that are intended to have less pedestrian traffic.

Suggested modification: Append .160.B.2.a.iii. with, “...provided, however, solid waste receptacles may be temporarily placed on any interior alley or any right of way on a Mixed Street, Neighborhood Street or Perimeter Street for the purpose of solid waste removal. Temporary exterior solid waste receptacle storage is not permitted on any Pedestrian Corridor/High Street or Commercial Street.”

Additional Requests

1. BDA Comments. Thank you for your approval of most of the issues raised in the BDA March 1 key recommendations. It appears that the only one left unresolved is adjusting the fee-in-lieu rate from \$28 to \$25.
2. Build-To Line. We would appreciate more clarity in the definition of Build-to Line. It is not possible to understand where the “build-to” line is, and where the developer can deviate from it.
3. Amenity Incentive System. Assuming the base FAR is adjusted as provided on pages 34 and 35 of the April 19 Agenda Memo, that is, the Base FAR is 90% of the Maximum, then we have no concerns for the 112th Ave. parcels or the Bellevue Way & 10th parcels.

The problem that remains is for small lots, like the 4th & 111th property. Please see the detailed analysis of the amenity incentive system in **Attachment 2**. We provide a sample residential project

that is well-suited to the 4th & 111th site. Under the current code, it would require 57,963 amenity points to get to the Max Floor Area. Applying the residential and underground parking bonus available under the current code would provide 175,000 points. So there would be no other requirements for a residential building on this site to achieve Max FAR.

Under the proposed amenity incentive system there are only three amenities that can be applied, and they each have maximum limits.

- Public Art/Water Feature. This is only allowed for up to 25% of the points.
- Fee In-Lieu. This is limited to 50% of the points.
- Enhanced Streetscape. This is the only potential viable remaining option. So the exercise becomes where to pinch the building back to enable the remaining 25% of the points to be achieved through enhanced streetscape.

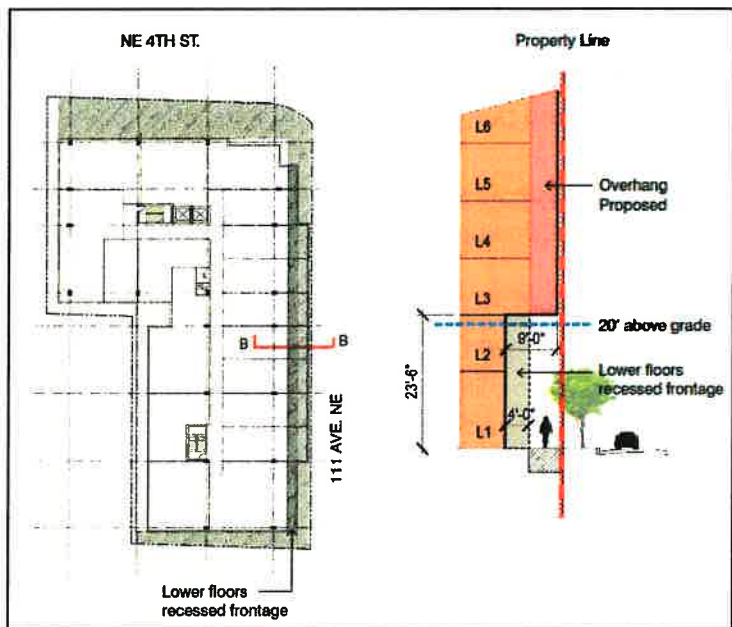
To solve this problem, we ask that you provide an exemption for lots less than 40,000 square feet in size. The code mandates are sufficient to require quality streetfronts, landscaping and other building design. There simply isn't room to do more without impacting the building.

Alternatively, provide more viable bonuses for residential buildings on small lots. Ideas include:

- Publicly accessible rooftops or amenity spaces.
- Amenity spaces on roofs of podium or tower structures.
- Roof gardens.
- Other residential amenity space.
- Landscaping.

4. Right to Build to Property Line.

The adjacent diagram shows the floorplan and elevation of the proposed residential project on the 4th & 111th site. Due to the tight site, in order to achieve a full floorplate we need to build back out to our property line at an appropriate vertical elevation. The sidewalk and enhanced streetscape requirements push the ground floor back nine feet from the property line. Maintaining this up to 20' in elevation is not ideal, but it's workable. But if we are required to continue the setback for the entire vertical elevation of the building we would lose too much rentable area (see the grey cross-hatching on the left figure).



Proposed solution: Add a new Subsection .060.2.a.iii. "On Mixed Street and Neighborhood Streets, Building structure, external decks and balconies are permitted to extend over the

sidewalk and enhanced streetscape area to the property line above a minimum clearance of 20 feet above the right-of-way, except when a setback or setback precludes such extension.”

5. Max Floor Plates. In addition to the OLB Floorplate issue discussed above, please either eliminate the requirement to reduce tower floorplates by 10% or increase the maximum floorplate above 80’ for nonresidential in the MU from 20,000 to 22,000. That way with a 10% reduction for the towers the lowest max floor plate will be 20,000.
6. Tower Height, Setback and Spacing. We are not entirely clear on the status of the tower height, setback and spacing rules. We understood the conversation last week to call for elimination of the 40’ setback rule but consideration of whether the spacing of towers within a project limit should be 60’ or 80’. Please see the drawings on the first page of **Attachment 3**. On this parcel, two towers would only be achievable with 60’ of separation and a 20’ setback. Note the attractiveness of the two tower design, as shown on **Attachment 3, pages 4 and 5**. With 80’ of separation we would be required to build one larger, blocky tower. Please also keep in mind that floorplate limits, FAR limits, height limits, lot coverage limits are all factors that prohibit undue numbers of buildings built closely together.

Also note that the language provided on page 20 of the April 14 Agenda Memo would require 80’ spacing between buildings in a *superblock*, instead of the previous limit to buildings within a *project limit*. This effectively replaces the 40’ setback rule and gets us right back where we started.

7. Requirements for Additional Height. Please see **Attachment 3, Page 5**, for a drawing showing the impacts of the additional height requirements on this site. To build to 288’ instead of 230’, we would have to take an enormous amount of property and dedicate it to open space. We encourage you to eliminate this additional open space requirement because the existing open space requirements are sufficient and this will act as a disincentive to building taller, slimmer buildings.

We also support elimination of the “Condition 2” amenity bonus requirements. Condition 1 is sufficient. Condition 2 is very confusing and acts as a disincentive to building taller buildings.

8. Streetscapes.
 - *111th Ave. NE*. Please see the drawing on **Attachment 2, Page 3**. The photo at the top shows the current condition of the Metro 112 property as it faces 111th Ave. NE. 111th is designated a Neighborhood Street under 170.B. We would like to work with staff to ensure that the language in 170.B.4 allows a similar level of transparency and non-retail use as the Metro 112 building. Retail is not viable facing this street. We are particularly concerned with the “transparency” and “points of interest” requirements in 170.B.4.b.
 - *114th Ave. NE*. Please see the drawing on **Attachment 4, Page 2**. 114th is also designated a Neighborhood Street, and we have the same concerns here as with 111th. This is a back of house area and storefronts will not be viable. Transparency requirements will not serve a reasonable public interest. We ask that the street designation for 114th be removed, at least in the areas between 2nd and 6th that are buried by the freeway.

9. OLB Specific Issues. Street and Pedestrian Circulation; Landscaping. Based on the comments on page 79 of the April 21 Agenda Memo we believe this issue will be resolved favorably. The north edge of these properties abuts the bridge accessing I-405. As a result the sidewalk and street tree requirements in .090 cannot be performed. Please exempt this portion of 4th Street. The same issue exists for the landscaping requirements in .110. Please correct this section as well. **See Attachment 4, Page 2** for a picture of the problem described here.
10. Site Circulation, Open Space and Streetscapes. Small sites like the 4th & 111th site will have a very difficult time complying with the requirements of .160.B.2. and 160.E and 170. Please take small lots into consideration when evaluating these requirements.
11. Transfer of FAR within Project Limit. As shown on **Attachment 3, Pages 2-5**, the Bellevue Way & 10th properties span 3 zones: Perimeter A-2, B-3 and MU. Strictly applying the FAR limits within the zones forces a blocky design, as shown in Option 1. If we are allowed to use less FAR in perimeter A-1 and more in MU we can achieve the goals of lower density on the perimeter and also provide more elegant designs in the higher density areas, as shown in Option 2. We will provide some suggested code revisions on this subject in the coming weeks.
12. Non-residential diminishing. The current code has a concept called non-residential diminishing that allows a gradual reduction in floorplate sizes. Please maintain this concept. See 20.25A.020.B.d.
13. Green Factor. The green factor is a hardship for small sites. Large sites are able to comply because they have sufficient space to put in ground level plantings, which is what the community wants. Small sites are forced to do green walls and green roofs, which are very expensive and do not provide much public benefit. The current code mandates require sufficient perimeter landscaping on small sites. We will supplement this letter with a drawing of the perimeter landscaping. We ask that you exempt sites of less than 40,000 square feet from the Green Factor requirements, or else reduce the multiple from 3.0 to 2.5.

Thank you for considering our comments, and we look forward to a collaborative resolution to the Downtown Livability Study process. If you have questions I can be reached the number below.

Sincerely yours,



Robert C. Wallace

ATTACHMENT 1

Wallace Properties Analysis of Through-Block Crossing Requirements

Requirement	Early Wins Ordinance #6277. Amends BCC 20.25A.060.C	Proposed Requirements. 20.25A.160.D.
Stated Purpose	Provide opportunity for increased pedestrian movement through superblocks in Downtown.	Same, but also "and helps to reduce the scale of superblocks." This intent is fine, but the intent can be met without need for the highly elaborate requirements below. D.2.
Pedestrian connection required. Designed to form logical routes from origins to destinations.	Yes	Yes - In some cases more than one crossing is required. 3(a).
Offer diversity in terms of activity and pedestrian amenity.	Yes	Yes. 4(a).
Meet ADA requirements	Yes	Yes. 4(b).
Use trees and landscaping to provide definition and enclosure.	Yes	Yes. 4(k). This language is an improvement.
Provide weather protection	Yes	Broadened greatly. See below. Yes. 4(f).
Provide directional signage.	Yes	Yes. Required in 3.e. and 4.e. Unclear why it needs to be said twice.
Map indicating locations of through-block crossings	No. The common understanding was one crossing was required, either E/W or N/S.	Yes. Many locations on the map are arbitrary. It needs to be clear that the map is not dictating exactly where the crossing are supposed to go. It would be preferable to have a table that numbers the superblocks and indicates which ones need an E/W crossing and which need a N/S. The precise location of the crossing(s) should be left to the discretion of the property owner. The current language leaves the location to the discretion of the Director (see .160.D.3.a.), which creates an unfair level of unpredictability. 3(a).
Required to be outdoors unless "where it can only be accommodated indoors".	No.	Yes. There is no circumstance where a through-block crossing cannot be accommodated outdoors. But it may not be desirable to do it outdoors. Consider removing this requirement. 3(a).
Proportionate Share	No.	Yes. This is a fair requirement, but please be clear that "proportionate" applies to vertical as well as horizontal. An owner should not be allowed to dead end its portion 10' below the grade of its neighbor and then expect the neighbor to handle all of the grade change. 3(b).
Open 24 Hours/Day	No.	Yes. This is OK. 3(c).
Easement	No.	Yes. The condition in the entitlement is sufficient for the city to secure permanent public use of the through-blocks. Requiring conveyance of a property interest is unduly burdensome and arguably illegal. 3(d).

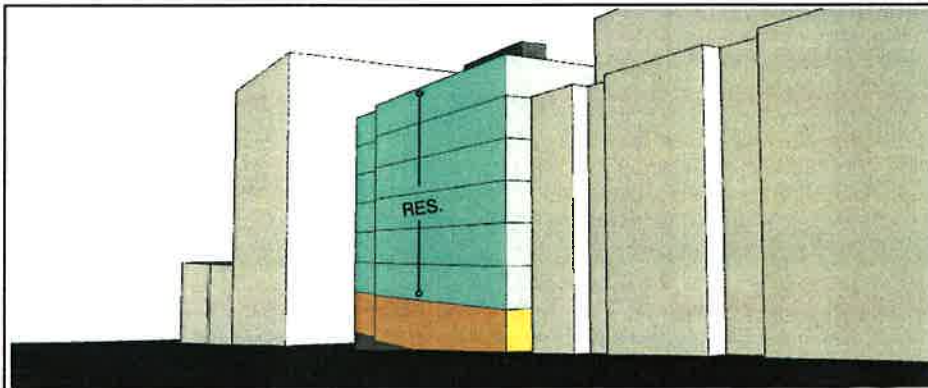
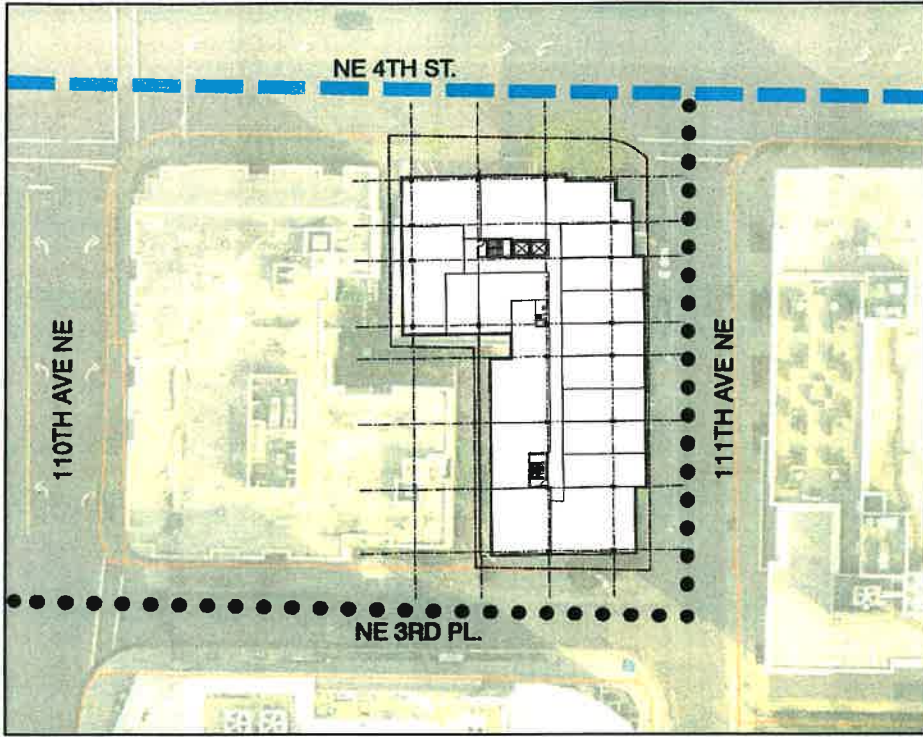
Wallace Properties Analysis of Through-Block Crossing Requirements

Requirement	Early Wins Ordinance #6277. Amends BCC 20.25A.060.C	Proposed Requirements. 20.25A.160.D.
<p>Incorporate design elements of the adjacent right-of-way, such as paving, lighting, landscaping and signage to identify the through-block connection as a public space.</p>	No.	<p>Yes. This is presented as a guideline. It is unclear whether guidelines are mandatory or just guidelines. It would be preferable to go back to the Early Wins requirement to "use trees and landscaping to provide definition and enclosure and eliminate this addition. Also note that all through-blocks will not be next to adjacent rights-of-way. Please delete 4(c) and replace with 3(f) from Early Wins.</p>
<p>Accentuate and enhance access to the through-block pedestrian connection from the right-of-way by use of multiple points of entry that identify it as a public space.</p>	No.	<p>Yes. This may not be feasible in all cases, unless two points is considered multiple. Please delete 4(d).</p>
<p>Provide high quality design and durable materials.</p>	No.	<p>Yes. This is a vague standard. Please delete 4(g).</p>
<p>Provide landscaping to define and animate the space wherever possible.</p>	No.	<p>Yes. This language goes too far. "Wherever possible" is a standard that will likely have unintended negative consequences. The early wins language that requires "trees and landscaping to provide definition and enclosure" is sufficient. Please delete 4(h) and replace with 3(f) from Early Wins.</p>
<p>Provide trees and landscaping to provide enclosure and soften the experience of the built environment.</p>	No.	<p>Yes. The underlined portion is vague. Please delete 4(i) and replace with 3(f) from Early Wins.</p>
<p>Use of artistic elements and water features is encouraged to provide moments of interest for the user.</p>	No.	<p>Yes. This is unduly burdensome and goes well beyond the agreement in the Early Wins Ordinance. Please delete. 4(j).</p>
<p>Be developed as a walkway or a combination walkway and vehicular lane. Provide walkway surface with "unit paver blocks" or other unique paving surface...</p>	No, except in Old Main.	<p>Yes. 4(m). This is an additional requirement but we don't view this as unreasonable, even though it will add cost.</p>
<p>Incorporate decorative lighting and seating areas.</p>	No.	<p>Yes. Overly broad. It is reasonable to require lighting, but not "decorative" lighting and seating areas. Please delete 4(n).</p>
<p>Be visible from surrounding spaces and uses. Provide doorways and other devices on the through-block connection to ensure that the connection is used, feels safe, and is not isolated from view.</p>	No.	<p>Yes. 4(o). These standards are vague and burdensome. They go well beyond what was adopted in the Early Wins Ordinance. Please delete 4(o).</p>

ATTACHMENT 2, PAGE 1 – AMENITY BONUS CALC AND CONCEPT DESIGN FOR 4th & 111th

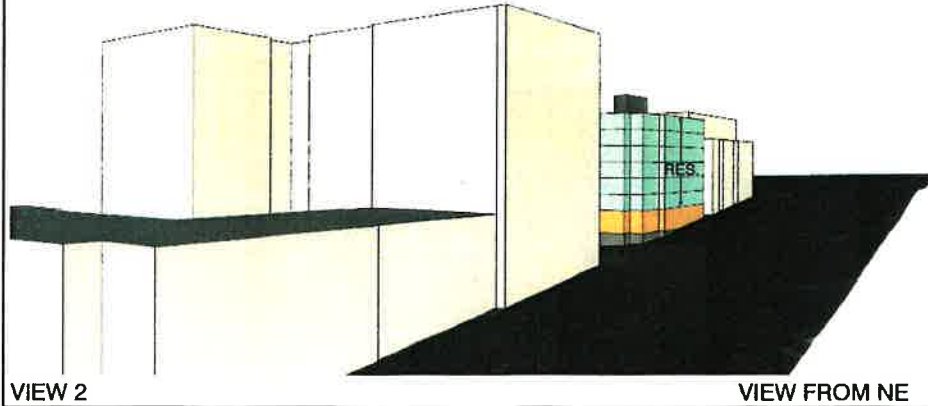
Property:	Location/ID:	Under the existing code, Leasehold/SOS would have been able to build a residential building to the maximum FAR by utilizing only the Residential Uses and Parking Bonuses. In fact, it would have over 100,000 amenity points left over.																																																																																																																																																																																																																																																																																																																																																																																				
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Land Area	10,521																																																																																																																																																																																																																																																																																																																																																																																					
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Neighborhood/Street	East Main																																																																																																																																																																																																																																																																																																																																																																																					
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No	11		50	0.5	50,000	25,000				Pedestrian Oriented Frontage (Ground level)	This is now mandated by 170 B.	No	1		50	100						Upper Level Pedestrian Oriented Frontage	This is now mandated by 170 B.	No	1		50	50						Above Grade Parking Under Res. Structure	Surface parking restrictions and density force garage parking. No bonus provided.	No	12		50	6						Total								375,000				In-Lieu Fee	Capred at 50% of the project's amenity need	No	6		5				20	135,247	4,830	New/Remaining Bonuses - Broad Use												Public Art/Sculpture	Must be in areas open to public or visible from public right of way. Value all art to be determined through appraisal by Bellevue Arts Program (not actual cost). 40 points per \$1,000 (i.e. \$25 per point). Must be located outside of the building. Current code gives 1/2 credit for upper level. 40 points per \$1,000 is \$25 per point.	12	24		5	5			25	60,370	2,415	Water Features		13	26		5	8			25			Unfused Streetscape	4-6 feet in addition to minimum sidewalk. Plus decorative paving and other costly improvements. According to Encl. 2mg, 7 B it is only for lots to Lots that (Main Street Properties). The bonus is not funding in the value of the land. MUST have right to build back out to property line closer 30' overhead clearance. Minimum use 3,000 sq. ft. area 25% of lot. New code requirements much more stringent (the required art and water features).	5	No		50	N/A			7	345	2,415	Outdoor Plaza (Old Code: Wood (Continuous) open space, public, accessible)		2	2		50	8						Upper Level Plaza	Is this available in new code?	2	2		50	3						Active Recreation Area	Must be open to the general public. Minimum of 2,000 square feet. Indoor or outdoor. These limitations are not in the old code.	5	5		50	1						Employed Plaza	Minimum 750 square feet. Accessible to public at all times. 2% must be landscaped (R).	7	4		50	4						Upper Level Employed Plaza	Minimum 750 square feet. Accessible to public at all times. 3% must be landscaped (R). 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Active Recreation Area	Must be open to the general public. Minimum of 2,000 square feet. Indoor or outdoor. These limitations are not in the old code.	5	5		50	1																																																																																																																																																																																																																																																																																																																																																																																
Employed Plaza	Minimum 750 square feet. Accessible to public at all times. 2% must be landscaped (R).	7	4		50	4																																																																																																																																																																																																																																																																																																																																																																																
Upper Level Employed Plaza	Minimum 750 square feet. Accessible to public at all times. 3% must be landscaped (R). Unclear if this is allowed.	7	4		50	2																																																																																																																																																																																																																																																																																																																																																																																
Total Broad Use										Subtotal	4,830																																																																																																																																																																																																																																																																																																																																																																											
New/Remaining Bonuses - Limited Use																																																																																																																																																																																																																																																																																																																																																																																						
Upper Pedestrian Corridor & BPODS	Cannot be used in the zone/neighborhood.	3	16		50	210			13.3	Not available																																																																																																																																																																																																																																																																																																																																																																												
Completion of Park Property	In new code, only available in East Main and Northwest Village. Minimum size 4,000 sq. ft. Must be consistent with City adopted policies and plans. Could theoretically buy a site and develop it.	1	10		5					Can't use due to end of site unusable																																																																																																																																																																																																																																																																																																																																																																												
Improvement of Public Park Property in NW Village or East Main	Improvements must be constructed by developer and consistent with City Plans.	4	No		5	N/A			12.2	Not realistic																																																																																																																																																																																																																																																																																																																																																																												
Improvement of Public Park Property outside of NW Village or East Main	Improvements must be constructed by developer and consistent with City Plans.	1	No		5	N/A			25	Not realistic																																																																																																																																																																																																																																																																																																																																																																												
Alleys with Addressing	Not available in City Center North, Artswood, Eastside Center or Old Bellevue.	3	No		50	N/A			6.7	Can't use due to site limitations																																																																																																																																																																																																																																																																																																																																																																												
Free-standing canopy for transit stops and street corners	Location must be approved by transportation department. Consistent with Design adopted through Transportation Director's Rule.	5	No		50	N/A			25	Can't use due to site limitations																																																																																																																																																																																																																																																																																																																																																																												
Pedestrian Bridges	Only at "previously designated mid block locations". Must connect to upper level Active Uses on both sides to qualify for bonus. Not available in NW Village.	10	No		50	N/A			250	Not available in East Main																																																																																																																																																																																																																																																																																																																																																																												
Historic Preservation	Alterwood, Old Bellevue, East Main. Protection of historic facades. Space dedicated to document history of Downtown.	14	No		5				25	No historical elements																																																																																																																																																																																																																																																																																																																																																																												
Historic and Cultural Resources Documentation	Bellevue.	13	No		5				25	No historical elements																																																																																																																																																																																																																																																																																																																																																																												
Performing Arts Space	Must be less than 10,000 square feet. Non-commercial neighborhood space. 5,000 of max space must be dedicated for life of project. Current code has 4 options for non-commercial space. Will need the Nonprofit Social Services, Marriott Community and Public Meeting Room. Summit used Child Care, no one used public restroom. No other projects used any of these.	13	20		50	50			10	Can't use due to site																																																																																																																																																																																																																																																																																																																																																																												
Neighborhood Serving Uses		16	22		50					Owner unwilling to dedicate space for narrow use. Wouldn't benefit neighborhood. Cost prohibitive.																																																																																																																																																																																																																																																																																																																																																																												
Total Limited Use																																																																																																																																																																																																																																																																																																																																																																																						

ATTACHMENT 2, PAGE 2 – CONCEPT DESIGN FOR 4th & 111th



VIEW 1

VIEW FROM NW



VIEW 2

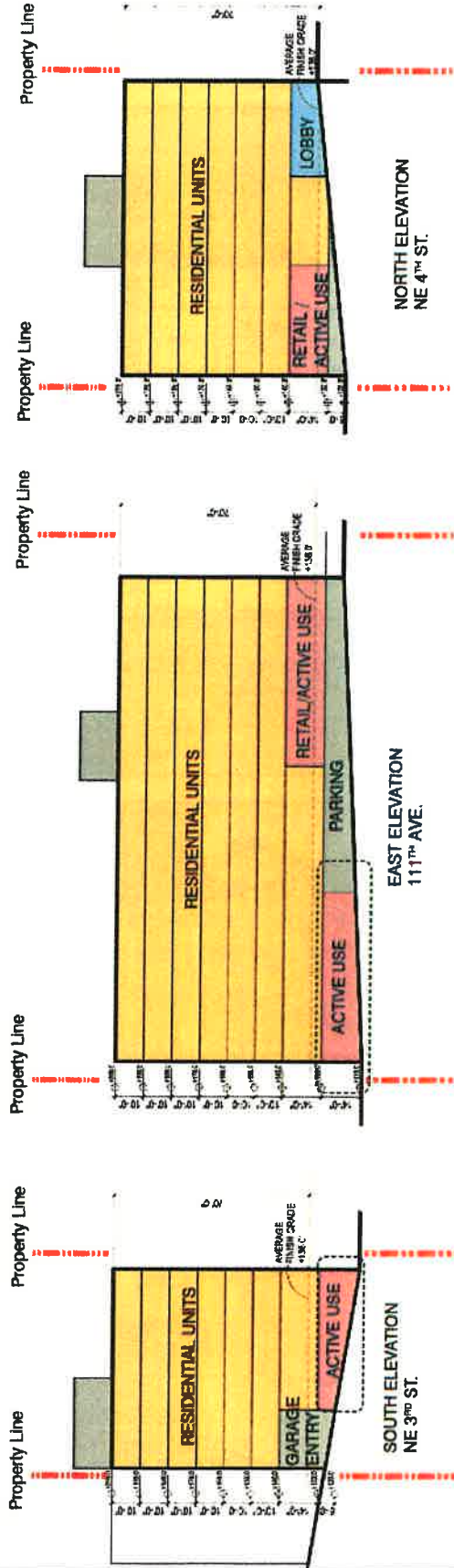
VIEW FROM NE

GROUND FLOOR RETAIL HARDSHIP

LANDSTONE LEARNING SITE



Metro 112 111th Ave. Facade



D NEIGHBORHOOD ST.

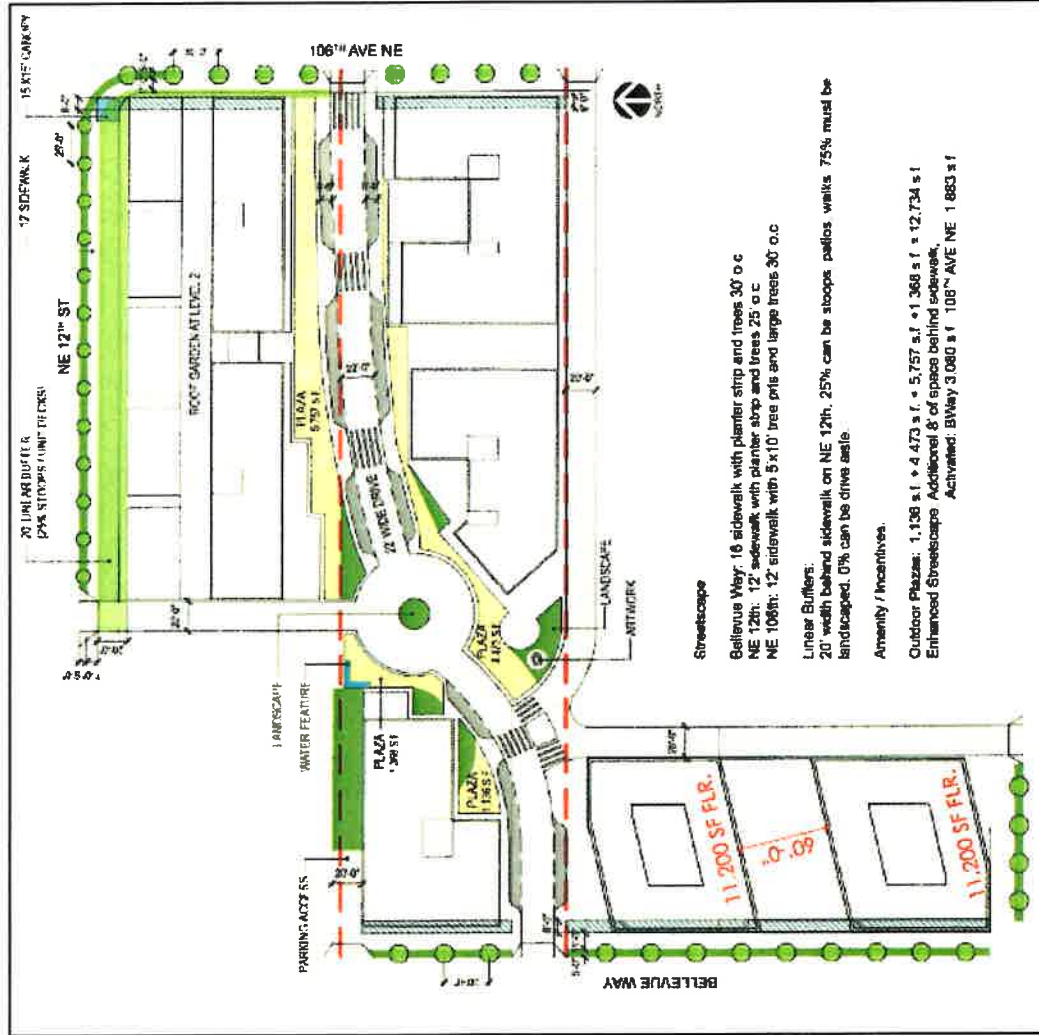
D NEIGHBORHOOD ST.

C NEIGHBORHOOD ST.

- I. 25%/75% TRANSPARENCY
- II. WEATHER PROTECTION 50%
- III. POINTS OF INTEREST: 90 FT MAX SPACING
- IV. PARKING LIMITATIONS

ATTACHMENT 3

10TH & BELLEVUE WAY PROPERTIES ILLUSTRATIONS



ATTACHMENT 3, PAGE 2 - 10TH & BELLEVUE WAY PROPERTIES ILLUSTRATIONS



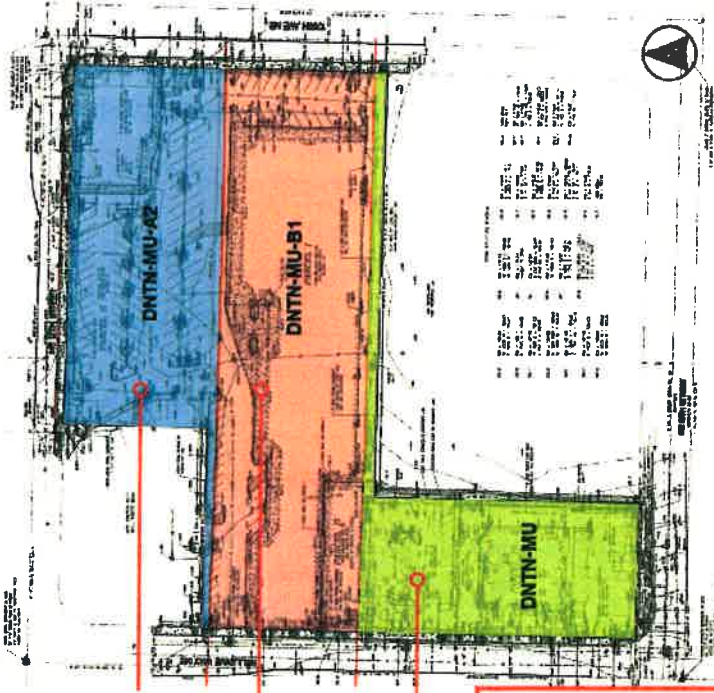
VICINITY MAP

Max. FAR: 3.5
FAR allowed area:
199,199 sq.ft. (max)

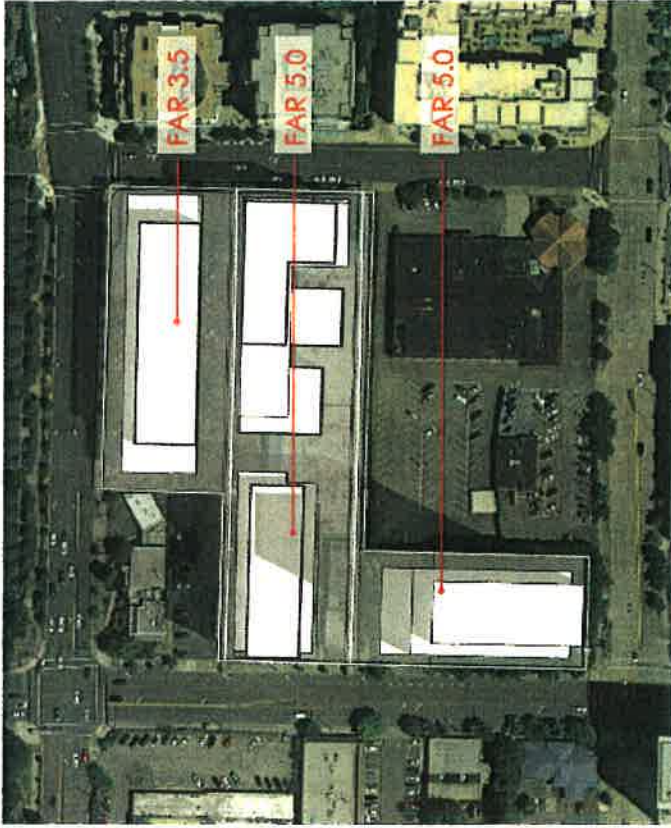
Max. FAR: 5.0
FAR allowed area:
421,065 sq.ft. (max)

Max. FAR: 5.0
FAR allowed area:
212,670 sq.ft. (max)

Summary	
Total Site Area:	183,667sq.ft.
Total FAR Area:	832,964sq.ft.
Blended FAR:	4.54

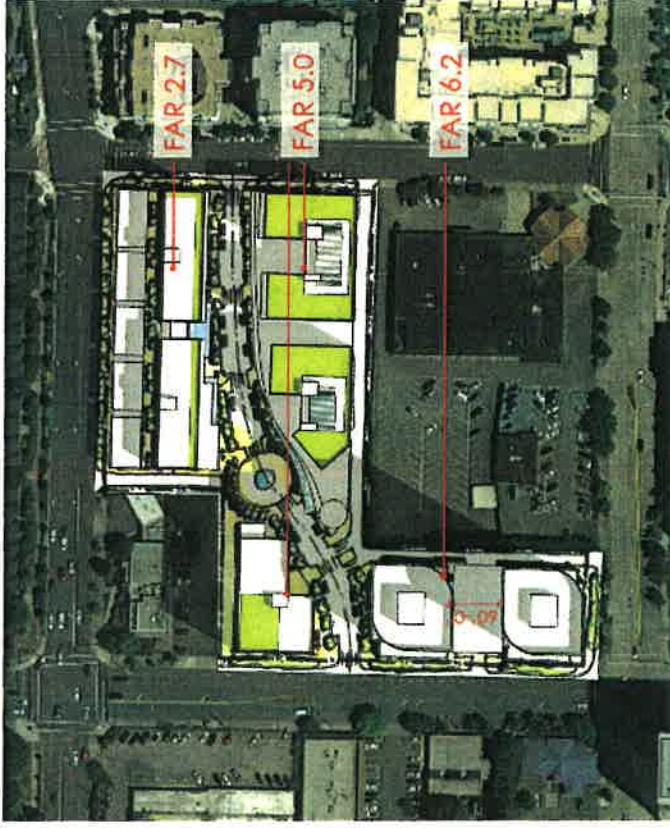


ZONING MAP



OPTION 1 PLAN

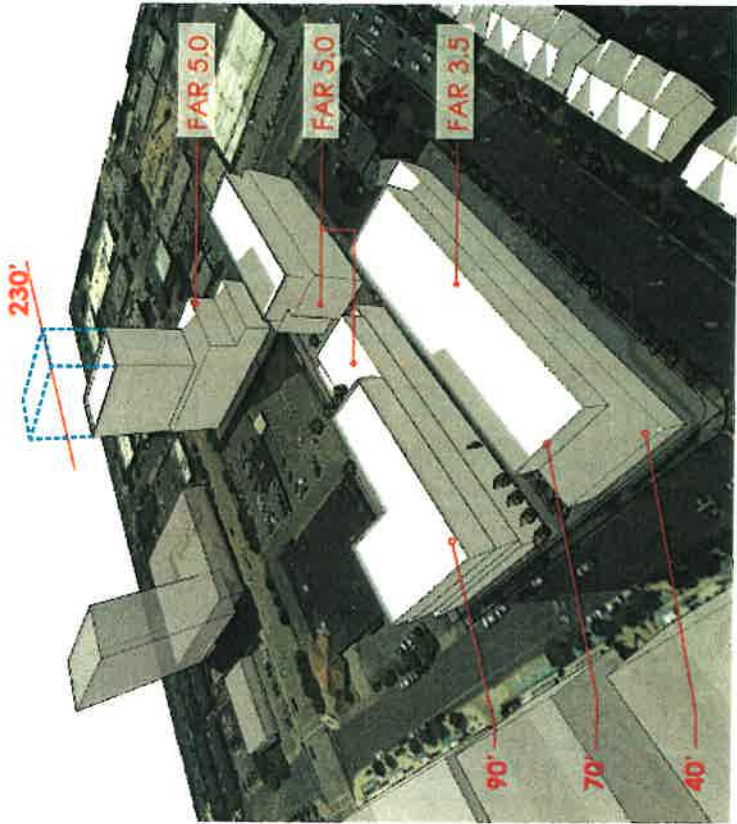
Distribution of FAR based on the limits of each individual parcels and zoning districts.



OPTION 2 PLAN

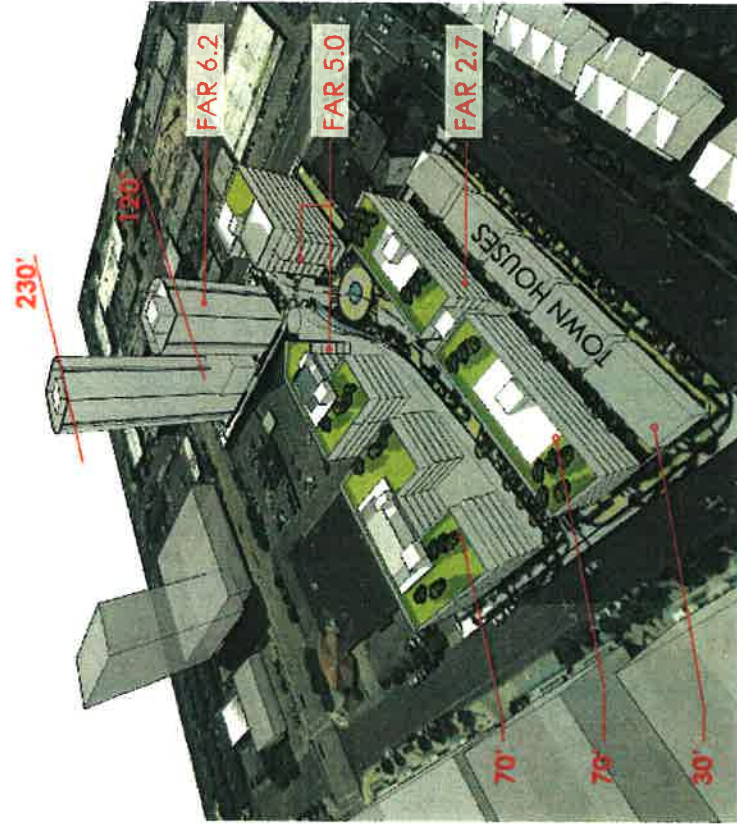
- Combine all the adjacent properties into one parcel;
- Redistribution of FAR within the site boundary, higher density and taller building toward urban core, less density and lower building toward the downtown perimeter boundary;
- Create a inner site pedestrian connection , boosting the retail activity.

ATTACHMENT 3, PAGE 4 - 10TH & BELLEVUE WAY PROPERTIES ILLUSTRATIONS



OPTION 1 MASSING

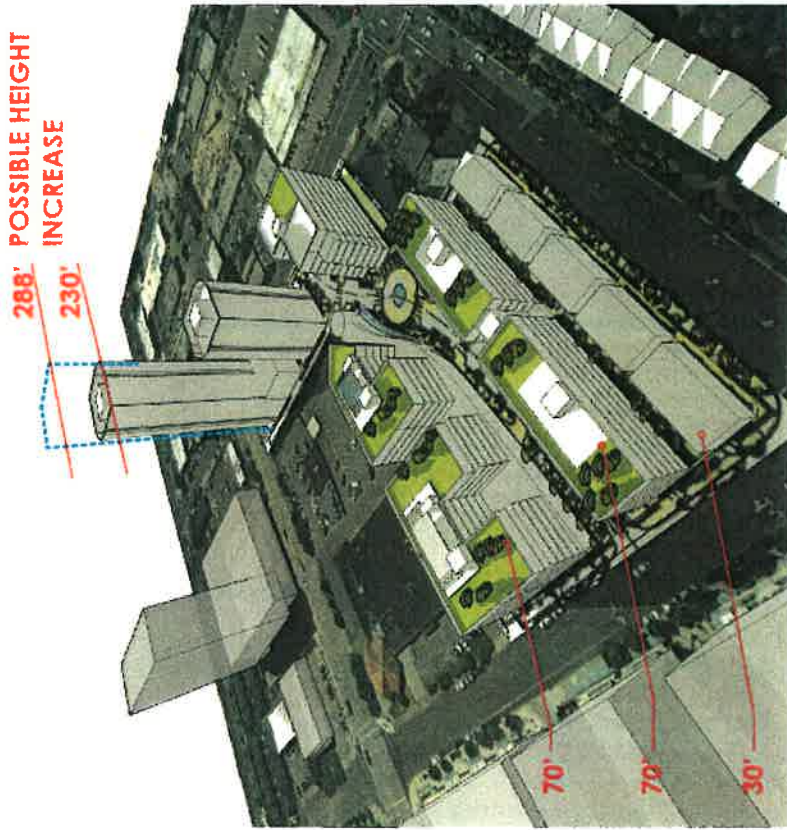
VIEW FROM N.E.



OPTION 2 MASSING

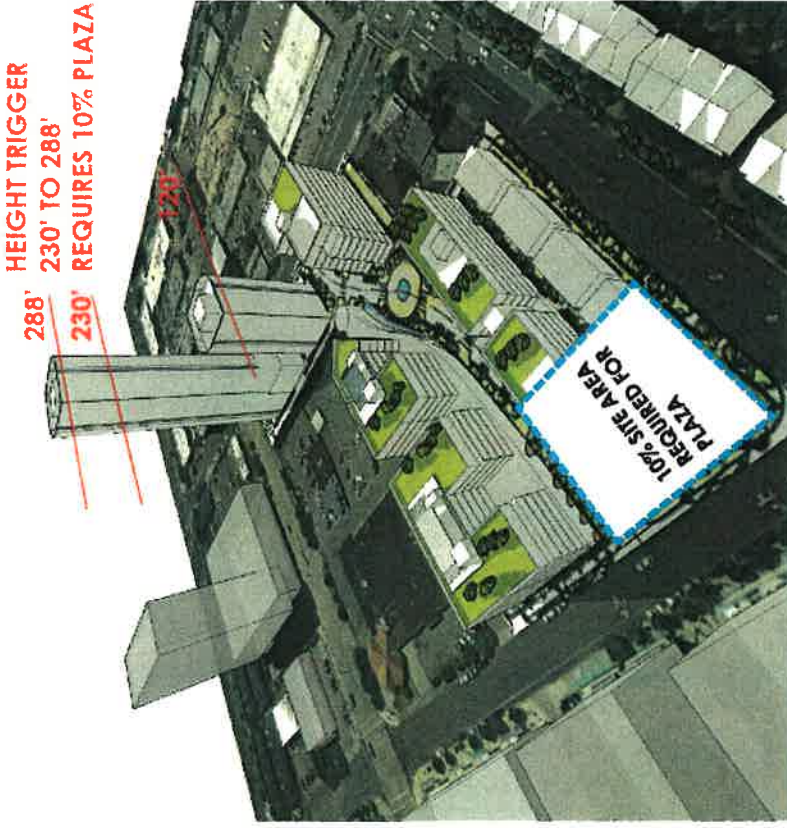
VIEW FROM N.E.

ATTACHMENT 3, PAGE 5 - 10TH & BELLEVUE WAY PROPERTIES ILLUSTRATIONS



OPTION 2 MASSING

VIEW FROM N.E.



OPTION 2 MASSING

VIEW FROM N.E.

ATTACHMENT 4

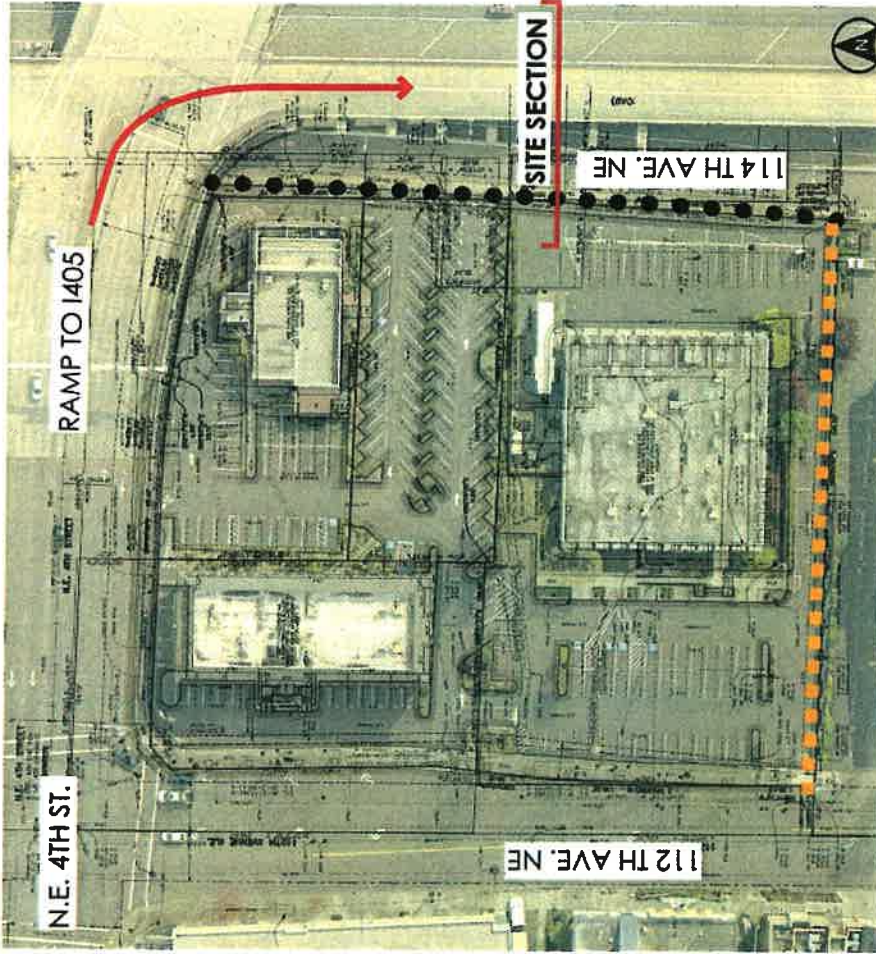
112TH STREET PROPERTIES ILLUSTRATIONS

114th AVE. NE

D NEIGHBORHOOD ST. ●●●●●●●●

- I. 25%/75% TRANSPARENCY
- II. WEATHER PROTECTION 50%
- III. POINTS OF INTEREST:
90 LINEAR FEET OF FACADE ,MAX.
- IV. PARKING LIMITATIONS

PROPOSED THROUGH-
BLOCK CONNECTION
LOCATION
●●●●●●●●



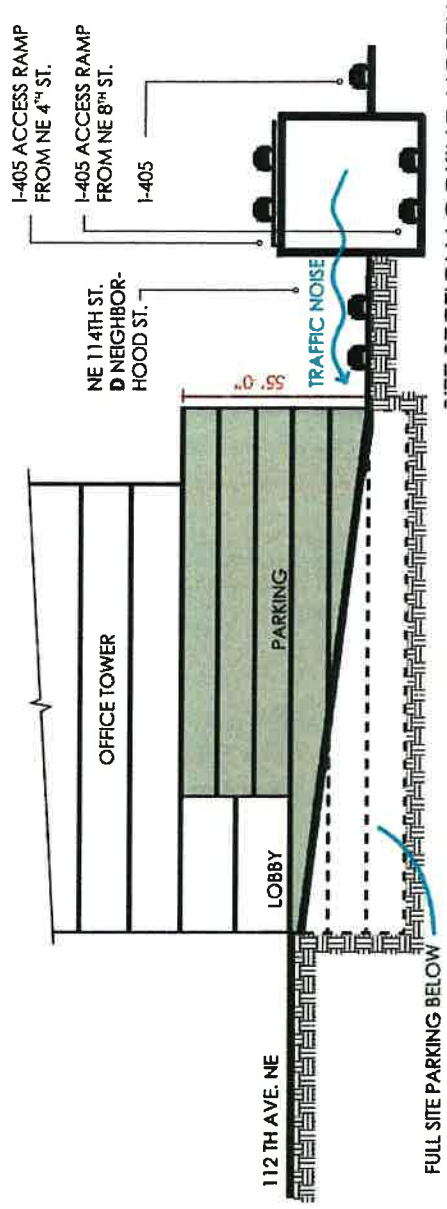
STREET DESIGNATION HARDSHIP ON 114TH AVE N.E.



LOOKING SOUTH



LOOKING NORTH



ATTACHMENT 5 – MAP OF WBP AND WSLP PROPERTIES



Gulledge, Kristin

From: bt.livability@gmail.com
Sent: Wednesday, April 26, 2017 12:06 PM
To: PlanningCommission; Slatter, Vandana; Stokes, John; Wallace, Kevin R; Robertson, Jennifer S.; Robinson, Lynne; Lee, Conrad; Chelminiak, John; wherman@moosewiz.com
Subject: Concerns about Downtown Livability

Chok-Pin Foo fcp8080@outlook.com sent the following message:

I request that the building heights be maintained at their current levels in the SW end of O-2 district. The area is defined as the south side of 4th street between Bellevue Way and 108th. The reasons for doing this is

1. Residents of Bellevue Towers relied on the existing land use code with maximum building heights of 250 ft. when making their purchasing decisions
2. It was the intention of the Citizens Advisory Commission to match the height of the O-2 South to the height limits in the bordering MU district. The heights in the MU district were recently reduced. The height in the O-2 South should be reduced to match.
3. The value created by the extra height in the O2-South is less than the value lost in diminished property values at Bellevue Towers.

Sent by the Steeple.com Contact Us Form Google Apps Script

Gulledge, Kristin

From: bt.livability@gmail.com
Sent: Wednesday, April 26, 2017 1:23 PM
To: PlanningCommission; Slatter, Vandana; Stokes, John; Wallace, Kevin R; Robertson, Jennifer S.; Robinson, Lynne; Lee, Conrad; Chelminiak, John; wherman@moosewiz.com
Subject: Concerns about Downtown Livability

David tobin Dtobin9879@aol.com sent the following message:

I vote NO on larger buildings proposed in the Livability Update.

1. More people will lead to more traffic
2. Development will continue without added developer incentives
3. Livability will be worse

Sent by the [Steeple.com](#) Contact Us Form Google Apps Script

Gulledge, Kristin

From: Pam Johnston <pamjjo@msn.com>
Sent: Wednesday, April 26, 2017 8:25 PM
To: PlanningCommission
Cc: Regi John
Subject: Cr-66 in planning commission meeting today 4-26-2017

I did not hear Mr Matz read the last section of S-CR-66, specifically
"views through the site from adjacent streets, and the open character of the site."

Please adhere to this full section of the agreement in this comp plan policy.

POLICY S-CR-66. Office use as a conditional use is appropriate for the property east of I56th Avenue NE between Northup Way and NE 24th Street (commonly known as Unigard).

Discussion: This area should be developed under a conditional use permit with attention given to retaining large stands of trees, views through the site from adjacent streets, and the open character of the site.

80

Gulledge, Kristin

From: Pam Johnston <pamjjo@msn.com>
Sent: Wednesday, April 26, 2017 8:43 PM
To: Cullen, Terry
Cc: PlanningCommission
Subject: 500 ft

Where can I find the documentation that notification of 500ft is sufficient for a comp plan amendment?

∅amela johnston

Gulledge, Kristin

From: Pam Johnston <pamjjo@msn.com>
Sent: Wednesday, April 26, 2017 8:45 PM
To: PlanningCommission
Subject: Fwd: 17-104627 AC Bellevue Technology Center is too far from the station to be transit-oriented development for light rail

To verify that this is on the record for the comprehensive plan amendment

Begin forwarded message:

From: "Pam Johnston" <pamjjo@msn.com>
To: "Nicholas Matz (nmatz@bellevuewa.gov)" <nmatz@bellevuewa.gov>
Cc: "loretta@mstarlabs.com" <loretta@mstarlabs.com>, "planningcommission@bellevuewa.gov" <planningcommission@bellevuewa.gov>
Subject: 17-104627 AC Bellevue Technology Center is too far from the station to be transit-oriented development for light rail

RE: 17-104627-AC Bellevue Technology Center Comp Plan Amendments
<http://www.ci.bellevue.wa.us/pdf/Land%20Use/02-23-17-Weekly-Permit-Bulletin.pdf>
<http://www.bellevuewa.gov/pdf/land%20use/17-104627-AC.pdf>

Redmond Technology Center Station (Station) is too far from the Bellevue Technology Center (BTC) to be a transit-oriented development for light rail. Thus, a change in the Crossroads Subarea Plan to encourage "transit-oriented" development does not warrant this within the ½ mile walkshed for light rail. All considerations for 17-104627 AC in regards to light rail should be rejected.

King County Metro Transit: Access to Transit Report of July 1, 2015 states "The easy way to identify the walk shed is to draw a ½ mile buffer around the station to define the walk shed. In reality though, the walk access with the defined circle depends on the street and sidewalk network within the buffer."

According to King County, Transit-Oriented Design typically includes higher density, mixed use development in 10 minute walk circle. BelRed has defined these "development nodes" to be generally within a quarter-mile radius of the light rail station.

While these numbers are approximate,

- The radius the Station to BTC NW corner greater than .4 mile. **This is not within the .25 radius for transit oriented design.**
- The walk from the Station to BTC NW corner is greater than .6 mile walk, uphill. **This is greater than the .5 mile, 8-10 minute walk defined for transit-oriented design.**

BACKGROUND

From King Country Metro Transit: Access to Transit Report of July 1, 2015

P. 8 "A common transit agency metric for access to transit is the number of people who live or work within ¼ mile of a bus stop or station"

Pg. 37 "As a general rule, people will walk between a ¼ mile and ½ mile to reach transit."

"Approximate Walk Times

¼ mile = 3-5 minutes to walk

½ mile = 8-10 minutes

1 mile = 12-15 minutes"

<http://metro.kingcounty.gov/am/reports/2015/metro-access-to-transit-July2015-report.pdf>

See also: <http://www.kingcounty.gov/depts/transportation/planning/tod.aspx>

From The BelRed SubArea Plan

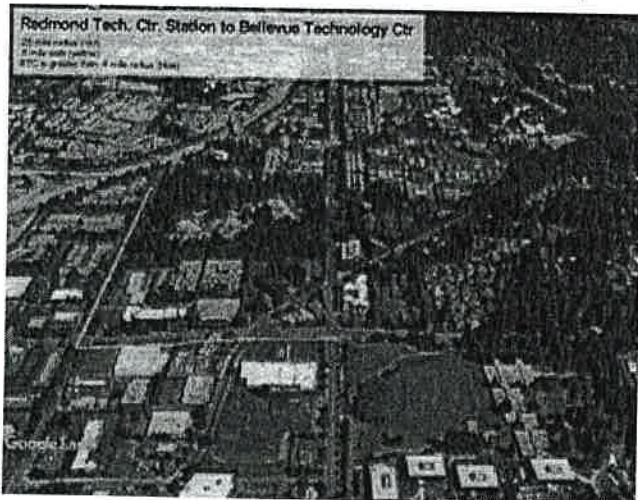
<http://www.bellevuewa.gov/pdf/PCD/SP01.BelRed2010.pdf>

Development Nodes The nodal development pattern **concentrates development in the vicinity of potential future light rail stations, generally within a quarter-mile radius**. Development nodes are located in the vicinity of Overlake Hospital, at 122nd Avenue NE, at 130th Avenue NE, and at 152nd Avenue NE (with a station in Redmond). These nodes would be mixed-use in nature, with a high level of pedestrian access and amenities. Land use intensities in these nodes can reach a maximum development intensity of 4.0 FAR, but only through participation in an incentive system that provides public amenities in exchange for higher densities. Maximum building heights vary by development node, with the highest allowed heights near the center of the nodes. As with intensity, these maximum heights above the base zoning height limits are allowed only through participation in the amenity incentive system.

See also: http://apps.bellevuewa.gov/gisdownload/PDF/Planning/Zoning_36x52.pdf

Sincerely,
Pamela Johnston

Pamela Johnston
3741 122nd Ave NE
425.881.3301



Gulledge, Kristin

From: bt.livability@gmail.com
Sent: Wednesday, April 26, 2017 9:30 PM
To: PlanningCommission; Slatter, Vandana; Stokes, John; Wallace, Kevin R; Robertson, Jennifer S.; Robinson, Lynne; Lee, Conrad; Chelminiak, John; wherman@moosewiz.com
Subject: Concerns about Downtown Livability

paul Emerson paul@ez-va.com sent the following message:

I request that the building heights be maintained at their current levels in the SW end of O-2 district. The area is defined as the south side of 4th street between Bellevue Way and 108th. The reasons for doing this is

1. Residents of Bellevue Towers relied on the existing land use code with maximum building heights of 250 ft. when making their purchasing decisions
2. It was the intention of the Citizens Advisory Commission to match the height of the O-2 South to the height limits in the bordering MU district. The heights in the MU district were recently reduced. The height in the O-2 South should be reduced to match.
3. The value created by the extra height in the O2-South is less than the value lost in diminished property values at Bellevue Towers.

Sent by the Steeple.com Contact Us Form Google Apps Script

Gulledge, Kristin

From: bt.livability@gmail.com
Sent: Thursday, April 27, 2017 6:24 AM
To: PlanningCommission; Slatter, Vandana; Stokes, John; Wallace, Kevin R; Robertson, Jennifer S.; Robinson, Lynne; Lee, Conrad; Chelminiak, John; wherman@moosewiz.com
Subject: Concerns about Downtown Livability

Nancy Boyden naboyden@hotmail.com sent the following message:

I vote NO on larger buildings proposed in the Livability Update.

1. More people will lead to more traffic
2. Development will continue without added developer incentives
3. Livability will be worse

Sent by the Steeple.com Contact Us Form Google Apps Script

Gulledge, Kristin

From: Pam Johnston <pamjjo@msn.com>
Sent: Thursday, April 27, 2017 12:38 PM
To: PlanningCommission
Subject: FW: 500 ft

I find that a 500ft notice for a comp plan change is insufficient.

The typical citizen does not read the Weekly Permit Bulletin and the newspaper of record, would not be parties of record, and has seen so many information sign adjacent to right-of-way that they won't perceive the level of the change.

This is an old procedure that does not work for Bellevue today.

pamela johnston
3741 1222nd Ave NE
425-881-3301

From: NMatz@bellevuewa.gov [mailto:NMatz@bellevuewa.gov]
Sent: Thursday, April 27, 2017 7:47 AM
To: pamjjo@msn.com
Cc: TCullen@bellevuewa.gov
Subject: RE: 500 ft

Ms. Johnston:

The notice requirement is found [here](#) in the Land Use Code. The sufficiency of this part of noticing is not done in isolation, however.

The 500 foot noticing requirement is one piece of a comprehensive noticing process, including this mailing to property owners, publishing in the official Weekly Permit Bulletin and the newspaper of record, providing that notice to applicants, agents, and parties of record, and placing an information sign adjacent to every right-of-way that a subject property borders.

Nicholas Matz AICP
Senior Planner
425 452-5371



One City

Committed to Excellence

Please be aware that email communication with City staff is a public record and is subject to disclosure upon request.

From: Cullen, Terry
Sent: Wednesday, April 26, 2017 21:20
To: Matz, Nicholas <NMatz@bellevuewa.gov>
Subject: FW: 500 ft

From: Pam Johnston [<mailto:pamijo@msn.com>]
Sent: Wednesday, April 26, 2017 8:43 PM
To: Cullen, Terry <TCullen@bellevuewa.gov>
Cc: PlanningCommission <PlanningCommission@bellevuewa.gov>
Subject: 500 ft

Where can I find the documentation that notification of 500ft is sufficient for a comp plan amendment?

@amela johnston

Gulledge, Kristin

From: bt.livability@gmail.com
Sent: Thursday, April 27, 2017 2:09 PM
To: PlanningCommission; Slatter, Vandana; Stokes, John; Wallace, Kevin R; Robertson, Jennifer S.; Robinson, Lynne; Lee, Conrad; Chelminiak, John; wherman@moosewiz.com
Subject: Concerns about Downtown Livability

Goldie Tobin Goldietobin@comcast.net sent the following message:

I request that the building heights be maintained at their current levels in the SW end of O-2 district. The area is defined as the south side of 4th street between Bellevue Way and 108th. The reasons for doing this is

1. Residents of Bellevue Towers relied on the existing land use code with maximum building heights of 250 ft. when making their purchasing decisions
2. It was the intention of the Citizens Advisory Commission to match the height of the O-2 South to the height limits in the bordering MU district. The heights in the MU district were recently reduced. The height in the O-2 South should be reduced to match.
3. The value created by the extra height in the O2-South is less than the value lost in diminished property values at Bellevue Towers.

Sent by the Steeple.com Contact Us Form Google Apps Script

Gulledge, Kristin

From: bt.livability@gmail.com
Sent: Thursday, April 27, 2017 2:10 PM
To: PlanningCommission; Slatter, Vandana; Stokes, John; Wallace, Kevin R; Robertson, Jennifer S.; Robinson, Lynne; Lee, Conrad; Chelminiak, John; wherman@moosewiz.com
Subject: Concerns about Downtown Livability

Goldie Tobin Goldietobin@comcast.net sent the following message:

I request that the building heights be maintained at their current levels in the SW end of O-2 district. The area is defined as the south side of 4th street between Bellevue Way and 108th. The reasons for doing this is

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3. The value created by the extra height in the O2-South is less than the value lost in diminished property values at Bellevue Towers.

Sent by the Steeple.com Contact Us Form Google Apps Script

Gulledge, Kristin

From: bt.livability@gmail.com
Sent: Thursday, April 27, 2017 3:29 PM
To: PlanningCommission; Slatter, Vandana; Stokes, John; Wallace, Kevin R; Robertson, Jennifer S.; Robinson, Lynne; Lee, Conrad; Chelminiak, John; wherman@moosewiz.com
Subject: Concerns about Downtown Livability

Annette Fisher annette.fisher7@gmail.com sent the following message:

I vote NO on larger buildings proposed in the Livability Update.

1. More people will lead to more traffic
2. Development will continue without added developer incentives
3. Livability will be worse

Sent by the Steeple.com Contact Us Form Google Apps Script

Gulledge, Kristin

From: bt.livability@gmail.com
Sent: Thursday, April 27, 2017 5:03 PM
To: PlanningCommission; Slatter, Vandana; Stokes, John; Wallace, Kevin R; Robertson, Jennifer S.; Robinson, Lynne; Lee, Conrad; Chelminiak, John; wherman@moosewiz.com
Subject: Concerns about Downtown Livability

Debbie Nordstrom abcdnordstrom@gmail.com sent the following message:

I request that the building heights be maintained at their current levels in the SW end of O-2 district. The area is defined as the south side of 4th street between Bellevue Way and 108th. The reasons for doing this is

1. Residents of Bellevue Towers relied on the existing land use code with maximum building heights of 250 ft. when making their purchasing decisions
2. It was the intention of the Citizens Advisory Commission to match the height of the O-2 South to the height limits in the bordering MU district. The heights in the MU district were recently reduced. The height in the O-2 South should be reduced to match.
3. The value created by the extra height in the O2-South is less than the value lost in diminished property values at Bellevue Towers.

Sent by the Steeple.com Contact Us Form Google Apps Script

Gulledge, Kristin

From: bt.livability@gmail.com
Sent: Thursday, April 27, 2017 5:04 PM
To: PlanningCommission; Slatter, Vandana; Stokes, John; Wallace, Kevin R; Robertson, Jennifer S.; Robinson, Lynne; Lee, Conrad; Chelminiak, John; wherman@moosewiz.com
Subject: Concerns about Downtown Livability

charlie Nordstrom charlie@badanimals.com sent the following message:

I request that the building heights be maintained at their current levels in the SW end of O-2 district. The area is defined as the south side of 4th street between Bellevue Way and 108th. The reasons for doing this is

1. Residents of Bellevue Towers relied on the existing land use code with maximum building heights of 250 ft. when making their purchasing decisions
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3. The value created by the extra height in the O2-South is less than the value lost in diminished property values at Bellevue Towers.

Sent by the Steeple.com Contact Us Form Google Apps Script

Gulledge, Kristin

From: Pam Johnston <pamjjo@msn.com>
Sent: Thursday, April 27, 2017 11:04 PM
To: Council
Cc: PlanningCommission; Ewing, Jennifer; Loretta Lopez
Subject: FYI: ~\$37,000 increase in property value for every 10% of street tree canopy

Can Money Really Grow On Trees? Increased Tree Canopy Boosts Sydney Property Values

27th April 2017 Staff Writer

"...The report... found that for every 10 per cent increase in the canopy coverage within the street corridor, the value of properties (homes) increased by an average of \$50,000 (AUS)... The report also found current Australian regulations and business models focus on minimising risks and do not encourage transport authorities, energy companies, councils, developers and residents to recognise street trees as essential infrastructure or consider the financial cost of removing them. " <https://www.theurbandevolver.com/can-money-really-grow-trees-increased-tree-canopy-boosts-sydney-property-values/>

- Pamela Johnston

8

Gulledge, Kristin

From: bt.livability@gmail.com
Sent: Friday, April 28, 2017 7:56 AM
To: PlanningCommission; Slatter, Vandana; Stokes, John; Wallace, Kevin R; Robertson, Jennifer S.; Robinson, Lynne; Lee, Conrad; Chelminiak, John; wherman@moosewiz.com
Subject: Concerns about Downtown Livability

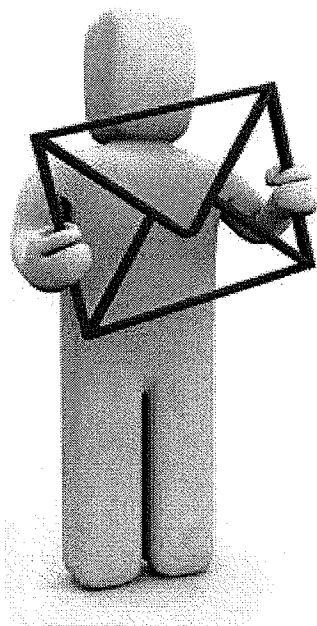
Cindy Freimuth cfreimuth@hotmail.com sent the following message:

I request that the building heights be maintained at their current levels in the SW end of O-2 district. The area is defined as the south side of 4th street between Bellevue Way and 108th. The reasons for doing this is

1. Residents of Bellevue Towers relied on the existing land use code with maximum building heights of 250 ft. when making their purchasing decisions
2. It was the intention of the Citizens Advisory Commission to match the height of the O-2 South to the height limits in the bordering MU district. The heights in the MU district were recently reduced. The height in the O-2 South should be reduced to match.
3. The value created by the extra height in the O2-South is less than the value lost in diminished property values at Bellevue Towers.

Sent by the Steeple.com Contact Us Form Google Apps Script

PLANNING COMMISSION - CORRESPONDENCE



May 10, 2017

Planning Commission Meeting

Gulledge, Kristin

From: Filip Lazar <filip.lazar@gmail.com>
Sent: Monday, May 01, 2017 11:58 AM
To: PlanningCommission
Subject: Proposed ADU rule change

Hi,

My name is Filip Lazar, and I'd like to make a suggestion for code updates as they relates to ADUs. Having an ADU myself, as well as being very involved in the local community (Bellevue Essential Grad as well as the president of the Sunset Community Association) has given me a very unique vantage point of being able to understand this issue thoroughly both from the community perspective as well as home owner perspective.

My proposal is the introduction of a waiver for the owner occupancy requirement for attached ADUs, with the limit of the 4 unrelated individual applying across the entire property for these cases.

This should increase the number of ADUs that are kept in service without any negative impact to the community. ADUs are known to be a good way of creating more affordable housing, but the positive impact of this proposal to the community might not be immediately obvious.

Living next to Bellevue College, I know first hand the issues that large student residences in single family (SF) communities can cause. This was a major reason for changing the single family housing limit from 6 unrelated individuals to 4. Single family residences generally prefer to have other families in the area to maintain the quality of life, which is one the reasons I've been a strong supporter for this change. Inherently, this means that a neighborhood preferences is to live with more families around, while the city has an incentive to create more affordable housing to allow more of these families to find places to live.

The issues with keeping an ADU in service arises when an owner wishes to buy another house. At this point two questions arise - should the owner sell the house, or rent it out?

In the current form, owners are encouraged to sell the house, as an ADU requires that the owner still live there, which would make renting out the house a poor choice. This means that next owner can choose to reapply for an ADU, or simply use the full house for themselves. As we have all seen, houses are also quite likely to receive an entire makeover and resold as well, which further reduces the likleyhood that the ADU will re-enter service. And even if the new owner desires to keep the ADU, they would need to reapply. Having gone through the process of creating the ADU, I can attest to the complexity involved in creating an ADU, which I suspect will encourage transition back to a single family house once again.

On the other hand, if it were possible to rent the ADU without living in the house, it can can still make sense to keep the house and rent out the ADU + main house.

The communities primary worry, having many unrelated individuals bring traffic / noise pollution is not a concern as homeowners would need to retain 4 unrelated individuals across the entire house, which will necessitate families or a small number of students (4), just like today. Parking space requirements already exist for ADUs, so no traffic impact would be expected either.

Implicit in this argument is that home owners are now more incented to create an ADU. They will know that should they consider moving, the investment in the ADU would not be lost. Currently, an ADU needs to be very

carefully considered as the owner will need to live in the house for a substantial period of time (~10 years in many cases) to reach break-even on the investment, and they may not know if that will be the case.

A counter argument that could be raised is to simply use Duplex's for this purpose, but that would actually address a different need. A duplex would increase density by not being limited to the unrelated number of individuals requirement, would be substantially larger than the smaller 800 sqft ADUs, and wouldn't actually help in terms of affordable housing. It's also not something that would fit as well in the middle of a single family community, and could reasonably impact the character of the neighborhood.

I think this really is a rare case where a small code adjustment carries nothing but benefits, which is a pretty unique situation.

Please let me know your thoughts, and whether there is any additional information that I could provide to allow for this proposed update to be accepted.

Filip

Gulledge, Kristin

From: william.j.herman@gmail.com
Sent: Wednesday, May 03, 2017 8:57 AM
To: PlanningCommission; Council
Cc: bill@l4bell.org
Subject: May 3 Height and Form.docx
Attachments: May 3 Height and Form.docx

www.L4Bell.org – Testimony on Height and Form

1. **Height and form code is too complex** – Below is a quote from p 110 of today's packet. This discussion is between city staff and commissioners. All the numbers that are wrong are highlighted. How do you expect the public to understand the building heights when it is too complex for staff and the commission to get right and the source materials are wrong?

FANA is for 460 feet based on the DT-O2 North district. The CAC recommended 300 feet, which would actually be 345 feet with the 15 feet/15 percent with the transparency amendment. Bellevue Towers representatives have recommended that the height remain the same, which would be 250 feet plus the 15 feet/15 percent, or 288 feet. She said the recommendation of the staff was to come in at somewhere between 288 feet and 460 feet.

There was consensus to retain the maximum height of 345 feet for the DT-O2 South district.

Can we stop all the crazy theater about the previous rules that let developers exceed the stated height limits? It was a deceptive giveaway that should not be repeated. The stated height limit in the O-2 is 250 feet. This has been circumvented in a way that is hidden from the public. The real height limit now is 302.5 feet. The Citizen Advisory Committee (which included zero downtown resident representation) recommended a height limit of 300 feet (only to match the MU which has since been reduced). The new proposed height limit would be 365 feet if the same deceptive practices are repeated.

The only reason it is so complicated is to hide the truth. The CAC recommended 300 feet. It is clear that the participants in the CAC process didn't know about 365 feet back then, when the commissioners and staff don't know about it today. The 15% plus 15 foot deception worked once, and nobody caught on. We are aware now. This needs to stop now. The recommendation was 300 feet. Set the real limit to 300 feet and stop the shenanigans.

2. **Unjustified Giveaway** - The circumvention of stated height limits is based on extremely weak logic as a giveaway to developers. The mechanical equipment exemption to the height limit applies to some buildings and not others. The 15% exemption for interesting roof forms is an unmitigated Livability disaster. The developer solution to an interesting roof is to light up the roof. A cheap and easy excuse to gain 37.5 feet under current code with disastrous impact on residents. The lights on the 425 Center and Soma Towers are like a car is driving into your home for many Bellevue Towers residents. When Fana came to Bellevue Towers and asked residents about what kind of lights to put on their roof, you would have thought some of the residents heads were going to explode. If you want to improve Livability, eliminate the lights. Let's stop all the unjustified circumvention and let's have plain talk about height limits. Nobody is fooled. Stop the shenanigans.
3. **Floor Plate** – comparisons are being made to Philadelphia, Toronto, cities 1000's of miles away and 50 times bigger in size. My case study is 100 feet from my building. Let us examine the 425 Center. My data below comes from the original proposal, there is no data available on how it was actually built. (another problem to address). Let's refer to page 54 of the 81 page application



425 Center Stats

16 stories

Approx. 230 feet in height (why approx.?)

315,400 sq feet (WHICH EXCEEDS THE MAXIMUM OF 307,632, HUH?)

FAR 8.0 is the limit, nowhere is the FAR calculated
Basic FAR is 5.0, extra earned, but nowhere is the calculation reported on how it is achieved
Transparency, not really?

Floor Plate is 20 thousand square feet. Why not 24 thousand? Would have if they could have, the lot is too small.

Here is a case where taller and skinnier was available and not chosen. 30% skinnier, which is about the minimum to be perceptably skinnier, would have had a 10 thousand sq ft floor plate and a building of twice the height. All roughly allowable under the current code and not desired. Commercial development isn't meant to be tall and skinny. Residential development is tall and skinny.

4. **Equalization** – Equalization is bad for Livability and we recommend you leave it out of your recommendation. The justification is to balance incentives to build commercial and residential buildings in the MU. The result is a FAR increase of 100%, the current FAR is 3, the new FAR is 5 and then a 1 exemption for affordable housing, which everyone

will earn. The proposed doubling of density is unjustified and a Livability disaster.

- a. **Too much traffic** – why add cars to the road that we can't handle, no increases to density should be made without a plan to handle the extra traffic (impossible)
- b. **Wrong mix of traffic** – we don't have capacity for people to get out of Bellevue at rush hour, why encourage rush hour traffic by incentivizing commercial development, favoring residential development was the right choice before and continues to be the right choice, equalization is wrong
- c. **Tall and skinny is better than squat and boxy** - the CAC and staff contends that taller skinnier buildings lead to more light and air. Look at the picture of the 425 center on the and tell me why you would favor building more commercial buildings like the 425 Center over the towers behind it.

Get rid of the equalization recommendation. It is a Livability disaster.

Bill Herman

www.L4Bell.org

www.L4Bell.org – Testimony on Height and Form

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315,400 sq feet (WHICH EXCEEDS THE
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calculated

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reported on how extra FAR is achieved

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Get rid of the equalization recommendation. It is a Livability disaster.

Bill Herman

www.L4Bell.org

Gulledge, Kristin

From: bt.livability@gmail.com
Sent: Friday, April 28, 2017 8:15 PM
To: PlanningCommission; Slatter, Vandana; Stokes, John; Wallace, Kevin R; Robertson, Jennifer S.; Robinson, Lynne; Lee, Conrad; Chelminiak, John; wherman@moosewiz.com
Subject: Concerns about Downtown Livability

Christin & Adam Overton overton@overtonweb.com sent the following message:

I request that the building heights be maintained at their current levels in the SW end of O-2 district. The area is defined as the south side of 4th street between Bellevue Way and 108th. The reasons for doing this is

1. Residents of Bellevue Towers relied on the existing land use code with maximum building heights of 250 ft. when making their purchasing decisions
2. It was the intention of the Citizens Advisory Commission to match the height of the O-2 South to the height limits in the bordering MU district. The heights in the MU district were recently reduced. The height in the O-2 South should be reduced to match.
3. The value created by the extra height in the O2-South is less than the value lost in diminished property values at Bellevue Towers.

Sent by the Steeple.com Contact Us Form Google Apps Script

Gulledge, Kristin

From: bt.livability@gmail.com
Sent: Sunday, April 30, 2017 1:36 AM
To: PlanningCommission; Slatter, Vandana; Stokes, John; Wallace, Kevin R; Robertson, Jennifer S.; Robinson, Lynne; Lee, Conrad; Chelminiak, John; wherman@moosewiz.com
Subject: Concerns about Downtown Livability

Murat Divringi muratd@gmail.com sent the following message:

I request that the building heights be maintained at their current levels in the SW end of O-2 district. The area is defined as the south side of 4th street between Bellevue Way and 108th. The reasons for doing this is

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3. The value created by the extra height in the O2-South is less than the value lost in diminished property values at Bellevue Towers.

Respectfully,

M. Divringi

Sent by the Steeple.com Contact Us Form Google Apps Script

Gulledge, Kristin

From: bt.livability@gmail.com
Sent: Sunday, April 30, 2017 6:30 PM
To: PlanningCommission; Slatter, Vandana; Stokes, John; Wallace, Kevin R; Robertson, Jennifer S.; Robinson, Lynne; Lee, Conrad; Chelminiak, John; wherman@moosewiz.com
Subject: Concerns about Downtown Livability

David Straka dave.straka3@gmail.com sent the following message:

I request that the building heights be maintained at their current levels in the SW end of O-2 district. The area is defined as the south side of 4th street between Bellevue Way and 108th. The reasons for doing this is

1. Residents of Bellevue Towers relied on the existing land use code with maximum building heights of 250 ft. when making their purchasing decisions
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Sent by the Steeple.com Contact Us Form Google Apps Script

Gulledge, Kristin

From: bt.livability@gmail.com
Sent: Monday, May 01, 2017 3:05 PM
To: PlanningCommission; Slatter, Vandana; Stokes, John; Wallace, Kevin R; Robertson, Jennifer S.; Robinson, Lynne; Lee, Conrad; Chelminiak, John; wherman@moosewiz.com
Subject: Concerns about Downtown Livability

William Noland wrnoland@msn.com sent the following message:

Please consider the quality of life in the city of Bellevue. Developers are not running the decision making for the city, they only want to maximize the profit before moving on. Who cares what LA or any other city have approved, they are not Bellevue. I live in One Lincoln Tower and have seen a gradual decay in livability in the core area. The traffic increase is leading to future gridlock in the core area. Friends admire our business enterprises here, but avoid visiting due to traffic and parking problems. Is it wrong to be recognized as a livability city, and not just another crowded downtown core.

Please stand up to the developers.

Sent by the Steege.com Contact Us Form Google Apps Script

Gulledge, Kristin

From: bt.livability@gmail.com
Sent: Monday, May 01, 2017 3:51 PM
To: PlanningCommission; Slatter, Vandana; Stokes, John; Wallace, Kevin R; Robertson, Jennifer S.; Robinson, Lynne; Lee, Conrad; Chelminiak, John; wherman@moosewiz.com
Subject: Concerns about Downtown Livability

Frank Holland franklholland@msn.com sent the following message:

I request that the building heights be maintained at their current levels in the SW end of O-2 district. The area is defined as the south side of 4th street between Bellevue Way and 108th. The reasons for doing this is

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3. The value created by the extra height in the O2-South is less than the value lost in diminished property values at Bellevue Towers.

Thanks,
Frank Holland

Sent by the Steeple.com Contact Us Form Google Apps Script

Gulledge, Kristin

From: william.j.herman@gmail.com
Sent: Monday, May 01, 2017 11:36 PM
To: PlanningCommission; Council
Subject: Making Progress !!!! - May 3 Livability Meeting

Right is Right - you are being heard.

Please attend the May 3 Planning Commission Meeting dedicated to Livability

At the April 26 Planning Commission Meeting we heard encouraging things

Our neighbors at One Lincoln Tower learned about this Livability Update for the first time and they are upset. There was wide participation in the email campaign by the OLT community. Don Hasson and Monique Verger-Perrault, the Homeowners president, provided powerful testimony. Don is motivated to get the word out. Thank you Don!

Commissioner John deVadoss said he is in favor of eliminating the amenity incentive system. It is well intentioned but it is far too complicated and lacks accountability. There is no evidence that it will produce any of the desired benefits. A park board member stated that it is a "train wreck waiting to happen". There was an article in the Seattle Times how the amenity system there has gotten out of hand and millions went uncollected.

Commissioner Aaron Laing said he was in favor of eliminating the additional height in the land use draft. "We are getting all of the impact and likely none of the benefit." He pointed out that there is nothing in the draft code that buildings will be skinnier, just taller. If you go to the recording of the meeting at http://www.ci.bellevue.wa.us/other/PCD/04_26_2017.MP3 and fast forward to 176:45 and listen to commissioner Laing he said exactly what I said in my testimony. The draft code is not what the Citizen Advisory Committee talked about. The prior meeting on April 19, the developers came in droves and stripped all the provisions that could have maybe indirectly put pressure to make the buildings skinny. The draft code has nothing to do with Livability.

It is imperative that we have resident representation at the next meeting. The developers will fight back after the gauntlet has been thrown down. At every meeting decisions are being made. You can make a difference. Please testify, write to planningcommision@bellevuewa.go or please attend

May 3 at 6:30 – They are talking about the issues we care. Decisions are being made at every meeting. The packet is available at http://www.ci.bellevue.wa.us/pdf/PlanningCommission/May_3_2017_Web_Packet.pdf

On the agenda is

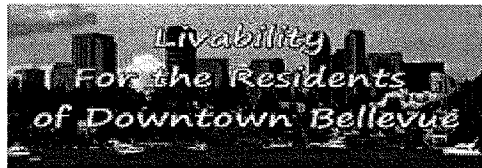
- Building Height and Form
- Parking

- Amenity System

There will be meetings on May 10, 17, June 14 and on June 28 is the likely final date for sending the recommendations to Council

Go to www.L4Bell.org to learn more.

Bill Herman



www.L4Bell.org

William J Herman

10700 NE 4th St Unit 3616

Bellevue, WA 98004

bill@l4bell.org

425 467-1264

Gulledge, Kristin

From: bt.livability@gmail.com
Sent: Tuesday, May 02, 2017 8:11 AM.
To: PlanningCommission; Slatter, Vandana; Stokes, John; Wallace, Kevin R; Robertson, Jennifer S.; Robinson, Lynne; Lee, Conrad; Chelminiak, John; wherman@moosewiz.com
Subject: Concerns about Downtown Livability

Nancy & Surinder Singh Nancy.singh@me.com sent the following message:

Traffic on our block is already bad. When Lincoln Expansion, 425 Centre, Fana Development, One88 are all occupied, it will reach a tipping point. Why increase density when the system is already nearing a breaking point?

Here is what we see every day now

1. the on ramp for 405 N stretches all the way down 4th to 106th at 5 pm
2. getting out of the parking garage at 5 is similar to exiting the Safeco garage after a Mariners game
3. it is not uncommon to dodge cars turning right when crossing the street with walk signal

Learn more at www.L4Bell.org

Sent by the Steege.com [Contact Us Form](#) [Google Apps Script](#)

Gulledge, Kristin

From: bt.livability@gmail.com
Sent: Tuesday, May 02, 2017 8:17 AM
To: PlanningCommission; Slatter, Vandana; Stokes, John; Wallace, Kevin R; Robertson, Jennifer S.; Robinson, Lynne; Lee, Conrad; Chelminiak, John; wherman@moosewiz.com
Subject: Concerns about Downtown Livability

Mike Welsch m-welsch@hotmail.com sent the following message:

Traffic on our block is already bad. When Lincoln Expansion, 425 Centre, Fana Development, One88 are all occupied, it will reach a tipping point. Why increase density when the system is already nearing a breaking point?

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Learn more at www.L4Bell.org

Sent by the Steeple.com Contact Us Form Google Apps Script

Gulledge, Kristin

From: bt.livability@gmail.com
Sent: Tuesday, May 02, 2017 8:23 AM
To: PlanningCommission; Slatter, Vandana; Stokes, John; Wallace, Kevin R; Robertson, Jennifer S.; Robinson, Lynne; Lee, Conrad; Chelminiak, John; wherman@moosewiz.com
Subject: Concerns about Downtown Livability

Lori Keam Lorikeam@hotmail.com sent the following message:

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Sent by the Steeple.com Contact Us Form Google Apps Script

Gulledge, Kristin

From: bt.livability@gmail.com
Sent: Tuesday, May 02, 2017 8:24 AM
To: PlanningCommission; Slatter, Vandana; Stokes, John; Wallace, Kevin R; Robertson, Jennifer S.; Robinson, Lynne; Lee, Conrad; Chelminiak, John; wherman@moosewiz.com
Subject: Concerns about Downtown Livability

Edward Jung ekyj@yahoo.com sent the following message:

Traffic on our block is already bad. When Lincoln Expansion, 425 Centre, Fana Development, One88 are all occupied, it will reach a tipping point. Why increase density when the system is already nearing a breaking point?

Here is what we see every day now

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Please balance expansion with infrastructure.

Sent by the Steeple.com Contact Us Form Google Apps Script

Gulledge, Kristin

From: bt.livability@gmail.com
Sent: Tuesday, May 02, 2017 8:39 AM
To: PlanningCommission; Slatter, Vandana; Stokes, John; Wallace, Kevin R; Robertson, Jennifer S.; Robinson, Lynne; Lee, Conrad; Chelminiak, John; wherman@moosewiz.com
Subject: Concerns about Downtown Livability

Jeff Forsberg jeffreyf@earthlink.net sent the following message:

Traffic on our block is already bad and getting worse. When Lincoln Expansion, 425 Centre, Pana Development, One88 are all occupied, it will reach a tipping point. Is it really prudent to add even more density when the system is already nearing a breaking point?

This is my experience living at Bellevue Towers:

1. The on ramps to 405 N are filling NE 4th all the way to 106th.
2. Ever attend a Mariners game? Navigating traffic out of my building is like exiting Safeco field.
3. I like to walk and was a big decision to live downtown. However, it's now becoming DANGEROUS due to vehicles running the light, coupled with lackadaisical traffic enforcement near crosswalks.
4. Truly, the amount of development is fouling the nest of Downtown Bellevue.

Sent by the Steeple.com Contact Us Form Google Apps Script

Gulledge, Kristin

From: bt.livability@gmail.com
Sent: Tuesday, May 02, 2017 8:55 AM
To: PlanningCommission; Slatter, Vandana; Stokes, John; Wallace, Kevin R; Robertson, Jennifer S.; Robinson, Lynne; Lee, Conrad; Chelminiak, John; wherman@moosewiz.com
Subject: Concerns about Downtown Livability

Alanna Fleming alannasusanne@gmail.com sent the following message:

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Gulledge, Kristin

From: bt.livability@gmail.com
Sent: Tuesday, May 02, 2017 9:05 AM
To: PlanningCommission; Slatter, Vandana; Stokes, John; Wallace, Kevin R; Robertson, Jennifer S.; Robinson, Lynne; Lee, Conrad; Chelminiak, John; wherman@moosewiz.com
Subject: Concerns about Downtown Livability

Clifford Chirls chirlsc@comcast.net sent the following message:

As a member of the Transportation Commission in Bellevue I have a different perception of the traffic problem in downtown Bellevue than most. I live in Bellevue Towers and see every day the consequences of development done in advance of adequate transportation infrastructure. The fact that downtown Bellevue is a location where workers far outnumber residents leads planners to focus on commuting hours, but the increasing numbers of residents in the last five years raises questions about whether the infrastructure is capable of handling the additional density at other times of the day. If one attempts to drive around the downtown area during the middle of the day one can see that the changing mix of the population has not been addressed. People are right to complain about the traffic problems at 5 PM. That, however, is not the only time of the day when gridlock is a regular experience. Please consider giving less import to the priorities of developers and giving more attention to the concerns of residents whose lives are being negatively impacted by the increasing density and construction.

Sent by the Steeple.com Contact Us Form Google Apps Script

Gulledge, Kristin

From: bt.livability@gmail.com
Sent: Tuesday, May 02, 2017 9:09 AM
To: PlanningCommission; Slatter, Vandana; Stokes, John; Wallace, Kevin R; Robertson, Jennifer S.; Robinson, Lynne; Lee, Conrad; Chelminiak, John; wherman@moosewiz.com
Subject: Concerns about Downtown Livability

Scott Drum sdrum@usa.net sent the following message:

Traffic is already a huge problem. Increasing density will only aggravate that. I don't know how yo can maintain that the effects will be in significant.

Sent by the Steeple.com Contact Us Form Google Apps Script

Gulledge, Kristin

From: bt.livability@gmail.com
Sent: Tuesday, May 02, 2017 9:18 AM
To: PlanningCommission; Slatter, Vandana; Stokes, John; Wallace, Kevin R; Robertson, Jennifer S.; Robinson, Lynne; Lee, Conrad; Chelminiak, John; wherman@moosewiz.com
Subject: Concerns about Downtown Livability

Neiso moscatel Nhmoscatel@gmail.com sent the following message:

Traffic on our block is already bad. When Lincoln Expansion, 425 Centre, Fana Development, One88 are all occupied, it will reach a tipping point. Why increase density when the system is already nearing a breaking point?

Here is what we see every day now

1. the on ramp for 405 N stretches all the way down 4th to 106th at 5 pm
2. getting out of the parking garage at 5 is similar to exiting the Safeco garage after a Mariners game
3. it is not uncommon to dodge cars turning right when crossing the street with walk signal

Learn more at www.L4Bell.org

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Gulledge, Kristin

From: bt.livability@gmail.com
Sent: Tuesday, May 02, 2017 4:33 PM
To: PlanningCommission; Slatter, Vandana; Stokes, John; Wallace, Kevin R; Robertson, Jennifer S.; Robinson, Lynne; Lee, Conrad; Chelminiak, John; wherman@moosewiz.com
Subject: Concerns about Downtown Livability

Richard N. Gary rngary@garyadvisors.com sent the following message:

I am a resident of downtown Bellevue. I request that current building height limits in the O-2 corridor along the south side of NE 4th Street be maintained.

1. As a Bellevue Towers resident, I relied on the current O-2 height limits when we bought our home here in 2012. Developers, not residents, are the only beneficiaries of height limit increases.
2. I understand that the Citizens Advisory Committee intended to match the O-2 south limits to limits in the bordering MU district. An increase in the O-2 south limits runs counter to this intention.
3. The value of additional height in O-2 south would be more than offset by reduced property values at Bellevue Towers.

When we bought our Bellevue Towers home five years ago, we carefully studied height restrictions in the view corridors from our home. We understood that the Lincoln Center expansion would limit our view out toward Lake Washington and Seattle to the west. We further understood that our views would not be affected by the Centre 425 project. But we had no reason to expect that the height limits on the south side of NE 4th Street would be increased, with the potential to block our views to the south.

Our property taxes increased by 14% in 2017 over 2016. We made no improvements to our home. Our views to the west were significantly reduced. This is an unfair result. Please do not raise height limits in the O-2 corridor.

Thank you.

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Gulledge, Kristin

From: bt.livability@gmail.com
Sent: Tuesday, May 02, 2017 4:34 PM
To: PlanningCommission; Slatter, Vandana; Stokes, John; Wallace, Kevin R; Robertson, Jennifer S.; Robinson, Lynne; Lee, Conrad; Chelminiak, John; wherman@moosewiz.com
Subject: Concerns about Downtown Livability

Richard N. Gary rngary@garyadvisors.com sent the following message:

I am a resident of downtown Bellevue. I am strongly opposed to any zoning changes that would increase density in downtown neighborhoods beyond levels provided for under current law.

1. Traffic in downtown Bellevue is already bad. Conditions will worsen when the Lincoln Center, Fana, Centre 425, and One88 projects are fully occupied.
2. It is already very difficult, and often dangerous, to exit from the Bellevue Towers parking garages onto NE 4th Street or 106th Street NE.
3. When Centre 425 with its 2,250 Amazon employees opens later this year, traffic conditions will worsen considerably. The opening of the Lincoln Center expansion will have a similar effect, as will the FANA project with its 970 parking stalls directly across NE 4th from us.

It is simply not credible to think that increased density will lead to enhanced livability in the downtown area. Please leave density at current levels.

Thank you.

Sent by the Steeple.com Contact Us Form Google Apps Script

Gulledge, Kristin

From: bt.livability@gmail.com
Sent: Tuesday, May 02, 2017 5:04 PM
To: PlanningCommission; Slatter, Vandana; Stokes, John; Wallace, Kevin R; Robertson, Jennifer S.; Robinson, Lynne; Lee, Conrad; Chelminiak, John; wherman@moosewiz.com
Subject: Concerns about Downtown Livability

Kathleen Riley kathleenriley10@gmail.com sent the following message:

Traffic on NE 4 St and 106 Ave NE is very congested now, and Lincoln Expansion, 425 Centre, Fana Development, One88 are not even occupied yet. I urge you to not increase height and density in the O2 area until after the impact of these buildings on the road infrastructure can be assessed. Why increase density when the system is already nearing a breaking point?

This seems and ideal time to pause the process and assess the impact so far.

Thank you.

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Gulledge, Kristin

From: Don <DonHasson@msn.com>
Sent: Tuesday, May 02, 2017 9:08 PM
To: PlanningCommission; Council
Cc: monique@mvp4homes.com
Subject: Downtown Livability comments for May 3rd 6:30 meeting

To Bellevue Planning counsel,

As an owner at One Lincoln Tower, when I bought my condo, I did check with city hall and my real estate broker about the buildings that would be built around me. I, along with most people who buy in a high-rise, upgraded by paying more for a higher floor for the view.

In light of the new proposed zoning change, of 250 feet to something above 300 feet, there are at least 40 units in Bellevue Towers and One Lincoln Tower that will be directly affected by this increase in building height - and some views will be destroyed. Please note that I am only talking about the people who's view is from the 26th to 31th floor that would be affected who thought their view would be preserved.

Now being a home or condo owner, when your real estate agent and city hall says the building height is a maximum 250 feet, they thought that was the maximum. If the city thought the height may be in question, that it may really mean 280 feet or 300 feet, that city hall would have put in some type of warning, since this is usually the most expensive decision of someone's life.

Destruction of residential value is actually low on the list of damages done since a condominium is usually purchased as their last home in life. Are these so-called amenities really worth the loss in value of these people's view.

The city really doesn't get anything for these amenities. If the city actually wanted something done, all they have to do is write new zoning rules making it very clear what they want to achieve and wait for a builder who is willing to cooperate. If you rezone away from the plan, here is what I see:

The only ONE advantage of changing the zoning is to the financial benefit of the builder/developer.

I can count THREE disadvantages of rezoning:

- 1] the original seller did not get the true value the property was worth.
- 2] the over 40 condo owners (peoples' homes) will not only take a financial loss, but will have to move if they want a view.
- 3] the city may end up with a plan that is so distorted from the original plan that the "livability" is lost before we realize the true impact of the "Bellevue Expansion" and "425 Center".

In closing, I have two points:

1] Why does the city have a plan and planning counsel if they do not honor the plan? When people go to the city and ask what the plans are, the city should be able to honor it. If the structure of the city changes, of course there should be changes, but the city is supposed to be doing what is right in the interest of the majority rather than for one developer/builder who has no personal interest in the livability of the city. I see it like this: If the house next door to you is zoned single family, with a height of 15 feet, you don't expect a two story townhouse to be built next to you.

2] If you make/have a plan that is based on livability, which is determined by building height, width, set backs, density, traffic, parking, and then a builder can get around the plan by making certain amenities - then what is the point of having a plan. Just find another builder who will honor the plan.

Otherwise, if every builder is able to "work around" the plan, then the city will end up with a broken plan, and the city will not be "livable".

Thank you for your time,
Don Hasson

Gulledge, Kristin

From: bt.livability@gmail.com
Sent: Wednesday, May 03, 2017 9:26 AM
To: PlanningCommission; Slatter, Vandana; Stokes, John; Wallace, Kevin R; Robertson, Jennifer S.; Robinson, Lynne; Lee, Conrad; Chelminiak, John; wherman@moosewiz.com
Subject: Concerns about Downtown Livability

Larry Fisher ljfisher@comcast.net sent the following message:

I vote NO on larger buildings proposed in the Livability Update.

1. More people will lead to more traffic
2. Development will continue without added developer incentives
3. Livability will be worse

Sent by the [Steeple.com](#) Contact Us Form Google Apps Script

Gulledge, Kristin

From: bt.livability@gmail.com
Sent: Wednesday, May 03, 2017 12:04 PM
To: PlanningCommission; Slatter, Vandana; Stokes, John; Wallace, Kevin R; Robertson, Jennifer S.; Robinson, Lynne; Lee, Conrad; Chelminiak, John; wherman@moosewiz.com
Subject: Concerns about Downtown Livability

Janet Stroebel nccbear@yahoo.com sent the following message:

Traffic on our block is already bad. When Lincoln Expansion, 425 Centre, Fana Development, One88 are all occupied, it will reach a tipping point. Why increase density when the system is already nearing a breaking point?

Here is what we see every day now:

1. the on ramp for 405 N stretches all the way down 4th to 106th at 5 pm
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3. it is not uncommon to dodge cars turning right when crossing the street with walk signal

Please listen to the downtown residents and improve livability.
Thank you.

Sent by the Steeple.com Contact Us Form Google Apps Script

Gulledge, Kristin

From: micheleherman@gmail.com
Sent: Wednesday, May 03, 2017 12:21 PM
To: PlanningCommission; Council
Cc: bill@summerhours.com
Subject: Comments for May 3 Planning Commission Meeting

Dear City Council Members and Planning Commissioners:

I wanted to publicly thank Patrick Bannon from the Bellevue Downtown Association for reaching out to me earlier this week about the Livability Initiative. He wanted to talk about how the development community and the residents could work together moving forward. It made me think about where we have common ground. While residents are opposed to all upzoning, the current and proposed amenity system, and proceeding with changes without adequate studies and data, all things that the development community and city seems to desire, there is an area of common ground.

Many residents would not be opposed to upzoning in the OLB district and other areas near the current and future transit centers. Increased density in those areas will not necessarily bring more traffic and congestion into and through downtown. Getting onto and exiting the freeway will be an increasing problem no matter where the development in downtown is focused. Increased development in the OLB will not add to this existing problem. Upzoning only in the OLB would enable more workers, residents, and visitors to use public transit if their offices, residences, and shopping and entertainment venues were located in close proximity to the main bus and train terminals. We heard last week from Crossroads residents that walking more than a half mile to transit is too much for most residents. Why do we think that a walk straight uphill for nearly $\frac{3}{4}$ of mile to get to Bell Square and the surrounding development is ever going to happen? The larger commercial and retail projects need to be located near transit. In addition, larger buildings in the OLB and near the transit centers are not going to block the views of condo owners in Bellevue Towers, Lincoln Towers, Washington Square, or the Bellevue Pacific Tower to name a few.

Keeping a buffer between downtown and the surrounding neighborhoods does not necessitate the wedding cake design. That design requirement is an artificial imposition that projects themselves do not adhere to, e.g., the 425 Center. The wedding cake design should not block upzoning the OLB and some of the bordering MU district while leaving the dimensional requirements in the remaining districts unchanged as residents have repeatedly requested.

I suggest trying the upzoning and improvements to the amenity incentive system in the OLB district. Let's see how things work out before modifying dimensional requirements in other downtown districts. That will also give us time to perform adequate traffic, parking, and safety studies in downtown under the existing LUC to ascertain what changes should be made to infrastructure to support a growing and livable downtown.

Respectfully submitted,

Michele Herman

Bellevue Towers Resident

Gulledge, Kristin

From: bt.livability@gmail.com
Sent: Wednesday, May 03, 2017 2:51 PM
To: PlanningCommission; Slatter, Vandana; Stokes, John; Wallace, Kevin R; Robertson, Jennifer S.; Robinson, Lynne; Lee, Conrad; Chelminiak, John; wherman@moosewiz.com
Subject: Concerns about Downtown Livability

Goldie Tobin Goldietobin@comcast.net sent the following message:

Traffic on our block is already bad. When Lincoln Expansion, 425 Centre, Fana Development, One88 are all occupied, it will reach a tipping point. Why increase density when the system is already nearing a breaking point?

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CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
STUDY SESSION MINUTES

April 19, 2017
6:30 p.m.

Bellevue City Hall
City Council Conference Room 1E-113

COMMISSIONERS PRESENT: Chair deVadoss, Commissioners Carlson, Barksdale, Hilhorst, Laing, Morisseau, Walter

COMMISSIONERS ABSENT: None

STAFF PRESENT: Terry Cullen, Emil King, Department of Planning and Community Development; Carol Helland, Patricia Byers, Bradley Calvert, Department of Development Services; Camron Parker, Department of Parks and Community Services

COUNCIL LIAISON: Mayor Stokes

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

CALL TO ORDER
(6:41 p.m.)

The meeting was called to order at 6:41 p.m. by Chair deVadoss who presided.

ROLL CALL
(6:41 p.m.)

Upon the call of the roll, all Commissioners were present with the exception of Commissioner Hilhorst, who arrived at 6:42 p.m., and Commissioner Laing, who arrived at 7:11 p.m.

APPROVAL OF AGENDA
(6:42 p.m.)

A motion to approve the agenda was made by Commissioner Carlson. The motion was seconded by Commissioner Barksdale and the motion carried unanimously.

COMMUNICATIONS FROM CITY COUNCIL, COMMUNITY COUNCILS, BOARDS AND COMMISSIONS
(6:42 p.m.)

Mr. Steward Heath, chair of the Parks and Community Services Board, said the Board would like to work with the Commission as partners in a proactive way to address the issues that face the city. With respect to the Downtown Livability Initiative, he said the Board understands that the process has been ongoing for a number of years and there is no desire to be seen as obstructionists. At the same time, however, the Board wants to have meaningful involvement in the process. With regard to the question of why the Board was seeking to be involved three years

into the process, he said the Board received an informational briefing in March 2014, and that proved to be the last time the issue was before the Board. The 20-minute presentation talked about the expected demographics and FAR, and the Board was given nothing to deliberate or decide. A member of the Board was appointed by the Council to the Downtown Livability Initiative CAC. In the presentation, the need for two parks was discussed along with the notion of open space plazas being active spaces. He said in the fall of 2016 when he was elected chair of the Board, he asked staff and the Council what the Board should be working on. The Downtown Livability Initiative was not mentioned, and indeed the issue was never put on the Board's radar. The Board held a retreat in February 2017 where attention was given to trust, transparency and communication, as well as the desire of the Board members to advocate for parks. Two weeks later a memo was received in which the planning department wanted time on the Board's March agenda, which would have replaced an item previously prioritized. It was made clear that the Board was not being asked to interact with the Commission, only with the staff, and that while there were four areas of substance to be addressed, there were no options for the Board to consider. The parks director finally indicated the Board was being asked to decide if the Downtown Livability Initiative meets the needs of Parks and Community Services, and whether the right mechanisms to meet those needs were in place. Accordingly, at the March meeting there was a presentation from parks and planning staff. Information was shared about demographics, the early wins, and the conceptual plan that calls for more parks in the downtown. Questions were asked about how many parks the existing incentive system has brought about, and the answer given was zero. The question was then asked if the proposal for new incentives would yield new park facilities, and the answer given was that no studies had been done to determine that. A motion was unanimously passed stating that the Board does not believe the Downtown Livability Initiative meets the needs of Parks and Community Services. A follow-up session in April resulted in the development of four or five recommendations to be carried forward to the Commission.

Mr. Eric Synn, a member of the Parks and Community Services Board, reiterated the desire of the Board to work in partnership with the Commission. He noted that he had attended the last Commission meeting to frame the recommendations of the Board. Downtown Bellevue is about 400 acres in size. There are two primary parks, Downtown Park at about 20 acres, and Ashwood Park at about 2.5 acres. Accordingly, park land represents about five percent of the total downtown area. Including Meydenbauer Bay Park would bring the percentage up to only six. The population and growth estimates show 17,000 residents per square mile currently, a number that is projected to double in the next 20 years. There has been no discussion about adding park land to support that rate of growth. The Board developed four specific recommendations: 1) The Parks and Community Services Board recommends that the Downtown Livability Initiative results in achieving the Parks and Open Space Plan's goals, specifically including new parks in the Northwest Village neighborhood and the East Main neighborhood; 2) The Parks and Community Services Board recommends that there is sufficient evidence that the Parks and Open Space Plan's goals will be met; 3) The Parks and Community Services Board recommends that there be further discussion by the Parks and Community Services Board regarding whether plazas are parks; and 4) The Parks and Community Services Board recommends that additional levers and controls, including Park Impact Fees, be identified to incent developers to meet the Parks and Open Space Plan's goals. He said it was the intent of the Board to take on itself in partnership with the Commission the discussion called for in item 3. Nothing that is commercially or privately owned should be considered to be park land.

Commissioner Barksdale asked what percentage of park land the Board was seeking to achieve in the downtown. Mr. Synn said determining that figure will require a great deal of community involvement. He said parks has a comprehensive parks and open space plan that includes a

blueprint for having within each city block open space sufficient to support the community. There are no current plans for park facilities in either the Northwest Village and East Main neighborhood.

Mr. Synn allowed that implementation of a park impact fee would need City Council approval. Bellevue calls itself a city in a park, a slogan that cannot be sustained unless more facilities are created.

Commissioner Hilhorst noted that McCormick Park was not mentioned and asked if that is because NE 12th Street serves as the downtown boundary. She also asked if the Board was looking to replace McCormick Park somewhere in the downtown corridor given that the site has been mentioned as a potential location for the downtown fire station. Mr. Synn confirmed that the boundary of the downtown is NE 12th Street, which means McCormick Park is not considered to be in the downtown. The intent of the Board is to address how the Land Use Code will be used to build and sustain parks. Mr. Heath added that the McCormick Park issue was not specifically discussed by the Board. The parks and open space plan includes a call for additional parks in the downtown, and that was put in the plan before anyone knew McCormick Park might be going away.

Commissioner Barksdale asked how the Grand Connection ties into the amount of Downtown Park space calculations. Mr. Synn said the Grand Connection is still only a vision and does not fall under the parks department. Mr. Heath added that the Board has not reached any resolution to date on the issue. As it has been described, the Grand Connection is a corridor and not a park. Sidewalks with landscaping and plazas are corridors, not parks.

Commissioner Carlson asked what the Board would like to see in the downtown that is not already there. Mr. Synn said the Board strives to fulfill what is contained in the parks and open space comprehensive plan. That plan calls for having park facilities in each of the nine sectors into which the downtown has been divided. Mr. Heath added that the plan calls for a new park in the northwest quadrant where the QFC used to be, and a park in the southeast neighborhood. The Downtown Livability Initiative should also fulfill the comprehensive plan that has already been approved.

Chair deVadoss noted that he and Commissioner Walter attended the last session of the Parks and Community Services Board and took the time to discuss the Downtown Livability Initiative and receive feedback.

Mr. Heath reiterated the desire of the Board to be seen as a partner with the Commission and to work proactively to solve issues.

Mayor Stokes reminded the Commission of the deadline that has been established for completing the work on downtown livability. To some extent, the issues raised by the Parks and Community Services Board are policy issues that will need fuller conversations but at a later date.

Chair deVadoss agreed that the park issues are of critical importance to the community. He said he would find a way to continue the discussion.

Mayor Stokes said the Arts Commission, Transportation Commission and Human Services Commission all are relevant to downtown livability. The question is how to function as discrete boards and commissions and also work as a committee of the whole to any extent. That certainly occurs when working on the Comprehensive Plan. There will be time to address the parks issues

after the downtown livability is completed.

Mayor Stokes praised the Commission for the work it has been doing. He said the April 7 quarterly check-in with the Commission and staff was helpful in laying out a game plan for wrapping up on time, and for addressing the issues that will follow.

Comprehensive Planning Manager Terry Cullen reminded the Commissioners that during the Commission's work on downtown livability staff was holding open office hours on Friday mornings from 9:00 a.m. to 11:30 a.m. through the end of May. He said staff was willing to meet in person or by telephone to discuss the issues.

Mr. Cullen reminded the Commission that beyond downtown livability the Commission will continue to be busy. A threshold review public hearing on the Bellevue Technology Center plan amendment is slated for June 14 and it is expected to draw a large crowd. The issue will serve as the dominant part of the Commission's agenda in June.

Mr. Cullen called attention to a status memo included in the packet summarizing the quarterly check-in meeting on April 7 with Mayor Stokes. He noted that the work of the Commission during the first quarter of the year was dominated by the downtown livability topic.

Mr. Cullen referred to the minutes from the March 22 Commission meeting and pointed out that most of the motions made included language directing staff to take certain actions. Two of the motions, however, did not include such language and thus a reasonable person looking at those motions could conclude the Commission had in fact made a final decision. He said during the study session he would ask the Commission to reaffirm that the intent was in fact to direct staff.

The Commissioners were asked to save the date for a potential Commission retreat on November 15.

PUBLIC COMMENT

(7:17 p.m.)

Mr. Ian Morrison, 701 5th Avenue, Suite 6600, voiced appreciation for the analysis done by staff relative to how other jurisdictions address tower spacing. He noted that while Bellevue is its own unique jurisdiction, it is important to look at best practices in other jurisdictions. Los Angeles has a requirement for an 80-foot separation, but it kicks ~~in~~ at 150 feet. Los Angeles also allows towers in the downtown up to 1000 feet with very large floor plates, which allows for mitigating tower spacing issues. In the Denny Triangle in Seattle, towers must be separated by 60 feet, and in Belltown the separation requirement is 80 feet, but in both cases the trigger is 160 feet. The result in the Denny Triangle has been some elegant slender towers, while in Belltown there has been no significant new development in the last decade, something that can be tied to the required 80-foot tower separation requirement. The staff also mentioned Vancouver, B.C., but the Canadian land use system relies on a collaborative negotiation as opposed to a prescriptive standard relative to tower separation. Portland with its 200-foot blocks does not have tower separation requirements. Having a tower separation requirement of 60 feet rather than 80 feet will be key to supporting development and density in the downtown, and the height at which the separation requirement kicks in will be critical. In the draft, the trigger is too low. There are concerns with regard to how the tower separation standards will impact irregularly shaped lots. The internal setback of 40 feet between internal property lines is not a component of other jurisdictions, primarily because they focus on the separation between existing structures as opposed to preserving the potential development rights for a site that may or may not be

developed in the future. The current 20-foot separation works and should be retained. The way the modification process exists in the draft ordinance is counterintuitive to good development. It sets incredibly restrictive standards and calls on developers to make convincing arguments otherwise. The better approach would be to set reasonable standards and to allow for an administrative review process on a case-by-case basis where there may be some issue that deserves individual consideration. The Commission was encouraged to review the materials he distributed to them and to carefully consider the recommendations made on behalf of the Fortress development to retain the 60-foot tower separation between existing towers, to set the trigger height at 150 feet, and to provide for an exception process that is based on a more expansive standard that allows for a case-by-case evaluation. The internal setback requirement is a concept that is not necessary in the downtown code. In Seattle, only two of the 19 zones have tower separation standards.

Mr. Andy Lakha, 500 108th Avenue NE, Suite 2050, said his planned Elan development is for the site at the intersection of Bellevue Way and NE 8th Street. He said he has spent his entire career working towards the wherewithal to develop such a property. However, the midblock and odd-shaped site presents challenges that his team has had to overcome. The site has not one but two required midblock connections, a requirement that will eliminate much of the site needed to accommodate a building. Because the site is odd-shaped, even the existing 20-foot setback presents a challenge, but the design team worked hard at finding a way to make it work while providing the necessary open space amenities and a very pedestrian-friendly development. The proposed 40-foot property line setback shatters the well thought out design, making most of the site undevelopable for a tower project. Other sites in the downtown would face the same challenge. Under the proposed requirements, only 31.8 percent of the site would be developable, and the result would effectively be a downzone. No other city in the Northwest has a 40-foot property line setback requirement. The final report of the Downtown Livability Initiative CAC includes no reference to 80-foot tower spacing, or to 40-foot property setbacks. The currently required 20-foot property setback should be retained.

Commissioner Carlson asked how far apart are the towers as envisioned for the Elan project. Mr. Lakha said as drawn they are 80 feet apart. The big problem is the 40-foot property setback.

Mr. Patrick Bannon, president of the Bellevue Downtown Association (BDA), 400 108th Avenue NE, Suite 110, pointed out that the Downtown Livability Initiative CAC process included considerable conversation about the value of and need for parks in the downtown. That is why the list of bonusable amenities includes both the donation of park property and improvement of public park property, with specific references made to Northwest Village and East Main. He disagreed that the proposed plan does not advance the parks plan. The Commission has throughout the process been very responsive to community and stakeholder feedback, and on behalf of the BDA he thanked the Commission for that. The BDA members have expressed strong support for setting the base FARs and base heights at 90 percent of the maximums, but they continue to express concerns about the proposed 40-foot property setback and tower spacing provisions, the trigger height requirement, and the incremental amenity chart for additional height. The issue is that the provisions, if imposed altogether, could severely constrain future development along with Bellevue's capacity to shape improvements for overall livability. The community, the BDA and the city ~~are~~ all agreed that the goal should be to strengthen Bellevue's economic base and to promote new opportunities for a healthy and thriving downtown core. The updated Land Use Code, if balanced with the right guidelines and strong incentives, will further stimulate new housing, both affordable and market rate, add public open space, and generate a significant fiscal benefit for city services and infrastructure from transportation impact fees and incremental tax revenues from new development.

Mr. Alex Smith, 700 112th Avenue NE, introduced the 700 112th LLC team members Jeff Taylor with the Keldoon Group, and Larry Martin with Davis Wright Tremain.

Mr. Jeff Taylor said he was pleased with the recent staff recommendations relative to the base FAR of 90 percent of the new maximum. However, nothing has changed with regard to the trigger height and the amenities for going higher. He said if all of the square footage of the preferred amenities, which are the amenities proposed in the draft, were to be divided by the total square footage of the amenities provided under the existing system, it would be only about 2.84 percent. He also pointed out that the total FAR going from base to maximum under the current code was 44.5 on average. Divided by 2.84 yields a value of 1.26, meaning that 1.26 FAR was provided by the preferred amenities. Under the staff recommendation of 90 percent of the new maximum, the value is 10.9, all of which are the new amenities. That means 762 percent more amenities will be provided under the proposed concept, and that will be a success for everyone. With regard to height, under the new approach building any square footage above the new trigger height must be earned or paid for at \$12.50/square foot. Additionally, ten percent open space must be provided, and the floor plates will be reduced by ten percent. Throughout the different zones, that ranges from zero to 77 percent. That will completely disincentivize a developer to go tall. It will cost more per square foot for a development to build a 30-story building than it would cost to build two 15-story buildings. The return for the taller building is value from the increased views, but the approach effectively takes away the incentive. He recommended doing away with the proposed requirements for going taller. He also voiced support for retaining the current 20-foot property setback.

Mr. Larry Martin, 777 108th Avenue NE, spoke representing Alex Smith. He noted that a lot of time has been spent in talking about the trigger height issue and the bonus FAR, and how much bonus FAR has to be earned by buildings in different zones. All that goes to show that the purpose of requiring provisional amenities is not to regulate development but rather to gain revenue for the city. That is at the heart of what makes the approach illegal. The trigger height issue is the same and varies wildly from one zone to another. In order to have a proper exercise of the city's legal authority, the code must be based on the regulation of the impacts of development. The proposed approach does not do that, rather it relates to an analysis of how much the BERK consultants thought developers and property owners could afford to pay before their property values would fall below their current values. The disincentive relative to height should be eliminated. The base height should be set at 90 percent of the new maximum. One thing the city can do to shape the future going forward is pay attention to incentivizing development around transit-oriented development. ULI looked at nearly 10,000 apartment buildings and found that the residents of units close to transit centers used transit five times more.

Mr. Darrel Vange, 166 Lake Avenue, Freeland, said the latest draft of the code on the subject of tower separation deals with superblocks rather than single project limits. The definitional boundaries for superblocks excludes the area to the east of 112th Avenue NE, which is where the project he is working on is located. That is either a drafting oversight, or an intention to deal differently with the DT-OLB.

Mr. Arne Hall, 17227 SE 40th Place, agreed that if the buildings shaded in red on the Webber Thompson graphic were not in the downtown given the tax revenue base they contribute to. Under the proposed rules, several of those projects would have only half of the towers. With regard to the interior property line setback, the issue is not the parcel size but rather the parcel configuration. In the most recent draft, staff have gone from a 30,000 square foot threshold for

the 40-foot setback to a 40,000 square foot threshold. Additionally, the fee in-lieu assessment above the trigger height varies by zone, but in the Deep B zone it adds a lot. There is no incentive for developers to build taller and more slender towers under the formula, and in fact the approach violates Washington state code as a tax on development. The floor plate reduction requirement will have impacts on cost efficiencies, leading to higher costs. There is no quantifiable information that supports the added revenues that will be obtained through rental or commercial properties. With regard to tower spacing, the CAC was silent. The notion developed by Jack McCullough for a 60-foot tower separation is a reasonable solution. Bellevue is unique. The other cities studied have downtown geographic areas that are much larger. The Commission and the staff should work closely toward creating a city with strategic and controlled density while providing the open space everyone wants to see.

Mr. Doug Demers, 225 Terry Avenue North, Seattle, said he is managing partner of a firm that plans mixed use ~~developments~~ ~~develops~~ around the world. He said his firm has done a lot of work in the peer cities that have been referenced, including Vancouver and cities up and down the West Coast. He suggested there is a case to be made for moving away from the prescriptive zoning approach that most US cities have embraced for a long time and toward a more collaborative and vision-focused urban planning model, an approach that is used in Canada and in most of the United Kingdom. The approach leads to more flexibility, whereas the prescriptive approach produces rows of wedding cake buildings that struggle to create a vibrant urban fabric. Flexibility is needed in urban corridors that allow for higher density. In cities with superblocks, more planned developments are focusing on friendly blocks, smaller lanes and limited street parking. In order to do that, it is necessary to be more flexible in looking at setbacks that involves dialog and negotiation. The result is a win for everyone.

Commissioner Carlson asked what city does flexibility and negotiated development better than anyone else. Mr. Demers said the Canadians have a more collaborative system. In Vancouver, developers with another way in mind that will achieve the goals set down by the city, even if it might involve changing a prescriptive piece of a formula, they are allowed to make their case. The result is an evolving landscape. In Seattle, the approach is a development either fits in a box or does not get built, an approach that does not fit anyone.

Commissioner Walter asked if there were sufficient time to have the collaborative system vision drafted for review and consideration prior to the deadline the Council has set for the process. Mr. Demers said the approach is more about process and less about being prescriptive. He suggested there are ways to do both.

Chair deVadoss asked how cities that operate without prescriptive guidelines compensate for developers who come late to the table in terms of initiating their projects. Mr. Demers said he was not arguing against having some level of prescriptions and rules. The problem is not necessarily with the rules but rather with a process that holds the rules to be sacred. The rules should serve as a place to start in considering how to build out the vision for a particular property. Through negotiations, developers can still meet and even beat the rules. What is needed is more of a philosophical mindset that is focused on the end result.

Commissioner Barksdale said the philosophical approach appears to be akin to what CACs do in Bellevue. Mr. Demers said the CAC approach could be overwhelming if focused down to the per-property level. The CAC approach works better when focused on large areas, such as the DT-O1 district.

Mr. Blaine Webber, 225 Terry Avenue North, Seattle, said he is the founding partner and

director of the Highrise Design Studio at Webber Thompson Architects. He said the firm has over two dozen highrise residential and mixed use tower projects to its credit and has also done a significant amount of design work in Bellevue. He expressed concern over the recently proposed change to setbacks from the current 20 feet to an extreme and unheard of setback of 40 feet for any structure above 45 feet. The increased setback on top of FAR restrictions, 80-foot tower spacing and the midblock connection requirements will result in unintended consequences and an effective downzone. As proposed, the approach will ~~be involve~~ the most ~~restrictive restriction land use restrictions~~ in the entire country. He referred to a study done by his firm reviewing all of the highrise tower projects completed in downtown Bellevue. A shocking number of completed projects would not be permitted under the 40-foot setback and 80-foot tower separation requirements. The diminution in jobs and tax revenues that would result would be significant. Only the two western towers of the Bravern would be possible, effectively cutting the project in half. Only one of the two Bellevue Towers would be possible; the same would be true of Avalon Towers. All three of the three Elements towers would be out of compliance, and only a single tower would be allowed. Lincoln Square would be allowed only two instead of three towers. Only one of the PSE towers could be constructed instead of two. A diagram of setbacks furnished by Department of Development Services purports to show conditions of major assemblages of parcels into tiny geometric shapes, but those conditions do not exist in reality. A slide of the actual city block at NE 2nd Street and 108th Avenue NE showed the cumulative impact of the 40-foot setback and 80-foot tower separation would result in a severe diminution of building area. Adding in the requirements for midblock connections could render some sites infeasible. Soma 2 would not comply and the Marriott AC would not be feasible. A review of the parcel map shows the real conditions in downtown Bellevue, with small and irregular parcels. The actual city block at NE 8th Street and Bellevue Way serves as a real world example in which the 40-foot setbacks result in a buildable area of only 52 percent of the site. The cumulative impacts, however, that combine the 40-foot setbacks, 80-foot tower spacing, 20-foot setbacks for landscaping and two midblock connectors result in an two unbuildable building pads, one of which is only 35.4 feet wide, and the other of which is only 54.3 feet wide. Neither of the envelopes would support a highrise tower given the need for a pad of at least 75 feet, and more normally 100 to 110 feet in width. The cumulative impacts will quite literally kill the project at NE 8th Street and Bellevue Way by reducing the three-acre site to only 36,000 square feet of buildable area.

Commissioner Barksdale pointed out that the point of the 40-foot setback and 80-foot tower separation requirements is to preserve light and air. Mr. Webber said the Lakha project as designed actually has 115 feet between towers. However, the 40-foot setback would push in the towers to the point where that spacing could no longer be achieved; the building pads would no longer be feasible for a highrise tower. He proposed 60-foot tower spacing as a reasonable alternative. Spacing towers to preserve light and air is vital to urban areas. Sixty feet is the width of most city streets and that is a reasonable separation. The 20-foot setback should be maintained and additional spacing on sites that can accommodate it should be incentivized.

Commissioner Hilhorst observed that when the 80-foot tower separation restriction was determined a year ago, no one spoke up. She said it was only when the 40-foot setback was introduced that the community spoke up. She asked which is the real issue. Mr. Webber said it is the cumulative impact of the two. He said he could live with the 80-foot tower separation requirement if the 20-foot setback were to be retained. Most cities on the West Coast have some manner of administrative departure in place for unusual sites. That is what is needed in downtown Bellevue as well to benefit the entire community.

Mayor Stokes urged the Commission to cut short public comment and to move on to its

discussion of the issues.

Mr. Scott Matthews, senior director for Vulcan Real Estate, 505 5th Avenue South, Suite 900, Seattle, said the firm is interested in participating in Bellevue's bright future. He stressed the need to look at things through the lens of how Bellevue can best compete for the best companies and the hearts and minds of people. The downtown livability issue is Bellevue's opportunity to take a larger role in the future of the region and the West Coast. The office market has shifted into a demand for larger floor plates, not smaller floor plates. The outcome of what has been proposed would be a hindering of the ability of developers to provide the types of spaces that employers are looking for. He urged the Commission to consider the thoughtful solutions being used in other markets. There is a path forward to preserve livability while also meeting the goals of the region and to participate on the world stage. With regard to South Lake Union development, he pointed out that the opportunity came before the zoning was in place, so many of the early Amazon buildings were built with very low density. In the coming years, developers and the city will look back and agree there should have been more density. The 40-foot setback and 80-foot tower spacing requirements will effectively result in a downzone in the downtown.

Mr. Jonathan Kagle, 9342 Vineyard Crest, thanked the parks department for continuing to advocate for more park facilities in the Northwest Village. As density increases, open space becomes an important part of livability. He asked the Commission to make public the list of stakeholders being used. He noted that the parade of developers who have made objections to the draft code appear to prefer the old plan and do not appear to see as attractive enough the approach of building amenities in return for more height. One approach would be to retain the existing code and add bonus amenities to it for going higher and denser. Another approach would be to keep going with the more streamlined new plan but to retain the current plan, at least for a while, and give developers the choice. The process of setting the base at 90 percent of the maximum and adding to it every possible permutation and combination will result in a significant upzone in every case. That would not be consistent with the overall livability goal the CAC envisioned.

STUDY SESSION (8:21 p.m.)

Strategic Planning Manager Emil King affirmed that staff have been following through on the direction provided by the Commission on March 22. He also noted that the packet included additional information requested by the Commission.

A motion to amend the motion reflected on page 10 of the March 22, 2017, minutes relative to having the A-1 district from 102nd Avenue NE eastward to 112th Avenue NE become A-2 to indicate direction to staff rather than final action was made by Commissioner Walter. The motion was seconded by Commissioner Barksdale and the motion carried unanimously.

A motion to amend the motion reflected on page 11 of the March 22, 2017, minutes relative to placing monies collected through the fee in-lieu system be placed into a dedicated account and be expended only for the acquisition or improvement of publicly accessible open space within the downtown to indicate direction to staff rather than final action was made by Commissioner Walter. The motion was seconded by Commissioner Carlson and the motion carried unanimously.

Chair deVadoss invited the Commissioners to highlight items and issues.

Commissioner Walter said the fee in-lieu issue needs more granularity, not just money for open space. Each amenity that is earned needs to go into its own fund. The city should look long and hard at the issue of parking to make sure there is an adequate amount. Anything getting in the way of people enjoying the downtown does not help livability, and parking is one such issue. The plan should include affordable housing in the downtown for all three tiers, including low-income and very low-income housing. No affordable housing dollars should be allowed to leave the downtown. There should be a parks designation to avoid park land getting diluted into something else. There should be a fire station located within the boundaries of the downtown. There should be an assurance given that traffic will flow based on human perception of traffic, not computer-generated models. A traffic quality survey would be one way to quantify how people perceive traffic in the downtown.

Chair deVadoss initiated a straw poll for each item. With regard to more granularity in regard to the fee in-lieu, Commissioners Barksdale and Hilhorst agreed; there was no reaction from Commissioners Carlson and Morisseau.

With regard to adequate parking, Commissioner Morisseau pointed out that a robust parking study will be conducted at a later date, making it difficult to say exactly what is adequate ahead of that study.

Commissioner Walter said the issue of businesses with overlapping hours that share parking should be addressed. A restaurant and a business having the same hours can be allowed a smaller number of parking spaces by indicating they share parking, but it does not logically make sense because two people cannot be in the same parking stall at the same time.

Commissioner Hilhorst noted that currently they are allowed a 20 percent bonus for sharing the space. Commissioner Walter suggested getting rid of that bonus.

Commissioner Carlson suggested that two different issues were being addressed, with Commissioner Morisseau talking about parking policy on a broad level and Commissioner Walter talking about closing a loophole. Closing the loophole is a great idea, but the parking study is a separate matter.

Commissioner Hilhorst agreed that it did not make sense for businesses to share parking and receive a 20 percent kickback for doing so. Shared parking works only where the businesses sharing the parking operate during different hours of the day.

Mayor Stokes thanked the Commissioners for their viewpoints but stressed that no study has been done on the shared parking issue. To propose a change would be to do so on the strength of nothing more than opinions.

Chair deVadoss concurred. Given that the parking study has not yet occurred, the Commission should provide a recommendation to the Council to prioritize the analysis of parking. Commissioner Morisseau agreed. Commissioner Carlson said he agreed as well and said it would not make any sense to even do the study if the Commission is going to make recommendations without it.

Mr. King asked if the Commission intended to wrap up the issue of parking. He pointed out that there were additional materials in the packet regarding parking, including the larger parking flexibility issue that was talked about on March 22 and around which the Commission had asked for additional information. He added that there is a relationship to the loophole and the proposed

new flexibility. Chair deVadoss asked staff to highlight the additional materials in due course.

Commissioner Morisseau said she would not be comfortable making recommendations in regard to parking without first seeing a comprehensive parking study.

Chair deVadoss observed for the record that there was full consensus among the Commissioners to recommend prioritizing a parking analysis to staff and the Council.

With regard to Commissioner Walter's recommendation relative to affordable housing, Mayor Stokes pointed out that the Council has launched a process to develop a comprehensive affordable housing strategy. The affordable housing technical advisory group has completed its work and their recommendations will be before the Council soon. How things will play out remain to be seen, but the approach taken will be predicated on good data. He said the Council would welcome a recommendation from the Commission to keep in mind the need for affordable housing in the downtown, but he urged the Commission not to take additional time to study it. Commissioner Walter disagreed. She said she has reviewed the information coming out of the TAG and concluded that much of it appears to be driving the affordable housing out to the neighborhoods. Mayor Stokes reiterated that the work of the Council in developing a comprehensive affordable housing strategy is under way and far from being completed. The downtown livability process is not the place to have a discussion on the affordable housing plan for the city. It would be perfectly appropriate for the Commission to recommend to the Council the need to keep the issue of affordable housing in mind.

Land Use Director Carol Helland allowed that a unique situation exists in which there are studies running on parallel tracks. She said the Commission could include in the transmittal memo narrative about the Commission's interest in achieving some objective relative to affordable housing, while allowing the affordable housing strategy piece to catch up.

Commissioner Walter said she wanted the recommendation to include a call to at least explore having affordable housing constructed in the downtown.

Commissioner Hilhorst asked if there was time for the recommendations of the TAG to be shared with and reviewed by the Commission, and for the Commission to develop specific recommendations based on it. Ms. Helland said it would be difficult to draft an approach for incorporation into the code without some direction from the Council. The Commission could simply park the issue until a future meeting, or could choose to suggest a recommendation for the Council to tailor a package once the issue is before them.

Mayor Stokes said the Council is not going to simply receive the report from the TAG and send it on to the Commission to think about as part of downtown livability. To try to do more than simply recommend addressing affordable housing would be to waste time.

Commissioner Carlson commented that affordable housing is an issue for the Commission, but not as part of downtown livability. Commissioner Walter disagreed and said affordable housing should be developed in the downtown and it certainly is part of downtown livability.

Mr. King commented that the Commission had given staff direction on March 22 to include an FAR exemption of 1.0 for affordable housing to be used in conjunction with the multifamily tax exemption program. He said the details of how that will play out will not be addressed absent Council direction.

Commissioner Hilhorst raised the issue of taking away the ten percent trigger for open space. She said there are a couple of ways the property owners are going to create open space automatically, through the design process codes that exist, and through the fee in-lieu that will be established. The ten percent is one more layer that could create sporadic open space for properties and is not necessary. The fees in-lieu can be placed in the hands of the parks department to be used in creating a cohesively designed true park in the downtown. If every individual development is left to do their own open space, the result will be piecemeal. The ten percent may also diminish the skinny, taller buildings the Commission wants. Mr. King said the direction received to date by staff has been that if a developer wants to go beyond their height limit, they must do ten percent ground level open space and diminished floor plates.

Commissioner Hilhorst said her opinion was that the fee in-lieu would happen and that the ten percent should go away. She reminded the Commissioners that the decision had previously been made to increase building height in the DT-MU. That was done after a Commissioner suggested that in order to get affordable housing, developers will need an extra bump. The proposed 1.0 FAR exemption kind of solves the problem, and it is questionable as to whether the extra height is needed. The CAC recommended retaining the existing height limit, and if everything can be achieved within that limit, the ten percent may not need to be included. Mr. King pointed out that for the biggest MU district, the CAC recommended going from 200 feet to 300 feet for residential, and from 100 to 200 feet for office. Commissioner Hilhorst reiterated that the Commission had agreed to go higher to allow for affordable housing, but the FAR exemption addresses that.

Chair deVadoss noted for the record that the majority of Commissioners supported the recommendation.

Commissioner Carlson urged the Commission to reach a conclusion in regard to the big issues of tower spacing, tower setback, and whether the base FAR and building height should be set at 90 percent of the maximum. Ms. Helland pointed out that the base FAR and height as outlined in the packet materials utilizes the 90 percent of maximum approach, which is what the Commission directed staff to do. The Commission did not give staff direction relative to tower spacing, though the staff were asked to bring back comparisons for the Commission to review.

Commissioner Morisseau said the public has consistently called for flexibility. The code should not be drafted that will become punitive to developers and the community at large. Adding all of the layers of tower separation, stepback and setback, makes the proposal somewhat prescriptive and moves it away from flexibility. With respect to the livability issues of providing for light and air, she said the 80-foot tower separation makes sense. The data relative to other cities that has been presented by the staff is not directly comparable to Bellevue. Los Angeles and Toronto are nothing like Bellevue. In addition to requiring towers to be separated by 80 feet, the current setback of 20 feet should be retained. Additionally, language should be provided in the code that allows for flexibility. Ms. Helland commented that several flexibility departures were added to the draft code, including an averaging provision and an offset provision.

Commissioner Carlson agreed that the current 20-foot setback should be retained.

Chair deVadoss noted for the record that all Commissioners agreed on the 20-foot setback.

Community Development Program Manager Bradley Calvert explained that as drafted, the code calls for 80-foot separation between towers, and 40-foot separation from interior property lines, for towers that are over 100 feet high, beginning at the 80-foot level. That aligns with the floor

plate sizes for the downtown as well.

With regard to the definition of a tower changing from 75 feet to 100 feet, Commissioner Morisseau asked what prompted the change. Ms. Helland said the International Building Code specifically calls out the first floor above 75 feet that is occupied, or a roof that is occupied. The reality is one cannot tell where the top of a building is going to be at the time design review is being done. By defining a tower as 100 feet, it can be assured that during the design review process developers can be afforded some flexibility while meeting the International Building Code requirements. It is assumed that for the first occupied floor above 75 feet, more flexibility than an additional 25 feet will not be needed for adjusting the floor level.

Mr. Calvert said staff took a look at the best practices across the country and North America. The proposed 80-foot tower separation in Bellevue falls right in the middle of the range along with Honolulu, Vancouver and Toronto. Philadelphia requires 75 feet. Belltown in Seattle requires 80 feet, while the Denny Triangle in Seattle requires 60 feet. Downtown Seattle has four different tower separation requirements that apply in Belltown, Denny Triangle, Yessler Terrace, and the waterfront.

Commissioner Carlson agreed with Commissioner Morisseau that the ~~city~~ cities chosen to serve as comparisons are not quite the same. None of them are American cities with populations of under 200,000. Mr. Calvert said the circumstance is unique. Many cities of that size, such as Greensboro, North Carolina, don't allow or have buildings as tall as Bellevue has. Bellevue is unique as an urban suburb.

With regard to property line setbacks, Toronto, Vancouver and Los Angeles require 40 feet. Philadelphia requires 37 feet six inches, and Seattle comes in at 20 feet.

Commissioner Hilhorst asked if there were any reason why Bellevue could not require 80 feet of separation between towers and a 20-foot property line setback. Ms. Helland said there is no reason why that could not be the case. She said staff would need specific direction to leave the tower separation requirement at 80 feet or to change it to some other number, and specific direction relative to the proposed tower setback of 40 feet or reducing it to something else. She reminded the Commissioners that the code currently allows the flexibility to reduce the setback to 20 feet. The other issue is the level at which tower separation should start, which as drafted is 40 feet. The comparisons with other cities, however, indicates that 80 feet would be more in line with them.

Chair deVadoss noted that the Commission had previously given direction to retain the current 20-foot property line setback.

Commissioner Walter asked if there would be any losers should the tower separation be held at 80 feet.

Commissioner Carlson pointed out that the current code requires only 40-feet of separation. As drafted, that would double.

Commissioner Morisseau said the way to mitigate that would be to provide language in the code allowing the 80-foot separation requirement to be reduced on sites where it cannot be achieved. Such flexibility would mean no one would lose.

Commissioner Carlson suggested that a 60-foot tower separation requirement would not be

unreasonable. That is 50 percent more than what the code currently requires.

Mr. Calvert said the tower separation at the center point of Bellevue Towers where they take on a unique form is 60 feet. Additionally, the first and second building of the Summit office towers are closer than 80 feet.

Commissioner Morisseau noted that staff had made several presentations on the advantages of separating towers by 80 feet. Ms. Helland said the issue along with supporting materials was presented to the Commission in February 2016. She noted the materials were included in the packet beginning on page 26.

Commissioner Barksdale asked if the requirement could be set at 60 feet and a departure included that would allow the city to require up to 80 feet. Ms. Helland said an incentive would need to be established to do that. History shows that projects that come in for permits are generally designed to the minimum standards. At the permit stage it would be very difficult to require increasing the separation from the base requirement without offering something in return. The typical approach is to state the starting point, such as a goal of having towers separated by 80 feet, and to include a departure allowing the goal to be reached with less than 80 feet of separation under certain circumstances.

Commissioner Carlson proposed putting on the agenda for the April 26 meeting coming to a resolution between 60 feet tower separation and 80 feet tower separation. Commissioner Hilhorst agreed, adding that if 60 feet is chosen, there should be an incentive for increasing the separation to 80 feet.

With regard to the trigger height, Commissioner Morisseau asked what cities similar to Bellevue use. Ms. Helland referred her to the chart on page 15 of the packet. Commissioner Morisseau observed from the chart that cities with building height similar to that allowed in Bellevue have trigger heights of 75 to 80 feet. Mr. King pointed out that in the public hearing draft the trigger height was 45 feet. The Commission directed the staff to come up with a different number, which led to the currently recommended 80 feet.

Chair deVadoss voiced his support for establishing 80 feet as the trigger height above which the tower separation requirement kicks in. All of the Commissioners concurred.

Mr. King also pointed out that the public hearing draft defined a tower as 75 feet, but the new draft defines a tower as 100 feet. He noted that staff looked at the A-1 and A-2 overlays which have 55 feet and 70 feet height limits, as well as the B-2 which has a 100-foot height limit. Accordingly, there would be no tower spacing requirements for buildings in those areas.

Commissioner Morisseau asked if there could be any unintended consequences for sites where several towers could be built without any tower separation requirement. Ms. Helland said the developer would need to be conscientious in creating a design that would be marketable to those who would be living in the structures, or to anyone who might want to buy the development in the future. Market forces will to a large degree address any unintended consequences. Commissioner Morisseau said she was okay with the tower definition.

Turning to the amenity incentive system, Mr. King called attention to page 31 of the packet and the summary of the issues raised at the public hearing. He said direction was given to staff on March 22 along with requests for additional feedback on the implications of increasing the base FAR from 85 percent to 90 percent of the proposed maximum in all zones. Issues in need of

additional discussion were highlighted on pages 32 and 33, including the calculation of amenity based on the value of additional height; the issue of a super bonus; and the notion suggested by the public to eliminate the amenity incentive system in favor of adding new requirements.

Commissioner Hilhorst pointed out that the Commission has not discussed the idea of establishing a super bonus and asked if the staff were expecting the Commission to have that discussion. Mr. King said staff did not intend to do any analysis on the super bonus concept unless directed to do so by the Commission. The draft does not include a super bonus.

Chair deVadoss asked if there would be any disadvantage to having a super bonus option. Mr. King said there would need to be a lot of complex details worked out. The public comment has been that allowing an additional amount of height and FAR across the whole downtown without really understanding how much it might be used and what the visual and traffic impacts might be would require some study.

Commissioner Hilhorst said the Commission has not talked about the super bonus at all. The Bellevue Downtown Association made the request for additional FAR in exchange for something of clear public benefit. She said she did not personally have an opinion on the issue.

Commissioner Morisseau commented that the FAR and building heights the Commission has included in the draft are in line with the recommendations of the CAC. A super bonus would involve additional FAR and to allow it would require a lot more discussion.

Commissioner Walter asked when the next opportunity would be to talk about a future bonus. Mr. King said a provision is included in the draft for the incentive system to be periodically reviewed every seven to ten years.

Chair deVadoss noted for the record the Commission had not recommended including a super bonus in the draft.

In regard to the public comment to eliminate the incentive system, Chair deVadoss asked the Commissioners for direction.

Commissioner Morisseau commented that if the incentive system were eliminated, requirements like outdoor plazas and streetscapes would not come into play.

Commissioner Hilhorst noted that the Commission had not talked about eliminating the amenities. The amenity system is the method used for getting things like open space.

Commissioner Barksdale said he could see no reason to support eliminating the incentive system.

Mr. King said the comments by the public with respect to eliminating the incentive system was that as drafted it is fairly complex, and that an alternative to having the incentive system would be to impose requirements aimed at getting the same elements the incentive system brings about.

Chair deVadoss noted for the record that there was no support on the part of the Commissioners to eliminate the amenity incentive system.

Mr. King called attention next to the suggested edits to the base FAR and the draft amenity incentive system language beginning on page 34 of the packet. Ms. Helland pointed out that the proposed revisions were shown in the shaded columns. Mr. King noted that the chart on page 34

reflected the direction of the Commission to set the new base FAR at 90 percent of the new maximum FAR. In the instances in which there was no difference between the base FAR and the maximum FAR, the numbers in the column were not changed. The chart also reflected the new base building height by land use district as directed by the Commission.

Mr. King referred to some wording edits on page 38 of the packet for the Commission's consideration, specifically a change from "amenity need" to "amenity points," and edits to the fees in-lieu monies going toward publically accessible open space within the downtown. He said the additional direction given earlier in the meeting would be reflected in the next draft.

Mr. King noted that public comment had been received about changing the bonus for the major pedestrian corridor and the major public open space from 13.3:1 to 16:1 to reflect the current bonus. He said the chart on page 39 had been revised accordingly. Also on page 39, a language amendment was made to sync the discussion of the A-3/B-3 and the location of plazas in develops on sloped sites and the surrounding public sidewalk.

Mr. King said the change to the language on page 40 represents a clarification from stakeholders about the Lake to Lake bonus not being crystal clear.

Commissioner Walter called attention to the third item on page 40 and said she would like the third design criteria revised to include "unless the development is in Northwest Village or in East Main." Developments in those areas should contribute to parks in those two quadrants. Mr. King explained that as drafted, a higher bonus rate applies if the park property is located in either of those two neighborhoods. Commissioner Walter said she wanted to make sure everything that can be done will be done to achieve park facilities in those two neighborhoods. Mr. King said the value of land in the downtown is so high that it would be a fairly large project that would even approach needing that many bonus points to do a park donation of any considerable size.

There was agreement to hold over continuing the discussion to the next meeting.

Mr. King informed the Commissioners that a memo received from the Arts Commission outlined suggested amendments to the public art language. He said their suggestion was included in the language on page 42.

The Commissioners were informed that the language revisions on page 44 were triggered by a request from the Master Builders Association. They relate to revising the sustainability certification tiering to add a lower tier in the hope of getting more projects participating, and having the two highest tiers not listed as specific tiers but available for developers seeking a flexible amenity. Mr. King said the position of the Master Builders Association was spelled out in the letter submitted to the Commission.

The Commissioners were also told the amendment on page 45 was made to remove confusing language about a limitation on the amount of pedestrian corridor and public open space bonus points that are allowed to be transferred. The current code has no limit.

There were no additional comments or feedback offered in regard to any of the proposed language changes highlighted by Mr. King.

Turning to a discussion of specific sites, Code Development Manager Trish Byers said FANA is located in the DT-O2 South district and was the subject of comments from residents of Bellevue Towers concerned about the height limit in the district. She said the recommendation from

FANA is for 460 feet based on the DT-O2 North district. The CAC recommended 300 feet, which would actually be 345 feet with the 15 feet/15 percent with the transparency amendment. Bellevue Towers representatives have recommended that the height remain the same, which would be 250 feet plus the 15 feet/15 percent, or 288 feet. She said the recommendation of the staff was to come in at somewhere between 288 feet and 460 feet.

Ms. Helland stressed that the city does not act to protect private views. Under the current code, the only views protected are those to and from public spaces. The view of the city's skyline is considered to be iconic from certain locations. The views from DT-O2 South towards Meydenbauer Bay and I-90 are important, as are the views from those locations into the downtown; the district is also home to more residential towers. The views from the DT-O2 North are more territorial and take in primarily office towers; the district is not home to residential towers. The Staff believes there is a reason to differentiate between the two locations.

Commissioner Hilhorst noted that the Commission had previously agreed to 345 feet and asked if going to 460 feet would in fact be a spot zoning. Ms. Helland said 460 feet for the DT-O2 South district would be the same as the DT-O2 North district. It would not be considered a spot zone because the characteristics of the two districts are different and because the height would apply to the entire district, not just the FANA site. Some from the public have requested increasing the height in the South district to 260, while others have called for leaving the height as it is.

There was consensus to retain the maximum height of 345 feet for the DT-O2 South district.

With regard to the proposed height limit for the the Elan/Fortress sites, Ms. Helland said the property owner is in agreement with the proposed code language on page 51. Ms. Byers reminded the Commissioners that the site straddles the perimeter overlay B-2 and the DT-MU district boundaries. What the site will end up with is 264 feet in the B-2 and 288 feet in the DT-MU.

Commissioner Hilhorst said it was her recollection that the property owner wanted to go down the path of a development agreement. Ms. Helland said the property owner did not receive an overly positive reception from the Commission relative to a development agreement. The proposed approach is a circumstance that will work for all concerned, with discrete dimensional standards. The property owner still has an outstanding issue with regard to tower separation.

Ms. Byers stressed that the proposed heights would apply to the entire zones, not just the building site. Ms. Helland added that the proposal would apply equally to all properties in the two districts that share the characteristics of the Elan/Fortress properties with regard to split zoning.

Commissioner Walter said she did not want to see a situation in which a developer builds a single tower 264 feet tall rather than two towers that average 220 feet tall. Ms. Helland said the intent is to apply to multi-tower projects. She said she would review the code language to make sure that is clear.

Commissioner Morisseau asked if the Vuecrest property owners have weighed in on the proposed approach. Mr. King said the property owners have spent considerable time over the past couple of years talking with the Fortins about their proposal. The Elan/Fortress proposal was not that far along during the CAC process. Vuecrest has sought to better understand the Elan/Fortress proposal. They do understand the project is farther away than the Fortin proposal.

Vuecrest has expressed concern about zoning creep. Ms. Helland added that there is some functional limitation on how many sites the proposed approach would apply to. She said staff was willing to come back with a map showing those sites. As a practical matter, however, the taller towers would be farther from Vuecrest and more up against the DT-O2 North and DT-MU districts.

There was agreement to hold off making a decision until viewing the map of other properties to which the approach could be applied.

Ms. Helland reported that the A-3/B-3 property representatives, the Bellevue gateway project, have agreed with the proposal outlined in the packet materials starting on page 64.

Mr. King called attention to the information in the packet regarding shade and shadow in the A-2 district at Bellevue Way and NE 12th Street. He said the study compared buildings at 55 feet with buildings at 70 feet. He allowed that the key issues were time of day and time of year. He said the Commission could spend more time addressing the findings at the next meeting.

Ms. Byers said there were several OLB issues to address. She noted that the map had been amended to remove the sidewalk shown on NE 6th Street and NE 4th Street between 112th Avenue NE and I-405 given that there is in fact no sidewalk there. Ms. Helland pointed out that in elevation view, a sidewalk exists as part of the abutment for the NE 6th Street and NE 4th Street overcrossings, but the result would be a grade separation circumstance and difficulty in locating the sidewalk and the landscaping at the level of the adjacent development.

Ms. Byers said there are also landscaping and street tree requirements in the same area that would be difficult to deal with, but the code includes departures that are intended to deal with those kinds of issues.

With regard to a request made to increase the parking garage height from 40 feet to 55 feet to accommodate the topography of the OLB district, Ms. Byers said the draft code had been amended accordingly. Also removed was the requirement for active uses on 114th Avenue NE given how difficult it would be to accomplish in that location. The language changes were reflected on page 60 of the packet materials.

Ms. Byers said because 114th Avenue NE faces I-405, a line of parking garages there would be inappropriate. She said the draft code was revised to ensure that parking garages are compatible with the urban environment.

Commissioner Hilhorst commented that the area is unique given its topography, and an area where above-ground parking garages are likely to be seen. She asked if FAR could be gained by agreeing to create a park or open space at the top of a parking garage. She allowed that the desire for open space is generally at the ground level, but it would be nice to see more green from the freeway. Ms. Helland said feedback had been received against adding new amenities to the list to avoid diluting the places of primary focus. However, the flexibility amenity allowing for unique circumstances could be used to achieve a roof-top green space.

Ms. Byers addressed next the issue of maximum floorplates in the OLB. She noted that two people had asked to have an increase in the maximum floorplates. Currently, between 40 and 80 feet floorplates are limited to 22,000 square feet; the draft code increases the maximum to 30,000 square feet. The first request was to increase the maximum to 40,000 square feet. Above 80 feet, there is currently no maximum floorplate requirement given that the maximum height limit is

currently 75 feet. The draft code sets the maximum floorplate requirement at 20,000 square feet. The first request was to allow 22,000 square feet above 80 feet, or 20,000 square feet for technology uses. The second request was to allow more than 30,000 square feet above 80 feet, and 24,000 square feet at any height. Staff reviewed the request and suggested allowing a 20 percent increase in the maximum floorplate size between 40 feet and 80 feet; to require buildings to be separated by 40 feet; and to require a continuous separation between I-405 and 112th Avenue NE.

Chair deVadoss suggested the Commission would need some time to digest the staff-proposed approach.

MINUTES TO BE SIGNED

- A. January 25, 2017
- B. February 8, 2017

DRAFT MINUTES TO BE REVIEWED

- A. March 1, 2017
- B. March 8, 2017
- C. March 22, 2017

Given the lateness of the hour, Chair deVadoss postponed review of the minutes to the next meeting.

PUBLIC COMMENT

Mr. Karl Vander Hoek, 9 103rd Avenue NE, thanked the Commissioners for their due diligence. He noted that he had previously submitted written correspondence about parking. He suggested not changing or allowing departures from the current requirements until a parking study is done, though he agreed the loopholes should be closed. He said he was glad to see the tower definition change to 100 feet. He noted his support for the small site exception and going from 30,000 square feet to 40,000 square feet. The super bonus should be on the table because it would lead to a fire station, a downtown swimming pool, or a green lid on top of a parking garage, the outside-the-box things that can define the city for years to come. The 75 percent public open space amenity requirement should be reduced in open space bonus points to give more flexibility to projects attempting to achieve the maximum FAR but limited by parcel size. The flexible amenity should be administrative rather than legislative to encourage more creativity.

Mr. Ian Morrison with McCullough Hill provided the Commissioners with copies of a letter addressing the issue of active uses, which hopefully will be discussed at the Commission's next meeting. He stressed the need to provide flexibility and clarity in those uses. Plaza East at the corner of NE 8th Street, has struggled for some time in filling their ground floor space and the Commission was encouraged to take a look at the active uses language. The Council in 2016 approved an ordinance stating that certain service uses, such as banks and financial institutions, can be deemed active uses, and that is a good thing. The Commissioners were asked to think about other service uses that generate pedestrian activity and which achieve the goal of active uses.

Mr. Brian Franklin with PMF Investments, owner of the Sheraton site on 112th Avenue NE and Main Street, provided the Commissioners with copies of a letter that he said highlighted a few

issues to be addressed at the next meeting. He noted his support for the comments made by the Bellevue Downtown Association.

ADJOURN

A motion to adjourn was made by Commissioner Barksdale. The motion was seconded by Commissioner Walter and the motion carried unanimously.

Chair deVadoss adjourned the meeting at 10:17 p.m.