

May 18, 2015

## CITY COUNCIL STUDY SESSION ITEM

### **SUBJECT:**

Transmittal of Downtown Livability Citizen Advisory Committee (CAC) Recommendations Part 2.

### **STAFF CONTACTS:**

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### **POLICY ISSUES:**

The City Council launched the Downtown Livability Initiative in 2013 to update the Land Use Code for Downtown Bellevue. A Council-appointed Citizen Advisory Committee (CAC) was tasked with developing recommendations that built upon the City's successes and furthered the *Great Place Strategy* as articulated in the Downtown Subarea Plan:

*Great Place Strategy: To remain competitive in the next generation, Downtown Bellevue must be viable, livable, memorable, and accessible. It must become the symbolic as well as functional heart of the Eastside Region through the continued location 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.*

### **DIRECTION NEEDED FROM COUNCIL:**

Action  
 Discussion  
 Information

Tonight is a follow-up session to the January 20, 2015 Part 1 introduction to the CAC recommendations as contained in their Final Report (provided under separate cover). At the January 20 Council Study Session, staff was accompanied by CAC co-chairs Ernie Simas and Aaron Laing and jointly provided Council with highlights of the recommendations as well as an overview of the CAC process and community engagement. The meeting did not allow enough time to review all the CAC recommendations. Tonight's session will complete the presentation of the CAC recommendations and ask Council to provide direction on next steps.

### **BROADER LIVABILITY AGENDA:**

The current work on updating the Downtown Land Use Code through the Downtown Livability Initiative is part of a broader agenda to make Downtown more people-friendly, vibrant and

memorable, and add to the amenities that make for a great city center. This includes a wide variety of new and upcoming projects, programs and events in the categories shown below that provide on-the-ground examples of how the City and other participants are furthering livability in Downtown Bellevue beyond the Code update. See Attachment A – *Update on Broader Livability Agenda for Downtown Bellevue* for more detail.

- Safety and security
- Walkability/pedestrian comfort
- Schools
- Character
- Public transit
- Bicycle mobility
- Vehicular mobility
- Parks and open space
- Cultural facilities
- Entertainment/events
- Affordable/workforce housing
- Neighborhood services

### **DOWNTOWN LIVABILITY LAND USE CODE UPDATE:**

Council launched the Downtown Livability Initiative in 2013 to review specific regulations that guide development and land use activity in Downtown Bellevue. The scope of work and Council principles adopted in early 2013 focused on what had changed over the past few decades and how this effort should address livability (see Attachment B). The Downtown Land Use Code has not been significantly updated since its inception in 1981 and does not reflect changes to the Downtown Subarea Plan that occurred in 2004.

#### Advisory Committee

In spring 2013, Council appointed an advisory group to help guide this process. The 14-member CAC was co-chaired by Aaron Laing (Planning Commission) and Ernie Simas (Transportation Commission) and included representation from all City boards/commissions and the Bellevue Downtown Association, Bellevue Chamber of Commerce, small business and nearby neighborhoods, as well as an architect, a Downtown resident, and a City-wide representative.

The CAC began its work in May 2013. Committee meetings occurred monthly and were open to the public. From June through November 2013, the Committee conducted a thorough review of the existing Land Use Code through a series of “code audits” to understand what was working, what was not working, and where there was room for improvement. In January 2014, an “Alternatives Workshop” was held where the CAC provided guidance to staff on a range of alternatives and strategies to be evaluated as they formed their recommendations. Between March and June 2014, the CAC went through the analysis and evaluation for each topic and developed a set of recommendations.

#### Integration with Downtown Transportation Plan Update

Council received the Transportation Commission recommendation for the Downtown Transportation Plan on October 7, 2013 and, at that time, provided direction to implement the plan through policy and projects (for which Council has provided early implementation funding). The Downtown Livability CAC incorporated a set of “referrals” from the Transportation Commission’s work related to Code changes for sidewalk widths, landscaping, through-block connections, etc.

## Public Outreach

The Downtown Livability Initiative is currently at a mid-point in the overall process. Public outreach has engaged a broad spectrum of stakeholder communities, beginning in late 2012 with a large public open house and scoping meeting. During the CAC process, the community participated in open houses, focus groups and walking tours, and attended monthly CAC meetings which each had public comment opportunities at the beginning and end. In addition, dozens of presentations/discussions have been conducted to date with business, neighborhood and community groups regarding the Livability Initiative. The interested parties list currently stands at 868 individual email addresses. As noted below under “Next Steps,” another major round of public engagement will take place with work on detailed Land Use Code amendments.

## CAC Recommendations

The Downtown Livability CAC’s Final Report details the process, community engagement, and full set of recommendations developed by the group. The CAC’s report includes work on the following topics:

- Public Open Spaces
- Pedestrian Corridor
- Design Guidelines
- Amenity Incentive System
- Station Area Planning
- Building Height and Form
- Downtown Parking
- Other Topics (mechanical screening, food trucks, etc.)

The CAC recommendations represent the culmination of a significant body of work. It’s important to note that they represent a mid-point in the overall process. The CAC set a broad framework to move forward, with recognition that much additional work is needed to refine the recommendations, perform additional analysis, develop fine-grain Code language and design guidelines, and continue to engage the public.

## Non-Code Recommendations

The CAC report included a number of recommendations not related to the Land Use Code, under the heading “Other Recommendations.” While these were outside the group’s scope, the CAC felt it was important to comment on these items that complement the Code recommendations. Most of these involve funding priorities. They would not be included in the referral to the Commission, but could be considered in other venues such as the biennial CIP update.

## Re-cap of January 20 Council Meeting

On January 20, Council was able to review all the topics except “Building Height and Form” and “Downtown Parking”. A summary of Council comments at the meeting were:

- Ensure that there is a clear path to achieving desired results, whether it be public sector investment, incentives for the private sector, or a development requirement.
  - ***Staff response: The refinement and Code development process will clearly articulate how desired results are to be achieved.***
- The discussion of building height and form is a sensitive issue and will require robust analysis and discussion. Provide comparison of exiting code provisions versus CAC recommendations at next meeting.
  - ***Staff response: At the May 18 meeting, staff will begin to show recently-developed project-level comparisons of the CAC recommendations for height***

***and form versus what is allowed under the current code. This type of work will continue on through the analysis and refinement process.***

- Council has interest in a number of the new amenities suggested by the CAC to potentially incentivize through the Land Use Code, and wanted to make sure the City was set up to have consultant assistance for economic analysis and to look at different approaches to retool the incentive system.
  - ***Staff response: Staff reserved a majority of the consultant budget allocated for the incentive system economic analysis for use during the refinement process.***
- There is significant interest in many elements of the CAC recommendations. Update the public engagement strategy for this phase of the project to allow for robust community engagement.
  - ***Staff response: There will be a robust stakeholder and general public engagement process as the Livability Initiative moves forward. A next step includes a community “check-in” scheduled for June 11 at City Hall.***

The May 18 Council meeting will focus on the “Building Height and Form” and “Downtown Parking” topics.

### Building Height and Form

The Building Height and Form recommendations from the CAC direct further consideration of allowable building heights and/or density in six geographic areas of Downtown. Building height and density are sensitive subjects in any planning discussion. The CAC used the following principles to help guide their work on any potential changes to height and form:

- The additional height or density would result in a better urban design outcome than current zoning.
- Continue to distinguish the special market niche played by Downtown.
- Help deliver additional amenities that enhance the livability and character of Downtown.
- Address any impacts that may result from the additional height or density.
- Continue to provide for appropriate transitions between Downtown and adjoining residential neighborhoods, while promoting better and more complementary linkages.

Staff will walk Council through each of the CAC’s height and form recommendations using a comparison of what development would look like under current Code provisions versus the CAC recommendation (see Attachment C for an example). Early identification of anticipated outcomes for each of the CAC recommendations will be highlighted.

Once the Council referral is made to proceed with development of detailed Code amendments, it will be essential for the Commission and staff to consider the same principles noted above. Additional analysis and technical work will be needed, including consideration of tower design and separation, transition issues, effects at the pedestrian scale and larger scales, and mitigation of any localized traffic impacts.

### Downtown Parking

The Downtown Livability CAC spent considerable time discussing parking, but ultimately ended up deferring potential Code changes and recommended that a comprehensive Downtown parking study be done. Their recommendations included:

- Conduct a comprehensive parking study to include items such as on-street parking, potential for public garages, and opportunities for coordinated management of the parking supply such as valet or shared use, etc.
- Revisit parking Code to respond to changing needs of Downtown as East Link light rail nears completion (2021-23).
- Ensure Old Bellevue parking requirements are clear and applied consistently, and enforced.

Conducting a comprehensive parking study affecting the entire Downtown would be a very significant undertaking, and would likely be effective only with significant private sector partners and adequate staff and budget resources. Staff would be concerned about doing a study that “sits on the shelf,” and currently does not have the resources to effectively take on such a study.

Staff is aware of the concerns about the adequacy of parking to serve retail destinations in Old Bellevue. As in other parts of Downtown, it is generally a private sector responsibility to provide adequate parking for shops, restaurants, and other private uses. Recent parking developments in Old Bellevue include: some businesses increasing use of valet parking, shared parking and other techniques to more efficiently use the private parking supply; the City adding 25 new on-street parking spaces along 100th Ave NE; increased monitoring of construction parking impacts; and beginning the process to clarify an exemption from parking requirements for small restaurants and shops in Old Bellevue.

From a non-code perspective, the CAC also recommended the City explore a potential shared public parking facility for short-term/retail/visitor use to serve the Old Bellevue area. The CAC felt Old Bellevue has unique characteristics and associated needs that warrant a shared facility. In late 2014 and early 2015, staff studied options for a public/private partnership with the BDA and OBMA to address parking in Old Bellevue and Downtown Park. The results of this work were discussed at the April 13, 2015 City Council meeting. Given the importance of continuing to provide for open space and improved park functions in the growing Downtown, and a recognition that the park is providing adequate parking to meet park needs, Council gave direction to proceed with completion of the Park Circle, Inspiration Playground, and the park’s parking as planned. If a private entity comes forward to partner with the City for a parking study regarding Old Bellevue parking needs and funding of additional parking the City will consider this in the future.

**POTENTIAL NEXT STEPS:**

Staff is seeking direction from Council on the next steps to move the Livability Initiative forward. If the Council gives direction to proceed, the next steps would include the following:

City review process

The Planning Commission would be charged with overseeing the process to develop an updated Land Use Code and accompanying design guidelines to transmit back to Council for consideration for adoption. It is proposed that Planning Commission consult with other City boards and commissions on specific topics of common interest during their work.

*Additional technical work*

Additional technical work will be needed to develop the high-level CAC recommendations into detailed Code provisions. The following areas of additional analysis and related work have been identified; these are anticipated as part of the Commission and staff process:

- Additional analysis on specific details of building heights and form to determine precise standards and appropriate mitigation provisions, such as tower separation, transitions, protection of public view corridors, and building form.
- Development of new design guidelines, with illustrations that help convey the desired design intention.
- Development of clear direction on allowable departures from design guidelines and any other applicable Code provisions.
- Economic modeling needed to update the Amenity Incentive System.
- Transportation modeling needed to understand and address the impacts of potential changes in FAR, including equalization of residential and nonresidential FAR in the DT-MU district.
- Development of new Code text, integrating the Downtown Code into a single, well-integrated document.
- Completion of the environmental review process.

*Key Milestones*

Apr 22	Planning Commission walking tour of Downtown
Jun 11	Downtown Livability “Community Check-in”
Jun-Jul	Begin Planning Commission work (4 meetings)
Aug	Commission break
Sept-Nov	Continue Commission work (4-6 meetings)
Nov	SEPA determination published
Winter 2015	Public event and on-line open house, public hearing on proposed code and design guidelines
Spring 2016	Council consideration for adoption

Public engagement

Staff will lead a robust stakeholder and general public engagement process as the Livability Initiative moves forward. This will ensure that the updated Code considers and appropriately incorporates public input. A community “check-in” is scheduled for June 11 at City Hall to review the CAC recommendations as a starting point and to make sure the community has a clear understanding of engagement opportunities during Commission and adoption processes.

**DIRECTION REQUESTED AND STAFF RECOMMENDATIONS**

Staff is seeking Council direction tonight on the process for moving the CAC recommendations forward. As noted above, the following questions apply only to the Land Use Code recommendations of the CAC. This includes Council response to the following questions:

<b>Council Direction Requested</b>	<b>Staff Recommendation</b>	<b>Other Options</b>
<b>1. Is there any portion of the CAC recommendations that the Council would</b>	<ul style="list-style-type: none"> <li>• Develop draft Code amendments on the entire set of CAC Code</li> </ul>	a. Develop code recommendations on the entire set of CAC

<b>Council Direction Requested</b>	<b>Staff Recommendation</b>	<b>Other Options</b>
<p><b>table without further development, or refine before forwarding to Commission?</b></p>	<p>recommendations, with one refinement. Staff recommends that an FAR (floor area ratio) limit be placed on residential development in the Core that takes advantage of increased height, so that the height results in an improved urban form vs. simply a larger building. The FAR limit should be commensurate with what is likely to be achieved today under the current height ceiling.</p>	<p>recommendations without staff’s suggested refinement.  b. Develop code recommendations on portions of CAC recommendations as identified by Council.</p>
<p><b>2. Is there any portion of the CAC recommendations that the Council would reserve for its own work and not forward to the Commission?</b></p>	<ul style="list-style-type: none"> <li>• Forward the full set of CAC “code-related” recommendations to the Planning Commission.</li> </ul>	<ul style="list-style-type: none"> <li>a. During the Bel-Red code development process, Council reserved the incentive system for their review and development, and may choose to do the same for the Downtown incentive system.</li> <li>b. Other direction as identified by Council.</li> </ul>
<p><b>3. Is the Council ready to forward the CAC Code recommendations to the Planning Commission and staff, in order to develop a recommended package of Land Use Code Amendments?</b></p>	<ul style="list-style-type: none"> <li>• Forward the CAC’s Code recommendations to the Planning Commission and staff, with direction to develop a package of recommended Land Use Code amendments consistent with the Council’s Downtown Livability project principles and further guidance set forth below. The Commission would be asked to solicit input from other boards and commissions as appropriate,</li> </ul>	<ul style="list-style-type: none"> <li>a. Take additional time and solicit additional information prior to a decision on forwarding the CAC recommendations.</li> </ul>

Council Direction Requested	Staff Recommendation	Other Options
	<p>e.g. the Transportation Commission may be asked for input in incorporating transportation-related items, and the Parks Board on open space-related items.</p>	
<p><b>4. Is there additional guidance the Council chooses to provide the Planning Commission and staff as they proceed with development of Code amendments?</b></p>	<p>b. Provide additional direction to guide the next phase of work. The starting point is the set of Council Principles developed at the beginning of the Downtown Livability Initiative and still applicable. Following are some additional themes that staff has heard from Councilmembers:</p> <ul style="list-style-type: none"> <li>- Code amendments providing for greater height and/or FAR must result in better urban design outcomes, such as additional open space, views, and amenities.</li> <li>- Code amendments to the amenity incentive system should update the system to make it more effective in achieving today's livability outcomes.</li> <li>- Code amendments must include mitigation for potential undesirable impacts of changes.</li> <li>- Major additional stakeholder/citizen engagement must accompany the development of recommended Code amendments.</li> </ul>	<p>a. Provide no additional guidance beyond the principles adopted at the onset of the project.</p> <p>b. Provides additional guidance in addition to or other than that recommended by staff,</p>



**ATTACHMENT:**

- A. Update on Broader Livability Efforts for Downtown Bellevue
- B. Downtown Livability Initiative: Scope and Council Principles
- C. Example of on-going work regarding CAC height/form recommendations

**AVAILABLE IN COUNCIL DOCUMENT LIBRARY:**

Final Report: Downtown Livability Citizen Advisory Committee Recommendations