

CITY COUNCIL STUDY SESSION ITEM

SUBJECT

Continued discussion of Downtown Livability Citizen Advisory Committee (CAC) Recommendations

STAFF CONTACTS

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POLICY CONSIDERATION

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 to Council Study Sessions on January 20 and May 18, 2015 regarding the Downtown Livability CAC's recommendations. The CAC recommendations contained in their Final Report represent the culmination of a significant body of work, but are 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-grained Code language and design guidelines, and continue to engage the public. Council has now received a full briefing on all elements of the CAC recommendations, with tonight's session dedicated to Council discussion and development of direction to guide continued work on the CAC's recommendations.

BACKGROUND

Recap of May 18 Meeting

The May 18 Study Session focused on building height/form and parking, items that were not covered in the January Study Session. The larger questions involved the process for moving the Downtown Livability CAC recommendations forward for development and recommendations on

Code amendments. A series of questions were introduced to frame the Council discussion on this process. While Council's continued development of direction around these questions is the focus of tonight's study session, staff has captured the following points as areas of consensus that emerged from discussion on May 18:

- In examining potential changes in building height and form, consider the effects on views, light and air from both public and private spaces (relates to Question #4 in table below).
- Residential FAR associated with added height in the Core O-1 District should be limited to that which can be achieved under today's building envelope, so that the effect of greater height would be a change in building form as opposed to larger buildings. Currently, density/FAR is "unlimited" in the O-1 District for residential. (Relates to Question #1 in table below.)

Council also asked for options be brought to them before their August break relating to the CAC recommendation to conduct a comprehensive parking study for the entire Downtown. Currently not programmed in the City's budget, a comprehensive parking study would be a very significant undertaking, and would likely be effective only with significant private sector participation and adequate staff and budget resources. Staff will develop additional information about scope, timing, costs and other considerations as requested.

On May 18, the Council also had some discussion of "fast-tracking" a Code amendment to clarify the parking exemption in Old Bellevue for small retail and restaurants in "existing" buildings. Staff noted that Development Services is already administering the Code to apply this exemption only to buildings in place prior to 1998. Council asked for staff to return with a comparison of different process options for formalizing this provision. These options are set forth in more detail in Attachment B.

A Code amendment reflecting this interpretation could be processed on its own, but involves significant overhead. Every Code amendment, no matter its size, must go through a series of formal processes, including public notice, a staff report, a public hearing, state notification, etc. Our past practice has been to bundle Code amendments to address cost and efficiency, convenience for impacted stakeholders, as well as the priorities of other Code amendments in the docket. Land Use is proposing a near-term solution for the Old Bellevue parking exemption involving issuance of a formal Code interpretation. This involves a requisite public notification and is a formalized process with clear certainty and transparency, with an effort that falls short of processing a full Code amendment on its own. An interpretation of the Land Use Code has the same effect as any provision of the Code. This code interpretation approach would allow for the technical code amendment to proceed with the overall Livability package as it moves through the process with the Planning Commission and Council.

The full packet materials from Council's May 18, 2015 Study Session on this topic are attached for reference.

SPECIFIC QUESTIONS FOR COUNCIL

Tonight's Council discussion is anticipated to focus on developing guidance for continued processing on the Land Use Code related portions of the CAC recommendations. The following

questions are re-printed from last week’s packet, and apply only to the Code recommendations of the CAC. Once the Council completes its work on guidance for further development of the CAC recommendations, those portions transmitted to the Planning Commission would proceed through the typical code amendment process to update provisions of the Code and accompanying design guidelines for transmission to Council for consideration and adoption. It is proposed that the Planning Commission consult with other City boards and commissions on specific topics of common interest during their work.

There was insufficient time on May 18 to conclude the Council discussion, and the request was made to bring this item back for further Council deliberation at the earliest opportunity. The Mayor noted in summary that more Council time is needed to review the issues and ensure that staff and the Planning Commission have good direction in proceeding.

The questions around the amenity system and appropriate guidance for moving that work forward is the most complex portion of the CAC’s code recommendations given they system’s connection to development economics. This topic may require additional discussion, while other portions of the CAC’s work may be ready to move forward. One option for moving forward (now added to Question 3 below) is to refer those portions of the CAC’s recommendations that have adequate guidance to the Planning Commission, so that work can begin on this partial list now. Council can continue deliberation as needed on the remaining CAC recommendations and forward those when final guidance is developed. For example, if the Council wished to take additional time in reviewing the incentive system and/or building height, other items could be referred now that are not closely tied to these matters. The Planning Commission could proceed with:

- Project orientation, overall review of existing Code and CAC report
- Pedestrian Corridor
- Design guidelines
- Other miscellaneous topics such as uses, food trucks, etc.

Council Direction Requested	Staff Recommendation	Other Options
<p>Question #1: Is there any portion of the CAC recommendations that the Council would table without further development, or refine before forwarding to Commission?</p>	<ul style="list-style-type: none"> • Develop draft Code amendments on the entire set of CAC Code 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 	<ul style="list-style-type: none"> a. Develop code recommendations on the entire set of CAC recommendations without staff’s suggested refinement. b. Develop code recommendations on portions of CAC recommendations as identified by Council.

Council Direction Requested	Staff Recommendation	Other Options
	the current height ceiling.	
<p><u>Question #2:</u> Is there any portion of the CAC recommendations that the Council would reserve for its own work and not forward to the Commission?</p>	<ul style="list-style-type: none"> • Forward the full set of CAC “code-related” recommendations to the Planning Commission. 	<ul style="list-style-type: none"> 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. b. Other direction as identified by Council.
<p><u>Question #3:</u> 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?</p>	<ul style="list-style-type: none"> • 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, e.g. the Transportation Commission may be asked for input in incorporating transportation-related items, and the Parks Board on open space-related items. 	<ul style="list-style-type: none"> a. Take additional time and solicit additional information prior to a decision on forwarding the CAC recommendations. b. Refer a portion of the CAC’s recommendations now to the Planning Commission, so that work can begin on this partial list, while the Council takes additional time as needed to review the remaining CAC recommendations.
<p><u>Question #4:</u> Is there additional guidance the Council chooses to provide the Planning Commission and staff as they proceed with development of Code amendments?</p>	<ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> - Code amendments providing for greater height and/or 	<ul style="list-style-type: none"> a. Provide no additional guidance beyond the principles adopted at the onset of the project. b. Provides additional guidance in addition to or other than that recommended by staff.

Council Direction Requested	Staff Recommendation	Other Options
	<p>FAR must result in better urban design outcomes, such as additional open space, views, and amenities.</p> <ul style="list-style-type: none"> - Code amendments to the amenity incentive system should update the system to make it more effective in achieving today’s livability outcomes. - Code amendments must include mitigation for potential undesirable impacts of changes. - Major additional stakeholder/citizen engagement must accompany the development of recommended Code amendments. 	

ATTACHMENTS

- A. Reprint of packet materials on this topic from May 18, 2015 Council meeting
- B. Process options for clarifying Old Bellevue parking exemption

AVAILABLE IN COUNCIL DOCUMENT LIBRARY

Final Report: Downtown Livability Citizen Advisory Committee Recommendations