

CITY COUNCIL STUDY SESSION

Land Use Code Amendment (LUCA) for the East Main Station Area. File No. 17-125852-AD.

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DIRECTION NEEDED FROM COUNCIL**DIRECTION**

Tonight is the seventh in a series of study sessions for Council to consider the remaining topics for the draft LUCA, a new Part 20.25Q in the Land Use Code (LUC), for the East Main Station Area. Staff will present information on topics related to building height, minimum housing, affordable housing fee-in-lieu, floor plate size, and exceptions for expansions of existing uses. Following discussion, staff seeks direction on these topics for incorporation in the LUCA.

RECOMMENDATION

Direct staff to incorporate staff recommendations for building height, minimum housing, affordable housing fee-in-lieu, floor plate size, and exceptions for expansions of existing uses.

BACKGROUND & ANALYSIS

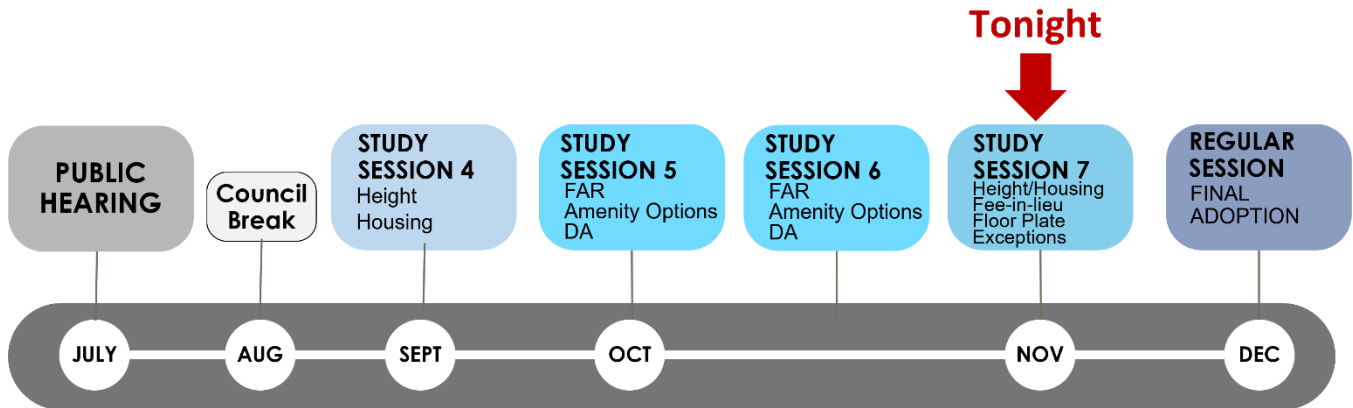
The East Main LUCA is the culmination of a City-initiated planning process for the East Main Transit Oriented Development (TOD), which implements the vision, goals and policies in the East Main Comprehensive Plan Amendment (CPA) as adopted by Ordinance No. 6545 in May 2019. The draft LUCA (Attachment A) establishes requirements, standards, and design guidelines for land uses, height and form, Floor Area Ratio (FAR), the amenity system, landscaping, parking, street and pedestrian circulation, pedestrian bridge, and other development elements for the East Main TOD; and rezones parcels to two new EM-TOD-H and EM-TOD-L Land Use Districts.

LUCA Timeline

This is the seventh study session for Council to review the remaining topics relating to the East Main LUCA. Council discussed some of these topics—building height and minimum housing—on September 13, and this study session is a follow up to confirm Council direction. This study session also includes the remaining topics of affordable housing fee-in-lieu for nonresidential and residential, floor plate size, and exceptions for expansions of existing uses.

The complete list of topics identified by Council for review is in Attachment B. This list documents Council direction and feedback and is color-coded to indicate the topics Council has given direction on (green); topics that require confirmation (yellow); and topics that are being introduced for discussion

(orange). The previous list of stakeholder requests published for the July 26 public hearing is also included for reference as Attachment C.



Proposed Council Meeting Schedule

	Council Meeting Date	Topics
<input checked="" type="checkbox"/>	Study Session 4 September 13	<ul style="list-style-type: none"> • Building height • Minimum housing • Affordable housing
<input checked="" type="checkbox"/>	Study Session 5 October 4	<ul style="list-style-type: none"> • FAR • Amenity incentive options • Development Agreement
<input checked="" type="checkbox"/>	Study Session 6 October 18	<ul style="list-style-type: none"> • FAR • Amenity incentive options • Development Agreement
<input checked="" type="checkbox"/>	Study Session 7 November 15	<ul style="list-style-type: none"> • Building height • Minimum housing • Affordable housing fee-in-lieu • Floor plate size/stepback • Exceptions for existing uses
	Regular Session December 6	<ul style="list-style-type: none"> • Final Adoption

Topics for Discussion

At the October 18 Study Session, the Council considered and provided direction on FAR, amenity incentive options, and development agreement (DA). Of note, Council directed the use of DAs to depart from the East Main Chapter. The DA is a mechanism by which the City may, when appropriate, enter into a contract with a person or entity who owns or controls property in East Main prior to approval of a specific development project. The DA is processed by the City Council and requires a public hearing prior to approval. DAs are intended to balance the public and private interests and provide reasonable certainty for a development project and the public.

Council also directed that a DA could provide departures from the East Main LUC only in exchange for additional affordable housing and other public benefits beyond what would be required or incentivized in the East Main LUC. In other words, and in the context of the East Main TOD, the DA would advance the East Main CPA vision, goals, and policies; generate additional affordable housing in connection with private development beyond the underlying affordable housing provisions memorialized in the East Main LUC; and create an opportunity for additional public benefits in exchange for a departure from the East Main LUC provisions.

Based on Council's direction and as reflected in the discussion below, staff suggests setting baseline development standards as recommended, including for the remaining topics for discussion related to building height, minimum housing, affordable housing amenity, and fee-in-lieu option for East Main, because stakeholder requests can be accommodated through a DA.

Building Height and Housing

The City-wide building height planning framework includes the tallest towers in Bellevue located in the Downtown core and knits together abutting land use districts with building height transitions that are sensitive to and complement the surrounding context. For East Main, this includes planning for the tallest buildings near Downtown and Interstate 405 and buildings becoming progressively lower in height at the west edge of the TOD, near Surrey Downs. The high-rise buildings in East Main will relate in height and scale to Downtown Bellevue and are respectful of the tallest towers in the Downtown core. As discussed below, both the draft LUCA and staff's recommended adjustment maintain a maximum building height that is consistent with this City-wide building height planning framework and respectful of the Surrey Downs neighborhood to the west.

The East Main TOD presents a great opportunity to increase and diversify the City's overall housing stock and contribute towards balancing job and housing growth. Based on regional growth projections, the City expects to add 35,000 new housing units and 70,000 new jobs over the next 23 years. The draft LUCA estimates that 1,200 to 1,500 new households can locate in East Main with the increased zoning capacity. The need for housing in the City, particularly affordable housing options, has been identified as an essential component in the draft LUCA and is critical to implementing the vision, goals, and policies in the East Main CPA. The draft LUCA also ensures that housing and affordable housing is sited within this transit-rich neighborhood.

As summarized in the table below, two available options are in front of Council: (A) the current draft LUCA; and (B) recommended option for increased maximum building height and additional affordable housing requirement. In addition to these two options and for Council's reference, the table also includes the stakeholder requests for further increased maximum building height and reduced housing and affordable housing requirements.

On September 13, Council indicated that higher heights should come with requirements of more housing and affordable housing, and other public benefits. It is worth noting that while the height limit is increased throughout the East Main TOD-H land use district, limits to FAR and floor plate sizes mean that not every portion of the land district can be developed as a high-rise. More information and analysis on these options and further requests may be found in the memorandum for the September 13 study session.

Building Height and Housing			
Packaged Options	Maximum Building Height	Minimum Housing Requirement	Affordable Housing Incentive
Option A	230'/250' w/ mech	30% ≈ 1,298 units	First 75% of public amenity ≈ 70 units
Option B: Recommended	300'/320' w/ mech	35% ≈ 1,515 units	First 80% of public amenity ≈ 87 units

Stakeholder Request*	400'/420' w/ mech (along 114th, Main) 160'/180' w/ mech (middle) 90' w/ mech (112th)	20% ≈ 865 units	First 75% public amenity ≈ 46 units
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*Request revised September 13 and is contingent upon allowance for 400' building height, 5.3 FAR, and nonresidential floor plate of 26,000 gsf/f above 80'

Affordable Housing Fee-in-Lieu Option

Council has directed staff to include Affordable Housing as a first-tier amenity for residential development to help meet the City's affordable housing need and has indicated an expectation that the developer provides Affordable Housing within East Main (on-site performance). There is community benefit to having a closer connection between the development of market rate housing and siting of affordable housing in this transit-rich neighborhood. Thus, staff recommends Option B—the draft LUCA to include on-site performance of Affordable Housing with no Affordable Housing fee-in-lieu option for residential development.

Stakeholders have asked to include an Affordable Housing fee-in-lieu option for residential development. Given the significant need for affordable housing to be built within the East Main TOD, which is very close to transit and the City's job centers, providing a fee-in-lieu option may result in fewer affordable units in East Main. Therefore, staff does not recommend an Affordable Housing fee-in-lieu option for residential development.

Stakeholders have also asked to include an Affordable Housing fee-in-lieu option for nonresidential development. In previous discussions, Council has expressed an interest in this amenity option to be included as a first-tier amenity, along with open space, potential streets, child-care, performing arts space, and pedestrian bridge, to potentially generate additional affordable housing. Staff recommends Option B—amending the draft LUCA to include an Affordable Housing fee-in-lieu amenity option for nonresidential development and suggests using the BelRed framework for a fee-in-lieu option for nonresidential development.

Affordable Housing Fee-in-Lieu		
Packaged Options	Residential	Nonresidential
Option A (Draft LUCA)	No fee-in-lieu option	No fee-in-lieu option
Option B: Recommended	No fee-in-lieu option	Fee-in-lieu option
Stakeholder Request	Fee-in-lieu option	Fee-in-lieu option

Floor Plate Size/Stepback

The established floor plate framework in the City provides for flexible building design while addressing how pedestrians experience a high-rise building and how it is viewed from a distance. This framework creates three distinct parts of a tower – base, middle, and top – through varied floor plate sizes at different points of the building height with stepbacks in the base. The pedestrian experience is emphasized at the base, with stepbacks as a defining element for the adjacent public realm. As a building gets taller, the floor plates reduce in size to form slender towers made up of three distinctive parts. This framework enhances the image of the City through porosity of natural light, air, and the promotion of sky views.

Staff recommends Option A – the current draft, which manages building bulk, shadows, and the pedestrian experience while allowing design flexibility and floor plan efficiencies. Limits to floor plate size and the use of stepbacks help reduce bulk, create an appropriately scaled street wall, and allow for ample light and air within the TOD. These types of limits have been successfully implemented elsewhere in Bellevue, including Downtown and BelRed, with positive results for development and the City.

There is a close relationship between floor plate size, height limits and FAR that determine the size of a high-rise building. Typically, buildings with large floor plates will reach the maximum FAR limit before reaching the maximum building height limit. For example, to reach the maximum building heights contemplated in the table above (230' or 300'), a typical development would need to reduce the floor plate size to around 20,000 square feet or less to achieve the maximum building height and take advantage of the maximum FAR.

Stakeholder Wig Properties has advocated for further increased floor plate sizes and no stepback requirement for residential projects. They have suggested that these changes are necessary to make their envisioned project feasible, incentivize residential development, and maximize density on their site.

At the October 18 Study Session, Council directed staff to include the DA option to allow consideration of departures from the draft LUCA in exchange for affordable housing and other public benefits. Council expressed an intent to use the DA as a mechanism for allowing the stakeholder's envisioned project to depart from the draft LUCA while still setting baseline development standards and guidelines for the remaining TOD. Given this direction, staff does not support the stakeholder requests for further

increased floor plate sizes and no stepback requirement because these departures might potentially be accommodated through the DA process.

Floor Plate Size/Stepback		
Packaged Options	Floor Plate Size (Nonresidential)	Floor Plate Size (Residential)
Option A: (Draft LUCA/ Recommended)	15' Stepback Between 25'-40' (except 112th) Floor Plate Above 40': 30,000 gsf/f Above 80': 20,000 gsf/f	15' Stepback Between 25'-40' (except 112th) Floor Plate Above 40': 20,000 gsf/f Above 80': 13,500 gsf/f
Stakeholder Request	Same as above, except: Above 80': 26,000 gsf/f	Same as above, except: No stepback Unlimited Floor Plate to 80'

Exceptions for Expansions of Existing Athletic Club and Accessory Hotel Use

This East Main LUCA will establish requirements, standards, and design guidelines for land uses, height and form, FAR, the amenity system, landscaping, parking, street and pedestrian circulation, and other development elements to implement the vision, goals and polices in the East Main CPA. These requirements, standards, and guidelines would apply to new developments and substantial renovations and additions.

Stakeholder Bellevue Athletic Club has asked that an exception to these requirements, standards, and guidelines for expansions of existing uses and developments. The Bellevue Athletic Club intends to expand its athletic club and accessory hotel facilities, and many of the district-specific requirements, standards and guidelines in the draft LUCA, including minimum housing, Ground Floor Uses, and Open Space would be inconsistent with the Club's operation and business model, and problematic to accomplish.

In previous discussions, Council has expressed support for the Bellevue Athletic Club's exception request. To achieve Council's interest, staff recommends exempting expansions of the Bellevue Athletic Club and accessory hotel up to the Base FAR from most requirements, standards, and guidelines. Staff suggests only applying design review guidelines and other appropriate standards to ensure that future expansions are consistent with the design character of the East Main TOD.

Exceptions for Expansions	
Packaged Options	Exceptions for expansions of existing uses and developments
Option A (Draft LUCA)	<ul style="list-style-type: none"> No exceptions to requirements for minimum housing, Ground Floor Uses, and Open Space for expansions of existing uses and developments
Stakeholder Request	<ul style="list-style-type: none"> No requirements for minimum housing, Ground Floor Uses, or Open Space for expansion of the athletic club/hotel, up to the Base FAR

Affirmative Allowance for Below-Grade Parking Garage

The draft LUCA uses the same requirements as the Downtown Code, Part 20.25A LUC, in regulating below-grade parking garages, which are highly prevalent in Downtown. Stakeholder Wig Properties has asked for language to be added to the draft LUCA to provide an affirmative allowance for constructing below-grade parking garages in East Main. While staff believes this affirmative allowance is unnecessary, amending the draft LUCA to add an affirmative allowance for constructing a below-grade parking garage when in compliance with all other codes and standards can be relatively easily accommodated, if directed by Council.

Public Engagement

Staff has executed a public engagement plan with three modes of outreach to ensure that community members and neighbors, property owners, and all stakeholders and interested parties have the opportunity to stay informed and to provide comments.

- A. Process IV Requirements. The LUCA process is following the Chapter 20.35 LUC procedural requirements to provide opportunities for public comment.
- B. Direct Engagement and Feedback. Dialogue with stakeholders has been ongoing. Stakeholder input has informed the draft LUCA completed in December 2020, as well as the modified draft LUCA included as Attachment A. Stakeholders include the following groups:
 - Wig Properties
 - Bellevue Athletic Club
 - Surrey Downs Neighborhood Association
 - J & J Bellevue
- C. Online Presence. Staff is continuing to update the East Main webpage to inform the public about this LUCA.

POLICY & FISCAL IMPACTS

Policy Impact

The proposed draft LUCA creating a new Part 20.25Q LUC will implement the vision and policies adopted in the CPA for the East Main Station Area.

Fiscal Impact

There is no fiscal impact associated with implementing this proposed LUCA.

OPTIONS

1. Direct staff to incorporate staff recommendations for building height, minimum housing, affordable housing fee-in-lieu, floor plate size, and exceptions for expansions of existing uses.
2. Provide alternative direction to staff.

ATTACHMENTS & AVAILABLE DOCUMENTS

- A. Draft LUCA, Part 20.25Q LUC
- B. Stakeholder Requests and Topics Noted by Council with Possible Adjustments

C. June 28 List of Stakeholder Requests

AVAILABLE IN COUNCIL LIBRARY

East Main Economic Analysis Report, December 10, 2020

East Main Ordinance No. 6465, May 20, 2019