



March 8, 2017

City of Bellevue Planning Commission
Bellevue City Hall
450 110th Ave NE
Bellevue, WA 98004

RE: BDA Recommendations for Downtown Livability - Downtown Land Use Code Amendment

Dear Chair deVadoss and Commissioners:

The Bellevue Downtown Association continues active engagement in the Downtown Livability Initiative, representing our Downtown Land Use & Livability Strategy and encouraging member involvement and stakeholder feedback to help shape a positive outcome for the city.

The BDA has tracked the amendment process every step of the way, with members engaging in study sessions of the Commission's packet materials, meeting with City staff, reviewing the BERK economic analysis, participating in the ULI Technical Advisory Panel, and carefully examining the Draft Code. We believe the Draft Code reflects many improvements sought by the community, including:

- Flexibility in standards and process to promote high quality design.
- Illustrated design guidelines and updated definitions.
- Recalibrated FARs and heights with incentive zoning to sustain economic growth, increase housing options and enhance the downtown experience with desired public benefits.

We support the current direction of the Draft Code and urge adoption of the attached BDA recommendations to address Council Principles and the CAC report, avoid downzone issues, and strengthen a simplified, market-ready code. For further study by the Commission, we note two additional concepts that may encourage additional development near light rail stations serving the Downtown core.

We're encouraged by the recent momentum to complete the Code, but we stress the importance of getting it right. The community needs a Code that attracts project investments consistent with growth plans, generates economic value for the city, and enhances the livability of downtown as a major urban center. We're on the right path, and now we need to finish with the best possible Code for Downtown Bellevue.

Thank you for your time, leadership and commitment to this initiative and for hosting a public hearing on this important subject. We appreciate your collaboration on this effort.

Sincerely,

A handwritten signature in black ink, appearing to read "Irene Plenefisch".

Irene Plenefisch, BDA Board Chair

A handwritten signature in black ink, appearing to read "Patrick Bannon".

Patrick Bannon, BDA President

A handwritten signature in black ink, appearing to read "Brian Brand".

Brian Brand, Co-Chair
BDA Land Use & Livability Committee

A handwritten signature in black ink, appearing to read "Warren Koons".

Warren Koons, Co-Chair
BDA Land Use & Livability Committee

BDA Recommendations for the Downtown Land Use Code Amendment

1. **Set the new base FARs and heights at 90% of the new maximums.**
 - Establishes clear, consistent, predictable standards across districts.
 - Prevents downzone conditions, consistent with City Council principles.
 - Promotes livability with new standards, design guidelines for tall buildings, and public amenities.
 - Supports the City's land use policy and vision for growth.
 - Applies to districts and building types where the proposed basic FARs and heights are shown below 90% of the proposed maximums.
 - Increasing base heights to 90% of maximum complements the increase to base FARs.
2. **Allow administrative approval of the Flexible Amenity (#18),** within the proposed FAR and height maximums.
 - Provides a process incentive to pursue creative project designs and a significant public amenity.
 - Consistent with the City Council principle for an "off ramp" opportunity.
3. **Provide an option for a project to apply for and receive additional FAR or height** (referred to earlier as a "super bonus") beyond maximums through a Development Agreement/Council departure process.
 - The public benefit(s) through the amenity must be deemed significant.
 - The bonus would be no greater than 1.0 FAR beyond the maximum and/or a certain percentage of a project's total height.
 - Requires extensive review and additional risk for the applicant.
4. **Advance the Affordable Housing FAR Exemption** in the Downtown LUCA package.
 - Seek City Council direction and keep the Downtown LUCA process on schedule.
 - Allow administrative departure flexibility for additional height, i.e. to ensure a bonus of 1.0 FAR can be realized consistent with new guidelines.
 - Match the affordability timeframe to the construction type and expected lifespan of the structure.
 - Enable combined use with the City's Multi-Family Tax Exemption.
5. **Provide additional height flexibility in perimeter overlay districts,** specifically allowing projects to reach 70 feet in certain areas of the existing A-1 Overlay District.
 - Enables fuller utilization of floor area for additional housing and public amenities, incorporating 5-over-1 and potentially 5-over-2 construction.
 - Requires stepback(s) to reduce the effective building scale along NE 12th.
 - Adds a design guideline with exhibit to provide an example of this stepback.
6. **Remove the proposed 40-foot setback requirement** from internal property lines. Keep the standard at 20 feet to support project feasibility and avoid severe limitations to a project site's potential.

7. **Reduce the fee-in-lieu exchange rate** to match the bonus amenity exchange rate. Benchmark performance and usage and adjust the fee over time if needed and as market evolves.
8. **The BDA recommends a thorough transportation study** to ensure the City's transportation network can support the changes reflected in the Downtown Land Use Code Amendment.
 - Keeps the Downtown LUCA process on schedule.
 - Findings to inform the City's next update to the Downtown Transportation Plan, and the anticipated Downtown Comprehensive Parking Study.
 - Reinforces integration of transportation planning with Downtown's land use vision and support to improve mobility and livability.
 - Responds to Planning Commission, Transportation Commission and community questions about the effects of zoning changes on traffic congestion.
9. **Land Use Code and Development Process Improvements:**
 - Add an optional early design guideline review process where an applicant can provide conceptual drawings or a model to City staff and receive feedback within a short, established amount of time.
 - Memorialize the expectation to revisit the amenity list and bonuses periodically, e.g., no less often than every five years, make appropriate adjustments, and keep current with changes in the market, building technology, etc.
 - Incorporate additional process/departure flexibility for tower spacing requirements; the City staff's current draft proposal for 80 feet will limit project feasibility on many sites. Spacing could be averaged or modulated for the lot size and tied to actual project impacts.
 - Include enhanced digital street views in the toolkit the City uses for its design review process.

Additional Concepts Developed by the BDA Land Use and Livability Committee for Further Study

1. **Support density near Downtown light rail stations.** Consider additional increases in maximum FAR and heights in Downtown districts, including:
 - 1.0 FAR increases within one-quarter mile of the Bellevue Downtown Station
 - 0.5 FAR increases within one-quarter mile of the East Main Station.
 - Encouraging additional density near rail stations is a standard best practice recognized in markets across the nation.
2. **Reduce minimum parking ratios near light rail stations.** Consider a reduction of 0.5 stalls per residential unit and comparable reductions for other uses within one-quarter mile of the Bellevue Downtown and East Main light rail stations. This provision could be conditioned on a parking and/or transportation study.