



MEMORANDUM

DATE: September 8, 2010

TO: Chair Ferris and Members of the Planning Commission

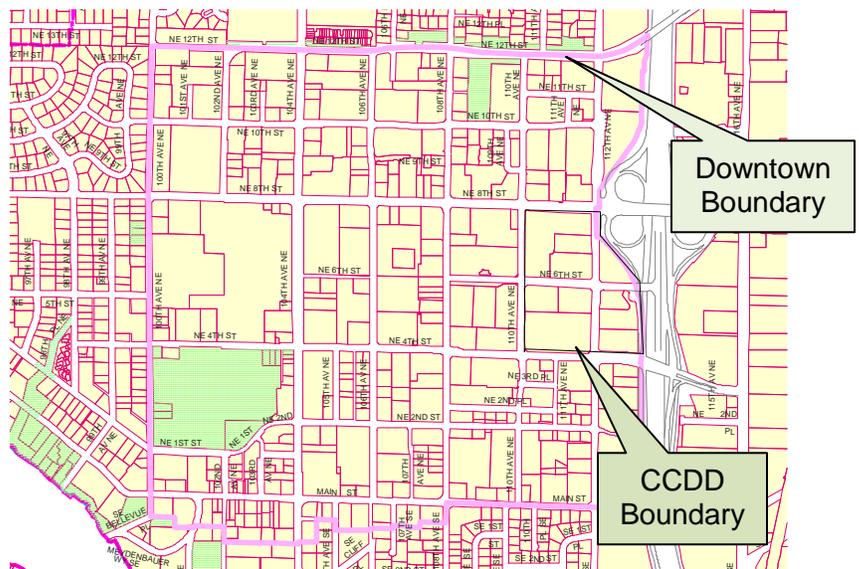
FROM: Liz Stead, Planning Manager, DSD, 425-452-2725
Ken Thiem, Senior Planner, DSD, 425-452-2728

SUBJECT: Floor Plate/FAR Land Use Code Amendment (LUCA)

GENERAL

At the Planning Commission meeting on September 15th staff will review the Land Use Code (LUC) development standards that apply to cultural facilities located outside of the Civic Center Design District (CCDD) in light of the Comprehensive Plan goals and policies.

The CCDD, shown at right, has a total area of about 25 acres and is mostly developed. The CCDD's development standards support conference, cultural and exhibition facilities. To accommodate such uses building floor plate size per floor above 40-feet in height may be unlimited. Nonresidential uses outside the CCDD are limited to between 12,000 and 24,000 gross square feet per floor (gsf/f) above 40-feet in height (20.25A.020.A.2).



The Director of the Development Services Department (DSD) is proposing a LUCA to modify the development standards for certain uses located outside the CCDD. The objective is to implement Comprehensive Plan policy changes that were adopted as part of the Downtown Implementation Plan (DIP) work completed in 2004. No action is required of the Planning Commission at this point; staff is requesting your feedback on the proposed LUCA and the draft code language, and if possible the setting of a public hearing date. After a public hearing, staff would return to the Planning Commission for development of a recommendation to Council on the proposed LUCA.

BACKGROUND

The CCDD was established by Ord. 4038 on July 31, 1989. It was created to implement the Downtown Subarea policies concerning the Special Opportunity Area, by providing specific standards for the development of cultural, conference and exhibition facilities and other uses as envisioned by the City's policies. Over time, Downtown development and the goals and polices for Downtown have evolved. The CCDD is approximately eighty percent (80%) developed.

Although the subarea's policies support additional development, there is limited potential for the CCDD to accommodate new large-scale development of cultural, conference and exhibition uses.

Beginning in 2001, staff worked with Bellevue residents and business interests to strengthen the community's vision of Downtown. This effort culminated with a Comprehensive Plan amendment and new policies to enhance Downtown livability. The amendment resulted in the designation of 106th Avenue NE as the "Entertainment Avenue," and new subarea policies to enhance Downtown livability:

Policy S-DT-1. Emphasis shall be placed on Downtown livability, with provisions made for the needs, activities, and interests of Downtown residents, employees, shopper and visitors.

Policy S-DT-5. Organize Downtown to provide complementary functional relationships between various land uses.

Policy S-DT-9. Provide bonus incentives (related to permitted intensity, height, etc.) for private developments to accomplish the public objectives outlined in this plan.

Policy S-DT-11. Encourage the development of major civic, convention, and cultural uses within Downtown.

Policy S-DT-14. Encourage visual and performing arts organizations to locate Downtown.

PROPOSED LUCA

There is a nexus between Downtown livability and certain uses which typically have floor plate size/FAR which exceed the current limits allowed outside of the CCDD. Such uses may include art galleries, museums and performing arts theaters. All such uses are supported by the goals and policies for the Downtown Subarea. And some of these uses are more appropriately located within the Downtown Core, near 106th Avenue NE, which is designated by the Comprehensive Plan as "Entertainment Avenue." This LUCA is necessary to accommodate facilities that would appropriately be located on or near Entertainment Avenue, but cannot meet the floor plate and FAR limitations within the current code.

ONE EXAMPLE

The proposed Tateuchi Performing Arts Center, shown at right, is one example of a use that is appropriately located in the Downtown core and is proposed on the "Entertainment Avenue." The internal building function necessitates that the permitted FAR and floor plate size above 40-feet and 80-feet in height exceed the maximum allowed outside the CCDD in order to accommodate the functional needs of a performing arts use.



INTERIOR VOLUME

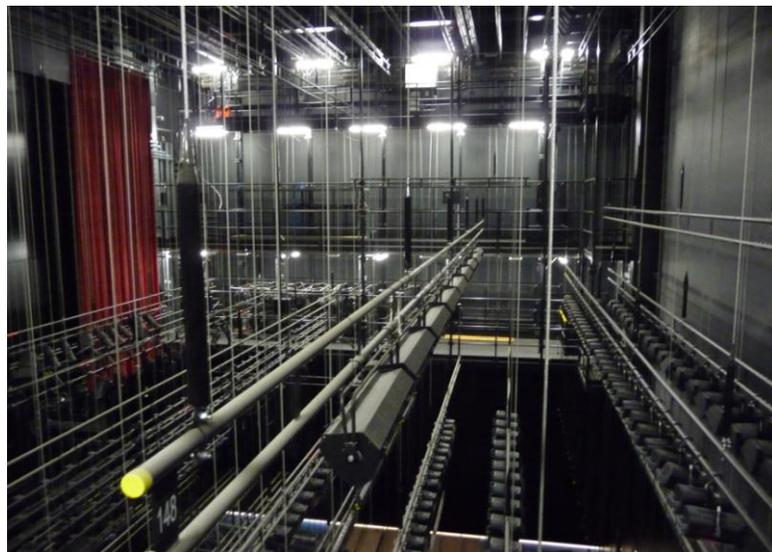
Tateuchi Center's interior volume is driven by technical requirements and design objectives related to sound reverberation, lighting angles, video projection and patron sight lines. In

addition, the auditorium has catwalks that serve theater activities and houses speakers and other technical equipment. Lastly, a fly loft, the tall empty volume above the stage, is necessary for theatrical rigging associated with the production sets. A similar LUCA was proposed and adopted to accommodate fly loft space in performing arts buildings proposed with Bellevue School District's capital reconstruction project. Five (5) performing arts buildings have been added to Bellevue high schools since that LUCA was adopted in 2003, and these spaces have become community assets that enhance neighborhood livability. The currently proposed LUCA would provide the same flexibility for performance spaces proposed in appropriate locations of the Downtown outside the CCDD. Images of the Center's interior are provided below.



The image at [left](#) is a section/ elevation of the proposed interior volume for Tateuchi Center.

The image at [right](#) shows the interior volume required for rigging above the Tateuchi Center's stage.



SUMMARY OF PROPOSED LUCA

The proposed LUCA would allow art galleries, museums and performing arts uses to have additional FAR and unlimited floor plate sizes up to 120-feet in height. The exception from the floor plate limitation is necessary to accommodate the spatial needs/equipment functionality related to these uses. The proposed LUCA would apply to sites outside of the DNTN-OB zone and the Downtown Perimeter Design District; to projects that are consistent with the

Building/Sidewalk Design Guidelines for “A” rights-of-way, and to performing arts uses with live events. Proposed code language to accommodate these large-scale cultural, conference and exhibition uses is provided in Attachment A.

NEXT STEPS

If staff have adequately answered questions of the Planning Commission following the discussion on September 15th, we ask that a public hearing be scheduled and that the Planning Commission continue processing of this proposed amendment.

Attachment A

This is a summary of the suggested revisions to the Land Use Code (LUC) to allow Performing Arts and Cultural uses to locate in Downtown outside of the Civic Center Design District (CCDD).

A. LUC 20.25A.020 footnote 9 references subsection B for exceptions to the maximum building floor area per floor above 40-foot requirement. We started there by adding item “e,” followed by qualifying statements and restrictions:

- e. *Performing Arts Center and Other Cultural Uses may have unlimited floor area up to 120-feet in height, measured from average finished grade, provided that:*
- i. *The proposal site is not located in the DNTN-OB Zone, or the DNTN Perimeter District; and*
 - ii. *The floor plate exception applies only to that portion of the building which contains the arts or cultural uses and subordinate uses do not exceed 25% of the total area; and*
 - iii. *The ground floor design is consistent with the Building/Sidewalk Design Guidelines for “A” rights-of-way, excluding the arcade provision; and*
 - iv. *The exception from the floor area limitation is necessary to accommodate the performing arts center or cultural use, or equipment functionality related to those uses, and*
 - v. *Any performing arts use shall be limited to live events.*

B. The Land Use Code dimensional chart for Downtown (20.25A.020) limits the Floor Area Ratio to 3.0 for nonresidential uses.

Since there is a direct relationship between floor plate size and FAR, it will also be necessary to allow for increased FAR for cultural uses with larger floor plates. An FAR up to 4.0 is suggested for these uses (midway between residential and non-residential FAR). However, any floor area over an FAR of 3.0 should be earned through the FAR Amenity bonus system and provide public benefits. The FAR amenities suggested by staff include: pedestrian-oriented frontage, plaza, enclosed plaza, sculpture, water feature and major pedestrian corridor.

Rationale:

- Accommodate performing arts and cultural uses at appropriate locations in the Downtown consistent with subarea policy; and
- A 120-foot height limit is suggested to accommodate expected functional needs of these uses. The height limit in residential districts for the Bellevue School District’s performing arts centers is 75-feet. Due to the larger scale of projects in Downtown 120-feet is appropriate in this zone; and
- Performing Arts and cultural uses typically have subordinate uses; these should be limited to 25% of the floor area for consistency with the definition of “Subordinate Use;”and
- The pedestrian experience is often degraded in buildings with a large footprint. This can be mitigated by requiring consistency with the Building/Sidewalk Design Guidelines for “A” rights of way.