

From: [Katie Kendall](#)
To: [Kim Dietz](#)
Cc: [Sarah Pyle](#); [Woodruff, Patrick](#)
Subject: RTC - Code Amendment Comments (Final Version)
Date: Monday, August 23, 2021 3:01:47 PM

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Kim,

Thank you for the opportunity to comment on the proposed Phase 1 and Annual Code Cleanup amendments to the TWNC zone. We appreciate that many of our previous comments in the form of line edits on the PDF were implemented. Some of our initial proposed changes were not implemented, however, and we wanted to clarify the intent of our comments and edits. We recommend the following additional edits and clarifications to the following sections of the Phase 1 updates to the Redmond Town Center incentive zoning, RZC 21.10.050.

- **Allowance for additional above grade parking in areas with high water tables 21.10.050 – C.1(b):** We agree with the substance of the proposed change, but would like the language to more clearly indicate a structure with office uses may exceed 9 stories when not all of the parking to achieve minimum parking ratios can be accommodated below grade. In some cases, some below grade parking may be feasible, but not enough to meet minimum requirements. Our proposed language is intended to address that nuance, so the code does not just provide an all or nothing approach to below grade or above grade parking. Here's the proposed change in red line:

A maximum total of nine (9) stories of office may be developed. Structures with office uses may exceed nine (9) stories in areas where **sufficient** subterranean parking **to achieve minimum parking ratios** is infeasible or detrimental to natural resources. In those cases, the maximum number of stories may be exceeded to accommodate minimum parking ratios in above-grade structured parking. The maximum number of additional stories beyond the height maximum is three (3) stories. A geotechnical report demonstrating the infeasibility of **providing all required parking** below-grade and compliance with this code section is required for proposals seeking to exceed nine (9) stories.

- **Affordable housing Table 21.10.050 # (1):**
As with other similar sections in the Code, it would be helpful to confirm that compliance with existing City policy can be used to meet a portion of this incentive. Here's our proposed text.

The greater of 10% or 50 units designated affordable at 60% AMI and the greater of 10% or 50 units designated for 80% AMI. **Compliance with the City of Redmond's affordable housing requirement of 10% designated for 80% AMI can be used to meet a portion of this incentive.**

- **Local Commercial Table 21.10.050 # (4)**
This proposed change is to clarify that the requirement relates to new commercial space

that is at ground level.

10% of **new ground level** commercial space dedicated to local commercial.

- **Parking Ratio 21.10.050 # (8)**

The proposed changes below clarify how the parking ratio is calculated. As written, it is unclear whether the calculation of stalls dedicated to existing or new retail uses, which require a higher parking ratio, would be used as part of the parking ratio for the building.

Parking ratio of 2.5 or below for office uses and **accessory uses/area of other non office uses**. **In the case of a mixed use project or where parking spaces within the new development are allocated to adjacent non-office uses (via a shared parking agreement with a defined term), compliance with this incentive shall be calculated based on the applicable new office and accessory uses. The parking stalls dedicated exclusively to those uses (i.e., parking dedicated to retail uses, either new or existing, or parking being constructed to replace existing surface stalls dedicated to existing retail uses that are being demolished as part of the new development project and which will remain dedicated to retail uses), will not be included in this ratio calculation.**

Further, we offer the following additional edits and clarifications to the following sections of the base zoning code for RZC 21.10.050.

21.10.050(A) – Purpose: The last sentence in this paragraph continues to reference back to the 1995 Master Plan. Recommend removing this reference.

Table 21.10.050(B) – Multiple references to the original Master Plan remain in the Notes and Exceptions column. Recommend removing these references.

Further, in Table 21.10.050(B), in the notes and exceptions regarding Maximum FAR without TDR's, we recommend that you clarify the goals of "pedestrian generating uses." While we appreciate that there is not a list of prescriptive allowable uses, it would be helpful to have some clarity on the end goals for such a use and where it is required on the Town Center site. As you know, certain locations of the TWNC zone are primarily retail, while others are more naturally oriented towards residential or office uses. We recommend maintaining and focusing the pedestrian-generating energy on the retail area as much as possible. For example, as written, all new uses on the ground floor level must be pedestrian-generating, which may not account for lobbies and office or other amenity spaces.

2(a)(H) – When referencing the scale of building in the retail core, please provide some clarification as to the extent of the retail core area. Does this only refer to the area along 74th Street between 164th and 166th?

With respect to the Pedestrian Guidelines, we recommend removing (C)(1) in this section, requiring complimentary treatment of Arcades and Colonnades within a single area. This requirement also references "areas" which have been removed. The goal is to encourage diversity of high quality design which complement each other but is not the same; a real neighborhood rather than a suburban retail or office campus.

Thanks again for the opportunity to comment!

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From: [Katie Kendall](#)
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Subject: Overlake Zoning Code Amendment Comments
Date: Monday, August 23, 2021 11:17:23 AM
Attachments: [image001.png](#)

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Kim,

Below are our comments on a series of zoning code changes in Overlake.

1. Phase 1 changes to FAR: https://www.redmond.gov/DocumentCenter/View/20225/21_08_Multiple-Floor-Area-Ratio-OV-and-MDD.

Unfortunately, when the City rolled up all the uses into a summary table of the FAR limits as part of these Phase 1 changes, it created the unintended result of reducing the available amount of all nonresidential FAR (except hotels) in the Overlake zone to 0.55 FAR total. This change conflicts with the plain language of RZC 21.12.090 and the City's current interpretation on how to calculate FAR in the Overlake Village zones. The proposed change also directly conflicts with the intent of the Comprehensive Plan vision for the Overlake Neighborhood as a mixed-use neighborhood where people live, work, shop, and recreate. Each Overlake policy focuses on creating a true mixed-use neighborhood but OV-7 is particularly relevant given the goals to "[p]romote mixes of residential and commercial uses located either in a mixed-use building or among single-use buildings on a mixed-use site where appropriate." It would be difficult to meet this goal if the Code Amendment is approved as written.

RZC 21.12.090 provides that "[t]he FAR for nonresidential and residential uses within a given development are individually calculated and may be added together for a cumulative total, provided that the respective maximum FAR for each use is not exceeded." This provision has been interpreted by the City (for more than one project) to mean that each nonresidential use is additive (utilizing both 0.55 FAR for communications and information use and 0.55 for general sales and services, for example). This interpretation makes sense and aligns with the plain language of the Code. Otherwise, a project would have to fit all nonresidential uses (health services, human services, religious uses, retail, office) into a maximum 0.55 FAR when the maximum FAR in most Overlake zones is 5.35. The City Council has approved this interpretation through past approval of a Development Agreement and Master Plan. In addition, we are aware of at least one project in Overlake that is currently under review with the City where City staff provided guidance that each nonresidential use is additive. This proposed change would significantly and negatively impact this project.

Thankfully, there is a simple solution. We recommend that you change proposed Table 21.12.090 as follows (change in black font below). It would also be helpful to include a footnote explaining that a class of use is all uses within the "retail sales" use, for example, and uses within the "business services" use are considered a different use class.

Table 21.12.090 OV Floor Area

Applicability: This table summarizes the permitted Floor Area Ratio for different types of uses based on their OV Zone Designation.

Base FAR = Maximum floor area ratio without any incentives applied

FAR w/ TDR or GBP = Maximum floor area ratio with Transferred Development Rights (See RZC 21.48) or Green Building and Green Infrastructure Incentive Program (See RZC 21.67)

FAR w/ Incentive = Maximum floor area ratio with use of incentive program (See RZC 21.12.170)

Table RZC 21.12.090 OV Floor Area				
Use Types	OV 1/2/3/5 Base FAR	OV 1/2/3/5 FAR w/ TDR or GBP FAR w/ Incentive	OV 4 Base FAR	OV 4 FAR w/ TDR or GBP FAR w/ Incentive
Residential	2.5	N/A	2.5	N/A
Non-Residential	0.36	0.41	0.4	0.47
for each non-residential use class		0.55		1.0
Hotel/Motel/ Other Accommodation Services	1.2	N/A	0.4	0.47
		1.35		1.0
Maximum Combined FAR (Mixed Use)	5.35		5.2	

- The City is amending the use typologies to break out general sales and services into several categories such as business services and retail services. See https://www.redmond.gov/DocumentCenter/View/20228/21_12-Overlake-Chapters. We agree that breaking up the general sales and services use into separate, clearer uses will allow for greater clarity moving forward.

However, there is an existing note in the Overlake Village use tables that limit use 75,000 s.f. See Table 21.12.040B for OV-1, Table 21.12.070B for OV-4, and Table 21.12.080B for OV-5 (“C. Limited to less than 75,000 square feet gross floor area in a single use.”). This has always been understood and interpreted to apply to retail uses only. When the use categories get broken down into subcategories of uses, such as retail services and business services, the 75,000 s.f. limitation now inadvertently applies more clearly to all use classes. This is contrary to the original intent of the 75,000 s.f. limitation and would greatly affect proposed office development that has relied on the City’s interpretation. I understand that the genesis of the 75,000 s.f. limitation is to limit larger “big box” stores and was not created to limit office and other similar uses. If that was indeed the original intent of this size of use limitation, we would ask the Code be clarified that the 75,000 s.f. size of use limitation be tied to retail sales uses only and to make clear that this size limitation does not apply to business services class of uses.

In addition, the tables for OV-2 and OV-3 have similar language that “Requires a conditional use permit if greater than 150,000 SF GFA. See RZC 21.76.070.K, Conditional Use Permit.” See Table 21.12.050B for OV-2 and Table 21.12.060B for OV-3. Again, if this limitation was not intended to encompass business and service uses, we would ask that the note be tied to retail sales uses only.

- Definitions: https://www.redmond.gov/DocumentCenter/View/20210/21_78-Definitions. We would like to work with staff to understand and clarify several definitions that they propose to change. The proposed changes seek to add clarity to the definitions of specific uses, but may end up conflicting with existing city interpretations of allowed uses, again impacting projects in process that have relied on the

City's interpretation of its current definitions.

4. Additional Comments. We may have additional comments on the proposed Overlake Phase 1 changes and Bridge amendments at a later time as we continue to review the proposed amendments prior to the public hearing.

Thank you again for the opportunity to comment. We look forward to working with you to provide clarity to these proposed amendments.

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