

ORDINANCE NO. 2114

AN ORDINANCE OF THE CITY OF REDMOND WASHINGTON, APPROVING DGA-01-007 TO AMEND THE MUNICIPAL CODE AND COMPREHENSIVE PLAN AS PART OF THE 2001 ANNUAL COMPREHENSIVE PLAN UPDATE, AMENDING COMPREHENSIVE PLAN POLICIES CC-60 AND CC-62, AND SECTION 20C.40.40-045 CITY CENTER SITE REQUIREMENTS CHART OF THE REDMOND COMMUNITY DEVELOPMENT GUIDE IN ORDER TO AUTHORIZE AN INCREASE IN GROSS LEASABLE COMMERCIAL FLOOR AREA FOR REDMOND TOWN CENTER WHICH IS LOCATED IN THE MIXED-USE CENTER SUB-DISTRICT OF CITY CENTER UNDER CERTAIN CONDITIONS WITH THE USE OF TRANSFER DEVELOPMENT RIGHTS, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Ordinance No. 1847 of the City of Redmond, passed by the City Council on July 18, 1995, adopted a Comprehensive Plan to comply with the mandates of the Growth Management Act, Chapter 36.70A RCW; and

WHEREAS, Ordinance No. 1901 of the City of Redmond, passed by the City Council on July 29, 1996, adopted the City Center development regulations under the mandates of the Growth Management Act, Chapter 36.70A RCW; and

WHEREAS, Ordinance No. 2113 of the City of Redmond, passed by the City Council on October 16, 2001, administratively established the scope of amendments to be included in the 2001 Annual Update to the Comprehensive Plan and provided a mechanism for the City Council to consider each proposed amendment in conjunction with the other proposed amendments and to consider their relationships to the Comprehensive Plan and the Community Development Guide; and,

WHEREAS, the proposed amendment DGA-01-007 was one of the amendments included in the adoption of Ordinance No. 2113; and,

WHEREAS, Redmond Comprehensive Plan Policy FCC-1 promotes the development of Downtown Redmond as the primary commercial activity center and destination location for the City and greater Redmond area, and;

WHEREAS, Redmond Comprehensive Plan Policy FCC-2 encourages development of a unique, attractive and economically healthy downtown that reflects Redmond's history and natural setting and offers a variety of service, office, retail, residential, cultural and recreational opportunities; and,

WHEREAS, Redmond Comprehensive Plan Policy FCC-3 states the City should provide incentives to encourage private investment and business vitality in downtown Redmond; and,

WHEREAS, Redmond Comprehensive Plan Policy CC-3 encourages the development of a major comparison center area of downtown Redmond which would expand business opportunities, provide additional revenue and be a positive influence in the development of the City; and,

WHEREAS, Redmond Comprehensive Plan Policy CC-10 states the City Center Neighborhood is designated an Urban Center under the Countywide Planning Policies and Vision 2020, the downtown shall be a priority area for the concentration of employment and commercial growth and the allocation of transportation funding; and,

WHEREAS, Redmond Comprehensive Plan Policy CC-14 calls for the application of flexible regulations that encourage creative proposals consistent with the City Center design goals; and,

WHEREAS, Redmond Comprehensive Plan Policy CC-15 encourages the favorable consideration land use changes or plan amendments which allow projects consistent the vision for City Center.

WHEREAS, after providing mailed and published notices, the City of Redmond Planning Commission held a public hearing on the proposed amendment and development regulations on September 12, 2001 ; and

WHEREAS, the Planning Commission considered public testimony and comments received by it, and other data and analysis contained in the Technical Committee and Planning Commission reports and forwarded the recommended amendment package to the City Council with a recommendation that amendments in the Planning Commission report be approved; and

WHEREAS, the City Council has considered the Planning Commission's recommendations and all of the information and evidence presented to the Planning Commission during the planning and public involvement processes; and

WHEREAS, the City Council has determined the Comprehensive Plan and Amendment DGA-01-007 and related regulatory changes relating to the Redmond Town Center and the Mixed-Use design district as described in this ordinance should be adopted and that it is consistent with the Growth Management Act, the County-wide Planning Policies for King County, and the City's criteria for amending the Comprehensive Plan, NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON DOES
ORDAIN AS FOLLOWS:

Section 1. Facts, Conclusions, and Analysis. In support of the amendments to the Comprehensive Plan, Community Development Guide, and Redmond Municipal Code

adopted by this ordinance, the City Council hereby adopts the Facts, Conclusions, and Analysis for DGA-01-007 contained in the Technical Committee Report to the Planning Commission dated September 12, 2001.

Section 2. Comprehensive Plan Amendment. Comprehensive Plan Policy CC-60 and CC-62 of the City of Redmond Comprehensive Plan and Redmond Municipal Code are hereby amended as follows:

CC- 60 This Design Area shall have a maximum commercial building area of not more than 1,375,000 square feet of Gross Leasable Area (GLA) including a mixture of retail and office uses. This design area is shown on Map CC-1. The GLA may be increased by up to 115,000 square feet to a maximum of 1,490,000 square feet, without TDRs, upon fulfillment of the following conditions:

1. The property owner shall provide and diligently pursue granting a Perpetual Conservation Easement (P.C.E.) to the City for additional buffer areas on the property owner's Leary Way site (RTC West) as follows:
 - a. Include the existing 100-foot Leary Way setback in the P.C.E.
 - b. Provide a 30-foot buffer on the westerly property line including existing required setbacks.
 - c. Provide a 17-foot buffer on the north side of the existing 100 foot Leary Way buffer (total Leary Way buffer of 117 feet).
 - d. Provide a 17-foot buffer, allowing for access drives and trails, along the westerly side of the 162nd Right-of-Way (R.O.W.) dedication.
 - e. Provide a triangle in the northeasterly corner of the property created by the 162nd R.O.W. of approximately 5,000 square feet.
 - f. Provide a triangle in the southwesterly corner of the property of approximately 2,700 square feet.
 - g. Provide a triangle in the northwesterly corner of the property of approximately 17,300 square feet.

The approximate location and configuration of the P.C.E is shown on Figure CC-5a, which was approved by the ordinance codified in this section. The P.C.E. shall be granted prior to the issuance of a certificate of occupancy for any building utilizing any portion of

the additional 115,000 square feet of GLA authorized by this section.

2. The property owner shall dedicate the required R.O.W. for the 162nd alignment as part of future development of the Leary Way site (RTC West), allowing driveway access to Leary Way in this R.O.W. if construction of 162nd is delayed beyond development of the site or is not constructed. In the event that 162nd is not constructed, the balance of the 162nd R.O.W. not used for site access will be added to the P.C.E.
3. The maximum commercial floor area of 1,490,000 square feet, without TDRs, may be increased to a limit of 1,800,000 square feet, through the acquisition and use of TDRs, for a full-service hotel/conference center with banquet and meeting facilities to accommodate groups of at least 300 people. Beyond the addition of such hotel use, the additional square footage allowed may be used for infill retail and general service uses that are part of mixed use residential developments or infill developments. Such additional uses shall not include general/corporate office, but may include professional/services uses.

CC-62 Repealed

Section 3. Use of TDRs in the Mixed-Use Sub-district. Subsection

20C.40.40-045, City Center Site Requirements Chart is hereby amended by adding a new footnote 15 as follows:

15. The maximum gross leasable area of allowed commercial space without TDRs is 1.49 million square feet. The 1.49 million square feet limit may be increased to a maximum of 1.80 million square feet through the acquisition and use of TDRs; provided that TDRs may not be used to increase the height of the full service hotel/conference center above 8 stories/100 feet, and that a minimum of 140,000 square feet be reserved for a full service hotel/conference center with banquet and meeting facilities to accommodate groups of at least 300 people. The additional square footage allowed may be used for infill retail and general service uses that are part of mixed use residential developments or infill developments. Floor area for residential uses is exempt from TDR requirements and maximum commercial floor area limitations.

Section 4. Severability. If any section, sentence, clause, or phrase of this ordinance or any tax or law adopted or amended hereby should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance or any tax or law amended hereby.

Section 5. Effective Date. This ordinance, being an exercise of a power specifically delegated to the city legislative body, is not subject to referendum, and shall take effect on November 9, 2001, which is at least sixty days from notification of the proposed amendment to the Office of Community Development and more than five days after passage and publication of an approved summary thereof consisting of the title.

CITY OF REDMOND

MAYOR ROSEMARIE IVES

ATTEST/AUTHENTICATED:

CITY CLERK, BONNIE MATTSON

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By: _____

FILED WITH THE CITY CLERK:	October 11, 2001
PASSED BY THE CITY COUNCIL:	October 16, 2001
SIGNED BY THE MAYOR:	October 16, 2001
PUBLISHED:	October 20, 2001
EFFECTIVE DATE:	November 9, 2001
ORDINANCE NO. <u>2114</u>	

