

BBH:jrv  
11/06/84

ORDINANCE NO. 1214

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, RELATING TO LAND USE IN THE EVERGREEN HIGHLANDS DESIGN DISTRICT AMENDING THE REDMOND MUNICIPAL CODE AND COMMUNITY DEVELOPMENT GUIDE, DGA-84-2.

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WHEREAS, on January 26, 1984, William Isley, of Hewitt/Daly/Isley on behalf of Robert McDonald of Evergreen Place Properties located within the Evergreen Highlands Design District, requested ten amendments to the Community Development Guide (DGA 84-2), relating to the Evergreen Highlands Neighborhood Plan and Design District Regulations, and

WHEREAS, pursuant to Redmond Municipal Code and Community Development Guide 20F.10.100(10) the Technical Committee reviewed the proposed amendments and on March 14, 1984 requested the Planning Commission to recommend to the City Council that DGA 84-2 be denied, and

WHEREAS, the City of Bellevue by and through its Director of Planning reviewed the proposed amendments and recommended denial, and

WHEREAS, the Planning Commission of the City of Redmond held a public hearing on March 28, 1984 for the purpose of considering the proposed amendments to the Redmond Municipal Code and Community Development Guide and all members of the public desiring to speak were given an opportunity to do so, and

WHEREAS, upon further deliberations on April 18th and May 23rd, the Planning Commission recommended to the City Council that it deny the proposed amendments one through five and seven through ten, and

WHEREAS, the Planning Commission was unable to reach agreement on a recommendation for proposed amendment number six, and

WHEREAS, the City Council has considered the recommendation of the Planning Commission at several public meetings, now, therefore,

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

Section 1. Section 20B.85.140(100) of the Redmond Municipal Code and Community Development Guide is hereby amended to read as follows:

20B.85.140(100) General Land Use Policies.

(a) Policy - Allow office uses in this Performance Area.

(b) Policy - Allow restaurants in this Performance Area only when located near the interior and western edge.

Section 2. The chart entitled "Evergreen Highlands Permitted Land Uses" incorporated by reference in Section 20C.10.235(25) of the Redmond Municipal Code and Community Development Guide is hereby amended to provide for the following:

- A. In the space formed by the cross between the Land Uses designation of Restaurant (4) and the Performance Area designation of "EH-B" insert "P(11)".
- B. Add a footnote to read as follows:

(11) Cannot be located within six hundred (600) feet of Performance Area A, N.E. 40th Street and Bellevue-Redmond Road. The square footage of the restaurant shall be deducted from the allowed floor area ratio for office uses of the approved master plan or lot that it falls within. The ratio for deduction shall be set at the time of application when the Technical Committee is presented with trip generation data for a similar restaurant facility and an analysis of potential traffic generation of the proposed facility prepared by a traffic engineer.

- C. Amend footnote (2) to read as follows:

(2) Must be accessory to a permitted or approved use, and primarily intended for employees or residents of the Design District, except in Performance Area C where such uses may be an outright permitted use.

When located in Performance Area C, the use may not abut N.E. 40th Street or 156th Avenue N.E. and the square footage of the recreational facility shall be counted as part of the allowed floor area ratio (FAR) for the office allowance of the approved master plan or lot that it falls within.

- D. Add a new land use category of "Conference Facilities" and in the space formed by the cross of that category with the Performance Area designation "EH-C" of insert "P(12)".
- E. Add a footnote to read as follows:

(12) Freestanding conference facilities are allowed, but not in conjunction with sleeping quarters. The square footage of the conference facility shall be counted as part of the allowed floor area ratio (FAR) for the office allowance of the approved master plan or lot that it falls within. The ratio for deduction shall be set at the time of application when the Technical Committee is presented with trip generation data for a similar conference facility and an analysis of traffic generation of the proposed facility prepared by a traffic engineer.

All as shown on Exhibit A, attached hereto and incorporated herein by this reference as if set forth in full.

Section 3. The section entitled "Parking and Circulation", a part of section 20C.10.235(45)(c) of the Redmond Municipal Code and Community Development Guide, is hereby amended to read as follows:

. Parking and Circulation

- The applicant must provide parking spaces as follows:
- The parking requirement for uses not specifically listed will be determined by the Technical Committee based on demonstrated demand, and comparison to similar uses.
- The minimum level of parking shall be installed prior to occupancy of the structure. Area needed to provide for parking up to the maximum shall be reserved in landscaped open space for future parking demand. The Technical Committee may permit improvement of this reserved space for additional parking if additional parking demand is demonstrated, but will not in any case allow additional parking exceeding the maximum allowed by the code based on actual building area except as provided below.
- The applicant may request approval to install more than the minimum parking spaces through the Site Plan Review Process. The Technical Committee may approve the initial installation of parking above the minimum (but not more than the

maximum allowed by the code based on actual building area except as provided below) only if:

- .. The applicant can demonstrate specific employee parking requirements above the minimum, or
- .. The applicant can demonstrate financial hardship associated with limiting parking to the allowable minimum , or
- .. The applicant commits to additional Transportation Management Programs and a specific phasing schedule to reduce the need for parking over time and convert parking areas to landscaped open space, or
- .. The full floor area allowed on the site is not developed. The maximum number of parking spaces allowed on a given site, or portion of a site in the case of a phased development, may be calculated on the allowable floor area of the site, or portion thereof, as the case may be, rather than the actual floor area that is built, provided the following conditions are met:
  - The applicant is a large, single user with a parcel of five (5) acres or larger which will be maintained in single ownership and control. This does not preclude an applicant from leasing area within the site to other users, provided they are subject to parking management programs on the site.
  - The total parking allowed on the site does not exceed the maximum number of parking spaces as calculated in the approved Master Plan;
  - Applicability of the parking variation is on a site by site basis only, following approval of a Master Plan and evaluation by the Technical Committee;
  - The applicant includes the maximum feasible parking under buildings in the site plan;
  - Parking areas are designed to eliminate or minimize parking around buildings, on slopes or grades, and effectively incorporate existing landscape materials in the design;
  - The applicant submits and agrees to implement a program of Traffic Impact Management approved by the Technical Committee. The Technical Committee may approve the program only if it demonstrates the likelihood of achieving a target percentage of employees commuting to work by means other than

single occupant vehicles. The target percentage shall be established by the Technical Committee based upon a review of all circumstances relevant to determining the percentage of utilization of non-single occupant transportation which is reasonably feasible. The program of Traffic Impact Management may involve a combination of the following activities:

Vanpool: Applicant may choose to purchase vans for publicly sponsored programs, loan Commuter Pool money to purchase vans, or provide privately owned vehicles.

Ridematch: Applicant may participate in public ridematch programs using employees private vehicles, and park and pool lots.

Fleetrider: Applicant may purchase vans or cars for business use and allow use by groups of employees for commuting.

Subscription Bus: Applicant may subsidize bus service with minimum of 33 passengers.

Regular Transit: Applicant may request extension of existing service, reverse commuting buses, or subsidize part or all of bus passes.

Flex-time: Applicant may agree to adjust work schedules to reduce peak hour impacts.

Parking Management: Applicant may allocate carpools preferential parking spaces (guaranteed, close-in, or no cost). Applicant must agree that the parking preferences will be enforced.

Promotion: Applicant may appoint an employee responsible for transportation coordination and information on available programs. Applicant may also provide financial or other incentives to use transportation programs.

Other Programs: Applicant may propose additional measures or innovative techniques specifically related to employee needs which will reduce traffic impacts.

- When a development is phased, the request for the parking variation may be approved with the first phase, and the parking installed proportionate with the floor area in that phase. When applications are received for

subsequent phases, the Technical Committee shall evaluate the traffic impact management program and determine if circumstances justify the total parking allowed by the variation. The Technical Committee shall consider the availability of public transportation programs and any other factor which may affect the ability of the applicant to achieve traffic mitigation objectives.

- Applicants must submit a plan which indicates how parking spaces allowed by the proposed parking ratio increase will be reduced if traffic mitigation objectives are not achieved. The City shall request the applicant to prepare a periodic report evaluating parking management programs and usage of existing parking facilities, and shall require reduction of the parking area allowed by the variation to a ratio of 3.6 parking spaces per 1000 square feet of gross floor area of actual building constructed if transportation measures are not implemented as determined by the Technical Committee. Any parking spaces removed under this clause shall be converted to landscaped open space.
- No parking may be located within a required front/street setback.
- Circulation must be consistent with the Evergreen Highlands Circulation Plan Map contained in the Community Development Guide, with the requirements of the 20B.60.060 Evergreen Highlands Neighborhood Transportation Improvement Overlay District and must:
  - .. Be coordinated with other property in the Performance Area and with other Performance Areas in order to provide an efficient transportation system, and to minimize unnecessary paved area.
  - .. Combine, wherever practical, access ways and parking areas if compatible with individual site design.
  - .. Separate residential and nonresidential traffic.
  - .. Provide for nonmotorized, including pedestrian and bicycle, movement throughout the Performance Area and Design District.
  - .. Coordinate with street and walkway systems of adjoining jurisdictions.
- Site plan review shall ensure that parking lots do not encircle buildings.

- The provisions of Section 20C.20.150 apply in the Evergreen Highlands Design District, except for those requirements contained in Paragraph 20.150(10), 20.150(20)(a-d).

Section 4. The Findings and Conclusions set forth in Exhibit B, attached hereto and hereby incorporated in full by this reference, are adopted as the Findings and Conclusions of the City Council.

Section 5. If any section, sentence, clause or phrase of this ordinance 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.

Section 6. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication by posting as provided by law.

CITY OF REDMOND:

*Doreen Marchione*  
MAYOR, DOREEN MARCHIONE

ATTEST/AUTHENTICATED:

*Doris A. Schauble*  
CITY CLERK, DORIS A. SCHAIBLE

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY *Jerry C. Martin*

FILED WITH THE CITY CLERK: 11-1-84  
PASSED BY THE CITY COUNCIL: 11-6-84  
SIGNED BY THE MAYOR: 11-6-84  
POSTED: 11-8-84  
EFFECTIVE DATE: 11-13-84  
ORDINANCE NO. 1214

LAND USES	Performance Area			
	EH-A	EH-B	EH-C	EH-D
Single Family Detached	P			
Two-Four Dwelling Units Per Structure	P			
Five or More Dwelling Units Per Structure	G			
Dwelling Units Accessory to Research and Development or Office Uses (7)		P	P	P
Professional, Scientific or Control Instrument Research, Development and Assembly (1) (6) (9)			P	
Electrical or other Technical Equipment, Research Development and Assembly (1) (6) (9)			P	
Computer Research, Development and Assembly (1) (6) (9)			P	
Scientific and Research Organizations, Research and Development (1) (6) (9)			P	
Research, Development and Testing Services (1) (6) (9)			P	
Any other manufacturing or assembly use determined by the Planning Director to be in character with Research and Development Uses permitted in this district (1) (6) (9)			G	
Professional services excluding medical and other health care related services (10)		P	P(5)	P
Business Services (10)		P	P(5)	P
General Office (10)		P	P(5)	P

(1) May include office space, corporate headquarters and other support activities associated with the specific research and development, manufacturing or assembly use. No accessory or subordinate retail activity is permitted; (2) Must be accessory to a permitted or approved use, and primarily intended for employees or residents of the Design District, except in Performance Area C where such uses may be an outright permitted use. When located in Performance Area C, the use may not abut N.E. 40th Street or 156th Avenue N.E. and the square footage of the recreational facility shall be counted as part of the allowed floor area ratio (FAR) for the office allowance of the approved master plan or lot that it falls within; (3) Personal services and convenience retail and service uses are limited to a combined total of 50,000 gross square feet for the entire Performance Area. No personal service or convenience retail or service use may abut or be oriented to N.E. 40th Street, 156th Avenue N.E. or Bellevue-Redmond Road; (4) May not abut or be oriented to N.E. 40th Street, 156th Avenue N.E. or Bellevue-Redmond Road; (5) General office, professional services, business services and governmental services (office) uses are limited to a total of 20% of the developable FAR of the area defined in a Master Development Plan; (6) Prior to the issuance of any building permit or certificate of occupancy for a research and development assembly or manufacturing use, the applicant must substantiate that Metro, the Department of Ecology, the Puget Sound Air Pollution Control Authority and the Environmental Protection Agency have been contacted and that all applicable environmental regulations have been met, or will be met. See Section 20C.10.235(50). In no case is the manufacture of explosive materials permitted; (7) Intended for short duration, not intended for rental. The primary purpose is housing for training and education; (8) Accessory parking for a nonresidential use may be located in Performance Area A only if the use requiring that parking is in Performance Area A; (9) These uses constitute Research and Development Uses; (10) These uses constitute Office Uses; (11) Cannot be located within six hundred (600) feet of Performance Area A, N.E. 40th Street and Bellevue-Redmond Road. The square footage of the restaurant shall be deducted from the allowed floor area ratio for office uses of the approved master plan or lot that it falls within. The ratio for deduction shall be set at the time of application when the Technical Committee is presented with trip generation data for a similar restaurant facility and an analysis of potential traffic generation of the proposed facility prepared by a traffic engineer; (12) Freestanding conference facilities are allowed but not in conjunction with sleeping quarters. The square footage of the conference facility shall be counted as part of the allowed floor area ratio (FAR) for the office allowance of the approved master plan or lot that it falls within. The ratio for deduction shall be set at the time of application when the Technical Committee is presented with trip generation data for a similar conference facility and an analysis of traffic generation of the proposed facility prepared by a traffic engineer.

A Part of Subsection 20C.10.235(25) Evergreen Highlands Permitted Land Uses

LAND USES	Performance Area			
	EH-A	EH-B	EH-C	EH-D
Personal services, including but not limited to dry cleaning, barber and beauty and laundry (3) (4)			P	
Restaurant (4)		P(11)	P	
Convenience Retail and service uses including but not limited to food, drugs, banks (3) (4)			P	
Child Care Service Use				
family day care	P	P	P	P
mini day care	G	G	G	G
day care center	S	G	G	G
Recreation Facility (2)	P	P	P	P
Accessory parking for permitted or approved uses (8)	P	P	P	P
Regional utility facilities: Distribution, Substations and Storage	S	S	S	S
Local Utility Facilities: Distribution, Substations and Storage	G	G	G	G
Governmental services (offices, administration, executive, legislative, judicial excluding maintenance)(10)	G	G	G (5)	G
Governmental services (protective functions, police, fire excluding maintenance)	G	G	G	G
Park and Ride	S	S	S	S
Street Right-of-Way	P	P	P	P
Public Park	G	G	G	G

Conference Facilities

P(12)

(1) May include office space, corporate headquarters and other support activities associated with the specific research and development, manufacturing or assembly use. No accessory or subordinate retail activity is permitted; (2) Must be accessory to a permitted or approved use, and primarily intended for employees or residents of the Design District, except in Performance Area C where such uses may be an outright permitted use. When located in Performance Area C, the use may not abut N.E. 40th Street or 156th Avenue N.E. and the square footage of the recreational facility shall be counted as part of the allowed floor area ratio (FAR) for the office allowance of the approved master plan or lot that it falls within; (3) Personal services and convenience retail and service uses are limited to a combined total of 50,000 gross square feet for the entire Performance Area. No personal service or convenience retail or service use may abut or be oriented to N.E. 40th Street, 156th Avenue N.E. or Bellevue-Redmond Road; (4) May not abut or be oriented to N.E. 40th Street, 156th Avenue N.E. or Bellevue-Redmond Road; (5) General office, professional services, business services and governmental services (office) uses are limited to a total of 20% of the developable FAR of the area defined in a Master Development Plan; (6) Prior to the issuance of any building permit or certificate of occupancy for a research and development assembly or manufacturing use, the applicant must substantiate that Metro, the Department of Ecology, the Puget Sound Air Pollution Control Authority and the Environmental Protection Agency have been contacted and that all applicable environmental regulations have been met, or will be met. See Section 20C.10.235(50). In no case is the manufacture of explosive materials permitted; (7) Intended for short duration, not intended for rental. The primary purpose is housing for training and education; (8) Accessory parking for a nonresidential use may be located in Performance Area A only if the use requiring that parking is in Performance Area A; (9) These uses constitute Research and Development Uses; (10) These uses constitute Office Uses; (11) Cannot be located within six hundred (600) feet of Performance Area A, N.E. 40th Street and Bellevue-Redmond Road. The square footage of the restaurant shall be deducted from the allowed floor area ratio for office uses of the approved master plan or lot that it falls within. The ratio for deduction shall be set at the time of application when the Technical Committee is presented with trip generation data for a similar restaurant facility and an analysis of potential traffic generation of the proposed facility prepared by a traffic engineer; (12) Freestanding conference facilities are allowed but not in conjunction with sleeping quarters. The square footage of the conference facility shall be counted as part of the allowed floor area ratio (FAR) for the office allowance of the approved master plan or lot that it falls within. The ratio for deduction shall be set at the time of application when the Technical Committee is presented with trip generation data for a similar conference facility and an analysis of traffic generation of the proposed facility prepared by a traffic engineer.

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Exhibit B to Ordinance No. 1214

FINDINGS AND CONCLUSIONS OF THE REDMOND  
CITY COUNCIL RELATING TO DGA-84-2

1. Proposed Amendment No. 1 to allow a transfer of density from Performance Area C to Performance Area B would increase density in Performance Area B. Allowing an increased density would contradict the function of Performance Area B as a transitional area between the residential uses of Performance Area A and the more intense uses allowed in Performance Area C. The higher density would be inconsistent with the adopted policies of:

- A. Encouraging a high pervious surface standard to maintain open space and a natural appearing environment (20B.85.140(120)(a));
- B. Limiting density to protect the natural environment (20B.85.140(120)(b)), and
- C. Encouraging the presence of large stands of evergreen trees in the west portion of the Performance Area (20B.85.140(120)(d)).

In addition, the transfer of densities between Performance Areas is in direct contradiction with Policy 20B.85.140(50)(c) which states: "allow the transfer of developable floor area within Master Plan areas, but not between Performance Areas."

2. Proposed Amendment No. 2 to allow an increase in the maximum building height in Performance Area B would change the character, intent and the transitional function of Performance Area B. Increased height would increase the visibility of the buildings from residential areas. The increased bulk of the buildings would change the character of Performance Area B and lessen the distinction between Performance Area B and the more intense uses permitted in Performance Area C. The proposed amendment would be inconsistent with Community Development Guide Policies 20B.85.140(40)(e), 20B.85.140(95) and 20B.85.140(120)(d).

3. Proposed Amendment No. 3 to change the definition of pervious surface to include non-pervious surfaces in the calculation would decrease the amount of pervious surface and increase the amount of impervious surface. This would result in less landscape and natural areas, increase storm water runoff which must be managed and change the character of the Performance Area by decreasing landscaping and open space areas. The proposed amendment would be inconsistent with Community Development Guide Policies 20B.85.140(55)(a), 20B.85.140(90)(a) and 20B.85.140(140)(a).

4. Proposed Amendment No. 4 to allow parking to be located within front yard setbacks on a corner lot would result in increased parking in the front of buildings adjacent to the street and visible to the public. Footnote 4 of the Site Requirements Chart incorporated by reference in Section 20C.10.235(45)(b) sets forth an administrative process whereby the minimum building separations and setbacks may be modified through the site plan review process to alleviate the problems caused by parking on a corner lot. The proposed amendment would be inconsistent with Community Development Guide Policy 20B.85.140(40)(f) and (g) and Section 20C.235(45)(c).

5. The proposed Amendment No. 5 to allow commercial uses in Performance Area B will change the character of Performance Area B by adding new types of uses and will shift the focal point of the Design District from Performance Area C to Performance Areas C and B. The proposed amendment is inconsistent with Community Development Guide Sections 20C.10.235(10) and (15) which indicate that Performance Area C is to serve as the focal point for the entire Design District and contain the commercial uses while Performance Area B provides for a transition between the uses in Performance Area C and residential developments in other areas.

6. Proposed Amendment No. 6 to allow restaurants in Performance Area B will not be inconsistent with the transition function of Performance Area B nor result in increased traffic impact if the restaurants are located so as to serve the employees of the Design District and not draw customers from outside the area. Keeping the restaurants to the western and interior portion of Performance Area B and away from N.E. 40th Street and Bel-Red Road reduces the potential for drawing customers from outside of the Design District. To minimize traffic generation to the area by the addition of restaurants, the floor area ratio for office sites should be reduced accordingly to mitigate increased traffic generation to the entire Evergreen Highlines Design District.

7. Proposed Amendment No. 7 to allow recreational facilities as a permitted use would not be inconsistent with the purpose of Performance Area C so long as the recreational facilities are primarily intended for employees or residents of the Design District. To avoid increasing the impervious surface of the overall development and to reduce overall traffic impacts, the recreational facilities should be deducted from the permitted office use in Performance Area C.

8. The proposed Amendment No. 8 to allow mini-day care centers as permitted uses in all Performance Areas is not needed. Recent amendments to the Community Development Guide allow day care centers to be located in Performance Areas B and C under a General Development Permit consistent with other areas of the City. To make specific provisions for the Evergreen Highlands Neighborhood would only reduce the processing time by approximately ten days. The General Development Permit process requires notice to adjacent property owners which would be appropriate in a research and development/office park complex due to potential conflicts.

9. Proposed Amendment No. 9 to allow independent conference facilities in Performance Areas B and C would not be inconsistent with the character and intent of the research and development function of Performance Area C. To minimize traffic impacts, such conference facilities should be counted as a part of the allowed floor area ratio for the office allowance of the Performance Area and should not be established in conjunction with overnight sleeping facilities.

10. Proposed Amendment No. 10 to allow the number of parking spaces to be calculated on the allowable floor area of the parcel rather than the actual floor area which is built would not adversely impact the area if the maximum parking allowed on the site is not increased, mitigation measures are taken to discourage the use of single occupant automobiles and encourage use of alternative forms of transportation, parking areas are located in a manner which will eliminate or minimize parking around buildings or on slopes or grades, existing landscaping materials are incorporated into the parking design, and if the maximum amount of parking feasible is located under buildings, to minimize impervious surfaces.