



Planning Commission Report

To: City Council

From: Planning Commission

Staff Contacts: Rob Odle, Director, Planning and Community Development, 425-556-2417
Colleen Kelly, Assistant Director, Community Planning, 425-556-2423
Lori Peckol, AICP, Policy Planning Manager, 425-556-2411
Jeff Churchill, AICP, Senior Planner, 425-556-2492

Date: October 22, 2014

File Numbers: LAND-2014-01335, SEPA-2014-01596

Title: OBAT Zoning Code Amendment for Building Height

**Planning
Commission
Recommendation:** Approval

**Recommended
Action:** Adopt amendments to the Redmond Zoning Code as shown in Attachment A.

Summary: Microsoft Corporation proposes to amend height limits in a portion of the Overlake Business and Advanced Technology (OBAT) zone, from a maximum height of 4-5 stories to a maximum height of 9-10 stories.

Reasons the Proposal should be Adopted:

The recommended amendments to the Redmond Zoning Code should be adopted because they:

- Are consistent with Redmond’s land use vision and growth management strategy and policies
- Advance Redmond’s economic development goals; and
- Allow for more efficient use of land and the provision of additional open space in a campus setting

Recommended Findings of Fact

1. Public Hearing and Notice

a. Public Hearing Date

The Planning Commission held a public hearing on September 24, 2014.

b. Notice

The public hearing was published in the Seattle Times. Public notices were posted in City Hall and at the Redmond Library. Notice was also provided by including the hearing in Planning Commission agendas and extended agendas that are distributed to various members of the public and various agencies, and posted on the City’s web site. Additionally, notice was sent via letter to parties of record.

2. Public Comments

Four people testified in writing, six people attended an open house in August, and seven people participated in an online questionnaire before the public hearing. Comments are summarized below. Written testimony is provided as Attachment B.

Traffic

There was some concern that traffic congestion is already a problem, that this amendment will allow additional development, and that additional development will make traffic worse, both on local streets and on SR-520 and I-405. There was particular concern about commute traffic using streets in residential areas such as 164th Ave NE in Bellevue.

Visual Impact

People living near the campus expressed concern that lighting from taller buildings would add nighttime visual pollution. There was also some concern that residential privacy would be negatively impacted from office workers being able to see into homes/yards from upper stories of taller buildings.

Location

There was a suggestion to allow taller buildings west of SR 520 instead of in the proposed location for the height increase, which is east of 156th Ave NE.

Recommended Conclusions

1. Key Issues Discussed by the Planning Commission

Key issues discussed by the Planning Commission are summarized below.

Traffic

While acknowledging existing traffic conditions, the Planning Commission noted that the proposal would not result in any additional development beyond what is already authorized under the 2005 development agreement between the City and Microsoft. The Commission noted that the 2005 development agreement also specifies transportation mitigation to be completed as development progresses on the Microsoft campus.

Visual Impact

Commissioners studied the visualizations developed by the applicant that simulate 10-story buildings. The Commission was satisfied that the location of the 10-story buildings combined with existing buffers would minimize visual impact.

Location

The Commission concluded that the proposed location was adequately buffered from residential areas and noted that land west of SR-520 is also close to residential areas, and so the Commission did not see a benefit to shifting the proposed height overlay to an area west of SR-520.

2. Recommended Conclusions of the Technical Committee

The recommended conclusions in the Technical Committee Report (Attachment D) should be adopted as conclusions.

3. Planning Commission Recommendation

The Commission voted 4-0 at its September 24, 2014 meeting to recommend approval of the OBAT Zoning Code Amendment for Building Height as shown in Attachment A.

List of Attachments

Attachment A: Recommended Zoning Code Amendments

Attachment B: Written Testimony

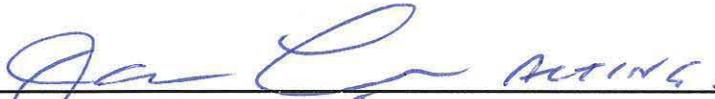
- B1: Beye
- B2: Olson
- B3: OneRedmond
- B4: Tosch

Attachment C: Planning Commission Meeting Minutes for September 24, 2014

Attachment D: Technical Committee Report with Exhibits

- Exhibit A: Recommended Zoning Code Amendments
- Exhibit B: Public Hearing Notice for September 24, 2014
- Exhibit C: Public Input Summary

Attachment E: SEPA Threshold Determination



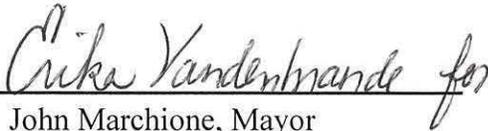
Robert G. Odle, Planning Director

10/15/14
Date



Vibhas Chandorkar, Planning Commission Chairperson

10/22/14
Date

Approved for Council Agenda 

John Marchione, Mayor

10/23/14
Date

Attachment A: Recommended Zoning Code Amendments

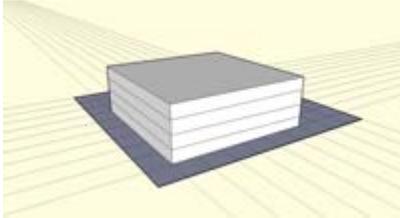
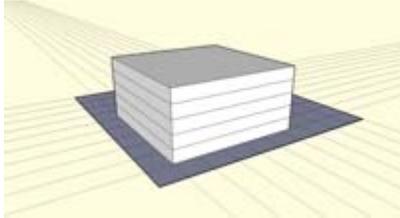
ARTICLE I ZONE BASED REGULATIONS

RZC 21.12 OVERLAKE REGULATIONS

21.12.180 OBAT Purpose

The purpose of the **Overlake Business and Advanced Technology Zone** is to: A) Implement the vision and policies for the Overlake Business and Advanced Technology zone set forth in the Redmond Comprehensive Plan; B) Provide a high-wage employment area that accommodates advanced technology, research and development, corporate offices, high technology manufacturing and similar uses to serve City and regional economic goals; C) Maintain a campus-like environment with significant areas of trees and open spaces; D) Provide for a low to moderate intensity of development to match available public facilities; E) Enhance compatibility between the uses in this zone and neighboring residential areas; F) Encourage walking, bicycling, carpools, vanpools, and transit use; and G) Provide opportunities for multifamily residential development and limited convenience commercial and service uses to help reduce motor vehicle trips in the area by serving employees from nearby businesses.

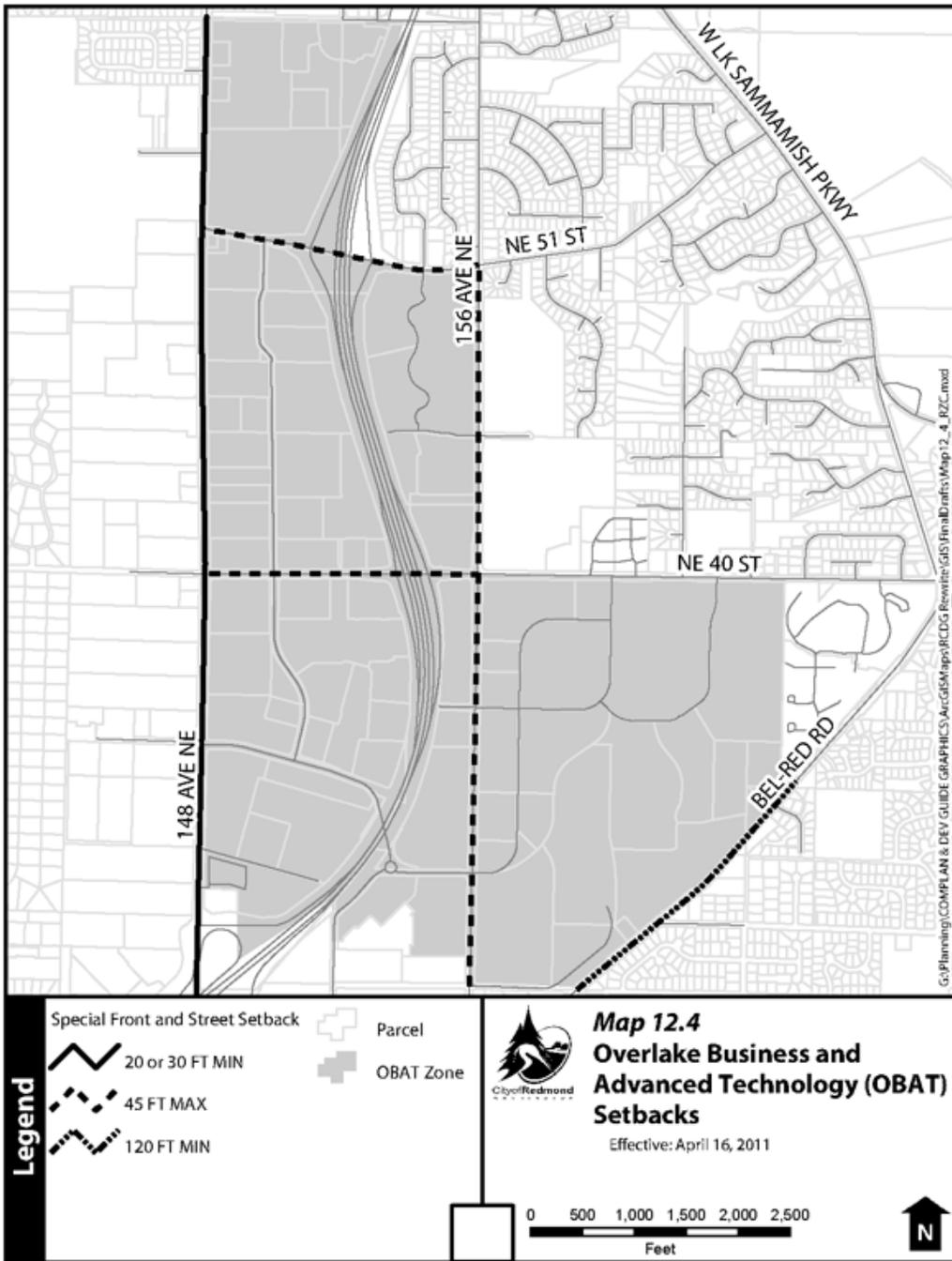
21.12.190 OBAT Maximum Development Yield

Table 21.12.190A Maximum Development Yield					
	Base	Bonuses Available, and Quantity	Max.	Illustrations	
Floor area ratio (FAR)	1.47	None in this example	1.47	Example of a 4-story building with FAR = 1.47	Example of 5-story building with FAR = 1.47
Height	4 stories (9 stories in 148-foot height overlay area)	TDRs or GBP: 1 story	5 stories (10 stories in 148-foot height overlay area)		

21.12.200 OBAT Regulations Common to All Uses

A. Regulations Common to All Uses.

Table 21.12.200B Regulations Common to All Uses			
	Regulation	Standard	Exceptions
Minimum	Setbacks		
	Front and Street	10 feet	<ol style="list-style-type: none"> Improvements less than 30 inches above grade, including decks, patios, walks and driveways, are permitted in setbacks. Fences, landscaping, flagpoles, street furniture, transit shelters and slope stability structures are permitted in setback areas, provided that all other applicable requirements are met. No other structures, including accessory structures, are permitted in setback areas. See Map 12.4, <i>Overlake Business and Advanced Technology (OBAT) Setbacks</i>, below for front and street setbacks along 148th Avenue NE. Setbacks shall be: <ol style="list-style-type: none"> 20 feet for buildings 20 feet or less in height; or 30 feet for buildings greater than 20 feet in height. See Map 12.4 below for Front and Street setbacks along Bel-Red Road.
	Rear	20 feet	
	Side	30 feet	
	Landscaping		
Landscaping	20 percent		
Maximum	Setbacks		
	Front and Street	45 feet	Applies in the locations noted on Map 12.4 below only.
	Impervious surface area, Height, and FAR		
	Impervious surface area	80 percent	
	Height	Varies	<ol style="list-style-type: none"> <u>9-story buildings shall not exceed 134 feet</u> <u>10-story buildings shall not exceed 148 feet</u>
FAR	Varies	<ol style="list-style-type: none"> All legal lots are allowed the greater of either the maximum allowed FAR or 10,000 square feet of buildings provided all other applicable site requirements are met. The FAR for nonresidential and residential uses within a given development are individually calculated and may be added to together for a cumulative total, provided that the respective maximum FAR for each use is not exceeded, unless otherwise provided for. 	
Drive-through	n/a	<ol style="list-style-type: none"> Drive-through facilities are prohibited except where expressly permitted in the Allowed Uses and Basic Development Standards table below. 	
Map 12.4 Overlake Business and Advanced Technology (OBAT) Setbacks			



Note: Online users may click the map for a full-size version in PDF format.

B. Landscaping.

No changes.

C. Street Cross Sections.

No changes.

21.12.210 OBAT Allowed Uses and Basic Development Standards

A. **Allowed Uses and Basic Development Standards.** The following table (see below) contains the basic zoning regulations that apply to uses in the Overlake Business and Advanced Technology (OBAT) zone. To use the chart, read down the left-hand column titled “Use.” When you have located the use that interests you, read across to find regulations that apply to that use. Uses are permitted unless otherwise specified in the Special Regulations column. Permitted uses may require land use permit approval. See RZC [21.76.020](#), *Overview of the Development Process*, for more information. Uses not listed are not permitted.

Table 21.12.210B OBAT Allowed Uses and Basic Development Standards					
§	Use	Max. FAR	Max. Height	Parking Ratio: Unit of Measure (Min. required, Max. allowed)	Special Regulations
		Base; w / TDRs or GBP	Base; w / TDRs or GBP		
Residential					
1	Multifamily Structures	1.0; 1.0	5; 6	Unit (1.0, 2.25) plus 1 guest space per 4 units for projects of 6 units or more	
2	Mixed-Use Residential				
3	Dormitory			Bed (0.75, 0.75)	
4	SRO			Bedroom (0.5, 1.0)	
General sales or services					

**Table 21.12.210B
OBAT Allowed Uses and Basic Development Standards**

§	Use	Max. FAR	Max. Height	Parking Ratio: Unit of Measure (Min. required, Max. allowed)	Special Regulations
		Base; w / TDRs or GBP	Base; w / TDRs or GBP		
5	General Sales or Service	.40; .47	4 5 9 <u>10</u>	1,000 SF GFA (2.0, 3.0)	<ol style="list-style-type: none"> 1. The following uses are prohibited: <ol style="list-style-type: none"> a. Pet and animal sales or services; b. Veterinary services; c. Full-service restaurant; and d. Travel arrangement and reservation services. 2. Convenience uses only. 3. If open to the general public, use shall: <ol style="list-style-type: none"> a. Be located in multi-tenant buildings or as part of mixed-use developments; and, b. Not exceed 20,000 square feet of gross floor area on a single site or 30,000 square feet of gross floor area on a single site if an athletic club or fitness center is included. 4. If open only to internal employees, use is not subject to the above constraints. 5. Automobile sales, rental and service not allowed except for service to public transit or company-owned vehicles provided the following conditions are met: <ol style="list-style-type: none"> a. Requires a conditional use permit. See RZC 21.76.070.K, Conditional Use Permit. b. Service for company-owned vehicles shall be accessory to another use. c. Not permitted within a Transition Overlay. 6. Gasoline service requires a conditional use permit. See RZC 21.76.070.K, Conditional Use Permit. 7. The maximum number of parking stalls allowed may be increased to 5.0 per 1,000 square feet of gross floor area for the retail components of mixed-use developments.
6	Real Estate Services	.40; .47	4 5 9 <u>10</u>	1,000 SF GFA (2.0, 3.0)	<ol style="list-style-type: none"> 1. Property management services only.
Manufacturing and Wholesale Trade					
7	Manufacturing and Wholesale Trade	.40; .47	4 5 9 <u>10</u>	1,000 SF GFA (2.0, 3.0)	<ol style="list-style-type: none"> 1. Outdoor storage not permitted.
Transportation, Communication, Information, and Utilities					
8	Road, Ground Passenger and Transit Transportation			1,000 SF GFA (2.0, 3.0)	
9	Rapid charging station	.40; .47	4 5 9 <u>10</u>	Adequate to accommodate peak use	<ol style="list-style-type: none"> 1. Shall not be located on a parcel that abuts a residential zone.
10	Battery exchange station				
11	Communications and Information				

**Table 21.12.210B
OBAT Allowed Uses and Basic Development Standards**

§	Use	Max. FAR	Max. Height	Parking Ratio: Unit of Measure (Min. required, Max. allowed)	Special Regulations
		Base; w / TDRs or GBP	Base; w / TDRs or GBP		
12	Local Utilities; Regional Utilities			Adequate to accommodate peak use	1. Requires a conditional use permit if 40 feet in height or greater. See RZC 21.76.070.K, <i>Conditional Use Permit</i> .
13	Large Satellite Dishes/Amateur Radio Tower				1. See RZC 21.56, <i>Wireless Communication Facilities</i> .
14	Antenna Array and Base Station	.40; .47	49; 510	Adequate to accommodate peak use	1. A Conditional Use Permit may be required; see RZC 21.56, <i>Wireless Communication Facilities</i> , for specific development requirements.
15	Antenna Support Structures				1. Requires a conditional use permit (see RZC 21.76.070.K, <i>Conditional Use Permit</i>) and must comply with RZC 21.56, <i>Wireless Communication Facilities</i> .
Arts, Entertainment, and Recreation					
16	Arts, Entertainment, and Recreation	.40; .47	49; 510	1,000 SF GFA (2.0, 3.0)	
Education, Public Administration, Health Care, and other Institutions					
17	Education, Public Administration, Health Care, and other Institutions except those listed below	.40; .47	49; 510	See Special Regulations	1. Associations, nonprofit organizations, etc., are not permitted. 2. Parking: The number of spaces must be adequate to accommodate the peak shift as determined by the Administrator after considering the probable number of employees, etc.
18	Day Care Center	.47; .47		Employee on maximum shift (1.0, 1.0)	1. Play equipment shall be located no less than 10 feet from any property line. 2. Shall not be located closer than 300 feet from existing day care operation in residential zone. 3. If built at greater than 0.40 FAR without use of TDRs, deed restrictions shall be placed on building space to require space is used permanently for a day care center and no other uses.

Table 21.12.210B OBAT Allowed Uses and Basic Development Standards					
§	Use	Max. FAR	Max. Height	Parking Ratio: Unit of Measure (Min. required, Max. allowed)	Special Regulations
		Base; w / TDRs or GBP	Base; w / TDRs or GBP		
19	Religious Institutions	.40; .47		Assembly uses: 1,000 sq ft gfa (10.0, 10.0), or number of fixed seats (0.2, 0.2) Other uses: 1,000 sq ft gfa (2.0, 3.0)	<ol style="list-style-type: none"> 1. A seat is one fixed seat or 18 inches on a pew or bench or seven square feet in the general assembly area (including aisle space, but excluding stage, podium, lobby, and space for musical instruments). 2. Storage locations of buses/vans over 10,000 gvw shall be shown on a plan and screened from neighboring properties or right-of-way. 3. Decorative fencing or decorative walls and landscaping, on side or back lots are required when necessary to prevent visual impacts on neighboring properties and public shoreline areas. 4. Steeples, bell towers, crosses or other symbolic religious icons mounted on the rooftop may exceed the maximum shoreline building height by 15 feet. (SMP) 5. Maximum height for separate structures on-site, such as bell towers, crosses, statuary, or other symbolic religious icons is 50 feet. 6. A traffic mitigation plan is required. The plan shall address traffic control, parking management (including mitigation of overflow parking into adjoining residential areas), and traffic movement to the arterial street system. 7. Requires a conditional use permit if 750 seats or greater. See RZC 21.76.070.K, <i>Conditional Use Permit</i>.
Construction-Related Businesses					
20	Construction-Related Businesses	.40; .47	49; 510	1,000 SF GFA (2.0, 3.0)	<ol style="list-style-type: none"> 1. Shall not include a showroom open to the general public.

B. *Repealed.*

C. **Building Height.**

1. Height Tradeoff.

a. The maximum building height on a site may be exceeded when building height reductions are required at building edges, along a street or park, to achieve better design and stepped building height through the development approval process. The amount of floor area that is allowed to exceed the prescribed maximum building height (without use of bonuses or transfer of development rights) shall not exceed (without use of bonuses or transfer of development rights) shall not exceed the floor area that was removed or omitted to create the stepped building façade and shall not exceed one additional floor above the prescribed maximum building height.

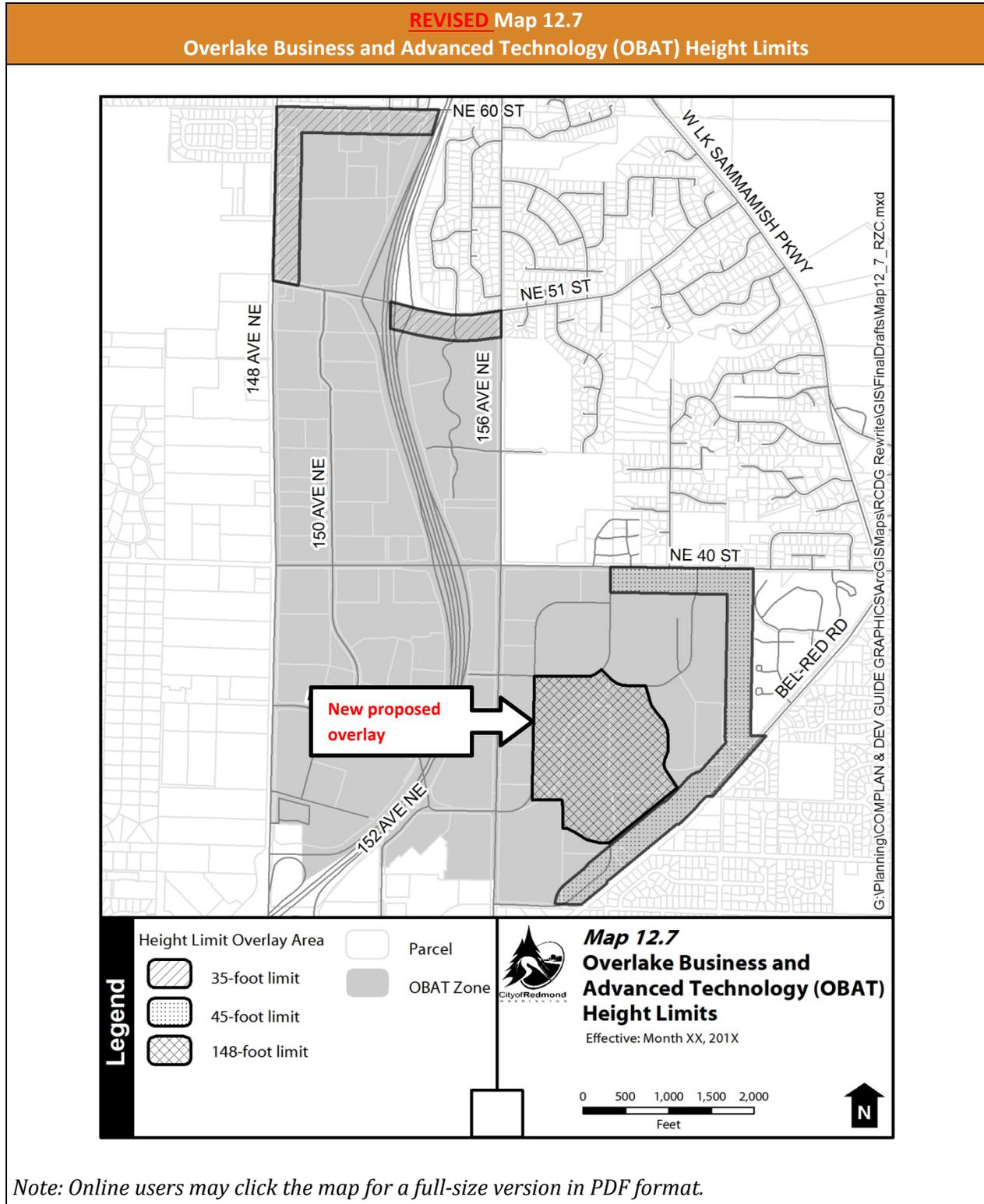
a.b. **In no case shall a building exceed 9 stories without TDRs or 10 stories with TDRs.**

2. Height Limit Overlay.

a. Purpose. This section establishes special height limits as shown on Map 12.7, Overlake Business and Advanced Technology (OBAT) Height Limits. The intent of this requirement

is to promote compatibility on the edges of zones that allow more intense uses than abutting zones and to minimize adverse impacts such as glare.

b. Map 12.7-Overlake Business and Advanced Technology (OBAT) Height Limits.



C.

2.

c. Requirements.

1. The Height Limit Overlay Map shows **two kinds of overlays:**

a. **Reduced** limits on maximum height for structures located within 300 feet of the OBAT Zone boundary with lower intensity zones; **and-**

a.b. **Increased limits on maximum height for structures in an interior portion of the OBAT zone.**

2. 45-Foot Height Limit Overlay. Within this overlay, maximum structure height shall be 45 feet or three stories, whichever is lower.

3. 35-Foot Height Limit Overlay.

a. Within this overlay, maximum structure height shall be 35 feet.

b. The maximum structure height may be increased up to 45 feet if at least one of the following features is provided;

1. At least one quarter of the on-site parking is provided in underground parking structures.

2. The existing grade under the proposed structure pad is at least 10 feet below the grade at the property lines of all properties that border or are across the street from the development site.

3. Transfer of development rights or Green Building and Green Infrastructure Incentive Program (GBP) are used to increase structure height.

4. **148-Foot Height Limit Overlay. Within this overlay, maximum structure height shall be 9 stories and 134 feet without TDRs or 10 stories and 148 feet with TDRs.**

3. Allowed structure height may be further increased within the **35-foot and 45-foot is**-overlays if the following conditions are met:

c. The modified building height does not exceed the maximum height permitted by the RZC 21.12.210, OBAT Allowed Uses and Basic Development Standards.

d. The proposal with the height allowance will provide an equivalent or better transition to lower height residential zones as the limit imposed through the height overlay. Permit decision maker may consider:

1. Landscape features, such as retention or enhancement of vegetation;

2. Building design features, such as massing or roofline;

3. Site design features, such as use of landscaped berms; or

4. Other features that meet the intent of this section. (Ord. 2642)

No changes to remainder of RZC 21.12

Attachment B: Written Testimony

Jeff Churchill

From: Toni Beye [REDACTED]
Sent: Tuesday, August 26, 2014 1:21 AM
To: Jeff Churchill
Cc: Beye, Toni (comcast)
Subject: OBAT Party of Record Request

Dear Mr. Churchill,

I was unable to attend the OBAT presentation by the City of Redmond and Microsoft on Mon. Aug. 25, 2015, from 6:00 - 7:30PM at Redmond City Hall due to a broken tooth and its immediate, necessary repair.

I would like to become a Party of Record in this matter, as I am very much opposed to allowing Microsoft to build 9 or 10 story buildings. Without the necessary improvement to Redmond's infrastructure, the traffic issues alone would be all but unbearable to the city residents within several miles of this area. Microsoft traffic is **ALREADY** too much for the **local streets, State Route 520** and **I-405** to handle! I live ten blocks south of NE 156th St, and it has been a very long time since I have seen a traffic counter tube/hose in any of the areas surrounding Microsoft's increasingly, sprawling campus. The city should definitely make traffic counts in the areas surrounding the main Microsoft campus. Also, the members of the Planning Commission should be required to physically witness the extreme traffic problems and congestion in this area during the morning and afternoon rush hours especially when the local schools, colleges and universities are in session! It's a literal nightmare!

My contact information is:

Toni L. Beye
[REDACTED]

Sincerely,

Toni L. Beye

Click [here](#) to report this email as spam.

Jeff Churchill

From: Randy Olson <bellevuerandy@gmail.com>
Sent: Wednesday, August 27, 2014 1:43 PM
To: Jeff Churchill
Subject: OBAT Building Height

I'm sorry that I was unable to attend the Monday evening meeting on the request for increased building height. I would like to register my concern and objection for the overlay to extend as close to Bel-Red Road as currently proposed. As clearly shown on the map, all of the other boundaries about other high-rises, commercial zones, and high-density dwellings. The exceptions are the wooded and private neighborhoods along Bel-Red including mine at 3255 165th PL NE, Bellevue in the Ashbrook neighborhood. I back to an undeveloped 5 acre lot along Bel-Red and a NPG/Greenbelt on the other. The detention pond and other areas are on the Redmond side of Bel-Red Road. Most of the current buildings are set back and proportional to the height of surrounding old tree growth and other boundary buffers.

But, I already scan the trees and see the "recent" parking structure that was built near Bel-Red Road and which for security is lit from dusk to dawn. I can't imagine buildings sticking up twice as high as the surrounding trees and adding to that light pollution in my back yard. I have gotten used to traffic on Bel-Red and the dangerous U-Turns in my entry for commuters to get around the unique intersection at 30th Street and Bel-Red so I'm not against further development. I know leaving my house and entering Bel-Red that I will be engaged with Microsoft traffic and density and the purple power pole, new high energy lines, and substations. I'm glad to see something going up in the old nursery location where the new multi-story, high density development is taking place off 15th but come on, don't destroy my own backyard with that density. I don't want Microsoft 9-10 buildings to be my new view. I also know that I live in Bellevue and am not a constituent but am always impacted by Redmond's decisions for the main Microsoft campus from the crazy intersection at 30th to the parking garage visible from Bel-Red and now the potential for MUCH more visibility if the proposed height amendment is allowed that close to Bel-Red.

Thanks for letting me vent and recording my concerns to this proposal.

Randy Olson
3255 165th PL NE
Bellevue, WA 98008
425 883-4135 home
425 591-9526 cell

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President
Banner Bank

Jim Stanton
Vice President
Microsoft

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Redmond Marriott Town
Center

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Dr. Amy Morrison Goings
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Technology

Robert Pantley
Natural & Built Environments

Brian Webster
Physio-Control

Jay Olsen
ServiceMaster Cleaning &
Restoration

Committee Chairs

Tom Martin
Business Development
EvergreenHealth

Doug Christy
Business Expansion
Pro/Vision Coaching

Dr. Eric Murray
Communications
Cascadia Community College

Traci Tenhulzen
Events
Tenhulzen Residential

Dan Angellar
Finance
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Tom Markl
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Nelson Legacy Group

Nicole Yurchak
Investor Relations
Swedish Medical Group

9/4/2014

Planning Commission
MS: 4SPL
15670 NE 85th Street
P.O. Box 97010
Redmond, WA 98073-9710

Subject: Concerning Amending Height Limitations in the Overlake Business and Advanced Technology (OBAT) Zone

Commissioners:

OneRedmond is the public/private partnership whose mission is to expand and retain local employers, attract new companies, and create community vitality in the City of Redmond.

OneRedmond strongly supports the proposal by the Microsoft Corporation to amend the Overlake Business and Advanced Technology (OBAT) Zone regulations to allow up to 9-story buildings in the central portion of the Microsoft Main (East) Campus, with the option to go to 10 stories using transferable development rights (TDRs).

The proposal supports OneRedmond's primary objective: to support the growth and expansion of our existing businesses. The proposal before the Planning Commission speaks directly to this priority and we urge its approval.

Thank you in advance of your consideration of these comments.

Sincerely,

A handwritten signature in black ink that reads "Bart Phillips".

Bart Phillips, CEO

Jeff Churchill

From: brian.tosch@gmail.com on behalf of Brian Tosch <brian@tosch.com>
Sent: Monday, September 22, 2014 5:13 PM
To: Jeff Churchill; Planning Commission
Subject: OBAT Height Limits

Hello,
I'd like to provide feedback on Microsoft's proposal to increase building height limits. I have lived on 51st in Redmond for ten years and won't be able to attend the public hearing.

At a location so near planned light rail, 9-10 stories seems inadequate to provide the density we need to justify the public investment in transit. I'd be much happier seeing 12-20 or more stories like you'd find near rail stations in Vancouver.

As such, I hope this extremely conservative request can be approved expeditiously. And I hope we can find ways to encourage higher density development in the future.

Thank you,
Brian Tosch

**REDMOND PLANNING COMMISSION
MINUTES**

September 24, 2014

COMMISSIONERS PRESENT: Commissioners O'Hara, Gregory, Sanders, Murray

COMMISSIONERS EXCUSED: Chairman Chandorkar, Commissioners Miller and Biethan

STAFF PRESENT: Jeff Churchill and Sarah Stiteler, Redmond Planning Department

RECORDING SECRETARY: Lady of Letters, Inc.

CALL TO ORDER

The meeting was called to order at 7:00 p.m. by Commissioner O'Hara in the Council Chambers at City Hall. He noted that this was Commissioner Sanders' last meeting, and thanked her for her two years of service. Commissioner Sanders said it was a pleasure and an honor to serve and urged other members of the public to apply to join the Commission.

APPROVAL OF THE AGENDA:

There were no changes to the agenda.

ITEMS FROM THE AUDIENCE:

There were no items from the audience.

APPROVAL OF MEETING SUMMARY:

Hearing no changes proposed to the September 17, 2014 meeting summary, Commissioner O'Hara APPROVED the meeting summary. The Commission agreed with the decision.

Public Hearing and Study Session, Proposed Amendment to Building Height Limits in OBAT (Overlake Business and Advanced Technology) Zone, presented by Jeff Churchill, City of Redmond Planning Department.

Jeff Churchill summarized the proposed amendment, noting that the Microsoft Corporation has asked for a change to the Zoning Code that would allow, on a portion of the main Microsoft campus, nine or ten-story buildings to be built. The difference between nine or ten-story buildings depends on whether transferable development rights are used. The area proposed to allow taller buildings is located east of 156th Avenue NE, northwest of Bel-Red Road and south of NE 40th Street. The proposed Zoning Code amendment is about building height only and would not allow any additional development because it would not change the allowed density in the Zoning Code. It also does not include any specific building plans. There are no specific buildings proposed or in the works at this time.

The Planning Commission held a first study session on the proposed amendment last week and the public hearing is at this meeting. After that, the Commission will further study the issue and then make a recommendation to the City Council. A City Council review and decision is expected in early 2015.

Commissioner O'Hara then opened the public hearing. Jim Stanton and Bill Lee, both of whom work in real estate and master planning for the Microsoft campus, testified on behalf of the Microsoft Corporation. Mr. Stanton said Microsoft has had a long history of collaborating with the City of Redmond and the company's neighbors in Overlake, and that collaboration is taken very seriously. Mr. Stanton said he feels Microsoft has done a good job at fitting a very large corporate entity within an urban center in Overlake and cohabitating with its neighbors in a positive way.

Mr. Stanton said the proposed amendment was simply to raise the height limit in a portion of the campus which is most likely to be redeveloped in the future. There is no specific plan for development at this time. The San Francisco architectural firm Skidmore, Owings, and Merrill has recently been retained to start the process of talking with business groups, users, and other constituents and determine a plan for the future. Microsoft is not in the midst of a large growth cycle, which gives the company some time to think in a rational time frame about future development. There is an approved development agreement on the campus, one of three, that allows for more than a million square feet of development on the campus at some point in the future. The City of Redmond has placed a variety of other requirements on Microsoft as part of that development, including for infrastructure, utility, and transportation improvements.

Mr. Stanton said the additional square footage allowed by the development agreements can be accomplished within the current height limit of four to five stories, but the hope is to give designers some flexibility with taller buildings. This could help retain open space and create something more sustainable. Mr. Stanton would like to keep the walking trails and fields the campus currently has. Microsoft has been talking about this idea since 2012 with the City of Redmond. The Planning Department had input on the proposed amendment. Mr. Stanton has provided renderings of what taller buildings would look like from public viewpoints in and around the campus. Microsoft has met with neighbors to the campus as well about this idea.

Commissioner Sanders asked about a letter the Commission has received about a setback off of Bel-Red Road, and if that setback is adequate. Mr. Stanton said many years ago, when this land was developed before Microsoft arrived, a number of limitations were set in terms of setbacks on the property. That was carried forward along Bel-Red Road, where there is a 100-foot setback of existing trees and greenery. There is no intention of changing that. Also, as part of Microsoft's 2005 development agreement with the City of Redmond, the company was required to add some plantings in that buffer area, and that has been completed. Microsoft has been in touch with the Sherwood Forest neighborhood about the buildings near this setback and about the implications of light and view. The

company has taken into account that this perimeter is one of the most exposed parts of the Microsoft campus in relation to the surrounding neighborhoods.

Commissioner Sanders asked about another question that had come up about development between SR 520 and 148th Avenue NE, near the west part of campus, and whether that could be an area where Microsoft could concentrate its desire for taller buildings. Mr. Stanton said that would be a logical area. However, the west campus development was completed around 2009 with 1.3 million square feet of development, and no changes to that development are planned anytime soon. The area outlined in the proposed amendment is the oldest portion of the campus with buildings that would be reaching their natural end of life in the near future. Commissioner Sanders wanted to make sure that the proposed amendment would not add any density that has not already been agreed to. Mr. Stanton said that was correct.

Commissioner Murray said a letter had been received about traffic, and clarified that this proposed amendment would not add any square footage that has not already been approved in the previously approved development agreement. Continuing, Commissioner Murray stated that the City has approved Microsoft's expansion, and Microsoft is merely seeking to expand up rather than out. Mr. Stanton agreed with that assessment, and said the proposal was about the composition of the type of buildings that would be built. No square footage beyond the 2005 development agreement would be added.

Another person wrote to the Commission about lighting, and said that some security lights from Microsoft go into a back yard close to the campus. Commissioner Murray asked if any additional thought had gone into the lighting of the proposed taller buildings that could address what one resident called light pollution. Mr. Stanton said he would like to know where those security lights are causing trouble currently. He said the company tries to do a good job in not spreading light off the campus. He could not speak to the specific location, but some perspectives have been provided to show what the campus would look like at night with taller buildings.

Commissioner O'Hara said the various perspectives provided have been very helpful in understanding the implications of this proposal, and he appreciated the work that went into those. Commissioner O'Hara opened the public testimony. There were no members of the public present to testify. Commissioner O'Hara asked if there were any issues that the Commission wanted to discuss. None of the Commissioners had issues to add. Commissioner O'Hara closed the public testimony, written and oral. With no other issues to discuss, Commissioner O'Hara noted that an additional study session would not be needed at the next meeting.

Commissioner Murray asked if it were the right time to make a MOTION on this proposal. Commissioner O'Hara said that would be appropriate. Commissioner Murray made a MOTION to recommend approval of the Proposed Amendment to Building Height Limits in OBAT (Overlake Business and Advanced Technology) Zone. The MOTION was seconded by Commissioner Gregory. The MOTION was approved unanimously (4-0).

Ms. Stiteler noted that the agenda for the next meeting of the Commission, on October 22, includes action on the Planning Commission's Report for the height limits amendment and a study session for the proposed amendment to the Park Plan Trails Map.

Commissioner Gregory made a MOTION to close both the oral and written testimony on the OBAT issue. Commissioner Murray seconded the MOTION. The MOTION was approved unanimously (4-0).

Briefing and Consult, Evaluation of Innovative Housing Demonstration Program, presented by Sarah Stiteler, City of Redmond Planning Department.

Ms. Stiteler noted that there is a required evaluation of the Innovative Housing Demonstration Program embedded into the original adopting ordinance on this topic. The program was created in 2005 as a three-year demonstration program. However, 2008 was the height of the recession, and not many projects were being built. The Commission in 2008 proposed extending the program another five years or five projects, whichever came first. Five years came first, and the program ended in August of 2013. One project has been completed under this program. Another project did receive preliminary plat approval under this program, but the project has not moved from that point. The property is located on Avondale Road just south of NE 104th Street on the west side of the street, and is for sale. However, a buyer has not come forward.

That leaves one project to evaluate and another project to evaluate on the basis of a site plan. Ms. Stiteler wanted to ask the Commission for other suggestions about evaluating this program, including a look at its goals and how the projects using this program have adhered to those goals. She also asked if any Zoning Code issues have arisen out of this program, and if there was anything the Commission learned from this process that could have been done differently. Ms. Stiteler also wanted to look at community response to this program and what neighbors and developers are saying about it. She asked if some new items could be added to the Zoning Code that would allow for additional flexibility in certain prescribed situations, as described by the program. Ms. Stiteler would like to come back to the Commission with a briefing on this issue that would then go forward as a report to the City Council.

Commissioner Sanders said she saw the words innovative and affordable used interchangeably throughout the language of the program, and asked what the intention of the program was. Commissioner O'Hara said he wanted to know about the Sycamore Park project, which was completed under this program, and about the prices of those units compared to others in the area. Commissioner Murray asked the Commission to recognize that the program was designed for multiple participants and options. However, there is only one completed project to evaluate the program by. He said it would be difficult to develop any conclusions from that one case study about how the goals of the City were reached or not reached.

Commissioner Murray said the process or intent of the program needed to be reviewed, and the question should be asked as to why no one really took advantage of it. He would like to know if there are other factors besides the economic downturn that may have inhibited people from using this program. Commissioner Gregory had a similar comment, and noted that innovative housing should be revisited, in terms of affordability and innovation. He would like to see how innovative housing is getting successfully developed in other communities to determine some best practices on this issue. Commissioner Gregory asked the Commission to keep an eye on where housing is going in general, noting that housing costs are going up. He said the single family home ideal is slipping further and further away from modern young families. He asked what innovations could be considered to provide housing for those families.

Commissioner O'Hara said that in the Marymoor area, there has been a lot of talk about transit-oriented design. That concept would allow for, possibly, some innovative housing in proximity to the transit station in southeast Redmond. He said innovate housing and transit-oriented development could be two ideas that work together. Commissioner Gregory said current cable television shows have a lot of programs about smaller homes as a new way to live. Commissioner O'Hara asked if a reality television show about small homes was in Redmond's future. Ms. Stiteler thanked the Commission for its suggestions.

REPORTS/SCHEDULING/TOPICS FOR NEXT MEETING(S):

There were no reports. The next meeting is October 22nd.

ADJOURNMENT:

MOTION by Commissioner Sanders to adjourn. MOTION approved unanimously (4-0). Commissioner O'Hara adjourned the meeting at approximately 7:31 p.m.

Minutes Approved On:

Planning Commission Chair

22 OCTOBER 2014



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TECHNICAL COMMITTEE REPORT TO THE PLANNING COMMISSION

To: Planning Commission

From: Technical Committee

Staff Contacts: Robert G. Odle, Planning Director
425-556-2417

Lori Peckol, AICP, Policy Planning Manager
425-556-2411

Jeff Churchill, AICP, Senior Planner
425-556-2492

Date: September 5, 2014

Project File Number: LAND-2014-01335

Project Name: OBAT Zoning Code Amendment for Building Height

Related File Numbers: SEPA-2014-01596 (SEPA)

Applicant: Microsoft Corporation

Applicant's Representative: Jim Stanton

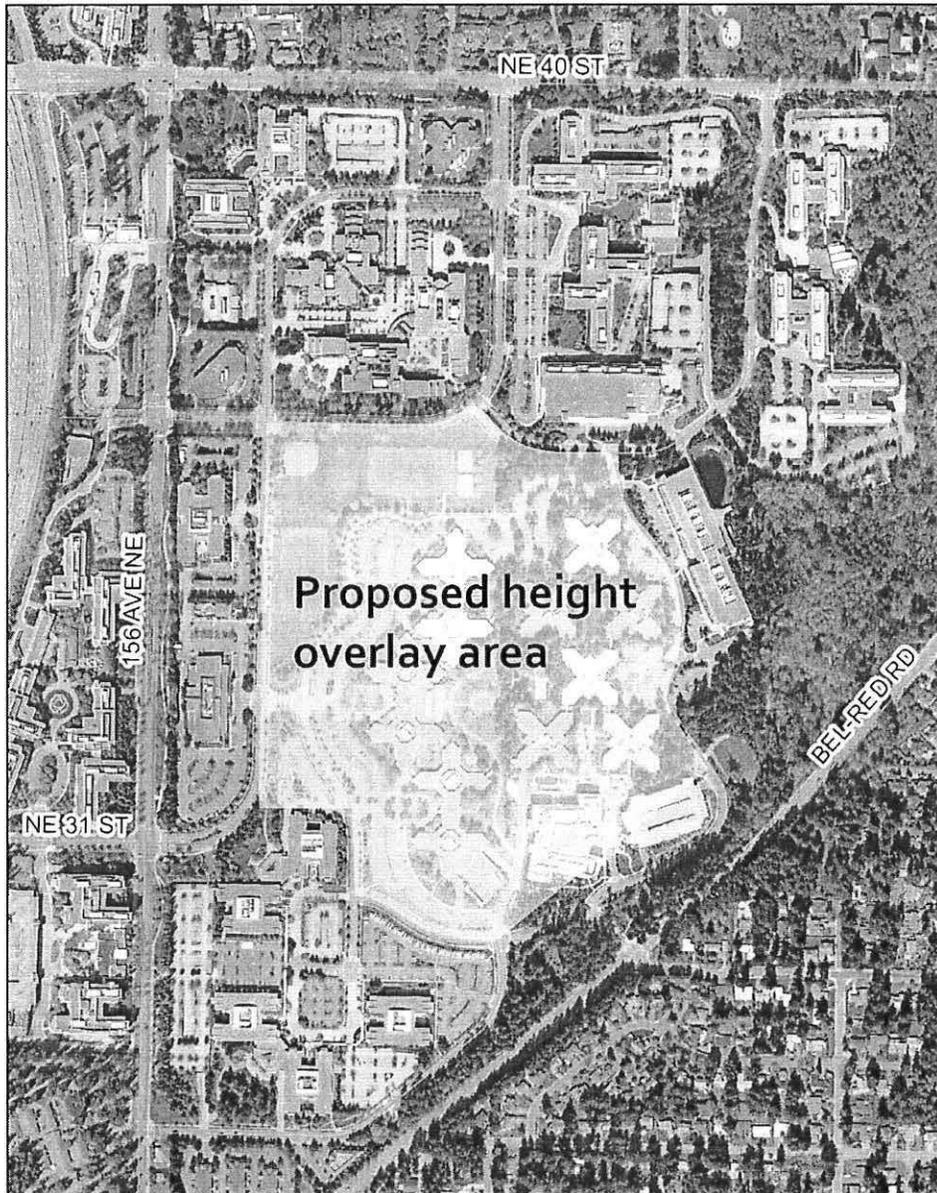
Reason for Proposal Adoption: The Technical Committee recommends approving the proposed Zoning Code amendment because it:

- Is consistent with Redmond's land use vision and growth management strategy;
- Advances Redmond's economic development goals; and,
- Allows for more efficient use of land and the provision of additional open space in a campus setting.

I. APPLICANT PROPOSAL

Microsoft Corporation proposes to amend building height limits in a portion of the Overlake Business and Advanced Technology (OBAT) zone. Current zoning regulations allow 4-story buildings without the use of transferable development rights (TDRs) and 5-story buildings with TDRs. The proposal is to allow up to 9-story buildings without the use of TDRs and 10-story buildings with TDRs. The change would be limited to an overlay area in the OBAT zone shown in the figure below.

Proposed OBAT Height Overlay Map



The proposal does not include changes to allowed floor area ratio (FAR) or changes to the total amount of development allowed under the 2005 development agreement between the City and Microsoft that covers this area.

BACKGROUND AND REASON FOR PROPOSAL:

The applicant states that the proposal is intended to provide more open space and landscaping as property in the OBAT zone is developed and to enable construction of buildings in a more efficient configuration. The applicant also states that the proposal will support the goal of retaining and enhancing Redmond's distinctive character and quality of life by enabling the provision of more open space than without the amendment, support a vibrant concentration of office and technology uses in the OBAT zone, support a strong economy and support the ability to celebrate diverse cultural opportunities by further enabling the applicant to construct buildings for one of the most ethnically diverse companies in Redmond.

II. RECOMMENDATION

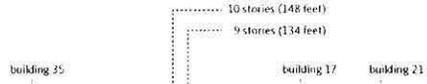
The Technical Committee recommends approving 9-story (134-foot) buildings without use of transferable development rights (TDRs) and 10-story (148-foot) buildings with use of TDRs within the proposed overlay area. The balance of the report describes the Technical Committee's rationale, findings and conclusions.

III. PRIMARY ISSUES CONSIDERED

A. ISSUES CONSIDERED AND ALTERNATIVES

Visual Impact

The Technical Committee considered the visual impacts to residential areas near the Microsoft Main (East) Campus. Based on visual impact studies conducted by the applicant, there will be some visual impacts as 10-story buildings will in some places rise above existing tree or building lines. Much of the impact will be mitigated by limiting the placement of taller buildings to the central portion of the campus. The following images show how hypothetical 9- or 10-story buildings would impact views of the campus from outside the campus. Note that trees are in the foreground of many images and would thus screen portions of potential future buildings.



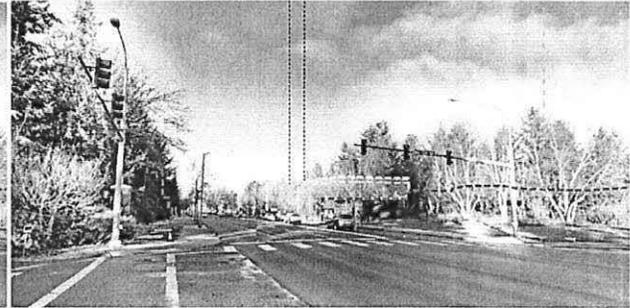
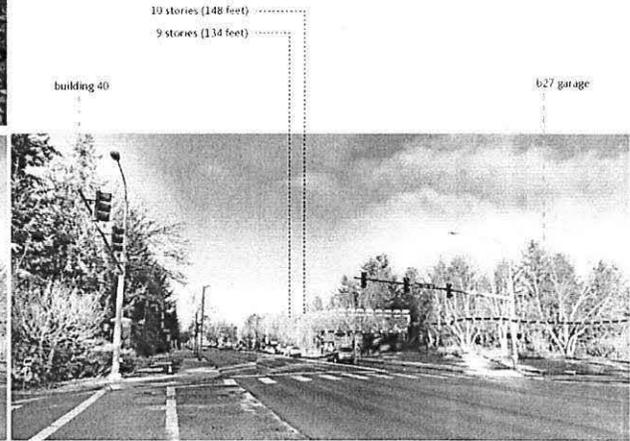
View looking south from NE 40th St and 159th Ave NE



area denoting height increase request

maximum building height

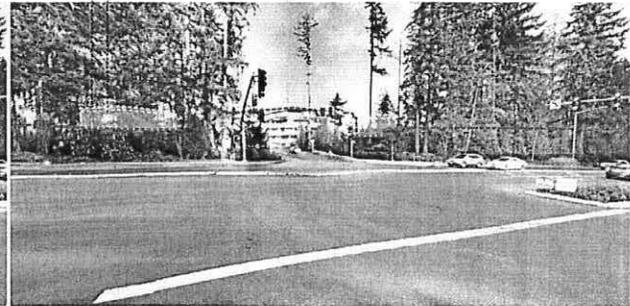
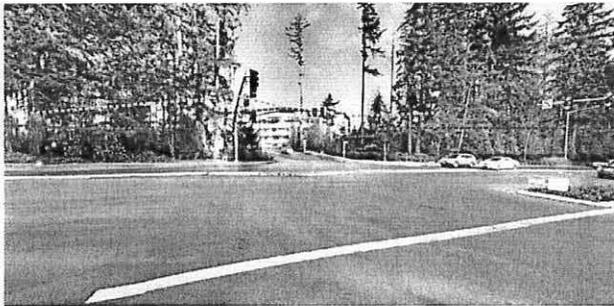
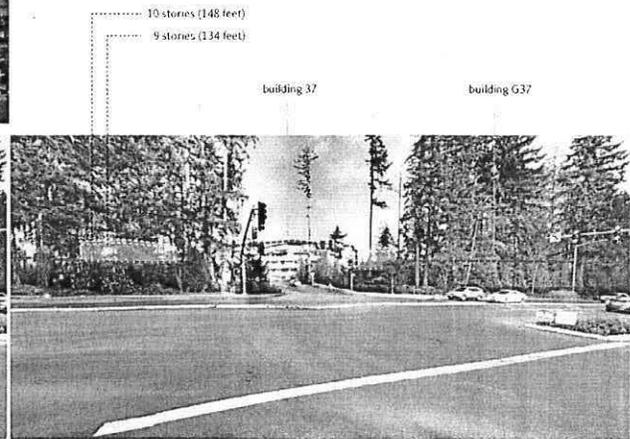
View looking east from 148th Ave NE and NE 39th St



area denoting height increase request

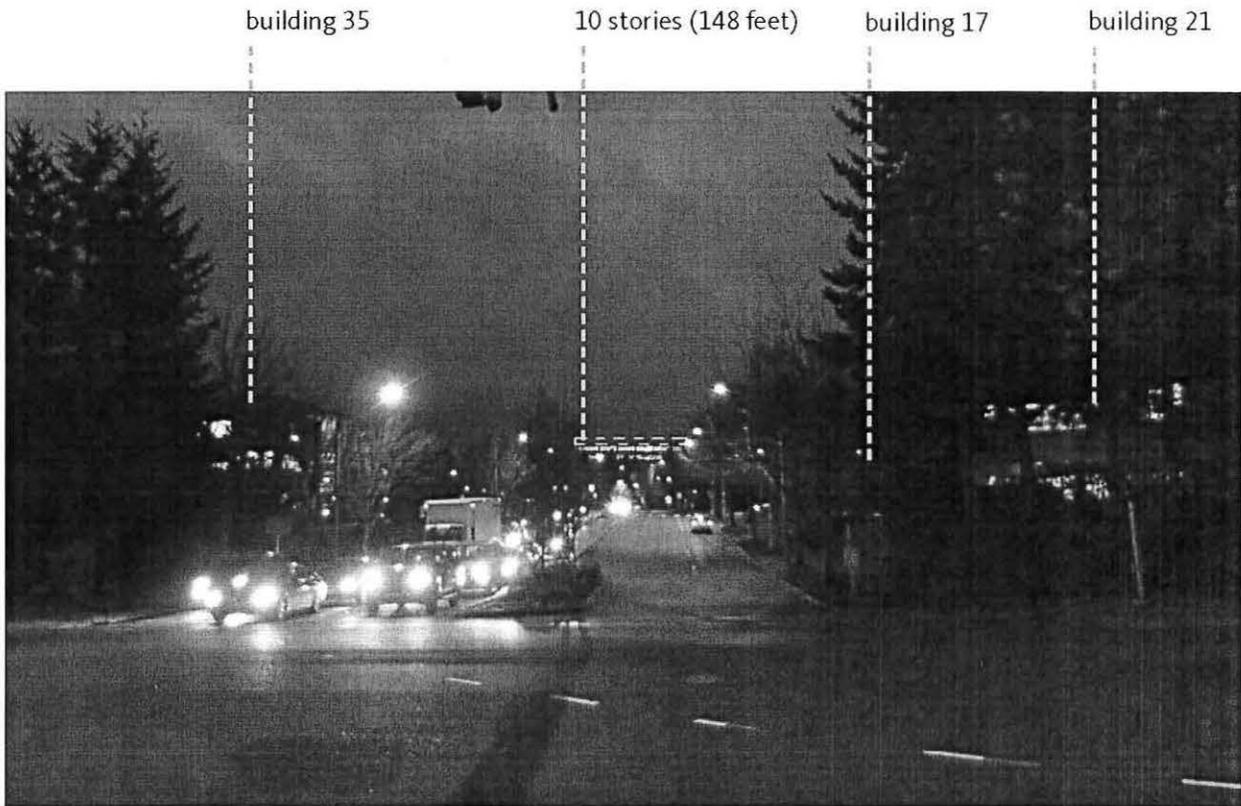
maximum building height

View looking northeast from 156th Ave NE and NE 28th St



View looking northwest from Bel-Red Rd and NE 30th St

The applicant also visualized how taller buildings would appear at night.



View looking south from NE 40th St and 159th Ave NE

Impacts to Public Facilities and Services

The Technical Committee considered how this proposal could impact demand for public facilities and services, such as streets, utilities, parks and open spaces and schools. At a high level the Committee concluded that the impacts would be similar with or without the height proposal. That is because the height proposal does not allow construction of any additional floor area above what is already allowed by existing development agreements; demand for transportation, utility, park and school infrastructure typically correlates to overall density, not height.

At the same time, there could be impacts to public facilities and services at the level of the project site. Depending on how future buildings are sited this could result in the need for localized upgrades to infrastructure such as sewer or water pipes. Impacts like these would be identified and mitigated at such time that specific buildings are proposed, consistent with requirements for adequate public facilities in the Redmond Zoning Code.

**B. COMPARISON WITH OTHER COMMUNITIES, APPROACHES
 (as applicable)**

Comparison to Allowed Height Elsewhere in Redmond

Redmond allows the tallest buildings in the core of its two urban centers: Downtown and Overlake. In Downtown the Town Square zone (just north of Old Town and generally between 160th and 164th Aves NE) allows the tallest buildings. In Overlake, the OV4 zone (between 152nd and 156th Aves NE north of the 2600 block) allows the tallest buildings. The following table shows how this proposal compares to existing allowed building heights, incorporating all possible bonuses, in Redmond’s urban centers.

Zone	Use	Max. stories	Max. feet
OV4	Hotel	12	135
OV4	Non-residential	10	126
OV4	Residential	12	125
OV1, 2 and 3	Residential	9	n/a
OV1, 2 and 3	Non-residential	8	n/a
TSQ	Any	8	n/a
Other DT	Any	4-6	n/a
OBAT current	Residential	6	n/a
OBAT current	Non-residential	5	n/a
OBAT proposed	Non-residential	10	148

Comparison to Allowed Height in Bel-Red Corridor

As a point of reference, maximum building heights in Bellevue’s Bel-Red corridor range from 45 to 150 feet when incentives are used.

IV. SUPPORTING ANALYSIS

A. EXISTING CONDITIONS

Policy Context

The City completed a major update to the Overlake Neighborhood Plan in 2007, with further incremental updates in 2010 and 2011. The Overlake Neighborhood Plan describes the Overlake Business and Advanced Technology (OBAT) zone as Redmond’s center for advanced technology uses, research and development, corporate offices, distribution and compatible manufacturing (Comprehensive Plan policies LU-52, OV-3, OV-5 and OV-58).

Pertinent to this proposal, Neighborhood Plan policies speak to the character and design of the built environment. Policy OV-11 calls for a greenbelt along Bel-Red Road to provide a transition between employment and residential

uses. Policy OV-12 calls for neighborhood-specific design standards that maintain interspersed views of tree lines and provide for building facades with visual interest. Policy OV-18 calls for using trees to screen residential areas from employment areas and transportation facilities.

OBAT-specific policies also speak to the location and character of commercial development. Policy OV-59 calls for higher-intensity development near 156th Ave NE between NE 31st St and NE 40th St and lower-intensity development near Bel-Red Road. Policy OV-61 encourages on-site trees, street trees, landscaping and open spaces in support of a sense of openness.

Regulatory Context

RZC 21.12.180 to .220 contains most of the development regulations for the OBAT zone. The existing maximum height for office buildings is 5 stories using transferable development rights (TDRs); mixed-use buildings can reach 6 stories with TDRs. Three height overlay areas exist in OBAT that reduce maximum height. The proposal does not overlap with any of the existing height overlays. Special setbacks exist along certain arterials. Relevant to this proposal is a minimum setback of 120 feet from Bel-Red Road and a maximum setback of 45 feet from 156th Ave NE. In addition, special buffer requirements exist along certain arterials, including a 100-foot buffer along Bel-Red Road and a 50-foot buffer along a portion of NE 40th St and a portion of NE 28th St.

The building height limit proposal would not affect the maximum floor area ratio (FAR) allowed in OBAT, meaning that the proposal would not result in more development than would otherwise be allowed under current zoning. Current OBAT regulations include capacity phasing provisions (RZC 21.12.220), whereby increases in non-residential FAR limits are linked to progress on mode-split goals, improvements to transportation facilities or services, increased residential development in the neighborhood and the adequacy of parks, emergency services and other services needed for a daytime population. The capacity phasing regulations that Planning Commission recommended and Council adopted in 2009 year use a point system and FAR limit increases automatically take effect when certain point thresholds are crossed, up to the planned commercial development capacity of 19.9 million square feet for Overlake. For example, City staff anticipates that maximum non-residential FAR will increase from 0.40 to 0.47 without TDRs (0.47 to 0.55 using TDRs) by the end of 2014 because a variety of housing and transportation-related improvements have been made in Overlake over the past several years.

Development Agreement

In 2005 the City and Microsoft executed a Development Agreement for the portion of Microsoft-owned land that this proposal covers. (There are three Development Agreements covering Microsoft-owned land. The 2005 agreement covers this area.) Among other things, the Development Agreement allows Microsoft to build about 2.2 million square feet of gross floor area on the land covered by the agreement, of which about 1 million square feet remain. (About 2 million square feet remain in all three Development Agreement areas, and density can be transferred between adjacent properties.) The height limit proposal would not change that limit; it would repackage that space in taller buildings. The agreement also mandates certain mitigation measures, such as transportation mitigation, that are triggered when certain development thresholds are exceeded.

B. COMPLIANCE WITH CRITERIA FOR PLAN AMENDMENTS

Redmond Comprehensive Plan Policies PI-16 and LU-26 direct the City to take several considerations, as applicable, into account as part of decisions on proposed amendments to the Comprehensive Plan.

Items 1 through 6 apply to all proposed amendments. Items 7 through 9 apply when proposed amendments concern allowed land uses or densities, such as proposed amendments to the Land Use Plan Map, land use designations, allowed land uses, or zoning map. Items 7 through 9 do not apply to this proposal.

The following is an analysis of how this proposal complies with the requirements for amendments.

1. Consistency with Growth Management Act (GMA), State of Washington Department of Commerce Procedural Criteria, VISION 2040 or its successor, and the King County Countywide Planning Policies.

The proposal is consistent with GMA goals related to directing urban growth to urban areas, encouraging economic development, and retaining open space. The proposal meets state procedural requirements for amending development regulations, including reviewing amendments for consistency with the Comprehensive Plan and gaining public input.

The proposal is consistent with VISION 2040 and King County Countywide Planning Policies that call for focusing growth in urban centers, in which this proposal is located.

2. Consistency with Redmond's Comprehensive Plan, including the following sections as applicable:

a. Consistency with the goals contained in the Goals, Vision and Framework Policy Element.

The proposal is consistent with the eight goals for Redmond in the Goals, Vision and Framework Policy Element. In particular the proposal advances the following goals:

Support vibrant concentrations of retail, office, service, residential and recreational activity in Downtown and Overlake.

Maintain a strong and diverse economy and provide a business climate that retains and attracts locally owned companies, as well as internationally recognized corporations.

The proposal would permit property owners greater design flexibility in constructing office buildings in the OBAT zone within the existing maximum allowed floor area, which in turn supports private investment in Overlake.

b. Consistency with the preferred land use pattern as described in the Land Use Element.

Policy FW-13 describes the preferred land use pattern. This proposal supports policy FW-13 by directing growth away from environmentally critical areas, encouraging the redevelopment of underutilized properties (such as property with older two-story office buildings in Overlake), focusing and promoting office development in the Overlake urban center, and encouraging research and development and high technology uses in Overlake.

c. Consistency with Redmond's community character objectives as described in the Community Character/Historic Preservation Element or elsewhere in the Comprehensive Plan.

Any future office buildings would be subject to design review in accordance with policies CC-17 through CC-23 and Redmond Zoning Code regulations.

d. Consistency with other sections as applicable including the Natural Environment; Economic Vitality; Transportation; Parks, Arts, Recreation, Culture and Conservation Elements.

Any future office buildings would be subject to Redmond's light pollution policies and regulations (NE-139 through NE-142 and RZC 21.34).

The proposal is consistent with Comprehensive Plan policies that describe the OBAT zone as Redmond's center for advanced technology uses, research and development, corporate offices, distribution and compatible manufacturing (LU-52, OV-3, OV-5, OV-58) in that it encourages the continued location of such uses in the OBAT zone.

The proposal maintains the greenbelt along Bel-Red Road that is called for in policy OV-11. Policy OV-12, which calls for design standards that maintain interspersed views of tree lines and for building facades with visual interest, and policy OV-61, which encourages on-site vegetation and open spaces, would be implemented at the project level. The proposal makes it easier to accommodate development allowed under the 2005 Development Agreement and open spaces in the area by reducing the overall needed building footprint. Policy OV-18, which calls for using trees to screen residential areas from employment area uses, would also be implemented at the project level.

The proposal is consistent with policy OV-59, which calls for higher-intensity development between NE 31st and NE 40th Sts, near 156th Ave NE. At the same time, the proposal mitigates visual impacts in the 156th Ave NE corridor by not calling for taller buildings adjacent to 156th Ave NE.

3. Potential general impacts to the natural environment, such as impacts to critical areas and other natural resources, including whether development will be directed away from environmentally critical areas and other natural resources.

The impacts to the natural environment are expected to be similar to the impacts without the proposed height limit change. That is because the proposed change does not change the total amount of allowed development. The proposal might reduce the total amount of land area covered by buildings compared to a scenario without the proposal; even so, the total allowed impervious surface area is not proposed to change.

All development would be required to comply with all federal, state and local laws concerning environmental protection, such as Redmond's critical areas ordinance.

4. Potential general impacts to the capacity of public facilities and services. For land use related amendments, whether public facilities

and services can be provided cost-effectively and adequately at the proposed density/intensity.

This is addressed in section III.A above.

5. Potential general economic impacts, such as impacts for business, residents, property owners, or City Government.

Business

Businesses operating within the new height overlay area would have more flexibility to construct taller buildings. This would be economically neutral at worst, and probably economically beneficial. They would benefit from the continued ability to locate in an urban center with transportation and service amenities. Businesses operating outside the new height overlay area may experience benefit from continued investment that contributes to increased economic activity and jobs in Overlake.

Residents

The proposal is unlikely to economically impact nearby residents.

Property Owners

The proposal is likely to benefit the applicant, which owns the property proposed for increased heights, and would gain additional design flexibility. The proposal is unlikely to affect surrounding property owners.

City Government

The proposal may economically benefit city government to the degree it benefits Redmond businesses and property owners who in turn pay taxes and hire employees and rent space to people and businesses that invest in Redmond.

6. For issues that have been considered within the last four annual updates, whether there has been a change in circumstances that makes the proposed amendment appropriate or whether the amendment is needed to remedy a mistake.

This issue has not been considered within the last four years.

C. RELATIONSHIP TO PENDING AMENDMENTS IN THE 2013-14 COMPREHENSIVE PLAN AMENDMENT PACKAGE.

This section is not applicable because this is not a proposed Comprehensive Plan amendment.

V. AUTHORITY AND ENVIRONMENTAL, PUBLIC AND AGENCY REVIEW

A. AMENDMENT PROCESS

RZC Sections 21.76.070.AE and 21.76.050.K require that amendments to the Comprehensive Plan or Zoning Code (except zoning map amendments consistent with the Comprehensive Plan) be reviewed under the Type VI process. Under this process, the Planning Commission conducts a study session(s), an open record hearing(s) on the proposed amendment, and makes a recommendation to the City Council. The City Council is the decision-making body for this process.

B. SUBJECT MATTER JURISDICTION

The Redmond Planning Commission and the Redmond City Council have subject matter jurisdiction to hear and decide whether to adopt the proposed amendment.

C. WASHINGTON STATE ENVIRONMENTAL POLICY ACT (SEPA)

The City anticipates issuing a SEPA threshold determination in September 2014.

D. 60-DAY STATE AGENCY REVIEW

State agencies were sent 60-day notice of this proposed amendment on September 5, 2014.

E. PUBLIC INVOLVEMENT

The public has opportunities to comment on the proposed amendment through the Planning Commission review process and public hearing. A public hearing is scheduled for September 24, 2014. The hearing noticed is attached as Exhibit B.

The City also hosted an open house concerning this proposal on August 25, 2014. A summary of input provided at the open house or online through September 4, 2014 is provided as Exhibit C.

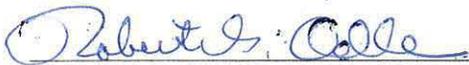
F. APPEALS

RZC 21.76.070.AE identifies Zoning Code Amendments as a Type VI permit. Final action is held by the City Council. The action of the City Council on a Type VI proposal may be appealed by filing a petition with the Growth Management Hearing Board pursuant to the requirements.

VI. LIST OF EXHIBITS

- Exhibit A: Recommended Zoning Code Amendments
- Exhibit B: Public Hearing Notice for September 24, 2014
- Exhibit C: Public Input Summary

Conclusion in Support of Recommendation: The Technical Committee has found the proposal to be in compliance with the Redmond Zoning Code, Redmond Comprehensive Plan, Redmond Municipal Code, and State Environmental Policy Act (SEPA).



ROBERT G. ODLE,
Planning Director
Planning and Community Development
Department



LINDA E. DE BOLDT,
Public Works Director
Public Works Department

Exhibit A: Recommended Zoning Code Amendments

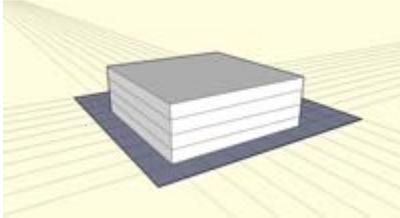
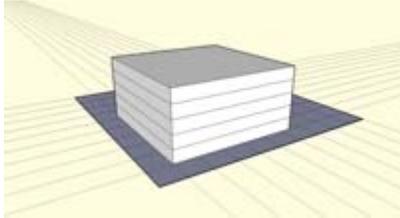
ARTICLE I ZONE BASED REGULATIONS

RZC 21.12 OVERLAKE REGULATIONS

21.12.180 OBAT Purpose

The purpose of the **Overlake Business and Advanced Technology Zone** is to: A) Implement the vision and policies for the Overlake Business and Advanced Technology zone set forth in the Redmond Comprehensive Plan; B) Provide a high-wage employment area that accommodates advanced technology, research and development, corporate offices, high technology manufacturing and similar uses to serve City and regional economic goals; C) Maintain a campus-like environment with significant areas of trees and open spaces; D) Provide for a low to moderate intensity of development to match available public facilities; E) Enhance compatibility between the uses in this zone and neighboring residential areas; F) Encourage walking, bicycling, carpools, vanpools, and transit use; and G) Provide opportunities for multifamily residential development and limited convenience commercial and service uses to help reduce motor vehicle trips in the area by serving employees from nearby businesses.

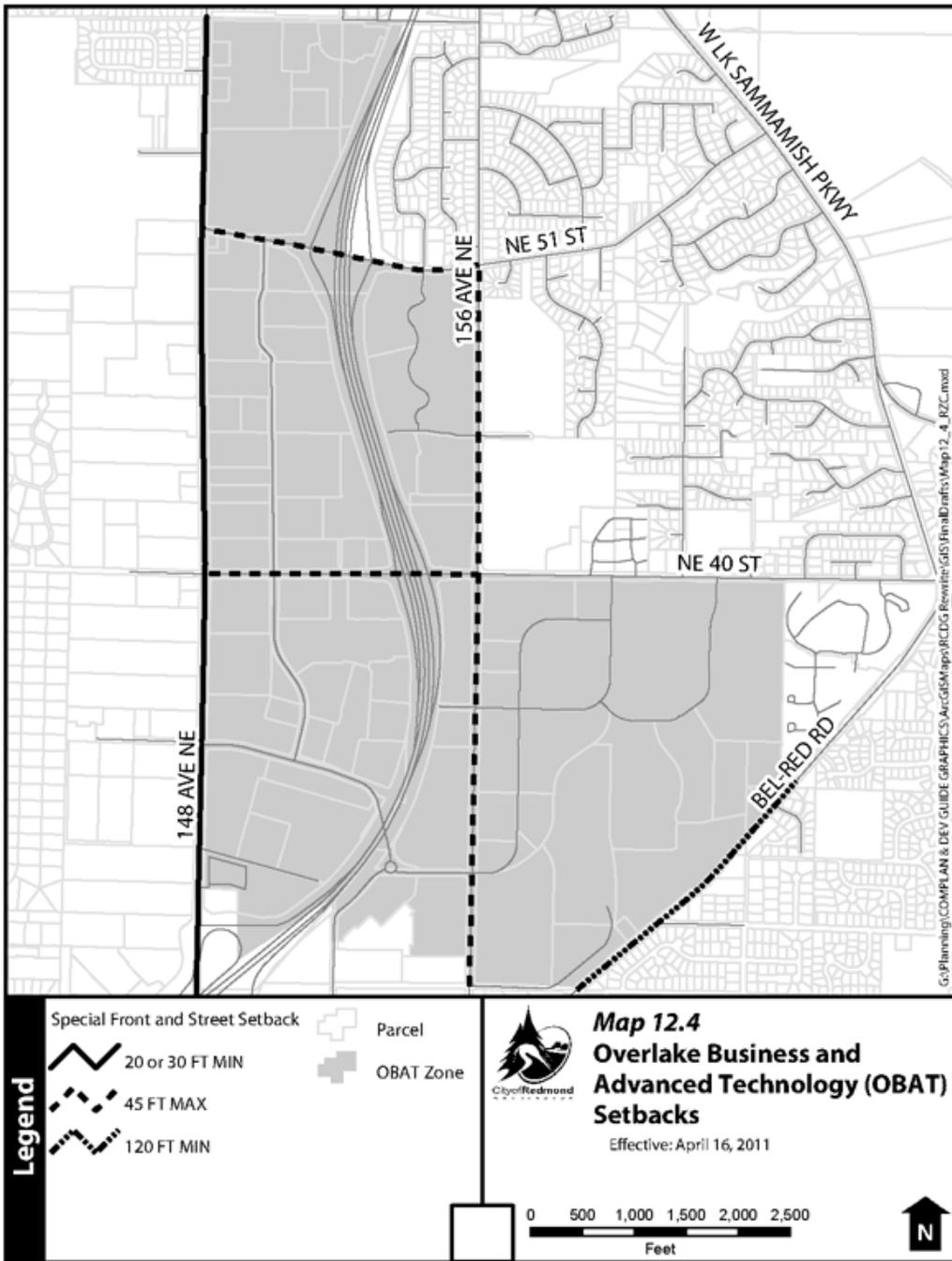
21.12.190 OBAT Maximum Development Yield

Table 21.12.190A Maximum Development Yield					
	Base	Bonuses Available, and Quantity	Max.	Illustrations	
Floor area ratio (FAR)	1.47	None in this example	1.47	Example of a 4-story building with FAR = 1.47	Example of 5-story building with FAR = 1.47
Height	4 stories (9 stories in 148-foot height overlay area)	TDRs or GBP: 1 story	5 stories (10 stories in 148-foot height overlay area)		

21.12.200 OBAT Regulations Common to All Uses

A. Regulations Common to All Uses.

Table 21.12.200B Regulations Common to All Uses			
	Regulation	Standard	Exceptions
Minimum	Setbacks		
	Front and Street	10 feet	<ol style="list-style-type: none"> Improvements less than 30 inches above grade, including decks, patios, walks and driveways, are permitted in setbacks. Fences, landscaping, flagpoles, street furniture, transit shelters and slope stability structures are permitted in setback areas, provided that all other applicable requirements are met. No other structures, including accessory structures, are permitted in setback areas. See Map 12.4, <i>Overlake Business and Advanced Technology (OBAT) Setbacks</i>, below for front and street setbacks along 148th Avenue NE. Setbacks shall be: <ol style="list-style-type: none"> 20 feet for buildings 20 feet or less in height; or 30 feet for buildings greater than 20 feet in height. See Map 12.4 below for Front and Street setbacks along Bel-Red Road.
	Rear	20 feet	
	Side	30 feet	
	Landscaping		
Landscaping	20 percent		
Maximum	Setbacks		
	Front and Street	45 feet	Applies in the locations noted on Map 12.4 below only.
	Impervious surface area, Height, and FAR		
	Impervious surface area	80 percent	
	Height	Varies	<ol style="list-style-type: none"> <u>9-story buildings shall not exceed 134 feet</u> <u>10-story buildings shall not exceed 148 feet</u>
FAR	Varies	<ol style="list-style-type: none"> All legal lots are allowed the greater of either the maximum allowed FAR or 10,000 square feet of buildings provided all other applicable site requirements are met. The FAR for nonresidential and residential uses within a given development are individually calculated and may be added to together for a cumulative total, provided that the respective maximum FAR for each use is not exceeded, unless otherwise provided for. 	
	Drive-through	n/a	<ol style="list-style-type: none"> Drive-through facilities are prohibited except where expressly permitted in the Allowed Uses and Basic Development Standards table below.
Map 12.4 Overlake Business and Advanced Technology (OBAT) Setbacks			



Note: Online users may click the map for a full-size version in PDF format.

B. Landscaping.

No changes.

C. Street Cross Sections.

No changes.

21.12.210 OBAT Allowed Uses and Basic Development Standards

A. **Allowed Uses and Basic Development Standards.** The following table (see below) contains the basic zoning regulations that apply to uses in the Overlake Business and Advanced Technology (OBAT) zone. To use the chart, read down the left-hand column titled “Use.” When you have located the use that interests you, read across to find regulations that apply to that use. Uses are permitted unless otherwise specified in the Special Regulations column. Permitted uses may require land use permit approval. See RZC 21.76.020, *Overview of the Development Process*, for more information. Uses not listed are not permitted.

Table 21.12.210B OBAT Allowed Uses and Basic Development Standards					
§	Use	Max. FAR	Max. Height	Parking Ratio: Unit of Measure (Min. required, Max. allowed)	Special Regulations
		Base; w / TDRs or GBP	Base; w / TDRs or GBP		
Residential					
1	Multifamily Structures	1.0; 1.0	5; 6	Unit (1.0, 2.25) plus 1 guest space per 4 units for projects of 6 units or more	
2	Mixed-Use Residential				
3	Dormitory			Bed (0.75, 0.75)	
4	SRO			Bedroom (0.5, 1.0)	
General sales or services					

**Table 21.12.210B
OBAT Allowed Uses and Basic Development Standards**

§	Use	Max. FAR	Max. Height	Parking Ratio: Unit of Measure (Min. required, Max. allowed)	Special Regulations
		Base; w / TDRs or GBP	Base; w / TDRs or GBP		
5	General Sales or Service	.40; .47	4 5 9 <u>10</u>	1,000 SF GFA (2.0, 3.0)	<ol style="list-style-type: none"> 1. The following uses are prohibited: <ol style="list-style-type: none"> a. Pet and animal sales or services; b. Veterinary services; c. Full-service restaurant; and d. Travel arrangement and reservation services. 2. Convenience uses only. 3. If open to the general public, use shall: <ol style="list-style-type: none"> a. Be located in multi-tenant buildings or as part of mixed-use developments; and, b. Not exceed 20,000 square feet of gross floor area on a single site or 30,000 square feet of gross floor area on a single site if an athletic club or fitness center is included. 4. If open only to internal employees, use is not subject to the above constraints. 5. Automobile sales, rental and service not allowed except for service to public transit or company-owned vehicles provided the following conditions are met: <ol style="list-style-type: none"> a. Requires a conditional use permit. See RZC 21.76.070.K, Conditional Use Permit. b. Service for company-owned vehicles shall be accessory to another use. c. Not permitted within a Transition Overlay. 6. Gasoline service requires a conditional use permit. See RZC 21.76.070.K, Conditional Use Permit. 7. The maximum number of parking stalls allowed may be increased to 5.0 per 1,000 square feet of gross floor area for the retail components of mixed-use developments.
6	Real Estate Services	.40; .47	4 5 9 <u>10</u>	1,000 SF GFA (2.0, 3.0)	<ol style="list-style-type: none"> 1. Property management services only.
Manufacturing and Wholesale Trade					
7	Manufacturing and Wholesale Trade	.40; .47	4 5 9 <u>10</u>	1,000 SF GFA (2.0, 3.0)	<ol style="list-style-type: none"> 1. Outdoor storage not permitted.
Transportation, Communication, Information, and Utilities					
8	Road, Ground Passenger and Transit Transportation			1,000 SF GFA (2.0, 3.0)	
9	Rapid charging station	.40; .47	4 5 9 <u>10</u>	Adequate to accommodate peak use	<ol style="list-style-type: none"> 1. Shall not be located on a parcel that abuts a residential zone.
10	Battery exchange station				
11	Communications and Information			1,000 SF GFA (2.0, 3.0)	

Table 21.12.210B OBAT Allowed Uses and Basic Development Standards					
§	Use	Max. FAR	Max. Height	Parking Ratio: Unit of Measure (Min. required, Max. allowed)	Special Regulations
		Base; w / TDRs or GBP	Base; w / TDRs or GBP		
12	Local Utilities; Regional Utilities			Adequate to accommodate peak use	1. Requires a conditional use permit if 40 feet in height or greater. See RZC 21.76.070.K, <i>Conditional Use Permit</i> .
13	Large Satellite Dishes/Amateur Radio Tower				1. See RZC 21.56, <i>Wireless Communication Facilities</i> .
14	Antenna Array and Base Station	.40; .47	49; 510	Adequate to accommodate peak use	1. A Conditional Use Permit may be required; see RZC 21.56, <i>Wireless Communication Facilities</i> , for specific development requirements.
15	Antenna Support Structures				1. Requires a conditional use permit (see RZC 21.76.070.K, <i>Conditional Use Permit</i>) and must comply with RZC 21.56, <i>Wireless Communication Facilities</i> .
Arts, Entertainment, and Recreation					
16	Arts, Entertainment, and Recreation	.40; .47	49; 510	1,000 SF GFA (2.0, 3.0)	
Education, Public Administration, Health Care, and other Institutions					
17	Education, Public Administration, Health Care, and other Institutions except those listed below	.40; .47	49; 510	See Special Regulations	1. Associations, nonprofit organizations, etc., are not permitted. 2. Parking: The number of spaces must be adequate to accommodate the peak shift as determined by the Administrator after considering the probable number of employees, etc.
18	Day Care Center	.47; .47		Employee on maximum shift (1.0, 1.0)	1. Play equipment shall be located no less than 10 feet from any property line. 2. Shall not be located closer than 300 feet from existing day care operation in residential zone. 3. If built at greater than 0.40 FAR without use of TDRs, deed restrictions shall be placed on building space to require space is used permanently for a day care center and no other uses.

Table 21.12.210B OBAT Allowed Uses and Basic Development Standards					
§	Use	Max. FAR	Max. Height	Parking Ratio: Unit of Measure (Min. required, Max. allowed)	Special Regulations
		Base; w / TDRs or GBP	Base; w / TDRs or GBP		
19	Religious Institutions	.40; .47		Assembly uses: 1,000 sq ft gfa (10.0, 10.0), or number of fixed seats (0.2, 0.2) Other uses: 1,000 sq ft gfa (2.0, 3.0)	<ol style="list-style-type: none"> 1. A seat is one fixed seat or 18 inches on a pew or bench or seven square feet in the general assembly area (including aisle space, but excluding stage, podium, lobby, and space for musical instruments). 2. Storage locations of buses/vans over 10,000 gvwt shall be shown on a plan and screened from neighboring properties or right-of-way. 3. Decorative fencing or decorative walls and landscaping, on side or back lots are required when necessary to prevent visual impacts on neighboring properties and public shoreline areas. 4. Steeples, bell towers, crosses or other symbolic religious icons mounted on the rooftop may exceed the maximum shoreline building height by 15 feet. (SMP) 5. Maximum height for separate structures on-site, such as bell towers, crosses, statuary, or other symbolic religious icons is 50 feet. 6. A traffic mitigation plan is required. The plan shall address traffic control, parking management (including mitigation of overflow parking into adjoining residential areas), and traffic movement to the arterial street system. 7. Requires a conditional use permit if 750 seats or greater. See RZC 21.76.070.K, <i>Conditional Use Permit</i>.
Construction-Related Businesses					
20	Construction-Related Businesses	.40; .47	49; 510	1,000 SF GFA (2.0, 3.0)	<ol style="list-style-type: none"> 1. Shall not include a showroom open to the general public.

B. *Repealed.*

C. **Building Height.**

1. Height Tradeoff.

a. The maximum building height on a site may be exceeded when building height reductions are required at building edges, along a street or park, to achieve better design and stepped building height through the development approval process. The amount of floor area that is allowed to exceed the prescribed maximum building height (without use of bonuses or transfer of development rights) shall not exceed (without use of bonuses or transfer of development rights) shall not exceed the floor area that was removed or omitted to create the stepped building façade and shall not exceed one additional floor above the prescribed maximum building height.

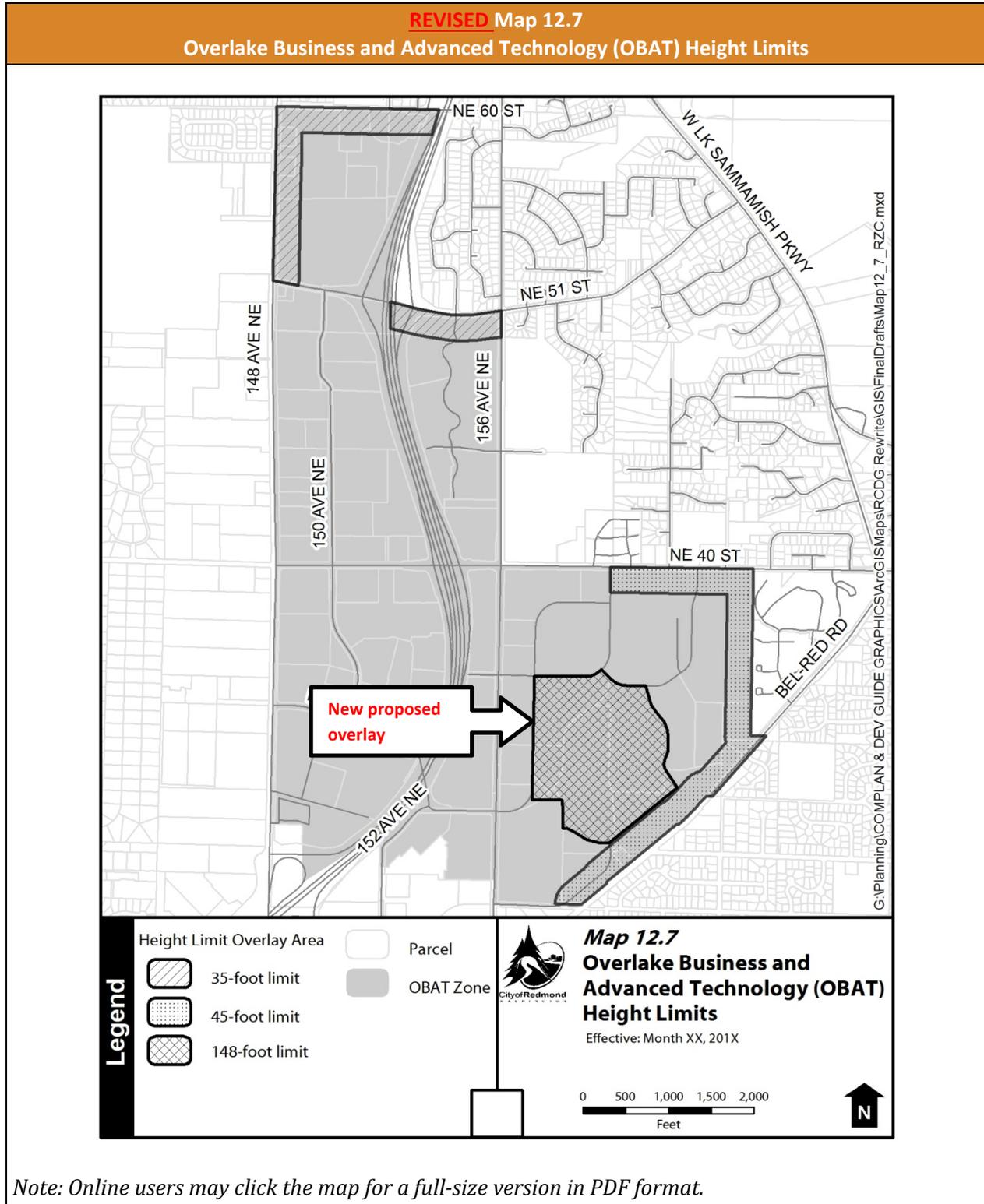
~~a.b.~~ In no case shall a building exceed 9 stories without TDRs or 10 stories with TDRs.

2. Height Limit Overlay.

a. Purpose. This section establishes special height limits as shown on Map 12.7, Overlake Business and Advanced Technology (OBAT) Height Limits. The intent of this requirement

is to promote compatibility on the edges of zones that allow more intense uses than abutting zones and to minimize adverse impacts such as glare.

b. Map 12.7-Overlake Business and Advanced Technology (OBAT) Height Limits.



C.

2.

c. Requirements.

1. The Height Limit Overlay Map shows two kinds of overlays:

a. Reduced limits on maximum height for structures located within 300 feet of the OBAT Zone boundary with lower intensity zones; ~~and-~~

~~a.b.~~ Increased limits on maximum height for structures in an interior portion of the OBAT zone.

2. 45-Foot Height Limit Overlay. Within this overlay, maximum structure height shall be 45 feet or three stories, whichever is lower.

3. 35-Foot Height Limit Overlay.

a. Within this overlay, maximum structure height shall be 35 feet.

b. The maximum structure height may be increased up to 45 feet if at least one of the following features is provided;

1. At least one quarter of the on-site parking is provided in underground parking structures.

2. The existing grade under the proposed structure pad is at least 10 feet below the grade at the property lines of all properties that border or are across the street from the development site.

3. Transfer of development rights or Green Building and Green Infrastructure Incentive Program (GBP) are used to increase structure height.

4. 148-Foot Height Limit Overlay. Within this overlay, maximum structure height shall be 9 stories and 134 feet without TDRs or 10 stories and 148 feet with TDRs.

3. Allowed structure height may be further increased within the 35-foot and 45-foot is-overlays if the following conditions are met:

c. The modified building height does not exceed the maximum height permitted by the RZC 21.12.210, OBAT Allowed Uses and Basic Development Standards.

d. The proposal with the height allowance will provide an equivalent or better transition to lower height residential zones as the limit imposed through the height overlay. Permit decision maker may consider:

1. Landscape features, such as retention or enhancement of vegetation;

2. Building design features, such as massing or roofline;

3. Site design features, such as use of landscaped berms; or

4. Other features that meet the intent of this section. (Ord. 2642)

No changes to remainder of RZC 21.12

Exhibit B

NOTICE OF PUBLIC HEARING CITY OF REDMOND

Overlake Business and Advanced Technology (OBAT) Zone - Redmond Zoning Code Amendment for Building Height, LAND-2014-01335

The City of Redmond **Planning Commission** will hold a Public Hearing in the **City Hall Council Chambers, 15670 NE 85th Street, Redmond, Washington** on **September 24, 2014 at 7:00 p.m.** or as soon thereafter as possible, on:

SUBJECT:

Microsoft Corporation has proposed amending the OBAT Zone regulations to allow up to 9-story buildings in the central portion of the Microsoft Main (East) Campus, with the option to go to 10 stories using transferable development rights (TDRs). Currently, up to 5-story office buildings are allowed using TDRs. These proposed amendments would affect portions of RZC 21.12, Overlake Regulations.

Microsoft and the City established a Development Agreement in 2005 for future growth on the campus. This request does not include any additional development beyond what is allowed under that agreement. No specific building plans have been submitted and no specific buildings are part of this proposal.

REQUESTED ACTION: Planning Commission recommendation on the proposed amendments. All persons are invited to comment in person at the hearing, or in writing prior to the hearing, to the Planning Department at City Hall, P.O. Box 97010, Redmond, Washington, 98073-9710. Comments may also be provided by e-mail to planningcommission@redmond.gov or by fax to (425) 556-4242. **Contact Jeff Churchill at 425-556-2492 or jchurchill@redmond.gov and visit www.redmond.gov/overlake for more information.**

A copy of the proposal is from the Planning Department, 4th Floor of City Hall and also on the web at www.redmond.gov/planningcommission. If you are hearing or visually impaired, please notify the Planning Department at 425-556-2440 one week in advance of the hearing in order to be provided assistance.

LEGAL NOTICE: SEPTEMBER 3, 2014

Exhibit C: Public Input Summary

The City hosted an open house on August 25, 2014 to provide information and seek questions and comments on the amendment requested by Microsoft to the OBAT (Overlake Business and Advanced Technology) zone height limit. Microsoft representatives provided visualizations of how taller buildings could look from various points near and around the Microsoft campus. Microsoft representatives explained the proposal and City staff explained the review and decision process. Six community members attended. Two people completed comment cards.

After the open house the City posted the visualization materials to www.redmond.gov/overlake and opened an online questionnaire that asked the same questions as the comment card provided at the open house. As of September 4, 2014, nine people had completed at least part of the questionnaire or emailed comments to City staff. Public input as of September 4 is summarized below. The questionnaire will remain open through September 21, 2014.

What questions do you have?

- What mitigation will be done to account for traffic that additional employees will create?
- How many square feet or employees will be added?
- Will existing buildings be demolished?
- How is 10 stories measured? From the ground? From the parking garage?
- How does this fit with Overlake Village?
- What additional parking is proposed?

What are your concerns?

- Traffic on SR 520, I-405, 148th Ave NE, W Lk Samm Pkwy, NE 40th St overpass, Bel-Red, NE 30th St, 164th Ave NE, NE 24th St, 156th Ave NE
- This could be the first of many requests for additional height – it's a slippery slope
- Anything more than five/six stories is too tall
- Privacy: views of homes from taller buildings
- Proximity to single- and multi-family homes
- Light pollution

What other input do you have?

- Preserving trees on campus should be emphasized – replanting is a poor substitute
- We need to provide opportunities to build taller buildings to remain competitive
- Microsoft growth is welcome provided traffic impacts are minimized
- Put taller buildings between 148th Ave NE and SR 520, away from residences
- Proposal needs review for traffic impacts it could have
- Conduct more traffic counts in the OBAT vicinity



STATE ENVIRONMENTAL POLICY ACT (SEPA) DETERMINATION OF NON-SIGNIFICANCE

For more information about this project visit www.redmond.gov/landuseapps

PROJECT INFORMATION

PROJECT NAME: OBAT Zoning Code Amendment for Building Height

SEPA FILE NUMBER: SEPA-2014-01596

PROJECT DESCRIPTION:
SEPA for OBAT Zoning Code Amendment for Building Height

PROJECT LOCATION: Portion of OBAT zone

SITE ADDRESS:

APPLICANT: Jim Stanton

LEAD AGENCY: City of Redmond

The lead agency for this proposal has determined that the requirements of environmental analysis, protection, and mitigation measures have been adequately addressed through the City's regulations and Comprehensive Plan together with applicable State and Federal laws.

Additionally, the lead agency has determined that the proposal does not have a probable significant adverse impact on the environment as described under SEPA.

An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. **This information is available to the public on request.**

CITY CONTACT INFORMATION

PROJECT PLANNER NAME: Jeff Churchill

PHONE NUMBER: 425-556-2492

EMAIL: jchurchill@redmond.gov

IMPORTANT DATES

COMMENT PERIOD

Depending upon the proposal, a comment period may not be required. An "**X**" is placed next to the applicable comment period provision.

There is no comment period for this DNS. Please see below for appeal provisions.

'X' This DNS is issued under WAC 197-11-340(2), and the lead agency will not make a decision on this proposal for 14 days from the date below. Comments can be submitted to the Project Planner, via phone, fax (425)556-2400, email or in person at the Development Services Center located at 15670 NE 85th Street, Redmond, WA 98052. **Comments must be submitted by 10/01/2014.**

APPEAL PERIOD

You may appeal this determination to the City of Redmond Planning Department, Redmond City Hall, 15670 NE 85th Street, P.O. Box 97010, Redmond, WA 98073-9710, **no later than 5:00 p.m. on 10/16/2014**, by submitting a completed City of Redmond Appeal Application Form available on the City's website at www.redmond.gov or at City Hall. You should be prepared to make specific factual objections.

DATE OF DNS ISSUANCE: SEPTEMBER 17, 2014

For more information about the project or SEPA procedures, please contact the project planner.

RESPONSIBLE OFFICIAL: Robert G. Odle
Planning Director

SIGNATURE: 

RESPONSIBLE OFFICIAL: Linda E. De Boldt
Public Works Director

SIGNATURE: 

Address: 15670 NE 85th Street Redmond, WA 98052