

Wilburton Vision Implementation LUCA Comment Tracker
Comments Received After the October 30 LUCA Draft Release

Updated: December 4, 2024

Topic Area	Commenter(s)	Comment(s)	Response/Notes
General Comments	John Wu/Phyllis White, Resident	Support the Washington Department of Fish and Wildlife’s (WDFW) recent recommendations on enhancing environmental protections in Bellevue, with a focus on tree retention, wildlife habitat, and riparian zones, particularly in the Wilburton/BelRed/NE 8th Street area. Site Potential Tree Height (SPTH) at 200 years and Riparian Management Zones (RMZs) of 187-196 feet to ensure long-term ecological resilience. Their proposed 3:1 tree replacement ratio and goal of 38% canopy retention are crucial for ecosystem health, urban cooling, and shading.	This comment will be addressed during the Critical Areas Ordinance update, planned to launch in 2025.
	Wallace	Allow property owners to obtain a “permitted use letter” from the Director, similar to the current zoning certification letters, to be able to confirm that a specific use is permitted.	This may be accomplished through zoning certification letter.
	Bellevue Chamber	20.10.445.B.1 Allow property owners to obtain a “permitted use” letter from Director, similar to current zoning certification letter, to confirm specific use is permitted	
	Wallace	Broaden the list of items that are departable and modify the departure criteria to allow more latitude in approving departure requests.	Administrative departures in LUC 20.25R.010 have been broadened to allow departures on all numeric standards in LUC 20.25R. The only numeric standards that are not available for an administrative departure are affordable housing requirements, access corridor widths, and sidewalk width as these items have a separate departure/deviation process assigned to them. Departing from standards that are applicable citywide is not supported by staff.
	Bellevue Chamber	20.25R.010.D.4 Need to broaden departures to all standards applicable in Wilburton, including 20.20.	
	WPOG	Maintain broad authorization for departures (including departures to Chapter 20.20 of the LUC) as vehicles for flexibility and alternative incentive structures, instead of precluding City Officials from using these tools to their fullest potential in the future.	
Nonconforming	Wallace	A nonconforming use code needs to be developed using the Growth Area LUC’s as precedent: Downtown Nonconforming Sites (20.25A.040.C), Bel-Red Regulations Applicable to Existing Development (20.25D.060.G) and East Main Nonconforming uses, structures, and sites and exceptions for existing athletic club and accessory hotel use (20.25Q.040). Of these, East Main appears to be the most detailed, and the exception for athletic club should be used for "exception for auto dealers" section in Wilburton.	The LUCA will rely on the citywide non-conforming provisions for Wilburton. The current citywide non-conforming provisions achieve a balance between preserving the viability of existing developments and supporting the gradual transformation of the area into a dense, transit-oriented community. These provisions apply in other areas like Eastgate, Crossroads, and Factoria with positive results.
	WPOG	Allow existing nonconforming uses and sites to remain, in recognition of the time needed to build out the Wilburton Vision and in recognition of the significant economic contributions of existing businesses through sales tax revenues, employment, and neighborhood activation.	
	WPOG	Allow overall site development in phases under MDPs, including allocation of FAR across the project area, without the need to bring all nonconformities across the development site into conformity at the outset of a phased project.	If existing businesses are not expanding or undergoing major remodels (i.e., the remodel budget does not exceed 100% of the replacement value of the structure), they are not required to fully comply with the new land use standards.
	Bellevue Chamber	20.25R.010.D.2: Include specific language stating entirety of MDP site must not be placed into “proportional compliance.”	
	KGIP	When a project is part of a Master Development Plan, it is critical that the City does not require future phases that are not part of the then-current construction to come up to code requirements.	
			Not supported by staff. Inconsistent with existing LUC framework applied citywide.

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	O'Brien Autogroup (Lexus Dealership)	Concerns regarding the proposed rezone for the Wilburton area, specifically the requirement that surface parking would be limited to 10% of a lot if a site's upgrades trigger the code's nonconforming provisions. Upgrades would trigger the 10% surface parking requirement, as well as other access and landscaping standards, potentially forcing us to redesign our site.	The LUCA will rely on the citywide non-conforming provisions for Wilburton. Under citywide non-conforming provisions, existing auto dealerships and other uses with surface parking may benefit from exceptions in the existing non-conforming code such as the ability to reconfigure parking areas within the existing paved surface, allowing for operational improvements without triggering compliance.
	Wallace	Requested change: Preferred: Delete entirely. Alternative: Change "a reconfigured parking area" to "additional hardscape coverage", or else define what it means to reconfigure the parking area when you're not adding new spaces or adding hardscape. This section remains an unnecessary burden. Property owners should be allowed to continue to maintain surface parking. It's also unclear what "reconfigured" means. It should just be triggered if the quantity of stalls increases or hardscape is added.	
	Bellevue Chamber	20.10.445.C.9.b Delete Alternative: change reconfigured parking area to "additional hardscape coverage" or defined what it means to reconfigure parking area when not adding new spaces or hardscape	Issue addressed by existing non-conforming code exceptions (20.20.560.C.1).
	Bellevue Chamber	Use BelRed nonconformity framework.	The LUCA will rely on the citywide non-conforming provisions for Wilburton.
Access Corridors	Wallace	20.25R.020.B.3.h This is a regulatory taking of a property right. Verify with land use counsel, but I believe the City needs to demonstrate nexus and rough proportionality.	Staff have consulted with the City Attorney's Office. No further changes are proposed to this section.
	Wallace	20.25R.020.B.3.f Delete the requirement to "incorporate design elements of the adjacent right of way" because it is vague. Delete the requirement to comply with ADA – the entire site is required to comply with ADA, and sometimes alternative routes are necessary.	A 14-foot pedestrian corridor option was added to the list of options that can be used to frame a block. The pedestrian corridor width is significantly smaller than other access corridor types and is sized appropriately to establish legible blocks and permeability into the site.
	Bellevue Chamber	20.25R.020.B.3.f. Allow a 10' pedestrian corridor. Delete requirement to "incorporate design elements of the adjacent ROW." Delete or add flexibility for requirement to comply with ADA on pedestrian corridors Provide amenity points for doing a 14' amenitized pedestrian path	Language referencing design elements from adjacent ROW has been removed. The intent of the code regarding design and ADA compliance is appropriate in this section. Language providing amenity points for the pedestrian corridor has been added.
	WPOG	Remove 'grid system' maps and make transportation improvements through the transportation capital improvement process.	"Grid System" maps, with the exception for Local Streets, were removed in previous LUCA versions. Incorporating access corridors into the transportation CIP is currently out of scope, but discussions with the TR department are happening to outline the steps needed to explore this change.

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	WPOG	Take transportation requirements out of the design manual and insert them in the LUC, to create predictability needed for new development.	The LUCA has been amended to include local street and access corridor required widths and streetscape elements. The Transportation Design Manual will include design requirements for these facilities, similar to the approach in BelRed.
	Bellevue Chamber	Specifically state that the LUC controls widths and dimensions, not the TDM	
	Wallace	Move 20.25R.020.B.2.b.v to own section. Provisions for “rough proportionality” need to be added.	The language used mirrors that of Chapter 14.60 BCC as well as in RCW 82.02.020. When interpreting the language in the context of RCW 82.02.020, Washington State Courts have held that it incorporates the Nollan/Dolan standard. <i>See, e.g., City of Federal Way v. Town & Country Real Estate, LLC</i> , 161 Wn. App. 17, 44-45 (2011) (“We agree with the hearing examiner and Town & Country that RCW 82.02.020 contains the same kind of ‘rough proportionality’ analysis embodied in the <i>Nollan/Dolan</i> standard, regardless of whether the exacted condition of approval is a mitigation payment or dedication of land.”). Therefore, modifying the language to add the term “rough proportionality” as requested would be redundant and would require out of scope edits to Chapter 14.60 BCC to maintain consistent language throughout the BCC and LUC.
	Bellevue Chamber	Public access easement must clarify it is for surface rights only, and also reiterate the nexus and proportionality language.	
	Bellevue Chamber	Dedication of access corridor Clarify term “dedication.” Please move this to its own section as it is an important concept. (20.25R.020.D) Please add the term “rough proportionality.”	
	Bellevue Chamber	The requirement to provide public streets should be deleted. In the alternative, the roads should be made commensurate with the requirements for Bel-Red roads. Specifically, waivers to requirements should be permitted by code—code still requires roads to meet the stringent standards in subsection b without waiver.	The intention for all access corridors (except local streets) is to convey surface rights only. This is not supported by staff. Public streets (local streets) are required in locations deemed necessary by the city’s Transportation department. Access Corridors for Wilburton have been thoughtfully designed to respond to Wilburton’s specific policies, needs, and conditions.
	WPOG	Flexibility and departures from transportation standards based on site-specific conditions are a must. For example, sites burdened by critical areas, sites crossed by Sound Transit guiderrails, and sites with unusual geography in the heart of the TOD need flexibility through departures from these standards to enable development.	Deviations are reviewed through the Transportation deviation process.
	Bellevue Chamber	Clarify that sites less than 100,000 s.f. can share access drives	Suggestion has been incorporated in the LUCA.
	Bellevue Chamber	Allow transportation departures through the LUC	Deviations must follow the process in the TDM. The current process ensures technical feasibility and infrastructure protection.
	KGIP	Departures must be permitted from the Transportation standards	

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	KGIP	Reduce corridor widths from 30 to 25 feet. Also reduce other corridors. Reduce active transportation option B (fire lane access) ft to 20 consistent with FD minimum requirements.	<p>All corridor widths have already been reduced in previous LUCA drafts, and in October, a 14-foot pedestrian corridor was added to the list of options that can be used to frame a block.</p> <p>Corridor widths, including the flexible access corridor, are appropriately sized to support anticipated growth in the area, which includes:</p> <ul style="list-style-type: none"> • An additional 12.0 million square feet of commercial development. • Capacity for 14,800 new housing units. • Capacity for 35,500 additional jobs. <p>Access corridors in Wilburton can be shared with adjacent property owners, enabling both properties to meet the perimeter block requirement.</p> <p>Deviations may be requested through process described in TDM.</p> <p>The fire lane width is required to be larger than the minimum requirement provided by fire when the fire lane is proposed by a developer to meet the minimum block size requirements, otherwise the width can be reduced to the size required by the fire department.</p> <p>While alleys function well in some contexts, they are not encouraged as primary access corridors for meeting block size requirements. The goal is to prioritize active, pedestrian-focused spaces over vehicular access.</p> <p>The December draft LUCA has been updated to clarify access requirements, including sidewalk widths, for sites less than 100,000 square feet.</p> <p>Sidewalk widths are required to be 10 feet.</p>
	KGIP	The pedestrian corridor requirement is 14 feet and it should be reduced to 10 feet. Downtown's requirement is 6 feet, there is no reason Wilburton's pedestrian corridors should be over double Downtown's. The code should be made clear that public access requirements in transportation corridors are for the surface of the street only, and do not include below-grade areas, or above grade areas.	
	Wallace	20.25R.020.B.3.b The 10' minimum is excessive. Sidewalk widths should be different for public streets vs. private driveways. The widths for all should be comparable to the widths in Bel-Red.	
	Wallace	20.25R.020.B.3.e Requested change: Reduce minimum width to 15' if no fire truck access is provided, and 25' if fire access. The above widths allow for a 10'/20' wide hard surface area plus 5' for a soft surface area. This is only applicable if the lot is 100,000sf or more, creating an unnecessary hardship for these large sites. It is available for smaller sites if they want to use it to achieve amenity points. Other than amenity points, why would someone provide an ATAC instead of a Pedestrian Corridor?	
	Wallace	20.25R.020.C.2 Reduce width of sidewalks to 6' and eliminate mandate for parking strips. Public streets are not required in the North MU-H area. Comment is included in support of other Wilburton property owners who are impacted. Burden is on the City to show how this requirement meets nexus/rough proportionality.	
	Wallace	20.25R.020.B.2.c Unless both sides redevelop at the same time, it is likely that the second phase will not be able to complete its half. The first applicant should be allowed to build its half, only, if the second party signs an easement to commit to do so when they redevelop.	
	Bellevue Chamber	20.25R.020.B.3.e. Limit fire lane (aka active transportation corridor) width to 25'. Allow a 20' alley (car and service only) typology. Reduce minimum width for active transportation corridor to 15' if no fire truck access is required.	
	Wallace	20.25R.020.B.3.a There needs to be code language that explains what a site of less than less than 100,000 square feet is supposed to do for its internal circulation. It appears that the intent is to have the TDM control, but the current draft does not require any driveways for these sites. If it is implied that the TDM is what is required, the TDM requires a minimum width of 26', while the flexible access corridor drive lanes are 20'. When combined with the requirement below that "all sidewalks shall be a minimum paved width of 10'", this could be interpreted to mean that an internal driveway on site of less than 100,000 sf has to be 6' wider than a flexible access corridor.	
	Bellevue Chamber	Clarify/confirm that the transportation corridor standards and dimensional requirements will be the same standards that apply to sites less than 100,000 sf, even if they do not need to be built on all sides of the smaller site.	
	Bellevue Chamber	Sidewalk requirements for all types should be reduced to 6'. Clarify—does this standard only apply to sites 100,000 s.f. or larger?	

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Eastrail/GC Access	Ditty Mathewson	We request that Eastrail connections be incentives, rather than mandates, and that sites on which Eastrail is elevated (i.e., not at grade) be exempt from any connection requirements for obvious practical reasons.	LUCA language to be maintained. Eastrail access is identified in amenity incentive program. Exceptions provided when access rights cannot be secured.
	Bellevue Chamber	Delete requirement for emergency access to be provided from Design Market property.	Access points are identified in the LUCA and consistent with the Eastrail Framework Plan and city needs. These access points are also identified in adopted Wilburton policies. (S-WI-69 & S-WI-70).
	Bellevue Chamber	Modify Eastrail access requirement to start 800 feet north instead of 1000 feet north. Include more specificity about access. Flexibility provisions that apply to transportation corridors should apply to Eastrail access, not just if King County doesn't allow access	
	Wallace	20.25R.020.C.3.b This code language specifically targets the DM property by saying that the access point must be somewhere between 500 and 1,200 feet north of 8th. It lacks any nexus or rough proportionality to a proposed development on the DM site. It is also infeasible due to the grade change between the DM property and the Eastrail path, and the 20-30' wide swale on the Eastrail property. If the City requires this access right it needs to condemn the property and pay the cost itself.	Access may be provided as far north as 1,000 feet from NE 8th to provide flexibility to the site, though grade challenges may require the access to be built closer to 800 feet north of NE 8th Street
	Wallace	20.25R.020.C.3.a Modify the beginning point from 1,000 feet north to 800 feet north. This would still require at least two access points north of NE 8th Street, but in areas where it is topographically feasible to make the connections. - Provide specifics about the nonmotorized access. How wide? ADA required? If a property has less than 350' of frontage is an access point required or not? Is the requirement to provide it to the property line or to the Eastrail path? If the latter, how is the grade change addressed? How does a property owner gain the property rights to access the path?	Specifics about the nonmotorized access are best addressed during development review as these are site-specific questions.
	Wallace	The frontage path requirement is redundant with the Eastrail path burdens the properties because the area is needed for back of house and fire truck access. The proposed code requires connections to be made to Eastrail in the same area. This is the preferred alternative and there's no need for both.	Frontage paths are identified in the LUCA and consistent with the Eastrail Framework Plan and city needs.
	Bellevue Chamber	20.25R.030.G.2.c Delete requirement for frontage paths on Eastrail, or allow combination with access corridor.	
Site Organization and Public Realm	KGIP	The requirement to make physical connection to the Grand Connection in the active use section should be optional. We will accomplish it where possible, but at this time we do not know exactly where.	Access to the Grand Connection is essential for the success of the Grand Connection and is supported by policy S-WI-79. The specific location of this access is flexible. Additionally, the site adjacent to the Grand Connection is eligible for a Development Agreement, which allows complete flexibility to depart from any and all code requirements.

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	Wallace	Delete the 50% requirement from flexible access corridors, active transportation access corridors and pedestrian corridors and provide an FAR exemption and FAR amenity points if the active use is provided in those areas.	LUCA language to be maintained. Active use requirements have been reduced for all areas in previous LUCA drafts. Additionally, the definition for active uses has been greatly expanded compared to other parts of the city. Further, active uses are a critical component to meeting the vision of Wilburton and are directed in policy (S-WI-74, S-WI-77)
	KGIP	The current active use requirements in the LUCA are unrealistic. Our development, for example, would require two entire frontages at 100% active use or require active uses along the “backside” of a building, which is highly unlikely to be feasible. We love active uses but buildings cannot support active uses on all four sides or 100% of a single side. The Commission should reduce active use requirements to 50% for active frontages	
	Bellevue Chamber	20.25R.030.G.2.b Reduce active use on Eastrail to 50%.	
	Bellevue Chamber	20.2R.030.G.3.a Reduce active use on Grand Connection to 50%.	Comments noted and addressed in LUCA as appropriate. Outdoor plazas are not required in Wilburton. Open space exceptions are provided in the draft LUCA and have been expanded based on stakeholder and commission feedback. The requirement for an open space to be within 30” has been clarified based on learnings from Downtown. Landscape buffers are departable.
	Wallace	Requested changes: - Modify to 9’ minimum and 13’ maximum. It’s important to have at least a 4’ range, particularly on sloped sites. Talk to Toni Pratt about the TDM vs. land use code discrepancy in Downtown. - Delete E.4.d. and replace with minimum 4’ from building face, but shall not impact street trees, light fixtures or other street furniture. “In proportion to building and sidewalk” is vague. - Delete the requirement for freestanding weather protection in E.4.e. This is an unreasonably expensive mandate.	Weather protection height is consistent with TDM. There is no requirement for freestanding weather protection in the LUCA.
	Wallace	20.25R.030.G.5 Landscape Buffer near 405 - Require a 25’ wide structure setback with a 5’ landscape strip. This would allow a 20’ wide roadway. The Kaiser Permanente project is a good example of this.	Landscape buffer near I-405 has been reduced to 20 feet.
	Wallace	20.25R.020.B.3.c.i Specify the minimum clear height above public sidewalk and interior sidewalk. 13’6” for interior. 20’ for public sidewalk. Allow 13’ 6” cantilever to count as weather protection, up to 16’.	LUCA has been revised to clarify building cantilevers.
	Ditty Mathewson	Flexibility to cantilever buildings over a portion of the sidewalk above 20-feet would allow increased density, as well as weather protection.	
	Wallace	20.25R.020.B.3.c.iii Requested change: For access corridors that do not have vehicular access, reduce the vertical clearance from 20’ to 16’. For a midrise building, a 20’ high ground floor would impact the ability to provide 5 floors of residential at reasonable floor to floor heights and stay within the 70’ height limit for Type V construction.	

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	Bellevue Chamber	<p>20.25R.030.E.4</p> <p>Modify requirements to 9' minimum and 13' maximum.</p> <p>Clarify that land use code controls, and the TDM does not apply.</p> <p>Delete language in E.4.d: "shall be in proportion to building and sidewalk"</p> <p>Delete requirement for freestanding weather protection</p> <p>Delete requirement for weather protection at corners of all access corridors—does this include pedestrian corridor and a driveway??</p>	<p>Weather protection height is consistent with TDM.</p> <p>There is no requirement for freestanding weather protection in the LUCA.</p> <p>Weather protection is required at locations that are expected to have high pedestrian activity.</p>
	Bellevue Chamber	<p>20.25R.030.G.5.</p> <p>Delete, or in the alternative allow for an access corridor with a 5' wide landscape buffer. Also, specifically state landscape buffer is countable as 10% open space requirement. Could also award amenity points for full buffer</p>	<p>Buffer adjacent to I-405 to be reduced to 20' in next LUCA draft. This area may count towards open space requirement when also designed according to open space requirements. No affirmative allowance is needed in the LUCA.</p>
Block Perimeter	Wallace	<p>-Increase 1,200 to 1,300 for parity with East Main (20.25Q.100.E.1).</p> <p>-Change flexible access corridor to commercial driveway (see TDM Section 3.5.2).</p> <p>-Delete requirement for active transportation access corridor.</p> <p>-The above would be commensurate with Bel-Red (see 20.25D.140.A.3.a).</p>	<p>We are not proposing changes to the perimeter block length requirement. The 1,200-foot block perimeter length is a deliberate element of the TOD vision, designed to prioritize pedestrian orientation and align with standards already established in the BelRed and Eastgate TOD areas. Wilburton's TOD, encompassing approximately 300 acres, is significantly larger than East Main's 60-acre area, making the current perimeter length appropriate for the scale of Wilburton. Additionally, the LUCA already includes exemptions to block size requirements for sites under 100,000 square feet or those adjacent to Interstate 405. Also, the 1,200-foot perimeter block distance is departable.</p> <p>Corridor types and widths are appropriate to support anticipated growth in the area.</p> <p>We understand the request for greater clarity in determining "non-buildable" areas for development, with the aim of excluding these areas from calculations of site size, density, and capacity. While we recognize the importance of evaluating buildable land, the current approach already accounts for certain exclusions (e.g., critical areas) in open space calculations. Also, property owners are credited for land that may not directly support physical improvements, such as the Sound Transit guideway,</p>
	Bellevue Chamber	<p>Increase 1,200 feet to 1,300 feet.</p> <p>Change flexible access corridor standards to match the commercial driveway standards (TDM Section 3.5.2).</p> <p>Delete requirement for active transportation access corridor.</p> <p>Include list of constraints that are deducted from site size that are not buildable areas: Sound Transit guideway, easement restrictions, critical areas and buffers, other no-build restrictions, Grand Connection, WSDOT easements, etc</p>	

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			and the FAR from that area can be moved to a more suitable location on the site. Implementing a broader exclusion for "non-buildable" areas would introduce significant administrative challenges. We believe the existing framework strikes a fair balance.
Parking	Bellevue Chamber	In LUC 20.25R.030.F.5.b.ii, subsections (1) and (3) appear to conflict. Suggest deleting (1) or clarifying the intent of these subsections.	Language to be clarified in LUCA draft.
	Bellevue Chamber	Reduce parking requirements below 75% of the applicable requirement. Maintain the offramp for adjustments.	The LUCA proposes a 75% from the minimum parking required citywide. A process to further modify the minimum parking requirement is included in the draft LUCA.
	Wallace	If the 10% ban is retained, add a section to the code that states a future phase of an MDP does not need to comply with this requirement until it is redeveloped (i.e., the rule applies to the construction area only), and exclude drive aisles from the calculation of parking area. The calculation area should be the perimeter of the off-street striped parking stalls, excluding drive aisles and loading zones. See LUC 20.20.590.K for reference.	Exempting future phases within an MDP from needing to comply until redevelopment is inconsistent with current practice and not supported by staff. Calculation of parking area has been clarified in the LUCA.
	Wallace	Requested change. The proposed language for short and long-term parking needs to be clearer as to whether the rule applies to all or some or one of the bicycle parking areas. It currently says: <ul style="list-style-type: none"> - bicycle parking shall be located on the same floor as a primary building entry - bicycle parking may be in a ground level parking garage with direct access outdoors - bicycle parking may also be located in upper floors of residential buildings. The added language in (4) does not help with clarity – it leaves it entirely in the discretion of the Director.	LUCA language has been updated to clarify bicycle parking.
	Ditty Mathewson	Screening above-grade parking is important to the visual appearance of the pedestrian realm, but solutions exist that do not rely on small strips of commercial and residential uses above grade. We request flexibility to find other screening solutions for small sites.	The updated LUCA draft introduces a departure option. This departure option allows developers to replace the habitable space requirement with design enhancements like art, glazing, or other garage treatments that activate the pedestrian environment while maintaining flexibility.
	Bellevue Chamber	Include a small-site exemption for the 20’ depth of use around above-grade parking (if the standard is not just deleted, as suggested above).	
	Bellevue Chamber	In 20.25R.040.D.4.c, for above-grade parking, update “floor to ceiling” to “floor to floor.” Clarify how soffits and MEPs impact the height requirement.	The initial draft LUCA proposed a 12-foot floor to ceiling height and was adjusted to 10 feet based on stakeholder feedback.

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General Building Design	Bellevue Chamber	20.25R.030.D.2 Delete podium requirement In alternative, apply only to towers (defined as buildings exceeding 100') In alternative, raise to 85', which is typical for scale of development of towers.	LUCA amended to apply podium requirement to towers only. Towers are defined as buildings that are 100 feet or taller. Staff does not support amended podium heights from 55 feet to 85 feet as this scale is not appropriate for Wilburton.
	Bellevue Chamber	20.25R.030.D.3 Delete	LUCA section has been maintained. Rooftop landscaping is important to reinforce the eco-district concept in Wilburton and establish its own identity while complementing nearby areas like Downtown.
	Bellevue Chamber	20.25R.030.D.4.a Delete In alternative, limit to first two stories of the parking structure facing the corridor	LUCA section has been maintained. Section updated to provide greater clarification of intent and provide flexibility based on comments received.
	Bellevue Chamber	20.25R.030.D.4.b Define pedestrian areas Delete open space	LUCA has been updated to clarify locations where garage treatments are required.
	Wallace	20.25R.040.D.4.b Requested change: Define "pedestrian areas" and delete "open space". "Pedestrian areas" is not defined, and "open space" is too broad. The current open space requirements span all areas of the site.	
	Bellevue Chamber	20.25R.030.G.b. Change shall to may.	Request not supported by staff.
	Bellevue Chamber	20.25R.030.G.4. Delete.	LUCA section has been maintained. Language amended in previous LUCA draft to provide flexibility in location ("feasible").
	Bellevue Chamber	20.25R.040.B.3.c Change to "Any two towers built within a single project limit may connect on one floor above 55' in height, provided that..."	LUCA draft updated to clarify connected floor plates.
	Bellevue Chamber	20.25R.040.C.3.c Change "shall" to "should"	Request not supported by staff.
	Bellevue Chamber	20.25R.030.C.5. Delete "intake"	LUCA has been updated to incorporate this suggestion.
	Bellevue Chamber	20.25R.040.C.5.a.iii Delete	LUCA section has been maintained. This lists order of preference for exhaust locations and does to specify requirements.

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	Bellevue Chamber	Make sites between I-405 and 116 th exempt from the 350' north/south limit, <u>or</u> at least clarify that the standard only applies along 116 th .	LUCA has been updated to incorporate this suggestion.
	Wallace	Mechanical equipment - Include all other items that are permitted to overrun.	Request not supported by staff.
	Wallace	20.25R.040.D.3 Building Base - Requested change: Delete. The requirement to provide green roof or landscaping on 10% of the exterior area on top of a building podium is redundant with the green factor. Not a requirement in other Growth Area LUC's.	Rooftop landscaping is important to reinforce the eco-district concept in Wilburton and establish its own identity while complementing nearby areas like Downtown. Green roof may satisfy both this requirement and for green factor.
	Wallace	20.25R.040.D.4.a Requested change: Delete. This is a poison pill for above-grade parking garages, which are necessary in the high water-table areas of Wilburton. The new requirements for windows, green walls, etc. address the aesthetics of parking garages without being prohibitive.	LUCA section has been updated for clarity.
	Wallace	Requested change: "Any two towers built within a single project limit may connect on one floor above 55' in height, provided that:"	LUCA language has been updated to clarify intent of connections between towers.
	Wallace	Requested changes: - Is the measurement point for the ceiling clearly defined somewhere? Say "floor to floor" instead? - The reference in 4.d is incorrect - .030.E.4? - The horizontal length of the weather protection is unclear – 75%?	The initial draft LUCA proposed a 12-foot floor to ceiling height and was adjusted to 10 feet based on stakeholder feedback. Cross-references will be updated in LUCA. 75% percent weather protection to be clarified in LUCA.
	Bellevue Chamber	20.20.525.C. Add all other items that are allowed to overrun—could be in another section of code (height footnote?)	Request not supported by staff.
	Bellevue Chamber	Should specify and clarify where housing can be built above transportation corridor areas: Building should be able to cantilever up to 6' above sidewalk and above every public access corridor. Connections over access corridors (except public ROW) may be made with minimum clear height of 13.5 feet. Over public ROW, clear height must be 20 feet. Eliminate minimum 75' width language for public ROW.	LUCA has been updated to clarify where cantilevered buildings may be located and where buildings over certain corridors may be located. Minimum height for access corridors (excluding public ROW) is 20 feet. Cantilevers and buildings may not be located over public ROW.
	Wallace	Requested change: Base FAR for the voluntary option should be reset to the original levels. The Base FAR should allow for a reasonable development capacity before any public benefits or affordable housing mandates are required.	Base FAR has been calibrated to ensure the program's effectiveness.

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Stepbacks/Modulation	Wallace	Clarify the depth of façade modulation – suggestion is 5’.	LUCA has been updated to reflect 4-foot minimum depth and 5-foot minimum width for portions of a building over 60 feet except mass timber buildings.
	Bellevue Chamber	20.25R.030.E.2.a Reduce requirement on flexible access corridor and Eastrail corridor to 5’. Reduce requirement on public street to 10’. How does this work with 20.25R.030.D.2? In 20.25R.040.E.2.a, update to say, “...15-foot stepback shall apply to the first full building story above 55 feet of average elevation of the finished grade around the building segment”	
	Ditty Mathewson	Exempt setbacks and stepbacks from small sites.	The LUCA has been updated to maintain the 15’ stepback requirement along public rights-of-way and Eastrail. Stepback requirements are eliminated in all other areas. Additionally, a small-site departure from stepbacks has been added.
	Bellevue Chamber	Remove “flexible access corridors” from the list of improvements that require a stepback.	
	Wallace	20.25R.040.E.2.a Reduce the requirement on Flexible Access Corridor and Eastrail Corridor to 5’. Reduction from 15’ on public streets should also be considered – that’s very deep.	The stepback requirement language stating “a 15-foot stepback shall apply to the first full building story above 55 feet in facade heights facing...” is consistent with all other areas of the code.
	Wallace	20.25R.040.D.2 Requested changes: - Delete “open space”. - Define what is supposed to happen after the podium. If the idea is to require a stepback or modulation then provide the minimum depth of stepback (5’) or the average modulation depth to be achieved (3’). This applies to both highrise and midrise buildings in front of not just public streets, but flexible access corridors, active transportation access and open space. Only 100,000 sf sites are subject to FAC and ATAC. If open space is included it basically means all four sides of the building, because open space is mandated everywhere, and includes landscape planters and such. Perhaps the intent was to apply it to the equivalent of Downtown’s “Outdoor Plaza” but the Wilburton code does not distinguish between open space and Outdoor Plaza. A five-foot stepback is not unreasonable.	Removed “open space” and clarified modulation requirements in 20.25R.040.B.5.
Floorplates	Bellevue Chamber	20.10.010 Grant MU-H same floorplate limits as UC	No change. UC and MU-H have the same floorplate size as of the 10/30 LUCA.
	Bellevue Chamber	20.20.010 Provide same floorplate averaging as downtown and BR. 20.25A.075.A.2.b, 20.25D.080.A(16)	LUCA section has been maintained. Floorplate averaging was removed in 10/30 LUCA draft based on stakeholder feedback/request.

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	Wallace	If UC is granted 35,000, North MU-H should receive parity.	LUCA section has been maintained. These are separate and distinct land use districts but have the same max floorplate size of 30,000 gsf which has continually increased over LUCA drafts.
	Bellevue Chamber	Keep residential tower floorplates at 16,500 sf instead of 16,000 sf.	LUCA section has been maintained. LUCA will maintain 16,000 sf floorplates for residential towers. This represents a significant increase from 13,500 in the May 2024 LUCA and from what's allowed elsewhere in the city.
Recycling and Solid Waste	Wallace	-The approval of the pickup service provider should be a requirement for all of 20.20.725 or not at all. Why does it only apply to temporary staging? -The term "pedestrian clear zone" is not defined in the Wilburton LUCA or used anywhere else in the Bellevue LUC. -What is a circumstance where the pedestrian clear zone would be impacted and one of the items in C.2.b would not? -Small sites need to be exempted from the temporary staging rules, or special rules provided that allow access from public streets/sidewalks.	Intent of Director approval for temporary staging is to provide additional flexibility for locations. Service provider approval will assist in Director approval process. Permanent staging will be coordinated through land use. Language updated to address "pedestrian clear zone," which is the sidewalk area required to be clear to meet ADA standards. Small sites are not exempt from temporary standards and must comply with regulations like all other development.
	Bellevue Chamber	Update LUC 20.20.275.A.3 to say, "There shall be at least one recycling collection area provided in each development with at least 30 or more dwelling units."	This has not been an issue in practice and the existing language is not proposed to be changed.
	Wallace	Exempt Small Sites from Subsection B (Permanent Staging) or provide alternative rules for Small Sites, which may need to have pickup from the public street.	Collection areas for small sites must meet the same requirements as other sites for permanent staging to avoid access and cleanliness challenges. Flexibility for siting may be obtained through development process with city staff.
	Bellevue Chamber	20.20.725 Exempt small sites from subsection B (permanent staging) or provide alternative rules for small sites, which may need pickup from public street Subsection C needs additional clarity	LUCA section has been maintained. This section generally describes the locations for collection areas. Small sites will still necessitate solid waste and recycling collection and staging areas. Director approval allows site-specific flexibility for location of temporary staging areas, especially for small sites, while ensuring accountability.
	Ditty Mathewson	Small sites should get additional flexibility (i.e., more favorable exchange ratios) in an amenity system so they can develop at a cost that's reasonably comparable to larger sites. The currently proposed green building ratios help us get closer to earning the bonus FAR necessary to support a tower on our site (thank you!), but the amenity program and FAR system still needs to make it much easier to obtain additional FAR to make a residential project like the one attached consistent with the City's LUCA.	Green building bonus points under 20.25R.050.D.2.g has been increased and could provide substantial benefit to small site development.
	Bellevue Chamber	Include a small-site exemption for the stepback requirements.	Small site departure process has been added.

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	Bellevue Chamber	Include a small-site exemption for the 350' north/south limit and the 1,200 ft perimeter.	The 350' N/S dimension is departable. A small site exception for the perimeter block size requirements is included in the LUCA.
	Bellevue Chamber	Include some flexibility in the small-site definition for remnant sites created by the grid and other required transportation improvements.	This is not supported by staff. The intent of the small site definition is to provided flexibility to existing small sites in Wilburton, not all sites created after redevelopment that result in parcels 40,000 square feet in size or smaller.
Green Building	Wallace	Make the green building standard consistent with Downtown and East Main. Eliminate the performance bond requirement (the bond requirement has now been eliminated and replaced with a placeholder).	<p>While we appreciate the suggestion to make the green building standard consistent with Downtown and East Main, Wilburton is intentionally being shaped as a distinct area with its own identity and goals. The field of green building has advanced significantly since the Downtown code was last updated in 2017, and we aim to incorporate these changes to reflect current best practices.</p> <p>We acknowledge the concerns around the performance bond requirement, which has now been removed and replaced with a placeholder. We are actively exploring more effective ways to require an assurance device, and these revisions will be included in the January draft for your review.</p>
Open Space	KGIP	Make open space requirements consistent with downtown. The code should allow transportation corridors to count toward open space requirements when they primarily serve pedestrian circulation.	Open space requirements are specific to the vision for Wilburton. Portions of access corridors count towards open space in the current LUCA draft.
	HDC/EAHC	Thank you for reducing the open space requirement. We urge the City to further reduce the requirement to 7%.	LUCA section has been maintained given importance of open space to implement Wilburton vision. Requirement was reduced from 15% to 10% and the standard is now departable.
	WPOG	Set a 5% residential amenity area standard, achievable through public and private amenities, and encourage additional open space by dovetailing with the incentive program. This approach would be similar to other urban areas in Bellevue.	
	WPOG	Allow non-vehicular transportation improvements, or improvements that will not often be used by vehicles, like fire lanes, to count as open space. Affordable and market providers alike have been vocal about allowing such spaces (trails, open space, fire lanes, etc.) to do double and triple duty to activate ground levels and help new housing be built more quickly.	Portions of access corridors can count towards open space.
	WPOG	Allow flexibility for offsite performance or apply a fee-in-lieu. Bellevue's park system is a crown jewel, and where off-site capital improvements, dedications, or fees in lieu make more sense than on-site performance, allow providers to contribute to and support the City's system.	Park fee-in-lieu will not be considered in LUCA. Off-site park dedication (and related bonus points) is in LUCA.
Amenity Incentive System	Wallace	20.25R.050.A Comment says that Option B will require 80% of amenity points to be earned from affordable housing. This would be wildly excessive given the proposed base FAR's for Option B.	Topic scheduled for discussion on January 8.

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	Wallace	20.25R.050.D.2.a. and b Requested change: Define “square foot of affordable housing”.	Language is consistent citywide. A Director’s Rule may be used to further clarify language as appropriate.
	Wallace	Requested changes: <ul style="list-style-type: none"> - Allow points for public open space without regard to whether the minimum 10% is exceeded. - Increase the number of bonus points available to be in parity with Downtown (8.4:1-9.3:1). - “Meet all applicable requirements of this Part 20.25R.LUC” is unclear. 	LUCA has been updated to award bonus points for any open space provided to meet the 10% minimum open space requirement. Bonus points are provided to support the Wilburton context and priorities.
	Bellevue Chamber	20.25R.050.D.2.c Allow points for publicly accessible open space even if 10% requirement isn’t exceeded. Increase bonus points to compare to downtown. “Meet all applicable requirements” is unclear.	
	Wallace	Requested changes: <ul style="list-style-type: none"> - Delete “beyond those required under LUC 20.25R.030”. - It is unclear what falls into the calculable area of the “mixing zone”. The definition of mixing zone limits it to no less than 500 sf in area. Unclear how this is measured or why the minimum is 500. If improvements are made, the points should be awarded. - Does a mixing zone include “non-motorized access” in 20.25R.020.C.3.a.i? If not, why aren’t points provided for this? 	Mixing zone is defined under 20.50.034. Eastrail mixing zones are eligible for bonus points, per 20.25R.050.D.2.d
	Wallace	Requested changes: <ul style="list-style-type: none"> - Provide points for pedestrian corridor. - Make points similar to Downtown. - Points for local streets are “linear foot” while FAC and ATAC are “square foot”. This is a huge difference. Public street, if the requirement is retained, should be square foot as well. 	LUCA has been updated to award bonus points for Pedestrian Corridors. Bonus points are provided to support the Wilburton context and priorities.
	Bellevue Chamber	20.25R.050.D.2.f.ii Provide points for pedestrian corridors beyond minimum width. Make points similar to Downtown. Local streets are linear foot while FAC and ATAC are SF. This is a big difference; it should be SF Public street, if retained, should be SF as well	
	Wallace	All other amenity points in Downtown, BelRed and East Main should be examined and amenity points awarded at a similar level rate.	Bonus points are provided to support the specific context and priorities for the different planning areas.

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	Wallace	Amenity Incentive System – Recording. Requested change. Delete. What is the point of this? Recording fees are expensive and this seems unnecessary.	LUCA section has been maintained and is consistent with broader LUC.
	WPOG	The current list of Wilburton amenities is much more limited than existing amenity lists in downtown, East Main, and BelRed sections of the LUC.	List of amenities are provided to support the Wilburton goals and priorities.
	WPOG	Expand the list of available amenities to match and exceed all other sections of the LUC.	
	Bellevue Chamber	Expand the amenity menu to include features from other areas of the City; amenity points should conform to those that are awarded in other urban parts of city.	
	WPOG	The amenity and bonus system does not work for small sites seeking to build a tower, which is at odds with the Wilburton Vision and will ultimately yield less housing in the neighborhood.	Bonus points have been adjusted in response to this comment. For example, green building bonus has been increased to provide a significant FAR bonus when the highest green building tier is met. Additionally, open space, Eastrail access, and access corridors may be earn FAR bonuses despite these being required elements. These amenities may be utilized to realize greater FAR/height on small sites.
	WPOG	Recognize the unique challenges of building infill towers on small sites, and either increase the base FAR on small sites or increase the ratio of amenity points available on small sites.	This is not supported by staff. Raising the base FAR for small sites, and expanding the definition for small sites to remove the qualifying date, would reduce the motivation for developers to participate in an amenity incentive program and undermine the program’s effectiveness. This could result in developments that are less responsive to the TOD needs or lack contributions to public benefits. There would also be a lot of complexity and administrative challenges with implementing this approach, making the program harder to navigate for both developers and staff.
	Bellevue Chamber	Incentivize Eastrail connections.	This suggestion has been incorporated in the LUCA.
	Bellevue Chamber	Include an affordable housing fee-in-lieu on the menu of amenities.	Scheduled for discussion on January 8.
	Bellevue Chamber	Include district energy construction and connection on amenity menu	This suggestion has been incorporated in the LUCA. District energy is included in the green building incentive.
	Bellevue Chamber	20.25R.050.A We need to see Option B to calibrate amenity points.	Option B will be available shortly.

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	Bellevue Chamber	20.25R.050.C.1 Delete “market rate residential units”	No change. Intent is to provide FAR exemption for development of affordable housing and active uses, not market rate units.
	Bellevue Chamber	20.25R.050.D.2.a Defined square foot of unit as “gross square feet”	Will consider language revision in next LUCA draft.
	Bellevue Chamber	20.25.050.D.2 Define “square foot of affordable housing” as “gross square foot”	Will consider language revision in next LUCA draft.
	Bellevue Chamber	20.25R.050.D.2.d Delete “beyond those required in .030.” Delete minimum SF requirement for mixing zone Does mixing zone include non motorized access in C.3.a.i? Should points be included?	LUCA updated so all Eastrail corridor improvements are eligible for bonus. Staff does not support removing minimum mixing zone size requirement. Non motorized access may count towards mixing zone, per the proposed LUCA definition.
	Bellevue Chamber	20.50.040.P Delete word paved	This request is not supported by staff. The definition acknowledges that plazas will include some amount of pavement, which is consistent with plazas elsewhere in the city and region.
Affordable Housing	HDC/EAHC	Maintain the proposed 10% set aside at 80% AMI for rental units, with alternative options for lower incomes and adjusted set aside percentages. For ownership units, maintain the set-aside percentage of 15% at 100% AMI and 10% at 80% AMI.	Scheduled for discussion on January 8.
	HDC/EAHC	Allow developers to pay a fee-in-lieu as an alternative to building units onsite. The calculation should encourage a balance of performance and payment based on a nexus study. Set a predictable fee-in-lieu schedule for both residential and commercial development by zone. A commercial fee-in-lieu option is necessary to balance residential and commercial demand.	Scheduled for discussion on January 8.
	HDC/EAHC	We support the ability of projects to deed a certain percentage of their land to an affordable housing developer to meet affordable housing requirements. This is not currently in the code and should be added as a compliance option.	Scheduled for discussion on January 8.
	HDC/EAHC	Please include language that allows the affordable housing requirement to combine with MFTE to meet both affordable housing and MFTE requirements simultaneously.	Scheduled for discussion on January 8.
	HDC/EAHC	We recommend lowering the phase-in period of the pioneer provision to the first 100 affordable units with vested applications.	Scheduled for discussion on January 8.
	Bellevue Chamber	Include specific fee-in-lieu amounts. Use the \$13/sf that were consensus at the 10/7 affordable housing meeting.	Scheduled for discussion on January 8.
	Bellevue Chamber	Make it clear the affordable housing pioneer program applies to affordable units in a market-rate project (or otherwise include a total unit count).	Scheduled for discussion on January 8.
	Bellevue Chamber	Make vesting to the pioneer program at building permit application, not issuance.	Scheduled for discussion on January 8.

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	Bellevue Chamber	For affordable dwelling units intended for sale, reduce the set aside percentages to 10% at 100% AMI and 7% at 80% AMI.	Scheduled for discussion on January 8.
	Bellevue Chamber	20.20.010 Base FAR for Option A maintained, but Option B base reduced by 0.5	Scheduled for discussion on January 8.
	Wallace	Housing Expenses Definition. This leaves it up to the Director to define a "Utility Allowance". This should be examined – how is the utility allowance defined for MFTE?	This Scheduled for discussion on January 8.