

**COUNCIL ACTION FORM**

**SUBJECT: DOWNTOWN GATEWAY COMMERCIAL ZONING DISTRICT  
STANDARDS (DOES NOT INCLUDE THE ZONING MAP AMENDMENT)**

**BACKGROUND:**

The Downtown Gateway area is a Focus Area for redevelopment identified within the Lincoln Way Corridor Plan. The Downtown Gateway area is generally described as property on the north and south side of Lincoln Way extending from Grand Avenue to Duff Avenue (Attachment 1-Potential Rezoning Area). The Corridor Plan identified redevelopment and repositioning of commercial properties in the Downtown Gateway Area to support a transition to more intense and urban development. To facilitate this desired change of the area staff believes allowing for mixed-use residential development and reductions in parking requirements are beneficial.

To accomplish the vision for this section of the Corridor, Staff proposes a new special purpose zoning district for the Downtown Gateway Focus area. The proposed zoning is a new district for the City and is not an overlay of the existing Highway Oriented Commercial (HOC) zoning district or Downtown Service Center (DSC) zoning district that are the current zoning districts in the area. The proposed special purpose district includes standards based upon site size and proposed uses with specific street frontage orientation and building requirements. The allowed uses are similar to those of the DSC zoning district rather than the Highway Oriented Commercial zoning district. The proposed changes create new categories of nonconformities for certain existing uses, site improvements regarding parking, and for the design/setbacks of structures in some circumstances.

City Council held a public hearing on the original draft standards at its March 6<sup>th</sup> meeting. City Council requested additional information concerning nonconformities that would occur in relation to the new standards and existing conditions. At the April 24<sup>th</sup> meeting, City Council provided direction for preparing a final draft in regards to the allowed uses, requirements for parking, and other development requirements. City Council also provided direction on standards for apartment bedroom configurations limited to no more than 25% of units as three bedrooms units with no allowance for four or more bedrooms. Staff has modified the original draft ordinance from March 6<sup>th</sup> to reflect direction from Council on April 24<sup>th</sup> along with other minor changes to reflect the intent of the district as described by staff at the prior meetings. The complete updated draft ordinance is attached.

**COMMERCIAL USES:**

Allowed uses are intended to be a more focused set of commercial uses compared to the HOC zoning district. **The allowed uses principally include office, retail sales and services, restaurant, recreation, and entertainment uses.** The intent behind the list

of allowed uses is to focus on the desired commercial uses while helping to insure compatibility with any future residential that could be added to the area.

The proposed zone will prohibit the following uses that are permitted in the HOC zoning district: vehicle service facilities (gas stations and auto repair), vehicle sales, college and university, lodges and social clubs, catering establishments(primary use), medical centers, wholesale trade, detention facilities, sports practice facilities, and mini-warehouse. By prohibiting these uses it would preclude new establishments and also make existing uses non-conforming. Funeral homes are listed as a Special Use Permit for the district consistent with the current DSC and HOC zoning districts.

A full analysis of nonconformity status for uses, buildings, and site improvements was provided to the Council at the April 24<sup>th</sup> meeting. Background information is available on the Planning Division website and following is a direct link to [frequently asked questions](#). In general, nonconformities are permitted to continue and there are allowances for modifications to sites and buildings with nonconformities, including options to rebuild if damaged. However, a nonconforming use cannot be reestablished if it has been abandoned for 12 months or more and any changes to a site or building have to comply with current zoning requirements.

**Drive through facilities are also restricted within the proposed zoning standards.**

Drive through uses are not precluded in their entirety, but would have separation requirements. The proposed spacing standard is for no more than one drive through use per Lincoln Way street block face and no drive through uses are permitted along Kellogg Avenue. A drive through would be precluded if any part of the property had frontage along a block face of Lincoln Way that already has a drive through use, regardless of the ingress/egress to the site. The drive through limitation would apply to any type of use, fast food, banks, pharmacies, etc. Three of the 10 block faces within the Focus Area would be able add a drive through facility.

**RESIDENTIAL USES:**

**The proposed zoning allows for household living uses to be established only as part of a mixed-use development.** Major Site Development Plan review is required for any residential mixed-use development. The proposed zoning standards do not prescribe a minimum total commercial square footage requirement in combination with mixed-use buildings. Specific tenant spaces sizes, orientation, and total square footage in a project will need to be evaluated on a case-by-case basis to determine if a proposed mixed-use design achieves the goals of the Corridor Plan for commercial first development plans that enhance the commercial options for the City and are complimentary to Downtown.

No density standard will apply to the residential development for either a minimum or maximum. The goal is to promote smaller units at higher density and to allow for a limited number of larger units. **No more than 25 percent of the total units in a development may exceed two bedrooms and no dwelling units shall exceed three bedrooms.**

Short term lodging is also an allowed residential use in the proposed District. Short term lodging may be either stand alone or as part of a mixed use project.

### **PARKING:**

**The proposed commercial standards are a hybrid of standard parking requirements and the reduced parking standards of Downtown Service Commercial.** City Council also directed staff to allow for no minimum parking requirements for commercial uses along Kellogg Avenue. The draft ordinance was revised to include a separate parking table for sites with frontage along Kellogg Avenue.

The proposed parking requirements modify commercial parking standards by reducing parking for larger sites to promote shared and common parking areas, principally for bar and restaurant uses. Individually developed sites are subject to standard parking requirements for commercial uses. Staff also added a fast food parking standard that is at 9 spaces per 1,000 square feet so as to not incent redevelopment with fast food establishments in this area.

**Residential parking standards are also a hybrid of the standards used in other parts of the City.** The typical apartment standard is one parking space per bedroom. However, Campustown and Downtown only require one space per apartment regardless of the number of bedrooms. In an effort to incentivize smaller apartment units and to recognize the area is highly walkable with multiple transportation options, parking is reduced for smaller units. The proposed standards for the larger units are at the high end of parking requirements for urban style development.

Apartment	Parking Spaces Required
Studio	0.8 per unit
1 Bedroom	0.8 per unit
2 Bedroom	1.0 per unit
3 Bedroom	2.5 per unit

**New parking reductions are permitted within the DGC zoning compared to other areas of the City.** There are allowances for shared parking, remote parking, and collective parking. Reductions of up to 25% of the parking can be approved through the review process. The zoning district allows for recognition of on-street parking and other remote parking options as part of the Major Site Development Plan review. Another unique standard relates to allowing for residential parking to be utilized in a shared or collective parking situation when at least one parking space per dwelling unit is provided on site assigned to the residential use. Typically, shared use of residential parking spaces is not permissible in other zoning districts. The goal of the standard is that through the Major Site Development Plan approval process, a total amount of required parking will be identified, but the spaces can be shared amongst all the uses and not assigned for exclusive use by one type of user at all times.

**The parking requirements include a bicycle parking standard for commercial uses. However, there are no mandatory bicycle parking standards for residential uses.** Staff believes that most new residential apartment development accommodates bicycle parking and does not believe a prescribed parking standard is needed. However, for commercial uses visitor parking is not typically addressed by developers. Staff proposes requiring a minimum of four bicycle rack parking spaces with each building and that larger buildings include additional parking. A reduction in vehicle parking spaces can be accommodated with the provision of bicycle parking, with a maximum reduction of five vehicle parking spaces.

Parking location is another design element of the District that is different than HOC zoning, but is consistent with DSC zoning. The intent is for building to generally be close to the street and to have parking located either to the side or rear of a building. Therefore, parking between buildings and streets is not allowed with the proposed zoning. Setbacks are reduced for buildings to help promote the location of the buildings closer to the street and to accommodate parking configurations in the side and rear of the site. However, parking between buildings and streets is allowed for certain situations, such as minor internal streets, Grand Avenue, and Gilchrist due to their context within the overall Focus Area.

### **LOT STANDARDS:**

**The site development standards are intended to promote property aggregation to take advantage of increased development intensity compared to the current HOC zoning.** Existing sites and buildings will not become non-conforming based upon lot size. Existing sites may be used in their current configuration and buildings can be modified under the new standards. However, mixed-use residential development with reduced parking standards will only apply to larger scale sites. The zoning district describes these larger site sizes as an optional designation of Redevelopment Intensification Sites.

Redevelopment Intensification sites have a minimum Lot Size is 1 acre and 100 feet of frontage on a public street, with the exception that a site along Kellogg is only required to have 100 feet of frontage. A 1-acre standard means that for almost all properties in the Gateway Area that at least one additional property will need to be combined with another parcel to get to the larger site size for mixed use development. For comparison, if the site size was set at 0.5 acres there would be approximately 22 out of 70 properties that could develop mixed use without property aggregation.

### **BUILDING SETBACKS:**

The Downtown Gateway Area consists of a street hierarchy with primary streets of Lincoln Way, Kellogg Avenue, Clark Avenue, and Duff Avenue. Secondary streets include Washington Avenue, Sherman Avenue, Market Avenue, Commerce Avenue, and Gilchrist Street. Additionally there are alleys within most of the block areas. Staff proposes to differentiate setbacks based upon street type and intended design aesthetic for the blocks.

In most cases there are minimal setbacks required to either encourage a building to be built up to the street, as is the case along Kellogg Avenue, or to ensure a site is redevelopable when accounting for lot sizes and restrictions on where parking is permitted on a site. The greatest setback is planned along Lincoln Way. This is due to the intended larger scale of buildings along Lincoln Way and the intent to include widened sidewalks along with redevelopment due to the narrow right-of-way width for Lincoln Way. Setbacks for corner properties can be reduced through design review when the buildings include specific features supportive of a pedestrian design.

There are no proposed minimum side or rear setbacks required for redevelopment projects.

### **BUILDING DESIGN:**

Due to the desired flexibility of uses and redevelopment options for the area, individual design standards are difficult to apply consistently through the district. **The intent is to state base design standards and rely upon individual project review to ensure consistency with the overall design intent for the area.** The Kellogg Avenue frontage has design preferences for storefront patterns of 25 feet for consistency with Main Street building patterns. However, due to design options to promote gathering areas and entertainment uses, alternative design approaches can be approved that include high activity spaces and pedestrian friendly design features at the ground floor. The other areas in the district do not require a storefront pattern.

Kellogg Avenue includes design standard to act as a transition to historic Downtown with a minimum of two-story buildings, architectural detailing, high levels of glazing, and the use of clay brick façade materials. There are no specified percentages for brick, but it is a required material for each building.

Properties with frontage on other streets do not have as many mandatory standards. The design standards do require façade variation and detailing, windows percentages, and use of clay brick without a specified percentage. Due to the intent of having buildings as a more prominent feature of a site closer to a street it is important to include building standards that create aesthetic interest that supports the desired streetscape appearance for the area.

### **OTHER STANDARDS:**

Staff proposes no maximum floor area ratio, building coverage, or density standards for development within the district. The standards allow for a 10-story maximum building height with an option for City Council to approve taller buildings as part of the Redevelopment Intensification Site approval process. No base landscape or open space percentage requirements are included within the standards. Development would be required to comply with surface parking and front yard landscaping requirements for conventional development; however, redevelopment with large scale buildings and pedestrian oriented designs along streets would be exempt from most landscaping requirements in recognition of the urban design goals of the district.

Planning and Zoning Commission reviewed the initial draft of the DGC standards at its February 7<sup>th</sup> meeting. The Commission voted 6-0 in support of the concepts presented for the allowed uses, parking requirements, and development standards.

**ALTERNATIVES:**

1. The City Council can approve on first reading the proposed ordinance to create the new Downtown Gateway Commercial Zoning District.
2. The City Council can propose alternative language for the proposed text amendment.
3. The City Council can request additional information and defer making a recommendation.

**CITY MANAGER'S RECOMMENDED ACTION:**

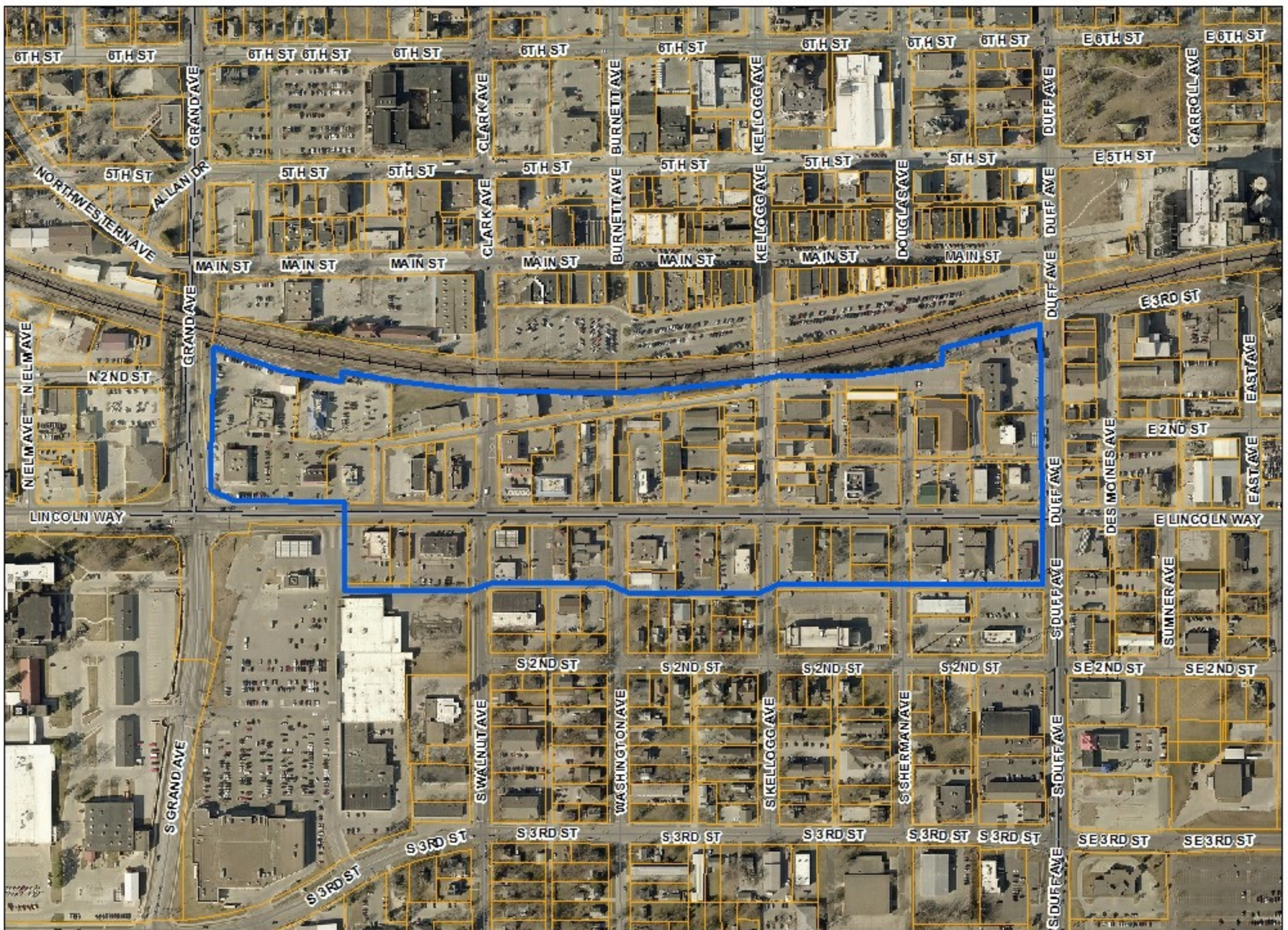
The proposed DGC zoning standards are an attempt to address the design options for a wide range of uses, site sizes, and design priorities for different street frontages within the Downtown Gateway Focus Area. The tradeoff of this approach is less predictability on final outcomes as many decisions on design will not be complete until final approval of a project.

Reuse of small sites will be permitted with staff approved Minor Site Development Plans. Major redevelopments or mixed-use developments will be subject to the Major Site Development Plan requirements where alternative standards may also be approved for a project. The use of the optional Redevelopment Intensification Site process allows for more flexibility in site design.

**With City Councils approval on first reading of the proposed zoning standards, staff will initiate a public hearing notice of a zoning map amendment to apply the new DGC zoning to properties. With Council's direction from April 24<sup>th</sup>, Staff will provide property owner notice to the entire Focus Area (see attachment) as the rezoning boundary. The Planning and Zoning Commission will have a public hearing on the map amendment rezoning on May 16<sup>th</sup>. A public hearing with the City Council will be scheduled for May 22<sup>nd</sup> to allow time for City Council to complete the adoption of the rezoning ordinance on three readings in June prior to expiration of the moratorium for the area on July 2<sup>nd</sup>.**

**Therefore, in accordance with previous Council direction, it is the recommendation of the City Manager that the City Council approve Alternative #1 to approve on first reading the ordinance for the new Downtown Gateway Commercial Zoning District.**





Moratorium Area and  
Potential Downtown Gateway Commercial Zoning Area