



DEVELOPMENT SERVICES DEPARTMENT
 ENVIRONMENTAL COORDINATOR
 450 110th Avenue NE, P.O. BOX 90012
 BELLEVUE, WA 98009-9012

DETERMINATION OF NON-SIGNIFICANCE

PROPONENT: Wright Runstad & Company
 Carolyn Wennblom, (206) 805-5830

LOCATION OF PROPOSAL: 1501 124th Avenue NE


DESCRIPTION OF PROPOSAL: Design Review approval to construct a 22,216 square foot park above one level of below grade parking to accommodate 50 parking stalls. The park will include outdoor spaces, a plaza and amenities such as a community garden, bocce ball court and permanent tables and chairs. The subject site is located on Tract K within The Spring District, which is within Phase 1A of the Master Development Plan. Street frontage includes 122nd Avenue NE and NE 14th Terrace. The garage entrance is proposed to be accessible from NE 14th Terrace.

FILE NUMBERS: 18-105685-LD
PLANNER: Laurie Tyler, Senior Planner

The Environmental Coordinator of the City of Bellevue has determined that this proposal does not have a probable significant adverse impact upon the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(C). This decision was made after the Bellevue Environmental Coordinator reviewed the completed environmental checklist and information filed with the Land Use Division of the Development Services Department. This information is available to the public on request.

- There is no comment period for this DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision. A written appeal must be filed in the City Clerk's office by 5:00 p.m. on _____.
- This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision. A written appeal must be filed in the City Clerk's Office by 5 p.m. on **1/24/2019**
- This DNS is issued under WAC 197-11-340(2) and is subject to a 14-day comment period from the date below. Comments must be submitted by 5 p.m. on _____. This DNS is also subject to appeal. A written appeal must be filed in the City Clerk's Office by 5:00 p.m. on _____.

This DNS may be withdrawn at any time if the proposal is modified so as to have significant adverse environmental impacts; if there is significant new information indicating a proposals probable significant adverse environmental impacts (unless a non-exempt license has been issued if the proposal is a private project); or if the DNS was procured by misrepresentation or lack of material disclosure.


 Environmental Coordinator **WENNBLOM**

1/7/18
 Date

OTHERS TO RECEIVE THIS DOCUMENT:

- State Department of Fish and Wildlife / Stewart.Reinbold@dfw.gov; Christa.Heller@dfw.wa.gov;
- State Department of Ecology, Shoreline Planner N.W. Region / Jobu461@ecy.wa.gov; sepaunit@ecy.wa.gov
- Army Corps of Engineers Susan.M.Powell@nws02.usace.army.mil
- Attorney General ecyolyef@atg.wa.gov
- Muckleshoot Indian Tribe Karen.Walter@muckleshoot.nsn.us; Fisheries.fileroom@muckleshoot.nsn.us



**City of Bellevue
Development Services Department
Land Use Staff Report**

Proposal Name: The Spring District Tract K Park & Below Grade Parking

Proposal Address: 1501 124th Avenue NE

Proposal Description: Construction of a 22,216 square foot park above one level of below grade parking to accommodate 50 parking stalls. The park will include outdoor spaces, a plaza and amenities such as a community garden, bocce ball court and permanent tables and chairs. The project limit area is 0.51 acres.

File Numbers: 18-105685-LD

Applicant: Wright Runstad & Company

Decisions Included: Combined Design Review and SEPA Determination

Process: Process II, (LUC 20.35.200)

Planner: Laurie Tyler, Senior Planner, 425-452-2728

Threshold Determination: State Environmental Policy Act (SEPA): Determination of Non-Significance with incorporation by reference of the Bel-Red Corridor Project Draft and Final Environmental Impact Statements issued July 19, 2007

Carl W. Helland, Environmental Coordinator
Development Services Department

Director's Decision: Approval with Conditions
Michael A. Brennan, Director
Development Services Department

By Elizabeth Stead, Land Use Director

Application Date: 02-22-2018
Completeness Date: 03-22-2018
Notice of Decision Date: 01-10-2019
Appeal Deadline: 01-24-2019 at 5pm

For information on how to appeal a proposal, visit the Development Services Center at City Hall or call (425) 452-6800. Comments on State Environmental Policy Act (SEPA) Determinations can be made with or without appealing the DR decision within the noted comment period for a SEPA Determination. Appeals must be received in the City Clerk's Office by 5 pm on the date noted for appeal of the decision.

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 B - Environmental Checklist
 C - Impervious Surface/Lot Coverage Cumulative Memo, dated June 26, 2018
 D - Certificate of Concurrency – Phase 1B

I. REQUEST and REVIEW PROCESS

The applicant requests Design Review approval and a Threshold Determination under the State Environmental Policy Act (SEPA) to develop a park and a below grade parking garage on Tract K within The Spring District Master Development Plan ("MDP").¹ The below grade garage will be 18,072 square feet and include 50 parking stalls with access proposed off NE 14th Terrace. Park improvements include a bocce ball court, vegetable garden, communal tables, swings, an area for outdoor movies, various seating elements and overall hardscape/landscaping. The total site area for the proposed improvements is 22,216 square feet (0.51 acres).

**The Spring District
Project Site within Master Development Plan Boundary**

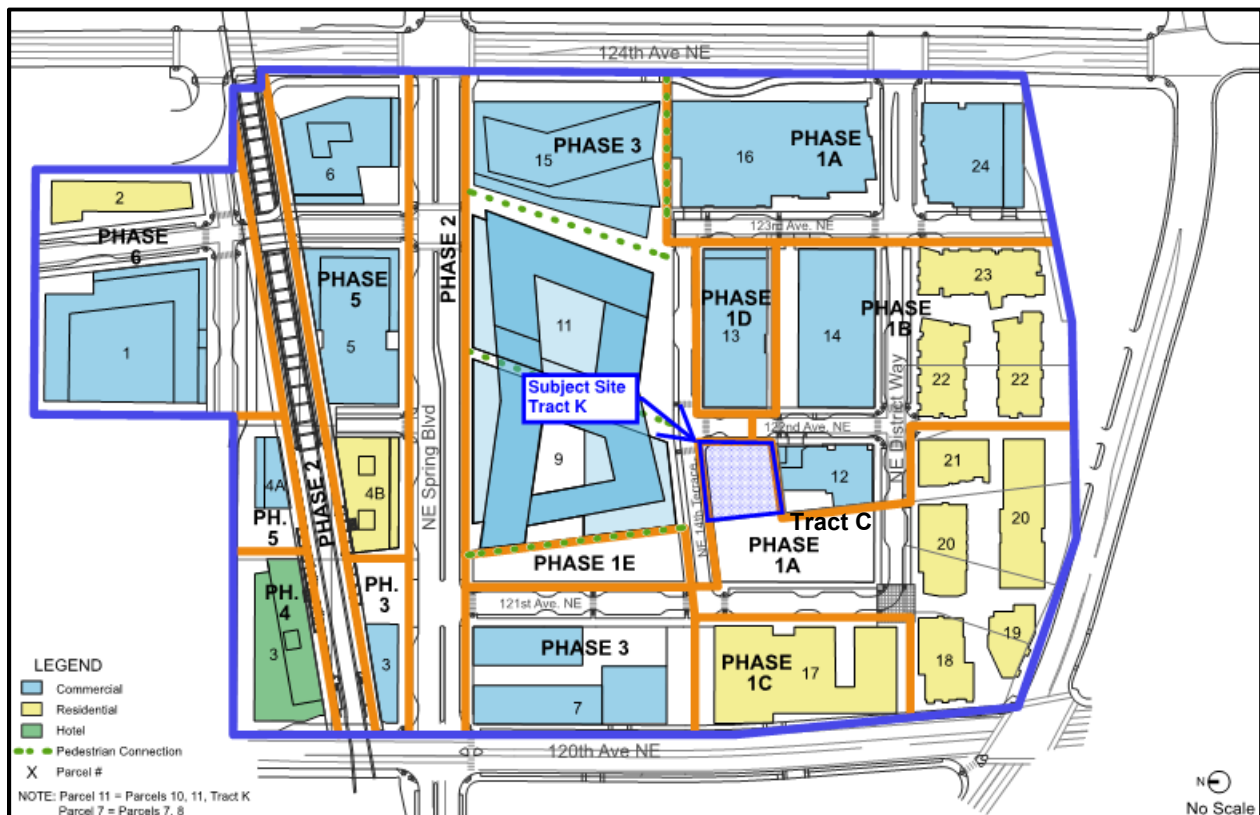


¹ The MDP was affirmed on appeal by the Hearing Examiner on October 8, 2012. Development Services File reference 11-125943-LP; Hearing Examiner File reference: AAD 12-41.

A. Site Design

The project site is currently part of Phase 1A of The Spring District Master Development Plan (MDP). The subject design review application is for improvements located on Tract K. Phase 1A of The Spring District MDP also includes the recently completed Spring Phase 1 Residential project on parcels 18-21 and the existing community park space on Tract C, both located at the corner of NE District Way and 121st Avenue NE.

The Spring District MDP Phasing Plan (Amended January, 2017)



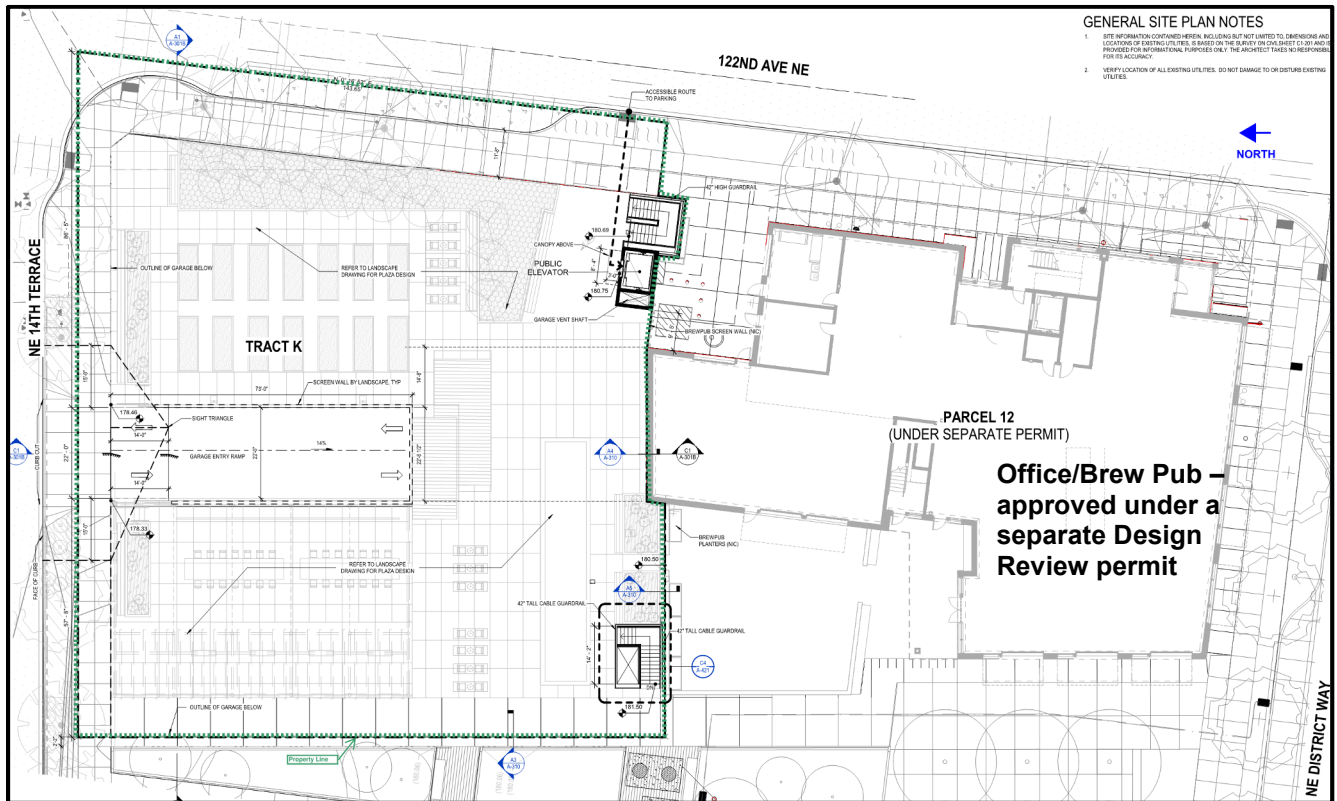
The project site is generally flat, measuring approximately 137 feet from east to west and approximately 137 feet from north to south. The applicant recorded a Binding Site Plan (September 26, 2017, King County Recording Number 20170926000625) which allows for flexibility in site development, including building location, shared open space, and shared parking. A revised Binding Site Plan will be required to be submitted and recorded for this project in order to reflect property boundary changes and the additional parking use below the park tract. **Refer to Section X for Condition of Approval regarding MDP and Binding Site Plan Amendment.**

The proposed park space will have frontage on both NE 14th Terrace (public right-of-way) and 122nd Avenue NE (private road). Vehicular access to the below grade parking garage will be from a single vehicle access point on NE 14th Terrace (public). Pedestrian entrance points to the below grade garage are provided on the southwest and southeast corners of the park and include both stairwells and an elevator.

NE 14th Terrace and the portion of 122nd Avenue NE directly adjacent to the subject site are being constructed under a separate permit (17-113883-GD), and are shown for reference only.

Construction of both roadways include installation of sidewalks, streetscape planters and on-street parking.

Site Plan



B. Park Design

Tract K is designed as three distinct rooms that hold a strong street edge and provide a “frontage” onto the adjacent Tract C open space, directly west. The northern two-thirds of Tract K is held by a large metal trellis structure that gives a vertical edge to the existing park to the west and provides a frame for seating and swings along the north-south pathway through the park. Two large tables provide places to gather during lunch or evenings and weekends.

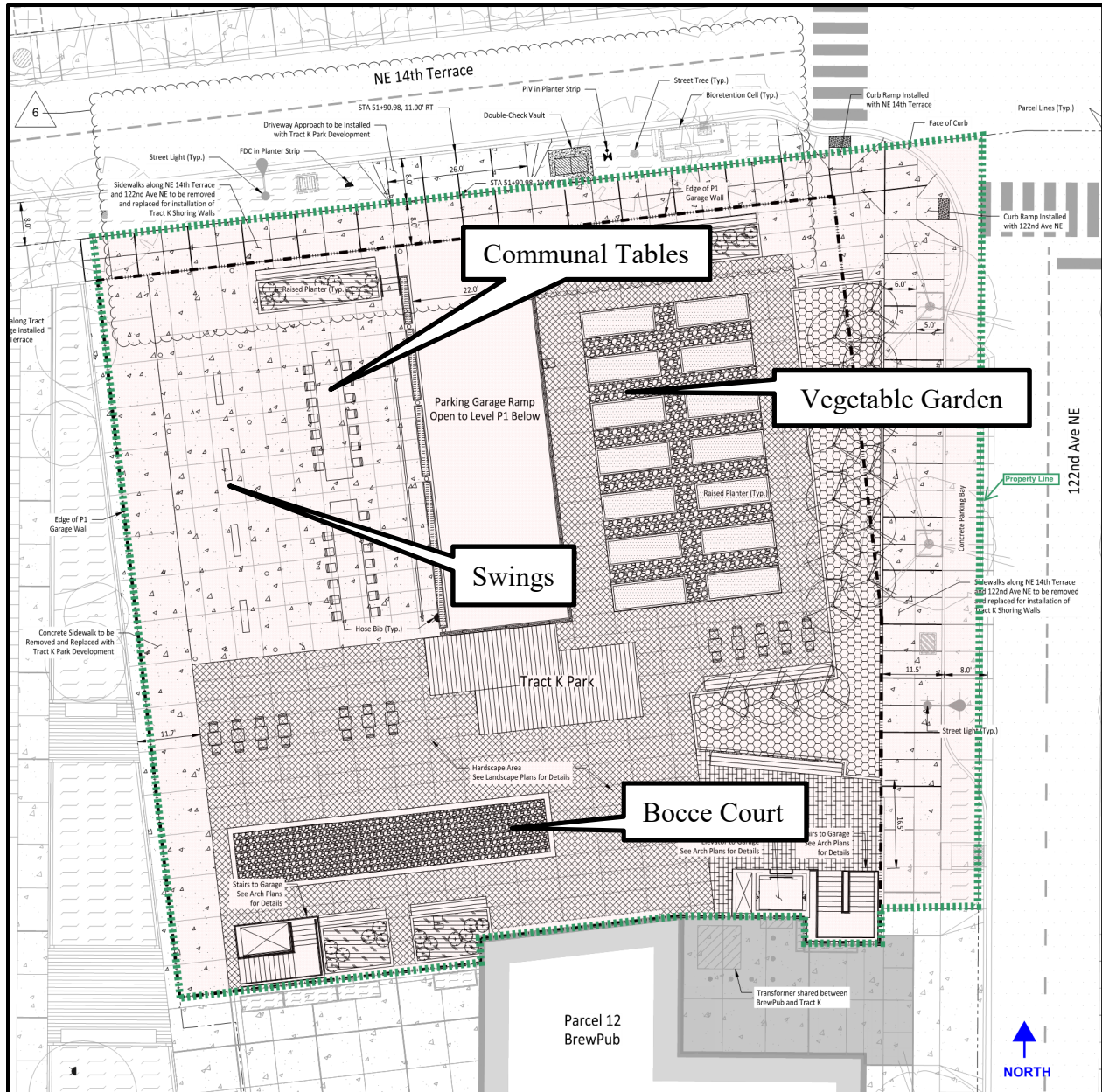
The southern room provides an extension of the existing public pathway north of the Global Innovation Exchange (GIX) building (southeast) onto the subject site with direct connection to the existing lawn of Tract C. The space features large wooden seating platforms, flexible seating and a bocce court.

The northeastern corner of Tract K is designed to be a chef’s garden for the adjacent Brew Pub, south of the site. Raised beds framed by larger planters will build on the Spring District’s narrative of craft and production. The space is open to the public and has a small seating area along its southern edge.

Materials:

All paving (concrete and crushed rocks), walls (concrete and wood), site amenities (metal and wood) and planters (plants and soil) will be constructed with high quality materials and detailing to create a sense of permanence. Lighting will be provided through free standing pole light (hess campo) fixtures, rail lighting to illuminate pathways and hanging stargazer catenary lights for ambiance.

Detailed Site Plan

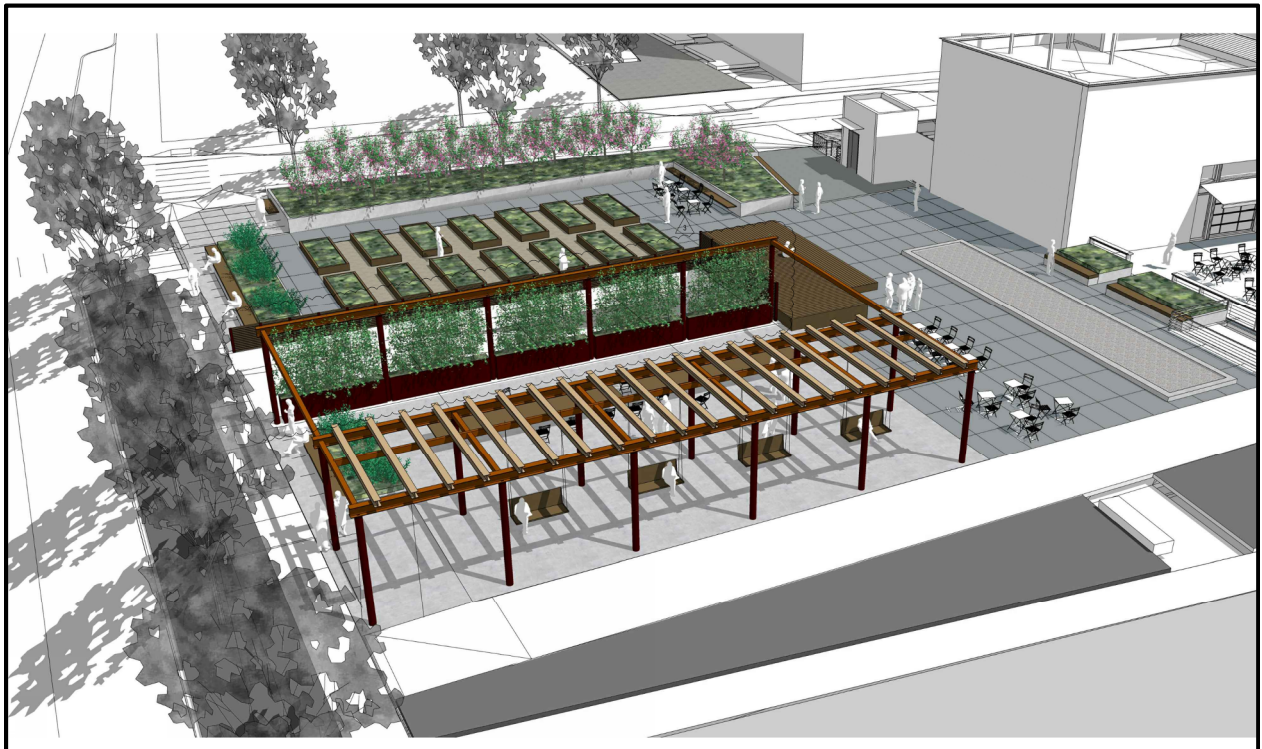


C. Design Intent

The proposed project was designed to meet the requirements of the approved Spring District MDP and advance the goals and policies of the adopted Bel Red Subarea Plan in the City of Bellevue's Comprehensive Plan.

The subject site is centrally located within the Spring District MDP property, directly north of the Brew Pub on Parcel 12, east of the existing community park on Tract C, and south of the REI headquarters currently under construction. A surface parking lot currently exists to the east on Parcel 13, which has yet to be developed. The proposed light rail station will be located north of the subject site.

Birdseye Perspective – Looking South-East



As stated in the MDP staff report (page 5 of 74), The Spring District goals are as follows:

- Developing a new urban community composed of high quality regional business, commercial, retail, residential, and open spaces that are achieved with compact and sustainable urban growth.
- Establishing neighborhood identity.
- Creating a world class project that is a catalyst for new development throughout The Spring District and the Bel-Red Corridor in order to help develop a vibrant new district with a diversified economic base.
- Creating a project that is complementary to Downtown Bellevue.

- Creating a new business environment that is flexible for future market demands and achieves an economically sustainable future.
- Providing vibrant new parks, plazas, and open spaces that are environmentally responsive and encourage social interaction.

The proposed park space will continue to build on the existing community park (Tract C) located west of the site, and further connect with a future park space to the northwest, over Tracts G and J. By increasing the amount of park space within the Spring District, new open space and recreational opportunities emerge for residents, workers and visitors to this developing neighborhood.

Pedestrian connections will be established along the interior and perimeter of the park, further connecting existing sidewalks, existing pedestrian connections and park spaces. A public access easement will be required over the park to ensure the public is able to utilize the space. **Refer to Section C for Condition of Approval regarding Sidewalk/Utility/Access Easements and Public Access Easement.**

D. Review Processes

Design Review applications are Process II applications (LUC 20.35.200) with an administrative decision by the Director of Development Services (LUC 20.30V). The SEPA Threshold Determination is also a Process II decision with an administrative decision by the Environmental Coordinator. Appeals are heard and decided by the Hearing Examiner for Process II applications.

Any addition or modification to this approval shall be processed as either a Land Use Exemption or a new decision. The applicant shall demonstrate compliance with the Land Use Code consistent with the Governing Regulations section of the Development Agreement. Any modification of the project design must be reviewed for consistency with the design intent as stated in this report. Conditions of Approval run for the life of the project. **Refer to Section X for Condition of Approval regarding Modification to the Design Review Plans.**

II. SITE DESCRIPTION AND CONTEXT

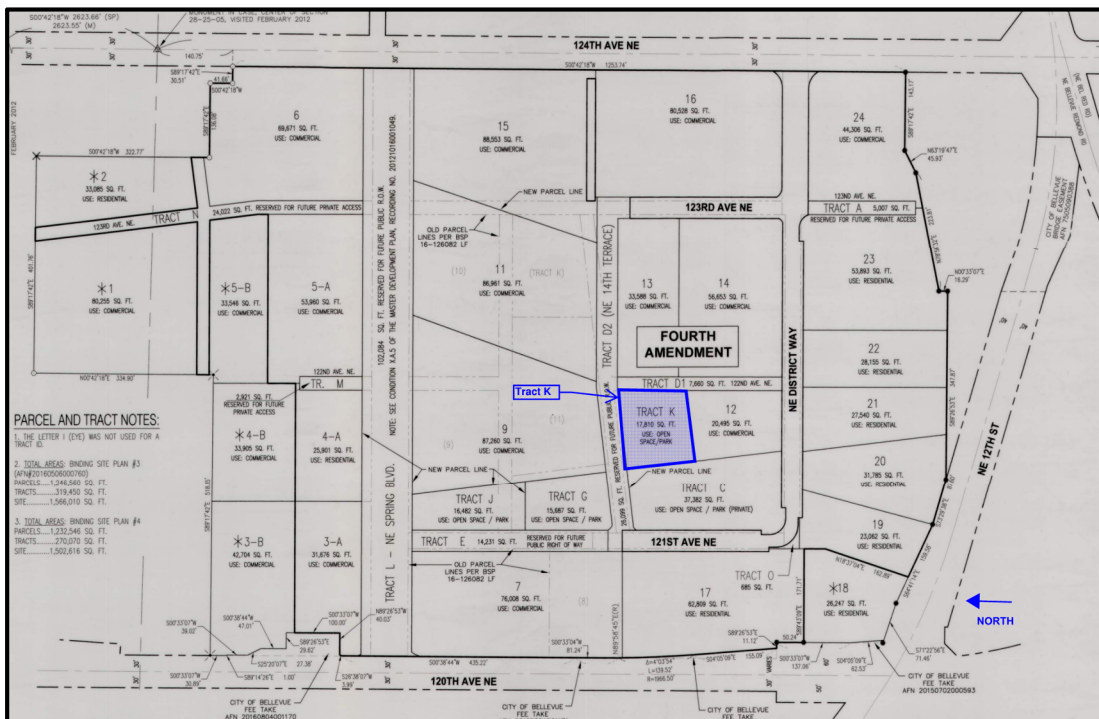
A. Site Description

The proposal site consists of approximately 0.51 acres of the entire 36-acre Spring District Master Development Plan. The MDP is located within the southwestern portion of the City's Bel-Red Corridor, east of downtown, approximately ½ mile east of Interstate 405 and 1/3 mile south of State Route 520. The Spring District is bounded by 120th Avenue NE, NE 12th Street, and 124th Avenue NE. Spring Boulevard is proposed to be constructed through the Spring District, running east-west. The proposed site for this application, Tract K, is located within Phase 1A of The Spring District MDP which includes an existing community park space (Tract C) and the existing Spring Phase 1 Residential project. It should be noted that the project site will be relocated to Phase 1B of the Spring District MDP in a forthcoming MDP amendment for traffic concurrency purposes only. **Refer to Section X for Condition of Approval regarding MDP and Binding Site Plan Amendment.**

Vicinity Map



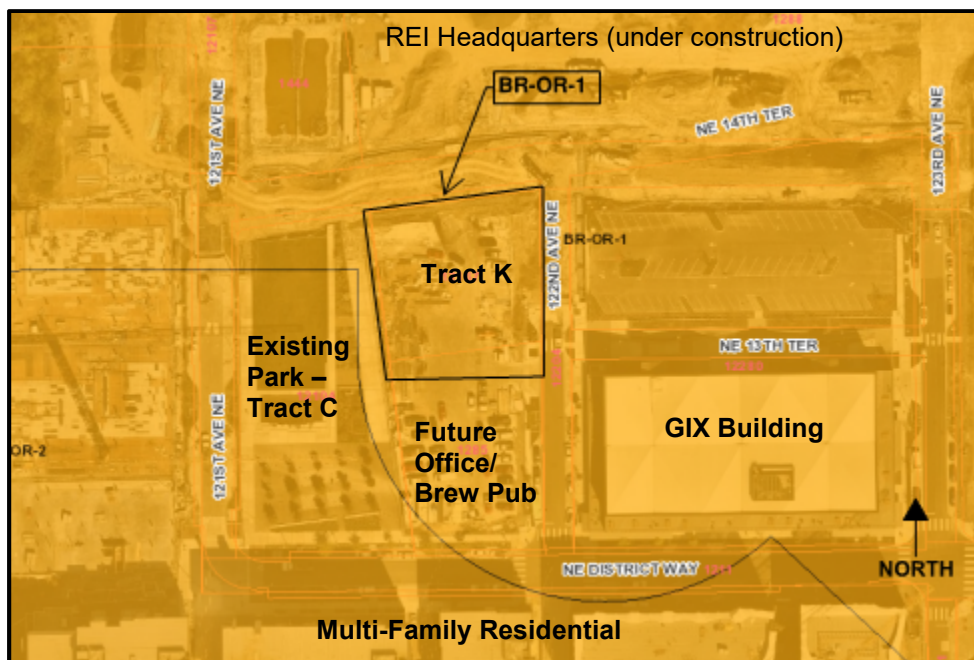
Binding Site Plan Tract K of Spring District MDP



The subject site is generally flat and is currently unimproved. North of The Spring District is the existing Safeway Ice Cream and Milk production buildings. Coca-Cola is located to the east, across 124th Avenue NE. The Safeway/Albertsons main distribution office is located southeast of the subject site. Office and light industrial uses are located to the northeast and west of the MDP. Retail uses are located south of NE 12th Street. The Lake Bellevue neighborhood (restaurants, retail, office, multi-family uses) is located to the southwest of the MDP. Residential neighborhoods (Wilburton Subarea) are located further to the south and southeast of the site.

The subject site is located within the Bel Red-Office/Residential-1 (BR-OR-1) land use district and has a Comprehensive Plan Designation of both Bel Red-Office/Residential-1 and Bel Red-Office/Residential-2 and is located within the Bel Red Subarea.

Zoning Map



Adjacent development and zoning are as follows:

North: REI Corporate Headquarters (BR-OR-1), Remainder of The Spring District (BR-OR-1) and Safeway Ice Cream/Milk Plant (BR-OR-1 and BR-OR-2).

South/Southwest: Multi-Family Residential (BR-OR-1 and BR-OR-2).

West: Community Park – Tract C (BR-OR-2).

East: Future Office, Building 16 (BR-OR-1).

B. Site Context

In 2009, the City completed its rezone of the entire Bel Red Subarea and executed a Development Agreement with The Spring District to be implemented through a new Master Development Plan for the property. The current Design Review application is the eighth application associated with the 2012-approved Spring District Master Development Plan. The Spring District Development Agreement (2009) and Master Development Plan (2012) both apply to this site.

The Spring District Master Development Plan was approved as a catalyst project under The Spring District MDP per LUC 20.25D.035. This project is a portion of the overall Master Development Plan proposal. Through a long planning process, the city created a framework to transform the Bel-Red Corridor to meet the city's future residential and economic needs. This proposal provides an additional park and open space development under the City's adopted Bel-Red Subarea Plan and related development regulations.

Wright Runstad & Company has received land use approval to develop the REI Headquarters, north of the site, and a proposed Brew Pub directly south and adjacent to the site. The Global Innovation Exchange (GIX) building was recently completed south-east of the site, and an existing park space is located to the west.

III. CONSISTENCY WITH LAND USE CODE/ ZONING REQUIREMENTS

A. General Provisions of the Land Use Code

The site is located in the Bel Red-Office-Residential-Node 1 (BR-OR-1) Land Use district. As such, the proposal is subject to the following Bel-Red requirements of Land Use Code 20.25D:

- Design Review LUC 20.25D.140
- Catalyst Project LUC 20.25D.035
- Bel Red Dimensional Requirements LUC 20.25D.080
- Bel Red Landscape Development Standards LUC 20.25D.110
- Bel Red Parking, Circulation and Internal Walkway Requirements LUC 20.25D.120
- Bicycle Parking LUC 20.25D.120.G
- Bel Red Development Standards LUC 20.25D.130
- Bel-Red Street Development Standards LUC 20.25D.140
- Bel Red Design Guidelines LUC 20.25D.150
- Bel-Red Corridor Plan (Appendix B of the Transportation Design Manual)
- The Spring District Master Development Plan File #11-125943-LP, issued October 8, 2012 by Hearing Examiner
- Development Agreement signed July 10, 2009 and recorded September 11, 2009

**Table 2
 Dimensional Requirements**

Item	Required	Proposed	Comments
Land Use Designation	Bel Red OR-1	Bel Red OR-1	
Project Limit	No minimum indicated	0.51 acres (22,216 sq. ft.)	
Permitted Land Uses Land Use Code 20.25D.070	Public Park/Open Space Accessory Parking	Public Park/Below Grade Accessory Parking	Uses are compliant with Land Use Code
Floor Area Ratio (FAR) Land Use Code 20.25D.080.A, Development Agreement, Master Development Plan	Per the Development Agreement (DA), development across the entire MDP shall have a minimum 2.5 FAR. Land Use Code maximum is 4.0 FAR.	Tract K: 0.02 FAR 351 sq. ft./22,216 sq. ft. Cumulative FAR: 1.98	Meets the Land Use Code, Development Agreement (DA) and Master Development Plan (MDP). <u>Refer to Condition of Approval in Section X regarding Development Agreement and</u>

Item	Required	Proposed	Comments
			<u>Master Development Plan.</u>
Front, Rear & Side Setbacks Land Use Code 20.25D.080.A	Front 0'-0"	NE 14 th Terrace: 0'-0" 122 nd Avenue NE: 0'-0"	No setback required.
	Rear 0'-0" (3)	0'-0"	No setback required. Footnote (3) requires landscaping. See ALO discussion below.
	Side 0'-0" (3)	0'-0"	No setback required. Footnote (3) requires landscaping. See ALO discussion below.
Maximum Impervious Surface Area/Lot Coverage Land Use Code 20.25D.080.A	Maximum 75% * * Under the MDP, a site may exceed the 75% impervious surface/lot coverage maximum, so long as the overall impervious surface/lot coverage MDP area wide does not exceed 75%.	88.1%* (19,562 sq. ft.) Cumulative = 72.6 %	Maximum impervious surface/lot coverage shall not exceed 75%, MDP wide. See Attachment G. <u>Refer to Condition of Approval in Section X regarding Maximum Impervious Surface/Lot Coverage.</u>
Street Frontage and Sidewalk Width	Street frontage required per Land Use Code 20.25D.110 Local Streets (122 nd Ave NE): 6' sidewalk & 5' planter strip Green Streets (NE 14 th Terrace): 6' sidewalk & 5' planter strip	Street frontage and sidewalk widths provided per Land Use Code 20.25D.110 for local streets and green streets. This work, including street trees, is being constructed under a separate permit (17-113883-GD).	Meets Land Use Code
Street Tree Caliper and Species	Local Street (122nd Ave NE): Village Green Zelkova, minimum 2.5" caliper or Greenspire Linden - Tilia cordata "Greenspire"	Both 122 nd Avenue NE and NE 14 th Terrace are being constructed under a separate permit (17-113883-GD). Tree species are called out under this permit for consistency with issued GD permit.	Meets Land Use Code

Item	Required	Proposed	Comments
	Green Street (NE 14th Terrace): Black Tupelo, American Hornbeam, Eastern Redbud, Dacquemontii Birch, minimum 2.5" caliper, spacing 30 feet on center		

Table 3
Parking and Loading - LUC 20.25D.120.B.2

Item	Minimum Required	Maximum Required	Proposed	Comments
Park Use	Unspecified for Parks	Unspecified for Parks	None for Park use	Parking Study provided and is in Project File. See Section B below for discussion.
Accessory Parking for adjacent Brew Pub development on Parcel 12	No Minimum	No Maximum	50 Stalls	Parking Study provided. See Section B below for discussion.
Bicycle Parking LUC 20.25D.120.G	Not applicable	Not applicable	None	Not required by Land Use Code for Park use.
Loading Area	Required on-site, which can access a public street. 10' wide by 55' long.	Not applicable	No loading provided.	See Section C below for discussion.

Other Land Use Code Topics:

B. Parking

The applicant submitted a parking analysis dated August 23, 2018 prepared by Parametrix. This analysis is available for public viewing in the project file. The analysis indicates that parking for the proposed park is not needed given that the park is designed to act as a neighborhood amenity for the Spring District and will be open to the public. Trips to the park are expected to be generated within the neighborhood and not by separate vehicles trips outside of the neighborhood. The TOD nature of the Spring District development with the incorporation of a high capacity transit light rail station one block away will also lessen the demand for vehicle trips to the proposed park. Therefore, it has been determined that no parking will be needed for the Tract K development.

However, this project is proposing a below grade parking garage for 50 stalls to accommodate the adjacent office/brew pub uses located on parcel 12, directly south of the subject site. Parking could not be accommodated on the parcel 12 site due to the

small size of the parcel and was therefore proposed as part of this development due to its adjacency. Parking analysis for the adjacent office/brew pub was analyzed as part of a separate land use approval for the office/brew pub (#15-121179-LD) and was approved on October 11, 2018.

C. Loading

Per LUC 20.20.590.K.4, an off-street loading space is required which can access a public street. The standard requirement for a loading space is 10 feet wide by 55 feet long. However, the Director may waive the loading requirement if it can be demonstrated that the proposal will have no loading needs.

The applicant has indicated that the proposed park development and below-grade accessory parking garage will not have any loading needs, as the park is for recreational use by residents, employees and visitors to the Spring District, and the parking is to accommodate the adjacent office/brew pub uses. Therefore, the loading requirement can be waived.

D. Refuse and Recycling

Recycling and solid waste collection areas are required to be provided within the park. The Spring District Common Authority will be responsible for collecting refuse and recycling in all parks within the Spring District parks and plazas. Currently the Common Authority is disposing of refuse and recycling from the existing park (Tract C) off-site. A plan is being developed to collect refuse and recycling within the parks and plaza areas and provide on-site pick-up in one of the existing buildings within the Spring District. Refuse and recycling receptacle locations are not shown on the plans submitted for this permit. The applicant will be required to identify the quantity and locations on the plans submitted for the clearing and grading permit and clarify how the Common Authority will be disposing of refuse and recycling for this park within the Spring District. **Refer to Section X for Condition of Approval regarding Solid Waste/Recycling Collection Facilities Required.**

E. Garage Vents

Garage exhaust vents shall be located and designed to avoid pedestrian impacts. **Refer to Section X for Condition of Approval regarding Garage Vents.** The applicant shall provide certification by a noise consultant that the noise from the exhaust fans will not exceed 60 dBA, and a determination that the velocity and direction of airflow from the exhaust system within pedestrian/park areas will not exceed 500 CFM. This documentation shall be submitted and reviewed with the application for a building permit to construct the below grade garage. **Refer to Section X for Condition of Approval regarding Certification by a Noise Consultant.**

F. Mechanical/Elevator Screening

Plans submitted for the building permit application shall indicate locations of any required mechanical equipment.

Any at grade grills/grates or panels shall be the minimum size necessary and be ADA compliant and flush with the sidewalk or driveway in which it is installed. Review and approval of these locations and grates will be through the building permit review process for the below grade garage. **Refer to Section X for Condition of Approval regarding Mechanical Equipment Screening.**

G. Alternative Landscape Option

Per LUC 20.25D.080.A, footnote (3), all rear and side yards shall contain landscaping as required by LUC 20.20.520 and LUC 20.25D.110. The proposed project does not meet the full intent of side and rear yard landscaping required by code, due to its unique location adjacent to an existing park (Tract C) to the west, and the proposed office/brew pub structure directly to the south, both of which include paved circulation routes and egress points for the below grade garage.

Given the fact that the proposal is primarily intended to be for an open park space which incorporates planter areas and trees amongst seating areas and circulation routes, and is designed to coordinate with the adjacent Tract C park to the west and the outdoor beer garden to the south, strict application of the land use code for perimeter landscaping would result in an overabundance of landscaping and reduced pedestrian connections between the three properties.

The Director may administratively approve a modification of the landscaping requirements if the criteria in LUC 20.20.520 have been met. Discussion of how this project has met these criteria is below and the ALO is approved with this land use decision.

- 1. The proposed landscaping represents an equal or better result than that which could be achieved by strictly following the requirements of this section.**

Finding: Utilizing the landscaping provided within the adjacent park space (Tract C) and the planter boxes attached to the fence along the outdoor beer garden of the brew pub will represent an equal result when compared to strictly following the landscape buffer requirements applicable to the rear and side yards. If the proposal followed the required landscape buffer requirements, coordination with the adjacent park development would have been difficult and would result in a more segregated development. Therefore, it is an equal or better result to rely on the adjacent park space and the proposed overall plantings within the proposed park, rather than providing the full landscape buffer to the side and rear yards of the subject site.

- 2. The proposed landscaping complies with the stated purpose of this section.**

Finding: While the planter box landscaping along the outdoor beer garden of the adjacent Brew Pub is minimal, the adjacent park space provides an appropriate buffer for the subject property while maintaining adequate pedestrian connections north-south and east-west through the block and around the subject site. Relying on the adjacent park space and small planter boxes within the outdoor beer garden to provide the landscape buffering would still comply with the stated purpose of the landscape requirement.

Refer to Section X for Conditions of Approval regarding Final Landscape Plan, Landscape Installation Assurance Device and Landscape Maintenance Assurance Device.

IV. CONSISTENCY WITH THE SPRING DISTRICT DEVELOPMENT AGREEMENT (DA) & MASTER DEVELOPMENT PLAN (MDP)

In addition to consistency with the Land Use Code and Zoning Requirements, the project must also be consistent with The Spring District Development Agreement (DA) and Master Development Plan (MDP). **Refer to Section X for Condition of Approval regarding Development Agreement and Master Development Plan.** The subject application meets the intention of each DA requirement (King Co. Recording # 20090911000269) and MDP Condition of Approval (#11-125943-LP). Items more specific to this application are noted below.

A. Spring District Development Agreement (DA) Requirements

On July 10, 2009, a Development Agreement (DA) was signed between the City of Bellevue and WR-SRI 120th LLC. The Development Agreement was recorded on September 11, 2009. This agreement required specific items for the development of the property known as “The Spring District.”

Note: Items are listed in the order of the Development Agreement:

G. Concurrency.

Finding: Pursuant to the Development Agreement, traffic concurrency analysis is conducted by phase for this MDP. This parcel was previously located in Phase 1A, however the concurrency certificate for that phase has expired, and the parcel will be moved to Phase 1B through an amendment to the MDP. A concurrency analysis was conducted for all of the proposed Spring District Phase 1B development, and a Certificate of Concurrency for all of Phase 1B was issued on May 5, 2016. Per the Development Agreement, that Certificate of Concurrency covers this development for five years until May 5, 2021, and may be extended consistent with the provisions of BCC 14.10.040.F.1.

B. Spring District Master Development Plan (MDP) Conditions

The MDP approval contains conditions of approval to be applied as each development is implemented within the Spring District. Applicable MDP conditions as they relate to this project are noted below and are listed in the order of the Master Development Plan:

1. Compliance with MDP Conditions: X.A. GENERAL CONDITIONS:

Condition 2 (b): Development Agreement (DA) between the City and Applicant:

- **Within Phase 1, the project shall include development of a public mini-park a minimum of one acre in size (designated as project M-3 in the Bel-Red Parks and Open Space Project List in the Comprehensive Plan) and an activated park or recreation space of at least 30,000 contiguous square feet.**

Finding: The required one-acre public mini park is the combination of the existing Tract C park and the proposed Tract K park, since they are adjacent to each other. The activated park of at least 30,000 square feet is not part of this application, but will be developed over Tracts G and J, northeast of the subject site.

- **All park tracts developed as a condition of the Development Agreement shall, if owned and maintained by the applicant, record an easement securing public access over the park tracts.**

Finding: The proposed park will have a public access easement so that the public is permitted to use the park and its facilities. **Refer to Section X for Condition of Approval regarding Public Access Easement.**

- **Future design and development of the one-acre public park (M-3), per the Development Agreement, shall be approved by the Parks & Community Services Department and be consistent with BCC 3.43.**

Finding: The required one-acre public mini park is required to be designed consistent with project M-3 in the Bel Red Parks and Open Space Plan, which states:

Provides park facilities to service residential and commercial mixed-use development.

The mini-park is a combination of the existing Tract C and the proposed Tract K, since they are adjacent to each other, which when combined total 1.29 acres (56,138 square feet). The Parks and Community Services Department has reviewed the plans for the proposed Tract K park and has found that the design of the park meets the intention of the description for project M-3.

Condition 3: Review Process for Parks/Plaza/Gateways: Review and approval of all park/plaza/gateway areas shall be conducted under Design Review approval, with input by the City of Bellevue into the design of these areas.

Finding: This application is for Design Review approval to construct a new park area (Tract K) within the Spring District MDP.

Condition 4: Phasing Plan: The Phasing Plan shall be followed per the Conceptual Phasing Plan (Attachment F). Modifications to the phasing plan may occur, per LUC 20.30V.160.

Finding: The City is continuing to receive design review applications for the overall Phase 1 development of the MDP. This application is for Tract K, which is shown to be within Phase 1A of the MDP. It should be noted that because the concurrency certificate for Phase 1A has expired, Tract K will be moved into Phase 1B in the next MDP amendment and Binding Site Plan amendment for concurrency purposes. Therefore, the MDP and Binding Site Plan must be amended and recorded to reflect this change prior to issuance of any construction permits. **Refer to Section X for Condition of Approval regarding MDP and Binding Site Plan Amendment.**

Condition 7: Pedestrian Amenities:

Sidewalks: The applicant shall provide sidewalks along all city/private streets within the project limits.

Finding: The applicant is providing appropriate sidewalks fronting 122nd Avenue NE and NE 14th Terrace under a separate infrastructure permit. **Refer to Section X for Condition of Approval regarding Street Frontage Improvements.**

Condition 9: Sign Master Plan: The applicant shall submit a sign master plan for the entire MDP project. The sign master plan may be submitted with the first Design Review application or separately as a Land Use Exemption to the approved Master Development Plan. Proposed signs on-site for individual buildings will not be approved until found consistent with the approved sign master plan.

Finding: The Sign Master Plan will be submitted as a separate application as allowed under this condition. **Refer to Section X for Condition of Approval regarding Sign Master Plan.**

Condition 10: Recycling and Solid Waste Collection: With each Design Review application, the applicant shall document how recycling and solid waste will be collected. Recycling and solid waste receptacles may not be pulled out to the adjacent street/sidewalk. Refuse and recycling areas may be not located within adjacent public/private streets or adjacent rights-of-way. These activities must be located on each individual building site and screened from public view. The applicant shall coordinate the location of receptacles with Republic Services or any successor in interest to the Bellevue Waste Hauling franchise.

Finding: Recycling and solid waste collection areas are required to be provided within the park. The Spring District Common Authority will be responsible for collecting refuse and recycling in all parks within the Spring District parks and plazas. Currently the Common Authority is disposing of refuse and recycling from the existing park (Tract C), off site. A plan is being developed to collect refuse and recycling within all of the parks and plaza areas and provide on-site pick-up in one of the existing buildings within the Spring District.

Condition 13: Modification to MDP: The applicant shall submit a modification to the Master Development Plan for minor changes to the approved MDP. Modifications can be processed as a Land Use Exemption application (LUC 20.30V.160.B). Minor changes include updates to road configurations, FAR calculations, the Amenity Chart, impervious surface/lot coverage and the Sign Master Plan. It will still be necessary to record the updated MDP.

Finding: Any addition or modification to the MDP shall be processed as either a Land Use Exemption or a new decision. **Refer to Section X for Conditions of Approval regarding Development Agreement and Master Development Plan and Modification to the Design Review Plans.** An MDP modification will be required to reflect changes in the property boundary locations for this development, as well as the additional use of parking below the park use. This MDP modification and corresponding Binding Site Plan (BSP) shall be approved and recorded prior to issuance of any construction permits. **Refer to Section X for Condition of Approval regarding MDP and Binding Site Plan Amendment.**

Condition 15: Preliminary Design, Utility Codes and Engineering Standards: Utility review has been completed on the preliminary information submitted at the time of this application. The review of this application has no implied approvals for water, sewer and storm drainage components of the project. Final plan approval will occur under a Utility Extension Agreement which will be required for review and approval of the utility design. Submittal of the utility extension will coincide with future clearing and grading permit review. Final civil engineering may require some changes to the site layout to accommodate the utilities.

Finding: A utility extension agreement will be submitted by the applicant. Approval of the utility extension agreement is required prior to the issuance of a clearing and grading permit. **Refer to Section X for Condition of Approval regarding Preliminary Design, Utility Codes and Engineering Standards.**

Condition 18: Restricted Driveway Access: With each new Design Review application, the applicant shall document how the driveway access of that development meets the restricted driveway access intent of LUC 20.25D.140.F.

Finding: A singular driveway access to the underground parking garage is located via NE 14th Terrace. The Design Review application and submitted plans demonstrate that the driveway access meets the intent of LUC 20.25D.140.F.

2. Compliance with prior MDP Conditions: Section X.B. PRIOR TO ANY DESIGN REVIEW APPROVAL FOR A BUILDING, PHASE, AND/OR PARK/PLAZA/GATEWAY:

The following conditions must be complied with prior to any Design Review approval for a building, phase, and/or park/plaza/gateway:

Condition 1: Design Review: Each new site development (i.e. building, parks, plaza, and gateway) shall require Design Review approval. If appropriate, Design Review applications may be combined.

Finding: This application is for administrative Design Review approval for a public park and below-grade accessory parking, along with other related site improvements, consistent with this MDP condition.

Condition 4: Impervious Surface/Lot Coverage: The maximum impervious surface/lot coverage is 75% MDP area-wide. This calculation shall be provided upon each Design Review application to keep track towards the final phase of the MDP.

Finding: The Applicant provided the City with an updated calculation for this review. The total impervious surface/lot coverage of the area redeveloped under this application is 88.1% (19,562 sq. ft.). The cumulative impervious surface/lot coverage for The Spring District MDP is 72.6 %. See attachment C. Under the MDP, a site may exceed the 75% impervious surface/lot coverage maximum, so long as the overall impervious surface/lot coverage MDP area wide does not exceed 75%. This means that another parcel of development

will likely need to be developed with less than 75% in order to not exceed the MDP total.

Condition 5: Parking Stall Calculations: Each building shall submit parking stall calculations to document how it meets the Land Use Code requirements for onsite parking.

Finding: Refer to Section III.B above for parking discussion.

Condition 6: Amenities and FAR for each Design Review:

- The phasing plan for the MDP shall provide for proportionate installation of amenities that must be included when each phase of development is constructed.
- Required amenities for each individual building shall be provided at the time of that building construction. In-lieu fees shall be assessed and collected at building permit issuance. Required amenities cannot be “borrowed” from future buildings or phases.
- The applicant shall meet the amenities outlined in the Development Agreement as well as the Land Use Code. The applicant shall use the attached Amenity calculation sheet (Attachment B) to show compliance with the DA and Land Use Code.
- The calculations shall show that for the overall MDP at full build-out, there is at least a minimum 2.5 FAR overall (per the Development Agreement) with a maximum 4.0 FAR overall (per the Land Use Code).
- With each Design Review application submitted under the MDP, the applicant shall include the physical FAR of the proposed project, as well as the calculated FAR of the project as part of the overall MDP rolling average. At no time shall the averaged MDP FAR fall below 2.5 (DA) or exceed 4.0 (LUC).
- Use of an alternate MDP FAR calculation or a change to the target MDP FAR must be reviewed and approved by the City of Bellevue as a modification, processed as a Land Use Exemption application to Design Review or as a modification request with the subject Design Review application.

Finding: Not applicable. This proposal is for a public park with below grade accessory parking. Only 0.2 FAR is proposed. As such, no FAR is proposed that is counted towards required FAR amenity fee-in-lieu payments since the first 1.0 FAR is not counted.

3. **Compliance with prior MDP Conditions: X.C, D, and E. PRIOR TO CLEARING & GRADING PERMIT, BUILDING PERMIT, AND ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY:**

Finding: Conditions contained in this section of the MDP are required by City Code and are met as part of each Design Review application. Therefore, these typical conditions must be met by this proposal before clearing and grading, building permits, or certificates of occupancy, are issued under this Design Review approval. **Refer to Section X for Conditions of Approval X.B through X.E.**

V. PUBLIC NOTICE AND COMMENTS

The applicant and the city held a public meeting on April 18, 2018 at City Hall. The purpose of the meeting was to discuss and clarify the proposal and listen to neighbor concerns. No members of the public attended the public meeting. Comments were accepted during and after this public meeting, as well as up to the date of this decision. During the overall review of the project, the City did not receive any public comments on the application.

VI. TECHNICAL REVIEW

A. Land Use

As conditioned, short term impacts related to noise generation as a result of the construction will be minimized. Noise related to construction is permitted from 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 6:00 p.m. on Saturday, except for Federal holidays and as further defined by the Bellevue City Code. Exceptions to the construction noise hours limitation contained in the Noise Control Code MAY be granted pursuant to 9.18.020.C.1 when necessary to accommodate construction which cannot be undertaken during exempt hours. Written requests for exemption from the Noise Control Code must be submitted two weeks prior to the scheduled onset of extended hour construction activity. The use of best available noise abatement technology consistent with feasibility is required during construction to mitigate construction noise impacts to surrounding uses. **Refer to Section X for Conditions of Approval regarding Construction Noise Hours and Use of Best Available Noise Abatement Technology.**

B. Clearing & Grading

The Clear and Grade reviewer has reviewed the plans and materials submitted for this project and has determined that the clearing and grading portion of this land use application can be approved. The future Clearing and Grading Permit application for this development must comply with the City of Bellevue Clearing and Grading Code (BCC 23.76).

C. Utilities

Utility review of Tract K Administrative Design Review was based on materials submitted at the time of this application and is approved for this application. No construction will occur under this permit. The approval of this application has been evaluated against City of Bellevue Utility Engineering Codes and Standards. Final utility engineering construction review and approval will be completed under separate construction permits.

Storm Drainage

The development proposes to meet all the minimum requirements triggered for the site as required in the City of Bellevue Surface Water Engineering Standards and 2005 DOE manual. Based on information submitted with this permit, the site will trigger storm drainage minimum

requirements 1-5 of the Storm and Surface Water Engineering Standards. Onsite storm water management (Minimum Requirement 5) will require the use of amended soil in landscape areas. Dispersion and infiltration BMP's are not feasible, and the site will drain to the storm system in 122nd Avenue NE. The storm water conveyance system will have adequate capacity to serve the site. The proposed improvements will not trigger the need for flow control on water quality BMP's.

Water

The fire and irrigation services proposed for the tract K development will connect to service main stubs to be constructed in the Spring District NE 14th Terrace/ 121st Avenue NE utility extension, and an irrigation meter in 122nd Avenue NE. The water system will have adequate capacity to serve the site.

Sewer

A sewer connection is proposed for the Tract K parking garage. The project proposes to connect into 122nd Avenue NE. The sewer system has enough capacity to serve the project.

Refer to Section X for Condition of Approval regarding Preliminary Design, Utility Codes and Engineering Standards.

D. Transportation

Site Vehicle Access

This project is situated on Tract K in the Spring District Master Development Plan and is proposed to be developed in Phase 1B according to a forthcoming master development plan amendment submitted by the master developer. Tract K will be developed with a surface level public park and an underground 50 space parking garage that will provide the required parking for the Brew Pub and office development on the adjacent Block 12 parcel south of the site. The park will have street frontage on NE 14th Terrace on the north and 122nd Avenue NE on the east and is connected via easement to the park on Tract C to the west.

The MDP proposes a grid comprised of public and private streets with extensive pedestrian connections to meet the intent of the Bel-Red Street Development Standards. NE 14th Terrace is a public street and 122nd Avenue NE is a private street. The portions of 122nd Avenue NE and NE 14th Terrace abutting the site are currently under construction through a separate permit and are expected to complete construction in 2019.

The project will construct a driveway on NE 14th Terrace to provide vehicle access to the proposed garage. Completion of the garage and this access is a condition of approval for the development on Block 12. **Refer to Section X for Condition of Approval regarding Civil Engineering Plans – Transportation.**

Site Pedestrian Access

Sidewalks and other pedestrian access corridors in the Spring District provide a robust system of pedestrian connections to meet the intent of the Bel-Red Street Development Standards. This project will have pedestrian access from all sides of the site on 122nd Avenue NE and NE 14th Terrace, and pedestrian access easements covering the park on Tract C. A pedestrian access easement will also be provided on Tract K to allow full access to the entire park area. Pedestrian access to the parking garage will be provided via sidewalks on 122nd Avenue NE and NE 14th Terrace.

This project will be required to construct a minimum 11-foot wide sidewalk, including 5-foot wide tree grates, on 122nd Avenue NE adjacent to the site. The sidewalk on NE 14th Terrace will be constructed to a minimum width of 8 feet with this project. **Refer to Section X for Condition of Approval regarding Street Frontage Improvements.**

Street Improvements

In order to provide safe pedestrian and vehicular access in the vicinity of the site, and to provide infrastructure improvements with a consistent and attractive appearance, the construction of street frontage improvements is required as a condition of development approval. The design of the improvements must conform to the requirements of the Americans with Disabilities Act, the Transportation Development Code (BCC 14.60), and the provisions of the Transportation Department Design Manual.

Improvements are required for this project on both frontages as shown in the Spring District MDP. These include road construction, sidewalk, planter strips and streetlights. Most of the street improvements on both NE 14th Terrace and 122nd Avenue NE are planned to be constructed by others. This project will construct the sidewalk adjacent to the site on NE 14th Terrace and 122nd Avenue NE. Both street and sidewalk construction are required to be completed to allow occupancy of the garage.

Any construction in the public right-of-way, including construction access from this site, will require a Right-of-Way Use permit for the project. **Refer to Section X for Conditions of Approval regarding Civil Engineering Plans – Transportation, Building and Site Plans – Transportation, and Street Frontage Improvements.**

1. Sidewalks are required on NE 14th Terrace with a minimum width of 8 feet.
2. Sidewalks are required on NE 122nd Street with a minimum width of 11 feet, including 5-foot tree grates.
3. A minimum 26-foot wide commercial driveway approach is required for the garage. This entrance must meet vehicle and pedestrian sight distance requirements per the Design Manual.
4. Street construction of NE 14th Terrace and 122nd Avenue NE, planned to be completed by the Master Developer through permit 17-113883 GD, must be complete prior to occupancy of the garage.
5. A street light plan for NE 14th Terrace and 122nd Avenue NE is required for review and approval prior to completion of engineering and landscape plans showing any relocated fixture(s) along with street tree locations.
6. The Americans with Disabilities Act (ADA) requires that sidewalk cross slopes not exceed two percent. The sidewalk cross slope may be less than two percent only if the sidewalk has a longitudinal slope sufficient to provide adequate drainage. Bellevue's standard for curb height is six inches, except where curb ramps are needed. The engineering plans must comply with these requirements, and must show adequate details, including spot elevations, to confirm compliance. New curb and sidewalk shall be constructed in compliance with these requirements. Building elevations shall be consistent with the required curb and sidewalk elevations. Spot

elevations must be included in the building plans in a manner that proves that building elevations are designed to correspond to the sidewalk elevations shown in the engineering plans, especially at entrances and other key points. Curb and sidewalk elevations will not be revised to fit the building, and city inspectors may require spot surveys during construction in order to confirm the required elevations.

ADA also requires provision of a safe travel path for visually handicapped pedestrians. Potential tripping hazards are not allowed in the main pathway. Any planter boxes installed in the sidewalk to improve pedestrian sight distance at driveways must be designed to reduce the tripping potential and must not extend more than two feet into the public sidewalk. Traffic signal controller boxes and streetlight contactor cabinets must be located so as not to interfere with the main pedestrian path. Buildings shall be designed so that doors do not swing out into the pedestrian path. Installation of colored or textured bands to guide pedestrians in the direction of travel is advisable, subject to the requirements for non-standard sidewalk features. ADA-compliant curb ramps shall be installed where needed, consistent with Design Manual standard drawings.

ADA-compliant curb ramps shall be installed on NE 14th Terrace and 122nd Avenue NE if not provided by others, consistent with City and WSDOT standard drawings. If such standards cannot be met, then deviation from standards must be justified on a Design Justification Form to be filed with the Transportation Department.

7. No new building structure or garage shall be constructed under a street right of way or existing public sidewalk/utility easement. No soil nailing is allowed under a street right of way or sidewalk/utility easement without an indemnification agreement that protects the city.
8. To the extent feasible, no new utility vaults that serve only one development will be allowed within a public sidewalk. Vaults serving a broader public purpose may be located within a public sidewalk. To the extent feasible, no utility vaults may be located within the primary walking path in any sidewalk.
9. Any awning, marquee, balcony, etc. over a sidewalk or utility easement must be at least 16 feet above the sidewalk or be removable (with an agreement regarding removal and replacement); and must have at least three feet horizontal clearance from any streetlight or traffic signal pole.
10. No fixed objects, including fire hydrants, trees, and streetlight poles, are allowed within ten feet of a driveway edge, defined as Point A in standard drawings. Fixed objects are defined as anything with breakaway characteristics greater than a four-inch by four-inch wooden post.
11. No new overhead utility lines will be allowed within or across any right of way or sidewalk easement.

Easements

Sidewalk and utility easements are required for the improvements on NE 14th Terrace and 122nd Avenue NE. It is anticipated that these will be recorded with the completion of the street construction, however any additional sidewalk and utility easements that may be necessary for

pedestrian facilities outside of the right-of-way and recorded easements shall be provided to the City as needed.

A public park easement is required to provide permanent public access to Tract K. **Refer to Section X for Conditions of Approval regarding Existing Easements, and Sidewalk/Utility/Access Easements.**

Right of Way Dedication

To incorporate street improvements which are reasonably necessary to mitigate the direct results of the development, and to accommodate the street widening described elsewhere in this document, the developer is required to dedicate property such that street surface to back of curb is accommodated within the public right of way.

All right-of-way necessary for the improvements on NE 14th Terrace and 122nd Avenue NE is expected to have been provided to the City prior to approval of this Design Review. In addition, the MDP Condition X.D.2.E. requires that the right-of-way be dedicated prior to the issuance of the project building permit. **Refer to Section X for Conditions of Approval regarding Dedication of Right of Way.**

Use of the Right of Way During Construction

Applicants often request use of the right of way and of pedestrian easements for materials storage, construction trailers, hauling routes, fencing, barricades, loading and unloading and other temporary uses as well as for construction of utilities and street improvements. A Right of Way Use Permit for such activities must be acquired prior to issuance of any construction permit including demolition permit. Sidewalks may not be closed except as specifically allowed by a Right of Way Use Permit. **Refer to Section X for Conditions of Approval regarding Right of Way Use Permit.**

E. Building Division

The plans for Design Review have not been sufficiently developed for a thorough review by Building. Complete review will occur under the Building permit application(s). The plans generally conform to the requirements applicable to this stage of the design process. Plans submitted for building permits are required to conform to the most recent building code as adopted and amended by the State of Washington and the City of Bellevue.

F. Fire

The Fire Department has reviewed this proposal and recommends approval.

G. Addressing

The final addresses for this project will depend upon the final configuration. A change in site or garage configuration may require readdressing. **Refer to Section X for Condition of Approval regarding Addressing of Lots and Buildings.**

VII. STATE ENVIRONMENTAL POLICY ACT (SEPA)

The environmental review indicates no probability of significant adverse environmental impacts occurring as a result of the proposed Design Review approval that are beyond those identified in the Bel-Red Corridor EIS and the Transportation Facilities Plan EIS. The Environmental

Checklist together with information submitted (in the official file) adequately discloses expected environmental impacts associated with the proposed Design Review approval. The City codes and requirements, including SEPA, Land Use Code, Noise Ordinance, Building Code and other construction codes adequately mitigate expected environmental impacts. Therefore, issuance of a Determination of Non-Significance (DNS) is the appropriate threshold determination under the State Environmental Policy Act (SEPA) requirements, with incorporation by reference of:

- The Bel-Red Corridor Project Draft and Final Environmental Impact Statement, issued July 19, 2007 and addendum.
- Final Environmental Impact Statement, 2016-2027, Transportation Facilities Plan, December 2015

These documents are available in the Development Services Department, Records Room, Lobby Floor, Bellevue City Hall, 450 110th Avenue NE under file #05-127994-LE.

Adverse impacts which are less than significant are typically subject to City Codes or Standards which are intended to mitigate those impacts. Where such impacts and regulatory items correspond, further documentation is not necessary. For other adverse impacts which are less than significant, Bellevue City Code, Section 22.02.140, provides substantive authority to mitigate impacts disclosed through the environmental review process.

The following amendments to the Environmental Checklist are provided by the City of Bellevue.

Transportation

Long Term Impacts and Mitigation

The long-term impacts of development projected to occur in the City by 2027 have been addressed in the City's 2016 – 2027 Transportation Facilities Plan FEIS Addendum. The impacts of growth which are projected to occur within the City by 2027 are evaluated on the roadway network assuming that all the transportation improvement projects proposed in the City's 2016 - 2027 Transportation Facilities Plan are in place. The Transportation Facilities Plan EIS divides the City into several Mobility Management Areas (MMAs) for analysis purposes. Tract K lies within MMA #12, which has a 2027 total growth projection of 3,050,584 sf of office development, 490,338 sf of retail development, and a decrease of 1,901,793 sf in Other development. This development proposes 22,216 square feet of park space and a 18,072 square foot single story underground parking garage. The volume of proposed park development will add other development in an area that the assumptions of the Transportation Facilities Plan FEIS Addendum expect a decrease in development. The increase will be offset by the decrease in other development that was previously on the site in the Spring District and will not result in any additional transportation impacts.

Mid-Range Impacts and Mitigation

Project impacts anticipated to occur in the next six years are assessed through a concurrency analysis. The Traffic Standards Code (BCC 14.10) requires that development proposals generating 30 or more new p.m. peak hour trips undergo a traffic impact analysis to determine if the concurrency requirements of the State Growth Management Act are maintained.

The Spring District Development Agreement and Master Development Plan allow concurrency to be analyzed by phase. This project is part of a forthcoming MDP amendment to include the

subject parcel in Phase 1B. Because this proposal is not expected to generate trips, it will not affect the Phase 1B concurrency analysis.

Short Term Operational Impacts and Mitigation

The Spring District MDP analysis included a Traffic Impact Analysis that identified traffic impacts and mitigation for the all phases of the development, and each phase is analyzed as well to ensure consistency with the overall analysis. This project is not anticipated to generate trips independently as it is a neighborhood park rather than a destination park. No traffic impacts are expected, and no further mitigation is required.

Earth

The affected geographic area is relatively level and paved with asphalt and concrete. According to the geotechnical report of record, by Hart Crowser dated February 27, 2018 and available for public viewing in the project file, the site is underlain by fill from about 1-foot below the ground surface at the eastern extent of the site to about 13-feet below at the western extent of the site. The fill deposit is underlain by native glacial deposits consisting of dense to very dense sand, gravel and hard silt. The glacial deposits will provide an excellent bearing layer for the building foundations. Groundwater may fluctuate because of variations in rainfall, temperature, season and other factors. It is not anticipated that groundwater will be encountered above 30 feet bgs (below ground surface).

Proposed earthwork includes the excavation of approximately 15 feet depth of soil to be removed from the site for construction of the underground parking garage. Backfill placed within the structure footprint or below paved areas should be structural fill. However, use of on-site soils as structural fill is not recommended during the wet weather season, as the undisturbed native soils are highly moisture sensitive.

There is potential for erosion and sedimentation impacts as a result of the earth movement activities. Applicants and permittees are responsible for preventing erosion and discharge of sediment and other pollutants into the storm and surface water system and receiving waters. A construction stormwater pollution prevention plan (CSWPPP) prepared according to the Washington State Department of Ecology Stormwater Management minimum technical requirement # 2, will be required at time of Clearing and Grading permit application for this development. (Bellevue City Code 23.76)

By incorporating the requirements of existing codes and standards, the recommendations included in the geotechnical report (including site management techniques), use of Best Management Practices for temporary erosion and sedimentation control, and rainy season restrictions, it is expected that anticipated impacts to earth resources will be adequately mitigated.

Air Quality

During construction, emissions to the air will be released by construction vehicles and heavy equipment. Following construction, emissions from vehicles entering/exiting the below grade garage will be released.

Construction would temporarily increase dust and vehicle emissions near the construction area. Mitigation will include using BMPs to control dust, covering exposed soils, and requiring idling

vehicles to be shut off. Construction vehicles will be fitted with required, factory-installed emission control devices. To reduce the potential of dust, construction accesses will be covered with rock or aggregate. Dust emissions will also be reduced during construction through the use of spray water as necessary during dry weather conditions and planting disturbed areas with erosion control seed mix as soon as is practical. Material stockpiles will also be covered or watered as necessary to control dust. These are standard practices imposed on the Clearing & Grading permit. (Bellevue City Code 23.76)

Construction vehicles and heavy construction equipment shall emit the least amount of air pollution as possible. While on city streets, all construction vehicles shall meet the requirements of the Revised Code of Washington 46.61.655 for covered loads. **Refer to Section X for Condition of Approval regarding Air Pollution from Construction Vehicles and Equipment.**

The Bel-Red Corridor DEIS states that to the extent that pollutant-generating land uses (i.e. repair shops, drycleaners) redevelop over time within the Bel-Red Corridor, overall emissions would be lower in the future than they are now. And, that despite the predicted increase in traffic volumes and emissions, the Bel-Red Corridor redevelopment is not likely to result in any exceedance of the air quality standards. Maintaining traffic flow will reduce vehicles idling and, therefore, reduce pollutant emissions from vehicles. With the future light rail trips, pollutant emissions from vehicles are assumed to be further reduced.

The applicant provided a technical memorandum by JMJ Team, civil engineering consultants, dated February 16, 2018 (available for public viewing in the project file) which describes the anticipated greenhouse gas emissions associated with the construction and operation of the proposed public park and below grade accessory parking structure.

Need for Qualitative or Quantitative Disclosure

Washington Department of Ecology (Ecology) has jurisdiction over air quality in Washington State. The City of Bellevue does not have code authority to regulate air quality. Air quality is under the jurisdiction of the Washington State Department of Ecology. Ecology provides thresholds based on building type and square footage to estimate the annual CO₂e from the buildings and associated traffic. These thresholds are used to determine the need for either a qualitative or quantitative analysis of CO₂e for a project.

Ecology's Guidance for including Greenhouse Gas Emissions in SEPA states that for projects that are expected to annually produce an average estimate of at least 10,000 but less than 25,000 metric tons CO₂e, proponents should at least qualitatively disclose the GHG emissions caused by the project. A qualitative disclosure should include a general description of the project's expected source(s) of the emissions, as well as any proposed GHG mitigation measures incorporated or designed into the project.

Qualitative Disclosure

The project has been estimated using the King County Department of Development and Environmental Services SEPA GHG Emissions Worksheet, Version 1.7. Using this worksheet, the project has been screened for ecology's thresholds for qualitative and quantitative reporting requirements. The proposed Tract K public park and below-grade accessory parking garage do not meet Ecology's threshold of 10,000 MTCO₂e annually to produce a qualitative disclosure of emissions associated with the project.

Tract K is being constructed as a neighborhood park for residents, office workers and visitors to the Spring District. While the park is open to public use, the park's proximity to transit and its auxiliary nature (not a destination park) greatly reduce the anticipated vehicle trips associated with the park's operation. The parking analysis prepared by Parametrix reports an anticipated two vehicle trips to the park during the peak weekend hours. Vehicle trips alone are not quantitatively described by King County for their lifespan emissions impacts to projects.

The below grade accessory parking structure does not produce vehicle trips. This parking structure will provide the required parking for the adjacent development on parcel 12 (Brew Pub/Office). Parcel 12's greenhouse gas emissions associated with vehicle trips were evaluated as part of that project's Design Review/SEPA analysis, which is currently under review.

Since there are no proposed structures which would create vehicle trip demands, and vehicle trips alone are not quantified for lifespan emissions, the project is well below the threshold standards for a qualitative analysis.

Plants and Animals

The existing 0.51-acre project limit was previously a light industrial site with 100% existing impervious surface. Upon completion of the Design Review proposal, the overall impervious surface will be reduced to 88%, with the installation of site landscaping. Incorporation of new landscaping provides opportunities for new plant material (native/ornamental), and it is anticipated that small urban animals and native birds will occupy the site area post construction.

Light and Glare

There is the potential for light and glare impacts with the proposed exterior park lighting during the night. Potential light and glare impacts will extend to adjacent residential units and any businesses that operate after dark, in addition to vehicular/pedestrian traffic along adjacent streets. In order to mitigate potential impacts to adjacent vehicular drivers/businesses/residents, any light source emitting from the project area shall incorporate cutoff shields and be designed so as not to result in light and glare spillover offsite. **Refer to Section X for Condition of Approval regarding Shielded Lights.**

VIII. DECISION CRITERIA

Per Land Use Code 20.30F.145, the Director may approve or approve with modifications an application for Design Review if:

A. The proposal is consistent with the Comprehensive Plan.

Finding: The proposal, as conditioned, is consistent with the Comprehensive Plan and Bel-Red Subarea Plan. Staff has reviewed the policies which apply to the project and has determined that those applicable policies will be implemented through the application of City Codes and the adopted Design Guidelines identified in the Bel-Red Chapter of the Land Use Code. **Refer to Section X for Conditions of Approval regarding Project Plans, Conditions of Approval, Final Landscape Plan, and Sign Master Plan.**

The proposal is consistent with the Comprehensive Plan, including the following goals

and policies from the Bel-Red Subarea Plan:

- 1) **Land Use Goal:** *To develop a land use pattern that is environmentally sustainable and economically vibrant, and that creates distinctive new commercial and residential neighborhoods for the Eastside.*

POLICY S-BR-8. *Encourage mixed use development, promoting opportunities to live, work, shop, and recreate within close proximity.*

POLICY S-BR-12. *Develop and implement landscaping standards that promote sustainable design, and encourage natural drainage practices where both appropriate and feasible.*

Finding:

The proposed public park and below grade accessory parking proposal meets the Land Use goals and policies of the Bel-Red Subarea plan noted above. The proposal provides another open space opportunity within the Spring District that will be in close proximity to residential and commercial/retail uses. The park will include an open communal room with tables, chairs and benches, in addition to a community garden and open plaza space that will be set up for outdoor movies during warmer summer months. This is the second public park space to be developed within the Spring District and will be located directly adjacent to the first developed park space for a larger connected open space area. Providing an additional public park space helps to further diversify the type of uses throughout the Spring District.

- 2) **Urban Design Goal:** *To achieve a design character that results in aesthetically beautiful, distinctive, and long-lasting places that evoke a strong sense of Bellevue and the Northwest, and a dynamic public realm that encourages social interaction.*

POLICY S-BR-14. *Use design guidelines to promote pedestrian-friendly and transit-oriented design, ensure quality and a sense of permanence, promote environmental sustainability, and create a distinct sense of place. Conduct design review for all mixed use, office and residentially designated areas of the Subarea. Apply additional depth and attention to the details of design review within transit-oriented development nodes.*

Discussion: Design review should pay special attention to creating a pedestrian-friendly environment, by helping to create vibrant, interesting, safe, walkable and interconnected sites.

POLICY S-BR-16. *Encourage place-making and a dynamic public realm by integrating publicly accessible plazas, open spaces and other gathering places with development, in public and private projects.*

POLICY S-BR-21. *Protect solar access to public spaces and important views from public spaces, as defined through the land use regulatory framework.*

POLICY S-BR-22. *Promote parking design and management that supports*

local uses in a manner compatible with the area's urban design, transit and pedestrian orientation, including:

- *Encourage shared parking;*
- *Encourage structured parking as opposed to surface parking, particularly in identified development nodes;*
- *Prohibit surface parking between buildings and sidewalks where appropriate, and provide visual screening and/or landscaping relief of surface parking where it occurs; and*
- *Allow reduction of parking supply in transit development nodes.*

Finding:

The Urban Design goals and policies of the Bel-Red Subarea Plan are incorporated into the public park and below-grade accessory parking proposal. The proposed park will create a distinct sense of place as part of a larger network of park areas within the Spring District MDP. The project is subject to the plans submitted and attached. **Refer to Section X for Condition of Approval regarding Project Plans.** The park includes features such as outdoor seating, vegetable gardens, a bocce court and a space to watch outdoor movies or have small performances. High quality materials have been chosen and detailing to create a sense of permanence.

The proposed park is designed to complement the adjacent park located on Tract C to the west, in addition to the office/Brew Pub building structure to the south. As the park provides a pedestrian connection on the south side of the parcel, between 122nd Avenue NE and up to NE 14th Terrace, public access signage will be required to be installed to clearly indicate this public connection through the project site. **Refer to Section X for Condition of Approval regarding Public Access Signage for Pedestrian Connections.**

The single level of underground parking is proposed for the use of the adjacent office/Brew Pub. This parking is designed below grade instead of as surface parking to better align with comprehensive plan policies and to encourage more park space within the Spring District MDP.

The applicant will provide a master sign package for consistency in signage within the project. **Refer to Section X for Condition of Approval regarding Sign Master Plan.**

- 3) ***Parks and Open Space Goal:*** *To create a robust, aesthetically beautiful, and functional parks and open space system that serves the needs of Bel-Red and the broader community, and that connects with and complements the larger Bellevue parks and open space system.*

POLICY S-BR-35. *Create a robust, aesthetically beautiful and functional parks and open space system that serves the needs of residents, employees, visitors, surrounding neighborhoods, and the entire community. This system should connect with and complement the citywide parks and open space system, and include the following:*

- *Provide neighborhood parks and smaller "pocket" parks with convenient access to all neighborhoods;*

Finding:

The proposed public park is the second park to be developed within the Spring District and is part of a small network of linear park spaces that terminate at the proposed light rail station. The existing public park west of the project site provides a large open lawn area, a linear community garden planting strip and a large chess board. The proposed park will include a large communal “room” with a large outdoor table, chairs and swings, a community garden, and a large plaza space that will also function for outdoor movies during the warmer summer months. Connecting the two parks together provides for a larger usable open space area for residents and employee’s within the Spring District.

- 4) ***Transportation Goal:*** *To create a more complete, connected, and well balanced transportation system, while protecting neighborhoods from spillover traffic impacts and while ensuring that transportation investments contribute to the area’s sense of place and sustainability.*

POLICY S-BR-57. *Encourage garage and service vehicle access via local and secondary streets and alleys. Limit access points along arterial streets.*

POLICY S-BR-63. *Improve pedestrian connectivity and the quality of the pedestrian environment with a comprehensive sidewalk and trail system, including through-block pedestrian connections, and mid-block crossings. Include pedestrian amenities such as pedestrian-scaled lighting, seating, transit shelters and weather protection.*

Finding:

The developer, Wright-Runstad, has provided the required local street (122nd Avenue NE) and green street (NE 14th Terrace) which border the subject site to the east and north. The project proposes a singular garage access point via NE 14th Terrace. The proposed public park includes pedestrian connectivity to the adjacent park to the west, proposed Brew Pub to the south, and a proposed park space to the north-west (under separate review at the time of this approval) which will terminate near the light rail station to the north. Design of the park space will include pedestrian scaled lighting and seating opportunities.

B. The proposal complies with the applicable requirements of this Code.

As conditioned, the proposal complies with applicable requirements of the Land Use Code:

- Dimensional requirements.
- Parking requirements.
- Local/Green Street requirements.
- Use charts.
- Catalyst Project.
- Bel-Red Corridor Plan.
- The Spring District Master Development Plan.

- The Spring District Development Agreement.

See Section III, Consistency with Land Use Code/Zoning Requirements and Section VI, Technical Review.

C. The proposal addresses all applicable design guidelines or criteria of this Code in a manner which fulfills their purpose and intent.

As conditioned, the proposal complies with applicable requirements of the Land Use Code. Refer to Section I.B, Park Design and I.C, Design Intent, for discussions on overall design of the proposal. In addition, refer to Section III, Consistency with Land Use Code/Zoning Requirements and Section IV, Consistency with the Spring District Development Agreement (DA) and Master Development Plan (MDP for additional design requirements.

D. The proposal is compatible with and responds to the existing or intended character, appearance, quality of development and physical characteristics of the subject property and immediate vicinity.

As conditioned, the project meets this criterion. See responses to Criteria VIII.A-C above.

E. The proposal will be served by adequate public facilities including streets, fire protection, and utilities.

All urban level public utilities/infrastructure are available to the site or will be constructed/installed within the development. All city departments have reviewed the proposal and required associated conditions, as necessary. See Section VI. for Technical Review.

IX. DECISION

After reviewing the proposal for consistency with applicable City of Bellevue requirements, policies, development standards, and SEPA, the Director hereby APPROVES WITH CONDITIONS THE **DESIGN REVIEW APPLICATION FOR SPRING DISTRICT – TRACT K.**

X. CONDITIONS OF APPROVAL

COMPLIANCE WITH BELLEVUE CITY CODES AND ORDINANCES:

NOTE – Vested Status of the Design Review approval: The vested status of the Design Review approval is per Land Use Code 20.25D.035.B and the Development Agreement, signed July 10, 2009 and recorded September 11, 2009, recording number #200909110002269. These provisions allow for extended vesting up to a maximum of 15 years from the date of the City's final decision, unless a completed building permit application is filed before the end of the 15-year term. Upon issuance of a building permit, the vested status of a land use permit or approval shall be automatically extended for the life of the project.

COMPLIANCE WITH BELLEVUE CITY CODES AND ORDINANCES: The applicant shall comply with all applicable Bellevue City Codes (BCC) and Ordinances including but not limited to:

Clearing and Grading Code - BCC 23.76	Savina Uzunow	425-452-7860
Bellevue Development Standards	Savina Uzunow	425-452-7860
Transportation Code - BCC 14.60	Molly A. Johnson	425-452-6175
Trans. Development Review - BCC.22.16	Molly A. Johnson	425-452-6175
Right-of-Way Use Permit - BCC 14.30	Tim Stever	425-425-4294
Bellevue Utilities Code - BCC Title 24	Mark Dewey	425-452-6179
Construction Codes - BCC Title 23	Douglas Beck	425-452-4563
Structural Codes – BCC Title 23	Douglas Beck	425-452-4563
Land Use Code - BCC Title 20	Laurie Tyler	425-452-2728
Sign Code - BCC Title 22B	Laurie Tyler	425-452-2728
Noise Control - BCC 9.18	Laurie Tyler	425-452-2728
Uniform Fire Code - BCC 23.11	Sean Nichols	425-452-2926
Transportation Department Design Manual	Molly A. Johnson	425-452-6175
The Bel-Red Corridor Plan Streetscape Character, Guidelines, and Standards	Molly A. Johnson	425-452-6175
Addressing	Laurie Tyler	425-452-2728
	Jami Fairleigh	425-452-4310

A. GENERAL CONDITIONS: The following conditions apply to all phases of development.

UTILITIES DEPARTMENT CONDITIONS (GENERAL)

1. PRELIMINARY DESIGN, UTILITY CODES AND ENGINEERING STANDARDS

Utility review has been completed on the preliminary information submitted at the time of this application. The review of this application has no implied approvals for water, sewer and storm drainage components of the project for construction purposes. Water, sewer and storm permits, (UC), (UA) and (UB) will be required for building connections. A developer extension agreement (UE) permit will be required for the DDCVA vault and fire line leading to the vault. Final civil engineering may require some changes to the site layout to accommodate the utilities. The plan submittal will be required to comply with all engineering codes and standards. The water, sewer and storm utilities constructed in NE 14th Terrace will need to be accepted by the Utilities Department prior to connection to any service stubs.

AUTHORITY: BCC Title 24.02, 24.04, 24.06
REVIEWER: Mark Dewey, Utilities

LAND USE DIVISION CONDITIONS (GENERAL)

2. DEVELOPMENT AGREEMENT AND MASTER DEVELOPMENT PLAN

The applicant is subject to all conditions and requirements of the Development Agreement between the City and Applicant, signed July 10, 2009 and recorded September 11, 2009 recording number #200909110002269. The applicant is also subject to all approval conditions of the Master Development Plan (File number 11-125943 LP) approved May 3, 2012 by Development Services and affirmed by the Hearing Examiner on October 8, 2012 (File number AAD 12-41).

AUTHORITY: Development Agreement, signed July 10, 2009 and recorded September 11, 2009, recording number #200909110002269

Master Development Plan (File number 11-125943 LP) approved May 3, 2012 by Development Services and affirmed by the Hearing Examiner on October 8, 2012 (File number AAD 12-41).

REVIEWER: Laurie Tyler, Development Services Department

3. PROJECT PLANS

The project is subject to the plans dated September 20, 2018 and attached.

AUTHORITY: Bellevue City Code 20.35.230
REVIEWER: Laurie Tyler, Development Services Department

4. CONSTRUCTION NOISE HOURS

Noise related to construction is allowed from 7:00 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 6:00 p.m. on Saturday, except for Federal holidays and as further defined by the Bellevue City Code. Exceptions to the construction noise hours limitation contained in the Noise Control Code MAY be granted pursuant to 9.18.020C.1 when necessary to accommodate construction which cannot be undertaken during exempt hours. Written requests for exemption from the Noise Control Code must be submitted two weeks prior to the scheduled onset of extended hour construction activity.

AUTHORITY: Bellevue City Code 9.18.020, .040
REVIEWER: Laurie Tyler, Development Services Department

5. USE OF BEST AVAILABLE NOISE ABATEMENT TECHNOLOGY

The use of best available noise abatement technology consistent with feasibility is required during construction to mitigate construction noise impacts to surrounding uses.

AUTHORITY: Bellevue City Code 9.18.020.F
REVIEWER: Laurie Tyler, Development Services Department

6. MODIFICATION TO THE DESIGN REVIEW PLANS

Any modification to this approval shall be documented as an Amendment to this Design Review OR as an addition or revision to this issued land use approval, processed as a Land Use Exemption. The applicant shall demonstrate compliance with the Land Use Code consistent with the Governing Regulations section of the Development Agreement. Any modification of the project design must be reviewed for consistency with the design intent as stated in Section I.C of this report. Conditions of Approval run for the life of the project.

AUTHORITY: Land Use Code 20.30F.175, Development Agreement Section C
REVIEWER: Laurie Tyler, Development Services Department

7. CONDITIONS OF APPROVAL

A copy of these conditions of approval shall be copied onto a plan sheet at the beginning of the plan set(s) submitted for building/clear and grade permits.

AUTHORITY: Land Use Code 20.35.230
REVIEWER: Laurie Tyler, Development Services Department

8. MDP AND BINDING SITE PLAN AMENDMENT

The Spring District Master Development Plan and corresponding Binding Site Plan shall be amended and recorded to reflect changes in property boundary lines, tract uses and phasing location (1A to 1B) applicable to Tract K, prior to issuance of any construction permits for this project.

AUTHORITY: Land Use Code 20.30F.165.C
REVIEWER: Laurie Tyler, Development Services Department
Molly Johnson, Transportation

- B. PRIOR TO CLEARING & GRADING (CG) PERMIT ISSUANCE:** The following conditions are imposed to ensure compliance with the relevant decision criteria and Code requirements. These conditions must be complied with on plans submitted with the Clearing & Grading and Demolition permit applications:

TRANSPORTATION DEPARTMENT CONDITIONS (prior to CG issuance)

9. RIGHT-OF-WAY USE PERMIT

Prior to issuance of any construction or clearing and grading permit, the applicant shall secure applicable right-of-way use permits from the City's Transportation Department, which may include:

- a) Designated truck hauling routes.
- b) Truck loading/unloading activities.
- c) Location of construction fences.
- d) Hours of construction and hauling.
- e) Requirements for leasing of right of way or pedestrian easements.
- f) Provisions for street sweeping, excavation and construction.
- g) Location of construction signing and pedestrian detour routes.
- h) Trench restoration on public streets.
- i) All other construction activities as they affect the public street system.

In addition, the applicant shall submit for review and approval a plan for providing pedestrian access during construction of this project. Access shall be provided at all times during the construction process, except when specific construction activities such as shoring, foundation work, and construction of frontage improvements prevent access. General materials storage and contractor convenience are not reasons for preventing access.

The applicant shall secure sufficient off-street parking for construction workers before the issuance of a clearing and grading, building, a foundation or demolition permit.

AUTHORITY: BCC 11.70 & 14.30
REVIEWER: Tim Stever, Right of Way

10. CIVIL ENGINEERING PLANS – TRANSPORTATION

Civil engineering plans produced by a qualified engineer must be approved by the Transportation Department prior to issuance of the clearing and grading permit. The design of all street frontage improvements and driveway accesses must be in

conformance with the requirements of the Americans with Disabilities Act, the Transportation Development Code, the provisions of the Transportation Department Design Manual, and specific requirements stated elsewhere in this document. All relevant standard drawings from the Transportation Department Design Manual shall be copied exactly into the final engineering plans. Requirements for the engineering plans include, but are not limited to:

- a) Sidewalk improvements on 122nd Avenue NE necessary to provide a minimum 11-foot wide sidewalk including 5-foot tree grates.
- b) Sidewalk improvements on NE 14th Terrace necessary to provide a minimum 8-foot wide sidewalk.
- c) A minimum 26-foot wide driveway approach on NE 14th Terrace meeting all design manual standards including pedestrian and vehicle sight distance.
- d) Streetlight plans for NE 14th Terrace and 122nd Avenue NE showing that the tertiary streetlight standards are met.
- e) Traffic signs and markings.
- f) Curb, gutter, sidewalk, and driveway approach design for the frontage improvement modifications. The engineering plans shall be the controlling document on the design of these features; architectural and landscape plans must conform to the engineering plans as needed.
- g) Curb ramps and crosswalk revisions.
- h) Installation or relocation of streetlights and related equipment if not completed by others.
- i) Undergrounding of existing overhead utility lines, which should be coordinated with adjacent sites. Transformers and utility vaults to serve the building shall be placed inside the building or below grade, to the extent feasible.
- j) Sight distance. Show the required sight triangles and include any sight obstructions, including those off-site. Sight distance triangles must be shown at all driveway locations and must consider all fixed objects and mature landscape vegetation. Vertical as well as horizontal line of sight must be considered when checking for sight distance.
- k) Landings on sloping approaches are not to exceed a 7% slope for a distance of 30 feet approaching the back edge of sidewalk. Driveway grade must be designed to prevent vehicles from bottoming out due to abrupt changes in grade.
- l) Location of fixed objects in the sidewalk or near the driveway approach.
- m) Trench restoration within any right of way or access easement.

Construction of all street and street frontage improvements must be completed prior to closing the clear and grade permit and right of way use permit for this project. A Design Justification Form must be provided to the Transportation Department for any aspect of any pedestrian route adjacent to or across any street that cannot feasibly be made to comply with ADA standards. Design Justification Forms must be provided prior to approval of the clear and grade plans for any deviations from standards that are known in advance. Forms provided in advance may need to be updated prior to project completion. For any deviations from standards that are not known in advance, Forms must be provided prior to project completion.

AUTHORITY: BCC 14.60; Transportation Department Design Manual;
Americans with Disabilities Act
REVIEWER: Molly Johnson, Transportation

LAND USE DIVISION CONDITIONS (prior to CG issuance)

11. AIR POLLUTION FROM CONSTRUCTION VEHICLES AND EQUIPMENT

Construction vehicles and heavy construction equipment shall emit the least amount of air pollution as possible. While on city streets, all construction vehicles shall meet the requirements of the Revised Code of Washington 46.61.655 for covered loads.

AUTHORITY: State Environmental Policy Act, Bellevue City Code, 23.76,
Revised Code of Washington 46.61.655

REVIEWER: Laurie Tyler, Development Services Department

12. FINAL LANDSCAPE PLAN

A final landscape plan and irrigation plan shall be submitted with the Clearing and Grading Permit application for review by Land Use. Provide details for any electrical outlets that are proposed to be located within the planting strips.

AUTHORITY: Land Use Code 20.20.520.I

REVIEWER: Laurie Tyler, Development Services Department

- C. PRIOR TO BUILDING PERMIT (BP) ISSUANCE:** The following conditions are required by City Code. Unless specified otherwise below, these conditions must be complied with on plans submitted with the Building Permit application:

TRANSPORTATION DEPARTMENT CONDITIONS (prior to BP issuance)

13. BUILDING AND SITE PLANS – TRANSPORTATION

The building grade and elevations shall be consistent with the curb and sidewalk grade shown in the approved civil engineering plans. During construction, city inspectors may require additional survey work at any time in order to confirm proper elevations. Building plans, landscaping plans, and architectural site plans must accommodate on-site traffic markings and signs and driveway design as specified in the engineering plans. Building plans, landscaping plans, and architectural site plans must comply with vehicle and pedestrian sight distance requirements, as shown on the engineering plans.

AUTHORITY: BCC 14.60.060; 110; 120; 150; 180; 181; 190; 240; 241

REVIEWER: Molly Johnson, Transportation

14. EXISTING EASEMENTS

Any utility easements contained on this site which are affected by this development must be identified. Any negative impact that this development has on those easements must be mitigated or easements relinquished.

AUTHORITY: BCC 14.60.100

REVIEWER: Tim Stever, Right of Way

LAND USE DIVISION CONDITIONS (prior to BP issuance)

15. MAXIMUM IMPERVIOUS SURFACE/LOT COVERAGE

The maximum impervious surface/lot coverage MDP wide shall not exceed 75% per the Spring District MDP approval. The cumulative impervious surface/lot coverage shall be provided to ensure compliance with the MDP maximum.

AUTHORITY: Land Use Code 20.25D.080; Spring District MDP
REVIEWER: Laurie Tyler, Development Services Department

16. GARAGE VENTS

Garage vents shall be directed away from pedestrians. Objectionable odors shall not emit from vents. All vents shall be architecturally integrated to the building/park design.

AUTHORITY: Land Use Code 20.25D.150.D
REVIEWER: Laurie Tyler, Development Services Department

17. CERTIFICATION BY A NOISE CONSULTANT

The applicant shall provide certification by a noise consultant that the noise from the garage exhaust fans will not exceed 60 dBA and a determination from the noise consultant that the velocity and direction of airflow from the exhaust system within pedestrian areas not exceed 500 CFM.

AUTHORITY: Bellevue City Code 9.18.030 and Land Use Code 20.30F.145
REVIEWER: Laurie Tyler, Development Services Department

18. MECHANICAL EQUIPMENT SCREENING

The applicant shall demonstrate that screening for mechanical equipment is architecturally integrated with the design of the project. Screening shall be provided so that mechanical equipment is not visible from adjacent streets and public sidewalks and does not interfere with park activities.

Power, telephone, traffic control, or other equipment shall not be located in above ground cabinets in sidewalk areas. Such equipment shall be located in underground vaults or in a building or substantially screened per the approval of the Development Services Department.

Any at grade grills/grates or panels shall be the minimum size necessary, be ADA compliant and flush with the sidewalk or driveway in which it is installed. Review and approval of these locations and grates will be through the building permit review process.

AUTHORITY: Land Use Code 20.25D.150.D, 20.20.525.C.5
REVIEWER: Laurie Tyler, Development Services Department

19. SOLID WASTE/RECYCLING COLLECTION FACILITIES REQUIRED

Recycling and solid waste collection areas are required to be provided within the park. The Spring District Common Authority will be responsible for collecting refuse and recycling in all parks within the Spring District parks and plazas. Provide the approved Common Authority refuse/recycling pick-up plan to collect refuse and recycling for Tract K. Identify locations for refuse and recycling containers within the park on the plans submitted for the clearing and grading permit.

AUTHORITY: Land Use Code 20.20.720
REVIEWER: Laurie Tyler, Development Services Department

20. SHIELDED LIGHTS

In order to mitigate potential impacts to adjacent vehicular drivers/businesses/residents, any light source emitting from the project area shall be designed so as not to provide light and glare and spillover offsite. Cutoff shields shall be used.

AUTHORITY: Land Use Code 20.20.522
REVIEWER: Laurie Tyler, Development Services Department

D. PRIOR TO ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY (CO)

TRANSPORTATION DEPARTMENT CONDITIONS (prior to issuance of any CO)

21. STREET FRONTAGE IMPROVEMENTS

All street frontage improvements and other required transportation elements, including street light and traffic signal revisions, must be constructed by the applicant or others and accepted by the Transportation Department inspector. This includes all frontage improvements for NE 14th Terrace and 122nd Avenue NE that are being constructed by others.

All existing street light and traffic signal apparatus affected by this development, including traffic controllers, pedestrian signal poles, traffic signal poles, and power sources, must be relocated as necessary. Existing overhead lines must be relocated underground. All required improvements must be constructed as per the approved plans or as per direction of the Transportation Department inspector. Bonding or other types of assurance devices will not be accepted in lieu of construction, unless the City requires a delay.

AUTHORITY: BCC 14.60; Comprehensive Plan Policy UT-39; Transportation Department Design Manual; and Transportation Department Design Manual Standard Drawings.
REVIEWER: Molly Johnson, Transportation

22. SIDEWALK/UTILITY/ACCESS EASEMENTS

The applicant shall provide sidewalk, utility, and access easements to the City such that the park area, sidewalks, and pedestrian paths outside of the City right of way are located within a pedestrian easement area if these have not already been recorded.

AUTHORITY: BCC 14.60.100
REVIEWER: Molly Johnson, Transportation

23. DEDICATION OF RIGHT OF WAY

The applicant shall dedicate right of way to the City along the property frontage such that street improvements to the back of curb are located within the public right of way.

AUTHORITY: BCC 14.60.090
REVIEWER: Molly Johnson, Transportation

LAND USE DIVISION AND ADDRESSING CONDITIONS (prior to issuance of any CO)

24. LANDSCAPE INSTALLATION ASSURANCE DEVICE

If a Temporary Certificate of Occupancy is requested prior to completion of the landscaping installation, the applicant shall file with the Development Services Department a landscape installation assurance device equal to 150% of the cost of labor and materials for any landscaping that has not yet been installed.

AUTHORITY: Land Use Code 20.40.490
REVIEWER: Laurie Tyler, Development Services Department

25. LANDSCAPE MAINTENANCE ASSURANCE DEVICE

The applicant shall file with the Development Services Department a landscape maintenance assurance device in the form of an assignment of savings or letter of credit for 20% of the cost of labor and materials for all landscaping on the site.

AUTHORITY: Land Use Code 20.40.490
REVIEWER: Laurie Tyler, Development Services Department

26. ADDRESSING OF LOTS AND BUILDINGS

The applicant shall contact Jami Fairleigh, Information Technology Department, phone 425-452-4310, regarding the addressing of the park and garage. Addressing shall be approved by the Fire and Transportation Department.

AUTHORITY: Uniform Fire Code 505
REVIEWER: Jami Fairleigh, Information Technology Department
Sean Nichols, Fire Department
Molly Johnson, Transportation Department

27. PUBLIC ACCESS EASEMENT

The applicant shall record a public access easement over the park tract in order to allow for 24-hour public pedestrian access.

AUTHORITY: Land Use Code 20.25D.150.C.2
REVIEWER: Laurie Tyler, Development Services Department
Molly Johnson, Transportation

28. PUBLIC ACCESS SIGNAGE FOR PEDESTRIAN CONNECTIONS

“Public Access” signage as depicted in the Bellevue Wayfinding Manual shall be prominently located to clearly convey the message that the public is welcome in the proposed park. Prior to Temporary Certificate of Occupancy, the specific locations and sign designs shall be reviewed and approved by Land Use and the approved signs shall be installed.

AUTHORITY: Land Use Code 20.25D.150.C.2, Land Use Code 20.30F.145
REVIEWER: Laurie Tyler, Development Services Department

E. PRIOR TO ISSUANCE OF ANY SIGN PERMITS (SIGN)

LAND USE DIVISION CONDITION (prior to issuance of a SIGN permit)

29. SIGN MASTER PLAN

A comprehensive sign package shall be submitted to the Development Services Department for review and approval through a Pre-Development Services (DC) application. Contents shall include but is not limited to:

- a. Location
- b. Lighting
- c. Color Palate
- d. Materials
- e. Design concept

Signage shall be the minimum necessary to convey information and shall be architecturally compatible and integrated with the park/garage design. Maximum letter and sign size shall be determined based on proposed location and other design criteria. Sign Code limitations are not a guaranteed maximum and cannot be exceeded. Final design review of individual signs and compliance with the approved sign package will occur through review of each sign permit application.

No freestanding signs, cabinet signs or signs above the rooftop are permitted except as permitted in the Sign Code Bellevue City Code 22B.10.

AUTHORITY: Bellevue City Code 22B.10 and Land Use Code 20.25D.150.F
REVIEWER: Laurie Tyler, Development Services Department