



DEVELOPMENT SERVICES DEPARTMENT
 ENVIRONMENTAL COORDINATOR
 450 110th Ave NE
 BELLEVUE, WA 98009-9012

DETERMINATION OF NON-SIGNIFICANCE

PROPONENT: The Little School

LOCATION OF PROPOSAL: 2812 116th Avenue NE

DESCRIPTION OF PROPOSAL: Conditional Use Permit Approval to increase the maximum enrollment at the Little School from 158 students to a maximum of 224 students. The proposal includes removal of existing structures, a new multi-purpose building and new internal queuing and parking.

FILE NUMBERS: 18-118360-LB **PLANNER:** Leah Chulsky

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 **7/11/2019**
- 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This DNS may be withdrawn at any time if the proposal is modified so as to have significant adverse environmental impacts; if there is significant new information indicating a proposals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

6/27/2019
 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@atq.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 Little School

Proposal Address: 2812 116th Ave NE

Proposal Description: Conditional Use Permit Approval to increase the maximum enrollment at the Little School from 158 students to a maximum of 224 students. The proposal includes removal of existing structures, a new multi-purpose building and new internal queuing and parking.

File Number: 18-110360-LB

Applicant: The Little School

Recommendations Included: Conditional Use Permit (LUC 20.30B)

Decisions Included: SEPA (BCC 22.02)

Planner: Leah Chulsky, Associate Planner

State Environmental Policy Act Threshold Determination: Determination of Non-Significance



Elizabeth Stead, Environmental Coordinator
Development Services Department

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

By: 

Elizabeth Stead, Land Use Director

Application Date: March 30, 2018
Notice of Application: May 31, 2018
14-day Comment Period: June 14, 2018
Recommendation Publication Date: June 27, 2019
SEPA Appeal Deadline: June 11, 2019
Conditional Use Hearing Date: June 18, 2019

For information on how to appeal the project, visit the Permit Center at City Hall or call (425) 452-6800. Appeal of the decision must be received in the City Clerk's office by 5 p.m. on the date noted for the appeal deadline.

I. Proposal

The Little School (the Applicant) requests a Conditional Use Permit (CUP) to allow for an increase in student enrollment and onsite changes. The Little School is a private elementary school and has operated at their current location (2812 116th Ave NE) for 51 years since 1968. The school's educational program is for children ages 3-11 between the hours of 8:30 am and 3:00 pm with extended care beginning at 8:00 am and ending at 6:00 pm. This proposal doesn't alter the existing hours of operations or education program. Currently, 168 students are enrolled with 39 associated teachers and staff. The applicant has requested a Conditional Use to increase the potential maximum enrollment from the existing 168 students to a potential 224 students. This would result in a 25% increase in students if enrollment was maximized. No additional teachers or staff are noted. The project includes the removal of several existing buildings including a 3,340 square foot "School House" building, a 320 square foot storage building and a 160 square foot maintenance building. A new 14,700 square foot, single-story multipurpose building and reconfigured parking, traffic and pedestrian circulation are included in this proposal. Once demolition and construction is complete, the four structures used for the school will total 38,176 square feet, an increase of 29 percent. While the Applicant is proposing to increase both the potential enrollment and building square footage, the increase is minor in scale and the minimum needed for the school to achieve their space and education goals.

II. SITE DESCRIPTION, LAND USE CONTEXT AND ZONING

The Applicant has operated a private school at this location (2812 116th Ave NE) since 1968. The existing program utilizes multiple structures used for the school totaling 27,296 square feet of the 547,662 square foot site (5 percent). Primary vehicular access to and from the site is provided via two existing driveways on 116th Ave NE; one enter-only driveway and one exit-only driveway. No changes to these driveway locations are proposed with the expansion. The site has split zoning between R-1.8 and R-2.5 with split Comprehensive Plan designations between Single-Family Low and Single-Family Medium. The site is surrounded by single family homes and contains a critical slope in the rear of the property.

Required Land Use Approvals

Per the Land Use Code, a modification to the school grounds and the enrollment increase require a Conditional Use Permit which is a Process I decision (LUC 20.35.300). Process I are quasi-judicial decisions made by the Hearing Examiner. Following the Directors recommendation a public hearing will be held before the Hearing Examiner. Following the public hearing, the Hearing Examiner will issue a written report which will set forth a decision to approve, approve with modifications, or deny the application. The Hearing Examiners decision is appealable to the City Council.

III. CONSISTENCY WITH LAND USE CODE REQUIREMENTS:

A. General Provisions of the Land Use Code

1. Use

The Little School has operated since 1968 and is a permitted use subject to a Conditional Use Permit for the expansion.

2. Dimensional Requirements

As conditioned, the proposal meets the dimensional requirements of the Land Use Code Section 20.20.010.

Table 1 – Dimensional Requirements

BASIC INFORMATION		
Zoning District	R-1.8 & R 2.5	
Site Area	532,916 square feet (11.7 Acres)	
DEVELOPMENT STANDARD	REQUIRED	PROPOSED STANDARDS
Front Yard	30 ft.	Greater than 30 ft.
Rear Yard	50 ft. (schools)	Greater than 50 ft.
Side Yard	50 ft. (schools)	Greater than 50 ft.
Maximum Building Height	35 ft. from Average Existing Grade	18.6 ft.
Maximum Lot Coverage by Structures (percent)	35 Percent	7 Percent
Impervious Surface (percent)	45 Percent	24 Percent
Landscaping		
Street Frontage	10 ft. Type III	10 ft.
Interior Property Lines	20ft. Type III	25 ft.

3. Landscaping

a. Tree Retention

While retaining a significant amount of their onsite trees (see plan in file) the proposal includes the removal of some interior and perimeter trees to allow for the construction the new multi-purpose building, vehicular and pedestrian access. As approved, the Applicant is providing tree retention in excess of what is the minimum required to help maintain the existing wooded character.

b. Perimeter Landscaping

i. Landscape Buffer

The proposal will maintain the existing 25 foot vegetated buffers along the north, east and western property lines. The vegetation within the buffer along the southern property line

will be removed to facilitate construction of the new multi-purpose building, vehicular circulation and parking. As conditioned, the proposal will provide an enhanced 25 foot landscape buffer along the southern property line to mitigate for the removal of the existing vegetation. The overall landscape plan includes 44 deciduous trees, 52 evergreen trees, 2,249 shrubs and associated ground cover. Trees are proposed to be a minimum of 8 to 10 feet in height at the time of installation. A Landscape Maintenance Assurance Device will be required prior to issuance of a Temporary Certificate of Occupancy and held for a period of five years.

See Condition of Approval regarding Landscape Maintenance in Section IX of this report.

ii. Interior Landscaping

The proposal will maintain the majority of the existing interior landscaping. Some will be removed to allow for construction. As approved, the areas of disturbance will be restored and replanted with a three tiered landscape plan including trees, shrubs and ground cover.

IV. PUBLIC NOTICE

The City initially notified the public of this proposal on May 31, 2018 with mailed notice and publication in the Weekly Permit Bulletin. Two, double-sided public information signs were also installed at the site on the same day. In addition, a Public Meeting was held June 5, 2018 at 6pm at Bellevue City Hall. Members of the community attended the meeting and the City received the following comments.

Issue: The homes adjacent to a portion of the southern property line currently have views of trees from their backyards. This would change with the installation of the new driveway and vehicular access to the site.

Response: While the City does not regulate views, the applicant will be required to install a 25 foot three tiered landscape buffer along the southern property line. The buffer will include 63 trees with 52 of those trees being evergreen. The plan includes dense plantings of trees shrubs and ground cover. As approved, the replanting plan will provide a vegetated screen and is consistent with the wooded character of the Bridle Trails subarea and the residential character of the surrounding neighborhood. There will be no alterations to the existing vegetated buffers along other property lines.

Issue: The amount of noise and light pollution will impact the homes along a portion of the southern property line when the new driveway is installed.

Response: The applicant will be replanting a 25 foot three tiered landscape buffer along the southern property line which includes a large number of evergreen trees. In addition to the vegetated buffer, the applicant will also be installing a 6 foot fence internal to the buffer at the edge of the new driveway. When installed, the vegetated buffer and fence will screen the adjacent school from the homes. The school's current activities and

hours will remain unchanged which will not result in a significant increase in noise and light over existing conditions.

Issue: The increase in enrollment will increase traffic and cause significant backups on 116th Ave NE.

Response: As approved, the new circulation plan allows the applicant to accommodate increased queuing for drop-off and pick up onsite. With the proposed site configuration, vehicles will be able to stack onsite between parking areas internal to the site and away from the neighboring homes. A queuing analysis was provided to demonstrate that adequate queue space is available on site and cars will not be queued in the Right of Way. The Little School will have staff assigned to the drop-off and pick-up area to ensure efficiency. In addition to providing a significant increase in vehicular queuing, the proposed plan will improve operations by increasing the overall parking and separating the main parking area from the queuing area.

Issue: The multi-use structure may be rented outside of school hours and will increase noise to the surrounding homes.

Response: Currently the school rents out its facilities for private events which are required to comply with City of Bellevue Noise Ordinance BCC 9.18. Any private events held at the school will still be required to comply with BCC 9.18 and all applicable Codes and permitting requirements.

Issue: The new development will result in increased water runoff which will impact the capacity of the storm system.

Response: The proposed development will be required to meet all Utilities Codes and Performance Standards prior to approval of any construction permits. These codes and standards are designed to mitigate the impact of any future development and assure capacity of the City's Utilities Systems.

V. SUMMARY OF TECHNICAL REVIEWS

A. Utilities

Storm Drainage

The proposal will not increase the rate of runoff of storm water leaving the site. The City of Bellevue Surface Water Engineering Standards provide adequate requirements for this proposal.

The storm drainage system proposed provides adequate mitigation for storm water and meets the requirements outlined in the Bellevue Code and the Storm & Surface Water Engineering Standards.

See Condition of Approval regarding Storm Water Pollution Plan in Section IX of this report.

Water

The water supply for this site will be provided from a new 8" ductile water main located on the south side of the private property, off the 400 water pressure zone. A portion of the existing main on private property will be demolished. The available fire flow to this area is approximately 1,400 GPM.

Sewer

The City of Bellevue Utilities has adequate capacity for providing sanitary sewer for this proposal. The site will connect to a new private sewer main on site, located on the south side of the property.

See Condition of Approval regarding Water, Sewer and Storm systems in Section IX of this report.

B. Transportation

Site Access and Loading

The Little School site is located on the east side of 116th Avenue NE. 116th Avenue NE is a two-lane road classified as a collector arterial. The site is bordered by single family homes to the north, east, and south. The site lies within the Bridal Trails neighborhood, which has a large amount of equestrian activity. There are many horse-riding trails in the area, one being along the frontage of the Little School site.

Vehicular access to the proposed project is provided via two existing 20-foot-wide one-way driveways on 116th Avenue NE. The southern driveway operates as a one way in entrance, and the northern driveway operates as a one way out exit. These driveways will be reconstructed to meet current City of Bellevue standards, and will continue to operate as one-way driveways. Sight distance requirements must be met for each driveway, and any vegetation or fixed object obstructing sight distance must be trimmed or removed.

Pedestrian access to the site will be provided via the public path along the frontage. The existing path along the frontage is part of an equestrian trail and will be required to be upgraded to meet the equestrian path standards. The existing 6-foot-wide gravel path will be replaced with an 8-foot-wide asphalt path with a 4-foot-wide planter strip. Ten feet of vertical clearance will be required to accommodate the equestrian activity along the path.

Pickup and drop off for the school will take place on-site. A queuing analysis was provided to demonstrate that adequate queue space is available on site and cars will not be queued in the Right of Way. All loading and unloading, delivery, garbage and recycling services must be contained within the project site. No portion of the city right of way may be used for these services.

Street Frontage 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.

The site is located on the east side of 116th Avenue NE. 116th Avenue NE is a two-lane road classified as a collector arterial. The conditions on 116th Avenue NE are unusual in that 116th Avenue NE is bordered by I-405 and WSDOT Right-of-Way along the west side. No pedestrian facilities exist on the west side of 116th Avenue NE for the length of the road in the vicinity of the Little School site. There is a 5-foot-wide bike lane shoulder along 116th Avenue NE on both sides of the street. Existing pedestrian facilities on the east side of 116th Avenue NE include a 6-foot-wide gravel path, 4-foot-wide planter strip. The existing site has two 20-foot-wide one-way driveways on the east side of 116th Avenue NE. The existing gravel path will be replaced with an 8-foot-wide asphalt path with a 4-foot-wide planter strip and the driveways will be reconstructed to meet current Design Manual standards.

Frontage improvements required by the developer include:

1. 116th Avenue NE
 - a. Install a minimum 8-foot-wide gravel path, minimum 4-foot-wide planter strip along the frontage.
 - b. Reconstruct both driveways to meet City of Bellevue standards.
 - c. Trim back any vegetation encroaching in the pedestrian path in the Right-of-Way.
 - d. Street lighting is required to meet City of Bellevue standards.

Engineering and construction details must be shown on the civil engineering plans submitted to the clearing and grading permit. The engineering plans shall be the controlling document on the design of these features; architectural and landscape plans must conform to the engineering plans. During construction, city inspectors may require additional survey work at any time to confirm proper elevations.

1. A combined street tree and street light plan is required for review and approval prior to completion of engineering and landscape plans. The goal is to provide the optimum number of street trees while not compromising the light and safety provided by streetlights. Street trees and streetlights must be shown on the same plan sheet with the proper separation (generally 25 feet apart) and the proper spacing from driveways (ten feet from Point A in standard drawing SW-140-1 or equivalent).
2. Traffic Signal Communication Equipment – Coordinate with 7th floor ITS for the project's frontage requirements. The project may need to install conduit along the public road frontage with 25TA vaults on both ends.

The City will take on the cost of the fiber-optic cable as well as installation. The Developer would only be installing the conduit and vaults.

3. 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. 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 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.

4. The new landscaping planter strip within the sidewalk along 116th Avenue NE shall be irrigated with a private metered water source. Electrical connections for lighting in planter strips may be allowed, if installed in compliance with the electrical code and subjected to an electrical inspection. Irrigation devices and electrical components shall not create a tripping hazard in the sidewalk. Installation of the proposed planter shall include a spray irrigation system, soil preparation, root barrier and plantings. Root barrier and soil preparation are described in Standard Drawings SW-120-1 and SW-130-1. Landscaping in the right-of-way shall be maintained by the abutting property owner(s) unless maintenance has been accepted by the city.
5. The design and appearance of the asphalt path and landscaping on 116th Avenue NE shall comply with the standards and drawings in the Transportation Department Design Manual.
6. The driveways on 116th Avenue NE shall have an approach width of at least 20 feet, feet, as defined in standard drawing SW-140-1 or equivalent. The driveway apron design shall be consistent with standard drawing SW-140-1 or equivalent.

7. 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 drawing SW-140-1 or equivalent. Fixed objects are defined as anything with breakaway characteristics greater than a four-inch by four-inch wooden post.
8. No new overhead utility lines will be allowed within or across any right of way or sidewalk easement, and existing overhead lines must be relocated underground.

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. The Use of the Right of Way for construction related activities have additional restrictions between November 15th and January 5th.

See Section IX for Holiday Construction related conditions of approval.

Pavement Restoration

The City of Bellevue has established the Trench Restoration Program to provide developers with guidance as to the extent of resurfacing required when a street has been damaged by trenching or other activities. Under the Trench Restoration Program, every street in the City of Bellevue has been examined and placed in one of three categories based on the street's condition and the period of time since it has last been resurfaced. These three categories are, "No Street Cuts Permitted," "Overlay Required," and "Standard Trench Restoration." Each category has different trench restoration requirements associated with it. Damage to the street can be mitigated by placing an asphalt overlay well beyond the limits of the trench walls to produce a more durable surface without the unsightly piecemeal look that often comes with small strip patching.

116th Avenue NE is classified as Grind and Overlay required. Should street cuts prove unavoidable or if the street surface is damaged in the construction process, a half-street or full-street (depending on the extent of street cuts or damage) grind and overlay will be required for a minimum of 50 feet.

See Condition of Approval regarding Transportation Improvements, Restoration, Loading, Fees and Engineering in Section IX of this report.

C. Fire

Fire has conceptually approved the proposal. Specific review for compliance with the International Fire Code will be done under subsequent building permits.

VI. State Environmental Policy Act (SEPA)

The environmental review indicates no probability of significant adverse environmental impacts occurring as a result of the proposal. The Environmental Checklist submitted with the application adequately discloses expected environmental impacts associated with the project. City codes and requirements, including the Clear and Grade Code, Utility Code, Land Use Code, Noise Ordinance, Building Code and other construction codes adequately mitigate expected environmental impacts. Therefore, issuance of a Determination of Non-Significance is the appropriate threshold determination under the State Environmental Policy Act requirements.

Adverse impacts which are less than significant are usually 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 Sec. 22.02.140 provides substantive authority to mitigate impacts disclosed through the environmental review process.

NOISE

Given the project site's close proximity to other residences, consideration of the construction noise will be particularly important. While construction noise and increased vehicle trips are expected during the construction period, the Bellevue Noise Control Ordinance, BCC 9.18, regulates hours of construction-related noise emanating from the site. The Ordinance provides for an exemption from the noise restrictions for the hours of 7:00 a.m. to 6:00 p.m. weekdays and 9:00 a.m. to 6:00 p.m. on Saturdays which are not legal holidays.

See Condition of Approval regarding noise and construction hours in Section IX of this report.

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 that 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. The Little School Expansion lies within MMA #2, which has a 2027 total growth projection of 1,165 other land use space. This development proposes 14,700 square feet of elementary school use. It is recognized that the TFP projections fall short in this area in terms of this proposed land use; however, the TFP projects a net increase for Other land use in adjacent MMAs, which will account for the excess Other use in this MMA. Therefore, the volume of proposed development is within the assumptions of the Transportation Facilities Plan FEIS Addendum.

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 Little School Expansion development proposes 14,700 square feet of elementary school space. This development will generate 23 new p.m. peak hour trips and, therefore, will not trigger concurrency requirements. The results of the project trip generation are documented in a memorandum by Transportation Engineering Northwest, dated March 27th, 2018, and included in the Transportation Department file for this development.

Short Term Operational Impacts and Mitigation

City staff directed the applicant's traffic consultant, Transportation Engineering Northwest, to analyze the short-term operational impacts of this proposal in order to recommend mitigation if necessary. These impacts included traffic operations conditions during the a.m. and p.m. peak hours. Issues that were analyzed included pedestrian and vehicle sight distance, drop off/pickup queue length, and frontage improvements to facilitate safe pedestrian access. All transportation concerns mentioned were addressed by City staff with appropriate mitigation measures required of the developer so that this project complies with all City codes and standards.

See Section IX for transportation related conditions of approval.

VI. CHANGES TO THE PROPOSAL RESULTING FROM DESIGN REVIEW

A. Fire

The applicant was required to relocate the proposed hydrant.

VII. CONDITIONAL USE DECISION CRITERIA

B. Conditional Use – Decision Criteria (LUC 20.30B.140):

The Director may approve, or approve with modifications an application for Conditional Use Permit if:

1. The conditional use is consistent with the Comprehensive Plan.

The project is consistent with the Comprehensive Plan's Urban Design Element. The proposed development supports the following Subarea and Comprehensive Plan Policies:

Comprehensive Plan

The site is designated R-1.8 and R-2.5 and lies within the Bridle Trails subarea of the Bellevue Comprehensive Plan. The Comprehensive Plan designation for this property is Single-family Low and Single-family Medium in Planning District A.

Land Use Element:

Policy LU-20: Promote maintenance and establishment of small-scale activity areas within neighborhoods that encourage the pedestrian patronage and provide informal opportunities for residents to meet.

Policy S-BT-37: Protect residential areas from impacts of non-residential uses of a scale not appropriate.

Response: The proposal is consistent with the Land Use Element policies. The Conditional Use will allow for small expansion to an existing educational program and facilities which service many of the families in the surrounding neighborhood. Schools are identified as an allowed use within residential districts with an approved Conditional Use. While the Applicant is increasing the maximum potential enrollment by 25 percent and the overall building square footage by 29 percent, these additional are minor in scale and appropriate for the site.

Bridle Trails Subarea Policies:

Policy S-BT-3: Preserve the wooded, natural, rural, and equestrian character of the Subarea and encourage horse keeping in low-density residential areas.

Policy S-BT-40: Natural vegetation should be protected and preserved to provide buffers between land uses.

Policy S-BT-46: Encourage an exterior residential appearance on any portion of a nonresidential or multifamily development.

Response: The proposal is consistent with the Bridle Trails Subarea Plan. The proposed enrollment increase will be no more than 30 percent over the existing enrollment if the school is at full capacity. The new multi-use structure will increase the total lot coverage to .7 percent and the additional impervious surface will be increased to 24 percent. Both calculations are significantly lower than the maximums permitted. The Applicant will be leaving over half of their site in its existing forested state. The only vegetation proposed to be removed will be for the new multi-use structure and vehicular access. Per the approved planting plan (see file), the Applicant will be installing a three tiered planting plan which will result in a net increase over existing vegetated conditions. The plan includes three shrubs and ground cover. The proposed multi-use structure will be a one story building with exterior materials consistent with single family development in the surrounding neighborhood.

2. The design 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.

The proposal does not alter the relationship of the existing structure with those in the immediate vicinity. The Little School has been an ongoing school for over 51 years. The school's current activities and hours will remain unchanged. The proposed expansion and building modifications are designed to be compatible with the existing structure while providing additional space and educational opportunities. The existing structures and play areas will remain the same. The new multi-use structure will be a single story with painted wood siding and a composite roof. A 6 foot tall wooden fence will be installed on the interior edge of the landscape buffer and will be residential in character. These modifications are compatible with the existing development and will improve the overall consistence of the building design. The exterior building colors for the portion of the building west of the entrance will be darker neutral/natural colors intended to blend with the existing and proposed site vegetation.

See Condition of Approval regarding fencing Section IX of this report.

3. The conditional use will be served by adequate public facilities including public streets, fire protection and utilities.

All required public services and facilities are available to the site. The site has direct access to a major arterial (116th Ave NE) which has capacity to carry the additional traffic expected to be attributed to the proposal (Traffic Study in project file). City water and sewer services are available to the site. Two existing driveways will be retained to provide fire truck access to the site.

4. The conditional use will not be materially detrimental to uses or property in the immediate vicinity of the subject property.

The proposal does not alter the relationship of the existing structure with those in the immediate vicinity. The Little School has been an ongoing business for over 51 years. The School's current business activities and hours will remain unchanged. The Applicant will assign staff to the drop-off and pick-up area to ensure efficiency and that queuing is contained within the site.

See Condition of Approval regarding staff monitoring in Section IX of this report.

5. The conditional use complies with the applicable requirements of the Land Use Code.

As conditioned the conditional use complies with all applicable Land Use Code requirements as discussed in Section iii above. An issued building permit is required prior to starting construction.

See Section IX for building permit and seasonal restrictions related conditions of approval.

VIII. DECISION

After conducting the various administrative reviews associated with this proposal, including Land Use consistency and City Code and Standard compliance reviews, the Director of the Development Services Department does hereby **recommend approval with conditions** of the Conditional Use Permit.

Note - Vested Status of CUP Approval: The vested status of the CUP approval shall expire two years from the date of the City's final decision, unless a completed building permit application is filed before the end of the two year term. Upon issuance of a building permit, the vested status of a land use permit approval shall be automatically extended for the life of the project.

IX. CONDITIONS OF APPROVAL:

The following conditions are imposed under authority referenced:

Compliance with Bellevue City Codes and Ordinances

The applicant shall comply with all applicable Bellevue City Codes, Standards, and Ordinances, including but not limited to:

Applicable Ordinances	Contact Person
Clearing and Grading Code- BCC 23.76	Savina Uzunow, 425-452-7860
Construction Codes- BCC Title 23	Bldg. Division, 425-452-6864
Fire Code- BCC 23.11	Glenn Beck, 425-452-6042
Land Use Code- BCC Title 20	Leah Chulsky, 425-452-6834
Noise Control- BCC 9.18	Leah Chulsky, 425-452-6834
Sign Code- BCC Title 22B	Leah Chulsky, 425-452-6834
Transportation Code- BCC 14.60	Ian Nisbet, 425-452-2569
Right of Way Use Code- BCC 14.30	Tim Stever, 425-452-4294
Utility Code- BCC Title 24	Lori Santo, 425-452-6354

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

1. Noise & Construction Hours

The proposal will be subject to normal construction hours of 7 a.m. to 6 p.m., Monday through Friday and 9:00 a.m. to 6:00 p.m. on Saturdays, except for Federal holidays and as further defined by the Bellevue City Code. Proximity to existing residential uses will be given special consideration

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
REVIEWER: Leah Chulsky, Development Services Department

2. Water, Sewer, Storm Drainage Systems

Utility Department approval of the Conditional Use Permit application is based on the final conceptual design submitted with this application. Final utility design and construction approval is not given under this permit. Small changes to the site layout may be required to accommodate the utilities after utility engineering is approved. The water, sewer, and storm drainage systems shall be designed per the current City of Bellevue Utility Codes and Utility Engineering Standards. Utilities Department design review, plan approval, and field inspection is performed under the Utility Developer Extension Agreement (UE). Side Sewer (UA), and Water (UC) permits will be required for the project. All connection charges will be due prior to issuance of the permits.

AUTHORITY: Bellevue City Code Title 24.02, 24.04, 24.06
REVIEWER: Lori Santo, Utilities Department

3. Provision for Loading

The property owner shall provide an off-street loading space which can access a public street. This must include an off-street location for garbage pick-up, which must be acceptable to the garbage hauler. On-street loading and unloading will not be permitted.

AUTHORITY: Land Use Code 20.20.590.K.4; Bellevue City Code
14.60.180
REVIEWER: Ian Nisbet, Transportation Department

4. Building Permit

Approval of this application does not constitute an approval of a development permit. A building permit and any other associated development permits are required. Plans submitted as part of any permit application shall be consistent with the activity permitted under this approval.

AUTHORITY: Land Use Code 20.30C.155.L
REVIEWER: Leah Chulsky, Development Services Department

5. Installation Device

To ensure the required landscaping and restoration of areas of temporary disturbance is completed, the applicant shall post an Installation Assurance Device prior to the building permit or clearing and grading permit issuance. The device shall be equal to 150% of the value of the approved mitigation. The device will be released when the applicant demonstrates required installation has successfully been installed.

AUTHORITY: Land Use Code 20.20.520.L
REVIEWER: Leah Chulsky, Development Services Department

6. Rainy Season Restrictions

No clearing and grading activity may occur during the rainy season, which is defined as October 1 through April 30 without written authorization of the Development Services Department. Should approval be granted for work during the rainy season, increased erosion and sedimentation measures, representing the best available technology must be implemented prior to beginning or resuming site work.

AUTHORITY: Bellevue City Code 23.76.093.A,
REVIEWER: Savina Uzunow, Development Services Department

7. Storm Water Pollution Prevention Plan

To ensure contaminated stormwater or construction-related runoff does not pollute adjacent surface water; a construction stormwater pollution prevention plan (CSWPPP) is required. The CSWPPP outline should be generally consistent with the SWPPP requirements of the National Pollutant Discharge Elimination System (NPDES) General Storm water Permit for Construction Activities.

AUTHORITY: Bellevue City Code 23.76.
REVIEWER: Savina Uzunow, Development Services Department

8. Holiday Construction & Traffic Restrictions

Construction activities such as hauling and lane closures between November 15th and January 5th will be allowed only between the hours of 10:00 pm and 6:00 am due to holiday traffic. The Transportation Department will be monitoring traffic and may modify this restriction accordingly.

AUTHORITY: Bellevue City Code 14.30.060
REVIEWER: Tim Stevers, Transportation Department

9. Fencing

All onsite fencing shall be wooden and residential in nature.

AUTHORITY: Land Use Code 20.30B.140.2
REVIEWER: Leah Chulsky, Development Services Department

B. PRIOR TO CLEARING & GRADING PERMIT: These conditions must be complied with on plans submitted with the Clearing & Grading or Demolition permit application:

1. 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:

1. Designated truck hauling routes.
2. Truck loading/unloading activities.
3. Location of construction fences.
4. Hours of construction and hauling.
5. Requirements for leasing of right of way or pedestrian easements.
6. Provisions for street sweeping, excavation and construction.
7. Location of construction signing and pedestrian detour routes.
8. All other construction activities as they affect the public street.

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: Bellevue City Code 11.70 & 14.30
REVIEWER: Tim Stever, Transportation Department

2. 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:

1. Traffic signs and markings.
2. Curb, gutter, sidewalk, and driveway approach design. 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.
3. A minimum of ten feet of vertical clearance is required above the 8-foot-wide path.
 4. Curb ramps, crosswalk revisions, and crosswalk equipment such as pushbuttons.
 5. Installation or relocation of streetlights and related equipment.
 6. 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.
 7. Traffic Signal Communication Equipment – **Coordinate with 7th floor ITS for the project's frontage requirements.** The project may need to install conduit along the public road frontage with 25TA vaults on both ends.
 8. 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.
 9. Landings on sloping approaches are not to exceed a 7% slope for a distance of 20 feet approaching the back edge of sidewalk. Driveway grade must be designed to prevent vehicles from bottoming out due to abrupt changes in grade.
 10. City standards for driveway widths range from 30 to 36 feet on arterial streets, and 26 to 30 feet for local streets. Driveway aprons must be constructed in accordance with Design Manual Standard Drawings.
 11. Location of fixed objects in the sidewalk or near the driveway approach.
 12. Trench restoration within any right of way or access easement.

Specific requirements are detailed below.

1. 116th Avenue NE
 - a. Install a minimum 8-foot-wide gravel path, minimum 4-foot-wide planter strip along the frontage.
 - b. Reconstruct both driveways to meet City of Bellevue standards.
 - c. Trim back any vegetation encroaching in the pedestrian path in the Right-of-Way.
 - d. Street lighting is required to meet City of Bellevue standards.

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: Bellevue City Code 14.60; Transportation Department Design Manual, Americans with Disabilities Act
REVIEWER: Ian Nisbet, Transportation Department

C. PRIOR TO ISSUANCE OF BUILDING PERMIT: Unless specified otherwise below, these conditions must be complied with on plans submitted with the Building Permit Application:

1. Transportation Impact Fee

Payment of the traffic impact fee will be required at the time of building permit issuance. If multiple building permits will be issued, the impact fee will be tied to the primary above-ground permit. Removal of existing buildings will be eligible for impact fee credit. Impact fees are subject to change and the fee schedule in effect at the time of building permit issuance will apply.

AUTHORITY: Bellevue City Code 22.16
REVIEWER: Ian Nisbet, Transportation Department

2. 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: Bellevue City Code BCC 14.60.060, 110, 120, 150, 180, 181, 190, 240, 241
REVIEWER: Ian Nisbet, Transportation Department

3. 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: Bellevue City Code 14.60.100
REVIEWER: Ian Nisbet, Transportation Department

D. PRIOR TO TCO: The following conditions are required by City Code and supported by City Policy. The conditions shall be complied with prior to issuance of the Temporary Certificate of Occupancy (TCO):

1. Landscape Maintenance Assurance Device

File with the Development Services Department a landscape maintenance assurance device prior to TCO approval for a five year period for 20% of the cost of labor and materials for all required landscaping. For the purpose of this permit, maintenance and monitoring shall be completed for a period of one growing seasons. Release of this assurance device is contingent upon receipt of documentation reporting successful establishment in compliance with the mitigation performance standards listed in the project mitigation plan. Land Use inspection of the planting after 5-years is required to release the surety

AUTHORITY: Land Use Code 20.20.520.**KREVIEWER:** Leah Chulsky, Development Services Department

2. 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 and accepted by the Transportation Department inspector. 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: Bellevue City Code 14.60; Comprehensive Plan Policy UT-58; Transportation Department Design Manual; and Transportation Department Design Manual Standard Drawings.

REVIEWER: Ian Nisbet, Transportation Department

3. Pavement Restoration

Pavement restoration associated with street frontage improvements or to repair damaged street surfaces shall be provided as follows:

a) 116th Avenue NE: Based on this street's excellent condition, it is classified with the City's overlay program as "Overlay Required." Should street cuts prove unavoidable or if the street surface is damaged in the construction process, a half-street or full-street (depending on the extent of street cuts or damage) grind and overlay will be required for a minimum of 50 feet.

AUTHORITY: Bellevue City Code 14.60. 250; Design Manual Design Standard #23

REVIEWER: Tim Stever, Transportation Department

8. Traffic Management

The Applicant will provide a detailed staff and management plan during drop-off

and pick up. Plan shall include the times during which this will occur and identify staffing needs.

AUTHORITY: Land Use Code 20.30B.140.4
REVIEWER: Leah Chulsky, Development Services Department

