



Development Services Department  
Environmental Coordinator  
450 110<sup>th</sup> Avenue NE  
Bellevue, WA 98009-9012

## DETERMINATION OF NON-SIGNIFICANCE

<b>PROPOSAL NAME:</b>	Crossroads Multifamily Residential
<b>LOCATION:</b>	15600 NE 8 <sup>th</sup> Street
<b>FILE NUMBERS:</b>	18-132391-LD
<b>PROPONENT:</b>	Mark Taylor, MG2
<b>DESCRIPTION OF PROPOSAL:</b> Design Review approval to construct a 224-unit mixed-use, multi-family project on a portion of the Crossroads Shopping Center site in District E in the Crossroads Subarea. Project will also include approximately 14,460 square feet of retail, 265 parking stalls, public benefits and an enhanced public benefit as required per the Development Agreement (Ordinance 6579).	

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.

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.

**DATE ISSUED:** 9/23/2021

**APPEAL DATE:** 10/7/2021

A written appeal must be filed in the City Clerk's Office by 5 p.m. on the appeal date noted above.

This DNS may be withdrawn at any time if the proposal is modified so as to have significant adverse environmental impacts; if there is significant new information indicating a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

**Issued By:** Elizabeth Stead  
Elizabeth Stead, Environmental Coordinator  
Development Services Department

**Date:** September 23, 2021



City of Bellevue  
Development Services Department  
Land Use Staff Report

---

Proposal Name: Crossroads Residential

Proposal Address: 15600 NE 8<sup>th</sup> Street

Proposal Description: Design Review approval request to construct a 224-unit mixed-use, multi-family project on a portion of the Crossroads Shopping Center site in District E in the Crossroads Subarea. Project will also include approximately 14,460 square feet of retail, 265 parking stalls, and public benefits and an enhanced public benefit as required per the Development Agreement (Ordinance 6579).

File Number: 18-132391-LD

Applicant: Mark Taylor, MG2 Architects

Decisions Included: Combined Design Review and SEPA Threshold Determination (Process II)

Planner: Sally Nichols

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

*Elizabeth Stead*

---

Elizabeth Stead, Environmental Coordinator  
Development Services Department

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

By: *Elizabeth Stead*

---

Elizabeth Stead, Land Use Director

---

Notice of Application: January 24, 2019  
Notice of Decision: September 23, 2021  
Appeal Deadline: October 7, 2021  
Design Review  
Expiration Date: September 23, 2023 (if no complete Building Permit application is filed prior to this date - Refer to LUC 20.40.500)

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 proposal within the noted comment period for a SEPA Determination. Appeal of the Decision must be received in the City Clerk's Office by 5 PM on the date noted for appeal of the decision.

---

## CONTENTS

I.	Request/Proposal Description .....	Pg. 2
II.	Site Description, Zoning & Land Use Context.....	Pg. 11
III.	Consistency with Land Use Code/Zoning Requirements.....	Pg. 13
IV.	Design Guidelines.....	Pg. 20
V.	Public Notice & Comment.....	Pg. 25
VI.	Technical Review.....	Pg. 28
VII.	State Environmental Policy Act (SEPA).....	Pg. 36
VIII.	Changes as a Result of Design Review.....	Pg. 40
IX.	Decision Criteria.....	Pg. 40
X.	Decision.....	Pg. 44
XI.	Conditions of Approval.....	Pg. 44

## ATTACHED:

- A. Select Project Drawings (complete set is in the Project File)
- B. SEPA Checklist
- C. Certificate of Concurrency
- D. Recorded Development Agreement
- E. Ordinance 6576

## I. REQUEST/PROPOSAL DESCRIPTION

The applicant requests Design Review approval and a Threshold Determination under the State Environmental Policy Act (SEPA) to construct a single building, mixed-use residential project which will include 224 residential units and approximately 14,460 square feet (SF) of leasable retail space. The project limit is 7.5 acres, and is within the greater Crossroads Shopping Center site (referred to in this report as the Mall) in the CB (Community Business) land use district, and in District E of the Crossroads Subarea. The site is currently used as a surface parking lot, which will be demolished with this proposal.

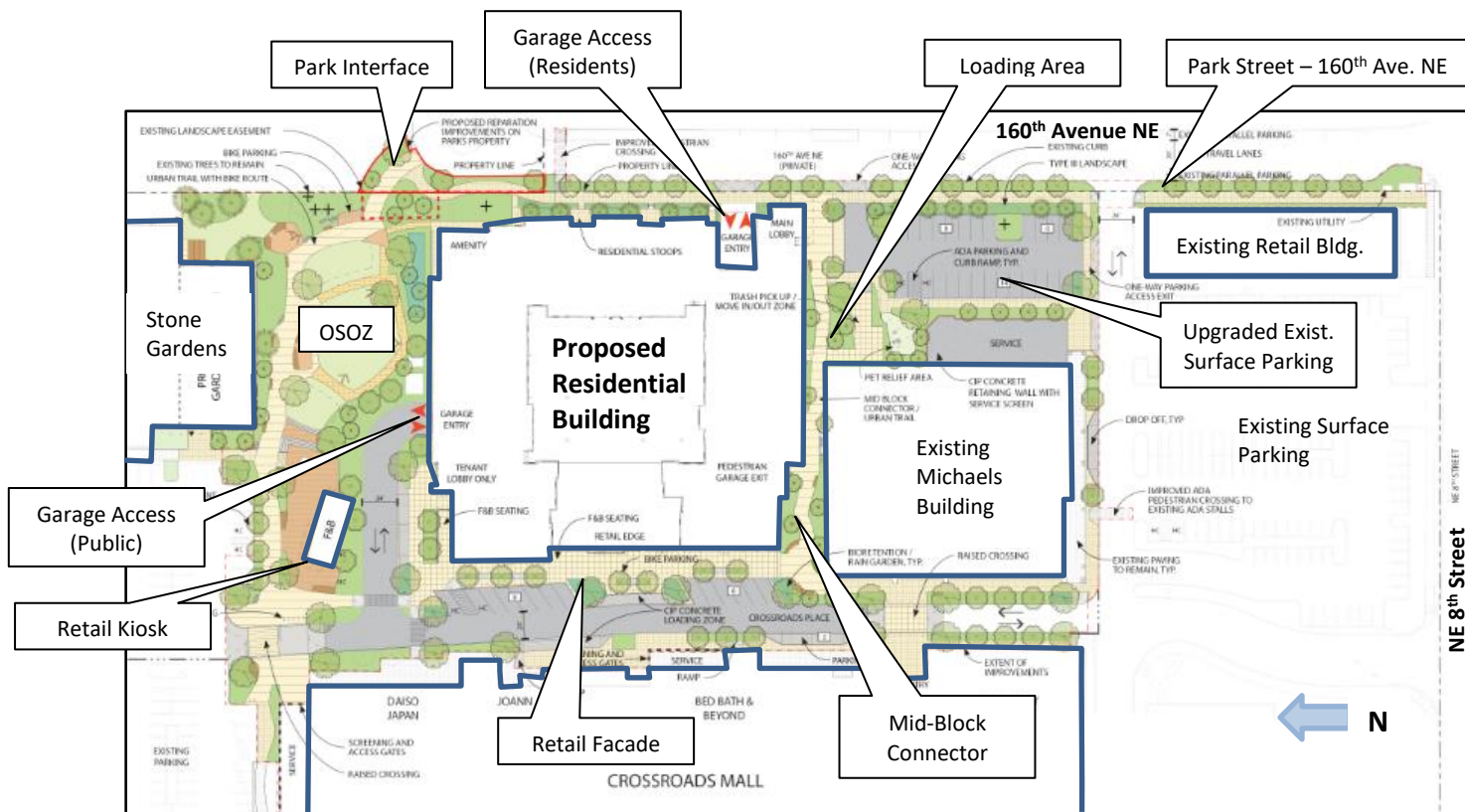
### A. Review Process

Design Review is required by Land Use Code (LUC) 20.30F because the site lies within the Community Retail Design District. The Design Review and SEPA Threshold Determination are both Process II decisions. Process II is an administrative process. The Environmental Coordinator issues the SEPA Threshold Determination and the Director of the Development Services Department issues the Design Review decision. An appeal of any Process II decision is heard and decided upon by the City of Bellevue Hearing Examiner. Refer to Condition of Approval regarding Modifications to the Design Review Plans in Section XI.A of this report.

### B. Site Design

The proposed project is located in the southeast corner of the larger Mall site. The residential building will be placed on what is currently a surface parking lot directly north of the Michaels retail building, south of the Stone Gardens climbing gym, and east of the main Crossroads Mall building.

Illustrative Site Plan



Vehicular Access:

The proposed building can be accessed from multiple locations. Primary entry into the building parking garage for residents will be off 160<sup>th</sup> Avenue NE in the southeast corner of the building. 160<sup>th</sup> Avenue NE is a private roadway that connects with NE 8<sup>th</sup> Street and dead-ends at the Crossroads Community Center parking lot. A small surface parking lot is also located to the south of this garage entry. It will remain as a public parking area to serve the Mall and will be slightly reconfigured and restriped. In addition to providing parking, this lot will also provide the location for solid waste and recycling pick-up. Solid waste and recycling will be stored within the building in a trash room and then pulled out into a designed spot within the parking lot on the day of pick-up.

A second entry to the publicly accessible retail parking in the garage will be off 158<sup>th</sup> Avenue NE, which is the private roadway that runs north-south through the Mall site. 158<sup>th</sup> Avenue NE is referred to in this report as Crossroads Place. A driveway off Crossroads Place will lead vehicles to the garage in the northwest corner of the building. Additionally, the project will provide angled surface parking in front of the new retail spaces in the ground level of the proposed building along the east side of Crossroads Place.

Open Space/Pedestrian Connections:

The main pedestrian access into the building will be through the main lobby in the southeast corner of the building. A second tenant-only lobby area will be located in the northwest corner of the building near the garage entry.

Per the requirements of the associated Development Agreement, (Ordinance 6576), the proposal will provide numerous public benefits. Among them, the applicant will be required to provide an Open Space Opportunity Zone (OSOZ) between the proposed building and Stone Gardens as well as numerous pedestrian routes that provide connections with Crossroads Park, the Mall, and NE 8<sup>th</sup> Street. Refer to additional discussion regarding open space and pedestrian public benefits provided per the DA in Section I.D below.

**C. Building Design**

The Crossroads Shopping Center is a collection of mostly one-story commercial buildings. However, the recently completed Crossroads Senior Living (SHAG) project to the north introduced a multi-story residential building onto the shopping center site.



**Birdseye View of Crossroads Place Frontage**

The proposed building is a simple “U”-shaped form with 5 levels of residential units over a podium. The opening in the “U” will provide a generous, west facing multi-family play area on the

podium rooftop that can be used by all residents. Ground-level retail uses will be placed along the western façade to complement the retail uses in the Mall across Crossroads Place. The building will employ vertical elements, including changes in materials and color, to provide a visual rhythm on the facades. Color and pattern will be layered as accents.



**Birdseye View of Northeast Corner of the Building and OSOZ**

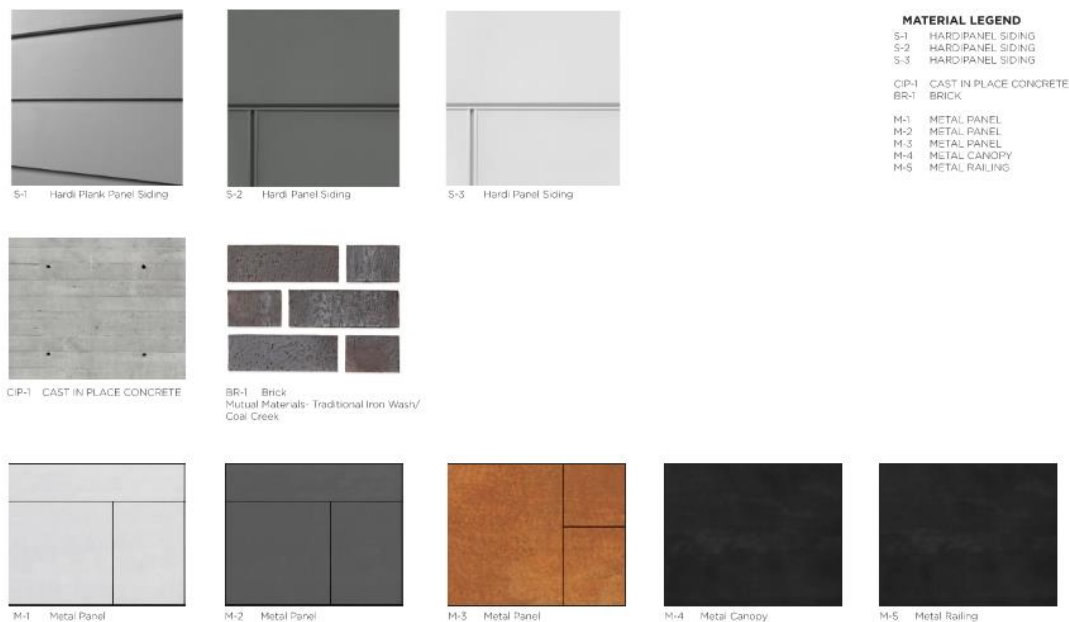
The proposed building will use timeless and sturdy materials such as brick and concrete to anchor the building and provide a durable base in an urban environment. The retail edge will be transparent with glass storefronts. Layers of trellised canopies and landscaping will also provide a needed buffer between the street edge and the active pedestrian zones. In addition to the retail spaces within the building, the proposal will also provide a small retail kiosk within the OSOZ.

**Refer to Conditions of Approval regarding the Retail Kiosk and Storefront Glazing in Sections XI.A and C of this report.**



**View of Main Residential Entry on 160<sup>th</sup> Avenue NE  
(southeast building corner)**

## Building Colors and Materials



Addressing: Addressing shall be handled by the City's Address Coordinator. Separate addresses will be required for the building shell, tenant spaces, and residential units. All Tenant Improvement (TI) permits will need to be submitted under the individual storefront addresses, not the building's primary address. **Refer to Condition of Approval regarding Addressing in Section XI.A of this report.**

### D. Development Agreement

On February 7, 2015, the Council initiated a Land Use Code Amendment (LUCA) to allow mixed-use multifamily development in Crossroads Subarea, District E, through the provision of public benefits. Any proposed mixed-use residential development must enter into a development agreement (DA) with the City to outline and document the required public benefits. The LUCA was ultimately approved by the City Council via Ordinance 6229, which became effective on June 4, 2015.

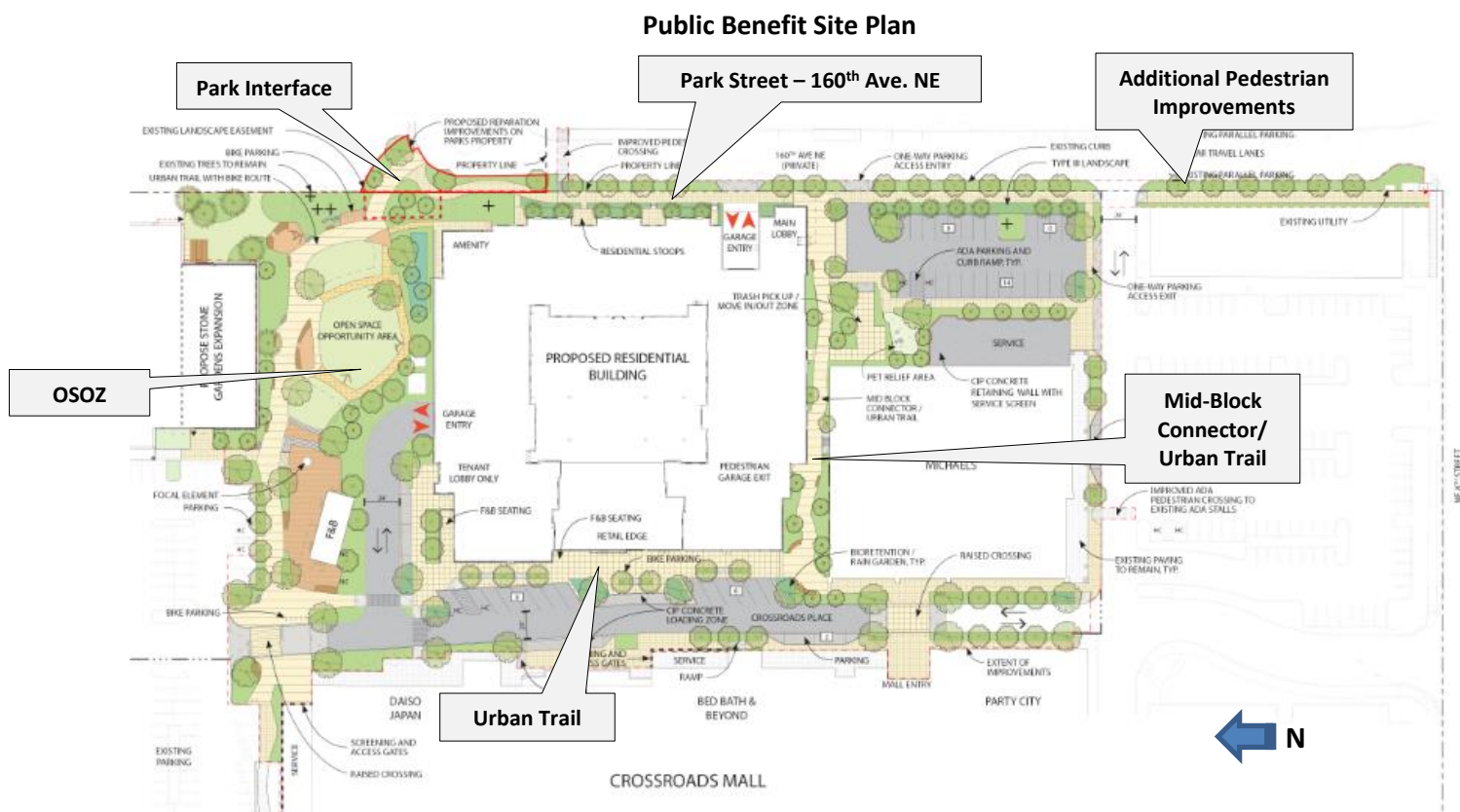
As required by Ordinance 6229, the City has subsequently executed a Development Agreement (DA) with the applicant for the Crossroads Residential Design Review via Ordinance 6576, adopted May 10, 2021.

Per the DA, the applicant is responsible for development and construction of the Public Benefits as outlined in Comprehensive Plan Crossroads Subarea's Policies S-CR-79 and S-CR-81 and Figure S-CR.2, and the provision of Enhanced Public Benefits through the inclusion of affordable housing within the project. As stated in the DA, the Public Benefits shall be installed prior to the City's issuance of any Certificate of Occupancy for the project. The DA has been recorded with King County and will run with the life of the project. **Refer to the Recorded DA and Ordinance 6576, Attachments D and E respectively to this report.**

1. Public Benefits to be Provided

The Public Benefits are listed below and shown on the Public Benefit Site Plan. A detailed discussion of each benefit follows.

- Open Space Opportunity Zone (OSOZ) – referred to in the DA as the “Open Space Opportunity Area”
- Mid-Block Connector/Urban Trail
- Park Interface Area
- Additional Pedestrian Improvements
- Park Street



a) Open Space Opportunity Area:

The Project shall include an Open Space Opportunity Area (referred to as the Open Space Opportunity Zone or OSOZ in this report) that is intended to be activated as space for gathering, relaxation and enjoyment. The design will emphasize the pedestrian-scaled relationship and connectivity with Crossroads Park through the use of pavement treatment, landscaping, lighting, and seating and street furniture. The OSOZ will include pedestrian sidewalks and bicycle trails connecting the open space to Crossroads Park and Community Center to the east and the Crossroads Mall building to the west. The open space includes opportunities for informal gathering through seating and hardscape features and a small retail kiosk. The following shall be incorporated into the OSOZ:

- Multimodal trail design;
- ADA access through the project;
- Opportunities for informal play and facilitation of social interaction;
- Natural elements;
- Stormwater treatment;
- Bike plaza/bike parking; and
- Retail kiosk

### OSOZ Site Plan



#### b) Mid-Block Connector /Urban Trails:

The Project will include a network of urban trails, including a mid-block connector urban trail running east-west between the proposed residential building and existing retail building to the south (Michael's). This ADA-accessible urban trail will link 160<sup>th</sup> Avenue NE with Crossroads Place (158<sup>th</sup> Place NE) – a private north-south street internal to the Crossroads Mall site. A second ADA-accessible urban trail will run through the OSOZ to connect Crossroads Mall to Crossroads Park and Crossroads Community Center. The urban trails will be pedestrian oriented with associated landscaping, lighting, and seating opportunities to help activate the project and provide multiple pedestrian opportunities that do not currently exist.

### Mid-Block Connector between Proposed Building and Michael's



The following shall be incorporated:

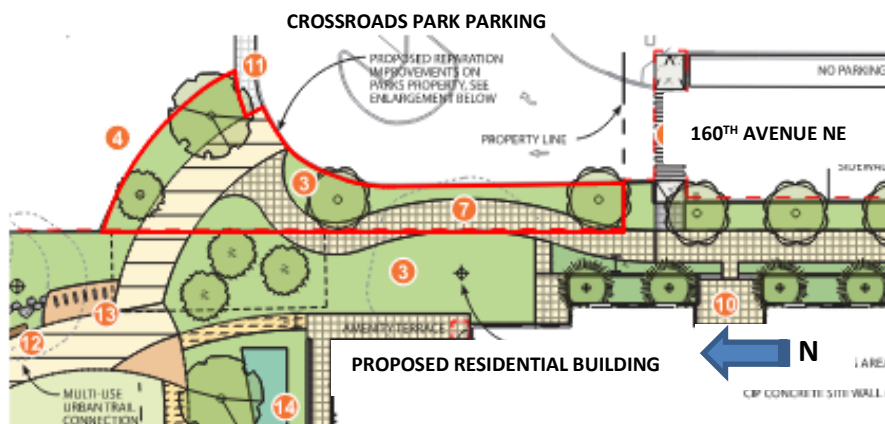
- Urban trail sidewalks with a minimum width of 10 feet;
- Wayfinding signage to welcomes users and invites pedestrians into Crossroads Park;
- Opportunities for adjacent commercial and residential activation to provide “eyes” into and onto the Urban Trails; and
- Lighting that will be pedestrian-scaled, inviting, and designed with Crime Prevention Through Environmental Design (CPTED) principles.

### Southwest Corner of Building on Crossroads Place and Mid-Block Pedestrian Connector/Urban Trail along Southern Facade



c) Park Interface Area:

The project shall include improvements (approximately 1,250 square feet) on the adjacent City-owned Crossroads Park and Community Center property. The improvements will provide an ADA-accessible urban trail connection to the OSOZ, which will then seamlessly connect Crossroads Mall and Crossroads Park. The Park Interface



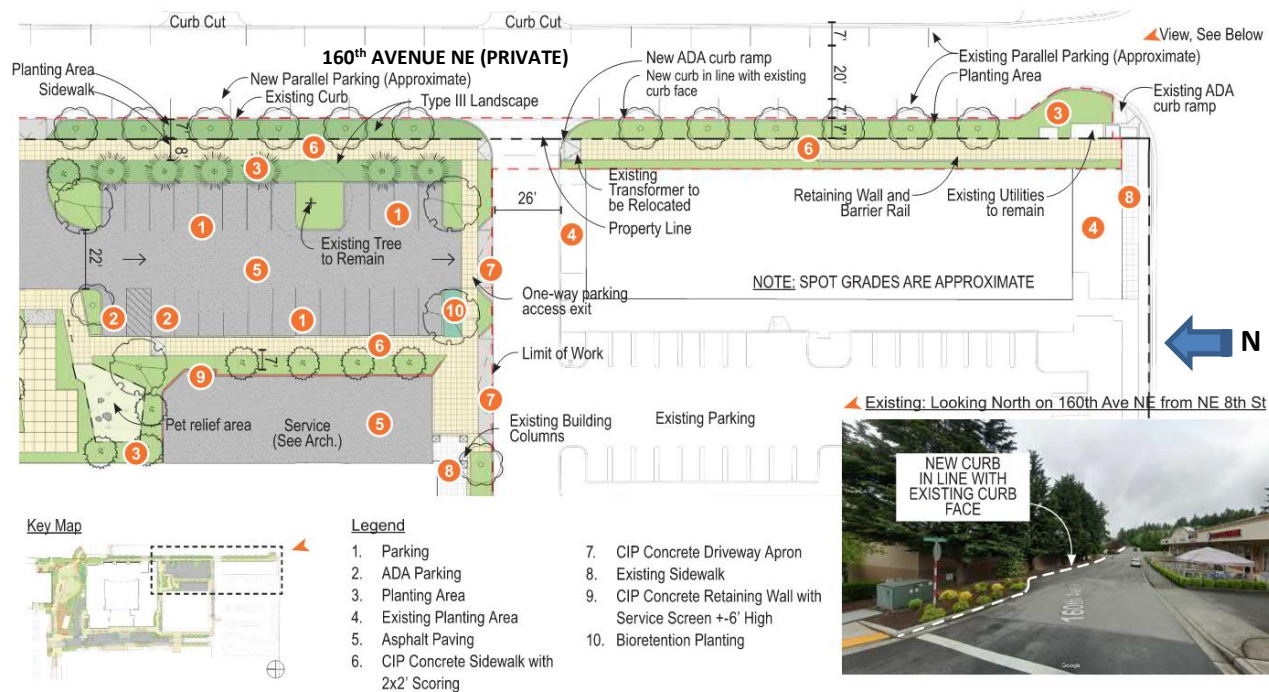
Area, as well as the OSOZ, will include landscaping, hardscape, signage and amenities as depicted on Attachment B/Site Plan of the DA. The improvements shall be constructed to Park's Department standards and will require additional permits, approvals, and permissions from the City. **Refer to Conditions of Approval regarding the Park Interface Improvements, Final Landscape and Irrigation Plan and Public Access Signage for Pedestrian Connections and OSOZ in Sections XI.B and D of this report.**

d) Pedestrian Improvements/Park Street:

The project shall include additional pedestrian improvements outside of the project limit/site but on the Mall property to connect the proposal to the surrounding street and sidewalk network, to improve pedestrian safety and the pedestrian experience, and to activate the project.

The pedestrian improvements shall include an ADA-accessible 8-foot-wide sidewalk along the west side of 160<sup>th</sup> Avenue NE (a private street) connecting to NE 8<sup>th</sup> Street, pedestrian improvements along the south and west sides of the existing retail building (Michael's), and a walkway along the western side of the new surface parking lot as depicted in Attachment B/Site Plan in the DA. The new sidewalk along 160<sup>th</sup> Avenue NE will also include new street tree plantings and a new ADA curb ramp and complete the vision of a Park Street from the proposal building to NE 8<sup>th</sup> Street as shown in Figure S-CR.2 in the Crossroads Subarea section of the Comprehensive Plan.

### Additional Pedestrian Improvements along 160<sup>th</sup> Avenue NE



#### e) Signage:

In addition to compliance with the Bellevue Sign Code, the Project shall:

- Ensure that commercial signage is an integral part of the architectural design of the Urban Trail. Urban Trail signage should be scaled to enhance the pedestrian environment.
  - Include wayfinding signage to encourage pedestrian connectivity to Crossroads Park.
- Refer to Condition of Approval regarding Public Access Signage for Pedestrian Connections and OSOZ and Signage in Section XI.D of this report.**

## 2. Enhanced Public Benefit – Affordable Housing

In addition to the Public Benefits described above, the applicant will be required, per the City Council approved DA, to provide an Enhanced Public Benefit of Affordable Housing. The affordable housing Enhanced Public Benefit will require that a minimum of twenty (20) percent of all units in the project shall be affordable units with the affordable rents at or below eighty (80) percent of King County median income. This Enhanced Public Benefit also provides that any dwelling unit within the project that is 300 square feet or less shall be categorized as a very small dwelling unit and as such will be required to have an affordable rent at or below forty-five (45) percent of King County median income.

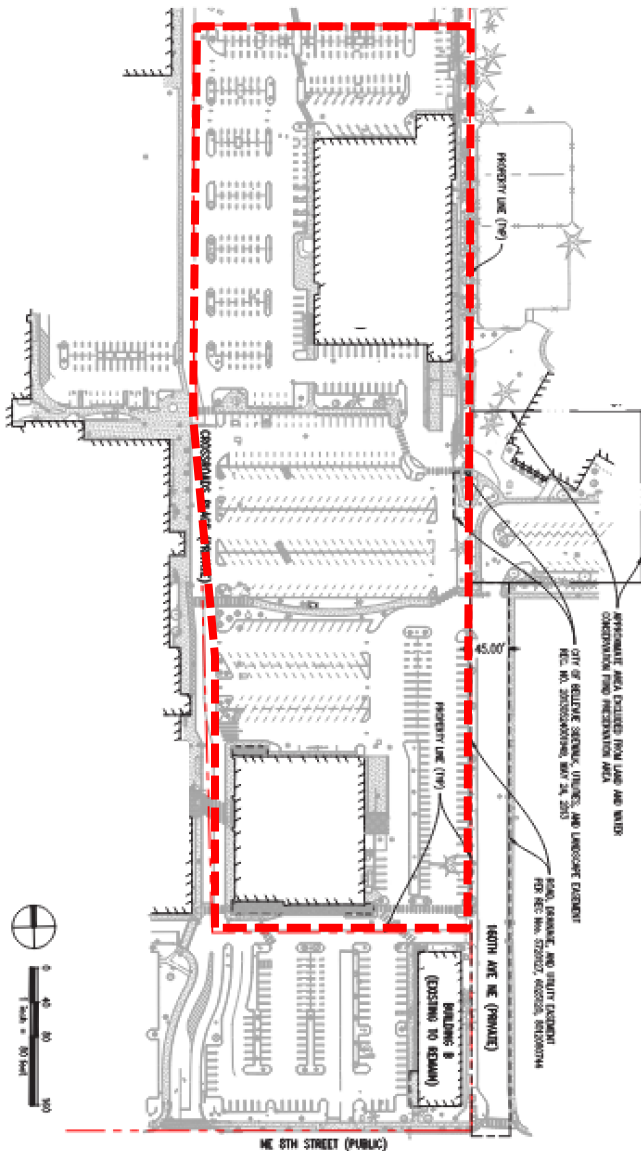
**Refer to Condition of Approval regarding Affordable Housing in Section XI.A of this report.**

## II. SITE DESCRIPTION, ZONING, & LAND USE CONTEXT

### A. Site Description/Context

The proposal site is within the Crossroads Shopping Center (Mall) site in the Crossroads Subarea. The surrounding area is developed with the Mall building to the west, the Michaels commercial building and surface parking lots to the south, the Stone Gardens commercial building and surface parking lots to the north, and Crossroads Park, Crossroads Community Center, and Sunrise Senior Living (SHAG) building to the east.

Plan – Site Boundary



Aerial Photo – Site Boundary



The 326,700 square foot (7.5-acre) site lies within the larger Mall site and is currently a surface parking lot that is accessed via 160th Avenue NE and the Mall's internal private street, 158<sup>th</sup> Place NE, that runs north-south on the Crossroads Mall site and connects NE 8<sup>th</sup> Street with NE 15<sup>th</sup> Street.

**Aerial Vicinity Map**



## B. Zoning

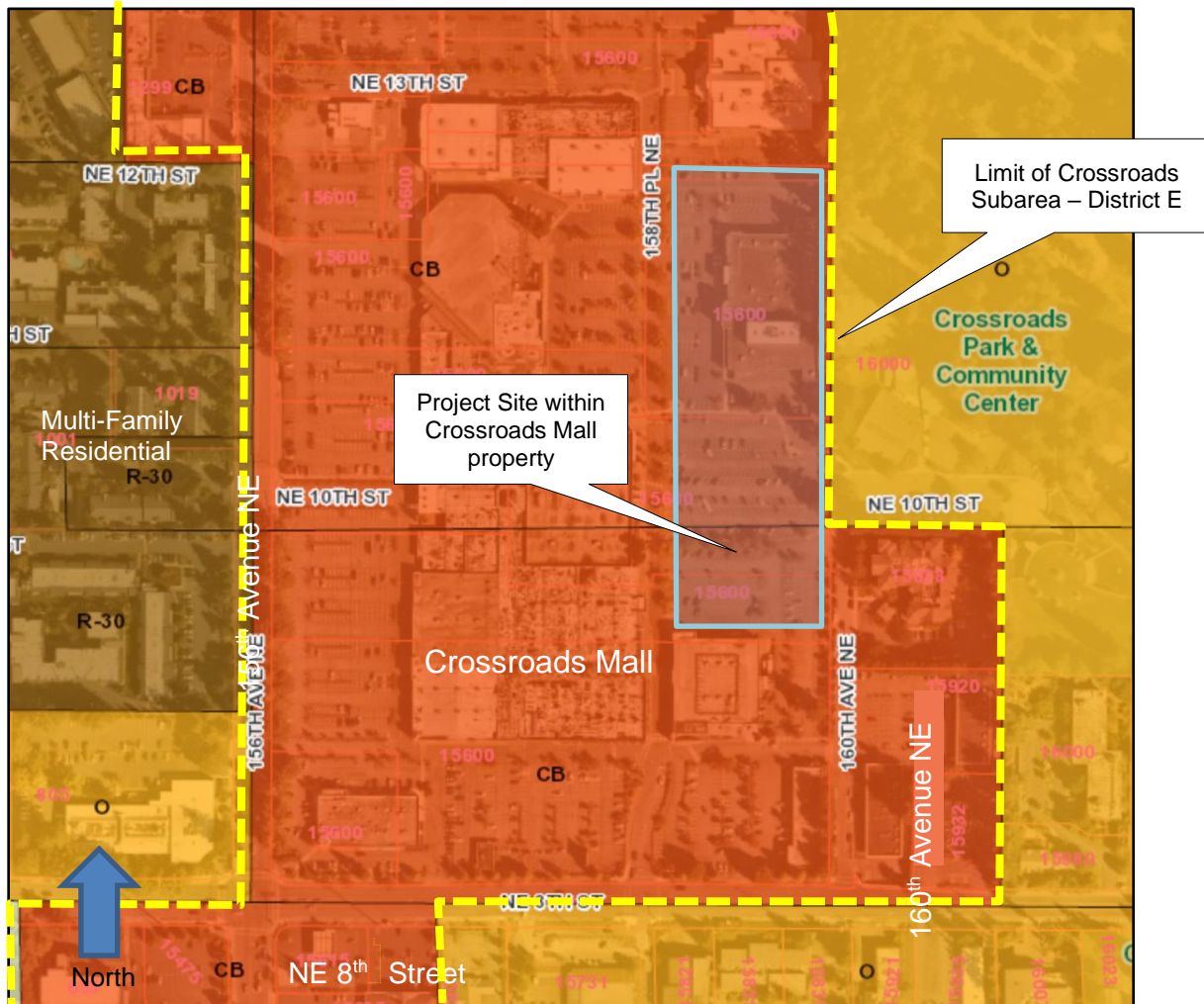
The site lies within the Community Business (CB) land use district and is within the southern half of the Crossroads Mall site. The property is also within the Community Retail Design District, thus triggering Design Review. Additionally, the site is located with District E of the Crossroads Subarea in the City of Bellevue Comprehensive Plan. Refer to the Zoning Map below.

### Adjacent Land Use Districts and Uses:

- North: R-30: (Multi-family Residential) – Apartment and Condominium multi-family residential complexes accessed primarily off NE 15<sup>th</sup> Street.
- South: CB (Community Business) – Proposed Crossroads Senior Living proposal (on the

West: Crossroads Mall site) and the rest of Crossroads Mall.  
CB (Community Business) – Stand-alone retail buildings that are not part of the Crossroads Mall complex.  
East: O (Office) – Crossroads Park and Community Center

### Zoning Map



## III. CONSISTENCY WITH LAND USE CODE/ ZONING REQUIREMENTS

### A. General Provisions of the Land Use Code

#### 1. Use

Uses are regulated by LUC 20.10.400 (Use Charts). The mixed-use residential use proposed for this project in the CB (Community Business) land use district and District E of the Crossroads Subarea is allowed only through adherence to the requirements of a development agreement per the Residential Use Chart, footnote (6).

## 2. Dimensional Requirements

All applicable dimensional requirements of the Land Use Code will be met. Refer to the following chart for specific information, as well as Conditions of Approval and the attached Project Plans attached as Exhibit B.

	Permitted/Required	Proposed
<b>Site Area/Zone</b>	326,700 SF (7.5 acres) CB Land Use District Community Retail Design District Crossroads Subarea/District E	Site area is within the Crossroads Shopping Center (Mall) site. The creation of the 326,700 SF lot will be completed through a Boundary Line Adjustment (BLA) – whereby lot lines on existing underlying parcels will be redrawn. No additional lots will be created. The BLA must be recorded prior to issuance of <b>any</b> construction permits for this project. <b><u>Refer to Condition of Approval regarding the Boundary Line Adjustment in Section XI.A of this report.</u></b>
<b>Site Density</b>	Allowed: 30 residential units per acre  326,700 SF = 225 units* (326,700/30)  CB Land Use District LUC 20.20.010 incl. Footnote (6)	Proposed: 224 units*  A Council-Approved Development Agreement is required to allow Mixed-Use Residential Uses.  Through the execution of the associated DA and as conditioned, meets LUC requirements.  * 225 units would put this project over the 400-unit assessment threshold for District E per the Comprehensive Plan Policy S-CR-80. 224 units are proposed to stay below this threshold.
<b>Building Height</b>	45 FT as measured from Average Finish Grade of 394'-4"  Height may be increased to 60 FT when basement parking occupies a minimum of 75% of the building footprint = 454'-4"  Additional 15 FT allowed for mechanical equipment  LUC 20.20.010 Footnote (10)	Building Height: 60 FT (basement parking = 77% of the building footprint (63,230 SF/48,926 SF).  Rooftop Elevation: 454'-4"  An additional 8 FT will be used for mechanical equipment/structural elements not intended for habitation  Meets LUC requirement.

	Permitted/Required	Proposed
<b>Structure Setbacks</b>	<p><u>Front</u> (160th Avenue NE): 10 FT from access easement</p> <p><u>Sides and Rear</u>: 0 FT setback (eastern property line)</p> <p>Note: per Footnote (2), 8 FT Type III perimeter landscaping required</p> <p>LUC 20.20.010 &amp; 20.20.520</p>	<p><u>Front</u>: Varies with a min. 18 FT from access easement (160<sup>th</sup> Avenue NE)</p> <p><u>Sides and Rear</u>: Minimum 8 FT wide landscape buffer. Because the site is within the greater Mall site, the only setbacks that apply are along the eastern property line with Crossroads Park. Along Crossroads Park property line, the 8-foot-wide buffer includes plantings and walkway per the DA.</p> <p>Meets LUC requirement.</p>
<b>Parking</b>	<p>All uses on the Mall property, including the residential and retail uses proposed under this Design Review, are considered “unspecified uses”. A parking study is required to determine parking requirements for each use.</p> <p><b>Refer to Parking Discussion in Section III.A.3 below.</b></p>	<p><b><u>Residential:</u></b>          224 Units:              <b>151</b> dedicated stalls proposed (0.67/unit) on Level B1</p> <p><b><u>Retail:</u></b>          14,460 nsf proposed (13,460 nsf in building &amp; 1,000 nsf in the OSOZ kiosk):              <b>124</b> stalls (98 within the garage and 16 surface stalls on Crossroads Place)</p> <p><b><u>Total Stalls Proposed:</u></b>          249 Stalls within Garage              * Level 1: 98 stalls (Retail/Residential Shared)              * Level 2: 151 stalls (Residential)              <u>16 Surface stalls (Retail)</u>  <b>Total: 265 stalls</b></p> <p>Refer to discussion in Section III.A.3 below and Parking Analysis prepared by Heffron Inc and dated December 29, 2019 in the project file. (Note that this study was based on <b>pre</b>-COVID parking numbers)</p> <p>As conditioned, meets LUC requirement</p> <p><b><u>Refer to Condition of Approval regarding Residential and Retail parking in Section XI.C of this report.</u></b></p>

	Permitted/Required	Proposed
<b>Maximum Impervious Surface</b>	<p>85% of 326,292 SF = 277,348 SF</p> <p>However, site currently has 299,636 SF impervious = 92%. Per LUC 20.20.460.F, applicant may not exceed 92%. LUC 20.20.010, 20.20.460</p>	<p>Proposed: 86% impervious surface (282,000/326,292)</p> <p>Impervious Surface is <u>reduced</u> by approximately 17,366 SF.</p> <p>Meets LUC requirement.</p>
<b>Mechanical Equipment</b>	<p>Located on the roof &amp; visually screened, within the building or below grade.</p> <p>LUC 20.20.525</p>	<p>Mechanical screening on the roof will be screened with parapets that in most cases appear to be an extension of the building façade. Materials include solid and perforated metal panels finished to match. <b><u>Refer to Condition of Approval regarding Mechanical Screening in Section XI.C of this report.</u></b></p> <p>Meets LUC requirements.</p>
<b>Loading</b>	<p>Minimum one 10' x 55' area accessible to a public right of way.</p> <p>LUC 20.20.590.K.4</p>	<p>Loading for solid waste/recycling pick up and move in/move out for residents will take place in the surface lot adjacent to the southeast corner of the building. There will also be loading opportunities for smaller trucks within the parking garage. <b><u>Refer to Condition of Approval regarding Provisions for Loading in Section XI.A of this report.</u></b></p> <p>As conditioned, meets LUC requirement.</p>
<b>Recycling &amp; Solid Waste Collection Area</b>	<p>Residential 1.5 SF/unit x 224 units = 336 SF</p> <p>Retail 5SF/1000 SF @ 14,460 SF = 72 SF</p>	<p>Residential: 375 SF on Floor L1</p> <p>Retail: Shared with existing Mall trash area off Crossroads Place</p> <p>The applicant has provided documentation from Republic Services (City's contracted waste hauler) that the method for pick-up has been reviewed and approved. Letter is in project file. <b><u>Refer to Condition of Approval regarding Solid Waste/Recycling in Section XI.A of this report.</u></b></p> <p>Meets LUC Requirement</p>

	Permitted/Required	Proposed
<b>Tree Retention/ Landscaping</b>	<p>Perimeter Property Line (eastern property line): All trees retained and provide 8 FT Type III perimeter landscaping (there are no street frontages with this proposal)</p> <p>Interior: 15% of total diameter inches of significant trees to be retained</p> <p>8 feet of perimeter landscaping (eastern property line)</p> <p>Compliance with LUC 20.20.520 and 20.20.900</p>	<p>Perimeter: Existing: 38 trees 14 trees to be removed (6 are hazardous trees per tree assessment by Urban Forestry Services, dated May 24, 2021)</p> <p>Interior: 334.8 diameter inches total 96.3 diameter inches removed = <u>71% retention</u></p> <p>A min. of 8 feet of new landscaping proposed</p> <p>Through application of the criteria in the Alternative Tree Retention Option, the changes outlined above will result in a more robust perimeter condition with a landscape treatment that is better than would be achieved through strict application of the tree retention requirements. Refer to discussion in Section III.A.5 below.</p> <p><b><u>Refer to Condition of Approval regarding Final Landscape and Irrigation Plans in Section XI.B of this report.</u></b></p> <p>Per Alternative Tree Retention Option approval, meets LUC requirements.</p>
<b>Multi-Family Play Area</b>	<p>Maximum 10,000 SF</p> <p>Minimum 800 SF of unpaved, usable open space for first 10 units + 50 SF/unit up to a maximum of 10,000 SF</p> <p>800 SF (first 10 units) = 800 SF (20 SF x 214 units) = 11,500 SF*</p> <p>* However, per LUC 20.20.540.A applicant will only be required to provide an additional 9,200 SF for a total of 10,000 SF</p>	<p>Over 10,000 SF of required play area space will be provided on the rooftop/level 3 of the building. Play Area includes a 1,480 central green to provide unpaved, usable open space in addition to decks, a climbing element, and other play opportunities. The play space is also directly connected to the community room.</p> <p>Additional opportunities for outdoor play will also be provided within the OSOZ and Crossroads Park.</p>

	LUC 20.20.540	<b><u>Refer to Section III.A.4 below and Condition of Approval regarding the Multi-Family Play Area in Section XI.B of this report.</u></b>  Meets LUC requirement.
--	---------------	---

### 3. Parking

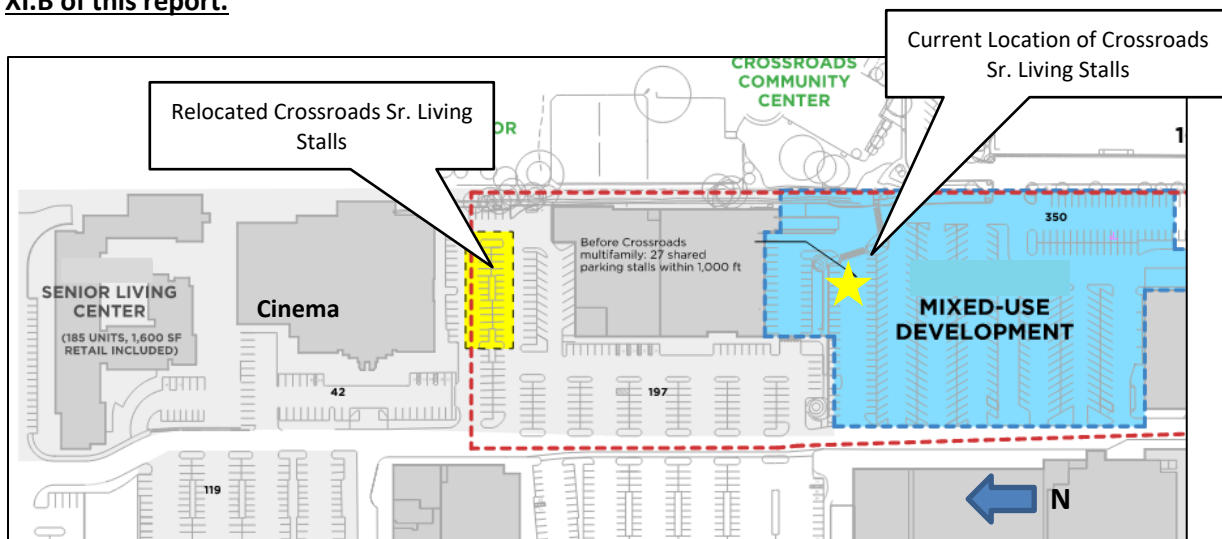
The proposed project site is currently an existing surface parking lot that services the tenants in Crossroads Mall and adjacent retail buildings within the larger Mall site. The project would eliminate 351 surface parking stalls that exist within the footprint of the project and would add 16 new surface parking stalls along Crossroads Place and 249 stalls within the building. The surface parking area to the east of Michael's will remain but will be reconfigured slightly to provide accessible parking stalls and retail parking, and to accommodate the loading and solid waste/recycling pick-up functions for the new building. This reconfiguration will result in the elimination of one stall.

Due to the unique nature of the Crossroads Mall and the variety of uses within the property, the uses throughout the Crossroads Mall site are collectively considered as one "unspecified use" for parking purposes. Because this project is part of the larger Mall site, and per LUC 20.20.590.F.2, a parking study was required to support the parking proposed for this mixed-use residential use; looking at it as part of the overall use mix within the Mall property. A Parking Analysis, prepared by Heffron Transportation Inc and dated December 29, 2019 was submitted to support the parking proposed. Note that this study was based on the Mall parking demand in December 2019, before the Covid pandemic, when there was a robust tenant mix in all of the Mall buildings. The parking study looked at retail parking based on the overall leasable square footage on the Mall and on actual parking counts in December. It also examined the appropriate parking levels for a multi-family residential use based on market comparisons with recently completed residential buildings in the Bel Red subarea and King County's Right Size Parking Calculator V2.0.

Of the 249 stalls within the building, 98 stalls within the building garage will be shared between residential and retail uses and an additional 151 stalls in the garage will be reserved exclusively for residential uses. The Mall site as it currently exists has 2,274 stalls (2,126 retail stalls and 148 stalls used by the Crossroads Senior Housing project). The project would result in a net reduction of 86 stalls for a total of 1,889 retail stalls and 299 residential stalls on the entire Crossroads Mall site. The Parking Analysis reviewed the parking on the Mall site cumulatively and concluded that the December demand on a typical December weekday would be approximately 1,400 retail stalls, and approximately 1,740 retail stalls on a typical Saturday (pre Covid) in December. The reduction of overall retail stalls on-site to 1,889 stalls still provides capacity beyond the expected peak with more than an 8% buffer.

In conclusion, the 2019 parking analysis, along with previous parking studies, have shown that the Mall (before the Covid-19 pandemic) has excess parking supply, even during the peak December shopping weekends. The project would result in a small net change in parking supply of approximately 85 spaces, yet the remaining spaces on-site would be able to accommodate the expected peak December retail demand and the residential uses in the existing Crossroads Senior Living building and in the proposed project.

Crossroads Senior Living Parking: The proposal site is also the designated location for 27 parking spaces associated with the Crossroads Senior Living development north of the cinema. These 27 spaces fall within the footprint of the OSOZ and therefore will need to be relocated to a location between Crunch Fitness and the cinema closer to the senior living development. The new location must be recorded prior to the issuance of a Clearing and Grading Permit for the project. **Refer to Condition of Approval regarding the Relocated Crossroads Senior Living Parking Spaces in Section XI.B of this report.**



#### 4. Multi-Family Play Area (LUC 20.20.560)

Over 10,000 square feet of multi-family play area will be provided on the podium rooftop, at level 3. It will be comprised of landscaping, hardscape and artificial turf areas arrayed around a 1,480 SF “central green.” Gardens, seating, low climbing elements, sculptural landforms, and ADA-accessible elevated decks will foster numerous play options. Residents will be able to access the area from the adjacent common spaces and from the residential units surround the play area.

#### Multi-Family Play Area on Level 3



#### **5. Alternative Tree Retention Option (LUC 20.20.900)**

The applicant is proposing an Alternative Tree Retention option to remove eight (8) healthy perimeter trees along the eastern property line (adjacent to Crossroads Park) along with another six (6) hazardous trees. There currently are 38 perimeter trees along this property line and the removal of 8 healthy trees represents approximately 16% of the total trees in this location. These trees will be replaced with new trees on-site at a rate which exceed the 1:1 ratio. Native and native-adapted plant materials will be used, with a focus on creating pedestrian-friendly and vibrant green spaces that reflect the character of the Pacific Northwest. This tree replacement includes new street trees along 160<sup>th</sup> Avenue NE and a mix of new trees within the Crossroads Park/OSOZ interface area as described below:

**Street Trees:** These new street trees are located not only along the eastern edge of the proposal site, but also are located to the south of the site along the new sidewalk on 160<sup>th</sup> Avenue NE that will connect the project directly to NE 8<sup>th</sup> Street. These street trees (and associated sidewalks) will help to realize the Comprehensive Plan vision of a Park Street as outlined in the DA.

**Park Interface:** The proposal will also include a robust Type III landscape buffer at the interface between Crossroads Park and the OSOZ, which will provide a graceful transition between the two properties that will complement the existing wooded character of the Park. **Refer to Condition of Approval regarding Park Interface Improvements in Section XI.B of this report.**

Additionally, 134 new trees are proposed to be planted throughout the project site, including the perimeter, that will represent over 400 diameter inches at the time of planting. The proposal will result in an improved canopy condition than would be realized with strict application of the perimeter and interior tree retention requirements. It will create a Park Street as identified in Figure S-CR.2 of the Comprehensive Plan along the entirety of 160<sup>th</sup> Avenue NE with new street trees and will provide a more robust landscaped connection between the OSOZ and Crossroads Park that will provide additional trees to enhance the vegetated character of the Park. The applicant has met the Alternative Tree Retention or Replacement Option requirements in LUC 20.20.900.G and the Alternative Tree Retention Option is approved as part of this Design Review decision. **Refer to Conditions of Approval regarding Final Landscape and Irrigation Plan, Landscape Installation Assurance Device and Landscape Maintenance Assurance Device in Section XI.B and D of this report.**

### **IV. DESIGN GUIDELINES - COMMUNITY RETAIL DESIGN DISTRICT**

#### **A. Community Retail Design GUIDELINES (LUC 20.25I.040)**

##### **1. *Building Design Guidelines – LUC 20.25I.040.A***

###### **a. *Unity of Design in Multi-Building Complex:***

***Response:*** N/A - There will be only one building in this development.

###### **b. *Unity of Design/Individual Buildings:***

***Response:*** The multifamily building being considered in this development will achieve unity through architectural elements, simple yet clear massing, high-quality and durable exterior materials, a variety of earthtone colors, and a variety of window treatments.

## **2. Site Design Guidelines – LUC 20.25I.040.B**

### **a. Perimeter Landscape:**

**Response:** Eight (8) non-hazardous, existing trees within the site perimeter along the eastern property line will be removed to accommodate the Park Street, Park Connection, Park Interface, and other features of the site design. The trees that are removed will be replaced with new trees that will provide an improved aesthetic and environmental benefit to the entire site and will enhance the connection of the project and OSOZ with Crossroads Park and provide a tree-lined Retail Street along 160<sup>th</sup> Avenue NE. Refer to the discussion regarding the Alternative Tree Retention Option in Section III.A.5 of this report.

### **b. Parking Areas:**

**Response:** New parking stalls will be placed along 158<sup>th</sup> Place NE/Crossroads Place in front of the proposed retail tenant spaces, in a small surface lot at the southeast corner of the building accessed off 160<sup>th</sup> Avenue NE, and within the building's garage. Parking areas will be provided with clear and safe pedestrian connections to minimize conflicts between pedestrian and vehicular movements. The new surface parking area will be landscaped per LUC 20.20.520.F.3 to screen and separate pedestrian and vehicular areas.

### **c. Landscaping:**

**Response:** Landscaping, including approximately 134 new trees, will be placed throughout the site to provide an aesthetically pleasing environment for the residents and the public and will emphasize the connections between Crossroads Park, the OSOZ, the proposal building, NE 8<sup>th</sup> Street, and the Mall.

The landscape design includes the following:

- New street trees and understory along 160<sup>th</sup> Avenue NE to reinforce the street's designation as a "Park Street".
- In the OSOZ, planting will transition from the lush native character of Crossroads Park to a hardier and more urban palette consistent with the retail nature of Crossroads Place and the Mall.
- Accent plantings will be used to highlight pedestrian and vehicular entries, as well as enliven the urban trail at the midblock pedestrian connection along the southern side of the building.
- Across the entire site, planting design will emphasize native and native-adaptive species, with native plants highlighted in educational signage in the OSOZ.

### **d. Site Features:**

**Response:** Site features are designed to have a residential and pedestrian scale. Pedestrian lighting will be located throughout the site, including within the OSOZ and mid-block pedestrian connection, and will be an important feature of the pedestrian connections to safely connect the project site with Crossroads Park, the Mall, and NE 8<sup>th</sup> Street. **Refer to Condition of Approval regarding Exterior Lighting in Section XI.B of this report.**

### **e. Loading Areas:**

**Response:** All loading and pick-up functions, including garbage and solid waste pick-up and move in/move out activities will occur within at the southeast corner of the site within the

existing, reconfigured surface parking lot. No loading will be allowed on 160<sup>th</sup> Avenue NE or on Crossroads Place.

This project will maintain existing loading/solid waste pick-up areas for the Mall tenants (Bed, Bath, & Beyond; Joanne's, Daiso), and provide a reconfigured loading area for Michael's within the current location. These loading areas will be appropriately screened from public view. However, in the case of the existing loading areas on 158th Place NE/Crossroads Place where additional screening would defeat the loading functions, the loading areas will be upgraded by treating them with specialty paving which will feel more part of the urban trail experience rather than just a loading area. **Refer to Condition of Approval regarding Provisions for Loading in Section XI.A of this report.**

**f. Pedestrian Movement:**

**Response:** The proposal will provide multiple pedestrian walkways and open spaces to connect this project with Crossroads Mall, Crossroads Park, and Crossroads Community Center. The project will also provide an improved connection to NE 8<sup>th</sup> Street and the surrounding residential and commercial neighborhoods via a new sidewalk on the western side of 160<sup>th</sup> Avenue NE. Raised crosswalks, paving treatments to slow vehicular traffic and alert vehicles to pedestrian movement, and upgrades to crosswalks across 160<sup>th</sup> Avenue NE will all enhance pedestrian movement, safety, and connectivity.

**g. Locations in Comprehensive Plan Figure UD-1:**

**Response:** N/A. The project site is not located along any of the boulevards and/or intersections identified on Figure UD-1.

**h. Connections to Transit:**

**Response:** Special consideration has been given to ensure ADA-accessible paths within the proposed development. These pathways also serve to connect the proposal with the Crossroads Community Center, Crossroads Mall, and finally to transit stops on 156<sup>th</sup> Avenue NE and NE 8<sup>th</sup> Street. The project will provide sidewalk and landscape improvements along the west side of 160<sup>th</sup> Avenue NE from the Crossroads Community Center, continuing along the east side of proposed project, and including the final stretch of 160<sup>th</sup> Avenue NE (outside of the proposal's project limit but still within the overall Mall site) that connects the proposal site with NE 8<sup>th</sup> Street and transit options.

**B. Community Retail Design STANDARDS (LUC 20.251.050)**

**1. *Special Corner Feature – LUC 20.251.050.A***

**Response:** N/A. This standard does not apply because the project does not lie at the intersection of two arterial streets.

**2. *Building Design Standards – LUC 20.251.050.B***

- a. The design of buildings shall incorporate elements such as special architectural details, distinctive color schemes, special art and other features, which are sensitive to and enhance the surrounding area and serve to distinguish the complex from other retail complexes in the City.**

**Response:** Architectural elements of the multi-family building will be used in the ground level retail spaces to create a unified building. A glass guardrail perch from the L2 roof deck will be a focal point along the retail façade. Additional human scaled elements such as canopies, storefronts, and lighting will provide a distinctive look that is also respectful of the greater context of Crossroads Mall. The Stone Gardens south facing wall will be broken up with architectural and landscape elements (not included in this design review), which will aid in giving the OSOZ a unique character and will form the backdrop for events in the OSOZ. The retail kiosk carefully located in the OSOZ will become the focal point for this space - drawing the community into its reach with generous terraces and focal points. There will also be focal points along all the urban trails, including enhanced landscape along the urban trail between the building's southern façade and Michaels. Refer to Condition of Approval regarding the Retail Kiosk in Section XI.A of this report.

- b. **The sides of a building which face toward a public street shall include public entrances to the building and windows to provide visual access to the activity within the building.**

**Response:** Residential units with stoops and entries will be directly connected to 160<sup>th</sup> Avenue NE and the residential lobby will face onto 160<sup>th</sup> Avenue NE (a private street) and there will be direct visual access to the ground level uses including the residential lobby at the southeast corner of the building and the fitness rooms in the northeast corner. Tenant spaces will be located along the entire Crossroads Place frontage (west façade of the building) and these retail spaces will be required to have clear, unobstructed windows to provide visual access. Refer to Condition of Approval regarding Storefront Glazing in Section XI.C of this report.

- c. **The sides of a building which face toward an adjoining property, but not toward a public street, shall include elements such as windows, doors, color, texture, landscaping or wall treatment to provide visual interest and prevent the development of a long continuous blank wall.**

**Response:** Care has been given to the how the building interfaces with adjoining properties; particularly those to the east (Crossroads Park and Community Center) and to the north, south and west (the Mall buildings within the overall Mall site). Residential windows along all sides of the building and retail uses on the ground floor along Crossroads Place help provide visual interest and "eyes on the street." The public entrances to the retail spaces will all face onto Crossroads Place and windows will be clear glass to allow visual access to the activity within the building. Where blank walls are unavoidable, additional landscape and architectural treatment/detail will provide visual interest.

- d. **Building design shall provide for architecturally integrated signage. Signs shall be in proportion to the development and oriented to the main direction access and to pedestrian movement. Signs shall meet the requirements of Chapter 22B.10 BCC, Sign Code.**

**Response:** Signage has been reviewed on a conceptual basis only. Design review of each sign, including building signage for the commercial/retail spaces, the building itself, and public access will be reviewed for compliance with the Sign Code through review each sign permit application. Overall, signs will be incorporated into the architectural design of the building. Refer to Condition of Approval regarding Signage in Section XI.D of this report.

**3. Internal Walkways – LUC 20.251.050.C**

In addition to the pedestrian connection provided in the OSOZ that connects the Mall, the proposed building, and Crossroads Park, additional pedestrian walkways will be provided throughout the project, including the 10-foot-wide pedestrian connection along the southern side of the building and an improved ADA-compliant sidewalk along 160<sup>th</sup> Avenue NE that will connect the project and Crossroads Park to NE 8<sup>th</sup> Street. Public access signage will be required to inform the public that these walkways and open space are open to the public at all times and to give directional information.

- a. **Walkways, of six feet in width minimum, shall be provided from the public sidewalk or right-of-way to the building. At a minimum, walkways shall be located to connect focus points of pedestrian activity such as transit stops and street crossings to the major building entry points.**

**Response:** Design standards regarding pedestrian movements will be met. Primary sidewalks will vary from 8 to 12 feet. As part of the project new pedestrian walkways are being introduced which did not previously exist, including the ADA-compliant walkways through the OSOZ, the mid-block connector along the southern edge of the building, and enhanced sidewalk along 160<sup>th</sup> Avenue NE that connects the proposal building and Crossroads Park with NE 8<sup>th</sup> Street.

- b. **Walkways shall be provided to connect with walkways or potential walkway locations on adjoining properties in the district to create an integrated internal walkway system along the desired lines of pedestrian travel. The width of the walkway should be commensurate with the anticipated level of pedestrian activity along the connecting walkway.**

**On the sides of the building which provide public access into the building, the walkway should be wide enough to allow for sidewalk seating area or window gazing as well as pedestrian travel. Weather protection of the building walkway should be provided at a minimum at the entrance area and, if appropriate, along the entire building walkway.**

**Response:** Special attention is being given to the appropriate width of the urban trails to be designed for the associated uses. The walkway through the OSOZ will be 12-foot minimum to accommodate both pedestrians and bikes from Crossroads Park into the Mall development. The urban trail west of Michaels along Crossroads Place will allow a minimum walkway of 10-foot clear and will have canopies overhead. Outdoor patio seating “spilling” onto the sidewalk will be encouraged for potential restaurant locations. The Park Street (160<sup>th</sup> Avenue NE) will have minimum 8-foot-wide sidewalks and ample landscaping and entry stoops in front of the residential units facing 160<sup>th</sup> Avenue NE. Finally, the urban trail between the proposed building and Michaels will provide a unique experience between old and new buildings with a heavily landscaped zone to make the transition at the mid-block connector an active space.

- c. **Internal walkway surfaces shall be designed to be visually attractive and distinguishable from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks, or scored concrete to enhance pedestrian safety and comfort.**

**Response:** Appropriate treatment of walkway materials will give users the indication of its use. In pedestrian-only zones, the scale and texture of the paving surfaces will be of a

human scale. Where vehicles and pedestrians mix, the subtle shift from asphalt to scored concrete in the pedestrian walkway will indicate a different use and will alert users.

**4. Other Standards – LUC 20.251.050.D**

- a. Rooftop equipment shall be visually screened pursuant to LUC 20.20.525. The design and color of rooftop mechanical equipment should be integrated with the building architectural style.

**Response:** Rooftop equipment will be screened within parapets that are of the same composition, architectural screen wall treatment, and colors and materials, resulting in mechanical screening that will complement the building architecture for an integrated approach. As conditioned, the screening proposed has met the requirements in LUC 20.20.525 and will be reviewed as part of any building permit. Refer to Condition of Approval regarding Mechanical Screening in Section XI.C of this report.

- b. The outdoor display of building materials and similar bulky products shall be screened from view from the public street, sidewalk, and properties outside the district with a durable, solid wall or fence, or an evergreen hedge or a combination of the above. The screening requirement does not apply to the display of seasonal products of a decorative nature such as bedding plants, Halloween pumpkins, and holiday greens.

**Response:** If retailers choose to have any outdoor displays, they will need to meet the requirements of this section. Outdoor displays of building materials and similar bulky products will not be allowed as part of this development. Refer to Condition of Approval regarding Outdoor Retail Displays in Section XI.A of this report.

- c. Bicycle racks shall be provided on site. Facilities for a minimum of 10 bicycles shall be provided for developments having 100 or fewer parking stalls. For each 100 additional stalls, facilities for 5 additional bicycles shall be provided.

**Response:** Given the bicycle friendly nature of this subarea of Bellevue, especially with the proximity to Crossroads Park, special attention has been given to the provision of bicycle facilities. Based on the number of parking stalls provided, the project would need to provide a minimum of 15 bicycle stalls. The project will be providing a bike room for the residents within the building for approximately 20 bicycles as well as 26 additional stalls on the site for public use. A bicycle plaza, with a feature bike rack, and wood benches are proposed for the east end of the OSOZ and it will be designed to be a focal point for this part of the project. Refer to Condition of Approval regarding Bike Parking in Section XI.B of this report.

**V. PUBLIC NOTICE AND COMMENT**

Application Date: December 18, 2018 (Design Review and SEPA)

Public Notice & Sign installed: January 24, 2019

Minimum Comment Period ended: February 7, 2019 (Design Review and SEPA)

Notice of Public Meeting: January 24, 2019

Public Meeting: February 13, 2019

Revised Application Date: December 7, 2020  
Re-Notice for Development Agreement and Design Review and Phase 1 SEPA (DA) and  
Phase 2 SEPA (Design Review): January 7, 2021  
Minimum Comment Period ended: January 21, 2021  
Applicant Initiated Public Outreach: December 2018 – January 2019

The applicant, in cooperation with the City of Bellevue, initiated an outreach campaign to elicit comments from the community regarding how to strengthen the connection between Crossroads Mall and Crossroads Park and Community Center. Surveying was conducted from December 13, 2018 until January 5, 2019. During this time, an exhibit was installed at the Mini City Hall at Crossroads that included poster-size exhibits and response cards and associated collection box. In addition, the applicant executed an online survey at [www.crossroadsbellevue.com](http://www.crossroadsbellevue.com). Lastly, additional information was placed at the Parks and Recreation Office and various points around the Crossroads Mall to encourage public participation in the survey.

The survey generated feedback from 498 respondents. Overall, the community wanted an engaging, safe gathering space that attracted all ages and abilities. The project designers have taken this feedback into account as they designed the project and used this information specifically to inform the design of the pedestrian connections, Park interface, and OSOZ. **Refer to the Community Outreach Summary, dated January 2019 in the project file.**

Public Comment: The City received written comment regarding the proposal and there are 13 Parties of Record. A summary of the comments received are the following:

- ***Will affordable housing and/or housing for seniors be part of this proposal?***

**Response:** The underlying DA that is required to allow this mixed-use residential building in District E of the Crossroads Subarea requires that the applicant provide an Enhanced Public Benefit – Affordable Housing. The affordable housing Enhanced Public Benefit will require that a minimum of twenty (20) percent of all units in the project shall be affordable units with the affordable rents at or below eighty (80) percent of King County median income. This Enhanced Public Benefit also provides that any dwelling unit within the project that is 300 square feet or less shall be categorized as a very small dwelling units and as such will be required to have an affordable rent at or below forth-five (45) percent of King County median income. The DA does not, however, restrict the affordable units to seniors.

This City shall also formally include the project as a “residential targeted area” under the City’s Multifamily Housing Property Tax Exemption Program (“MFTE” Program). **Refer to the DA in Attachment D and Condition of Approval regarding Affordable Housing in Section XI.A of this report.**

- **This proposal will impact traffic, parking and pedestrian safety around Crossroads Shopping Center and the surrounding community.**

**Response:**

The City has prepared a traffic forecasting model for the 2030 horizon year to assess cumulative impacts that may result from growth and development during that period. This modeling analysis is based on a projected land use scenario and improvements to the transportation system that would occur during this time.

Under the level of service standard detailed in the Transportation Code, the City is divided into 14 Mobility Management Areas (MMAs), each with an area average standard and a congestion management standard. The traffic modeling, concurrency analysis that was run for the Bellevue Crossroads Development shows that all of the MMAs would meet both standards. The project would provide 224 residential units plus 15,500 square feet (sf) of ground-floor commercial space in MMA 5, Crossroads. This level of development is within the assumptions of the City's traffic modeling and does not require additional mitigation. In addition, the development will provide better pedestrian access and connections to the site and the Crossroads Park and Community Center by constructing new 8-foot-wide sidewalk and approximately 7-foot planter with curb and gutter on 160th Avenue NE. Internal sidewalks around the building with width varies between 6 and 9.5 feet will be constructed to facilitate pedestrians' access and movements to the proposed retail stores as well as providing connection to the new open space opportunity plaza. The existing pedestrian path between the primary shopping center building (where the food court and mall are located) and the Crossroads Community Center will also be improved to provide ADA accessible route to the mall as well as connection to the south side of the Stone Gardens Expansion. **For further details on the traffic impact, please see the Transportation Section of the Staff Report (Section VII.B).**

Currently, vehicles using the parking lot in the location of the proposed building can exit onto 160<sup>th</sup> Avenue NE (a private street) near the entry to Crossroads Park. This vehicular connection would be severed, but via the traffic study, it was determined to be a tertiary connection and that most vehicles used other roadways to exit the Mall, including Crossroads Place. Additionally, the existing vehicular connection that runs along the south side of the Michaels building and connects to 160<sup>th</sup> Avenue NE will remain and there will be improved vehicular access along Crossroads Place (158<sup>th</sup> Avenue NE) between the proposed building and the existing Mall building (Joanne's, Bed Bath and Beyond, etc.) with a new roadway, improved pedestrian crossings, and new on-street diagonal parking. An upgraded pedestrian crossing on 160<sup>th</sup> Avenue NE adjacent to Crossroads Park and the Crossroads Community Center will also be provided and the improved sidewalk along the west side of 160<sup>th</sup> Avenue NE will provide an ADA-compliant route to NE 8<sup>th</sup> Street where no sidewalk currently exists.

Parking for the project was considered as part of the larger Crossroads Mall site. A parking study, prepared by Heffron Transportation Inc, dated December 29, 2019 was submitted in support of the proposed parking. It was concluded that even with this project and the loss of surface stalls, there would still be more than enough parking on site to support all Mall activities during the year, including during the peak demand on a December weekend. Refer to Section III.A.3 above for further discussion and the referenced parking study in the project file.

- **There will be an impact to City services and impacts on schools.**

**Response:** City reviewers have determined that existing City services including streets, fire protection, and utilities are adequate for this proposal. Refer to Technical Review - Section V. of this report for further discussion by each department.

The public schools serve all residents of the City of Bellevue. The Bellevue School District analyzes population changes within the attendance areas of each school on an ongoing basis to ensure that attendance is spread across the District evenly. The District will also add schools as the demand increases. School reconstructions over the last decade have also expanded middle school and high school capacities with flexible space to accommodate swings in student populations. Concerns regarding student populations in the schools should be directed to the Bellevue School District 405.

- **Does the size and form of the multi-family residential building reduce current/existing connectivity and open space?**

**Response:** This proposal will greatly increase public open space within the project site and pedestrian connectivity between the project, the Mall, NE 8<sup>th</sup> Street, transit/bus stops around the Mall, and Crossroads Park and Community Center. Most significantly, the OSOZ will add approximately 30,000 square feet of new open space that includes a pedestrian urban trail that will connect Crossroads Park and the Mall. A mid-block pedestrian connector between the proposed building and Michaels will connect Crossroads Place and 160<sup>th</sup> Avenue NE. Lastly, an ADA-compliant sidewalk along 160<sup>th</sup> Avenue NE up to NE 8<sup>th</sup> Street will be provided where no sidewalk currently exists. Refer to Section I.D of this report for a detailed discussion of all the public benefits that will be provided per the DA, including the OSOZ and increased pedestrian connections.

- **Are garage parking spaces available to the public? There will be a loss of parking for surrounding retail uses.**

**Response:** There will be 98 commercial spaces within the building that will be available to the public, along with an additional 16 surface spaces on Crossroads Place in front of the retail spaces in the proposed building. The submitted Parking Analysis determined that the overall loss of spaces would not impact the Mall; there would still be excess parking, even during the peak weekends during the December holidays. Note that the analysis was conducted before the Covid-19 pandemic with a robust tenant mix. There will be enough parking for the existing Mall uses and the proposed retail uses in the new building and there will be no impact to parking for any of the retail uses on surrounding properties adjacent to the Mall as they are required to provide parking on their sites to support their retail uses without requiring parking on the Mall site. **Refer to Section III.A.3 above for further discussion and the referenced parking study in the project file.**

## VI. TECHNICAL REVIEW

### A. CLEARING & GRADING

The clearing and grading reviewer has reviewed the plans and materials submitted for this project and has approved the clearing and grading portion of the design review application. Approval of this design review does not constitute an approval of any construction permit. An application for a clearing and grading permit must be submitted and approved before construction can begin. Plans submitted as part of any permit application for this project shall be consistent with the activity permitted under this approval and must comply with the City of Bellevue Clearing and Grading Code (BCC 23.76). **Refer to Condition of Approval regarding Conceptual Clearing and Grading Approval in Section XI.A of this report.**

The clearing & grading code defines the rainy season as October 1st through April 30th. The Development Services Department may grant approval to initiate or continue clearing or grading activity during the rainy season. Any approval will be based on site and project conditions, extent and quality of the erosion and sedimentation control, and the project's track record at controlling erosion and sedimentation. **Refer to Condition of Approval regarding Seasonal Clearing and Grading Restrictions in Section XI.A of this report.**

## **B. BUILDING**

The scope of the Building review is limited by the information provided within the submitted documents/drawings and at this point, there are no more comments. A complete review will occur under the Building permit application(s).

## **C. UTILITIES**

Utility Department approval of the design review application 18-132391 LD is based on the conceptual design only. 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 current City of Bellevue Utility Codes and Utility Engineering Standards. All design review, plan approval, and field inspection shall be performed under the individual permits and/or Utility Developer Extension Agreements depending on the extend of the work.

### **Storm Drainage**

This project will be reviewed under the 2018 Utilities Engineering Standards or those in effect at the time of building permit application.

The development will provide flow control mitigation in underground detention vaults that will include AND combine the additional offsite runoff from the 'Stone Gardens' project. The 'Stone Gardens' project is located immediately to the north of this development and through effective impervious surfaces, both projects are hydraulically connected. Storm runoff from the impervious surfaces that will be created through the development and those of the 'Stone Gardens' project will be collected in a detention system and the runoff will be released at predeveloped rates from 50% of the 2-year peak flow up to the full 50-year peak flow for this location. The detention facility will then be connected to an existing conveyance system that flows to Lake Washington, via Kelsey Creek basin.

### **Water**

The water supply for this project is provided from City of Bellevue (COB) owned water mains located within the project site. Water from the existing 520 Hydraulic Gradient may provide adequate water pressure for the proposed development. However, relocation of existing water mains with anticipated increase demand may require pipe upsize and additional easement to serve this proposed re-development.

Fire lines and Irrigation shall be by separate water main connection and service per current COB Water Engineering Standards. Any irrigation lines or services are required to have an approved and certified backflow assembly installed as well as provide an Irrigation Water Budget prior to acceptance of the installation.

New water services, smaller than 3-inch, will require a water service application (UC permit). Application fees will include permit fees, Regional Capital Facilities Charge and any other applicable fees due at the time.

Separate irrigation services are required for public and private landscaping respectively. A landscape Irrigation Budget is required for each type if the irrigated area is 500 square feet or greater.

All unused existing services shall be abandoned back to the main per current Utilities Engineering Standards.

#### **Sewer**

The sewer system for at this location is provided from City of Bellevue (COB) owned sewer mains located within the project site. The project requires extension of the sewer system and the anticipated increase demand may require pipe upsize downstream of the proposed connection.

UA permits (commercial side sewer permits) will be required for each sanitary side sewer connection including modifications.

All unused existing services shall be abandoned back to the main per current COB Utilities Engineering Standards.

**Refer to Condition of Approval regarding Preliminary Design, Utility Codes and Engineering Standards in Section XI.A of this report.**

#### **D. FIRE**

The Fire Department has reviewed the proposal, particularly with respect to access issues to Stone Gardens and impacts of emergency access to the proposed building will have on Crossroads Park. As a result, Fire has identified the following issues that need to be resolved prior to any Certificate of Occupancy:

- The Fire Department and the City of Bellevue Parks Department determined that first responders could use the Crossroads Park parking lot for emergency access. An easement between the applicant and the City of Bellevue/Parks Department shall be legally agreed upon, allowing first responders to use the Crossroads Park parking area to turn their vehicles around and eliminate the potential dead-end on 160<sup>th</sup> Avenue NE. The Crossroads Park parking area was tested by the Fire Department to ensure that it could provide the adequate access turn-around. During the test, it was observed that a tree had a low-hanging branch. The access easement shall include the requirement to maintain a minimum vertical clearance of 13'-6" for the Fire Department access road.
- 'No Parking Fire Lane' signs, towing notification, and stenciled red curb marking shall be extended within the crossroads park parking area. The exact location of these items shall be determined between the applicant, the Fire Department, and the City of Bellevue Parks Department.

**Refer to Condition of Approval regarding Fire Review in Section XI.D of this report.**

#### **E. TRANSPORTATION**

##### **Trip Generation**

The project pm peak hour net new trip generation for the two phases used for the analysis is shown in Table 1.

**Table 1 Crossroads Bellevue PM Peak Hour Trip Generation**

Land Use Category	Proposed size	Trip Rate Per unit or 1,000 sf	Trip Generation
Multi-Family Mid-Rise (3-10)	224 unit	0.27	60
Retail	15,500 sf	2.51	39
Total Net New Trips			99

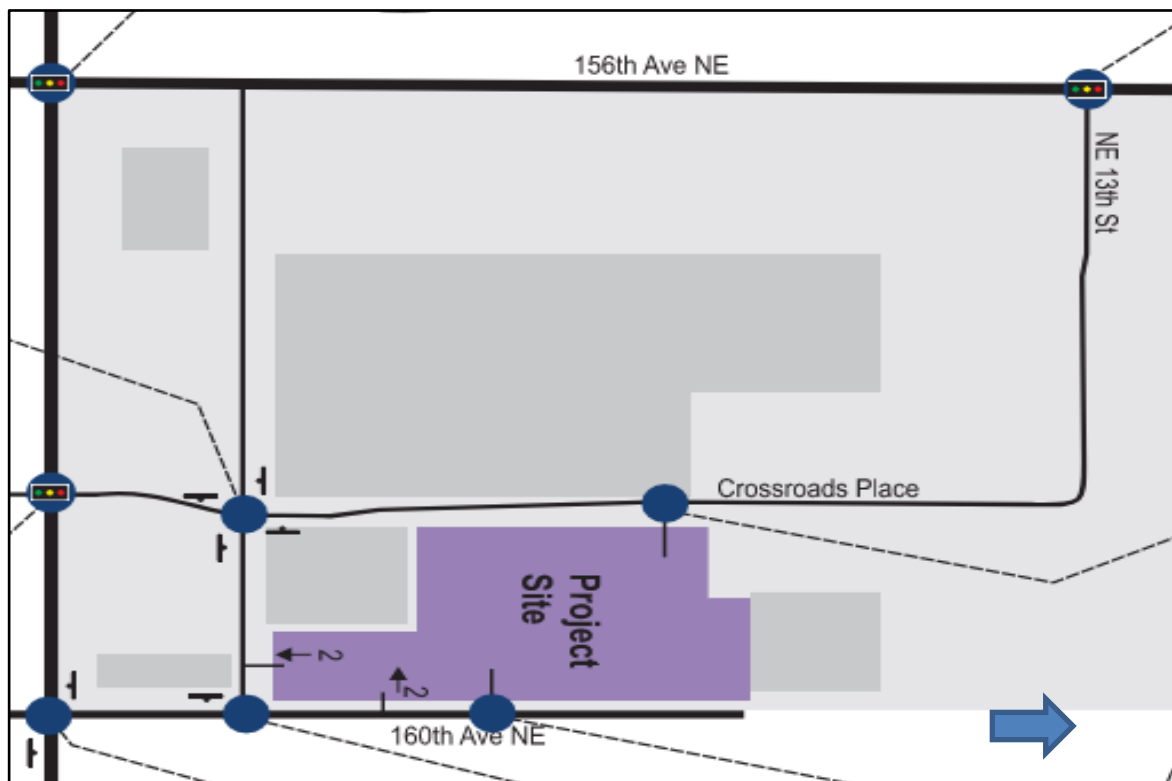
The trip generation for the retail land use was computed using the City's adopted trip generation rate. The multi-family mid-rise (3-10) use was reduced from adopted rate of 0.44 trips per unit to 0.27 trips per unit. The new multi-family trip rate was supported by the available trip characteristic data for the site which suggests that many more trips are made by foot, reflecting a combination of proximate services (such as retail and restaurants) as well as use of alternative modes of transportation such as nearby transit. There are several bus stops located on the north and south side of NE 8th Street as well as the east and west side of 156th Ave NE. In addition, there are two RapidRide B Line stations on 156th Ave NE near the site that provides frequent service to the Bellevue Transit Center in the downtown area. In addition, the project would be required to implement a Transportation Management Program per BCC 14.60.070. Per the City's Transportation Management Program Implementation Guidelines<sup>19</sup>, in which the applicant is required to post information to residents about the availability of alternative transportation modes options near the site in addition to submitting periodic reports describing the TMP. The Transportation Department supports the use of the lower trip rate if the applicant use whatever measures are necessary to maintain the trip rate and report every second year until the target is met.

**Refer to Condition of Approval regarding Transportation Management Program in Section XI.C of this report.**

#### **Vehicle Site Access and Loading**

The site is bordered by 160th Ave NE (private road) on the east side and Crossroads Place (private internal road) on the west side with no direct access onto public streets. Access to and from the site will be via either the internal access road (Crossroads Place) to reach the signalized intersection at NE 8th Street or 160th Avenue NE. 156th Ave NE is classified as minor arterial and provides a north-south connection from the City of Redmond through the City of Bellevue, where it continues as 156th Avenue SE south of Main Street to Interstate 90 (I-90) whereas NE 8th Street is an east-west arterial connecting downtown Bellevue to the Crossroads, Lake Hills and Northeast Bellevue neighborhoods.

### Proposed and Existing Vehicle and Site Access



NE 160th Ave (private road) will be improved to provide two-way north-south travel with one unmarked travel lane in each direction to provide better access to the site as well as the City of Bellevue Crossroads Park and Community Center. On-street parking is provided along both sides of the street. In addition, Crossroads Place which is a private internal circulation roadway within the Crossroads Shopping Center will be improved along the west frontage of the development to provide alternative site access to its signalized intersection with NE 8th Street at the south end of the shopping center to its stop-sign controlled intersection with another internal roadway, NE 13th on the north side of the shopping mall. The new development would have a new driveway on 160th Avenue NE with direct access to the project's parking garage. The garage would also have an access driveway that connects to Crossroads Place. A new service loading area for trash and recycling on the south side of the building is proposed to avoid potential conflicts with the pedestrian area to the north. Maneuvering space along Crossroads Place that trucks need to access the truck loading dock for the main mall building will be retained. As part of the preliminary civil plan submittal, auto-turn diagrams, showing the truck turning movements for SU-30 and garbage trucks entering/exiting the site at the driveways as well as turning at the intersection of 160<sup>th</sup> Ave NE and Crossroads Place with NE 8<sup>th</sup> Street. The auto turn diagrams are required to be submitted for review and approval during the clear and grade permit to confirm compliance with City Standards.

To facilitate the turnaround movements at the dead end of 160th Ave NE, a real demonstration for the fire truck on site was conducted in which Transportation and Fire Departments observed the ladder entering, maneuvering, turning around, and exiting the site without encroaching on curbs,

parking spaces, or sidewalk. This demonstration showed that the existing area is sufficient to meet turnaround requirements and no additional turnaround is required. **Refer to Conditions of Approval regarding Vehicular Access Restrictions and Provisions for Loading in Section XI.A of this report.**

### **Pedestrian and Bicycle Access**

New 8-foot-wide sidewalk and approximately 7-foot planter with curb and gutter on 160th Avenue NE will be reconstructed with the project to provide pedestrians access to the site and connection to the Crossroads Park and Community Center. In addition, internal sidewalks around the building with widths that vary from 6 to 9.5 feet will be constructed to facilitate pedestrians' access and movements to the proposed retail stores as well as providing connection to the new open space opportunity plaza. The existing pedestrian path between the primary shopping center building (where the food court and mall are located) and the Crossroads Community Center will be improved to provide ADA accessible route to the mall as well as connection to the south side of the Stone Gardens Expansion. A safety railing as per City of Bellevue standards will be constructed as required to provide fall protection and improve pedestrian experience.

Additionally, a new pedestrian through-block connection along the south side of the new building that connects from 160th Avenue NE to Crossroads Place will be constructed and crosswalks near the new building, including across 160th Avenue NE and Crossroads Place will be provided. The crosswalk just south of the building on Crossroads Place will be a raised crossing.

Furthermore, the north west corner of the intersection of 160<sup>th</sup> Ave NE and NE 8<sup>th</sup> Street will be reviewed in further details during the clear and grade permit to determine if different configuration will be required and verify the curb ramp at that corner and the receiving ramp are ADA compliant. Relocating the existing aboveground PSE infrastructure to the back of the sidewalk may be required.

The City of Bellevue's Bike Plan identified project B-501-W in which a shared wide outside lane on the west side of 160th Avenue NE from Crossroads Park and Community Center to NE 8<sup>th</sup> Street is required to be added. This will be provided with the street improvements.

### **Transit Access**

The Crossroads Shopping Center site is directly served by King County Metro Routes 221 (Redmond to Eastgate) and 226 (Bellevue to Eastgate) along NE 8th Street, and by Routes 245 (Kirkland to Factoria) and the B Line (Redmond Transit Center to Bellevue Transit Center) along 156th Avenue NE. Bus stops are located on the Crossroads Shopping Center frontages. The routes provide daily service with headways between 20 and 30 minutes. Pedestrian and bicycle access to these facilities is provided both through the site and via sidewalks on NE 8<sup>th</sup> Street and 156<sup>th</sup> Avenue NE. No additional improvements are required to provide access to transit.

### **Sight Distance for Vehicles and Pedestrians**

A pedestrian and vehicle sight distance assessment was conducted at the new garage access on 160th Ave NE and the internal roads as well as access to the trash collection and loading area based on City of Bellevue standards. The pedestrian sight distance requirements at the proposed access points are expected to meet City of Bellevue Standards. Further review will be required during the clear and grade permit to ensure the proposed access points are meeting the Transportation Department Design Manual Section 21 and 22, Sight Distance.

### **Street Lighting**

Street lighting photometric analysis is required along the proposed site frontage on 160th Ave NE. The Tertiary light level is the target light level for 160th NE with 5 average lux and avg:min uniformity of 4:1 as per our Street Lighting Design Guide. Dimming may be required if the resulting average lux calculated on the roadway is more than 20% of the target light. In no case shall the system be designed higher than 20% above the minimum average values.

New light poles and fixtures are required to meet the City's current standards. Further review will be conducted during the clear and grade permit to determine compliance with the City of Bellevue requirements.

### **Transportation Infrastructure**

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.

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. The building grade and elevations shall be consistent with the curb and sidewalk grade shown in the approved civil engineering plans.

Infrastructure improvements will be required on the site frontage as follows:

- 8-foot sidewalk, 7-foot planter with trees, and new curb and gutter.
- Safety railing that meets the City of Bellevue Transportation Design Manual when warranted.
- Pedestrian crossing at 160<sup>th</sup> Ave NE with ADA compliant access ramp and receiving ramp in addition to the raised crosswalk on Crossroads Place.
- Install new and/or reconfigure signage and pavement markings.
- Streetlights meeting the City requirements.
- Full pavement overlay is required along the 160<sup>th</sup> Ave NE.

**A detailed list of required transportation infrastructure is included in the Civil Engineering Plans – Transportation Conditions of Approval section of this report.**

**Refer to Conditions of Approval regarding Civil Engineering Plans – Transportation, Building and Site Plans – Transportation, Transportation Infrastructure Requirements, Easements for Signal Control and Street Light Boxes and Vaults, and Pavement Restoration in Sections XI.B, C, and D of this report.**

### **Pedestrian Access Easements and Vehicle Access Easement,**

The applicant shall provide public access easements to the City as needed to encompass the full required width of 160<sup>th</sup> Avenue NE and any sidewalks on 160<sup>th</sup> Avenue NE.

Transformers and utility vaults to serve the building shall be placed inside the building or below grade. **Refer to Conditions of Approval regarding Existing Easements, and**

**Sidewalk/Utility/Pedestrian Access/Vehicle Access Easements in Section XI.B of this report.**

**Holiday Construction & Traffic Restrictions**

From November 15<sup>th</sup> to January 5<sup>th</sup>, construction activities such as hauling, and lane closures will be allowed only between the hours of 10:00 p.m. and 6:00 a.m. due to holiday traffic. The dates and times of these restrictions are subject to change. The applicant shall contact the Transportation Department Right-of-Way Section to confirm the specifics of this restriction prior to applying for a Right-of-Way Use Permit. **Refer to Conditions of Approval regarding Holiday Construction in Section XI.A of this report.**

**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 Condition of Approval regarding Right-of-Way Use Permit in Section XI.B of this report.**

**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 time period 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.

Asphalt restoration to be coordinated with the City's Pavement Management Section. **Refer to Condition of Approval regarding Pavement Restoration in Section XI.D of this report.**

**Transportation Management Program**

In order to reduce single occupant vehicle trips and provide enhanced options to employees and infrastructure users, the City has adopted code provisions for a transportation management program. The owner of each approved development shall, prior to any initial occupancy of the building structure, sign and record an agreement approved by the City of Bellevue to establish a transportation management program to the extent required by BCC14.60.070. **Refer to Condition of Approval regarding Transportation Management Program in Section XI.C of this report.**

**F. LAND USE**

**Noise**

**Construction Noise:** The Bellevue Noise Control Ordinance BCC 9.18 limits noise levels at the property line to 55 dBA (A-weighted sound level), except from 7:00 a.m. to 6:00 p.m. on weekdays and 9:00 a.m. to 6:00 p.m. on Saturdays that are not legal holidays. Expanded hours may be approved by the Land Use Director per BCC 9.18.020.B and approval via an LY permit. However, restricting the construction hours will reduce noise impacts to neighboring properties. Expanded

construction hours during evening or early morning hours should be avoided to minimize noise impacts to nearby residents. In addition, the contractor must use the best available noise abatement technology consistent with feasibility during construction. **Refer to Conditions of Approval regarding Noise and Construction Hours and Use of Best Available Noise Abatement Technology in Section XI.A of this report.**

## VII. STATE ENVIRONMENTAL POLICY ACT (SEPA)

Environmental review is required for the proposal under the State Environmental Policy Act (SEPA), Chapter 43.21C RCW and Washington Administrative Code (WAC) 197-11, and the City's Environmental Procedures Code, Chapter 22.02 of the Bellevue City Code (BCC). The Environmental Checklist together with information provided below (and in the official file) adequately discloses expected environmental impacts associated with the proposed Design Review approval. The environmental review indicates no probability of significant adverse environmental impacts occurring as a result of the proposal. Therefore, issuance of a Determination of Non-Significance (DNS) is the appropriate threshold determination under SEPA.

Adverse impacts which are less than significant are subject to City Codes or Standards, which are intended to mitigate those impact. In cases where the City has adopted development regulations to systematically avoid or mitigate adverse impacts, those standards and regulations, where applicable, will normally constitute adequate mitigation of the impacts. Where such impacts and regulatory items correspond, further documentation is not necessary. Where impacts and regulations do not correspond, or where unanticipated impacts are not mitigated by existing regulations, BCC 22.02.140 provides substantive authority to mitigate impacts disclosed through the environmental review process.

A discussion of the impacts associated with the project is noted below, tighter with any specific conditions of approval. These impacts will be mitigated to less than significant through exercise of Code authority as well as through project-specific Conditions of Approval contained in Section XI of this report.

### A. AIR

Insignificant construction-related emissions (diesel exhaust from construction equipment) are expected for the short term. Such impacts are only expected for the initial grading period. No mitigation is recommended. **Refer to Condition of Approval regarding Air Pollution from Construction Vehicles and Equipment in Section XI.A of this report.**

### B. TRANSPORTATION

This project will approve a design review for a new development that will convert an existing parking lot at the Crossroads Mall to a mixed-use development including residential and commercial spaces as well as surface and underground parking, roadway improvements, and a landscaped park connecting to the adjacent Crossroads Community Center and park to the east of the site.

The shopping center is located north of NE 8th Street, east of 156th Avenue NE, west of 160th Avenue NE (private road), and south of Crossroads Village. The proposed five-story building will be located north of the existing Michaels store and will provide 224 residential units plus 15,500 square feet (sf) of ground-floor commercial space (14,500 sf of retail space plus a 1,000-sf café).



### Long Term Impacts and Mitigation

The City has prepared a traffic forecasting model for the 2030 horizon year to assess cumulative impacts that may result from growth and development during that period. This modeling analysis is based on a projected land use scenario and improvements to the transportation system that would occur during this time.

Under the level of service standard detailed in the Transportation Code, the City is divided into 14 Mobility Management Areas (MMAs), each with an area average standard and a congestion management standard. The traffic modeling shows that all of the MMAs would meet both standards. This project proposes a five-story building, to be located north of the existing Michaels store, would provide 224 residential units plus 15,500 square feet (sf) of ground-floor commercial space in MMA 5, Crossroads. This level of development is within the assumptions of the City's traffic modeling and does not require additional mitigation.

In addition, transportation impact fees are used by the City to fund street improvement projects to alleviate traffic congestion caused by the cumulative impacts of development throughout the City. Payment of the transportation impact fee, as required by Chapter 22.16 BCC, contributes to the financing of transportation improvement projects in the current adopted Transportation Facilities Plan, and the proposed mitigation for long-term traffic impacts. Fee payment is required at the time of building permit issuance. Impact fees are subject to change and the fee schedule in effect at the

time of building permit issuance will apply. **Refer to Conditions of Approval regarding Transportation Impact Fee in Section XI.C of this report.**

#### **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 Crossroads Bellevue project will generate approximately 101 net new p.m. peak hour trips. That number was used to check for concurrency. City staff distributed and then assigned project-generated trips to the street network using the City's EMME-2 travel forecasting model with the current Capital Investment Program network. By adding the expected project-generated trips to the traffic volumes in the model, the area average levels of service were determined. To create a baseline condition for comparison, the levels of service were also determined using traffic volumes without the project-generated trips. In this project analysis, 10 system intersections received 20 or more p.m. peak hour trips.

Neither the maximum area-average levels of service nor the congestion allowances would be exceeded as a result of traffic generated from this proposal. Therefore, the proposed development passes the concurrency test. The concurrency test results are included in the Transportation Department file for this development. A concurrency determination is issued on the date of issuance of the land use decision. This project complies with the Traffic Standards Code and is receiving a Certificate of Concurrency.

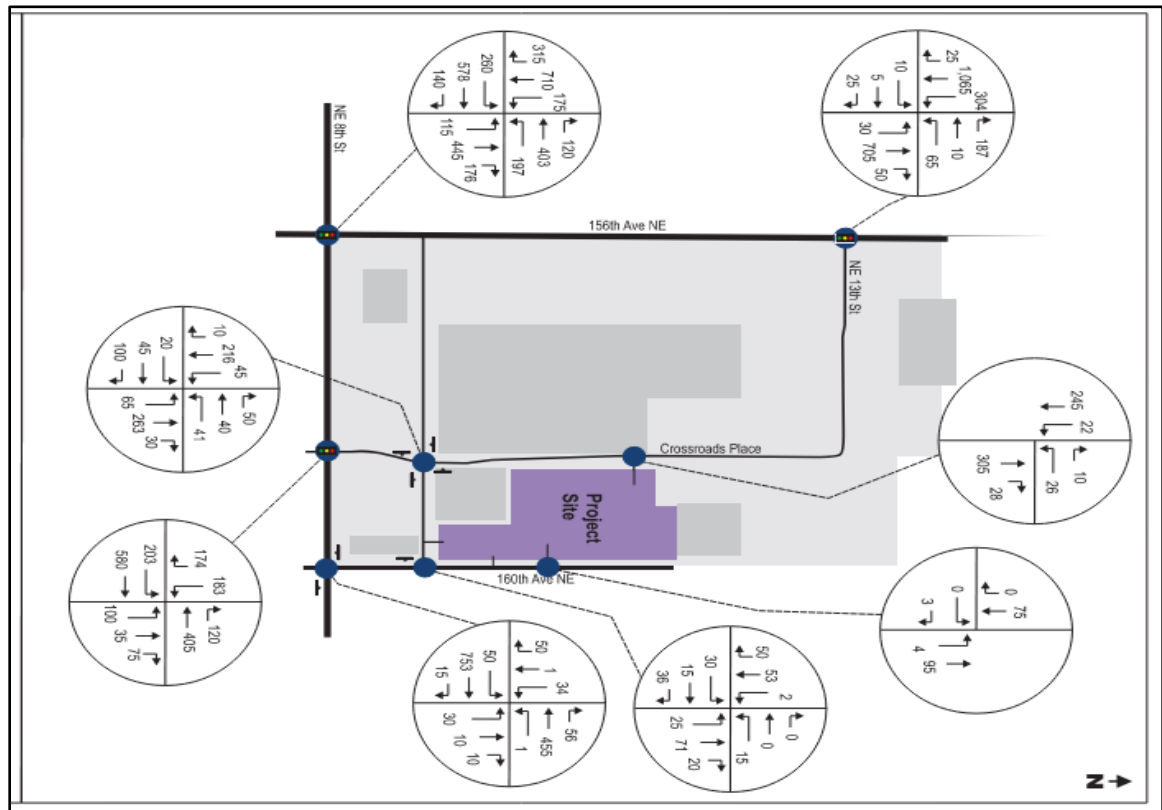
The rules of concurrency reservation are outlined in the Traffic Standards Code Director's Rules. The concurrency determination is reserved to this project at the land use decision date. The concurrency reservation expires one year from the land use decision date unless a complete building permit application is filed (BCC 14.10.040.F). At the time of a complete building permit application, the concurrency reservation will remain in effect for the life of the building permit application, pursuant to BCC 23.05.090.H. Upon issuance of the building permit, concurrency is reserved for the life of the building permit as provided for in BCC 23.05.100.E.

#### **Short Term Operational Impacts and Mitigation**

A transportation impact analysis dated June 15, 2021 was prepared for the Crossroads Bellevue project by Heffron Transportation Inc. to analyze the short-term impacts of the development.

The TIA assessed the operations of four intersections in the vicinity of the project to determine if additional mitigation is required for the development. This included a six-year analysis of operations for the development. As part of the proposed project, the analysis assumed that the 160th Ave NE which is a private roadway that extends north of NE 8th Street to the Crossroads Community Center access will be improved to provide two access points to the site. The existing 160th Ave NE provides two-way north-south travel with one unmarked travel lane in each direction. In addition, the site will have an access onto Crossroads Place which is a private internal circulation roadway within the Crossroads Shopping Center. This two-lane roadway provides access between its signalized intersection with NE 8th Street at the south end of the shopping center to its stop-sign controlled intersection with another internal roadway, NE 13th Street.

### Level of Service Analysis at Access Points and Intersections



The Crossroads Mixed-Use Project is located within the Crossroads Mobility Management Area 5 (MMA 5) which has a LOS D standard. The future 6-Year PM peak hour level of service analysis with the proposed Crossroads Bellevue indicates Each of the study intersections are estimated to continue to operate at LOS C or better with the proposed development.

Queue lengths were also evaluated at several egress points from the Crossroads Shopping Center to determine if they could affect public streets as well as the internal roads. The analysis evaluated queue lengths on southbound Crossroads Place and 160th Avenue NE approaching NE 8th Street, and on westbound NE 13th Street approaching 156th Avenue NE. The longest queues are expected on southbound Crossroads Place approaching NE 8th Street. During the PM peak hour, the 95th-percentile queue without the project is expected to be four vehicles. The project could add one vehicle to this queue. There is space for about seven vehicles to queue on Crossroads Place between NE 8th Street and the all-way stop-controlled intersection with the south access roadway. Queues at the other egress points would be shorter. Level of service analysis indicate that the proposed project would have minimal impact to the traffic conditions in the area.

The existing pedestrian path between the primary shopping center building (where the food court and mall are located) and the Crossroads Community Center will be improved to provide ADA accessible route to provide for a pedestrian plaza and bicycle connection on the south side of the Stone Gardens Expansion. **Refer to Condition of Approval regarding Transportation Impact Fee in Section XI.C of this report.**

## VIII. CHANGES AS A RESULT OF DESIGN REVIEW

The proposed design is the result of the City's Design Review and the negotiated Development Agreement. The DA outlined the public benefits and enhanced benefits to be provided and the Design Review ensured that these benefits were incorporated, along with adherence to all other applicable LUC requirements and design guidelines. The following design changes were incorporated in the project as a result of Design Review:

- Access to the garage for the residents was relocated to occur off 160<sup>th</sup> Avenue NE. Access to public retail parking within the garage was also relocated to be off Crossroads Place in the northwest corner of the building. This eliminated the need for an extension of 160<sup>th</sup> Avenue NE across Parks Department property near the northeast corner of the building that connected with Crossroads Place. This also allowed for a more gracious and compatible connection between Crossroads Park and the OSOZ and enhanced pedestrian connectivity.
- Loading functions, including solid waste pick-up, were relocated from a location adjacent to the OSOZ in the northwest corner of the building to the southeast corner of the building, accessed through the existing surface parking lot.
- Existing Leyland Cypress trees along 160<sup>th</sup> Avenue NE will be removed to allow for the provision of a new ADA-compliant sidewalk with new street trees that will connect the proposal building and site directly to NE 8<sup>th</sup> Street and complete the vision for a "Park Street" in the Comprehensive Plan. A public sidewalk currently does not exist in this location.

## IX. DECISION CRITERIA

Below is a discussion of how the proposal has met the decision criteria for the Design Review request.

### A. Design Review: The Director may approve, or approve with modifications, an application for Design Review under LUC 20.30F.145.A–E if:

#### 1. The proposal is consistent with the Comprehensive Plan.

This project is consistent with the Comprehensive Plan, which includes policies for the provision of housing along with policies that address the goals of site and building design. The addition of new residential units is consistent with the City's goal of creating housing for its population and the region under the State's Growth Management Act. This project is also in alignment with the City's commitment to maintain, strengthen, protect and enhance its existing residential neighborhoods.

#### **GENERAL ELEMENTS – VOLUME 1**

Comprehensive Plan Policies from General Elements - Volume 1 that are most relevant to this proposal include the following:

#### **Housing:**

**Policy HO-2:** *Promote quality, community-friendly single family, multifamily and mixed use development, through features such as enhanced open space and pedestrian connectivity.*

**Policy HO-7:** *Encourage the development of affordable housing through incentives and*

*other tools consistent with state-enabling legislation.*

**Policy HO-11:** *Encourage housing opportunities in mixed residential/commercial settings throughout the city.*

**Policy HO-13:** *Ensure that mixed-use development complements and enhances the character of the surrounding residential and commercial areas.*

**Finding:** The proposal is a residential infill project on an under-utilized site that currently is a surface parking lot. Additional residential units are beneficial to the City's housing goals and the region's promotion of jobs/housing balance under the State's Growth Management Act. In this location, adjacent to both Crossroads Mall and Crossroad Park, this proposal will provide additional housing opportunities for people who choose to live near existing amenities, services, and retail facilities. Adherence to the Community Retail Design District Design Guidelines ensures that the project complements and enhances the character of the surrounding neighborhoods and commercial development. Refer to discussion regarding compliance with the Community Retail Design District Design Guidelines in Section IV. of this report.

Additionally, through inclusion in the MFTE project as approved under the proposal DA, the project will be able to provide a mix of market rate and affordable units that further complements the Crossroads neighborhood.

The use as well as the site and building design of the proposed development are compatible with the multi-family uses in the surrounding neighborhoods and will provide additional pedestrian connectivity between the project site and the surrounding residential neighborhoods, Crossroads Park and Crossroads Community Center, and Crossroads Mall. An additional large new open space (OSOZ) will be provided for use by the public and the building residents. This open space will be in addition to the multi-family play area being provided within the building for use by residents.

#### **Urban Design:**

**Policy UD-12:** *Enhance and support a safe, active, connected and functional pedestrian environment for all ages and abilities.*

**Policy UD-21:** *Explore opportunities to enhance pedestrian and other mobility connections between buildings and developments.*

**Policy UD-25:** *Ensure that site and building design relates and connects from site to site.*

**Policy UD-45:** *Ensure that perimeter areas of more intense developments use site and building designs that are compatible with and connect to surrounding development where appropriate.*

**Finding:** Through adherence to the requirements of the approved DA and compliance with the Community Retail Design District Design Guidelines, the proposed development will provide multiple, pedestrian-friendly connections between the project, Crossroads Park, Crossroads Mall, and the surrounding residential neighborhoods. Refer to Section IV. of this report for a detailed discussion regarding how this project has met the applicable design guidelines.

**SUBAREA PLANS – VOLUME 2**  
**Crossroads Subarea/District E:**

In addition to the Comprehensive Plan Policies above, the project is compliant with the following Crossroads Subarea Policies, including those specific to District E in Volume 2 as follows:

**Policy S-CR-19:** Provide physical and visual connectivity to Crossroads Park, where appropriate.

**Policy S-CR-20:** Encourage development adjacent to Crossroads Park to complement the park edge through building and site design.

*Discussion: Buildings and landscaping adjacent to Crossroads Park should be designed to provide a graceful transition to the park. The intent is to foster building and site design that provides an attractive face to and visible from the park.*

**Finding:** Physical and visual connectivity to Crossroads Park will be improved with this project. At the Park Interface area at the eastern end of the OSOZ, the grade of the site will be lifted to match the grade of the Crossroads Park. This will make the physical connection stronger and more seamless, and a new, wider, ADA-compliant pedestrian walkway will be provided to connect Crossroads Park and the Mall. Additional landscaping will complement the wooded character of the Park. Furthermore, entire east and north façades of the new residential building will have units looking onto the open space as well as beyond to Crossroads Park that will provide “eyes on the park”.

**Policy S-CR-31:** Develop and implement safe mid-block crossings where appropriate on superblocks.

**Finding:** New urban trails/pedestrian walkways are proposed per the Comprehensive plan between the proposed building and Michaels as well as north of the mixed-use building within the OSOZ. Enhanced mid-block crossings will be provided on both Crossroads Place and 160<sup>th</sup> Avenue NE near the entrance to Crossroads Park

**Policy S-CR-79:** Multifamily uses are not appropriate north of NE 8th Street within District E, except that mixed use multifamily developments may be appropriate when they: 1) are high quality; 2) are designed to avoid conflicts with commercial uses; 3) include measures that ensure residential and commercial uses complement each other, including outdoor gathering areas, public open space, park connectivity where appropriate, and pedestrian connections and activity areas; and 4) are generally consistent with Figure S-CR. 2.

*Discussion: Multifamily residential uses have traditionally been prohibited in District E north of NE 8th Street to avoid impacts on the surrounding neighborhood and to maintain the commercial focus of the Crossroads commercial area. At the time of the prohibition, multifamily uses tended to be stand-alone residential buildings. Today,*

*multifamily uses are commonly integrated into commercial areas in attractive mixed-use developments. Such development at Crossroads could encourage reinvestment in the commercial area that enhances the commercial activity and community gathering opportunities at Crossroads.*

**Finding:** Through the application of the requirements and guidelines in the LUC for the Community Retail Design District and provision of the public benefits as delineated in the City Council-approved DA, the project will provide a high-quality project that will contain both commercial and residential uses and will fit well within the commercial context of the Mall and the surrounding residential and public park uses. The project will provide robust pedestrian connectivity between the project, the Mall, Crossroads Park, and the surrounding neighborhoods and it will also provide additional open space in the OSOZ. The public benefits that are to be provided through the DA are consistent with Figure S-CR.2 in the Crossroads section of the Comprehensive Plan.

**Policy S-CR-81:** *Require development to include pedestrian connections, open space, and activity areas to support site residents and users.*

**Finding:** The design and provision of the elements outlined in the DA (OSOZ, Retail Street, Park Connection, Park Interface, and Park Street), along with additional pedestrian connections throughout the site interior will result in a pedestrian-friendly development that will benefit the project residents and the general public.

#### **Crossroads Subarea Figure S-CR.2 – Crossroads Center Plan Long Range Organizing Principles:**

**Finding:** The proposal is consistent with the Crossroads Center Long Range Organizing Principles as it will provide the following public benefits as shown on Figure S-CR.2:

- The Open Space Opportunity Zone (OSOZ); an open space connection between Crossroads Park and the Mall
- A Park Street on 160<sup>th</sup> Avenue NE that provides enhanced pedestrian connections to NE 8<sup>th</sup> Street
- The Park Interface along the eastern property line with Crossroads Park that provides the transition to the OSOZ
- A portion of the Urban Trail that will provide enhanced retail, parking and pedestrian opportunities along the western side of the building on Crossroads Place (158<sup>th</sup> Avenue NE)
- Additional accessible pedestrian bike and pedestrian connections, including a pedestrian/bike trail along the southern side of the proposed building

#### **2. The proposal complies with the applicable requirements of this Code.**

**Finding:** The proposal complies with all applicable requirements of the Land Use Code and the associated Development Agreement. Refer to Section III of this report for specific information on Land Use Code consistency.

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

**Finding:** In addition to meeting the design elements outlined in the underlying DA, as conditioned, the proposal complies with all applicable Design Guidelines and standards contained in LUC 20.25I.040 (Guidelines) and LUC 20.25I.050 (Standards) for the Community Retail Design District. Refer to Section IV. of this report for a discussion of how the project has met the guidelines and standards.

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

**Finding:** The proposed building has been designed to be compatible with and enhance surrounding development and Crossroads Park through the use of compatible elements such as building scale/massing, exterior materials, earthtone colors, and robust landscaping. The site design of the project will provide additional open space, landscaping, and pedestrian connectivity that will enhance the character of Crossroads Park and the surrounding Crossroads subarea neighborhood. The OSOZ will provide useable open space that is tied directly to and will act as an extension of Crossroads Park and will incorporate the character of the Park with new trees, understory landscaping, and open lawn areas to complement the physical characteristics of the Park.

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

**Finding:** All required public services and facilities are available to the site.

## **X. DECISION**

After conducting the various administrative reviews associated with the proposal, including applicable Land Use consistency, City Code & Standard compliance reviews and SEPA review, the Director does hereby **APPROVE WITH CONDITIONS** the subject proposal, which includes Design Review and SEPA threshold determination.

## **XI. CONDITIONS OF APPROVAL:**

### **Compliance with City Codes and Documents**

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

#### **Applicable Codes, Standards and Ordinances**

Clearing & Grading Code – BCC 23.76  
Construction Codes – BCC Title 23  
Fire Code – BCC 23.11  
Land Use Code – BCC Title 20

#### **Contact Person**

Janney Gwo, 425-452-6190  
Bldg. Desk, 425-452-4121  
David Ridley, 425-452-6935  
Sally Nichols, 425-452-2727

Environmental Procedures Code – BCC Title 22.02	Sally Nichols, 425-452-2727
Noise Control – BCC 9.18	Sally Nichols, 425-452-2727
Right of Way Use Code – BCC 14.30	Tim Stever, 425-452-4294
Sign Code – BCC Title 22	Sally Nichols, 425-452-2727
Transportation Code – BCC 14.60	Orooba Mohammed, 425-452-4638
Utility Code – BCC Title 24	Art Chi, 425-452-4119

The following conditions are imposed on the applicant under the authority referenced:

**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. Upon written request to DSD, work hours may be extended to 10:00 p.m. if the criteria for extension of work hours as stated in BCC 9.18 can be met and the appropriate mitigation employed.

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

AUTHORITY: BCC 9.18.020.C & 9.18.040  
REVIEWER: Sally Nichols, Land Use

**2. Holiday Construction & Traffic Restrictions**

Construction activities such as hauling and lane closures between November 15<sup>th</sup> and January 5<sup>th</sup> 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 moratorium accordingly.

AUTHORITY: BCC 14.30.060  
REVIEWER: Tim Stever, Right-of-Way/Transportation

**3. Use of 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: BCC 9.18.020F  
REVIEWER: Sally Nichols, Land Use

**4. 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: Sally Nichols, Land Use

**5. Vehicular Access Restrictions**

Existing full access from 160<sup>th</sup> Ave to NE 8<sup>th</sup> Street will be maintained, as specified in the final civil engineering plans for the development.

AUTHORITY: BCC 14.60.150  
Reviewer: Orooba Mohammed, Transportation Department

**6. Provisions 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: LUC 20.20.590.K.4, BCC 14.60.180  
REVIEWER: Orooba Mohammed, Transportation  
Sally Nichols, Land Use

**7. Solid Waste/Recycling**

All pick-up functions will be handled on site and all rights of way and public easements shall not be occupied by trash receptacles, dumpsters, recycling bins or other such items.

AUTHORITY: LUC 20.20.725  
REVIEWER: Sally Nichols, Land Use

**8. Modification to the Design Review Plans**

Any modification to this approval shall be documented and processed as either a Land Use Exemption or a new Design Review application. The applicant shall demonstrate compliance with the Land Use Code in effect at the time of issuance of this report and as long as the project remains vested. Any modification of the project design must be reviewed for consistency with the design intent as stated in Section III.B of this report. Conditions of Approval run for the life of the project.

AUTHORITY: LUC 20.30F.175, 20.25A.060  
REVIEWER: Sally Nichols, Land Use

**9. Boundary Line Adjustment**

Prior to the issuance of any construction permits, the applicant shall submit and receive City approval of a Boundary Line Adjustment (LW Permit) to create one project limit/site within the greater Crossroads Mall site.

AUTHORITY: LUC 20.45B.260  
REVIEWER: Sally Nichols, Land Use

#### 10. Affordable Housing

The project is required to provide affordable housing as Enhanced Public Amenity consistent with the City Council-approved Development Agreement (DA) - Attachment D to this report.

Prior to *any Building Permit issuance*, the applicant shall clearly designate the affordable units and their gross square footage on the building permit plans, and shall record with King County an agreement in a form approved by the City requiring all of the affordable units to remain affordable as set by the terms of the DA.

Contact regarding Affordable Requirements and Documentation, including approval of affordable unit designations:

Mike Stanger, ARCH (A Regional Coalition for Housing)  
425-861-3677, [mstanger@bellevuewa.gov](mailto:mstanger@bellevuewa.gov)

AUTHORITY: Ordinance 6576, RCW 36.70B.170 et seq  
REVIEWER: Sally Nichols, Land Use

#### 11. Addressing

The applicant shall contact the Address Coordinator as soon as possible and prior to building permit submittal to review the addressing for the site. Contact information for the Address Coordinator is the following:

- Jami Fairleigh, [jfairleigh@bellevuewa.gov](mailto:jfairleigh@bellevuewa.gov) or 425-452-4310

Addresses for the building shell and retail spaces will be assigned by the City's Address Coordinator. Tenant Improvement (TI) permits will need to be submitted under the individual storefront addresses, not the building's primary address. Any requests for changes to these addresses must be sent to the Address Coordinator for review.

AUTHORITY: BCC 14.02  
REVIEWER: Jami Fairleigh, Parcel & Address Coordinator

#### 12. Retail Kiosk

The conceptual design for the retail kiosk within the OSOZ has been included in this Design Review approval. However, because the design of the building will be tailored to the future tenant, final approval of the design will be required once a retail tenant has been secured and before building permit issuance for this structure. Review of the final design for the kiosk shall be processed as a Land Use Exemption (LJ Permit) to this Design Review.

AUTHORITY: LUC 20.30F.175  
REVIEWER: Sally Nichols, Land Use

#### 13. Outdoor Retail Displays

If retailers choose to have any outdoor displays, they will need to meet the requirements of this section. Outdoor displays of building materials and similar bulky products will not be allowed as part of this development.

AUTHORITY: LUC 20.25I.050.D  
REVIEWER: Sally Nichols, Land Use

#### **14. Conceptual Clearing and Grading Approval**

The clearing and grading reviewer has reviewed the plans and materials submitted for this project and has approved the clearing and grading portion of the design review application. Approval of this design review does not constitute an approval of any construction permit. An application for a clearing and grading permit must be submitted and approved before construction can begin. Plans submitted as part of any permit application for this project shall be consistent with the activity permitted under this approval and must comply with the City of Bellevue Clearing and Grading Code (BCC 23.76).

AUTHORITY: Clearing & Grading Code 23.76.035  
REVIEWER: Janney Gwo, Clearing & Grading Section

#### **15. Seasonal Clearing and Grading Restrictions**

The clearing & grading code defines the rainy season as October 1st through April 30th. The Development Services Department may grant approval to initiate or continue clearing or grading activity during the rainy season. Any approval will be based on site and project conditions, extent and quality of the erosion and sedimentation control, and the project's track record at controlling erosion and sedimentation.

AUTHORITY: Clearing & Grading Code 23.76  
REVIEWER: Janney Gwo, Clearing & Grading Section

#### **16. 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 has no implied approvals for water, sewer and storm drainage components of the project. A Utility Extension Agreement will be required for review and approval of the utility design for sewer, water and storm. The side sewer connection will be reviewed, permitted and inspected under separate commercial/multifamily side sewer permits. Submittal of the Utility Extension will coincide with future clearing and grading permit review. Final civil engineering may require changes to the site layout to accommodate the utilities. Preliminary storm drainage review was completed under the codes and standards in place at the time of this application.

AUTHORITY: BCC Title 24.02, 24.04, 24.06  
REVIEWER: Art Chi, Utilities

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

##### **17. 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) 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, Transportation/Right-of-Way

#### **18. 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 that permits construction of the infrastructure. The design of all transportation infrastructure, 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. The civil engineering plans shall be the controlling document for all transportation infrastructure and street frontage improvements; architectural and landscape plans must conform to the engineering plans as needed.

All proposed infrastructure improvements within the right-of-way shall conform to current WSDOT Standard Specifications for Road, Bridge and Municipal Construction and to the City of Bellevue Special Provisions (BSP's).

All relevant standard drawings from the Transportation Department Design Manual shall be copied exactly into the final engineering plans.

Civil engineering plans shall include, but are not limited to:

- a. Traffic signs and markings.
- b. Curb, gutter, sidewalk, intersection, and driveway approach design. The engineering plans shall be the controlling document on the design of these features.
- c. Architectural and landscape plans must conform to the engineering plans as needed.
- d. Curb ramps, crosswalk revisions, and crosswalk equipment such as pushbuttons.
- e. Installation or relocation of streetlights and related equipment.
- f. 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.
- g. 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.
  - h. Vertical as well as horizontal line of sight must be considered when checking for sight distance.
  - i. Driveway landings on sloping approaches must meet the requirements for commercial development.
  - j. Trench restoration within any right of way or access easement.

**The engineering plans shall include the following required transportation infrastructure:**

- New concrete sidewalk with a minimum width of 15-foot, including a minimum 7-foot-wide planter strip measured from the back of curb and a minimum 8-foot wide concrete sidewalk along the development frontage on 160<sup>th</sup> Ave NE.
- New standard concrete curb and gutter.
- Safety railing that meets the City of Bellevue Transportation Design Manual when warranted.
- pedestrian crossing at 160th Ave NE with ADA compliant access ramp and receiving ramp in addition to the raised crosswalk on Crossroads Place.
- Install new and/or reconfigure signage and pavement markings.
- Streetlights meeting the City requirements.
- Full pavement overlay is required along the 160th Ave NE.
- Install street lighting per Bellevue Standards, including new poles, arms, and fixtures as needed to meet Bellevue's minimum photometric values.
- The landscape planter shall have spray irrigation, root barrier, street trees and landscaping.
- All doors along 160<sup>th</sup> Ave NE shall be recessed. Doors are not allowed to swing open into the public sidewalk.

**Additional infrastructure requirements include, but are not limited to:**

- a. The existing curb, gutter, and sidewalk along the property frontage shall be completely removed and reconstructed with the new curb, gutter and sidewalk as listed above. At any location where the sidewalk extends over a basement or parking garage, a construction method that will prevent differential settling must be used. Such method must be acceptable to the Transportation Department.
- b. Any proposed landscaping, signage, and street furnishings shall be placed to avoid obstruction within the sight lines for vehicles and pedestrians. 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.
- c. Any awning or marquee over the public sidewalk shall be located at least 9-feet above the sidewalk grade and shall be removable and must have at least three feet horizontal clearance from any streetlight or traffic signal pole.

- d. No new building structure or garage shall be constructed over or under a street right-of-way. Any underground parking garage that extends under a public sidewalk easement shall be located a minimum of 10-vertical feet below the top of sidewalk and 20 vertical feet under the corner radii, unless otherwise approved. Any building construction located above the public sidewalk easement shall be located a minimum of 60 feet above the top of the sidewalk. A memorandum of permit will be required to be recorded to document the location of the structure.
- e. No soil nailing is allowed under a street right of way or sidewalk/utility easement without an indemnification agreement that protects the city.
- f. 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).
- g. 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.
- h. ADA also requires provision of a safe travel path for visually impaired 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 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.
- i. Root barrier and soil preparation, for landscape strips within the sidewalk along the public road, are described in Standard Drawing SW-130-1.

- j. The design and appearance of the sidewalk and landscaping shall comply with the standards and drawings in the Transportation Department Design Manual. The sidewalk shall be constructed of standard concrete with a broom finish and a two-foot by two-foot score pattern, unless both the Transportation Department and the Development Services Department agree to accept any non-standard pattern, color, or other features.
- k. Any non-standard features or vegetation shall not create a sight obstruction within any required sight triangle, shall not create a tripping or slipping hazard in the sidewalk, and shall not create a raised fixed object in the street's clear zone. The materials and installation methods must meet typical construction requirements.
- l. 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.
- m. 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.
- n. 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.
- o. All existing and new franchise utility distribution systems, including power, telephone, and TV cable, fronting, or serving the commercial development site shall be undergrounded. Transformers and utility vaults to serve the building shall be placed inside the building, below grade, or behind the sidewalk.

Construction of all 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: Orooba Mohammed, Transportation

## **19. Existing Easements**

Any transportation or utility easements contained on this site which are affected by this development must be identified. Any construction that will occur in the easements must be

compatible with the easement language or the easements must be relinquished following City procedures.

AUTHORITY: BCC 14.60.100  
REVIEWER: Orooba Mohammed, Transportation Department

**20. Easements for Signal Control and Street Light Boxes and Vaults**

The applicant shall provide easements to the City for location of signal and street light facilities such as above-grade boxes and below-grade vaults between the building and sidewalk within the landscape area.

AUTHORITY: BCC 14.60.100  
REVIEWER: Orooba Mohammed, Transportation Department

**21. Sidewalk/Utility/Pedestrian Access/Vehicle Access Easements**

The applicant shall provide sidewalk, utility, pedestrian access, and vehicle access easements to the City such that sidewalks, paths, trails, and private streets outside of the City right of way are located within an easement area.

AUTHORITY: BCC 14.60.100  
REVIEWER: Orooba Mohammed, Transportation Department

**22. Final Landscape and Irrigation Plans**

- a) The Final Landscape and Irrigation Plans shall be submitted with the Clearing and Grading Permit application to ensure compliance with all Land Use Code requirements and the requirements of the DA.
- b) The Final Landscape Plan shall also be submitted and labeled "FOR REFERENCE ONLY" as part of building permit (BB Permit).
- c) Plant species shall be chosen to minimize irrigation demands and reduce maintenance requirements.
- d) All new trees planted along the Park Interface within Crossroads Park shall have a minimum caliper at time of planting of 2-2 ½ inches.

AUTHORITY: LUC 20.20.520 and 20.20.900  
REVIEWER: Sally Nichols, Land Use

**23. Park Interface Improvements**

The Park Interface Area shall be provided per the approved DA. Additional coordination between the Parks Department and the applicant/applicant's design team will be required to construct the Park Interface Area during Clearing and Grading Permit review and prior to Clearing and Grading Permit issuance.

Parks Department Contact:

Cameron Parker  
425-452- 2032

[CParker@belleuviewa.gov](mailto:CParker@belleuviewa.gov)

AUTHORITY: LUC 20.20.510, 20.25I, Development Agreement  
REVIEWER: Sally Nichols, Land Use

**24. Multi-Family Play Area**

On the plans submitted for the Clearing and Grading Permit, the applicant must delineate locations and square footages of the required unpaved, soft surface multi-family play areas. The play areas must meet the requirements in LUC 20.20.540.

AUTHORITY: LUC 20.20.540  
REVIEWER: Sally Nichols, Land Use

**25. Exterior Lighting**

A final exterior lighting plan shall be reviewed under the Clearing and Grading Permit. All exterior building and pedestrian lighting is required to include cut-off shields or other techniques to minimize impacts of light and glare spillover onto adjacent properties, including Crossroads Park.

AUTHORITY: LUC 20.251.040.B  
REVIEWER: Sally Nichols, Land Use

**26. Bike Parking**

Parking for a minimum of 26 public bikes is required for the development. The location and design of these bike stalls and/or racks must be included in the Clearing and Grading Permit submittal for final approval.

AUTHORITY: LUC 20.251.050.D.3  
REVIEWER: Sally Nichols, Land Use

**27. Relocated Crossroads Senior Living Parking Spaces**

Prior to issuance of the Clearing and Grading Permit, the applicant shall revise and record a parking agreement between Crossroads Senior Living and Crossroads Mall regarding the relocation of the 27 shared parking spaces on the Crossroads Residential site to the designated location further to the north submitted as indicated in this design review application.

AUTHORITY: LUC 20.20.590.I  
REVIEWER: Sally Nichols, Land Use

**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:**

**28. Transportation Impact Fee**

Payment of the traffic impact fee will be required at the time of building permit issuance. Removal of the existing buildings on the site will be eligible for impact fee credit on the first building permit issued. Impact fees are subject to change and the fee schedule in effect at the time of building permit issuance will apply.

AUTHORITY: BCC 22.16  
REVIEWER: Orooba Mohammed, Transportation Department

### **29. 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: Orooba Mohammed, Transportation

### **30. Mechanical Screening**

Final review of the rooftop mechanical screening shall occur during Building Permit review to ensure that the screening is integrated with the overall building design. Review shall also include final approval screening color and materials.

AUTHORITY: LUC 20.20.525, 20.251.050.D.1  
REVIEWER: Sally Nichols, Land Use

### **31. Storefront Glazing**

All storefront glazing which faces the Crossroads Place (158<sup>th</sup> Avenue NE) shall be clear and non-reflective. Visual access into the retail spaces from the street shall not be obstructed from inside the retail space with blinds or other fixed objects. The storefront windows shall not be obstructed with devices such as curtains, blinds, etc. to allow continuous visual access into the spaces.

AUTHORITY: LUC 20.251.050.B  
REVIEWER: Sally Nichols, Land Use

### **32. Transportation Management Program**

The owner of each property being developed shall sign and record at the King County Office of Records and Elections an agreement to establish a Transportation Management Program to the extent required by Sections 14.60.070.

AUTHORITY: BCC 14.60.070  
REVIEWER: Orooba Mohammed, Transportation

### **D. PRIOR TO ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY: 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):**

#### **33. Fire Review**

- A. An easement shall be legally agreed upon between the applicant and the City of Bellevue/Parks Department, allowing first responders to use the Crossroads Park parking area to turn their vehicles around and eliminate the potential dead-end on 160<sup>th</sup> Avenue NE. The easement shall include the requirement to maintain vertical clearances of a minimum of 13'-6" for the department access road.

- B. 'No Parking Fire Lane' signs, towing notification, and stenciled red curb marking shall be extended within the Crossroads Park parking area. The locations shall be determined between the applicant, the Fire Department, and the City of Bellevue Parks Department.

AUTHORITY: IFC COB 503.2.5, 503.4.2, 2018 IF 503.3 and 503.4 BCCA, 503.4.2  
REVIEWER: David Ridley, Fire

#### **34. Transportation Infrastructure Requirements**

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

#### **35. Pavement Restoration**

Pavement restoration associated with street frontage improvements or to repair damaged street surfaces shall be provided as required at the time of permit approval.

AUTHORITY: BCC 14.60. 250; Design Manual Design Standard #23  
REVIEWER: Tim Stever, Right-of-Way/Transportation

#### **36. Implementation of the Transportation Management Program**

The Transportation Management Program required by Bellevue City Code Section 14.60.070 per the condition of approval above must be functional prior to issuance of the initial certificate of occupancy.

AUTHORITY: BCC 14.60.070, 14.60.080  
REVIEWER: Orooba Mohammed, Transportation

#### **37. Landscape Installation Assurance Device**

All site landscaping shall be 100% complete per the plan approved by the City. Alternatively, the applicant shall submit the following: 1) a red-marked plan identifying which landscape areas are incomplete; 2) an estimate for the total cost to complete these areas; and 3) a notarized assignment of savings, letter of credit, or bond dedicated to the City for 150% of the estimated cost to complete these areas per the approved Landscape Plan. The assurance device will be released upon complete installation and inspection approval by Land Use and Clearing and Grading.

AUTHORITY: LUC 20.40.490  
REVIEWER: Sally Nichols, Land Use

**38. Landscape Maintenance Assurance Device**

A landscape maintenance assurance device must be filed with the Development Services Department/Land Use for a one-year period in the form of an assignment of savings, letter of credit, or bond for 20% of the cost of labor and materials for all required landscaping. The assurance device will be released upon inspection approval by Land Use.

AUTHORITY: LUC 20.40.490  
REVIEWER: Sally Nichols, Land Use

**39. Public Access Signage for Pedestrian Connections**

The "Public Access" signage as depicted in the Bellevue Wayfinding Manual shall be prominently located to clearly convey the message that the public is welcome to use the OSOZ and the connection with Crossroads Park and the through block connection along the south side of the building during all hours.

Prior to Temporary Certificate of Occupancy (TCO), the applicant shall submit a public access sign package that identifies the number of signs, the location of the signs, and the design of the signs. The final sign design, number of signs, and exact locations shall be determined between the applicant, Land Use and the Parks Department prior to installation.

A *minimum* of four signs shall be provided: One sign shall be installed at the entrance to the OSOZ on Crossroads Place, one shall be located at the interface between the project and Crossroads Park, one shall be installed at the entrance to the through block connection on Crossroads Place, and one shall be installed at the entry to the through block connection on 160<sup>th</sup> Avenue NE. Additional signs may be required as a result of City review.

AUTHORITY: LUC 20.25I.040, LUC 20.30F.145  
REVIEWER: Sally Nichols, Land Use

**40. Signage**

This Design Review approval addresses the conceptual design of signage and does not include approval of any specific sign(s). Design review of each sign and compliance with the sign Code will occur through review of each sign permit application. The sign permit submittal package plans, elevations, and/or sketches shall include but are not limited to:

- Location
- Illumination
- Color and Materials
- Design (no cabinet or freestanding signs are permitted)

AUTHORITY: Sign Code, BCC 22B.10, LUC 20.25I.050.B.4  
REVIEWER: Sally Nichols, Land Use

Attachments

- A. Selected Project Drawings (complete set of drawings in Project File)
- B. SEPA Checklist
- C. Certificate of Concurrency
- D. Development Agreement
- E. Ordinance 6576

## ATTACHMENT A: SELECT PROJECT DRAWINGS

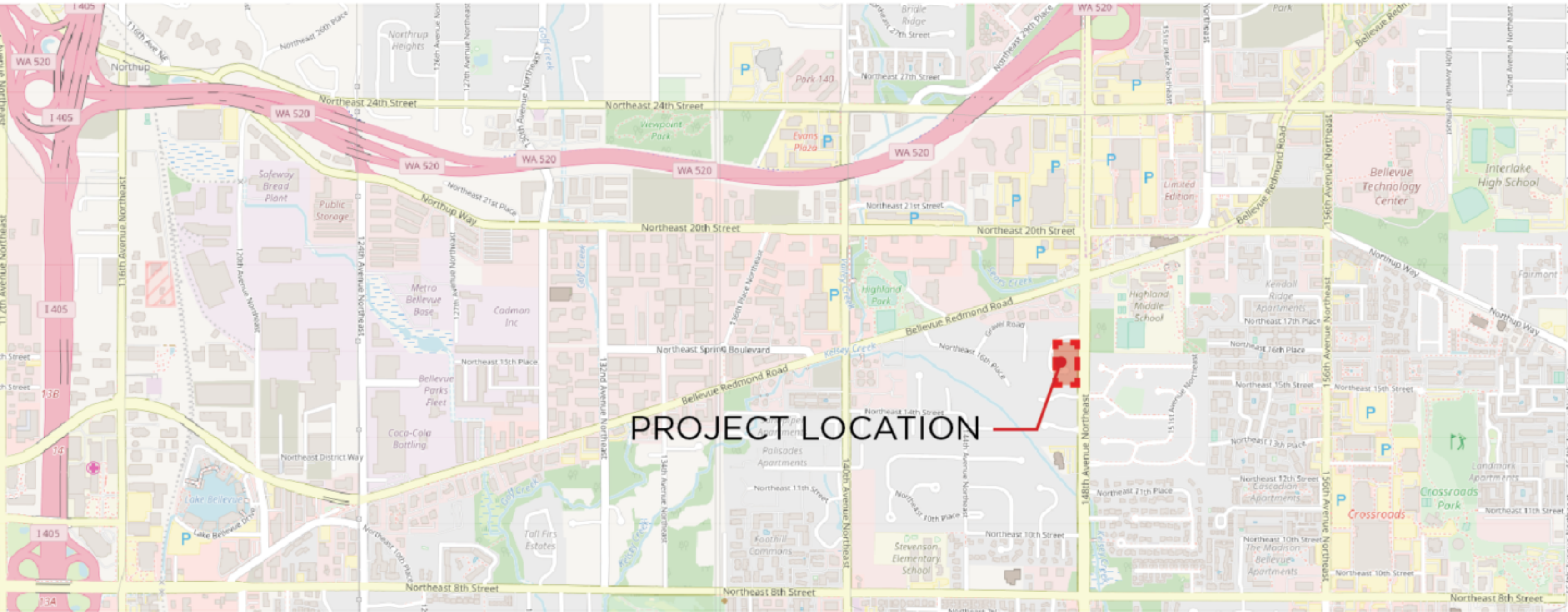
(Note that complete set of drawings can be found in Project File)

NARRATIVE

Contextually, the Crossroads Shopping Center is a collection of mostly simple one-story buildings. With the SHAG and Sunrise Senior Living buildings being the notable exceptions. The eclectic nature of the surrounding buildings, and the change in scale of the proposed Mixed-use/ Multifamily building provide an opportunity to evolve the design language while staying respectful of the context.

Drawing regional inspiration from the Pacific Northwest, local inspiration from the cultural diversity of the neighborhood, including the natural surroundings of Crossroads Park, and with a shift toward mixed-use vertical density, we see a **Global/ Urban/ Nature** design aesthetic emerging. A true “Crossroads” of time and place. Overlaying the diversity of culture with the diversity of tech expertise, on top of the organic qualities of nature; patterns begin to emerge.

This will be expressed, both inside and out with a thoughtful selection of materials, pattern, and texture. All with a sense of belonging in the community. From the ground level, timeless and sturdy materials such as brick and concrete will anchor this building in place. Providing a durable base in an urban environment. The retail edge will be more open with glass, yet layers of trellised canopies and landscape will provide a needed buffer between the street edge and the active pedestrian zone. From the base, the multi-family emerges with a simple form juxtaposed with vertical movements to form a rhythm and scale of a more cityscape expression. Finally, color and pattern will be layered into the details as accents that represent the diversity of cultural influences.



VICINITY MAP

PROJECT INFORMATION:

ADDRESS:15600 NE 8th St BELLEVUE, WA 98008

PARCEL AREA:326,292 SF (APPROX. 7.5 ACRES)

DEVELOPMENT AREA:186,437 SF (APPROX. 4.3 ACRES)

ZONING:CB (COMMUNITY BUSINESS DISTRICT)

OVERLAY:NONE

PERMITTED USES:RETAIL, MULTI-FAMILY HOUSING

HEIGHT LIMIT:45’ / 60’ (45’ + 15’ with basement parking)

SETBACKS:NA

PARKING:	Per Code	Proposed per Unspecified Use
Residential Parking	One Bed/Studio - 1.2/unit (min) Two Bed - 1.6/unit (min)	0.67/unit
Retail Parking	4/1000sf (min) 5/1000sf (max)	3.8/1000sf

NEW DEVELOPMENT SUMMARY: (note: subject to change)

MULTI-FAMILY RESIDENTIAL UNITS224 UNITS

STUDIO & 1 BEDROOM176 UNITS

2 BEDROOM48 UNITS

RETAIL (Part of mixed use developement)13,460 SF

PLAZA RETAIL BUILDING1,000 SF \*\*

STONE GARDEN ADDIT. (19-123773 BB)8,150 SF \*\*

\*\* NOT A PART OF THIS APPLICATION - PROVIDED FOR INFORMATION ONLY

TOTAL NEW PARKING265 STALLS

GARAGE STALLS249 STALLS

NEW SURFACE STALLS16 STALLS

Building Areas

LEVEL	RETAIL	PARKING	RESIDENTIAL
B	-	46,250	-
1	14,460	41,100	-
2	-	-	28,095
3	-	-	35,110
4	-	-	35,110
5	-	-	35,110
6	-	-	30,150
TOTAL	14,460	87,350	163,575

TOTAL: 265,385

CROSSROADS  
PARK  
CROSSROADS  
COMMUNITY  
CENTER

STONE  
GARDENS

7.5 ACRE  
PARCEL  
BOUNDARY

SEASONAL  
FARMER'S  
MARKET

MALL PROPERTY  
LINE

SCALE: 1" = 80'-0"

EXISTING  
PARK  
CONNECTION

**MIXED-USE  
DEVELOPMENT**

AREA OF NEW  
DEVELOPMENT

MICHAELS  
(EXIST. RETAIL  
TO REMAIN)

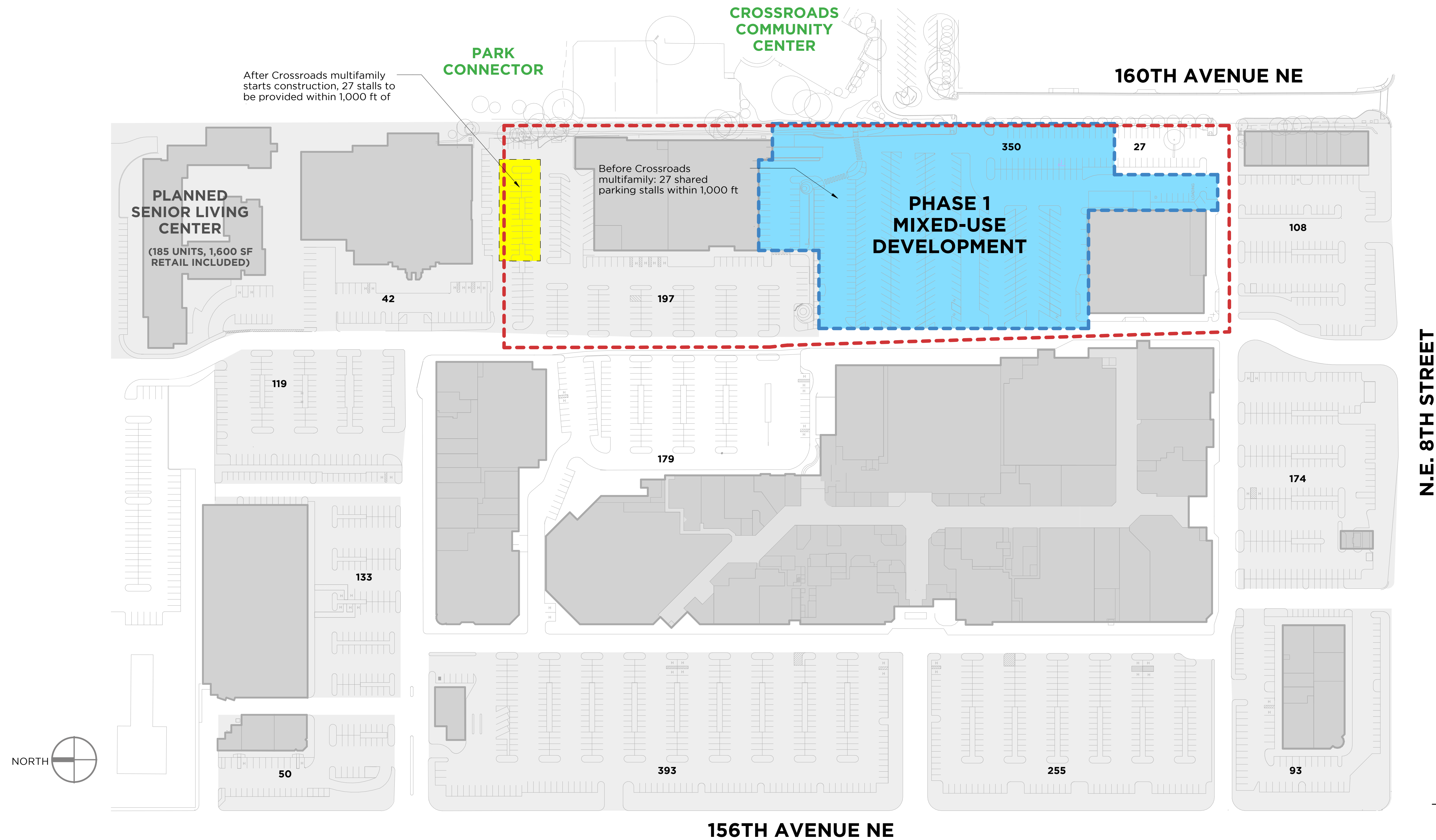
PUBLIC MARKET  
STAGE FOOD COURT  
ENTRANCE

EXIST. MALL

**N.E. 8TH STREET**

**156TH AVENUE NE**





SCALE: 1" = 80'-0"

	EXISTING	DEMOLISHED	NEW DEVELOPMENT	TOTAL
RETAIL AREA	465,413 SF	0 SF	22,610 SF	488,023 SF
RESIDENTIAL	185 UNITS	0 UNITS	224 UNITS	409 UNITS
PARKING:				TOTAL PROVIDED
RETAIL	2,126 STALLS (@4.5/1000)	350 STALLS	114 STALLS	1,890 STALLS
RESIDENTIAL	148 STALLS (@.8/1000)	0 STALLS	151 STALLS	299 STALLS
TOTAL	2,274 STALLS	350 STALLS	265 STALLS	2,189 STALLS

Basement parking (Residential)	151 stalls
L1 parking (Retail)	98 stalls
New surface parking	16 stalls
<b>TOTAL PARKING PROVIDED</b>	<b>265 Stalls</b>

	Per Code	Proposed per Unspecified Use
Residential	One Bed/Studio: 176 units @ 1.2/unit =211 stalls  Two Bed: 48 units @ 1.6/unit = 77 stalls	224 units @ 0.67/unit = 151 stalls
Retail	488,023 sf total: @ 4/1000sf (min) = 1,952 stalls  @ 5/1000sf (max) = 2,440 stalls	488,023 sf @ 3.8/1000sf = 1,890 stalls

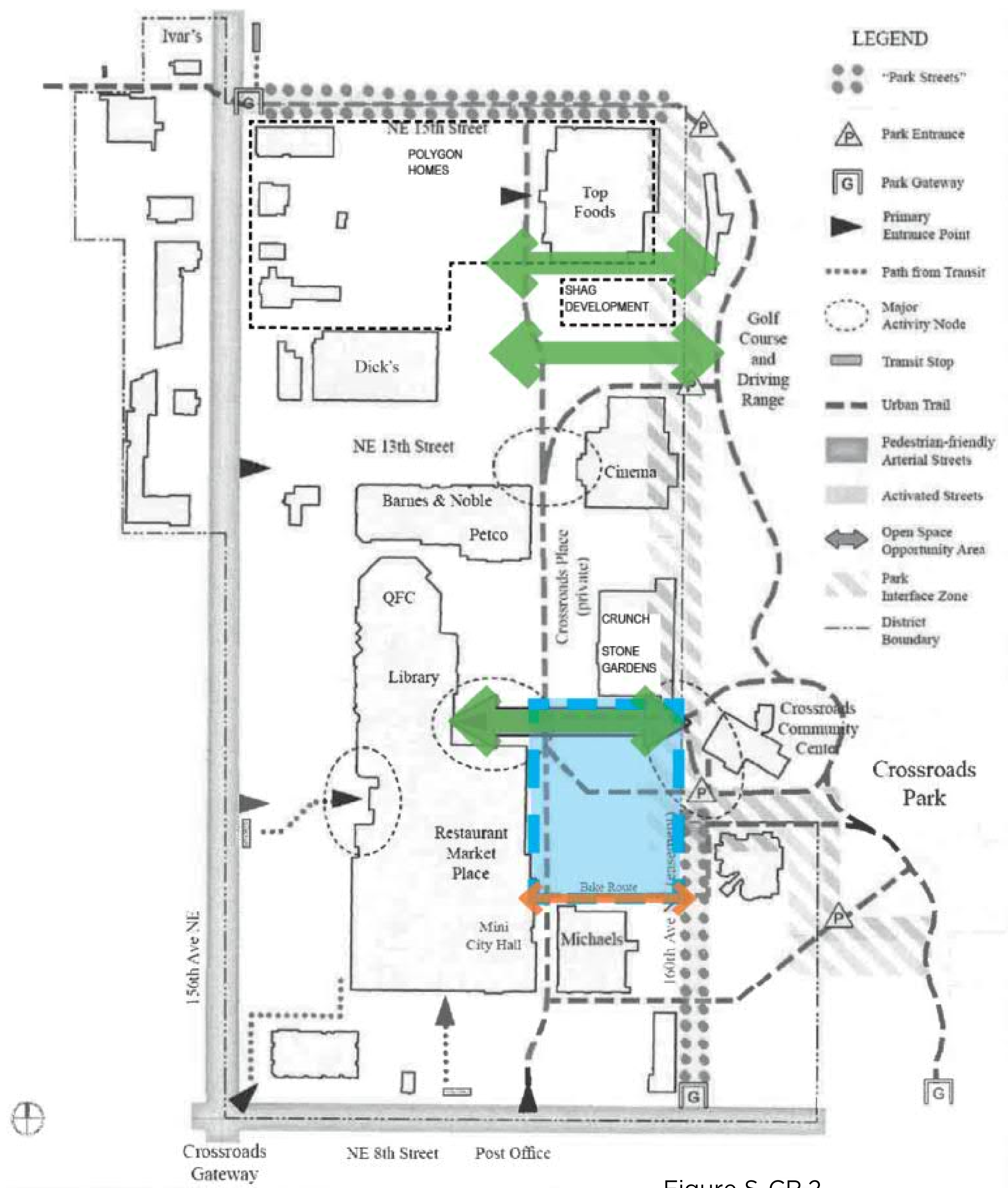
LEGEND

- EXISTING BUILDING
- PROPOSED BUILDING
- OPEN SPACE OPPORTUNITY AREA
- PLAZA INTERFACE
- SIGNATURE RETAIL/ CAFE
- MAJOR ACTIVITY NODE
- PARK STREET  
PER CITY OF BELLEVUE COMPREHENSIVE PLAN
- URBAN TRAIL  
PER CITY OF BELLEVUE COMPREHENSIVE PLAN
- URBAN TRAIL W/ BIKE ROUTE  
PER CITY OF BELLEVUE COMPREHENSIVE PLAN
- MID BLOCK CONNECTOR /  
URBAN TRAIL  
PER CITY OF BELLEVUE COMPREHENSIVE PLAN
- RESIDENTIAL LOBBY
- GARAGE ENTRY
- SERVICE ACCESS
- EXISTING PARK ACTIVITY NODE
- PROPOSED GROUND  
LEVEL AMENITY

NOTE:  
Open space opportunity area shown is a preliminary concept. Refer to sheets in this ADR set for additional information.



RESPONSE TO LONG-RANGE ORGANIZING PRINCIPLES

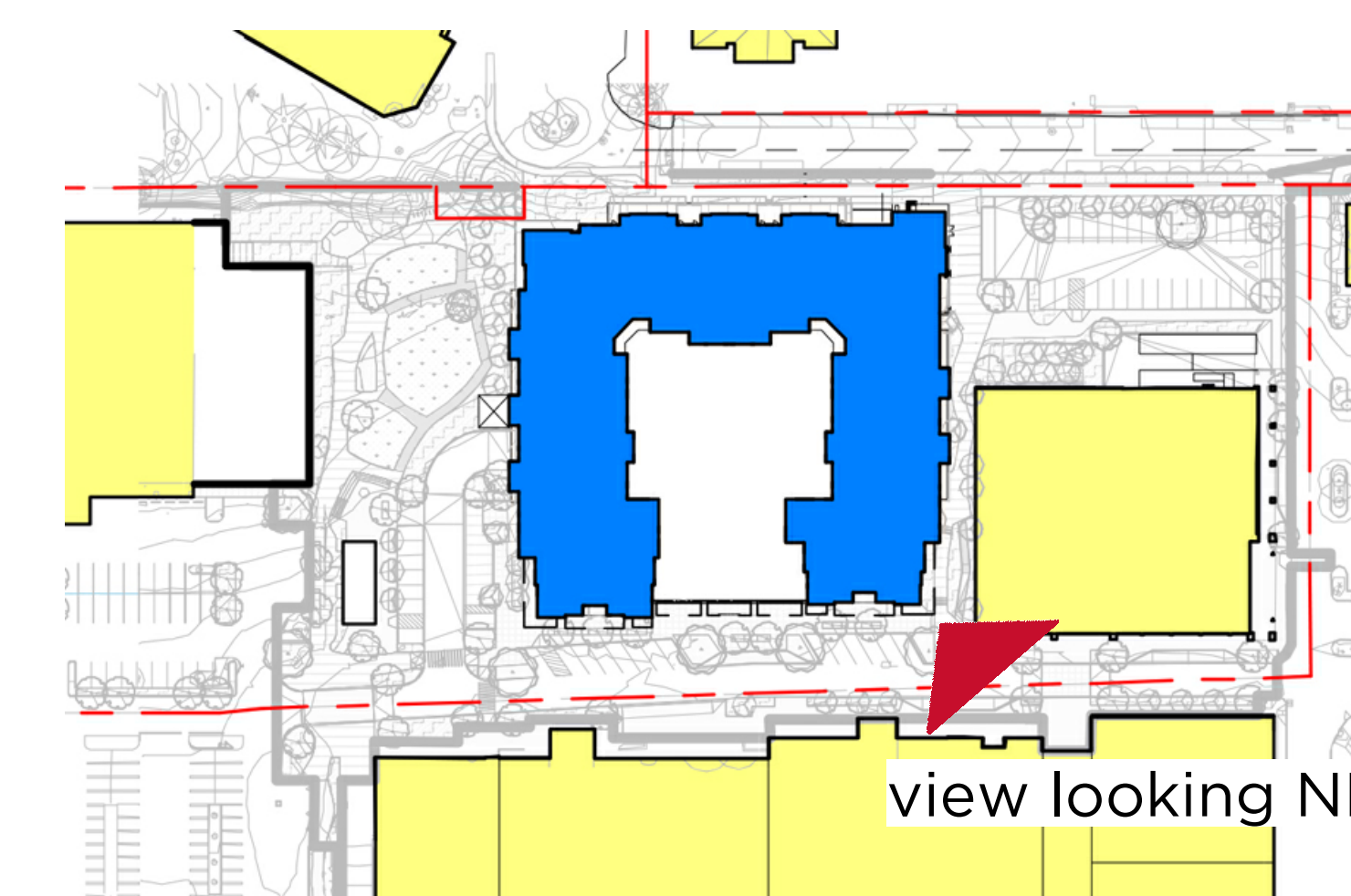


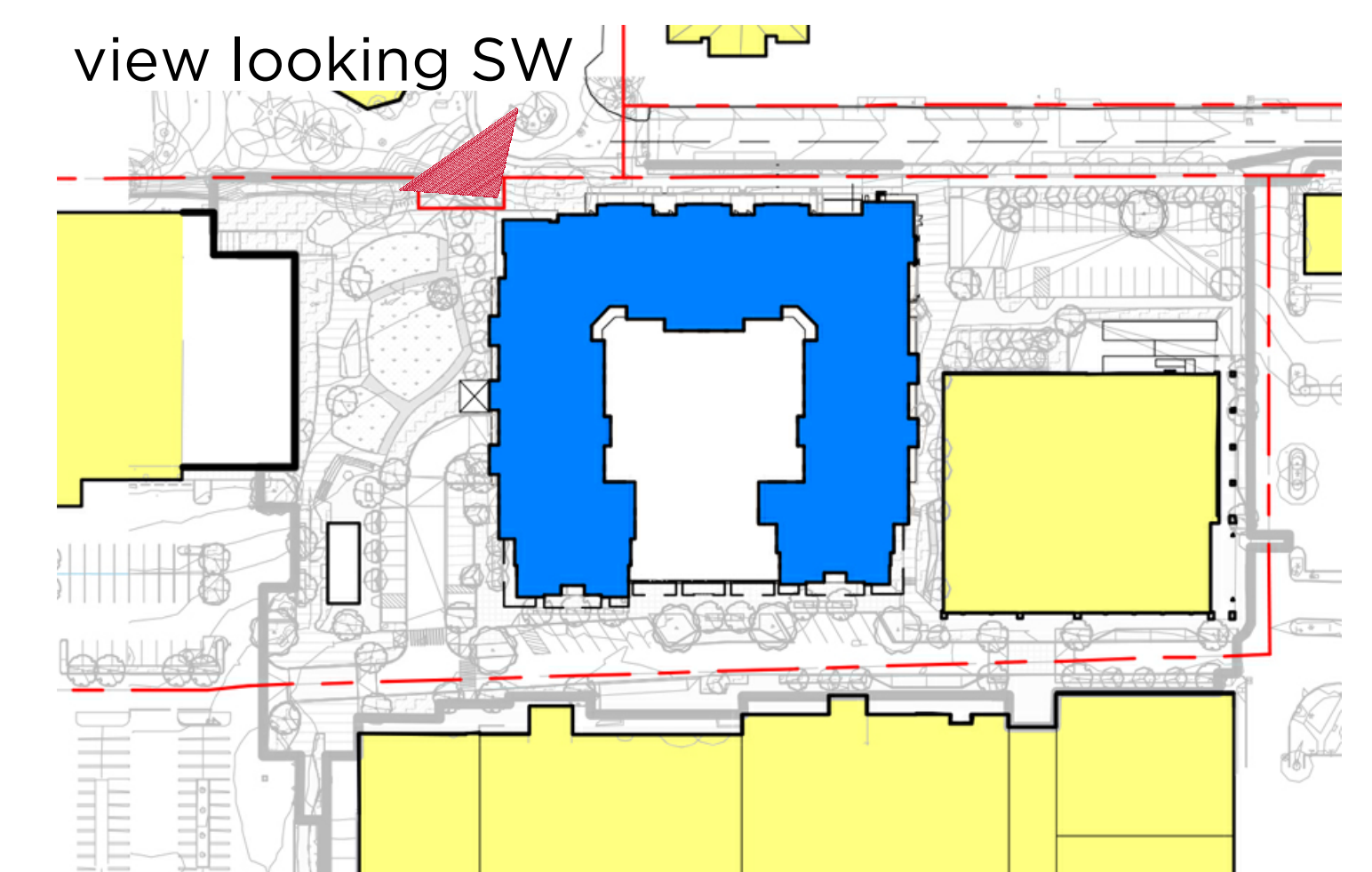
- PUBLIC ACCESS CONNECTION
- PARK LINK
- AREA OF PROPOSED DEVELOPMENT

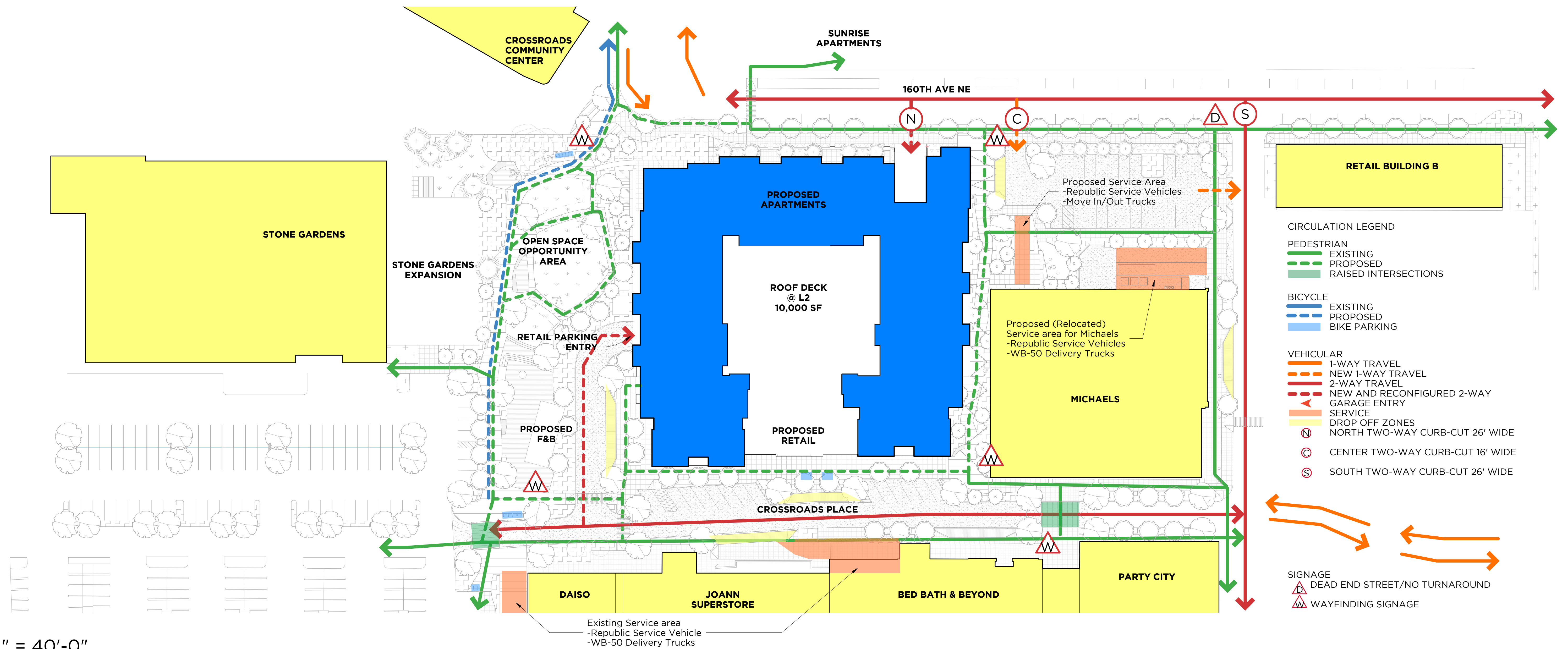
LONG-RANGE ORGANIZING PRINCIPLES

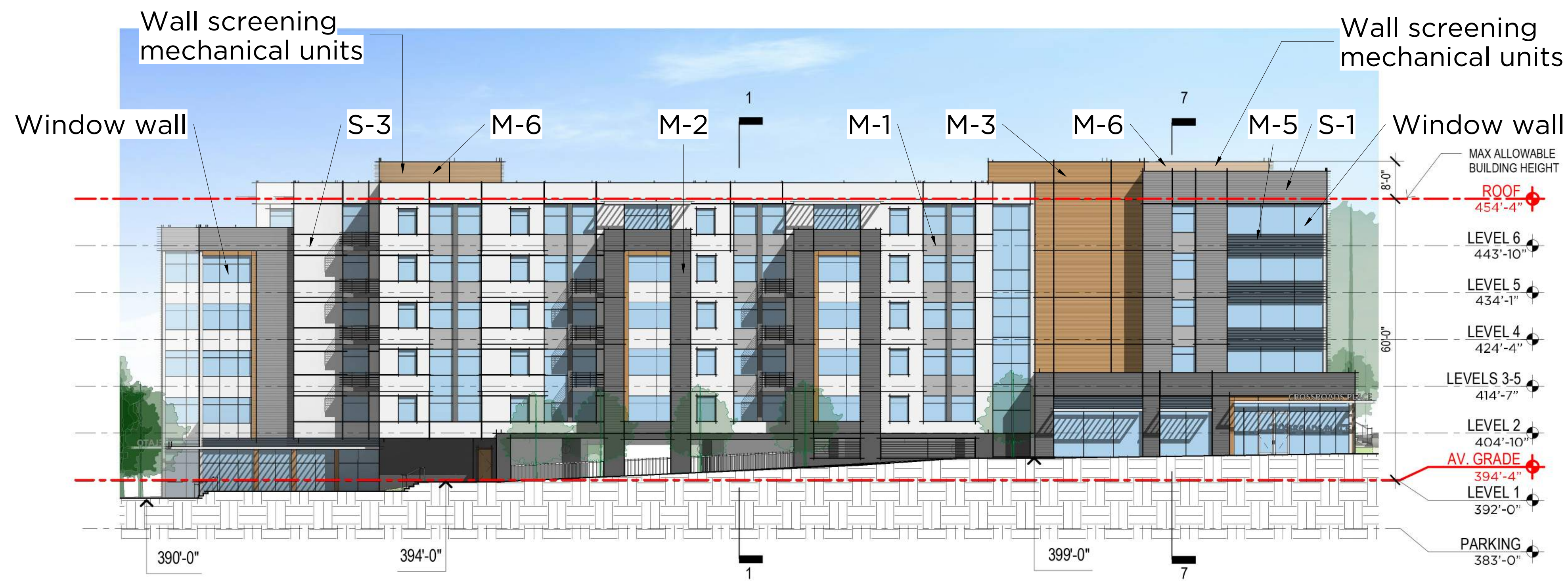
Figure S-CR.2  
From Crossroads Subarea plan as part of the Comprehensive plan adopted on Aug. 3, 2015.









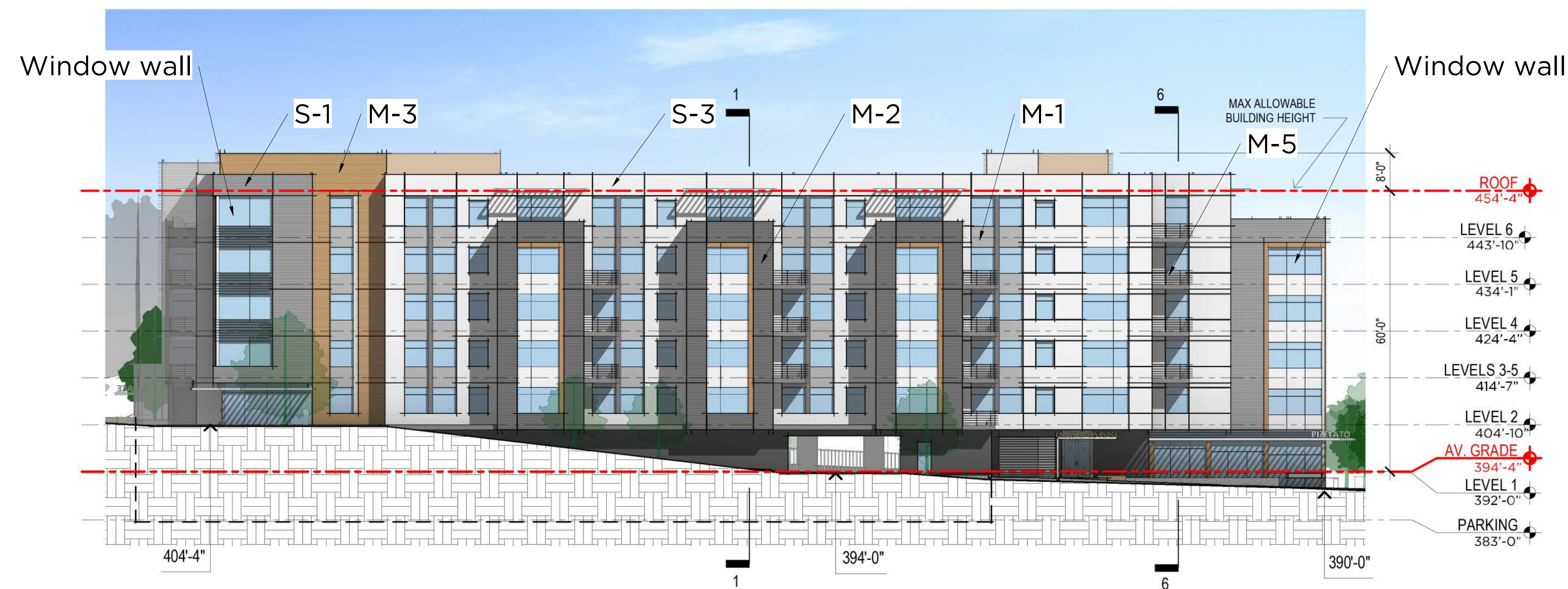


CROSSROADS  
PLACE

SCALE: 1/16" = 1'-0"

**SOUTH ELEVATION**

160TH AVE NE



160TH AVE NE

SCALE: 1/16" = 1'-0"

**NORTH ELEVATION**

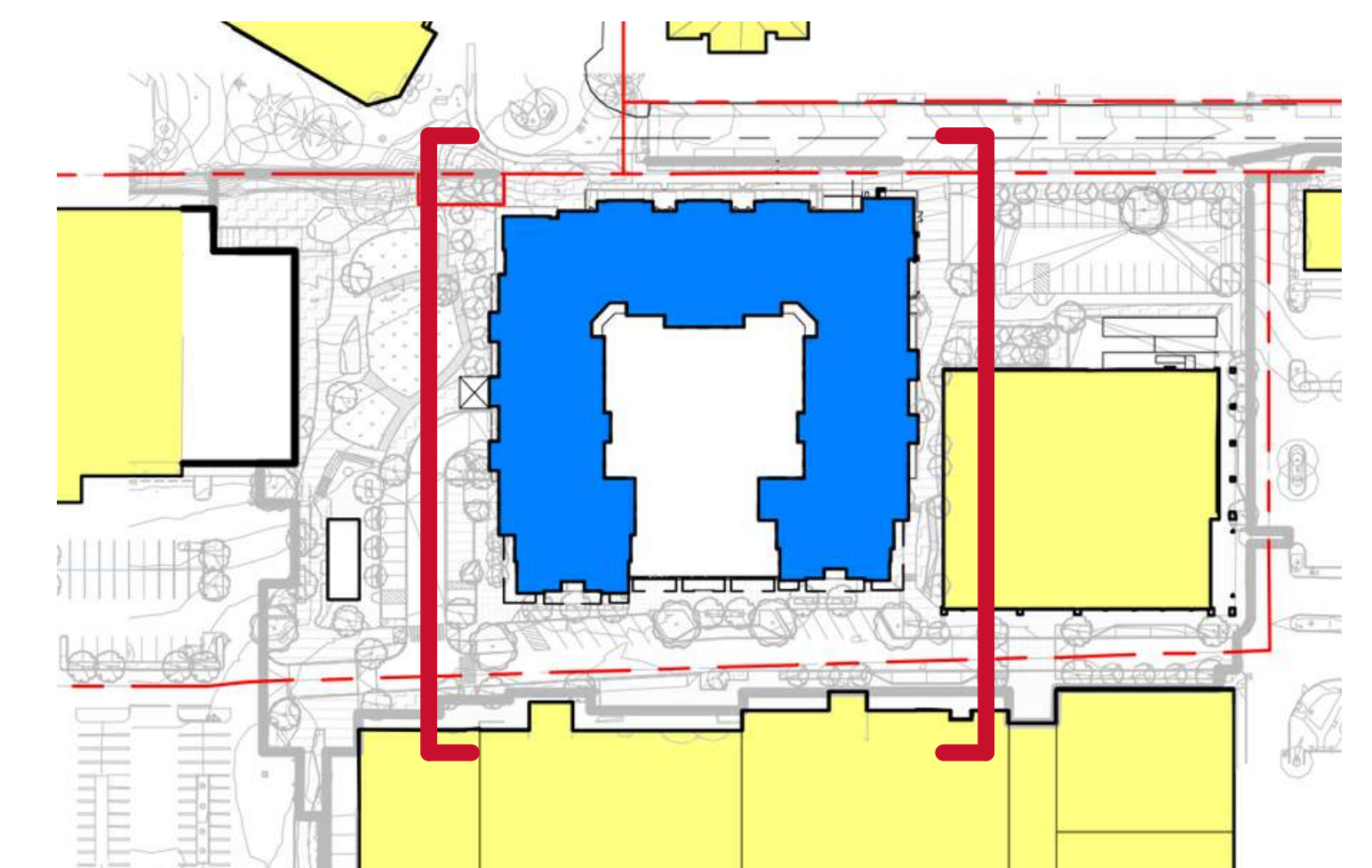
CROSSROADS  
PLACE

## MATERIAL LEGEND

S-1 HARDIPANEL SIDING  
S-2 HARDIPANEL SIDING  
S-3 HARDIPANEL SIDING

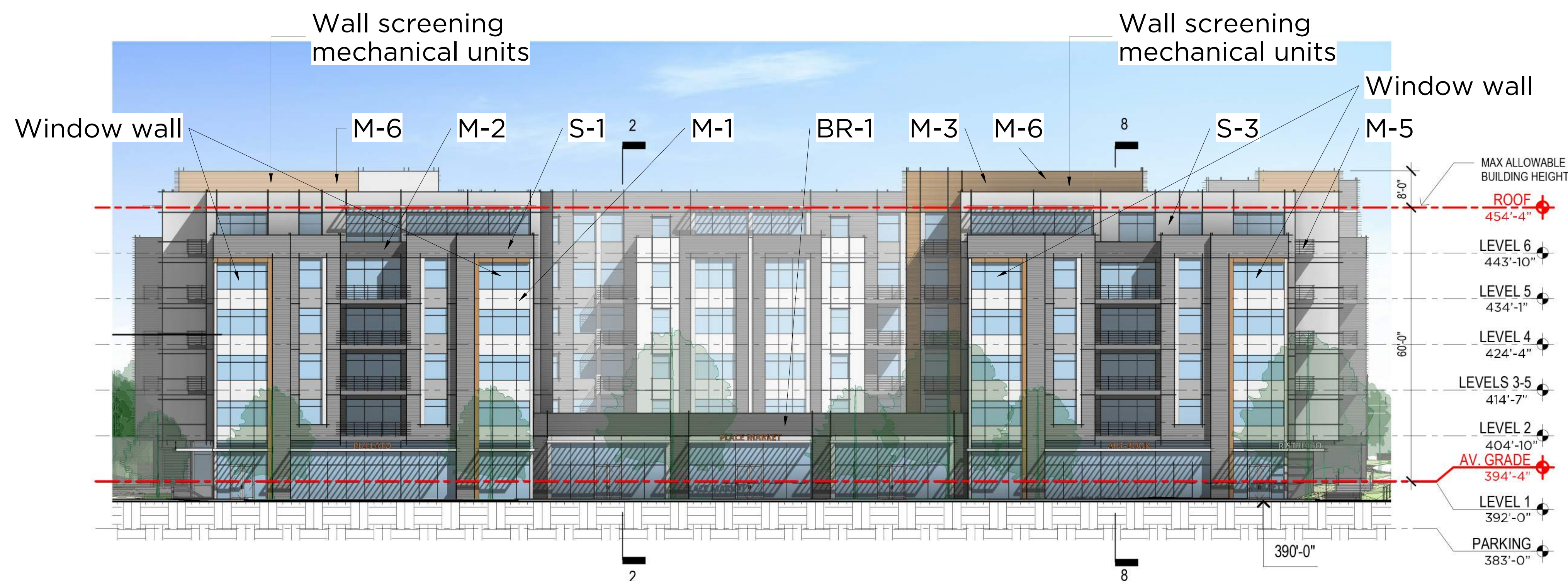
CIP-1 CAST IN PLACE CONCRETE  
BR-1 BRICK

M-1 METAL PANEL  
M-2 METAL PANEL  
M-3 METAL PANEL  
M-4 METAL SCREEN  
M-5 METAL RAILING  
M-6 PERFORATED METAL PANEL  
(FINISH TO MATCH ADJ. METAL  
PANEL)





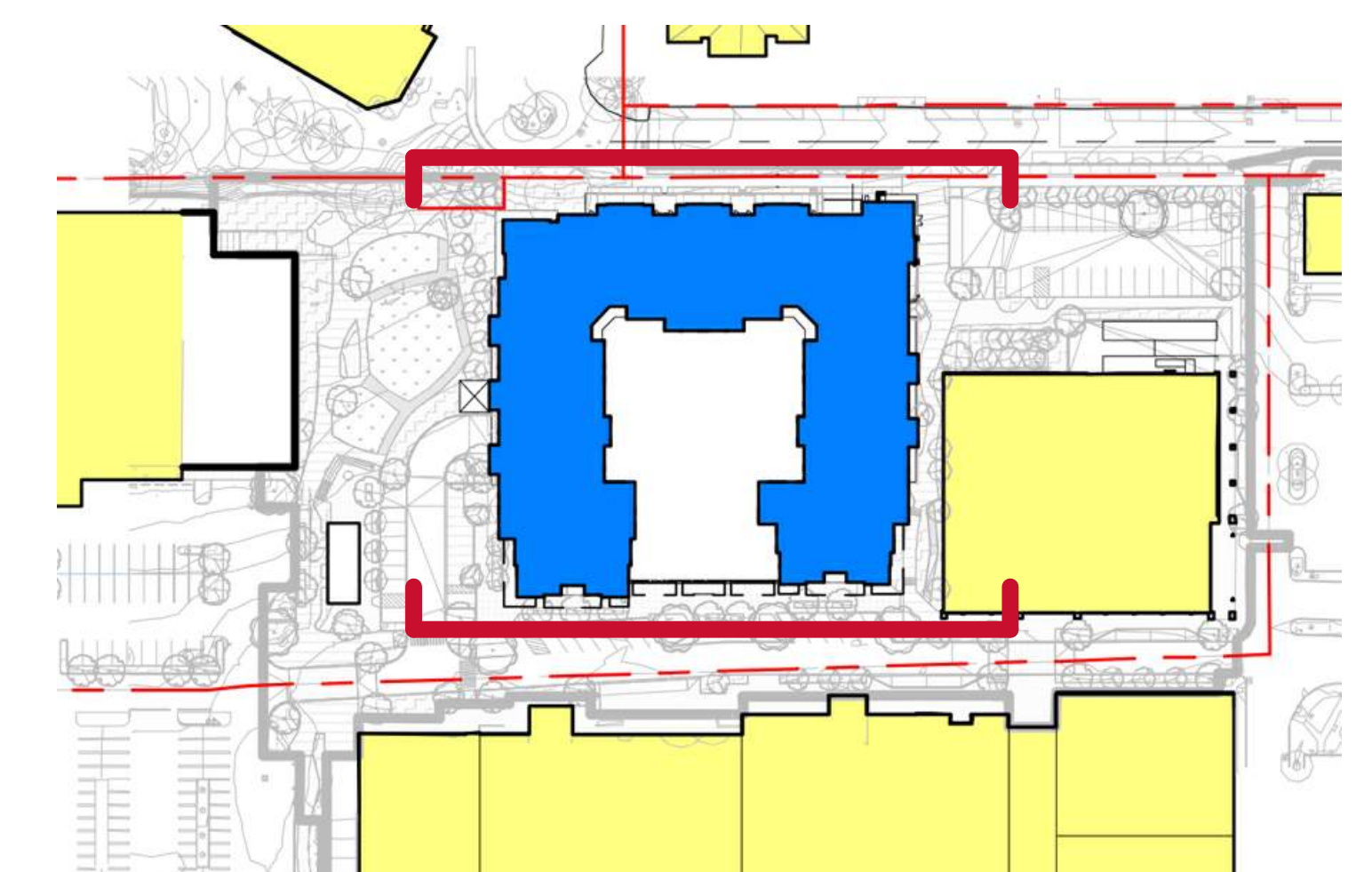
SCALE: 1/16" = 1'-0" **EAST ELEVATION**



SCALE: 1/16" = 1'-0" **WEST ELEVATION**

## MATERIAL LEGEND

- S-1 HARDIPANEL SIDING
- S-2 HARDIPANEL SIDING
- S-3 HARDIPANEL SIDING
  
- CIP-1 CAST IN PLACE CONCRETE
- BR-1 BRICK
  
- M-1 METAL PANEL
- M-2 METAL PANEL
- M-3 METAL PANEL
- M-4 METAL SCREEN
- M-5 METAL RAILING
- M-6 PERFORATED METAL PANEL (FINISH TO MATCH ADJ. METAL PANEL)





S-1 Hardi Plank Panel Siding



S-2 Hardi Panel Siding



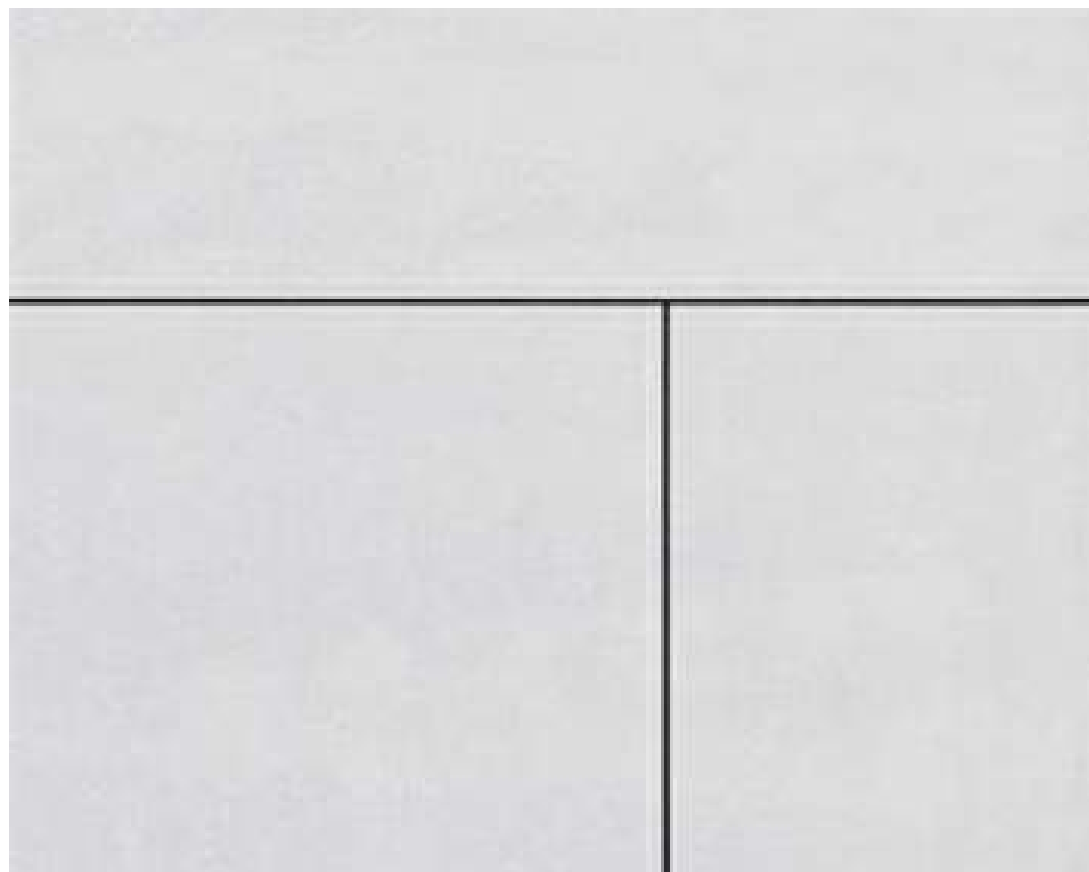
S-3 Hardi Panel Siding



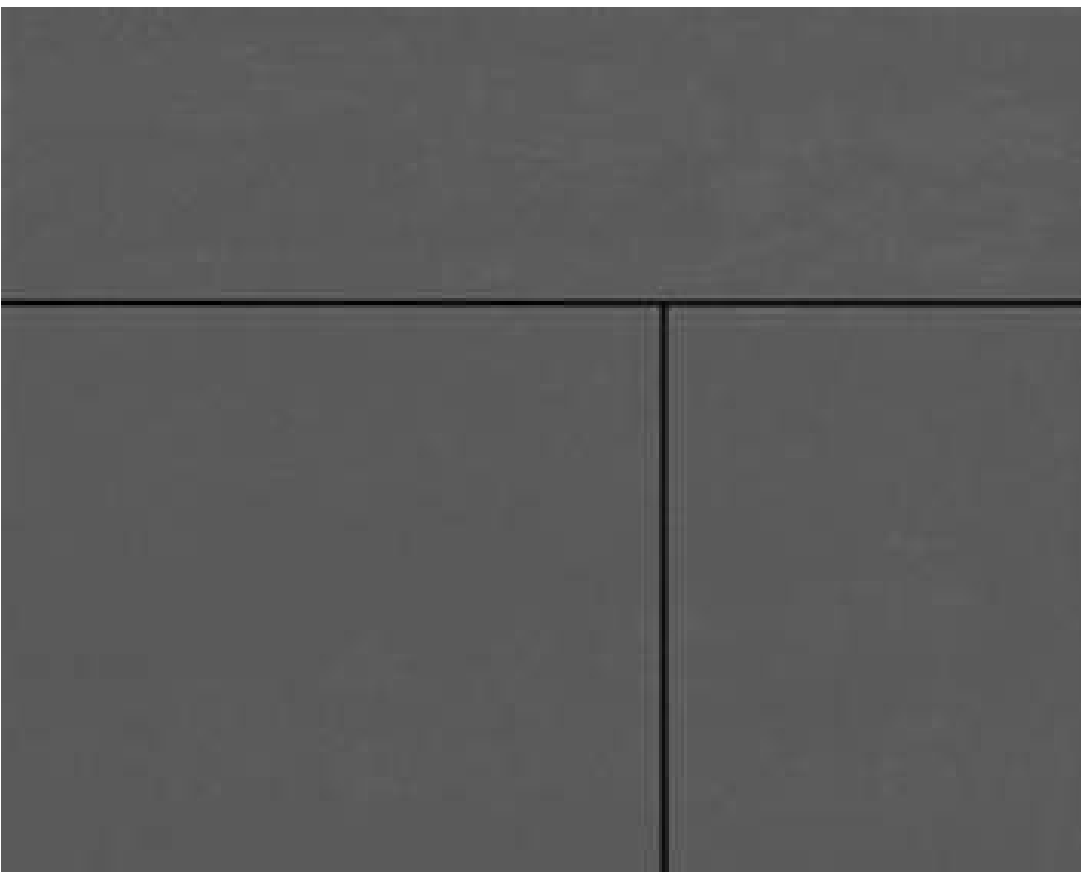
CIP-1 Cast in Place Concrete



BR-1 Brick  
Mutual Materials- Traditional  
Iron Wash/ Coal Creek



M-1 Metal Panel



M-2 Metal Panel



M-3 Metal Panel



M-4 Metal Canopy



M-5 Metal Railing



M-6 Perforated Metal Panel

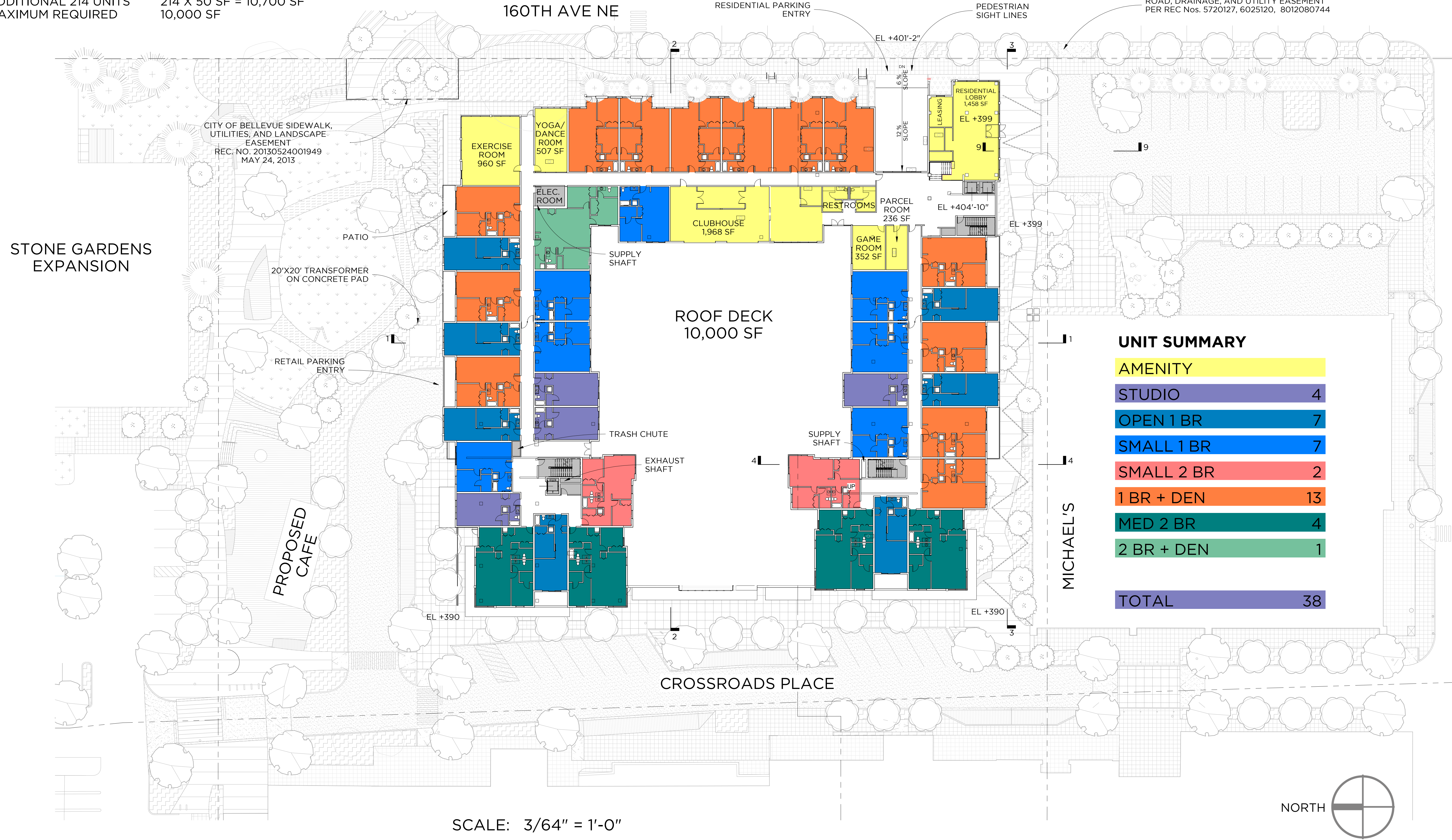
**MATERIAL LEGEND**

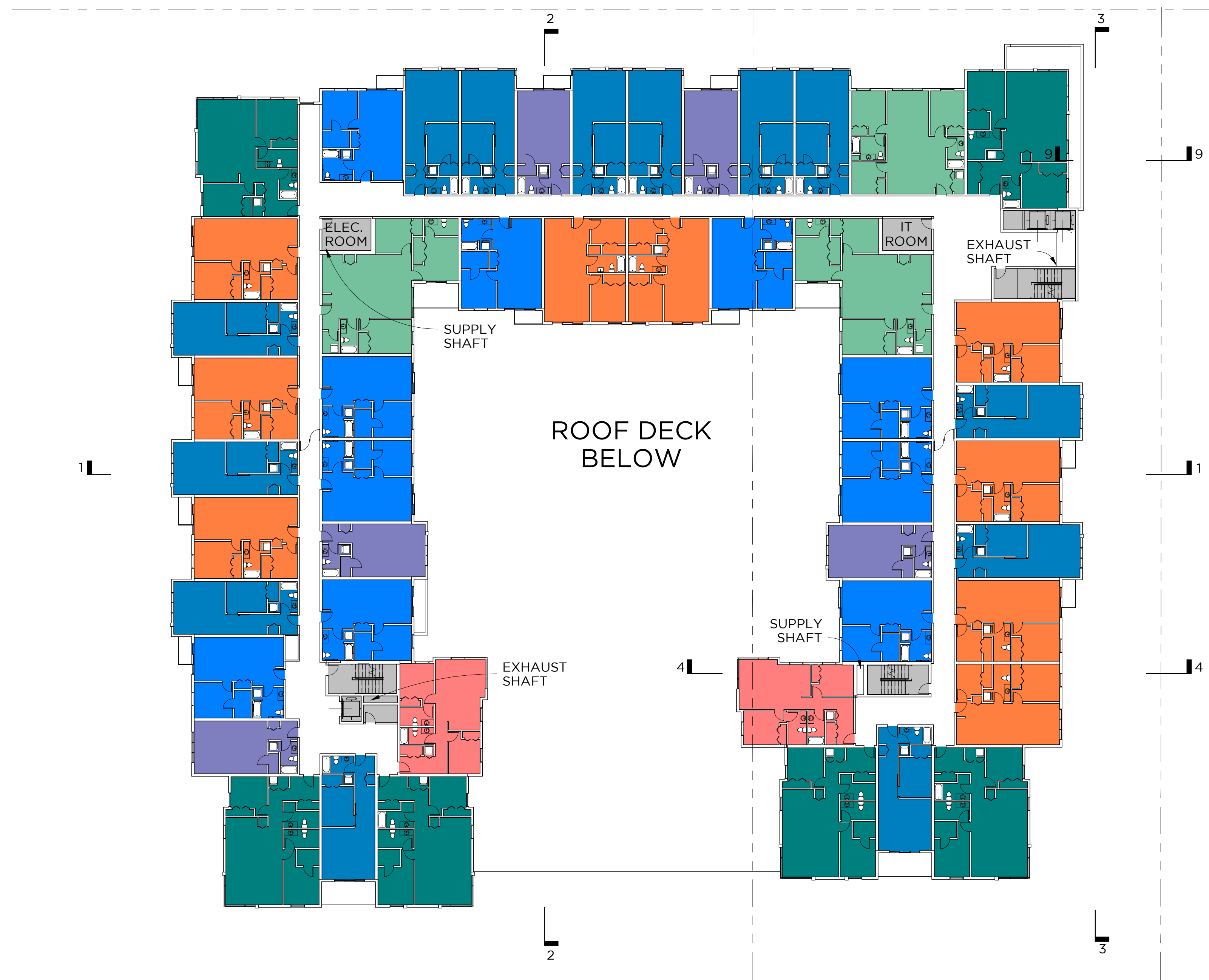
- S-1 HARDIPANEL SIDING
- S-2 HARDIPANEL SIDING
- S-3 HARDIPANEL SIDING
- CIP-1 CAST IN PLACE CONCRETE
- BR-1 BRICK
- M-1 METAL PANEL
- M-2 METAL PANEL
- M-3 METAL PANEL
- M-4 METAL SCREEN
- M-5 METAL RAILING
- M-6 PERFORATED METAL PANEL  
(FINISH TO MATCH ADJ. METAL  
PANEL)





**MULTI-FAMILY PLAY AREA REQUIREMENTS**  
FIRST 10 UNITS 800 SF  
ADDITIONAL 214 UNITS 214 X 50 SF = 10,700 SF  
MAXIMUM REQUIRED 10,000 SF





SCALE: 3/64" = 1'-0"

### UNIT SUMMARY (PER FLOOR)

AMENITY	
STUDIO	5
OPEN 1 BR	13
SMALL 1 BR	10
SMALL 2 BR	2
1 BR + DEN	9
MED 2 BR	6
2 BR + DEN	3
<b>TOTAL</b>	<b>48</b>

### UNIT SUMMARY (x3)

AMENITY	
STUDIO	15
OPEN 1 BR	39
SMALL 1 BR	30
SMALL 2 BR	6
1 BR + DEN	27
MED 2 BR	18
2 BR + DEN	9
<b>TOTAL</b>	<b>144</b>





SCALE: 3/64" = 1'-0"

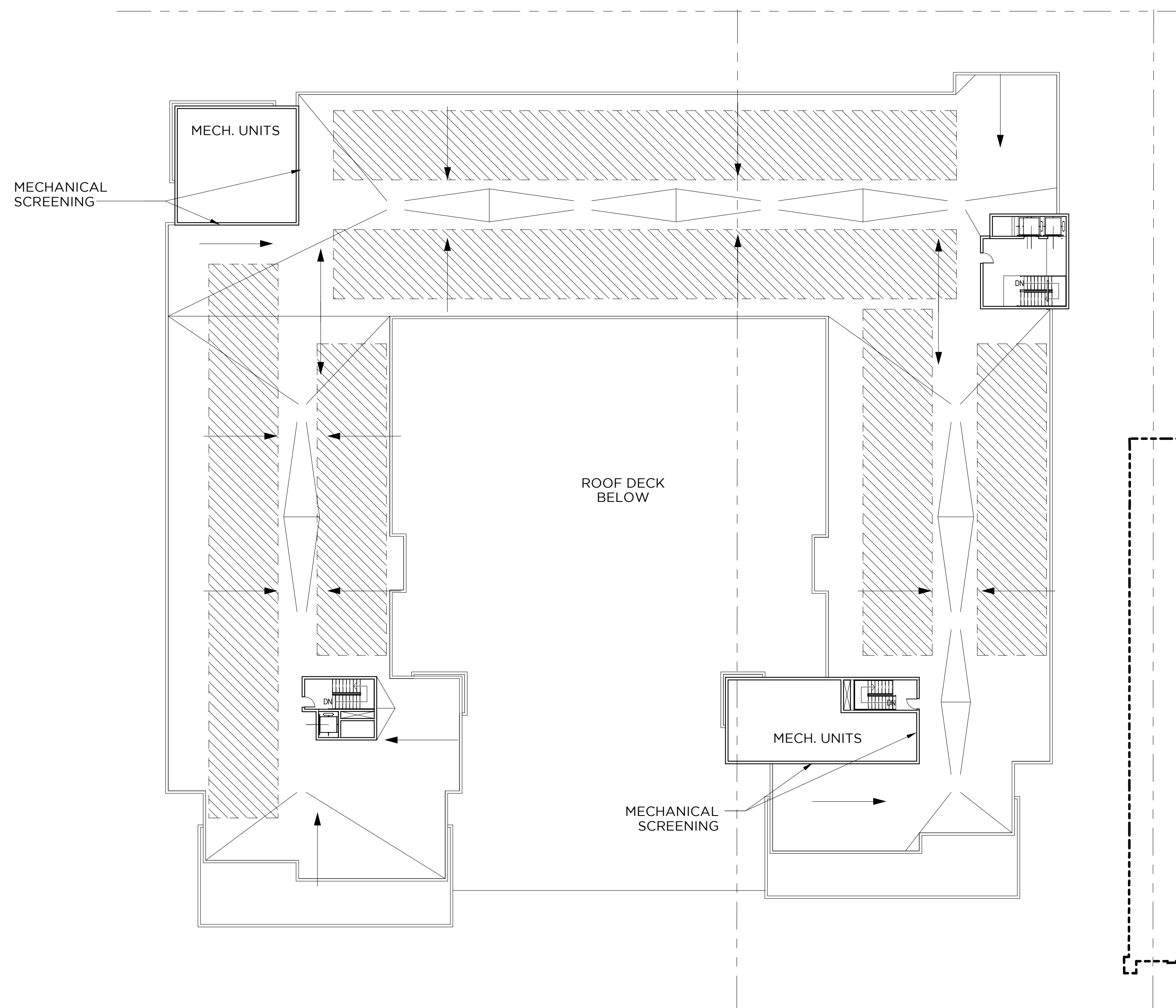
### UNIT SUMMARY

AMENITY	
STUDIO	9
OPEN 1 BR	0
SMALL 1 BR	11
SMALL 2 BR	2
1 BR + DEN	14
MED 2 BR	4
2 BR + DEN	2
<b>TOTAL</b>	<b>42</b>

### TOTAL UNIT SUMMARY

AMENITY	
STUDIO	28
OPEN 1 BR	46
SMALL 1 BR	48
SMALL 2 BR	10
1 BR + DEN	54
MED 2 BR	22
2 BR + DEN	16
<b>TOTAL</b>	<b>224</b>

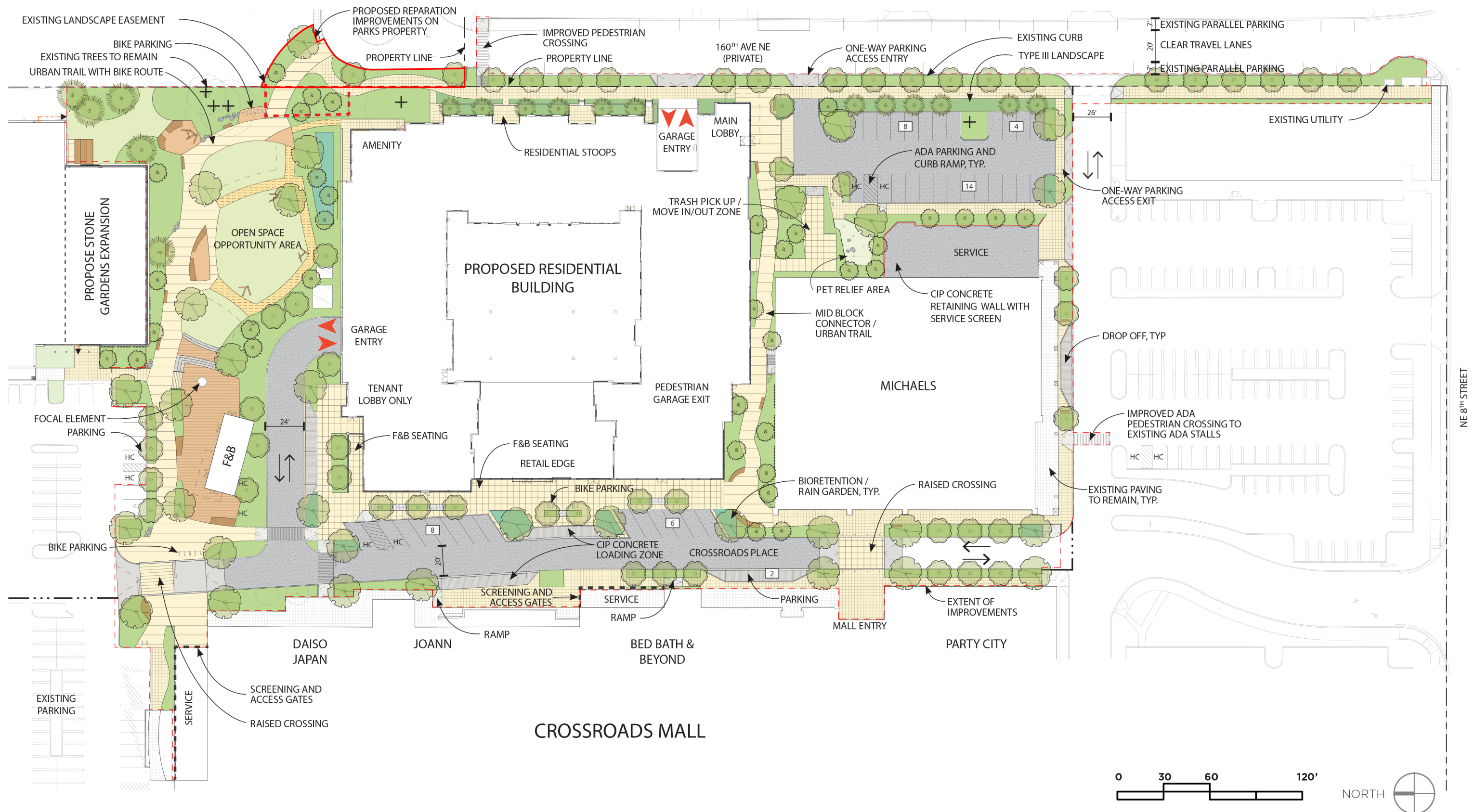


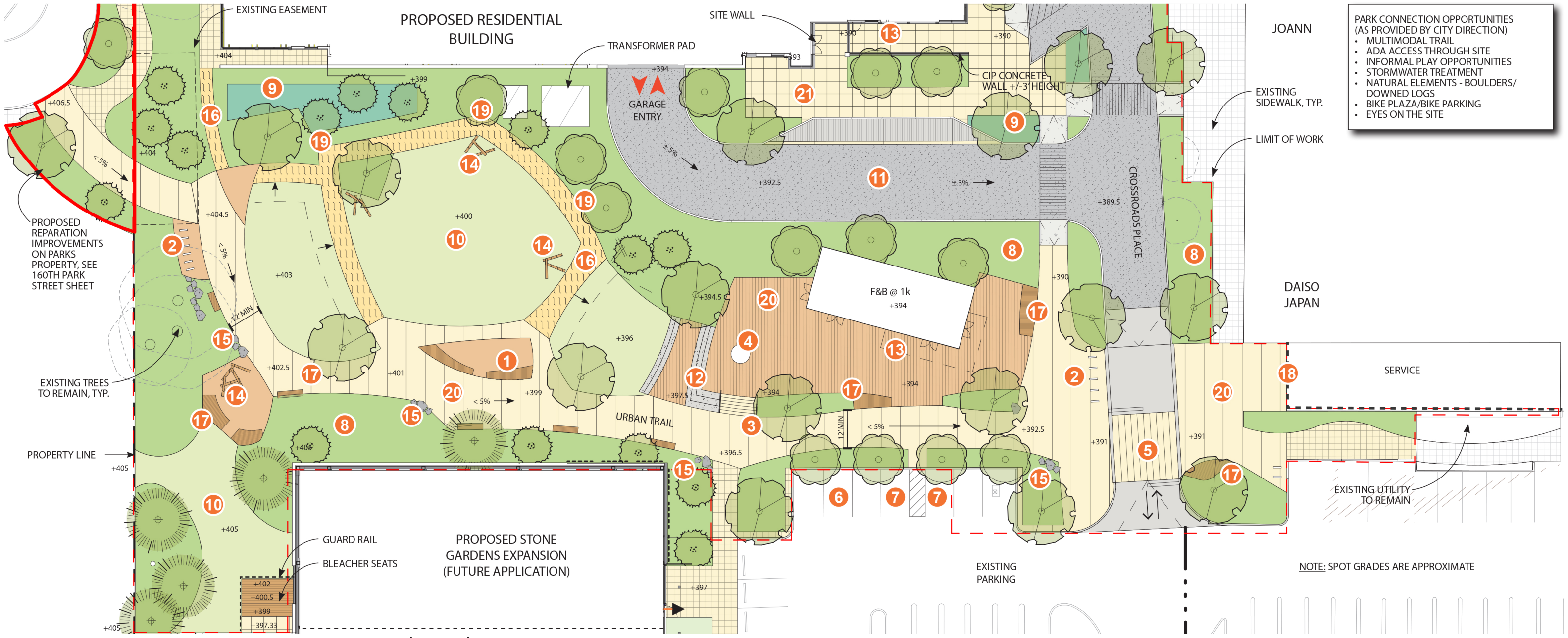


**LEGEND**

 Area for potential solar panels

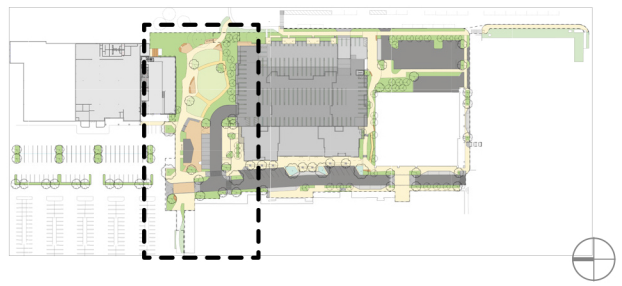






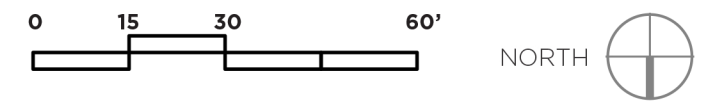
- PARK CONNECTION OPPORTUNITIES**  
(AS PROVIDED BY CITY DIRECTION)
- MULTIMODAL TRAIL
  - ADA ACCESS THROUGH SITE
  - INFORMAL PLAY OPPORTUNITIES
  - STORMWATER TREATMENT
  - NATURAL ELEMENTS - BOULDERS/ DOWNED LOGS
  - BIKE PLAZA/BIKE PARKING
  - EYES ON THE SITE

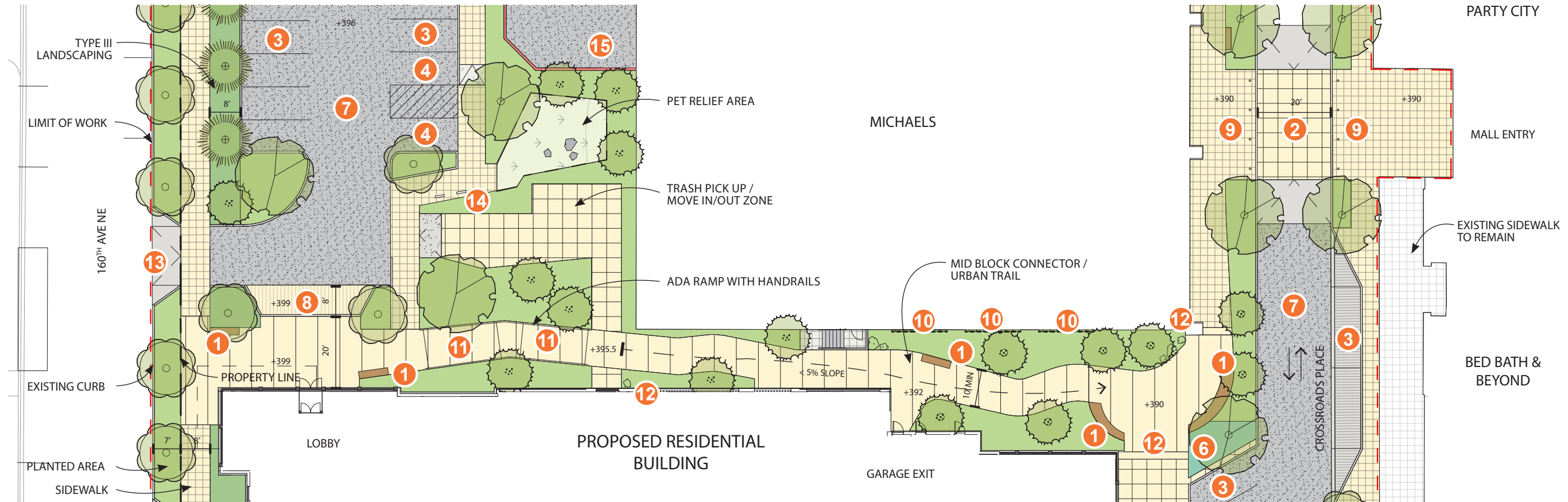
**Key Map**



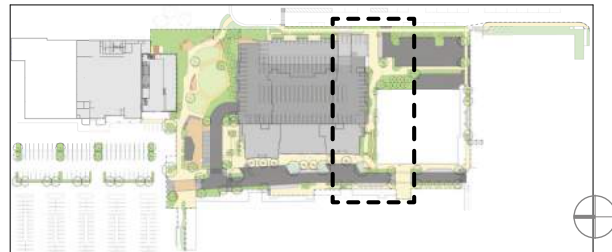
**Legend**

- |                                      |                         |                                   |  |   |
|--------------------------------------|-------------------------|-----------------------------------|--|---|
| 1 Wood Seating Platform              | 6 Parking               | 11 Asphalt Paving                 | 16 Flexible Porous Pavement            | 20 Specialty CIP Concrete Pavement with Integral Color and Scoring as Shown |
| 2 Bike Racks (Artistic at Park edge) | 7 ADA Parking           | 12 CIP Concrete Seatsteps         | 17 Wood Benches                        | 21 CIP Concrete Paving  |
| 3 Stairs                             | 8 Planting Area         | 13 Cafe Spill-out Space           | 18 Service Screen with Gate, See Arch. |   |
| 4 Focal Element (Art or Water)       | 9 Bioretention Planting | 14 Log Seating / Play Opportunity | 19 Educational Signage                 |   |
| 5 Raised Intersection                | 10 Turf Area            | 15 Landscape Boulders             |  |   |



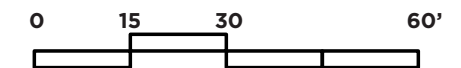


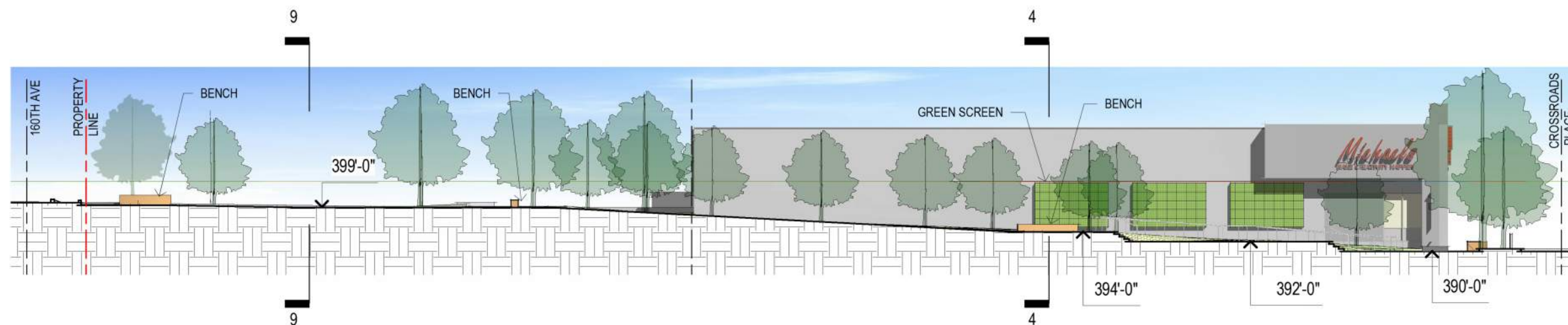
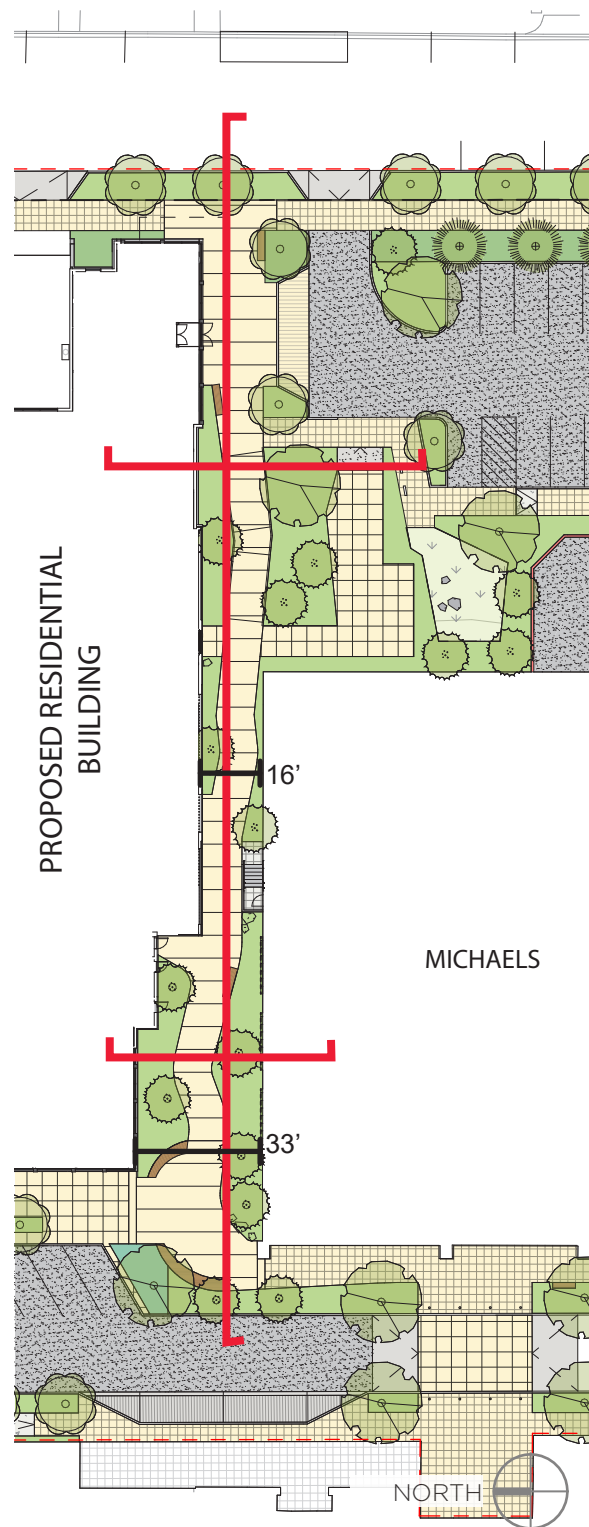
## Key Map



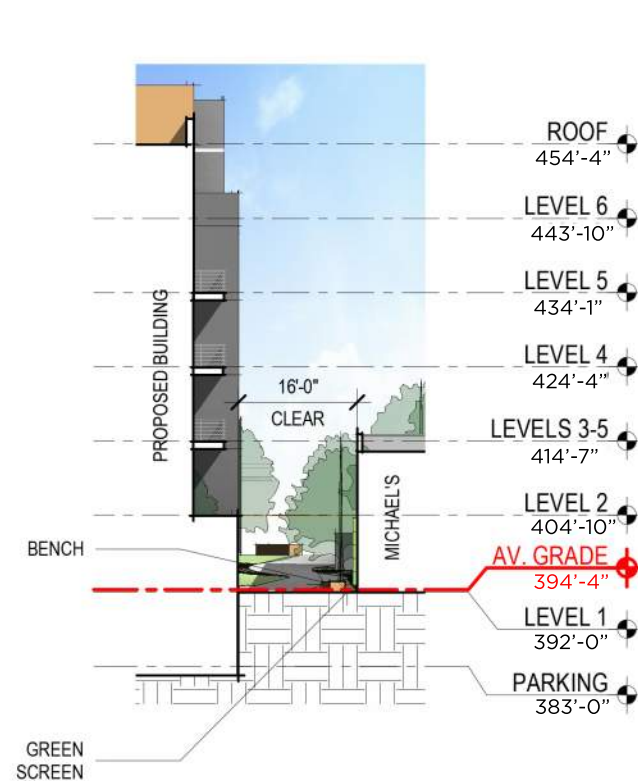
## Legend

- |                                 |                             |                        |  |
|---------------------------------|-----------------------------|------------------------|--|
| 1 Wood Seating Platform / Bench | 5 Planting Area             | 9 Bollards             | 13 CIP Concrete Driveway Apron                               |
| 2 Raised Intersection           | 6 Bioretention Planting     | 10 Green Screen        | 14 Bike Parking  |
| 3 Parking                       | 7 Asphalt Paving            | 11 Ramp with Handrails | 15 CIP Concrete Retaining Wall with Service Screen, +6' High |
| 4 ADA Parking                   | 8 CIP Concrete Loading Zone | 12 Landscape Boulders  |  |

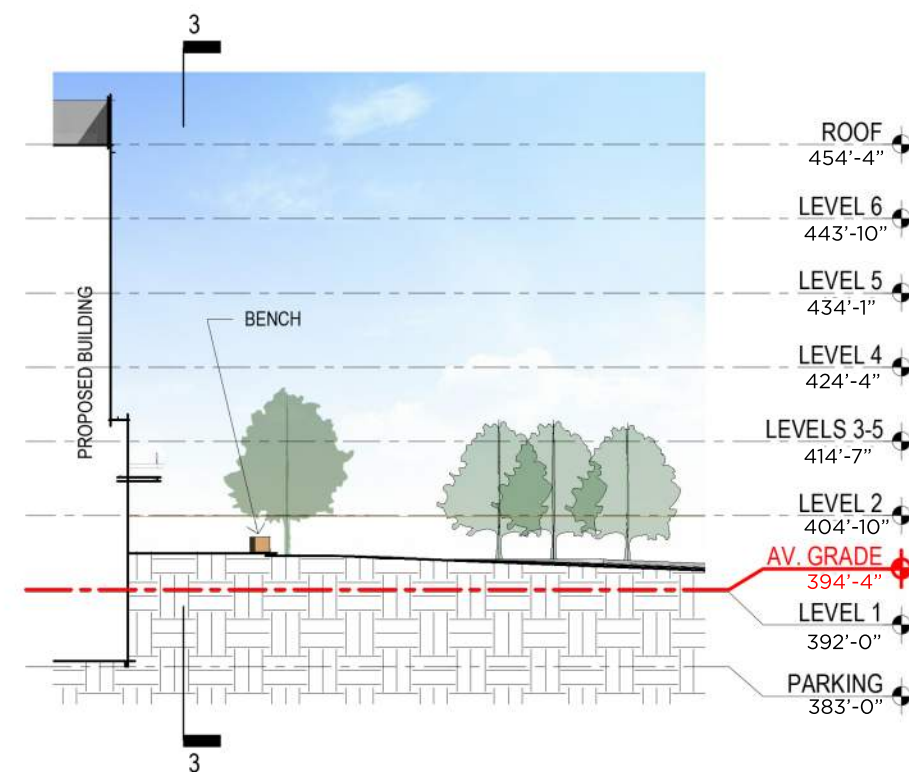




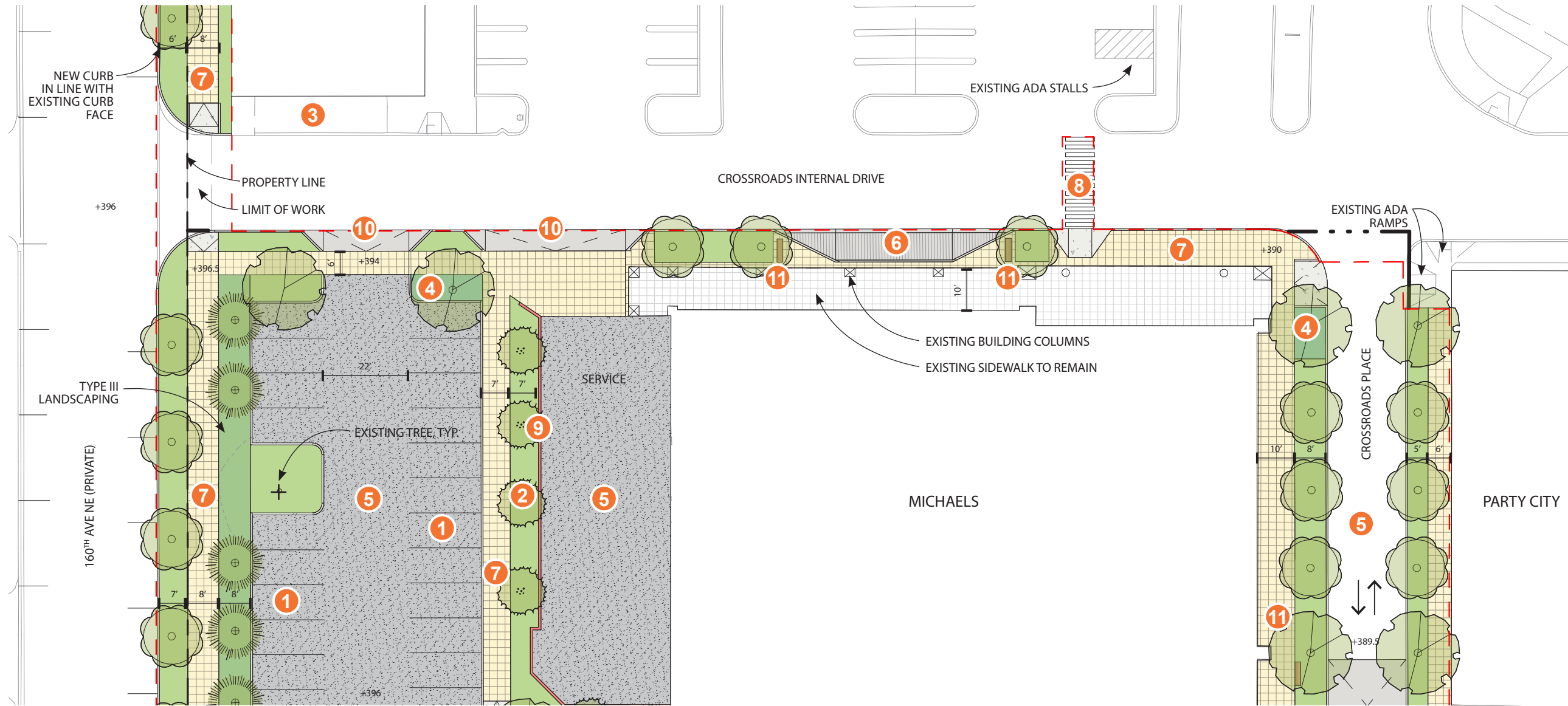
SECTION 3 @ PEDESTRIAN CONNECTION



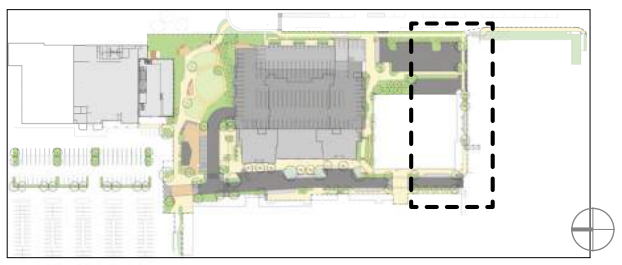
SECTION 4 @ PEDESTRIAN CONNECTION



SECTION 9 @ PEDESTRIAN CONNECTION

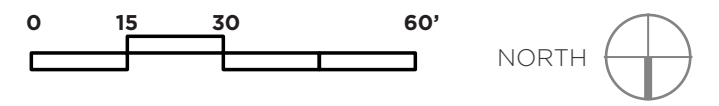


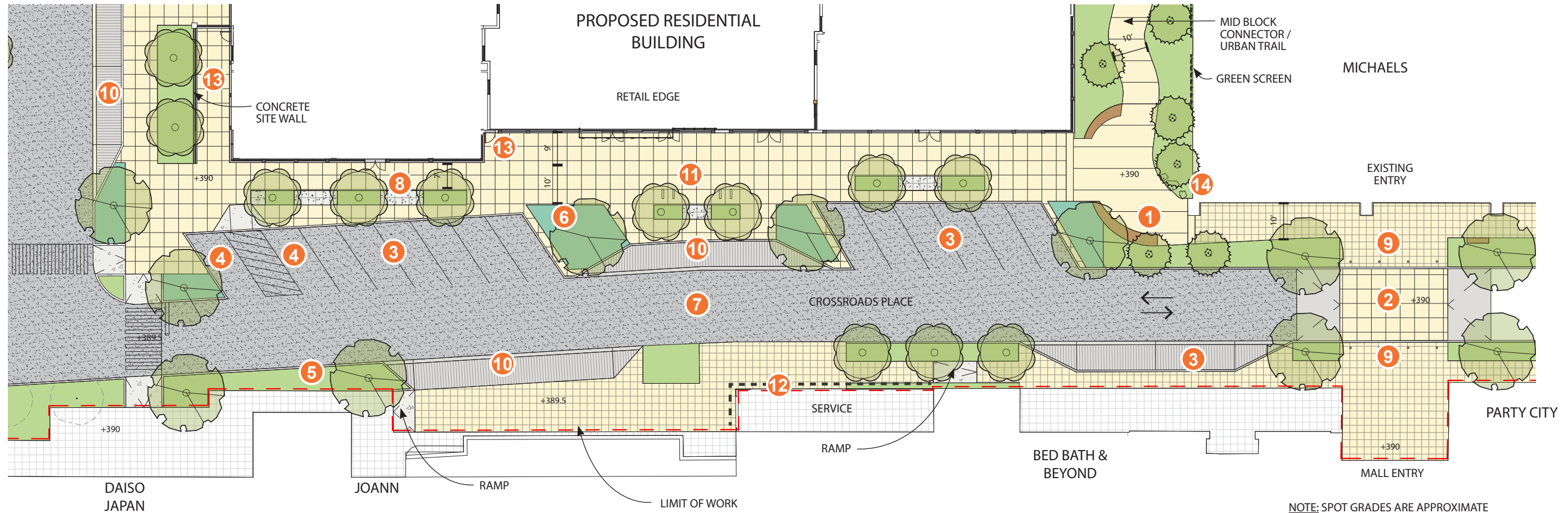
**Key Map**



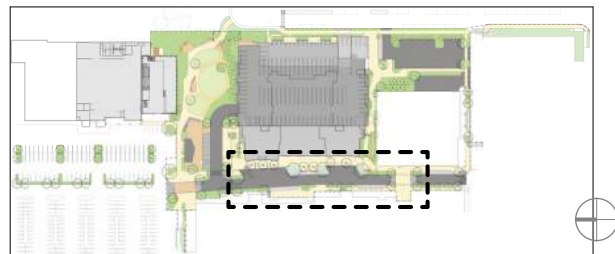
**Legend**

- |                          |  |   |
|--------------------------|--|---|
| 1 Parking                | 5 Asphalt Paving                             | 9 CIP Concrete Retaining Wall with Service Screen +/- 6' High |
| 2 Planting Area          | 6 CIP Concrete Loading Zone                  | 10 Concrete Driveway Apron                                    |
| 3 Existing Planting Area | 7 CIP Concrete Sidewalk with 2x2' Scoring    | 11 Wood Bench   |
| 4 Bioretention Planting  | 8 Improved Pedestrian Crossing to ADA Stalls |   |



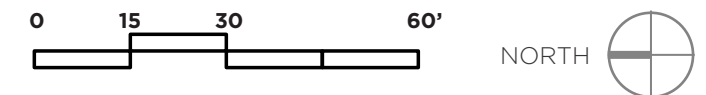


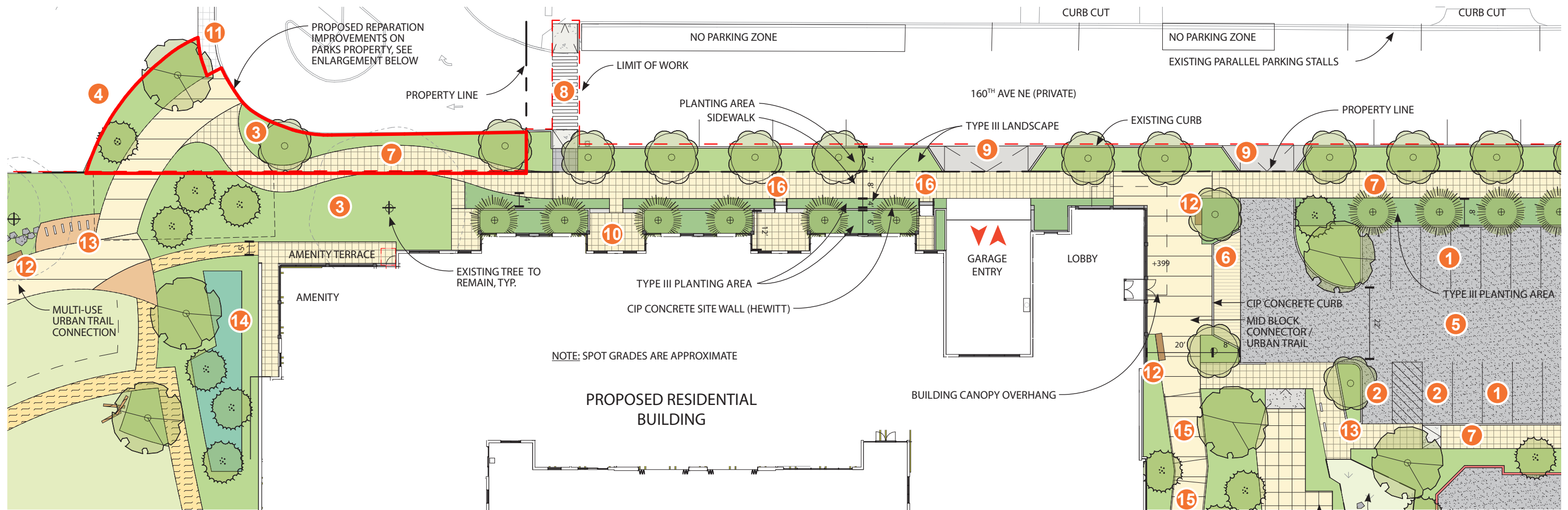
## Key Map



## Legend

- |                         |                         |  |                         |
|-------------------------|-------------------------|--|-------------------------|
| 1 Wood Seating Platform | 5 Planting Area         | 9 Bollards                             | 13 Cafe Spill-out Space |
| 2 Raised Intersection   | 6 Bioretention Planting | 10 CIP Concrete Loading Zone           | 14 Landscape Boulders   |
| 3 Parking               | 7 Asphalt Paving        | 11 Bike Parking                        |                         |
| 4 ADA Parking           | 8 Concrete Pavers       | 12 Service Screen with Gate, See Arch. |                         |

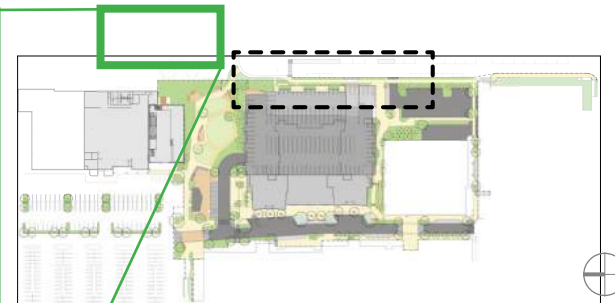
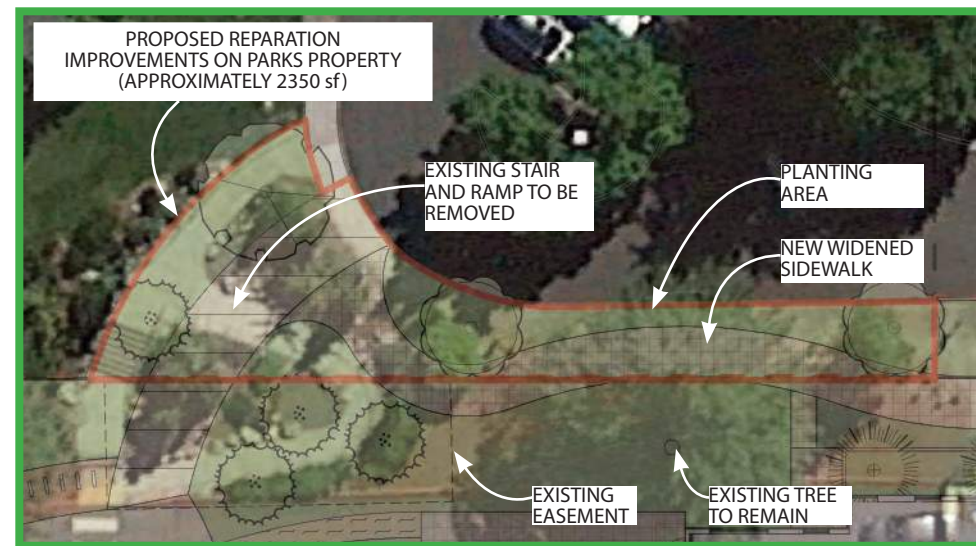




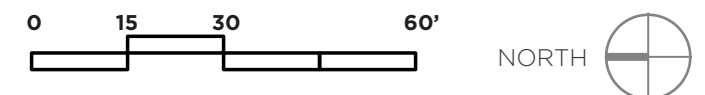
**Parks Overlay Enlargement**

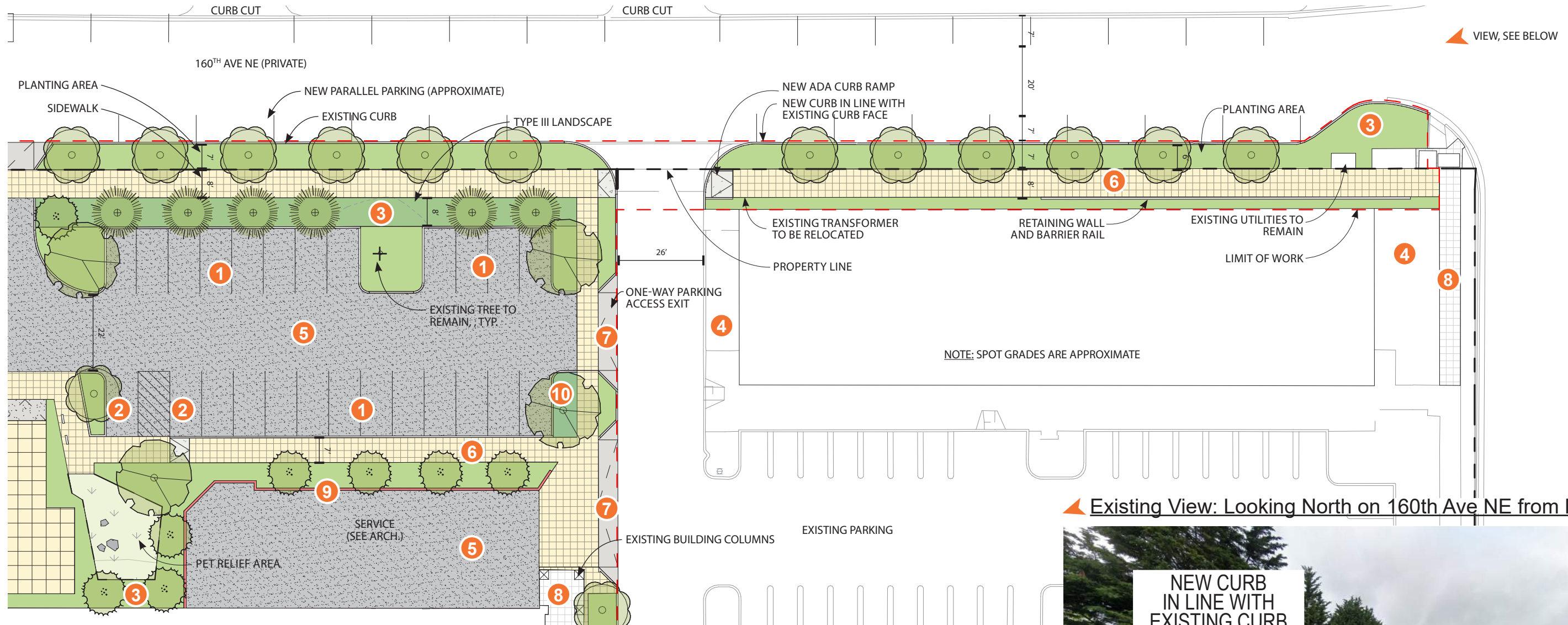
**Key Map**

**Legend**



- |                                    |   |                             |
|------------------------------------|---|-----------------------------|
| 1 Parking                          | 7 CIP Concrete Sidewalk with 2x2' Scoring | 13 Bike Parking             |
| 2 ADA Parking                      | 8 Improved Pedestrian Crossing            | 14 Bioretention Planting    |
| 3 Planting Area                    | 9 CIP Concrete Driveway Apron             | 15 ADA Ramp with Handrails  |
| 4 Existing Planting Area to Remain | 10 Residential Stoops with CIP            | 16 CIP Concrete Stair Steps |
| 5 Asphalt Paving                   | 11 Existing Sidewalk to Remain            |                             |
| 6 CIP Concrete Loading Zone        | 12 Wood Platform Seating / Bench          |                             |





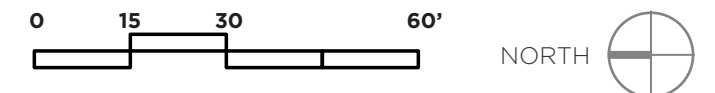
### Key Map

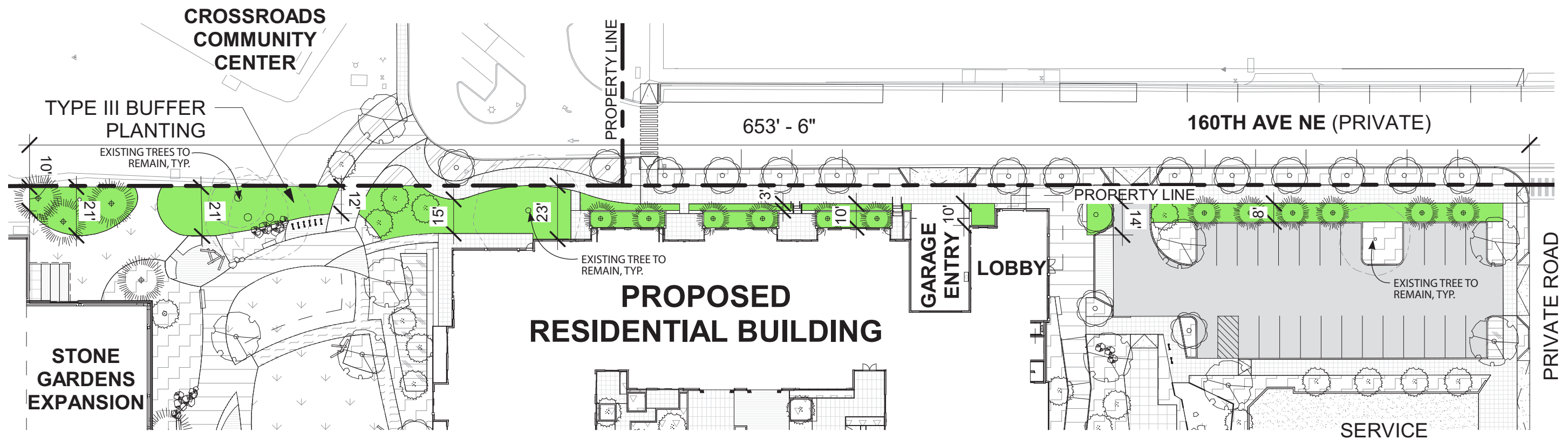


### Legend

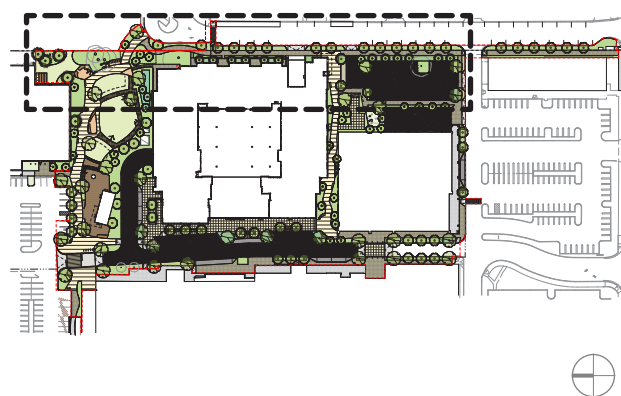
- |                          |   |  |
|--------------------------|---|--|
| 1 Parking                | 5 Asphalt Paving                          | 9 CIP Concrete Retaining Wall with Service Screen +6' High |
| 2 ADA Parking            | 6 CIP Concrete Sidewalk with 2x2' Scoring | 10 Bioretention Planting                                   |
| 3 Planting Area          | 7 CIP Concrete Driveway Apron             |  |
| 4 Existing Planting Area | 8 Existing Sidewalk                       |  |

Existing View: Looking North on 160th Ave NE from NE 8th





Key Map






Code Compliance

Required: 8' of Type III Perimeter Landscape along project's East property line adjacent to 160th and Crossroads Park.  
 Total length of property line = 653'-6" x 8' width = 5228 sf  
 Total Type III Landscape Required = 5228 sf

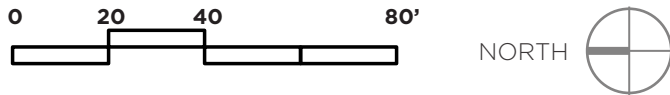
Provided: Width of perimeter landscape varies from 3'-14' adjacent to 160th, to allow for breaks in landscape at residential stoops and patios, as well as residential lobby plaza. Width of perimeter landscape varies from 10'-23' adjacent to Crossroads Park, to allow for breaks at "Urban Trail" connection to Crossroads Park, and increased visibility through to park at back of Stone Gardens expansion. See plan above for location and nom. width of all proposed Type III perimeter landscape areas. Note: Gaps in required perimeter tree spacing are provided within the critical root zone of existing significant trees to remain.

Total Type III Landscape Provided = 6552 sf

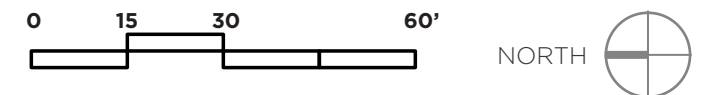
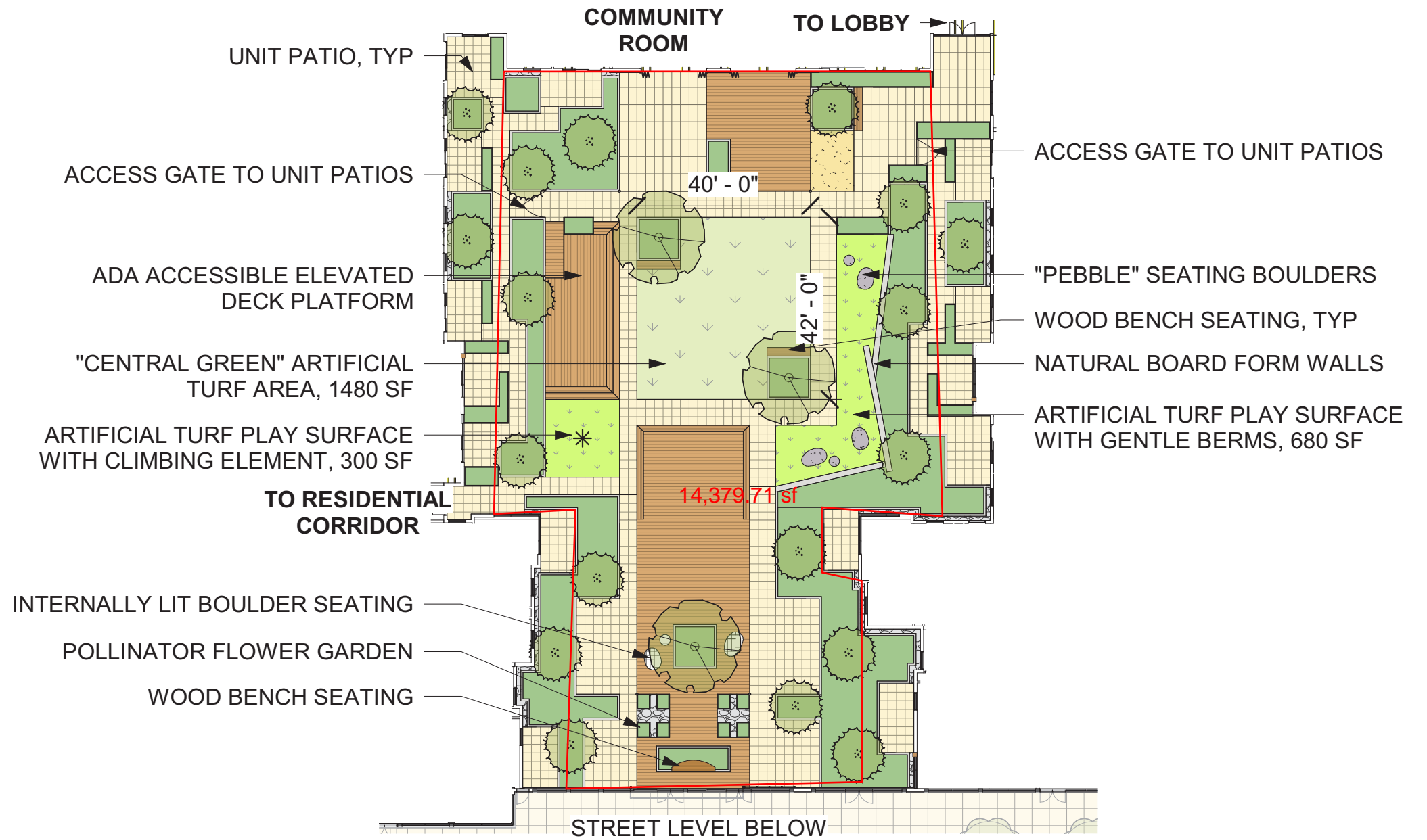
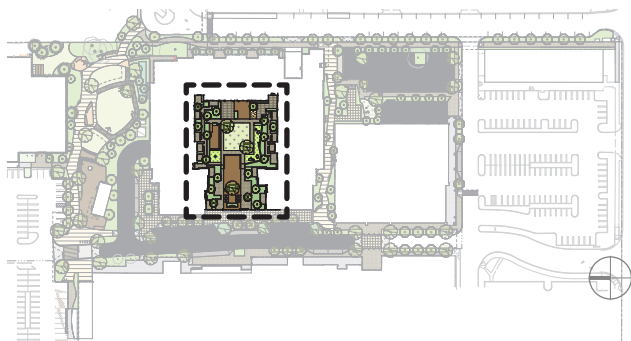
Tree Legend\*

-  Deciduous Understory Tree
-  Deciduous Street Tree
-  Evergreen Tree

Note: See planting schedule on sheet 34 for potential tree species



Key Map



ATTACHMENT B: SEPA CHECKLIST (ANNOTATED)



DEVELOPMENT SERVICES DEPARTMENT  
450 110<sup>TH</sup> AVENUE NE  
BELLEVUE, WA 98009-9012

## **SEPA Environmental Checklist**

If you need assistance in completing the checklist or have any questions regarding the environmental review process, please visit the Land Use Desk in the Permit Center between 8 a.m. and 4 p.m., Monday through Friday (Wednesday, 10 to 4) or call or email the Land Use Division at 425-452-4188 or [landusereview@bellevuewa.gov](mailto:landusereview@bellevuewa.gov). Assistance for the hearing impaired: Dial 711 (Telecommunications Relay Service).

### ***Purpose of checklist:***

The City of Bellevue uses this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

### ***Instructions for applicants:***

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies and reports. Please make complete and accurate answers to these questions to the best of your ability in order to avoid delays.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The City may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

**PLEASE REMEMBER TO SIGN THE CHECKLIST.** Electronic signatures are also acceptable.

## A. Background [\[help\]](#)

1. Name of proposed project, if applicable: [\[help\]](#)  
**Crossroads Bellevue/Crossroads Mixed-Use** ✓
2. Name of applicant: [\[help\]](#)  
MG2 ✓
3. Address and phone number of applicant and contact person: [\[help\]](#) ✓  
Mark Taylor  
MG2  
1101 2<sup>nd</sup> Ave suite 100  
Seattle, WA 98101  
206 962 6804
4. Date checklist prepared: [\[help\]](#) ✓  
December 30, 2020
5. Agency requesting checklist: [\[help\]](#) ✓  
City of Bellevue
6. Proposed timing or schedule (including phasing, if applicable): [\[help\]](#) ✓  
Construction to start fall of 2021 or as soon as applicable permits are issued.
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. [\[help\]](#) ✓  
~~There is no further activity proposed beyond the Phase I and Phase II scope of work identified in this application.~~  
**Considered all one phase per DR approval**
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. [\[help\]](#) ✓  
Environmental Checklist  
Stormwater Site Plan  
Stormwater Pollution Prevention Plan  
Geotechnical Information Report  
Traffic Impact Analysis
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. [\[help\]](#) ✓  
A Building Permit for Stone Gardens Expansion (adjacent to the Open Space Opportunity Zone) is currently with the City of Bellevue. **The work permitted for the Stone Gardens expansion is not included in Design Review for Crossroads Residential**
10. List any government approvals or permits that will be needed for your proposal, if known. [\[help\]](#) ✓  
Design Review Approval by City of Bellevue  
Development Agreement by City of Bellevue  
Demolition Permits by City of Bellevue

## Detention Vault Permit by City of Bellevue

Building Permits by City of Bellevue

Plumbing/ Electrical/ Mechanical Permits by City of Bellevue

Clearing & Grading Permit by City of Bellevue

Site Development Permit by City of Bellevue

Utility Extension by City of Bellevue

Sanitary Sewer Connection Permits by City of Bellevue

Detailed Smoke Control by City of Bellevue

NPDES Permit by Department of Ecology

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

[\[help\]](#)

~~Phase I~~ - Development Agreement- The proposed project consists of the public benefits as stated in the Developers Agreement submitted to the City of Bellevue December 2020. The public benefits were originally identified in the Crossroads Subarea Plan (Figure S-CR.2) of the Comprehensive Plan adopted on August 3<sup>rd</sup>, 2015. The public benefits generally involve the site related public spaces surrounding the mixed-use building described below in Phase II. The focus of the site related spaces is how they engage the building with the existing site context. The public benefits are:

- A. Open Space Opportunity Zone (OSOZ)- Located directly west of the existing Crossroads Community Center Building, this 36,820sf area will include pedestrian sidewalks and bicycle trails connecting the open space to the Crossroads Park and Community Center and includes opportunities for informal gathering through seating and hardscape features.
- B. Mid-Block Connector/ Urban Trail- The Project will include a network of Urban Trails; including a mid-block connector urban trail running east-west between the residential project and existing retail (Michael's) development, and an urban trail through the OSOZ to connect Crossroads Mall to Crossroads Park and Community Center. The Urban Trails shall be pedestrian oriented, activate the Project, and invite users into the Crossroads Park and the Open Space Opportunity Zone.
- C. Park Interface Area- The project will include reparations and improvements (approximately 1,250 sf) on the adjacent City-Owned Crossroads Park and Community Center Property. The improvements include an accessible urban trail connection between Crossroads Mall and Crossroads Park, landscaping, hardscaping and amenities.
- D. Pedestrian Improvements- The project will include pedestrian improvements to connect to the surrounding street and sidewalk network, to improve pedestrian safety and the pedestrian experience, and to activate the project. The pedestrian

improvements will include a sidewalk along the west side of 160<sup>th</sup> Ave NE to connect to NE 8<sup>th</sup> Ave, and pedestrian improvements to the south and west of the existing retail (Michael's) development.

Enhanced Public Benefit per executed DA: 20% of the units will be affordable at 80% AMI per use of MFTE program. See Executed DA in Attachment D to the DR staff report.

~~Phase II: Project~~ The proposed mixed-use building consist of five(5) stories of residential over one (1) level of retail/ parking, and one (1) basement parking level in a mixed-use building containing 224 residential units. Residential uses (including amenities and BOH) 220,000sf; Retail uses 14,500sf and parking garage uses 92,000sf for approximately 326,500sf. The retail uses consist of 13,500sf integrated in to ground level podium and a 1000sf freestanding pavilion in the OSOZ. The approximate 7.5 acre site currently contains retail and parking uses.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist. [\[help\]](#)

The site is located within the Crossroads Shopping Center near the Southeast corner at 160<sup>th</sup> Ave NE and NE 8<sup>th</sup> Street. Project limit is approx. 7.5 acres. BLA required to combine underlying parcels into one parcel

Site address: 15600 NE 8<sup>th</sup> Street, Bellevue, WA 98008  
Tax Parcels: 2625059143, 2625059150, 2625059135, 2625059123, 2625059087

## B. Environmental Elements [\[help\]](#)

### 1. Earth [\[help\]](#)

- a. General description of the site: [\[help\]](#) (select one): ☒ Flat, ☐ rolling, ☐ hilly, ☐ steep slopes, ☐ mountainous, other: The site is generally flat with a gentle slope from southwest (low point) to northeast (high point) across the site.
- b. What is the steepest slope on the site (approximate percent slope)? [\[help\]](#)  
The steepest area is approximately 10% and occurs in the Open Space Opportunity Zone in order to connect the plaza along Crossroads Place on the west to the Crossroads Community Center Property on the east.
- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in

removing any of these soils. [\[help\]](#)  
*Clay soils.*

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. [\[help\]](#) ✓  
*There are no signs of unstable soils.*

- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. [\[help\]](#) ✓

~~Phase I:~~ The Open Space Opportunity Zone located on the North side of the mixed-use building will contain approximately 30,000 cubic yards of fill to allow seamless connection for pedestrians between Crossroad Shopping Center and the Crossroad Community Center.

~~Phase II:~~ Excavation will be performed for the proposed below-grade structure and for utility trenching. The estimated maximum excavation depth is approximately 23 feet. The area adjacent to below-grade building walls will be backfilled, as will utility trenches. General site grading will be performed to ensure a level base for construction of the single-story pavillion north of the main building in the OSOZ and to allow for the direction of storm water runoff to collection points. The total disturbance area is approximately 4.55 acres. Total excavation is approximately 39,400 cubic yards. The source fill will be imported or excavated on-site soils.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. [\[help\]](#) ✓  
*Yes. Depending on weather conditions, erosion could occur as a result of construction activities. Controlled per BCC 23.76 - C&G Code*

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? [\[help\]](#)

*The current existing condition of the site is predominantly an asphalt parking lot with minimal landscape. After the project construction, impervious surfaces will be approximately 76.2% 86% overall. Phase I will contain all newly pervious surfaces primarily in the OSOZ and will consist of lush landscape planting areas, trees, lawn areas, bioswales for stormwater, as well as porous sidewalks where appropriate. The remaining public benefits of Urban trails/ midblock connector, and pedestrian improvements will all incorporate new landscaping areas, trees, and where appropriate bioswales. Phase II being the building itself will be 100% impervious. However, there will be an expansive roof amenity deck at L2 which will have additional landscape areas.* ✓

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: [\[help\]](#) ✓  
*A temporary erosion and sedimentation control plan will be*

*designed per the City of Bellevue standards and implemented on the site during the construction phase of the project to control erosion impacts. Erosion and Sedimentation Control per BCC 23.76*

## 2. Air [\[help\]](#)

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. [\[help\]](#) ✓  
*During the construction phase of the project emissions from construction equipment would be present. Upon project completion emissions from vehicular traffic to and from the site would be present.*
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. [\[help\]](#) ✓  
*None are known to exist.*
- c. Proposed measures to reduce or control emissions or other impacts to air, if any: [\[help\]](#) ✓  
*Construction equipment will be maintained and will comply with the state emission standards. In Phase I, significant landscaping, including efforts to keep some existing trees on site as well as new trees will be installed and will have a positive impact on air quality. Furthermore, in creating this project, efforts to encourage connection and access to nearby public transit, as well as efforts to encourage pedestrian and bicycle use will also have a positive impact on the air quality. In Phase II, the landscape roof deck at L2 will add vegetation which will provide further filtering of emissions in and around the site.*

RCW 46.61.655 & BCC 23.76 re covered loads

## 3. Water [\[help\]](#)

- a. Surface Water: ✓
- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. [\[help\]](#)  
*None.*
- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. [\[help\]](#) ✓  
*None.*
- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. [\[help\]](#) ✓  
*No fill or dredge material will be placed in or removed from any surface waters.*

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. [\[help\]](#)  
*No surface water withdrawals are proposed.*

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. [\[help\]](#)  
*The site is not located within a 100-year flood plain.*

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. [\[help\]](#)  
*No waste materials will be discharged to surface waters.*

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. [\[help\]](#)  
*No groundwater will be withdrawn or water discharged to groundwater under this proposal.*

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. [\[help\]](#)  
*No waste materials will be discharged to the ground. All sanitary sewer effluent will be routed through tightline pipe to the existing City of Bellevue sanitary sewer system.*

c. Water runoff (including stormwater): **Reviewed per Utilities Code BCC 24.02, 04, 06 and Develop. Extension Agreement (UE Permit)**

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. [\[help\]](#)  
*The source of runoff will be rainfall, from building rooftops and from paved areas. Stormwater will be collected and conveyed via a storm pipe and catch basins and routed to underground detention vaults. Stormwater from the vaults will be treated prior to entering the existing storm system. The discharge from the site is to a public, below-grade piped system that drains to Kelsey Creek. Kelsey Creek eventually flows to Lake Washington.*
- 2) Could waste materials enter ground or surface waters? If so, generally describe. [\[help\]](#)  
*No waste material will enter ground or surface waters under this proposal.*

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. [\[help\]](#)

*The runoff from the proposed development will discharge from the site as currently found in the existing conditions.*

- d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: [\[help\]](#)

*A stormwater detention and water quality treatment plan will be designed to meet City of Bellevue standards and constructed to control and reduce stormwater runoff impacts from the proposed development.*

**Detention vault permit required.**

#### 4. Plants [\[help\]](#)

- a. Check the types of vegetation found on the site: [\[help\]](#)

☒deciduous tree: alder, maple, aspen, other: *Click here to enter text.*

☒evergreen tree: fir, cedar, pine, other: *Click here to enter text.*

☒shrubs

☐grass

☐pasture

☐crop or grain

☐Orchards, vineyards or other permanent crops.

☐wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other: *Click here to enter text.*

☐water plants: water lily, eelgrass, milfoil, other: *Click here to enter text.*

☐other types of vegetation: *Click here to enter text.*

- b. What kind and amount of vegetation will be removed or altered? [\[help\]](#)

*Existing vegetation located in the parking lot landscape islands will be removed. These consist of smaller deciduous trees and evergreen shrubs. Additionally, a row of Leland cypress trees will be removed from a stretch along 160<sup>th</sup> Ave NE close to NE 8<sup>th</sup> St. To be noted, efforts are in place to maintain/ keep some larger species of evergreen firs on site in the OSOZ.*

- c. List threatened and endangered species known to be on or near the site. [\[help\]](#)

*None are known to be on or near the site to our knowledge.*

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: [\[help\]](#)

*The proposed landscaping will be designed per the City of Bellevue standards and will consist of native and adapted plant materials including trees, shrubs, ground covers and perennials.* **LUC 20.20.520**

- e. List all noxious weeds and invasive species known to be on or near the site. [\[help\]](#)

*None are known to be on or near the site to our knowledge.*

## 5. Animals [\[help\]](#)

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. [\[help\]](#)

Examples include: **Mammals and birds typical to urban environment**

birds: ☐hawk, ☐heron, ☐eagle, ☒songbirds, other: *Click here to enter text.*

mammals: ☐deer, ☐bear, ☐elk, ☐beaver, other: *Click here to enter text.*

fish: ☐bass, ☐salmon, ☐trout, ☐herring, ☐shellfish, other: *Click here to enter text.*

- b. List any threatened and endangered species known to be on or near the site. [\[help\]](#)  
*None are known to be on or near the site to our knowledge.*

- c. Is the site part of a migration route? If so, explain. [\[help\]](#)  
*Yes, the site is part of the Pacific Flyway for migratory birds.*

- d. Proposed measures to preserve or enhance wildlife, if any: [\[help\]](#)  
*The implementation of new landscape that will be designed to meet City of Bellevue standards will help to preserve or enhance wildlife.*

- e. List any invasive animal species known to be on or near the site. [\[help\]](#)  
*None are known to be on or near the site to our knowledge.*

## 6. Energy and Natural Resources [\[help\]](#)

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. [\[help\]](#)  
*Electricity will be used for lighting and overall energy needs of the development and natural gas will be used for heating.*

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. [\[help\]](#)  
*It is not anticipated that the proposed ~~Phase II~~ building would affect the use of solar energy by an adjacent property.*

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any: [\[help\]](#)  
*The building will comply with current energy code requirements. No specific measures are proposed.*

## 7. Environmental Health [\[help\]](#)

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal?

If so, describe. [\[help\]](#)

*None.*


- 1) Describe any known or possible contamination at the site from present or past uses. 

[\[help\]](#)

*the proposal*


*None are known to be on the immediate site of ~~Phase I or II~~ to our knowledge. Nearby but not connected too our immediate site, An August 2008 Phase I Environmental Site Assessment (ESA) found a former dry cleaning facility, a former tire facility, and a former gasoline station. The Phase II Subsurface Site Assessment (August 2008) concluded the soil within the immediate vicinity of the former dry cleaning facility did not contain PCE impact from historical use. As noted in the Phase I, in 1991 the former tire facility was demolished and subsurface features removed including impacted soil. Ecology issued "No further Action". The former gasoline station was removed including subsurface features in 1990. Impacted soil was excavated and treated on site. A monitoring and clean up plan was put in place with a vapor extraction system.*

*Each of these facilities while located within the Crossroads Mall site are not part of the immediate site for the proposed Mixed-use building and therefore will not be a factor. The former dry cleaning facility was north of QFC. The former tire facility was along 156<sup>th</sup> Ave NE and currently an asphalt parking lot. The former gasoline station was along NE 8<sup>th</sup> in front of Building B and is currently an asphalt parking lot.*


- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. [\[help\]](#) 

*None are known to exist to our knowledge.*

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. [\[help\]](#)

*Fuel associated with construction equipment would be present on the site during construction phase of the project. No hazardous materials are anticipated to be on the site upon project completion.* 

- 4) Describe special emergency services that might be required. [\[help\]](#)

*Only fire, medical, and police services already available in the area. No special emergency services are anticipated.* 

- 5) Proposed measures to reduce or control environmental health hazards, if any: [\[help\]](#)  
*The contractor will have a pollution and spill prevention plan in place for the construction phase of the project. No other specific measures are proposed.* ✓

b. Noise [\[help\]](#)

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? [\[help\]](#) ✓  
*Noise from vehicular traffic on area roadways would exist as under existing conditions but would not be anticipated to affect the proposed project.*
- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? [\[help\]](#) ✓  
*Indicate what hours noise would come from the site. [\[help\]](#)  
On a short term basis from construction equipment would be present from approximately 7am to 6pm Monday through Friday. On a long term basis from vehicular traffic to and from the site would be present daily from approximately 7am to 9pm. Noise regulated per BCC 9.18 - including construction hours*
- 3) Proposed measures to reduce or control noise impacts, if any: [\[help\]](#) ✓  
*Construction equipment will meet noise ordinance requirements. No other specific measures are proposed.*

Noise regulated per BCC 9.18 - including construction hours

8. Land and Shoreline Use [\[help\]](#)

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. [\[help\]](#) ✓  
*The site is part of a retail shopping center. The proposed project will be constructed on an existing parking lot within the center. The surrounding properties adjacent to the project consist of a public community center building and a multi story apartment building for elderly living. No impacts to land uses on nearby or adjacent properties.*
- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? [\[help\]](#) ✓  
*The property has not been used as working farm or forest lands.*
- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: [\[help\]](#) ✓  
*The property has not been used as working farm or forest*

lands.

- c. Describe any structures on the site. [\[help\]](#)

*The proposed site is an existing parking lot. No buildings will be removed.*

- d. Will any structures be demolished? If so, what? [\[help\]](#)

*None.*

- e. What is the current zoning classification of the site? [\[help\]](#)

*CB (Community Business District)*

- f. What is the current comprehensive plan designation of the site? [\[help\]](#)

*The current comprehensive plan designation is Community Business (CB). In Crossroads Subarea - District E*

- g. If applicable, what is the current shoreline master program designation of the site? [\[help\]](#)

*Not applicable.*

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify. [\[help\]](#)

*None.*

- i. Approximately how many people would reside or work in the completed project? [\[help\]](#)

*It is estimated that approximately 300 people will reside at the completed development and approximately 25 people will work at the completed development. 224 units*

- j. Approximately how many people would the completed project displace? [\[help\]](#)

*No people will be displaced.*

- k. Proposed measures to avoid or reduce displacement impacts, if any: [\[help\]](#)

*No specific measures are proposed.*

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: [\[help\]](#)

*The proposed development is a permitted use and the project will be designed to meet City of Bellevue code and design standards, as well as the Comprehensive Plan adopted on Aug 3, 2015.*

*Includes the provision of Public Benefits & Enhance Public Benefit, as outlined in the required Development Agreement (DA)*

- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any: [\[help\]](#)

*There are no working farm or forest lands in the vicinity of the site to our knowledge.*

## 9. Housing [\[help\]](#)

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. [\[help\]](#)

*The proposed development consists of 224 ~~market-rate~~ residential units. with 20% affordable at 80% AMI (min. 44 units) per DA*

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. [\[help\]](#) *Per the DA, 20% of the units will be affordable at 80% AMI through the use of the MFTE program - see Council approved Development Agreement DA dated 6/14/2021- Attachment D to staff report (min. 44 units)* ✓
- c. Proposed measures to reduce or control housing impacts, if any: [\[help\]](#) *No specific measures are proposed. Affordable housing is being provided via Council approved Development Agreement.* ✓

## 10. Aesthetics [\[help\]](#)

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? [\[help\]](#) *The tallest height of the ~~Phase II~~ building will be 60-foot from average grade. The principal building materials will include brick, concrete, cement board and corrugated metal siding.* ✓
- b. What views in the immediate vicinity would be altered or obstructed? [\[help\]](#) *Some views from adjacent properties to the east will be altered but no views are anticipated to be ~~completed~~ completely obstructed. Building will actually obscure views of older Mall building, and OSOZ will provide enhanced landscaped area between the Park and properties to the east and the Mall.* ✓
- c. Proposed measures to reduce or control aesthetic impacts, if any: [\[help\]](#) *No specific measures are proposed.*

## 11. Light and Glare [\[help\]](#) LUC 20.20.522 - Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? [\[help\]](#) *Glare from building window glass could be present during daylight hours and light from building and parking lot lighting could be present during early morning and evening hours.* ✓
- b. Could light or glare from the finished project be a safety hazard or interfere with views? [\[help\]](#) *It is not anticipated that light or glare created by the proposed project would be a safety hazard. LUC 20.20.522 - Light and Glare* ✓
- c. What existing off-site sources of light or glare may affect your proposal? [\[help\]](#) *Light from vehicular traffic on surrounding roadways and parking lots would be present but would not be anticipated to affect the project.* ✓
- d. Proposed measures to reduce or control light and glare impacts, if any: [\[help\]](#) ✓

Building wall lighting and perimeter landscaping lighting will control light and glare impacts by using down lite fixtures and shade devices. LUC 20.20.522 - Light and Glare

## 12. Recreation [\[help\]](#)

- a. What designated and informal recreational opportunities are in the immediate vicinity? [\[help\]](#) ✓

*The existing Crossroads park to the east of the site will have a pedestrian connection to the proposed project and contains tennis and basketball courts, walking pathways, a community Center and an a Youth Theater. On site there is a full shopping center with food court, retail and entertainment uses including a cinema.*

- b. Would the proposed project displace any existing recreational uses? If so, describe. [\[help\]](#) ✓

*None. Will provide additional recreational uses in the OSOZ*

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: [\[help\]](#) public ✓

~~*In Phase I,*~~ *the OSOZ will provide a large outdoor ground level plaza and will extend the pedestrian connection from existing Crossroads Park onto the project site. This space will have the opportunity to provide community oriented activites such as movies in the park, farmers markets, etc.*

~~*In Phase II,*~~ *open space areas will be created within the project - a 10,000 SF amenity deck will be located on the second floor of the residential building for use by residents.*

*required multi-family play area*

## 13. Historic and cultural preservation [\[help\]](#)

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe. [\[help\]](#) ✓

*None to our knowledge.*

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. [\[help\]](#) ✓

*None to our knowledge.*

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. [\[help\]](#) ✓

*No studies have been conducted to date for the site.*

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be ✓

required. [\[help\]](#)

*No specific measures are proposed. However, if cultural artifacts were uncovered on the site during construction, the proper agencies would be notified.*

#### 14. Transportation [\[help\]](#)

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. [\[help\]](#) ✓

*The project site is located on the east side of the Crossroads Shopping Center. Arterial access is provided from NE 8<sup>th</sup> Street on the south side of the shopping center and 156<sup>th</sup> Avenue NE on the west side of the shopping center.*

*The east side of the proposed mixed-use building would abut 160<sup>th</sup> Avenue NE, a private street that serves two small retail strip buildings and a senior housing project on the east side of the street as well as the Crossroads Community Center and the Bellevue Youth Theater at the north end of the street. Crossroads Shopping Center has a perpetual easement for use of 160<sup>th</sup> Avenue NE. The west side of the mixed-use building would front an internal access road known as Crossroads Place, which is also a private street.*

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? [\[help\]](#) ✓

*The Crossroads Shopping Center is directly served by King County Metro Routes 221 (Redmond to Eastgate) and 226 (Bellevue to Eastgate) along NE 8<sup>th</sup> Street, and by Routes 245 (Kirkland to Factoria) and the B Line (Redmond Transit Center to Bellevue Transit Center) along 156<sup>th</sup> Avenue NE. Bus Stops are located on the Crossroads Shopping Center frontages. The routes provide daily service with headways between 20 and 30 minutes.*

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? [\[help\]](#) ✓

*The proposed building's parking garage would have a total of 253 stalls: 102 stalls on Level 1 and 151 stalls in the basement. The proposed project would eliminate 350 stalls that currently exist within the footprint of the building. It would ~~add 321~~ stalls both in the new structured parking garage and with reconfigurations of surface lots throughout the Crossroads site.*

replace with 265

*When the proposed project is complete, the entire Crossroads Shopping Center would have 2,245 parking stalls: 299 parking stalls dedicated for residential uses plus 1,946 parking stalls for commercial uses. This represents a net decrease in total parking supply of 29 spaces compared to current conditions.*

*Refer to Parking Analysis Prepared by Heffron Transportation Inc., dated 12-29-2019*

Detailed parking analysis performed for the Crossroads Shopping Center found that there is excess parking available, even during peak Christmas seasons. No adverse parking impacts are expected due to the project. 27 Spaces provided for the Crossroads Senior Living Building will need to be relocated and recorded on the Crossroads Mall site prior to issuance of any construction permits per Design Review Condition of Approval

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). [\[help\]](#)

The project proposes substantial pedestrian/ bicycle improvements and amenities in the vicinity of the new building. The improvements proposed as part of the projects Public Benefit and defined in its Developers Agreement. Key elements of this package include: providing an open space and pedestrian connection to link the shopping center to the adjacent community center; improving the frontage on 160<sup>th</sup> Avenue NE to provide enhanced sidewalk; and improving internal pedestrian environment along Crossroads Place.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. [\[help\]](#)

The project would not use water, rail, or air transportation.

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates? [\[help\]](#)

Trip generation for the proposed project are documented in the Level 2 Traffic Analysis. It is estimated to generate 101 PM peak hour vehicle trips (58 enter and 43 exit).

The project is expected to generate an average of about 10-20 round-trip truck movements per day, which could include trash and recycling pick-up, and parcel and bulk item deliveries as well as residential move-in/ move-out. These represent about 4% of the total site traffic.

Detailed traffic and parking analysis are presented in the Level 2 Traffic Impact Analysis for the Crossroads Mixed-Use Project, Heffron Transportation, Inc. December 2020.

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe. [\[help\]](#)

The project would not interfere with or be affected by the movement of agricultural and forest products on the roadway network.

- h. Proposed measures to reduce or control transportation impacts, if any: [\[help\]](#)

The Level 2 Traffic Impact Analysis determined that no off-site transportation improvements would be required for the project. The

project ~~would~~<sup>will</sup> be required <sup>to</sup> implement a Transportation Management Program and pay Traffic Impact Fees.

See Transportation Conditions of Approval in Section XI of Design Review staff report.  
Project is providing enhanced pedestrian connections to transit routes on NE 8th Street along 160th Avenue NE including an upgraded sidewalk and ADA ramps

**15. Public Services** [\[help\]](#)

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. [\[help\]](#)

*The redevelopment of the site may slightly increase the need for public services in the area.* Existing public services are deemed to be adequate to accommodate this proposal

- b. Proposed measures to reduce or control direct impacts on public services, if any. [\[help\]](#)

*None are proposed* Project is provided enhanced pedestrian connections to transit routes on NE 8th Street along 160th Avenue NE including an upgraded sidewalk and ADA ramps

**16. Utilities** [\[help\]](#)

- a. Circle utilities currently available at the site: [\[help\]](#)  
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other

*electricity, natural gas, water, refuse service, telephone, sanitary sewer.*

- c. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed. [\[help\]](#)

*Electricity: Puget Sound Energy*

*Natural Gas: Puget Sound Energy*

*Water: City of Bellevue*

*Sanitary Sewer: City of Bellevue*

*Telephone: Frontier Communications*

*Cable: Comcast and Frontier Communications*

*Refuse Service: Republic Waste Management*

**C. Signature** [\[help\]](#)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: \_\_\_\_\_

*Mark Taylor*

Name of signee: *Mark Taylor*

Position and Agency/Organization: *Architect/ Principal MG2*

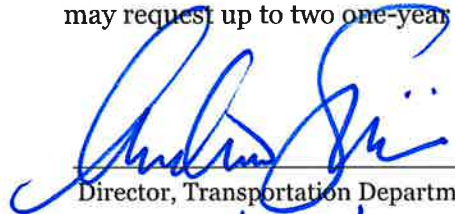
Date Submitted: *December 30, 2020*

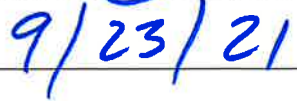
ATTACHMENT C: CERTIFICATE OF CONCURRENCY

# CERTIFICATE OF CONCURRENCY

## Crossroads Multi-family

This certificate documents the Transportation Department Director's decision that the development project at 15600 NE 8<sup>th</sup> Street (File No. 18-132391 LD) complies with the requirements of the Traffic Standards Code (BCC 14.10). This decision reserves 101 net new p.m. peak hour trips to that project, subject to Process II appeal of either the concurrency determination or the Design Review decision. This reservation will expire one year from the land use decision date unless a complete building permit application is filed prior to that date (BCC 14.10.040F). At the time of a complete building permit application, the concurrency reservation will remain in effect for the life of that application (BCC 23.05.090H). Upon issuance of the building permit, concurrency is reserved for one year; the applicant may request up to two one-year extensions (BCC 23.05.100E).

  
\_\_\_\_\_  
Director, Transportation Department

  
\_\_\_\_\_  
Date

*Certificate No. 144*

ATTACHMENT D: RECORDED DEVELOPMENT AGREEMENT

Record Date:6/25/2021 3:30 PM

Electronically Recorded King County, WA

**WHEN RECORDED RETURN TO:**

City of Bellevue  
City Attorney's Office  
PO Box 90012  
Bellevue, WA 98009-9012  
Attn: Matthew B. McFarland

**Document Title:**                      **Development Agreement**

**Grantor:**                                Terranomics Crossroads Associates, a California limited partnership

**Grantee:**                                City of Bellevue, a Washington municipal corporation

**Legal Description of Project Site:** See Attachment A for complete legal description.

Abbreviated legal: Ptn SW 1/4 SE 1/4 Sec 26 T25N  
R5E,WM, King County

**Assessor's Tax Parcel No.:** See Attachment A (7.5 acre area covering portions of  
Parcel Nos. 262505-9150; 262505-9243)

**Reference Nos. of Documents Released or Assigned:** N/A

## DEVELOPMENT AGREEMENT

**THIS DEVELOPMENT AGREEMENT** (“Agreement” or “Development Agreement”) is entered into, as of the Effective Date described below, by and between the **CITY OF BELLEVUE**, a Washington municipal corporation (“City”) and **TERRANOMICS CROSSROADS ASSOCIATES**, a California limited partnership (“Grantor”). The City and Grantor are known individually as a “Party” and together as the “Parties.”

### RECITALS

WHEREAS, this Development Agreement is adopted pursuant to authority provided in RCW 36.70B.170 *et seq.*; and

WHEREAS, this Development Agreement sets forth the applicable development standards, public benefit requirements—including pedestrian connections, park connections, public open space, and affordable housing—and other provisions related to the development project described herein; and

WHEREAS, Grantor wishes to develop a mixed-use development commonly referred to as “Crossroads Multi-family Project,” or the “Project,” on property adjacent to the west side of the Crossroads Park and Community Center in the Crossroads Subarea, with the Project site legally described in Attachment A; and

WHEREAS, the Project is zoned Community Business (CB) and is subject to the development standards and regulations applicable to a Community Retail Design District, Chapter 20.25I of the Land Use Code (LUC), and to the standards and regulations contained in LUC 20.10.440 and LUC 20.20.010; and

WHEREAS, while the proposed site of the Project is zoned CB, a zoning classification which generally allows the mix of uses and density envisioned by Grantor, the site is located in Crossroads Planning District E where multifamily development may be allowed only through a development agreement that is approved by the City Council and consistent with Chapter 36.70B RCW; and

WHEREAS, because the Project is located in Crossroads Planning District E, this Development Agreement must include design guidelines that are consistent with Comprehensive Plan Policies S-CR-79 and S-CR-81 regarding the creation of mixed-use developments with pedestrian connections, park connections where appropriate, and public open space; and

WHEREAS, the Project is consistent with existing Comprehensive Plan, Crossroads Subarea Plan Policy S-CR-79: *Multifamily uses are not appropriate north of NE 8th Street within District E, except that mixed use multifamily developments may be appropriate when they: 1) are high quality; 2) are designed to avoid conflicts with commercial uses; 3) include measures that ensure residential and commercial uses complement each other, including outdoor gathering areas, public open space, park connectivity where appropriate, and pedestrian connections and activity areas; and 4) are generally consistent with Figure S-CR. 2;* and

WHEREAS, the Project is consistent with the existing Comprehensive Plan, Crossroads Subarea Plan Policy S-CR-81: *Require development to include pedestrian connections, open space, and activity areas to support site residents and users*; and

WHEREAS, the Project includes public benefits that ensure residential and commercial uses complement each other consistent with Comprehensive Plan Policies S-CR-79 and S-CR-81 and Figure S-CR.2, including the Open Space Opportunity Area, Park Interface Area, and Mid-Block Connection Urban Trail (collectively, the “Public Benefits”); and

WHEREAS, the Parties have developed Public Benefit Design Guidelines (Attachment C) to guide the Project’s development and to optimize the Public Benefits; and

WHEREAS, the Project also includes an affordable housing public benefit which requires that a minimum of twenty (20) percent of all units in the Project shall be affordable units with affordable rents at or below eighty (80) percent of King County median income (the “Enhanced Public Benefit”); and

WHEREAS, the Enhanced Public Benefit also provides that any dwelling unit within the Project that is 300 square feet or less shall be categorized as a very small dwelling unit, which is required to have an affordable rent at or below forty-five (45) percent of King County median income; and

WHEREAS, in consideration of the Enhanced Public Benefit and consistent with Bellevue City Code (BCC) 4.52.030.C, the City shall formally include the Project site, as legally described in Attachment A, as a “residential targeted area” under the City’s Multifamily Housing Property Tax Exemption Program (“MFTE Program”), Chapter 4.52 BCC; and

WHEREAS, under BCC 4.52.030.C, the City Council may, by ordinance, in its sole discretion, amend or rescind the designation of a residential targeted area in the MFTE Program pursuant to the procedural requirements in BCC 4.52.030.A; and

WHEREAS, and as further described below in Section C.1.c, the affordable housing provided by the Enhanced Public Benefit shall remain in the City’s MFTE Program for the maximum amount of time the Project qualifies for an exemption from ad valorem property taxation under Chapter 4.52 BCC, including any extended period of time that may be available to Grantor based on future amendments or modifications to current provisions in Chapter 4.52 BCC; and

WHEREAS, the Project is also consistent with existing Comprehensive Plan Policy LU-19: *Encourage mixed residential/commercial development in all Neighborhood Business and Community Business land use districts where compatibility with nearby uses can be demonstrated*; and

WHEREAS, the Project is also consistent with existing Comprehensive Plan, Crossroads Subarea Plan Policy S-CR-18: *Develop a prominent new open space area and entrance to*

*Crossroads Park that increases visibility and access to the Park and is integrated with adjacent commercial uses generally consistent with Figure S-CR 2; and*

WHEREAS, the Project is also consistent with existing Comprehensive Plan, Crossroads Subarea Plan Policy S-CR-19: *Provide physical and visual connectivity to Crossroads Park, where appropriate; and*

WHEREAS, the Project is also consistent with existing Comprehensive Plan, Crossroads Subarea Plan Policy S-CR-31: *Development and implement safe mid-block crossings where appropriate on superblocks; and*

WHEREAS, the Project is also consistent with Housing Element Policies HO-7 and HO-23: *Encourage the development of affordable housing through incentives and other tools consistent with state enabling legislation; and*

WHEREAS, the Project is also consistent with Housing Element Policy HO-21: *Address the entire spectrum of housing needs, including the need for housing affordable to very low, low, and moderate income households, through the City's affordable housing programs; and*

WHEREAS, the Project is also consistent with Housing Element Policy HO-29: *Explore financial incentives to encourage affordable housing, such as partial exemptions from city permit fees, the state property tax exemption program and other state enabled programs; and*

WHEREAS, the Project is also consistent with Housing Element Policy HO-30: *Ensure that all affordable housing created in the City with public funds or by regulation remains affordable for the longest possible term; and*

WHEREAS, Grantor will be required to separately apply for all necessary land use and construction permits for the Project, including project-level review under the State Environmental Policy Act, Chapter 43.21C RCW (SEPA); and

WHEREAS, RCW 36.70B.170(1) authorizes the City to enter into a development agreement with an entity having ownership or control of real property within its jurisdiction; and

WHEREAS, RCW 36.70B.170(1) requires a development agreement set forth the development standards and other provisions that shall apply to and govern and vest the development, use, and mitigation of the development of the real property for the duration specified in the agreement; and

WHEREAS, RCW 36.70B.170(1) requires a development agreement be consistent with applicable development regulations adopted by a local government planning under Chapter 36.70A RCW; and

WHEREAS, under RCW 36.70B.170, "affordable housing" is a development standard that shall apply to and govern and vest the development, use, and mitigation of the development of the Project; and

WHEREAS, under RCW 36.70B.170, the execution of a development agreement is a proper exercise of city police power and contract authority and shall reserve authority to impose new or different regulations to the extent required by a serious threat to public health and safety; and

WHEREAS, under RCW 36.70B.170, a development agreement may obligate a party to fund or provide services, infrastructure, affordable housing, or other public benefits and facilities; and

WHEREAS, this Development Agreement is subject to review under SEPA with the opportunity for public comment, and RCW 36.70B.200 requires that the City hold a public hearing prior to approving the Agreement by ordinance or resolution; and

WHEREAS Grantor will benefit from the execution of this Development Agreement to enable multifamily housing on the Project site, will gain additional certainty about allowable uses of the Project site, and will benefit from inclusion of the Project site in the MFTE Program; and

NOW, THEREFORE, in consideration of the mutual agreements contained herein, as well as other valuable consideration, the receipt and sufficiency of which are hereby mutually acknowledged, the Parties hereby agree as follows:

#### **AGREEMENT**

##### **A. Crossroads Multifamily Project.**

1. **Project.** As provided in Ordinance 6576, Grantor agrees that the Project shall include up to 224 dwelling units and approximately 14,500 square foot of commercial space as shown in Attachment B ("Recordable Exhibits") and shall include the Public Benefits and Enhanced Public Benefit as set forth in the Recitals. The Public Benefits are depicted on Attachment B and described in Attachment C ("Public Benefits Design Guidelines"), and Attachment B and Attachment C are incorporated herein by reference. The Enhanced Public Benefit is described in Section C below.

##### **B. Public Benefits.**

1. **Development.** Grantor shall be responsible for developing the Public Benefits as shown on Attachment B and described in Attachment C, consistent with the Public Benefits Design Guidelines. The Public Benefits are:
  - a. Open Space Opportunity Area;
  - b. Mid-Block Connector/Urban Trail;
  - c. Park Interface Area; and
  - d. Pedestrian Improvements.
2. **Timing of Public Benefits.** The Public Benefits shall be installed prior to the City's issuance of any Certificate of Occupancy for the Project.

**C. Enhanced Public Benefit.**

1. The Enhanced Public Benefit is:

a. A minimum of twenty (20) percent of all units in the Project shall be affordable units with affordable rents at or below eighty (80) percent of King County median income; and

b. Any dwelling unit within the Project that is 300 square feet or less shall have an affordable rent at or below forty-five (45) percent of King County median income.

c. The Parties acknowledge that the City's MFTE Program, Chapter 4.52 BCC, may at a future time be amended, modified, or replaced by new provisions. The Parties also acknowledge that the MFTE Program may be amended to provide for an extended period of affordability for twenty (20) percent of units in the Project in exchange for an extended time period in which the Project is exempt from ad valorem property taxation.

Grantor agrees that the affordable units at the Property shall remain affordable units as set by the terms of this Development Agreement for the maximum amount of time the Project qualifies for an exemption from ad valorem property taxation under Chapter 4.52 BCC. Similarly, it is the express intention of the Parties to maintain the Enhanced Public Benefit consistent with terms of Sections C.1.a and C.1.b of this Agreement for the maximum amount of time that Grantor receives the tax benefits of the MFTE Program. In the event that the Enhanced Public Benefit may, consistent with the terms of this Agreement, be extended under Chapter 4.52 BCC and the MFTE Program in the future, Grantor shall extend the Enhanced Public Benefit for the maximum amount of time the Project qualifies for participation in the MFTE Program, now or as hereafter amended.

2. **Consideration for Enhanced Public Benefit.** In consideration of the Enhanced Public Benefit, the City shall formally include the Project site, as legally described in Attachment A, as a "residential targeted area" under the MFTE Program.

**D. Easements, Permits, and Agreements.**

1. Grantor and Grantee previously executed a "Sidewalk, Utilities and Landscape Easement" recorded under King County Records No. 20130524001949 ("Existing Easement") for the purposes of constructing, maintaining, repairing, replacing, improvement, removing, and using an easement on certain portions of City property (Crossroads Park) for sidewalk, utilities, and landscaping. Grantor agrees and accepts that the Project and its installation of Public Benefits will require additional permits, approvals, and permissions from the City.

2. The Project is currently being reviewed by the City under ADR No. 18-132391-LD, and Grantor shall obtain all requisite land use and construction permits and approvals from the City prior to construction.

3. The Enhanced Public Benefit shall run with the land. Prior to issuance of any certificate of occupancy, Grantor shall execute and record a covenant with the King County department of records and elections that is in a form acceptable to the City Attorney and that addresses the price restrictions, eligible household qualifications, long-term

affordability, and any other applicable topics related to the Enhanced Public Benefit and the mandatory affordable housing units included in the Project. This covenant shall be a covenant running with the land and shall be binding on the assigns, heirs, and successors of Grantor.

**E. Vesting and Reserved Rights.**

1. The Project shall vest in accordance to the applicable provisions governing the required City permits and approvals, including but not limited to the vesting provisions in LUC 20.40.500.
2. The City reserves authority pursuant to RCW 36.70B.170(4) to impose new or different development regulations or land use controls to the extent required by a serious threat to public health or safety.

**F. No Approval of Project-Related Actions.**

The execution of this Development Agreement does not, in and of itself, permit any specific development. Grantor is required to apply for a separate project-level permit(s) for the Project, which will be reviewed by the City, and project-level SEPA review is also required for the Project. In addition to compliance with this Development Agreement, the Project shall be reviewed for compliance with all applicable development regulations in order to obtain the necessary City permits and approvals.

Nothing in this Agreement shall be interpreted to limit the City's exercise of its regulatory powers with respect to the Project or any other development proposal on the Property, or other regulatory matters in accordance with applicable law. Nor shall this Agreement be interpreted as: (a) a full and final determination as to the consistency of the Project to applicable plans, codes, and ordinances; (b) an agreement or commitment by the City to approve any or all development on the Property; or (c) any commitment whatsoever by the City with respect to any future discretionary decisions that may be required for development of the Property. To the extent allowable by law, any permit or approval issued by the City after the execution of this Development Agreement shall be consistent with this Development Agreement.

**G. Compliance with Laws.**

Notwithstanding anything in this Agreement, Grantor will comply with all applicable federal, state and local laws and will pursue all necessary land use and technical permits for the Project.

**H. Term and Termination.**

This Development Agreement shall go into effect on the date it is fully executed by the Parties ("Effective Date"). This Development Agreement shall be effective until five (5) years after the Effective Date, provided that the term shall automatically be extended for the life of any land use permit and/or building permit approved consistent with this Agreement. If the Project is constructed pursuant to this Development Agreement, the rights and obligations conferred by this Development Agreement shall remain in effect for the life of the Project. Otherwise, upon expiration of the 5 year term, as may be extended as described above, this Development Agreement shall automatically terminate. Time is of the essence with respect to all provisions of this Agreement.

**I. Amendment.**

1. No amendment to this Development Agreement shall be effective unless approved by both Parties in writing and recorded with the King County Department of Records and Elections. The City Manager or his/her designee may approve amendments to the Agreement, the Design Guidelines, or the Enhanced Public Benefit if the amendment is administrative in nature, will serve to correct an error or streamline a process contained in this Agreement, or if the following criteria are met:

- a. The amendment does not result in any significant adverse impact on City property or to the public, following consultation with the Land Use Director, Community Development Director, and Parks Director; and
- b. The amendment is within the general scope, purpose, and intent of this Agreement, the Design Guidelines, or the Enhanced Public Benefit; and
- c. The amendment complies with all applicable provisions of the LUC and Bellevue City Code; and
- d. The amendment does not result in any material change in the nature of the Public Benefits, the Design Guidelines, or the Enhanced Public Benefit described in this Agreement; and
- e. The amendment will not violate any state or local laws, including SEPA and the Growth Management Act, Chapter 36.70A RCW.

2. All other substantive amendments to this Development Agreement must be approved by resolution of the City Council after public notice and hearing.

**J. Binding Effect; Assignability.**

This Development Agreement shall bind and inure to the benefit of the Parties hereto and their respective successors, heirs, legatees, representatives, receivers, trustees, transferees, and assigns.

**K. Effect of Grantor Approval.**

The Development Agreement does not impose an obligation on Grantor or its successors or assigns to develop the Project. It is understood that this Agreement is applicable solely to the Project and does not inure to the benefit of any other development that may be proposed on the Property or to any of Grantor's other projects.

**L. Representations and Warranties.**

Each signatory to this Development Agreement represents and warrants that he or she has full power and authority to execute and deliver this Development Agreement on behalf of the Party for which he or she is signing, and that he or she will defend and hold harmless the other Parties and signatories from any claim that he or she was not fully authorized to execute this Development Agreement on behalf of the person or entity for whom he or she signed. Upon proper execution and delivery, this Agreement will constitute a valid, legal, and binding obligation that shall run with the land and shall be enforceable against each Party in accordance with the terms contained herein.

**M. Governing Law and Venue.**

This Development Agreement shall be governed by and construed in accordance with the laws of the State of Washington. Jurisdiction over and venue for any action arising out of or relating to this Development Agreement shall be exclusively in the state and federal courts of King County, Washington. In the event of any apparent conflicts between the provisions of City Code or ordinances and this Agreement, the Development Agreement shall prevail.

**N. Full Understanding.**

The Parties acknowledge, represent and agree that they have read this Development Agreement; they fully understand the terms thereof; they have had the opportunity to be fully advised by their legal counsel and any other advisors with respect thereto; and they are executing this Agreement after sufficient review and understanding of its contents and of their own free will and not under duress.

**O. Remedies.**

The City and Grantor reserve their rights to all remedies available to them at law or at equity. If Grantor begins but does not finish construction of the Project, the remedy shall include the right to compel specific performance of the Public Benefits and Enhanced Public Benefit set forth in this Development Agreement.

**P. Attorneys' Fees.**

Should it be necessary for any Party to this Development Agreement to initiate legal proceedings to adjudicate any issues arising hereunder, the Party or Parties to such legal proceedings who substantially prevail shall be entitled to reimbursement of their attorneys' fees, costs, expenses, and disbursements (including the fees and expenses of expert and fact witnesses) reasonably incurred or made by the substantially prevailing Party in preparing to participate in mediation or arbitration, to bring suit, on appeal, on petition for review, and in enforcing any judgment or award, from the other Party.

**Q. Waiver.**

The waiver by a Party of a breach of any provision of this Development Agreement by the other Party shall not operate or be construed as a waiver of that or any subsequent breach by that Party unless in writing and signed by the Party against whom enforcement of the waiver is sought.

**R. Severability.**

This Development Agreement is expressly made and entered into under the authority of RCW 36.70B.170 *et seq.* This Development Agreement does not violate any federal or state statute, rule, regulation, or common law known to the Parties; but any provision which is found to be invalid or in violation of any statute, rule, regulation or common law shall be considered null and void, with the remaining provisions of this Agreement remaining in full force and effect.

However, and without limitation, if the Enhanced Public Benefit or any provision in this Development Agreement requiring the construction and operation of affordable housing units is found to be invalid or in violation of any statute, rule, regulation, or common law, then the entire Development Agreement shall be null and void. It is the intention of the Parties that the

Enhanced Public Benefit is a mandatory material term of this Agreement, and invalidation of the Enhanced Public Benefit shall invalidate the entire Agreement.

In the event that any Public Benefits as set forth in this Agreement shall be invalidated or found in violation of any statute, rule, regulation or common law, the City Council reserves the right to reopen the public hearing and to determine whether additional or substitute public benefits of a substantially like kind that effectuate the City's Comprehensive Plan policies should be required to be undertaken by Grantor in order to mitigate impacts that may arise as a result of the invalidation of any such Public Benefits.

**S. Equal Opportunity to Participate in Drafting.**

The Parties have participated in and have had an equal opportunity to participate in the drafting of this Development Agreement. No ambiguity shall be construed against any Party based upon a claim that the Party drafted the ambiguous language.

**T. Reservation of City Authority.**

As required by RCW 36.70B.170(4) and notwithstanding any other term of this Development Agreement, the City reserves, to the fullest extent of the law, the right to establish and impose new or different additional regulations to the extent required to address a serious threat to public health, safety, and welfare. Nothing in this Agreement abrogates the City's inherent police power or its ability to protect the public health, safety, and welfare. Nothing in this Agreement shall restrict the authority of the City to exercise its power to rezone the Property in future years.

**U. Notice.**

All notices to be given pursuant to this Agreement shall be in writing and shall be deemed given when hand-delivered within normal business hours or two (2) business days after deposit in the U.S. mail, postage prepaid, or one (1) business day if sent by overnight courier such as FedEx or UPS to the Parties at the addresses set forth below, or to such other place as a Party may from time to time designate by written notice to the other Party:

**CITY OF BELLEVUE**

Attention: Land Use Director  
Development Services Department  
450 110<sup>th</sup> Ave. NE  
Bellevue, WA 98006

PO Box 90012  
Bellevue, WA 98009-90012

With a copy to:  
City of Bellevue, City Attorney  
450 110<sup>th</sup> Ave. NE  
Bellevue, WA 98006

PO Box 90012  
Bellevue, WA 98009-90012

## **TERRANOMICS CROSSROADS ASSOCIATES**

Retail Opportunity Investments Corp  
Attention: Richard Schoebel  
11250 El Camino Real, Suite 200  
San Diego, CA 92130  
Email: [rschoebel@roireit.net](mailto:rschoebel@roireit.net)

With a copy to:  
Jessica Clawson  
McCullough Hill Leary PS  
701 5<sup>th</sup> Avenue Suite 6600  
Seattle, WA 98104  
Email: [jessie@mhseattle.com](mailto:jessie@mhseattle.com)

### **V. Final and Complete Agreement.**

This Development Agreement constitutes the final and complete expression of the Parties on the development standards governing Grantor's development of the Property. This Development Agreement may not be modified, amended, waived, or revoked orally, but only by a writing signed by all Parties and in compliance with the terms of this Agreement.

This Development Agreement supersedes and replaces all prior agreements, discussions and representations on all subjects discussed herein, without limitation. No Party is entering into this Development Agreement in reliance on any oral or written promises, inducements, representations, understandings, interpretations, or agreements other than those contained in this Development Agreement.

### **W. Recording Required.**

This Development Agreement shall be recorded by Grantor with King County at Grantor's expense. Grantor shall promptly provide a conformed copy of the recorded Agreement to City.

### **X. Force Majeure.**

Neither Party shall be deemed in default hereunder and neither shall be liable to the other if either is substantially unable to perform its obligations hereunder by reason of any fire, earthquake, flood, tsunami, hurricane, epidemic, accident, explosion, strike, riot, civil disturbance, act of public enemy, embargo, war, military necessity or operations, act of God, or similar event beyond such Party's control.

### **Y. No Third Party Beneficiaries.**

There are no third-party beneficiaries to this Agreement. No person or entity other than a Party to this Agreement shall have any rights hereunder or any authority to enforce its provisions, and any such rights or enforcement must be consistent with and subject to the terms of this Agreement.

**Z. No Joint Venture.**

No joint venture or partnership is created by this Agreement.

**AA. Counterparts.**

This Agreement may be executed simultaneously or in any number of counterparts, each of which shall be deemed an original, equally admissible in evidence, but all of those counterparts together shall constitute one and the same Agreement.

**[SIGNATURES BEGINNING ON NEXT PAGE]**

SIGNATURE PAGE TO DEVELOPMENT AGREEMENT  
TERRANOMICS CROSSROADS ASSOCIATES, a California limited partnership (Grantor)  
and  
THE CITY OF BELLEVUE (Grantee)

IN WITNESS WHEREOF, the Parties hereto have executed these presents as of the day  
and year first above written.

TERRANOMICS CROSSROADS ASSOCIATES  
a California limited partnership

By: Richard K. Schoebel  
Name: Richard K. Schoebel  
Title: Chief Operating Officer  
Date: 5.24.2021

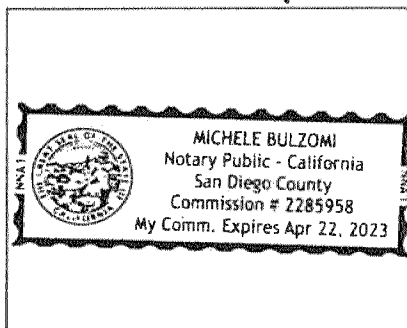
Approved as to form.

Jessica Clawson 5/26/21  
Attorney for Terranomics Crossroads  
Associates, LP

California  
STATE OF ~~WASHINGTON~~  
San Diego ) ss.  
COUNTY OF ~~KING~~

I certify that I know or have satisfactory evidence that Richard K. Schoebel  
the person who appeared before me, and said person acknowledged that he/she signed this  
instrument, on oath stated that he/she was authorized to executed the instrument and  
acknowledged it as the Chief Operating Officer of Terranomics Crossroads Associates, LP, a  
California limited partnership, to be the free and voluntary act of such party of the uses and  
purposes mentioned in the instrument.

Dated: May 24, 2021



Notary Public Michele Bulzoni  
Print Name Michele Bulzoni  
My Commission Expires 4/22/2023

(Use this space for notarial stamp/seal)

SIGNATURE PAGE TO DEVELOPMENT AGREEMENT  
TERRANOMICS CROSSROADS ASSOCIATES, a California limited partnership (Grantor)  
and  
THE CITY OF BELLEVUE (Grantee)

IN WITNESS WHEREOF, the Parties hereto have executed these presents as of the day  
and year first above written.

CITY OF BELLEVUE  
a Washington municipal corporation

By: [Signature]  
Name: Mary Kate Berens  
Title: Deputy City Mgr  
Date: 6/14/21

Approved as to form:

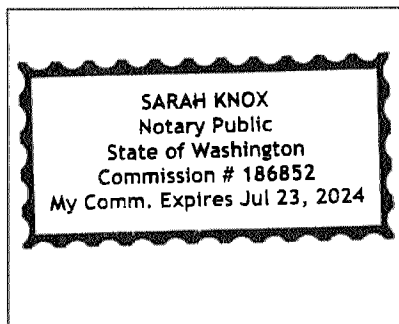
Kathryn L. Gerla, Office of the City Attorney

[Signature]  
By: Matt McFarland, Assistant City Attorney

STATE OF WASHINGTON)  
) ss.  
COUNTY OF KING)

I certify that I know or have satisfactory evidence that Mary Kate Berens is  
the person who appeared before me, and said person acknowledged that he/she signed this  
instrument, on oath stated that he/she was authorized to execute the instrument and  
acknowledged it as the Deputy City Mgr of [insert corporation name], a [state] the City of Bellevue  
[corporation/LLC/etc], to be the free and voluntary act of such party of the uses and purposes  
mentioned in the instrument.

Dated: June 14, 2021



Notary Public [Signature]  
Print Name Sarah Knox  
My Commission Expires 7/23/2021

(Use this space for notarial stamp/seal)

ATTACHMENT A

Legal Description of Project Site

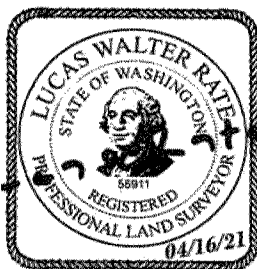
7.5 ACRE PARCEL DESCRIPTION

A PARCEL OF LAND IN THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 26, TOWNSHIP 25 NORTH, RANGE 5 EAST, WILLAMETTE MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 26, FROM WHICH THE NORTH 1/4 CORNER BEARS 1°11'55" EAST, A DISTANCE OF 5,328.53 FEET, AND FROM WHICH THE SOUTHEAST CORNER BEARS SOUTH 88°42'29" EAST, A DISTANCE OF 2,649.65 FEET;  
THENCE SOUTH 88°42'29" EAST, ALONG THE SOUTH LINE OF SAID SECTION, COINCIDENT WITH THE CENTERLINE OF NORTHEAST 8TH STREET, A DISTANCE OF 1,030.00 FEET;  
THENCE NORTH 01°11'55" EAST, DEPARTING SAID SOUTH LINE, ALONG THE EAST LINE OF THE WEST 1,030 FEET OF SAID SUBDIVISION, A DISTANCE OF 283.80 FEET TO THE POINT OF BEGINNING;  
THENCE NORTH 01°11'55" EAST, CONTINUING ALONG SAID LINE, A DISTANCE OF 1,009.42 FEET TO THE NORTHERLY-MOST SOUTH LINE OF PARCEL NUMBER 2625059033;  
THENCE SOUTH 01°17'31" WEST, A DISTANCE OF 422.00 FEET TO THE SOUTHEAST CORNER OF PARCEL NUMBER 2625059087;  
THENCE SOUTH 02°36'42" EAST, A DISTANCE OF 279.89 FEET TO THE NORTHERLY-MOST NORTH LINE OF PARCEL NUMBER 2625059135;  
THENCE SOUTH 01°06'43" WEST, A DISTANCE OF 20.82 FEET;  
THENCE SOUTH 01°00'46" WEST, A DISTANCE OF 99.35 FEET TO THE SOUTH LINE OF SAID PARCEL NUMBER 2625059135;  
THENCE SOUTH 01°30'57" WEST, A DISTANCE OF 188.06 FEET;  
THENCE SOUTH 88°42'56" EAST, A DISTANCE OF 314.12 FEET TO THE POINT OF BEGINNING.

PARCEL AS DESCRIBED HEREON CONTAINS 326,700 SQUARE FEET, OR 7.5 ACRES, MORE OR LESS.

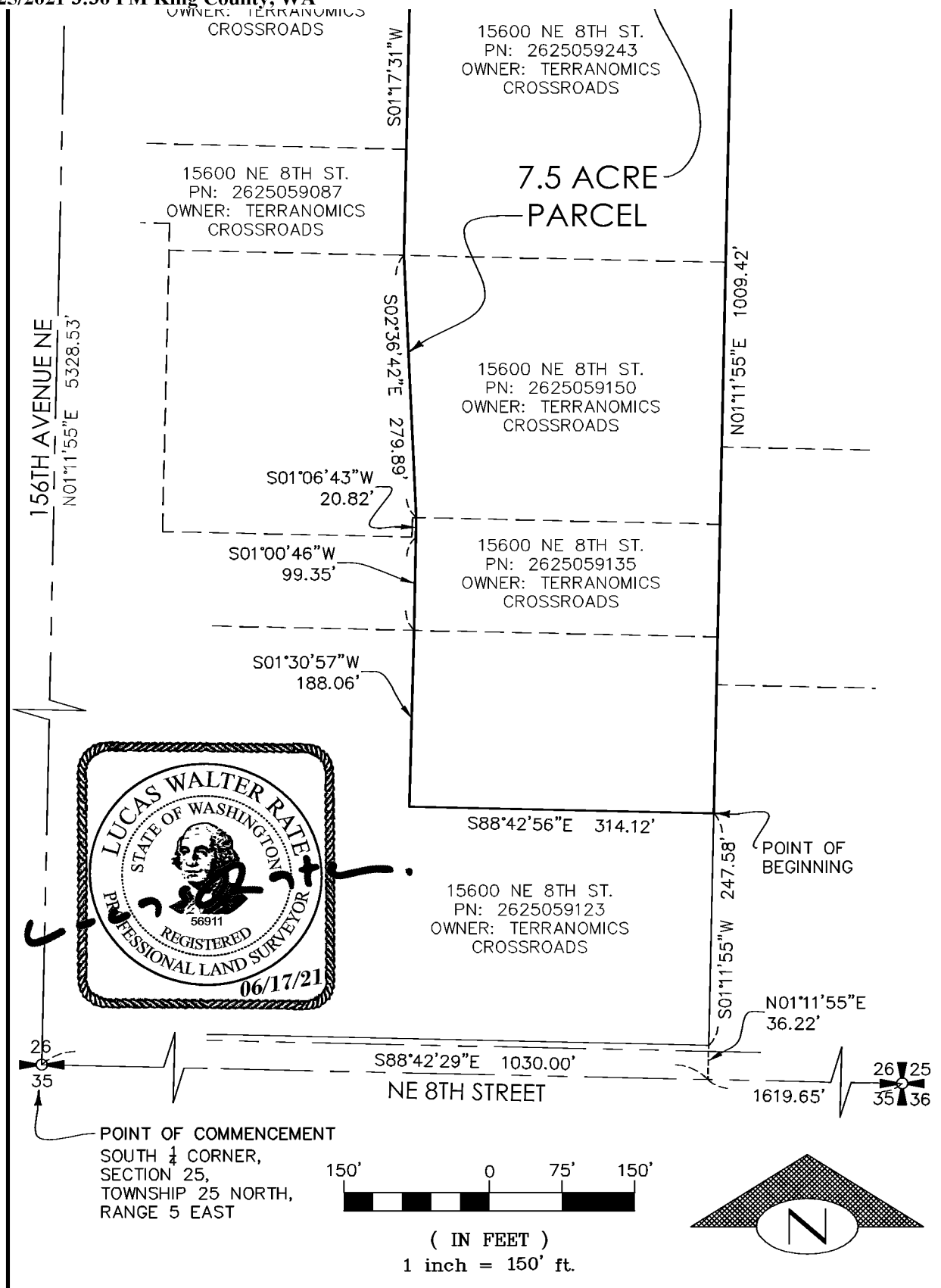
SITUATE IN THE CITY OF BELLEVUE, KING COUNTY, WASHINGTON.



M2K  
BELLEVUE CROSSROADS  
LUCAS W. RATE, P.L.S.  
BRH JOB NO. 2011019.09  
APRIL 16, 2021

BUSH, ROED & HITCHINGS, INC.  
2009 MINOR AVENUE EAST  
SEATTLE, WA 98102  
(206) 323-4144

Record Date:6/25/2021 3:30 PM King County, WA



7.5 ACRE PARCEL  
CROSSROADS BELLEVUE  
MG2

BELLEVUE

WASHINGTON



**BUSH, ROED & HITCHINGS, INC.**  
LAND SURVEYORS & CIVIL ENGINEERS

2009 MINOR AVE. EAST  
SEATTLE, Washington  
98102-3513

(206) 323-4144  
DATE: 4/16/21  
JOB NO.: 2011019.09

**ATTACHMENT B**  
**Site Plan**

**[Attachment B**, the Site Plan associated with this Development Agreement for the Crossroads Multi-Family Project, Permit No. 18-132391-LD, is publicly available and included in Ordinance No. 6576, adopted by the City of Bellevue, Washington, on May 10, 2021, and **Attachment B** is also on file with the City of Bellevue, as part of this Development Agreement, under Clerk's Receiving Number 78255.]

## **ATTACHMENT C**

### **Public Benefits Design Guidelines**

#### **Design Guidelines**

In 2007, the City of Bellevue amended the Comprehensive Plan Crossroads Subarea Element after an extensive community visioning and planning process. The amendments called for a limited number of mixed-use multi-family residential units in Crossroads District E (Comp Plan Policies S-CR-79 and -81). The vision was for high-quality mixed-use projects that complement existing commercial uses while enhancing the pedestrian streetscape and connections with the City's Crossroads Park. The Project is a mixed-use development intended to implement the City's vision for Crossroads District E.

#### **I. Public Benefits.**

The Public Benefits shall include the Open Space Opportunity Area, Mid-Block Connector and Urban Trails, Park Interface Area, Pedestrian Improvements and enhanced landscaping, bike improvements, and other design features and amenities depicted in Attachment B and described in Attachment C.

Minor administrative modifications to the Public Benefits, Public Benefits Design Guidelines, or Attachment B may be approved by Development Services staff pursuant to Section H of this Agreement.

#### **II. Design Guidelines.**

In addition to compliance with the Bellevue Land Use Code and the CB District zoning standards, unless otherwise amended by the Development Agreement, the Project shall include the following Public Benefits:

1. **Open Space Opportunity Area.** The Project shall include an Open Space Opportunity Area that is intended to be activated as space for gathering, relaxation and enjoyment. Design shall emphasize the pedestrian-scaled relationship and connectivity with Crossroads Park through the use of pavement treatment, landscaping, lighting, and seating and street furniture. The Open Space Opportunity Area shall include pedestrian sidewalks and bicycle trails connecting the open space to the Crossroads Park and Community Center and includes opportunities for informal gathering through seating and hardscape features. The following shall be incorporated into the Open Space Opportunity Area, to the extent feasible:
  - Multimodal trail design;
  - ADA access through the Project;
  - Opportunities for informal play and facilitating social interaction;
  - Natural elements;
  - Stormwater treatment;

- Bike plaza/bike parking; and
- Eyes on the site.

2. **Mid-Block Connector and Urban Trails.** The Project shall include a network of Urban Trails, including a mid-block connector urban trail running east-west between the residential project and existing retail (Michael's) development and an urban trail through the Open Space Opportunity Area to connect Crossroads Mall to Crossroads Park and Community Center. The Urban Trails shall be pedestrian oriented, activate the Project, and invite users into Crossroads Park and the Open Space Opportunity Area.

The following shall be incorporated:

- Generous width of sidewalk of a minimum 10';
- Wayfinding signage that welcomes users and invites pedestrians into Crossroads Park;
- Opportunities for adjacent commercial and residential activation to provide "eyes" into and onto the Urban Trails; and
- Lighting shall be inviting and designed with CPTED principles.

3. **Park Interface Area** – The project shall include reparations and improvements (approximately 1,250 square feet) on the adjacent City-owned Crossroads Park and Community Center property. The improvements include an accessible urban trail connection between Crossroads Mall and Crossroads Park, landscaping, hardscape, signage, and amenities as depicted on Attachment B. The improvements shall be constructed to Park's Department standards and will require additional permits, approvals, and permission from the City.

4. **Pedestrian Improvements** – The project shall include pedestrian improvements to connect to the surrounding street and sidewalk network, to improve pedestrian safety and the pedestrian experience, and to activate the Project. The pedestrian improvements shall include a sidewalk along the west side of 160<sup>th</sup> Ave NE to connect to 8<sup>th</sup> Ave NE, and pedestrian improvements to the south and west of the existing retail (Michael's) development, as depicted in Attachment B.

5. **Signage.** In addition to compliance with the Bellevue Sign Code, the Project shall:

- Ensure that commercial signage is an integral part of the architectural design of the Urban Trail. Urban Trail signage should be scaled to enhance the pedestrian environment.
- Include wayfinding signage to encourage pedestrian connectivity to Crossroads Park.

ATTACHMENT E: ORDINANCE 6576

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6576

An ORDINANCE authorizing execution of the Development Agreement, pursuant to the provisions of Chapter 36.70B RCW, to enable the mixed-use Crossroads Multifamily Project in Planning District E of the Crossroads Subarea; and establishing an effective date.

WHEREAS, the City of Bellevue Land Use Code (LUC) 20.10.440 Land Use Charts - Residential, note 6 prohibits multifamily development in Planning District E of the Crossroads Subarea north of NE 8th Street, except through a City Council-approved Development Agreement (DA); and

WHEREAS, the DA must be consistent with Chapter 36.70B RCW, the Local Project Review Act, and include design guidelines that advance Comprehensive Plan Policies S-CR-79, S-CR-80, S-CR-81, and Figure S-CR-2 regarding the creation of mixed-use developments with pedestrian connections, park connections where appropriate, and public open space; and

WHEREAS, the City Council held study sessions on January 25, 2021 and April 12, 2021 to consider the DA for the Crossroads Multifamily Project in Planning District E of the Crossroads Subarea; and

WHEREAS, the proposed Crossroads Multifamily Project provides the public benefits that are required by and consistent with the LUC and Comprehensive Plan Policies S-CR-79, S-CR-80, S-CR-81, and Figure S-CR-2; and

WHEREAS, consistent with City Council direction during the January 25, 2021 study session, the DA was revised to include an affordable housing enhanced public benefit as a component of the Crossroads Multifamily Project; and

WHEREAS, under RCW 36.70B.170, "affordable housing" is a development standard that shall apply to and govern and vest the development, use, and mitigation of the development of the Crossroads Multifamily Project; and

WHEREAS, consistent with Council direction during the January 25, 2021 study session, the Project site will be included in the City's Multifamily Housing Property Tax Exemption Program (MFTE Program), Chapter 4.52 of the Bellevue City Code (BCC), as consideration for the affordable housing enhanced public benefit provided by the Crossroads Multifamily Project; and

WHEREAS, through execution of the DA, the City may allow the proposed multifamily development to occur in Planning District E of the Crossroads Subarea at

the Project site, and the Project will implement Comprehensive Plan Policies S-CR-79, S-CR-81, HO-7, HO-21, HO-23, HO-29, and HO-30; and

WHEREAS, the Environmental Coordinator for the City of Bellevue determined that this DA will not result in any probable, significant, adverse environmental impacts and issued a final threshold determination of non-significance for the DA on January 28, 2021; and

WHEREAS, on April 26, 2021, the City Council adopted Resolution No. 9927, which stated the City's intention, consistent with RCW 36.70B.200, to hold a public hearing prior to approval of the DA; and

WHEREAS, after providing legally-required public notice, the City Council held a public hearing on May 10, 2021 prior to approval of the DA consistent with RCW 36.70B.200; and

WHEREAS, the City Council finds that this DA is consistent with RCW 36.70B.170 to 36.70B.210, is consistent with applicable provisions in LUC 20.10.440 regarding multifamily development in Planning District E of the Crossroads Subarea; and is consistent with the Comprehensive Plan; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The City Manager or their designee is hereby authorized to execute the Development Agreement, pursuant to the provisions of Chapter 36.70B RCW, to enable the mixed-use Crossroads Multifamily Project in Planning District E of the Crossroads Subarea.

Section 2. A true and correct copy of the Development Agreement is attached to this Ordinance as Attachment A, is adopted by reference into this Ordinance, is approved by this Ordinance, and has been given Clerk's Receiving No. \_\_\_\_\_.

Section 3. Effective Date. This Ordinance shall take effect and be in force five (5) days after adoption and legal publication.

Passed by the City Council this 10<sup>th</sup> day of MAY, 2021, and  
signed in authentication of its passage this 10<sup>th</sup> day of MAY, 2021.

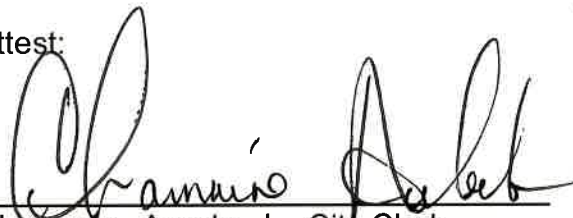
(SEAL)



  
Lynne Robinson, Mayor

Approved as to form  
Kathryn L. Gerla, City Attorney

  
Matthew McFarland, Assistant City Attorney

Attest:  
  
Charmaine Arredondo, City Clerk

## Attachment A

### WHEN RECORDED RETURN TO:

City of Bellevue  
City Attorney's Office  
PO Box 90012  
Bellevue, WA 98009-9012  
Attn: \_\_\_\_\_

**Document Title:**                      **Development Agreement**

**Grantor:**                              Terranomics Crossroads Associates, a California limited partnership

**Grantee:**                              City of Bellevue, a Washington municipal corporation

**Legal Description of Project Site:** See Attachment A

**Assessor's Tax Parcel No.:** See Attachment A (7.5 acre area covering portions of Parcel Nos. 262505-9150; 262505-9243)

**Reference Nos. of Documents Released or Assigned:** N/A

## DEVELOPMENT AGREEMENT

**THIS DEVELOPMENT AGREEMENT** (“Agreement” or “Development Agreement”) is entered into, as of the Effective Date described below, by and between the **CITY OF BELLEVUE**, a Washington municipal corporation (“City”) and **TERRANOMICS CROSSROADS ASSOCIATES**, a California limited partnership (“Grantor”). The City and Grantor are known individually as a “Party” and together as the “Parties.”

### RECITALS

WHEREAS, this Development Agreement is adopted pursuant to authority provided in RCW 36.70B.170 *et seq.*; and

WHEREAS, this Development Agreement sets forth the applicable development standards, public benefit requirements—including pedestrian connections, park connections, public open space, and affordable housing—and other provisions related to the development project described herein; and

WHEREAS, Grantor wishes to develop a mixed-use development commonly referred to as “Crossroads Multi-family Project,” or the “Project,” on property adjacent to the west side of the Crossroads Park and Community Center in the Crossroads Subarea, with the Project site legally described in Attachment A; and

WHEREAS, the Project is zoned Community Business (CB) and is subject to the development standards and regulations applicable to a Community Retail Design District, Chapter 20.25I of the Land Use Code (LUC), and to the standards and regulations contained in LUC 20.10.440 and LUC 20.20.010; and

WHEREAS, while the proposed site of the Project is zoned CB, a zoning classification which generally allows the mix of uses and density envisioned by Grantor, the site is located in Crossroads Planning District E where multifamily development may be allowed only through a development agreement that is approved by the City Council and consistent with Chapter 36.70B RCW; and

WHEREAS, because the Project is located in Crossroads Planning District E, this Development Agreement must include design guidelines that are consistent with Comprehensive Plan Policies S-CR-79 and S-CR-81 regarding the creation of mixed-use developments with pedestrian connections, park connections where appropriate, and public open space; and

WHEREAS, the Project is consistent with existing Comprehensive Plan, Crossroads Subarea Plan Policy S-CR-79: *Multifamily uses are not appropriate north of NE 8th Street within District E, except that mixed use multifamily developments may be appropriate when they: 1) are high quality; 2) are designed to avoid conflicts with commercial uses; 3) include measures that ensure residential and commercial uses complement each other, including outdoor gathering areas, public open space, park connectivity where appropriate, and pedestrian connections and activity areas; and 4) are generally consistent with Figure S-CR. 2;* and

WHEREAS, the Project is consistent with the existing Comprehensive Plan, Crossroads Subarea Plan Policy S-CR-81: *Require development to include pedestrian connections, open space, and activity areas to support site residents and users*; and

WHEREAS, the Project includes public benefits that ensure residential and commercial uses complement each other consistent with Comprehensive Plan Policies S-CR-79 and S-CR-81 and Figure S-CR.2, including the Open Space Opportunity Area, Park Interface Area, and Mid-Block Connection Urban Trail (collectively, the “Public Benefits”); and

WHEREAS, the Parties have developed Public Benefit Design Guidelines (Attachment C) to guide the Project’s development and to optimize the Public Benefits; and

WHEREAS, the Project also includes an affordable housing public benefit which requires that a minimum of twenty (20) percent of all units in the Project shall be affordable units with affordable rents at or below eighty (80) percent of King County median income (the “Enhanced Public Benefit”); and

WHEREAS, the Enhanced Public Benefit also provides that any dwelling unit within the Project that is 300 square feet or less shall be categorized as a very small dwelling unit, which is required to have an affordable rent at or below forty-five (45) percent of King County median income; and

WHEREAS, in consideration of the Enhanced Public Benefit and consistent with Bellevue City Code (BCC) 4.52.030.C, the City shall formally include the Project site, as legally described in Attachment A, as a “residential targeted area” under the City’s Multifamily Housing Property Tax Exemption Program (“MFTE Program”), Chapter 4.52 BCC; and

WHEREAS, under BCC 4.52.030.C, the City Council may, by ordinance, in its sole discretion, amend or rescind the designation of a residential targeted area in the MFTE Program pursuant to the procedural requirements in BCC 4.52.030.A; and

WHEREAS, and as further described below in Section C.1.c, the affordable housing provided by the Enhanced Public Benefit shall remain in the City’s MFTE Program for the maximum amount of time the Project qualifies for an exemption from ad valorem property taxation under Chapter 4.52 BCC, including any extended period of time that may be available to Grantor based on future amendments or modifications to current provisions in Chapter 4.52 BCC; and

WHEREAS, the Project is also consistent with existing Comprehensive Plan Policy LU-19: *Encourage mixed residential/commercial development in all Neighborhood Business and Community Business land use districts where compatibility with nearby uses can be demonstrated*; and

WHEREAS, the Project is also consistent with existing Comprehensive Plan, Crossroads Subarea Plan Policy S-CR-18: *Develop a prominent new open space area and entrance to*

*Crossroads Park that increases visibility and access to the Park and is integrated with adjacent commercial uses generally consistent with Figure S-CR 2; and*

WHEREAS, the Project is also consistent with existing Comprehensive Plan, Crossroads Subarea Plan Policy S-CR-19: *Provide physical and visual connectivity to Crossroads Park, where appropriate; and*

WHEREAS, the Project is also consistent with existing Comprehensive Plan, Crossroads Subarea Plan Policy S-CR-31: *Development and implement safe mid-block crossings where appropriate on superblocs; and*

WHEREAS, the Project is also consistent with Housing Element Policies HO-7 and HO-23: *Encourage the development of affordable housing through incentives and other tools consistent with state enabling legislation; and*

WHEREAS, the Project is also consistent with Housing Element Policy HO-21: *Address the entire spectrum of housing needs, including the need for housing affordable to very low, low, and moderate income households, through the City's affordable housing programs; and*

WHEREAS, the Project is also consistent with Housing Element Policy HO-29: *Explore financial incentives to encourage affordable housing, such as partial exemptions from city permit fees, the state property tax exemption program and other state enabled programs; and*

WHEREAS, the Project is also consistent with Housing Element Policy HO-30: *Ensure that all affordable housing created in the City with public funds or by regulation remains affordable for the longest possible term; and*

WHEREAS, Grantor will be required to separately apply for all necessary land use and construction permits for the Project, including project-level review under the State Environmental Policy Act, Chapter 43.21C RCW (SEPA); and

WHEREAS, RCW 36.70B.170(1) authorizes the City to enter into a development agreement with an entity having ownership or control of real property within its jurisdiction; and

WHEREAS, RCW 36.70B.170(1) requires a development agreement set forth the development standards and other provisions that shall apply to and govern and vest the development, use, and mitigation of the development of the real property for the duration specified in the agreement; and

WHEREAS, RCW 36.70B.170(1) requires a development agreement be consistent with applicable development regulations adopted by a local government planning under Chapter 36.70A RCW; and

WHEREAS, under RCW 36.70B.170, "affordable housing" is a development standard that shall apply to and govern and vest the development, use, and mitigation of the development of the Project; and

WHEREAS, under RCW 36.70B.170, the execution of a development agreement is a proper exercise of city police power and contract authority and shall reserve authority to impose new or different regulations to the extent required by a serious threat to public health and safety; and

WHEREAS, under RCW 36.70B.170, a development agreement may obligate a party to fund or provide services, infrastructure, affordable housing, or other public benefits and facilities; and

WHEREAS, this Development Agreement is subject to review under SEPA with the opportunity for public comment, and RCW 36.70B.200 requires that the City hold a public hearing prior to approving the Agreement by ordinance or resolution; and

WHEREAS Grantor will benefit from the execution of this Development Agreement to enable multifamily housing on the Project site, will gain additional certainty about allowable uses of the Project site, and will benefit from inclusion of the Project site in the MFTE Program; and

**NOW, THEREFORE**, in consideration of the mutual agreements contained herein, as well as other valuable consideration, the receipt and sufficiency of which are hereby mutually acknowledged, the Parties hereby agree as follows:

## **AGREEMENT**

### **A. Crossroads Multifamily Project.**

1. **Project.** As provided in Ordinance \_\_\_\_\_, Grantor agrees that the Project shall include up to 224 dwelling units and approximately 14,500 square foot of commercial space as shown in Attachment B (“Recordable Exhibits”) and shall include the Public Benefits and Enhanced Public Benefit as set forth in the Recitals. The Public Benefits are depicted on Attachment B and described in Attachment C (“Public Benefits Design Guidelines”), and Attachment B and Attachment C are incorporated herein by reference. The Enhanced Public Benefit is described in Section C below.

### **B. Public Benefits.**

1. **Development.** Grantor shall be responsible for developing the Public Benefits as shown on Attachment B and described in Attachment C, consistent with the Public Benefits Design Guidelines. The Public Benefits are:
  - a. Open Space Opportunity Area;
  - b. Mid-Block Connector/Urban Trail;
  - c. Park Interface Area; and
  - d. Pedestrian Improvements.
2. **Timing of Public Benefits.** The Public Benefits shall be installed prior to the City’s issuance of any Certificate of Occupancy for the Project.

**C. Enhanced Public Benefit.**

1. The Enhanced Public Benefit is:

- a. A minimum of twenty (20) percent of all units in the Project shall be affordable units with affordable rents at or below eighty (80) percent of King County median income; and
- b. Any dwelling unit within the Project that is 300 square feet or less shall have an affordable rent at or below forty-five (45) percent of King County median income.
- c. The Parties acknowledge that the City's MFTE Program, Chapter 4.52 BCC, may at a future time be amended, modified, or replaced by new provisions. The Parties also acknowledge that the MFTE Program may be amended to provide for an extended period of affordability for twenty (20) percent of units in the Project in exchange for an extended time period in which the Project is exempt from ad valorem property taxation.

Grantor agrees that the affordable units at the Property shall remain affordable units as set by the terms of this Development Agreement for the maximum amount of time the Project qualifies for an exemption from ad valorem property taxation under Chapter 4.52 BCC. Similarly, it is the express intention of the Parties to maintain the Enhanced Public Benefit consistent with terms of Sections C.1.a and C.1.b of this Agreement for the maximum amount of time that Grantor receives the tax benefits of the MFTE Program. In the event that the Enhanced Public Benefit may, consistent with the terms of this Agreement, be extended under Chapter 4.52 BCC and the MFTE Program in the future, Grantor shall extend the Enhanced Public Benefit for the maximum amount of time the Project qualifies for participation in the MFTE Program, now or as hereafter amended.

2. **Consideration for Enhanced Public Benefit.** In consideration of the Enhanced Public Benefit, the City shall formally include the Project site, as legally described in Attachment A, as a "residential targeted area" under the MFTE Program.

**D. Easements, Permits, and Agreements.**

- 1. Grantor and Grantee previously executed a "Sidewalk, Utilities and Landscape Easement" recorded under King County Records No. 20130524001949 ("Existing Easement") for the purposes of constructing, maintaining, repairing, replacing, improvement, removing, and using an easement on certain portions of City property (Crossroads Park) for sidewalk, utilities, and landscaping. Grantor agrees and accepts that the Project and its installation of Public Benefits will require additional permits, approvals, and permissions from the City.
- 2. The Project is currently being reviewed by the City under ADR No. 18-132391-LD, and Grantor shall obtain all requisite land use and construction permits and approvals from the City prior to construction.
- 3. The Enhanced Public Benefit shall run with the land. Prior to issuance of any certificate of occupancy, Grantor shall execute and record a covenant with the King County department of records and elections that is in a form acceptable to the City Attorney and that addresses the price restrictions, eligible household qualifications, long-term

affordability, and any other applicable topics related to the Enhanced Public Benefit and the mandatory affordable housing units included in the Project. This covenant shall be a covenant running with the land and shall be binding on the assigns, heirs, and successors of Grantor.

**E. Vesting and Reserved Rights.**

1. The Project shall vest in accordance to the applicable provisions governing the required City permits and approvals, including but not limited to the vesting provisions in LUC 20.40.500.
2. The City reserves authority pursuant to RCW 36.70B.170(4) to impose new or different development regulations or land use controls to the extent required by a serious threat to public health or safety.

**F. No Approval of Project-Related Actions.**

The execution of this Development Agreement does not, in and of itself, permit any specific development. Grantor is required to apply for a separate project-level permit(s) for the Project, which will be reviewed by the City, and project-level SEPA review is also required for the Project. In addition to compliance with this Development Agreement, the Project shall be reviewed for compliance with all applicable development regulations in order to obtain the necessary City permits and approvals.

Nothing in this Agreement shall be interpreted to limit the City's exercise of its regulatory powers with respect to the Project or any other development proposal on the Property, or other regulatory matters in accordance with applicable law. Nor shall this Agreement be interpreted as: (a) a full and final determination as to the consistency of the Project to applicable plans, codes, and ordinances; (b) an agreement or commitment by the City to approve any or all development on the Property; or (c) any commitment whatsoever by the City with respect to any future discretionary decisions that may be required for development of the Property. To the extent allowable by law, any permit or approval issued by the City after the execution of this Development Agreement shall be consistent with this Development Agreement.

**G. Compliance with Laws.**

Notwithstanding anything in this Agreement, Grantor will comply with all applicable federal, state and local laws and will pursue all necessary land use and technical permits for the Project.

**H. Term and Termination.**

This Development Agreement shall go into effect on the date it is fully executed by the Parties ("Effective Date"). This Development Agreement shall be effective until five (5) years after the Effective Date, provided that the term shall automatically be extended for the life of any land use permit and/or building permit approved consistent with this Agreement. If the Project is constructed pursuant to this Development Agreement, the rights and obligations conferred by this Development Agreement shall remain in effect for the life of the Project. Otherwise, upon expiration of the 5 year term, as may be extended as described above, this Development Agreement shall automatically terminate. Time is of the essence with respect to all provisions of this Agreement.

**I. Amendment.**

1. No amendment to this Development Agreement shall be effective unless approved by both Parties in writing and recorded with the King County Department of Records and Elections. The City Manager or his/her designee may approve amendments to the Agreement, the Design Guidelines, or the Enhanced Public Benefit if the amendment is administrative in nature, will serve to correct an error or streamline a process contained in this Agreement, or if the following criteria are met:

- a. The amendment does not result in any significant adverse impact on City property or to the public, following consultation with the Land Use Director, Community Development Director, and Parks Director; and
  - b. The amendment is within the general scope, purpose, and intent of this Agreement, the Design Guidelines, or the Enhanced Public Benefit; and
  - c. The amendment complies with all applicable provisions of the LUC and Bellevue City Code; and
  - d. The amendment does not result in any material change in the nature of the Public Benefits, the Design Guidelines, or the Enhanced Public Benefit described in this Agreement; and
  - e. The amendment will not violate any state or local laws, including SEPA and the Growth Management Act, Chapter 36.70A RCW.
2. All other substantive amendments to this Development Agreement must be approved by resolution of the City Council after public notice and hearing.

**J. Binding Effect; Assignability.**

This Development Agreement shall bind and inure to the benefit of the Parties hereto and their respective successors, heirs, legatees, representatives, receivers, trustees, transferees, and assigns.

**K. Effect of Grantor Approval.**

The Development Agreement does not impose an obligation on Grantor or its successors or assigns to develop the Project. It is understood that this Agreement is applicable solely to the Project and does not inure to the benefit of any other development that may be proposed on the Property or to any of Grantor's other projects.

**L. Representations and Warranties.**

Each signatory to this Development Agreement represents and warrants that he or she has full power and authority to execute and deliver this Development Agreement on behalf of the Party for which he or she is signing, and that he or she will defend and hold harmless the other Parties and signatories from any claim that he or she was not fully authorized to execute this Development Agreement on behalf of the person or entity for whom he or she signed. Upon proper execution and delivery, this Agreement will constitute a valid, legal, and binding obligation that shall run with the land and shall be enforceable against each Party in accordance with the terms contained herein.

**M. Governing Law and Venue.**

This Development Agreement shall be governed by and construed in accordance with the laws of the State of Washington. Jurisdiction over and venue for any action arising out of or relating to this Development Agreement shall be exclusively in the state and federal courts of King County, Washington. In the event of any apparent conflicts between the provisions of City Code or ordinances and this Agreement, the Development Agreement shall prevail.

**N. Full Understanding.**

The Parties acknowledge, represent and agree that they have read this Development Agreement; they fully understand the terms thereof; they have had the opportunity to be fully advised by their legal counsel and any other advisors with respect thereto; and they are executing this Agreement after sufficient review and understanding of its contents and of their own free will and not under duress.

**O. Remedies.**

The City and Grantor reserve their rights to all remedies available to them at law or at equity. If Grantor begins but does not finish construction of the Project, the remedy shall include the right to compel specific performance of the Public Benefits and Enhanced Public Benefit set forth in this Development Agreement.

**P. Attorneys' Fees.**

Should it be necessary for any Party to this Development Agreement to initiate legal proceedings to adjudicate any issues arising hereunder, the Party or Parties to such legal proceedings who substantially prevail shall be entitled to reimbursement of their attorneys' fees, costs, expenses, and disbursements (including the fees and expenses of expert and fact witnesses) reasonably incurred or made by the substantially prevailing Party in preparing to participate in mediation or arbitration, to bring suit, on appeal, on petition for review, and in enforcing any judgment or award, from the other Party.

**Q. Waiver.**

The waiver by a Party of a breach of any provision of this Development Agreement by the other Party shall not operate or be construed as a waiver of that or any subsequent breach by that Party unless in writing and signed by the Party against whom enforcement of the waiver is sought.

**R. Severability.**

This Development Agreement is expressly made and entered into under the authority of RCW 36.70B.170 *et seq.* This Development Agreement does not violate any federal or state statute, rule, regulation, or common law known to the Parties; but any provision which is found to be invalid or in violation of any statute, rule, regulation or common law shall be considered null and void, with the remaining provisions of this Agreement remaining in full force and effect.

However, and without limitation, if the Enhanced Public Benefit or any provision in this Development Agreement requiring the construction and operation of affordable housing units is found to be invalid or in violation of any statute, rule, regulation, or common law, then the entire Development Agreement shall be null and void. It is the intention of the Parties that the

Enhanced Public Benefit is a mandatory material term of this Agreement, and invalidation of the Enhanced Public Benefit shall invalidate the entire Agreement.

In the event that any Public Benefits as set forth in this Agreement shall be invalidated or found in violation of any statute, rule, regulation or common law, the City Council reserves the right to reopen the public hearing and to determine whether additional or substitute public benefits of a substantially like kind that effectuate the City's Comprehensive Plan policies should be required to be undertaken by Grantor in order to mitigate impacts that may arise as a result of the invalidation of any such Public Benefits.

**S. Equal Opportunity to Participate in Drafting.**

The Parties have participated in and have had an equal opportunity to participate in the drafting of this Development Agreement. No ambiguity shall be construed against any Party based upon a claim that the Party drafted the ambiguous language.

**T. Reservation of City Authority.**

As required by RCW 36.70B.170(4) and notwithstanding any other term of this Development Agreement, the City reserves, to the fullest extent of the law, the right to establish and impose new or different additional regulations to the extent required to address a serious threat to public health, safety, and welfare. Nothing in this Agreement abrogates the City's inherent police power or its ability to protect the public health, safety, and welfare. Nothing in this Agreement shall restrict the authority of the City to exercise its power to rezone the Property in future years.

**U. Notice.**

All notices to be given pursuant to this Agreement shall be in writing and shall be deemed given when hand-delivered within normal business hours or two (2) business days after deposit in the U.S. mail, postage prepaid, or one (1) business day if sent by overnight courier such as FedEx or UPS to the Parties at the addresses set forth below, or to such other place as a Party may from time to time designate by written notice to the other Party:

**CITY OF BELLEVUE**

Attention: Land Use Director  
Development Services Department  
450 110<sup>th</sup> Ave. NE  
Bellevue, WA 98006

PO Box 90012  
Bellevue, WA 98009-90012

With a copy to:  
City of Bellevue, City Attorney  
450 110<sup>th</sup> Ave. NE  
Bellevue, WA 98006

PO Box 90012  
Bellevue, WA 98009-90012

## **TERRANOMICS CROSSROADS ASSOCIATES**

Retail Opportunity Investments Corp  
Attention: Richard Schoebel  
11250 El Camino Real, Suite 200  
San Diego, CA 92130  
Email: [rschoebel@roireit.net](mailto:rschoebel@roireit.net)

With a copy to:  
Jessica Clawson  
McCullough Hill Leary PS  
701 5<sup>th</sup> Avenue Suite 6600  
Seattle, WA 98104  
Email: [jessie@mhseattle.com](mailto:jessie@mhseattle.com)

### **V. Final and Complete Agreement.**

This Development Agreement constitutes the final and complete expression of the Parties on the development standards governing Grantor's development of the Property. This Development Agreement may not be modified, amended, waived, or revoked orally, but only by a writing signed by all Parties and in compliance with the terms of this Agreement.

This Development Agreement supersedes and replaces all prior agreements, discussions and representations on all subjects discussed herein, without limitation. No Party is entering into this Development Agreement in reliance on any oral or written promises, inducements, representations, understandings, interpretations, or agreements other than those contained in this Development Agreement.

### **W. Recording Required.**

This Development Agreement shall be recorded by Grantor with King County at Grantor's expense. Grantor shall promptly provide a conformed copy of the recorded Agreement to City.

### **X. Force Majeure.**

Neither Party shall be deemed in default hereunder and neither shall be liable to the other if either is substantially unable to perform its obligations hereunder by reason of any fire, earthquake, flood, tsunami, hurricane, epidemic, accident, explosion, strike, riot, civil disturbance, act of public enemy, embargo, war, military necessity or operations, act of God, or similar event beyond such Party's control.

### **Y. No Third Party Beneficiaries.**

There are no third-party beneficiaries to this Agreement. No person or entity other than a Party to this Agreement shall have any rights hereunder or any authority to enforce its provisions, and any such rights or enforcement must be consistent with and subject to the terms of this Agreement.

**Z. No Joint Venture.**

No joint venture or partnership is created by this Agreement.

**AA. Counterparts.**

This Agreement may be executed simultaneously or in any number of counterparts, each of which shall be deemed an original, equally admissible in evidence, but all of those counterparts together shall constitute one and the same Agreement.

**[SIGNATURES BEGINNING ON NEXT PAGE]**



SIGNATURE PAGE TO DEVELOPMENT AGREEMENT  
TERRANOMICS CROSSROADS ASSOCIATES, a California limited partnership (Grantor)  
and  
THE CITY OF BELLEVUE (Grantee)

IN WITNESS WHEREOF, the Parties hereto have executed these presents as of the day and year first above written.

CITY OF BELLEVUE  
a Washington municipal corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

Approved as to form:

Kathryn L. Gerla, Office of the City Attorney

By: Matt McFarland, Assistant City Attorney

STATE OF WASHINGTON)  
COUNTY OF KING) ss.

I certify that I know or have satisfactory evidence that \_\_\_\_\_ is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to executed the instrument and acknowledged it as the \_\_\_\_\_ of [insert corporation name], a [state] [corporation/LLC/etc], to be the free and voluntary act of such party of the uses and purposes mentioned in the instrument.

Dated: \_\_\_\_\_

Notary Public \_\_\_\_\_  
 Print Name \_\_\_\_\_  
 My Commission Expires \_\_\_\_\_

(Use this space for notarial stamp/seal)

## ATTACHMENT A

### Legal Description of Project Site

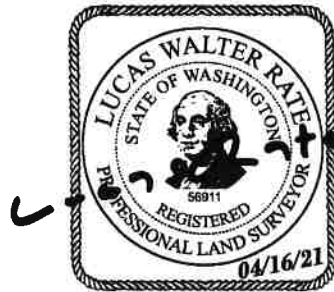
#### 7.5 ACRE PARCEL DESCRIPTION

A PARCEL OF LAND IN THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 26, TOWNSHIP 25 NORTH, RANGE 5 EAST, WILLAMETTE MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 26, FROM WHICH THE NORTH 1/4 CORNER BEARS  $1^{\circ}11'55''$  EAST, A DISTANCE OF 5,328.53 FEET, AND FROM WHICH THE SOUTHEAST CORNER BEARS SOUTH  $88^{\circ}42'29''$  EAST, A DISTANCE OF 2,649.65 FEET;  
THENCE SOUTH  $88^{\circ}42'29''$  EAST, ALONG THE SOUTH LINE OF SAID SECTION, COINCIDENT WITH THE CENTERLINE OF NORTHEAST 8TH STREET, A DISTANCE OF 1,030.00 FEET;  
THENCE NORTH  $01^{\circ}11'55''$  EAST, DEPARTING SAID SOUTH LINE, ALONG THE EAST LINE OF THE WEST 1,030 FEET OF SAID SUBDIVISION, A DISTANCE OF 283.80 FEET TO THE **POINT OF BEGINNING**;  
THENCE NORTH  $01^{\circ}11'55''$  EAST, CONTINUING ALONG SAID LINE, A DISTANCE OF 1,009.42 FEET TO THE NORTHERLY-MOST SOUTH LINE OF PARCEL NUMBER 2625059033;  
THENCE SOUTH  $01^{\circ}17'31''$  WEST, A DISTANCE OF 422.00 FEET TO THE SOUTHEAST CORNER OF PARCEL NUMBER 2625059087;  
THENCE SOUTH  $02^{\circ}36'42''$  EAST, A DISTANCE OF 279.89 FEET TO THE NORTHERLY-MOST NORTH LINE OF PARCEL NUMBER 2625059135;  
THENCE SOUTH  $01^{\circ}06'43''$  WEST, A DISTANCE OF 20.82 FEET;  
THENCE SOUTH  $01^{\circ}00'46''$  WEST, A DISTANCE OF 99.35 FEET TO THE SOUTH LINE OF SAID PARCEL NUMBER 2625059135;  
THENCE SOUTH  $01^{\circ}30'57''$  WEST, A DISTANCE OF 188.06 FEET;  
THENCE SOUTH  $88^{\circ}42'56''$  EAST, A DISTANCE OF 314.12 FEET TO THE **POINT OF BEGINNING**.

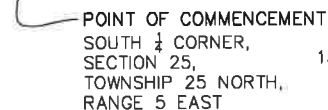
PARCEL AS DESCRIBED HEREON CONTAINS 326,700 SQUARE FEET, OR 7.5 ACRES, MORE OR LESS.

SITUATE IN THE CITY OF BELLEVUE, KING COUNTY, WASHINGTON.

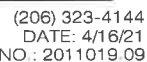


M2K  
BELLEVUE CROSSROADS  
LUCAS W. RATE, P.L.S.  
BRH JOB NO. 2011019.09  
APRIL 16, 2021

BUSH, ROED & HITCHINGS, INC.  
2009 MINOR AVENUE EAST  
SEATTLE, WA 98102  
(206) 323-4144



WASHINGTON



**ATTACHMENT B**  
**Site Plan**

**[Recordable Exhibits on Following Pages]**



**Crossroads**  
BELLEVUE

# **DEVELOPER AGREEMENT RECORDABLE EXHIBITS**

Mixed-Use / Multi-Family Project  
Bellevue, Washington

City of Bellevue Project Number: 18-132391-LD

December 01, 2020

Property Owner: **ROIC**

Development Manager: **GRACORP**

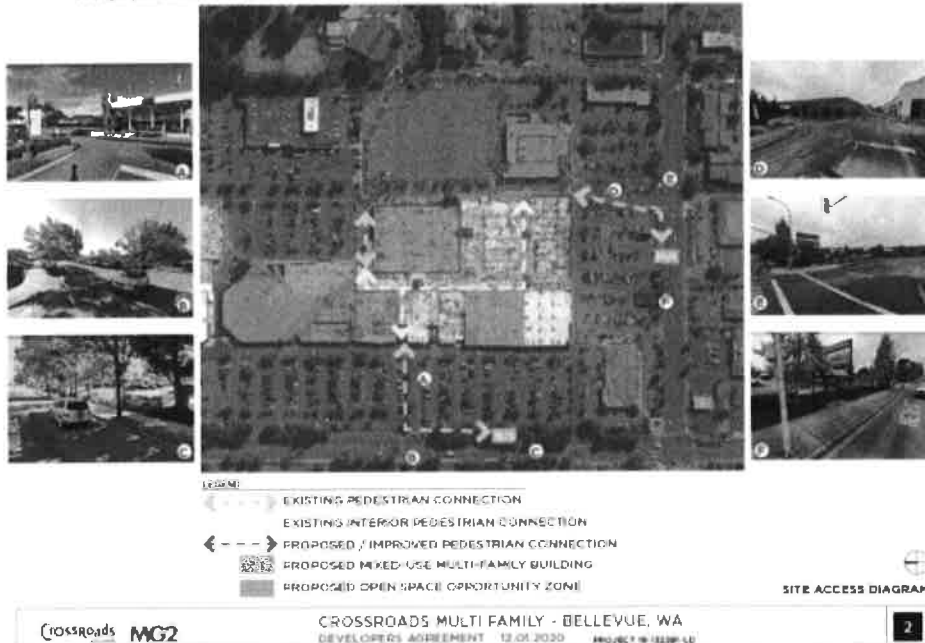
Architect: **MG2**

Landscape Architect: **HEWITT**

Civil Engineer: **kpff**

## **1a / PUBLIC BENEFIT**

Stronger pedestrian connections from NE 8th, 160th, and 166th



strengthened pedestrian, bicycle, and vehicular circulation



**CROSSROADS MULTI FAMILY - BELLEVUE, WA**  
DEVELOPERS AGREEMENT 12.01.2020 PROJECT 16-132391-LD

3.

### Improved and programmed park connection



**CROSSROADS MULTI FAMILY - BELLEVUE, WA**  
DEVELOPER'S AGREEMENT 12 01 2020 SUBJECT 16-12794-A.D



**Enhanced park connection (36,820 SF)**



**CROSSROADS MULTI FAMILY - BELLEVUE, WA**  
DEVELOPERS AGREEMENT 12.01.2020 PROJECT 18-13100-15

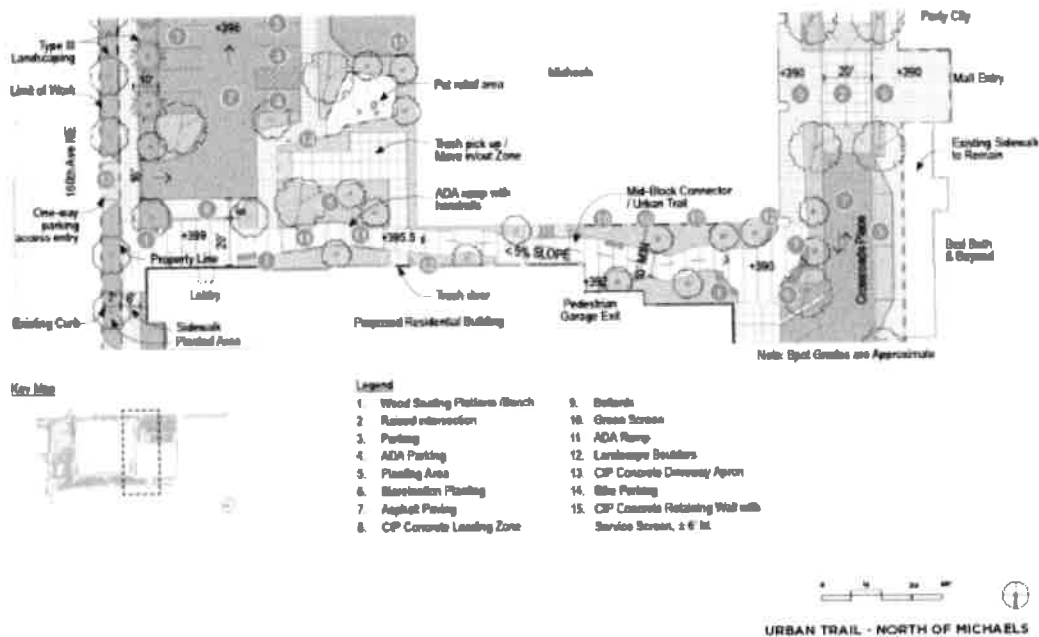
5



CROSSROADS MULTI FAMILY - BELLEVUE, WA  
DEVELOPERS AGREEMENT 12 01 2020 PROJECT 16-10000-10

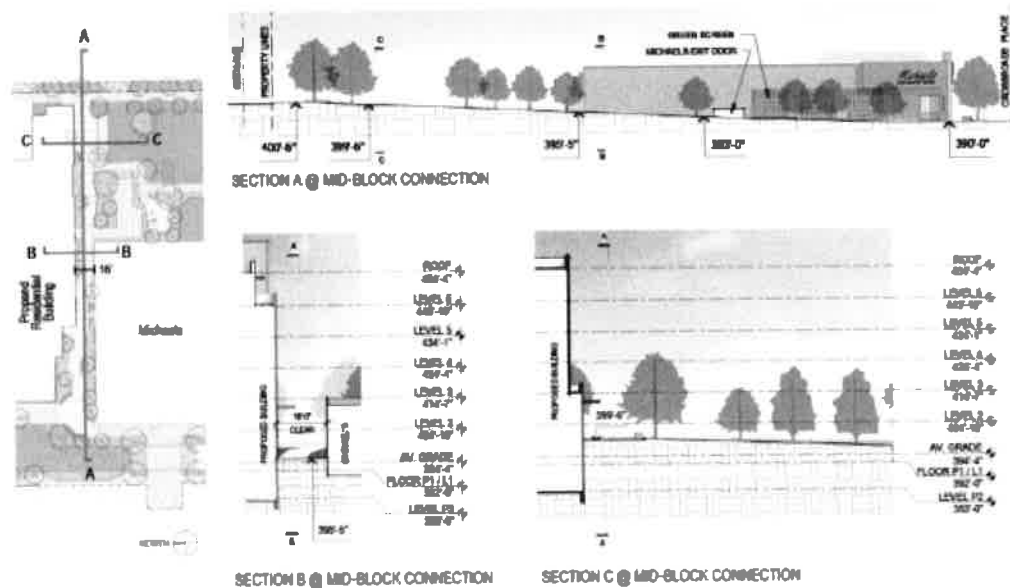
6

**URBAN TRAIL NORTH OF MICHAELS / 2ND PARK CONNECTOR PER CITY SUBAREA MASTER PLAN**  
Stronger connection, bringing together 180th and Shopping Center



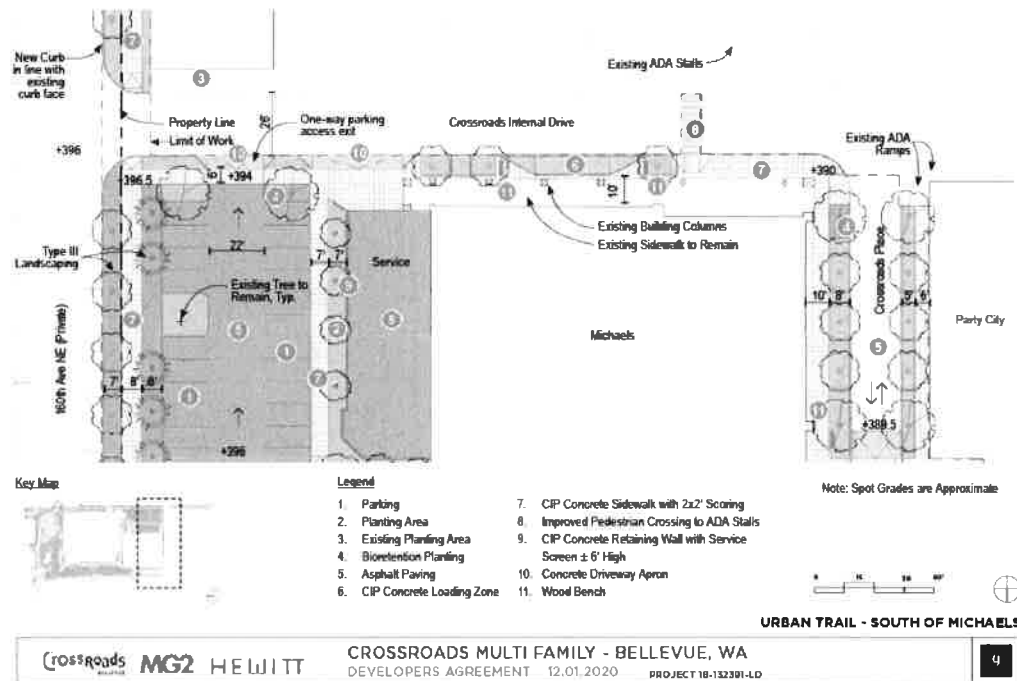
CROSSROADS MG2  
CROSSROADS MULTI FAMILY - BELLEVUE, WA  
DEVELOPERS AGREEMENT 12.01.2020 PROJECT 18-183001-4.0 **7**

**URBAN TRAIL NORTH OF MICHAELS / 2ND PARK CONNECTOR PER CITY SUBAREA MASTER PLAN**  
Stronger connection, bringing together 180th and Shopping Center



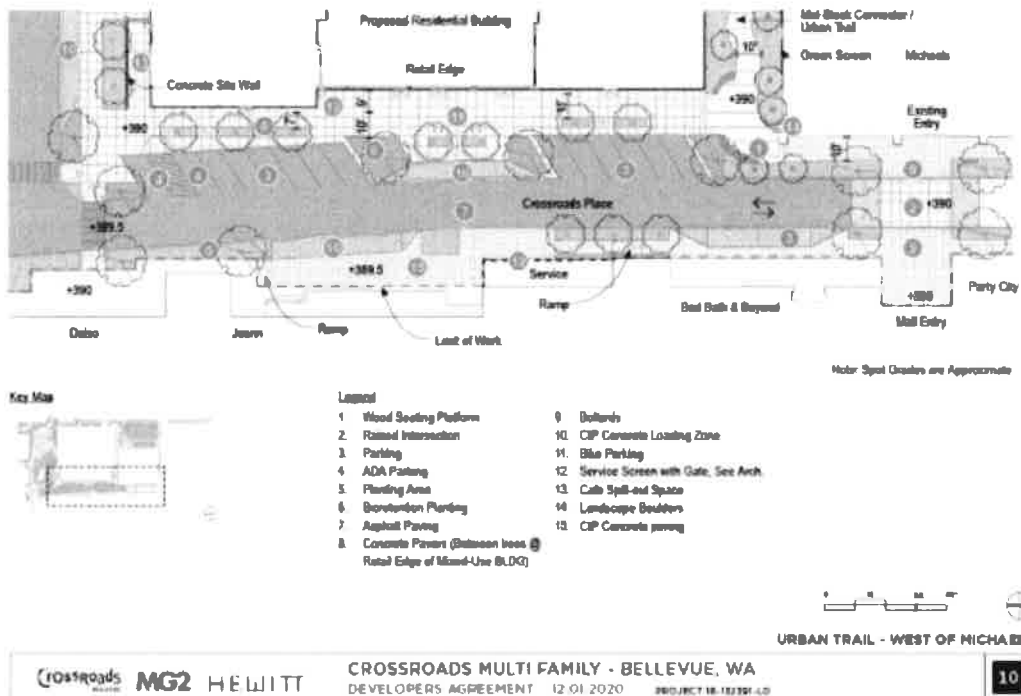
**URBAN TRAIL - SOUTH OF MICHAELS**  
CROSSROADS MG2 HEWITT  
CROSSROADS MULTI FAMILY - BELLEVUE, WA  
DEVELOPERS AGREEMENT 12.01.2020 PROJECT 18-183001-4.0 **8**

## DETAILS ON SECONDARY PEDESTRIAN CONNECTION



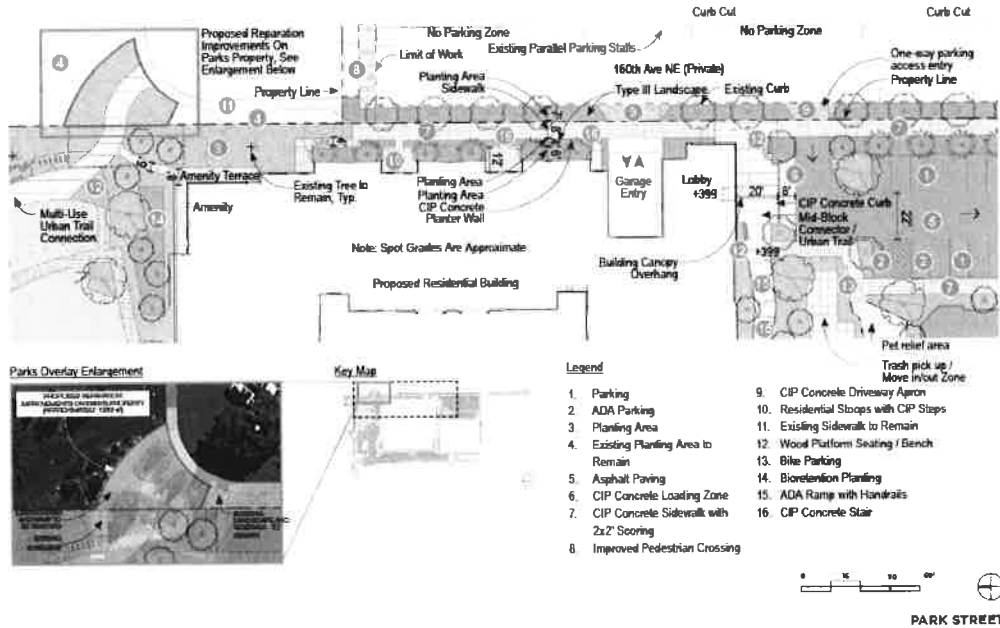
## PUBLIC BENEFIT

Stronger Crossroads Place Experience



## PUBLIC BENEFIT

Stronger Pedestrian Connection on 160th (Abuts Park)



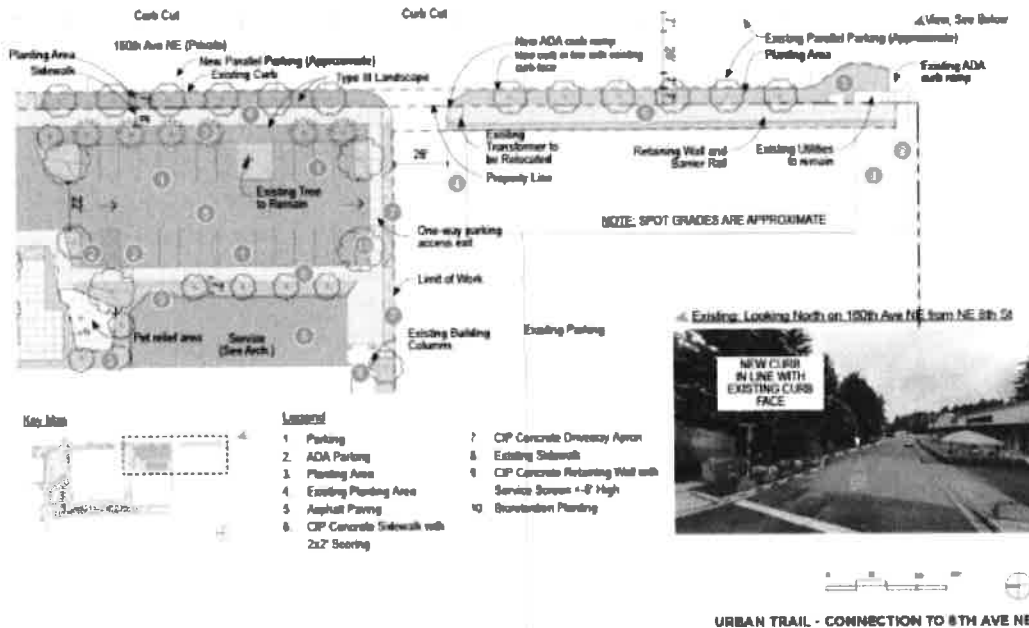
Crossroads MG2 HEWITT

CROSSROADS MULTI FAMILY - BELLEVUE, WA  
DEVELOPERS AGREEMENT 12.01.2020 PROJECT 16-132391-LD

11

## PUBLIC BENEFIT

Stronger Pedestrian Connection on 160th (continued south)

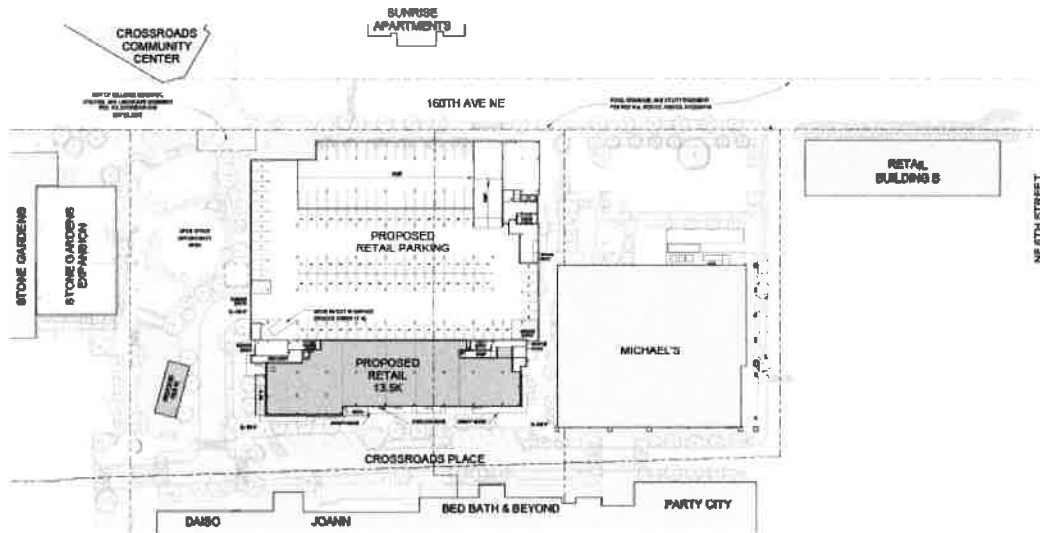


Crossroads MG2

CROSSROADS MULTI FAMILY - BELLEVUE, WA  
DEVELOPERS AGREEMENT 12.01.2020 PROJECT 16-132391-LD

12

**COMMERCIAL SPACE**  
14.5k of Commercial Space



Crossroads  
MULTI-FAMILY

MG2

**CROSSROADS MULTI FAMILY - BELLEVUE, WA**  
DEVELOPERS AGREEMENT 12.01.2020 PROJECT 18-132301-LD

13

## **ATTACHMENT C**

### **Public Benefits Design Guidelines**

#### **Design Guidelines**

In 2007, the City of Bellevue amended the Comprehensive Plan Crossroads Subarea Element after an extensive community visioning and planning process. The amendments called for a limited number of mixed-use multi-family residential units in Crossroads District E (Comp Plan Policies S-CR-79 and -81). The vision was for high-quality mixed-use projects that complement existing commercial uses while enhancing the pedestrian streetscape and connections with the City's Crossroads Park. The Project is a mixed-use development intended to implement the City's vision for Crossroads District E.

#### **I. Public Benefits.**

The Public Benefits shall include the Open Space Opportunity Area, Mid-Block Connector and Urban Trails, Park Interface Area, Pedestrian Improvements and enhanced landscaping, bike improvements, and other design features and amenities depicted in Attachment B and described in Attachment C.

Minor administrative modifications to the Public Benefits, Public Benefits Design Guidelines, or Attachment B may be approved by Development Services staff pursuant to Section H of this Agreement.

#### **II. Design Guidelines.**

In addition to compliance with the Bellevue Land Use Code and the CB District zoning standards, unless otherwise amended by the Development Agreement, the Project shall include the following Public Benefits:

1. **Open Space Opportunity Area.** The Project shall include an Open Space Opportunity Area that is intended to be activated as space for gathering, relaxation and enjoyment. Design shall emphasize the pedestrian-scaled relationship and connectivity with Crossroads Park through the use of pavement treatment, landscaping, lighting, and seating and street furniture. The Open Space Opportunity Area shall include pedestrian sidewalks and bicycle trails connecting the open space to the Crossroads Park and Community Center and includes opportunities for informal gathering through seating and hardscape features. The following shall be incorporated into the Open Space Opportunity Area, to the extent feasible:
  - Multimodal trail design;
  - ADA access through the Project;
  - Opportunities for informal play and facilitating social interaction;
  - Natural elements;
  - Stormwater treatment;

- Bike plaza/bike parking; and
  - Eyes on the site.
2. **Mid-Block Connector and Urban Trails.** The Project shall include a network of Urban Trails, including a mid-block connector urban trail running east-west between the residential project and existing retail (Michael's) development and an urban trail through the Open Space Opportunity Area to connect Crossroads Mall to Crossroads Park and Community Center. The Urban Trails shall be pedestrian oriented, activate the Project, and invite users into Crossroads Park and the Open Space Opportunity Area.

The following shall be incorporated:

- Generous width of sidewalk of a minimum 10';
  - Wayfinding signage that welcomes users and invites pedestrians into Crossroads Park;
  - Opportunities for adjacent commercial and residential activation to provide "eyes" into and onto the Urban Trails; and
  - Lighting shall be inviting and designed with CPTED principles.
3. **Park Interface Area** – The project shall include reparations and improvements (approximately 1,250 square feet) on the adjacent City-owned Crossroads Park and Community Center property. The improvements include an accessible urban trail connection between Crossroads Mall and Crossroads Park, landscaping, hardscape, signage, and amenities as depicted on Attachment B. The improvements shall be constructed to Park's Department standards and will require additional permits, approvals, and permission from the City.
4. **Pedestrian Improvements** – The project shall include pedestrian improvements to connect to the surrounding street and sidewalk network, to improve pedestrian safety and the pedestrian experience, and to activate the Project. The pedestrian improvements shall include a sidewalk along the west side of 160<sup>th</sup> Ave NE to connect to 8<sup>th</sup> Ave NE, and pedestrian improvements to the south and west of the existing retail (Michael's) development, as depicted in Attachment B.
5. **Signage.** In addition to compliance with the Bellevue Sign Code, the Project shall:
- Ensure that commercial signage is an integral part of the architectural design of the Urban Trail. Urban Trail signage should be scaled to enhance the pedestrian environment.
  - Include wayfinding signage to encourage pedestrian connectivity to Crossroads Park.