



LIGHT RAIL PERMITTING ADVISORY COMMITTEE MEETING

Date: May 1, 2015

To: Light Rail Permitting Advisory Committee

From: Matthews Jackson (425-452-2729, mjackson@bellevuewa.gov)
Carol Helland (425-452-2724, chelland@bellevuewa.gov)
Liaisons to the Advisory Committee
Development Services Department

Subject: May 6th, 2015 Advisory Committee Meeting

Enclosed you will find an agenda packet for your 31st Advisory Committee meeting next Wednesday, May 6. We will begin at 3:30 p.m. in Room 1E-113 at Bellevue City Hall. The meeting will be chaired by Doug Mathews and Marcelle Van Houten.

This packet includes:

1. Agenda
2. April 15th Meeting Minutes
3. City PowerPoint Presentation from April 15th
4. Draft CAC South Bellevue Segment Design and Mitigation Permit Advisory Document
5. CAC Comments Regarding the Draft South Bellevue Segment Design and Mitigation Permit Advisory Document

We will have hard copies of all electronic packet materials for you on May 6th. Materials will also be posted on the City's project web site at <http://www.bellevuewa.gov/light-rail-permitting-cac.htm>.

Please let us know if you have any questions prior to our meeting. We look forward to seeing you next week.



LIGHT RAIL PERMITTING ADVISORY COMMITTEE MEETING

Wednesday, May 6, 2015

3:30 p.m. – 5:30 pm • Room 1E-113

Bellevue City Hall • 450 110th Ave NE

AGENDA

- | | |
|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3:30 p.m. | 1. Call to Order, Approval of Agenda, Approval of April 15th, Meeting Minutes
<i>Committee Co-Chairs Mathews and Van Houten</i> |
| 3:40 p.m. | 2. Public Comment
<i>Limit to 3 minutes per person</i> |
| 4:00 p.m. | 3. East Link Project Update
<i>Matthews Jackson</i> |
| 4:15 p.m. | 4. South Bellevue Segment Draft Design and Mitigation Permit Advisory Document Continued Discussion– Action Item
<i>Committee Co-Chairs Mathews and Van Houten</i> |
| 5:20 p.m. | 5. Public Comment
<i>Limit to 3 minutes per person</i> |
| 5:30 p.m. | 6. Adjourn |

Project web site located at: <http://www.bellevuewa.gov/light-rail-permitting-cac.htm> . For additional information, please contact the Light Rail Permitting Liaisons: Matthews Jackson (425-452-2729, mjackson@bellevuewa.gov) or Carol Helland (425-452-2724, chelland@bellevuewa.gov). Meeting room is wheelchair accessible. American Sign Language (ASL) interpretation available upon request. Please call at least 48 hours in advance. Assistance for the hearing impaired: dial 711 (TR).

CITY OF BELLEVUE
LIGHT RAIL PERMITTING
ADVISORY COMMITTEE
MEETING MINUTES

April 15, 2015
3:30 p.m.

Bellevue City Hall
Room 1E-113

MEMBERS PRESENT: Doug Mathews, Marcelle Van Houten, Susan Rakow Anderson, Joel Glass, Wendy Jones, Ming-Fang Chang, Don Miles

MEMBERS ABSENT: Siona van Dijk

OTHERS PRESENT: Matthews Jackson, Department of Development Services; Kate March, Department of Transportation; Kate Berens, City Manager's Office; Paul Cornish, John Walser, Sound Transit

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER, APPROVAL OF AGENDA, APPROVAL OF MINUTES

Co-Chair Mathews called the meeting to order at 3:36 p.m.

The agenda was approved by consensus.

Ms. Jones called attention to the fourth paragraph on page 9 of the minutes and the discussion regarding insulating the front line homes along Bellevue Way and said it was her recollection that the Committee reached consensus on that point.

Co-Chair Mathews said he remembered the conversation but did not recall that a general consensus had been reached. Mr. Glass said he did not recall reaching a consensus either.

Ms. Anderson referred to the last paragraph on page 4 and suggested that "things" in the first sentence should be revised to read "noise concerns and questions."

Ms. Anderson said she recalled during the meeting asking if wall heights could be graphed and that Sound Transit said they could do that. She noted that the request does not appear in the minutes. She said she would like to see that done.

Ms. Anderson pointed out the need to change "bus barn" to read "train yard," and "buses" to read "trains" on page 11 of the minutes.

A motion to approve the minutes as amended was made by Mr. Glass. The motion was seconded by Ms. Anderson and it carried unanimously.

2. PUBLIC COMMENT

Mr. Rob Johnson, executive director of Transportation Choices Coalition, 219 First Avenue South, Suite 420, Seattle, said his organization has a little more than a thousand members in Bellevue. He thanked the Committee members for their work on behalf of the citizens of Bellevue. He encouraged the Committee to move the advisory document forward. It has been six and a half years since the voters approved ST2 and the project should be delivered not only in the right way but on time and on budget.

Mr. Bill Popp, 2020 Kilarney Drive SE, noted that he recently had sent all members of the Committee his findings regarding the walls associated with the South Bellevue section of the project. He said his findings were in the form of an edit to the aerial views Sound Transit had presented to the group in January showing the guideway. Those plans included the heights of the walls for each section. It appears Sound Transit was using the 60 percent design plan and they were showing only the noise walls. His edits are based on the 90 percent plans and added the fence panels that will be on top of the lower walls. Sound Transit's work did not show that because it is not technically a noise wall. The figure included in the packet suggests that there are differences from what was previously shown to the Committee. For instance, there is a 12-foot wall relative to the top of the sidewalk that starts at the south end of the blueberry farm building running about 430 feet to a seven-foot wall, then the wall drops four feet. Then there is a fence panel at the seven-foot level. With the exception of the opening at the blueberry farm new retail building, and at Winters House, there is a seven-foot high wall for the entire length. Those driving by or walking along Bellevue Way will not be able to see into the park. There are 37,000 daily vehicle trips on that street, at least 40,000 people, who will not be able to look at the park. He said he shared his findings with the engineering staff on April 14. The result of trying to do something to mitigate for the noise will result in the loss of visual contact with the park. The Committee previously expressed a desire to avoid the industrial look of the overhead catenary system, but it will be visible. In 2013 a presentation was made to the Transportation Commission regarding traffic on Bellevue Way that showed the HOV lane, which initially will operate as a general purpose lane, will provide some traffic relief after the light rail project is operational. Once there is a sufficient number of people in carpools the lane will be switched over to be a carpool lane. With the HOV lane in place and operational from the park and ride to I-90, there will be a queue back to the Y, and on 108th Avenue SE there will be a queue at about SE 22nd Street, then at about SE 31st Street the queue moves up half a block to SE 30th Street, and then it extends along 112th Avenue SE up to the intersection across the park and ride lot. With the new HOV lane in place, which is supposed to mitigate the problem, the queue on Bellevue Way will still be there, and the queue on 108th Avenue SE will drop down to about SE 28th Street. That slow-moving queue of traffic will be going through the neighborhood as a result of having to put more traffic pressure on the signal at the park and ride lot. Bellevue Way would operate like an expressway were it not for the signal. Tripling the size of the park and ride lot will create a situation that effectively will not be mitigatable, except by moving the park and ride lot elsewhere. Moving the A2 station to the west side of Bellevue Way at I-90 and running the track in a bored tunnel from that point on will mitigate all of the problems.

Mayor Balducci expressed her appreciation for the effort, time and energy being put into the process by all of the Committee members. She said the work means a lot to the citizens of Bellevue. The Memorandum of Understanding (MOU) discussions that are ongoing at the Council level will not change anything the Committee is doing or has done.

Mr. Joe Rossman, 921 109th Avenue SE, also thanked the Committee members for their hard work. He said he has records going all the way back to 2007 in which city staff have been asked to cooperate in meetings working with Sound Transit to complete plans to make it extremely easy to make a connection to the Bellevue Way route so that East Link can be easily extended to Issaquah across the south end of the Mercer Slough. Staff never told anyone from any of the communities or even members of the Council that they were asked to work on those kinds of plans, so the Mercer Slough Nature Park is being set up to be decimated twice. The Committee should give weight to that consideration in thinking about how to protect the west side of Mercer Slough.

Planning Manager Matthews Jackson took a moment to welcome Mr. Miles back from his trip, and announced that Ms. van Dijk has given notice that she will no longer be serving on the committee.

3. TRAIN OPERATIONS NOISE ANALYSIS

Deputy City Manager Kate Berens noted that the city has been working with Sound Transit for some time around a MOU that was originally structured in 2011 as a financial deal to allow for a tunnel in downtown Bellevue. The city's focus since that time has been on decreasing its financial contribution to the project while keeping the tunnel as part of the project. That work is culminating in amendments to the MOU that the Council will need to approve. That legal document will not, however, affect in any way what the Committee has been asked to do. The amended MOU addresses a few things about noise as well as other mitigation issues that have been of concern, including construction, traffic, and outreach and awareness issues.

Ms. Berens said the noise consultant focused on the various elements of train operation that generate noise. The simple act of the train running on the track generates noise in the same way a car's wheels make noise driving down a roadway. The recommended mitigation includes wheel skirts; maintenance to keep the rails and train wheels operating optimally; and ballasted tracks, which involves setting the tracks in gravel rather than concrete. The track will be embedded rather than ballasted in parts of the Bel-Red corridor because it has more of an urban look.

The Traction Power Substations (TPSS) are subject to the city's noise code. The way Sound Transit is addressing them is to enclose them in a structure or surrounded by walls to mitigate the noise.

Bells and warning devices generate noise as well. Ms. Berens said because they are safety devices, the code says they must be as loud as they need to be in order to be

effective. There are, however, conditions that will be established to limit the noise from the warning devices to the areas where they need to be heard. Techniques will be employed to shield and direct the noise, and adjustments will be made to the noise levels during the nighttime.

Track switches and where tracks cross each other can also generate noise. Sound Transit deals with that through good track design.

Ms. Berens noted that the Central Link line had issues involving wheel squeal created as trains rounded the radius of curves. Sound Transit is dealing with that through maintenance and by installing track lubricators on curves of a radius that tends to be problematic.

The city's noise consultant identified a few mitigation requirements above and beyond what was initially set for the federal review of the project. South Bellevue is the area that has generated the most concerns given the adjacent residential areas. A number of noise walls will be installed in that area. In some cases those noise walls have been extended or made taller as a result of the review done by the consultant. The mitigation measures relative to track and warning device noise will be utilized throughout the portion of the alignment that passes through Bellevue.

Some acoustical panels will be erected adjacent to the track in the Lake Bellevue area to mitigate noise. In the Bel-Red corridor the alignment will tend to be in the middle of roadways and thus more difficult to create effective noise walls. There will, however, be some requirements for new residential construction to limit noise decibels to set levels inside sleeping areas. Some redevelopment may occur in the Bel-Red area ahead of the East Link line construction and Sound Transit will make available information to provide to developers to rely on in making sure they will be able to meet the requirements of the noise code.

Ms. Berens said all of those things are being built into the permit conditions for the project. The Council is very interested in enforcement issues and the permit is based on assumptions going into a model about how loud the trains are and how well the mitigations will perform. The Council expressed a desire to have additional strength through the MOU to address any situation in which the assumptions are not correct and the mitigations do not perform as expected. Specific monitoring requirements will be put in place, including a three-year period during which Sound Transit will be testing and monitoring noise levels along with the performance of all mitigation measures. The city will be able to require revisions where things do not work as expected. The city is also looking to add in more ongoing maintenance requirements on the assumption that a well-maintained train on well-maintained tracks will keep noise down.

Mr. Miles asked if anyone has talked about visual pollution resulting from attempts to resolve noise pollution. Ms. Berens said the technical consultant gave the issue some focus, particularly for the Bel-Red area, relative to the trade-off between noise protections and visual pollution.

Mr. Jackson said the position Sound Transit is taking is that they will be building walls at the minimum level needed to mitigation for the expected noise generation. They are not looking to build taller walls except where needed.

Co-Chair Van Houten asked if there will be any monitoring done by the city following the three-year monitoring period Sound Transit will be required to undertake. Ms. Berens said all maintenance issues will be part of the ongoing right-of-way agreement the city will have with Sound Transit. Monitoring with respect to noise after the three-year period would be addressed on a complaint basis only.

Mr. Miles said he was aware of a case in eastern Washington in which track lubrication efforts ended up polluting a waterway. Ms. Berens said it was her understanding that Sound Transit uses biodegradable lubricants.

Mr. Glass asked if the city's sound expert offered any comments on the methodologies employed in Sound Transit's report. He noted that Sound Transit cited some exemptions, and commented that the Committee has heard comments about some of the parks not being sensitive receptors. He also pointed out that the expanded park and ride lot will generate more car traffic which will generate more noise and asked if the MOU addresses that. Ms. Berens said there has been a lot of discussion between the city's technical consultant and Sound Transit's consultant about the methodologies used to demonstrate compliance with the city's code. Those discussions resulting in employing a different methodology from what Sound Transit used to meet the federal standards. Under the federal standards noise is generally averaged over a 24-hour period, with some adjustments made for the nighttime hours. The city's noise consultant voiced concern over the fact that the 24-hour averaging tends to mask noise, particularly during the most sensitive times of the day. Sound Transit agreed to employ a methodology that employs averaging one-hour periods instead and compares them against the ambient levels. The methodology drove the requirements to extend walls linearly and to increase their height where deemed necessary.

With regard to the exemptions claimed by Sound Transit, Ms. Berens explained that they were reviewed by the City Attorney's Office given that they are legal in nature rather than technical. The exemptions apply in the Bel-Red area where the code evaluates and regulates noise based on the land use district in which the noise generate is located and the land use district in which the noise receiver is located. Both Bel-Red and the downtown are commercial districts which allow for certain exemptions that do not apply in residential areas.

Sensitive receiver areas is a concept under the federal regulations. The city asked Sound Transit to model noise from a couple of different areas in the Mercer Slough that were separate from where they evaluated noise for the federal process. The additional areas included locations where people will be using trails. Mr. Jackson said additional information was sought for four locations on the Slough side, and Sound Transit had already done some analysis at Surrey Downs Park.

Ms. Berens said the Council asked about the potential for increased traffic and staff are working on those numbers. Under the city's noise code, traffic noise is exempt so there is no mitigation standard that would be imposed through the permitting process for any increased traffic trips.

Co-Chair Van Houten agreed that there is a fine balance between mitigating for noise impacts and creating visual pollution. Very tall walls will tend to destroy the notion of a grand entrance and Bellevue as a city in a park, especially where the walls will be tall enough to cut off the view of the Mercer Slough Nature Park. The noise walls are probably the only practical way of dealing with the sound, but they will trigger a visual loss. Ms. Berens said the same comment was made by a Councilmember at the Council's April 13 meeting. Staff was asked to explore the flexibility of timing relative to constructing the noise walls after the train is operational to see if in fact the noise is less than anticipated and the walls are not actually needed.

Ms. Jones asked if the noise study accounted for noise reflected from the sound walls and the façade of the park and ride structure. Ms. Berens said the city's noise consultant was tasked with looking at reflective noise issues. It has been accommodated in the modeling. Mr. Jackson explained that based on amount of existing traffic noise and the distance between where the noise wall will be, the noise from the existing traffic will be greater than any reflected noise, and thus there will be no additional impact.

Mr. Glass asked if the city's noise expert offered any comments on the sound wall designs and whether or not more sound absorptive designs should be utilized. Mr. Jackson said the consultant has provided information about different types of noise attenuation, be it vegetation, a wood fence or a concrete structure, as well as what additional lift can be obtained from including absorptive materials. Sound Transit has been asked to apply sound absorptive materials to all freestanding noise walls, but the city's expert was not tasked with answering that question.

Justin Lacson with Sound Transit said the possibility of incorporating sound absorptive walls was looked into for the South Bellevue alignment. An in-house acoustician indicated that typically sound absorptive walls are used where there are two walls enclosing a highway or track guideway, and in situations where a roadway abuts a tall building structure. Sound Transit's analysis concluded that neither of those situations come into play in Bellevue.

Mr. Jackson said he conducted some research on his own and found a project in Minnesota where sound absorptive materials are used on walls that parallel a highway. In most other instances, sound absorptive materials are used to buffer enclosed mechanical equipment. He said he found no examples of the material being used on sound walls along arterials in cities.

Paul Cornish with Sound Transit said sound absorptive material was applied as part of the Beacon Hill tunnel station in Seattle, including the wing walls going into the station. It is

applied somewhat like a stucco. Accordingly, patterned walls and sound absorptive walls are quite possibly at odds with each other. The wall in Minnesota is a metal structure that incorporates a baffle system attached to a concrete wall. It is very industrial looking that has been met with like and dislike by the public.

Mr. Jackson suggested that on the topic of where there are competing interests, sound absorption versus the look of a wall, the Committee should weigh in. He added that the process is currently focused on recommendations from the Committee. The issuance of permits will come at a later date. Accordingly, the issue of noise for the South Bellevue segment is still a work in progress.

Co-Chair Mathews said his take was that the Committee agrees that the walls should not be any higher than absolutely necessary, especially on the east side so views out toward the Slough can be retained. He said he was curious as to why the walls are shown as high as they are in that stretch. Mr. Cornish said there will be sound walls on the elevated guideway at the South Bellevue station. From there the track descends to where it runs in the trench by the Winters House. The trench wall will have a two-and-a-half-foot-tall concrete traffic barrier with a decorative fence on top of it for a total height of six and a half feet, and a wire mesh structure to keep people from coming in contact with the catenary system. Where the tracks come back up to grade, the walls begin to get taller.

John Walser, senior architect with Sound Transit, said the systems in Seattle utilize a chain link fence, something Bellevue does not allow. Accordingly, a black powder-coated picket fence look will be used instead. While more visually appealing, it is less transparent.

Co-Chair Van Houten asked if the city would reconsider its ban on chain link fencing. Mr. Jackson said he highly doubted it, pointing out that in working with property owners near Surrey Downs Park about how they will be protected in the interim before light rail becomes operational, it has been very clear that people do not want chain link fences. Co-Chair Van Houten commented that the look of a chain link construction fence is much different from a nice powder-coated chain link fence. Where the view behind the fence is worth seeing, some consideration should be given to at least exploring that type of fence.

Mr. Walser stressed that while an architect rather than an acoustician, absorptive material may cut down on sound but may not cut down on the height of the walls.

Mr. Chang suggested the noise experts should look into changing the geometry or shape of the noise walls as a way of limiting noise. Noise travels in the form of a wave and changing the geometry can interrupt the wave or reflect it back to the track itself. That possibly could help to reduce how high the walls need to be.

Ms. Jones said she would like to see a visual depiction of the length of the alignment showing how the walls are to be configured, including height and the length of any gaps. Mr. Cornish said the animation produced by Sound Transit does a good job of portraying the route and the walls, particularly when it is slowed down. There is information on the

Committee's website that identifies the wall heights. Mr. Lacson said Sound Transit has plan view drawings and is working on visual renderings based on the 90 percent plans.

4. SOUTH BELLEVUE SEGMENT DRAFT DESIGN AND MITIGATION PERMIT ADVISORY DOCUMENT - Continued Discussion

Mr. Jackson noted that the changes made to the draft in the packet were made based on direction from the Committee to focus on what has been talked about and for which recommendations have been made without implying that the Committee is in full agreement with all the decision criteria, the Comprehensive Plan policies, or the light rail best practices report.

Mr. Glass noted that the application documents from Sound Transit walk through each of the Comprehensive Plan policies and state how the agency believes it has complied. City staff have used a similar process. He said he used the same format as well in compiling his observations and recommendations for where Sound Transit should modify its plans in order to come into compliance with the Comprehensive Plan policies. One thing for sure is there should be discussion of sound packages for front line homes. He said the document he produced was intended to serve as a starting point for a discussion by the Committee.

Co-Chair Van Houten said she had read through the document but would like more time to review it in finer detail. She said the document does a good job of capturing the Committee's discussions on various points.

Co-Chair Mathews agreed that he also would want to take the time to compare the document against the Committee's draft to see what the differences are.

Answering a question asked by Ms. Jones, Mr. Glass noted that early on during the discussions about the route choices the city commissioned OTAC to do a wetlands study. OTAC raised some concerns with the analysis of the wetlands and the Committee should make sure they have been addressed in the final analysis.

Co-Chair Van Houten clarified that Sound Transit will be required to follow the Bellevue critical areas ordinance. That means the concerns will be addressed. Sound Transit will also need to obtain permits from the Corps of Engineers, a process that can take years given the level of required analysis. The transmittal from the Committee should simply include a statement of trust that the city will apply the highest standards of the critical areas ordinance and the Corps of Engineers Section 404 permit requirements. Sound Transit cannot be legally required to go above and beyond what the code calls for.

Mr. Jackson said a thorough analysis of critical areas will be included with each of the permits. From an environmental standpoint, Sound Transit will be required to produce a result that actually has a lift in environmental function.

Ms. Jones said there is policy in the Comprehensive Plan that calls for using the light rail

best practices report, including the city's expectations of Sound Transit, to guide city actions and advocacy in pursuit of the best community outcomes for developing and operating light rail in Bellevue. Another policy calls for placing a priority on the use of noise avoidance or absorption techniques over noise deflection for residential uses when developing mitigation measures. The best practices document includes directs the city to plan for and address the impacts of construction by mitigating negative impacts such as noise and vibration. Based on that, new residential construction in the downtown and the Bel-Red area will be required to have soundproofing. Efforts are under way to make sure sound walls are up ahead of the major construction along 112th Avenue SE as a way to protect those residences, and it can be assumed the same approach will be used in the Lake Bellevue segment. There are about 44 homes that either directly abut Bellevue Way or have nothing between them and Bellevue Way and they will have to put up with construction over a period of five years. The Committee should recommend that those homeowners be given the option of having a sound insulation package installed prior to construction.

Co-Chair Mathews asked what measure should be used to determine which homes should have the option of receiving the insulation package. Ms. Jones said it should be the homes that have nothing between them and Bellevue Way.

There was consensus in favor of including that recommendation.

Mr. Glass suggested his laundry list of recommendations should be included at the end of the report.

Ms. Anderson said her list of recommendations included: additional noise analysis for impacts to the users of Mercer Slough as a sensitive receptor; sound panels on the east side of the guideway as a mitigation for the users of Mercer Slough, including wildlife; making sure Surrey Downs is listed as a sensitive receptor; address the noise impacts due to additional traffic to and from the South Bellevue park and ride lot; evaluate noise impacts along the east side of 112th Avenue SE for future development; analyze and mitigate construction noise for the five-year duration of construction staging at the South Bellevue park and ride and for the construction traffic along the corridor; include in the noise analysis the additional night noise impacts from the OMSF; address air quality along Bellevue Way; and address elderly/handicapped seat height accommodations and flashing safety lights at the station.

Co-Chair Van Houten suggested that attempting to mitigate for road noise would be opening Pandora's Box. Noise walls along Bellevue Way would not be recommended as they would simply wall off Bellevue Way. Mr. Miles agreed.

Mr. Jackson pointed out that if the redevelopment area along 112th Avenue SE includes residential units, they will be required to mitigate for a maximum noise level in sleeping rooms, the same as will be required in the Bel-Red corridor.

Ms. Anderson agreed the recommendation to analyze and mitigate the construction noise

for the five-year duration of construction staging along Bellevue Way should be paired with the recommendation to offer sound insulation packages to the front line homes.

Mr. Jackson pointed out that for every requirement put on the project, there must be a demonstrable nexus to an impact the project is causing. Existing impacts not under the control of Sound Transit cannot be included. The Committee has not been asked to go through all of the decision criteria to ensure compliance, nor was there an intent to do so; staff will, of course, need to be able to defend all of the criteria. If the Committee wants to comment on each criterion, the documentation submitted by Mr. Glass can serve as a place to start.

Mr. Glass said what Sound Transit has written implies that they are in full compliance with the Comprehensive Plan. If the director believes the Committee is wrong, all he will need to do is pull out the Sound Transit documentation and recite it as the nexus for compliance. Mr. Jackson said it is common practice for major projects to ask the client to offer an explanation for how they have addressed the decision criteria. Their positions are not, however, always accepted at face value. He said in the end his name will be on the staff report alongside that of the director. There may be areas where staff agree with Sound Transit, and there may be specific disagreements. There will be no blind reliance on Sound Transit's submittal.

Co-Chair Van Houten asked Mr. Glass if his intent was to include the discussion paragraphs in the advisory document or just the recommendations. He said he felt it would be helpful to include the discussions. Mr. Jackson said the first part of the document addresses the decision criteria and the second part involves the response to the standards and guidelines. He said he could see no reason not to just include the bulleted list approach with the design guidelines and standards and more narrative with the decision criteria.

Land Use Director Carol Helland said it will ultimately be her responsibility to sign off on the document, taking into account the recommendations of the Committee. She noted that the Committee was spending its third meeting working to refine the document and asked for agreement that at the next meeting the document will be completed. If once the Committee members are in agreement after reviewing the document provided by Mr. Glass, it can be packaged as the Committee's recommendation.

Continuing, Ms. Helland said the roles of the Committee and the staff are completely different. The role of the Committee is to indicate what is appropriate with respect to context and the design guidelines. To the extent the Committee has other comments, such as in relation to policy consistency, the staff will take them into account in compiling the staff report. The Committee should not, however, be surprised to find staff stating that certain roles belong to the staff and not to the Committee, or to find the staff having a different opinion. The Committee should not be disappointed to find that not every recommendation made is included in the final staff report; where things are left out, a reason will be provided. For one thing, the language of the approval criteria will not be changed even if the Committee believes it should be change. The actual language of the

code will be used where it is quoted in the Committee's recommendation.

Ms. Helland said the language of the overlay provision includes no intent to have the Committee stretch the approval process out over a longer period of time. The work of the Committee is to fit into the work of the review as the review goes forward.

Ms. Helland clarified that the path that was chosen is administrative; the Council does not in fact have a legislative role to play in the process.

There was agreement to submit all suggestions to staff by April 20 and to finalize the document at the next Committee meeting.

5. PUBLIC COMMENT

Mr. Joe Rossman, 921 109th Avenue SE, praised the Committee for a superb meeting, the kind of meeting the citizens have been hoping for. If the Committee disagrees with anything said by the staff, the issues should be raised with Councilmembers Robertson and Wallace. There is a difference between what the staff believes and what the Councilmembers wrote into ordinance.

Mr. Bill Popp, 2020 Kilarney Drive SE, said the question asked by Ms. Jones about seeing the wall from the street should be easily answerable by Sound Transit with graphic drawings.

6. ADJOURN

Co-Chair Mathews adjourned the meeting at 5:57 p.m.

LIGHT RAIL PERMITTING ADVISORY COMMITTEE



COMMITTEE MEETING
April 15-3:30PM | ROOM 1E-113



Agenda

- **3:30**
 - Call to Order, Approval of Agenda, Approval of March 18th Meeting Minutes – Co-Chairs Mathews and Van Houten
 - Public Comment
- **4:00**
 - Train Operations Noise Analysis – Kate Berens, Deputy City Manager
- **4:30**
 - Draft South Bellevue Segment Design and Mitigation Permit Advisory Document Continued Discussion– CAC Co-Chairs Mathews and Van Houten
- **5:20**
 - Public Comment



Operational Noise Along the Alignment

Noise Source	Mitigation as part of Design and Mitigation Permit(s)
Train	<ul style="list-style-type: none">- LRT designed with wheel skirts (cover over wheel wells) to reduce noise from rail-wheel interference- O&M program<ul style="list-style-type: none">- Rail grinding- Vehicle wheel truing and replacement- Vehicle maintenance- Operator training, operate under speeds used in noise analysis- Re-profile the rails to better match the wheels- Maximize use of ballasted track (quieter than paved)
Traction Power Sub-Stations (TPSS)	<ul style="list-style-type: none">- Subject to Noise Code Ch 9.18- Designed to be enclosed within structures or with surrounding walls to mitigate noise



Operational Noise Along the Alignment

City's technical analysis concluded certain additional measures were needed

South Bellevue

- Installation of noise walls as planned to meet Federal Transit Administration (FTA) guidelines
- Add additional height and length to noise walls as necessary to meet city code
- Ensures noise of light rail is at or below the existing ambient levels

Lake Bellevue

- Acoustic panels adjacent to the track per FTA to mitigate at or below existing ambient levels

Bel-Red

- New residential construction along the alignment⁴ are required to install sound proofing



Operational Mitigation

- Establishes:
 - Noise and vibration monitoring plan
 - Performance standards for light rail operations
 - Should there be an exceedance, timely compliance and retesting



Revised South Bellevue Segment Design and Mitigation Permit Draft Advisory Document

- **Changes Made to the Draft Advisory Document Reflect Comments From March 18th CAC Meeting**
- **Additional CAC Comments Post Meeting Provided in Desk Packet**



LIGHT RAIL PERMITTING CITIZEN ADVISORY COMMITTEE

ADVISORY DOCUMENT – RECOMMENDATION TO DIRECTOR SOUTH BELLEVUE SEGMENT DESIGN AND MITIGATION PERMIT

~~MARCH 13~~ APRIL 10, 2015

Introduction

The Light Rail Permitting Citizen Advisory Committee (CAC) was appointed by the Bellevue City Council consistent with the terms of the Light Rail Overlay regulations contained in the city's Land Use Code (LUC). Land Use Code section 20.25M.035.A describes the CAC purpose to:

1. **Dedicate the time necessary to represent community, neighborhood and citywide interests in the permit review process***; and
2. Ensure that issues of importance are surfaced early in the permit review process while there is still time to address design issues while minimizing cost implications; and
3. **Consider the communities and land uses through which the RLRT (Regional Light Rail Train) System or Facility passes, and set “the context” for the regional transit authority to respond to as facility design progresses***; and
4. **Help guide RLRT System and Facility design to ensure that neighborhood objectives are considered and design is context sensitive by engaging in on-going dialogue with the regional transit authority and the City, and by monitoring follow-through***; and
5. Provide a venue for receipt of public comment on the proposed RLRT Facilities and their consistency with the policy and regulatory guidance of paragraph 20.25M.035.E below and Sections 20.25M.040 and 20.25M.050 of this Part; and
6. **Build the public's sense of ownership in the project***; and
7. **Ensure CAC participation is streamlined and effectively integrated into the permit review process to avoid delays in project delivery*.**

* Identifies the focus of this Advisory Document

Design and Mitigation Permit Review – 60% Design Development Phase

This phase of review is intended to provide feedback regarding effectiveness of design and landscape development in incorporating prior guidance at context and schematic design stages. This phase is intended to provide further input and guidance, based on the input and guidance

provided in the context setting phase, on compliance (or lack of compliance) with the policy and regulatory guidance of LUC 20.25M and LUC 20.25M.040 and 20.25M.050, and whether information is sufficient to evaluate such compliance. The CAC advice is based on the alignment and station designed agreed to by the City of Bellevue City Council and Sound Transit Board through a Memorandum of Understanding. The CAC is charged with providing the Director of the Development Services Department with a final advisory document.

CAC Work Product

The work of the CAC at each review stage will culminate in a CAC advisory document that describes the phase of review and CAC feedback. The work product required following the Pre-Development Phase of CAC review is intended to provide Sound Transit with early guidance and advice that is integrated into future Design and Mitigation Permit submittals. This final Design and Mitigation Permit advisory document is intended to provide the Director of the Development Services Department with a recommendation to demonstrate Sound Transit compliance with Design and Mitigation Permit Decision Criteria pursuant to LUC 20.25M.030.C.3.

On May 13, 2014, Sound Transit was provided with the South Bellevue Segment Pre-Development Advisory Document. That document outlined Sound Transit compliance with context setting characteristics and early Design and Mitigation Permit requirements. The pre-development advisory document also included several recommendations on additional items to be addressed during formal permit review.

The following represents the CAC advisory recommendation to the Development Services Department Director regarding compliance related to LUC 20.25M.030.C.3, LUC 20.25M.040, and 20.25M.050.

20.25M.030.C.3 Design and Mitigation Permit Decision Criteria

The City of Bellevue Development Services Director is responsible to insure compliance with all Design and Mitigation Permit decision criteria as outlined below. The CAC was tasked with review and recommendation on some, but not all, decision criteria. Those criteria not discussed by the CAC are still applicable to approval of the Design and Mitigation Permit and compliance with all decision criteria will need to be demonstrated in the Director's decision.

A proposal for a RLRT system or facility may be approved or approved with conditions; provided, that such proposal satisfies the following criteria:

- a. The applicant has demonstrated compliance with the CAC Review requirements of LUC 20.25M.035; and
 - Sound Transit has demonstrated compliance with CAC review requirements by attending and presenting materials regarding the East Link Light Rail System and Facilities at CAC meetings held the 1st and 3rd Wednesday of each month. In addition to the regularly

scheduled meetings Sound Transit and City staff provided tours of the existing Central Link Light Rail System and Facilities and proposed East Link route in the City of Bellevue including the South Bellevue Segment.

b. The proposal is consistent with the Comprehensive Plan including without limitation the Light Rail Best Practices referenced in Comprehensive Plan Policy TR-75.2 and the policies set forth in LUC 20.25M.010.B.7; and

- The CAC was not asked to do an exhaustive review of consistency with the Comprehensive Plan policies and Light Rail Best Practices. Where CAC members felt that elements of the permit were not consistent with these policies, they have recommended modifications to the permit in areas that were identified within their scope. Some CAC members expressed concern that some elements of the project that are outside of their scope were inconsistent with the Comprehensive Plan and Light Rail Best Practices. The Director's decision will need to demonstrate that the ~~The~~ East Link Project has demonstrated consistency with the numerous Comprehensive Plan Policies that are applicable to light rail (LU-9, LU-22, LU-24, ED-3, TR-75.1, TR-75.2, TR-75.5, TR-75.7, TR-75.8, TR-75.9, TR-75.12, TR-75.15, TR-75.17, TR-75.18, TR-75.20, TR-75.22, TR-75.23, TR-75.27, TR-75.28, TR-75.32, TR-75.33, TR-75.34, TR-75.35, TR-118 and UT-39) and Light Rail Best Practices. This proposal is also consistent with Light Rail Best Practices which focus on community and neighborhoods, community involvement, connecting people to light rail, land use, street design and operations, system elements (elevated, at grade, and tunnel), property values, station security, and construction impacts and mitigation. A detailed description of project compliance will be included in the issued Design and Mitigation Permit.

c. The proposal complies with the applicable requirements of this Light Rail Overlay District; and

- As it will be conditioned, this application for Design and Mitigation Permit will be in compliance with all elements of the Light Rail Overlay District including RLRT system and facilities development standards. Approval of an Alternative Landscape Option and Noise Monitoring and Contingency Plan will be included as conditions of approval. The CAC has made recommendations to insure compliance with context requirements of the Light Rail Overlay District such as station materials, design intent, landscaping, garage design, and the application of art-

d. The proposal addresses all applicable design guidelines and development standards of this Light Rail Overlay District in a manner which fulfills their purpose and intent; and

- The CAC reviewed and discussed the applicable design and development standards of the Light Rail Overlay District and has made recommendations intended to insure design guidelines and standards are met. Specific CAC advice is discussed below in this

~~document~~As discussed below, the proposal addresses all applicable elements of 20.25M.040 and 20.25M.050.

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

- The South Bellevue Segment of East Link must comply with all applicable zoning and context requirements. Recommendations from the CAC to better integrate and soften the look and impact of the station and garage located at the South Bellevue Station are responsive to the existing and intended character of this segment. Light Rail Overlay (LUC 20.25M) development standards, including the establishment of the RLRT Transition Area also respond to the character within this segment.

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

- ~~A majority of existing public facilities are available to serve East Link in South Bellevue. The city has initiated numerous capital facilities projects to serve light rail and future city utility and transportation needs. The CAC was not tasked with verifying adequate public services. It is anticipated that w~~When the light rail system is operational anticipated impacts to public facilities including streets, fire protection, and utilities will have been mitigated.

g. The proposal complies with the applicable requirements of the Bellevue City Code, including without limitation those referenced in LUC 20.25M.010.B.8; and

- Development, construction and operation of the RLRT system and facilities ~~will must~~ comply with applicable Bellevue City Codes, including the noise control code and environmental procedures code. Technical analysis of Sound Transit submitted Noise Studies ~~and documents~~ will be completed ~~by city staff and technical consultants. Any additional noise mitigation resulting from technical review will be included as a condition of approval the Design and Mitigation Permit. The CAC has offered advice regarding the type of sound walls used and sound wall materials. Some CAC members have expressed concern that the scope of work provided to the CAC has limited their input on the location, type, and height of noise barriers. prior to issuance of the Design and Mitigation Permit. Any additional noise mitigation resulting from technical review will be included as a condition of approval of the Design and Mitigation Permit.~~

h. The proposal is consistent with any development agreement or Conditional Use Permit approved pursuant to subsection B of this section; and

- The ~~CAC was not tasked with verifying consistency proposal is consistent~~ with the Memorandum of Understanding signed by the City of Bellevue and the Sound Transit

Board which was completed at the Preliminary Engineering stage of plan development. Plan development through the final design stage will result in expected refinements to design that is typical to any major development. Significant design changes in plan design that are within the scope of work for the CAC will be brought back to the CAC for evaluation during construction permit review.

i. The proposal provides mitigation sufficient to eliminate or minimize long-term impacts to properties located near the RLRT facility or system, and sufficient to comply with all mitigation requirements of the Bellevue City Code and other applicable state or federal laws.

- To the greatest extent possible with the chosen alignment and station design, the proposed RLRT facility and system will avoid, minimize, and mitigate anticipated long-term impacts to properties located near the light rail system and facilities. Mitigation includes, but is not limited to, enhanced landscaping, critical area planting enhancements, permanent noise walls, sound absorbing panels on the guideway, and the installation of public art. Some CAC members have expressed significant concerns related to long term related construction impacts to traffic and noise levels along Bellevue Way, 112th Ave SE, at the South Bellevue Station, and within adjacent residential neighborhoods. City of Bellevue staff is responsible for evaluating appropriate mitigation for these impacts during the review of required Right of Way Use Permits and construction permit applications.

j. When the proposed RLRT facility will be located, in whole or in part, in a critical area regulated by Part 20.25H LUC, a separate Critical Areas Land Use Permit shall not be required, but such facility shall satisfy the following additional criteria:

- i. The proposal utilizes to the maximum extent possible the best available construction, design and development techniques which result in the least impact on the critical area and critical area buffer; and
 - ii. The proposal incorporates the performance standards of Part 20.25H LUC to the maximum extent applicable; and
 - iii. The proposal includes a mitigation or restoration plan consistent with the requirements of LUC 20.25H.210; except that a proposal to modify or remove vegetation pursuant to an approved Vegetation Management Plan under LUC 20.25H.055.C.3.i shall not require a mitigation or restoration plan.
- Mitigation and restoration requirements per LUC 20.25H due to impacts to critical areas and their buffers will be incorporated into the Design and Mitigation Permit approval and have been discussed at CAC meetings. Impacts to critical areas in the South Bellevue Segment include temporary and permanent impacts to wetlands and their buffers, temporary and permanent impacts to streams and their buffers, and impacts to habitat for species of local importance. Mitigation for impacts to critical areas and their buffers

per the criteria located in LUC 20.25H will occur in the South Bellevue Segment within Mercer Slough Nature Park as well as a site located in the Bel Red Segment. Mitigation is required to result in a condition that is equal to or superior to the pre-existing environment. Based on staff's review of the technical reports and mitigation proposed by Sound Transit, the proposed mitigation will provide a lift in critical areas function at maturity over the existing condition.

CAC Recommendation to the Director of Development Services

At the request of the CAC, CAC Pre-Development Phase advice that has been addressed or partially addressed in the Design and Mitigation Permit submittal are included in bold for the Director's reference.

20.25M.040 RLRT system and facilities development standards

1. Building Height

- The CAC recommends that Sound Transit incorporate a living wall, green roof, or other green vegetation treatment on the garage/station as mitigation for Sound Transit's request for additional building height.

2. Landscape Development

- The CAC recommends the inclusion of a living wall, green roof, or other green vegetation be installed on the upper levels of the garage/station to help soften the edges of the structure as well as communicate the idea of a grand entry into Bellevue.
- The CAC recommends that additional landscaping options to help screen exposed noise walls should be included in the landscape plans. This should include a climbing vegetation option where there is limited space for additional landscaping.
- The CAC recommends that Sound Transit include additional appropriate landscaping to screen the guideway.
- The CAC recommends that more mature vegetation be incorporated into the design of the light rail corridor. This can be achieved by planting some large specimen trees at the point where the trains enter the South Bellevue Station (meadow), on the east side of the Y of Bellevue Way and 112th Ave SE, and in the median in 112th Ave SE.
- The CAC recommends the installation of landscaping around the light poles on the roof deck of the parking garage.

3. Light and Glare

- The CAC recommends light standards on the deck of the South Bellevue Station Garage are as low as feasible to avoid light pollution into the neighborhoods in the vicinity. **(In order to prevent light spillover or trespass Sound Transit is using LED lights for their poles that are designed with technology to reduce backlight and to focus light in a fixed area on the surface of the garage).**

4. Recycling and Solid Waste

- The CAC recommends that Sound Transit work with its sustainability group to evaluate a system wide compost collection bin option at its stations.

5. Critical Areas

- The CAC recommends that Sound Transit work collaboratively with the City of Bellevue to develop public information sign(s) at the South Bellevue Station that would inform transit users and visitors of wildlife and habitat within Mercer Slough Nature Park.
- The CAC recommends that Sound Transit adhere to all best management practices and complies with all applicable local, state, and federal regulations related to wildlife including but not limited to migratory birds.

6. Use of City Right of Way

- The CAC acknowledges that specific details regarding the use of the City ROW will be handled through the review and issuance of Right of Way Use Permits per LUC 20.25M.040.J; however, they want to emphasize the importance of limiting impacts on traffic to the best level technically feasible.

20.25M.050 Design guidelines

1. Design Intent - In addition to complying with all applicable provisions of the Southwest Bellevue Subarea Plan, the design intent for the Regional Light Rail Train system and facility segment that passes through this subarea is to contribute to the major City gateway feature that already helps define Bellevue Way and the 112th Corridor. The Regional Light Rail Train system or facility design should reflect the tree-lined boulevard that is envisioned for the subarea, and where there are space constraints within the transportation cross-section, design features such as living walls and concrete surface treatments should be employed to achieve corridor continuity. The presence of the South Bellevue park and ride and station when viewed from the neighborhood above and Bellevue Way to the west, as well as from park trails to the east, should be softened

through tree retention where possible and enhanced landscaping and “greening features” such as living walls and trellises.

2. Context and Design Considerations - The CAC was tasked with evaluating the existing context setting characteristics included in the Land Use Code in order to verify that the design of the station and alignment is consistent with the vision for the Southwest Bellevue Subarea. The Land Use Code states that the character of this area is defined by:

- The expansive Mercer Slough Nature Park;
- Historic references to truck farming of strawberries and blueberries;
- Retained and enhanced tree and landscaped areas that complement and screen transportation uses from residential and commercial development; and
- Unique, low density residential character that conveys the feeling of a small town within a larger City.

The CAC advised that the following additional context and design considerations should be considered when evaluating the East Link project in the Southwest Bellevue Subarea for context sensitivity during future CAC and permit review phases. The following items pertain to the South Bellevue Segment:

- The alignment transition from the I-90 right-of-way to the South Bellevue Station should be reflected as a “Grand Entry” into Bellevue. This gateway area defines Bellevue as the “City in a Park.” The gateway serves a number of functions, and should appropriately greet the different users that pass through it, including transit riders, vehicles, residents, bicyclists from the I-90 trail, fish (specifically salmon), and wildlife.
- The South Bellevue Park & Ride garage should incorporate green/living walls and trellis structures on the roof level in addition to interesting concrete surface treatments to break down mass and scale, and to help blend the garage into the Mercer Slough Nature Park when viewed from the neighborhoods to the west and the park to the east.

3. Additional General Design Guidelines

- The CAC recommends that more earth tones and color variety be incorporated into the proposed art treatments and other station and corridor elements. Earth tones means tans, browns, beige, rusts, reds and orange. **(Sound Transit has indicated that the artists for the station are evaluating options for additional color and earth tones in proposed art treatments.)**

- The CAC recommends less hard edges in the design of the South Bellevue Station. One suggestion would be to incorporate more organic shapes into the design to soften hard lines. **(Sound Transit has attempted to incorporate more organic shapes in the design using art treatments at both the station, parking garage, and guideway.)**
- The CAC recommends Sound Transit evaluate the possibility of using an artistic design for the mesh screening at the South Bellevue Station Garage. **(Sound Transit has proposed a green artistic treatment for the mesh screening on the garage. Final color combinations are still in development.)**
- The CAC recommends that Sound Transit extend the proposed art treatment on the guideway noise walls and additional colors be incorporated into the design. **(Sound Transit has shown an art treatment on a portion of the guideway noise walls that reflects CAC pre-advisory advice. The CAC has requested additional color variety which is under development. Sound Transit has also indicated that an extension of the art treatment is in preliminary design.)**
- The CAC recommends that Sound Transit use a stacked stone or brick type pattern with variegated earth tones for noise walls. Ashlar stone walls one recommendation from the CAC. The CAC also recommends evaluation of art opportunities to help buffer any negative visual impacts of areas of tall noise walls.
- The CAC recommends Sound Transit work with the City of Bellevue to install way finding kiosk(s) at the South Bellevue Station and as appropriate along the alignment to direct people to available resources and recreational opportunities within Mercer Slough Nature Park.
- The CAC recommends that Sound Transit use round catenary poles instead of H poles from the South Bellevue Station to the tunnel portal at the intersection of 112th Ave SE and Main Street.
- The CAC recommends that sound absorptive panels be used for freestanding noise walls.
- The CAC recommends that a small viewing platform be created on the top garage deck to allow for views into the Mercer Slough Nature Park.

Design and Mitigation Permit Approval

The recommendations contained in this Advisory Document represent the conclusion of the CAC review of the South Bellevue Segment Design and Mitigation Permit. The recommendations included in this document shall be incorporated into the Director's administrative decision. Departures by the Director from specific recommendations included within the CAC's Design and

Mitigation Permit Advisory Document shall be limited to those instances where the Director determines that the departure is necessary to ensure that the RLRT facility or system is consistent with: (i) applicable policy and regulatory guidance contained in the Light Rail Overlay; (ii) authority granted to the CAC pursuant to this section; (iii) SEPA conditions or other regulatory requirements applicable to the RLRT system or facility; or (iv) state or federal law. Departures from the CAC Design and Mitigation Permit Advisory Document shall be addressed in the decision by the Director, and rationale for the departures shall be provided.

DRAFT



LIGHT RAIL PERMITTING CITIZEN ADVISORY COMMITTEE

ADVISORY DOCUMENT - RECOMMENDATION TO DIRECTOR SOUTH BELLEVUE SEGMENT DESIGN AND MITIGATION PERMIT ~~MARCH 13~~~~APRIL 10,~~ APRIL 15, 2015

Introduction

The Light Rail Permitting Citizen Advisory Committee (CAC) was appointed by the Bellevue City Council consistent with the terms of the Light Rail Overlay regulations contained in the city's Land Use Code (LUC). Land Use Code section 20.25M.035.A describes the CAC purpose to:

1. Dedicate the time necessary to represent community, neighborhood and citywide interests in the permit review process*; and
2. Ensure that issues of importance are surfaced early in the permit review process while there is still time to address design issues while minimizing cost implications; and
3. Consider the communities and land uses through which the RLRT (Regional Light Rail Train) System or Facility passes, and set "the context" for the regional transit authority to respond to as facility design progresses*; and
4. Help guide RLRT System and Facility design to ensure that neighborhood objectives are considered and design is context sensitive by engaging in on-going dialogue with the regional transit authority and the City, and by monitoring follow-through*; and
5. Provide a venue for receipt of public comment on the proposed RLRT Facilities and their consistency with the policy and regulatory guidance of paragraph 20.25M.035.E below and Sections 20.25M.040 and 20.25M.050 of this Part; and
6. Build the public's sense of ownership in the project*; and
7. Ensure CAC participation is streamlined and effectively integrated into the permit review process to avoid delays in project delivery*.

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Design and Mitigation Permit Review — 60% Design Development Phase

This phase of review is intended to provide feedback regarding effectiveness of design and landscape development in incorporating prior guidance at context and schematic design stages. This phase is intended to provide further input and guidance, based on the input and guidance

provided in the context setting phase, on compliance (or lack of compliance) with the policy and regulatory guidance of LUC 20.25M and LUC 20.25M.040 and 20.25M.050, and whether information is sufficient to evaluate such compliance. The CAC advice is based on the alignment and station designed agreed to by the City of Bellevue City Council and Sound Transit Board through a Memorandum of Understanding. The CAC is charged with providing the Director of the Development Services Department with a final advisory document.

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The following represents the CAC advisory recommendation to the Development Services Department Director regarding compliance related to LUC 20.25M.030.C.3, LUC 20.25M.040, and 20.25M.050.

20.25M.030.C.3 Design and Mitigation Permit Decision Criteria

The City of Bellevue Development Services Director is responsible to insure compliance with all Design and Mitigation Permit decision criteria as outlined below. The CAC was tasked with review and recommendation on some, but not all, decision criteria. Those criteria not discussed by the CAC are still applicable to approval of the Design and Mitigation Permit and compliance with all decision criteria will need to be demonstrated in the Director's decision.

A proposal for a RLRT system or facility may be approved or approved with conditions; provided, that such proposal satisfies the following criteria:

- a. The applicant ~~has demonstrate~~ **shall demonstrate** compliance with the CAC Review requirements of LUC 20.25M.035; and
 - Sound Transit has demonstrated compliance with CAC review requirements by attending and presenting materials regarding the East Link Light Rail System and Facilities at CAC meetings held the 1st and 3rd Wednesday of each month. In addition to the regularly

scheduled meetings Sound Transit and City staff provided tours of the existing Central Link Light Rail System and Facilities and proposed East Link route in the City of Bellevue including the South Bellevue Segment.

b. The proposal is or shall be amended to be consistent with the Comprehensive Plan including without limitation the Light Rail Best Practices referenced in Comprehensive Plan Policy TR-75.2 and the policies set forth in LUC 20.25M.010.B.7; and

1) The CAC was not asked to do an exhaustive review of consistency with the Comprehensive Plan policies and Light Rail Best Practices. Where CAC members felt that elements of the permit were not consistent with these policies, they have recommended modifications to the permit in areas that were identified within their scope. Some CAC members expressed concern that some elements of the project that are outside of their scope were inconsistent with the Comprehensive Plan and Light Rail Best Practices. The East Link Project has demonstrated shall demonstrate consistency with the numerous Comprehensive Plan Policies that are applicable to light rail (LU-9, LU-22, LU-24, ED-3, TR-75.1, TR-75.2, TR-75.5, TR-75.7, TR75.8, TR-75.9, TR-75.12, TR-75.15, TR-75.17, TR-75.18, TR-75.20, TR-75.22, TR-75.23, TR75.27, TR-75.28, TR-75.32, TR-75.33, TR-75.34, TR-75.35, TR-118 and UT-39) and Light Rail Best Practices. This proposal is also shall be consistent with Light Rail Best Practices which focus on community and neighborhoods, community involvement, connecting people to light rail, land use, street and operations, system elements (elevated, at-grade, and tunnel), property values, station security, and construction impacts and mitigation. A detailed description of project compliance with be included in the issued Design and Mitigation Permit.

a) LU-9 Maintain compatible use and design with surrounding built environment when considering new development or redevelopment within and already developed area.

- i) Discussion: While the adjacent property includes busy arterial streets, it also is within a significant wetland Park, an historic site, as well s single-family neighborhoods. While the Light Rail is compatible with the busy arterial and the existing Park & Ride lot. The proposal roughly triples the size of the Park & Ride lot and will significantly increase traffic and noise from its construction and operations. The current proposal includes some landscaping and large concrete sound walls as mitigation and nearly opaque metal mesh fencing. These measures fall short of the “exceptional mitigation” required by the Light Rail Best Practices report.
- ii) Recommendation: Revise the proposal to include sound walls more compatible with surrounding built environment. Walls should sound absorptive, lower in height and finished with materials consistent with the adjacent uses such as stone, brick, or wood veneers. Security and safety fences should be designed to meet the City’s code . These fences should be designed to not block views. Landscape buffers need to be provided throughout this segment between the edge of Bellevue Way/112th Ave and the tracks.

b) **LU-22 Protect residential areas from impacts of non-residential uses of a scale not appropriate to the neighborhood.**

- i) **Discussion:** The current proposal attempts to protect the impacts of non-residential uses with large concrete sound walls. Unfortunately these sound walls are not of a scale appropriate to the neighborhood. The proposed guide way and Park & Ride facility exceed the allowed building heights.
- ii) **Recommendation:** Revise the proposal to utilize sound walls more appropriate to residential scale. Residential fences are limited to a height of 6' in side and rear yard setbacks and lower when in the front yard setback. Fencing on top of the sound walls needs to comply with the City's fence codes and should not block the views of Parks. The current walls proposed are considerably taller in an effort to meet the noise code requirements. Other design alternatives should be considered to mitigate the noise at the source. The guide way and Park & Ride lot should be lowered in height to meet the height restrictions or the plans should be revised to include elements such as living walls, green roofs to help camouflage and blend in with the adjacent park.

c) **LU-24 Encourage adequate pedestrian connections with nearby neighborhood and transit facilities in all residential development.**

- i) **Discussion:** This portion of the guide way and Park & Ride are adjacent to the Enatai and Surrey Downs neighborhoods. The construction will include the rebuilding of the exiting Park & Ride lot into a 5 story structured parking facility. Additionally the project will eliminate significant portions of pedestrian access along SE Bellevue Way and 112th Ave SE during construction. The multi-use path has sections where the width has been significantly been reduced from its specified width and the required landscape buffer has also been eliminated in sections of the current proposal.
- ii) **Recommendation:** The Construction Mitigation plan shall include provisions to reduce the times when pedestrian access along Bellevue Way and to the Mercer Slough Park from the west is limited to the minimum time technically feasible. Safe pedestrian paths shall be maintained to transit stops along the corridor. The plans shall be modified to increase the multi-use path to the required width of at least 12 feet per the current WSDOT shared-use path standards and include the required planting strip and landscaping buffers.

d) **ED-3 Maintain regulations that allow for continued economic growth while respecting local neighborhoods and surrounding communities.**

- i) **Discussion:** This provision can be viewed in many different ways with the phrase "*allow for continued economic growth*" Bill Pace's vegetable and fruit stand is great neighborhood asset. The businesses along 112th Ave SE include businesses that will require sufficient road capacity to be maintained to function as well. Additionally Bellevue Way SE and 112th Ave SE are significant North-South corridors in Bellevue that this project is proposing the make significant reductions to the road capacity for an extended period of time. It's very questionable that the road capacity can be reduced to extent discussed and still allow for continued economic growth and respect neighborhoods (i.e. cut through traffic)

- ii) **Recommendation:** Require Sound Transit to submit a Construction Mitigation Plan that shows how reduction in capacity will be limited to the least amount possible. Construction Mitigation Plan shall include measures to limit cut through traffic. Construction Mitigation Plan shall maintain a Level of Service level of _____ as a minimum level of service at intersections XYZ. The Construction Mitigation plan will undoubtedly require trade offs involving things such as project cost and duration of construction with impacts to immediate neighbors, surrounding community, visitors, etc. that the CAC recommends the Construction Mitigation Plan receive some public scrutiny prior to be accepted in the final construction permits are issued. Additionally measures shall be employed to provide access to the vegetable and fruit stand during the months of June through October and will compensate the leaseholder for lost income from the construction and provide assistance for restart up costs.

- e) **TR-75.1 Develop a light rail system in collaboration with the regional transit provider that advocates the City's long-term transportation and land use objectives, minimizes environmental and neighborhood impacts, and balances regional system performance.**
 - i) **Discussion:** The City and Sound Transit have collaborated in creation of the MOU which outlines the basic parameters of this alignment, profile and station location which help move forward with the City's stated preference of Light Rail as its chosen method of mass transit. This MOU and the subsequent Light Rail Overlay 20.25M do not relinquish the City's codes and requirements with regards to environmental and neighborhood impacts but rather they insist that they be followed.
 - (1) From the MOU: "Nothing in this Exhibit G is intended to waive or modify City of Bellevue permit processes or other powers or authorities. It is understood that at the appropriate stage of design, Sound Transit will submit to the City for required land use approvals and nothing in this MOU shall be construed as an approval of such permits or a pre-determination of compliance with applicable codes and standards."
 - (2) From the Light Rail Overlay: **20.25M.050 Design Guidelines**
 - (a) **"Design Intent.** Land Use Code sections 20.25M.030M B and C require City permit approvals to be consistent with the Comprehensive Plan including Light Rail Best Practices which emphasizes the need for context sensitivity in design. Paragraph 20.25M.050.B is intended to provide guidance to any CAC formed pursuant to LUC 20.25M.035B regarding the existing and planned contexts within RLRT Systems or Facilities are proposed. The information contained in this paragraph is intended to provide a framework for the CAC's work, and to help the CAC determine whether a context sensitive outcome has been achieved through the incorporation of location appropriate design features in required light rail permits."
 - The MOU and the Light Rail Overlay expect the CAC to scrutinize Sound Transits proposed plans as informed by the Comprehensive Plan Policies and the Light Rail Best Practices.
- ii. **Recommendation:** The CAC's recommendations advocate for the City's long-term transportation and land use objectives while minimizing environmental and neighborhood impacts, and balance regional system performance.

- f) **TR-75.2 Use the Light Rail Best Practices Report, including City expectations of Sound Transit, to guide City actions and advocacy in pursuit of the best community outcomes for developing and operating light rail transit in Bellevue.**
- i) The Light Rail Best Practices report is extensive. The key findings and recommendations are discussed below in a separate section.
- g) **TR-75.7 Advocate for light rail services that is consistent with local land use and transportation plans. Light Rail planning should further the achievement of the City's land use and transportation vision.**
- i) **Discussion:** One of the City's subarea goals include: "Southwest Subarea Policy S-SW-19 Provide for the aesthetic development of Bellevue Way S.E. and 112th Avenue S.E. including the provision of sidewalks and bicycle lanes on both sides of the street and landscaping along the entire street so as to provide the feeling of a continuous boulevard and a gateway for Bellevue" The multi use path help move this goal forward but fall short under the current proposal with the undersized with and is missing landscaping in sections. Additionally the stated city mantra of being a "city in a park" while eliminating 1300 mature trees from the park the current proposal fails to meet this vision.
- ii) **Recommendation:** Expand the multi-use path to the required width and add the landscape strip to achieve the continuous boulevard and gateway. Additionally all trees being included in the tree replacement count shall be a minimum 2" caliper DBH to help offset the loss of tree canopy. This may necessitate that the small wetland trees being installed be increased in size or not included in the tree replacement count. Install large specimen grade trees of a unique species at key locations to help mitigate the loss of tree canopy reinforce the "City in a Park" goal.
- h) **TR-75.9 Advocate for an alignment south of downtown Bellevue that advances the adopted land use vision by: 1. Protecting the character and livability of existing neighborhoods, including adequate ingress and egress to the neighborhood; 2. Minimizing impacts to wetland and other natural resources; 3. Providing local access to the system for Bellevue neighborhoods; and 4. Optimizing ridership and user convenience.**
- i) **Discussion:** 1.The current proposal eliminates access to the Surrey Downs neighborhood at SE 4th with the exception of emergency access. The access has been negotiated with the residents of Surrey Downs to reduce the requisite noise from the crossing bells. Additionally the Surrey Downs Park is being walled off from the east. Access to the Mercer Slough Park from the West during construction is virtually eliminated. Visual access to the Mercer Slough Park is being severely impinged along 112th Ave SE and Bellevue Way SE. 2. The CAC has received testimony that questions the validity of Sound Transit's analysis that the extended construction time frame of 5 to 7 years can be applied to migratory birds and fish.

[Additionally the following are excerpts from an OTAK report commissioned by the City of Bellevue, dated August 23, 2010, which reviewed the Mercer Slough wetland complex and the potential impacts on the Mercer Slough.](#)

Impacts

We have divided impacts into the following categories based on assumptions of future conditions and construction impacts. We have not provided a summary of wetland impacts (by square foot or by acre) in this analysis because we assume that the Army Corps of Engineers has not yet confirmed the delineations, and we believe that there may be areas within Bellefield office Park that are wetland which are not mapped as such on the drawings for B2M. We have assumed impacts based on the drawings we have at this stage; see the Discussion Section for further discussion regarding the likelihood of some of these impacts being avoided or minimized.

Permanent Direct Impacts:

Losses that will be caused by either construction, the physical presence of the structure, or ongoing operation of the ST alignment that will result in a permanent loss or reduction in acreage. Using the standard that WSDOT (Washington State Department of Transportation), Ecology and the Corps of Engineers have established for major highway projects, any construction impact that lasts longer than one growing season is considered permanent from the perspective of what compensatory mitigation needs to be provided. We will not discuss or assess whether any proposed compensatory mitigation would “mitigate” for these losses; that is outside the scope of our current work.

Permanent Indirect Impacts:

Changes to a physical process that creates or maintains a function in the wetland. These are not direct “footprint” of fill or excavation impacts, but affects/changes that have a high probability of occurring *because* of the project. Examples would be the influence of shading on vegetation presence/absence or its richness/diversity; or a physical interruption or change in groundwater movement that could affect the presence/extent of wetland in future conditions.

Temporary Impacts:

Losses that are temporary in nature are those that are in place for only one growing season, or less. For example, a temporary bridge deck built in order to construct the permanent structure which is „in the ground” from October Year 1 to October Year 2 would be considered “temporary”. Any structure or alternation that affects wetlands for longer than one single growing season would be considered ‘permanent’ (see above).

Provided below is a summary of the issues identified from our evaluation to date of the February, 2010 plans for the B2M alignment and the DEIS descriptions of the B7, by Alignment. It should be understood that we are evaluating these alignments based on the available documents, which reflect a “point in time”. Thus, we have summarized “conclusions” here as to impacts...which may indeed be modified over the logical course of project design and refinement; please see the Discussion Section that follows this summary.

Alignment B2M

Permanent Impacts

Acreage of wetland impacts from direct fill or cut from the construction of the alignment. It is assumed that all wetland impacts, as shown on the Feb, 2010 plan sheets, within the Construction Limits have a high probability of being permanently lost due to the project.

Loss of wetland community types due to the need to cut down trees within the ROW to assure long-term operation of the trains. This aspect assumes that the wetlands in question may not be graded (filled or cut) but that the alignment passing over some habitats has a high probability of the forest being removed permanently.

Acreage of lost mature upland forest and shrub buffer that may fall beneath an elevated portion of the alignment and not be permitted to regain full height and also loss in those areas where the alignment is constructed by cut/cover methods and it is assumed will not be permitted to be re-established forest over the „lid“ of the cut/cover alignment.(contrary to language in the DEIS, the buffer impacts cannot be mitigated in a “mitigation bank” offsite: the buffers have to buffer the wetland *in situ* to be functional....)

Conversion of wetlands to stormwater ponds, as depicted on the February, 2010 drawings, may not be permitted by the regulatory agencies; but if approved, all such conversions would be assumed to be permanent loss of wetland. The portions of the February, 2010 plan sets we reviewed do not identify if these are proposed construction sediment ponds or permanent stormwater facilities.

Indirect Permanent Impacts

Acreage of permanently lost wetland downslope of the alignment north of the blueberry farm buildings due to the interception of the groundwater that feeds and maintains these wetlands. Intercepting the springs (shallow groundwater) has a high probability of effectively dewatering the wetlands in an elongated stretch north from the Blueberry farm to the vicinity of 112th intersection. The February, 2010 plan sheets clearly indicate high-water tables in two distinct locations along the alignment, north of the Blueberry Farm. The wetland edge „climbs“ to an elevation of nearly 30 feet in these locations, corresponding to the high groundwater table that feeds the wetland from the west.

- Change in vegetation community composition caused by shading where the structure „comes down to earth“ in the vicinity of wetland or buffer habitats. This could result in a change in Cowardin classification of the wetland community in the impact area.

- ii) [Recommendations: Modify the current proposal to include pedestrian access to the Surrey Downs Park from the East. Modify the plans to provide access to the Mercer Slough Park from the West during construction when feasible. Modify the noise walls and security/safety fences to allow for visual access to Mercer Slough Park.](#)
- [2. Require Sound Transit to specifically address the extended construction time frame and its impacts on migratory birds and fish.](#)
- [Ensure the permanent impacts, indirect permanent impacts, and temporary impacts identified by OTAK and subsequent reports have been sufficiently identified, avoided where possible and exceptionally mitigated. If Shoreline/wetland variances are required by current Sound Transit proposal the proposed mitigation should be reviewed by this CAC to ensure its compliance with the Light Rail Overlay.](#)

- i) **TR-75.12 Partner with the regional transit provider to design transit stations and facilities incorporating neighborhood objectives and context sensitive design to better integrate facilities into the community. This includes but is not limited to the following: 1. Incorporating superior urban design, contemporary building materials, and public art; and 2. Providing substantial landscaping at stations and along the alignment, including retained significant trees and transplanted trees that are at a minimum saplings. Preserve trees as a component of the skyline to retain the image of a "City in a Park."**
 - i) **Discussion:** Many aspects of the current proposal comply with this policy however there are several areas where the plans fall short and need further modifications. Significant trees have not been sufficiently retained along the alignment. Additionally as mentioned previously the neighborhood objective of a continuous tree lined boulevard and gateway has not been achieved.
 - ii) **Recommendation:** Examine the alignment to see where tree retention is possible and adjust clearing to retain significant trees where possible. Transplant trees where feasible. Modify the plans to include the landscaping along the alignment to achieve the continuous tree lined boulevard.
- j) **TR-75.17 - Protect Bellevue's residential and commercial areas from the negative effects of light rail by promoting actions of the regional transit provider that minimize environmental, traffic, and noise impacts.**
 - i) **Discussion:** These same points have been previously addressed but this is yet another Comprehensive Plan Policy that emphasizes the importance of protecting the neighborhoods, commercial areas, traffic and environment from the adverse impacts that are inherent with this Light Rail Project.
- k) **TR-75.18 - Protect residential neighborhoods adjacent to light rail facilities from spillover impacts, including parking and cut through traffic resulting from system construction and/or operation with techniques such as residential parking zone programs, parking patrols, and traffic calming measures. Monitor the outcomes of these efforts and make adjustments as needed to ensure continued effectiveness.**
 - i) **Discussion:** The City's policy for handling the construction mitigation such as traffic is handled with the construction permits and the right of way use permits.
 - ii) **Recommendation:** The CAC recommends the Construction Mitigation Plans receive public scrutiny prior to construction permits being issued. The scale of the project in terms of size and duration warrant more than an administrative review. Additionally the plan will likely require some trade-offs between duration, cost, and impacts to neighborhoods. These trade-offs should receive public input and scrutiny.
- l) **TR-75.32-Collaborate with the regional transit provider to create a Construction Management Plan for all new major transit investments. The Construction Plan should include a Construction Phasing Plan that minimizes the corridor length disrupted at one time and minimizes the time period of disruption.**
 - i) **Discussion:** See Discussion and Recommendation above for TR-75.18

m) TR-75.33-Place a priority on the use of noise avoidance or absorption techniques over noise deflection for residential uses when developing mitigation measures with the regional transit provider. Monitor the outcomes of these efforts and pursue adjustments with the regional transit provider to ensure continued effectiveness.

- i) **Discussion:** The amended MOU contemplates some noise avoidance techniques including wheel and track maintenance and greasing the tracks at curves. The noise walls being utilized on the elevated track section are designed to be noise absorptive however the sound walls along the remainder of the alignment in the segment are noise deflective. The CAC has been informed that the Mercer Slough Nature Park and the Surrey Downs Parks are not considered areas which require noise abatement.
- ii) **Recommendation:** Require the maintenance standards include the appropriate tolerances and frequent tests and reporting to ensure the effectiveness of these measures over time. Revise the reflective sound walls to be noise absorptive rather than the existing plan of reflective. Consider reducing the height of the guideway to reduce overall perceived height of the sound walls. Add sound walls to attenuate the noise from the trains for the adjacent parks.

n) TR-75.34-Develop and implement an early and ongoing program with the regional transit provider to provide assistance to residents and businesses affected by construction.

- i) **Discussion:** The Light Rail Best Practices reports requires that sound walls be installed at the beginning of construction. The reasoning was to reduce the construction impacts upon the immediate neighbors. Temporary sound walls for construction have been excluded from the current proposal. The Light Rail Best Practices report further requires “exceptional mitigation” Providing mitigation from the construction noise should be basic mitigation and if not easily qualifies as exceptional mitigation.

The CAC heard presentations and received materials from City and Sound Transit representatives that indicated that light rail construction in the B-Segment would last between four and six years. The construction activities would include significant grading, tree removal, excavation, hauling, placement a significant numbers of piling, operation of power generating equipment and de-watering equipment and other noise-generating activities. City and Sound Transit representatives confirmed that additional permits will likely be sought to conduct construction activities outside of normal hours allowed by the City's Noise Control Code, Chapter 9.18 BCC, including work at night, in early morning hours and on weekends. City and Sound Transit representatives confirmed that additional permits will likely be sought to exceed the sound thresholds for various noise impacts for unspecified durations.

The materials that comprise the record show that residences adjacent to and abutting Bellevue Way along its western side are generally above Bellevue Way, presenting a challenge for

mitigating construction noise impacts through temporary or permanent noise walls. Also, testimony from City, Sound Transit staff and members of the public established that noise walls placed along the east side of Bellevue Way may reflect traffic noise back into the neighborhoods, thereby exacerbating rather than mitigating noise impacts. Sound absorbing noise walls may reduce such impacts, but no evidence of the efficacy of such walls was presented to the CAC, particularly evidence of mitigating impacts to residences located along the hillside on Bellevue Way.

- ii) **Recommendation:** Prior to construction provide "Residential Sound Packages" for the frontline homes along Bellevue Way and 112th where noise walls will have no impact or construction sequencing prevents the early installation of the noise walls.

o) TR-75.35- Minimize disruption and inconvenience of construction staging areas to adjacent land uses in collaboration with the regional transit provider through actions such as site selection design and operational management plans. Construction staging areas should not be located in residential neighborhoods except where no practicable alternative exists.

- i) **Discussion:** This policy has not been adhered since it is within/adjacent to the Enatai and Surrey Downs neighborhoods.
- ii) **Recommendation:** Provide mitigation to reduce the impacts of this site selection. These mitigation measures should include Residential Sound Insulation packages for the affected homes, strict adherence to the construction hours including deliveries and operation of machinery including warm up. Installation of construction lighting that reduces spillover and glare on the neighboring homes.

p) TR-118-Mitigate air quality, noise; light/glare and other significant adverse environmental impacts of the proposed transportation projects on adjacent neighborhoods.

- i) **Discussion:** Much of these items have been previously discussed. This policy further emphasizes the need to mitigate the adverse impacts of this Light Rail project on the adjacent neighborhoods.

2) LIGHT RAIL BEST PRACTICES

Key provisions of the Light Rail Best Practices report are included below where the CAC's recommendations and input are needed ensure compliance or provide additional clarity.

- a) **Guiding Principle 2. Light rail should be developed in a manner that complements, not diminishes, the character and quality of Bellevue. Light rail systems should be planned, designed, and built to fit appropriately into the local context and provide community enhancements, without shifting the community character. East Link should be designed to improve the places in Bellevue through context-sensitive design, high quality materials, and innovative urban design approaches that can protect neighborhoods and property values and provide a safe and secure environment for transit riders and neighbors.**

- i) **Discussion:** Much of this has been discussed in previous sections. This segment of the Light Rail is within and adjacent to Parks, residential neighborhoods, and commercial businesses. The complete design needs to take fully take this context and setting into account.
 - ii) **Recommendation:** Modify the designs to include context appropriate sound walls, security and safety fences. Add landscaping to create the continuous tree line boulevard. Add a green roof and or living walls to the Parking structure and station to work with the surrounding context.
- b) **Guiding Principle 3. Anticipate impacts and advocate for exceptional mitigation.**
Light rail will reinforce Bellevue's role in the region as the population, economic, and cultural center of the Eastside. However, the benefits of the system cannot be achieved without some short-term disruption and inconvenience during construction and without making some long-term changes to the existing environment. Proven techniques to avoid, minimize, and mitigate these impacts can be employed to make the short term impacts manageable. The City should expect and advocate for exceptional mitigation throughout the project phases and seek to leverage additional local investments through light rail development.
 - i) **Discussion:** One of the 5 guiding principles of the Light Rail Best Practices report was to advocate for exceptional mitigation. There are many areas along the alignment where this has been achieved. This segment includes several items where this has not been achieved. The alignment is out of the CAC's scope and such precludes discussion on many of the mitigation avoidance issues such as the current proposal contemplates clearing ~1300 mature trees in and around a wetland.
 - ii) **Recommendation:** The parking structure and elevated station should be modified to include a living wall and or green roofs. The sound walls should be sound absorptive. The height and finish materials of the sound walls should high quality and appropriate for the surrounding context and include materials such as stone, brick or wood veneers. The security and safety fences should not block the views of the park/s consider ornamental metal iron fencing. Residential sound packages should be provided for the front line homes prior to the beginning of construction. The permanent sound walls should be installed early in the construction sequence to mitigate the construction and operational impacts. Traffic flow and access to the parks should be maintained and a plan stating how this will be accomplished needs to be submitted.
- c) **Guiding Principle 4. Alignment profile should consider the unique qualities of each part of the community.**
There is not a one-size-fits-all solution for alignment profiles – at-grade, elevated, and tunnel – in Bellevue. There are trade-offs when selecting profiles for each of the three areas (south of downtown, downtown, and Bel-Red) in Bellevue. The profile should advance the land use vision for each of the areas it travels through, conveniently connect destinations, optimize ridership, and minimize impacts.
 - i) **Discussion:** This principle reinforces the context sensitive design requirements.
- d) **Guiding Principle 5. An early, ongoing public involvement program is essential for success in Bellevue.**
An early, ongoing, and comprehensive program to engage stakeholders is absolutely essential to the success of light rail in Bellevue. Providing transparency about project information and decisions will increase public understanding of and comfort with the project. Engaging the community in the design of the system, particularly stations, will result in more sensitive designs and build the public's sense of ownership. Transparently sharing information and engaging the community in a meaningful two-way, ongoing planning process will increase the success of the system. As planning for East Link is currently underway, the City and Sound Transit should begin immediately to identify the next phase of the public involvement program for the East Link project.
 - i) **Discussion:** The LRBPR requires that the planning process include 2-way meaningful communication with the CAC. The CAC's input should not be discarded or discounted. The Noise and Vibration analysis by the City and Sound Transit have not been transparent. The report submitted by Sound Transit is roughly 1 year old and no new meaningful information has been presented.
 - ii) **Recommendation:** The City's retained acoustical engineer- sound expert's review/s of Sound Transit's Noise and Vibration study should be presented so that the CAC and the public can

understand the ramifications and provide meaningful and timely input on the design and mitigation measures being proposed for the South Bellevue segment.

c. The proposal complies with the applicable requirements of this Light Rail Overlay District; and

- As it will be conditioned, this application for Design and Mitigation Permit will be in compliance with all elements of the Light Rail Overlay District including RLRT system and facilities development standards. Approval of an Alternative Landscape Option and Noise Monitoring and Contingency Plan will be included as conditions of approval. The CAC has made recommendations to insure compliance with context requirements of the Light Rail Overlay District such as station materials, design intent, landscaping, garage design, and the application of art.

d. The proposal addresses all applicable design guidelines and development standards of this Light Rail Overlay District in a manner which fulfills their purpose and intent; and

- The CAC reviewed and discussed the applicable design and development standards of the Light Rail Overlay District and has made recommendations intended to insure design guidelines and standards are met. Specific CAC advice is discussed below in this document. As discussed below, the proposal addresses all applicable elements of 20.25M.040 and 20.25M.050

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

- The South Bellevue Segment of East Link must comply with all applicable zoning and context requirements. Recommendations from the CAC to better integrate and soften the look and impact of the station and garage located at the South Bellevue Station are responsive to the existing and intended character of this segment. Light Rail Overlay (LUC 20.25M) development standards, including the establishment of the RLRT Transition Area also respond to the character within this segment.

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

- A majority of the exiting public facilities are available to serve East Link in South Bellevue. The city has initiated numerous capital facilities projects to serve light rail and future city utility and transportation needs. The CAC was not tasked with verifying adequate public services. It is

~~anticipated that~~ w—When the light rail system is operational anticipated impacts to public facilities including streets, fire protection, and utilities will have been mitigated.

g. The proposal complies with the applicable requirements of the Bellevue City Code, including without limitation those referenced in LUC 20.25M.010.B.8; and

- Development, construction and operation of the RLRT system and facilities ~~will-must~~ comply with applicable Bellevue City Codes, including the noise control code and environmental procedures code. Technical analysis of Sound Transit submitted Noise Studies and documents will be completed by city staff and technical consultants. Any additional noise mitigation resulting from technical review will be included as a condition of approval the Design and Mitigation Permit. The CAC has offered advice regarding the type of sound walls used and sound wall materials. Some CAC members have expressed concern that the scope of work provided to the CAC has limited their input on the location, type, and height of noise barriers. Prior to issuance of the Design and Mitigation Permit. Any additional noise mitigation resulting from technical review will be included as a condition of approval of the Design and Mitigation Permit.

h. The proposal is consistent with any development agreement or Conditional Use Permit approved pursuant to subsection B of this section; and

- The ~~CAC was not tasked with verifying consistency proposal is consistent~~ with the Memorandum of Understanding signed by the City of Bellevue and the Sound Transit Board, which was completed at the Preliminary Engineering stage of plan development. Plan development through the final design stage will result in expected refinements to design that is typical to any major development. Significant design changes in plan design that are within the scope of work for the CAC will be brought back to the CAC for evaluation during construction permit review.

i. The proposal provides mitigation sufficient to eliminate or minimize long-term impacts to properties located near the RLRT facility or system, and sufficient to comply with all mitigation requirements of the Bellevue City Code and other applicable state or federal laws.

- To the greatest extent possible with the chosen alignment and station design, the proposed RLRT facility and system will avoid, minimize, and mitigate anticipated long-term impacts to properties located near the light rail system and facilities. Mitigation includes, but is not limited to, enhanced landscaping, critical area planting enhancements, permanent noise walls, sound absorbing panels on the guideway, and the installation of public art. Some CAC members have expressed significant concerns related to long term related construction impacts to traffic and noise levels along Bellevue Way, 112th Ave SE, at the South Bellevue Station, and within adjacent residential neighborhoods. City of Bellevue staff is responsible for evaluating

appropriate mitigation for these impacts during the review of required Right of Way Use Permits and construction permit applications.

j. When the proposed RLRT facility will be located, in whole or in part, in a critical area regulated by Part 20.25H LUC, a separate Critical Areas Land Use Permit shall not be required, but such facility shall satisfy the following additional criteria:

- i. The proposal utilizes to the maximum extent possible the best available construction, design and development techniques which result in the least impact on the critical area and critical area buffer; and
- ii. The proposal incorporates the performance standards of Part 20.25H LUC to the maximum extent applicable; and
- iii. The proposal includes a mitigation or restoration plan consistent with the requirements of LUC 20.25H.210; except that a proposal to modify or remove vegetation pursuant to an approved Vegetation Management Plan under LUC 20.25H.055.C.3.i shall not require a mitigation or restoration plan.
 - Mitigation and restoration requirements per LUC 20.25H due to impacts to critical areas and their buffers will be incorporated into the Design and Mitigation Permit approval and have been discussed at CAC meetings. Impacts to critical areas in the South Bellevue Segment include temporary and permanent impacts to wetlands and their buffers, temporary and permanent impacts to streams and their buffers, and impacts to habitat for species of local importance. Mitigation for impacts to critical areas and their buffer per the criteria located in LUC 20.25H will occur in the South Bellevue Segment within Mercer Slough Nature Park as well as a site located in the Bel Red Segment. Mitigation is required to result in a condition that is equal to or superior to the pre-existing environment. Based on staff's review of the technical reports and mitigation proposed by Sound Transit, the proposed mitigation will provide a lift in critical areas function at maturity over the existing condition.

CAC Recommendation to the Director of Development Services

At the request of the CAC, CAC Pre-Development Phase advice that has been addressed or partially addressed in the Design and Mitigation Permit submittal are included in bold for the Director's reference.

20.25M.040 RLRT system and facilities development standards

1. Building Height

- The CAC recommends that Sound Transit incorporate a living wall, green roof, or other green vegetation treatment on the garage/station as mitigation for Sound Transit's request for additional building height.

2. Landscape Development

- The CAC recommends the inclusion of a living wall, green roof, or other green vegetation be installed on the upper levels of the garage/station to help soften the edges of the structure as well as communicate the idea of a grand entry into Bellevue.
- The CAC recommends that additional landscaping options to help screen exposed noise walls should be included in the landscape plans. This should include a climbing vegetation option where there is limited space for additional landscaping.
- The CAC recommends that Sound Transit include additional appropriate landscaping to screen the guideway.
- The CAC recommends that more mature vegetation be incorporated into the design of the light rail corridor. This can be achieved by planting some large specimen trees at the point where the trains enter the South Bellevue Station (meadow), on the east side of the Y of Bellevue Way and 112th Ave SE, and in the median in 112th Ave SE.
- The CAC recommends the installation of landscaping around the light poles on the roof deck of the parking garage.

3. Light and Glare

- The CAC recommends light standards on the deck of the South Bellevue Station Garage are as low as feasible to avoid light pollution into the neighborhoods in the vicinity. **(In order to prevent light spillover or trespass Sound Transit is using LED lights for their poles that are designed with technology to reduce backlight and to focus light in a fixed area on the surface of the garage).**

4. Recycling and Solid Waste

- The CAC recommends that Sound Transit work with its sustainability group to evaluate a system wide compost collection bin option at its stations.

5. Critical

- The CAC recommends that Sound Transit work collaboratively with the City of Bellevue to develop public information sign(s) at the South Bellevue Station that would inform transit users and visitors of wildlife and habitat within Mercer Slough Nature Park. "
- The CAC recommends that Sound Transit adhere to all best management practices and complies with all applicable local, state, and federal regulations related to wildlife including but not limited to migratory birds.

6. Use of City Right of Way

- The CAC acknowledges that specific details regarding the use of the City ROW will be handled through the review and issuance of Right of Way Use Permits per LUC 20.25M.040.J; however, they want to emphasize the importance of limiting impacts on traffic to the best level technically feasible.

20.25M.050 Design guidelines

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1. Design Intent- In addition to complying with all applicable provisions of the Southwest

Bellevue Subarea Plan, the design intent for the Regional Light Rail Train system and facility segment that passes through this subarea is to contribute to the major City gateway feature that already helps define Bellevue Way and the 112th Corridor. The Regional Light Rail Train system or facility design should reflect the tree-lined boulevard that is envisioned for the subarea, and where there are space constraints within the transportation cross-section, design features such as living walls and concrete surface treatments should be employed to achieve corridor continuity. The presence of the South Bellevue park and ride and station when viewed from the neighborhood above and Bellevue Way to the west, as well as from park trails to the east, should be softened

through tree retention where possible and enhanced landscaping and "greening features" such as living walls and trellises.

2. **Context and Design Considerations** - The CAC was tasked with evaluating the existing context setting characteristics included in the Land Use Code in order to verify that the design of the station and alignment is consistent with the vision for the Southwest Bellevue Subarea. The Land Use Code states that the character of this area is defined by:

- The expansive Mercer Slough Nature Park;
- Historic references to truck farming of strawberries and blueberries;
- Retained and enhanced tree and landscaped areas that complement and screen transportation uses from residential and commercial development; and
- Unique, low density residential character that conveys the feeling of a small town within a larger City.

The CAC advised that the following additional context and design considerations should be considered when evaluating the East Link project in the Southwest Bellevue Subarea for context sensitivity during future CAC and permit review phases. The following items pertain to the South Bellevue Segment: ⁴

- The alignment transition from the 1-90 right-of-way to the South Bellevue Station should be reflected as a "Grand Entry" into Bellevue. This gateway area defines Bellevue as the "City in a Park." The gateway serves a number of functions, and should appropriately greet the different users that pass through it, including transit riders, vehicles, residents, bicyclists from the 1-90 trail, fish (specifically salmon), and wildlife.

The South Bellevue Park & Ride garage should incorporate green/living walls and trellis structures on the roof level in addition to interesting concrete surface treatments to break down mass and scale, and to help blend the garage into the Mercer Slough Nature Park when viewed from the neighborhoods to the west and the park to the east.

3. **Additional General Design Guidelines**

- The CAC recommends that more earth tones and color variety be incorporated into the proposed art treatments and other station and corridor elements. Earth tones means tans, browns, beige, rusts, reds and orange. (Sound Transit has indicated that the artists for the station are evaluating options for additional color and earth tones in proposed art treatments.)

- The CAC recommends less hard edges in the design of the South Bellevue Station. One suggestion would be to incorporate more organic shapes into the design to soften hard lines. (Sound Transit has attempted to incorporate more organic shapes in the design using art treatments at both the station, parking garage, and guideway.)
- The CAC recommends Sound Transit evaluate the possibility of using an artistic design for the mesh screening at the South Bellevue Station Garage. (Sound Transit has proposed a green artistic treatment for the mesh screening on the garage. Final color combinations are still in development.)
- The CAC recommends that Sound Transit extend the proposed art treatment on the guideway noise walls and additional colors be incorporated into the design. (Sound Transit has shown an art treatment on a portion of the guideway noise walls that reflects CAC pre-advisory advice. The CAC has requested additional color variety which is under development. Sound Transit has also indicated that an extension of the art treatment is in preliminary design.)
- The CAC recommends that Sound Transit use a stacked stone or brick type pattern with variegated earth tones for noise walls. Ashlar stone walls one recommendation from the CAC. The CAC also recommends evaluation of art opportunities to help buffer any negative visual impacts of areas of tall noise walls.
- The CAC recommends Sound Transit work with the City of Bellevue to install way finding kiosk(s) at the South Bellevue Station and as appropriate along the alignment to direct people to available resources and recreational opportunities within Mercer Slough Nature Park.

The CAC recommends that Sound Transit use round catenary poles instead of H poles from the South Bellevue Station to the tunnel portal at the intersection of 112th Ave SE and Main Street.

- The CAC recommends that sound absorptive panels be used for freestanding noise walls.
- The CAC recommends that a small viewing platform be created on the top garage deck to allow for views into the Mercer Slough Nature Park.

Design and Mitigation Permit Approval

The recommendations contained in this Advisory Document represent the conclusion of the CAC review of the South Bellevue Segment Design and Mitigation Permit. The recommendations included in this document shall be incorporated into the Director's administrative decision. Departures by the Director from specific recommendations included within the CAC's Design and

Mitigation Permit Advisory Document shall be limited to those instances where the Director determines that the departure is necessary to ensure that the RLRT facility or system is consistent with: (i) applicable policy and regulatory guidance contained in the Light Rail Overlay; (ii) authority granted to the CAC pursuant to this section; (iii) SEPA conditions or other regulatory requirements applicable to the RLRT system or facility; or (iv) state or federal law. Departures from the CAC Design and Mitigation Permit Advisory Document shall be addressed in the decision by the Director, and rationale for the departures shall be provided.



LIGHT RAIL PERMITTING CITIZEN ADVISORY COMMITTEE

ADVISORY DOCUMENT - RECOMMENDATION TO DIRECTOR SOUTH BELLEVUE SEGMENT DESIGN AND MITIGATION PERMIT ~~MARCH 13~~~~APRIL 10~~, APRIL 28~~28~~, 2015 [SRA]

Introduction

The Light Rail Permitting Citizen Advisory Committee (CAC) was appointed by the Bellevue City Council consistent with the terms of the Light Rail Overlay regulations contained in the city's Land Use Code (LUC). Land Use Code section 20.25M.035.A describes the CAC purpose to:

1. Dedicate the time necessary to represent community, neighborhood and citywide interests in the permit review process*; and
2. Ensure that issues of importance are surfaced early in the permit review process while there is still time to address design issues while minimizing cost implications; and
3. Consider the communities and land uses through which the RLRT (Regional Light Rail Train) System or Facility passes, and set "the context" for the regional transit authority to respond to as facility design progresses*; and
4. Help guide RLRT System and Facility design to ensure that neighborhood objectives are considered and design is context sensitive by engaging in on-going dialogue with the regional transit authority and the City, and by monitoring follow-through*; and
5. Provide a venue for receipt of public comment on the proposed RLRT Facilities and their consistency with the policy and regulatory guidance of paragraph 20.25M.035.E below and Sections 20.25M.040 and 20.25M.050 of this Part; and
6. Build the public's sense of ownership in the project*; and
7. Ensure CAC participation is streamlined and effectively integrated into the permit review process to avoid delays in project delivery*.

* Identifies the focus of this Advisory Document

Design and Mitigation Permit Review — 60% Design Development Phase

This phase of review is intended to provide feedback regarding effectiveness of design and landscape development in incorporating prior guidance at context and schematic design stages. This phase is intended to provide further input and guidance, based on the input and guidance

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provided in the context setting phase, on compliance (or lack of compliance) with the policy and regulatory guidance of LUC 20.25M and LUC 20.25M.040 and 20.25M.050, and whether information is sufficient to evaluate such compliance. The CAC advice is based on the alignment and station designed agreed to by the City of Bellevue City Council and Sound Transit Board through a Memorandum of Understanding. The CAC is charged with providing the Director of the Development Services Department with a final advisory document.

CAC Work Product

The work of the CAC at each review stage will culminate in a CAC advisory document that describes the phase of review and CAC feedback. The work product required following the Pre-Development Phase of CAC review is intended to provide Sound Transit with early guidance and advice that is integrated into future Design and Mitigation Permit submittals. This final Design and Mitigation Permit advisory document is intended to provide the Director of the Development Services Department with a recommendation to demonstrate Sound Transit compliance with Design and Mitigation Permit Decision Criteria pursuant to LUC 20.25M.030.C.3.

On May 13, 2014, Sound Transit was provided with the South Bellevue Segment Pre-Development Advisory Document. That document outlined Sound Transit compliance with context setting characteristics and early Design and Mitigation Permit requirements. The pre-development advisory document also included several recommendations on additional items to be addressed during formal permit review.

The following represents the CAC advisory recommendation to the Development Services Department Director regarding compliance related to LUC 20.25M.030.C.3, LUC 20.25M.040, and 20.25M.050.

20.25M.030.C.3 Design and Mitigation Permit Decision Criteria

The City of Bellevue Development Services Director is responsible to insure compliance with all Design and Mitigation Permit decision criteria as outlined below. The CAC was tasked with review and recommendation on some, but not all, decision criteria. Those criteria not discussed by the CAC are still applicable to approval of the Design and Mitigation Permit and compliance with all decision criteria will need to be demonstrated in the Director's decision.

A proposal for a RLRT system or facility may be approved or approved with conditions; provided, that such proposal satisfies the following criteria:

- a. The applicant ~~has demonstrate~~ shall demonstrate compliance with the CAC Review requirements of LUC 20.25M.035; and
 - Sound Transit has demonstrated compliance with CAC review requirements by attending and presenting materials regarding the East Link Light Rail System and Facilities at CAC meetings held the 1st and 3rd Wednesday of each month. In addition to the regularly

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scheduled meetings Sound Transit and City staff provided tours of the existing Central Link Light Rail System and Facilities and proposed East Link route in the City of Bellevue including the South Bellevue Segment.

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b. The proposal is or shall be amended to be consistent with the Comprehensive Plan including without limitation the Light Rail Best Practices referenced in Comprehensive Plan Policy TR-75.2 and the policies set forth in LUC 20.25M.010.B.7; and

1) The CAC was not asked to do an exhaustive review of consistency with the Comprehensive Plan policies and Light Rail Best Practices. Where CAC members felt that elements of the permit were not consistent with these policies, they have recommended modifications to the permit in areas that were identified within their scope. Some CAC members expressed concern that some elements of the project that are outside of their scope were inconsistent with the Comprehensive Plan and Light Rail Best Practices. The East Link Project has demonstrated shall demonstrate consistency with the numerous Comprehensive Plan Policies that are applicable to light rail (LU-9, LU-22, LU-24, ED-3, TR-75.1, TR-75.2, TR-75.5, TR-75.7, TR-75.8, TR-75.9, TR-75.12, TR-75.15, TR-75.17, TR-75.18, TR-75.20, TR-75.22, TR-75.23, TR-75.27, TR-75.28, TR-75.32, TR-75.33, TR-75.34, TR-75.35, TR-118 and UT-39) and Light Rail Best Practices. This proposal is also shall be consistent with Light Rail Best Practices which focus on community and neighborhoods, community involvement, connecting people to light rail, land use, street and operations, system elements (elevated, at-grade, and tunnel), property values, station security, and construction impacts and mitigation. A detailed description of project compliance with be included in the issued Design and Mitigation Permit.

a) LU-9 Maintain compatible use and design with surrounding built environment when considering new development or redevelopment within and already developed area.

i) Discussion: While the adjacent surrounding property includes busy arterial streets, it also is within includes a significant wetland pPark, an historic site, as well as single-family neighborhoods. While the Light Rail is compatible with the busy arterial and the existing Park & Ride lot. The proposal design roughly triples the size of the Park & Ride lot and will significantly increase traffic and noise from its construction and operations. The current proposal design includes some landscaping and large concrete sound walls as mitigation and nearly opaque metal mesh fencing. These measures fall short of the "exceptional mitigation" required by the Light Rail Best Practices report.

ii) Recommendation: Revise the proposal to include Provide sound walls more compatible with surrounding built environment. Walls should sound absorptive, lower in height and finished with materials consistent with the adjacent uses such as stone, brick, or wood veneers. Security and safety fences should be designed to meet the City's code. These fences should be designed to not minimize blocked views. Landscape buffers need to should be provided throughout this segment between the edge of Bellevue Way/112th Ave and the tracks.

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b) LU-22 Protect residential areas from impacts of non-residential uses of a scale not appropriate to the neighborhood.

- i) Discussion: ~~The current proposal design attempts to protect the impacts of non-residential uses with provides large concrete sound walls. Unfortunately these sound walls are outnot of a scale appropriate with the neighborhood and park-like setting. The proposed guide way and Park & Ride facility exceed the allowed building heights at the north end of the station.~~
- ii) Recommendation: ~~Revise the proposal to utilize Minimize sound wall heights for the park-like, more appropriate to residential scale. Residential fences are limited to a height of 6' in side and rear yard setbacks, and lower when in the front yard setbacks. Fencing on top of the sound walls needs to should comply with the City's fence codes and should not block the views of Parks. The current walls proposed are considerably taller in an effort to meet the noise code requirements. Other design alternatives should be considered to mitigate the noise at the source. The guide way and Park & Ride lot should be lowered in height to meet the height restrictions or the plans should revised to include elements such as living walls and green roofs to help camouflage and blend in with the adjacent park. mitigate for the height and scale of the walls, guideway, and station facility.~~

c) LU-24 Encourage adequate pedestrian connections with nearby neighborhood and transit facilities in all residential development.

- i) Discussion: ~~This portion of the guide way and Park & Ride are adjacent to the Enatai and Surrey Downs neighborhoods. The construction will include the rebuilding of the exiting Park & Ride lot into a 5 story structured parking facility. Additionally the project will eliminate significant portions of pedestrian access along SE Bellevue Way and 112th Ave SE during construction. The multi-use path has sections where the width has been significantly been reduced from its specified the standard width and the required landscape buffer has also been eliminated in some sections of the current proposal.~~
- ii) Recommendation: ~~The Construction Mitigation plan shouldall include provisions to reduce the times when pedestrian access along Bellevue Way and to the Mercer Slough Park from the west is limited to the minimum time technically feasible. Safe pedestrian paths shouldall be maintained to transit stops along the corridor. The plans design shouldall be modified to increase the multi-use path to the required width of at least 12 feet per the current WSDOT shared-use path standards and include the required planting strip and landscaping buffers.~~

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d) ED-3 Maintain regulations that allow for continued economic growth while respecting local neighborhoods and surrounding communities.

- i) Discussion: ~~This provision can be viewed in many different ways with the phrase "allow for continued economic growth" Bill Pace's vegetable and fruit stand is great neighborhood asset. The businesses along 112th Ave SE include businesses that will require sufficient road capacity to be maintained to function as well. Additionally Bellevue Way SE and 112th Ave SE are significant North-South corridors in Bellevue, that this project is proposing the will make significant reductions to the road capacity for an extended period of time. It's very questionable The CAC is concerned that the~~

~~reduced road capacity can be reduced to extent discussed and still will impede allow for access to vehicles, transit, businesses continued economic growth and respect and neighborhoods (i.e. cut through traffic) with slow traffic, long queues, and neighborhood cut-throughs.~~

- ii) ~~**Recommendation:** Require Sound Transit to submit a Construction Mitigation Plan that shows how reduction in capacity will be limited to the least amount possible. The Construction Mitigation Plan should include measures to limit cut through traffic. Construction Mitigation Plan shall and maintain a Level of Service level of [redacted] as a minimum level of service at intersections XYZ. The Construction Mitigation plan will undoubtedly require trade offs involving things such as project cost and duration of construction with impacts to immediate neighborhoodss, surrounding community and businesses, visitors vehicles, and transit, etc. that the CAC recommends the Construction Mitigation Plan receive some public scrutiny prior to be accepted acceptance in the final construction permits are issued review. Additionally measures shall be employed to provide access to the vegetable and fruit stand during the months of June through October and will compensate the leaseholder for lost income from the construction and provide assistance for restart up costs.~~

ii)

- e) **TR-75.1 Develop a light rail system in collaboration with the regional transit provider that advocates the City's long-term transportation and land use objectives, minimizes environmental and neighborhood impacts, and balances regional system performance.**
- i) **Discussion:** The City and Sound Transit have collaborated in creation of the MOU which outlines the basic parameters of this alignment, profile and station location which help move forward with the City's stated preference of Light Rail as its chosen method of mass transit. This MOU and the subsequent Light Rail Overlay 20.25M do not relinquish the City's codes and requirements with regards to environmental and neighborhood impacts but rather they insist that they be followed.
- (1) From the MOU: *"Nothing in this Exhibit G is intended to waive or modify City of Bellevue permit processes or other powers or authorities. It is understood that at the appropriate stage of design, Sound Transit will submit to the City for required land use approvals and nothing in this MOU shall be construed as an approval of such permits or a pre-determination of compliance with applicable codes and standards."*
- (2) From the Light Rail Overlay: **20.25M.050 Design Guidelines**
- (a) **"Design Intent.** Land Use Code sections 20.25M.030M B and C require City permit approvals to be consistent with the Comprehensive Plan including Light Rail Best Practices which emphasizes the need for context sensitivity in design. Paragraph 20.25M.050.B is intended to provide guidance to any CAC formed pursuant to LUC 20.25M.035B regarding the existing and planned contexts within RLRT Systems or Facilities are proposed. The information contained in this paragraph is intended to provide a framework for the CAC's work, and to help the CAC determine whether a context sensitive outcome has been achieved through the incorporation of location appropriate design features in required light rail permits."
- The MOU and the Light Rail Overlay expect the CAC to scrutinize Sound Transits proposed plans as informed by the Comprehensive Plan Policies and the Light Rail Best Practices.

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- ii. **Recommendation:** The CAC's recommendations advocate for the City's long-term transportation and land use objectives while minimizing environmental and neighborhood impacts, and balance regional system performance.

f) **TR-75.2 Use the Light Rail Best Practices Report, including City expectations of Sound Transit, to guide City actions and advocacy in pursuit of the best community outcomes for developing and operating light rail transit in Bellevue.**

- i) The Light Rail Best Practices report is extensive. The key findings and recommendations are discussed below in a separate section.

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g) **TR-75.7 Advocate for light rail services that is consistent with local land use and transportation plans. Light Rail planning should further the achievement of the City's land use and transportation vision.**

- i) **Discussion:** One of the City's subarea goals include: "Southwest Subarea Policy S-SW-19 Provide for the aesthetic development of Bellevue Way S.E. and 112th Avenue S.E. including the provision of sidewalks and bicycle lanes on both sides of the street and landscaping along the entire street so as to provide the feeling of a continuous boulevard and a gateway for Bellevue" The multi use path ~~help move this goal forward but falls~~ short under the current ~~proposal design with the~~ its undersized width and it is missing landscaping in sections. Additionally, ~~the stated city mantra of being a "city in a park" while eliminating 1300 mature trees from the park the current proposal fails to meet this~~ Bellevue's vision of "a city in a park".
- ii) **Recommendation:** ~~Expand the multi-use path to~~Provide the required multi use path width and add the landscape strip to achieve the continuous boulevard and gateway. Additionally all trees being included in the tree replacement count ~~should all~~ be a minimum 2" caliper DBH to help offset the loss of tree canopy. This may necessitate that the small wetland trees being installed be increased in size or not included in the tree replacement count. Install large specimen grade trees of a unique species at key locations to help mitigate the loss of tree canopy and reinforce the "City in a Park" goal.

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h) **TR-75.9 Advocate for an alignment south of downtown Bellevue that advances the adopted land use vision by: 1. Protecting the character and livability of existing neighborhoods, including adequate ingress and egress to the neighborhood; 2. Minimizing impacts to wetland and other natural resources; 3. Providing local access to the system for Bellevue neighborhoods; and 4. Optimizing ridership and user convenience.**

- i) **Discussion:** 1.The current ~~proposal design~~ eliminates access to the Surrey Downs neighborhood at SE 4th with the exception of emergency access. ~~The access has been, as~~ negotiated with the residents of Surrey Downs to reduce the requisite noise from the crossing bells. ~~Additionally the~~This

includes Surrey Downs Park is being walled off from the east. Access to the Mercer Slough Park from the West during construction is virtually eliminated. Visual access to the Mercer Slough Park is being severely impeded/limited for roadway and path users along 112th Ave SE and Bellevue Way SE. 2. The CAC has received testimony that questions the validity of Sound Transit's analysis is concerned that the extended construction time frame of 5 to 7 years can be applied to will negatively impact migratory birds and fish. Additionally the following are excerpts from an OTAK report commissioned by the City of Bellevue, dated August 23, 2010, which reviewed the Mercer Slough wetland complex and the potential impacts on the Mercer Slough.

Impacts

We have divided impacts into the following categories based on assumptions of future conditions and construction impacts. We have not provided a summary of wetland impacts (by square foot or by acre) in this analysis because we assume that the Army Corps of Engineers has not yet confirmed the delineations, and we believe that there may be areas within Bellefield office Park that are wetland which are not mapped as such on the drawings for B2M. We have assumed impacts based on the drawings we have at this stage; see the Discussion Section for further discussion regarding the likelihood of some of these impacts being avoided or minimized.

Permanent Direct Impacts:

Losses that will be caused by either construction, the physical presence of the structure, or ongoing operation of the ST alignment that will result in a permanent loss or reduction in acreage. Using the standard that WSDOT (Washington State Department of Transportation), Ecology and the Corps of Engineers have established for major highway projects, any construction impact that lasts longer than one growing season is considered permanent from the perspective of what compensatory mitigation needs to be provided. We will not discuss or assess whether any proposed compensatory mitigation would "mitigate" for these losses; that is outside the scope of our current work.

Permanent Indirect Impacts:

Changes to a physical process that creates or maintains a function in the wetland. These are not direct "footprint" of fill or excavation impacts, but affects/changes that have a high probability of occurring *because* of the project. Examples would be the influence of shading on vegetation presence/absence or its richness/diversity; or a physical interruption or change in groundwater movement that could affect the presence/extent of wetland in future conditions.

Temporary Impacts:

Losses that are temporary in nature are those that are in place for only one growing season, or less. For example, a temporary bridge deck built in order to construct the permanent structure which is "in the ground" from October Year 1 to October Year 2 would be considered "temporary". Any structure or alteration that affects wetlands for longer than one single growing season would be considered 'permanent' (see above).

Provided below is a summary of the issues identified from our evaluation to date of the February, 2010 plans for the B2M alignment and the DEIS descriptions of the B7, by Alignment. It should be understood that we are evaluating these alignments based on the available documents, which reflect a "point in time". Thus, we have summarized "conclusions" here as to impacts...which may indeed be

modified over the logical course of project design and refinement; please see the Discussion Section that follows this summary.

Alignment B2M

Permanent Impacts

Acreage of wetland impacts from direct fill or cut from the construction of the alignment. It is assumed that all wetland impacts, as shown on the Feb, 2010 plan sheets, within the Construction Limits have a high probability of being permanently lost due to the project.

Loss of wetland community types due to the need to cut down trees within the ROW to assure long-term operation of the trains. This aspect assumes that the wetlands in question may not be graded (filled or cut) but that the alignment passing over some habitats has a high probability of the forest being removed permanently.

Acreage of lost mature upland forest and shrub buffer that may fall beneath an elevated portion of the alignment and not be permitted to regain full height and also loss in those areas where the alignment is constructed by cut/cover methods and it is assumed will not be permitted to be re-established forest over the „lid“ of the cut/cover alignment. (contrary to language in the DEIS, the buffer impacts cannot be mitigated in a “mitigation bank” offsite: the buffers have to buffer the wetland *in situ* to be functional....)

Conversion of wetlands to stormwater ponds, as depicted on the February, 2010 drawings, may not be permitted by the regulatory agencies; but if approved, all such conversions would be assumed to be permanent loss of wetland. The portions of the February, 2010 plan sets we reviewed do not identify if these are proposed construction sediment ponds or permanent stormwater facilities.

Indirect Permanent Impacts

Acreage of permanently lost wetland downslope of the alignment north of the blueberry farm buildings due to the interception of the groundwater that feeds and maintains these wetlands. Intercepting the springs (shallow groundwater) has a high probability of effectively dewatering the wetlands in an elongated stretch north from the Blueberry farm to the vicinity of 112th intersection. The February, 2010 plan sheets clearly indicate high-water tables in two distinct locations along the alignment, north of the Blueberry Farm. The wetland edge „climbs“ to an elevation of nearly 30 feet in these locations, corresponding to the high groundwater table that feeds the wetland from the west.

- Change in vegetation community composition caused by shading where the structure „comes down to earth“ in the vicinity of wetland or buffer habitats. This could result in a change in Cowardin classification of the wetland community in the impact area.

- ii) **Recommendations:** 1. Modify the current proposal to include pedestrian access to the Surrey Downs Park from the East. Modify the plans to provide access to the Mercer Slough Park from the

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~~West during construction when feasible.~~ Modify the noise walls and security/safety fences to allow maximize for visual access to Mercer Slough Park.

2. Require Sound Transit to specifically address the extended construction time frame and its any impacts on migratory birds and fish.

Ensure that all permanent impacts, indirect permanent impacts, and temporary impacts identified by OTAK and subsequent reports have been sufficiently identified, avoided where possible and exceptionally mitigated. If Shoreline/wetland variances are required by current Sound Transit proposal the proposed mitigation should be reviewed by this CAC to ensure its compliance with the Light Rail Overlay.

- i) TR-75.12 Partner with the regional transit provider to design transit stations and facilities incorporating neighborhood objectives and context sensitive design to better integrate facilities into the community. This includes but is not limited to the following: 1. Incorporating superior urban design, contemporary building materials, and public art; and 2. Providing substantial landscaping at stations and along the alignment, including retained significant trees and transplanted trees that are at a minimum saplings. Preserve trees as a component of the skyline to retain the image of a "City in a Park."

i) Discussion: Many aspects of the ~~current proposal design~~ comply with this policy however there are several areas where ~~the plans fall short appears that st and need further modifications.~~ Significant trees have not been sufficiently retained along the alignment. ~~Additionally as mentioned previously~~ The neighborhood objective of a continuous tree lined boulevard and gateway has not been fully achieved.

ii) Recommendation: ~~Carefully e~~Examine the alignment to see where further tree retention is possible and adjust clearing to retain significant trees where possible. Transplant trees where feasible. Modify the plans to include the landscaping along the alignment to achieve the continuous tree lined boulevard.

- j) TR-75.17 - Protect Bellevue's residential and commercial areas from the negative effects of light rail by promoting actions of the regional transit provider that minimize environmental, traffic, and noise impacts.

i) Discussion: These same points have been previously addressed but this is yet another Comprehensive Plan Policy that emphasizes the importance of protecting the neighborhoods, commercial areas, traffic and environment from ~~the any~~ adverse impacts that are inherent with this Light Rail Project.

- k) TR-75.18 - Protect residential neighborhoods adjacent to light rail facilities from spillover impacts, including parking and cut through traffic resulting from system construction and/or operation with techniques such as residential parking zone programs, parking patrols, and traffic calming measures. Monitor the outcomes of these efforts and make adjustments as needed to ensure continued effectiveness.

- i) **Discussion:** The City's policy for handling the construction mitigation such as traffic is handled with the construction permits and the right of way use permits.
- ii) **Recommendation:** The CAC recommends the Construction Mitigation Plans receive public scrutiny prior to construction permits being issued. The scale of the project in terms of size and duration warrant more than an administrative review. Additionally the plan will likely require some trade-offs between duration, cost, and impacts to neighborhoods. These trade-offs should receive public input and scrutiny.
- l) **TR-75.32-Collaborate with the regional transit provider to create a Construction Management Plan for all new major transit investments. The Construction Plan should include a Construction Phasing Plan that minimizes the corridor length disrupted at one time and minimizes the time period of disruption.**
 - i) **Discussion:** See Discussion and Recommendation above for TR-75.18
- m) **TR-75.33-Place a priority on the use of noise avoidance or absorption techniques over noise deflection for residential uses when developing mitigation measures with the regional transit provider. Monitor the outcomes of these efforts and pursue adjustments with the regional transit provider to ensure continued effectiveness.**
 - i) **Discussion:** The amended MOU contemplates some noise avoidance techniques including wheel and track maintenance and greasing the tracks at curves. The noise walls being utilized on the elevated track section are designed to be noise absorptive however the sound walls along the remainder of the alignment in the segment are noise deflective. The CAC has been informed that the Mercer Slough Nature Park and the Surrey Downs Parks are not considered areas which require noise abatement.
 - ii) **Recommendation:** Require the maintenance standards include the appropriate tolerances and frequent tests and reporting to ensure the effectiveness of these measures over time. Revise the reflective sound walls to be noise absorptive rather than the existing plan of reflective. Consider reducing the height of the guideway to reduce overall perceived height of the sound walls-if possible, without compromising aesthetics. Add sound walls to attenuate the noise from the trains for the adjacent parks.
- n) **TR-75.34-Develop and implement an early and ongoing program with the regional transit provider to provide assistance to residents and businesses affected by construction.**
 - i) **Discussion:** The Light Rail Best Practices reports requires that sound walls be installed at the beginning of construction. ~~The reasoning was to reduce the construction impacts upon the immediate neighbors. Temporary sound walls for construction have been excluded from the current proposal design. The Light Rail Best Practices report further requires "exceptional mitigation"~~ Providing mitigation from the construction noise should be basic mitigation and, if not considered basic, easily qualifies as exceptional mitigation.

The CAC heard presentations and received materials from City and Sound Transit representatives that indicated that light rail construction in the B-Segment would last between four and six years. The construction activities would include significant grading, tree removal, excavation, hauling, ~~placement a significant numbers~~ installation of ~~piling~~ deep foundations, operation of power generating equipment ~~and~~, de-watering equipment and other noise-generating activities. City and Sound Transit representatives confirmed that additional permits will likely be sought to conduct construction activities outside of normal hours allowed by the City's Noise Control Code, Chapter 9.18 BCC, including work at night, in early morning hours and on weekends. City and Sound Transit representatives confirmed that additional permits will likely be sought to exceed the sound thresholds for various noise impacts for unspecified durations.

The materials that comprise the record show that residences adjacent to and abutting Bellevue Way along its western side are generally above Bellevue Way, presenting a challenge for mitigating construction noise impacts through temporary or permanent noise walls. Also, testimony from City, Sound Transit staff and members of the public established that noise walls placed along the east side of Bellevue Way may reflect traffic noise back into the neighborhoods, thereby exacerbating rather than mitigating noise impacts. Sound absorbing noise walls may reduce such impacts, but no evidence of the efficacy of such walls was presented to the CAC, particularly evidence of mitigating impacts to residences located along the hillside on Bellevue Way.

- ii) **Recommendation:** Prior to construction, provide "Residential Sound Packages" for the frontline homes along Bellevue Way and 112th where noise walls will have no impact or construction sequencing prevents the early installation of the noise walls. ~~Frontline properties are identified on the attached sketch.~~
- o) **TR-75.35- Minimize disruption and inconvenience of construction staging areas to adjacent land uses in collaboration with the regional transit provider through actions such as site selection design and operational management plans. Construction staging areas should not be located in residential neighborhoods except where no practicable alternative exists.**
 - i) **Discussion:** ~~This policy has not been adhered since it~~ The project is ~~within~~ adjacent to the Enatai and Surrey Downs neighborhoods.
 - ii) **Recommendation:** Provide mitigation to reduce the impacts of this site selection. These mitigation measures should include Residential Sound Insulation packages for the affected homes, strict adherence to the construction hours including deliveries and operation of machinery including warm up. Installation of construction lighting that reduces spillover and glare on the neighboring homes.
- p) **TR-118-Mitigate air quality, noise, light/glare and other significant adverse environmental impacts of the proposed transportation projects on adjacent neighborhoods.**

- i) Discussion: Much of these items have been previously discussed. This policy further emphasizes the need to mitigate the adverse impacts of this Light Rail project on the adjacent neighborhoods.

2) LIGHT RAIL BEST PRACTICES

Key provisions of the Light Rail Best Practices report are included below where the CAC's recommendations and input are needed to ensure compliance or provide additional clarity.

- a) Guiding Principle 2. Light rail should be developed in a manner that complements, not diminishes, the character and quality of Bellevue.
Light rail systems should be planned, designed, and built to fit appropriately into the local context and provide community enhancements, without shifting the community character. East Link should be designed to improve the places in Bellevue through context-sensitive design, high quality materials, and innovative urban design approaches that can protect neighborhoods and property values and provide a safe and secure environment for transit riders and neighbors.

- i) **Discussion:** Much of this has been discussed in previous sections. This segment of the Light Rail is within and adjacent to Parks, residential neighborhoods, and commercial businesses. The complete design needs to take fully take this context and setting into account.
 - ii) **Recommendation:** Modify the designs to include context appropriate sound walls, security and safety fences. Add landscaping to create the continuous tree line boulevard. Add a green roof and or living walls to the Parking structure and station to work with the surrounding context.
- b) **Guiding Principle 3. Anticipate impacts and advocate for exceptional mitigation.**
Light rail will reinforce Bellevue's role in the region as the population, economic, and cultural center of the Eastside. However, the benefits of the system cannot be achieved without some short-term disruption and inconvenience during construction and without making some long-term changes to the existing environment. Proven techniques to avoid, minimize, and mitigate these impacts can be employed to make the short term impacts manageable. The City should expect and advocate for exceptional mitigation throughout the project phases and seek to leverage additional local investments through light rail development.
- i) **Discussion:** One of the 5 guiding principles of the Light Rail Best Practices report was to The CAC advocates for exceptional mitigation. There are many areas along the alignment where this has been achieved. This segment includes several items where this has not been achieved. The alignment is out of the CAC's scope and such precludes discussion on many of the mitigation avoidance issues such as the current proposal contemplates clearing ~1300 mature trees in and around a wetland.
 - ii) **Recommendation:** The parking structure and elevated station should be modified to include a living wall and or green roofs. The sound walls should be sound absorptive, if aesthetically feasible. The height and finish materials of the sound walls should high quality and appropriate for the surrounding context and include materials such as stone, brick or wood veneers. The security and safety fences should not block the views of the park/s consider ornamental metal iron fencing. Residential sound packages should be provided for the front line homes prior to the beginning of construction. The permanent sound walls should be installed early in the construction sequence to mitigate the construction and operational impacts. Traffic flow and access to the parks should be maintained and a plan stating how this will be accomplished needs to be submitted.
- c) **Guiding Principle 4. Alignment profile should consider the unique qualities of each part of the community.**
There is not a one-size-fits-all solution for alignment profiles – at-grade, elevated, and tunnel – in Bellevue. There are trade-offs when selecting profiles for each of the three areas (south of downtown, downtown, and Bel-Red) in Bellevue. The profile should advance the land use vision for each of the areas it travels through, conveniently connect destinations, optimize ridership, and minimize impacts.
- i) **Discussion:** This principle reinforces the context sensitive design requirements.
- d) **Guiding Principle 5. An early, ongoing public involvement program is essential for success in Bellevue.**
An early, ongoing, and comprehensive program to engage stakeholders is absolutely essential to the success of light rail in Bellevue. Providing transparency about project information and decisions will increase public understanding of and comfort with the project. Engaging the community in the design of the system, particularly stations, will result in more sensitive designs and build the public's sense of ownership. Transparently sharing information and engaging the community in a meaningful two-way, ongoing planning process will increase the success of the system. As planning for East Link is currently underway, the City and Sound Transit should begin immediately to identify the next phase of the public involvement program for the East Link project.
- i) **Discussion:** The LRBPR requires that the planning process include 2-way meaningful communication with the CAC. The CAC's input should not be discarded or discounted. The Noise and Vibration analysis by the City and Sound Transit have not been transparent. The report submitted by Sound Transit is roughly 1 year old and no new meaningful information has been presented. The CAC has provided questions and concerns to the City to forward to the noise consultants to ensure that they are addressed in the final noise analysis.
 - ii) **Recommendation:** The City's retained acoustical engineer- sound expert's review/s of Sound

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Transit's Noise and Vibration study should be presented so that the CAC and the public can understand the ramifications and provide meaningful and timely input on the design and mitigation measures being proposed for the South Bellevue segment.

c. The proposal complies with the applicable requirements of this Light Rail Overlay District; and

- As it will be conditioned, this application for Design and Mitigation Permit will be in compliance with all elements of the Light Rail Overlay District including RLRT system and facilities development standards. Approval of an Alternative Landscape Option and Noise Monitoring and Contingency Plan will be included as conditions of approval. The CAC has made recommendations to insure compliance with context requirements of the Light Rail Overlay District such as station materials, design intent, landscaping, garage design, and the application of art.

d. The proposal addresses all applicable design guidelines and development standards of this Light Rail Overlay District in a manner which fulfills their purpose and intent; and

- The CAC reviewed and discussed the applicable design and development standards of the Light Rail Overlay District and has made recommendations intended to insure design guidelines and standards are met. Specific CAC advice is discussed below in this document. As discussed below, the proposal addresses all applicable elements of 20.25M.040 and 20.25M.050

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

- The South Bellevue Segment of East Link must comply with all applicable zoning and context requirements. Recommendations from the CAC to better integrate and soften the look and impact of the station and garage located at the South Bellevue Station are responsive to the existing and intended character of this segment. Light Rail Overlay (LUC 20.25M) development standards, including the establishment of the RLRT Transition Area also respond to the character within this segment.

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

- A majority of the exiting public facilities are available to serve East Link in South Bellevue. The city has initiated numerous capital facilities projects to serve light rail and future city utility and

~~transportation needs. The CAC was not tasked with verifying adequate public services. It is anticipated that~~ w—When the light rail system is operational anticipated impacts to public facilities including streets, fire protection, and utilities will have been mitigated.

g. The proposal complies with the applicable requirements of the Bellevue City Code, including without limitation those referenced in LUC 20.25M.010.B.8; and

- Development, construction and operation of the RLRT system and facilities ~~will~~must comply with applicable Bellevue City Codes, including the noise control code and environmental procedures code. Technical analysis of Sound Transit submitted Noise Studies and documents will be completed by city staff and technical consultants. Any additional noise mitigation resulting from technical review will be included as a condition of approval the Design and Mitigation Permit. The CAC has offered advice regarding the type of sound walls used and sound wall materials. Some CAC members have expressed concern that the scope of work provided to the CAC has limited their input on the location, type, and height of noise barriers. Prior to issuance of the Design and Mitigation Permit. Any additional noise mitigation resulting from technical review will be included as a condition of approval of the Design and Mitigation Permit.

h. The proposal is consistent with any development agreement or Conditional Use Permit approved pursuant to subsection B of this section; and

- The ~~CAC was not tasked with verifying consistency proposal is consistent~~ with the Memorandum of Understanding signed by the City of Bellevue and the Sound Transit Board, which was completed at the Preliminary Engineering stage of plan development. Plan development through the final design stage will result in expected refinements to design that is typical to any major development. Significant design changes in plan design that are within the scope of work for the CAC will be brought back to the CAC for evaluation during construction permit review.

i. The proposal provides mitigation sufficient to eliminate or minimize long-term impacts to properties located near the RLRT facility or system, and sufficient to comply with all mitigation requirements of the Bellevue City Code and other applicable state or federal laws.

- To the greatest extent possible with the chosen alignment and station design, the proposed RLRT facility and system will avoid, minimize, and mitigate anticipated long-term impacts to properties located near the light rail system and facilities. Mitigation includes, but is not limited to, enhanced landscaping, critical area planting enhancements, permanent noise walls, sound absorbing panels on the guideway, and the installation of public art. Some CAC members have expressed significant concerns related to long term related construction impacts to traffic and noise levels along Bellevue Way, 112th Ave SE, at the South Bellevue Station, and within adjacent residential neighborhoods. City of Bellevue staff is responsible for evaluating

appropriate mitigation for these impacts during the review of required Right of Way Use Permits and construction permit applications.

- j. When the proposed RLRT facility will be located, in whole or in part, in a critical area regulated by Part 20.25H LUC, a separate Critical Areas Land Use Permit shall not be required, but such facility shall satisfy the following additional criteria:
- i. The proposal utilizes to the maximum extent possible the best available construction, design and development techniques which result in the least impact on the critical area and critical area buffer; and
 - ii. The proposal incorporates the performance standards of Part 20.25H LUC to the maximum extent applicable; and
 - iii. The proposal includes a mitigation or restoration plan consistent with the requirements of LUC 20.25H.210; except that a proposal to modify or remove vegetation pursuant to an approved Vegetation Management Plan under LUC 20.25H.055.C.3.i shall not require a mitigation or restoration plan.
 - Mitigation and restoration requirements per LUC 20.25H due to impacts to critical areas and their buffers will be incorporated into the Design and Mitigation Permit approval and have been discussed at CAC meetings. Impacts to critical areas in the South Bellevue Segment include temporary and permanent impacts to wetlands and their buffers, temporary and permanent impacts to streams and their buffers, and impacts to habitat for species of local importance. Mitigation for impacts to critical areas and their buffer per the criteria located in LUC 20.25H will occur in the South Bellevue Segment within Mercer Slough Nature Park as well as a site located in the Bel Red Segment. Mitigation is required to result in a condition that is equal to or superior to the pre-existing environment. Based on staff's review of the technical reports and mitigation proposed by Sound Transit, the proposed mitigation will provide a lift in critical areas function at maturity over the existing condition.

CAC Recommendation to the Director of Development Services

At the request of the CAC, CAC Pre-Development Phase advice that has been addressed or partially addressed in the Design and Mitigation Permit submittal are included in bold for the Director's reference.

20.25M.040 RLRT system and facilities development standards

1. Building Height

- The CAC recommends that Sound Transit incorporate a living wall, green roof, or other green vegetation treatment on the garage/station as mitigation for Sound Transit's request for additional building height.

2. Landscape Development

- The CAC recommends the inclusion of a living wall, green roof, or other green vegetation be installed on the upper levels of the garage/station to help soften the edges of the structure as well as communicate the idea of a grand entry into Bellevue.
- The CAC recommends that additional landscaping options to help screen exposed noise walls should be included in the landscape plans. This should include a climbing vegetation option where there is limited space for additional landscaping.
- The CAC recommends that Sound Transit include additional appropriate landscaping to screen the guideway.
- The CAC recommends that more mature vegetation be incorporated into the design of the light rail corridor. This can be achieved by planting some large specimen trees at the point where the trains enter the South Bellevue Station (meadow), on the east side of the Y of Bellevue Way and 112th Ave SE, and in the median in 112th Ave SE.
- The CAC recommends the installation of landscaping around the light poles on the roof deck of the parking garage.

3. Light and Glare

- The CAC recommends light standards on the deck of the South Bellevue Station Garage are as low as feasible to avoid light pollution into the neighborhoods in the vicinity. **(In order to prevent light spillover or trespass Sound Transit is using LED lights for their poles that are designed with technology to reduce backlight and to focus light in a fixed area on the surface of the garage).**

4. Recycling and Solid Waste

- The CAC recommends that Sound Transit work with its sustainability group to evaluate a system wide compost collection bin option at its stations.

5. Critical

- The CAC recommends that Sound Transit work collaboratively with the City of Bellevue to develop public information sign(s) at the South Bellevue Station that would inform transit users and visitors of wildlife and habitat within Mercer Slough Nature Park. "
- The CAC recommends that Sound Transit adhere to all best management practices and complies with all applicable local, state, and federal regulations related to wildlife including but not limited to migratory birds.

6. Use of City Right of Way

- The CAC acknowledges that specific details regarding the use of the City ROW will be handled through the review and issuance of Right of Way Use Permits per LUC 20.25M.040.J; however, they want to emphasize the importance of limiting impacts on traffic to the best level technically feasible.

20.25M.050 Design guidelines

1. Design Intent- In addition to complying with all applicable provisions of the Southwest

Bellevue Subarea Plan, the design intent for the Regional Light Rail Train system and facility segment that passes through this subarea is to contribute to the major City gateway feature that already helps define Bellevue Way and the 112th Corridor. The Regional Light Rail Train system or facility design should reflect the tree-lined boulevard that is envisioned for the subarea, and where there are space constraints within the transportation cross-section, design features such as living walls and concrete surface treatments should be employed to achieve corridor continuity. The presence of the South Bellevue park and ride and station when viewed from the neighborhood above and Bellevue Way to the west, as well as from park trails to the east, should be softened

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through tree retention where possible and enhanced landscaping and "greening features" such as living walls and trellises.

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2. Context and Design Considerations - The CAC was tasked with evaluating the existing context setting characteristics included in the Land Use Code in order to verify that the design of the station and alignment is consistent with the vision for the Southwest Bellevue Subarea. The Land Use Code states that the character of this area is defined by:

- The expansive Mercer Slough Nature Park;
- Historic references to truck farming of strawberries and blueberries;
- Retained and enhanced tree and landscaped areas that complement and screen transportation uses from residential and commercial development; and
- Unique, low density residential character that conveys the feeling of a small town within a larger City.

The CAC advised that the following additional context and design considerations should be considered when evaluating the East Link project in the Southwest Bellevue Subarea for context sensitivity during future CAC and permit review phases. The following items pertain to the South Bellevue Segment: ⁴

- The alignment transition from the 1-90 right-of-way to the South Bellevue Station should be reflected as a "Grand Entry" into Bellevue. This gateway area defines Bellevue as the "City in a Park." The gateway serves a number of functions, and should appropriately greet the different users that pass through it, including transit riders, vehicles, residents, bicyclists from the 1-90 trail, fish (specifically salmon), and wildlife.

The South Bellevue Park & Ride garage should incorporate green/living walls and trellis structures on the roof level in addition to interesting concrete surface treatments to break down mass and scale, and to help blend the garage into the Mercer Slough Nature Park when viewed from the neighborhoods to the west and the park to the east.

3. Additional General Design Guidelines

- The CAC recommends that more earth tones and color variety be incorporated into the proposed art treatments and other station and corridor elements. Earth tones means tans, browns, beige, rusts, reds and orange. (Sound Transit has indicated that the artists for the station are evaluating options for additional color and earth tones in proposed art treatments.)

- The CAC recommends less hard edges in the design of the South Bellevue Station. One suggestion would be to incorporate more organic shapes into the design to soften hard lines. (Sound Transit has attempted to incorporate more organic shapes in the design using art treatments at both the station, parking garage, and guideway.)
- The CAC recommends Sound Transit evaluate the possibility of using an artistic design for the mesh screening at the South Bellevue Station Garage. (Sound Transit has proposed a green artistic treatment for the mesh screening on the garage. Final color combinations are still in development.)
- The CAC recommends that Sound Transit extend the proposed art treatment on the guideway noise walls and additional colors be incorporated into the design. (Sound Transit has shown an art treatment on a portion of the guideway noise walls that reflects CAC pre-advisory advice. The CAC has requested additional color variety which is under development. Sound Transit has also indicated that an extension of the art treatment is in preliminary design.)
- The CAC recommends that Sound Transit use a stacked stone or brick type pattern with variegated earth tones for noise walls. Ashlar stone walls one recommendation from the CAC. The CAC also recommends evaluation of art opportunities to help buffer any negative visual impacts of areas of tall noise walls.
- The CAC recommends Sound Transit work with the City of Bellevue to install way finding kiosk(s) at the South Bellevue Station and as appropriate along the alignment to direct people to available resources and recreational opportunities within Mercer Slough Nature Park.

The CAC recommends that Sound Transit use round catenary poles instead of H poles from the South Bellevue Station to the tunnel portal at the intersection of 112th Ave SE and Main Street.

- The CAC recommends that sound absorptive panels be used for freestanding noise walls.
- The CAC recommends that a small viewing platform be created on the top garage deck to allow for views into the Mercer Slough Nature Park.

Design and Mitigation Permit Approval

The recommendations contained in this Advisory Document represent the conclusion of the CAC review of the South Bellevue Segment Design and Mitigation Permit. The recommendations included in this document shall be incorporated into the Director's administrative decision. Departures by the Director from specific recommendations included within the CAC's Design and

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Mitigation Permit Advisory Document shall be limited to those instances where the Director determines that the departure is necessary to ensure that the RLRT facility or system is consistent with: (i) applicable policy and regulatory guidance contained in the Light Rail Overlay; (ii) authority granted to the CAC pursuant to this section; (iii) SEPA conditions or other regulatory requirements applicable to the RLRT system or facility; or (iv) state or federal law. Departures from the CAC Design and Mitigation Permit Advisory Document shall be addressed in the decision by the Director, and rationale for the departures shall be provided.

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Here are some draft items that I suggest discussing for addition to our CAC Recommendations.

Insert A:

- The CAC recommends that Sound Transit conduct additional noise analysis for impacts to users of Mercer Slough, as a sensitive receptor.
- The CAC recommends sound panels on the east side of the guideway as noise mitigation for users of Mercer Slough.
- The CAC recommends that night noise impacts be thoroughly evaluated as a result of extended hours of train movements to and from the OMSF.
- The CAC recommends that Surrey Downs Park be evaluated as a sensitive receptor.
- The CAC recommends that noise impacts due to additional traffic to and from the South Bellevue Park and Ride (SBPR) on Bellevue Way be addressed.
- The CAC recommends that noise impacts be evaluated along the east side of 112th Ave SE for future development.
- The CAC recommends that construction noise be analyzed and mitigated for the five year duration of construction staging activities at the SBPR and for the construction traffic along the corridor supporting 24 hour construction activities such as dewatering and tunnel portal construction.
- The CAC recommends that air quality impacts be investigated from vehicle exhaust along the corridor where new noise walls will be installed.

[add in language from Hospital Station discussion on elderly/handicapped seat height accommodations and flashing safety lights on platform and other general items?]

Chang Comments

Proposed Changes on CAC Recommendations by Ming-Fang Chang

Dated: 4/15/2015

ORIGINAL:

20.25M.050 Design guidelines

3. Additional General Design Guidelines

- The CAC recommends that Sound Transit use a stacked stone or brick type pattern with variegated earth tones for noise walls. Ashlar stone walls one recommendation from the CAC. The CAC also recommends evaluation of art opportunities to help buffer any negative visual impacts of areas of tall noise walls.
-
- The CAC recommends that sound absorptive panels be used for freestanding noise walls.

PROPOSED REVISION:

20.25M.050 Design guidelines

3. Additional General Design Guidelines

- The CAC recommends that Sound Transit use a stacked stone or brick type pattern with variegated earth tones, such as Ashlar stones, for the construction of noise walls. Ashlar stone walls one recommendation from the CAC. The CAC also recommends evaluation of art opportunities to help buffer any negative visual impacts of areas of tall noise walls. The CAC also recommends that as practical possible sound absorptive panels be considered for freestanding noise walls to reduce the noise reflection.
- At least one CAC member recommends that Sound Transit make an effort to explore walls with different configurations/shapes, such as a slight concaved inward wall instead of a traditional vertical wall, to reduce noise level and possibly the required height of sound walls. An inward-concaved wall will allow the intercepted noise to be reflected back to the track. An acoustic specialist should be able to find out the optimize configuration for an effective sound wall through numerical simulation or a simple instrumented experimental set up.
-
- ~~The CAC recommends that sound absorptive panels be used for freestanding noise walls.~~

Miles Comments

From: Don Miles <dlmiles2@comcast.net>
Sent: Thursday, April 16, 2015 10:57 AM
To: Joseph Rosmann
Cc: Jackson, Matthews
Subject: Re: Documentation Demonstrating Sound Transit Plans To Extend Light Rail Across the South End of Mercer Slough Nature Park, And Other Mercer Slough Nature Park Crossings for Light Rail

The discussion is if this is a lessor impact than that of additional lanes to I-90, which the Federal Highway Folks are working up as a plan for additional lane control of merging and capacity at 405 - I-90. The very narrow LR system sucked up against the present I-90 structures ends the ability to expand I-90 north while greatly increasing people moving capacity on the route. Perhaps even reducing the vehicle impact at the south Bellevue Station and Bellevue Way. A solution is better control of population spread and placement of new population concentration adjacent to the LR system which is approved and/or constructed. But who gets to set the rules allowing for certain individuals to live where they wish to and not allow others to venture to the outback. The I-90 route or corridor has always been considered the route to move people to Seattle and interior US cargo to the Port Terminal for world distribution. I arrive in Bellevue in 1960's working to develop the corridor, it will continue. It is unfortunate perhaps that economics of millions of businesses in the USA are tied up in the transportation corridor but look at all the impacts which could occur. Land all over the US disappears because of population increases needs, It will continue until denser concentrations become the norm. it is only how difficult it becomes to move increased numbers through denser concentrations.

From: "Joseph Rosmann" <rosmannj@icloud.com>
To: "Susan Rakow Anderson PE" <rakow@comcast.net>, "Ming-Fang Chang" <changmf@gmail.com>, "Siona Van Dijk" <siona@phytelab.com>, "Joel Glass" <joelg@designguildhomes.com>, "Marcella Van Houten" <mvanhouten@hatchusa.com>, "Wendy Jones" <wendyrjones@hotmail.com>, "Doug Mathews" <dmathews@uw.edu>, "Don Miles" <dlmiles2@comcast.net>
Sent: Wednesday, April 15, 2015 9:30:31 PM
Subject: Documentation Demonstrating Sound Transit Plans To Extend Light Rail Across the South End of Mercer Slough Nature Park, And Other Mercer Slough Nature Park Crossings for Light Rail

Dear CAC Members:

This information is provided to you to substantiate my comments to the Committee this afternoon. This message also provides evidence of other significant subjects relevant to placement of the Eastlink rail facility in the Mercer Slough Nature Park.

The facts presented here speak for themselves, are well documented, and have also been validated by representatives of the Sound Transit organization itself.

Major Fact 1. Sound Transit has long planned to cross the Mercer Slough Nature Park twice. The next crossing will extend light rail to Issaquah and beyond by placing a rail line facility across the south end of the Mercer Slough Nature Park, close to the I-90 roadway. As a result, Sound Transit will be incurring major damage on our precious Mercer Slough Nature Park environment, not just once, along Bellevue Way and 112th Avenue, but twice by placing a rail line along the park's southern border as well.

Seven documents are attached here, obtained directly from Sound Transit. They were obtained in the course of legal discovery. (See attached files.)

- 2007 Parsons - Brinkerhoff study for Sound Transit - The study examined various options for placing a rail line facility on either the north or south sides of I-90. A few pages of this document are included here, and can be found on the BBB website at: <http://betterbellevue.org/wp-content/uploads/2015/03/Declaration-of-Joseph-Rosmann.pdf> A complete copy of the document will be made available to you via a link from our DropBox site, as the file is much too large to send via email. This document used to be available on the Sound Transit website. It was redacted from the site several years ago, and cannot be found via any on-line search of Sound Transit's records.
- Sept 29, 2009 Segment B Weekly Coordination Meeting - Attendees include City of Bellevue staff, Sound Transit staff, and CH2MHill staff. Typical discussion at the meeting: "Sue explained that the Issaquah extension along I-90 is in the long range plan so, the direction from the ST Board is not to preclude this extension in the future. There is a future extension memo that documents the possible extension to serve Factoria and Eastgate."

- November 10, 2009 Segment B Weekly Coordination Meeting - Attendees include City of Bellevue staff, Sound Transit staff, and CH2MHill staff. Typical discussion at the meeting: “The alignment allows room for Issaquah-Seattle switch, Bellevue-Issaquah switch, and double cross-over south of the Station.”
- October 25, 2010 Sound Transit Eastside HCT Corridor.....Final PE Submittal - CH2MHill and ST Staff Memo: Typical language in the memo: “ The proposed design development shown on the Plans are based on the 5/6/10 Alignment Definition as concurred with by Sound Transit. The following is a list of major changes since the Interim PE Submittal: • Incorporated Issaquah alignment in System and Structural designs.....”
- April 20, 2011 Appendix 1A East Link Alignment Description: Typical language in the report: “Track alignments for the potential future extension to Issaquah have been considered and accommodate No. 10 turnouts for both the Issaquah-Bellevue junction and the Issaquah-Seattle Junction.

The I-90 crossing superstructure is assumed to be a haunched concrete segmental box using balanced cantilever method of erection. Based on optimizing the layout with the existing ramps north of I-90 this resulted in the current proposed span length of 310 feet. The straddle bents for Issaquah junction (south) are integral with the superstructure and straddle over I-90 on-ramps and support the Issaquah junction spans. The south Issaquah junction is a two-span, trapezoidal superstructure. The north branch of the junction effects two spans and the superstructure is similar to the south branch.”

- November, 2013 HJH E320 Future Wye Technical Memorandum.

"The Preliminary Engineering documents included provisions for a future wye connection near I-90 that could serve a line extension to Issaquah that would have required significant design and construction in the East Link package. The H-J-H scope was modified to instead provide a feasible concept for the future Issaquah wye connection while minimizing design and construction work to the current East Link Project.

Scope of Work

- Develop concept for future wye connection in sufficient detail to show concept is feasible and will not preclude a future connection.
- Develop conceptual track layout and column locations

- Prepare Technical Memorandum to identify a feasible concept, the assumptions for layout, and the identification of future construction work required
- Deliverables include E3320 Future Wye Technical Memorandum.....”

This directive to HJH’s subcontractors set out a substantial final engineering design scope of work that was performed throughout 2014. HJH is Sound Transit’s Primary Final Engineering Design Project Manager.

- 90% Design drawing depicting the layout of the expected east to Issaquah Wye connection. (see the attached 90% drawing file, with circled “Wye” connection site and configuration)

Major Fact 2. Sound Transit’s Senior Engineering and Financial Planning Team Leaders Recommended To Sound Transit Senior Executives, in October, 2012, That a Bored Tunnel Be Utilized in South Bellevue to Reduce Costs, Avoid Environmental Impacts in Mercer Slough Nature Park and Protect the South Bellevue Neighborhoods

Through confidential disclosures by Sound Transit staff and by Sound Transit consultants to BBB’s leaders, the knowledge of Sound Transit’s senior experts’ preference for use of a bored tunnel alignment in South Bellevue has been known for more than two years. Our knowledge of this recommendation to Sound Transit’s leaders has been made known to four Sound Transit Board Members and to two Members of Congress. For legal and political reasons, none would affirmatively confirm this information, but none denied the truth of our knowledge either in our personal meetings with them.

Members of the Sound Transit Capital Committee were present at the meeting where this recommendation was made to Sound Transit’s executive staff in October, 2012.

In February, 2015, a senior member of Sound Transit’s technical staff made the following comment to a BBB leader in an open meeting at Bellevue City Hall: “It is now common knowledge among all our engineering and financial planning professional staff that the leaders of these two teams recommended adoption of a bored tunnel in South Bellevue to our senior management and some of our Board Members in 2012.”

This past week, James Irish, Sound Transit’s Director Of Environmental Analysis, commented in an open meeting at the offices of the Recreation and Conservation

Funding Board, in Olympia, as follows: “The tunnel concept was suggested in early scoping with frankly not much attention given in the FEIS process or subsequently.”

Major Fact 3. Sound Transit Has Now Identified the Eastside Rail Corridor Rail Line Facility As A Preferred Alignment for Creating A Future Light Rail Line Connection to Downtown Bellevue From Issaquah, and to Points Further South and North, As Part of Their Sound Transit 3 Planning Documents

The ST 3 SEPA documents released to the public in December, 2014, address Sound Transit’s intent to connect Issaquah to downtown Bellevue via both use of a rail line placement along I-90 as well as by utilizing the Eastside Rail Corridor. Here is typical language (p. S-28 LRP Update _Final SEIS_02_Executive Summary) “In addition, the potential light rail connection between Bellevue and Issaquah would connect the Bellevue regional growth center with Issaquah. A commuter rail connection along the Eastside Rail Corridor would connect Renton, Bellevue and Kirkland-Totem Lake.”

This is ironic given that Sound Transit previously, in its Eastlink Final Environmental Impact Statement, stated that it was not possible to construct an Eastlink rail line placement in this corridor due to severe environmental impacts all along the BNSF rail line corridor. Now Sound Transit claims it is feasible.

I share this information with you due to the importance of this background as our City now approaches the making of a final decision on the Eastlink rail system plan. I trust that it is both credible and factual.

I would be pleased to review any of this background with you should you wish to do so.

You can learn much more at BBB’s website: www.betterbellevue.org

With Kind Regards, And A Huge “Thank You” for Your Diligent Work

Joe Rosmann
Chair
Building A Better Bellevue