**ENVIRONMENTAL CHECKLIST**

10/9/2009

Thank you in advance for your cooperation and adherence to these procedures. If you need assistance in completing the checklist or have any questions regarding the environmental review process, please visit or call Development Services (425-452-6800) between 8 a.m. and 4 p.m., Monday through Friday (Wednesday, 10 to 4). Assistance for the hearing impaired: Dial 711 (Telecommunications Relay Service).

INTRODUCTION**Purpose of the Checklist:**

The State Environmental Policy Act (SEPA), Chapter 43.21c RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the City of Bellevue identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the City decide whether an EIS is required.

Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Answer the questions briefly, with the most precise information known, or give the best description you can. You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer or if a question does not apply to your proposal, write "do not know" or "does not apply." Giving complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the Planner in the Permit Center can assist you.

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

Use of a Checklist for Nonproject Proposals: *A nonproject proposal includes plans, policies, and programs where actions are different or broader than a single site-specific proposal.*

For nonproject proposals, complete the Environmental Checklist even though you may answer "does not apply" to most questions. In addition, complete the Supplemental Sheet for Nonproject Actions available from Permit Processing.

For nonproject actions, the references in the checklist to the words *project*, *applicant*, and *property* or *site* should be read as *proposal*, *proposer*, and *affected geographic area*, respectively.

Attach an 8 ½" x 11 vicinity map which accurately locates the proposed site.

BACKGROUND INFORMATION

Property Owner: JM Ventures/ JMS Ventures

Proponent: Michael McClure

Contact Person: Michael McClure

(If different from the owner. All questions and correspondence will be directed to the individual listed.)

Address: 6725 116th Ave NE, Suite 100, Kirkland, WA 98033

Phone: (206) 817-1334

Proposal Title: Remove Concomitant Agreement from Belle-View Office Park

Proposal Location: 275/325 118th Ave SE, Bellevue, WA

(Street address and nearest cross street or intersection) Provide a legal description if available.

Please attach an 8 ½" x 11" vicinity map that accurately locates the proposal site.

Give an accurate, brief description of the proposal's scope and nature:

1. General description: We are submitting this proposal to remove the 1977 Concomitant Agreement associated with the Belle-View Office Park.
2. Acreage of site: 3.68 Acres
3. Number of dwelling units/buildings to be demolished: 0
4. Number of dwelling units/buildings to be constructed: 0
5. Square footage of buildings to be demolished: 0
6. Square footage of buildings to be constructed: 0
7. Quantity of earth movement (in cubic yards): 0
8. Proposed land use: The existing parcels are zoned "O". There are no proposed changes to the uses allowed under this zoning
9. Design features, including building height, number of stories and proposed exterior materials:
There is no specific new development proposed, this is simply a request to remove the 1977 Concomitant Agreement. Any future development would likely be office or residential as currently allowed in Zone "O"
10. Other

Estimated date of completion of the proposal or timing of phasing:

There is no specific new development proposed, this is simply a request to remove the 1977 Concomitant Agreement. Any future development would likely be office or residential as currently allowed in Zone "O".

Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

We have provided concepts for both residential and office, both of which are already allowed in Zone "O". Our main purpose for removing the Concomitant Agreement is to develop these concepts under current design regulations.

Design Review required for either office or residential construction. Conditional Use Permit also required for residential construction.

List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

We have provided copies of previous Phase I reports.

Project level SEPA review will occur when development permits are submitted.

Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. List dates applied for and file numbers, if known.

We know if no other applications.

List any government approvals or permits that will be needed for your proposal, if known. If permits have been applied for, list application date and file numbers, if known.

We have not submitted for any building permits, but have provided a couple concepts that adhere to current code in the "O" zone.

Please provide one or more of the following exhibits, if applicable to your proposal. (Please check appropriate box(es) for exhibits submitted with your proposal):

Land Use Reclassification (rezone) Map of existing and proposed zoning

Preliminary Plat or Planned Unit Development
Preliminary plat map

Clearing & Grading Permit
Plan of existing and proposed grading
Development plans

Building Permit (or Design Review)
Site plan
Clearing & grading plan

Shoreline Management Permit
Site plan

A. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site: Flat Rolling Hilly Steep slopes Mountains Other

b. What is the steepest slope on the site (approximate percent slope)? See provided survey

c. What general types of soil are found on the site (for example, clay, sand, gravel, peat, and muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

Dirt, clay, and sand

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

No

LT
11/19/15

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

None is currently proposed

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Not likely, as any future development will be in the existing parking lot.

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

Neither of our future concepts will increase impervious surface as we are developing in the existing parking lot.

Subject to LUC 20.20.010

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

We will submit these specifics with our building permit.

2. AIR

- a. What types of emissions to the air would result from the proposal (i.e. dust, automobile odors, and industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

None

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

None

- c. Proposed measures to reduce or control emissions or other impacts to the air, if any:

None

Impacts to air will be reviewed under separated project specific SEPA review. Projects will be subject to construction dust mitigation per Clear and Grade Code: BCC 23.76

3. WATER

- a. Surface

- (1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

None

- (2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If Yes, please describe and attach available plans.

No

(3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

None

(4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No

(5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

No

(6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

None

b. Ground

Future development projects will be subject to Utility Code BCC 24.06 and any required Utility permits.

(1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description.

No

(2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.) Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

None

c. Water Runoff (Including storm water)

(1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

No change to the existing system is proposed

(2) Could waste materials enter ground or surface waters? If so, generally describe.

No

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:
These measure would be proposed as part of a future building permit.

4. Plants

a. Check or circle types of vegetation found on the site:

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

None - future development will be in the existing parking lot

c. List threatened or endangered species known to be on or near the site.

None

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

This would be proposed as part of a future building permit

Future development will be required to comply with landscape standards found in LUC 20.20.520 and 20.25B.040

5. ANIMALS

a. Check or circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

- Birds: hawk, heron, eagle, songbirds, other:
- Mammals: deer, bear, elk, beaver, other:
- Fish: bass, salmon, trout, herring, shellfish, other:

b. List any threatened or endangered species known to be on or near the site.

None

c. Is the site part of a migration route? If so, explain.

No

d. Proposed measures to preserve or enhance wildlife, if any:

None

6. Energy and Natural Resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy need? Describe whether it will be used for heating, manufacturing, etc.

We will use existing electric energy

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No

c. What kinds of energy conservation features are included in the plans of the proposal? List other proposed measures to reduce or control energy impacts, if any:

Details will be proposed as part of a future building permit

7. Environmental Health

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

No

(1) Describe special emergency services that might be required.

None

(2) Proposed measures to reduce or control environmental health hazards, if any.

This would be proposed as part of a future building permit

b. Noise

Future development will be required to comply with construction noise limitations per City's Noise Ordinance BCC 9.18

(1) What types of noise exist in the area which may affect your project (for example, traffic, equipment, operation, other)?

None

(2) What types and levels of noise would be created by or associated with the project on a short-term or long-term basis (for example, traffic, construction, operation, other)? Indicate what hours noise would come from the site.

None

(3) Proposed measures to reduce or control noise impacts, if any:

This would be proposed as part of a future building permit

8. Land and Shoreline Use

a. What is the current use of the site and adjacent properties?

The current site has two office buildings - surrounding properties are either office or residential

b. Has the site been used for agriculture? If so, describe.

No

c. Describe any structures on the site.

The current site has two office buildings

d. Will any structures be demolished? If so, what?

No

e. What is the current zoning classification of the site?

Office

f. What is the current comprehensive plan designation of the site?

Wilburton

g. If applicable, what is the current shoreline master program designation of the site?

N/A

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

No

i. Approximately how many people would reside or work in the completed project?

We have submitted two concept buildings, one office and one residential. The office building is no different than what is allowed now. The residential concept shows 53 units, which is 21 units more than is currently allowed.

j. Approximately how many people would the completed project displace?

None

k. Proposed measures to avoid or reduce displacement impacts, if any:

Not applicable

i. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

This would be proposed as part of a future building permit

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

In the future, as many as 53 units might be provided, which is 21 units more than is currently possible with the Concomitant Agreement in place

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

N/A

c. Proposed measures to reduce or control housing impacts, if any:

This would be proposed as part of a future building permit, if we decide to build residential onsite.

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Our residential concept shows 3 stories totaling 30 feet. Building materials would be specified as part of a future building permit

b. What views in the immediate vicinity would be altered or obstructed?

None

c. Proposed measures to reduce or control aesthetic impacts, if any:

This would be proposed as part of a future building permit.

Future development is
subject to Design Review
and Conditional Use
Permit Review

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Not known yet

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

Not known yet

- c. What existing off-site sources of light or glare may affect your proposal?

Not known yet

- d. Proposed measures to reduce or control light or glare impacts, if any:

This would be part of our future building permit.

Future development subject to Light and Glare requirements of LUC 20.20.522. This will be reviewed under future Design Review applications.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

Bellevue Botanical Garden

- b. Would the proposed project displace any existing recreational uses? If so, describe.

No

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

This would be part of our future building permit.

13. Historic and Cultural Preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

No

- b. Generally describe any landmarks or evidence of historic, archeological, scientific, or cultural importance known to be on or next to the site.

None

- c. Proposed measures to reduce or control impacts, if any:

None

14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

118th Ave SE

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

Yes

- c. How many parking spaces would be completed project have? How many would the project eliminate?

As many as 74 parking stalls would be added, depending on which produce type we building in the future

d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

No

e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No

Transportation impacts will be reviewed in detail under future development permits.

f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

Not known. If we build office, there would be no more trips than are allowed under today's zoning. If we build residential, as many as 24 more apartments could be built on the site proposed to students parking.

g. Proposed measures to reduce or control transportation impacts, if any:

This would be proposed as part of a future building permit.

15. Public Services

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

No

b. Proposed measures to reduce or control direct impacts on public services, if any:

This would be part of a future building permit.

16. Utilities

a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.

Electricity, Natural gas, water, refuse, telephone, sewer, internet

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

No new utilities are proposed

Signature

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

Michael Mc Clure

Signature.....Date Submitted 05/06/2015.....

SUPPLEMENTAL SHEET FOR NONPROJECT ACTION
Continuation of the Environmental Checklist

4/18/02

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment (see Environmental Checklist, B. Environmental Elements). When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms. If you have any questions, please visit or call Development Services (425-452-6800) between 8 a.m. and 4 p.m., Monday through Friday (Wednesday, 10 to 4). Assistance for the hearing impaired: Dial 711 (Telecommunications Relay Service).

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

No increase is anticipated

Proposed measures to avoid or reduce such increases are:

N/A

The proposal is unlikely to discharge water, emissions to air, production, storage or release of toxic or hazardous substances or production of noise. The request is to rezone two properties to repeal a 1977 Concomitant Zoning Agreement which placed development restrictions on the properties.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

No impact is anticipated

Proposal is unlikely to result in impacts to plants, animals, fish or marine life.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

N/A

No additional adverse impacts are anticipated. Development under the existing zoning will be subject to storm water and landscape standards.

3. How would the proposal be likely to deplete energy or natural resources?

No impact is anticipated

The proposal is unlikely to result in the depletion of energy or natural resources beyond what could reasonably anticipated to occur under the existing zoning.

Proposed measures to protect or conserve energy or natural resources are:

N/A

The proposal is to rezone two properties in order to repeal a 1977 Concomitant Zoning Agreement which placed development restrictions on the properties. Removal of the Concomitant would not change the existing Office "O" land use designation, nor would it remove development standards found in the current LUC. The subject sites are located within an area of the City that is anticipated to support urban levels of development, and would therefore not result in an increase consumption of energy, nor would it result in any additional impacts to natural resources beyond what could reasonably be expected to occur under the existing zoning.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection--such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

No impact is anticipated

The subject sites do not contain environmentally sensitive areas or areas designated for government protection

Proposed measures to protect such resources or to avoid or reduce impacts are:

N/A

Future development on the sites will be subject to development standards found in LUC 20.20.010 and 20.25B.040 and will be required to comply with SEPA.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

No impact is anticipated

Subject sites are not located within or in the vicinity of any shoreline uses.

Proposed measures to avoid or reduce shoreline and land use impacts are:

N/A

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

No impact is anticipated

The proposal is unlikely to increase demands on transportation or public services and utilities. Subsequent development will be required to model and mitigate transportation impacts per City Code.

Proposed measures to reduce or respond to such demand(s) are:

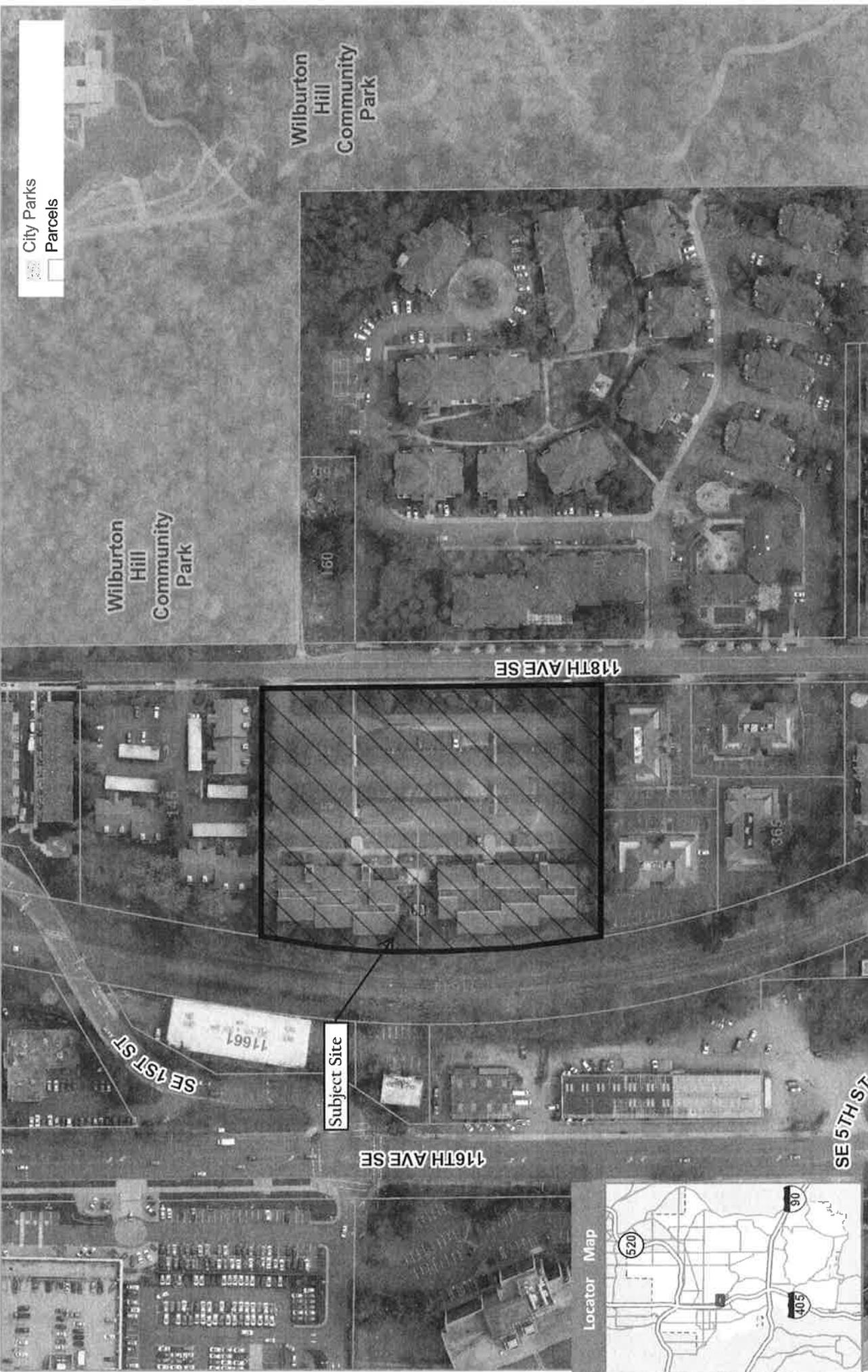
N/A

The proposed rezone is consistent with the adopted Comprehensive Plan ensuring that impacts to transportation, public services and utilities have been anticipated. No changes to the existing Office "O" land use designation and associate development standards are proposed.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

No conflict is anticipated

The proposal is unlikely to conflict with local, state or federal laws or requirements for the protection of the environment. Subsequent development will be subject to SEPA and will need to comply with all relevant local, state and federal requirements.



City Parks
Parcels

Wilburton Hill
Community Park

Wilburton Hill
Community Park

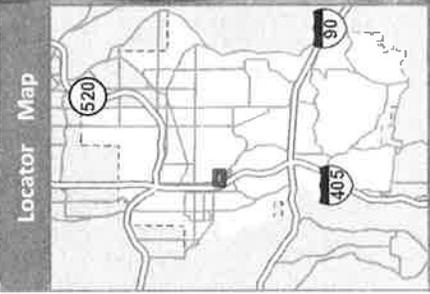
Subject Site

118TH AVE SE

16TH AVE SE

SE 1ST ST

SE 5TH ST



Locator Map



Scale 1:2,102



275/325 118th Ave SE



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

Proposal Name: Belle-View Office Park Rezone

Proposal Address: 275/325 118th Avenue SE

Proposal Description: Request for a Rezone to remove a 1977 Concomitant Zoning Agreement (Ordinance No. 2445). A change to the existing Office "O" Land Use District is not proposed.

File Number: **15-107116-LQ**

Applicant: JMS Ventures

Decisions Included: Rezone, Process III
Land Use Code 20.30A

Planner: Laurie Tyler, Associate Land Use Planner

State Environmental Policy Act
Threshold Determination: **Determination of Non-Significance (DNS)**

Carol V. Helland
Carol V. Helland
Environmental Coordinator

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

By:
Carol V. Helland
Carol V. Helland, Land Use Director

| | |
|--|--------------------------|
| <i>Application Date:</i> | <i>March 11, 2015</i> |
| <i>Completeness Date:</i> | <i>May 6, 2015</i> |
| <i>Notice of Application:</i> | <i>June 4, 2015</i> |
| <i>14-day Comment Period:</i> | <i>June 18, 2015</i> |
| <i>Public Meeting Date:</i> | <i>June 9, 2015</i> |
| <i>Notice of Recommendation:</i> | <i>November 19, 2015</i> |
| <i>SEPA Appeal Deadline:</i> | <i>December 3, 2015</i> |
| <i>Hearing Examiner Hearing Date:</i> | <i>December 9, 2015</i> |
| <i>Hearing Examiner Recommendation:</i> | <i>To be determined</i> |
| <i>Hearing Examiner Appeal Deadline:</i> | <i>To be determined</i> |
| <i>City Council Date:</i> | <i>To be determined</i> |

For information on how to appeal the project, visit the Permit Center at City Hall or call (425) 452-6864. Appeal of the decision must be received in the City Clerk's office by 5 p.m. on the date noted for the appeal deadline.

CONTENTS

| | | |
|-------|--|----|
| I. | Request..... | 3 |
| II. | Site Description and Context..... | 3 |
| | A. Existing Conditions | |
| | B. Concomitant Zoning Agreement | |
| | C. Current Proposal | |
| III. | Review Process..... | 10 |
| | A. Rezone | |
| | B. SEPA | |
| IV. | Decision Criteria..... | 10 |
| V. | Public Notice & Comment..... | 12 |
| VI. | Technical Review..... | 13 |
| | A. Transportation | |
| | B. Utilities | |
| VII. | Changes to the Proposal Due to Staff Review..... | 13 |
| VIII. | State Environmental Policy Act (SEPA)..... | 13 |
| IX. | Recommendation..... | 13 |
| X. | Recommended Conditions of Approval..... | 14 |

Attachments:

Attachment 1: Ordinance 2445 and associated 1977 Concomitant Zoning Agreement

I. REQUEST

The applicant, JMS Ventures, is requesting a rezone for two properties in order to repeal a 1977 Concomitant Zoning Agreement (Ordinance No. 2445). No change to the underlying land use designation of Office "O" or to the Transition Area Design District overlay are proposed. The subject parcels are located at 275/325 118th Avenue SE (AFN: 8046100082/8046100041).

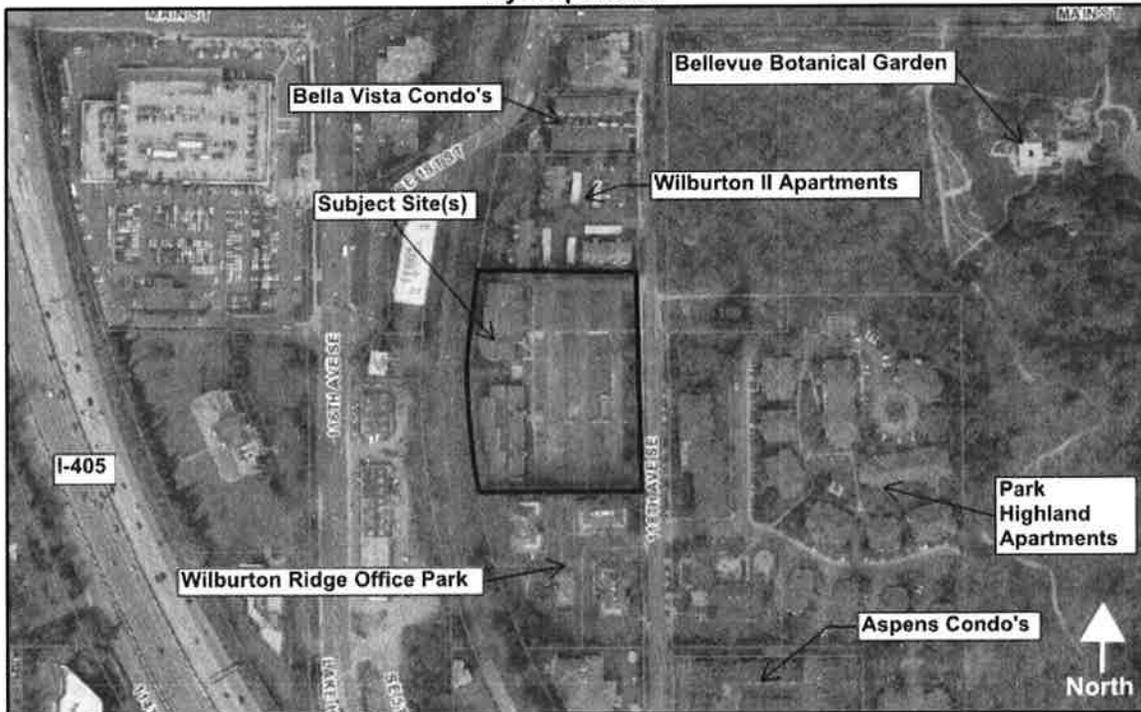
II. SITE DESCRIPTION, CONTEXT AND ZONING

A. Existing Site Conditions

The subject parcels are located within the Wilburton Subarea, on 118th Avenue SE, east of I-405 and west of the Bellevue Botanical Garden. When combined, these parcels are approximately 3.68 acres in size. The subject sites are currently improved with office buildings which were constructed in 1984 and have been recently remodeled. Both buildings are sited on the western portion of each parcel.

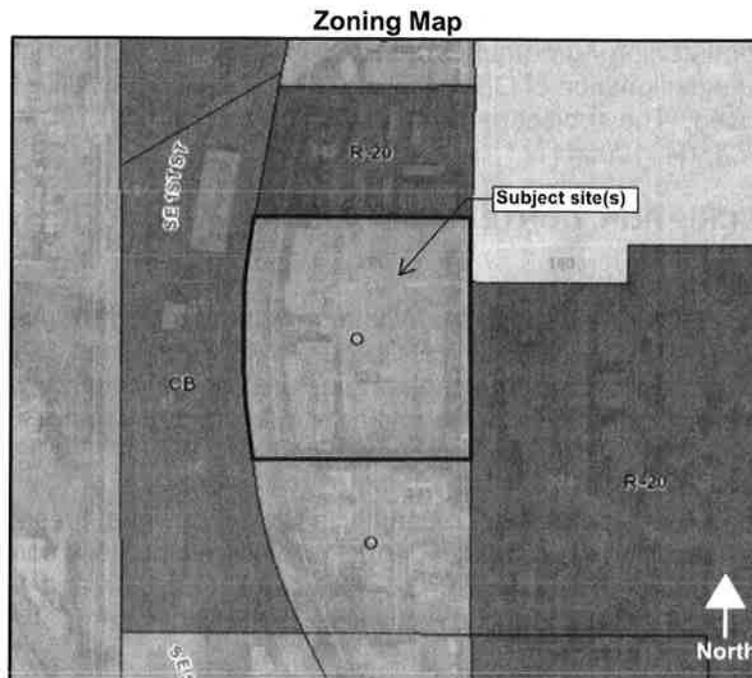
The parcels currently have an Office "O" Land Use District designation and are also located within the Transition Area Design District. Adjacent land uses consist of multi-family residential to the north and east, and office uses to the south and west. It should be noted that the BNSF rail corridor is directly west of the subject properties.

Vicinity Map/Aerial View



The surrounding zoning is as follows:

- North: Residential (R-20)
- South: Office (O)
- East: Residential (R-20)
- West: Community Business (CB)



B. Concomitant Zoning Agreement

The 1977 Concomitant Zoning Agreement (Ordinance No. 2445) placed development conditions on both of the subject properties as part of a rezone from Residential and Agricultural District (R-A) to Office (O). The following are the specific conditions imposed:

- The design of any development of the property must be reviewed and approved by the Bellevue Planning Commission;
- Any multifamily development of the property must comply with the requirements of MR-3L use district for such development (Limitation to two stories); Refer to table in Section C for a comparison of Land Use Code development standards.
- Any development of the property must comply with the development standards set forth in Section 18.14.280, (O-L special conditions), of the Bellevue Zoning Code; Refer to table in Section C for a comparison of Land Use Code development standards.
- Any development of the property must provide landscaping on the east 20 feet of the property; Refer to table in Section C for landscape standard comparison.
- The design and materials used for the roof of any development of the property must be of residential character and be compatible with nearby residential properties. Mechanical equipment must be screened from view of neighboring properties.

While development of these properties were encouraged at the time the Concomitant was placed on the properties, these specific development conditions were likely placed within the Agreement so that impacts to the surrounding neighborhood were carefully reviewed.

Pursuant to Land Use Code (LUC) 20.30F.170, the authority designated in a concomitant agreement for the Planning Commission to review a Design Review application is transferred to the Director for review, and is therefore reviewed administratively under Land Use Code (LUC) 20.30F (Design Review). Therefore, under the existing code, the design of either an office or a residential building would be reviewed administratively through the Design Review process, and not by the Planning Commission.

With the repeal of the concomitant zoning agreement, an office development would require Design Review and an associated Environmental Review (SEPA) because both of the subject properties are located within the Transition Area Design District. Per Land Use Code (LUC) 20.10.440 – Residential Land Use Chart, Footnote 1, a residential project located in an office district would require a Conditional Use Permit if the residential project exceeds 50% of the gross floor area of a structure. Design Review and an associated Environmental Review (SEPA) would also be processed in addition to the Conditional Use Permit.

Under Design Review, all Code development standards, including architectural review of the building structure and locations of mechanical equipment would be undertaken by staff to ensure compliance with the LUC, and to ensure compatibility with the surrounding land uses.

C. Current Proposal

This rezone is being requested in order to allow for future development on the site which will better align with the current Land Use Code, and to provide further development potential on the subject properties in accordance with the most recent Wilburton Subarea Plan. The following tables depict a breakdown between the potential land uses (office vs. multifamily) and the differences between the 1977 and current Land Use Code requirements:

| Multi-Family Project | | | |
|--------------------------------|--|--|---|
| Item | 1977 LUC “MR-3L” Zone | Current LUC “O” in Transition | Outcome |
| Building Height | MR-3L Zone: 30 FT – measured from average <i>finished grade</i> to the highest point of a flat roof, and to the mean height between the eaves and ridge of a pitched roof. Buildings are limited to 2 stories | 30' Basic Height w/out Bonuses 40' Max Height w/Bonuses | Property owner would no longer be restricted to a 2 story structure. May build an extra floor if bonuses are provided. No difference in height calculation. |
| Building (Lot) Coverage | 35% - Interior Lot | 35% May be increased to 50% if proposing congregate care senior housing, senior citizen dwellings, assisted | No real difference, except the possibility of increasing to 50% if specific housing type is proposed. |

Belle-View Office Park Rezone

15-107116-LQ

Page 6 of 14

| | | | |
|--------------------------------|---|--|---|
| | | living or nursing homes. | |
| Impervious Surface | No requirement. | 80% | Impervious surfaces are now taken into consideration as a development standard. |
| Floor Area Ratio (FAR) | No requirement. | No FAR thresholds for multi-family. Dwelling Units per Acre is used. | No change. |
| Dwelling Units per Acre | <p>First two units require minimum lot area = 8,500 sq. ft. Additional units require 1,600 sq. ft. of land per unit.</p> <p>Note: no more than 6 units in a single-story building or no more than 8 units in a 2-story building.</p> <p>Site Area= 123,150 sq. ft. DU/A=32 units in 4 separate buildings, due to the height limitation and number of units per floor restrictions, and buildable area with the existing office structure to remain.</p> | <p>20 units</p> <p>Exceptions for senior, congregate care and assisted living (Footnotes 22, 23)</p> <p>Site Area = 123,150 sq. ft.</p> <p>DU/A=56 units in one building</p> <p>Note: If a residential project exceeds 50% of the gross floor area of the structure, a Conditional Use Permit is required.</p> | Current code provides an opportunity for an increase in number of units within one structure, due to removal of number of units/floor restriction in 1977 LUC |
| Setbacks | <p>Front: 20 FT Rear: 25 FT Side: 10 FT</p> | <p>Front: 30 FT Rear: 25 FT Side: 20 FT</p> | Current zoning requires deeper front yard setback, 20 feet of which is required to be landscaped per Transition Area Design District standards, in addition to larger side yards. |
| Refuse & Recycling | No requirement. | Refuse and recycling specifications as established in LUC 20.20.725 which specifies area requirements | Current code now requires refuse and recycling standards. |
| Multi-Family Play Area | No requirement. | Developments of 10 units or more are required to provide a minimum of 800 sq. ft. of unpaved, usable open space, plus an additional 50 sq. ft. of open space for each | Current code now requires installation of a multi-family play area. |

| | | | |
|--|---|---|--|
| | | additional unit beyond the initial 10 units, up to a maximum of 10,000 sq. ft. | |
| Landscaping & Street Frontage | Any development of the property must provide landscaping on the east (street frontage) 20 FT of the property. | <p>Parking lot landscaping is required per LUC 20.20.520.F.3.a</p> <p>Front = 10' Type III landscaping Rear = 10' Type III landscaping Side = 10' Type III landscaping</p> <p>Note: Property is in Transition Area Design District which requires 20 ft. for all property lines due to subject site abutting districts receiving transition</p> | Current code provides for more prescriptive landscape standards to ensure proper screening between private properties and from the right-of-way. Landscaping is also required as an aesthetic enhancement. |
| Tree Retention | No requirement. | <p>All existing street trees must remain, unless replacement is required by City.</p> <p>Site Perimeter: All significant trees within 15' of the property line shall be retained.</p> <p>Site Interior: 15% of the total diameter inches must be retained.</p> | Current code now places restrictions for tree canopy preservation. |
| Parking | Each dwelling unit is required to provide 2 parking spaces which shall be located on the building lot. | <p>1bed/studio=1.2/unit 2 bed = 1.6/unit 3 bed = 1.8/unit</p> | Regardless of the 1977 or current LUC, parking is required per unit. Current code provides a variety of parking scenario requirements. 1977 LUC requires a higher parking ratio than current LUC. |
| Loading Area | No requirement. | Off-street loading space accessed from a public street is required. | Current code now requires off-street loading to ensure activities are not taking place within the right-of-way. |

| Office Building | | | |
|--|--|---|--|
| Item | 1977 LUC "MR-3L" Zone | Current LUC "O" in Transition | Outcome |
| Building Height | O Zone: 30 FT Buildings are limited to 2 stories | 30 FT Basic Height w/out Bonuses 40 FT Max Height w/Bonuses | Property owner would no longer be restricted to a 2 story structure. May build an extra floor if bonuses are provided. No difference in how height is measured. |
| Building (Lot) Coverage | 35% - Interior Lot | 35% | No change. |
| Impervious Surface | No requirement. | 80% | Impervious surfaces are now taken into consideration as a development standard. |
| Floor Area Ratio (FAR) | No requirement. | >50,000 GFA = 0.5 FAR <50,000 GFA = 0.1-0.3 FAR | Current zoning now has FAR thresholds. |
| Setbacks | Front: 30 FT Rear: 25 FT Side: 20 FT | Front: 30 FT Rear: 25 FT Side: 20 FT | No change. |
| Refuse & Recycling | No requirement. | Refuse and recycling specifications as established in LUC 20.20.725 which specifies area requirements | Current code now requires refuse and recycling standards. |
| Landscaping & Street Frontage | Street frontage shall be landscaped with a shrubby border, a minimum of 8 FT in depth adjoining the street, and tree plantings, a minimum of 22 FT from the street right-of-way. | Parking lot landscaping is required per LUC 20.20.520.F.3.a Front = 10' Type III landscaping Rear = 10' Type III landscaping Side = 10' Type III landscaping Note: Property is in Transition Area Design District which requires 20 ft. for all property lines due to subject site abutting districts receiving transition. | Current code provides for more prescriptive landscape standards to ensure proper screening between private properties and from the right-of-way. Landscaping is also required as an aesthetic enhancement. |

| | | | |
|-----------------------|--|--|--|
| Tree Retention | No requirement. | <p>All existing street trees must remain, unless replacement is required by City.</p> <p>Site Perimeter: All significant trees within 15' of the property line shall be retained.</p> <p>Site Interior: 15% of the total diameter inches must be retained.</p> | Current code now places restrictions for tree canopy preservation. |
| Parking | <p>Business & Professional Offices or Medical & Dental: 1 space/200 sq. ft. of gross floor area</p> <p>Ex: Bldg. GFA = 31,000 = 155 stalls</p> <p>GFA = Gross Floor Area</p> | <p>Office – General Min = 4/1,000 nsf Max = 5/1,000 nsf</p> <p>Office – Medical Min = 4.5/1,000 nsf Max = 5/1,000 nsf</p> <p>NSF = Net Square Feet</p> <p>Ex: Bldg. NSF = 27,630 = 110 stalls (Min)/ 138 stalls (Max)</p> | 1977 LUC requires calculation based on GFA vs. current LUC requires NSF. NSF is a lower square footage than GFA. Old code would require more parking vs. current code. |
| Loading Area | No requirement. | Off-street loading space accessed from a public street is required. | Current code now requires off-street loading to ensure activities are not taking place within the right-of-way. |

From the above two comparison tables, the only significant advantage in using the current land use code is to take advantage of a height bonus, and to have the ability to build over the restricted two stories to gain additional dwelling units for a residential project (32 units vs. 56 units). In addition, the current code does not restrict the number of dwelling units per building, as the 1977 LUC prescribes.

Under an office building scenario, using the old code could result in a greater building size, yet once the setbacks and parking requirements are applied, the building size would likely be limited. Parking requirements for an office proposal would result in a much higher parking ratio under the old code versus the code that is currently applicable. However, the higher parking ratios would seem out of character for parking ratio methods that are applied citywide today.

By removing the 1977 Concomitant Zoning Agreement, any new development would be required to comply with development standards for impervious surface, floor area ratio, refuse/recycling, loading, multi-family play areas, and more restrictive landscape and tree retention standards, which in sum, result in enhanced overall project outcomes for the site and surrounding uses.

III. REVIEW PROCESS

A. Rezone

Rezoning is a Process III decision (LUC 20.25.30) which are quasi-judicial decisions made by the City Council. Decision criteria and decision criteria compliance are both discussed in Section IV. The Hearing Examiner holds a public hearing and takes testimony from the public on the proposal and recommends an action to the City Council. The City Council will then make a decision based on the record established by the Hearing Examiner.

B. SEPA

The environmental determination made under the State Environmental Policy Act (SEPA), and documented in this report, is not a development-specific review, nor is it intended to be a planned action. The environmental review is phased under WAC 197-11-060(5). A more detailed environmental review will be conducted as part of any future permit review if this rezoning application is approved. In addition, the environmental determination made for this rezoning is appealable to the Hearing Examiner. In order to comply with SEPA requirements, as well as the State of Washington Growth Management Act for coordination of hearings, any appeal of the SEPA threshold determination herein will be considered by the Examiner at the pre-decision hearing on the Rezoning action. Only parties who have submitted written comments during the review period for this rezoning and associated SEPA review are allowed to file an appeal of the SEPA threshold determination. The final decision on the SEPA appeal would be issued by the Hearing Examiner and could be appealed only to superior court after council action on the rezoning is final.

IV. DECISION CRITERIA

The City may approve or approve with modifications an application for a rezoning of a property if the following can be met:

A. The rezoning is consistent with the Comprehensive Plan; and

This proposal is consistent with the Comprehensive Plan which contains policies that address land use compatibility. The proposal sites are within the Wilburton/N.E. 8th Street Subarea identified in the City's Comprehensive Plan. The following are the most relevant Comprehensive Plan policies.

Land Use Element Policies:

LU-4: Support a land use vision that is consistent with the GMA goals, the regional Vision 2040, and the King County Countywide Planning Policies.

LU-5: Accommodate adopted growth targets of 17,000 additional housing units and 53,000 additional jobs for the 2006-2031 period and plan for the additional growth anticipated by 2035.

LU-7: Periodically update the city inventory of buildable land capacity and evaluate development activity and achieved densities to ensure that the city is able to meet its regionally-adopted housing and employment targets over the next 20 years.

LU-14: Protect residential areas from the impacts of non-residential uses of a scale not appropriate to the neighborhood.

LU-29: Help communities to maintain their local, distinctive neighborhood character, while recognizing that some neighborhoods may evolve.

Finding: *The proposal is consistent with the Land Use Element Policies. This Rezone request to repeal a 1977 Concomitant Zoning Agreement will allow the two subject sites to be further developed with either additional office density or a multi-family residential structure. Regardless of which use is developed on these properties, either use type would be developed in accordance with the current Land Use Code development standards and would be consistent with development allowed on surrounding properties.*

Wilburton/NE 8th Street Subarea Policies:

S-WI-10: The area between the Burlington Northern Railroad tracks and 118th Avenue SE, if extended to the north, and approximately 190 feet north of SE 5th Street and south of the Main Street extension is appropriate for Office and Multi-family Medium-density residential uses in accordance with the Land Use Plan (Figure S-WI-1). Proposed projects within the area should be subject to design review to ensure that structures are residential in design, height, and bulk. Properties north of Main Street need not be residential in design, height, and bulk if access and orientation are to NE 1st Street and if the structures are visually screened from properties to the south.

S-WI-31: Recognize the transportation and recreation uses under consideration for the BNSF rail corridor when considering public and private improvements adjacent to the corridor and preserve the opportunity for future multi-modal transportation use and access.

Finding: *With the removal of the 1977 Concomitant Zoning Agreement, the applicant has the option to further develop the two existing properties with either an office building or a new multi-family residential structure. Either use type would be consistent and compatible with the surrounding neighborhood, as the parcels along 118th Avenue SE are currently improved with both office and multi-family residential development. In addition, any new development would be sited at the front of the subject properties which would not impact the existing BNSF corridor to the west of these sites. However, either development option could factor in a bicycle/pedestrian connection to the corridor for future multi-modal transportation use and access, as outlined in the Comprehensive Plan.*

B. The rezone bears a substantial relation to the public health, safety, or welfare; and

Finding: *As recommended, this rezone to repeal a 1977 Concomitant Zoning Agreement will not permit any additional land uses than those allowed on surrounding properties under the current zoning. Once removed, further development of the property*

will be required to comply with current development standards not found in the 1977 Land Use Code, which will result in enhanced project outcomes.

C. The rezone is warranted in order to achieve consistency with the Comprehensive Plan or because of a need for additional property in the proposed land use district classification or because the proposed zoning classification is appropriate for reasonable development of the subject property; and

Finding: This rezone to repeal a 1977 Concomitant Zoning Agreement will allow for the reasonable development of the two properties while still requiring the strict application of development standards prescribed in the Land Use Code. In addition, it will achieve consistency with the Comprehensive Plan as it provides for the alignment of the policies specified in the Wilburton/NE 8th Street Subarea regarding multi-family development and/or office development for this specific area of Wilburton.

D. The rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject property; and

Finding: The rezone will not be materially detrimental to the surrounding uses or properties. No redevelopment is proposed at this time. Due to the Transition Area Design District Overlay, any future development on the properties will require Design Review approval. In addition, any specific requests for residential development will likely also require a Conditional Use Permit. The rezone, as proposed, is consistent and compatible with the surrounding area.

E. The rezone has merit and value for the community as a whole.

Finding: Per the Comprehensive Plan policies for the Wilburton/NE 8th Street subarea, both office and multi-family residential are appropriate uses for this specific area of 118th Avenue SE. In addition, should the property be further developed with residential units, this would align with the Land Use Element policies regarding adopted growth targets for additional housing units for the additional growth anticipated by 2035.

V. PUBLIC NOTICE AND COMMENT

| | |
|---|----------------|
| Application Date: | March 11, 2015 |
| Completeness Date: | May 6, 2015 |
| Notice of Application & Public Notice Sign Installed: | June 4, 2015 |
| 14-day Comment Period: | June 18, 2015 |
| Public Meeting Date: | June 9, 2015 |

The City initially notified the public of this proposal on June 4, 2015 with mailed notice and publication in the Weekly Permit Bulletin. Two, double-sided public information signs were also installed at the site entrances on the same day. The minimum required public comment period is 14 days, but written public comments were accepted by the City until the staff report was completed. As of the date of this staff report, no comments have been received. In addition, no members of the public attended the public meeting that was held on June 9, 2015.

VI. SUMMARY OF TECHNICAL REVIEWS

A. Transportation

Transportation Development Review staff confirms that there appear to be two possible development scenarios. Under the first scenario, the current zoning would allow for the additional construction on the site of 58,505 sf of office. Under the requested rezone, that amount would be reduced to 28,061 sf of office. Therefore, trip generation would be reduced and traffic impacts would be reduced.

Under the second scenario, 32 multifamily residential units can currently be constructed on the site. Under the requested rezone, 56 multifamily units could be constructed. The additional 24 multifamily residential units would generate 12 additional p.m. peak hour trips. This volume of trips is relatively small and the existing street infrastructure would be adequate to address the impacts. A complete analysis would be required at the time of any future development application. Concurrency analysis would not be required for a development application of 56 multifamily units, which would generate 27 p.m. peak hour trips, since this is under the 30 p.m. peak hour threshold for requiring such an analysis. Payment of a transportation impact fee per BCC 22.16, which contributes to funding of transportation improvement projects in the Transportation Facilities Plan, would be required for mitigation of long-term traffic impacts. Operational impacts at the access to site would be analyzed at the time of a development application.

B. Utilities

Utilities Department technical staff confirms that there are no utilities related concerns regarding the proposal to remove the 1977 Concomitant Zoning Agreement.

VII. CHANGES TO THE PROPOSAL DUE TO STAFF REVIEW

No changes were proposed by Staff during review of the proposal.

VIII. STATE ENVIRONMENTAL POLICY ACT (SEPA)

An Environmental Checklist and Supplement Sheet for Non-project Action have been reviewed and annotated by Staff. These checklists are available for public review in the project file. Adverse impacts which are less than significant are usually subject to City Codes or Standards which are intended to mitigate those impacts. Where such impacts and regulatory items correspond, further documentation is not necessary. For other adverse impacts which are less than significant, Bellevue City Code Section 22.02.140 provides substantive authority to mitigate impacts disclosed through the environmental review process. Therefore, issuance of a Determination of Non-Significance (DNS) is the appropriate threshold determination under the State Environmental Policy Act (SEPA) requirements.

IX. RECOMMENDATION

After conducting the various administrative reviews associated with the proposal, including applicable Land Use consistency, SEPA and City Code & Standard compliance reviews, the Director does hereby **RECOMMEND APPROVAL** of the subject rezone to remove the 1977 Concomitant Zoning Agreement from the subject properties (Ordinance 2445).

X. RECOMMENDED CONDITIONS OF APPROVAL

No Conditions of Approval have been identified as the existing Land Use Code prescribes thorough development standards which mitigate for any future development consistent with regulations applicable to surrounding properties.

2445
6-29-77

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 2445

AN ORDINANCE reclassifying property located on the west side of 118th Avenue S.E., approximately 500 feet south of Main Street in the City of Bellevue upon application of First Bellevue Associates.

WHEREAS, an application for reclassification of the parcel herein-after described was duly filed with the appropriate City officials; and

WHEREAS, a public hearing was held thereon before the Planning Commission upon notice to all interested persons; and

WHEREAS, the Planning Commission has recommended approval of said reclassification of the property located on the west side of 118th Avenue S.E., approximately 500 feet south of Main Street in the City of Bellevue from R-A to O based upon findings that the proposed development is in keeping with the objectives of the Comprehensive Plan and that there is merit and value in the proposed development for the community as a whole; and

WHEREAS, the City Council has determined that the public use and interest will be served by reclassifying said parcel; and

WHEREAS, the City has complied with the requirements of the State Environmental Policy Act and the City Environmental Procedures Ordinance; now, therefore

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

Section 1. The use classification of the following described parcel is changed from R-A to O with conditions:

LEGAL DESCRIPTION

The north 1/2 of that part of lot 3 lying E. of the right-of-way of the Northern Pacific Railway Company; and that part of lot 4 comprising one acre, which is bounded on the E. by the E. line of said lot 4, and the S. by the S. line of said lot 4, on the W. by the Northern Pacific Railway Company's right-of-way, and on the N. by line parallel with the S. line of said lot 4, all in Strawberry lawn, according to plat thereof recorded in volume 4 of plats, page 30-1/2, records of said county (KING). (Situated in King County, Washington).

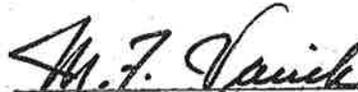
244 5
6-29-77

This reclassification from R-A to O is conditioned on full compliance by the owners of said property and their heirs, assigns, grantees, or successors in interest, with the terms and conditions of that certain concomitant zoning agreement, executed by First Bellevue Associates and Charles B. Smith, a copy of which has been given Clerk's Receiving No. 4280 and which is adopted by reference into this ordinance as if it were fully set forth herein.

Section 2. This ordinance shall take effect and be in force five days after its passage and legal publication.

PASSED by the City Council this 11 day of July, 1977, and signed in authentication of its passage this 11 day of July, 1977.

(SEAL)


M. F. Vanik, Mayor

Approved as to form:



Richard Gidley, Assistant City Attorney

Attest:



Patricia K. Weber, City Clerk

Published July 16, 1977

7 99

FILED NO. 4280
CITY OF BELLEVUE
DATE 7-11-77
CITY CLERK *P. Welton*

CONCOMITANT ZONING AGREEMENT

WHEREAS, the City of Bellevue, Washington, a non-charter code city, under the laws of the State of Washington (Chapter 35A.63 RCW and Article 11, Section 11 of the Washington State Constitution) has authority to enact laws and enter into agreements to promote the health, safety and welfare of its citizens, and thereby control the use and development of property within its jurisdiction; and

WHEREAS, the holders of a vendee interest in certain property (hereafter called Vendee) have applied for a rezone of such property described below within the City's jurisdiction from R-A to O; and

WHEREAS, the City pursuant to RCW 43.21C of the State Environmental Policy Act should mitigate any adverse impacts which might result because of the proposed rezone; and

WHEREAS, the City of Bellevue, the Owner of the property and the Vendee are interested in compliance with the Bellevue City Code provisions relating to the use and development of the property situated in the City of Bellevue, Washington, described as follows:

The north 1/2 of that part of lot 3 lying E. of the right-of-way of the Northern Pacific Railway Company; and that part of lot 4 comprising one acre, which is bounded on the E. by the E. line of said lot 4, and the S. by the S. line of said lot 4, on the W. by the Northern Pacific Railway Company's right-of-way, and on the N. by line parallel with the S. line of said lot 4, all in Strawberry lawn, according to plat thereof recorded in volume 4 of plats, page 30-1/2, records of said county (KING).

WHEREAS, the Owner and the Vendee have indicated willingness to cooperate with the City of Bellevue, its Planning Commission and Planning Department to insure compliance with the Bellevue Zoning Code, the Bellevue Sign Code and all other local, state and federal laws relating to the use and development of the above described property; and

WHEREAS, the City, in addition to civil and criminal sanctions available by law, desires to enforce the rights and interests of the public by this concomitant agreement;

NOW, THEREFORE, in the event the above-described property is rezoned by the City of Bellevue from R-A to O and in consideration of that event should it occur, and subject to the terms and conditions hereinafter stated, the Owner and the Vendee do hereby covenant and agree as follows:

1. The Owner and the Vendee promise to comply with all of the terms and conditions of this agreement in the event the City, as full consideration herein, rezones the above described property from R-A to O.
2. Specific Conditions:
 - a. The design of any development of the property must be reviewed and approved by the Bellevue Planning Commission;
 - b. Any multifamily development of the property must comply with the requirements of MR-3L use district for such development (Limitation to two stories);
 - c. Any development of the property must comply with the development standards set forth in Section 18.14.280, (O-L special conditions), of the Bellevue Zoning Code;
 - d. Any development of the property must provide landscaping on the east 20 ft. of the property; and
 - e. The design and materials used for the roof of any development of the property must be of residential character and be compatible with nearby residential properties. Mechanical equipment must be screened from view of neighboring properties.
3. In the event that any term or clause of this agreement conflicts with applicable law, such conflicts shall not affect other

terms of this agreement which can be given effect without the conflicting term or clause, and to this end the terms of this agreement are declared to be severable.

4. No modifications of this agreement shall be valid unless mutually agreed upon by all parties in writing and recorded with the King County Department of Records and Elections.

5. In addition to all other remedies available to the City by law, the City reserves the right to initiate proceedings to revoke the rezoning of the above-described property should the Owner or the Vendee fail to comply with any of the terms and conditions of this agreement.

6. The City may at its discretion bring a lawsuit to compel specific performance of the terms of this agreement.

7. In addition to all remedies available under this agreement and available to the City by law, the City shall be entitled to reasonable attorney's fees in any action necessary to enforce this agreement.

8. Nothing in this agreement shall be construed to restrict the authority of the City to exercise its power to rezone this property in future years.

9. The owner and the Vendee agree to indemnify and save harmless the City of Bellevue from and against all claims, suits,

damages, costs, losses and expenses in any manner resulting from, arising out of, or connected with the Owner's or the Vendee's negligent performance of or failure to perform fully any term or condition of this agreement.

10. This agreement shall be binding on the heirs, assigns, and successors of the Owner and the Vendee of the property herein described.

Dated this 31st day of May, 1977.

The person(s) whose names are subscribed herein do hereby certify that they are the sole holders of fee simple interest in the above described property or the holders of a vendee's interest in said property:

OWNER:

Charles B. Smith
Charles B. Smith

VENDEE:

Real Estate Contract dated August 17, 1973 between Charles B. Smith, seller, and First Bellevue Associates, a Washington Limited Partnership, purchaser, King County Auditor No. 7309120007, modified by agreement dated August 13, 1975.

FIRST BELLEVUE ASSOCIATES, a Washington Limited Partnership,
By Paul D. Dunstan, its General Partner

Paul D. Dunstan
Paul D. Dunstan

STATE OF WASHINGTON }
COUNTY OF KING } SS

On this 31st day of May, 1977, before me the undersigned, a notary public in and for the State of Washington, duly commissioned and sworn, personally appeared Paul D. Dunstan to me known to be the General Partner of the Limited Partnership that executed the foregoing instrument and acknowledged the same to be the free and voluntary act and deed of said Partnership, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument on behalf of said Partnership.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.

Jean Mursapany
Notary Public in and for the State of
Washington;
Residing at Bellevue

STATE OF WASHINGTON }
COUNTY OF KING } SS

On this day personally appeared before me Charles B. Smith to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged that he signed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.

Given under my hand and official seal this 31st day of May, 1977.

Jean Mursapany
Notary Public in and for the State of
Washington;
Residing at Bellevue

Approved as to form:

Lawrence H. Mordy
Assistant City Attorney

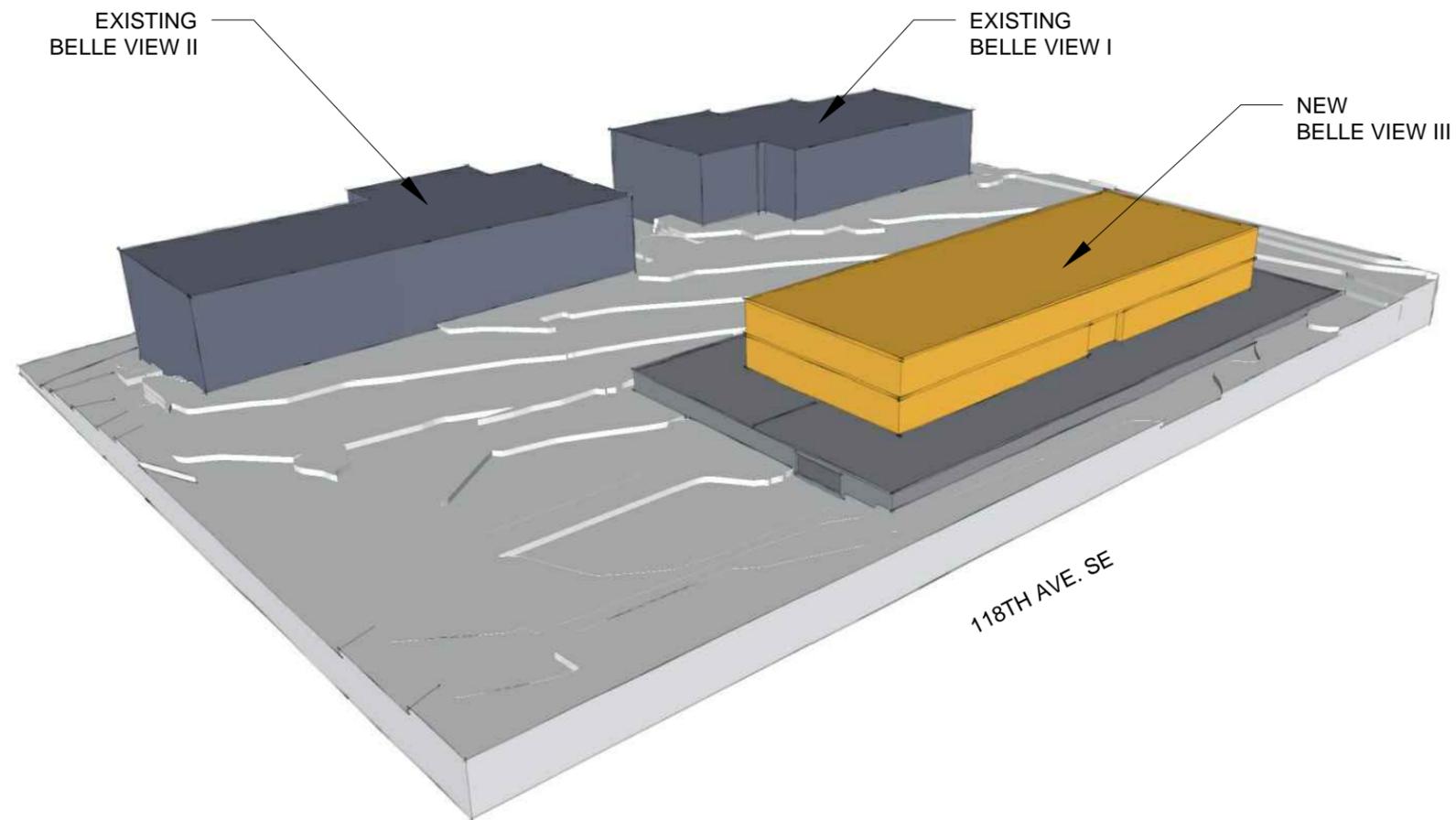


PROJECT DESCRIPTION

THE PROJECT SITE IS LOCATED ON TWO LOTS WITH AN EXISTING OFFICE BUILDING ON EACH LOT AND 201 AT-GRADE SURFACE PARKING STALLS FACING 118TH AVE. SE. A LOT BOUNDARY ADJUSTMENT WILL BE MADE TO DECREASE THE AREAS OF LOT 1 AND INCREASE THE AREA OF LOT 2. THE NEW LOT 1 WILL CONTAIN AN EXISTING OFFICE BUILDING AND 41 AT-GRADE PARKING STALLS. THE NEW LOT 2 WILL CONTAIN AN EXISTING OFFICE BUILDING AND A NEW 2-STORY OFFICE BUILDING WITH 167 BELOW-GRADE PARKING STALLS.

SHEET INDEX

- COVER
- SUMMARY
- PROPOSED LOT LAYOUT
- SITE PLAN
- L1 PLAN
- L2 PLAN
- P1 PLAN
- P2 PLAN
- P3 PLAN
- SECTION



VICINITY MAP



PROJECT MATRIX

Belle View Office Building

10/1/2015 *print date*

| LOT 1 | |
|---|-----------------|
| EXISTING BELLE VIEW I AREA SUMMARY | |
| LOT AREA: | 36,993 GSF |
| MAXIMUM FAR: | 0.5 |
| LOT COVERAGE: | 33% 35% allowed |
| BUILDING AREA: | 20,964 GSF |
| 7% WALL AREA: | 1,467 GSF |
| 2 STAIRS PER LEVEL: | 800 GSF |
| 1 ELEVATOR PER LEVEL: | 200 GSF |
| NET FLOOR AREA: | 18,497 SF |
| FAR USED: | 0.50 |

| LOT 2 | | |
|---------------|-------------------------------------|---------------------------------|
| LOT SUMMARY | EXISTING BELLE VIEW II AREA SUMMARY | NEW BELLE VIEW III AREA SUMMARY |
| LOT AREA: | 123,150 GSF | |
| MAXIMUM FAR: | 0.5 | |
| LOT COVERAGE: | 24% 35% allowed | |
| | BUILDING AREA: | BUILDING AREA: |
| | 37,649 GSF | 31,000 GSF |
| | 7% WALL AREA: | 7% WALL AREA: |
| | 2,635 GSF | 2,170 GSF |
| | 2 STAIRS PER LEVEL: | 2 STAIRS PER LEVEL: |
| | 1,200 GSF | 800 GSF |
| | 1 ELEVATOR PER LEVEL: | 2 ELEVATORS PER LEVEL: |
| | 300 GSF | 400 GSF |
| | NET FLOOR AREA: | NET FLOOR AREA: |
| | 33,514 SF | 27,630 SF |
| FAR USED: | 0.50 | |

| PARKING MATRIX | PARKING REQMT | AREA (USF) | STALLS REQD |
|-------------------|---------------|------------|-------------|
| BELLE VIEW I | 4 / 1000USF | 17,218 | 69 |
| BELLE VIEW II | 4 / 1000USF | 30,846 | 123 |
| BELLE VIEW III ** | 4 / 1000USF | 23,762 | 95 |
| TOTAL | | | 287 |

| LEVEL | STALLS PROV'D |
|---------------|---------------|
| P3 | 25 |
| P2 | 94 |
| P1 | 48 |
| L1 | 127 |
| TOTAL: | 294 |

* Bellevue defines Gross Floor Area as the total number of square feet within the inside finished wall surface of the outer building walls of a structure, excluding vent shafts, stairwells, and atriums. For the purposes of calculating FAR, gross floor area also excludes parking and mechanical areas.

** For the purposes of keeping the parking numbers consistent with Belle View I & II, we reduced the Gross Floor Area by 14% to get to the USF.



BELLE-VIEW III - SUMMARY

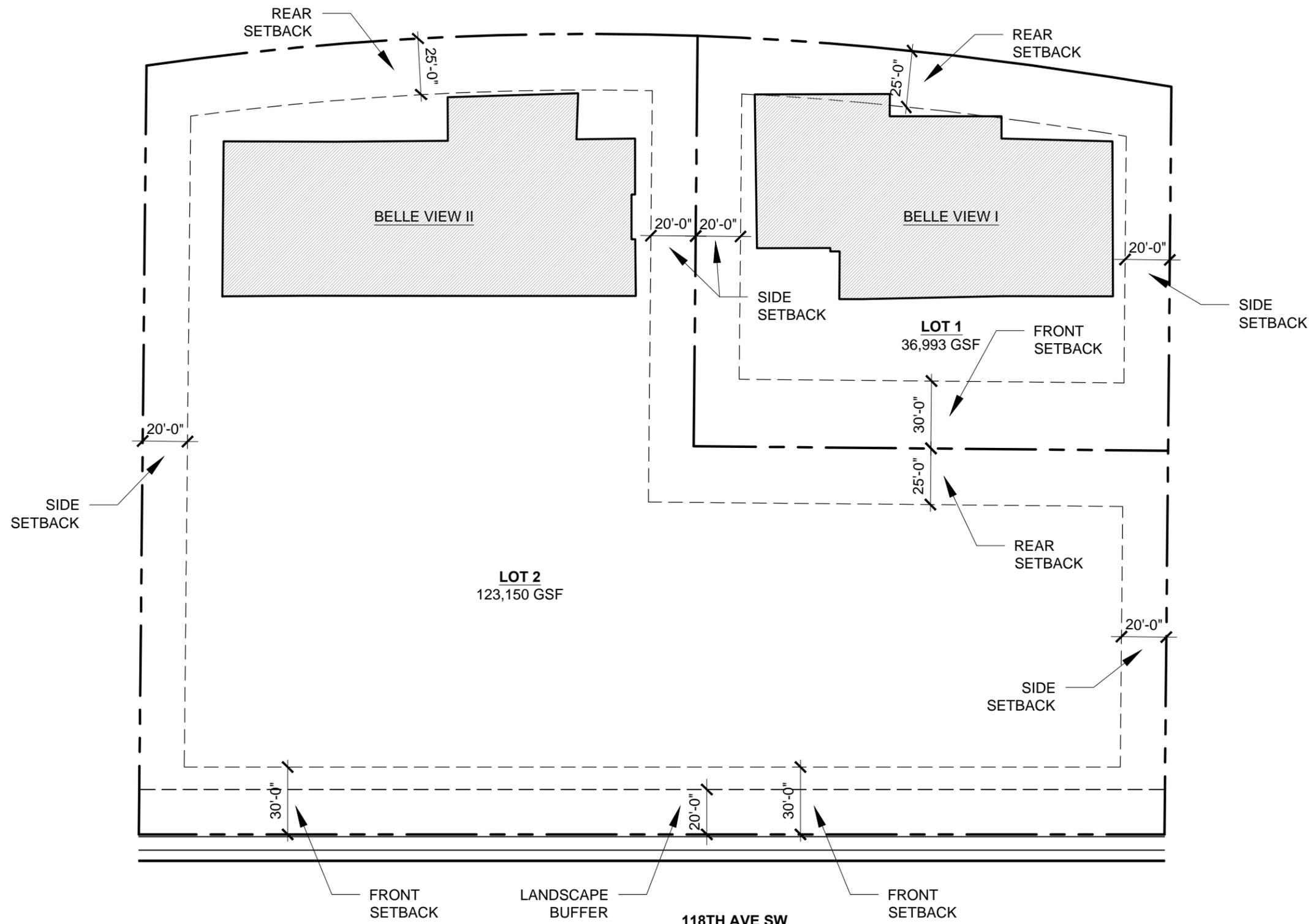
08.31.2015

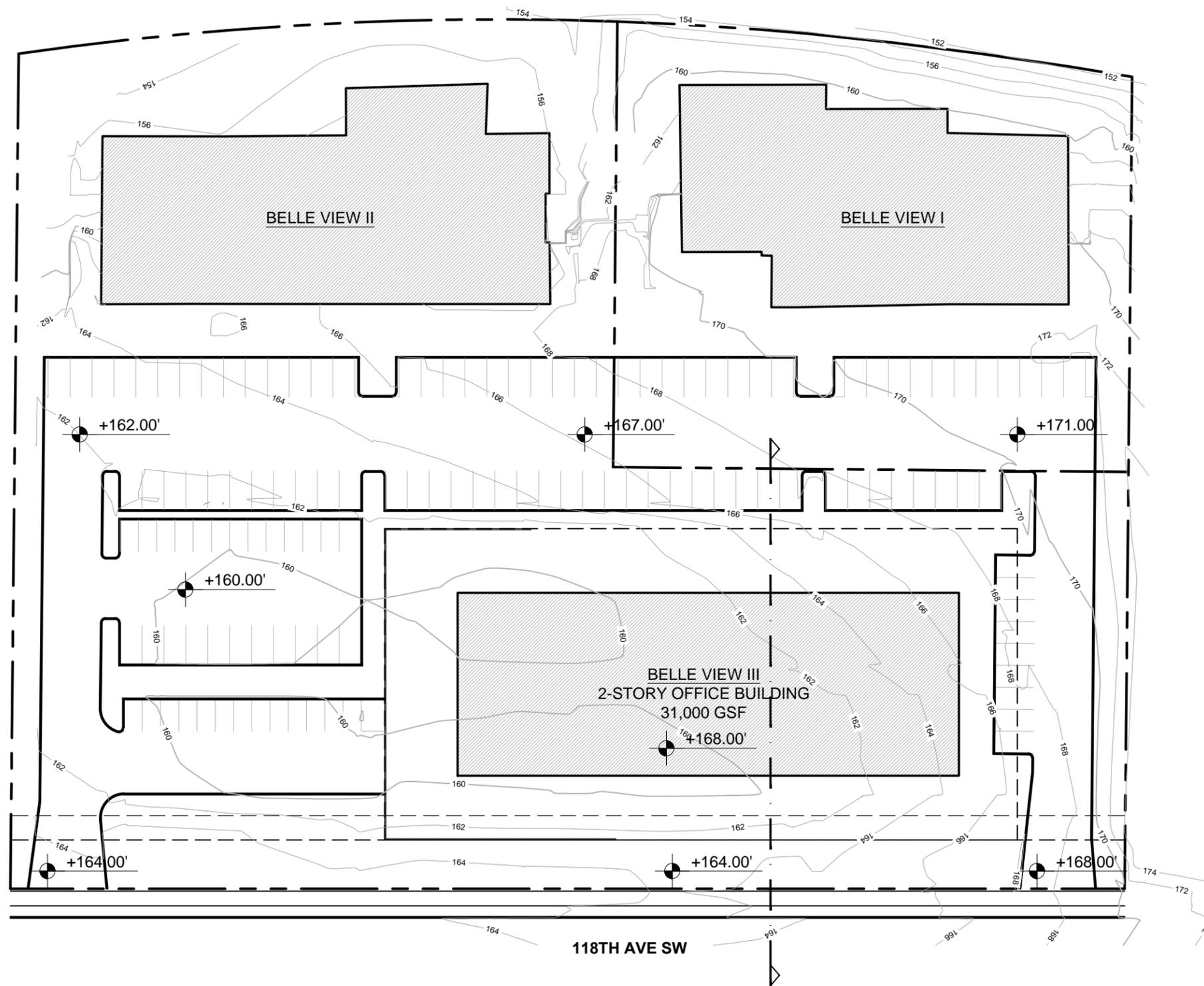
www.weberthompson.com

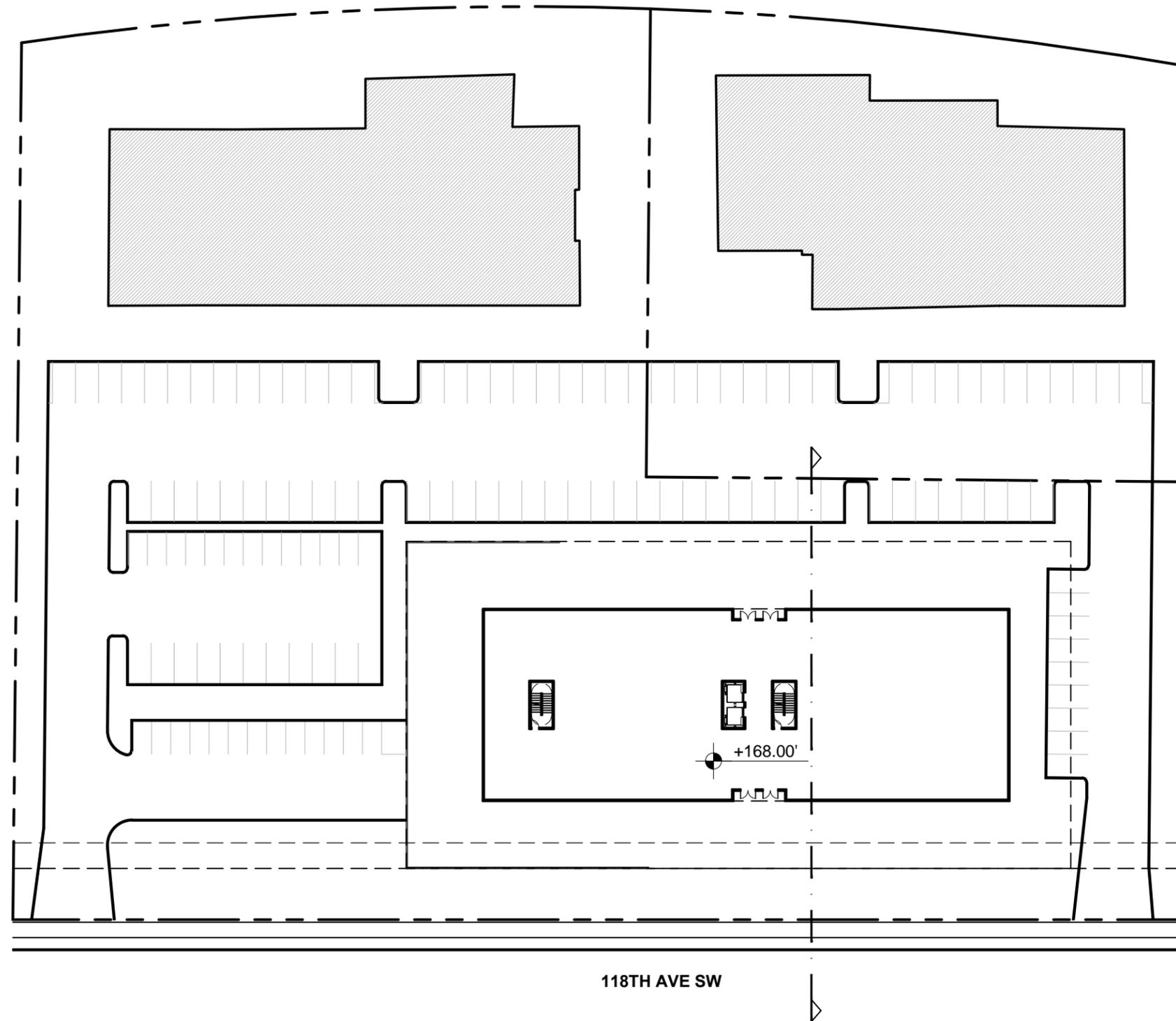
© COPYRIGHT 2015 WEBER THOMPSON | 13-014

WEBER THOMPSON



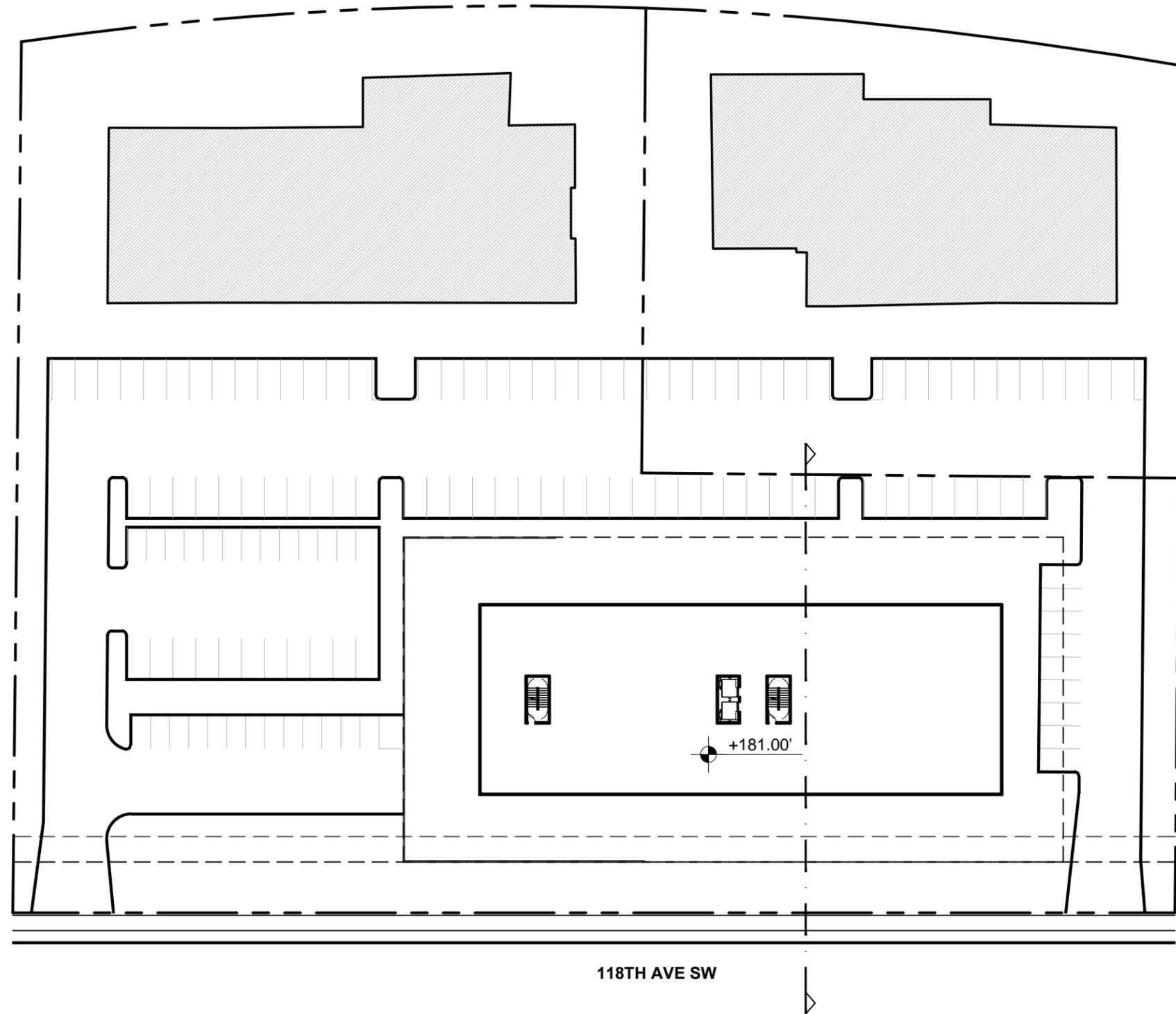


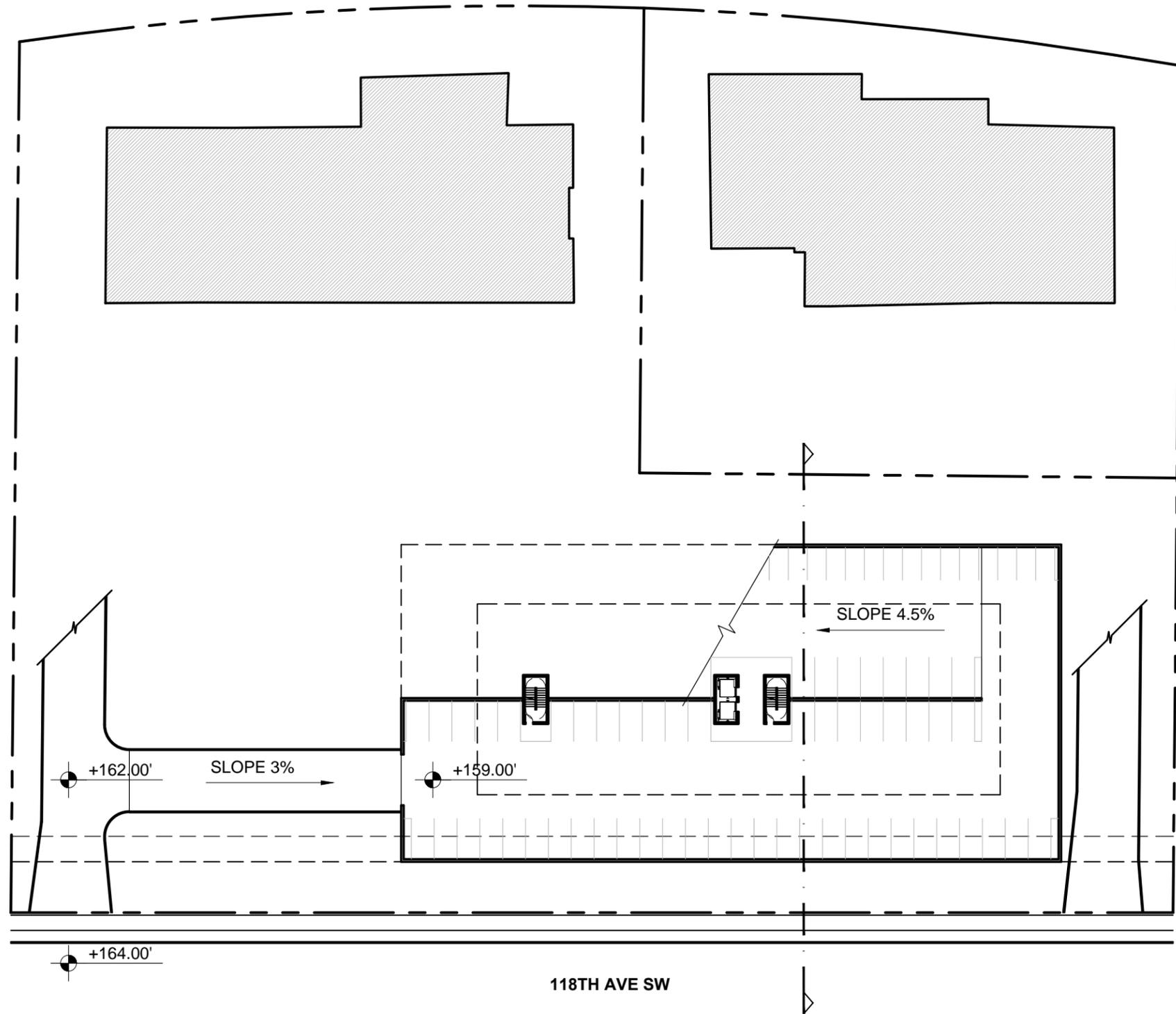


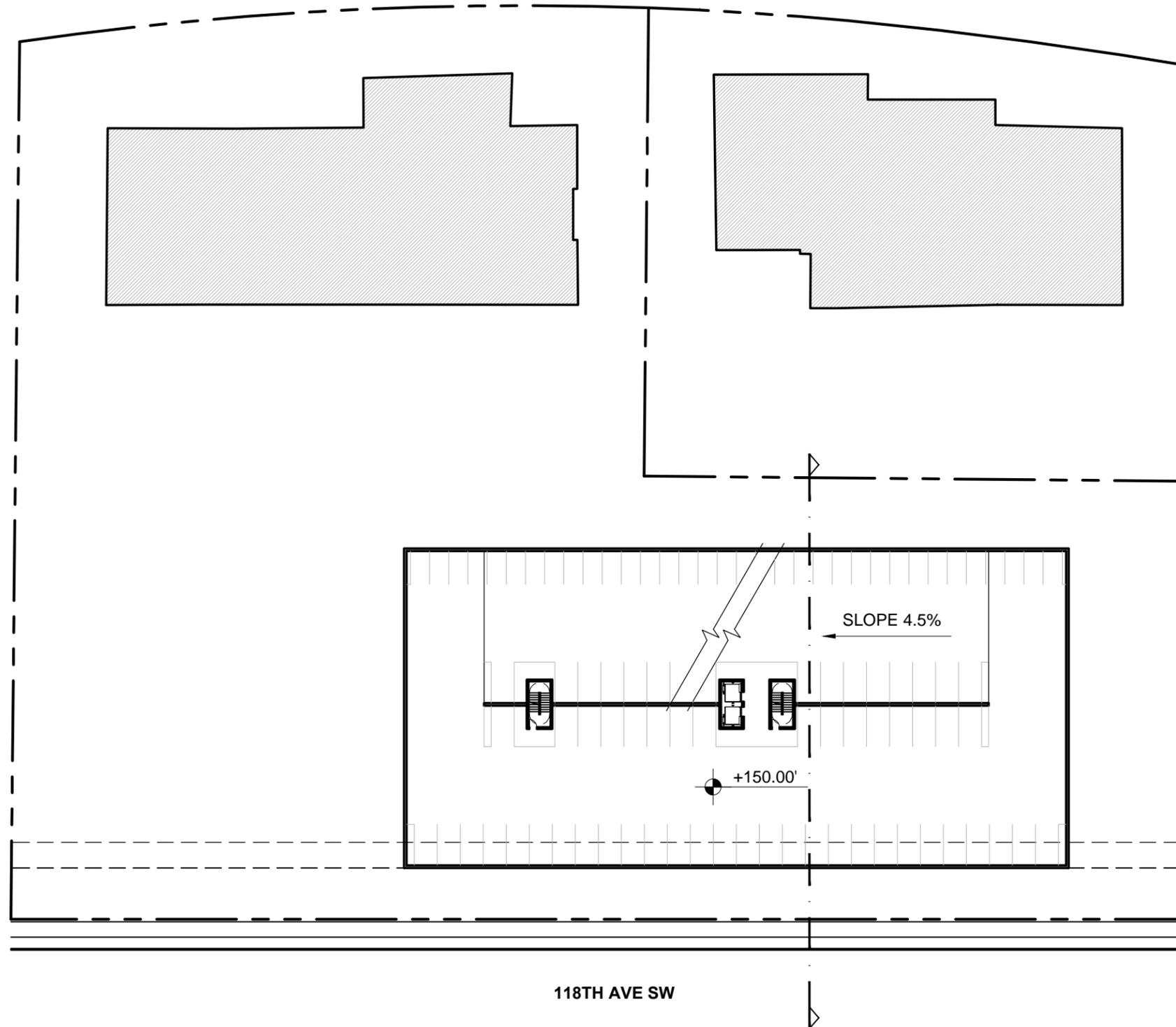


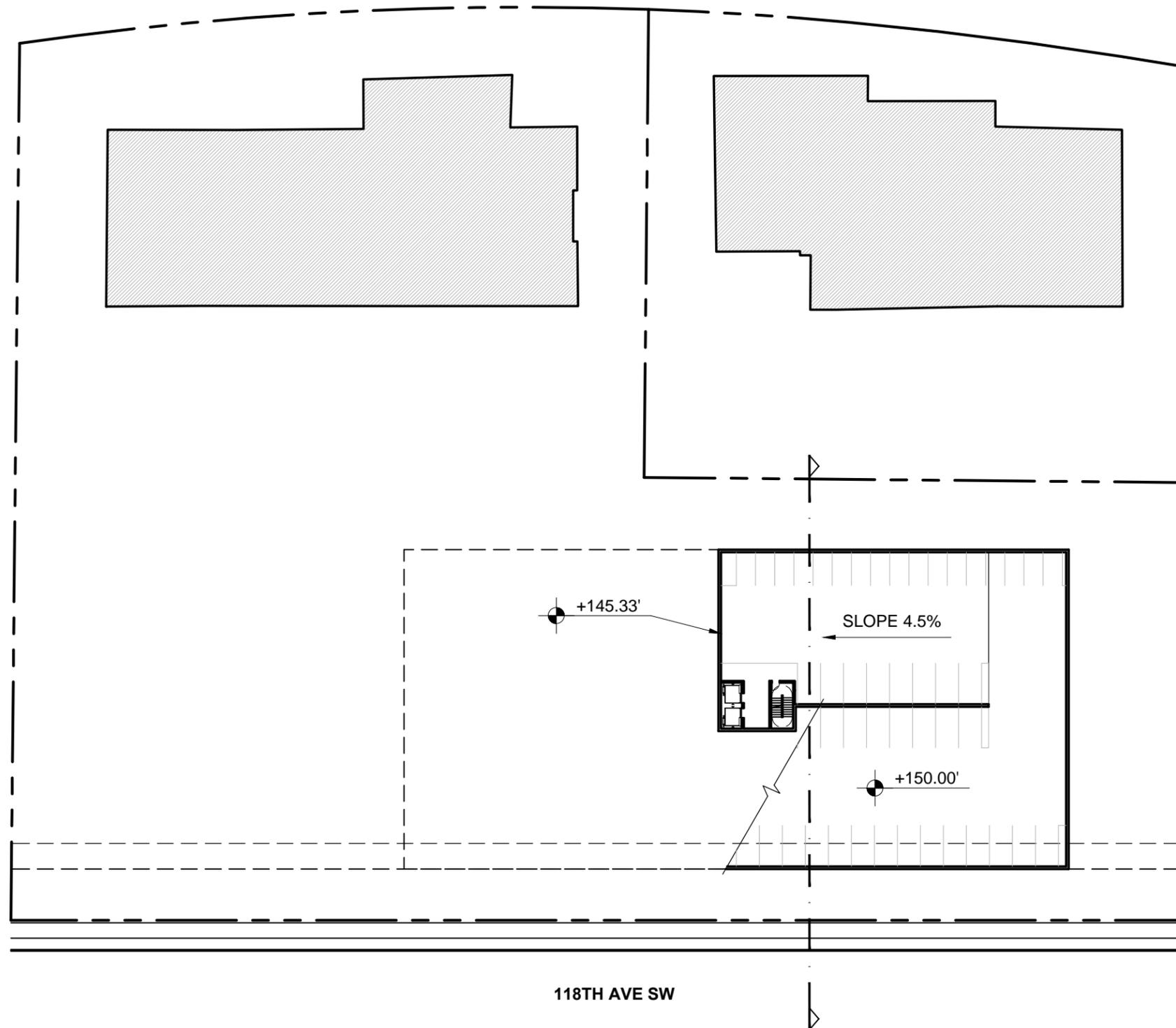
118TH AVE SW

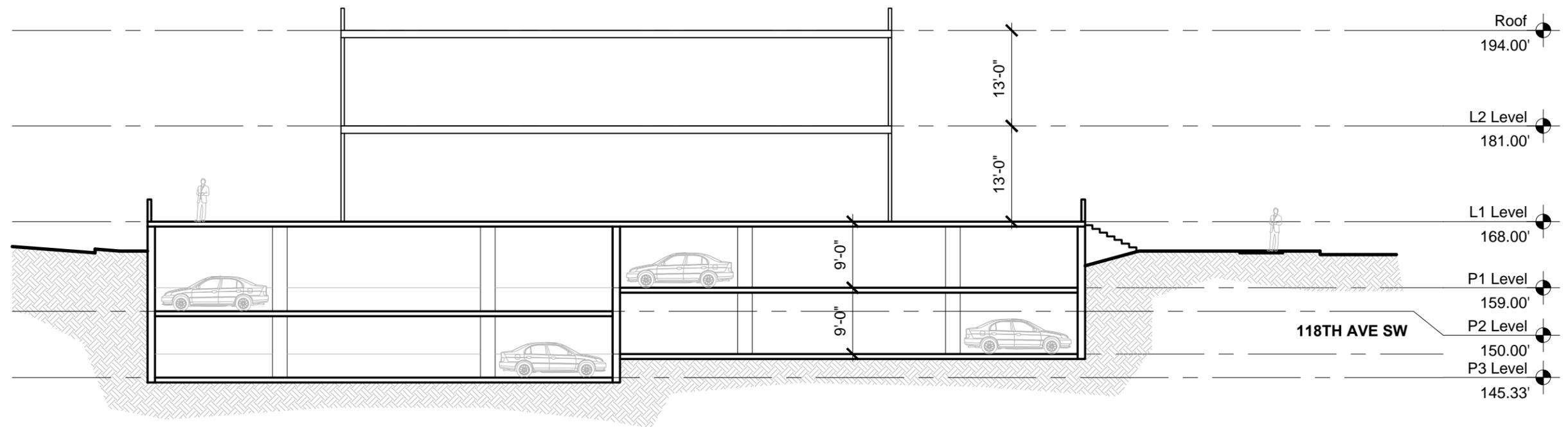












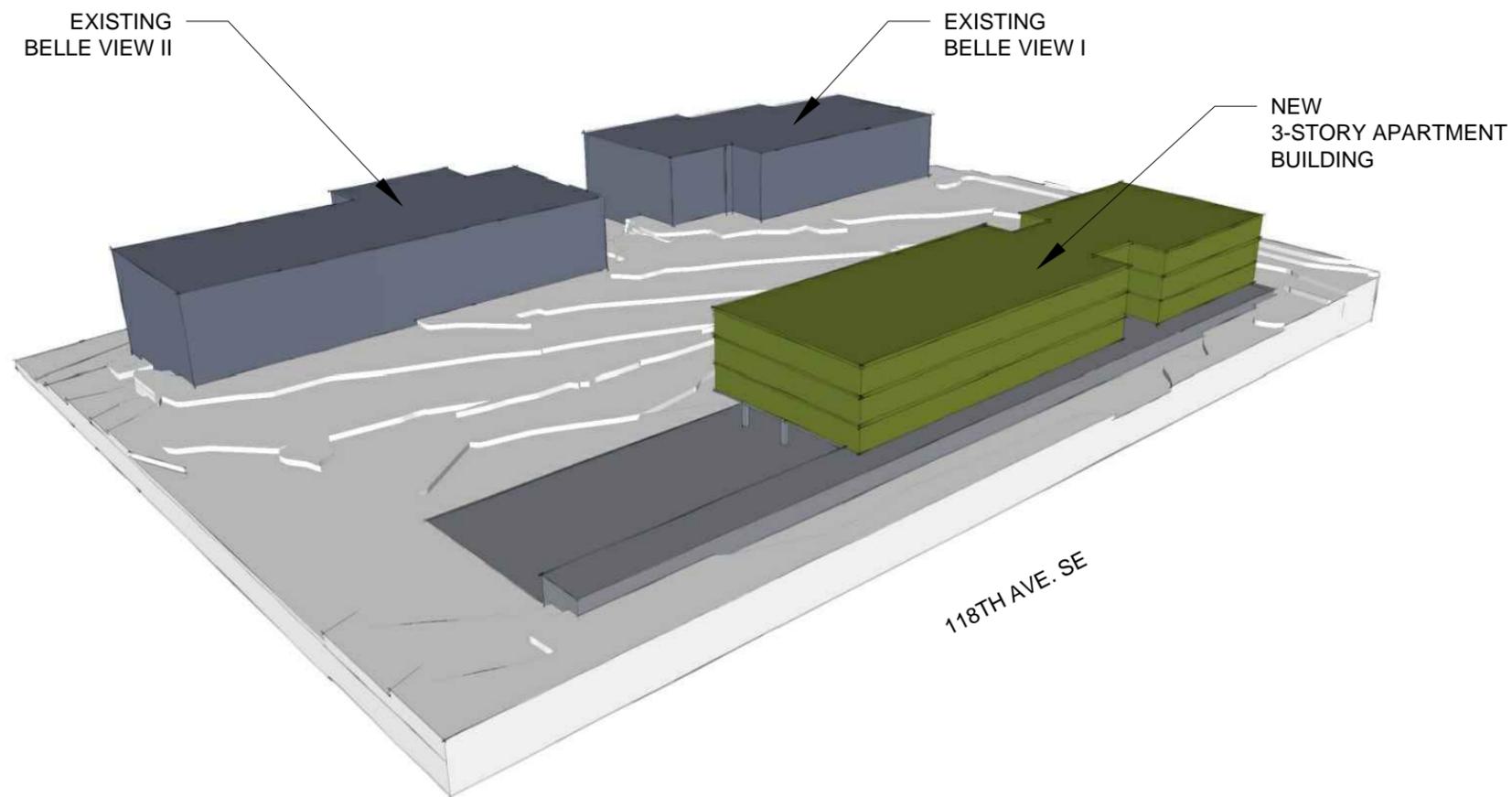


PROJECT DESCRIPTION

THE PROJECT SITE IS LOCATED ON TWO LOTS WITH AN EXISTING OFFICE BUILDING ON EACH LOT AND 201 AT-GRADE SURFACE PARKING STALLS FACING 118TH AVE. SE. A LOT BOUNDARY ADJUSTMENT WILL BE MADE TO DECREASE THE AREAS OF LOT 1 AND INCREASE THE AREA OF LOT 2. THE NEW LOT 1 WILL CONTAIN AN EXISTING OFFICE BUILDING AND 41 AT-GRADE PARKING STALLS. THE NEW LOT 2 WILL CONTAIN AN EXISTING OFFICE BUILDING AND NEW 3-STORY APARTMENT BUILDING CONTAINING 53 UNITS OVER A CONCRETE SLAB WITH 74 BASEMENT PARKING STALLS AND 127 AT-GRADE SURFACE PARKING STALLS.

SHEET INDEX

- COVER SHEET
- SUMMARY
- PARKING PLAN
- SITE PLAN
- TYPICAL RESIDENTIAL PLAN
- SECTION



VICINITY MAP



PROJECT MATRIX

Building Area by Floor Level and Use

| Floor level | Gross Square Footage of Areas by Use | | | | Efficiency |
|--------------|--------------------------------------|----------------------------------|------------------|-------------------------------|------------|
| | Common Area (CA) | Major Vertical Penetration (MVP) | Residential (RU) | Construction Gross Area (CGA) | |
| L1 | 1,652 | 437 | 13,996 | 16,085 | 87% |
| L2 | 1,652 | 437 | 13,996 | 16,085 | 87% |
| L3 | 1,652 | 437 | 13,996 | 16,085 | 87% |
| Total | 4,956 | 1,311 | 41,988 | 48,255 | 87% |

| Units | Unit Type | Description | GSF | % of Mix |
|-----------|------------------------|-------------|------|-------------|
| 9 | A1 | Studio | 512 | |
| 3 | A2 | Studio | 506 | 23% |
| 24 | B1 | 1 bd / 1 ba | 768 | |
| 2 | B2 | 1 bd / 1 ba | 764 | |
| 3 | B3 | 1 bd / 1 ba | 865 | 55% |
| 6 | C1 | 2 bd / 2 ba | 1101 | |
| 3 | C2 | 2 bd / 2 ba | 905 | |
| 3 | C3 | 2 bd / 2 ba | 1074 | 23% |
| 53 | TOTAL / AVERAGE | | | 100% |

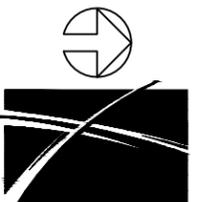
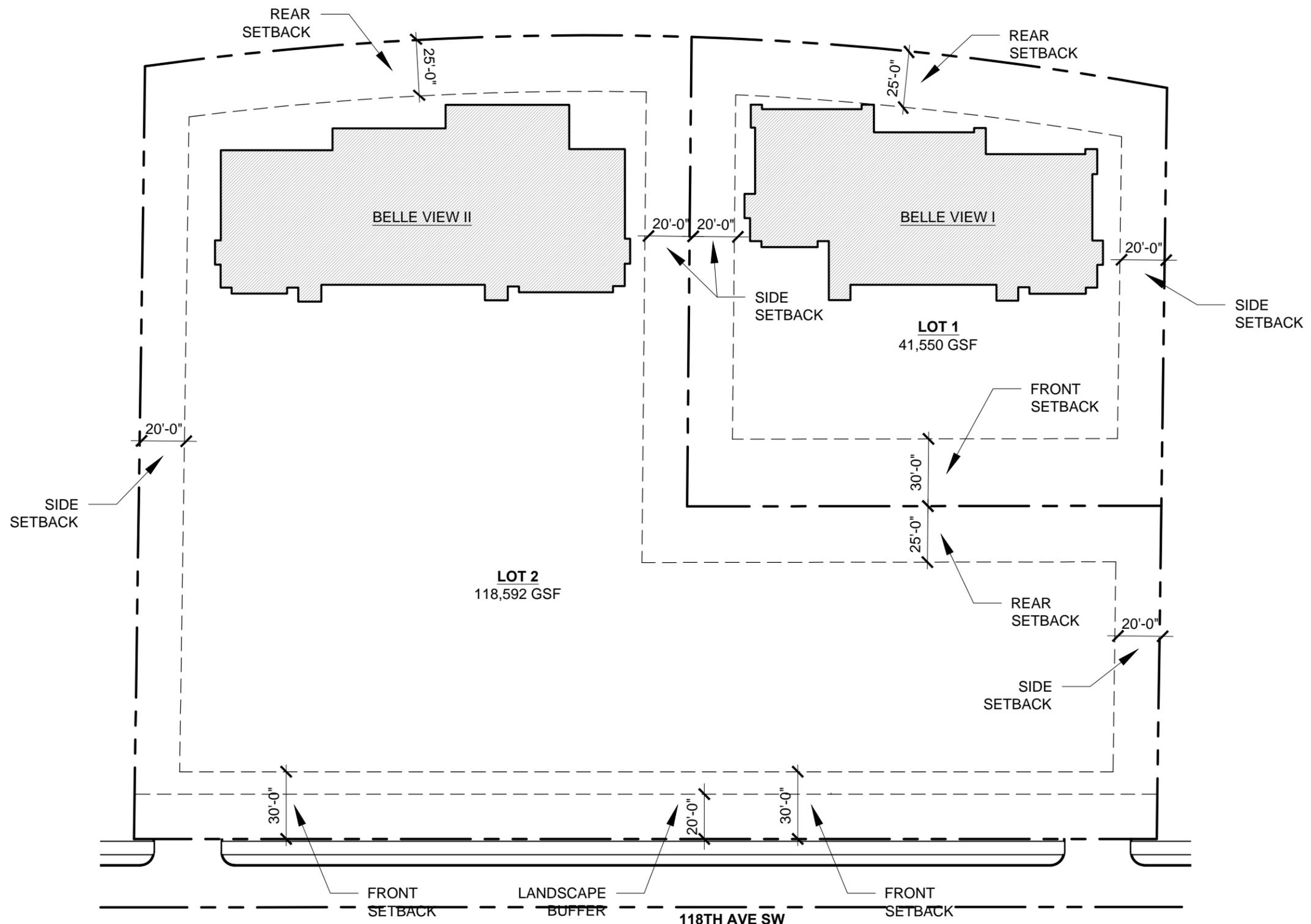
| Unit # | Unit Type | Description | GSF |
|--------|-----------|-------------|---------------|
| 101 | B2 | 1 bd / 1 ba | 764 |
| 102 | B1 | 1 bd / 1 ba | 768 |
| 103 | B1 | 1 bd / 1 ba | 768 |
| 104 | B1 | 1 bd / 1 ba | 768 |
| 105 | A2 | Studio | 506 |
| 106 | C2 | 2 bd / 2 ba | 905 |
| 107 | C3 | 2 bd / 2 ba | 1074 |
| 108 | A1 | Studio | 512 |
| 109 | B1 | 1 bd / 1 ba | 768 |
| 110 | B1 | 1 bd / 1 ba | 768 |
| 111 | B1 | 1 bd / 1 ba | 768 |
| 112 | B1 | 1 bd / 1 ba | 768 |
| 113 | B1 | 1 bd / 1 ba | 768 |
| 114 | A1 | Studio | 512 |
| 115 | C1 | 2 bd / 2 ba | 1101 |
| 116 | C1 | 2 bd / 2 ba | 1101 |
| 117 | A1 | Studio | 512 |
| 118 | B3 | 1 bd / 1 ba | 865 |
| | | | 13,996 |

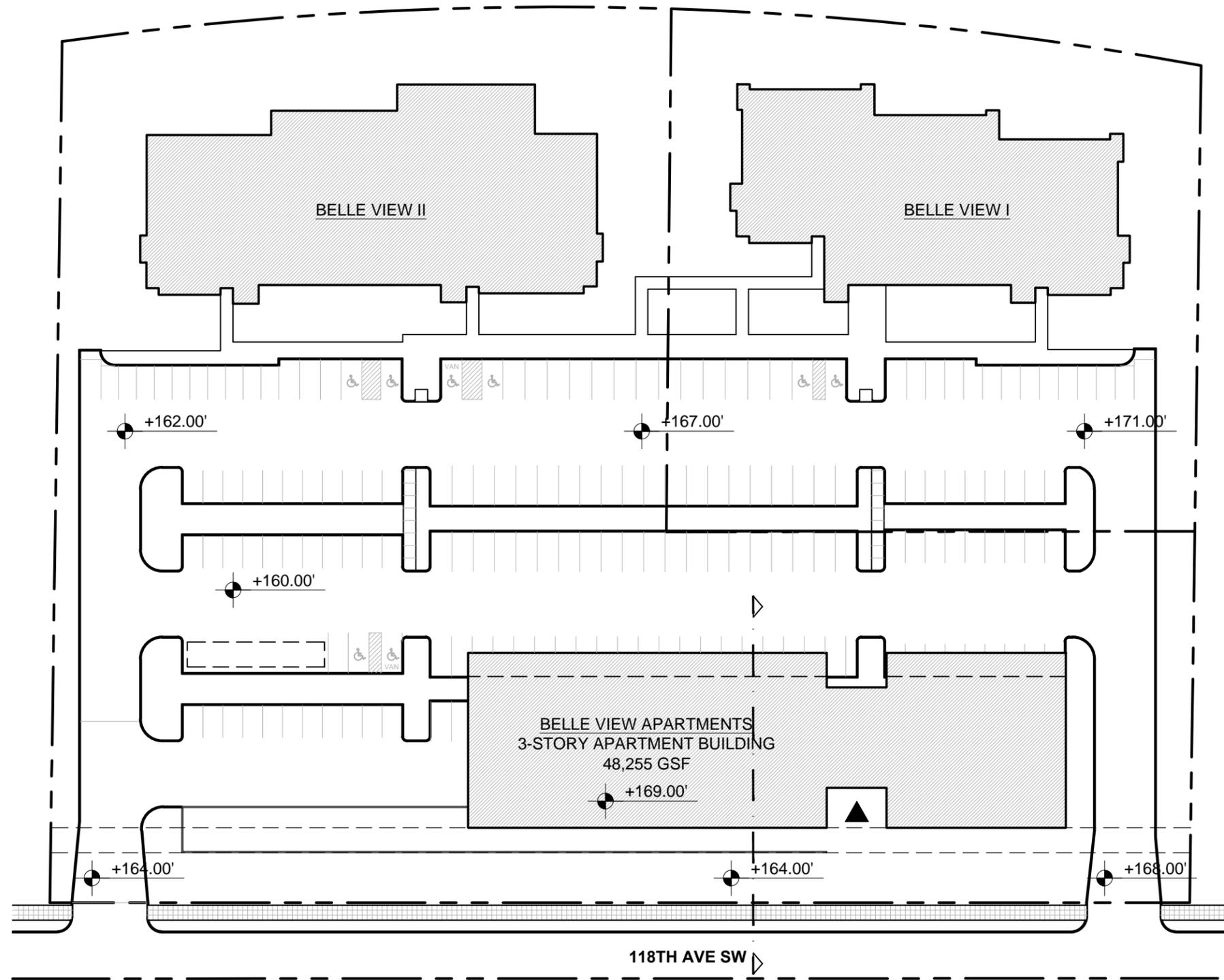
| Unit # | Unit Type | Description | GSF |
|--------|-----------|-------------|---------------|
| 201 | B2 | 1 bd / 1 ba | 764 |
| 202 | B1 | 1 bd / 1 ba | 768 |
| 203 | B1 | 1 bd / 1 ba | 768 |
| 204 | B1 | 1 bd / 1 ba | 768 |
| 205 | A2 | Studio | 506 |
| 206 | C2 | 2 bd / 2 ba | 905 |
| 207 | C3 | 2 bd / 2 ba | 1074 |
| 208 | A1 | Studio | 512 |
| 209 | B1 | 1 bd / 1 ba | 768 |
| 210 | B1 | 1 bd / 1 ba | 768 |
| 211 | B1 | 1 bd / 1 ba | 768 |
| 212 | B1 | 1 bd / 1 ba | 768 |
| 213 | B1 | 1 bd / 1 ba | 768 |
| 214 | A1 | Studio | 512 |
| 215 | C1 | 2 bd / 2 ba | 1101 |
| 216 | C1 | 2 bd / 2 ba | 1101 |
| 217 | A1 | Studio | 512 |
| 218 | B3 | 1 bd / 1 ba | 865 |
| | | | 13,996 |

| Unit # | Unit Type | Description | GSF |
|--------|-----------|-------------|---------------|
| 301 | B2 | 1 bd / 1 ba | 764 |
| 302 | B1 | 1 bd / 1 ba | 768 |
| 303 | B1 | 1 bd / 1 ba | 768 |
| 304 | B1 | 1 bd / 1 ba | 768 |
| 305 | A2 | Studio | 506 |
| 306 | C2 | 2 bd / 2 ba | 905 |
| 307 | C3 | 2 bd / 2 ba | 1074 |
| 308 | A1 | Studio | 512 |
| 309 | B1 | 1 bd / 1 ba | 768 |
| 310 | B1 | 1 bd / 1 ba | 768 |
| 311 | B1 | 1 bd / 1 ba | 768 |
| 312 | B1 | 1 bd / 1 ba | 768 |
| 313 | B1 | 1 bd / 1 ba | 768 |
| 314 | A1 | Studio | 512 |
| 315 | C1 | 2 bd / 2 ba | 1101 |
| 316 | C1 | 2 bd / 2 ba | 1101 |
| 317 | A1 | Studio | 512 |
| 318 | B3 | 1 bd / 1 ba | 865 |
| | | | 13,996 |

Unit Totals: 41,988



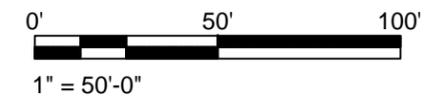




▲ BUILDING ENTRY



BELLE-VIEW APARTMENTS SITE PLAN



10.01.2015

www.weberthompson.com

WEBER THOMPSON



© COPYRIGHT 2014 WEBER THOMPSON | 13-014

