



DEVELOPMENT SERVICES DEPARTMENT  
 ENVIRONMENTAL COORDINATOR  
 450 110<sup>TH</sup> Avenue NE, P.O. BOX 90012  
 BELLEVUE, WA 98009-9012

**DETERMINATION OF NON-SIGNIFICANCE**

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**PROPONENT:** Legacy Partners Residential Inc.

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**LOCATION OF PROPOSAL:** 200 and 220 106<sup>th</sup> Avenue NE

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**DESCRIPTION OF PROPOSAL:** The applicant requests Design Review approval with State Environmental Policy Act (SEPA) review for a 19-story residential tower with 252-units, approximately 16,000 square feet of commercial space and 309 structured parking stalls on approximately 0.91 acre in the DNTN-MU zone.

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**File Number:** 07-132105-LD

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

- There is no comment period for this DNS
- This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision. A written appeal must be filed in the City Clerk's Office by 5 p.m. on October 23, 2008.
- This DNS is issued under WAC 197-11-340(2) and is subject to a 14-day comment from the date below. Comments must be submitted by 5 p.m. on \_\_\_\_\_.

This DNS may be withdrawn at any time if the proposal is modified so that it is likely to have significant adverse environmental impacts; if there is significant new information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

  
 Environmental Coordinator

10/9/2008  
 Date

**OTHERS TO RECEIVE THIS DOCUMENT:**  
 State Department of Fish and Wildlife  
 State Department of Ecology, Shoreline Planner N.W. Region  
 Army Corps of Engineers  
 Attorney General  
 Muckleshoot Indian Tribe



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

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PROPOSAL NAME: **Bellevue Tower**

PROPOSAL ADDRESS: 200 and 220 106<sup>th</sup> Avenue NE

PROPOSAL DESCRIPTION: The applicant requests Design Review approval with State Environmental Policy Act (SEPA) review for a 19-story residential tower with 252-units, approximately 16,000 square feet of commercial space, and 309 structured parking stalls on approximately 0.91 acre in the DNTN-MU zone.

FILE NUMBER: **07-132105-LD**

APPLICANT: Legacy Partners Residential, Inc.

PLANNER: Kenneth A. Thiem, 425-452-2728

DECISION: Design Review (Process II, LUC 20.35.200)

STATE ENVIRONMENTAL POLICY ACT (SEPA) THRESHOLD DETERMINATION: Determination of Non-significance (DNS)

Michael Paine  
Environmental Coordinator

**Director's Decision: Approval with Conditions**

Mike Brennan  
Director, Development Services Department

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Notice of Application Date 10-04-2007  
Notice of Decision Date: 09-09-2008  
Appeal Deadline: 09-23-2008

For information on how to appeal a proposal, visit the Permit Center at City Hall, 450 110<sup>th</sup> Avenue NE, or call (425) 452-6800. Comments on State Environmental Policy Act (SEPA) Determination can be made with or without appealing the proposal within the noted comment period for a SEPA Determination. Appeal of the Decision must be received in the City Clerk's Office by 5:00 PM on the date noted for appeal of the decision.

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### Attachments:

- A Site Vicinity & Zoning Map
- B Project Plans
- C Certificate of Concurrency
- D Street Tree Planting Specifications
- E Eastside Disposal Review
- F Applicant & Architect Letters: Street Width/Building Setbacks
- G FAR Worksheet
- H Agreements - Single Site & Project Limit
- I Environmental Checklist

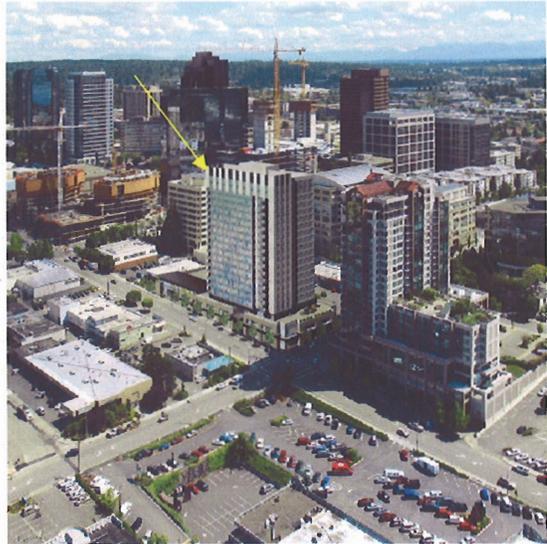
## I. REQUEST & REVIEW PROCESS

### A. Request:

The applicant requests Design Review approval with SEPA for a 19-story residential tower with 252 units, approximately 16,000 square feet of retail space, and 309 below grade structured parking stalls on approximately 0.91 acre in the DNTN-MU zone.

### B. Review Process

The Design Review decision and SEPA Determination are Process II decisions. The SEPA Determination is issued by the Environmental Coordinator. The Design Review decision is issued by the Director. Appeals are heard and decided by the Hearing Examiner. Note: underlined text identifies a related condition of approval in Section XI of this report.



BIRD'S EYE COMPOSITE  
VIEW FROM S.W.

## II. THE EXISTING SITE: ZONING, LAND USE CONTEXT & DESCRIPTION



### A. Zoning

The site consists of the two parcels, identified at left by the blue rectangle. The site is zoned DNTN-MU. Residential and retail uses are permitted outright in the DNTN-MU Zone.

### B. Land Use Context

The site is located in Downtown's City Center South District and bounded by 106<sup>th</sup> Avenue NE to the west, NE 2<sup>nd</sup> Street to the south and a private alley to the east. The abutting rights of way are designated "D" per "The Design Guidelines: Building/Sidewalk

Relationships." In order to achieve compliance with the Building Code and Land Use Code requirements, the two parcels must be consolidated through a Boundary Line Adjustment or covered by a Single Site Agreement. Attachment A provides site vicinity and zoning maps. The zoning/uses surrounding the site are:

**North:** DNTN-02; two-story office building with surface parking;

**East:** DNTN-MU; one story retail/restaurant uses with surface parking, and the Civica office building is immediately beyond;

**South:** DNTN-MU, Pacific Place residential tower with commercial uses at the base;

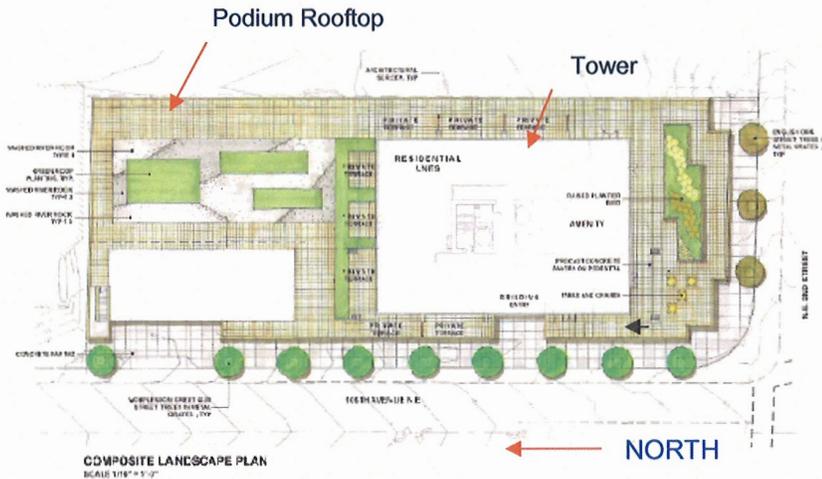
**West:** DNTN-MU, one-story retail and restaurant uses with surface parking.

**C. Description**

The site and surrounding properties are shown in the aerial photograph at right. The site is two parcels with a total area of slightly under one acre, identified by the rectangle. The overall dimensions are approximately 135-foot east-west by 305 feet north-south. The topography slopes at 4%, north to south, from elev. 120 along the northern boundary to elev. 108 along the southern boundary, and about 9% east to west, from elev. 120 along the eastern boundary to elev. 108 along the western boundary.



**III. PROJECT DESCRIPTION / DESIGN INTENT**



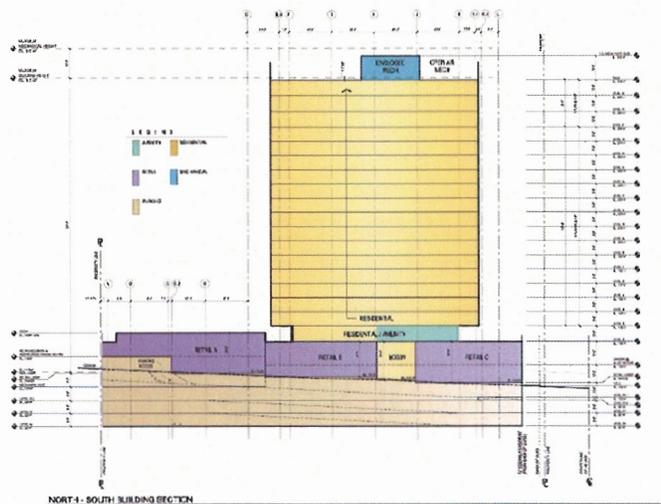
**A. Design Concept**

The proposal is to fully develop the site and maximize FAR. In the revised design the parking is almost entirely below grade and the tower's footprint is closer to square than rectangular, which will reduce shadow impacts to the surrounding properties and view blockage from the public spaces and connections to the

east. Access to most of the parking is from 106<sup>th</sup> Avenue NE, at the north end of the site. Access to the loading/refuse area and a small percentage of the parking stalls is from the alley. Two podium rooftop recreation areas will provide the residents with access to sunlit outdoor spaces throughout the year. The required street trees are proposed along each street frontage abutting the site and spaced at 25 feet.

**C. Building Design**

The section drawing at right illustrates the proposed building's three major elements: three levels of below grade parking, a two story podium with mezzanine level for retail and service uses, and a nineteen story residential tower with a rooftop mechanical equipment screen.



Glazing on the east and west elevations includes subtle hues of blue, green, gray. The podium's exterior is predominately architectural pre-cast concrete panels, with spandrel accent colors similar to those proposed on the tower's west and east facades. The façade materials also include smooth and corrugated metal panels in beige. Glazed marquees are proposed over the public sidewalks for weather protection and sun light access to the pedestrian environment. All of the marquees must be removable for easy access to existing or future utilities under the sidewalk. See Exhibit B for the design plans.



**Building Modulation:** The south elevation at left illustrates the offset in the building's south facade. Such offsets are proposed on all four sides to modulate the building envelope, break down the scale and create visual interest. Further articulation occurs at the junction between the tower and the podium. The exterior wall immediately above the podium is inset, or stepped back from the tower's façade on all four sides, and mostly glazed. The glazed stepback will help create visual interest and distinguish the tower and podium elements without diluting their integration.

The proposed exterior materials include architectural pre-cast concrete panels and store-front glazing for the podium, and a window-wall system with metal panels and aluminum frame windows for the tower.

The parapet materials are to match the smooth metal panels on the tower,

but the pattern is elongated for contrast with the rest of the façade and to provide a subtle signature Downtown's skyline. Metal panels are also proposed for the rooftop mechanical screen to visually integrate the screen with the overall form of the building. The rooftop equipment must be fully screened from views from the tallest buildings surrounding the proposal site, such as Tower 333, Bellevue Towers and Lincoln Square.

In order to activate the sidewalk and enhance the residential use, the proposal includes the following FAR Amenities: pedestrian-oriented frontage, active recreation area, landscape areas; glazed marquees over the public sidewalks, underground and under-building parking.

**Refuse/Recycling:** The proposed refuse/recycling area is located inside the garage, hidden from public streets and connections. The location and size of this area meet Eastside Disposal's requirements, and the hauler has confirmed this in writing (Attachment E).

#### IV. CONSISTENCY WITH THE LAND USE CODE/ZONING REQUIREMENTS

##### A. General Provisions

###### 1. Use

Residential and retail uses are permitted outright in the DNTN-MU zone.

###### 2. Table 1: Dimensional Requirements

The proposal meets the general dimensional requirements, as illustrated below.

**DIMENSIONAL AND STREET FRONTAGE REQUIREMENTS**

Item	Permitted/Required	Proposed	Comments/Conditions
<b>Project Area (SF)</b>	No min./max.	39,823 SF	<u>Lots must be consolidated/ or covered by SS agreement</u>
<b>Building Height</b>	200-feet	198'-6"	Meets requirement
<b>Floor Area Ratio (FAR)</b>	5.0	5.0	Meets requirement
<b>Gross Floor Area (GFA)</b>	No minimum	240,000 GSF	Excludes vertical shafts, stair-wells, balconies, etc.
<b>GFA for FAR</b>	199,115 SF	199,115 SF	Equals GFA minus park'g & mech. floors areas.
<b>Exempt Retail Floor Area under 20.25A.020B.7.</b>	1.0 FAR (39,823 SF)	0.40 FAR (16,000 SF)	Meets decision criteria and Building/Sidewalk Design Guidelines, LUC 20.25A.115
<b>Floor Area per Floor Above 40 Feet</b>	20,000 GSF	12,000-GSF	Meets requirement
<b>Floor Area per Floor Above 100 Feet</b>	12,000 GSF/F	12,000 GSF	Meets requirement
<b>Lot Coverage</b>	100%	98%	Meets requirement
<b>Building Setbacks</b> 106 <sup>th</sup> Ave. NE (west) NE 2 <sup>nd</sup> Street (south) Side (North) Rear (East)	0' from back of SW 0' from back of SW 0/20' 0/20'	0-ft. 0-ft. 2'-4", > 40':116'-9" 15'-0", > 40':20'-0"	<u>Must be adjusted to provide req'd road width. The underground garage extends under the sidewalk along 106 Avenue NE ROW with minimum 8' clearance.</u>
<b>Sidewalk Widths</b> 106 <sup>th</sup> Ave. NE NE 2 <sup>nd</sup> Street	12-feet 12-feet 12-feet 12-feet	12-feet 12-feet 12-feet 12-feet	Meets min. requirement from back of sidewalk to back of curb, <u>including 4' planting strip.</u>
<b>Street Trees:</b> 106 <sup>th</sup> Avenue NE: NE 2 <sup>nd</sup> Street:	Worplesdon Sweet-gum, 3" caliper. English Oak, 3" caliper.	Worplesdon Sweet-gum, 3" caliper. English Oak, 3" caliper.	Meets requirement. <u>Maintenance Assurance Device required before TCO</u>

**3. TABLE 2: Parking and Loading Requirements**

The proposal meets the parking and loading requirements, as illustrated below.

Use	Min. / Max. Parking Ratios	Min. / Max. Required Stalls	Proposed Stalls/stalls per 1000 NSF	Comments/ Conditions
<b>Residential Units</b> 252	1-stall per unit 2-stalls per unit	252/504 Stalls	252/1-unit	Meets requirement
<b>Retail (mixed dev)</b> 16,000 NSF	2 / 1000 NSF 4 / 1000 NSF	32/64 Stalls	32-stalls (2/1000 NSF)	Meets requirement
<b>TOTAL</b>		284/568 Stalls	309-stalls	Meets requirement

Item	Required/Permitted	Proposed	Comments/ Conditions
<b>Compact Stalls</b>	0% Required, 65% Permitted	55%, 166 stalls	Meets requirement. See plans for parking layout + dimensions
<b>Loading Area</b>	minimum of 10-feet wide by 55-feet deep per LUC 20.20.590.k.4 .	12'-4" wide by 58-ft. deep	Meets requirement.
<b>Refuse/Recycle Area</b>	The refuse and recycling area must equal 1.5 SF per unit, and 5 SF per 1000 GSF for retail uses or 462 SF for the project per LUC 20.20.725	The proposal includes 285 SF of refuse/recycling area for the residential and 350 SF for the retail for a total of 635 SF for the project.	Meets requirement.

**4. TABLE 3: Floor Area Ratio (FAR) Requirements**

The proposal meets the requirements of the FAR Amenity Incentive System, as shown in the table on the next page.

**B. Special District Requirements**

**1. FAR Amenity System Requirements**

The Basic FAR amenity package must equal 20% of the Project area in square feet times the Basic FAR permitted for a nonresidential building. Expressed for this proposal, the calculation is:  $0.20 \times 39,823 \text{ SF} \times 0.5 = 3,982$  points (SF). The proposal includes 32,820 basic amenity points, exceeding the Basic requirement by 28,838 points.

The maximum FAR for residential uses in the DNTN-MU zone is five times the site area,

**Table 1: Bonus Amenity Area Earned**

Gross Floor Area for FAR (Excluding 16,000 SF of retail)	<b>199,115 SF</b>
Basic Permitted Floor Area (Basic FAR X Project Limit)	<b>79,646 SF</b> (2.00 X 39,823 =79,646 SF)
Additional Floor Area Requested (Project GFA – Basic Permitted Floor Area)	<b>119,469 SF</b> (199,115– 79,646)
“Basic” FAR Amenity Earned	<b>32,820 SF</b> (See Table 2)
Remaining (“Bonus”) FAR Amenity to Earn (GFA - Basic Permitted Flr. Area – “Basic” points earned)	<b>86,649 SF</b> (199,115 SF– 79,646 SF– 32,820 SF)
Total FAR Amenity Earned	<b>514,743 SF</b> (See Table 2 below)
Excess FAR Amenity Earned (Total FAR Amenities Earned – Basic Amenity Earned – Bonus FAR Amenity to Earn)	<b>395,274 SF</b> (514,743 – 32,820 - 86,649)

**Table 2: Bonus Amenities**

	Amenity	Units of Measure	Bonus Ratio	Bonus Floor Area Earned	How it meets Design Criteria and description
<b>Basic Amenities</b>	Pedestrian-Oriented Frontage	294 LF	100:1	29,400 SF	Serves pedestrian needs. <u>Requires agreement for POF uses + recording w/County</u>
	Marquees	1710-SF (285 LF x 6’)	2:1	3,420 SF	Provides weather protection and sunlight to pedestrians
	<b>Sub-Total</b>			<b>32,820 SF</b>	
<b>Non-Basic</b>	Residential Use	199,115 SF	2:1	398,230 SF	Brings life to downtown. All area, including service core and community facilities count.
	Rooftop Landscape Area	4,900 SF	1:1	4,900 SF	Accommodates 50+ people. Visually softens podium rooftop from off site views.
	Underground Parking	110,066 SF	0.5:1	55,033 SF	Unsightly parking is hidden under the building.
	Above-Grade Park’g Under Res. Structure	5,300 SF	4:1	21,200 SF	Level is entirely enclosed and meets the design criteria.
	Fitness and Active Recreation Area	2,560 SF	1:1	2,560 SF	Provides indoor/outdoor area for fitness and socializing.
	<b>Sub-Total</b>			<b>481,923 SF</b>	
<b>Grand Total</b>			<b>514,743 SF</b>		

The FAR amenity points for the proposed project exceed the total basic and non-basic requirement for the proposed floor area.

The total bonus floor area earned and the amount to be utilized by the project must be recorded with the King County Division of Records and Elections. Prior to issuance of any building permit, the construction plans must include a detailed design for each proposed amenity along with the related statistics (if applicable)

## **V. PUBLIC COMMENT AND STAFF RESPONSE**

On October 4, 2007, formal notice of the application was mailed to all property owners within 500 feet of the site, published in the Seattle Times and posted on-site with public information signs. A public meeting on the proposal was held at City Hall on Thursday, October 11, 2007. The meeting was attended by approximately 12 citizens, many of whom reside in Pacific Place, a residential tower immediately south of the proposal site (across NE 2<sup>nd</sup>).

Two citizens submitted a total of three comment letters on the proposal. Their comments are listed below, followed by a response from City staff:

### **A. Comment**

Downtown residents will be affected by the additional traffic from the proposed project. As it is, Downtown streets are becoming less friendly to pedestrians due to increasing traffic volumes.

### **Response**

Downtown growth and the resulting impacts to pedestrians are being addressed in part by requiring improvements to the pedestrian environment with each new project. All recent Downtown projects include: wider sidewalks, landscape strips for better separation between cars and people, people spaces within the sidewalk, street furniture, visually interesting paving materials and patterns, marquees designed to provide weather protection and sunlight access to the public sidewalk, pedestrian-scale lighting and signal crossing equipment that meets the current ADA requirements. Such improvements are a visible part of recent projects along Bellevue Way, NE 8<sup>th</sup> Street and NE 10<sup>th</sup> Street, and are required for the proposed project as well.

### **B. Comment**

The development is currently proposing 18-feet of additional building height, which is not supported by the Land Use Code requirements. The City must enforce the code as written and deny this request.

### **Response**

The proposed height was reduced in the revised design. Additional building height is not requested. The DNTN-MU zone allows a basic maximum building height of 200-feet, plus 15-feet for rooftop mechanical equipment screening. In addition, LUC 20.25A.020.B.4 allows 15-feet of additional height for architecturally integrated rooftop mechanical equipment. The proposed building height is 215-feet, including the screening for the mechanical screen.

### **C. Comment**

Does the Transportation Department have the current and projected volume for the alley traffic between NE 2<sup>nd</sup> Street and NE 4<sup>th</sup> Street?

### **Response**

The Transportation Department does not have the current or projected traffic volumes for the alley to the east of the project site. The alley is private property and as such is not included in the City traffic count program.

**D. Comment**

The City should consider eliminating the alley egress onto NE 2<sup>nd</sup> Street. Vehicles exiting the alley conflict with those exiting Pacific Tower's opposing driveway, creating a safety issue for drivers and pedestrians using NE 2<sup>nd</sup> Street.

**Response**

The City's records do not show any accidents related to vehicles exiting the private alley on the north side of NE 2<sup>nd</sup> for the last three years. Note that while the west half of the alley is located on the subject site, the east half is owned by others and serves several other properties. If the City determines in the future that a traffic safety problem exists at this or other location, the City Traffic Engineer may restrict movements to address the problem.

**F. Comment**

What are the existing utility easements and their capacities in 106<sup>th</sup> Pl. NE?

**Response**

There are no capacity issues with the sewer system for the subject proposal, and there are no utility easements; all Utilities are installed within the public right-of-way.

**VI. CHANGES TO PROPOSAL AS A RESULT OF STAFF REVIEW**

**A Summary**

The original design concept for the tower, shown below, was extremely rectangular, with the long axis measuring approximately 300 feet. The Downtown Design Review Criteria (LUC 20.25a.110.b.4) discourage rectangular buildings, which tend to be out of proportion to their floor area, and cast large shadows on nearby properties.



The parking was originally mostly above grade and located inside the podium, which increased the challenge of visually integrating the parking levels into the overall design of the building. The primary exterior material was stucco, which is common in suburban, or a mid-rise development.

During this review, the applicant replaced the original design with a new concept (below) that reduces the large façade areas, locates most of the parking underground, and replaces the stucco with a window wall system that includes metal panels, aluminum frame windows and subtle variations in the glazing colors.



**B Façade Area**

The large façades have been significantly reduced. The building envelope's current proportions are in-scale with context and meet the Design Review requirements.

**C. Building Envelope Modulation**

Modulation of the building envelope was initially limited to the north and south ends. The current design modulates each side of the building for its full height.

**D. Sidewalk Width**

The proposed sidewalk width along 106<sup>th</sup> Avenue NE was 9-feet, and increased to 12-feet.

**E. Floor Plate Size**

The floor plates above 40 feet in height were reduced in size to comply with LUC 20.25A.020.A.2.

**F. Rooftop Garden**

A second rooftop garden was added to the south side of the tower, expanding the opportunity for the future residents to enjoy outdoor sunlight.

**G. Above Grade Parking**

The parking and loading floors were initially located mostly above grade and visible from off site. The parking levels are now mostly below grade and hidden from off site views.

**H. Exterior Materials**

A stucco exterior was replaced with precast concrete panels (podium), and a window wall system with smooth and corrugated metal panels and metal frame windows (tower).

**I. Loading and Refuse**

Access to the loading and refuse area was initially from 106<sup>th</sup> Avenue NE, and is currently from the private alley.

**J. Pedestrian/Vehicular Sight Distance**

The design was revised to meet the sight distance requirement between drivers and people at the junction of the alley and NE 2<sup>nd</sup> Street, as required by BCC 14.60.240.

**K. Rooftop Mechanical Screening**

The rooftop mechanical screening was revised from corrugated metal to smooth metal for improved visual integration with the window wall materials.

**L. Ground floor Retail**

The proposed amount of pedestrian-oriented ground floor retail space was increased from 10,650 SF to 16,000 SF.

**VII. STATE ENVIRONMENTAL POLICY ACT (SEPA)**

The environmental review indicates no probability of significant adverse environmental impacts from the proposed project. A Determination of Non-Significance (DNS) is the appropriate Threshold Determination under State Environmental Policy Act (SEPA) requirements, with incorporation by reference of the "2006-2017 Transportation Facilities Plan Final Environmental Impact Statement" (TFP EIS), updated November 2006. This document is available in the Department of Planning and Community Development Records Room, Bellevue City Hall, 450 110<sup>th</sup> Avenue NE, Lobby Floor. Transportation-related impacts associated with the Bellevue Tower proposal are consistent with the projected impacts analyzed in the 2006-2017 TFP EIS.

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

**Amendments to Environmental Checklist**

The Environmental Checklist submitted with the application was revised per the revised design concept and it adequately discloses expected environmental impacts associated with the proposed project. The City codes and requirements, including the Clear and Grade Code, Utility Code, Land Use Code, Noise Ordinance, Building Code and other construction codes adequately mitigate expected environmental impacts except as noted below. The following amendments to the Environmental Checklist are needed. These impacts will be mitigated through exercise of code authority as well as through project-specific conditions of approval, contained in Section XI.

**Noise**

Construction Noise: City of Bellevue Noise Ordinance, BCC 9.18 allows construction-related noise Monday through Friday from 7:00 AM to 6:00 PM, and Saturdays from 9:00 AM to 6:00 PM, excluding national holidays, and defines those circumstances when the limits may be expanded. With residential uses near the site, the construction must include the best available noise abatement technology and the construction hours should not be expanded except as permitted by the ordinance.

Interior Noise Levels: The Bellevue City Code, BCC 9.18, limits interior noise levels within residential structures to 40 dBA in sleeping areas and 45 dBA in non-sleeping areas. Special construction is generally necessary to meet these thresholds. Prior to the issuance of any occupancy permits, the applicant shall verify that this threshold has been met.

Garage Exhaust: Exhaust fans that blow air over a sidewalk, pedestrian connection or property line can create noise levels exceeding that allowed by the Bellevue City Code, Chapter 9.18. The environmental designations for noise abatement (EDNA) identify both the subject property and the receiving property as Class B EDNA, which limits sound levels at the property line or sidewalk to 60 dBA. This decision requires certification that the garage exhaust fan noise will not exceed 60 dBA at the public sidewalk prior to the

issuance of any mechanical permits.

## **Transportation**

### **Long Term Impacts and Mitigation**

The long-term impacts of development projected to occur in the City by 2017 have been addressed in the City's Transportation Facilities Plan EIS. The impacts of growth which are projected to occur within the City by 2017 are evaluated on the roadway network assuming that all the transportation improvement projects proposed in the City's current Transportation Facilities Plan are in place. The Transportation Facilities Plan EIS divides the City into several Mobility Management Areas (MMAs) for analysis purposes. Bellevue Towers project lies within MMA # 3, which has a 2017 total growth projection of 4,939,745 GSF retail and 9,481 multifamily units. This development proposes 252 multifamily units and 13,000 GSF of retail. Therefore, the proposed development is within the assumptions of the Transportation Facilities Plan EIS.

It should be noted that the City of Bellevue's Downtown Implementation Plan (DIP) forecasts an additional three years beyond the TFP to 2020. Included with this additional three years forecast are additional transportation improvements, which are shown to further improve the area-wide level of service in the Downtown. The additional DIP transportation improvements have been adopted into the City's Downtown Comprehensive Plans.

Traffic impact fees are used by the City to fund street improvement projects to alleviate traffic congestion caused by the cumulative impacts of development throughout the City. Payment of the transportation impact fee, as required by BCC 22.16, contributes to the financing of transportation improvement projects in the current adopted Transportation Facilities Plan, and is considered to be adequate mitigation of long-term traffic impacts. Fee payment is required at the time of building permit issuance.

### **Mid-Range Impacts and Mitigation**

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

This development will generate approximately 109 new p.m. peak hour trips. City staff distributed and then assigned project-generated trips to the street network using the City's EMME-2 travel forecasting model with the current Capital Investment Program network. By adding the expected project-generated trips to the traffic volumes in the model, the area average levels of service were determined. To create a baseline condition for comparison, the levels of service were also determined using traffic volumes without the project-generated trips. In this project analysis, 2 system intersections received 20 or more p.m. peak hour trips. Neither the maximum area-average levels of service nor the congestion allowances were exceeded as a result of traffic generated from this proposal. Therefore, the proposed development passes the concurrency test. The concurrency test results are included in the Transportation Department file for this development. The report is available for review in the project file.

The rules of concurrency reservation are outlined in the Traffic Standards Code Director's Rules, updated May 23, 2001. A concurrency determination is issued on the date of issuance of the land use decision. This project complies with the Traffic Standards Code

and is receiving a Certificate of Concurrency. See Attachment C for this certificate.

The concurrency determination is reserved to this project at the land use decision date. The concurrency reservation expires one year from the land use decision date unless a complete building permit application is filed (BCC 14.10.010.D). At the time of a complete building permit application, the Certificate of Concurrency will remain in effect for the life of the building permit application, pursuant to BCC 23.05.090H. At issuance of building permit, the Certificate of Concurrency will be extended and remain in effect for one additional year (with the possibility of up to two one-year extensions) as provided for in BCC 23.05.100.

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

City staff directed the applicant's traffic consultant Transportation Engineering NorthWest (TENW) to analyze the short term operational impacts of this proposal in order to recommend mitigation if necessary. These impacts included traffic operations conditions during the a.m. and p.m. peak hours. Issues that were analyzed in the Traffic Impact Analysis, dated April 14, 2008, included LOS analysis at nearby intersections, LOS and vehicle queues at the site driveway, site vehicular and pedestrian circulation, transit availability, and accident history analysis for the past three years. We do not anticipate any adverse operational impacts due to the proposed development. The TENW analysis is available for review in the project file.

## **VIII. SUMMARY OF TECHNICAL REVIEWS**

### **Transportation Department**

#### **Site Access**

Primary access to the proposed project will be provided via 106<sup>th</sup> NE. The 106<sup>th</sup> NE access will enjoy full vehicular turning movements. A small number of parking stalls will be accessed off the existing private alley to the east of the site. To provide a conservative operational analysis, all trips were assigned to the 106<sup>th</sup> NE driveway.

#### **Street Frontage Improvements**

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

1. A combined street tree and street light plan is required for review and approval prior to completion of engineering and landscape plans for their installation. The goal is to provide the optimum number of street trees while not compromising the light and safety provided by streetlights. Street trees and streetlights must be shown on the same plan sheet with the proper separation (generally 25 feet apart) and the proper spacing from driveways (ten feet from Point A in standard drawing DEV-6).
2. The Americans with Disabilities Act (ADA) requires that sidewalk cross slopes not exceed two percent. The sidewalk cross slope may be less than two percent only if the sidewalk has a longitudinal slope sufficient to provide adequate drainage. Bellevue's standard for curb height is six inches, except where curb ramps are needed. The engineering plans must comply with these requirements, and must show adequate details, including spot elevations, to confirm compliance. New curb and sidewalk shall be constructed in compliance with these requirements. Building elevations must be

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

The ADA also requires provision of a consistent travel path for visually handicapped pedestrians. Potential tripping hazards are not allowed in the main pathway. Any planter boxes installed in the sidewalk to improve pedestrian sight distance at driveways must be designed to reduce the tripping potential and must not extend more than two feet into the public sidewalk. Traffic signal controller boxes and streetlight contactor cabinets must be located so as not to interfere with the main pedestrian path. Buildings shall be designed so that doors do not swing out into the pedestrian path. Installations of colored or textured bands to guide pedestrians in the direction of travel are advisable, subject to the requirements for non-standard sidewalk features. ADA-compliant curb ramps shall be installed where needed, consistent with standard drawings TE-12 and TE-13.

3. As part of street pavement widening, the curb, gutter, and sidewalk on NE 2<sup>nd</sup> and 106<sup>th</sup> NE shall be completely removed and reconstructed with a sidewalk width of 12 feet minimum, excluding the curb. Any planters or tree wells are included in the 12-foot width. At any location where the sidewalk extends over a basement or parking garage, a construction method that will prevent differential settling must be used. Such method must be acceptable to the Transportation Department. In addition, there must be at least 8-foot clearance between the bottom of the new sidewalk and the top of the garage.

4. The design and appearance of the sidewalk and landscaping on NE 2<sup>nd</sup> and 106<sup>th</sup> NE shall comply with the standards and drawings in the Transportation Department Design Manual, including standard drawings TE-11 and DEV-3. The sidewalk shall be constructed of standard concrete with a broom finish and a two-foot by two-foot score pattern, with four-foot by six-foot tree wells, unless both the Transportation Department and the Development Services Department agree to accept any non-standard pattern, color, or other features. Alternative paving samples must be submitted for review. If approved, any non-standard patterns, colors, or other features may be installed only if an agreement is recorded against the property to hold the landowners responsible for maintenance and replacement of all such non-standard sidewalk features.

Any non-standard features or vegetation shall not create a sight obstruction within any required sight triangle, shall not create a tripping or slipping hazard in the sidewalk, and shall not create a raised fixed object in the street's clear zone. The materials and installation methods must meet typical construction requirements. See section on alternative paving materials below for further details.

5. Tree wells and other landscaping within the sidewalk on either adjacent city street shall be irrigated with a private metered water source. Electrical connections for lighting in tree wells or planter strips may be allowed, if installed in compliance with the electrical code and subjected to an electrical inspection. Irrigation devices and electrical components shall not create a tripping hazard in the sidewalk.

6. The driveway on 106<sup>th</sup> NE shall have an approach width of 30 feet, as defined in standard drawing DEV-6. The driveway apron design shall be consistent with standard drawing DEV-6.

7. No new building structure or garage shall be constructed under a street right of way or existing public sidewalk/utility easement. In some conditions (to be finalized during engineering and building plan review), new structure may be allowed under a new

sidewalk/utility easement. No soil nailing is allowed under a street right of way or sidewalk/utility easement without an indemnification agreement that protects the city.

8. No new utility vaults that serve only one development will be allowed within a public sidewalk. Vaults serving a broader public purpose may be located within a public sidewalk.

9. Any awning, marquee, balcony, etc. over a sidewalk or utility easement must be at least 16 feet above the sidewalk, or be removable (with an agreement regarding removal and replacement); and must have at least 3 feet horizontal clearance from any streetlight or traffic signal pole.

10. No fixed objects, including fire hydrants, trees, and streetlight poles, are allowed within ten feet of a driveway edge, defined as Point A in standard drawing Dev-6. Fixed objects are defined as anything with breakaway characteristics stronger than a 4-inch by 4-inch wooden post.

11. No new overhead utility lines will be allowed within or across any right of way or sidewalk easement, and existing overhead lines must be relocated underground.

#### **Easements**

The applicant shall provide sidewalk and utility easements to the City as needed to encompass the full required width of any sidewalks located outside the city right of way fronting this site. There are some utility easements contained on this site which are affected by this development. Any negative impact that this development has on those easements must be mitigated or easements relinquished.

The applicant shall provide easements to the City for location of signal and street light facilities consisting of above-grade boxes and/or below-grade vaults between the building and sidewalk within the landscape area on the NE 2<sup>nd</sup> and 106<sup>th</sup> NE street frontage. Transformers and utility vaults to serve the building shall be placed inside the building or below grade, to the extent feasible.

#### **Right of Way Dedication**

To incorporate street improvements which are reasonably necessary to mitigate the direct results of the development, the developer is required to dedicate property such that street surface to back of curb is accommodated within the public right of way. This includes the northeast corner of NE 2<sup>nd</sup>/ 106<sup>th</sup> NE intersection at the new curb return and along NE 2<sup>nd</sup> and 106<sup>th</sup> NE.

#### **Holiday Construction & Traffic Restrictions**

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

#### **Use of the Right of Way**

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

### **Pavement Restoration**

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

Currently, at the site's frontage, NE 2<sup>nd</sup> and 106<sup>th</sup> NE are classified as "Overlay Required". A full grind and overlay from center of the roadway to the new curb line along the entire site's frontage will be required.

### **Alternative Paving Materials**

The Transportation Department, in conjunction with other departments as appropriate, will review proposals for the installation of alternative materials by private developers. The materials and installation methods must meet typical construction requirements. If the alternative material is approved, the property owner must sign an indemnification agreement which states that all future maintenance and replacement is the responsibility of the property owner. Work within the alternative material area by City, franchise or other workers as a result of either emergency, normal maintenance or new installation will result in replacement of the surface by standard materials. Advance notification of such work will not be provided to the property owner. In such a circumstance, should the property owner wish to replace or repair the surface with the alternative material, a Right of Way Use Permit may be required. A subsequent approval of the alternative material is not guaranteed. Paving samples must be submitted to the Transportation Department prior to building permit approval.

### **Transportation Management Program**

In order to reduce single occupant vehicle trips and provide enhanced options to employees and infrastructure users, the City has adopted code provisions for a transportation management program. The owner of this development must, prior to any initial occupancy of the building structure, sign and record an agreement approved by the City of Bellevue to establish a transportation management program to the extent required by BCC14.60.070 and 14.60.080.

### **B. Utility Department**

Utility review has been on a conceptual basis only; consequently there are no implied approvals with this decision for the engineering specifications for the water, sewer and storm drainage components of the proposal. Engineering review of the water, sewer and storm drainage infrastructure will require a Utility Extension Permit application. Final civil engineering may require changes to the site layout to accommodate the utilities. See Section XI of this decision for related conditions of approval.

### **C. Fire Department**

The site development plans for this decision generally conform to the Utility Code requirements. However, there are a number of conditions that must be met prior to the issuance of building permits. See Section XI of this decision for related conditions of approval.

### **D. Clear & Grade**

The materials submitted sufficiently meet the requirements of the Clearing & Grading Code for approval of the preliminary application as submitted. The Clearing & Grading Reviewer

has conditionally approved the clearing & grading portion of this application only. See Section XI of this decision for related conditions of approval.

**E. Parks Department**

Street trees are required along each street frontage per LUC 20.25A.060, Plate B. The trees must be 3-inches in caliper, planted per the specifications in Attachment D and irrigated with a separate meter and controller and tied to the City's system. The required trees are:

- 106<sup>th</sup> Avenue NE: Worplesdon Sweetgum (Liquidambar Styraciflua "Worplesdon")
- NE 2<sup>nd</sup> Street: English Oak (Quercus robur).

See Section XI for related conditions of approval.

**IX. DECISION CRITERIA**

**Design Review Criteria: LUC 20.30F.145**

The Director may approve or approve with modifications an application for Design Review if:

**A. The proposal is consistent with the Comprehensive Plan.**

Finding: The site is located in the City Center South District and designated "Mixed Use" per the Downtown Subarea Plan. The General Elements of the Comprehensive Plan includes a number of policies that support the proposal: Combining different uses in the same project is supported by **Policies S-DT-2 and S-DT-26**. Assembling parcels to facilitate development is supported by **Policy S-DT-15**. Ground floor retail that serves the building occupants and the surrounding neighborhood is supported by **Policies S-DT-7 and S-DT-92**. The street trees and lighting are supported by **Policy S-DT-40**.

The proposal is also supported by the Urban Design Element's goals and policies: The mostly below grade parking is supported by **Goal 9**. The dedication of land area for the required east-west pedestrian connection along the site's northern boundary is supported by **Policy UD-4**. The outdoor area for residents/guests is supported by **Policies UD-5 and UD-22**; and locating the area(s) for good access to sunlight is supported by **Policy UD-10**. The integration of the rooftop mechanical equipment screen and the overall design of the building is supported **Policy UD-8**. Marquees that are required to provide weather protection and sunlight to pedestrian environment are supported **Policy UD-11**.

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

Finding: As conditioned, this decision requires the proposal to comply with the applicable requirements of the Land Use Code, Chapters 20.20 and 20.25A, as summarized in Section V. Building exterior lighting must be shielded to prevent excessive glare to nearby residential uses. Marquees must transmit sunlight to the pedestrians under them. The building permit plans must include a detailed design for each proposed amenity with a design component, and a statistical summary for each amenity with a statistical component.

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

Finding: As conditioned, this decision requires the proposal to meet the design guidelines of LUC 20.25A.115, and the Design Review Criteria of 20.25A.110.

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

Finding: The scale and design of the proposed project are compatible with recently developed projects of the area. The offsets in the building's exterior walls will help break down its scale. The window wall system with its metal panels, aluminum frame windows and varied but compatible glazing colors will create visual interest that is compatible with the development context.

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

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

**Downtown Design Review Criteria, 20.25A.110**

The Director may approve or approve with modifications an application for Design Review if:

**A. Site Design**

1. Vehicular Circulation and Parking

All proposed parking is inside the garage and most levels are below grade, hidden from view. The main access is from 106<sup>th</sup> Avenue NE and meets the requirements for sight distance between drivers and pedestrians. A second access off the alley is to 17 retail stalls and the refuse/loading area. The area will accommodate the turning movements of refuse/delivery vehicles without the need for backup movements during ingress-egress. The proposed distances from the centerline of each abutting street to the back of each curb are not sufficient to accommodate future travel lanes on the south and west sides of the structure. This decision requires the curbs to be located for future widening and the building façade at the podium level to be setback to provide the required sidewalk widths.

2. Pedestrian Circulation and Amenities

The proposed frontage improvements include street trees with grates along both streets. Approximately 20% of the site area needed for a future east-west mid-block connection along the site's northern boundary will remain undeveloped and available for this purpose.

3. Wind and Sun

Design changes during the review process included revising the shape of the tower to improve sunlight to access the plaza and mid-block connection on the Civica site. In addition, the marquees are designed to comply with the Land Use Code by providing wet weather protection and sunlight access to the sidewalk environment.

4. Open Space

The podium's rooftop includes two spaces on the south and north sides of the tower. The spaces will accommodate outdoor gatherings and are located for good access to sunlight throughout the year. The designs for these spaces must include special paving, landscaping, seating, lighting and other elements to make them useful and inviting.

5. Light and Glare

The proposed exterior building finishes have low reflectivity. This decision requires all exterior lighting to be shielded to reduce and soften the impact of reflected light on the surrounding properties.

**B. Downtown Patterns and Context**

1. Natural Setting and Topography

Most of the parking is below grade and concealed from view. Secondly, the plans were revised to increase the amount of retail floor area along 106<sup>th</sup> Avenue NE, which is designated "Entertainment Avenue" by the Downtown Subarea Plan.

2. Landscape Design

Street trees are proposed along both street frontages.

3. Views

The shape of the tower was revised to minimize view impacts to the plaza and pedestrian

connection on the Civica site, and from NE 2<sup>nd</sup> Street. The rooftop mechanical screening material was revised to match the building exterior material. The mechanical screen must be covered with a wire mesh fabric or metal louvers matching the mechanical equipment screen's cladding.

Exterior vents that are not aligned with the architectural lines are contrary to the City's policies for Downtown structures. Prior to the issuance of any building permit, the applicant must provide to-scale plans and details for each type of exterior vent. All such vents must be designed for seamless integration with the architectural lines of façade.

**4. Building Height and Bulk**

During this review the tower's north south dimension was significantly reduced to avoid a rectangular shaped building and significant shade/shadow impacts to the public spaces/connections on the Civica site. Modulation of the tower's east and west facades and the podium was increased. And the rooftop mechanical equipment was redesigned for better integration with the overall building form. These design changes increase visual interest, help the proposed project fit the context and increase sunlight access to the public space and connection within the Civica project

**5. Transitions**

Glazed marquees are proposed over the frontage sidewalks to promote human-scale, provide weather protection and sunlight access to the pedestrian environment. The podium's rooftop landscaping will provide a visual connection to Civica's plaza, and visual relief for the residents and workers in the surrounding buildings. The proposed street frontage development includes street trees meeting the City's requirements for type, size and spacing. And each frontage is required to include pedestrian-scale street lighting.

**6. Patterns of Activity**

When they are occupied, the ground floor retail spaces fronting on 106<sup>th</sup> Avenue NE will contribute to the pedestrian experience. The public sidewalks will be widened to support the future uses. Most of the parking for the project is underground and hidden from public view. All garage exhaust must be vented to the podium rooftop, or located and designed to prevent adverse impacts to the pedestrian environment.

**7. Signage**

A schematic design package for project signage has not been submitted to the City. The applicant must submit a complete sign package for City review and approval prior to the issuance of any occupancy permits, or tenant improvements permits.

**X. DECISION OF THE DIRECTOR**

After conducting the various administrative reviews associated with this proposal, including applicable Land Use, SEPA, City Codes and Standards, the Land Use Director does hereby APPROVE WITH CONDITIONS the subject proposal.

**XI. CONDITIONS OF APPROVAL**

**A. GENERAL**

**1. Codes & Ordinances**

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

<b>Applicable Ordinances</b>	<b>Contact Person</b>
Clearing and Grading Code- BCC 23.76	Janney Gwo, 425-452-6190

Construction Codes- BCC Title 23	Bldg. Division 425-452-6864
Fire Code- BCC 23.11	Adrian Jones, 425-452-6032
Land Use Code- BCC Title 20	Ken Thiem, 425-452-2728
Noise Control- BCC 9.18	Ken Thiem, 425-452-2728
Sign Code- BCC Title 22B	Ken Thiem, 425-452-2728
Transportation Code- BCC 14.60	Abdy Farid, 425-452-7698
Right of Way Use Code- BCC 14.30	Jon Regalia, 425-452-4599
Utility Code- BCC Title 24	Rob Hutchinson, 425-452-7903
Parks Department/Street Trees	Don McQuilliams, 425-452-7865

## 2. Holiday Construction & Traffic Restrictions

Construction activities such as hauling and lane closures between November 15<sup>th</sup> and January 5<sup>th</sup> may be limited to the hours between 10:00 pm and 6:00 am due to holiday traffic. The Transportation Department will be monitoring traffic and may modify this moratorium accordingly.

Authority: BCC 14.30.060  
Reviewer: Jon Regalia

## 3. Construction Hours

Construction noise is allowed between the hours from 7:00 a.m. to 6:00 p.m. Monday through Friday, and from 9:00 a.m. to 6:00 p.m. on Saturday. Exceptions to these hours shall only be granted pursuant to 9.18.020C.1 with City approval of an "LY" permit and an exemption request for expanded construction hours. Allowances for short term work outside of the normal hours shall be limited and reviewed on a case by case basis subject to the appropriate noise mitigation measures to protect the surrounding uses and residents and BCC9.18.

Authority: Bellevue City Code 9.18.040  
Reviewer: Ken Thiem

## 4. Utilities Approval

The Utilities Department approval of the Design Review application is based on the preliminary utility design. Final civil engineering of the utility design may require changes to the site layout to accommodate the utilities.

Authority: BCC Title 24.02, 24.04, 24.06  
Reviewer: Rob Hutchinson

## 5. Developer Extension Agreement

The water, sewer, and storm drainage systems shall be designed per the current City of Bellevue Utility Codes and Utility Engineering Standards. Utilities Department design review, plan approval, and field inspection is performed under the Developer Extension Agreement and Utilities Permit Processes.

Authority: BCC Title 24.02, 24.04, 24.06  
Reviewer: Rob Hutchinson (425) 452-7903

## B. PRIOR TO ISSUANCE OF ANY CLEAR AND GRADE PERMIT

### 1. Right-Of-Way Use Permit

The applicant shall secure the applicable right-of-way use permits, which may include:

- a) Designated truck hauling routes.
- b) Truck loading/unloading activities.
- c) Location of construction fences.
- d) Hours of construction and hauling.
- e) Requirements for leasing of right of way or pedestrian easements.

- f) Provisions for street sweeping, excavation and construction.
- g) Location of construction signing and pedestrian detour routes.
- h) All other construction activities as they affect the public street system.

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

Authority: BCC 11.70 & 14.30

Reviewer: Jon Regalia

## **2. Civil Engineering Plans – Transportation**

Civil engineering plans produced by a qualified engineer must be approved by the Transportation Department prior to issuance of the clearing and grading permit. The design of all street frontage improvements and driveway accesses must be in conformance with the requirements of the Americans with Disabilities Act, the Transportation Development Code, the provisions of the Transportation Department Design Manual, and specific requirements stated elsewhere in this document. All relevant standard drawings from the Transportation Department Design Manual shall be copied exactly into the final engineering plans. Specific requirements for the engineering plans include, but are not limited to:

- a) Traffic signs and markings;
- b) Curb, gutter, sidewalk, and driveway approach design. (The engineering plans shall be the controlling document on the design of these features; architectural and landscape plans must conform to the engineering plans as needed.);
- c) Handicapped ramps, crosswalk revisions, and crosswalk equipment such as pushbuttons;
- d) Installation or relocation of streetlights and related equipment;
- e) Sight distance. (Show the required sight triangles and include any sight obstructions, including those off-site.);
- f) Location of fixed objects in the sidewalk or near the driveway approach;
- g) Trench restoration within any right of way or access easement, and
- h) Sidewalk cross slopes that do not exceed 2%, documentation with spot elevations.
- i) A combined street tree and lighting plan; trees and lights shall be shown on the same sheet with proper separation (generally 25 ft.) and separation from driveways.

Authority: BCC 14.60; Transportation Department Design Manual

Reviewer: Abdy Farid

## **C. PRIOR TO ISSUANCE OF ANY BUILDING PERMIT**

### **1. Revised Building Setbacks**

The required distances from the center line to back-of-curb for each roadway abutting the site are 30'-6" for 106th Ave. NE, and 36'-6" for NE 2nd St. The proposed and required widths for the roadway/sidewalk along each frontage are illustrated in Attachment B. The applicant has agreed to submit Building Permit plans which correctly locate these elements, and to revise the structure design as necessary without making fundamental to the overall concept for the parking, podium and tower (Attachment F)

Authority: BCC 22.16, LUC 20.25A.

Reviewer: Abdy Farid, Ken Thiem

### **2. Transportation Impact Fee**

Payment of the traffic impact fee will be required at the time of building permit issuance. This fee is subject to change and the fee schedule in effect at the time of building permit issuance for the above ground building permit (i.e., the podium, the tower) will apply.

Authority: BCC 22.16  
Reviewer: Abdy Farid

**3. Building Finish Floor/Site Plans Elevations**

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

Authority: BCC 14.60.060, 110, 120, 150, 180, 181, 190, 240, 241  
Reviewer: Abdy Farid

**4. Existing Easements**

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

AUTHORITY: BCC 14.60.100  
Reviewer: Jon Regalia

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

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

Authority: BCC 14.60.100  
Reviewer: Abdy Farid

**6. Pedestrian and Utilities Easements**

The applicant shall provide sidewalk and utility easements to the City such that sidewalks outside of the City right of way along the property frontage are located within a pedestrian easement area.

Authority: BCC 14.60.100  
Reviewer: Abdy Farid

**7. Dedication Of Right Of Way**

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

Authority: BCC 14.60.090  
Reviewer: Abdy Farid

**8. Transportation Management Program**

The owner of the property being developed shall sign and record at the King County Office of Records and Elections an agreement to establish a Transportation Management Program to the extent required by Sections 14.60.070 and 14.60.080.

Authority: BCC 14.60.070, 14.60.080  
Reviewer: Abdy Farid

**9. ROW Irrigation**

The existing irrigation system within each frontage street shall be revised as necessary and extended to all street frontage planting areas included in the project. This system shall have a separate water meter and controller, remain separate from the on-site system and include automatic operation and rain sensors to override the automatic cycle if needed. Contact Don McQuilliams, Parks & Community Services Department, for a copy of the plan of the City's street tree irrigation system for the streets abutting the site. Where feasible, drip irrigation should be used to reduce water loss due to over-spray and evaporation. The Utilities

Department is responsible for reviewing all irrigation designs.

Authority: Utilities Code, 24.02.205, LUC 20.25A.060 and LUC 20.20.520

Reviewer: Doug Bucklin

**10. Exterior Lighting**

The applicant shall submit details for all exterior lighting. In no case may the source of light be visible from off-site.

Authority: LUC 20.25A.110.5.a, and LUC 20.30/F.145.D

Reviewer: Ken Thiem

**11. Rooftop Mechanical Screening**

The building parapet design shall completely screen the rooftop mechanical equipment from all off site views, including views from above.

Authority: LUC 20.20.525

Reviewer: Ken Thiem

**12. Exterior Vents**

When possible, all venting shall be to the rooftop. For all vents proposed within the façade, the architectural plans shall include a design that is clearly consistent with the architectural lines of the façade. The installation shall be consistent with the plans and building exterior lines.

Authority: LUC 25A.110.B.3

Reviewer: Ken Thiem

**13. Amenity Designs and Statistics**

The building permit plans shall include a detailed design for each proposed amenity with a design component, and a statistical summary for each amenity with a statistical component

Authority: LUC 20.25A.030

Reviewer: Ken Thiem

**14. Marquees - Removable**

The design and construction of the marquees over public sidewalk/pedestrian easement shall be such that they can be easily removed. The property owner shall sign an agreement to remove such elements upon reasonable notice from the City. The "reasonable notice" shall be determined by the agreement required between the applicant and the Transportation Department. In the event of an emergency, the city may remove such elements without notice and without obligation to replace the item. The property owner shall be required to replace the design element within a reasonable time period, at his/her expense, as specified in the agreement. Further, a minimum horizontal clear distance of three feet (3') shall be maintained between all such an elements and any street light or signal pole.

Authority: BCC 24.04.160.B4, LUC 20.25A.030

Reviewer: Abdy Farid

**15. Marquees – Height, Depth and Transparency**

All marquees shall be transparent, installed at a maximum height of 12-feet over flat or gently sloping sidewalks, and a minimum height of 9-feet over sloping sidewalks. All marquees shall have a minimum depth of 7-feet, measured from the building façade.

Authority: LUC 20.25A.030, and LUC 20.30F.145.A

Reviewer: Ken Thiem

**16. Single Site Agreement**

When the attached Single Site Agreement and Project Limit Agreement are finalized they will consolidate the lots for Building Code and Land Use Code purposes.

Authority: IBC 704

Reviewer: Ken Thiem

**17. Building Exterior Lighting**

The applicant shall submit a detailed design for all building exterior lighting. The source of all exterior lights shall not be visible from off-site.

Authority: LUC 20.25A.110.5.a, and LUC 20.30/F.145.D

Reviewer: Ken Thiem

**18. Fire and Life Safety - General**

The Building Permit plans shall include the following:

- a. Provide life safety systems to include fire alarm, automatic fire sprinklers, emergency voice/alarm communication systems, fire communications system, standpipes, smoke control and shaft pressurization systems, building radio coverage system.
- b. Demolition and construction shall conform to Chapter 14 of the IFC.
- c. Provide Standby and Emergency power systems and fuel systems in accordance with the requirements of the IBC/IFC, in particular COB Amended IBC/IFC 604.
- d. Provide a communication amplification (Building radio coverage) system in accordance with COB Amended IFC 511 (23.11.511).

Authority: Noted above

Reviewer: Adrian Jones

**19. Automatic Sprinkler Systems**

- a. The sprinkler and standpipe system is addressed in Chapter 7 of the FDDS. Bellevue has adopted the 2007 edition of NFPA-13, but does not grant a reduction in remote area for quick response sprinklers. Wet systems in commercial spaces must be designed to a minimum criterion for Light Hazard (0.10 gpm/sq. ft. over the remote 1,500 sq. ft. of floor area).
- b. A minimum of two fire pumps independently driven shall be provided and sized for the sprinkler demand and for standpipe operations. At least one fire pump shall be piped to the standpipe side of an isolation valve.
- c. Two separate water supplies are required for the sprinkler/standpipe system in accordance with COB Amended IFC 903.3.5.2. One must be a permanent City water main connection and the second must be a dedicated reservoir. The reservoir must be sized in accordance with IFC 903.3.5.2 and must comply with NFPA-22 (Water Tanks) and be equipped with an automatic fill assembly that will refill the tank within 4 hours.
- d. When large diameter pressure reducing valves are utilized to control zone pressures, two valves shall be installed in parallel, each capable of handling the required water flow.
- e. Fire pumps per NFPA 20- 2007 edition. Backup power and primary and secondary wiring shall be provided, routed and protected per NFPA 20-2007 edition requirements.
- f. Pressure Reducing Valves must be set in accordance with COB Amended IFC 905.3.8.
- g. Sprinkler piping on floors up to the 2<sup>nd</sup> floor shall be sized for street pressure only.
- h. Adequate heat to maintain 40 deg. F must be provided. Heat tracing is not a substitute where other engineering options can be used.

Authority: Noted above

Reviewer: Adrian Jones

**20. Standpipes / Fdc**

- a. Standpipe systems shall be provided in accordance with Amended IFC 905 and Chapter 7 of the BFDDS. In particular:

- 1) The standpipe risers shall be interconnected and have an isolation valve for each standpipe.
  - 2) Two four-way fire department connections shall be provided on separate streets, piped to separate standpipe risers.
  - 3) At least one fire department connection shall be piped to the standpipe side of an isolation valve.
  - 4) FDC's must be located at an approved location.
  - 5) A Fire hydrant must be located within 50ft of the FDC
  - 6) FDC must be labeled in accordance with Amended IFC 912.4
  - 7) Roof and floor remote areas must be within 200 feet of hose travel distance from a protected standpipe hose connection in accordance with Amended IFC 905.4
- b. The design of the standpipes shall meet two design points: 1) Provide 750 gpm at a minimum residual pressure of 100 psi and 2) Provide 300gpm at 175psi at the outlet of the hydraulically most remote hose connection. COB Amended 905.3.8 and Chapter 7 of BFDDS.
- c. Location of Class I standpipe hose connections must be in accordance with COB Amended IFC 905.4.

Authority: Noted above  
Reviewer: Adrian Jones

## 21. Fire Alarms

- a. Fire Alarm systems shall be provided in accordance with IFC 907, Chapter 8 of the BFDDS, and NFPA 72 – 2007 edition. In particular:
- 1) Smoke detectors shall be installed to comply with IFC 907. They shall be connected to the Fire Alarm system.
  - 2) Sprinkler zoning by floor is required.
  - 3) Wiring for the fire alarm systems shall meet the requirements of NFPA 72 with regards to Survivability, and IBC 909.20.6 as relates to shaft pressurization control wiring.
- b. The Bellevue will require one Fire Command Center (FCC) with direct exterior exit at an approved location near core stairwells.
- c. The Fire FCC is required to contain the following equipment per COB Amended IFC 509 and BFDDS:
- 1) The voice alarm and public address system panel;
  - 2) Fire Department communications panel and 8 portable phone handsets;
  - 3) The fire-detection and alarm system annunciator panel;
  - 4) Annunciator visually indicating the location of the elevators and whether they are operational;
  - 5) Status indicators and controls for the air-handling systems; Controls for unlocking all stairway and electronic doors simultaneously;
  - 6) Sprinkler valve and water-flow detector display panels;
  - 7) Emergency and standby power status indicator, manual start and transfer features;
  - 8) Telephone for Fire Department use with controlled access to the public telephone system;
  - 9) Fire pump status indicators and remote manual start must be provided separate of the fire alarm panel;
  - 10) A pressure gauge indicating the pressure within the standpipe at the control station level;
  - 11) Schematic building plans indicating the typical floor plan and detailing the building core, means of egress, fire protection systems, firefighting equipment, and fire department access suitable for marking with a grease pencil;

- 12) Work table or counter;
- 13) Shaft pressurization systems status indicators and controls;
- 14) Annunciation identification;
- 15) A building-wide manual door release shall be provided in the Central Control Room for firefighter's use;
- 16) Emergency Operational Plan, and
- 17) Smoke control documents required per Chapter 11 of the BFDDS.

d. An approved two-way, fire department communication system designed and installed in accordance with NFPA 72 shall be provided for fire department use as required by IFC 907.2.12.3 and 1007.6.3.

Authority: Noted above  
Reviewer: Adrian Jones

## 22. Smoke Control

- a. A smoke control system that complies with IBC 909 and the BFDDS must be provided. A Smoke Control system is required for high rise buildings (IBC 403.1), underground buildings (IBC 405.5), and Atriums (IBC 404.4).
- b. A separate permit is required for a smoke control system. Submittal requirements are detailed in Chapter 11 of the BFDDS and Number Sheet 42. Drawings must include all zones, all required equipment, definitions of fans and dampers, positive indication supervisory switches, wiring in raceways, a listed smoke control panel (SCP), and a smoke control functional matrix. Note that the BFDDS include many details and standard features applicable to the Smoke Control Panel and procedures applicable to the Special Inspector.
- c. Provide 2hr protection of control and power wiring for stair and elevator pressurization systems per COB Amended 909.20.6.1. Wiring for the fire alarm systems shall meet the requirements of NFPA 72 on Survivability, and IBC 909.20.6 as relates to shaft pressurization.
- d. Pressurization of all stairways leading into a parking garage that descend 2ore than 30 ft. below grade is required, as well as pressurization of any pressurized stair tower above grade that extends below grade, and the reverse combination.

Authority: Noted above  
Reviewer: Adrian Jones

## 23. Generator

- a. The installation of generators, fuel tanks and fuel piping shall require a review and approval by both the fire and mechanical departments.
- b. Storage of more than 240 gallons of diesel fuel for (emergency generators, etc.) shall be in a Group H, Division 3 occupancy.
- c. The requirements of IFC 3404 must be met. In particular:
  - 1) Section 3404.2.9.6:
    - i. Fill connections shall be located outside buildings, at least 10 feet from building openings and property lines, provided with a liquid-tight cap, and protected from possible vehicular damage. A metallic pipe shall extend to within 6 inches of the bottom of the tank to minimize the generation of static electricity.
    - ii. Tank overfill prevention shall be provided, including an audible or visual alarm signal at the fill location to indicate when the tank is 85 percent full and automatic

- shut off of the flow of fuel when the quantity of liquid in the tank reaches 90 percent of tank capacity.
- iii. The fill pipe shall be provided with a means for making a direct connection to the supply tank vehicle's fuel-delivery hose so that the delivery of fuel is not exposed to the open air during the fueling operation. When any portion of the fill pipe exterior to the tank extends below the level of the top of the tank, a check valve shall be installed in the fill pipe not more than 12 inches from the fill hose connection.
  - iv. An approved spill container having a capacity of not less than 5 gallons shall be provided for the fill connection for above ground tanks.
- 2) 3404.2.7.3:
- i. Normal vents shall discharge to the outside, not less than 12 feet above the adjacent ground level, at least 5 feet from building openings and property lines, and not under eaves or building overhangs.
  - ii. Approved flame arrestors shall be installed in normal vents
- d. One or more portable fire extinguishers having a rating of not less than 20-B shall be located not less than 10 feet or more than 50 feet from the tank storage area.
  - e. A fire department permit is required to store, handle or use Class II or Class III-A combustible liquids in excess of 25 gallons inside a building.

Authority: Noted above  
Reviewer: Adrian Jones

#### 24. Additional Requirements

- a. Provide a construction standpipe as required by Chapter 14 of the IFC. A construction standpipe system shall be installed when the progress of construction is not more than 40 feet in height above the lowest level of fire department access or two or more levels below grade. Such standpipe systems shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring.
- b. Provide fire extinguishers in accordance with IFC 1415 and 23.11.906.1. Verify that all portions of the building are within 75 feet of foot travel of a fire extinguisher;
- c. This project will require the services of a designated, full-time Safety Officer at the discretion of the Fire Department at any time during construction. This job assignment may be mobilized for intermittent periods during the course of construction. The Safety Officer shall be an employee of the Developer or the General Contractor, with qualifications approved by the Fire Department. This person's primary responsibility shall be the supervision of the safety conditions on the project site. They will maintain a daily log, recording all related events and personnel involved, including safety system shutdowns and startups. This person will regularly report his findings and observations to the Fire Inspector;
- d. This high rise building is required to have a Fire Safety and Evacuation Plan in accordance with IFC 404 reviewed and approved by the Fire Department prior to final occupancy;
- e. Before the parking garage can be used for storage, vehicular parking or construction shacks the permanent automatic sprinklers, fire alarms, emergency lighting and exit lighting shall be installed. The Fire Marshal

may allow temporary water supplies or other protection systems but specific prior approval is required.

- f. Before any floor of the building can be occupied for use the following shall be completed.
- 1) Permanent automatic sprinkler protection shall be installed on the occupied floor and all floors below;
  - 2) The permanent fire alarm system shall be installed on the occupied floor and all floors below;
  - 3) The elevator recall system shall be installed on all floors;
  - 4) The emergency generator shall be in service;
  - 5) The smoke control system shall be complete and functional;
  - 6) An approved evacuation and life safety plan shall be in place, and
  - 7) Other requirements may be imposed by the fire department as needed to insure life safety.

Authority: Noted above  
Reviewer: Adrian Jones

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

##### **1. Street Frontage Improvements**

All street frontage improvements and other required transportation elements, including pavement widening on NE 2<sup>nd</sup> and 106<sup>th</sup> NE and street light and traffic signal revisions must be constructed by the applicant and accepted by the Transportation Department Inspector. All existing street light and traffic signal apparatus affected by this development, including traffic controllers, pedestrian signal poles, traffic signal poles, and power sources, must be relocated as necessary. Transformers and utility vaults to serve the building shall be placed inside the building or below grade, to the extent feasible. Bonding or other types of assurance devices will not be accepted in lieu of construction. Specific requirements are detailed below.

a) The applicant is responsible for half-roadway improvements on 106<sup>th</sup> NE and NE 2<sup>nd</sup> including a new 30-foot radius curb at the northeast corner of the NE 2<sup>nd</sup>/ 106<sup>th</sup> NE intersection. The applicant agrees to widen the site's 106<sup>th</sup> NE and NE 2<sup>nd</sup> frontages per the letters submitted to the City of Bellevue by Kerry Nicholson of Legacy Partners and Brit L. Perkins of EDI Architecture Inc., dated September 29, 2008. The frontage improvements call for a 30.5 foot half-roadway section on 106<sup>th</sup> NE and 36.5 foot half-roadway section on NE 2<sup>nd</sup>, measured from the centerline of the right of way to the new back of curb.

b) The applicant is responsible for traffic signal pole and/or equipment relocation at the northeast corner of the NE 2<sup>nd</sup> / 106<sup>th</sup> NE intersection, and any associated modifications to signal equipment and conduit necessary as a result of this work.

c) The applicant is responsible for street channelization, marking and signage at the NE 2<sup>nd</sup> and 106<sup>th</sup> NE intersection and along the NE 2<sup>nd</sup> and 106<sup>th</sup> NE roadways.

d) Miscellaneous:

♦ Driveway aprons for the proposed 30 feet wide commercial driveway on 106<sup>th</sup> NE must be constructed in accordance with Design Manual Standard Drawing DEV-6.

♦ Driveway aprons for the existing alley on NE 2<sup>nd</sup> must be modified due to the proposed street pavement widening. Sidewalk transition must be constructed per the City of Bellevue Development Standards.

♦ Landings on sloping approaches are not to exceed a 7% slope for a distance of 30 feet approaching the back edge of sidewalks. Driveway grades must be designed to

prevent vehicles from bottoming out due to abrupt changes in grade.

- ♦ Vehicle and pedestrian sight distance must be provided per BCC 14.60.240 and 14.60.241. Sight distance triangles must be shown at all driveway locations and must consider all fixed objects and mature landscape vegetation. Vertical as well as horizontal line of sight must be considered when checking for sight distance.

Authority: BCC 14.60.090, 110, 120, 150, 181, 200, 210, 240, 241; Transportation Department Design Manual Sections 9, 12, 14, 19, 20; and Transportation Department Design Manual Standard Drawings DEV-2, DEV-3, DEV-6, DEV-10, TE-4, TE-5, TE-7, TE-10, TE-11, TE-12 and TE-21.

Reviewer: Abdy Farid

## **2. Pavement Restoration**

Pavement restoration associated with street frontage improvements or to repair damaged street surfaces shall be provided as follows: NE 2<sup>nd</sup> and 106<sup>th</sup> NE: Based on this street's excellent condition, it is classified with the City's overlay program as "Overlay Required." Street cutting is permitted only with extraordinary pavement restoration. A full grind and overlay from the center of the roadway to the new curb line along the entire site's frontage will be required.

Authority: BCC 14.60. 250; Design Manual Design Standard #21

Reviewer: Jon Regalia

## **3. Implementation Of The Transportation Management Program**

The Transportation Management Program required by Bellevue City Code Sections 14.60.070 and 14.60.080 per a condition of approval above must be functional prior to the initial certificate of occupancy.

Authority: BCC 14.60.070, 14.60.080

Reviewer: Abdy Farid

## **4. Landscape Maintenance Assurance Device**

A one-year maintenance assurance device (bond or assignment of savings) equal to 20% of the cost of all project landscaping is required prior to issuance of the Temporary Certificate of Occupancy. After a one year inspection by City staff the maintenance device will be released in full provided that the site landscaping conforms to the City-approved plan, and all of the plants are alive and well.

Authority: LUC 20.20.520.K

Reviewer: Ken Thiem

## **5. Noise Levels**

- a. Noise Levels: Noise levels shall not to exceed 40 dBA in sleeping areas and 45 dBA in non-sleeping areas. The applicant shall measure the noise levels in a random sample of the rooms and submit the findings to the City. If the maximum threshold is exceeded, additional noise mitigation will be required to meet the threshold prior to the issuance of any Occupancy Permit.

Authority: BCC 9.18

Reviewer: Ken Thiem

- b. Garage Exhaust: The applicant shall provide certification from the mechanical engineer that the air flow from the garage exhaust fans will not exceed 60 dBA.

Authority: BCC 9.18.030

Reviewer: Ken Thiem

## **6. Sign Permit Package**

The applicant shall submit a complete sign design package for City review and approval prior to the issuance of any occupancy permit for the building or tenant improvements permits for the

commercial spaces. All project signs shall be an integral part of the architectural design. Signs at or near the street shall be scaled to the pedestrian experience.

Authority: LUC 20.25A.B.7.a-c, BCC Title 22, Sign Code

Reviewer: Ken Thiem

**7. Pedestrian Oriented Frontage**

The applicant shall provide a Site Plan identifying the location and area of all FAR amenities and submit a signed agreement to lease all space for which Pedestrian Oriented Frontage bonus points were granted by this decision. The plan, agreement and total FAR bonus points awarded shall be recorded with King County, Division of Records and Elections.

Authority: LUC 20.25A.030.C.1, LUC 20.25A.115.A -C

Reviewer: Ken Thiem

**8. Compact Stalls**

All compact stalls shall be marked as such.

AUTHORITY: LUC 20.20.590

Reviewer: Ken Thiem

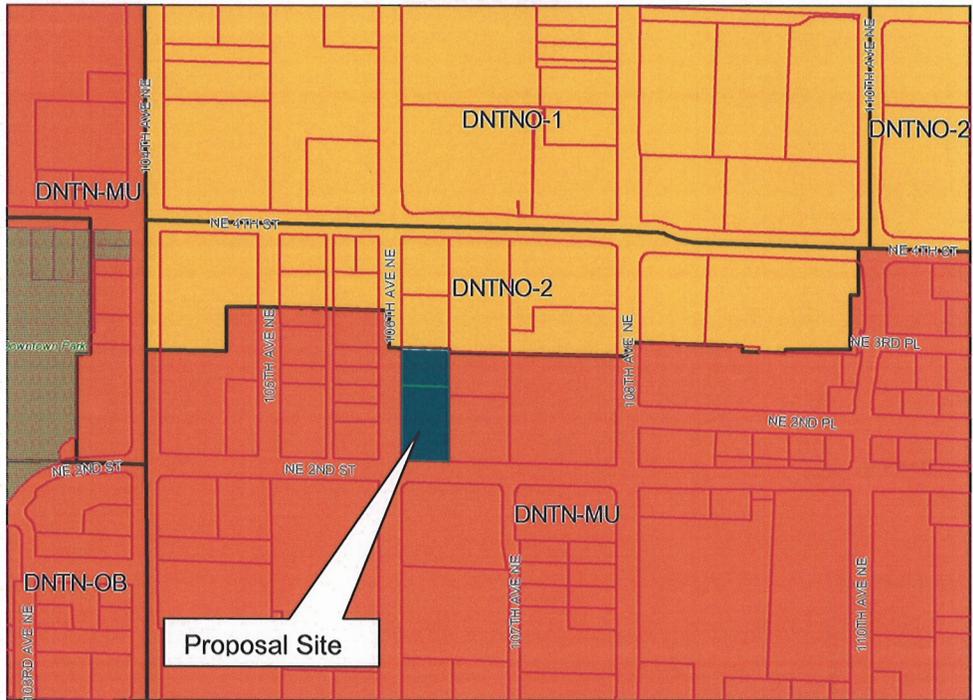
**ATTACHMENTS**

- A. Site/Vicinity and Zoning Map(s)
- B. Project Plans/Revised Building Elevations
- C. Certificate of Concurrency
- D. Street Tree Planting Specifications
- E. Eastside Disposal Review
- F. Applicant & Architect Letters Re Building Setbacks
- G. FAR Worksheet
- H. AGREEMENTS – Single Site & Project Limit
- I. Environmental Checklist

**Attachment A  
SITE VICINITY MAP**



**ZONING MAP**





**Attachment B**  
**PROJECT PLANS**  
**including**  
**REVISED BUILDING SETBACKS**



**Attachment C**  
**CERTIFICATE OF CONCURRENCY**



# CERTIFICATE OF CONCURRENCY

## BELLEVUE TOWER APARTMENTS

This certificate documents the Transportation Department Director's decision that the development project at 200 106<sup>th</sup> Avenue NE (Design Review File No. 07-132105 LD) complies with the requirements of the Traffic Standards Code (BCC 14.10). This decision reserves 109 net new p.m. peak hour trips to that project, subject to Process II appeal of either the concurrency determination or the Design Review decision. This reservation will expire one year from the land use decision date unless a complete building permit application is filed prior to that date (BCC 14.10.010D). At the time of a complete building permit application, the concurrency reservation will remain in effect for the life of that application (BCC 23.05.090H). Upon issuance of the building permit, concurrency is reserved for one year; the applicant may request up to two one-year extensions (BCC 23.05.100E).



Director, Transportation Department

Oct. 9, 2008

Date

Certificate No. 50



**Attachment D**  
**STREET TREE PLANTING SPECIFICATIONS**





## STRUCTURAL SOIL USE IN RIGHT-OF WAY

See **Construction Detail Examples** (page 4-5)

- A. Planter Strip w/Structural Soil (elevation)
- B. Planter Strip w/Structural Soil (plan view)
- C. Tree Grate w/Structural Soil (note: use spec. planting mix in tree pit)

### Structural Soil Material Mix

1. Structural Soil is a consistent even distribution of its components. The ratio of components may vary and may require adjustment to ensure soil volume is adequate to fill all the voids in the stone.
2. The following is a recommended base ratio of materials for structural soil:

4 cu meter of aggregate stone  
 1.5 meter of growing medium  
 2 kg stabilizer  
 \* Water as required  
 \* The amount of water required will vary according to moisture present in growing medium.

3. The stone, growing medium and stabilizer product are to be combined into a homogeneous mixture.

### Growing Medium

TABLE ONE: The growing medium within the structural soil mix to meet the requirements of the table following:

TABLE ONE – PROPERTIES OF GROWING MEDIUM FOR “STRUCTURAL SOIL”	
TEXTURE: Particle Size Classes by the Canadian System of Soil Classification	
Gravel: greater than 2 mm – less than 75mm	0
Sand: Greater than 0.05 mm – less than 2mm	Maximum 60%
Silt: Greater than 0.002 mm – less than 0.05mm	Maximum 35%
Clay: less than 0.002	Maximum 15%
Clay & Silt Combined	Maximum 40%
ACIDITY (pH)	6.0 – 7.0

SALINITY: Saturated extract conductivity shall not exceed;	3.0 millimhos/cm at 25°C.
ORGANIC CONTENT: Percent of Dry Weight (%)	8-12%

**Aggregate**

1. Clean stone of high angularity is required.
2. Stone dimension aspect ratio should approach 1:1:1 with a maximum of 2:1:1 length: width: depth.
3. Single size stone, 60mm to 75mm clear sieve designation: Blasted Quarry Rock.
4. Aggregates to be free of any foreign elements or material.
5. Aggregate quality: Material shall be sound, hard, durable, free from salt, thin, elongated or laminated particles, organic material, clay lumps or material, or other substances that would act in a deleterious manner for use intended.

**Soil Stabilizer**

1. A non-toxic organic binder, for example: the Natural Solution as available from Sport Turf Inc. Tel: 1 (604) 850-7857.

**Filter Fabric**

1. After adequate compaction of the structural soil is confirmed, nonwoven filter fabric is to be installed as a separation layer directly above the compacted structural soil mixture.
2. Filter fabric to conform to the following ASTM designations:

Grab Tensile Strength	ASTM-D-4632	0.400 kN
Tensile Elongation	ASTM-D-4632	50%
Mullen Burst	ASTM-D-3786	1270 kPa
Flow Rate	ASTM-D-4491	6300 l/min/m <sup>2</sup>

**Subgrade**

1. The subgrade is to be graded to provide for trench depths as required. Subgrade of areas designated as 'Structural Soil' are to be prepared to ninety-five percent (95%) Modified Proctor Density and shall be free of stones, debris, root branches, toxic materials, building materials and other deleterious materials.
2. Subgrade is to slope to subsurface drain lines where provided.

## **Mixing**

1. Mixing is to be performed on a clean, flat, hard, level surface using appropriate soil mixing equipment.
2. Over handling can result in separation of the growing medium from the stone.
3. Mix ingredients to the proportions indicated in the table: Structural Soil Material Mix.

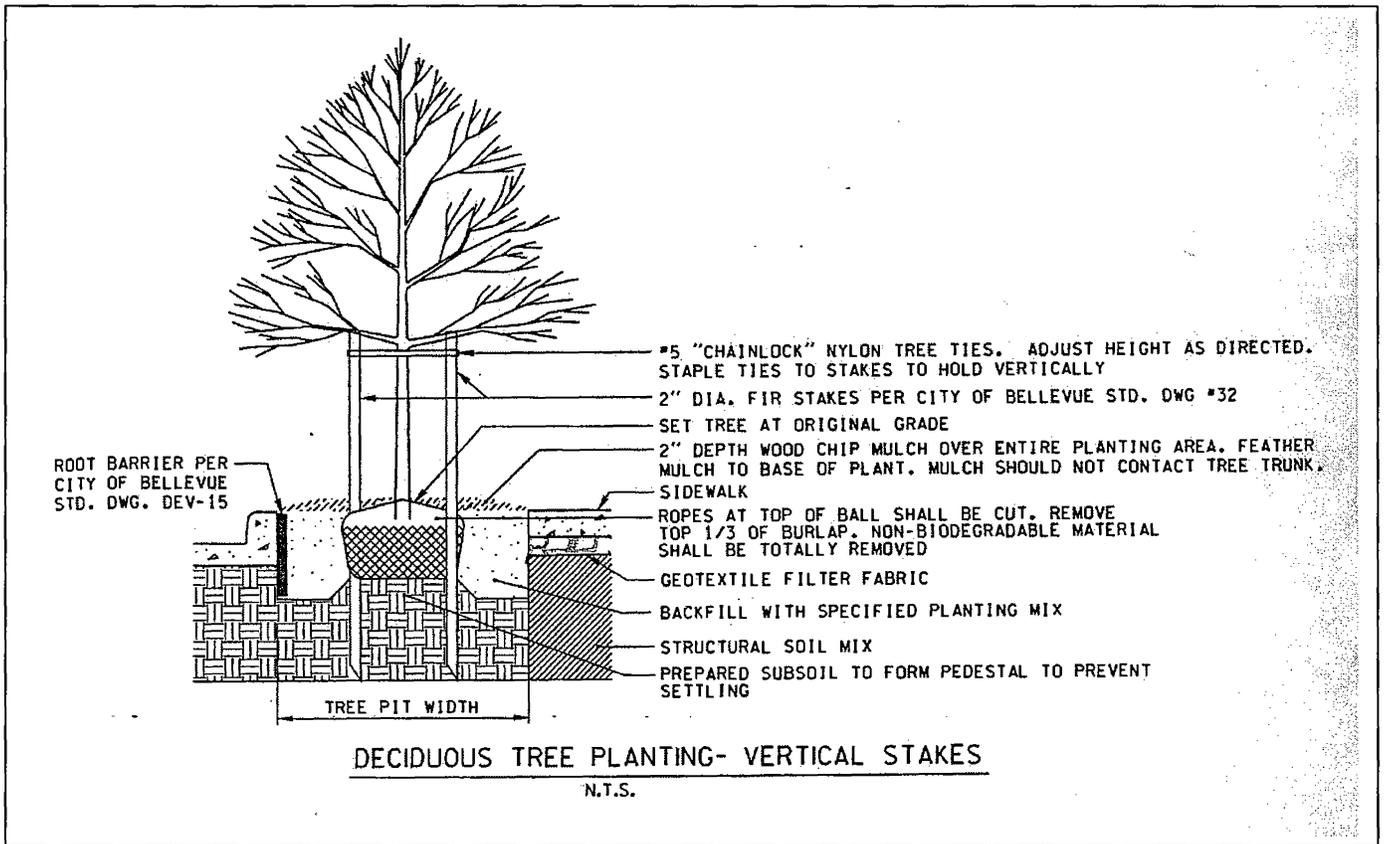
## **Placement**

1. Structural Soil should be moist, but not saturated with water when placed.
2. Place Structural Soil in designated location in lifts not to exceed 600mm.
3. Structural Soil is to be compacted as required to achieve the equivalent of 95% Modified Proctor Density.
4. After approval of Structural Soil mixture compaction, install Filter Fabric. A 600mm Overlap of all fabric seams and beyond edge of Structural Soil to be provided.

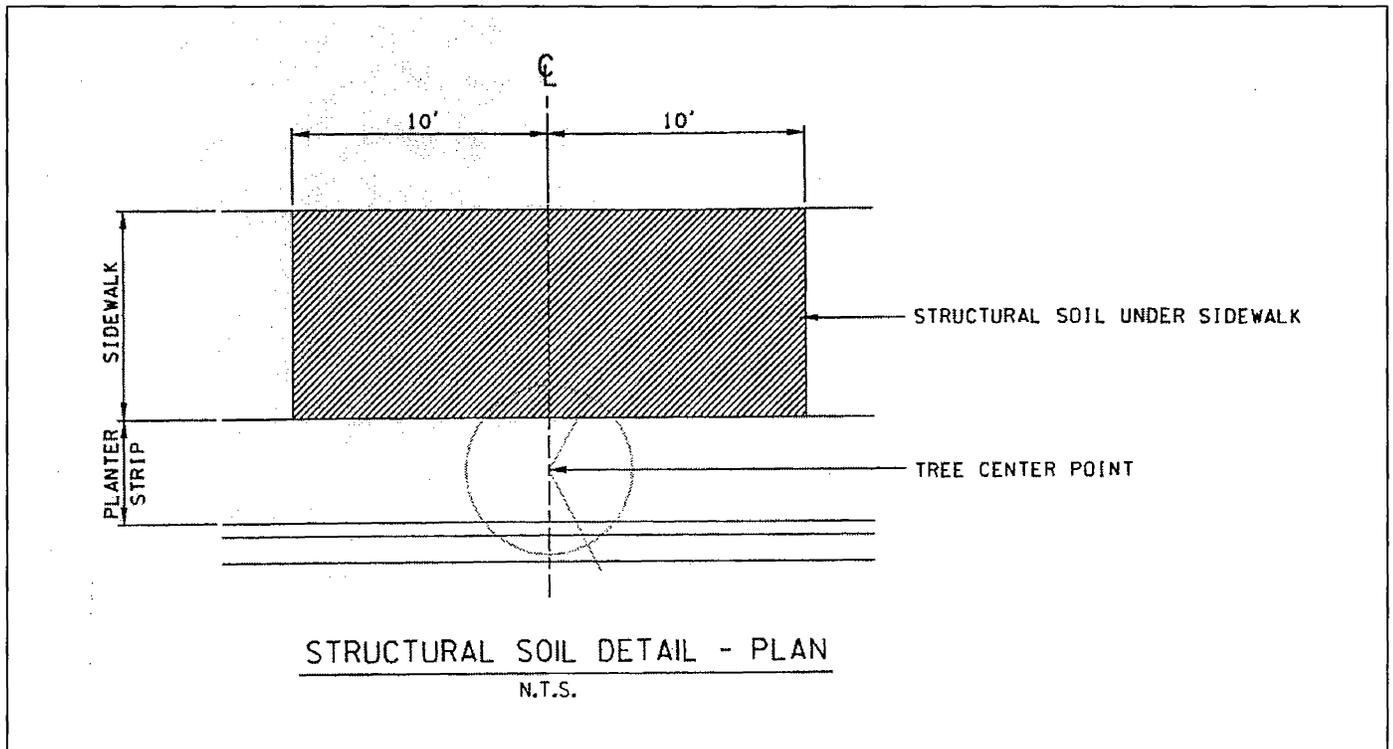
## **Finish Treatment**

1. Granular base and paving surface to be placed on filter fabric on Structural Soil. Compaction of the Structural Soil base is to be consistent with surrounding granular base materials.

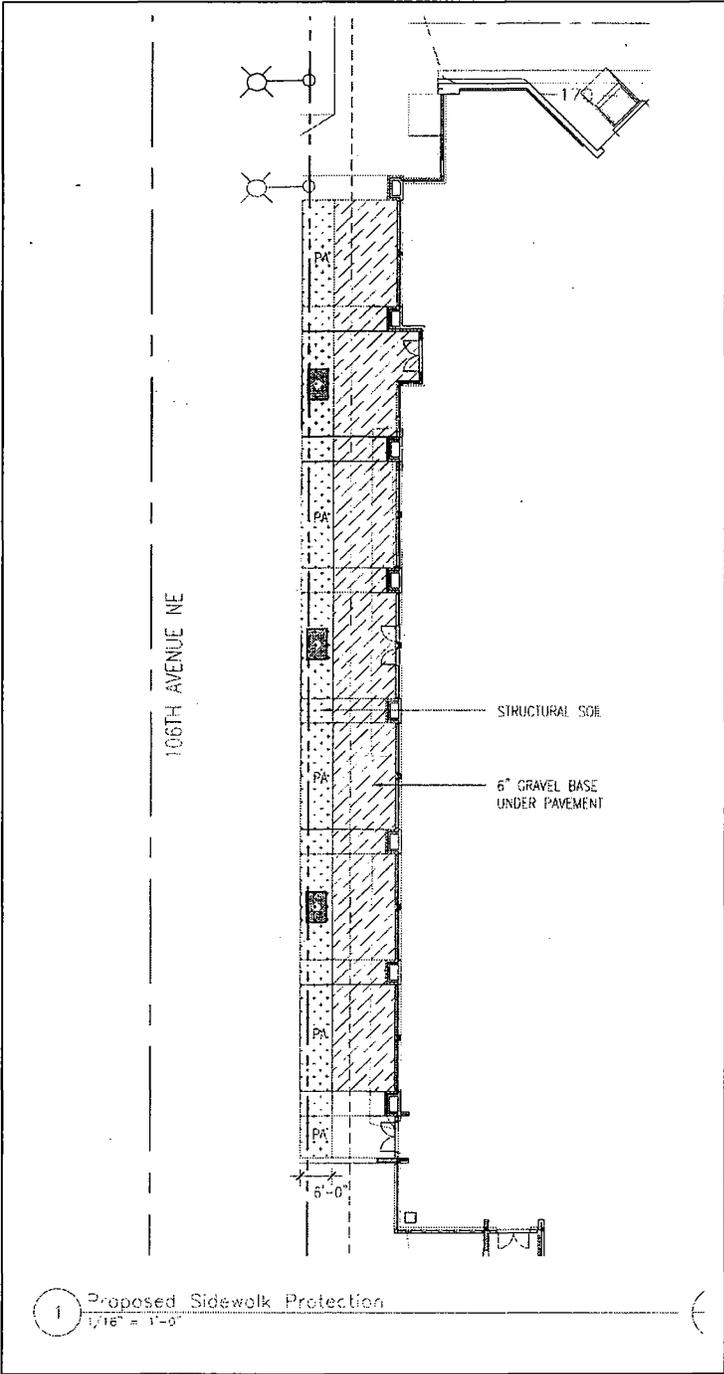
**A. Example: ROW Planter Strip w/Structural Soil (elevation) note: drainage is missing from this detail**



**B. Example: ROW Planter Strip w/Structural Soil (plan view)**



C. Example: Structural Soil w/Tree Grate (note: use spec. planting mix in tree pit)





**Attachment E**  
**EASTSIDE DISPOSAL REVIEW**



From: Scott Douglas [mailto:scott.douglas@mulvannyg2.com]  
Sent: Tuesday, July 15, 2008 2:20 PM  
Subject: FW: New Bellevue Building - Waste Management

Ken,

Here's the 'approval' from Allied Waste regarding our trash management concept. When we start the actual permit drawings we will review the specific room sizes and dumpster layout/access issues with them again.

Scott

-----Original Message-----

From: Wes Smith [mailto:Wes.Smith@awin.com]  
Sent: Tuesday, July 15, 2008 1:53 PM  
To: Scott Douglas  
Subject: Re: New Bellevue Building - Waste Management

Scott,

I have reviewed the plans you sent on 7/9/08. It looks like the rooms and access to the garbage and recycle will be adequate for service by Allied Waste. I would like the opportunity to review the plans if they are revised in the future. Please call with any questions.

Wes Smith  
Commercial Supervisor  
Allied Waste of Bellevue  
425-646-2513

>>> "Scott Douglas" <scott.douglas@mulvannyg2.com> 7/9/2008 2:35 PM >>>  
Wes,

Here are a few drawings which show how the garbage is moved from the compactor room to the alley accessible refuse rooms. Bellevue has requested a letter from Allied saying that this concept meets with your approval. I believe it's a fairly straight forward solution. Let me know what you think.

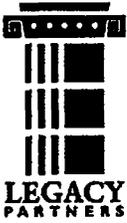
Thanks,  
Scott



**Attachment F**

**APPLICANT & ARCHITECT LETTERS: CURB/BUILDING SETBACKS**





September 29, 2008

Rental  
Real Estate

Property  
Management

Marketing  
Services

Corporate  
Services

Acquisitions &  
Development

Design Services

Construction  
Management

Financial  
Services

Ownership

Ken Thiem  
City of Bellevue  
450 110<sup>th</sup> Avenue NE  
P.O. Box 90012  
Bellevue, Washington 98009-9012

Re: Bellevue Tower (Project No. 07-132105)

Dear Mr. Thiem:

Legacy Partners is the developer of the above-referenced project. The conditions of approval associated with the pending Design Review (DR) approval of the project require that the planned widening of NE 106<sup>th</sup> Street and 2<sup>nd</sup> Avenue NE be accommodated in the development of the project. The submitted DR permit documents do not currently show the required widening of these streets; the DR permit documents will need to be revised to incorporate these changes. However, the time associated with the substantial redesign of the project requested by the City has made it important that the DR approval be issued promptly, so as not to impair the financing and construction schedule for the project.

Our understanding is that the City is prepared to issue the DR approval on October 9, 2008, prior to the revision of the DR permit documents noted above.

The DR approval will require the applicant to revise the DR permit documents following issuance of the DR approval. Legacy hereby agrees to revise the DR permit documents, prior to submitting the Building Permit application for the project, to achieve conformance with the City's required street/sidewalk widths for NE 106<sup>th</sup> Street and 2<sup>nd</sup> Avenue NE, as required by the DR approval. These revisions can be accomplished without making fundamental changes to the building design as shown on the DR approval plans. Further, we have asked the project architect to provide a written assessment that all required revisions to the project plans can be made without fundamentally changing the building design, as approved through the DR approval or compromising the viability of the project. A copy of this letter is attached.

Thank you for your attention to this matter.

Sincerely,

Kerry Nicholson  
Senior Managing Director



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2800 Post Oak Blvd., Suite 3800  
Houston, Texas 77056  
p. 713.375.1400 f. 713.375.1600  
www.edfarchitecture.com

September 29, 2008

Ken Thiem  
City of Bellevue  
450 110<sup>th</sup> Avenue NE  
P.O. Box 90012  
Bellevue, Washington 98009-9012

Re: Bellevue Tower (Project No. 06087)

Dear Ken:

We are the Architect of Record for the above-referenced project. The conditions of approval associated with the pending Design Review (DR) approval of the project require that the planned widening of NE 106<sup>th</sup> Street and 2<sup>nd</sup> Avenue NE be accommodated in the development of the project. The submitted DR permit documents do not currently show the required widening of these streets; the DR permit documents will need to be revised to incorporate these changes.

Legacy has indicated that the City is prepared to issue the DR approval on October 9, 2008, prior to the revision of the DR permit documents noted above. Legacy has agreed to revise the DR permit documents, prior to submitting the Building Permit application for the project, to achieve conformance with the City's required street/sidewalk widths for NE 106<sup>th</sup> Street and 2<sup>nd</sup> Avenue NE, as required by the DR approval. We have reviewed the scope of these required revisions and it is our view that they can be accomplished without fundamentally changing the building design, as approved through the DR approval or compromising the viability of the project.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Brit L. Perkins", with a long horizontal line extending to the right.

Brit L. Perkins, AIA, LEED AP

**Victor A Mirontschuk** AIA  
**Britten L Perkins** AIA, LEED AP  
**Richard C Handlen** AIA  
**Dennis F Thompson** Assoc. AIA, RID  
**Andre Landon** AIA

**Attachment G**  
**FAR WORKSHEET**



**CITY OF BELLEVUE LAND USE CODE ANALYSIS, MU DISTRICT**

**PROJECT NAME:** Bellevue Tower      **District:** DNTN-MU      **Project Number:** 07-132105-LD  
**Location:** 200 106 NE      **Residential/Non Residential:**      **Date Prepared:** 10/6/2008  
**Lot Area (SF):** 39,823      **Project Limits (Net On-Site Land Area) (SF):** 39,823

<b>FAR CALCULATIONS</b>	Basic	Maximum (Y)
Allowable Floor Area Ratio, Non-Residential (FAR)	0.5	3.0
Allowable Floor Area Ratio, Residential (FAR)	2.0	5.0
Allowable Floor Area	<b>79,646</b>	199,115
Minimum Basic Required Amenity Floor Area (.2 x .5 x Project Limit)		3,982

**AMENITIES (See LUC, Design Criteria, Pp 124-132)**

<b>BASIC REQUIRED AMENITIES</b>	Unit of Measure	Bonus Per Unit	Maximum Points (B)	Area or Value	
Pedestrian Oriented Frontage	1 lf	100.0	n/a	294	29,400
Landscape Feature	1 sf	8.0	8,000	0	0
Landscape Feature off Intersection	1 sf	4.0	4,000	0	0
Arcade	1 sf	4.0	n/a	0	0
Marquee	1 sf	2.0	n/a	1,710	3,420
Awning	1 sf	0.5	n/a	0	0
Sculpture or Artwork	\$100	5.0	n/a	\$0	0
Water Feature	\$100	8.0	n/a	\$0	0
Earned Basic Amenity Points					32,820

**MAJOR PUBLIC OPEN SPACE / PEDESTRIAN CORRIDOR BONUS**

Major Public Open Space	1 sf	16.0	n/a	0	0
Major Pedestrian Corridor Bonus	1 sf	16.0	n/a	0	0
					0

**ADDITIONAL BONUS AMENITIES**

Exterior Plaza	1 sf	6.0	30,000	0	0
Enclosed Plaza	1 sf	4.0	n/a	0	0
Landscape Area	1 sf	1.0	n/a	4,900	4,900
Active Recreation Area	1 sf	1.0	n/a	2,560	2,560
Residential Uses*	1 sf	2.0	n/a	199,115	398,230
Underground Parking	1 sf	0.5	n/a	110,066	55,033
Above Grade Parking, Residential	1 sf	4.0	n/a	5,300	21,200
Public Meeting Rooms	1 sf	2.0	n/a	0	0
Child Care Services*	1 sf	8.0	n/a	0	0
Retail Food*	1 sf	2.0	60,000	0	0
Public Restrooms	1 sf	4.0	n/a	0	0
Performing Arts Space	1 sf	10.0	100,000	0	0
Space for Non-Profit Social Services	1 sf	4.0	20,000	0	0
Park Property Donation	1 sf	4.0	n/a	0	0
Residential Entry Courtyard	1 sf	4.0	6,000	0	0
					481,923

**TOTAL EARNED ADDITIONAL AMENITY BONUS POINTS**

481,923

**TOTAL EARNED AMENITY POINTS**

514,743

**PROJECT PROGRAM**

Proposed Building Gross Floor Area	215,115	
Floor Area Exempt from FAR	16,000	
Net Floor Area for FAR Calculation	199,115	
Maximum Allowable Building Floor Area		119,469

**ANALYSIS OF AMENITY BONUS POINTS**

Earned Basic Amenity Points	32,820
Earned Public Open Space / Pedestrian Corridor Points	0
Earned Additional Amenity Points	481,923
Total Bonus Points Provided	514,743
Bonus Points Required	119,469
Total Surplus Amenity Bonus Points	395,274
Additional Allowable Floor Area Based on Amenities Provided	(79,646)
Additional Allowable Floor Area for Maximum Site Utilization, includes MPOS/PED Corridor	0

**Transferable Bonus Points Available**



**Attachment H**  
**AGREEMENTS – Single Site & Project Limit**



**WHEN RECORDED RETURN TO:**

City of Bellevue  
Department of Development Services  
450 100<sup>th</sup> Ave. NE  
P.O. Box 90012  
Bellevue, WA 98009  
Attn: Building Official

**Single Site Agreement**

**Document Title:** Agreement Regarding Building Permit

**Grantor:** Legacy Bellevue, LLC, a Washington limited liability company

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

**Legal Description:**

**Abbreviated Legal Description:** [ \_\_\_\_\_ ], King County,  
Washington

**Full Legal Description:** See Exhibit A attached.

**Assessor's Tax Parcel Nos.:** [ \_\_\_\_\_ ]

## **AGREEMENT REGARDING BUILDING PERMIT**

This Agreement Regarding Building Permit (this "Agreement") is made as of the \_\_\_\_\_ day of October, 2008, by and between the City of Bellevue (the "City"), and Legacy Bellevue, LLC, a Washington limited liability company ("Grantor").

WHEREAS, Grantor is the owner in fee simple of the real property described on Exhibit A hereto (the "Property"); and

WHEREAS, Grantor desires to develop the Property and will file an application with the City for a permit to construct a building per the City of Bellevue approved design review documents; and

WHEREAS, the City has adopted the International Building Code, 2006 Edition, with amendments, additions and exceptions as the Building Code for the City, which is codified as Bellevue City Code Chapter 23.10, and which is hereinafter referred to as the Building Code; and

WHEREAS, Chapters 5, 6, and 7 of the Building Code establish requirements for building area, fire resistance of building walls and for protection of openings such as windows and doors, including minimum distances which buildings must be set back from property lines; and

WHEREAS, the building to be built on the separate parcels comprising the Property will include a common base structure and a parking garage; and

WHEREAS, Grantor desires to recognize the Property as a single property for purposes of Chapters 5, 6 and 7 of the Building Code and to ensure compliance with the requirements thereof.

NOW, THEREFORE, in the event the City issues a building permit for the Property pursuant to the application filed by Grantor, and in consideration of that event, should it occur, the parties hereby agree as follows:

1. The Property shall be considered as a single property for the purposes of Chapter 5 of the Building Code as provided in Section 503.1.2 of the Building Code.

2. For purposes of Chapters 6 and 7 of the Building Code, the building to be constructed on the Property shall be considered to be portions of a single building site, as provided in Table 602, 704.3, and Table 704.8 of the Building Code.

3. Grantor recognizes and acknowledges that the Building Code is from time to time amended, including amendments to adopt revisions to the International Building Code, and that the requirements referenced in Sections 1 and 2 above may at a future time be amended or replaced by new requirements. Grantor further acknowledges that the purpose of this Agreement is to assure compliance with Building Code requirements current at the time of any new construction or redevelopment on the Property, and therefore agrees that its obligations under

Sections 1 and 2 above include compliance with Chapters 5, 6, and 7 of the Building Code as the same may be amended, modified or replaced by new provisions.

4. In the event that any term or clause of this Agreement conflicts with applicable law, such conflict 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.

5. The City may, at its discretion, bring a lawsuit to compel performance of the terms and conditions of this Agreement.

6. Any amendments or modifications to this Agreement shall be valid only if mutually agreed upon by the City and Grantor (including heirs, assignees or successors thereto) in writing and recorded with the King County Department of Records and Elections.

7. Grantor agrees to indemnify and save harmless the City from and against all claims, suits, damages, costs, losses and expenses in any manner resulting from, arising out of, or connected with the undersigned parties negligent performance or failure to perform fully any term or condition of this Agreement.

8. At the request of Grantor, the City will provide written confirmation of whether Grantor is in compliance with this Agreement and City Codes and regulations.

9. This Agreement shall be binding on the heirs, assigns, and successors to Grantor.

10. This Agreement shall remain in effect for the life of the Project to construct buildings per the City of Bellevue approved design review documents and related permits referenced above. Any amendment or modification to the Project shall be subject to the Building Code and other applicable codes and regulations. This Agreement shall terminate if the Project is demolished, not constructed, or otherwise replaced with development not approved in the City of Bellevue approved design review documents referenced above.

Approved as to Form:

Lori M. Riordan, City Attorney

BY:

\_\_\_\_\_  
Lacey M. Madche,  
Assistant City Attorney

**[Signatures appear on following page]**

IN WITNESS WHEREOF, Grantor and the City have executed this Agreement as of the date and year first set forth above.

GRANTOR:

LEGACY BELLEVUE, LLC,  
a Washington limited liability company

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

THE CITY:

THE CITY OF BELLEVUE

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_





**EXHIBIT A**  
Legal Description



## PROJECT LIMIT LAND USE AGREEMENT

THIS PROJECT LIMIT LAND USE AGREEMENT ("Agreement") is made and executed this 7<sup>th</sup> day of October 2008, by and between Legacy Bellevue, LLC. ("Property Owner") and the City Of Bellevue ("City"), a Washington municipal corporation.

### RECITALS

A. Whereas, Property Owner is the owner of real property located at 200 and 220 106<sup>th</sup> Ave NE, Bellevue, Washington, more specifically described in Exhibit A and by this reference fully incorporated herein ("Property"); and

B. Whereas, the Property consists of multiple parcels, as depicted on Exhibit B by this reference fully incorporated herein; and

C. Whereas, Property Owner seeks to construct a mixed use 19-story residential tower with a 16,000 SF retail base and mostly underground parking on the Property, under permit numbers 07-132105-LD (the "Project"); and

D. Whereas, LUC 20.50.042 defines Project Limit as "a lot, portion of a lot or combination of lots or portions of lots treated as a single development parcel for purposes of the Land Use Code"; and

E. Whereas, the parties desire to review the Project as though the Property were a single parcel for purposes of application of the Land Use Code, with a Project Limit as depicted in Exhibit C and by this reference fully incorporated herein.

### AGREEMENT

NOW, THEREFORE, the parties agree as follows:

1. Project Limit. For purposes of administering the Land Use Code, all parcels of the Property shall be included within the Project Limit as defined in LUC 20.50.042, now or as hereafter amended. In applying the Land Use Code, internal property lines shall only be considered for purposes of determining required setbacks from ingress/egress tracts, easements, roads or other ways, as set forth in LUC 20.25A.020, now or as hereafter amended

2. Compliance with Local, State, and Federal Laws. No provision of this Agreement shall eliminate or negate the Property Owners' obligations to comply with

all applicable local, state, and federal laws and regulations, including, without limitation, the City's building code, the Bellevue City Code, and state subdivision law. Nothing in this Agreement shall be deemed a subdivision or modification of existing subdivision documents.

3. Duration and Termination. This Agreement shall remain in effect for the life of the Project as approved pursuant to the land use permits referenced above. Any amendment or modification to the Project shall be subject to the Land Use Code and other applicable codes and regulations. This Agreement shall terminate if the Project is demolished, not constructed, or otherwise replaced with development not approved in the land use permits referenced above.

5. Severability. In the event that any term or clause of this Agreement conflicts with applicable law, such conflict 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.

6. Specific Performance. The City may, at its discretion, bring a lawsuit to compel performance of the terms and conditions of this Agreement. Alternatively, the City may enforce violations of this Agreement as provided in the Land Use Code and pursuant to Chapter 1.18 BCC, now or as hereafter amended. The remedies provided in this section are non-exclusive and shall not prevent the City from pursuing any other rights or remedies available at law or in equity.

7. Amendment or Modification. Any amendments or modifications to this Agreement shall be valid only if mutually agreed upon by the City and Property Owners in writing and recorded with the King County Department of Records and Elections.

8. Indemnification. Property Owners shall indemnify and save harmless the City from and against all claims, suits, damages, costs, losses, and expenses in any manner resulting from, arising out of, or concerned with Property Owners' negligent performance or failure to perform fully any term or condition of this Agreement.

9. Recording. Property Owners shall record this Agreement with King County Department of Records and Elections and provide the City with a recorded copy.

10. Successors and Assigns. This Agreement shall be binding on the parties and their respective heirs, executors, administrators, successors, and assigns.





**Attachment I**  
**ENVIRONMENTAL CHECKLIST**



**WAC 197-11-960 Environmental checklist.**

ENVIRONMENTAL CHECKLIST

Purpose of 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 agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS.

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." 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 governmental agencies 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. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D).

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.

A. BACKGROUND

1. Name of proposed project, if applicable: **Bellevue Tower**

2. Name of applicant: **Legacy Partners Residential, Inc.**

3. Address and phone number of applicant and contact person:

**Darcy R. Garneau**

**7525 S.E. 24<sup>th</sup> ST., Suite 180**

**Mercer Island, WA 98040**

4. Date checklist prepared: **9/28/2007**

5. Agency requesting checklist: **City of Bellevue Washington, planning and zoning**

6. Proposed timing or schedule (including phasing, if applicable): **design development-construction documents 8/14/07—2/4/08  
construction 3/3/08—3/1/10**

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. **No**

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.  
**Environmental Site Assessment of 200 106<sup>th</sup> Ave NE, Bellevue WA 28004**  
**Prepared by ATC Associates Inc. 6347 Seaview Ave. NW, Bellevue WA 98107 May 9,2007**

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. **Yes- city of Bellevue- design review application**

10. List any government approvals or permits that will be needed for your proposal, if known. **City of Bellevue Washington Building Permits**

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)  
**Bellevue Tower is a 20 story multi-use building with Ground floor retail /garage parking and multi-family residential above.**

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

**Address: 200 106<sup>th</sup> Ave. NE**  
**Bellevue, WA 28004**

**Legal description: Stewart Title order no 207151286**

**South Half of the west half of that portion of lot 2, block 3, Cheriton fruit gardens plat no, 1, according to the plat thereof recorded in vol.7 of plats page 47, King County WA. Lying south of the south line of northeast 4<sup>th</sup> street as est. by deed to the city of Bellevue rec. #4806117, and north of the north line of northeast 2<sup>nd</sup> St. as est. in deed to King County rec # 3606403, except the west 30 feet thereof conveyed to king county for 106<sup>th</sup> Ave northeast by deed recorded under rec # 3606403 described**

**As follows :**

**Commencing at the southeast corner of the west half of the said lot 2; thence northerly along the east line of the west half of said lot 2 a distance of 30 feet to the true point of beginning; thence continuing northerly along the east line of the west half of said lot 2 a distance of 300 feet, more or less, to the north line of the south half of the west half of said lot 2; thence north 88.39'34" west 164.36 feet; thence south 0.03'29" east 300 feet, more or less to the north line of northeast 2<sup>nd</sup> street; thence south 88.39'34" east Along said northerly line 164.31 feet to the true point of beginning and also except the north 100 feet thereof.**

TO BE COMPLETED BY APPLICANT EVALUATION FOR AGENCY USE ONLY

## B. ENVIRONMENTAL ELEMENTS

### 1. Earth

General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other . . . . **moderate slope to southwest. .**

What is the steepest slope on the site (approximate percent slope)?  
**2 to 3 percent.**

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

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. **No, the geotechnical report and investigation shows stable soils, but recommends 2-feet of overexcavation and backfill with structural / granular soil for the building. The soils must be protected from moisture, or allowed to dry during construction.**

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill. **Fill will be brought to the site for:**

**Building Foundation – 300 cy  
Crushed Road Base – 550 cy  
Top Soil – Landscaping - 175 cy**

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. **NO It is unlikely that erosion will occur. Clearing the site and the construction require an approved erosion control plan that the contractor(s) must use. The site will be fully protected with impervious surfacing and landscaping when it goes into a use condition.**

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? **99%**

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

**Prepare and require contractor compliance with an erosion control plan during construction. The plan will include effective, protective measures and “Best Management Practices” to be installed and maintained during construction. This requirement will continue throughout the construction period until the project is complete and erosion no longer a threat.**

**Air**

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

**normal emission for construction equipment  
dust from earth moving**

Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. **NO**  
Proposed measures to reduce or control emissions or other impacts to air, if any:

**-0**

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.

**No- ponds, lagoons or waste pits**

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 – not applicable in this case.**

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. **No – no withdrawals.**

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. **No- located in FEMA flood zone X**

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 – the only waste discharge from this project will be to the sanitary sewer system.**

b. Ground:

1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

**No, unless required temporarily for dewatering during construction.**

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.

**Domestic sewage for leasable approx. 250 leasable residential units  
And commercial retail serving approximately 10,650 SF.**

c. Water runoff (including stormwater):

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. **Sheet flow across paved surfaces, down roof drains, into storm drains on adjacent streets. Storm water run off would likely flow southwest toward Meydenbauer Bay Washington**

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

**No- discharge to municipal storm water system and municipal sanitary sewer system**

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

**The surface water runoff will be routed to the existing storm drain collection system which flows to an existing public system. Ground water is approx. 8 ft below the surface and will not impact the surface condition. It is unlikely there will be surface runoff impacts if the existing storm drain system is properly maintained.**

4. **Plants**

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, bullrush, 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?

**Site is currently retail downtown Bellevue – no indigenous vegetation**

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

**-0-**

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

**The project will include landscaping. A landscape plan will be submitted to the City for approval and the contractor must comply with the plan, The work is further subject to inspection for compliance.**

5. **Animals**

a. 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.

TO BE COMPLETED BY APPLICANT EVALUATION FOR AGENCY USE ONLY

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

**not known**

Proposed measures to preserve or enhance wildlife, if any:

6. **Energy and natural resources**

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

**electric-heating**

**Puget Sound Energy (PSE)**

**natural gas- PSE**

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

**20 story tower will cast shadows on adjacent north-easterly, north-westerly properties**

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

**focus on operable windows instead of mechanical HVAC in residential units**

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.

**None known**

1) Describe special emergency services that might be required.

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

**Existing downtown business district traffic noise**

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

**Long term – increase traffic**

**Construction-equipment not known at present**

7. **Environmental health**

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

b. **Noise**

3) Proposed measures to reduce or control noise impacts, if any: **not known at present**

8. **Land and shoreline use**

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

**current use of site is restaurant and one story parking structure associated with property adjacent**

**Northern commercial office building**

**Beck Building-220 106<sup>th</sup> Ave. NE- commercial**

**East- parking lot asphalt**

**South-NE 2<sup>nd</sup> St- Bellevue Pacific Tower**

**condominium/ commercial**

**Southwest-Bellevue Plaza 117 106<sup>th</sup> Ave NE**

**retail and commercial**

**West-106<sup>th</sup> Ave. NE**

**restaurant and drycleaners**

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

**prior to 1950**

Describe any structures on the site.

**current use Sea Garden restaurant- wood frame slab on grade**

**one story parking structure associated with the restaurant- masonry block**

Will any structures be demolished? If so, what?

**above referenced structures to be demolished**

What is the current zoning classification of the site?

**DNTN-MU—downtown mixed use , commercial**

What is the current comprehensive plan designation of the site?

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

**NA**

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

**none known**

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

**Based on maximum occupancy loads:**

**leasable area/ floor 200 SF/occupant 2006IBC total maximum of 866 occupants for the building**

**retail 100 SF/occupant 10,648 SF/100= 106 max**

Approximately how many people would the completed project displace?

**no residents**

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

**NA**

9. **Housing**

1. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:  
**Compliance with city of Bellevue Washington landuse and planning zoning regulations**

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?

**221.00 feet**

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

**site is currently occupied by one story restaurant- the twenty story tower may obstruct views from upper stories in buildings to the east , limiting view of the bay .**

**views from residential tower to the South toward the bay will not be likely impacted by the proposed project.**

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

**planting of vegetation along 106<sup>th</sup> Ave and NE 2<sup>nd</sup> ST**

**building material complimentary to existing downtown building materials**

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.  
**Approximately 250 middle to high income**

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. -0-

c. Proposed measures to reduce or control housing impacts, if any: **none known at present**

11. **Light and glare**

a. What type of light or glare will the proposal produce? What time of day would it mainly occur? **Non-reflective glass, beige tone cast stone and stucco producing minimal glare, residential night time lighting in tower structure, commercial use/retail night-time lighting at street level**

b. Could light or glare from the finished project be a safety hazard or interfere with views? **None known**

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

**none known**

Proposed measures to reduce or control light and glare impacts, if any:

**none at present**

**12. Recreation**

What designated and informal recreational opportunities are in the immediate vicinity? **Downtown park located 3 blocks west, art museum and town square within 2 blocks.**

**The proposed project will be located in a already vibrant office and cultural center of the city of Bellevue.**

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

**none known**

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

**13. Historic and cultural preservation**

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. **None known**

Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site. **None identified**

Proposed measures to reduce or control impacts, if any: **NA**

**14. Transportation**

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

**Site bounded by 106<sup>th</sup> Ave NE and NE 2<sup>nd</sup> Street. Major interstate serving area is I405.**

**See plans A.0.0.1**

Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop? **Transit service is provided in the immediate project vicinity. The nearest transit stops are:**

**On 105th Ave NE north of NE 2nd Street (0.08 miles from site). Serves Metro route 249.**

**On 108th Ave NE north and south of NE 2nd Street (0.15 miles from site). Serves Metro routes 233 and 240.**

**On Main Street west of 106th Ave NE (0.16 miles from site). Serves Metro routes 233 and 921.**

**The Bellevue Transit Center is located 0.46 miles from the site, and serves 15 Metro routes, and 8 Sound Transit routes.**

How many parking spaces would the completed project have? How many would the project eliminate? **Approximately 54 surface parking, approximately 248 in garage structure**

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). **none in proposed project, public road widening of 106<sup>th</sup> Ave and NE 2<sup>nd</sup> St.**

TO BE COMPLETED BY APPLICANT EVALUATION FOR AGENCY USE ONLY

e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.  
**No.**

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

**Approximately 1,130 net new vehicular trips per day are estimated to be generated by the project. Peak volumes are expected to occur between 7-9 AM and between 4-6 PM.**

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

**The developer will be required to pay transportation impact fees to the City of Bellevue which will help to fund roadway improvements on the City's adopted Transportation Facilities Plan.**

15. Public services

16. Utilities

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

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.

**Puget Sound Energy for gas and electric  
City of Bellevue will serve potable, sanitary and storm water needs  
refuse service-unknown at present  
telephone-unknown at present  
media connections- unknown at present**

SIGNATURE

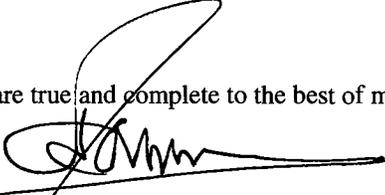
a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

**due to the expected increased population residing and working within the proposed project public services such a fire protection, police protection, health care and schools would be necessary. Serving approximately 850 people maximum residential and 100 people retail/commercial.**

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

**None- city is encouraging city- core development**

C. 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.

  
10-2-07  
**DARLY GARNEAU, VP  
FOR: LEGACY PARTNERS RESIDENTIAL, INC.**

Signature: .

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

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. .

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? **An increase in population residing at the proposed project will necessitate increase use of city services of water,**

Proposed measures to avoid or reduce such increases are: **none-**

2. How would the proposal be likely to affect plants, animals, fish, or marine life? **none**

How would the proposal be likely to deplete energy or natural resources? **-0-**

Proposed measures to protect or conserve energy and natural resources are: **providing multi-family housing closer to work environment lessens demands on living and transportation energy needs**

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?

**none known**

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

**NA**

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

**none**

TO BE COMPLETED BY APPLICANT EVALUATION FOR AGENCY USE ONLY

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? NA

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

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

Proposed measures to reduce or respond to such demand(s) are:  
none

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.  
none known

## WAC 197-11-960 Environmental checklist.

### ENVIRONMENTAL CHECKLIST

#### Purpose of 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 agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

#### Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS.

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." 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 governmental agencies 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. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

#### Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D).

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.

#### A. BACKGROUND

1. Name of proposed project, if applicable: **Bellevue Tower**

2. Name of applicant: **Legacy Partners Residential, Inc.**

3. Address and phone number of applicant and contact person:

**Darcy R. Garneau**  
**7525 S.E. 24<sup>th</sup> ST., Suite 180**

**Mercer Island, WA 98040**

4. Date checklist prepared: **9/28/2007**

5. Agency requesting checklist: **City of Bellevue Washington, planning and zoning**

6. Proposed timing or schedule (including phasing, if applicable): **design development-construction documents 8/14/07—2/4/08**  
**construction 3/3/08—3/1/10**

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. **No**

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

**Environmental Site Assessment of 200 106<sup>th</sup> Ave NE, Bellevue WA 28004**

**Prepared by ATC Associates Inc. 6347 Seaview Ave. NW, Bellevue WA 98107 May 9,2007**

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. **Yes- city of Bellevue- design review application**

10. List any government approvals or permits that will be needed for your proposal, if known. **City of Bellevue Washington Building Permits**

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)  
**Bellevue Tower is a 20 story multi-use building with Ground floor retail /garage parking and multi-family residential above.**

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

**Address: 200 106<sup>th</sup> Ave. NE**

**Bellevue, WA 28004**

**Legal description: Stewart Title order no 207151286**

**South Half of the west half of that portion of lot 2, block 3, Cheriton fruit gardens plat no, 1, according to the plat thereof recorded in vol.7 of plats page 47, King County WA. Lying south of the south line of northeast 4<sup>th</sup> street as est. by deed to the city of Bellevue rec. #4806117, and north of the north line of northeast 2<sup>nd</sup> St. as est. in deed to King County rec # 3606403, except the west 30 feet thereof conveyed to king county for 106<sup>th</sup> Ave northeast by deed recorded under rec # 3606403 described**

**As follows :**

**Commencing at the southeast corner of the west half of the said lot 2; thence northerly along the east line of the west half of said lot 2 a distance of 30 feet to the true point of beginning; thence continuing northerly along the east line of the west half of said lot 2 a distance of 300 feet, more or less, to the north line of the south half of the west half of said lot 2; thence north 88.39'34" west 164.36 feet; thence south 0.03'29" east 300 feet, more or less to the north line of northeast 2<sup>nd</sup> street; thence south 88.39'34" east Along said northerly line 164.31 feet to the true point of beginning and also except the north 100 feet thereof.**

TO BE COMPLETED BY APPLICANT EVALUATION FOR AGENCY USE ONLY

## B. ENVIRONMENTAL ELEMENTS

### 1. Earth

General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other . . . . **moderate slope to southwest. .**

What is the steepest slope on the site (approximate percent slope)?

**2 to 3 percent.**

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

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. **No, the geotechnical report and investigation shows stable soils, but recommends 2-feet of overexcavation and backfill with structural / granular soil for the building. The soils must be protected from moisture, or allowed to dry during construction.**

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill. **Fill will be brought to the site for:**

**Building Foundation – 300 cy  
Crushed Road Base – 550 cy  
Top Soil – Landscaping - 175 cy**

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. **NO It is unlikely that erosion will occur. Clearing the site and the construction require an approved erosion control plan that the contractor(s) must use. The site will be fully protected with impervious surfacing and landscaping when it goes into a use condition.**

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? **99%**

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

**Prepare and require contractor compliance with an erosion control plan during construction. The plan will include effective, protective measures and “Best Management Practices” to be installed and maintained during construction. This requirement will continue throughout the construction period until the project is complete and erosion no longer a threat.**

#### **Air**

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

**normal emission for construction equipment  
dust from earth moving**

Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. **NO**  
Proposed measures to reduce or control emissions or other impacts to air, if any:

**-0**

### 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.

**No- ponds, lagoons or waste pits**

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 – not applicable in this case.**

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. **No – no withdrawals.**

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

**No- located in FEMA flood zone X**

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 – the only waste discharge from this project will be to the sanitary sewer system.**

#### b. Ground:

1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

**No, unless required temporarily for dewatering during construction.**

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.

**Domestic sewage for leasable approx. 250 leasable residential units**

**And commercial retail serving approximately 10,650 SF.**

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c. Water runoff (including stormwater):

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. **Sheet flow across paved surfaces, down roof drains, into storm drains on adjacent streets. Storm water run off would likely flow southwest toward Meydenbauer Bay Washington**

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

**No- discharge to municipal storm water system and municipal sanitary sewer system**

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

**The surface water runoff will be routed to the existing storm drain collection system which flows to an existing public system. Ground water is approx. 8 ft below the surface and will not impact the surface condition. It is unlikely there will be surface runoff impacts if the existing storm drain system is properly maintained.**

4. **Plants**

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, bullrush, 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?

**Site is currently retail downtown Bellevue – no indigenous vegetation**

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

**-0-**

Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site,

if any:

**The project will include landscaping. A landscape plan will be submitted to the City for approval and the contractor must comply with the plan, The work is further subject to inspection for compliance.**

5. **Animals**

a. 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.

TO BE COMPLETED BY APPLICANT EVALUATION FOR AGENCY USE ONLY

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

**not known**

Proposed measures to preserve or enhance wildlife, if any:

6. **Energy and natural resources**

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

**electric-heating**

**Puget Sound Energy (PSE)**

**natural gas- PSE**

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

**20 story tower will cast shadows on adjacent north-easterly, north-westerly properties**

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

**focus on operable windows instead of mechanical HVAC in residential units**

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.

**None known**

1) Describe special emergency services that might be required.

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

**Existing downtown business district traffic noise**

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

**Long term – increase traffic**

**Construction-equipment not known at present**

7. **Environmental health**

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

b. **Noise**

3) Proposed measures to reduce or control noise impacts, if any: **not known at present**

8. **Land and shoreline use**

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

**current use of site is restaurant and one story parking structure associated with property adjacent**

**Northern commercial office building**

**Beck Building-220 106<sup>th</sup> Ave. NE- commercial**

**East- parking lot asphalt**

**South-NE 2<sup>nd</sup> St- Bellevue Pacific Tower**

**condominium/ commercial**

**Southwest-Bellevue Plaza 117 106<sup>th</sup> Ave NE**

**retail and commercial**

**West-106<sup>th</sup> Ave. NE**

**restaurant and drycleaners**

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

**prior to 1950**

Describe any structures on the site.

**current use Sea Garden restaurant- wood frame slab on grade**

**one story parking structure associated with the restaurant- masonry block**

Will any structures be demolished? If so, what?

**above referenced structures to be demolished**

What is the current zoning classification of the site?

**DNTN-MU—downtown mixed use , commercial**

What is the current comprehensive plan designation of the site?

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

**NA**

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

**none known**

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

**Based on maximum occupancy loads:**

**leasable area/ floor 200 SF/occupant 2006IBC total maximum of 866 occupants for the building**

**retail 100 SF/occupant 10,648 SF/100= 106 max**

Approximately how many people would the completed project displace?

**no residents**

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

**NA**

9. **Housing**

1. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:  
**Compliance with city of Bellevue Washington landuse and planning zoning regulations**

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?

**221.00 feet**

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

**site is currently occupied by one story restaurant- the twenty story tower may obstruct views from upper stories in buildings to the east , limiting view of the bay .**

**views from residential tower to the South toward the bay will not be likely impacted by the proposed project.**

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

**planting of vegetation along 106<sup>th</sup> Ave and NE 2<sup>nd</sup> ST**

**building material complimentary to existing downtown building materials**

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

**Approximately 250 middle to high income**

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. -0-

- c. Proposed measures to reduce or control housing impacts, if any: **none known at present**

11. **Light and glare**

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? **Non-reflective glass, beige tone cast stone and stucco producing minimal glare, residential night time lighting in tower structure, commercial use/retail night-time lighting at street level**

- b. Could light or glare from the finished project be a safety hazard or interfere with views? **None known**

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

**none known**

Proposed measures to reduce or control light and glare impacts, if any:

**none at present**

**12. Recreation**

What designated and informal recreational opportunities are in the immediate vicinity? **Downtown park located 3 blocks west, art museum and town square within 2 blocks.**

**The proposed project will be located in a already vibrant office and cultural center of the city of Bellevue.**

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

**none known**

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

**13. Historic and cultural preservation**

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. **None known**

Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site. **None identified**

Proposed measures to reduce or control impacts, if any: **NA**

**14. Transportation**

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

**Site bounded by 106<sup>th</sup> Ave NE and NE 2<sup>nd</sup> Street. Major interstate serving area is I405.**

**See plans A.0.0.1**

Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop? **Transit service is provided in the immediate project vicinity. The nearest transit stops are:**

**On 105th Ave NE north of NE 2nd Street (0.08 miles from site). Serves Metro route 249.**

**On 108th Ave NE north and south of NE 2nd Street (0.15 miles from site). Serves Metro routes 233 and 240.**

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How many parking spaces would the completed project have? How many would the project eliminate? **Approximately 54 surface parking, approximately 248 in garage structure**

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). **none in proposed project, public road widening of 106<sup>th</sup> Ave and NE 2<sup>nd</sup> St.**

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

No.

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

Approximately 1,130 net new vehicular trips per day are estimated to be generated by the project. Peak volumes are expected to occur between 7-9 AM and between 4-6 PM.

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

The developer will be required to pay transportation impact fees to the City of Bellevue which will help to fund roadway improvements on the City's adopted Transportation Facilities Plan.

15. Public services

16. Utilities

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

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.

Puget Sound Energy for gas and electric
City of Bellevue will serve potable, sanitary and storm water needs
refuse service-unknown at present
telephone-unknown at present
media connections- unknown at present

SIGNATURE

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

due to the expected increased population residing and working within the proposed project public services such a fire protection, police protection, health care and schools would be necessary. Serving approximately 850 people maximum residential and 100 people retail/commercial.

Proposed measures to reduce or control direct impacts on public services, if any.
None- city is encouraging city- core development

C. 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.

[Handwritten signature] 10-2-07
DARCY GARNEAU, VP
FOR: LEGACY PARTNERS RESIDENTIAL, INC.

Signature: .

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Proposed measures to avoid or reduce such increases are: **none-**

2. How would the proposal be likely to affect plants, animals, fish, or marine life? **none**

How would the proposal be likely to deplete energy or natural resources? **-0-**

Proposed measures to protect or conserve energy and natural resources are: **providing multi-family housing closer to work environment lessens demands on living and transportation energy needs**

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?

**none known**

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

**NA**

Proposed measures to protect or conserve plants, animals, fish, or marine life are:  
**none**

TO BE COMPLETED BY APPLICANT EVALUATION FOR AGENCY USE ONLY

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? NA

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

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

Proposed measures to reduce or respond to such demand(s) are:  
none

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

none known

## WAC 197-11-960 Environmental checklist.

### ENVIRONMENTAL CHECKLIST

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

#### Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D).

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.

#### A. BACKGROUND

1. Name of proposed project, if applicable: **Bellevue Tower**

2. Name of applicant: **Legacy Partners Residential, Inc.**

3. Address and phone number of applicant and contact person:

**Darcy R. Garneau**  
**7525 S.E. 24<sup>th</sup> ST., Suite 180**

**Mercer Island, WA 98040**

4. Date checklist prepared: **9/28/2007**

5. Agency requesting checklist: **City of Bellevue Washington, planning and zoning**

6. Proposed timing or schedule (including phasing, if applicable): **design development-construction documents 8/14/07—2/4/08**  
**construction 3/3/08—3/1/10**

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. **No**

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.  
**Environmental Site Assessment of 200 106<sup>th</sup> Ave NE, Bellevue WA 28004**  
**Prepared by ATC Associates Inc. 6347 Seaview Ave. NW, Bellevue WA 98107 May 9,2007**

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. **Yes- city of Bellevue- design review application**

10. List any government approvals or permits that will be needed for your proposal, if known. **City of Bellevue Washington Building Permits**

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)  
**Bellevue Tower is a 20 story multi-use building with Ground floor retail /garage parking and multi-family residential above.**

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

**Address: 200 106<sup>th</sup> Ave. NE**

**Bellevue, WA 28004**

**Legal description: Stewart Title order no 207151286**

**South Half of the west half of that portion of lot 2, block 3, Cheriton fruit gardens plat no, 1, according to the plat thereof recorded in vol.7 of plats page 47, King County WA. Lying south of the south line of northeast 4<sup>th</sup> street as est. by deed to the city of Bellevue rec. #4806117, and north of the north line of northeast 2<sup>nd</sup> St. as est. in deed to King County rec # 3606403, except the west 30 feet thereof conveyed to king county for 106<sup>th</sup> Ave northeast by deed recorded under rec # 3606403 described**

**As follows :**

**Commencing at the southeast corner of the west half of the said lot 2; thence northerly along the east line of the west half of said lot 2 a distance of 30 feet to the true point of beginning; thence continuing northerly along the east line of the west half of said lot 2 a distance of 300 feet, more or less, to the north line of the south half of the west half of said lot 2; thence north 88.39'34" west 164.36 feet; thence south 0.03'29" east 300 feet, more or less to the north line of northeast 2<sup>nd</sup> street; thence south 88.39'34" east Along said northerly line 164.31 feet to the true point of beginning and also except the north 100 feet thereof.**

TO BE COMPLETED BY APPLICANT EVALUATION FOR AGENCY USE ONLY

## B. ENVIRONMENTAL ELEMENTS

### 1. Earth

General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other . . . **moderate slope to southwest. .**

What is the steepest slope on the site (approximate percent slope)?

**2 to 3 percent.**

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

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. **No, the geotechnical report and investigation shows stable soils, but recommends 2-feet of overexcavation and backfill with structural / granular soil for the building. The soils must be protected from moisture, or allowed to dry during construction.**

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill. **Fill will be brought to the site for:**

**Building Foundation – 300 cy  
Crushed Road Base – 550 cy  
Top Soil – Landscaping - 175 cy**

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. **NO It is unlikely that erosion will occur. Clearing the site and the construction require an approved erosion control plan that the contractor(s) must use. The site will be fully protected with impervious surfacing and landscaping when it goes into a use condition.**

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? **99%**

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

**Prepare and require contractor compliance with an erosion control plan during construction. The plan will include effective, protective measures and “Best Management Practices” to be installed and maintained during construction. This requirement will continue throughout the construction period until the project is complete and erosion no longer a threat.**

**Air**

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

**normal emission for construction equipment  
dust from earth moving**

Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. **NO**  
Proposed measures to reduce or control emissions or other impacts to air, if any:

**-0**

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.

**No- ponds, lagoons or waste pits**

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 – not applicable in this case.**

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. **No – no withdrawals.**

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. **No- located in FEMA flood zone X**

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 – the only waste discharge from this project will be to the sanitary sewer system.**

b. Ground:

1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.  
**No, unless required temporarily for dewatering during construction.**

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.  
**Domestic sewage for leasable approx. 250 leasable residential units  
And commercial retail serving approximately 10,650 SF.**

TO BE COMPLETED BY APPLICANT EVALUATION FOR AGENCY USE ONLY

c. Water runoff (including stormwater):

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. **Sheet flow across paved surfaces, down roof drains, into storm drains on adjacent streets. Storm water run off would likely flow southwest toward Meydenbauer Bay Washington**

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

**No- discharge to municipal storm water system and municipal sanitary sewer system**

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

**The surface water runoff will be routed to the existing storm drain collection system which flows to an existing public system. Ground water is approx. 8 ft below the surface and will not impact the surface condition. It is unlikely there will be surface runoff impacts if the existing storm drain system is properly maintained.**

4. **Plants**

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, bullrush, 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?

**Site is currently retail downtown Bellevue – no indigenous vegetation**

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

**-0-**

Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site,

if any:

**The project will include landscaping. A landscape plan will be submitted to the City for approval and the contractor must comply with the plan, The work is further subject to inspection for compliance.**

5. **Animals**

a. 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.

TO BE COMPLETED BY APPLICANT EVALUATION FOR AGENCY USE ONLY

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

**not known**

Proposed measures to preserve or enhance wildlife, if any:

6. **Energy and natural resources**

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

**electric-heating**

**Puget Sound Energy (PSE)**

**natural gas- PSE**

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

**20 story tower will cast shadows on adjacent north-easterly, north-westerly properties**

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

**focus on operable windows instead of mechanical HVAC in residential units**

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.

**None known**

1) Describe special emergency services that might be required.

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

**Existing downtown business district traffic noise**

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

**Long term – increase traffic**

**Construction-equipment not known at present**

7. **Environmental health**

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

b. **Noise**

3) Proposed measures to reduce or control noise impacts, if any: **not known at present**

8. **Land and shoreline use**

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

**current use of site is restaurant and one story parking structure associated with property adjacent**

**Northern commercial office building**

**Beck Building-220 106<sup>th</sup> Ave. NE- commercial**

**East- parking lot asphalt**

**South-NE 2<sup>nd</sup> St- Bellevue Pacific Tower**

**condominium/ commercial**

**Southwest-Bellevue Plaza 117 106<sup>th</sup> Ave NE**

**retail and commercial**

**West-106<sup>th</sup> Ave. NE**

**restaurant and drycleaners**

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

**prior to 1950**

Describe any structures on the site.

**current use Sea Garden restaurant- wood frame slab on grade**

**one story parking structure associated with the restaurant- masonry block**

Will any structures be demolished? If so, what?

**above referenced structures to be demolished**

What is the current zoning classification of the site?

**DNTN-MU—downtown mixed use , commercial**

What is the current comprehensive plan designation of the site?

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

**NA**

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

**none known**

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

**Based on maximum occupancy loads:**

**leasable area/ floor 200 SF/occupant 2006IBC total maximum of 866 occupants for the building**

**retail 100 SF/occupant 10,648 SF/100= 106 max**

Approximately how many people would the completed project displace?

**no residents**

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

**NA**

9. **Housing**

1. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:  
**Compliance with city of Bellevue Washington landuse and planning zoning regulations**

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?

**221.00 feet**

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

**site is currently occupied by one story restaurant- the twenty story tower may obstruct views from upper stories in buildings to the east , limiting view of the bay .**

**views from residential tower to the South toward the bay will not be likely impacted by the proposed project.**

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

**planting of vegetation along 106<sup>th</sup> Ave and NE 2<sup>nd</sup> ST**

**building material complimentary to existing downtown building materials**

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.  
**Approximately 250 middle to high income**

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. -0-

- c. Proposed measures to reduce or control housing impacts, if any: **none known at present**

11. **Light and glare**

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? **Non-reflective glass, beige tone cast stone and stucco producing minimal glare, residential night time lighting in tower structure, commercial use/retail night-time lighting at street level**

- b. Could light or glare from the finished project be a safety hazard or interfere with views? **None known**

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

**none known**

Proposed measures to reduce or control light and glare impacts, if any:

**none at present**

**12. Recreation**

What designated and informal recreational opportunities are in the immediate vicinity? **Downtown park located 3 blocks west, art museum and town square within 2 blocks.**

**The proposed project will be located in a already vibrant office and cultural center of the city of Bellevue.**

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

**none known**

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

**13. Historic and cultural preservation**

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. **None known**

Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site. **None identified**

Proposed measures to reduce or control impacts, if any: **NA**

**14. Transportation**

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

**Site bounded by 106<sup>th</sup> Ave NE and NE 2<sup>nd</sup> Street. Major interstate serving area is I405.**

**See plans A.0.0.1**

Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop? **Transit service is provided in the immediate project vicinity. The nearest transit stops are:**

**On 105th Ave NE north of NE 2nd Street (0.08 miles from site). Serves Metro route 249.**

**On 108th Ave NE north and south of NE 2nd Street (0.15 miles from site). Serves Metro routes 233 and 240.**

**On Main Street west of 106th Ave NE (0.16 miles from site). Serves Metro routes 233 and 921.**

**The Bellevue Transit Center is located 0.46 miles from the site, and serves 15 Metro routes, and 8 Sound Transit routes.**

How many parking spaces would the completed project have? How many would the project eliminate? **Approximately 54 surface parking, approximately 248 in garage structure**

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). **none in proposed project, public road widening of 106<sup>th</sup> Ave and NE 2<sup>nd</sup> St.**

TO BE COMPLETED BY APPLICANT EVALUATION FOR AGENCY USE ONLY

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

No.

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

Approximately 1,130 net new vehicular trips per day are estimated to be generated by the project. Peak volumes are expected to occur between 7-9 AM and between 4-6 PM.

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

The developer will be required to pay transportation impact fees to the City of Bellevue which will help to fund roadway improvements on the City's adopted Transportation Facilities Plan.

15. Public services

16. Utilities

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

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.

Puget Sound Energy for gas and electric
City of Bellevue will serve potable, sanitary and storm water needs
refuse service-unknown at present
telephone-unknown at present
media connections- unknown at present

SIGNATURE

a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.
due to the expected increased population residing and working within the proposed project public services such a fire protection, police protection, health care and schools would be necessary. Serving approximately 850 people maximum residential and 100 people retail/commercial.

Proposed measures to reduce or control direct impacts on public services, if any.
None- city is encouraging city- core development

C. 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.

[Handwritten signature] 10-2-07
DARLY GARNEAU, VP
FOR: LEGACY PARTNERS RESIDENTIAL, INC.

Signature: .

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

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.

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? **An increase in population residing at the proposed project will necessitate increase use of city services of water,**

Proposed measures to avoid or reduce such increases are: **none-**

2. How would the proposal be likely to affect plants, animals, fish, or marine life? **none**

How would the proposal be likely to deplete energy or natural resources? **-0-**

Proposed measures to protect or conserve energy and natural resources are: **providing multi-family housing closer to work environment lessens demands on living and transportation energy needs**

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?

**none known**

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

**NA**

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

**none**

TO BE COMPLETED BY APPLICANT EVALUATION FOR AGENCY USE ONLY

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? NA

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

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

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

none

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

none known



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**BELLEVUE HIGHRISE**  
**A P A R T M E N T S**

MULVANNY ARCHITECTURE G2



**RESIDENTIAL FAR:**

**FLOOR 2 (INCLUDES AMENITY AREA):**

(8,700 GSF) - (375 SF EXT WALL) - (450 SF OPEN LOBBY) - (625 SF SHAFTS) = 7,250 SF FAR

**FLOORS 3-17:**

(12,500 GSF/FLR) - (500 SF EXT WALL) - (675 SF SHAFTS) = (11,325 SF FAR/FLR)(15 FLRS) = 169,875 SF FAR

**FLOORS 18-19:**

(11,500 GSF/FLR) - (475 SF EXT WALL) - (650 SF SHAFTS) = (10,375 SF FAR/FLR)(2 FLRS) = 20,750 SF FAR

**TOTAL SF FAR:**

RESIDENTIAL LOBBY = 1,240 SF

RESIDENCES = 197,875 SF

**TOTAL SF FAR = 199,115 SF FAR USED = 199,115 SF FAR MAX**

**RESIDENTIAL UNITS: 18 FLOOR TOWER**

FLOOR 2: 5 UNITS

FLOORS 3-17: (15 UNITS/FLR)(15 FLRS) = 225 UNITS

FLOOR 18-19: (11 UNITS/FLR)(2 FLR) = 22 UNITS

**TOTAL UNIT COUNT PROVIDED: 252 UNITS**

**PROVIDED UNIT TYPES:**

1 BEDROOM: (5 UNITS ON 2ND FLR) + (11 UNITS/FLR)(15 FLRS) + (7 UNITS/FLR)(2 FLR) = **184 UNITS (73%)**

2 BEDROOM: (4 UNITS/FLR)(17 FLRS) = **68 UNITS (27%)**

**PARKING**

**PARKING STALLS PROVIDED:**

L-1: 18 STALLS

P-1: 35 STALLS

P-2: 93 STALLS

P-3: 93 STALLS

P-4: 70 STALLS

**TOTAL PARKING STALLS PROVIDED: 309 TOTAL PARKING STALLS**

**RETAIL PARKING STALLS:**

(14,250 NSF RETAIL)(4 STALLS/1,000 NSF) = **57 RETAIL PARKING STALLS**

**RESIDENTIAL PARKING STALLS:**

(309 TOTAL STALLS) - (57 RETAIL STALLS) = **252 RESIDENTIAL PARKING STALLS**

**RETAIL AREA:**

**RETAIL A:**

GROUND FLOOR AREA:

3,000 RSF

MEZZANINE AREA:

1,750 RSF

RETAIL A AREA = 4,750 RSF

**RETAIL B:**

GROUND FLOOR AREA:

3,000 RSF

MEZZANINE AREA:

N/A

RETAIL B AREA = 3,000 RSF

**RETAIL C:**

GROUND FLOOR AREA:

8,250 RSF

MEZZANINE AREA:

N/A

RETAIL C AREA = 8,250 RSF

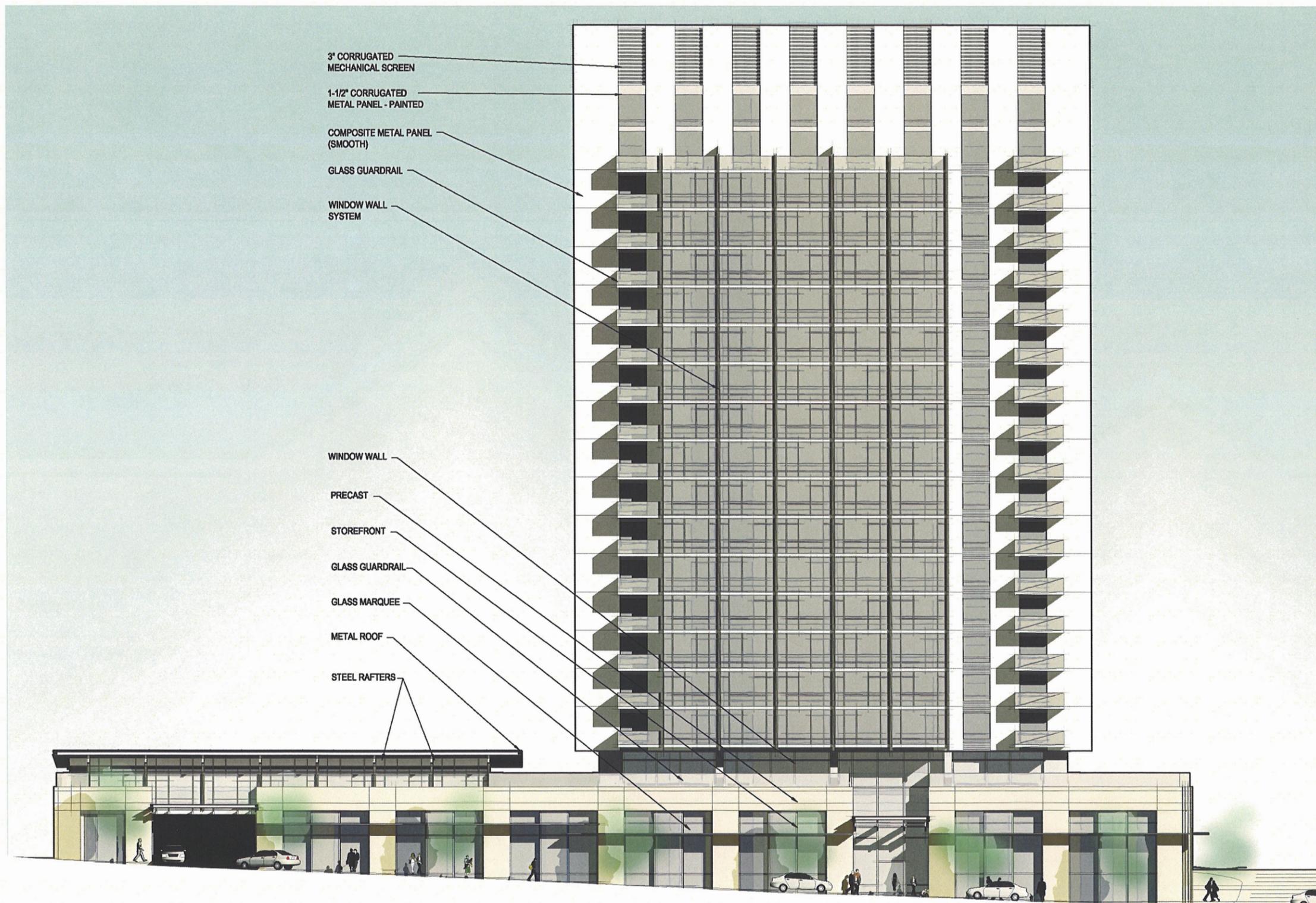
**TOTAL RETAIL SF:**

GROUND LEVEL = 14,250 RSF

MEZZANINE = 1,750 RSF

**TOTAL RETAIL SF = 16,000 RSF**

**BELLEVUE HIGHRISE  
APARTMENTS**



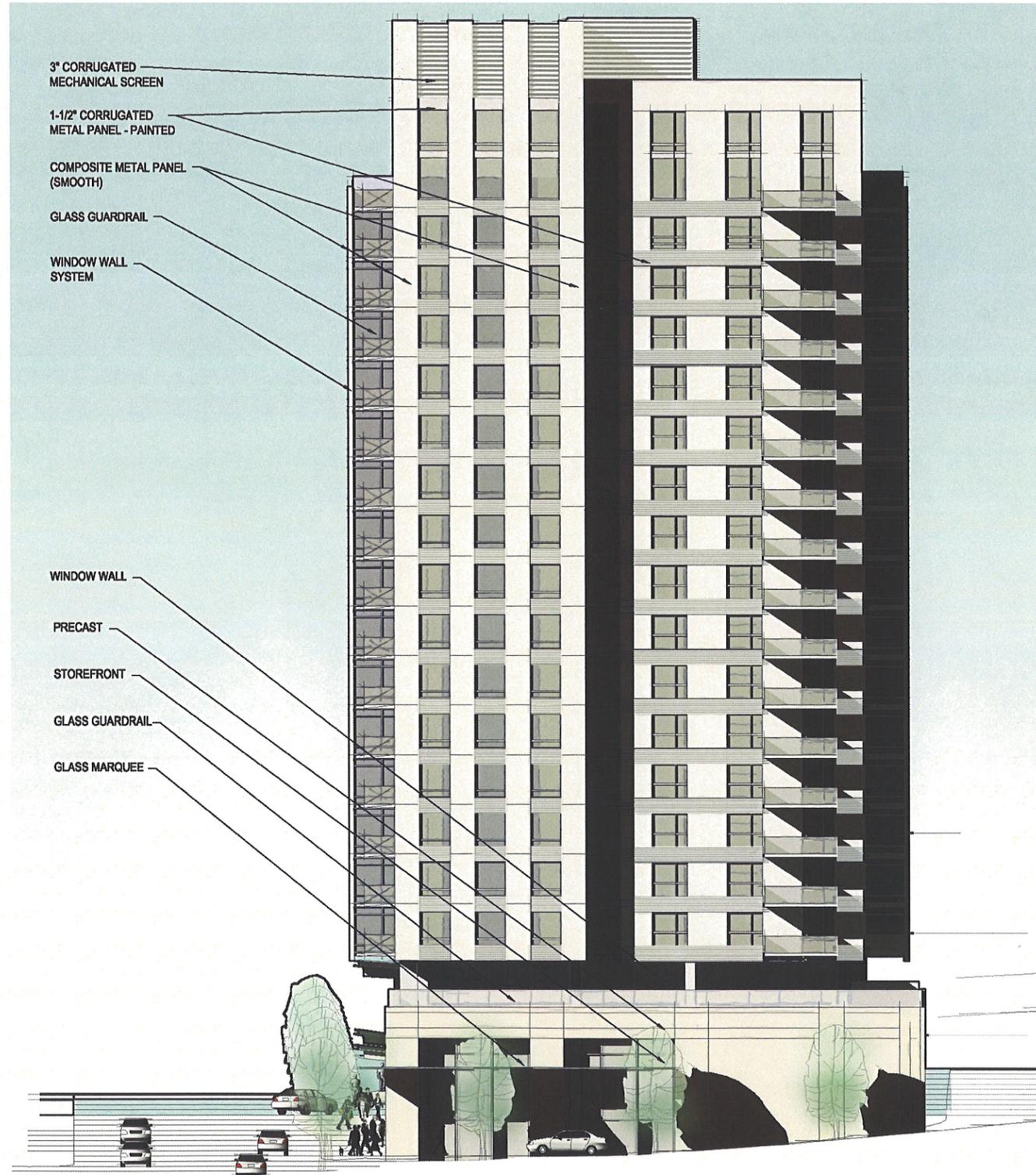
WEST ELEVATION

# BELLEVUE HIGHRISE

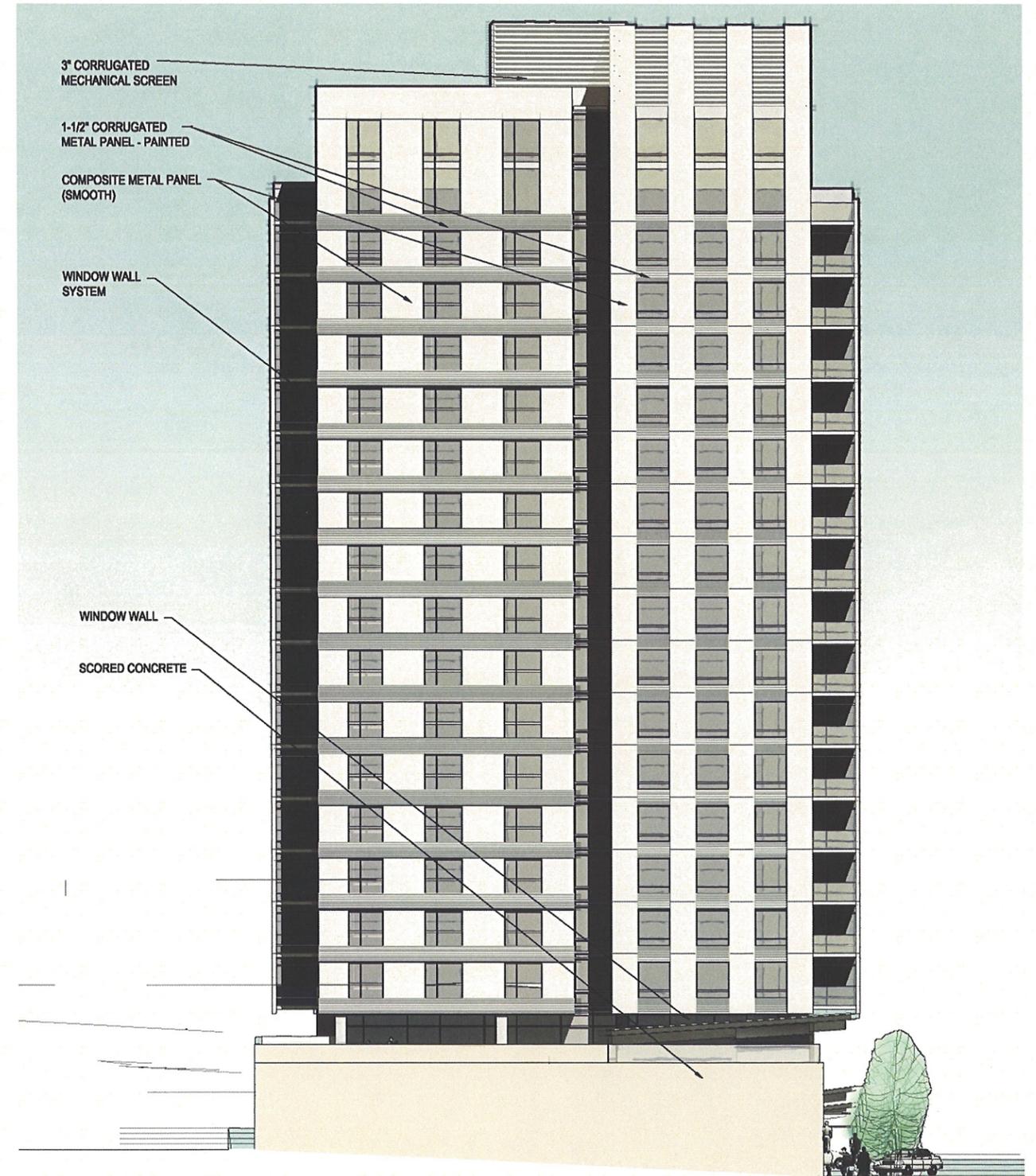
## A P A R T M E N T S

MULVANNY G2





SOUTH ELEVATION



NORTH ELEVATION

**BELLEVUE HIGHRISE**  
**A P A R T M E N T S**

MULVANNY ARCHITECTURE G2





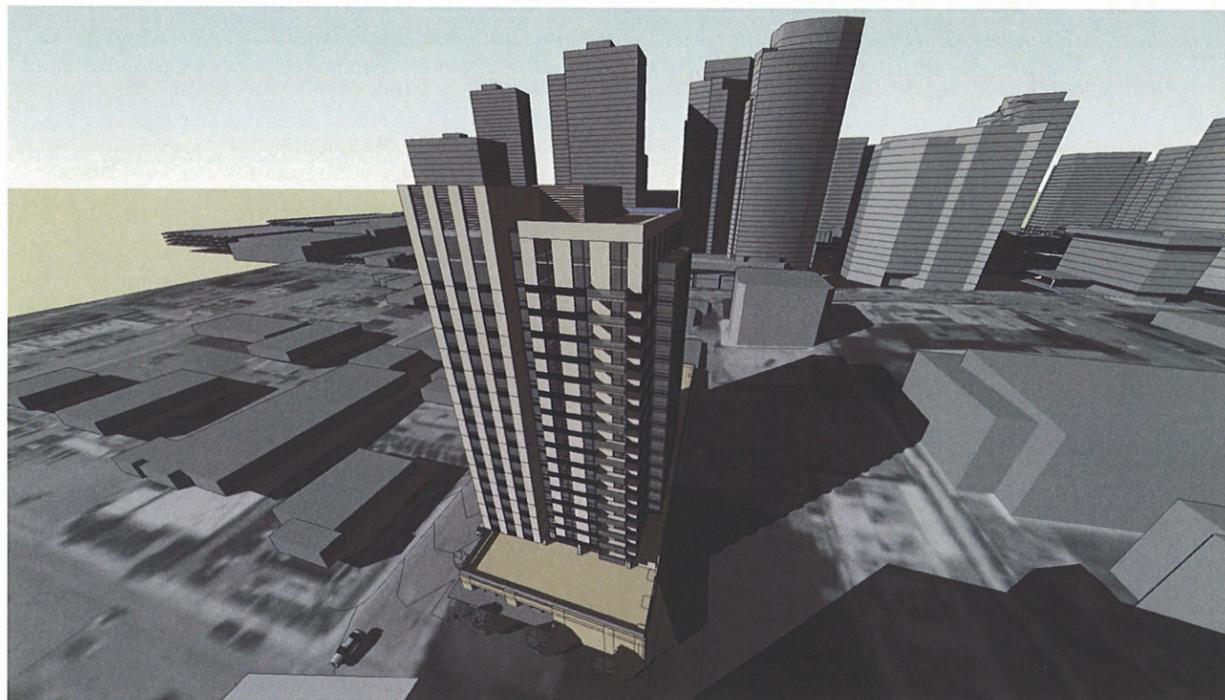
EAST ELEVATION

# BELLEVUE HIGHRISE

## A P A R T M E N T S

MULVANNY G2  
ARCHITECTURE





VIEW FROM SOUTHEAST



VIEW FROM EAST



VIEW FROM SOUTHEAST

**BELLEVUE HIGHRISE**  
**A P A R T M E N T S**

MULVANNY ARCHITECTURE G2





VIEW FROM SOUTHWEST

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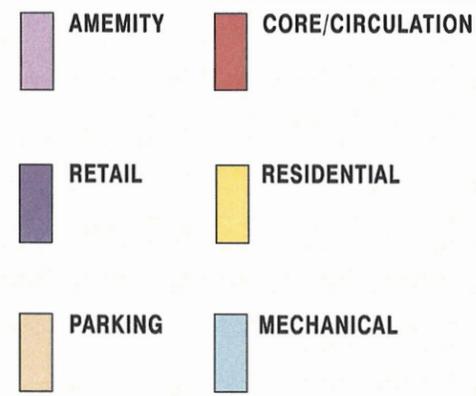
# **BELLEVUE HIGHRISE**

## **A P A R T M E N T S**

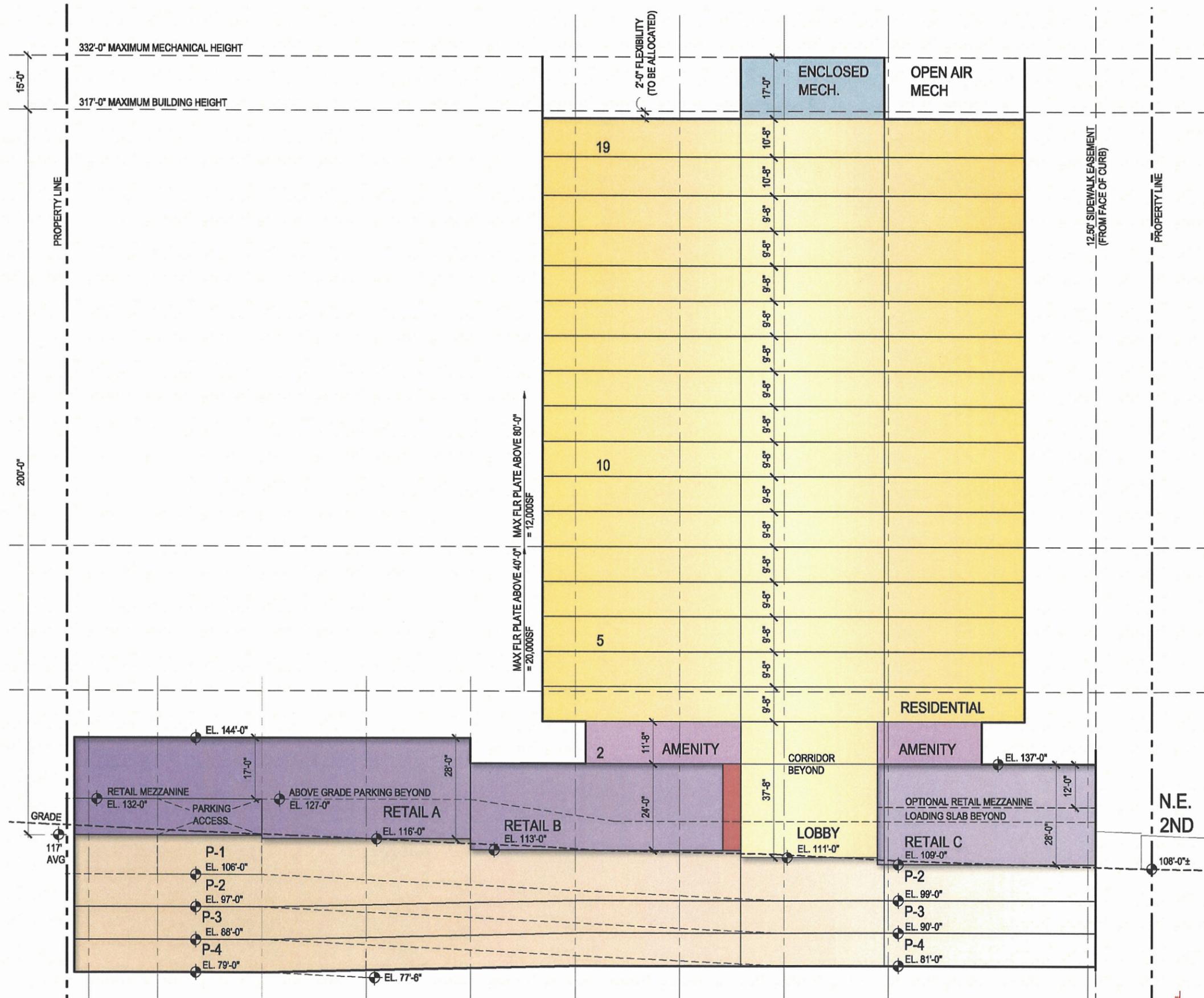
MULVANNY ARCHITECTURE G2



**LEGEND**



02.21.2008



**LONGITUDINAL SECTION**



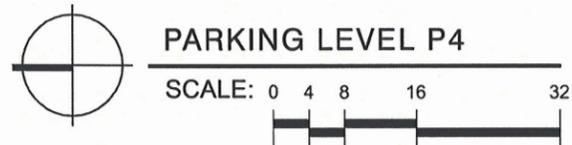
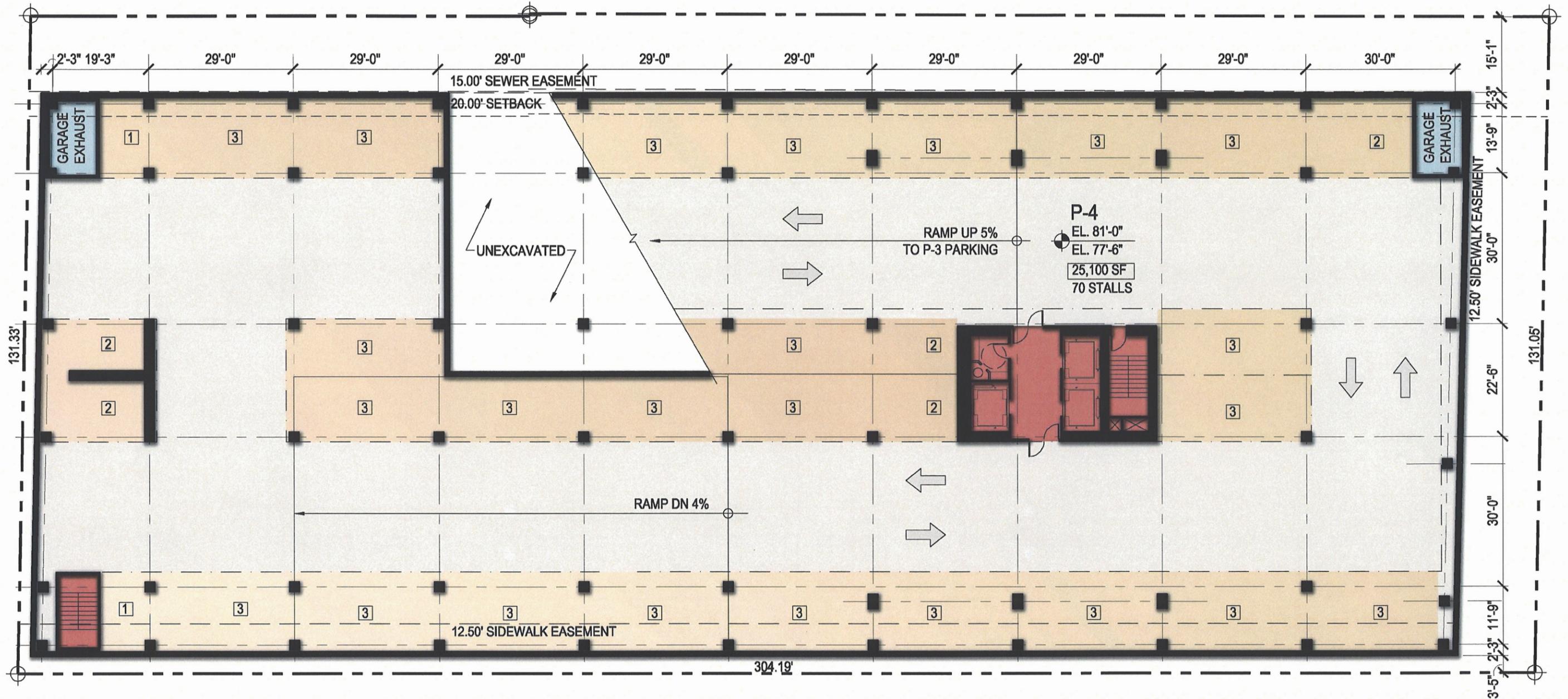
**BELLEVUE HIGHRISE  
APARTMENTS**

MULVANNY G2 ARCHITECTURE



LEGEND

PARKING
  CORE/CIRCULATION
  MECHANICAL



PARKING LEVEL P4

SCALE: 0 4 8 16 32

# BELLEVUE HIGHRISE

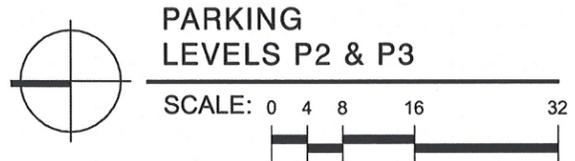
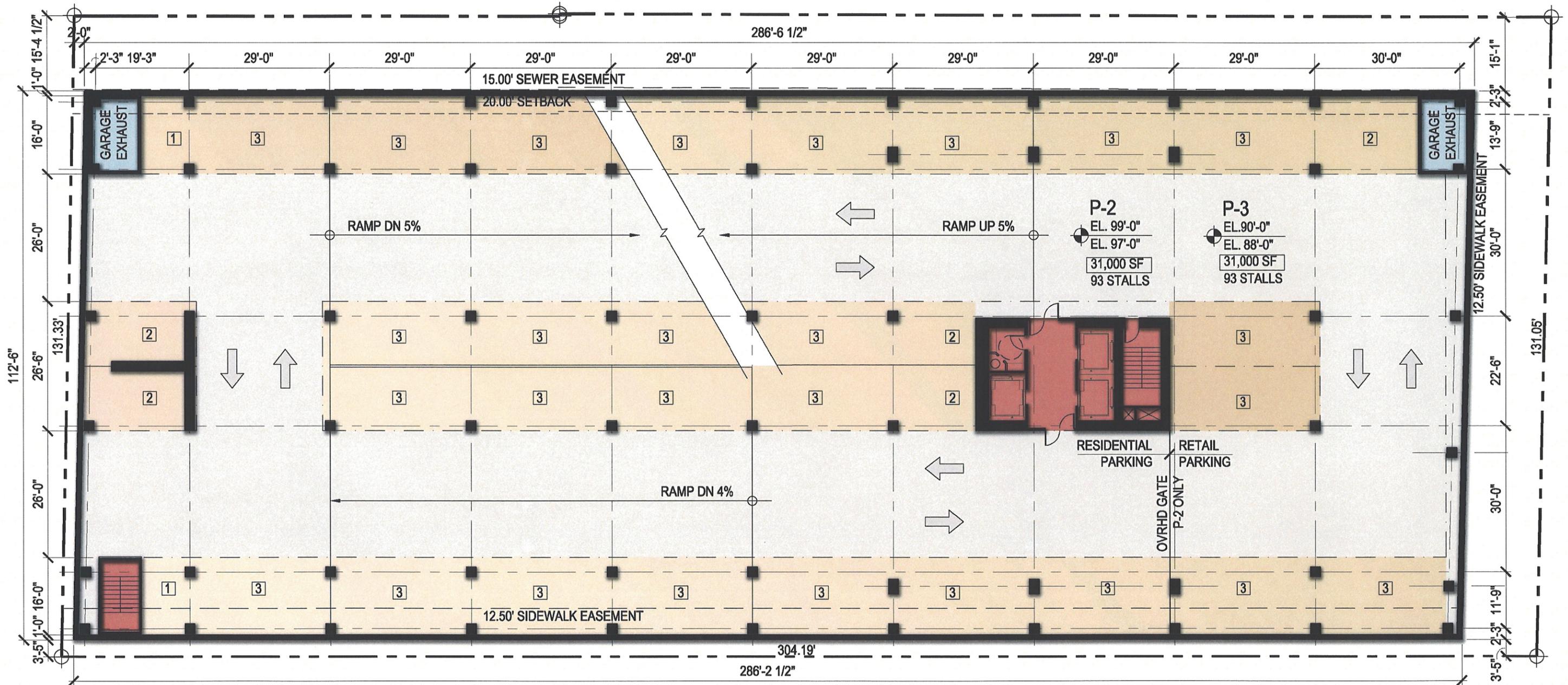
## APARTMENTS

MULVANNY ARCHITECTURE G2



LEGEND

PARKING
  CORE/CIRCULATION
  MECHANICAL



PARKING LEVELS P2 & P3

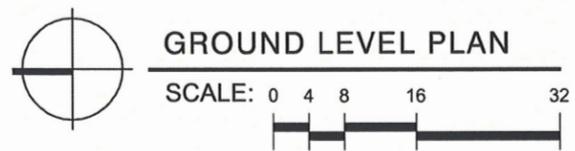
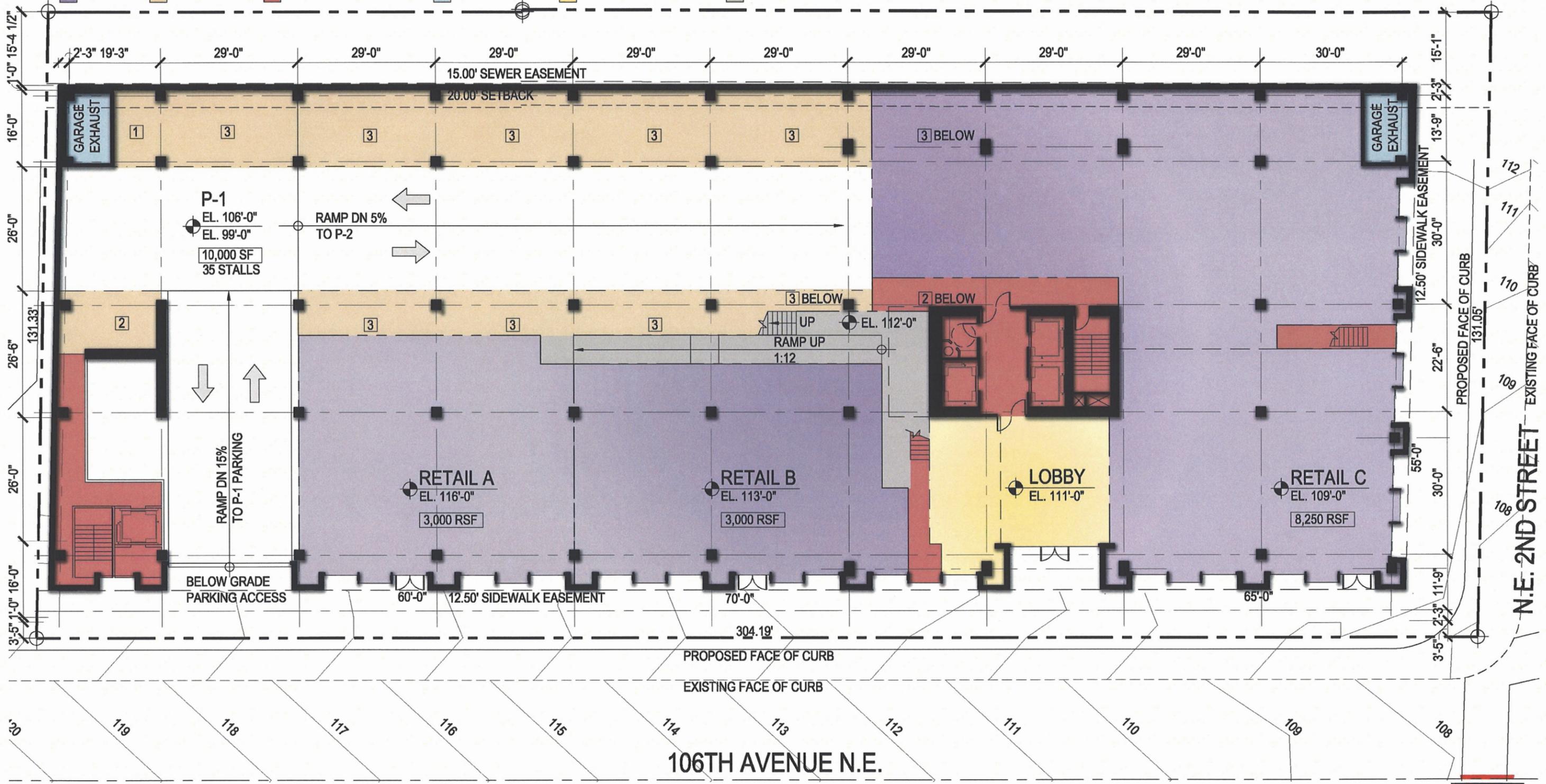
# BELLEVUE HIGHRISE APARTMENTS

MULVANNY G2 ARCHITECTURE

LEGACY PARTNERS 9

LEGEND

RETAIL  
 PARKING  
 CORE/CIRCULATION  
 MECHANICAL  
 RESIDENTIAL LOBBY  
 SERVICE



# BELLEVUE HIGHRISE

## APARTMENTS

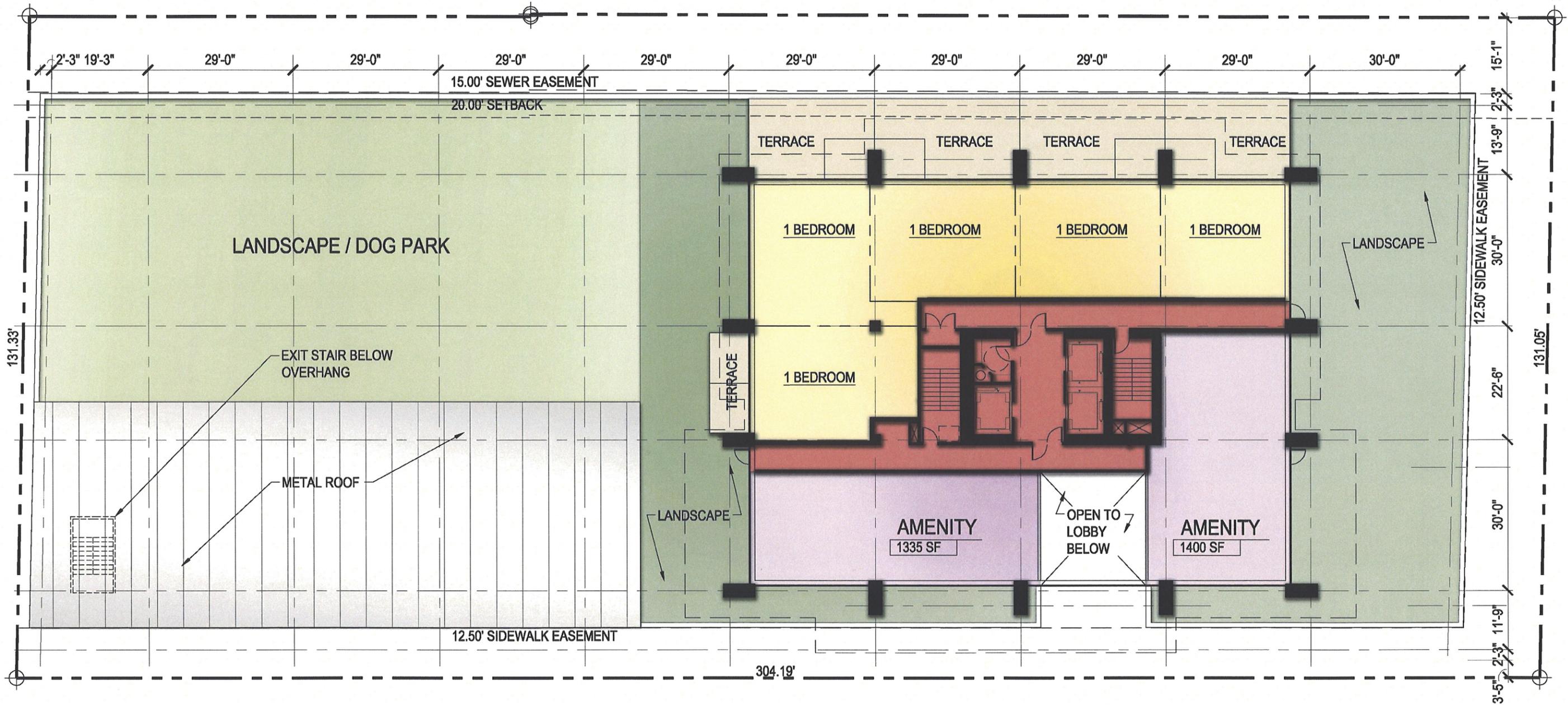
MULVANNY G2  
ARCHITECTURE





LEGEND

AMENITY
  CORE/CIRCULATION
  TERRACE
  RESIDENTIAL
  LANDSCAPE
  DOG PARK



# BELLEVUE HIGHRISE

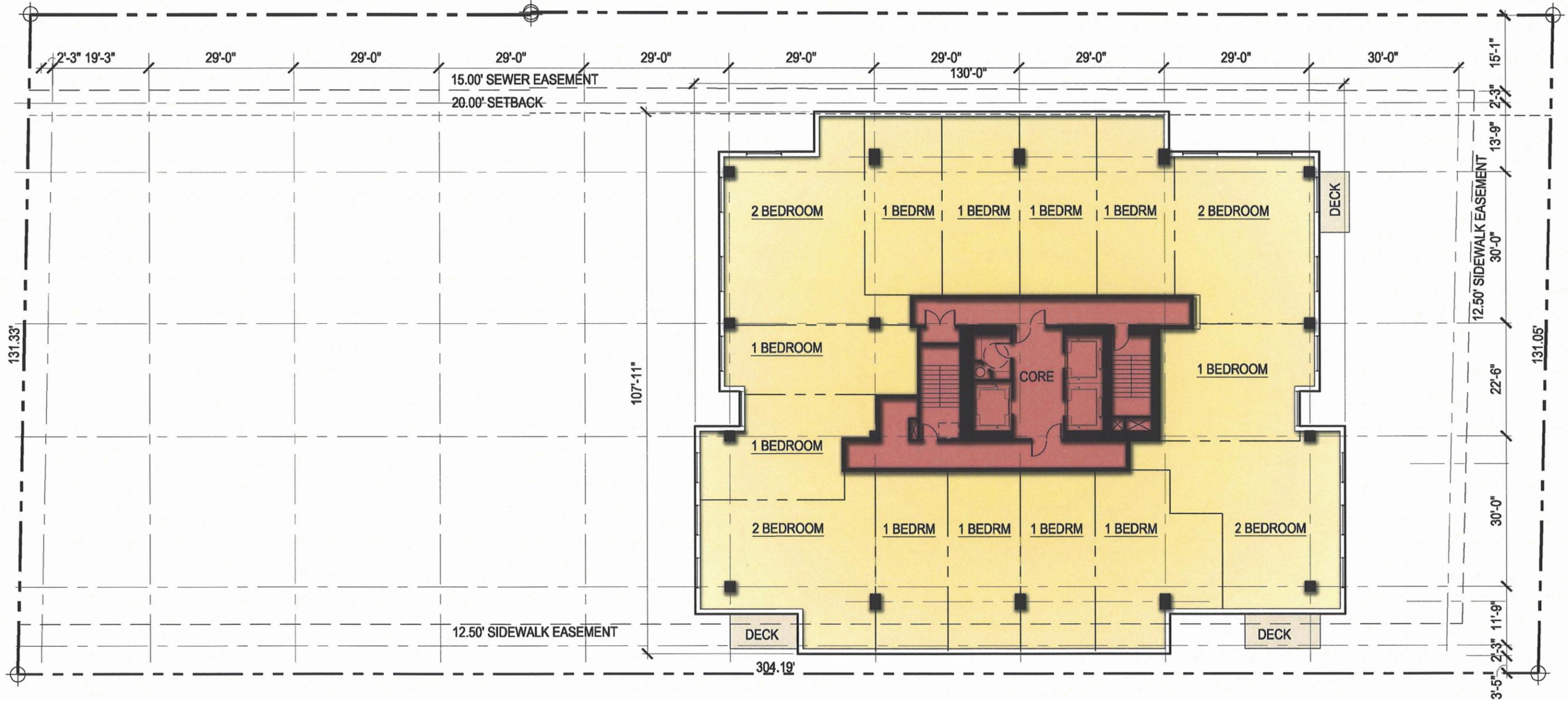
## APARTMENTS

MULVANNY G2 ARCHITECTURE

LEGACY PARTNERS 12

LEGEND

CORE/CIRCULATION
  TERRACE
  RESIDENTIAL



APARTMENTS  
 LEVELS 3 - 17  
 SCALE: 0 4 8 16 32

# BELLEVUE HIGHRISE

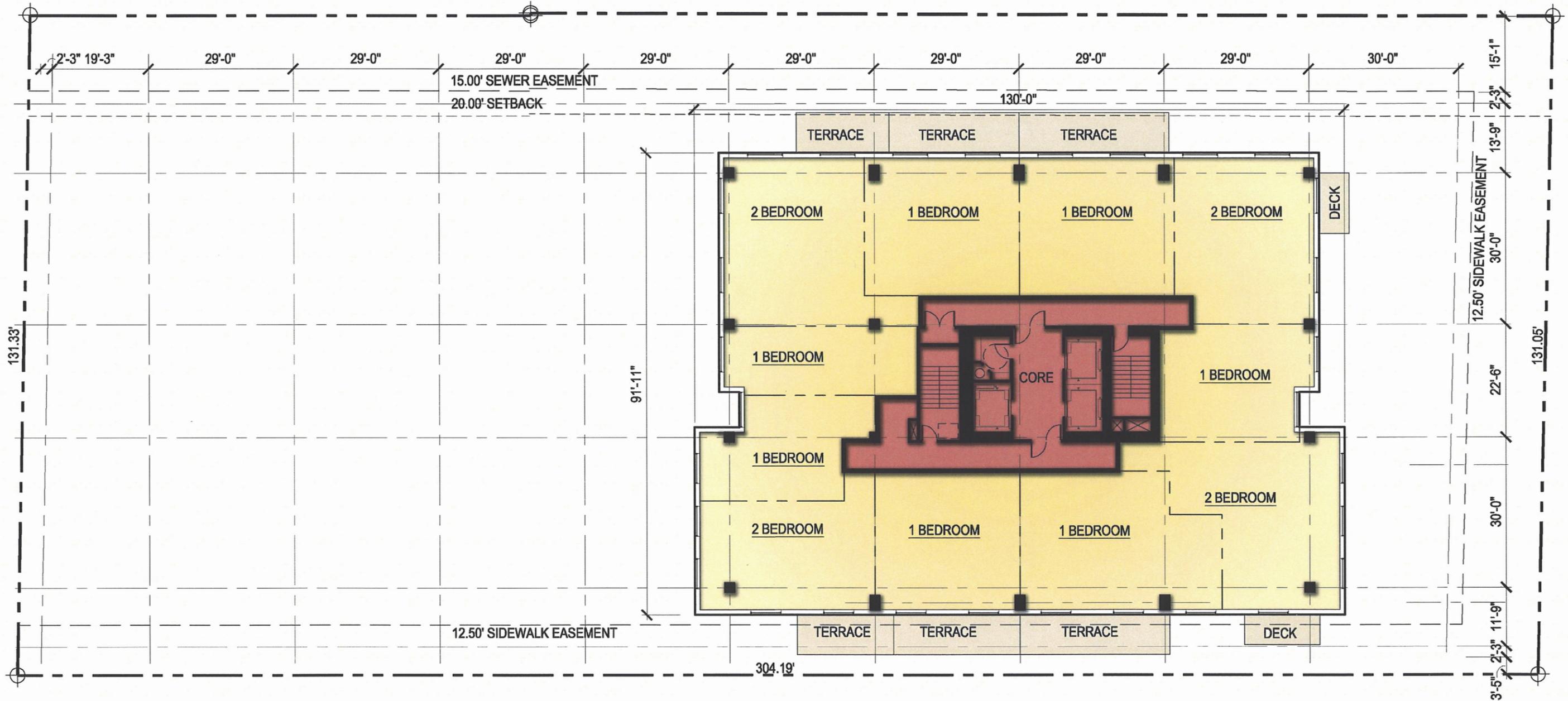
## APARTMENTS

MULVANNY G2  
ARCHITECTURE



LEGEND

CORE/CIRCULATION
  TERRACE
  RESIDENTIAL



PENTHOUSE  
LEVELS 18 & 19

# BELLEVUE HIGHRISE

## APARTMENTS

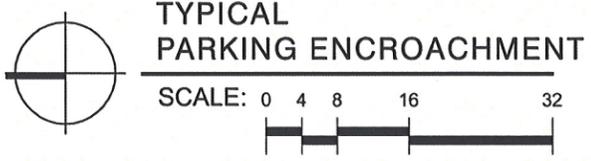
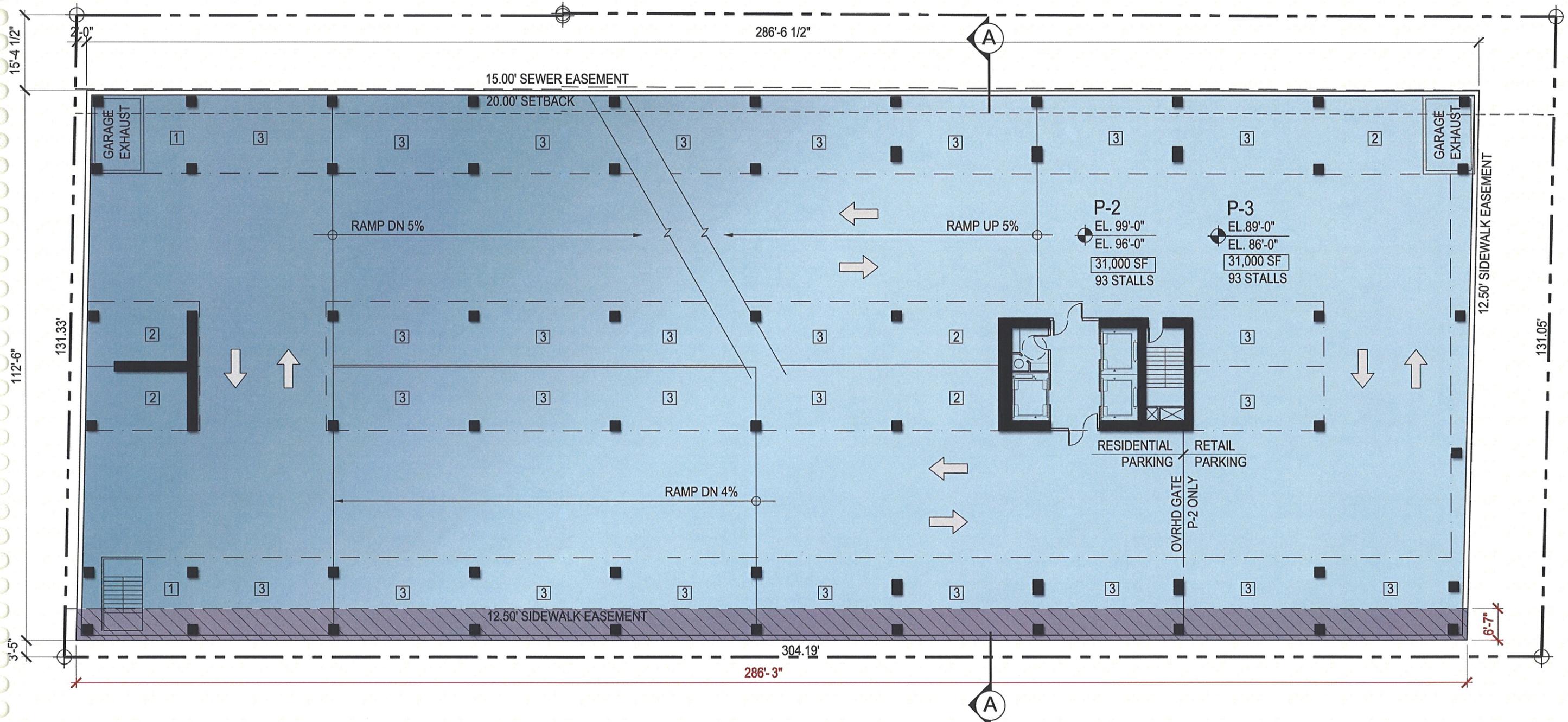
MULVANNY G2  
ARCHITECTURE



LEGEND

02.21.2008

GARAGE AREA UNDER SIDEWALK EASEMENT
  CONFORMING GARAGE AREA



# BELLEVUE HIGHRISE

## APARTMENTS

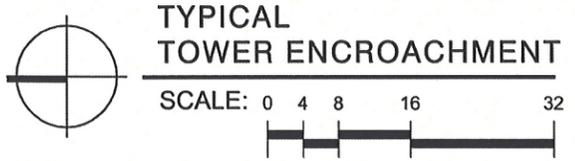
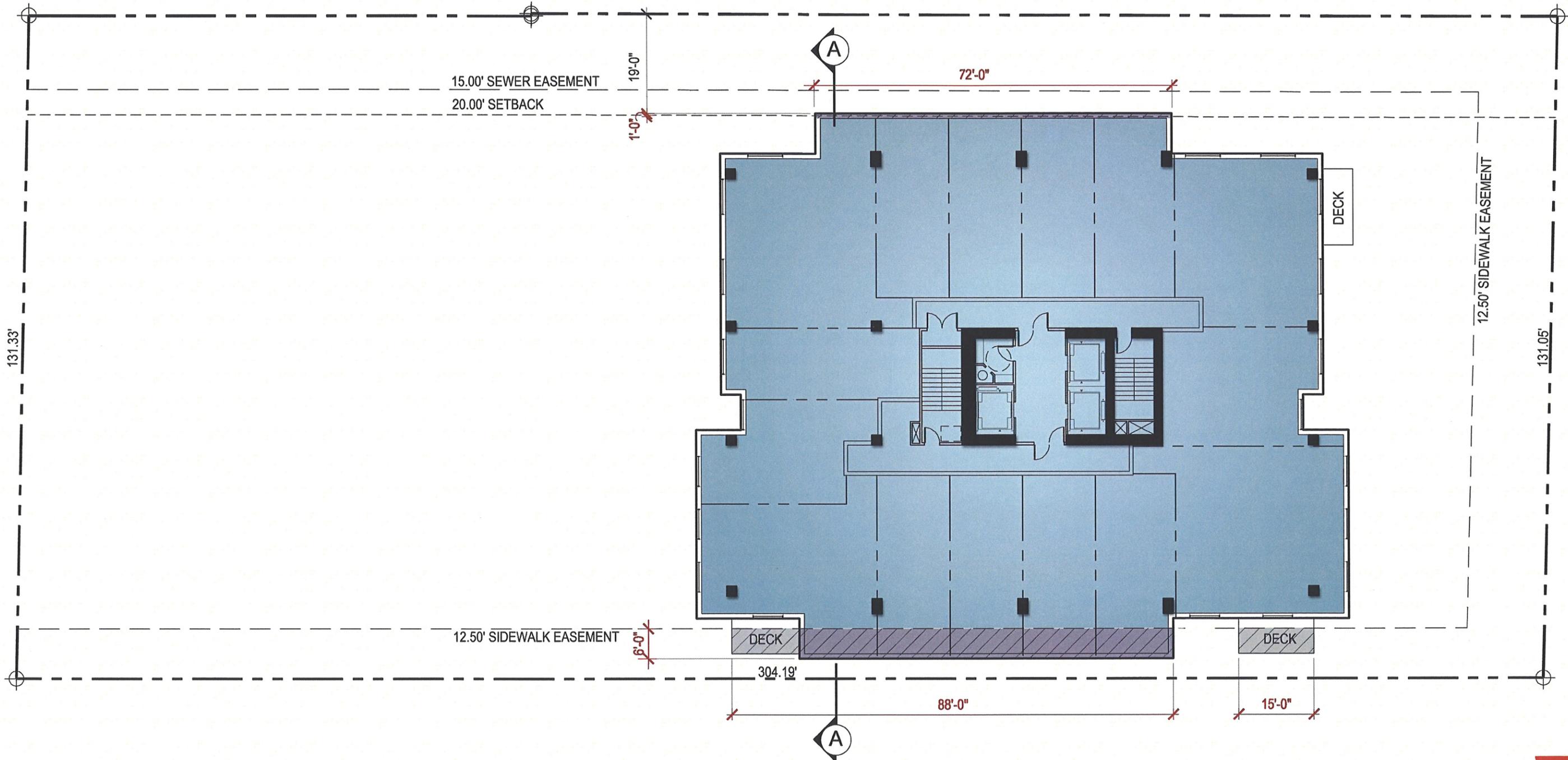
MULVANNY G2 ARCHITECTURE

LEGACY PARTNERS 15

LEGEND

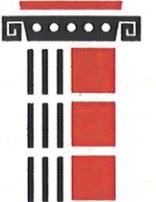
02.21.2008

-  TOWER AREA OVER SIDEWALK EASEMENT OR 20.00' ZONING SET BACK
-  CONFORMING TOWER AREA
-  DECK AREA OVER SIDEWALK EASEMENT



**BELLEVUE HIGHRISE**  
**A P A R T M E N T S**

MULVANNY G2 ARCHITECTURE

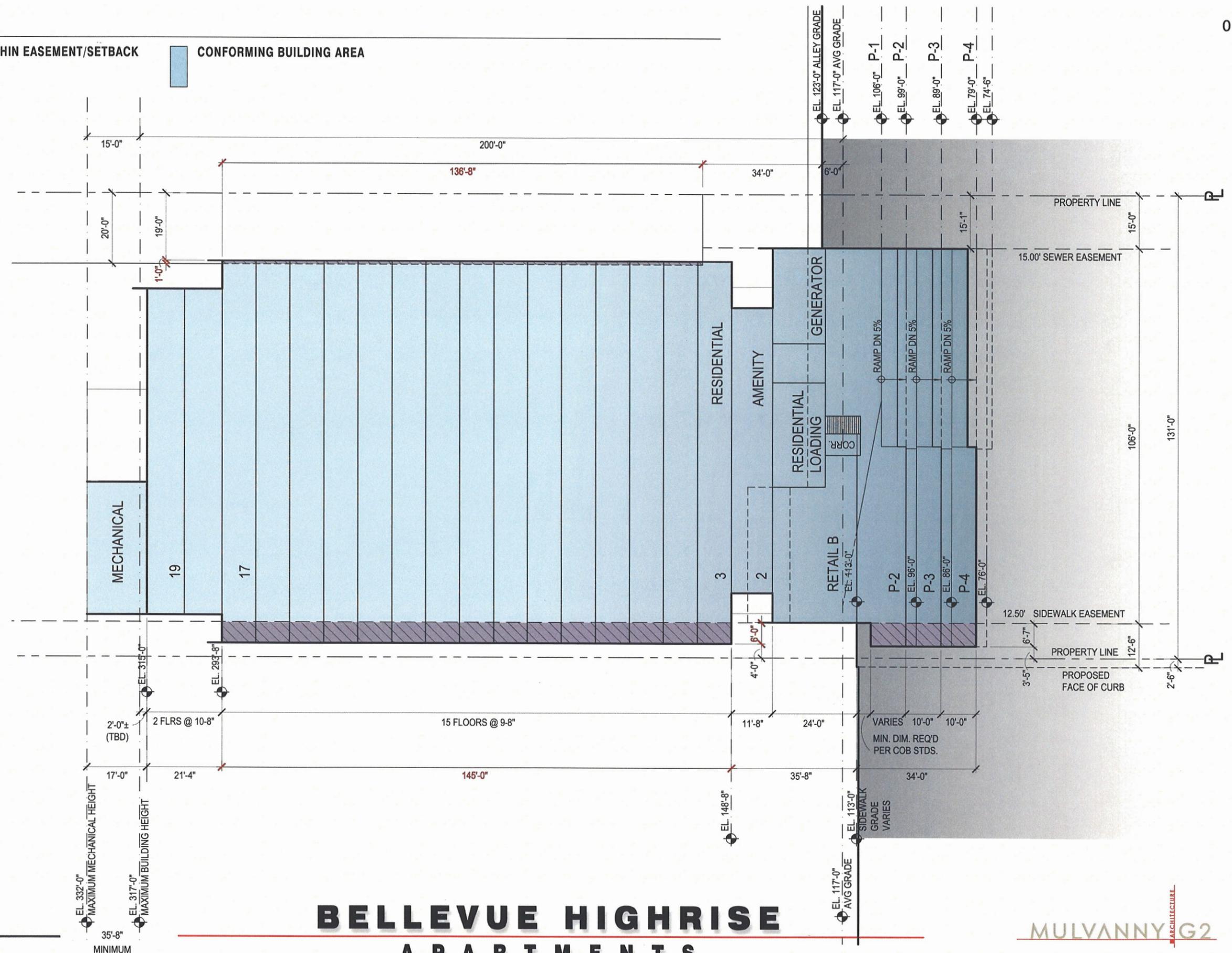


LEGACY PARTNERS 16

LEGEND

BUILDING AREA WITHIN EASEMENT/SETBACK  
 CONFORMING BUILDING AREA

02.21.2008



TRANSVERSE SECTION



# BELLEVUE HIGHRISE

## APARTMENTS

MULVANNY G2 ARCHITECTURE



LEGACY PARTNERS 17

BELLEVUE  
TOWER

BELLEVUE, WASHINGTON

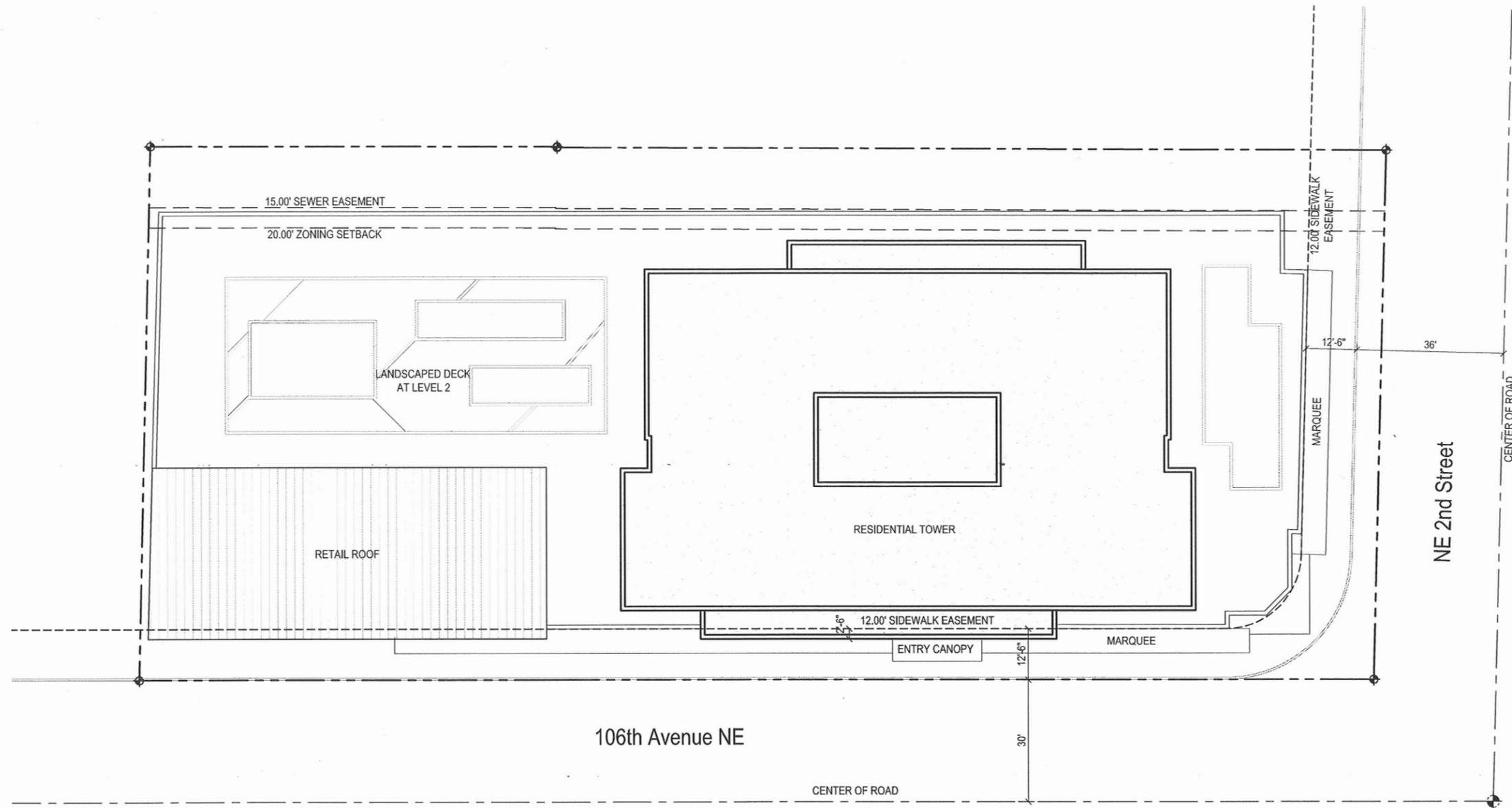
EXHIBIT A

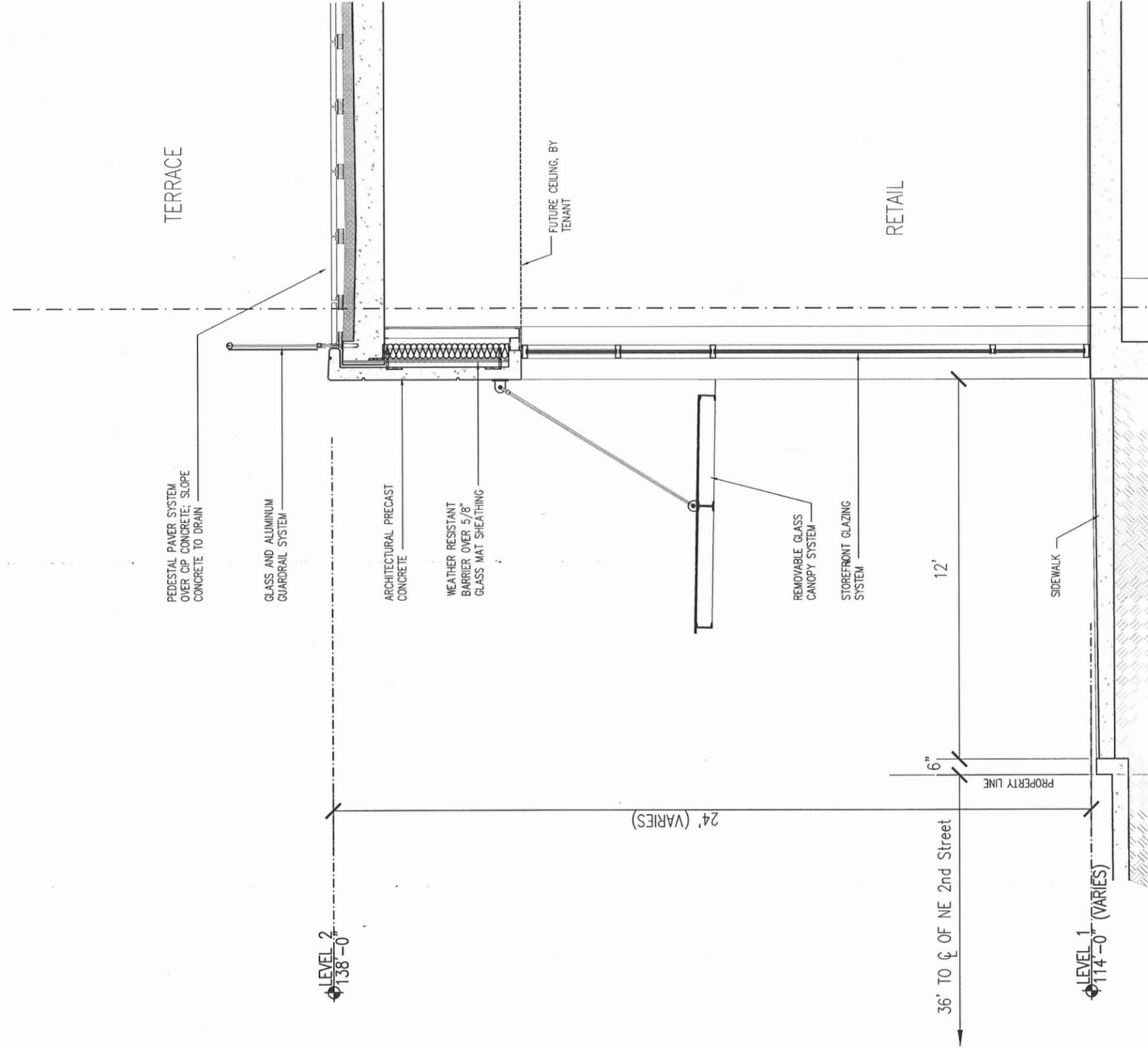
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PROPOSED BUILDING SETBACKS  
(from City required curb locations)

BELLEVUE  
TOWER

BELLEVUE, WASHINGTON

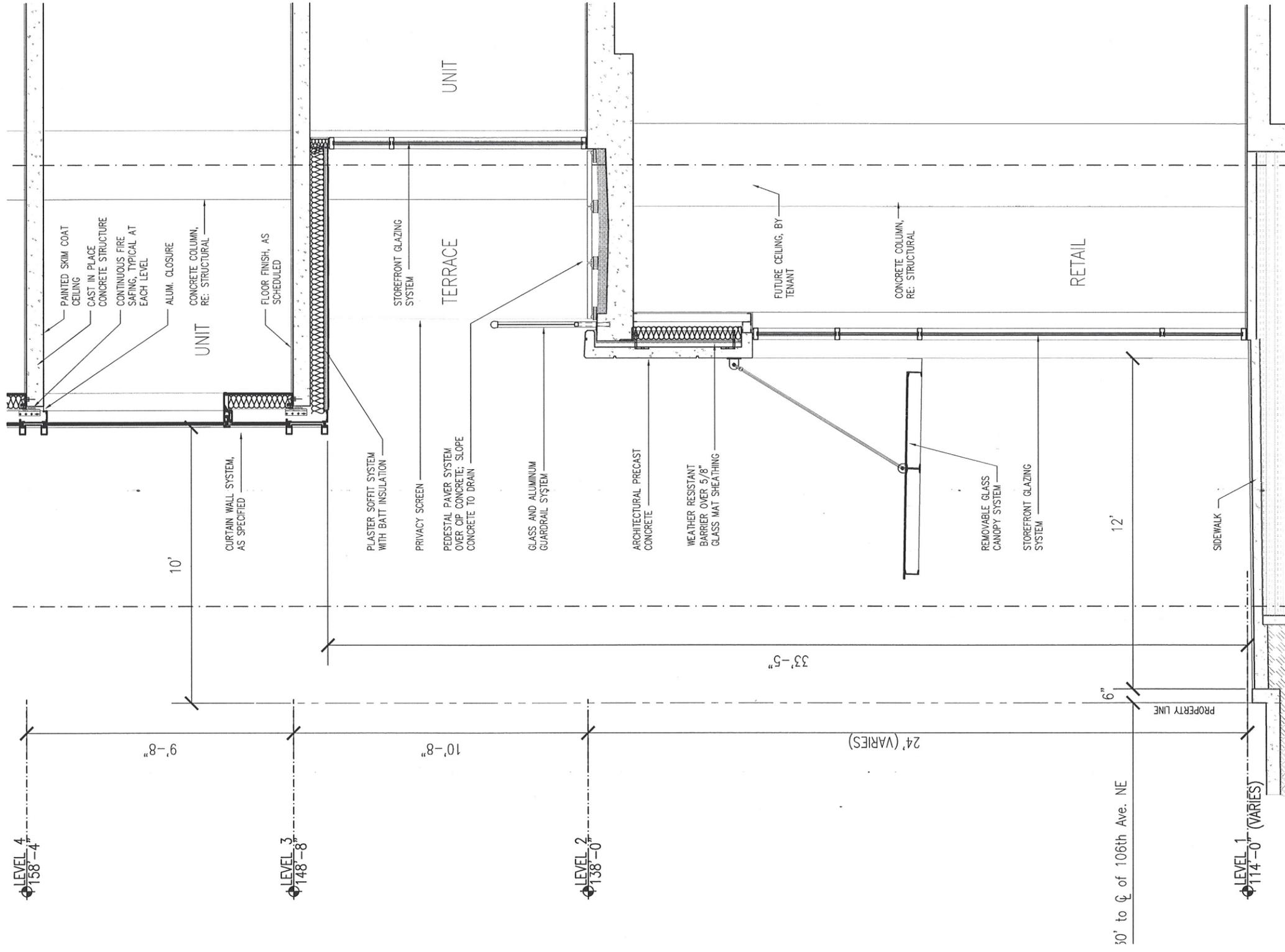
EXHIBIT B  
Wall Section 2

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PROPOSED BUILDING SETBACKS  
 (from City required curb locations)

BELLEVUE  
 TOWER

BELLEVUE, WASHINGTON

EXHIBIT B  
 Wall Section 1

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