



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

Proposal Name: Stor-House Self Storage

Proposal Address: 1614 118th Ave. SE

Proposal Description: This is an application for Design Review with a Critical Areas Land Use Permit on a 2.29 acre site zoned Light Industrial. The proposal is for the construction of a two and four story 120,162 square foot mini-warehouse facility. Critical areas on site include a wetland buffer for an offsite class 3 wetland to the north and a steep slope critical area in the south east side of the site. Development of the site would include construction of 26 parking spaces with an access and separate egress onto 118th Ave SE.

File Number: 08-129099-LO and 08-113263-LD
Process II. Combined Design Review, Critical Areas Report, Critical Areas Land Use Permit and SEPA

Applicant: **Patrick Gilroy, Gilroy Family Bellefield, LLC**

Decisions Included: Critical Areas Land Use Permit, Design Review (Process II - LUC 20.30P)

Planner: Mark Cross, Associate Land Use Planner

State Environmental Policy Act Threshold Determination: **Determination of Non-Significance**
Carol V. Helland
Carol V. Helland, Environmental Coordinator
Development Services Department

Director's Decision: **Approval with Conditions**
Michael A. Brennan, Director
Carol V. Helland
Carol V. Helland, Land Use Director
Development Services Department

Application Date: March 3, 2008
Notice of Application Publication Date: May 8, 2008
Notice of Decision Date: December 18, 2008
Appeal Deadline: January 2, 2008

For information on how to appeal a proposal, visit the Development Services Center at City Hall or call (425) 452-6864. Comments on State Environmental Policy Act (SEPA) Determinations can be made with or without appealing the proposal within the noted comment period for a SEPA Determination. Appeal of the Decision must be received in the City Clerk's Office by 5 PM on the date noted for appeal of the decision.



DEVELOPMENT SERVICES DEPARTMENT
ENVIRONMENTAL COORDINATOR
450 100th Ave NE., P.O. BOX 90012
BELLEVUE, WA 98009-9012

DETERMINATION OF NON-SIGNIFICANCE

PROPONENT: Mr. Patrick Gilroy, Gilroy Family Bellefield, LLC

LOCATION OF PROPOSAL: 1614 118th Ave. SE, Bellevue WA 98005

NAME & DESCRIPTION OF PROPOSAL: Application for the for Design Review with a Critical Areas Land Use Permit on a 2.29 acre site zoned Light Industrial. The proposal is for the construction of a two and four story 120,162 square foot mini-warehouse facility. Critical areas on site include a wetland buffer for an offsite class 3 wetland to the north and a steep slope critical area in the south east side of the site. Development of the site would include construction of 26 parking spaces with an access and separate egress onto 118th Ave SE. The proposal includes replanting the wetlands buffer and placing the steep slope critical area and its related buffer and the wetland buffer into a Native Growth Protection Easement. The proposal also includes the provision of a pedestrian trail easement across the south end of the site.

FILE NUMBER: 08-129099-LO and 08-113263-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 Land Use Division of the Development Services Department. This information is available to the public on request.

- There is no comment period for this DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision. A written appeal must be filed in the City Clerk's office by 5:00 p.m. on _____.
- This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision. A written appeal must be filed in the City Clerk's Office by 5 p.m. on January 2, 2009.
- This DNS is issued under WAC 197-11-340(2) and is subject to a 14-day comment period from the date below. Comments must be submitted by 5 p.m. on _____. This DNS is also subject to appeal. A written appeal must be filed in the City Clerk's Office by 5 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.

Carol V. Holland
Environmental Coordinator

Dec 18, 2008
Date

OTHERS TO RECEIVE THIS DOCUMENT:

State Department of Fish and Wildlife
State Department of Ecology,
Army Corps of Engineers
Attorney General
Muckleshoot Indian Tribe

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Attachments

1. Site Map-Sheets A-1 –A-5, Submitted August 12, 2008 - In File
2. Elevations/Roof Plan – Submitted August 12, 2008 - In File
3. Updated Geotechnical Engineering Study and Critical Areas Report – Submitted August 12, 2008- In File
4. SEPA Checklist – In File
5. Landscape Plan, including wetland buffer enhancement plantings – In File
6. Design Review Plan Set – Submitted October 7, 2008 – In File
 - A. Preliminary Site Plan
 - B. Preliminary Grading and Drainage Plan
 - C. Preliminary Sanitary Sewer and Water Plan
7. Soldier Pile Wall Plan Set – Submitted October 23, 2008 – In File
4 plan sheets.
8. Sign Master Plan Set – Six Sheets – In File
9. Wetland, Stream Assessment and Delineation by Chad Armour LLC – Submitted August 12, 2008 – In File
10. Site Survey, Axis Survey and Mapping – Submitted August 12, 2008 – In File
11. Letter from Patrick Gilroy to Matt Jackson – Dated March 26, 2008 – In File.
12. Concurrency Certificate, dated December 18, 2008

I. Request/Proposal Description

The applicant requests Design Review approval for development of a self-storage facility on a property zoned Light Industrial (LI) with a Transition Area Design District Overlay. Approval of a Critical Areas Land Use Permit for development of a driveway, retaining wall and portions of the self-storage building within the 75-foot toe-of-slope building setback adjacent to a Steep Slope Geologic Hazard Critical Area is also required. The property also contains a critical area wetlands buffer. No construction is proposed within the wetlands buffer.

The applicant has proposed wetlands buffer restoration and provision of a pedestrian trail easement across the southern end of the site as mitigation for the proposed construction within the 75-foot toe-of-slope building setback adjacent to a Steep Slope Geologic Hazard Critical Area.

A. Site Design

The proposal would include removal of an additional 10,000 cubic yards of material beyond the excavation completed in 2005. The grading work in 2005 was permitted in preparation for the development of the site as an office complex. The office complex was taken through the design process, but never constructed. No grading is proposed within the wetland buffer at the north end of the site or the protected steep slope critical area in the southeast corner of the site.

The site is proposed to be densely landscaped along the street frontage on 118th Ave SE consistent with the Alternative Landscape Option. Parking would be provided in a 12 stall parking lot at the north end of the building (south of the wetlands buffer) for customer parking, 9 loading/unloading stalls and a five stall parking lot serving the business office at the south end of the site. Two driveways are proposed. The northern driveway would allow entrance and exit for self-storage customers and the 12 space parking area.

The applicant's operational plan does not provide for renters of storage units to be able to dispose of unwanted material onsite. No outside dumpsters are proposed or approved. The applicant proposes to operate with only one or two "refuse totes" that would be kept inside the building. To insure that the project does not create a long term onsite or off-site refuse disposal problem for the neighborhood, a condition has been added to the conditions of approval that provides, in the future, for the imposition of an outdoor refuse container should onsite or offsite illegal dumping become a problem. See conditions of approval Section XII.

B. Building Design

The applicant is proposing to build a 445-foot long 120,000 square foot self storage building. The north half of the building will be two stories with three story cupolas as an ornamental feature. No mechanical equipment is proposed to be located within the cupolas or to be mounted on the roof. The south 180 feet of the building is proposed to be four stories tall and have a maximum building height of 40 feet above existing grade. Most of the roof sections are sloped at 2 feet in 12 feet or greater. The applicant has requested a total of 10 feet of bonus building height under the terms of LUC 20.25B.040A.2. See detailed discussion in section IX of this report.

Building wall treatments include five and ten foot deep building modulation every thirty to eighty feet along the 118th Street side of the building and landscape trellises. The building design will include several residential design details to help with the land use transition including using an "applied grid" to simulate window mullions and an arbor system extending ten feet out from the building at points along the west wall.

The walls themselves would be constructed of concrete masonry block in a variety of textures. The differences in block texture and design are used to create walls with horizontal bands to further break up the height of the structure. The exterior walls include the limited use of metal wall panels. Overall the walls including the concrete and metal panels are to be painted in a sand/tan color palate with a forest green roof.

All onsite exterior lighting, other than the northern and western facing internally illuminated signs, are shielded to contain light on the site and to reduce impact on adjacent residential development to the south and residentially zoned property across 118th Ave SE to the west. See attachment two.

C. Signs

The applicant submitted a master sign package for review with the design review and critical area land use permit package. See attachment eight. The project is proposed to include four permanent signs and a single temporary sign. The four permanent signs include three wall mounted signs facing north, west and south and a free standing double sided ground mount sign facing north and south. The ground mount sign is located near the northerly entrance to the site.

Commercial signs are controlled by Bellevue City (BCC)Code 22B. Signs on LI zoned property are controlled by BCC 22B.10.030. The free standing sign is located between the street property line and the building line and is limited to 25 square feet by code. The number and size of the wall mounted signs are controlled by BCC 22B.10.030 C. The largest building façade is larger than 3,000 square feet and thus the project is

allowed four wall mounted signs. Sign area limitations are controlled by 22B.10.030 C.3.

All of the signs are smaller than the maximum sizes established by code for their respective building surface. The south facing sign is directed towards an established multi-family residential development. No internal illumination is allowed for this sign consistent with the transition area overlay.

Finding: The master sign package, attachment 8, meets the code requirements of BCC Chapter 22B.10 with the requirement for no internal illumination of the south facing sign and the free standing sign limited to 25 square feet per face.

D. Project Relationship to Critical Areas

The site contains two critical areas including a wetland buffer along the northerly 60 feet of the site and a steep slope critical area, steep slope critical area buffer above the steep slope; and a steep slope critical area toe-of-slope building setback below the steep slope.

i. Wetlands buffer

The onsite wetland buffer is adjacent to a class III wetland located to the north. No filling or construction is proposed within the wetlands buffer area. The project proposal includes removal of an existing chain link fence, removal of non-native species and re-vegetation with wetland buffer plant species consistent with the planting template from the City of Bellevue Critical Areas Handbook. See attachment number 5.

The wetland buffer area and the steep slope/trail easement area will be placed into Native Growth Protection Area Easements recorded with King County. See Conditions of Approval Section XII.

ii. Steep slope

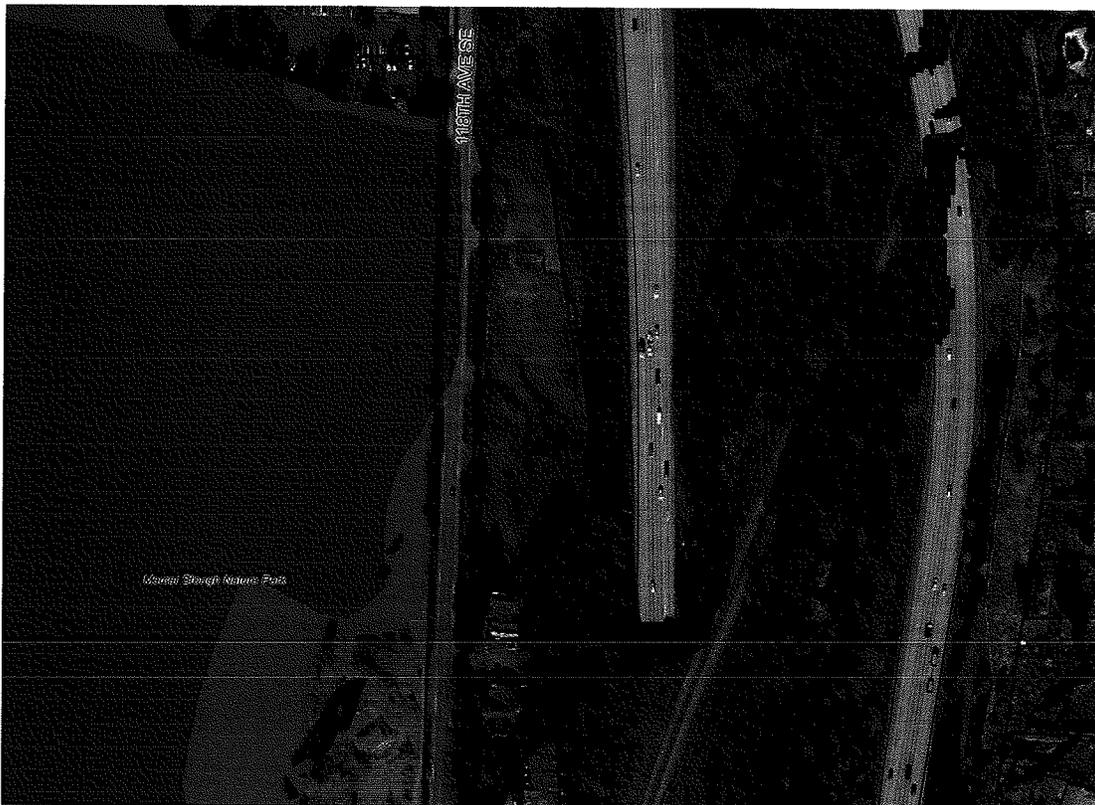
A steep slope critical area is located in the south east corner of the site. Previous grading has created a steep slope condition that does not provide long term stability for the natural slope and vegetation above the cut slope.

The proposal includes construction of a soldier pile retaining wall to provide slope stability along the east side of the site adjacent to the recent I-405 widening project and the base of the critical area steep slope. The retaining wall extends along the east property line and then south and west at the base of the steep slope approximately 442 feet. The wall ranges from one foot high to nine and a half feet tall. The Washington State Department of Transportation (WSDOT) has constructed a series of retaining walls within 4 feet of the east property line of the subject site as a part of the I-405 widening. (Shown on Sheet A-1.1) Design and construction of the two walls has been coordinated between the applicant and WSDOT.)

A gravity wall made of concrete key stone blocks extends the retaining wall around the south end of the proposed driveway circulation area and extends back towards 118th Ave SE.

The City of Bellevue Parks plan identifies a future pedestrian trail across the south side of this site extending from 118th Ave SE to the high point of the site in the south east corner. Prior to the removal of the Wilburton tunnel this trail would have provided direct access to the abandoned rail line that ran over the tunnel. The section of the rail line above the freeway was removed with the tunnel. The applicant has agreed to provide a pedestrian trail easement across the south end of the site to facilitate the future construction of a pedestrian trail link. To make the future trail link the least impactful to the steep slope conditions in this section of the site, the easement will be across the entire NGPAE. This will allow the future trail room to move across the slope and avoid existing trees.

The trail easement will be described in a map and recorded as part of a Native Growth Protection Area Easement that will cover both the portions of the southeast corner of the site that qualify as steep slope and steep slope buffer and portions of the south end of the site that will provide for the trail link to reach 118th Ave SE. See attached Conditions of Approval section XII.



City of Bellevue Mapster based analysis showing steep slopes in red. Blue

denotes wetlands on west side of SE 118th Ave.

II. SITE DESCRIPTION, ZONING AND LAND USE CONTEXT

A. Site Description

The Stor-House site is a 2.29 acre site located at 1614 – 118th Ave. SE in the SE ¼ of the NW ¼ of Section 4, Township 24 North, Range 5 East. The property is bounded by WSDOT property to the north and east, Interstate 405, a multi-family development to the south and 118th Ave SE Across 118th Ave SE to the west is the new Mercer Slough Education Center. Property across 118th Ave SE to the northwest is vacant.

The entire site is sloped from south to north with a steep slope in the southeast corner of the site. A majority of the site has been graded under previous permit 05-128341-LD. With the north end of the site at elevation 30 and the northeast corner approaching 88 feet, there is 58 feet of total elevation change across the entire site. A portion of the site along the south property line and in the southeast corner of the site appears to retain its natural topography, vegetation and soils.

In removing the Wilburton tunnel, the WSDOT removed substantial trees and understory from the WSDOT property to the east of the site increasing visibility into the subject site and valley from the south bound lanes of I-405. The WSDOT has constructed several retaining walls related to the widening project within about four feet of the subject site's eastern property line. Removal of the Wilburton tunnel eliminated use of the subject site by pedestrians or wildlife as a corridor to reach other parts of the city. Future construction may replace some of this wildlife and pedestrian trail corridor function to the site.

B. Zoning

The zoning of the property is Light Industrial (LI).

Dimensional Standard	Permitted/ Required	Proposed	Comments/Conditions
Project Limit	No minimum	22,257 SF	
Building Height	30 FT WO/bonuses in a Transition Area Design District	40 FT With bonuses	LUC 20.25B.040A.2
Maximum Lot Coverage by Structures	.5	.41	LUC 20.20.010

Impervious Surface Ratio	85%	74%	LUC 20.20.010
Landscape Requirements and Setbacks			
Front Yard	20 Feet Along street frontage and 20 feet for any interior property line abutting district receiving transition	15 Feet using Alternate Landscape Code Section J	LUC 20.20.010 and LUC 20.25B.040C.2 Landscaping in LI zone abutting district receiving transition is 20 feet per LUC 20.25B.
Side Yard, North	0 FT	North 124 ft to building South 84 feet to building	LUC 20.20.010
Side Yard, South	20 Feet to provide transition	20 feet	LUC 20.20.010 and LUC 20.25B.040C.2 Landscaping in LI zone abutting district receiving transition is 20 feet per LUC 20.25B.
Rear (east)	0-FT	23 FT	LUC 20.20.010
Sidewalk Width	None Required	None Proposed	See Transportation conditions, section XII.

Parking and Loading

Item	Proposed	Comments/ Conditions
<u>Parking</u>	Proposed Parking Stalls	LUC 20.20.590
Un specified Use – Self Storage	26 stalls Proposed including 9 loading/unloading stalls.	The Director establishes the Parking requirements for unspecified uses.
Comparable facilities and their parking provision as provided by applicant		
Bel-Red Self Storage , located at 1405 130 th Ave. NE, built in 2001, is an 800 unit, multi-level facility that has provided 24 stalls for parking, loading and unloading near the entrance to their facility		
Public Storage (formerly Shurgard), located at 12835 Northup Way, is a 900 unit store with a mix of one and two story building with 17 parking spaces.		

C. Land Use Context

The site is located between 118th Ave SE and I-405. Property to the north is zoned LI, but is occupied by a class III wetland owned by WSDOT. I-405 itself to the east is zoned LI. Recent expansion of the south bound lanes of I-405 has included removing vegetation on the hillside above this site and the filling of the slope for the additional travel lanes.

Property to the south is zoned R-20 and is occupied by a multi-family residential development. The residential units in the development to the south most impacted by this development are located close to 118th Ave. SE. Across 118th Ave SE to the southwest is the new Environmental Education Center operated by the City of Bellevue Parks Department. Directly to the west across 118th Ave SE is unoccupied and zoned R-15 with a Comprehensive Plan designation of P/MF-M. Existing wetlands will limit future development. To the northwest is a site currently zoned LI and occupied by a self storage facility.

III. Permits Required

Permits required for the proposed project include:

- A. Critical Areas Permit (LO) for work in and around the steep slope critical area and for proposed restoration work within the wetland buffer at the north end of the site. Steep slopes, wetland buffer and trail easements are to be covered by the review and approval of a Native Growth Protection Easement (NGPAE).
- B. Design Review (LD) Approval due to the closeness to multi-family residential to the south and west and to single family zoning across I-405 to the east.
- C. Building Permit (BB) for the 120,000 square foot building.
- D. Utility Permit for storm drainage and water/sewer hook-up.

- E. Right-of-way permits for frontage improvements, including street lights and driveways.
- F. Building Permits separate from the building for any of the retaining walls on site that are more than four feet high.
- G. Sign Permits for the four permanent signs and the one temporary sign.

This staff report includes approval of the LO and LD permits.

IV. Consistency with Land Use Code/Zoning Requirements:

A. Zoning District Development Standards, Chapter 20.10

The subject site is zoned Light Industrial, LI, on the Land Use District Map. Land Use Code dimensional requirements are contained within, LUC 20.20.010. The maximum building height in the LI is 45 feet. Maximum lot coverage is limited to 50% and the maximum impervious surface ratio is set at 85%. The project includes a single building of 120,126 square feet that is forty feet tall measured from existing grade to the mid-point of the highest pitched roof. Two cupolas are proposed as architectural features that exceed the 40 foot height by ten feet. The proposed cupolas do not contain mechanical equipment. They are intended as architectural features only.

The mini-storage facility is proposed to cover 41 % of the site and have an overall impervious surface ratio of 74%. The site is currently vacant and is designated as Light Industrial (LI), within the Richards Valley sub-area of the Comprehensive Plan, and is zoned LI. The property to the south is zoned R-20, has a Comprehensive Plan designation of MF-H and is occupied by a multi-family residential development. Property to the north and east is occupied by Interstate 405. Property to the southwest across 118th Ave SE is zoned R-15 with a Comprehensive Plan designation of P/MF-M and is currently undeveloped.

Finding: The proposed project meets the dimensional requirements of LUC 20.20.010. Building height and setbacks are also subject to the Transition Area Design District Standards analyzed in Section IX of this staff report.

B. Parking, Circulation and Walkway Requirements, Chapter 20.20.590

This code chapter establishes parking and circulation requirements. Mini-warehouse or Self Storage Facilities are not listed as a "Specified Use" under LUC 20.20.590.F.1. Parking requirements for unspecified uses are established by the Director after considering; 1) Documentation from the applicant, 2) Evidence from technical studies, 3) Requirements of other jurisdictions.

Finding: The applicant submitted information on the parking provided at two similar facilities in a letter dated March 26, 2008. The two facilities

cited in the letter are the Bel-Red Self Storage, located at 1405 130th Ave. NE and the Public Storage facility at 12835 Northrup Way. The City of Bellevue, Transportation Forecasting and Modeling Services completed a traffic impact analysis for the project dated December 26, 2007 and attached to the March 26, 2008 letter. See attachment 11.

Based on the information on comparable facilities and the traffic impact study completed by the City of Bellevue Transportation Department, the total of 26 parking spaces for the mini-warehouse use and office along with four loading spaces is determined to be adequate for the Stor-House Mini-warehouse facility as proposed. The project proposal makes adequate accommodation for onsite pedestrian circulation, driveways and loading sites.

C. Tree Retention, Chapter 20.20.900

The proposal is required to retain all of the significant trees within the perimeter setback areas and 15 % of the tree diameter inches of significant trees interior to the site. The subject site includes significant trees with a total of 682 diameter inches. The proposal includes retention of 363 diameter inches or 53% of the diameter inches of the existing tree/diameter inches.

Finding: The proposal retains all 53% of the diameter inches of significant trees on site, which exceeds the minimum requirement of 15% retention.

V. Public Notice and Comment

Application Date:	July 1, 2008
Public Notice:	May 8, 2008
Minimum Comment Period:	May 22, 2008

A request for information was received during the comment period from Karen Walter on behalf of the Muckleshoot Indian Tribe Fisheries Division. A copy of the wetland and stream assessment and delineation by Chad Armour, LLC was forwarded to Ms. Walter.

The Notice of Application for this project was published in the Seattle Times and the City of Bellevue weekly permit bulletin on May 8, 2008. It was mailed to property owners within 500 feet of the project site.

VI. Summary of Technical Reviews

A. Clearing and Grading:

The Clearing and Grading staff found no issues with the proposed development if the Geotech recommendations are followed and appropriate Temporary Erosion and Sedimentation Control Best Management Practices are employed during construction. See Conditions of Approval in Section XII.

B. Transportation

Site Access

Access to the proposed project will be provided from 118th Avenue SE via two driveways: a two way driveway and an exit only driveway. Note that on-street loading will not be allowed.

Street Frontage Improvements

The City's adopted Pedestrian and Bicycle Plan does not include, at this location, a sidewalk on the east side of 118th Avenue SE. Also, street frontage improvements including curb, gutter, and sidewalk do not exist in front of adjacent properties on the same side of 118th Avenue SE. Therefore, curb, gutter and sidewalk are not required to be provided by the developer.

The two way driveway will have a width of 30 feet and the exit only driveway will have a width of 20 feet. The driveway apron design shall be consistent with standard drawings. 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.

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

Holiday Construction & Traffic Restrictions

From November 15th to January 5th, 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, which is issued through the Development Services Center.

Use of the Right of Way During Construction

Applicants often request use of the right of way and of pedestrian easements for materials storage, construction trailers, hauling routes, fencing, barricades, loading and unloading and other temporary uses as well as for construction of utilities and street improvements. A Right-of-Way Use Permit for such activities must be acquired prior to issuance of any construction permit including demolition permit.

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.

118th Avenue SE has been classified as "Overlay Required". Any work involving pavement disturbance will require grind and overlay type of pavement restoration. The extent and details of required pavement restoration will be specified in the right of way use permit.

C. Fire

Fire access around the building is adequate. Other fire code requirements to be applied with the building permit.

VII. Changes to Proposal from Staff Review

A. Roof design

The initial project proposal included large portions of the roof system at a pitch of one half foot in 12 feet. Based on input from staff the project was changed to have all of the roof elements have a roof pitch of at least 2 feet in 12 feet. This was done by the applicant, in part, to be awarded a five foot building height bonus under the terms of the Transition Area Design District, LUC 20.25B.030.A.2 Design Review requirements.

B. Provision of pedestrian trail easement

Based on comments from the City of Bellevue Parks Department, the applicant agreed to provide a pedestrian trail easement across the south end of the site to link 118th Ave SE to the I-405 corridor for a future link. A

condition has been added to the project to require recordation of an easement prior to issuance of any building permits. See section XI of this staff report for the conditions of approval.

C. Retention of Significant Trees along the south property line

Landscape requirements for transition areas include the use of rows of hedge material as a part of providing superior separation between residential uses and the proposed Light Industrial use. The landscape requirements have been modified by staff for the southern portion of this site for two reasons. First, imposition of the hedge planting would have required the introduction of a linear planting scheme through a relatively intact native vegetation area in the southeast corner of the site. Second, retention of native vegetation in the southwest corner of the site is more effective in reducing the visual impact on the adjacent residential use to the south.

D. Enhanced restoration of wetlands buffer

Staff worked with applicant to increase the density of plantings within the wetland buffer consistent with the wetland plant types and spacing recommended in the Critical Areas Handbook.

E. South facing sign revised

Based on staff request, the applicant amended the application to include a non-internally illuminated sign to face south. This is in keeping with the requirements of the Transition Area Design District.

VIII. Critical Area Performance Standards and Decision Criteria

A. Performance Standards

i. Landslide hazards and steep slopes Performance Standards, 20.25H.125.

Development within a landslide hazard or steep slope critical area or the critical area buffers of such hazards shall incorporate the following additional performance standards in design of the development, as applicable:

- 1) Structures and improvements shall minimize alterations to the natural contour of the slope, and foundations shall be tiered where possible to conform to existing topography;

Finding: The existing topography of the site includes a cut slope creating a steep slope critical area near the southeast corner of the site. The proposal is to build a soldier pile wall along the face of the steep slope that will stabilize the slope, the buffer area above the slope and help preserve the more gently sloped natural topography that contains the largest tree stand on site. The applicant is required to conform to the requirements of the geotechnical study. The proposal meets the intent of

this performance standard. See Conditions of Approval in Section XII of this report.

- 2) Structures and improvements shall be located to preserve the most critical portion of the site and its natural landforms and vegetation;

Finding: The proposed retaining wall will help stabilize the steep slope critical area and is not located within the critical area itself. Work within the steep slope critical area is limited to planting and erosion control. No grading or alteration of the steep slope portion of the site is proposed. Tree retention includes retaining 53% of the diameter/inches of substantial trees on site. The proposal preserves the natural slope, soils and significant trees in the southeast corner of the site. The proposal meets the intent of this performance standard.

- 3) The proposed development shall not result in greater risk or a need for increased buffers on neighboring properties;

Finding: The proposal includes retaining walls that protect sloped portions of the site and adjacent properties. The proposal meets the intent of this performance standard.

- 4) The use of retaining walls that allow the maintenance of existing natural slope area is preferred over graded artificial slopes where graded slopes would result in increased disturbance as compared to use of retaining wall. The proposed retaining walls will not increase the need for buffers or risk to adjacent properties.

Finding: The proposal uses a retaining wall to preserve a natural slope in the southeast corner of the site. The proposal meets the intent of this performance standard.

- 5) Development shall be designed to minimize impervious surfaces within the critical area and critical area buffer;

Finding: The subject site includes a 60 foot wide wetlands buffer at the north end of the site. No impervious surfaces are proposed within the buffer beyond removal of the existing chain link fence and re-vegetation. The proposal meets the intent of this performance standard.

The site also includes a steep slope resulting from a previous excavation work. The proposal includes placing a soldier pile wall at the base of the cut slope within the steep slope building setback. The retaining wall will have the effect of securing the natural slope and vegetation behind the cut slope. The proposal meets the intent of this performance standard.

6) Where change in grade outside the building footprint is necessary, the site retention system should be stepped and re-grading should be designed to minimize topographic modification. On slopes in excess of 40 percent, grading for yard area may be disallowed where inconsistent with this criteria;

Finding: No grading is proposed within the steep slope critical area. The project includes construction of a retaining wall at the face of the steep slope. The design does limit the amount of regrading necessary to construct the project. The proposal meets the intent of this performance standard.

7) Building foundation walls shall be utilized as retaining walls rather than rockeries or retaining structures built separately and away from the building wherever feasible. Freestanding retaining devices are only permitted when they cannot be designed as structural elements of the building foundation;

Finding: The primary structure is located 50 feet away from the steep slope in the steep slope toe-of-slope building setback. Using the building foundation to retain the slope would have caused additional impacts to the mature stand of trees located in the steep slope buffer area. This plan design provides for retention of significant trees above the minimum code requirements and reduces the visual impact of the development when viewed from the residential area to the south and from I-405.

8) On slopes in excess of 40 percent, use of pole-type construction which conforms to the existing topography is required where feasible. If pole-type construction is not technically feasible, the structure must be tiered to conform to the existing topography and to minimize topographic modification;

Finding: Not applicable - no portion of the proposed development is proposed on slopes in excess of 40 percent. Only planting and erosion control is proposed on a portion of the steep slope toe-of-slope building setback.

9) On slopes in excess of 40 percent, piled deck support structures are required where technically feasible for parking or garages over fill-based construction types; and

Finding: Not applicable - no portion of the proposed patio is proposed on slopes in excess of 40 percent.

10) Areas of new permanent disturbance and all areas of temporary disturbance shall be mitigated and/or restored pursuant to a mitigation and restoration plan meeting the requirements of LUC 20.25H.210.

Finding: Not applicable. The proposal does not include intrusion into wetland buffers that would require mitigation. However, the proposal does include restoration of the wetland buffer and removal of the chain link fence between the wetland, located north of the subject site and the onsite buffer.

ii. Wetlands Performance Standards, 20.25H.100

Development on sites with a wetland or wetland critical area buffer shall incorporate the following performance standards in design of the development, as applicable:

1) Lights shall be directed away from the wetland.

Finding: Proposal meets this performance standard by including cut off shields on exterior lighting fixtures.

2) Activity that generates noise such as parking lots, generators, and residential uses, shall be located away from the wetland, or any noise shall be minimized through use of design and insulation techniques.

Finding: Proposal meets this performance standard by locating parking outside of wetland buffer. Overall site noise generation should be low for this type of self storage use. The proposed building may reduce noise levels in wetlands areas to the west across 118th Ave SE.

3) Toxic runoff from new impervious area shall be routed away from the wetlands.

Finding: Treated water is to be routed to grass lined swale in the right-of-way along 118th Ave SE before entering the natural drainage to the north. The proposal as designed meets this performance standard.

4) Treated water may be allowed to enter the wetland critical area buffer.

Finding: Treated water is to be released to the grass lined swale in the right-of-way. No drainage from the building or parking lots are to be introduced directly into to the wetland or wetland buffer.

5) The outer edge of the wetland critical area buffer shall be planted with dense vegetation to limit pet or human use.

Finding: The proposal includes re-vegetation of the entire wetland buffer as shown on the landscape plan, attachment 5. The planting plan is consistent with the plan species, size and spacing recommended in the Critical Areas Handbook. The proposal meets this performance standard.

6) Use of pesticides, insecticides and fertilizers within 150 feet of the edge of the stream buffer shall be in accordance with the City of Bellevue's "Environmental Best Management Practices," now or as hereafter amended.

Finding: See conditions of approval section XII of this staff report.

B. Decision Criteria

i. Critical Areas Report Decision Criteria, 20.25H.255.A. General

General -

The Director may approve, or approve with modifications, the proposed modification where the applicant demonstrates:

- 1) The modifications and performance standards included in the proposal lead to levels of protection of critical area functions and values at least as protective as application of the regulations and standards of this code;

Finding: The modifications and performance standards included in the proposal lead to levels of protection of critical area functions and values at least as protective as application of the regulations and standards of this code.

Specifically, the retention of existing vegetation along the south property line and in the southeast corner along with the proposed restoration of the wetlands buffer at the north end of the site will be as protective as application of the regulations and standards of this code. No construction is proposed within the northern wetlands buffer. Removal of the existing fence between the buffer and the wetlands to the north and the replanting of the wetlands buffer will provide improved functioning and add environmental value to the project.

Allowance for the construction of a soldier pile wall and a portion of the self storage building within the 75 foot toe-of-slope building setback is adequately compensated for by the stabilization of the existing cut slope and the preservation of 53% of the existing significant trees on site.

All clearing and grading will be in compliance with the City of Bellevue Clearing and Grading Code, Clearing and Grading Erosion Control Standard Details, Development Standards, and Land Use Code. See Conditions of Approval in Section XII of this report.

- 2) Adequate resources to ensure completion of any required mitigation and monitoring efforts;

Finding: To ensure proper resources are available to complete the five year maintenance and monitoring report, a five year maintenance and monitoring will be required as part of this project approval. See Conditions of Approval in Section XII of this report.

- 3) The modifications and performance standards included in the proposal are not detrimental to the functions and values of critical area

and critical area buffers off-site; and

Finding: Modification of the steep slope critical area building setback area with the construction of a soldier pile wall will stabilize the previously created cut slope and the remainder of the native slope and vegetation above the cut slope.

Proposed replanting with native trees, shrubs and groundcovers (including the completion of five-year maintenance and monitoring plan) will help restore the function and value of the class III wetland buffer at the north end of the site. No threatened or endangered species are expected to be present in the project vicinity and the area is fully developed with residential uses. The proposal meets the intent of this decision criteria.

4) The resulting development is compatible with other uses and development in the same land use district.

Finding: Only the property to the north and east owned by the WSDOT is zoned Light Industrial similar to the subject site. The proposed development incorporates limits on building height, building modulation, landscaping, retention of 53 percent of the existing significant trees, and lighting fixtures designed to keep light from leaving the site. The proposal is consistent with the underlying zoning and the Transition Area Design District. The resulting development is compatible with other uses and development in the same land use district.

ii Critical Areas Land Use Permit - Decision Criteria, 20.30.P.140

General -

The Director may approve, or approve with modifications, the proposed modification where the applicant demonstrates:

The proposed modification is to the 75 foot toe-of-slope steep slope critical area. The proposal includes construction of a soldier pile wall along the face of the previously constructed cut slope, a portion of the driveway and two corners of the proposed self storage building.

1) The proposal obtains all other permits required by the Land Use Code;

Finding: The applicant must obtain a clearing and grading permit, right-of-way permit, building permits and separate permits for all retaining walls above four feet in height prior to beginning any work. See Conditions of Approval in Section XII of this report.

2) The proposal utilizes to the maximum extent possible the best available construction, design and development techniques which result in the least impact on the critical area and critical area buffer;

Finding: In the case of this property, previous grading activity had created a cut slope on site that now meets the definition of a steep slope critical area (40% slope or greater). The proposal to construct a soldier pile wall along the face of the cut slope addresses slope stability and uses construction practices and structure design that will help limit the potential for increased hazard associated with this slope. The applicant is required to conform to the requirements of the geotechnical study. See Conditions of Approval in Section XII of this report.

3) The proposal incorporates the performance standards of Part 20.25H to the maximum extent applicable, and ;

Finding: The proposed work within the steep slope toe-of-slope structure setback incorporates the performance standards of Part 20.25H by providing for stabilization of an unstable cut slope and by providing for a new driveway consistent with 20.25H.055.C.2. The proposal is consistent with 20.25H.125 Performance standards – Landslide hazards and steep slopes by preserving the most critical portion of the site and its natural landforms and vegetation above the cut slope and by minimizing risk to adjacent properties and by providing for the use and maintenance of the existing natural slope above the cut slope.

4) The proposal will be served by adequate public facilities including street, fire protection, and utilities; and;

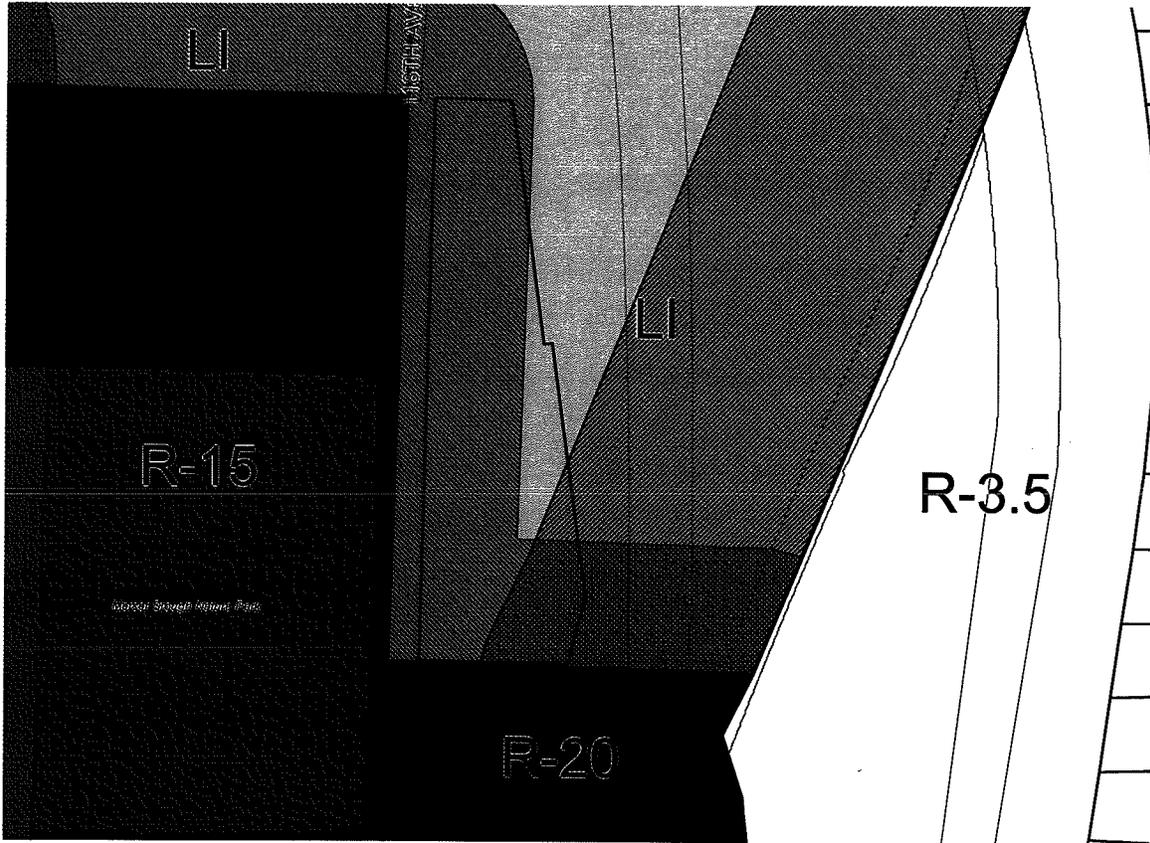
Finding: The subject site is served by adequate public facilities. This site is served by an adequate level of public facilities.

5) The proposal includes a mitigation or restoration plan consistent with the requirements of LUC Section 20.25H.210; and

Finding: A Temporary Erosion Sedimentation Control Plan will be required as part the clearing and grading permit submittal and approval. A maintenance and monitoring plan will be required to be submitted prior to approval of the grading permit. The applicant shall also submit restoration / replanting / maintenance cost estimates to be used in determining the amount of the assignment of savings financial security device that will be required prior to permit issuance. See Conditions of Approval in Section XII of this report regarding the required restoration plan.

6) The proposal complies with other applicable requirements of this code.

Finding: As discussed in Sections IV of this report, the proposal complies with all other applicable requirements of the Land Use Code.



Map from Mapster showing subject site with surrounding zoning and Transition Area Overlays, December, 2008

IX. Design Review

Pursuant to LUC 20.25B.030, all development activity within a transition area must comply with the following:

A. Transition Area Development Standards 20.25B.040

i. Building Height.

1) Allowable Height Increase. Except in an R-10 or R-15 District, the height limitation may be increased up to maximum height with bonuses limitation indicated in paragraph A.2 of this section only if one or more of the following items are provided, the decision criteria for Administrative Design Review are met, and the intent of the Transition Area Design District is maintained.

	Item	Increase Allowed
a.	Underbuilding parking:	5-foot increase
b.	Basement parking:	10-foot increase

c.	Pitched roof:	5-foot increase
d.	Top floor setback on all sides of at least 10 feet:	5-foot increase
e.	No mechanical equipment on the roof:	5-foot increase
f.	Existing grade at the proposed building line is at 10 feet below the existing grade at the property line of the property receiving transition:	5-foot increase

Finding: Building height is measured from average existing grade. The LI zone allows 45 foot building heights. The base height allowed for commercial buildings on properties located within the Transition Area Design District is 30 feet without bonuses. The applicant has requested the awarding of height bonuses in two categories including the provision of pitched roofs and no placement of mechanical equipment on the roof.

The land use code allows the proposed building to be measured for height in two segments. The average existing grade for the northern half of the building is 1.4 feet lower than the average existing grade for the southern half of the building.

Proposed roof pitches range from 1 foot of rise in 2 feet (one in two) to a 2 foot rise in 12 feet of run (two in twelve). Most of the roof by area is pitched at the two feet in twelve foot pitch. The roof pitches shown on the plan set meet the slope standards used in the award of previous bonus height. No rooftop mechanical equipment is proposed including in the two cupolas located at the north end and center of the building.

The proposal meets the Transition Area Design District allowable height increase development standards found in LUC 20.25B.040.B.3. With the awarding of these two bonus height increases, the mini-storage facility is allowed to be 40 feet high measured from average existing grade. The proposal meets the development standard for building height.

ii. Setbacks

Primary structures must be located a minimum of 30 feet from the property line of the district receiving transition.

Finding: The primary building proposed is located 81 feet from the southern property line that adjoins R-20 zoned residential property. The primary building is located between the Right-of-Way of 118th Ave SE and I-405. The proposed building is located 100 feet from the multi-family zoned property across 118th Ave SE. and at least 250 feet from single family property located across I-405 to the east. The property to the north shares the LI zoning and thus does not trigger the building setback requirements of this section. The proposed building location meets the primary building setback standard of LUC 20.25B.040.B.

iii. Landscaping, Open Space and Buffers

The standards require compliance with the landscape standards of LUC 20.20.520, the provision of 20 foot wide landscape buffers along street frontages and hedges adjacent to residential zoned property. The applicant requested that the landscape width along 118th Ave SE be reduced to 15 feet by compliance with the Alternative Landscape Option LUC 20.20.520 J.

Finding: The proposed project meets the Alternative Landscape Option LUC 20.20.520 J. standards by increased retention of significant trees and naturally occurring undergrowth and by incorporating native species that better buffers a critical area wetland buffer.

iv. Site Design Standards

The Site Design Standards of the Transition Area Design District require that surface parking lots be screened, site features be integrated with the architectural design of the primary structure, mechanical equipment be integrated into the roof form, refuse containers be contained on all four sides and that signs meet the requirements of Chapter 22B. 10.

Finding: The project does not include an outside dumpster or dumpster enclosure. All parking is screened by landscaping and mechanical equipment has been integrated into the building design.

B. Design Review Guidelines, 20.25B.050

i. Site Design Guidelines.

1) Whenever possible, vehicular access should be designed so that traffic is not directed through an abutting residential district of lower intensity.

Finding: N/A

2) Loading and refuse collection areas should be on the side of a building facing away from an abutting residential district of a lower intensity, but not in a front yard setback.

Finding: The proposal does not include an outdoor refuse collection area. The loading docks are located behind the building away from residentially zoned property.

3) In addition to the minimum requirements of LUC 20.20.520, site development should maximize the retention of existing significant vegetation in order to soften the visual impact on adjacent residential uses.

Finding: The proposal includes retention of 53% of the diameter inches of significant trees on site. The proposal meets the intent of this guideline.

4) Surrounding vegetation, topography, street patterns, parking configuration and building massing should be considered in order to result in a compatible fit between the proposed development and existing residential development.

Finding: The building is set back 82 feet from the property line with the most effected multifamily zoned property to the south. Existing trees and understory vegetation is being retained along the south property line. The proposal meets the intent of this guideline.

ii. Building Design Guidelines.

1) Building surfaces facing abutting residential districts should be clad with materials which are similar to or compatible with surrounding uses, and which minimize reflected lighting.

Finding: The proposed building surfaces include concrete block with banding in alternative block along with trellises and modulation of the exterior walls to present a more residential look to the building. The proposed colors include a tan/sand color for the main body of the building with a dark green roof. Colors proposed will minimize reflected lighting.

2) Building facades should incorporate elements such as stepbacks, offsets, angled facets, deep roof overhangs, recesses and other architectural features which serve to break down the scale. The larger the building, the greater the number and variety of such elements that may be necessary to achieve the effect of diminishing scale.

Finding: The proposed building includes a two story and four story section with elevated cupolas to provide a more residential look. The wall facades include modulation along 118th SE and along its southern façade facing the multi-family development to the south.

3) Pitched roof forms are preferred in order to enhance the compatibility with nearby residential areas. However, under certain circumstances, a stepped roof form could achieve a similar effect.

Finding: The proposal includes pitched roofs with minimum 2 feet in 12 foot roof pitches and two cupolas as ornamental architectural features.

4) Communication dishes greater than one meter (3.28 feet) in diameter should not be visible from adjacent residential districts.

Finding: Not applicable. No communication dishes greater than one meter are included in the proposal.

5) Materials and colors used on the building facades should be compatible with nearby residential buildings and the surrounding natural environment; however, colors and materials used for the purpose of accent may be approved.

Finding: The applicant submitted building elevations that include wall and roof colors. See attachment 2. The proposed wall and roof colors are compatible with adjacent residential development.

C. Design Review Decision Criteria 20.30F.145

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

- i. The proposal is consistent with the Comprehensive Plan; and
- ii. The proposal complies with the applicable requirements of this Code; and
- iii. The proposal addresses all applicable design guidelines or criteria of this Code in a manner which fulfills their purpose and intent; and
- iv. The proposal is compatible with and responds to the existing or intended character, appearance, quality of development and physical characteristics of the subject property and immediate vicinity; and
- v. The proposal will be served by adequate public facilities including streets, fire protection, and utilities.

Finding: The proposed development is located within the Richards Valley Comprehensive Plan Subarea. The project, as conditioned, is consistent with Comprehensive Plan policies:

POLICY S-RV-25. Encourage the retention of vegetation during the clearing, grading, and construction processes to screen development from nearby residential neighborhoods.

POLICY S-RV-30. Develop areas designated for light industrial uses with sensitivity to the natural constraints of the sites.

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

The project is compatible with the Comprehensive Plan and applicable codes of the city by providing for the restoration of onsite wetland buffer areas, design features including pitched roof elements, an absence of mechanical equipment from the roof, loading areas located facing away from adjacent residential areas, signage facing the multi-family zoned property to the south that is not internally illuminated, retention of native trees well above the 15% minimum required, the provision of substantial landscaping along 118th Ave SE, the provision of an easement across the south end of the project for a future pedestrian path and the inclusion of

building design elements including building fascia modulation, the use of landscape trellises and a variety of block textures to make the development more compatible with the multi-family zoned property to the south and west.

The proposed development, as conditioned, meets the Design Review criteria by providing for development of the site consistent with the Light Industrial Comprehensive Plan and zoning designations.

X. State Environmental Policy Act (SEPA)

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

A. Earth and Water:

The grades on site range from nearly level to in excess of 40%. There is 58 feet of elevation change from the low point at the north end to the high point in the Southeast corner of the site. The site has been extensively modified under previous grading permits, most recently in 2005. Historically a steep slope was created in the south east corner by cutting into a slope. The area above the cut in the south east corner contains what appears to be natural slopes and soils with a stand of mixed deciduous and conifers.

The site slopes to the west and north. Drainage from the site moves to a swale in the right-of-way along 118th Ave SE and then to the wetland and small stream located to the north of the property. Drainage then flows to the west under the road and into the large wetland area to the west of 118th Ave. SE. See Conditions of Approval in Section XII.

B. Animals:

The property contains a pocket of forested habitat on steep slopes in the southeast corner of the site. The property slopes to the west and to the north. The site did serve as a limited wildlife corridor allowing animals to move across the land bridge above the Wilburton Tunnel to the west towards the new Environmental Education Center. However, with the removal of the Wilburton Tunnel, the former limited use of the southern portion of the this site as a wildlife corridor has ended.

The wetland to the north of the site has been cut off from this property with a chain link fence that made it difficult for most animals to use the wetland buffer area on this site. The project includes removal of the chain link fence and the restoration of the 60 foot wide landscape buffer on site.

The proposal will improve the wetland buffer habitat and reconnect it to the class III wetlands buffer and stream to the north.

Adverse impacts on wildlife are not anticipated with this project. The proposed restoration of the class III wetlands buffer and retention of the native trees along the south property line and in the south east corner of the site above the steep slope is consistent with the objective of maintaining habitat for animals of local importance.

C. Plants:

Vegetation on the steep portions of the property includes large conifers and deciduous trees, a mix of native and non-native shrubs and ground covers. There are a limited number of ornamentals onsite including Rhododendrons and a flowering cherry along the south property line.

The project includes restoration and re-vegetation of the wetlands buffer at the north end of the site with plants selected from the City of Bellevue Critical Areas Handbook. The stand or significant trees in the southeast corner of the site is retained with this proposal along with a large ornamental flowering cherry that provides visual screening to the multi-family development to the south. See Conditions of Approval in Section XII.



D. Transportation

i. 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. The Stor-House self storage project lies within MMA # 7, which has a 2017 total growth projection of 36,424 square feet of industrial land use. This development proposes 120,162 square feet of mini warehouse, which is considered as industrial land use. It is recognized that the TFP projections fall short in this area in terms of this proposed land use; however, the TFP is updated every two years at which time land use projections can be updated to meet current growth trends. With this considered, the long-term transportation impacts are fully mitigated by payment of traffic impact fees, as described below.

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.

ii. 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 31 new p.m. peak hour trips; and the 31 pm peak hour trips were used to check for concurrency. City staff distributed and then assigned project-generated trips to the street network using the City's EMME-2 travel forecasting model with the current Capital Investment Program network. By adding the expected project-generated trips to the traffic volumes in the model, the area average levels of service were determined. To create a baseline condition for comparison, the levels of service were also determined using traffic volumes without the project-generated trips. In this project analysis, no system intersection 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. (The concurrency analysis spread sheet is available in the project file.) Therefore, the proposed development passes the concurrency test. The concurrency test results are included in the Transportation Department file for this development.

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 12 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. See Attachment 12 for this certificate.

iii. Short Term Operational Impacts and Mitigation

City staff analyzed the short term operational impacts of this proposal in order to recommend mitigation if necessary. These impacts included traffic operations conditions during the peak hour of the adjacent street. The addition of the mini warehouse is not expected to have a significant impact on the traffic operations in the adjacent street.

XI. Decision – Critical Areas Land Use Permit and Design Review

After conducting the various administrative reviews associated with this proposal, including Land Use Code consistency, SEPA, City Code and Standards compliance reviews, the Director of the Development Services Department does hereby approve a Critical Areas Land Use Permit, Critical Areas Report and Design Review with conditions. The proposal is to construct a 120,126 square foot mini-warehouse and associated parking, landscaping, storm drainage, access and retaining walls, to restore the remaining steep slope critical area buffer and portions of the steep slope critical area near the top-of-bank with native vegetation and the re-vegetation of the onsite wetlands buffer. Approval of this Critical Areas Land Use Permit and Design Review does not constitute a permit for construction. A clearing and grading permit is required for the site earth work. All plans are subject to review for compliance with applicable City of Bellevue codes and standards. Any retaining walls must be

approved as part of a building permit and is subject to building permit inspections. See Conditions of Approval in Section XII of this report.

Note- Expiration of Approval: In accordance with LUC 20.30P.125 a Critical Areas Land Use Permit automatically expires and is void if the applicant fails to file for a Clearing and Grading Permit or other necessary development permits within one year of the effective date of the approval.

Approval of this Critical Areas Land Use Permit does not constitute a permit for construction. A building permit is required and all plans are subject to review for compliance with applicable City of Bellevue codes and standards. Any proposed shoring or retaining walls four feet in height measured from the foundation base must be approved as part of a building permit and are subject to building permit inspections.

XII. Conditions of Approval

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

<u>Applicable Ordinances</u>	<u>Contact Person</u>
Clearing and Grading Code- BCC 23.76	Tom McFarlane, 425-452-5207
Land Use Code- BCC Title 20	Mark Cross, 425-452-6938
Noise Control- BCC 9.18	Mark Cross, 425-452-6938
Transportation Design Manual BCC 14	Rohini Nair, 425-452-2569
Sign Code-LUC 22B.10	Mark Cross, 425-452-6938

The following conditions are imposed under the Bellevue City Code authority referenced:

- 1. Engineered Wall Design Requirement:** A building permit is required for any wall that is four feet in height or higher. Such walls must be submitted for review and include detailed plans for any engineered foundation / shoring design that has been recommended in the geotechnical report is required to be submitted for review and approval by the City of Bellevue Building Department prior to the issuance of any building permit for construction at this site. Review comments from WSDOT or their representative for the walls proposed adjacent to I-405 must be submitted for review prior to building permit approval for the walls.

Authority: Land Use Code 20.25H.125

Reviewer: Mark Cross, Development Services Department

- 2. Maintenance and Monitoring Plan:** A complete maintenance and monitoring plan outlining how the restored wetlands buffer area will be maintained and monitored for a period of five years shall be submitted and approved prior to the issuance of any building permits for construction on this site. The maintenance and monitoring plan shall, at a minimum, require two entries for maintenance per year. Monitoring reports shall be submitted annually, and must be completed in a format acceptable to the City Land Use Division.

Authority: Land Use Code 20.25H.220
Reviewer: Mark Cross, Development Services Department

- 3. Assignment of Savings Financial Security Device:** As part of the building permit application the applicant shall submit restoration / replanting / maintenance plan cost estimates to be used in determining the amount of the assignment of savings financial security device that will be required prior to permit issuance. A complete assignment of savings financial security device in the amount determined by the project planner must be submitted prior to building permit issuance.

Authority: Land Use Code 20.25H.220.F
Reviewer: Mark Cross, Development Services Department

- 4. Recordation of Native Growth Protection Area Easement:** Provide copy of Native Growth Protection Area Easement, NGPAE, approved as to form by the City of Bellevue Attorney's Office and recorded with the King County Auditor's office prior to Temporary Certificate of Occupancy. The NGPAE shall include map and text covering the onsite wetlands buffer, steep slope critical area and critical area buffer.

Authority: Land Use Code 20.25H.030.B.2
Reviewer: Mark Cross, Development Services Department

- 5. Provision of Trail Easement:** Applicant to grant a trail easement to the City over the southern NGPAE approved as to form by the City of Bellevue Attorney's Office and recorded with the King County Auditor's office prior to issuance of Building Permits. The trail easement is to provide for a future pedestrian trail connecting the southeast corner of the site with the southwest corner of the site along 118th Ave. SE as shown on the City of Bellevue Parks Plan. Construction of the pedestrian trail is not required with this permit.

Authority: Land Use Code 20.25H.030.B.2
Reviewer: Mark Cross, Development Services Department

- 6. Rainy Season Restrictions:** Should approval be granted for work during the rainy season, increased erosion and sedimentation measures, representing the best available technology must be implemented prior to beginning or resuming site work.

Authority: Bellevue City Code 23.76.093.A
Reviewer: Mark Cross, Development Services Department

7. CONSTRUCTION HOURS

Noise related to construction is allowed from 7:00 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 6:00 p.m. on Saturday. Construction noise is prohibited on all Sundays and WA state holidays. Posting of construction hours is required. Exceptions to the construction noise hours limitation contained in the Noise Control Code MAY be granted pursuant to 9.18.020C.1&2 when necessary to accommodate construction which cannot be undertaken during exempt hours. Prolonged exposure to noise created by extended hour construction activity is likely to have a significant impact on inhabitants of surrounding residential properties during the proposed timeline for construction. In order to minimize detriment on residential uses in the immediate vicinity of the project, the Contractor shall not rely on City issuance of a blanket exemption from the Noise Control Code during the construction period. Written requests for exemption from the Noise Control Code must be submitted two weeks prior to the scheduled onset of extended hour construction activity. Such requests may be required to include a noise analysis prepared by a noise consultant, including recommendations for achieving the noise limitations of the Noise Ordinance for new residential construction.

The City of Bellevue does not anticipate approving exemption requests due the impact on residential uses to the south. Only in extreme circumstances the city may consider approving a noise exemption.

Authority: BCC 9.18.040
Reviewer: Mark Cross, Development Services Department

- 8. SOLID WASTE/RECYCLING:** The applicant shall provide, with the building permit, a written document showing that Allied Waste has been contacted to establish adequate sizing of the recycling and solid waste collection area for this building using current standards. In addition, the owner shall provide for the return of receptacles and trash not removed from the property back into the building the day of pick-up; all rights of way and public easements shall not be occupied by trash receptacles, dumpsters, recycling bins or other such items.

Authority: LUC 20.20.725
Reviewer: Mark Cross, Land Use

- 9. Onsite Waste Management:** The applicant is proposing to operate the self-storage facility without an outside dumpster for use by either storage unit renters or facility management. If waste from the operation becomes an off-site or onsite problem due to the lack of an outdoor dumpster, the applicant may be required to submit a Land Use Exception and revised site plan including a screened waste storage facility adequate in size to prevent off site dumping by storage space renters.

Authority: LUC 20.20.725
Reviewer: Mark Cross, Development Services Department

10. Clearing and Grading Permit Required: Prior to the commencement of any development activity on this site, the applicant shall submit application for clearing and grading permit and shall include with the application for City review a copy of the proposed mitigation, restoration, maintenance, and monitoring plan, as well as the engineered retaining wall and foundation shoring design. The proposed development must comply with the requirements of LUC 20.20.010 and is subject to standard clearing and grading review.

Authority: Land Use Code 20.30P.140
Reviewer: Mark Cross, Development Services Department

11. Geo Tech Report: Recommendations contained within the Geo Tech report must be followed and appropriate TESC BMPs are employed during construction.

Authority: Bellevue City Code 23.76
Reviewer: Tom McFarlane, Development Services Department

12. Onsite Use of Pesticides: The onsite use of pesticides, insecticides and fertilizers within 150 feet of the edge of the stream buffer shall be in accordance with the City of Bellevue's "Environmental Best Management Practices," now or as hereafter amended.

Authority: Land Use Code 20.25H.100
Reviewer: Mark Cross, Development Services Department

13. Master Sign Package: The Master Sign Package is approved with the condition that the permanent free standing sign not exceed 25 square feet per face and that the south facing sign not be internally illuminated.

Authority: Land Use Code 22B.10
Reviewer: Mark Cross, Development Services Department

Conditions of Approval from Transportation Reviewer – Rohini Nair

1. PROVISIONS FOR LOADING

The property owner shall provide an off-street loading space which can access a public street. After construction is complete, on-street loading and unloading will not be permitted.

AUTHORITY: LUC 20.20.590.K.4
Reviewer: John Regalia, (425) 452-4599

2. Holiday Construction & Traffic Restrictions

From November 15th to January 5th, 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. These dates are subject to the discretion of the Right-of-Way Manager. 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, which is issued through the Development Services Center.

AUTHORITY: BCC 11.70 & 14.30
Reviewer: Rohini Nair (425) 452-2569

B. PRIOR TO ISSUANCE OF ANY CLEAR AND GRADE PERMIT

1. RIGHT-OF-WAY USE PERMIT

Prior to issuance of any construction or clearing and grading permit, the applicant shall secure applicable right-of-way use permits from the City's Transportation Department, which may include:

- 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.
All other construction activities as they affect the public street system.
- 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 prevents access. General materials storage and contractor convenience are not reasons for preventing access.

The applicant shall secure sufficient off-street parking for construction workers before the issuance of a clearing and grading, building, a foundation or demolition permit.

AUTHORITY: BCC 11.70 & 14.30
Reviewer: Jon Regalia (425) 452-4599

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 transportation improvements 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 may include, but are not limited to:

- a) Traffic signs and markings.
- b) 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). Label widths of driveway and driveway approach type in the plans. All driveways that will be abandoned shall be removed, graded and match the adjacent frontage.
- c) Handicapped ramps, crosswalk revisions, and crosswalk equipment such as pushbuttons.
- d) Installation or relocation of streetlights and related equipment.
- e) Sight distance. (Show and label the required sight triangles and include any sight obstructions, including those off-site). Add note in plans saying that trimming and/or removal of vegetation and obstacles will be done as needed to provide the necessary sight distance.
- f) Location of fixed objects in the sidewalk or near the driveway approach. No raised objects shall be allowed within 10 feet of the driveway edge.
- g) Street section along 118th Avenue SE showing the travel lane, five feet wide bike lane, bioswale, etc.
- h) Pavement restoration within any right of way or access easement. Show and label all easements.
- i) Transportation Department standard construction notes
- j) No new overhead utility lines will be allowed within or across any city street right of way. Existing overhead lines may need to be placed underground, depending on the requirements of the utility company's right of way use permit.

AUTHORITY: BCC 14.60; Transportation Department Design Manual

Reviewer: Rohini Nair, (425) 452-2569

C. PRIOR TO ISSUANCE OF ANY BUILDING PERMIT

1. TRANSPORTATION IMPACT FEE

Payment of the traffic impact fee will be required at the time of building permit issuance. The impact fee is estimated to be \$19,225.92. This fee is subject to change and the fee schedule in effect at the time of building permit issuance will apply.

AUTHORITY: BCC 22.16
Reviewer: Rohini Nair, (452) 452-2569

2. BUILDING AND SITE PLANS – TRANSPORTATION

Building plans, landscaping plans, and architectural site plans must accommodate on-site traffic markings and signs and driveway design as specified in the engineering plans. Building plans, landscaping plans, and architectural site plans must comply with vehicle and pedestrian sight distance requirements, as shown on the engineering plans.

AUTHORITY: BCC 14.60.060, 110, 120, 150, 180, 181, 190, 240, 241

Reviewer: Rohini Nair, (425) 452-2569

D. PRIOR TO ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY

1. STREET FRONTAGE IMPROVEMENTS

All transportation elements must be constructed by the applicant and accepted by the City Inspector. All existing street light and traffic signal apparatus affected by this development 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.

- ♦ Provide 30 feet driveway width for the two way driveway onto 118th Avenue SE and 20 feet driveway width for the one way driveway. Driveway aprons must be constructed in accordance with Design Manual Standard Drawing DEV-7B. The abandoned driveways shall be removed. There should be a consistent 5 feet wide bike lane on 118th Avenue SE. All markings should be well defined. All transportation improvements must be constructed in accordance with Design Manual and as per field instructions of the transportation inspector.

- ♦ Landings on sloping approaches are not to exceed a 10% slope for a distance of 20 feet from the public street. Driveway grades must be designed to prevent vehicles from bottoming out due to abrupt changes in grade.

- ♦ Vehicle sight distance must be provided per BCC 14.60.240. 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.

- ♦ Existing overhead utility lines within or across the 118th Avenue SE right of way must be relocated underground.

AUTHORITY: BCC 14.60.090, 110, 120, 150, 181, 200, 210, 240, 241; Transportation Department Design Manual Section 5; and Transportation Department Design Manual Standard Drawings TE-1.

Reviewer: Rohini Nair, (425) 452-2569

2. PAVEMENT RESTORATION

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

- a) 118th Avenue SE: The City's pavement manager has classified 118th Avenue SE as a street requiring overlay repair for any pavement disturbance. The details and extent of the required grind and overlay restoration will be specified during the review of the right of way use permit.

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

Reviewer: Jon Regalia (425) 452-4599

VICINITY MAP

