



DEVELOPMENT SERVICES DEPARTMENT  
ENVIRONMENTAL COORDINATOR  
11511 MAIN ST., P.O. BOX 90012  
BELLEVUE, WA 98009-9012

## DETERMINATION OF NON-SIGNIFICANCE

PROPONENT: Pacific Regent II

LOCATION OF PROPOSAL: 919 109<sup>th</sup> Avenue NE

DESCRIPTION OF PROPOSAL: 22-story residential tower with 152 new residential units, 28 new nursing beds, underground parking, a 1000 SF service/ retail space, upgrades to the existing tower's façade and parapet and a 3-story podium addition with rooftop garden required by the decision. The proposed changes include slightly shifting the location of the access driveway and the addition of air conditioning units to the existing building's decks.

FILE NUMBER: 10-117762-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 **March 24, 2011**.
- 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 5:00 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This DNS may be withdrawn at any time if the proposal is modified so that it is likely to have significant adverse environmental impacts; if there is significant new information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. Hellebrand March 10, 2011  
Environmental Coordinator 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 Staff Report**

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Proposal Name: **Pacific Regent II**

Proposal Address: 919 109<sup>th</sup> Avenue NE

**Proposal Description:** 22-story residential tower with 152 new residential units and 28 new nursing beds over underground parking, a 1000 square foot retail space, up-grades to the existing tower's façade and parapet, and a 3-story podium addition with rooftop garden required by this decision. The proposed changes include slightly shifting the location of the access driveway and the addition of air conditioning units to the existing building's decks.

File Number: **10-117762 -LD**

Applicant: Sunrise IV Bellevue SL, LLC

Decisions Included: Process II, Combined Design Review decision and SEPA Determination

Planner: Kenneth A. Thiem

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

*Carol V. Helland*

Carol V. Helland, Environmental Coordinator  
Development Services Department

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

By: *Carol V. Helland*

Carol V. Helland, Land Use Director

Application Date: 07-14-2010  
Notice of Application: 08-12-2010  
Appeal Period Ends: 03-24-2011  
Vesting Period Ends: 03-24-2013

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) 452-6864. 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.

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### ATTACHMENTS:

- Attachment A: Site Vicinity & Zoning Maps
- Attachment B: Noise Study – Portable Generators
- Attachment C: Proposal Plans
- Attachment D: Street Tree/Pedestrian Connection Planting Specifications
- Attachment E: Environmental Checklist
- Attachment F: Certificate of Concurrency

## I. REQUEST/EXISTING CONDITIONS

### A. Request

The applicant requests Design Review approval to expand a senior housing and congregate care facility. The existing development includes a 17 story tower with 107 units over 99 underground parking stalls on two levels (Tower I). The current proposal (Tower II) is for a 22-story tower with 152 new residential units over 206 underground parking stalls on three levels. This proposal includes facade and parapet improvements to the existing tower and a 3-story podium addition to the existing tower. This proposal is nearly identical to the previous Design Review decision for this site, 06-112898-LD, issued March 13, 2008. The main difference is the addition of air conditioning units to the existing decks of Tower I, and a minor change to the site access location. The main purpose for this application is to extend vesting for the land use decision for two more years, until March 3, 2013.

### B. Site Description, Zoning and Context

The site is located in the Ashwood neighborhood and zoned DNTN-R. The zoning is not affected by any concomitant agreement or overlay district. Site vicinity and zoning maps are provided in Attachment A. Both of the developments immediately east and west of the site are mixed-use residential. The Library is immediately north of the site, across NE 10<sup>th</sup> Street. And there are mid-rise office buildings located immediately south of the site. The Building/Sidewalk Design Guidelines designations for the front-age streets include "D" for 109<sup>th</sup> Avenue NE and "DR" for NE 10<sup>th</sup> Street. Residential uses are permitted outright in the DNTN-R zone per the Land Use Code (LUC).

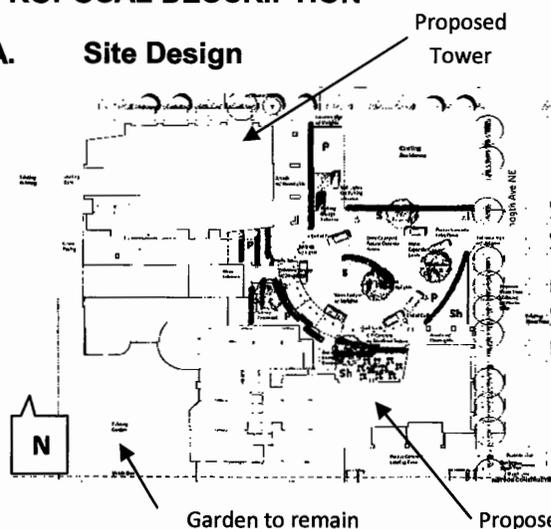
The proposed tower is among other recent residential tower projects on NE 10<sup>th</sup> Street in the Ashwood neighborhood, including 989 Elements at the intersection of 11<sup>th</sup> Avenue NE, 1020 tower and Hanover tower at the intersection of 108<sup>th</sup> Avenue NE and the Washington Square towers, located between 108<sup>th</sup> Avenue NE and 106<sup>th</sup> Avenue NE. Collectively, these projects help define NE 10<sup>th</sup> Street as a residential corridor and contribute to the "wedding cake" development concept envisioned by the City of Bellevue Comprehensive Plan and the LUC's Downtown development requirements.

### C. Existing Site/Development

The existing tower was constructed in 1987 (ADR 85-09) and modified in 1992 (DRCBD-89-5220). It has a total of 133 dwelling units. When Phase I was constructed the site was 78,948 SF (1.81 acres). The addition of two abutting parcels for Phase II has increased the site area to 93,407 SF (2.14 acres). The site is mostly level and roughly square shaped, excluding a 7,344 SF garden area in the northeastern corner of the site. The site dimensions are approximately 318 feet north-south by 327 feet east-west. Access to the existing development is from 109<sup>th</sup> Avenue NE and NE 10<sup>th</sup> Street.

## II. PROPOSAL DESCRIPTION

### A. Site Design

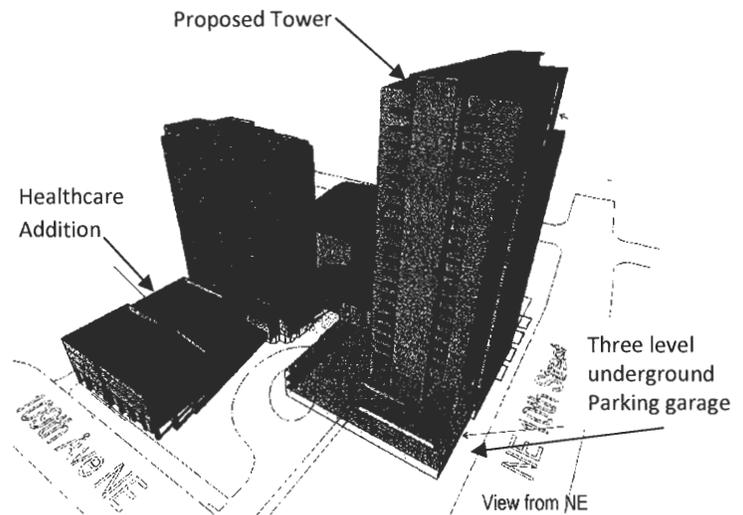


The proposed tower is located in the north-western corner of the site, and connected to the existing tower at the podium level. The existing tower is located next to the southern boundary and includes a three story podium addition to its east side. An existing garden will remain in the southwestern corner of the site. The major elements form an L-shaped development footprint. The proposed access for both towers is from a single location off of 109<sup>th</sup> Avenue NE to an auto court with a circular shape and landscape feature at the center. The auto court includes seven drop-off parking stalls and a ramp to the under-

ground parking garage. Pedestrian connections link each street frontage to the main entrance to both towers. Two landscaped courtyards are proposed between the auto court and the podium. The proposal includes two loading areas; one at the southeastern corner of the site, with access from 109<sup>th</sup> Avenue NE, and the other at the northwest corner of the site, with access from NE 10<sup>th</sup> Street. The proposal retains the existing east-west mid-block connection, street trees along NE 10<sup>th</sup> Street, street trees along 109<sup>th</sup> Avenue NE, and the garden in the southwestern corner of the site. The street trees and the trees along both mid-block connections must be installed per the City's specifications in Attachment D. See Section X of this report for related conditions of approval.

**B. Building Design**

The proposed building includes a distinctive base, middle, and top. The building footprint is rectangular, with the long axis oriented east-west. The scale, pattern and color of the offsets in the north and south facades will help create a visual connection to the existing tower, and promote compatibility with the Ashwood neighborhood. Facade area around the offsets is composed of glazed curtain wall; similar to other recently developed residential towers in Downtown. A preliminary sign package has been submitted. The proposed building exterior material and color samples are included in the project file.



**III. CONSISTENCY WITH LAND USE CODE ZONING REQUIREMENTS**

**A. General Requirements**

Residential, assisted living and retail uses are permitted outright in the DNTN-R zone.

**1. Dimensional Requirements**

The following table compares the LUC dimensional requirements for building coverage, setback, height and floor area ratio (FAR) to the proposed development.

DIMENSIONAL REQUIREMENTS			
Item	Permitted/Required	Proposed	Comments/Conditions
<b>Project Limit (SF)</b>	No min./max.	93,407 SF	
<b>Building Height</b>	200', plus 15% (230') (plus 15' for rooftop mech. equip.)	234'-4", including mech. penthouse.	LUC 20.25A.020.B.4 allows a 15% ht. increase (30') for an interesting building form (plus 15' for rooftop mech. equip.)
<b>Floor Area Ratio (FAR)</b>	5.0	4.93	Meets requirement. LUC 20.25A.020 allows an FAR of 5.0 for residential uses
<b>Exempt Retail/POF Floor Area</b>	1.0 FAR Max.	1000 SF (0.008 FAR)	Meets LUC 20.25A.020.B.3 & Building/Sidewalk Design Guidelines (LUC 20.25A.115)
<b>Gross Floor Area (GFA) for FAR</b>	467,165 GSF (plus 1.0 FAR of POF Retail)	461,317 GSF	Meets requirement. Excludes vertical shafts, stair-wells, balconies, etc.

Item	Permitted/Required	Proposed	Comments/Conditions
Floor Area per Floor Above 40 Feet	20,000 GSF/F	12,637-GSF/F	Meets requirement
Floor Area per Floor Above 80 Feet	12,000 GSF/F	12,637 GSF/F	Meets requirement. A 10% increase allowed per LUC 20.25A.020.B.1.a. A 0.53% increase is requested with a proportionate FAR Amenity.
Lot Coverage by Structure	100%	43%	Meets requirement
Side (south) Rear (west)	0/20' 0/20'	20' 20'	Meets requirement
Sidewalk Widths 109 <sup>th</sup> Ave. NE NE 10 <sup>th</sup> Street	8' + 4' wide planting strip + 6" curb for 12'-6" total.	8' + 4' wide planting strip + 6" curb for 12'-6" total.	Meets minimum required sidewalk and planting strip widths.
Street Trees 109 <sup>th</sup> Avenue NE & NE 10 <sup>th</sup> Street.	Zelkova Serrata, "Green Vase", 3" cal.	Zelkova Serrata, "Green Vase", 3" cal.	Complies with DNTN Map, LUC 20.25A.060.B. <u>A Maintenance Assurance Device required before TCO</u>
Mid-block Connections	Maintain & upgrade E-W link. N-S link provided.	<u>E-W link upgrade req'd. N-S link.</u> Provided as req'd.	As conditioned, E-W & N-S Mid-block connections meet req. (LUC 20.25A.060.C.2)

## 2. Parking Requirements

The following table compares the LUC parking and loading requirements to the proposal.

PARKING (both phases)				
Use	Min. / Max. Parking Ratios	Min. / Max. Parking Stalls	Proposed Stalls/stalls	Comments/Conditions
<b>Residential</b> 259 Senior units 52 nursing hm. beds 28 Assisted Rooms <b>Min. - Max. Totals</b>	0.33-1.0/unit 0.4-0.8/unit 0.4-1.0/unit	86-259 stalls 21-42 stalls 12-28 stalls 119 - 329 stalls	205 stalls	Meets requirements of LUC 20.25A.050.B
<b>Office</b> (13,000 SF)	2.5-3.0/1000 NSF	32 stalls	32 stalls	Meets requirements of LUC 20.25A.050.B
<b>Retail</b> 1,000 NSF	4-5 1000 NSF	4-5 stalls	4-stalls	Meets requirements of LUC 20.25A.050.B
<b>Employees</b> (without offices)	1 stall per employee	65 stalls	65 stalls	Meets requirements (LUC 20.25A.050.B)
<b>Total Required</b> <b>Total Proposed</b>		<b>301- 435 Stalls</b>	<b>306 stalls</b>	Meets requirements

LOADING			
Item	Permitted/Required	Proposed	Comments/Conditions
Compact Stalls	0% required, 65% allowed	0%, compact stalls	Meets requirement. See plans for parking layout + dimensions
Loading Area	minimum 10-foot wide (W) 55-foot deep. (LUC 20.20.590.K.4)	NW Corner: 23' W x 55' D	Meets requirement.
Refuse/Recycle Area	1.5 SF per unit/room, 5 SF/1000 GSF for retail, 2 SF/1000 GSF for office (LUC 20.20.725)	428 SF per unit/room, 5 SF for the retail space, and 26 SF for office area: 460 SF	<u>Meets requirement as conditioned by this decision.</u>

## B. SPECIAL DISTRICT REQUIREMENTS

### 1. FAR Amenity Incentive System

The proposal site is located outside the Downtown Core Design District and the Downtown Perimeter Design District. The FAR amenities are defined by LUC 20.25A.020. The table below summarizes the Basic and Non-basic FAR amenity points earned by the proposed project.

BONUS AMENITY POINTS EARNED	
<b>Project Limit</b>	<b>93,407 SF (2.14 acres)</b>
<b>Gross Floor Area for FAR (GFA)</b> Existing Tower: 157,317 SF Proposed Tower: 280,929 SF Proposed East Wing: 24,071 SF Minus Retail: 1000 SF	<b>461,317 GFA</b>
<b>Basic Permitted Floor Area</b> (Basic FAR X Project Limit)	<b>186,814 SF</b> (2.00 X 93,407 = 186,814 SF)
<b>Additional Floor Area Requested</b> (Project GFA – Basic Permitted Floor Area)	<b>274,503 SF</b> (461,317 – 186,814 = 274,503 SF)
<b>Basic FAR Requirement</b>	<b>9,341 SF</b> 0.20 X site area X Basic Non-res FAR (0.20 X 93,407 X 0.5) = 9,341 SF
<b>Basic FAR Amenity Points Earned</b>	<b>18,262 SF</b>
<b>Bonus FAR Amenity Points to Earn</b> (GFA - Basic Points Earned. Area = Bonus FAR Amenity Points to earn)	<b>257,241 SF</b> (274,503 – 18,262 = 256,241 SF)
<b>Total FAR Amenity Points Earned</b>	<b>397,480 SF</b>
<b>Total Excess FAR Amenity Points Earned</b> (Total FAR Amenities Earned – Basic Amenity Earned – Bonus FAR Amenity to Earn)	<b>121,997 SF</b> (397,480 – 18,262 – 257,241) = 121,997 SF

BASIC FAR AMENITY POINTS					
Amenity		Unit of Measure	Bonus Ratio	Bonus Floor Area Earned	Design Criteria and Public Benefit
Basic Amenities	Marquees	1,743-SF	2:1	3,486 SF	Provides weather protection and sunlight to pedestrians
	Active Recreation Area	6,776 SF	1:1	6,776 SF	Meets Design Criteria of LUC 20.25A.030.c
	Residential Entry Courtyard	1,500 SF	4:1	6,000 SF	Meets Design Criteria of LUC 20..25A.030.c
	Pedestrian-oriented Frontage	20 LF	100:1	2,000 SF	<u>Serves pedestrian needs.</u> <u>Requires agreement for POF uses + recording w/County</u>
	<b>Total Basic FAR</b>			<b>18,262 SF</b>	
Non-Basic Amenities	Amenity	Unit of Measure	Bonus Ratio	Bonus Floor Area Earned	Design Criteria and Public Benefit
	Landscape Area (Existing Garden)	12,000 SF	1:1	12,000	Provides open space for residents
	Existing underground Parking	36,852 SF	3:1	110,556 SF	Parking is entirely underground.
	Proposed underground parking	85,554 SF	3:1	256,662 SF	"
	<b>Total Non-Basic FAR</b>			<b>379,218 SF</b>	
<b>Grand Total:</b>				<b>397,480 SF</b>	

The proposal generates a total of 397,480 amenity points, which exceeds the required number of amenity points (274,503) by 121,977. The bonus floor area earned through the FAR Amenity Incentive System and the total bonus floor area to be utilized for the project must be entered into the public record (LUC 20.25A.030.D). The applicant must record a copy of the approved bonus point calculations, project drawings and conditions of the Design Review decision with King County, Division of Records & Elections. See Section X for related conditions of approval.

#### IV. PUBLIC NOTICE & COMMENT

Application Date: July 14, 2010  
 Notice of Application: August 12, 2010  
 Public Notice Sign: August 11, 2010

The required minimum public comment period ended on August 26, 2010. However, comments were accepted up to the date of this decision. There were no written comments submitted on the proposed development.

#### V. TECHNICAL REVIEW

##### A. Utility Department

Utility review has been on a conceptual basis only; consequently there are no implied approvals of 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 be performed under the Utility Developer Extension Agreement, and will coincide with the clearing and grading permit review. Final civil engineering may require changes to the site layout to accommodate the utilities. See Section X for related conditions of approval.

**B. Clear and Grade Code**

The materials submitted with this application sufficiently meet the requirements of the Clearing & Grading Code for approval of this decision by the clearing and grading reviewer. All proposed clearing and grading work will be reviewed against the applicable requirements after a clearing and grading permit is submitted for City review and approval.

**C. Fire Department**

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

**D. Transportation Department**

**Site Access**

Primary access to the proposed project will be provided by a driveway off of 109<sup>th</sup> Avenue NE. In addition, a driveway off of NE 10<sup>th</sup> Street and another off of 109<sup>th</sup> Avenue NE will provide access for service vehicles and trucks only. An existing general purpose driveway off of NE 10<sup>th</sup> Street will be closed. Loading docks and truck turnaround areas will be provided on-site. On-street loading will not be allowed.

**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 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. No new streetlights are required on either adjacent street. See paragraph #18 below regarding streetlight relocation.
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 shall be consistent with the required curb and sidewalk elevations. Spot elevations must be included in the building plans in a manner that proves that building elevations are designed to correspond to the sidewalk elevations shown in the engineering plans, especially at entrances and other key points. Curb and sidewalk elevations will not be revised to fit the building, and city inspectors may require spot surveys during construction in order to confirm the required elevations.

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. Installation of colored or textured bands to guide pedestrians in the direction of travel is advisable, subject to the requirements for non-standard sidewalk features. ADA-compliant curb ramps shall be installed where needed, consistent with standard drawings TE-12 or TE-13.

3. Any non-standard patterns or textures in a public sidewalk must generally help guide handicapped people rather than creating a sense that there may be an obstruction.
4. The curb, gutter, and sidewalk on 109<sup>th</sup> Avenue NE shall be completely removed and reconstructed with a sidewalk width of at least twelve feet, not including the curb. Greater width, up to approximately fourteen feet, is acceptable. Any planters or tree wells are included in the width. The sidewalk, and access to at least one on-street parking space, must be ADA compliant.
5. On-street parking shall continue to be provided as much as feasible along the site's frontage on 109<sup>th</sup> Avenue NE. The development's revised driveway locations will take away some on-street parking, but should also make some new parking spaces available.
6. The sidewalk and planting strip along NE 10<sup>th</sup> Street shall maintain their existing width. The existing sidewalk includes several decorative brick bands, which have settled so that they no longer comply with ADA standards regarding the smoothness of accessible pedestrian routes. The brick bands, and any other part of the sidewalk that do not meet ADA standards, must be replaced with concrete in a manner that will achieve and retain proper sidewalk smoothness and will meet other aspects of ADA compliance. The concrete replacements must also contribute to a uniform appearance along the site's NE 10<sup>th</sup> Street frontage, including the area of driveway closure stated in paragraph # 7 below. Details of the design must be included in the final engineering plans.
7. The existing driveway entrance on NE 10<sup>th</sup> Street shall be closed with the installation of new curb, gutter, sidewalk, and planter strip matching the existing facilities on either side.
8. Install c-curb on NE 10<sup>th</sup> Street and signage as needed at the intersection of NE 10<sup>th</sup> St. / 109<sup>th</sup> Avenue NE to prohibit left turns in and out of 109<sup>th</sup> Avenue NE. Details of these installations shall be completed in the final engineering plans.
9. The design and appearance of the sidewalk and landscaping on both adjacent streets shall comply with the standards and drawings in the Transportation Department Design Manual, including standard drawings TE-11 and DEV-3. Sidewalks shall be constructed of standard concrete with a broom finish and a 2-foot by 2-foot score pattern, with 4-foot by 6-foot tree wells, unless both the Transportation Department and the Department of Planning and Community Development agree to accept any non-standard pattern, color, or other features, as described below under Alternative Sidewalk Materials, Planters, and Street Landscaping.
10. New tree wells and other new landscaping within the sidewalk on either adjacent city street shall be irrigated with a metered water source separate from other water meters. Electrical connections for irrigation devices or 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, lights, and electrical

components shall not create a tripping hazard in the sidewalk. Electrical and irrigation components within any street right of way must be shown on the civil engineering plans submitted to the transportation department.

11. The main (northern) driveway on 109<sup>th</sup> Avenue NE shall have an approach width, as defined in standard drawing DEV-6, of 28 to 30 feet. Per BCC 14.60.150 J, the northern edge of the driveway shall be no closer than 20 feet from the near edge of the driveway on the adjacent property to the north. The design of the driveway apron shall be consistent with standard drawing DEV-6, which must be included in the final engineering plans.
12. Service driveway on 109<sup>th</sup> Avenue NE:
  - a) This driveway shall be constructed with a driveway apron consistent with standard drawing DEV-6 and a driveway width of at least 15 feet.
  - b) The developer has chosen a very constricted driveway width and turnaround area, which can accommodate a full-sized garbage truck only if a turntable is installed that is capable of turning around a fully loaded truck within the truck's own length. Transportation Department approval of this development is conditioned on the developer installing such a turntable and providing a statement from the garbage hauler that the turntable design is satisfactory for the hauler's use.
  - c) The developer must implement a policy to ensure that this driveway will only be used by trucks able to turn around within the site, using a turntable or otherwise. Backing of trucks to or from 109<sup>th</sup> Avenue NE is prohibited. On-street loading or unloading of any truck unable to access one standard parking space is prohibited. The policy must include a procedure for private enforcement of truck size and on-site truck activity. The developer shall provide a copy of the proposed policy to Transportation Department staff for review and approval. After staff approval, the policy must be recorded against the property at the King County Recorder's office, binding all future owners for the life of the development.
13. Service driveway on NE 10<sup>th</sup> Street:
  - a) This driveway shall be constructed with a driveway apron consistent with a modified version of standard drawing DEV-7D or DEV-7E and a driveway width of at least 20 feet.
  - b) In order to achieve safe pedestrian sight distance toward the west, the developer must install pavement markings in the driveway and signs as needed to ensure that vehicles exiting the driveway maintain a safe position relative to pedestrians.
  - c) The developer has chosen a very constricted driveway and turnaround area; therefore, the developer must implement a policy to ensure that trucks longer than 26 feet do not use this driveway. Backing of trucks to or from NE 10<sup>th</sup> is prohibited. On-street loading or unloading on NE 10<sup>th</sup> Street is prohibited. The policy must include a procedure for private enforcement of truck size and on-site truck activity. The developer shall provide a copy of the proposed policy to Transportation Department staff for review and approval. After staff approval, the policy must be recorded against the property at the King County Recorder's office, binding all future owners for the life of the development.

14. No new building structure or garage shall be constructed under a street right of way or existing public sidewalk/utility easement. In some situations (to be finalized during engineering and building plan review), a 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.
15. 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, if there is no feasible alternative, and if located outside the main pedestrian path.
16. As much as feasible, no new manhole covers or other metal covers will be located within the tire tracks in the through lanes on any street.
17. 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.
18. 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. This means that an existing streetlight pole near the new driveway on NE 10<sup>th</sup> Street be relocated to be ten feet east of Point A for that driveway. Details of the pole foundation, conduits, and junction box (if relocated) must be included in the final engineering plans. Any street tree less than 20 feet from the new pole location should be removed.
19. No new overhead utility lines will be allowed within or across any street right of way or sidewalk easement, and existing overhead lines must be relocated underground.

#### **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, which is issued directly by the Transportation Department.

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

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. This permit is issued directly by the Transportation Department.

#### **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.

For the Pacific Regent site, all streets affected by utility trenching or other project construction are presently classified as “Overlay Required,” due to the excellent pavement condition. Any street cuts will require a pavement overlay at least 50 feet long for the full width of any affected lane. Any cuts in NE 10<sup>th</sup> Street, which has a concrete surface, will require replacement of entire concrete panels. The exact extent of pavement restoration will be determined in the field by Transportation Department inspectors and controlled by the right of way use permit for the project. Trench restoration requirements may change over time as the pavement condition changes, and the most recent restoration requirements will apply. Trench restoration shall comply with Section 21 from the Design Standards and the appropriate standard drawings from among Drawings ROW-1 through ROW-5. The appropriate drawings must be included in the final engineering plans.

#### **Alternative Sidewalk Materials, Planters, and Street Landscaping**

The Transportation Department, in conjunction with other departments as appropriate, will review proposals for the installation of alternative sidewalk materials or patterns or non-standard street-front landscaping by private developers. The materials and installation methods must meet typical construction requirements. If the alternative material or pattern 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 or pattern 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 and patterns. 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 or pattern, a Right of Way Use Permit may be required. A subsequent approval of the alternative material or pattern is not guaranteed. Paving samples must be submitted to the Transportation Department prior to building permit approval. The City of Bellevue Parks Department will maintain street trees and perennial plants in approved street planter beds. The property owner must maintain any non-perennial plants within the street right of way.

#### **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 (TMP). The owner of this development shall, prior to any initial occupancy of the building structure, sign and record an agreement approved by the City of Bellevue to establish a TMP to the extent required by BCC14.60.070 and 14.60.080. For a residential development of more than 100 units, the required program is to post approved ridesharing and transit information from Metro or other approved sources, such as the Bellevue Downtown Association. This development proposes the equivalent of approximately 196 new multifamily units, so the TMP requirement applies. It would be most advantageous to establish a TMP that benefits existing residents and employees of Pacific Regent, as well as benefiting the new development.

## **VI. STATE ENVIRONMENTAL POLICY ACT**

The environmental review indicates no probability of significant adverse environmental impacts occurring as a result of the proposal. Therefore, issuance of a Determination of Non-Significance (DNS) is the appropriate threshold determination under State Environmental Policy Act (SEPA) requirements, with incorporation by reference of the *2006-2017 Transportation Facilities Plan Final Environmental Impact Statement (TFP EIS)*, dated November 2006. This document is available in the Records Office, Bellevue City Hall, 450 110<sup>th</sup> Ave NE.

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

### **Transportation**

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

The long-term impacts of development projected to occur in the City by 2020 have been addressed in the City's 2009-2020 Transportation Facilities Plan Final Environmental Impact Statement, dated March 2009. The impacts of growth which are projected to occur within the City by 2020 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. Pacific Regent Phase II development lies within MMA#3 which has a 2020 total growth projection of 7,043 new multifamily dwelling units and 1,259,253 Gross Square Feet (GSF) of retail. Pacific Regent Phase II proposes 168 new senior dwelling units, 28 new assisted living units and 1,200 Gross Square Feet (GSF) of retail. Therefore, the volume of proposed development is within the assumptions of the Transportation Facilities Plan EIS. Furthermore, senior dwelling and assisted living units have lower average trip generation than typical multifamily dwelling units, so the transportation impact will be less. 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.

For the purpose of a concurrency check, city staff used the highest estimated one day trip generation of 35 new p.m. peak hour trips. City staff then distributed and 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, 12 system intersections received 20 or more p.m. peak hour trips. Neither the maximum area-average levels of service nor the congestion allowances would be exceeded as a result of traffic generated from this proposal. (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 F 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, The Transpo Group, to analyze the short term operational impacts of the proposal in order to recommend mitigation if necessary. These impacts included traffic operations conditions during the p.m. peak hours. Specific issues addressed in the Traffic Impact Analysis dated October 2, 2006, which is included in the Transportation Department file for this development included:

- Effects of Closing the Existing Driveway on NE 10<sup>th</sup> Street: This closure, proposed by the applicant, means that all access (other than service vehicles) will be via a single driveway on 109<sup>th</sup> NE. Some traffic now accessing the site via NE 10<sup>th</sup> will be redirected. With both new and existing traffic, the total volume entering and exiting the site on 109<sup>th</sup> NE is predicted to be 48 vehicles in the p.m. peak hour. That is an average of less than one vehicle per minute, which is not enough to cause significant operational problems at the access point.
- Intersection of NE 10<sup>th</sup> / 109<sup>th</sup> Avenue NE: Closing the site's driveway on NE 10<sup>th</sup> would have the effect of pushing more of the site's traffic to use the intersection of NE 10<sup>th</sup> Street / 109<sup>th</sup> Avenue NE. That intersection is only 75 feet west of the signalized intersection of NE 10<sup>th</sup> Street and 109<sup>th</sup> Avenue NE. Vehicle queues back from the signal at 110<sup>th</sup> Avenue NE sometimes block the intersection at 109<sup>th</sup> Avenue NE, and that blockage problem would worsen with the proposed development. Therefore, the Transportation Department determined that the developer must take steps to prohibit left turns at the intersection of NE 10<sup>th</sup> Street / 109<sup>th</sup> Avenue NE. Such steps will include installation of c-curb within NE 10<sup>th</sup> Street and installation of signs as determined during the review of engineering plans.
- Intersection of 109<sup>th</sup> Avenue NE / NE 10<sup>th</sup> Street: With the combination of new traffic generated by the proposed development, existing site traffic redirected from the existing driveway on NE 10<sup>th</sup> Street and traffic redirected by prohibiting left turns at the intersection of NE 10<sup>th</sup> Street / 109<sup>th</sup> Avenue NE the site's greatest traffic impact is likely to occur at the intersection of NE 9<sup>th</sup> Street / 110<sup>th</sup> Avenue NE. The traffic study by The Transpo Group analyzed level of service and queue length at that intersection

for both the morning and evening peak hours. Transpo determined that at the time of the development's opening, level of service at this intersection will worsen from LOS D to LOS E, but the worsening will not be critical. Queue lengths at the intersection will worsen only marginally, and will not exceed available storage space.

- **Pedestrian Access to the Bellevue Regional Library:** The library, located on the north side of NE 10<sup>th</sup> Street at the intersection with 110<sup>th</sup> Avenue NE, is a popular destination for pedestrians from the Pacific Regent site. Many of these pedestrians now use a pedestrian route within the Pacific Regent property to access a mid-block pedestrian crossing of NE 10<sup>th</sup> Street. The proposed development will close the route within the site, and the city's Transportation Department is interested in closing the mid-block pedestrian crossing for safety reasons. Closure of the mid-block crossing would require pedestrians going to the library to walk to the intersection of NE 10<sup>th</sup> Street / 110<sup>th</sup> Avenue NE or use the newly installed midblock signalized crosswalk at that location.

## VII. CHANGES TO PROPOSAL

### 1. Site Design

#### a. Mid-block Connection

The north-south mid-block connection's alignment was revised to accommodate the access layout. The east-west connection immediately south of the proposal site is required to be upgraded to include vandal-resistant lighting and new paving for its entire length. The paving design must be pedestrian-friendly, and the construction must provide a durable surface in compliance with the state's barrier-free requirements. Refer to Section X of this report for a related condition of approval.

#### b. Refuse and Recycling Area

There is not sufficient maneuvering room in the proposed refuse/recycling area for waste hauling vehicles to serve the area without backing across the public sidewalk (along 109<sup>th</sup> PI. NE). Backing movements would increase the potential for conflicts between refuse vehicles and pedestrians, as well as other vehicles. The proposal was revised to include a motor-driven turntable capable of rotating the hauler's vehicles (up to 33-feet in length), thus eliminating the need to back across the public sidewalk.

### 2. Building Exterior

#### a. Existing Tower

The existing tower was initially to remain unchanged; but the proposal was revised to unify the parapet and mechanical equipment screen in order to update the overall design of the building, improve its relationship to the proposed building and its Signature on the Downtown skyline. The exterior color was also revised. Together these design changes will promote compatibility with the proposed building and help achieve a visually cohesive project.

The proposal was also revised to include the addition of air conditioning units to the existing building's exterior decks. An acoustical study of the proposed AC units concluded that the proposed units would not cause noise levels inside the units to exceed the maximum permitted thresholds. This decision requires noise levels inside the units not to exceed 40 dBA in bed rooms and 45 dBA in non-sleeping with the AC unit(s) running.

#### b. Proposed Tower

The proposed tower's north and south facades were revised to create a visual relationship to the existing tower's color and material.

### **a. Roof Garden**

As a condition of this decision, the podium addition to the existing building is required to be revised to include a roof garden. The roof garden must be accessible to the people who live in the extended care facility. Refer to Section X of this report for a related condition of approval.

## **VIII. DECISION CRITERIA**

*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 Ashwood neighborhood per the Downtown Subarea Plan. The proposal is consistent with the Comprehensive Plan and the Downtown Subarea Plan. The supporting policies focus on use, the pedestrian environment, design quality and connectivity. The proposal maximizes building height and approaches maximum FAR, which are supported by **Policy S-DT-24**. The proposal includes a Pedestrian-Oriented Frontage (POF) and use with access from 109<sup>th</sup> Avenue NE, which is supported by **Policy S-DT-70**. The proposal includes vision glass and marquees at the lower level, pedestrian-oriented uses on the first level, a garden in the southwest corner of the site, and plaza's near the main entrance, all of which are supported by **Policy UD-5**. The proposed tower's rooftop is integrated into the overall building design to provide a distinctive form against the Downtown skyline and screen the rooftop mechanical equipment. The proposed parapet addition to the existing building connects to the existing mechanical equipment screen to improve the skyline view and create a visual connection to the proposed tower. Both of these design considerations are supported by **Policy UD-8** and **Policy UD-66**. The plazas located at the main entrance and next to the two main entry walkway are supported by **Policy UD-22**, which encourages private open space for visual relief and contrast to the urban landscape. The public sidewalks and street trees along each frontage are supported by **Policies UD-38 and UD-40**. Views of the project from NE 10<sup>th</sup> Street, 109<sup>th</sup> Avenue NE and the library will be softened by the street trees, which is supported by **Policy UD-59**. The proposed building height and roofline will give Downtown's skyline a distinctive visual reference, which is supported by **Policies UD-68**. The scale/intensity of the proposed project is offset by increased pedestrian amenities, such as the rooftop garden required over the assisted living element. The mid-block connection and retail use abutting the public sidewalk, which are all supported by **Polices UD-23 and UD-72**.

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

Finding: As conditioned by this decision, the proposal complies with the applicable requirements of the Land Use Code, as summarized in Section III of this report.

### **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, the proposed project meets the applicable design guidelines and criteria set forth below.

**Design Review Criteria. LUC 20.25A.110 and 20.25A.115**

## **Site Related Criteria**

Only those criteria that require explanation or relate to a condition of approval are included below.

### **1. Vehicular Circulation and Parking**

- a. *Provide efficient vehicular access to parking and service areas, coordinated on a Super-block basis.*

Finding: All required parking is proposed inside the garage. Access to the garage is from one location off of the residential entry courtyard. Access to service and delivery areas is from two locations, at the NW and SE corners of the site. Each access must meet the sight distance requirements of the Transportation Department. In addition, the refuse access on the south side of the building must include a turnstile capable of rotating the refuse hauler's vehicles to allow drivers to exit the site without backing across the public sidewalk. See Section X of this report for related conditions of approval.

- b. *Coordinate the location of vehicular and pedestrian mid-block connections, considering opportunities for mid-block crossings.*

Finding: The proposal maintains the existing east-west mid-block connection along the site's southerly boundary. However, the surface of this connection is uneven due to settlement and the light standards have been disconnected. The paving system shall be replaced with a durable, barrier-free design, and the light standards shall be replaced with a vandal resistant design. See Section X of this report for a related condition of approval.

The north-south mid-block connection cannot run directly through the site due to the functional relationships between the existing and proposed uses within the structure. The proposal includes pedestrian connections from each frontage to the main entrance, which will allow travelers to "cut the corner" and experience retail frontage and a landscaped courtyard. Public access signs per the City Standard are required at each end of the connection.

- c. *Maximize the separation of vehicular traffic from pedestrian areas by means of level changes, space and distance, or landscaping.*

Finding: The pedestrian connections/spaces are either vertically or horizontally separated from vehicular areas. Potential conflicts between travel modes must be addressed by paving patterns/textures that support the pedestrian environment. Where possible, separation between the modes should be enhanced through landscaping. Refer to Section X of this report for a related condition of approval.

- d. *Incorporate retail shopping space at ground level into parking structures whenever practical and appropriate.*

Finding: The proposed parking is entirely below grade. However, the proposal does include a small retail space adjacent to 109<sup>th</sup> Place NE and the mid-block connection. The applicant must record an agreement with King County to provide pedestrian-oriented use(s) in this space. See Section X of this report for a related condition of approval.

### **2. Pedestrian Circulation and Amenities (see LUC 20.25A.060)**

Finding: The existing development includes two mid-block connections; one running east-west along the site's southern boundary and one running north-south along the site's eastern boundary. The east-west connection is constructed of sand-set brick. This connection needs to be restored due to uneven settling and a lack of lighting; which was provided with the original development, but the standards were removed after they were vandalized. The connection shall be rebuilt to barrier-free standards, and the lighting replaced with a vandal-resistant standards. See Section X of this report for a related condition of approval.

The existing north-south connection currently aligns with the mid-block across NE 10<sup>th</sup> Street. This connection links the sidewalk along NE 10<sup>th</sup> Street to the project's main entrance and 109<sup>th</sup> Pl. NE. Both mid-block connections are required to remain open at all times for public use. The connections shall be marked for public use with the City's standard design for this use. See Section X of this report for a related condition of approval. Under the original Design Review approval the applicant granted public access to both connections.

Pedestrian-vehicular conflicts can increase where service vehicles cross the public sidewalk. Signage shall be required to alert drivers and pedestrians to the potential conflict. See Section X of this report for a related condition of approval. This decision already requires a turntable design to rotate service vehicles to allow drivers to enter and exit front first, and reduce potential conflicts between vehicles and pedestrians.

### **3. Wind and Sun**

*Ensure that the form and placement of buildings consider desirable year-round conditions of sun and shade in surrounding open spaces and public areas. Design new buildings so that pedestrians are sheltered from wind, particularly on the ground and in publicly accessible areas. And consider how new buildings can incorporate calm spaces, particularly in winter, and spaces with suitable breezes in summer.*

Finding: The proposed tower location will ensure sunlight access to the existing garden and to both mid-block connections. The existing garden is somewhat protected from wind by its perimeter wall. Sunlight access to the existing garden will drop during the colder months due to the low sun angle and the shadows created by the office towers to the south. The podium's 3-story roof provides the opportunity for a rooftop garden with good year-around access to sunlight and views of the downtown. A rooftop garden would provide a good alternative to the at-grade garden, particularly for residents of the extended care facility, with improved sun access and views of the downtown. A rooftop garden over the podium is supported by **Policies UD-10, UD-67 and UD-72.** The construction documents shall include a rooftop garden over the podium. A garden at this location would provide the residents, particularly those living in assisted living, with the opportunity to enjoy a garden that has good access to sunlight throughout the year. See Section X of this report for a related condition of approval.

### **4. Open Space**

*Design and locate open spaces, such as plazas, squares and large landscaped areas, to work as part of a comprehensive system of spaces in the downtown.*

Finding: The existing garden and on-site connections will provide visual relief for the residents and the people who live/work in the surrounding buildings. In addition, this decision requires a rooftop garden over the Extended Care Facility. A garden at this location would provide all residents, particularly those in the extended care facility, with easy access to an outdoor space with good access to sunlight and Downtown views.

### **5. Light and Glare**

*Consider and mitigate light and glare impacts upon major public facilities, streets and major public open spaces.*

Finding: The proposed exterior building materials have low reflectivity. The street frontage glazing and site landscaping would help reduce and soften the impact of reflected light.

### **Downtown Patterns and Context**

Only those criteria that require explanation or a condition of approval are included below.

## **1. Natural Setting and Topography**

**a.** *Make creative use of any existing topographic variations in site design and the location of buildings, circulation patterns, parking area design and public spaces to enhance the setting and provide variety.*

Finding: The site is relatively flat. The proposed garage access is located to minimize pedestrian-vehicular conflicts at the base of the structure.

**b.** *Seek high quality of design for all buildings constructed at prominent locations, which may include ridge crests, hilltops, fronting on public open spaces, those closing a vista and those affording a silhouette against the sky.*

Finding: The proposed tower's north and south facades include exterior wall offsets of a scale, material, and color that relate to the existing building. The offsets combined with an articulated roofline help modulate the facade and visually integrate the two towers. The proposed tower has a distinctive base, middle and top. These elements combined with variations in the fenestration provide visual interest and help break up the mass. The proposed tower's rooftop design fully integrates the mechanical equipment. The existing tower's parapet has been revised to integrate the mechanical equipment screen into the overall design of the roof. As designed, the two rooftops will make a subtle but positive contribution to the Downtown skyline.

## **2. Landscape Design**

**a.** *Make effective use of significant landscape features to complement and contrast with building forms. This includes massing the plant material to constitute a recognizable visual unit in contrast with the building.*

Finding: The existing garden provides visual relief and passive recreational opportunities for the residents. The proposed landscaping around the entry courtyard and adjacent to the pedestrian connections will create inviting spaces, summer shade and seasonal color. It will also help "anchor" the project to the site.

**b.** *Encourage retention of significant existing vegetation, where it can be incorporated into efficient site design and maintained in a safe and healthful condition.*

Finding: The existing garden will be protected from the proposed construction by existing structure to remain This decision requires the street trees on both frontages to be protected.

**c.** *Consider the location or relocation of traffic control boxes, power vaults, utility boxes and similar features in the design of the pedestrian areas to minimize the impact on the visual and physical quality of the pedestrian environment.*

Finding: The proposal does not require the installation of traffic control boxes. Utility boxes are not permitted in pedestrian areas unless no other options are available. In no event, may they be located in the pedestrian path.

## **3. Views**

**a.** *Consider the negative impact of a building on views, both from existing buildings and future developable or re-developable sites.*

Finding: As the proposed design suggests, all rooftop mechanical equipment must be entirely enclosed within the building envelope, including from above. Additional height of the structure shall not exceed 15-feet above the maximum permitted height, including bonus height. See Section X of this report for a related condition of approval.

**b.** *Consider the availability of public views from public spaces such as streets, street intersections, parks, plazas and areas of pedestrian concentration.* The view from the library site was discussed previously.

Finding: Views from Ashwood Park are primarily of the Downtown skyline. The street frontage views will not be adversely affected by Tower II. The proposed tower's pitched roof will add variation to the downtown skyline. The proposed parapet addition to the existing building will help improve its skyline signature and create a visual connection to the proposed tower. The gray-green vision glass of the proposed tower will promote compatibility between the two towers, and create variations in the proposed building's appearance with changes in sunlight. Vents from the residential units must extend to the roof or be visually integrated with the overall design of the facade. See Section X of this report for a related condition of approval.

#### **4. Building Height and Bulk**

**a.** *Buildings near public open spaces should permit visual access and, where feasible, physical access to the public open space.*

Finding: The exterior walls include glazing which will allow the project residents to see Ashwood Park and the library's forecourt.

**b.** *Wherever practicable, buildings should be oriented to minimize the shadows they cast on publicly accessible open spaces.*

Finding: The proposed building will block sunlight to a portion of Ashwood Park during the coldest months of the year. This impact of this shade will be minimized by the proposed tower's 300-feet of separation from the center of the park.

**c.** *Encourage slender towers, particularly at upper levels.*

Finding: The width of the proposed tower varies: the east and west elevations are slender, and the north and south elevations are not, at approximately 168-feet in length. This orientation was necessary to achieve adequate separation between the towers. The north and south elevations have increased modulation in the form of significant facade offsets. The scale, pattern and color of the offsets are will create a visual reference to the existing tower and help break down its scale.

**d.** *Discourage buildings of extreme rectangular shape which tend to be out of proportion for their floor area.*

Finding: The proposed building's rectangular footprint is necessary due to the existing development. The rectangular shape is somewhat offset by the fact that the long axis for each tower runs in the opposite direction. In any case, the length of the two largest facades is within the expected dimension for a downtown tower.

**e.** *Encourage spacing between towers to retain the feeling of an open, airy Downtown.*

Finding: The proposal is for approximately 72-feet of separation between the two towers. This distance is sufficient to provide the future residents with a sense of privacy and maintain an "open airy" feel within the Downtown.

**f.** *For buildings outside the Core Design District, encourage building massing which minimizes visual impacts to surrounding residential neighborhoods.*

Finding: The proposed massing includes a number of things to help reduce the visual impact of the project on the surrounding neighborhood. Offsets in the proposed tower's north and south facades include precast panels matching the proposed color of the existing tower. The shared colors will create a visual connection between the two towers. The offsets will also modulate the building envelope, and break down its scale. The rooftop design provides visual interest and fully encloses the rooftop mechanical equipment. And this decision requires the project to be modified to include an accessible rooftop garden over the assisted living element. Together, these elements

will help reduce the scale of the project and its visual impact on the surrounding neighborhood.

**g.** *Stepbacks required for diminished floor plate buildings, LUC 20.25A.020.A.2 (22), should be oriented to the public street or streets adjacent to the building site to maximize the availability of light and air at the street level and to preserve view corridors. Where the site abuts more than one public street, preference for the orientation of the step back should be given to the street intended to have the highest orientation to pedestrians as provided by LUC 20.25A.115, Design Guidelines: Building/Sidewalk Relationships.*

**Finding:** The proposal is to expand a residential project. The diminishing floor plate provisions are for nonresidential structures.

**h.** *Encourage rooftop features, appropriate to the overall height and scale of the building, to modify an otherwise un-modulated profile.*

**Finding:** The design for both rooftops reflects consideration for the project and site context. The existing tower's parapet will be revised to integrate it with the rooftop mechanical equipment screen, which will eliminate the box-on-top-of-the-structure look of the existing screen. The proposed structure's rooftop mechanical screen is integral part of overall design for the structure. It extends for the length of the building and provides a graceful element that forms the top of the structure.

## **5. Transitions**

*In transitions between districts in the Downtown and between properties, the lower portions of buildings should be designed to promote easy circulation, good relationships among open spaces, visual connection in scale, and maximum penetration of sunlight to the ground level.*

**Finding:** Site circulation includes the existing pedestrian connections between the public sidewalks and main entrance. Most of the open spaces will have access to sunlight, except during the cooler months when the sun angle is low.

## **6. Patterns of Activity**

**a.** *Maximize opportunities for vital, pedestrian-level activity in all areas of the Downtown. Not all criteria for Patterns of Activity are cited below; only those that require explanation or relate to a condition of approval.*

**Finding:** The proposal includes a small, pedestrian-oriented retail use adjacent to 109<sup>th</sup> Place NE, with access from the mid-block connection. This space shall be occupied by a use that will serve pedestrians on a daily basis. The proposed plazas near the main entrance will help create human-scale and contribute to the pedestrian environment. Venting from the structure shall be located and designed to minimize potential impacts to pedestrian areas and connections.

## **7. Signage**

Not all criteria for Signage are cited below; only those that require explanation or relate to a condition of approval.

**a.** *Ensure that signage is an integral part of the architectural design, scaled to the pedestrian and enhances the pedestrian environment.* The submittal package includes the proposed sign locations, but not specific designs for signage. The applicant is required to submit a final sign package for City review and approval prior to the issuance of any occupancy permits or tenant improvement permits.

## **LUC 20.25A.115 Design Guidelines – Building/Sidewalk Relationships**

Both rights-of-ways abutting the site are designated D/R per *The Design Guidelines Building/Sidewalk Relationships*. At least 50% of the street level edge of the entire project must have service and commercial activities, landscape features, terraced

planters, residential entry courtyards, plazas, or a combination of these features.

The proposal includes a small retail space next to the public sidewalk along 110th Avenue NE, with access from the mid-block connection, and two courtyards along the connection. Landscaping is not proposed at the back of the sidewalk along the NE 10th frontage. However, the site plan includes a narrow setback between the back of sidewalk and building exterior. This decision requires an irrigated landscape strip between the sidewalk and this facade. The applicant proposes a continuous construction schedule in the following sequence: 1) Detention Vault, 2) Parking garage, 3) Podium and Tower, 4) Podium addition to existing tower (east wing), and 5) Renovation of the existing tower, including the first floor and the health care floors (3 and 4), adding a rooftop mechanical screen and penthouse and repairing/refinishing the existing stucco to harmonize with the new color scheme for the development.

**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 proposed project is compatible with the scale and appearance of many existing and recently approved projects in the Downtown along NE 10<sup>th</sup> Street, including: 989 Elements, 1020 tower, Hanover tower, Belcarra apartments and Washington Square. Collectively these projects help define NE 10<sup>th</sup> Street as a residential corridor and contribute to the density and overall development envisioned by the Comprehensive Plan and the Land Use Code for the Ashwood neighborhood. The future residents of this and other nearby projects will be served by the existing amenities of this neighborhood, such as the Ashwood library, Ashwood Park, and the Doll Museum. These residents will also be served by the cultural and commercial uses developed with these projects, such as the art gallery and the restaurants in 989 Elements.

**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.

**IX. DECISION**

After conducting the various administrative reviews associated with the proposal, including applicable Land Use consistency, SEPA and City Code & Standard compliance reviews, the Director of Planning and Community Development does hereby APPROVE WITH CONDITIONS the subject proposal.

**X. 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:

Applicable Ordinances

Clearing and Grading Code - BCC 23.76  
Construction Codes - BCC Title 23  
Fire Code - BCC 23.11  
Land Use Code - BCC Title 20  
Noise Control - BCC 9.18  
Sign Code - BCC Title 22B  
Transportation Code - BCC 14.60  
Right of Way Use Code - BCC 14.30  
Utility Code - BCC Title 24  
Parks Department

Contact Person

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## **2. CONSTRUCTION NOISE CONTROL**

Construction noise 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. However, construction noise is not permitted on public holidays. Exceptions to the construction noise hours limitation contained in the Noise Control Code MAY be granted pursuant to 9.18.020C.1 and 2. Prolonged exposure to noise created by extended hours for construction activity is likely to have a significant impact on the residents of the existing building. In order to minimize impacts to the project occupants and the surrounding neighborhood, the use of the best available noise abatement technology is required during construction. Furthermore, City exemptions from the Noise Control Code short term work outside of normal construction hours shall be limited and will be reviewed on a case by case basis to verify necessity and ensure appropriate noise mitigation is utilized to protect the residents. If expanded hours are necessary to accommodate a specific component of construction, a written request for exemption from the Noise Control Code must be submitted two weeks prior to the scheduled onset of extended hour construction activity.

Authority: BCC 9.18.020 and 040

Reviewer: Ken Thiem

## **3. DEVELOPER EXTENSION AGREEMENT**

The water, sewer, and storm drainage systems shall be designed per the 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. 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: Don Rust

## **4. HOLIDAY CONSTRUCTION & TRAFFIC RESTRICTIONS**

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

Authority: BCC 14.30.060

Reviewer: Ron Kessack

## **5. GENERAL PROVISIONS FOR LOADING AND TRUCK ACCESS**

The property owner shall provide off-street loading spaces with access to a public street. The number and size of loading spaces must be equal to the maximum number and size of vehicles which would be simultaneously loaded or unloaded in connection with this proposal. Truck parking, maneuvering, and loading must be achieved without backing onto the street or sidewalk.

Authority: LUC 20.20.590.K.4, BCC 14.60.150 A and H

Reviewer: Abdy Farid

## **6. STREET TREES**

Any existing street trees damaged during construction shall be replaced by the applicant with the same size and type, and planted as specified by Parks Dept tree planting standards. All new street trees as well as the trees along the E-W mid-block connection shall be automatically irrigated and planted per the specifications in Attachment D.

Authority: LUC 20.25A.060.B.1-4

Reviewer: Ken Thiem

## **7. AIR CONDITIONING (AC) UNITS**

Prior to installation of any AC units on the decks of the existing building, one of the proposed AC units shall be installed as shown in Attachment B for noise measurement testing by the project acoustical consultant. With the AC unit operating on high, the measured noise level inside the test unit and surrounding units shall not exceed 40 dBA in bedrooms and 45 dBA outside of bedrooms. If the noise levels exceed the required thresholds, the installation shall be cancelled or the structure/AC unit shall be modified

to achieve the maximum thresholds. The noise measurements shall be taken when the AC units are operating at the highest setting and documented by the project acoustical consultant. If the test unit requires modifications to achieve the required levels, all future units equipped with AC units shall be similarly modified. A copy of the noise study, including any necessary modifications to the building or AC unit, shall be provided with each mechanical (BL) permit application for each proposed AC unit.

Authority: BCC 9.18

Reviewer: Ken Thiem

## **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.
- h) All other construction activities as they affect the public street system.

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

Authority: BCC 11.70 & 14.30

Reviewer: Ron Kessack

### **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. 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. Specific requirements for the engineering plans include, but are not limited to the following:

- a) Traffic signs, markings, and c-curb, including items needed to prohibit left turns at the intersection of NE 10<sup>th</sup> and 109<sup>th</sup> NE.
- b) Driveway locations, width, and alignment.
- c) Curb, gutter, sidewalk, and driveway approach design.
- d) Streetlight relocation on NE 10<sup>th</sup>.
- e) Handicapped ramps and ADA compliance.
- f) On-street parking on 109<sup>th</sup> NE.
- g) Vehicle and pedestrian sight distance. (Show the required sight triangles and include any sight obstructions, including those off-site.)
- h) Landscaping and related fixtures in street rights of way.

- i) Location of fixed objects in the sidewalk or near driveway approaches.
- j) Trench restoration within any right of way or access easement.

Authority: BCC 14.60; Transportation Department Design Manual  
Reviewer: Abdy Farid

### **3. EAST -WEST MID-BLOCK CONNECTION**

The east-west mid-block connection shall be upgraded to include vandal-resistant lighting, City-approved public access signs and new paving for its entire length. The paving design shall provide a durable, pedestrian-friendly surface in compliance with the state's barrier-free requirements.

Authority: LUC 20.25A.060.C.3  
Reviewer: Ken Thiem

### **4. PEDESTRIAN SPACES/CONNECTIONS**

The on-site pedestrian spaces and connections shall include paving patterns/textures that support the pedestrian environment and help minimize potential conflicts between pedestrians and vehicles. Where possible, landscaping should be used to enhance the pedestrian experience, including between the public sidewalk and the north facade of the proposed tower.

Authority: LUC 20.25A.11 O.A.1.d  
Reviewer: Ken Thiem

### **5. EXISTING STREET TREES**

The existing street trees along each street frontage shall be protected prior to the start of construction. The proposed protection method shall be shown on the clearing and grading plans. The applicant shall replace any damaged existing street with an equivalent tree of the same type and size.

Authority: LUC 20.25A.060.B, BCC 14.60.090, 110, 120, 210  
Reviewer: Ken Thiem

## **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 until 12/31/2012 is \$224 for each unit classified as a senior citizen dwelling, \$238 for each unit classified as congregate care / assisted living, \$308 for each nursing home bed, and \$1.90 per GSF of retail. These fees are subject to change on 1/1/2013 and the fee schedule in effect at the time of building permit issuance will apply.

Authority: BCC 22.16  
Reviewer: Abdy Farid

### **2. BUILDING AND SITE PLANS - TRANSPORTATION**

The building grade and elevations shall be consistent with the curb and sidewalk grade shown in the approved civil engineering plans. During construction, city inspectors may require additional survey work at any time in order to confirm proper elevations. Building plans, landscaping plans, and architectural site plans must accommodate on-site traffic markings and signs and driveway design as specified in the engineering plans. Building plans, landscaping plans, and architectural site plans must comply with vehicle and pedestrian sight distance requirements, as shown on the engineering plans. If a truck turntable will be installed for use by garbage trucks and others, the developer must first provide proof that the turntable is acceptable to the garbage hauler prior to building permit issuance.

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

### **3. EXISTING EASEMENTS**

If the site contains existing public or private utility easements that will be impacted by this development, then any negative impact on those easements must be mitigated or easements relinquished.

Authority: BCC 14.60.100

Reviewer: Ron Kessack

### **4. TRANSPORTATION MANAGEMENT PROGRAM**

The owner of the property being developed shall sign and record at the King County Recorder's Office 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

### **5. ROOFTOP GARDEN**

The proposed podium addition to the existing building shall be revised to include a rooftop garden covering the entire roof. The garden shall be designed to provide visual relief, have good access to sunlight and be accessible for the people who reside or visit the extended care facility.

Authority: LUC 20.25A.11 0.A.3.c, d; 20.25A.11 0.B.4.h, and 20.25A.11 0.B.2.a

Reviewer: Ken Thiem

### **6. ROOFTOP MECHANICAL SCREENING**

All rooftop mechanical equipment shall be entirely enclosed within the building envelope, including from above. The additional structure height for mechanical screening shall not exceed 15-feet above the maximum permitted structure height, including bonus height.

Authority: LUC 20.25A.11 0.A.3.c and B.2.a

Reviewer: Ken Thiem

### **7. VENTS FROM UNITS**

Vents from all residential units shall extend to the roof or be visually integrated with the overall façade design.

Authority: LUC 25A.11 0.B.6

Reviewer: Ken Thiem

### **8. VENTS FROM GARAGE**

All garage exhaust vents shall be located and designed to minimize impacts to the pedestrian connection(s) or garden. A state-licensed acoustical consultant shall verify that the noise from the garage exhaust fans does not exceed 60 dBA. Second, the City's Mechanical Plans Examiner shall determine that the velocity and direction of airflow from these fans will not adversely affect the pedestrian experience.

Authority: LUC 25A.110.A.1.c and BCC 9.18.030

Reviewer: Ken Thiem

### **9. FIRE CODE**

The design shall comply with all requirements of the IFC, including but not limited to:

- a) Provide automatic fire sprinklers designed per NFPA 13. (International Fire Code (IFC) 903)
- b) Provide a fire alarm notification system throughout the building (IFC 907 & Bellevue BCC 5675)
- c) Provide an emergency voice/alarm communication system throughout the building (IFC 907)
- d) Provide a smoke control and shaft pressurization systems (IFC 909 & Bellevue Standards)
- e) Provide a building radio coverage system. (BCC 5675)
- f) Provide standpipes in all required stairways that are interconnected and have isolation valves. The design of the standpipes shall provide 750 gpm at the roof level at 100 psi and shall provide 300 gpm at 150 psi. (IFC 905 & BCC 5675)
- g) Provide two 4 way fire department connections on separate streets and on opposite

- sides of the building with fire hydrants within 50 feet. (IFC 903 & Bellevue Fire Department Development Standards (BFDDS))
- h) Provide two independently driven fire pumps with water supplies from a permanent connection to the City water supply and the second must be from an onsite dedicated reservoir. Provide information on the capacity of the on-site water supply for the fire pump. (IFC 903.3.5.2)
  - i) Provide smoke detectors throughout the building where required. (IFC 907)
  - i) Provide an approved layout for the enlarged Fire Department Central Control Station. (IFC 510)
  - j) Provide standby and Emergency power systems and fuel systems. Show the location of the fueling for the generator fuel tank. (IFC 604)
  - l) Demolition & construction shall conform to International Fire Code Chapter 14.
  - m) The fire hydrant and Fire Department Connection for the existing building shall be at an approved location at least 50 feet from the building. This shall be a location that is not blocked by vehicles both during and after construction. (IFC 508)
  - n) Access to all areas of the existing occupied building shall be unobstructed during demolition and construction. (IFC503)
  - o) Provide an unobstructed area, including the parking of vehicles, for a fire aerial apparatus access no closer than 15 feet from the building and no further than 30 feet from the building. (BFDDS)
- Authority: International Fire Code (IFC), Bellevue City Code (BCC), Bellevue Fire Department Development Standards (BFDDS)  
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 must be constructed by the applicant and accepted by the Transportation Department Inspector prior to the initial certificate of occupancy. All existing streetlight 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. Other specific requirements include the following:

- a) Provide traffic signs, markings, and c-curb as needed to prohibit left turns at the intersection of NE 10<sup>th</sup> and 109<sup>th</sup> NE.
- b) Provide signs and markings as needed for on-street parking on 109<sup>th</sup> NE.
- c) Driveway locations, width, and alignment must be constructed per the approved engineering plans.
- d) Curb, gutter, sidewalk, and driveway approach revisions must be constructed per the approved engineering plans.
- e) Streetlight relocation near the new driveway on NE 10<sup>th</sup> must meet Transportation Department standards.
- f) Handicapped ramps and sidewalks in or approaching the adjacent street rights of way must be ADA compliant.
- g) Achieve vehicle and pedestrian sight distance per BCC 14.60.240 and 241 at all driveways.
- h) Overhead wires along the frontage on 109<sup>th</sup> NE must be undergrounded.
- i) Landscaping, irrigation, and related fixtures in street rights of way must meet city standards.
- j) No fixed objects in the sidewalk or adjacent to driveway approaches shall be installed or allowed to remain within 10 feet of a point corresponding to Point A in standard drawing DEV-6.

Authority: BCC 14.60.110, 120, 150, 181, 190, 210, 240, 241; and Transportation Department Design Manual.  
Reviewer: Abdy Farid

## **2. PAVEMENT RESTORATION**

For this site, all streets affected by utility trenching or other project construction are presently classified as "Overlay Required". Any street cuts or pavement damage in NE 10<sup>th</sup>, 109<sup>th</sup> NE, or 110<sup>th</sup> NE will require a pavement overlay at least 50 feet long for the full width of any affected lane. Any cuts in NE 10<sup>th</sup>, which has a concrete surface, will require replacement of entire concrete panels. The exact extent of pavement restoration will be determined in the field by Transportation Department inspectors and controlled by the right of way use permit for the project. Trench restoration requirements may change over time as the pavement condition changes, and the most recent restoration requirements will apply. Trench restoration shall comply with Section 21 from the Design Standards and the appropriate standard drawings from among Drawings ROW-1 through ROW-5. The appropriate drawings must be included in the final engineering plans.

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

Reviewer: Ron Kessack

## **3. IMPLEMENT THE TRANSPORTATION MANAGEMENT PROGRAM**

The Transportation Management Program required by 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. INTERIOR NOISE LEVELS**

Interior noise levels inside residential units shall not to exceed 40 dBA in sleeping areas and 45 dBA in non-sleeping areas. The project acoustical engineer shall document noise levels inside a random sample of the rooms and submit the findings to the City. If the noise levels exceed the required maximums, the City will require additional noise mitigation to achieve the maximum allowable levels prior to the issuance of any Occupancy Permit.

Authority: BCC 9.18.045

Reviewer: Ken Thiem

## **5. PEDESTRIAN-ORIENTED USES AGREEMENT**

The applicant shall record an agreement with the King County Office of Records and Elections to provide pedestrian-oriented uses in the tenant space adjacent to 109th Avenue NE, for which pedestrian-oriented frontage amenity bonus points were granted.

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

Reviewer: Ken Thiem

## **6. PUBLIC USE OF PLAZA / MID-BLOCK CONNECTIONS**

The applicant shall sign an agreement with the City to allow public use of both connections through the site, and record the agreement with King County, Division of Records and Elections, and submit a copy of the agreement to the Bellevue City Clerk.

Authority: LUC 20.25A.030.C.2

Reviewer: Ken Thiem

## **7. REFUSE HAULING & DELIVERY VEHICLES**

The proposed turnstile shall be capable of rotating the refuse hauler's vehicles so that the drivers can enter the site or exit the site without backing across the public sidewalk. The turnstile manufacturer shall provide written documentation supported by engineering specifications that the proposed turnstile size, design and construction is fully capable of rotating Allied Waste's trucks when loaded to full capacity. The applicant shall provide further proof in the form of an agreement with Allied Waste that it will use the turnstiles to eliminate backing their vehicles across the public sidewalk. The developer must implement procedures to ensure that the service driveway from 109<sup>th</sup> Avenue NE will only be used by refuse trucks capable of being turned around using the turnstile. Regarding the service access driveway off NE 10<sup>th</sup> Street, it shall

not be used by delivery trucks exceeding 26 feet in length. Backing of trucks to or from either street frontage is prohibited. On-street loading or unloading of any truck is prohibited, except for trucks able to access one standard parking space on 109<sup>th</sup> Avenue NE. These procedures shall include private enforcement of truck size and on-site truck activity. A copy of the proposed procedures shall be provided to the Transportation Department reviewer. After approval, and prior to the Temporary Certificate of Occupancy, the procedures must be recorded against the property at the King County Recorder's office, binding all future owners for the life of the development.

Authority: LUC 20.20.590.K.4, BCC 14.60.150 A and H, BCC 14.60.060, 110, 120, 150,180,181,190,240,241

Reviewer: Ken Thiem, Abdy Farid

#### **8. RECORDING**

The applicant shall record the following elements of this decision: SEPA Coversheet, Design Review coversheet, a copy of the approved FAR bonus point calculations, project drawings and conditions of the Design Review decision with King County.

Authority: LUC 20.25A.030.D, BCC 14.60.150 A and H

Reviewer: Ken Thiem

#### **9. SIGN PERMIT PACKAGE**

The applicant shall submit a complete sign package and all sign permit applications for City review and approval. All signs shall be an integral part of the architectural design and scaled to the pedestrian.

Authority: LUC 20.25A.115.B.7.a-c, BCC Title 22, Sign Code

Reviewer: Ken Thiem

#### **10. LANDSCAPE INSTALLATION ASSURANCE DEVICE**

All site landscaping shall be 100% complete per the City-approved plan. Alternatively, the applicant may submit: 1) a red-marked plan identifying which landscape areas are incomplete; 2) an estimate for the total cost to complete these areas; and 3) a notarized Assignment of Savings dedicated to the City for 150% of the estimated cost to complete these areas per the approved Plan. The performance device will be replaced with a maintenance device after the installation is inspected and approved.

Authority: LUC 20.40.490

Reviewer: Ken Thiem

#### **11. LANDSCAPE MAINTENANCE ASSURANCE DEVICE**

The applicant shall file with the Planning & Community Development Department, a landscape maintenance assurance device in the form of a bond or assignment of savings for 20% of the cost of labor and materials for all required landscaping.

Authority: LUC 20.40.490

Reviewer: Ken Thiem

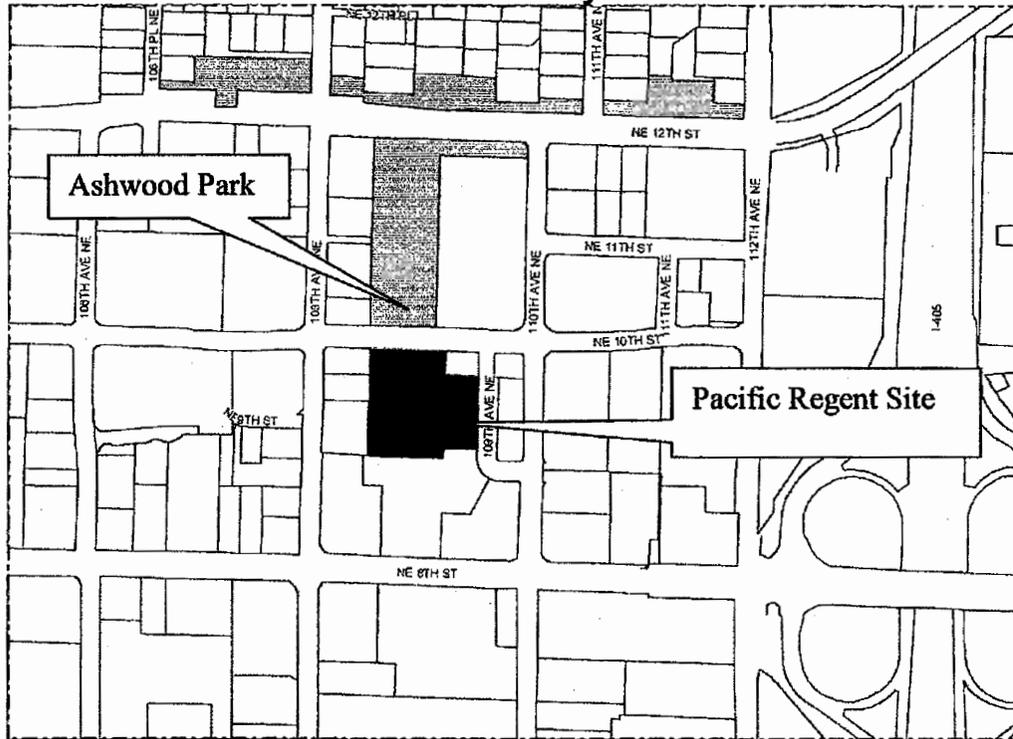
### **ATTACHMENTS**

- A** Site Vicinity and Zoning Maps
- B.** Noise Study – Portable Generators
- C.** Proposal Plans
- D.** Street Tree/Pedestrian Connection Planting Specifications
- E.** Environmental Checklist

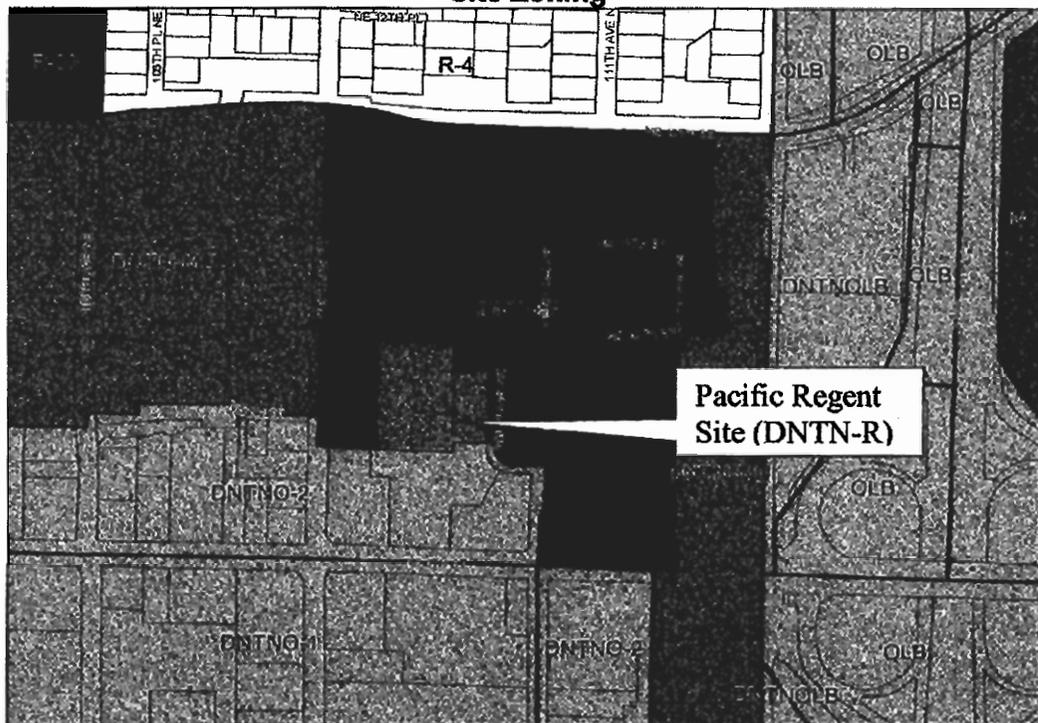
3.

### Attachment A

#### Site Vicinity



#### Site Zoning



**Attachment B**

**NOISE STUDY – PORTABLE GENERATORS**

**Attachment B**  
**NOISE STUDY – PORTABLE GENERATORS**

# Pacific Regent



Bellevue, Washington

## NOISE STUDY

January 17, 2011

Prepared by:



THE GREENBUSCH GROUP, INC.  
1900 West Nickerson, Suite 201  
Seattle, Washington 98119

Received  
JAN 19 2011  
Permit Processing



## **INTRODUCTION**

The intent of this study is to predict sound levels associated with outdoor Mitsubishi air conditioning units at the Pacific Regent Retirement Living Center in Bellevue, Washington, and to evaluate compliance with local codes. The study accounts only for the Mitsubishi air-conditioning units located on the dwelling unit balconies.

## **SUMMARY**

The Bellevue City Code sets permissible sound levels at neighboring properties at 60 dBA. The closest adjacent property lines are located at or very near the building façade. The study looked at a worst case scenario of 70 air-conditioners running simultaneously. The predicted sound pressure level from the air conditioners at the nearest adjacent property line is 40 dBA. This level is well within the code requirements. The predicted interior level from the outdoor units is 24 dBA maximum.

## **TERMINOLOGY**

Noise is generally considered unwanted sound. The noise level is characterized by the magnitude of pressure fluctuations. Decibel (dB) levels are a form of shorthand that characterize, with a convenient numerical scale, the auditory response to the broad range of perceptible pressure levels. The decibel scale is logarithmic: a doubling or halving of energy causes the sound level to change by 3 dB; it does not double or halve the original level.

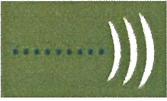
The minimum sound level variation perceptible to a human observer is approximately 3 decibels; a 5 decibel change is clearly perceptible and an 8 to 10 decibel change is associated with a perceived doubling or halving of loudness.

The human ear has a unique response to sound pressure fluctuations. It is less sensitive to higher and lower frequencies - those sounds falling outside the speech frequency range. Sound level meters and monitors utilize a weighting system to approximate human perception of sound. Calculations made utilizing this weighting system are referred to as "A weighted" and are called "dBA". Most applicable regulatory criteria are written using the A weighting.

## **REGULATORY CRITERIA**

### **Maximum Permissible Sound Levels**

Bellevue City Code (BCC), Chapter 9.18 regulates noise and quantifies maximum permissible environmental noise levels at this site. Permissible noise levels are established by the Environmental Designation for Noise Abatement (EDNA) which is based on zoning.



## Zoning

The Pacific Regent facility is zoned DNTN-R with properties located to the north, east and west also zoned DNTN-R. The properties to the south are zoned DNTN-O-2. BCC section 9.18.025 defines all of these zones as Commercial land use districts, Class B EDNA.

The following Table outlines the permissible sound levels associated with the various EDNA classifications.

**Table 1.** Permissible Noise Levels

<b>Source of Noise</b>	<b>Receiving Property</b>		
	<b>Residential</b>	<b>Commercial</b>	<b>Industrial</b>
<b>Residential</b>	55 dBA	57 dBA	60 dBA
<b>Commercial</b>	57 dBA	<b>60 dBA</b>	65 dBA
<b>Industrial</b>	60 dBA	65 dBA	70 dBA

Source: BCC Chapter 9.18.030.

The maximum permissible level at adjacent property lines is **60 dBA**.

## Interior Level

BCC section 9.18.045B states that new residential structures shall not be approved where exterior levels exceed  $L_{dn}$  65 dBA unless sound attenuation measures are incorporated into the design that will reduce interior levels to 40 dBA or lower for sleeping areas, and 45 dBA or lower for non-sleeping areas.

We understand that this interior level restriction is to be applied to the outdoor air-conditioning units.

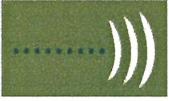
## ANALYSIS

Our acoustical analysis is based on sound data and site conditions measured at the site, drawings submitted to our office by Mithun, publicly available topographical data, and manufacturer's sound data. Sound power levels in octave bands for the Mitsubishi air-conditioners considered in the study are listed in Table 1 below. Sound power levels of the installed equipment should not exceed the levels shown in Table 1.

**Table 2.** Equipment Sound Power Levels, dB re: 1 pW

<b>Equipment</b>	<b>Octave Band Center Frequencies (Hz)</b>								
	<b>63</b>	<b>125</b>	<b>250</b>	<b>500</b>	<b>1000</b>	<b>2000</b>	<b>4000</b>	<b>8000</b>	
Mitsubishi MU-A09WA	79	66	49	47	47	42	38	35	56 dBA

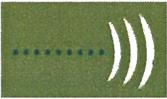
Source: The Greenbusch Group, Inc.



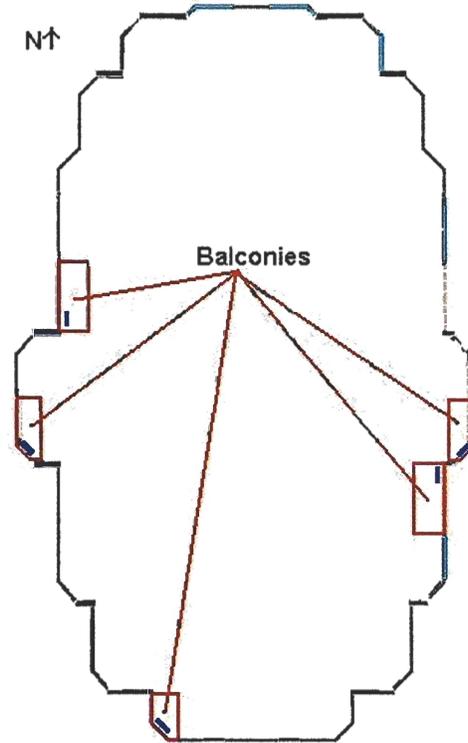
## **Exterior Level**

Exterior sound levels from the air-conditioning units were predicted with Cadna/A, a software program for prediction and assessment of noise exposure levels. Cadna/A uses the CADNA (Control of Accuracy and Debugging for Numerical Applications) computation engine developed by the Pierre et Marie Curie University of Paris.

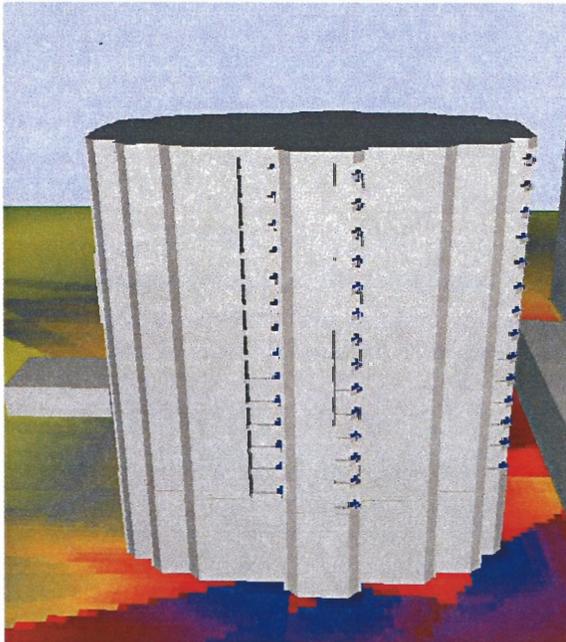
In the model we have assumed a worst case scenario of an air conditioning unit on every balcony with all of the air-conditioning units running simultaneously. This includes 5 balconies on each floor from 4 to 17 for a total of 70 units. On each of these floors two balconies are located near mid building on the east and west façades and near mid building at the southern façade. Figure 1 below shows the approximate location of the balconies against the building outline for floors 4 through 17. Air-conditioning unit locations are shown as small blue rectangles. Figures 2 and 3 show renderings of the acoustical model at the western and eastern façades respectively. The drawing provided by Mithun, attached at the end of the document shows a section view through the typical deck



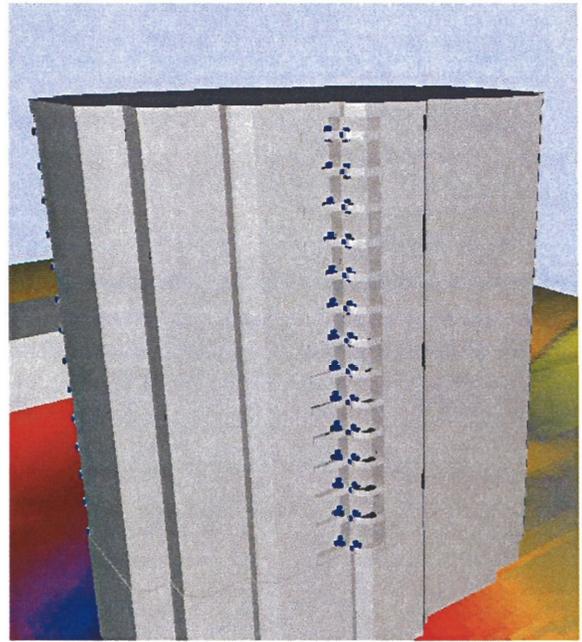
**Figure 1.** Balcony locations on floors 4-17.



**Figure 2.** Western Façade



**Figure 3.** Eastern Façade.





The nearest property line is along the building façade to the north, however there are no balconies on the north side of the building. The nearest property line to an air-conditioning unit is the southern property line located approximately 7 ft south of the building facade. The predicted sound pressure levels from the operation of the air-conditioning units along each adjacent property line are given in Table 3 below. The levels reported are at the highest predicted level in the plane of the property line, which typically occurs at about 100 ft above grade. The levels predicted near the ground are several dB lower because the lowest air-conditioners are located on the 4<sup>th</sup> floor.

**Table 3.** Predicted Sound Pressure Levels, dBA re: 20 µPa

Property Line	Predicted	Code Limit
North	22 dBA	60 dBA
East	40 dBA	60 dBA
South	40 dBA	60 dBA
West	38 dBA	60 dBA

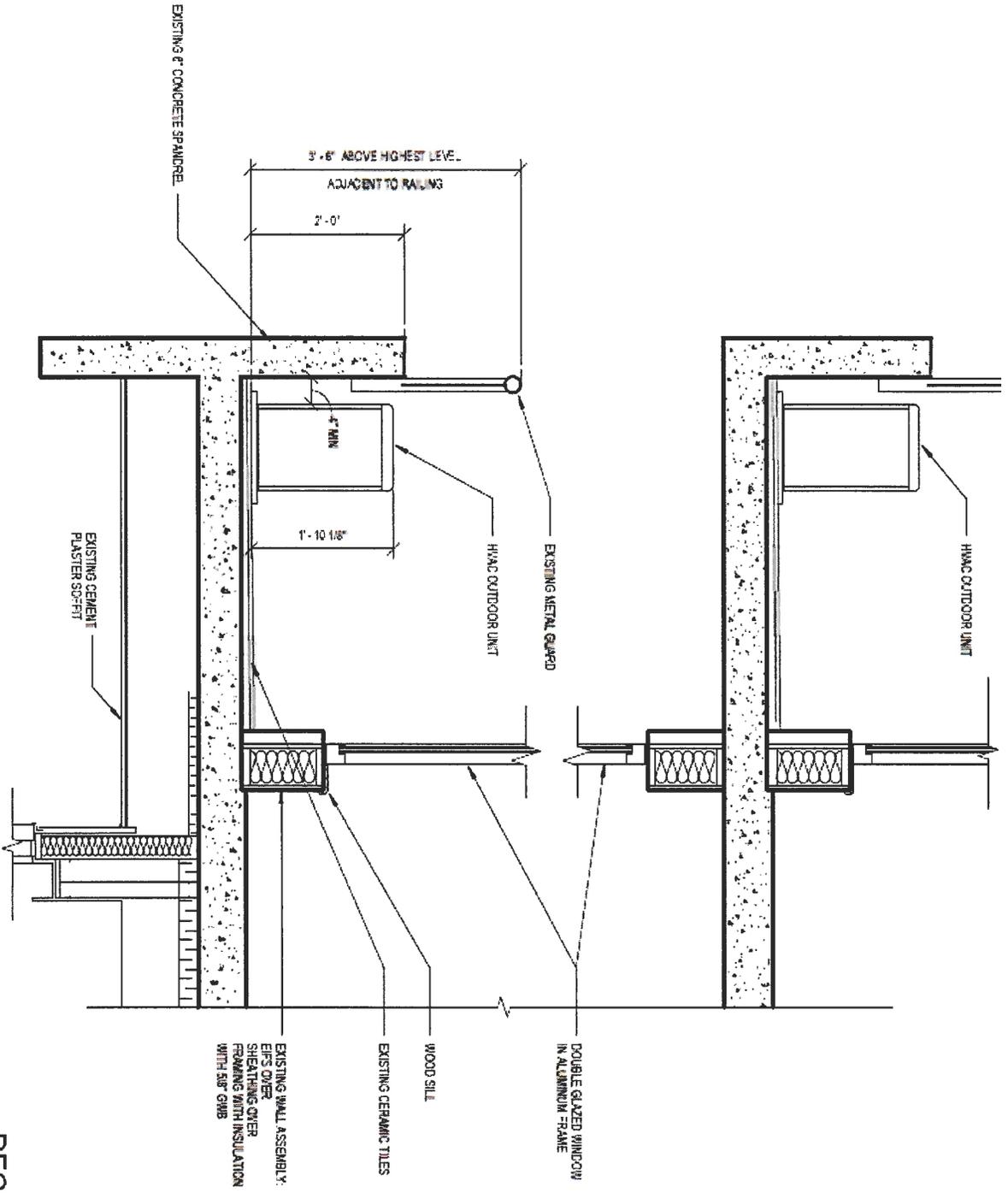
Source: The Greenbusch Group, Inc.

### Interior Level

The prediction of the interior sound levels from the exterior air-conditioning units is based on the sound levels for the Mitsubishi units given in Table 2 above and the wall and glazing constructions at the Pacific Regent balconies. These construction elements are shown in the Deck Section from Mithun at the end of this document. Glazing in the nearby windows and the door that opens onto the balcony govern the amount of sound intrusion into the interior space. The predicted level in the bedroom adjacent to the balcony due to the operation of the outdoor Mitsubishi unit is 24 dBA, which is well below the 40 dBA level required for sleeping areas.

### CODE COMPLIANCE

The predicted exterior and interior levels comply with the limits set forth in the BCC.



DECK SECTION

01/05/11 Sheet # 45

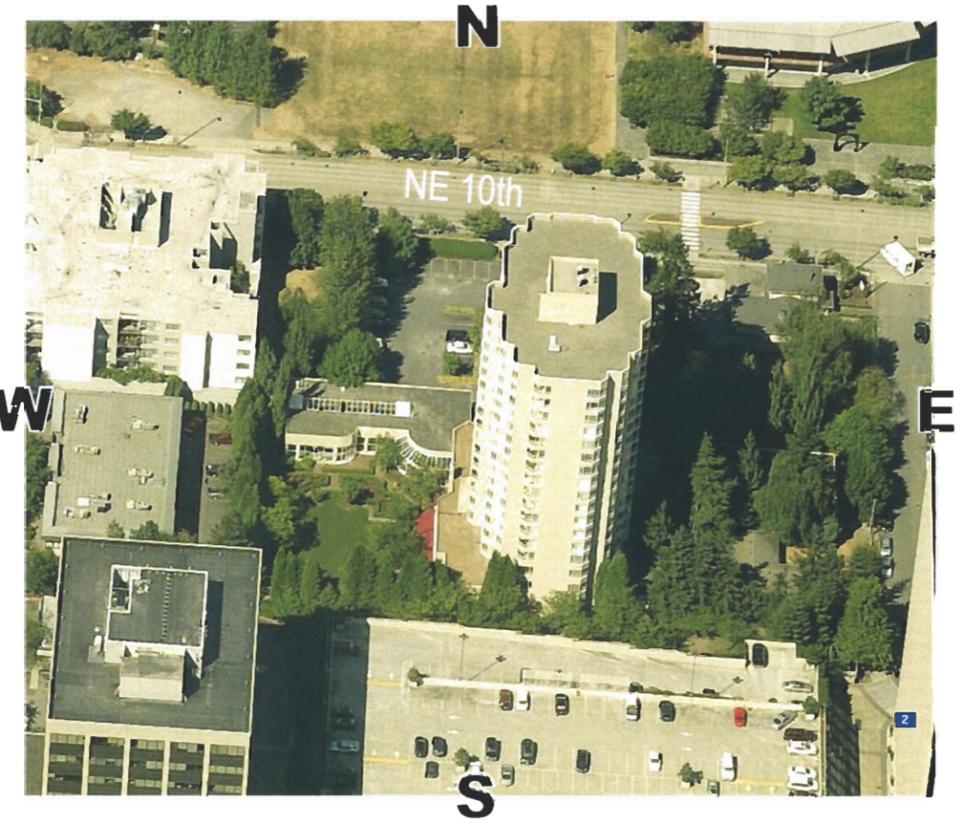
**MITHUN**

**Pacific  
Regent**

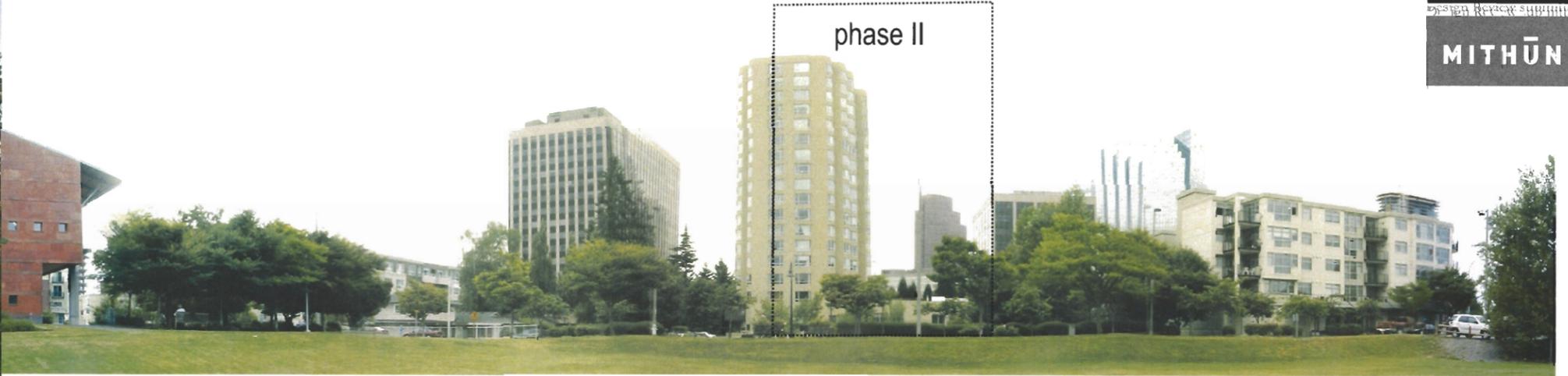
Surtse  
Senior Living

Design Review: Dasmunthi

**Attachment C**  
**PROPOSAL PLANS**



04-Aerials of site



Pacific  
Regent

Sunrise  
Senior Living

MITHŪN



05-Existing Phase One Tower and site

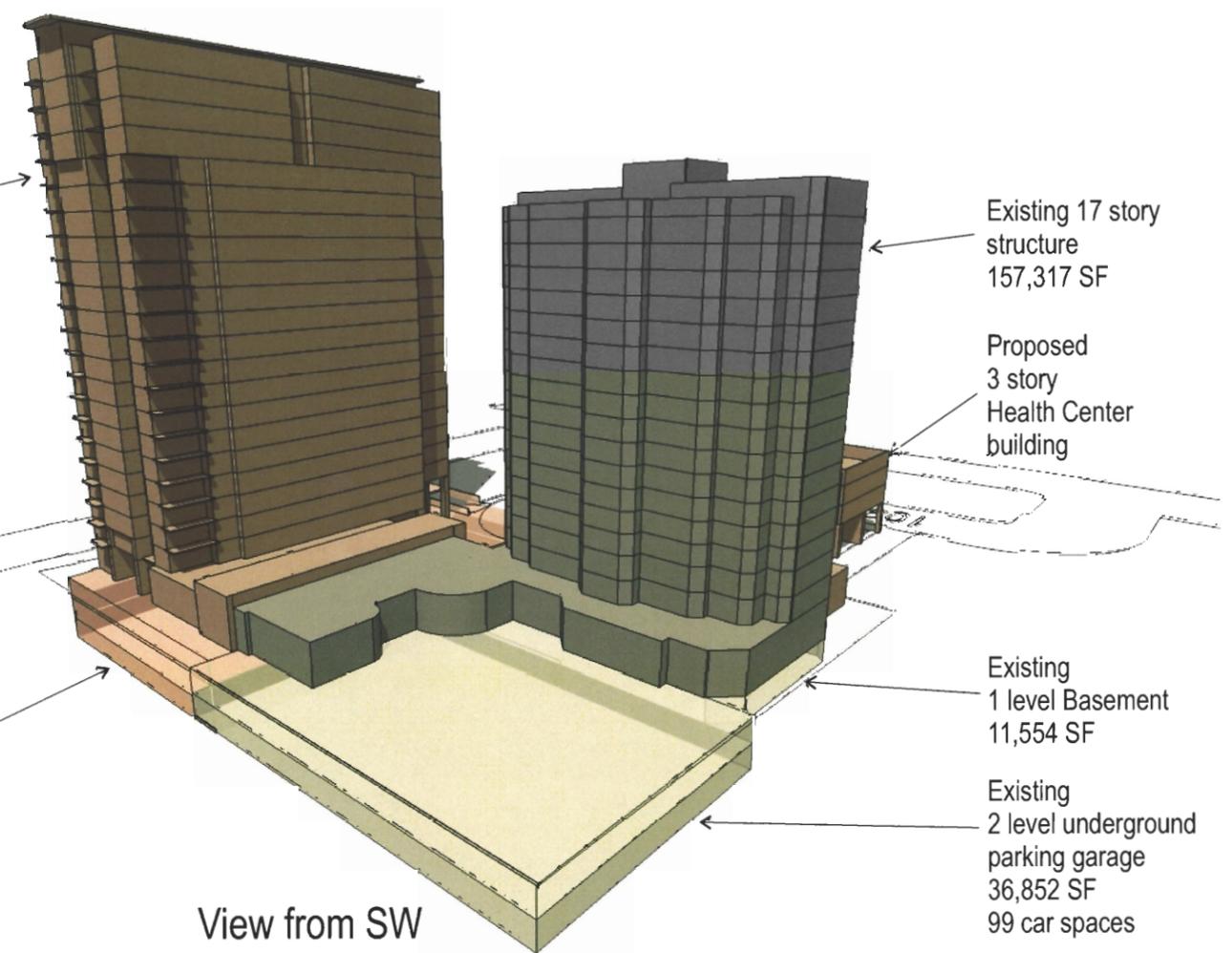


Proposed  
22 story  
Residential tower  
280,929 SF  
(incl. Ground Level)

Proposed  
3 story  
Health Center  
24,071 SF

View from NE

Proposed  
3 levels underground  
parking garage  
85,554 SF  
206 car spaces



Existing 17 story  
structure  
157,317 SF

Proposed  
3 story  
Health Center  
building

Existing  
1 level Basement  
11,554 SF

Existing  
2 level underground  
parking garage  
36,852 SF  
99 car spaces

View from SW

- Existing Above ground
- Existing Below ground
- Proposed / new Above ground
- Proposed / new Below ground

**Building Area Analysis** (calc based on COB LUC 20.50.020)

Proposed - Tower 2 (North Tower)	
Level 1	16,731 sf
Level 2	11,994 sf
Level 3	12,637 sf
Level 4	12,637 sf
Level 5	12,637 sf
Level 6	12,637 sf
Level 7	12,637 sf
Level 8	12,637 sf
Level 9	12,637 sf
Level 10	12,637 sf
Level 11	12,637 sf
Level 12	12,637 sf
Level 13	12,637 sf
Level 14	12,637 sf
Level 15	12,637 sf
Level 16	12,637 sf
Level 17	12,637 sf
Level 18	12,637 sf
Level 19	12,503 sf
Level 20	12,503 sf
Level 21	12,503 sf
Level 22	12,503 sf
<b>Subtotal:</b>	<b>280,929 sf</b>

Proposed - East Wing	
Level 1	7,343 sf
Level 2	8,364 sf
Level 3	8,364 sf
<b>Subtotal:</b>	<b>24,071 sf</b>

Existing Tower 1 (South Tower)	
17 Levels	157,317 sf

Project-wide statistics	
Existing Tower 1 (South Tower)	157,317 sf
Proposed - Tower 2 (North Tower)	280,929 sf
Proposed - East Wing	24,071 sf
<b>Total floor area:</b>	<b>462,317 sf</b>
(Max Floor Area allowed by code:	467,165 sf)

Underground garage		
Existing (2 levels)	99 spaces	36,852 sf
Proposed (3 levels)	206 spaces	85,554 sf
<b>Subtotal:</b>	<b>305 spaces</b>	<b>122,406 sf</b>

**Parking Analysis** (calc based on COB LUC 20.20.590 F)

Bellevue code requirement	Min	Max
Retail in a mixed use	2	4 per 1,000 SF
Senior Nursing Home	0.4	0.8 per bed
Senior Housing - congregate care	0.33	1 per unit

Existing Tower One			
Dwelling units	107 units	35.31	107 spaces

New Tower Two			
Dwelling units	168 units	55.44	168 spaces

Health Center			
SNF - 2nd floor	26 beds	10.4	20.8 spaces
SNF - 3rd floor	26 beds	10.4	20.8 spaces
Assisted living units - 2nd floor	14 beds	5.6	11.2 spaces
Alzheimer units - 3rd floor	14 beds	5.6	11.2 spaces

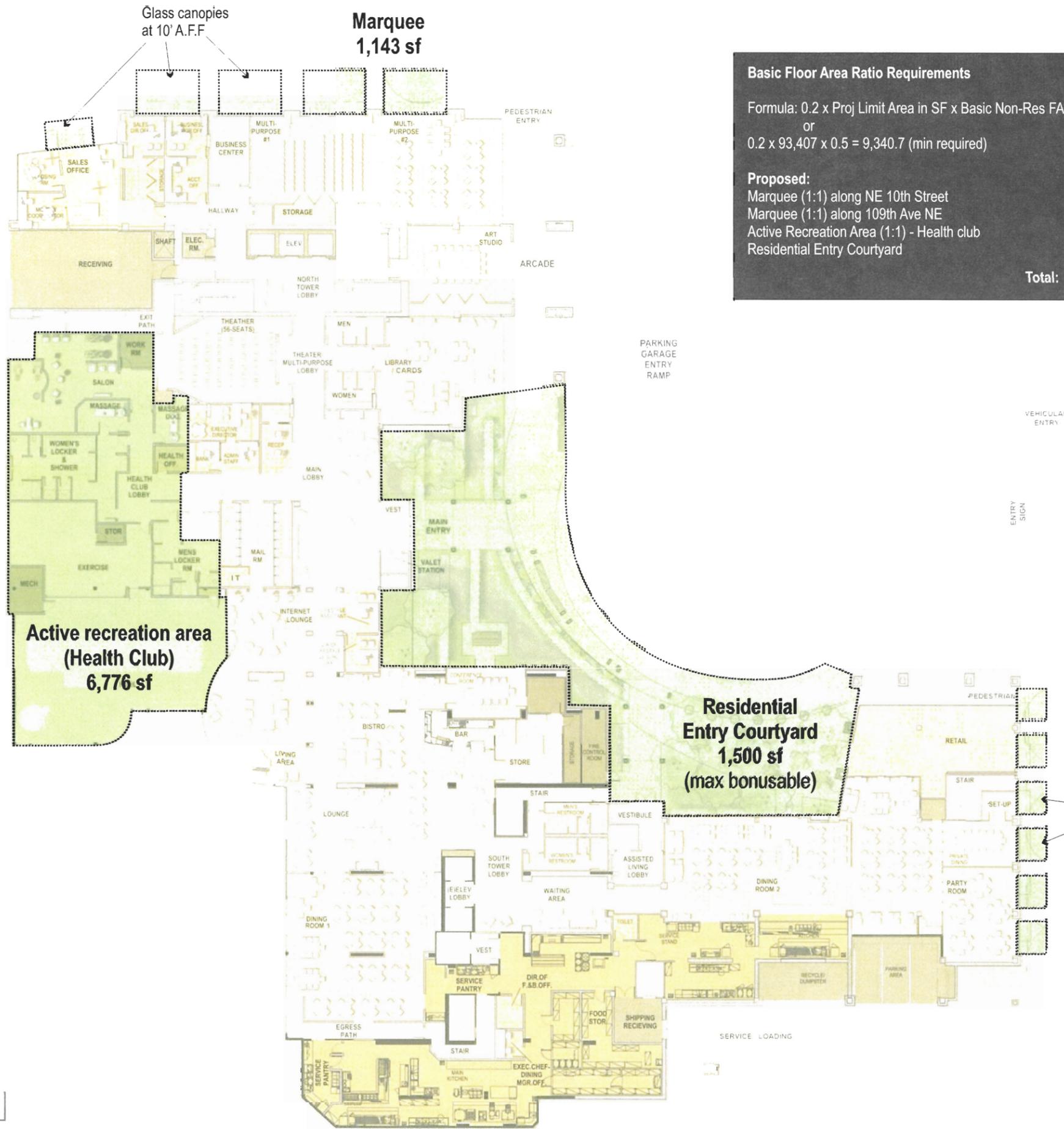
Retail			
Ground level	1000 SF	2	4 spaces

Staff / employees			
1 space per emp	20	20	spaces

Guest parking			
Requirement:	144.75	363	spaces

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Sunrise Senior Living  
Design Review Package

**MITHUN**  
9/4/10/2007 Sheet # 06



**Basic Floor Area Ratio Requirements**

Formula:  $0.2 \times \text{Proj Limit Area in SF} \times \text{Basic Non-Res FAR}$   
 OR  
 $0.2 \times 93,407 \times 0.5 = 9,340.7$  (min required)

**Proposed:**

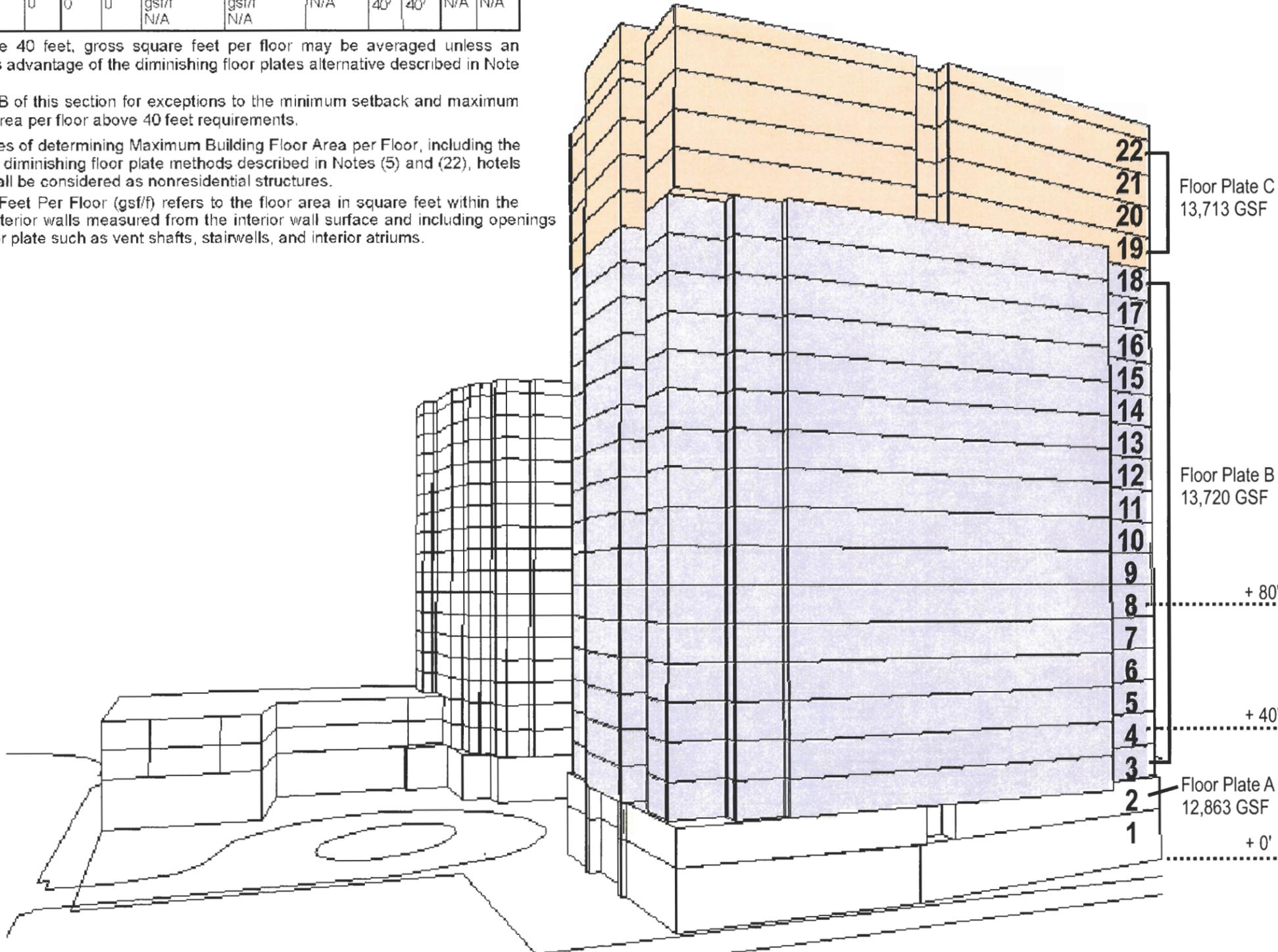
Marquee (1:1) along NE 10th Street	1,143 sf
Marquee (1:1) along 109th Ave NE	600 sf
Active Recreation Area (1:1) - Health club	6,776 sf
Residential Entry Courtyard	1,500 sf
<b>Total:</b>	<b>10,019 sf</b>

**Marquee 600 sf**  
Glass canopies at 10' A.F.F.

Chart 20.25A.020.A.2 Dimensional Requirements in Downtown Districts

Downtown Lane Use District	Building Type (7) (14)	Minimum Setback (3) (9)			Maximum Building Floor Area per Floor Above 40' (5) (9)(18)(24)	Maximum Building Floor Area per Floor Above 80' (5) (18)(24)	Maximum Lot Coverage (11)	Building Height (6)(17)		Floor Area Ratio	
		Front (1) (15)	Rear (25)	Side (25)				Basic	Max.	Basic (10)	Max. (8)
DNTN-R (20)	Residential Parking	0	0/20'	0/20'	20,000 gsf/f N/A	12,000 gsf/f N/A	100% N/A	150' 40'	200' 40'	2.0 N/A	5.0 N/A

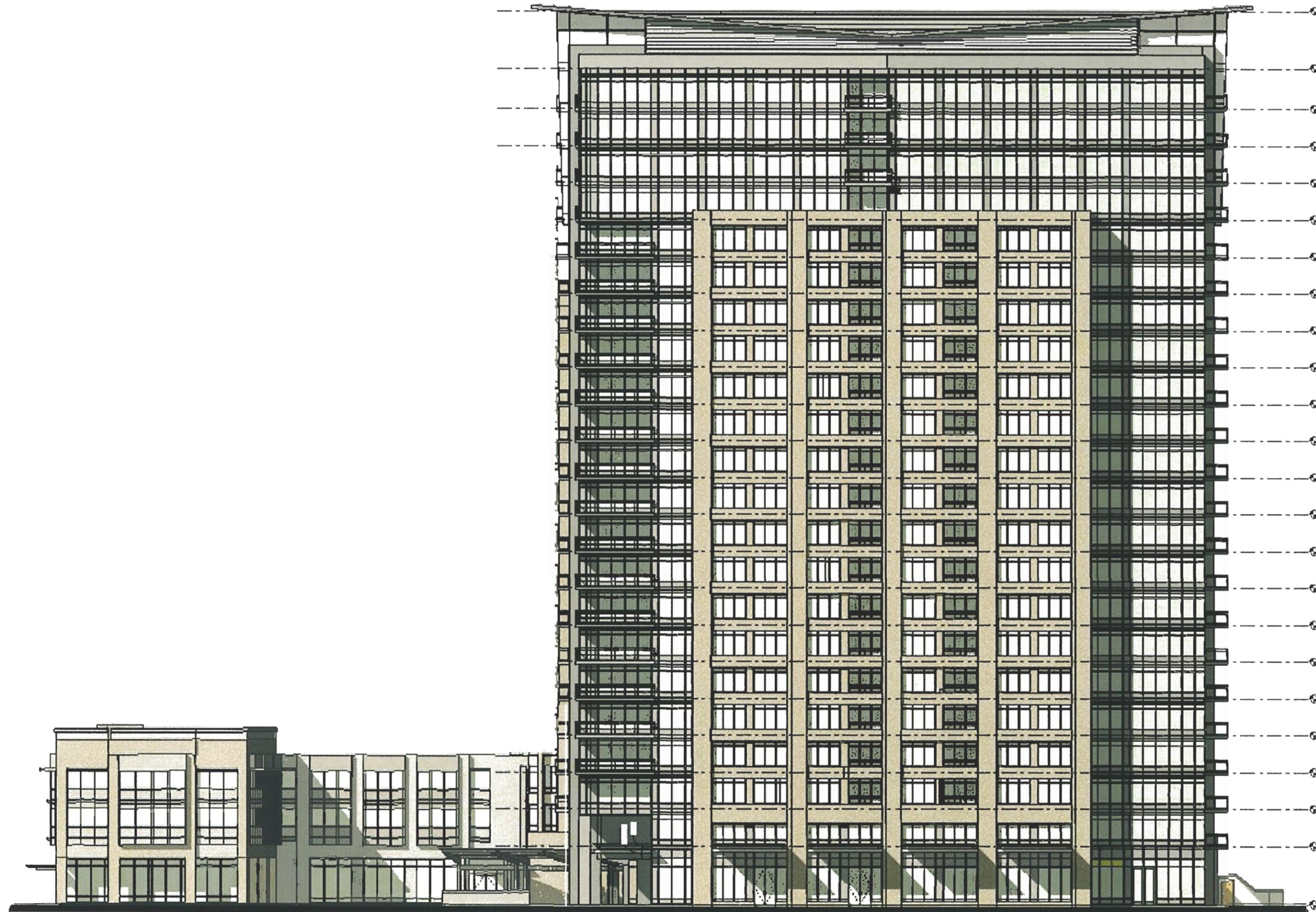
- (5) For floors above 40 feet, gross square feet per floor may be averaged unless an applicant takes advantage of the diminishing floor plates alternative described in Note (22).
- (9) See subsection B of this section for exceptions to the minimum setback and maximum building floor area per floor above 40 feet requirements.
- (16) For the purposes of determining Maximum Building Floor Area per Floor, including the averaging and diminishing floor plate methods described in Notes (5) and (22), hotels and motels shall be considered as nonresidential structures.
- (24) Gross Square Feet Per Floor (gsf/f) refers to the floor area in square feet within the surrounding exterior walls measured from the interior wall surface and including openings in the floor plate such as vent shafts, stairwells, and interior atriums.



	Floor Plate Gross SF	
	MAX. allowed	Proposed
Level 22	12,000 sf	13,713 sf
Level 21	12,000 sf	13,713 sf
Level 20	12,000 sf	13,713 sf
Level 19	12,000 sf	13,713 sf
Level 18	12,000 sf	13,720 sf
Level 17	12,000 sf	13,720 sf
Level 16	12,000 sf	13,720 sf
Level 15	12,000 sf	13,720 sf
Level 14	12,000 sf	13,720 sf
Level 13	12,000 sf	13,720 sf
Level 12	12,000 sf	13,720 sf
Level 11	12,000 sf	13,720 sf
Level 10	12,000 sf	13,720 sf
Level 9	12,000 sf	13,720 sf
Level 8	20,000 sf	13,720 sf
Level 7	20,000 sf	13,720 sf
Level 6	20,000 sf	13,720 sf
Level 5	20,000 sf	13,720 sf
<b>Subtotal</b>	<b>248,000 sf</b>	<b>246,932 sf</b>
<b>Average (divide by 18)</b>	<b>13,778 sf</b>	<b>13,719 sf</b>

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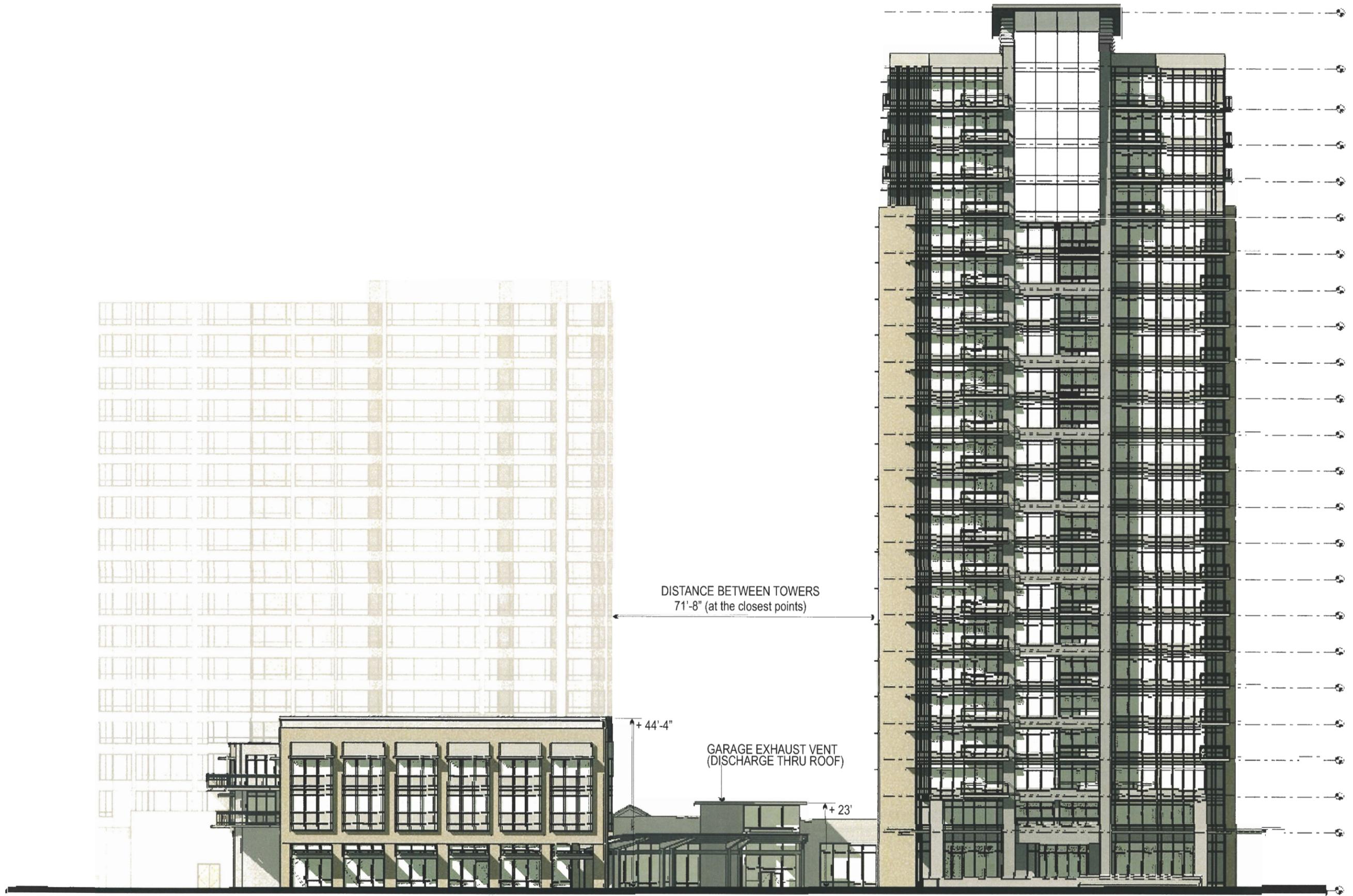
North Elevation

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Regent

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Senior Living

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DISTANCE BETWEEN TOWERS  
71'-8" (at the closest points)

+ 44'-4"

GARAGE EXHAUST VENT  
(DISCHARGE THRU ROOF)

+ 23'

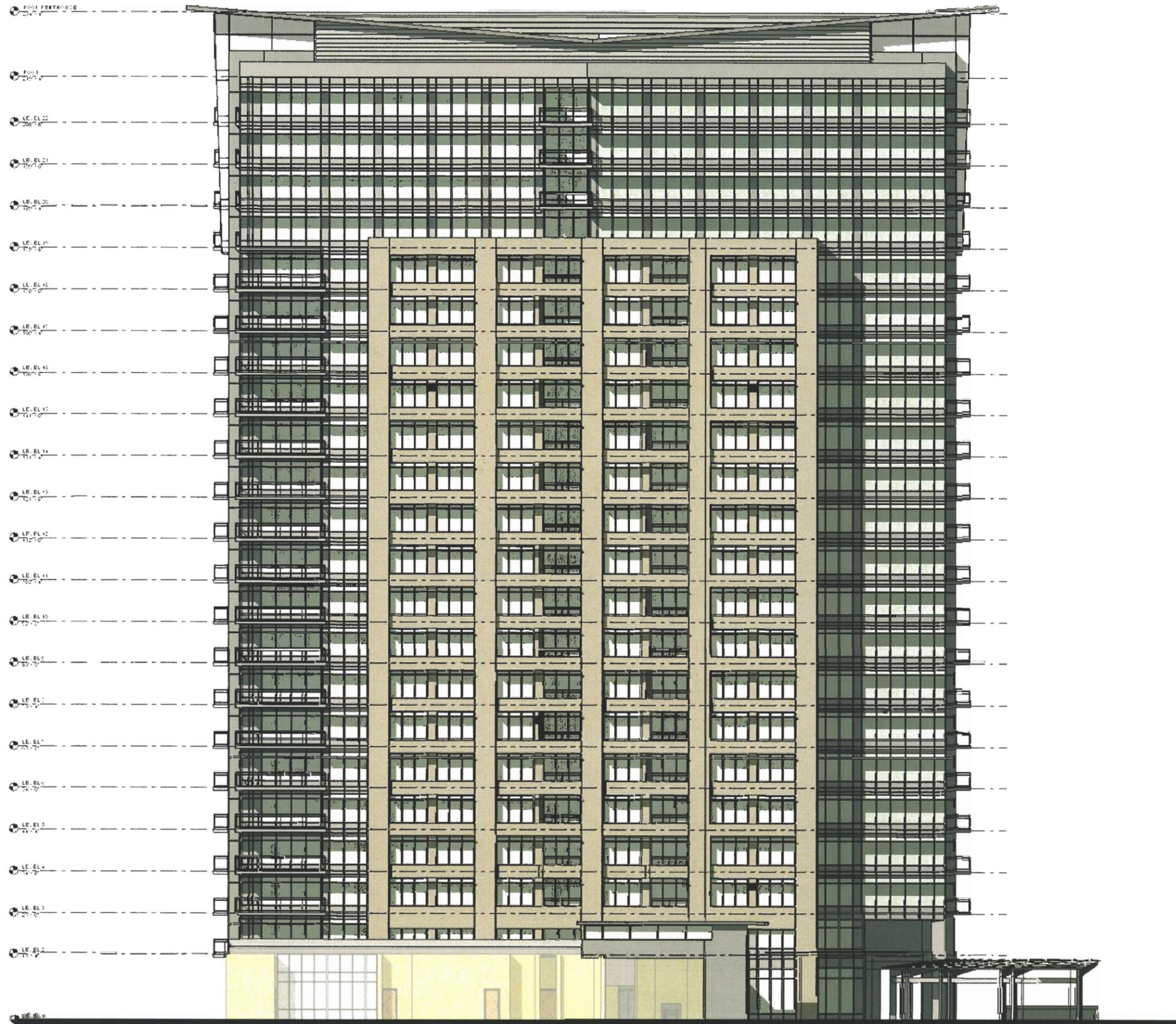
East Elevation

Pacific  
Regent

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South Elevation

Pacific  
Regent

Sunrise  
Senior Living

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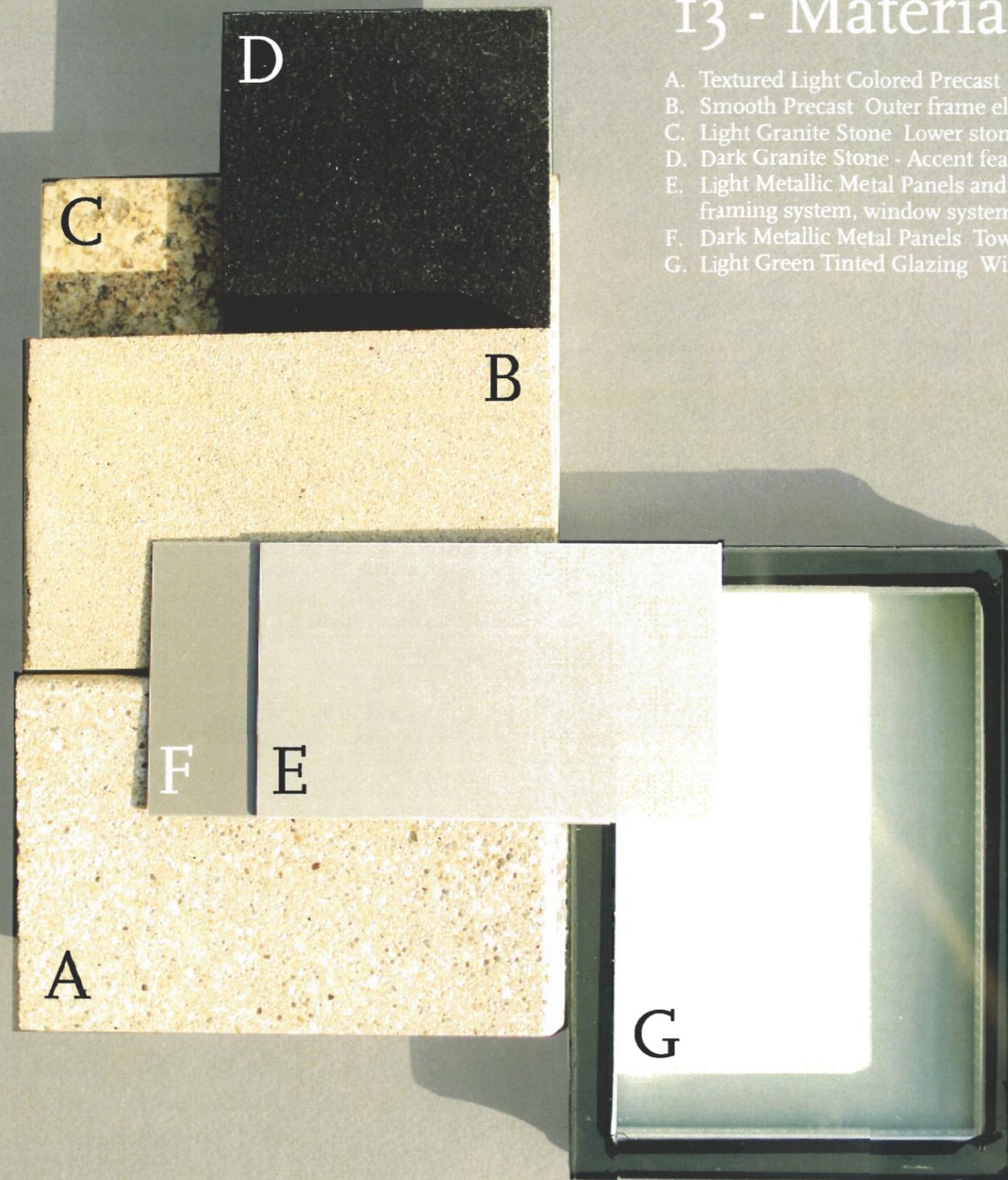
GARAGE EXHAUST VENT  
(SIZING TO BE DETERMINED)

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Regent  
Sunrise  
Senior Living  
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## 13 - Material & Colors

- A. Textured Light Colored Precast Inter recessed panels of precast
- B. Smooth Precast Outer frame elements
- C. Light Granite Stone Lower stone base surfaces, 3'-0" above grade
- D. Dark Granite Stone - Accent features in lower stone base
- E. Light Metallic Metal Panels and Framing General metal panels in framing system, window system framing, and railings
- F. Dark Metallic Metal Panels Tower core spline Accent massing element.
- G. Light Green Tinted Glazing Window and railing glazing





Conceptual 3D: Tower (NE)

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Regent

Sunrise  
Senior Living

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10/10/2006 Sheet # 14



Conceptual 3D: Tower (SE)

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10/10/2006 Sheet # 15



## Conceptual 3D: East Wing (SE)

This image is work in progress subject to ongoing refinement and modification through the Design Development and Const. Document phases of the project.

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10/10/2006 Sheet # 15.1



## Conceptual 3D: East Wing (NW)

This image is work in progress subject to ongoing refinement and modification through the Design Development and Const. Document phases of the project.

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10/10/2006 Sheet # 15.2



## Conceptual 3D: East Wing (NE)

This image is work in progress subject to ongoing refinement and modification through the Design Development and Const. Document phases of the project.

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10/10/2006 Sheet # 15.3



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16 - Along NE 10th Street



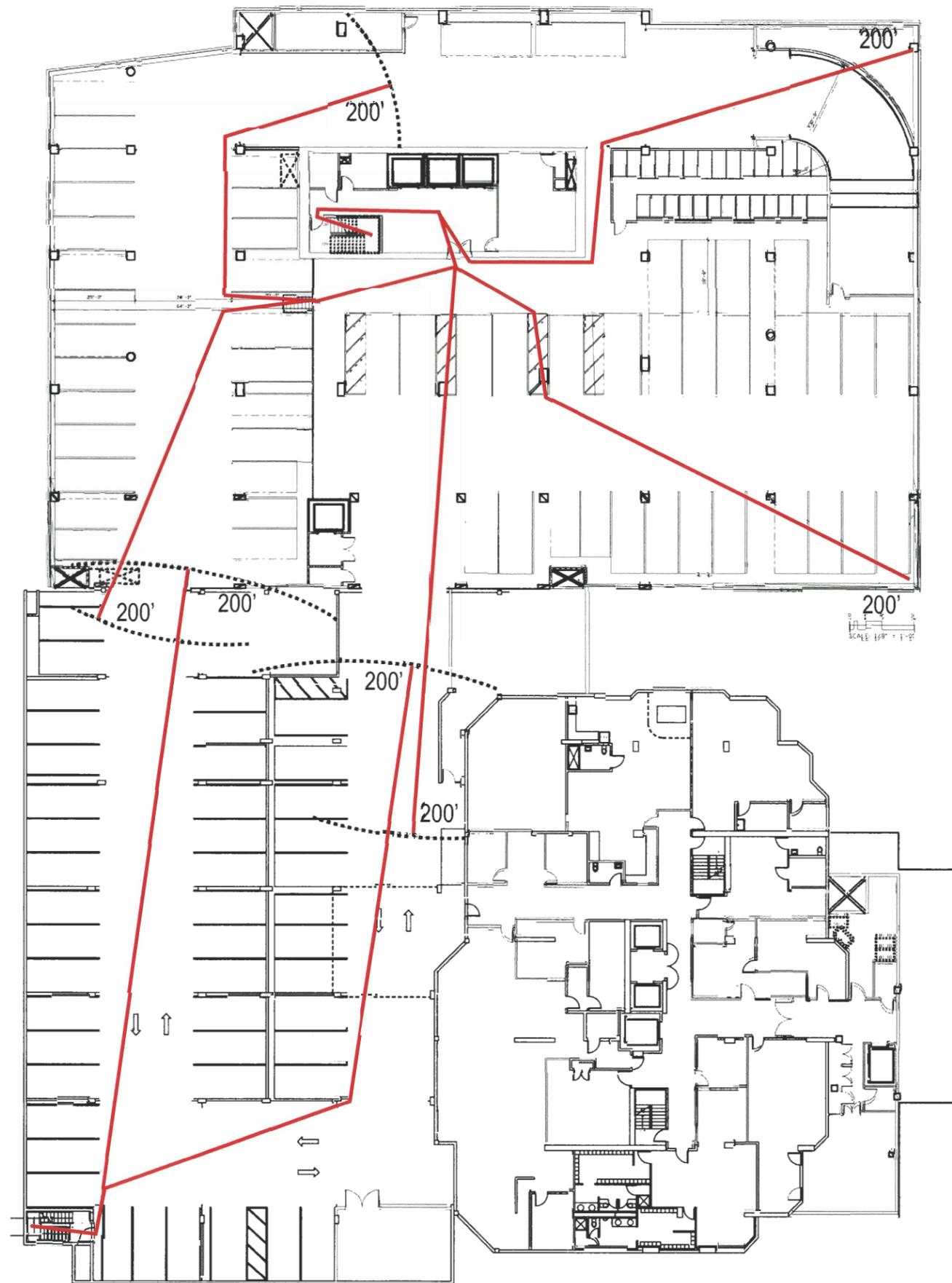
# 17 - Entry Concourse

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Regent

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Senior Living

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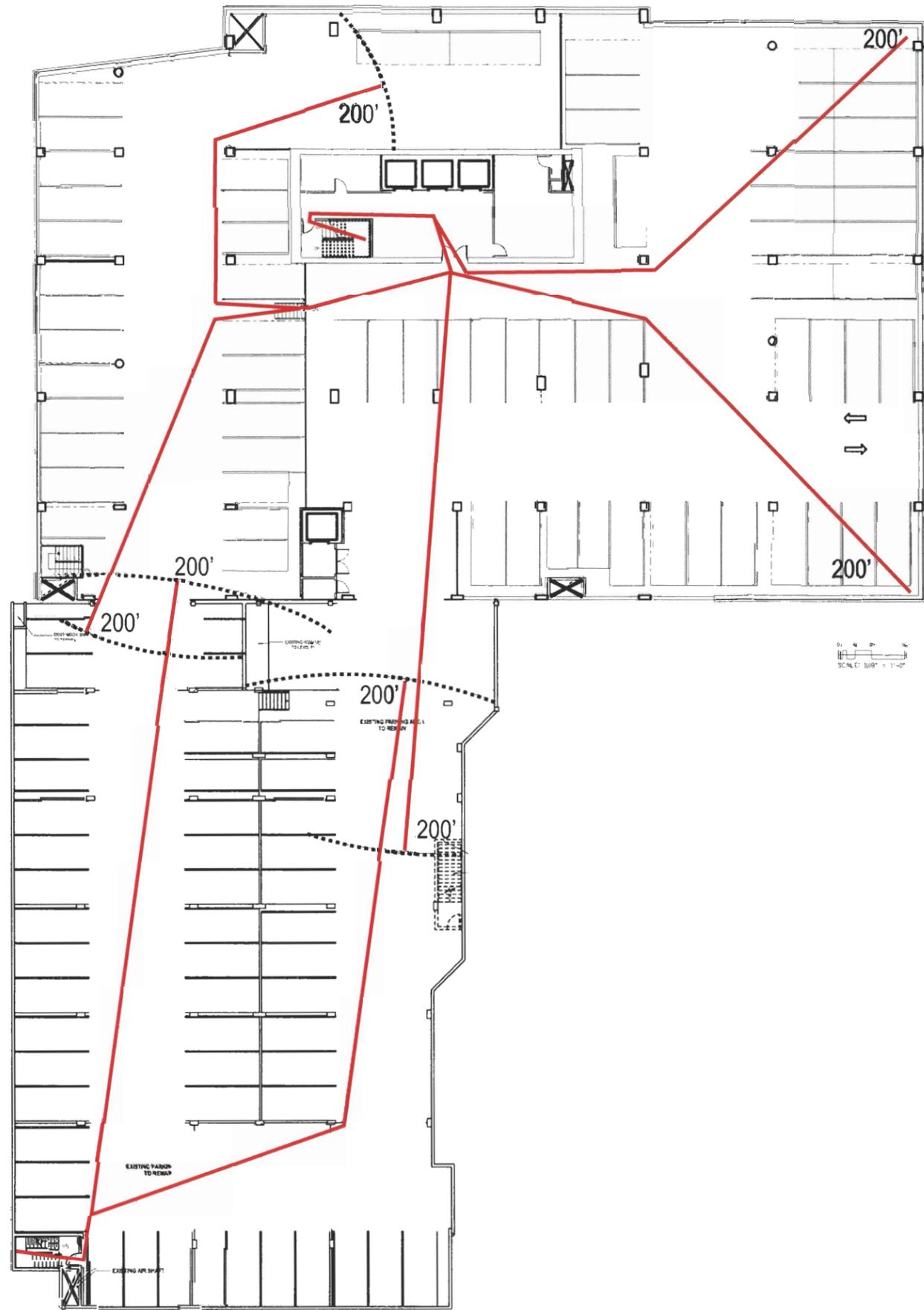
Fire Hose Runs: Garage Level P1

Pacific  
Regent

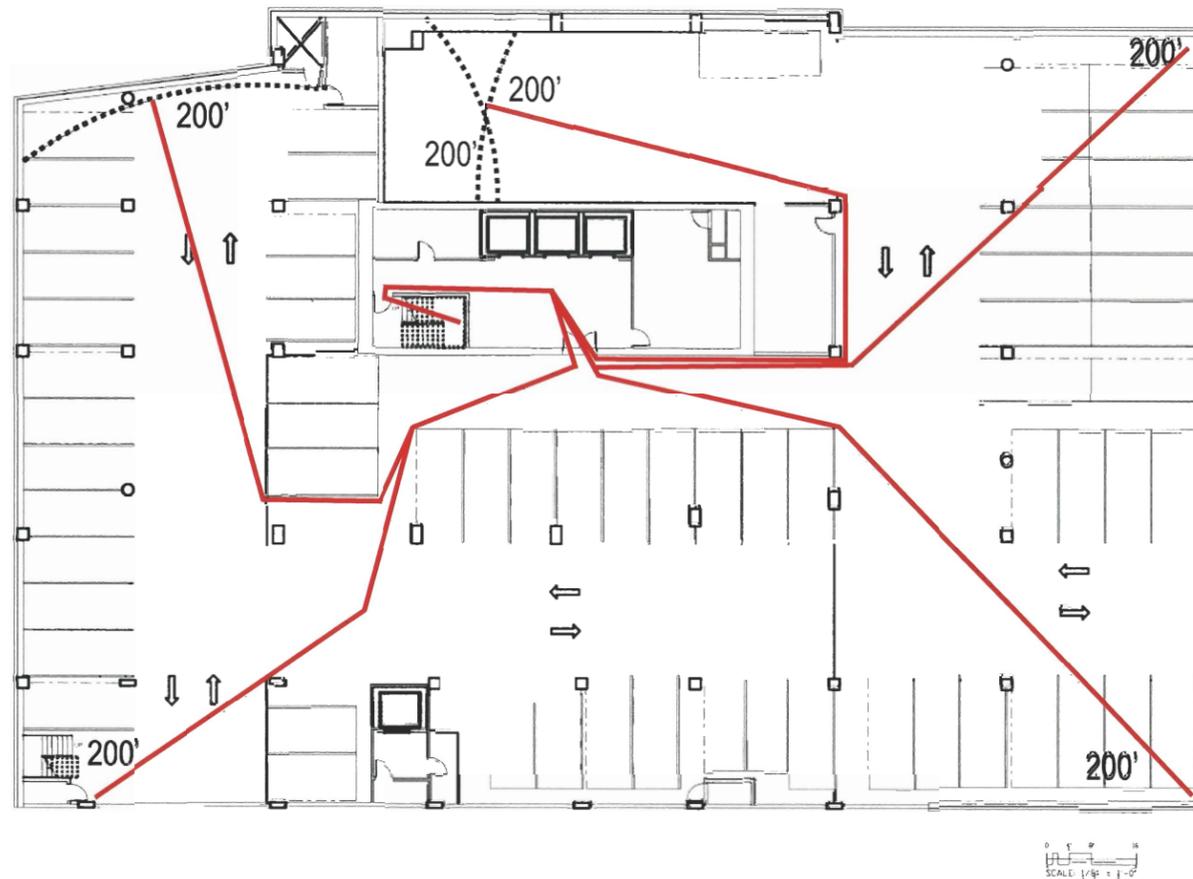
Sunrise  
Senior Living

Design Review Resubmittal

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Fire Hose Runs: Garage Level P2



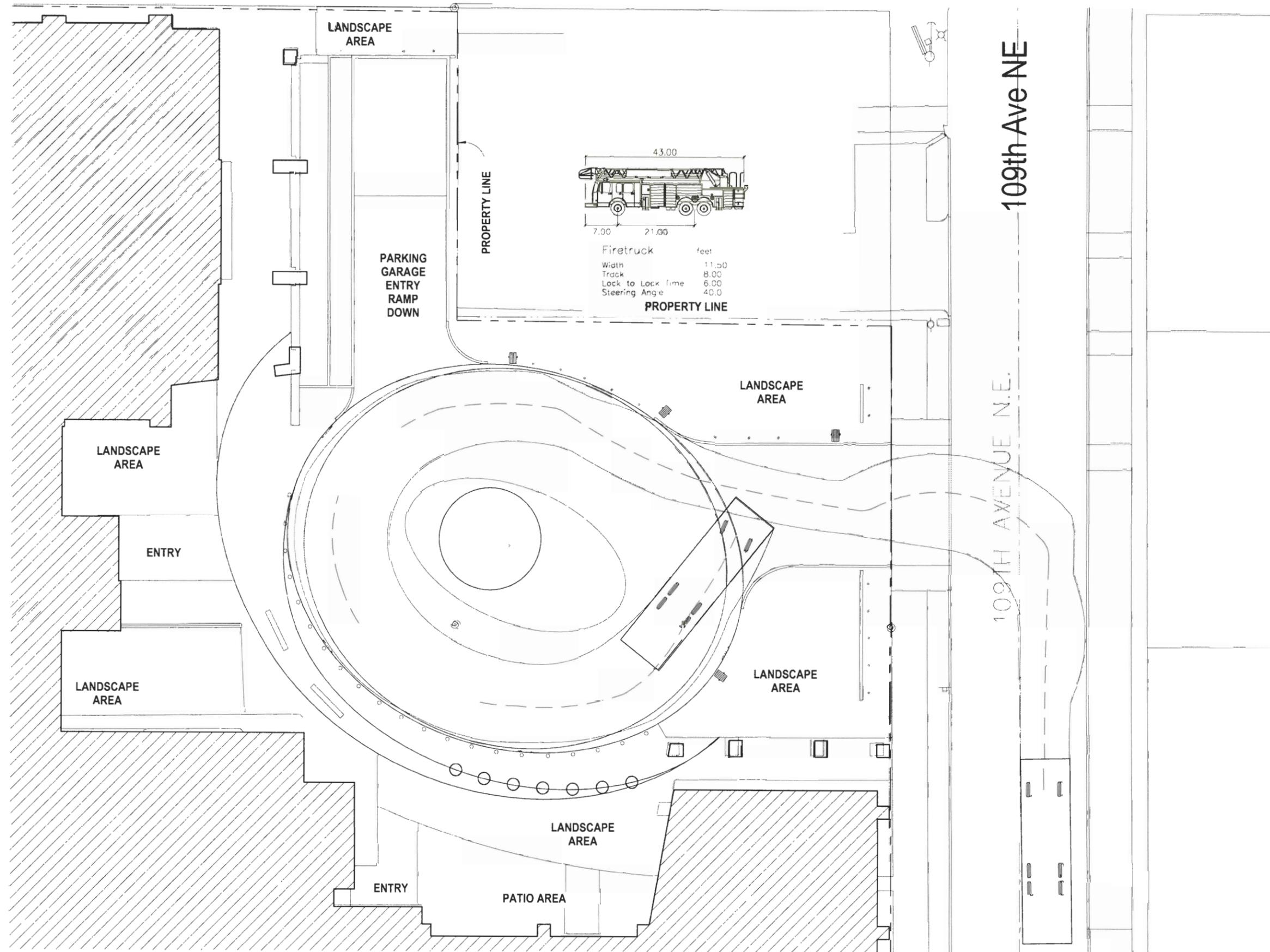
Fire Hose Runs: Garage Level P3

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109th Ave NE

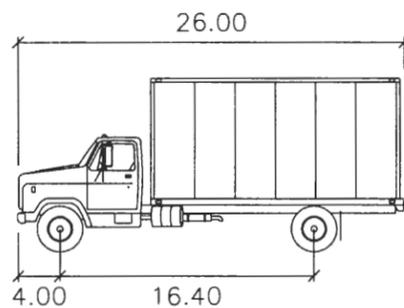
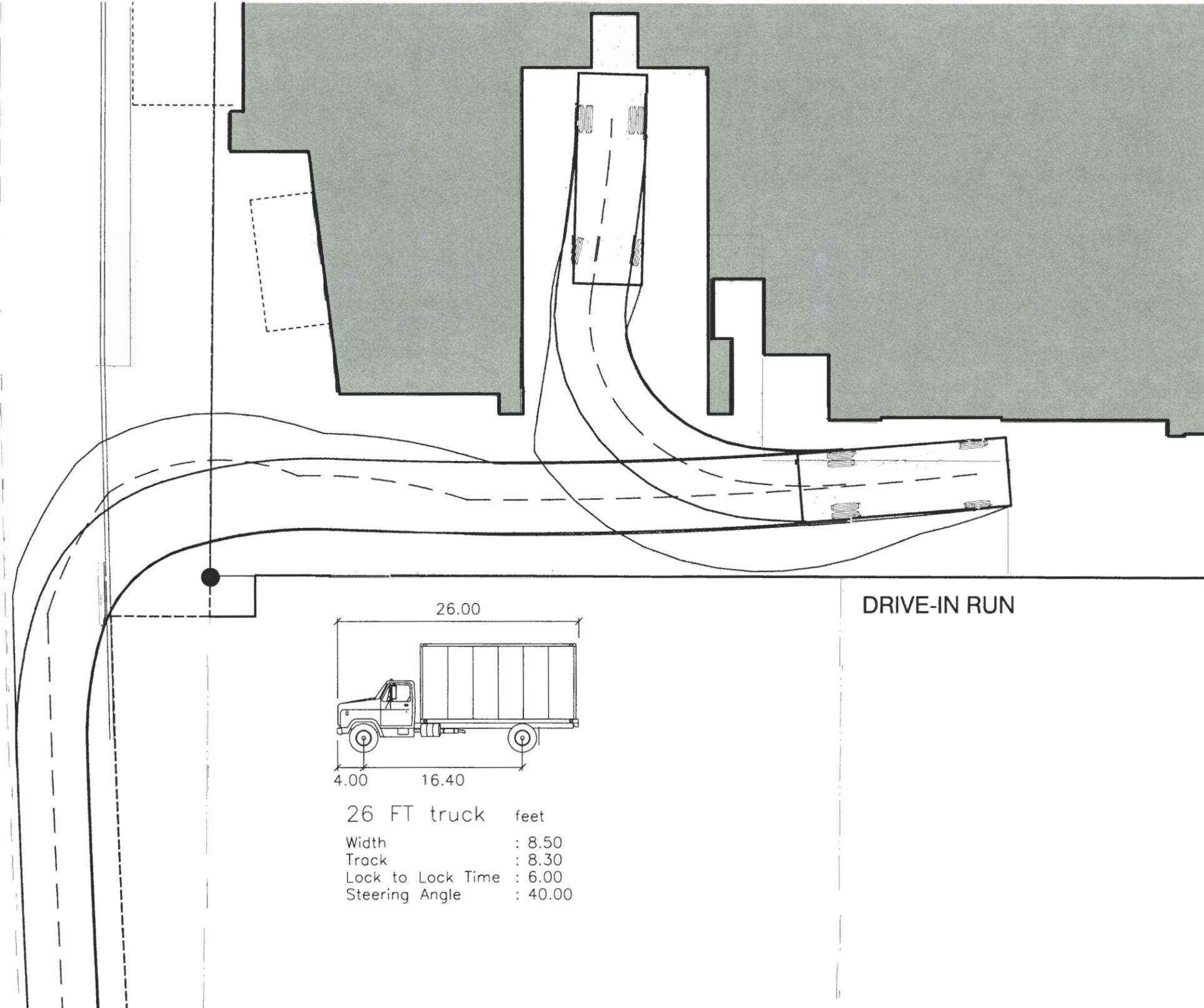
109TH AVENUE N.E.

Access study A: Fire truck entering site from South

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NE 10TH STREET



26 FT truck		feet
Width	:	8.50
Track	:	8.30
Lock to Lock Time	:	6.00
Steering Angle	:	40.00

DRIVE-IN RUN

Access study E: Service truck entering West delivery bay

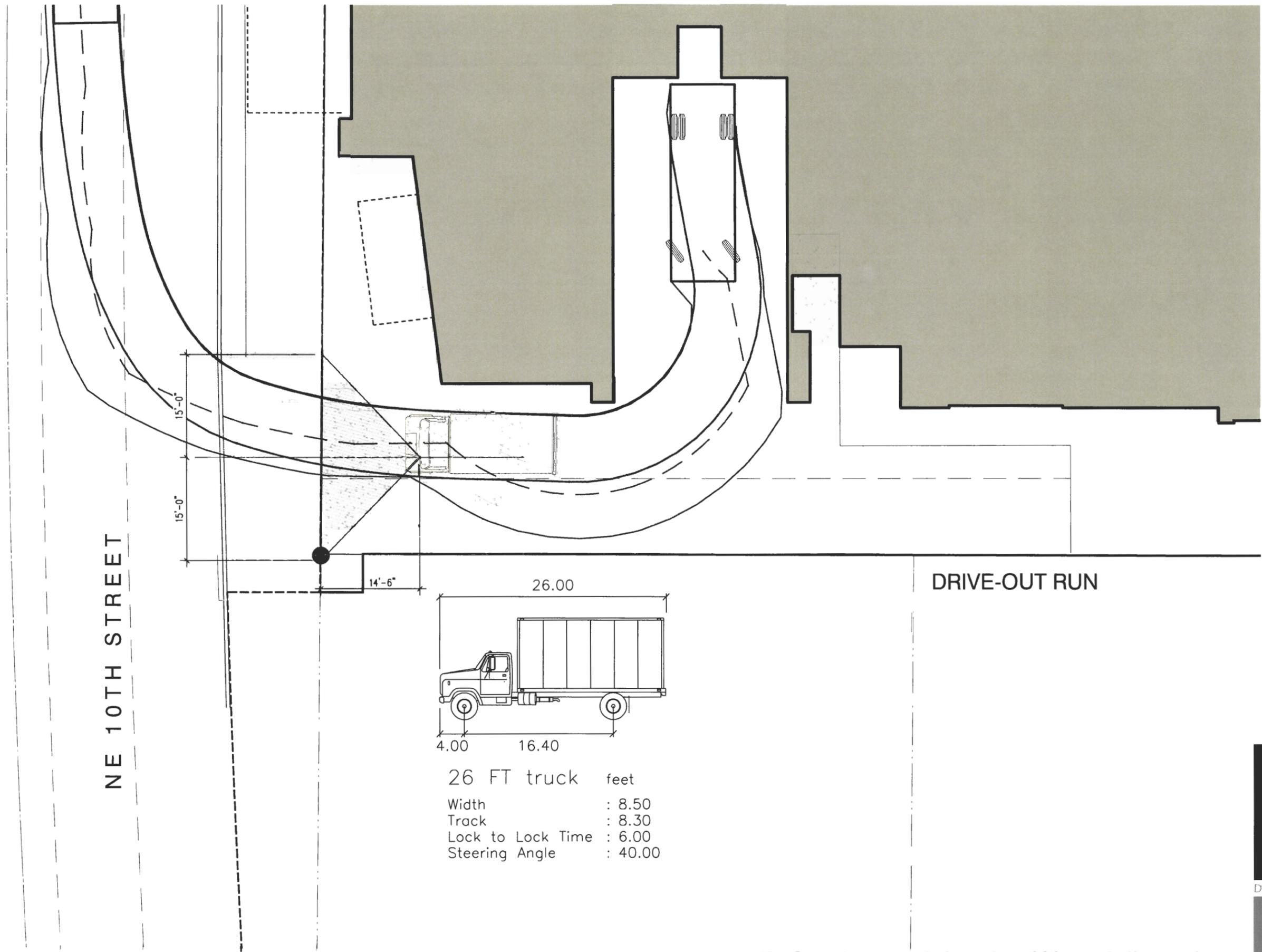
Pacific  
Regent

Sunrise  
Senior Living

Design Review Resubmittal

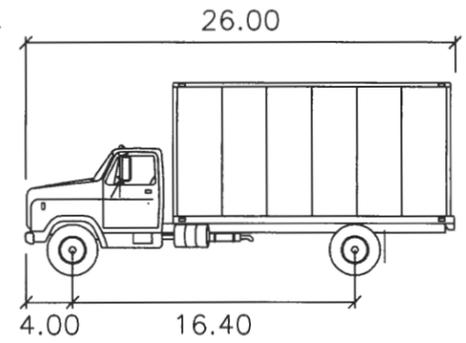
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10/10/2006 Sheet # 26.1



NE 10TH STREET

DRIVE-OUT RUN



26 FT truck feet  
 Width : 8.50  
 Track : 8.30  
 Lock to Lock Time : 6.00  
 Steering Angle : 40.00

Access study F: Service truck leaving West delivery bay

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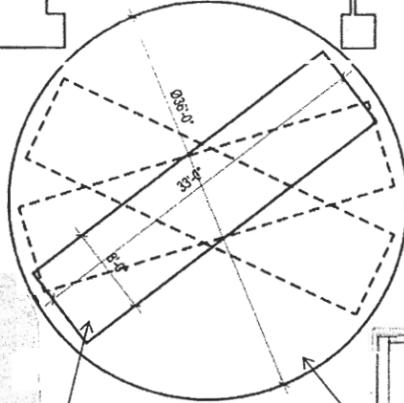


Actual vehicle shown - Allied Waste (largest vehicle scenario)



Proposed Structure

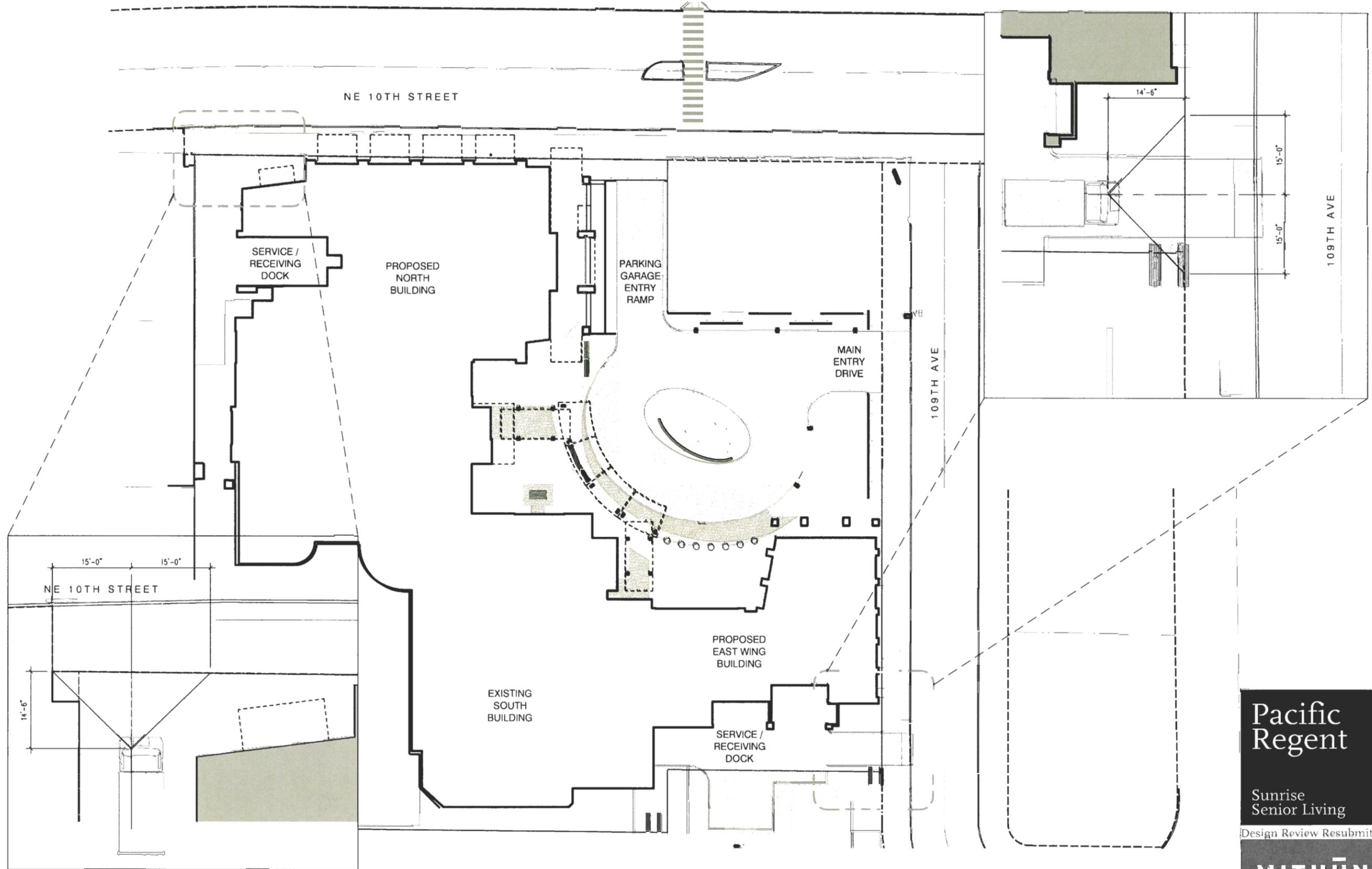
Dumpsters



Front loader trash truck shown (worst case scenario)

36' Diameter turntable

109th Ave NE



Pacific  
Regent

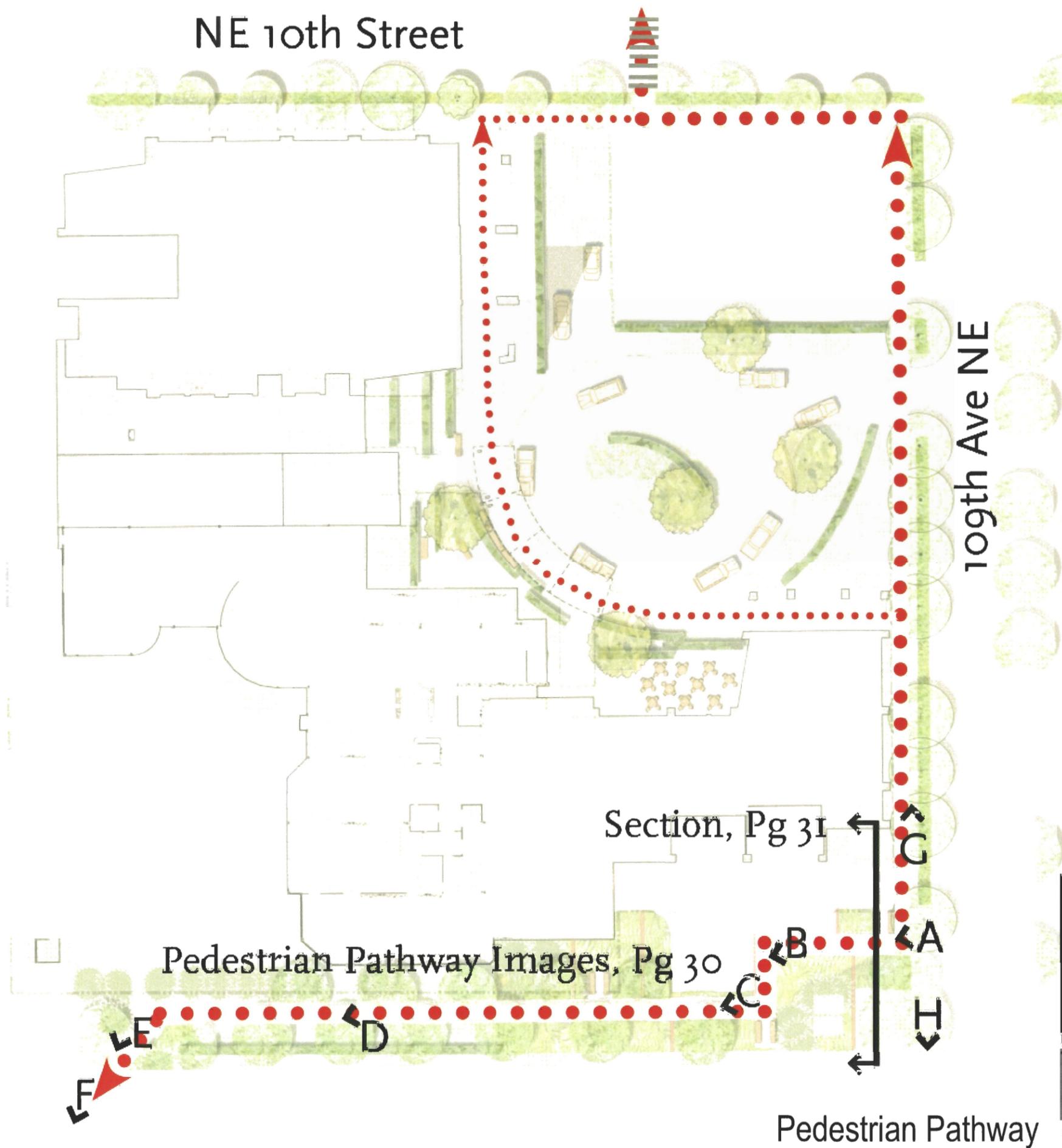
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Senior Living

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Context Map





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Pedestrian Pathway looking East



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Sunrise  
Senior Living  
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PACIFIC REGENT  
BELLEVUE

Approx. 12'-0"

Building signage is an important part of the aesthetics and is currently being developed. This drawing depicts one potential direction - quiet but stately, lighted from the front with shadow cast on the site wall.

Pacific  
Regent

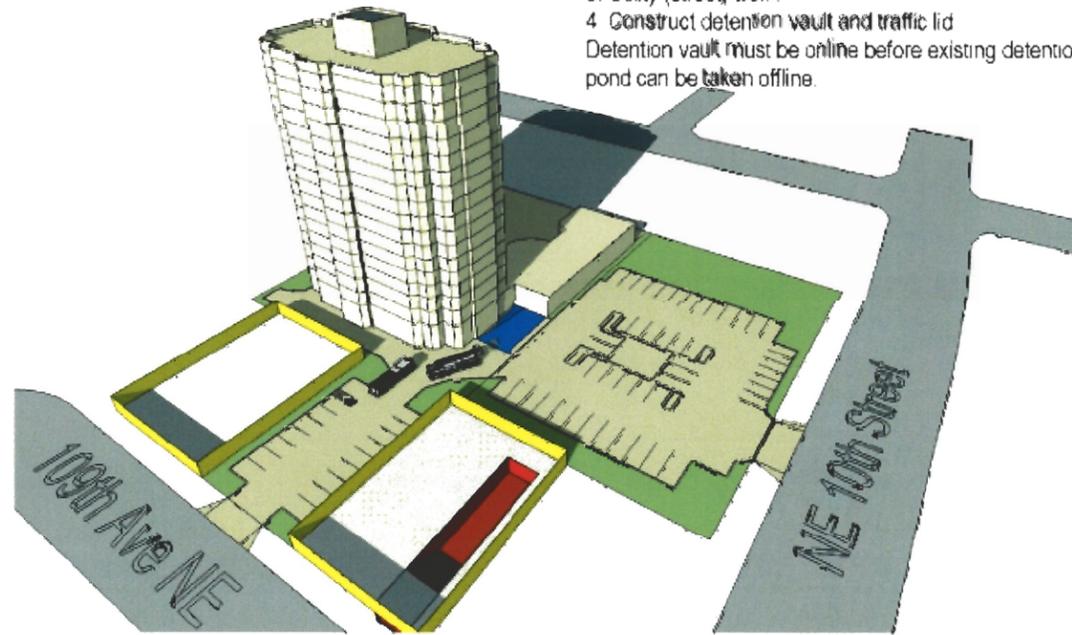
Sunrise  
Senior Living

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### Phase 1: Detention Vault

1. Demo existing houses on the 2 lots
  2. Shoring and excavation for the detention vault
  3. Utility (street) work.
  4. Construct detention vault and traffic lid
- Detention vault must be online before existing detention pond can be taken offline.



### Phase 4a: East Wing

1. Reconfigure entry drives
  2. Construction of 3-story East Wing
- Residents and emergency vehicle access to Tower One to be maintained without interruption.



### Phase 3: Tower & Podium

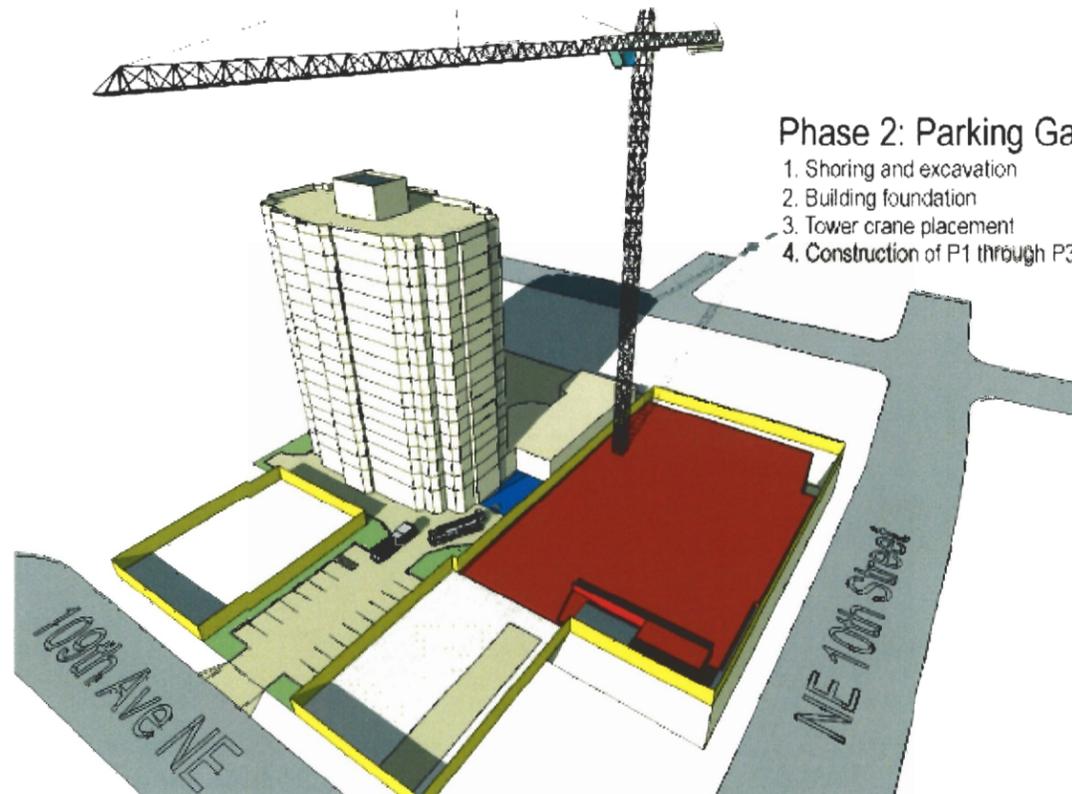
Construction of 22 story structure over underground garage.

PHASES	Months																											
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28
1 - Detention Vault	[Yellow]																											
2 - Parking Garage				[Green]																								
3 - Tower / Podium								[Blue] Tower - frame & skin														[Light Blue] Tower - interior work						
4 - East Wing / Renovation																	[Red] East Wing					[Yellow] Renovation						

This project is to be a SINGLE phase development with a continuous construction schedule. The information on this page depicts "construction" phasing and sequence.

### Phase 2: Parking Garage

1. Shoring and excavation
2. Building foundation
3. Tower crane placement
4. Construction of P1 through P3 garage



### Phase 4b: Renovation of Tower One

1. Renovation of First Floor
2. Renovation of 2nd & 3rd (health care) floors.
3. Add new design element (Screen) to roof/penthouse
4. Repair/refinish existing stucco with new color scheme



for an interactive animation of the phasing scheme, please visit: [www.SunriseBellevue.com/phasing](http://www.SunriseBellevue.com/phasing)

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 Sunrise Senior Living  
 Design Review Resubmittal  
**MITHUN**



- Proposed Tower One Upgrades:
- New ground floor facade
  - New amenities on First Floor
  - Extended parapet on roof (as shown)
  - Patch and repair stucco
  - New two-tone paint scheme



Extend roof parapet at north and south ends 6'-0" to create articulation for the roof line. The new parapet will also optically soften the harsh protrusion of the existing mechanical penthouse.



New two-tone paint scheme to further define and reinforce the building forms (final color selection to be approved by Planning Dept.)

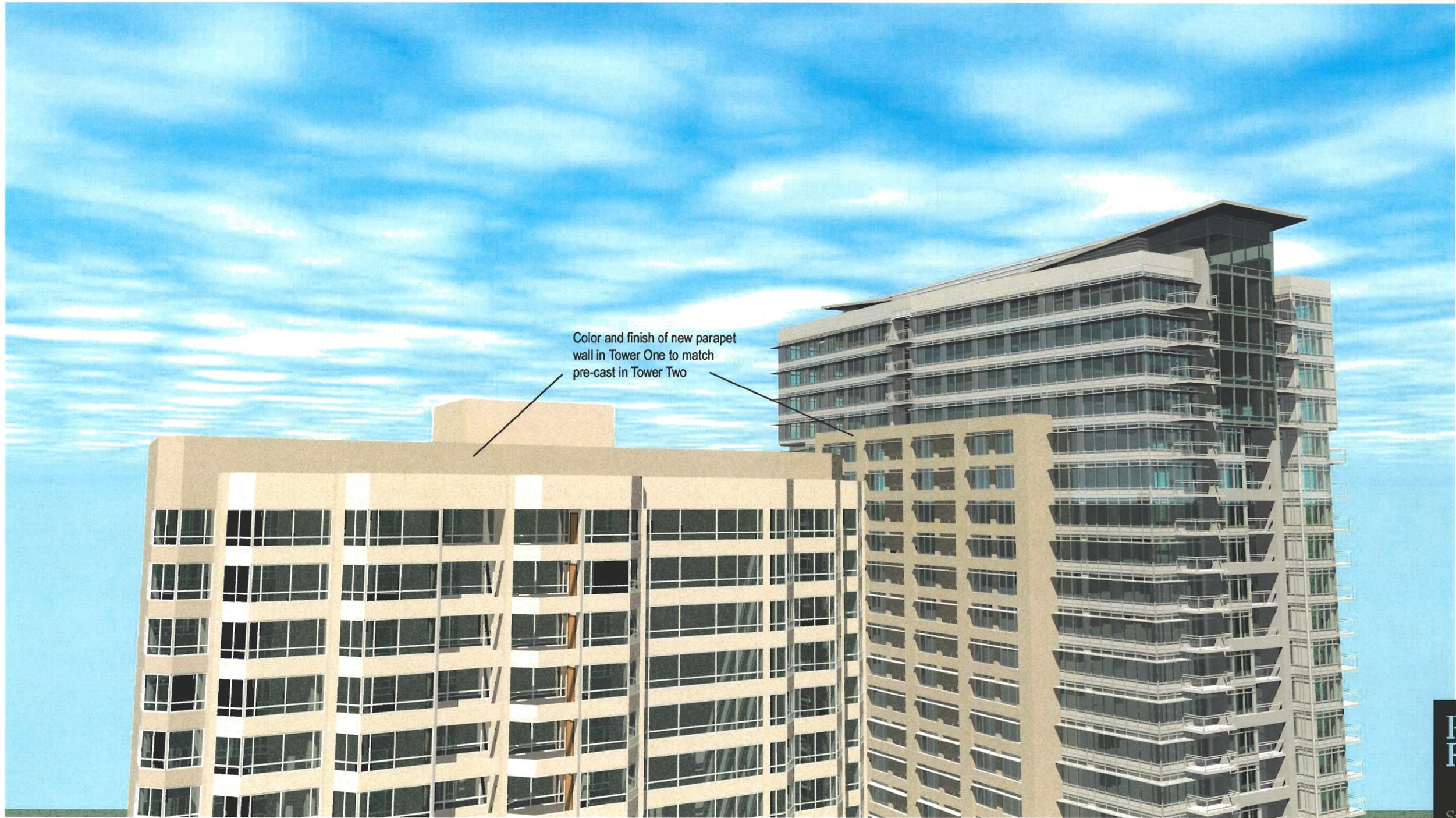


Color and finish of new parapet wall in Tower One to match pre-cast in Tower Two

### Tower One Upgrades

Pacific Regent  
Sunrise Senior Living  
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Color and finish of new parapet wall in Tower One to match pre-cast in Tower Two

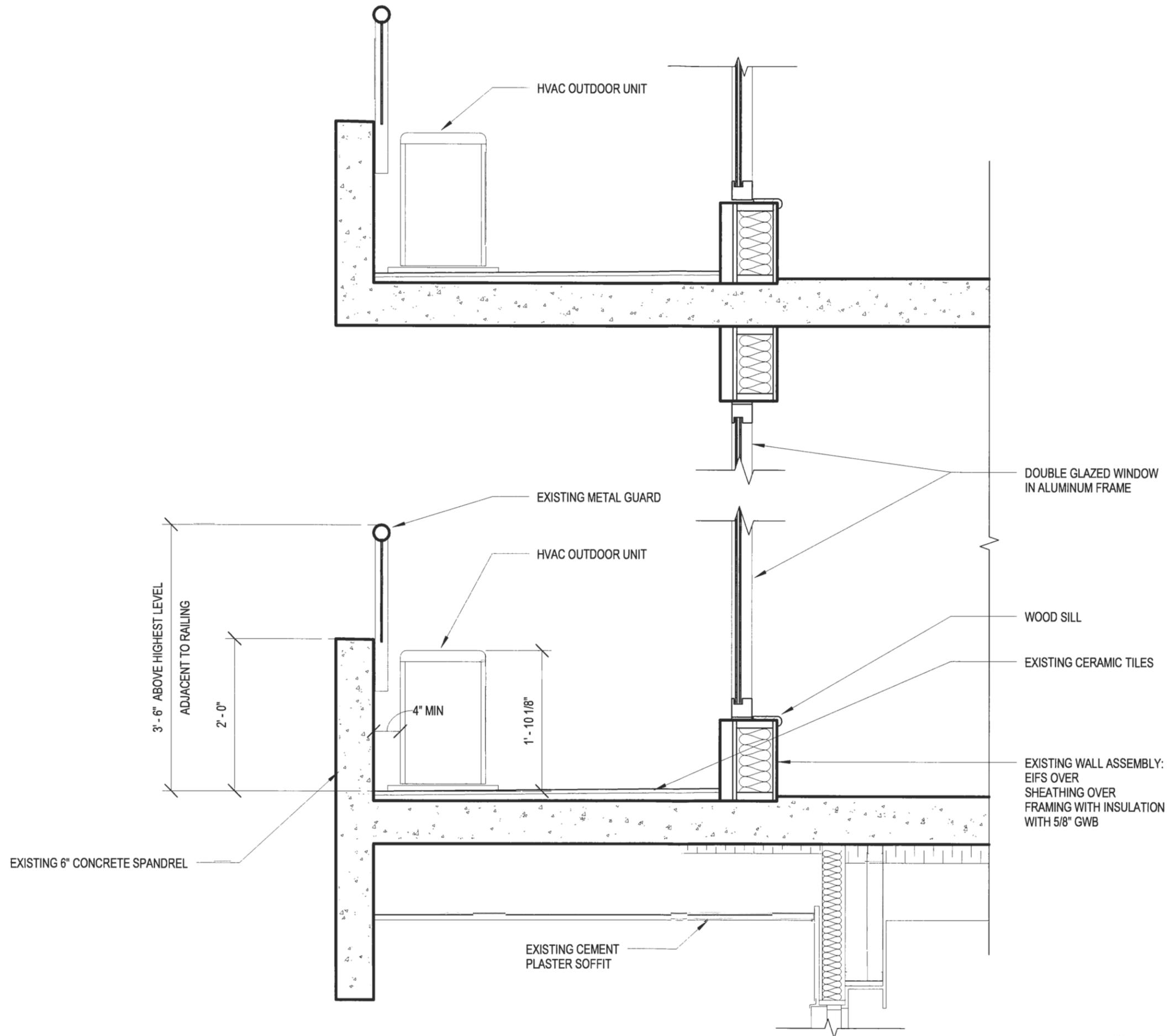
## Tower One Upgrades

Pacific  
Regent

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3' - 6" ABOVE HIGHEST LEVEL  
ADJACENT TO RAILING

2' - 0"

4" MIN

1' - 10 1/8"

EXISTING 6" CONCRETE SPANDREL

EXISTING CEMENT PLASTER SOFFIT

DOUBLE GLAZED WINDOW  
IN ALUMINUM FRAME

WOOD SILL

EXISTING CERAMIC TILES

EXISTING WALL ASSEMBLY:  
EIFS OVER  
SHEATHING OVER  
FRAMING WITH INSULATION  
WITH 5/8" GWB

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Regent

Sunrise  
Senior Living  
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MITHUN

Received  
JAN 19 2011  
Permit Processing

DECK SECTION

01/05/11 Sheet # 45

NE 10th Street

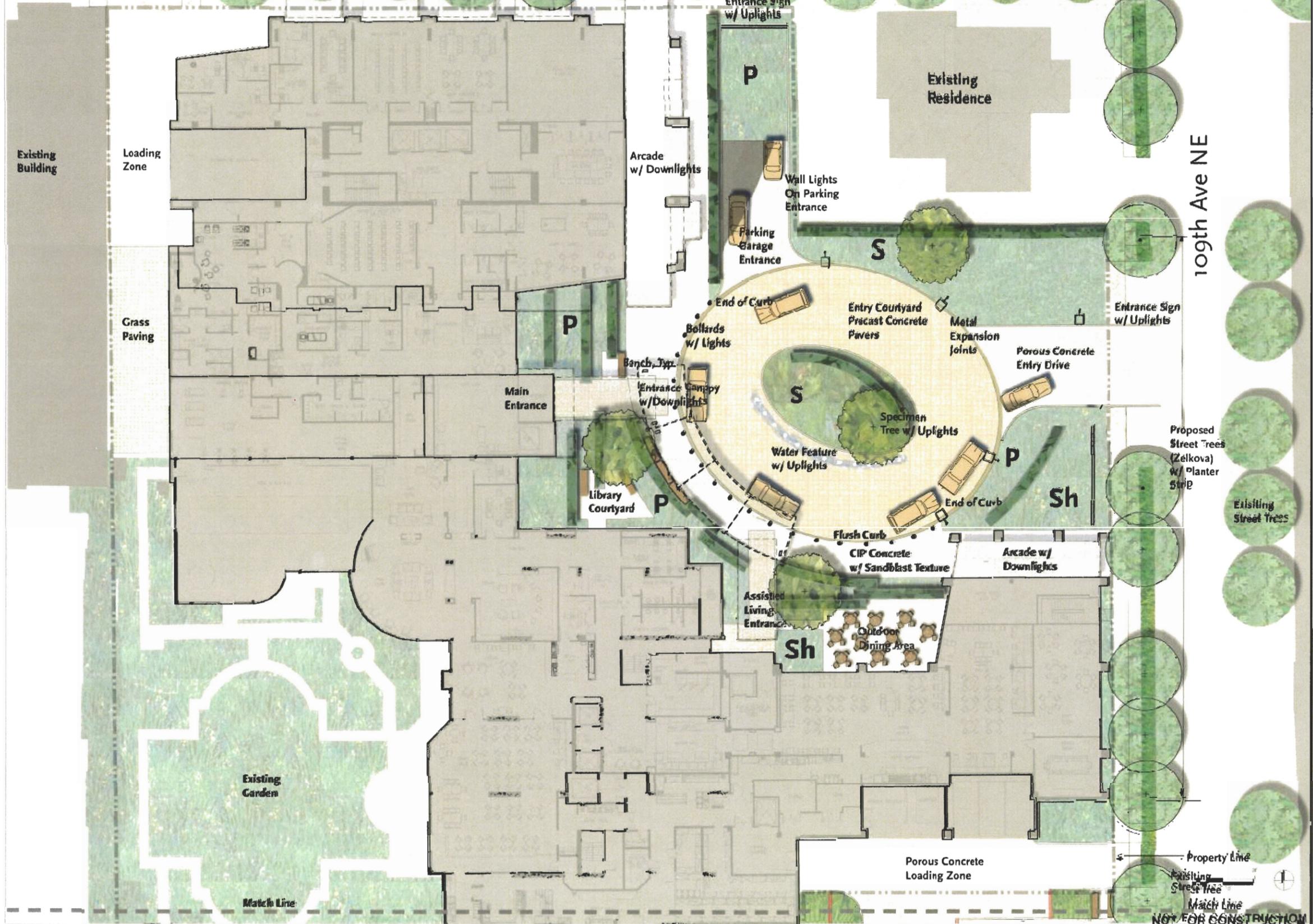
Existing Crosswalk

Street Trees To be Removed (Zelkova & Yoshino Cherry Mix)

Existing Street Trees (Zelkova & Yoshino Cherry Mix)

Proposed Street Trees (Zelkova & Yoshino Cherry Mix) w/ Planter Strip

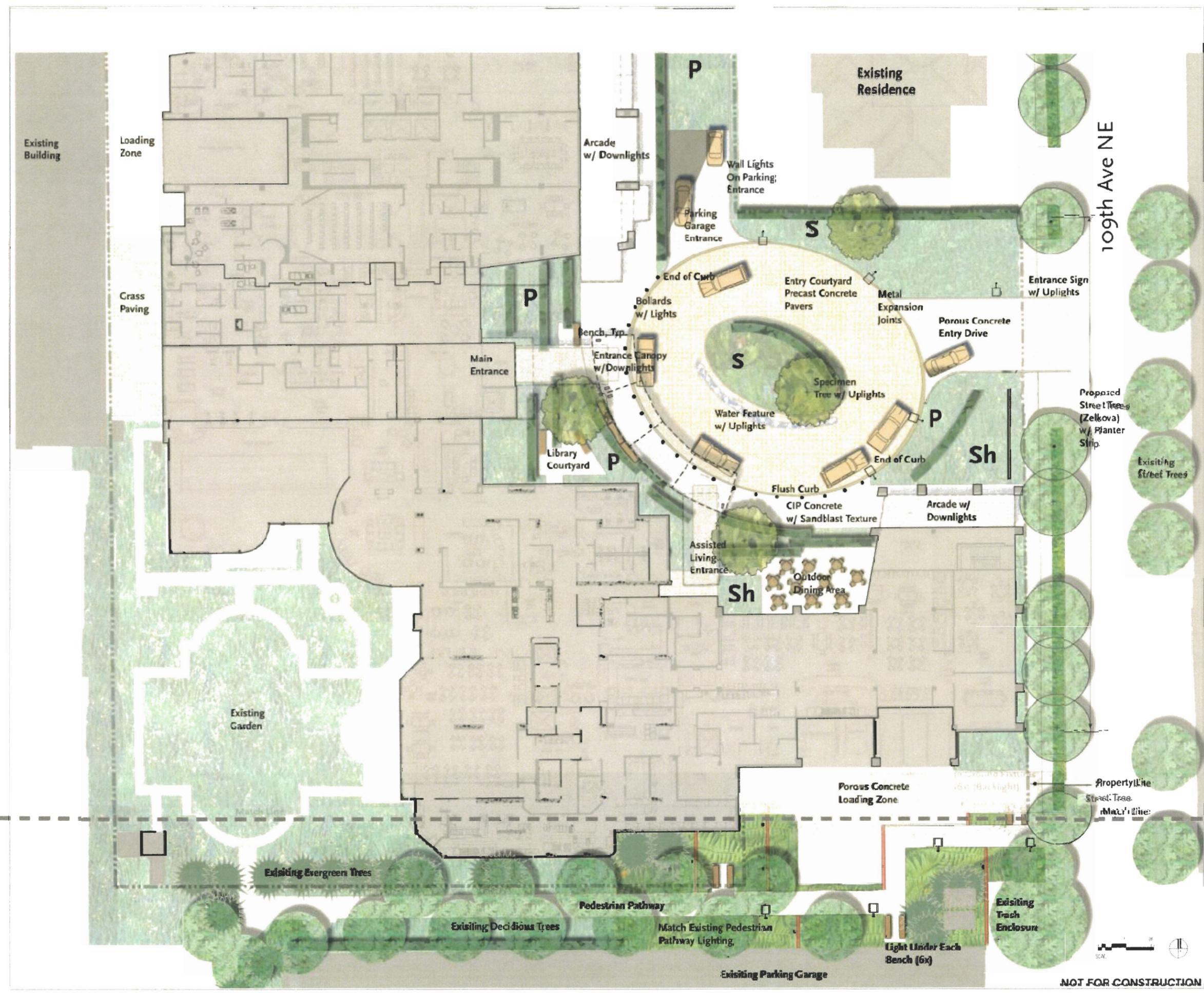
Existing Street Trees (Zelkova & Yoshino Cherry Mix)



NO.	DATE	DESCRIPTION
05/16/2006	DR	05/16/2006 DR COMMENTS
10/12/2006	DR	10/12/2006 DR COMMENTS
11/15/2010	DR	11/15/2010 DR COMMENTS

**FOR PERMIT ONLY**  
THIS DOCUMENT HAS BEEN PREPARED FOR PERMIT APPLICATION AND IS SUBJECT TO THE CITY OF BELLEVUE'S PERMITTING PROCESS.  
**LANDSCAPE PLAN**

05/22/00  
10/12/06  
11/15/10  
S:\2010\062900\Cad\



DATE	06/10/2008	DESCRIPTION	SP. SUBMITTAL
DATE	06/10/2008	DESCRIPTION	LANDSCAPE DOCUMENTS
DATE		DESCRIPTION	



Site Lighting Options



Site Furnishing Options



05-10-2005 08:58:11 AM

PROJECT SHEET  
DATE: 05-10-2005  
TIME: 08:58:11 AM  
SCALE: 1/8" = 1'-0"  
DRAWN BY: J.M.  
CHECKED BY: S.C.  
APPROVED BY: R.F.  
DATE: 05-10-2005

**FOR PERMIT ONLY**

THIS DOCUMENT HAS BEEN PREPARED FOR PERMIT APPLICATION AND IS SUBJECT TO REVIEW AND MODIFICATIONS BY GOVERNMENTAL AGENCIES

**SITE FURNISHINGS**  
LIGHTING

DATE: 05-22-05  
BY: J.M.  
DATE: 05-12-2005  
BY: S.C.  
DATE: 05-22-05  
BY: R.F.

**L4.10** SET



NOT FOR CONSTRUCTION





## Attachment D

### STREET TREE/PEDESTRIAN CONNECTION PLANTING SPECIFICATIONS

#### Root Control Barriers.

The following specifications shall apply to all new street trees and along both mid-block connections. The installation shall include 18-inch Linear Barrier LB18-2 root control barrier. Unless specified otherwise, a 10-foot length shall be placed on center with the tree and on the sidewalk side only.

#### 3.40 PLANTING SITE PREPARATION

##### A. Soil Preparation and Conditioning

- All debris, wood chips, pavement, concrete and rocks over 2-inches in diameter shall be removed from the planting pit to a minimum of 24-inch depth, unless specified.

##### B. Planter Pit

- Trees in a confined planter pit or sidewalk area: The planting hole shall be excavated to a minimum of 36- inches deep x the width and length of the exposed area. Scarify the sides of the pit. Soil beneath the rootball shall be compacted to prevent settling.

##### C. Drainage

1. Poor drainage. A percolation test is required to ensure there is adequate drainage for planting new trees. Each planting pit shall be reviewed by the contractor and the City's Project Manager and/or his/her designee prior to plant installation. One or more of the following mitigations are required for locations with poor drainage.
2. Mitigation for locations with poor drainage; Install french drain. The trench shall radiate away from the tree and be a minimum of 18-inches in depth filled with drain rock. The grade shall fall away from the tree trunk. Install drain tiles or perforated pipe directing water away from the tree -, Install a drain chimney at the bottom of the planting pit, a minimum of 4-inches in diameter and filled with medium sand or pea gravel to ensure percolation of all water from the filled planter pit. Auger bore drain holes to penetrate hard pan or clay layer a minimum of 12-inches into undisturbed pervious soil. Angle the boring as close to vertical as possible.
3. Planting Percolation Test. Test each planting pit, as per #1, is required. Fill planting hole with water, provide drainage that is greater than 2-inches per hour. If percolation is less, one or more of the following mitigation measures must be implemented for tree planting (see *Soil Improvement, Section 5.50*).

##### D. Aeration tubes for trees

*Street trees* planted in the City right-of-way, sidewalk planter pits, planting strip, medians or *designated trees* when specifically required in development plans, shall use 4-inch diameter perforated aeration piping (rigid or flexible), circling the bottom of the planter connected to a 'T' fitting to two riser tubes with grated caps and wrapped with filter fabric, per Public Works Planting Detail #503 for tree wells or #504 for planter strip planting (see *Appendix H*). This detail shall be shown on the approved landscape plans -, All other trees (see *Aeration Tube Table, 3-2*) shall be planted with 4-inch diameter perforated aeration tubes with grated plastic caps placed at the edge of the root ball to the bottom of the pit per Table 3-2, Aeration Tubes. Irrigation heads shall not be installed inside the aeration pipes. Required Practices Any of the above holes, pipes, grates or fixtures shall include the installation of Filter Fabric wrap over the side openings and secured as recommended by manufacturer when connected to an approved aeration system.

### **3.45 PLANTING THE TREE**

#### **A. Perform percolation test**

If the soil is dry, add a few inches of water in the hole. Let it drain before planting the tree (see *Percolation Test, Section 3.40 C*).

#### **B. Depth**

To check the proper depth of the rootball, place the tree in the hole and lay a pole or shovel across the original grade - the top of the root ball should be 1 to 2-inches higher (see *notes on depth, Section 3.40 B*).

#### **C. Container and Roots**

Remove tree from the container and trim the root ball in the following way.: Thick circling roots: straighten and/or cut cleanly Thin roots: make three to four vertical cuts 1/2-inch deep around root ball, spread the bottom out if necessary

#### **D. Placing the Tree**

Locate the tree in the hole, and rotate the tree to direct the main branches away from the street side, if possible.

#### **E. Filling the Hole**

Place the aeration tubes, fill the hole halfway up with original soil (amended soil only when approved), and gently tamp out air pockets with a pole or shovel handle. Add about 1-inch of water, and let drain. Fill the rest of the hole to grade, water the fill soil, and let drain.

#### **F. Staking**

Place the stakes at the edge of the root ball (drive them 2-feet into undisturbed ground), and avoid contact with the branches. If in a windy area, set the stakes in a plane at right angles to the wind. Remove the nursery stake. Loosely place two ties in a figure eight around the trunk, as low as needed to hold the tree upright and nail to the stake. Stakes shall be trimmed so that the branches clear the top of the stake. Do not install a cross-brace.

### **AERATION TUBE TABLE**

#### **TABLE 3-2**

Aeration Tubes

TREE SIZE

15 gallon trees

24' box trees

36' box trees

48' box trees or larger

NUMBER OF TUBES

one tube

two tubes

three tubes

four tubes or as needed

**Attachment E**  
**ENVIRONMENTAL CHECKLIST**

**ENVIRONMENTAL CHECKLIST**

4/18/02

If you need assistance in completing the checklist or have any questions regarding the environmental review process, please visit or call the Permit Center (425-452-6864) between 8 a.m. and 4 p.m., Monday through Friday (Wednesday, 10 to 4). Our TTY number is 425-452-4636.

**BACKGROUND INFORMATION****RECEIVED**

MAY 12 2006

Property Owner: Sunrise Development Inc.

Proponent: Mithun Inc.

**PERMIT PROCESSING**

Contact Person: Stewart Chung AIA / Dan Zemanek

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

Address: 1201 Alaskan Way, Seattle, WA 98101

Phone: 206 623-3344

Proposal Title: Pacific Regent Phase II

Proposal Location: 909 109th Avenue NE, Bellevue

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

Please attach an 8 1/2" x 11" vicinity map that accurately locates the proposal site.

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

1. General description: 22 story residential tower + 3 story health center add-on to an existing structure
2. Acreage of site: 2.145 acres
3. Number of dwelling units/buildings to be demolished: One (1) Single family house
4. Number of dwelling units/buildings to be constructed: (new) 152 dwelling units; 2 buildings
5. Square footage of buildings to be demolished: About 2,000 SF
6. Square footage of buildings to be constructed: 332,125 SF
7. Quantity of earth movement (in cubic yards): About 36,000 cu yard
8. Proposed land use: Multi-family residential
9. Design features, including building height, number of stories and proposed exterior materials:  
Building height: 235'; 22 stories; Exterior material: curtain wall (glass) & pre-cast concrete panels
10. Other: Vast improvement on amenities, including but not limited to: expanded kitchen and dining rooms; enlarged living room and library; health spa; theater; game room; community room; expanded underground parking; retail space; updated decor inside and out.

Estimated date of completion of proposal or timing of phasing:

Estimate date of completion is July 2009

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

There is no future addition or expansion planned for this project after this proposal

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

An EIS was done in the late 1980s when Phase One was built.

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

None beyond this proposal

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

Design review approval and approval for construction/building plans will be needed for this project

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

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

Preliminary Plat or Planned Unit Development  
Preliminary plat map

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

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

Shoreline Management Permit  
Site plan

#### A. ENVIRONMENTAL ELEMENTS

##### 1. Earth

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

b. What is the steepest slope on the site (approximate percent slope)?  
Site is flat.

c. What general types of soil are found on the site (for example, clay, sand, gravel, peat, and muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.  
Post-glacial deposits over glacial till to a depth of about 40 feet

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.  
No.
- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.  
There is a need to excavate for a 3 level subterrean garage. There will be soils removal but no fill is imported nor needed.
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.  
Erosion could occur as a result of clearing and construction. During this time it is possible for exposed soils to be eroded onto adjacent public or private properties during storm events or transported as dust. It is also possible for sediment laden runoff from the exposed site to enter the public storm drain system. Once the site is stabilized at the end of construction, general use will not result in soil erosion.
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?  
Approximately 85% of the site will be covered with impervious surfaces after project construction.
- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:  
An erosion and sedimentation control plan will be implemented to minimize erosion of soils from the site. The plan will include provisions for establishing clearing limits, cover measures, perimeter protection, traffic area stabilization, sediment retention, surface water control, and dust control. Erosion control measures that will be implemented include filter fabric fence, seeding and mulching, stabilized rock construction entrance, interceptor dikes and swales, and installation of a sediment trap prior to discharge to public storm drain system. Also, a dust control plan will be implemented throughout the project.

## 2. AIR

- a. What types of emissions to the air would result from the proposal (i.e. dust, automobile odors, and industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.  
Nothing beyond emission from machinery in the normal course of construction.
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.  
Nothing beyond emission from machinery in the normal course of construction.
- c. Proposed measures to reduce or control emissions or other impacts to the air, if any.  
Nothing beyond emission from machinery in the normal course of construction.

## 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, what stream or river it flows into.

No

- (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.

Not applicable.

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

No

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

No

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

No

b. Ground

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

No

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

No

c. Water Runoff (Incl. storm water)

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

Sources of runoff from the site include roof drainage, and runoff from sidewalks, driveways, and landscaped areas. The runoff will be collected in roof drains and catchbasins and routed through an on-site detention facility and discharged to the city's piped storm drainage conveyance system.

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

No

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

Runoff will be routed through an on-site detention facility to control runoff rates. Pollution generating surfaces will be routed through water quality facilities prior to discharge to the detention facility.

#### 4. Plants

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

deciduous tree: alder, maple, aspen, other

evergreen tree: fir, cedar, pine, other

shrubs

grass

pasture

crop or grain

wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other

water plants: water lily, eelgrass, milfoil, other

other types of vegetation

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

See Landscape Plan

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

None

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

See Landscape Plan

## 5. ANIMALS

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

Birds: hawk, heron, eagle, songbirds, other:

Mammals: deer, bear, elk, beaver, other:

Fish: bass, salmon, trout, herring, shellfish, other:

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

None

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

No

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

Not applicable

## 6. Energy and Natural Resources

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

Electric, natural gas and solar

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

No

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

Passive solar measures by shading and proper building orientation; high-E glazing; solar assisted water heating; geexchange system; etc.

## 7. Environmental Health

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

No

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

Not applicable

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

Not applicable

b. Noise

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

None

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

Short term: Normal construction related noise generated by construction equipment and machineries.

Hours: Construction hours as permitted by City ordinance.

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

All reasonable measures to minimize noise impact are expected of the construction crew.

8. Land and Shoreline Use

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

Multi-family

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

No

- c. Describe any structures on the site.

Existing 17 story multi-family building and a single family house currently used as a marketing office.

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

One (1) single family structure

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

DNTN-R

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

DNTN-R

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

Not shoreline

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

No

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

Max 300 new residents; 15 additional new staff

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

None

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

Not applicable

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

Proposed use is the intended and designated use for the zone.

## 9. Housing

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

152 new units of independent living units for seniors, a majority of them will be retirees.

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

No housing unit will be eliminated, currently the space is a parking lot.

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

Proposed project is a "community" offering a variety of amenities to the residents.

## 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?

Tallest part of building (mechanical penthouse) will be no more than 235' above adjacent grade.

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

The new tower will somewhat obstruct the northwest view of the existing tower 1, but obstruction to other/adjacent properties is minimal.

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

Existing Phase 1 tower is a dated 80's design.

The new tower will update and improve the aesthetic of the entire project.

## 11. Light and Glare

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

The glazing proposed for this project will NOT be mirror glass so reflective glare will be minimal.

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

No

- c. What existing off-site sources of light or glare may affect your proposal?  
None except street lighting and lights from the park to the north.
- d. Proposed measures to reduce or control light or glare impacts, if any:  
Site lighting will be defined so glare impact is minimal. Landscaping will also help to confine unwanted leakage.

## 12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?  
Ashwood Park and Bellevue library are to the north.
- b. Would the proposed project displace any existing recreational uses? If so, describe.  
No.
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:  
Proposed project will add these amenities: health club; theater; community meeting room; arts and craft room; game room.

## 13. Historic and Cultural Preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.  
No.
- b. Generally describe any landmarks or evidence of historic, archeological, scientific, or cultural importance known to be on or next to the site.  
None.
- c. Proposed measures to reduce or control impacts, if any:  
N/A

## 14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.  
NE 10th Street to the north of the site, but vehicular access to the project will be off 109th Ave NE (see Site Plan)
- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?  
NE 10th is served by Metro and Sound Transit bus services.
- c. How many parking spaces would be completed project have? How many would the project eliminate?  
There will be a total of 305 parking spaces.
- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).  
No.
- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.  
No.

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

See traffic study by Transpo Group.

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

See traffic study by Transpo Group.

**15. Public Services**

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

There will be an additional 168 new residential units (for seniors). There will be a nominal increased need for fire and police services.

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

Increased need will be nominal.

**16. Utilities**

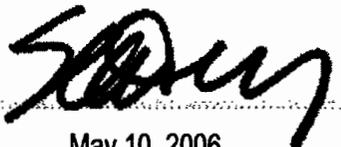
a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.

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

Electricity: Puget Sound Energy  
Natural gas: Puget Sound Energy  
Water: City of Bellevue  
Refuse: Rabanco  
Telephone: Verizon  
Sewer: City of Bellevue

**Signature:**

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

Signature..... 

Date Submitted..... May 10, 2006

**Attachment F**  
**CERTIFICATE of CONCURRENCY**

# CERTIFICATE OF CONCURRENCY

## PACIFIC REGENT PHASE II

This certificate documents the Transportation Department Director's decision that the development project at 919 109th Avenue NE (Design Review File No. 10-117762 LD) complies with the requirements of the Traffic Standards Code (BCC 14.10). This decision reserves 35 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

3/10/11

Date

Certificate No. 61