



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

Proposal Name: Boys and Girls Club Teen Center

Proposal Address: 15228 Lake Hills Blvd

Proposal Description: Application for a Conditional Use Permit to operate a youth center in the former Lake Hills Library located in the R-1 zoning district.

File Number: 11-119329-LB

Applicant: Boys and Girls Club of Bellevue

Decisions Included: Conditional Use Permit
(Process III LUC 20.30B)

Planner: Leah Chulsky, Assistant Land Use Planner

**State Environmental Policy Act
Threshold Determination:** Exempt

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: August 3, 2011
Notice of Application Publication Date: August 11, 2011
Decision Publication Date: October 6, 2011
Project Appeal Deadline: October 20, 2011

For information on how to appeal a proposal, visit Development Services at City Hall or call (425) 452-6800. 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's Clerk's Office by 5 PM on the date noted for appeal of the decision.

I. PROPOSAL DESCRIPTION

The applicant requests Conditional Use Permit (CUP) approval to locate a Teen Center within the former Lake Hills Library. Currently, the applicant operates after school commuter classes in the adjacent Lake Hills Club House (15230 Lake Hills Blvd) owned by the City of Bellevue. The new center will feature expanded programs targeted for middle school and younger high school students. No exterior modifications are proposed. The applicant will submit building permits for minor interior modifications.

II. SITE DESCRIPTION AND CONTEXT

The site is located at 15228 Lake Hills Blvd, the building used to house the Lake Hills Library (within the East Bellevue Community Council Jurisdiction). Vehicle access to the site is via a one-way entrance and exits off of Lake Hills Blvd. The site is adjacent to the City of Bellevue owned Lake Hills Greenbelt and Lake Hills Club House. The site is zoned R-1 (single family residential, and has a Comprehensive Plan designation of Parks/Single-Family Low. The site is also within the Lake Hills Greenbelt Access Area quiet zone (Bellevue City Code 9.18.041).

Required Land Use Approvals

This site is located within the Jurisdiction of the East Bellevue Community Council and as such the Conditional Use permit is a Process III decision (LUC 20.35.300). Process III decisions are quasi-judicial decisions made by the City Council and approved or disapproved Community Council. Decision criteria and decision criteria compliance is discussed in Section VIII. The Hearing Examiner holds a public hearing and takes testimony from the public on the proposal and recommends an action to the City Council. Once the City Council approves or approves with modifications, the decision is not effective within the jurisdiction of the Community Council until the Community Council votes to approve the decision or fails to disapprove the decision within 60 days of the City Councils approval.

III. CONSISTENCY WITH LAND USE CODE/ZONING REQUIREMENTS

A. General Provisions of Land Use Code

The site was originally developed in conformance with the general provisions of the Land Use Code. No redevelopment is proposed or approved under this application. Any future redevelopment is required to comply with all applicable Land Use Code requirements.

B. Parking

Under Land Use Code (LUC) 20.20.590.F Footnote (4), Teen Centers are unspecified uses. The applicant has provided documentation verifying the parking requirements for other Boys and Girls Club Teen Centers throughout the City (in the file). The children in the program do not drive; they arrive by school bus, club van and bus after school. Based on information provided, children in the program live in the surrounding neighborhood and will walk to and from the site. The program itself has three club vans and three staff members that park

onsite. The surrounding school release times are staggered so any bus/van drop off would also be staggered starting at 3 pm. The program closes at 7pm and the majority of students walk take the bus home. Some parents will be picking up children around 7pm, but based on existing demographics, the majority walk home after the program lets out.

A Parking License Agreement between the King County Library System and the City of Bellevue went into effect on September 9, 2010. The agreement, which is recorded at the King County Recorder's Office as instrument # 20100920000907, provides that users of the City's Community Center, located adjacent to the Library site, have a right to use up to 25% of the parking spaces on the Library site during the Community Center's normal business hours. That agreement is binding on the Library's successors on the property. The Boys and Girls Club's use of the former Library site must continue to accommodate such parking by users of the Community Center.

C. Lake Hills Greenbelt Access Area Quiet Zone

Bellevue City Code (BCC) 9.18.041 designates the subject property as a quiet zone. City Code limits the noise generated from residentially zoned property that is received by a residentially zoned property to 55 dBA during the day (7 am – 10pm) and 45 dBA at night (10 pm – 7 am). Based on the Noise Study conducted by Sparling Consultants, (in file) two meters were used to measure the level of noise. The first meter was located near the nearest neighbor, about 10 feet from the existing chain link fence, for continuous exterior sound level measurements. Meter 2 was moved around the exterior of the building to measure the sound coming through different components of the exterior façade. Music was played through an internal sound system at levels similar to the levels measured at a live performance at Ground Zero in Downtown Bellevue (live concerts for teens) which was held on Friday June 10, 2011, around 10 dBA at 15 feet from the speakers. The exterior sound levels at the property line were measured continuously between 7:30 pm and 9:45 pm and logged at 1 minute intervals. Noise levels at the nearest neighbor were right around the maximum daytime code limit of 55 dBA during the time the music was playing. During normal daily activities, sound attenuation provided by different components of the exterior façade: solid wall, windows, doors and roof kept the levels to less than the maximums established by Code. At a minimum, the consultants recommended stopping the music at 10 pm, sealing the north and east doors with full seals and installing a sound level monitoring system to limit the level of the noise. The applicant is proposing to install a noise monitoring system and retrofit the building to attenuate noise levels and meet the maximums allowed by Bellevue City Code. If over time, these conditions do not keep the noise levels within allowed levels per code, the Boys and Girls Club will be required to have a contingency plan in place for the center to reduce levels to meet code. See Section X for a related condition of approval.

IV. SUMMARY OF TECHNICAL REVIEWS

A. Utilities Review

Utilities Department technical staff confirms that there is sufficient capacity in existing utilities to provide service to this site, and there are no utilities related concerns regarding the proposed Conditional Use Permit.

B. Transportation Department Review

Trip Generation: According to information from the applicant, users of the site will be mostly teenagers who will not drive to the site. During the school year, most users will arrive via school bus or club vans after school is out at around 3:00 PM. In the summer, most arrivals are around 10:00 AM. Most users leave the site around 7:00 PM, when they may be picked up by parents, buses, or club vans. Some of the users live in the surrounding area and may be close enough to walk home in the evening. The site will be served by four to five staff that will generally be on-site from approximately 10 AM to 7 PM. In their environmental checklist, the applicants estimated that the proposed use will generate 20 vehicle trips per day, of which only a small percentage will be within the critical 4 PM to 6 PM peak period. In comparison, data from the Institute of Transportation Engineers indicates that the former library would typically have generated 7.3 PM peak hour trips per 1000 square feet. Thus, with 9100 square feet, the library would have generated 66 PM peak hour trips. Hence, the program proposed by the Boys and Girls Clubs will produce a significant reduction in PM peak hour trips compared to the library use. For that reason, no traffic mitigation, including no payment of traffic impact fees, will be required.

Frontage Improvements: The site fronts on Lake Hills Blvd, which presently has satisfactory frontage improvements, including curb, gutter, sidewalk, bike lane, planter strip, landscaping, and street lighting. No additional street frontage improvements are necessary.

Access: The site presently has two driveways accessing Lake Hills Blvd. Both driveway connections to the street will remain as existing. No driveway revisions are necessary or expected as part of the proposed development. The use of both driveways is presently shared with the adjacent City of Bellevue Community Center, and shared use of both driveways must continue to be allowed.

Right of Way Use Permit: The applicant or applicant's contractor will be required to apply for a right-of-way use permit from the City of Bellevue Transportation Department, Right of Way Division, if the project will involve hauling of ten or more truckloads, or will involve any new utility work within the street right of way. All loading, unload, staging, and construction worker parking must be on-site. See related condition of approval in Section X.

Transportation Department Conclusions: Based on the information above, the Transportation Department recommends approval of the Conditional Use permit to establish a Boys and Girls Club at the proposed location. No transportation mitigation is required, and no transportation-related Conditions of Approval are necessary, except for the likelihood that some form of Right of Way Use Permit may be required in association with the work.

If the program operated by the Boys and Girls Clubs changes in a way that leads to a significant increase in traffic, then transportation impacts and mitigations may need to be re-evaluated in the future.

VI. PUBLIC COMMENT AND RESPONSE

Application Date: July 21, 2011
Public Notice (500 feet): August 18, 2011 (Includes sign installation at the site)
Public Meeting Date: August 23, 2011
EBCC Courtesy Hearing: September 6, 2011

Notice of Application was published in the City of Bellevue's *Weekly Permit Bulletin* and the *Seattle Times* on August 18, 2011. It was mailed to property owners within 500 feet of the project site and a Public Information Sign was installed on the project site on the same day. A public meeting was held on August 23, 2011. No citizens attended the meeting. No comments were received as of the writing of this staff report.

VII. CHANGES TO THE PROPOSAL DUE TO STAFF REVIEW

The project was originally noticed with SEPA attached due to the potential number of new vehicle trips generated with the use. Based on a parking analysis done by the applicant and staff review it was determined that the use did not generate more the 20 new vehicle trips, and was therefore exempt from SEPA review.

VIII. APPLICABLE DECISION CRITERIA

The Director may approve or approve with modifications an application for a Conditional Use if the decision criteria listed in LUC Section 20.30B.140 can be met.

A. The conditional use is consistent with the Comprehensive Plan; and

The site is located within the Southeast Bellevue Subarea of the Comprehensive Plan.

Following is a summary of relevant Comprehensive Plan policies.

Land Use Element Policies:

Policy LU-20. Promote maintenance and establishment of small-scale activity areas within neighborhoods that encourage the pedestrian patronage and provide informal opportunities for residents to meet.

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

Finding: The proposal is consistent with the Land Use Element policies. The Conditional Use will allow an unused existing building to be renovated and converted into viable Teen Center servicing families in the surrounding neighborhood who have shown a desire for providing programming in this area.

Southeast Subarea Policies: The intent of the Subarea Plan is to provide a variety of park and recreation facilities to better serve residents and enhance the residential character of the Subarea.

Finding: The proposal is consistent with the Southeast Bellevue Subarea Plan by allowing the renovation of an older structure to provide enhanced and expanded recreational and after school opportunities for the children and families within the neighborhood.

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

The Conditional Use is compatible with the existing character of the surrounding development and neighborhood. The applicant is not proposing any exterior modification which will alter the existing character of the building.

C. The conditional use will be served by adequate public facilities including streets, fire protection, and utilities; and

The site is served by adequate public facilities including streets, fire protection, and utilities.

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

As conditioned, the new use will not be materially detrimental to the surrounding uses or properties.

E. The conditional use complies with the applicable requirements of the Land Use Code.

Teen Centers are permitted to locate within the R-1 zoning district as a Conditional Use. As conditioned the proposal meets the requirements of the Land Use Code.

IX. RECOMMENDATION OF THE DIRECTOR

After conducting the various reviews associated with this proposal, including applicable Land Use consistency, and City Code and Standard compliance reviews, the Development Services Department Director does hereby **RECOMMEND APPROVAL** of the Conditional Use Permit application for the Bellevue Boys and Girls Club Teen Center located at 15228 Lake Hills Blvd.

X. CONDITIONS OF APPROVAL

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

<u>Applicable Ordinances</u>	<u>Contact Person</u>
Land Use Code – BCC Title 20	Leah Chulsky, 425-452-6384
Noise Control – BCC 9.18	Leah Chulsky, 425-452-6834
Transportation Code – BCC Title 14	Carl Wilson, 425-452-4228

- 1. Noise Attenuation:** The applicant is required to install a noise monitoring system and limit noise levels to the maximum level permitted by Bellevue City Code. If, in the future, noise levels exceed maximum permitted levels The Boys and Girls Club will be required to have a contingency plan to reduce and attenuate the noise levels the concert programming will be required to be discontinued until such time as contingency plan measures can be implemented and compliance with the Noise Control code can be demonstrated.

Authority: Bellevue City Code, 9.18.042

Reviewer: Leah Chulsky, Development Services Department

- 2. Right of Way Use Permit:** The applicant or applicant's contractor will be required to obtain a hauling permit (a type of Right of Way Use Permit) from the city's Right of Way Division, if the project will involve hauling of 10 or more truck loads. A broader Right of Way Use permit may be required if other activities will affect city streets or sidewalks. Call 425-452-2888 for more information.

Authority: Bellevue City Code, 14.30

Reviewer: Tim Stever, Transportation Department

