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

DETERMINATION OF NON-SIGNIFICANCE

PROPONENT: **The Spring District Office Buildings 16 & 24**

LOCATION OF PROPOSAL: 1227 124th Avenue NE

DESCRIPTION OF PROPOSAL:
Construction of two office buildings with ground-floor retail space. The buildings will be 11-stories and 9-stories in height, with a total of approximately 525,140 gross square feet, excluding the parking areas. There will be 5 levels of underground parking with approximately 1,272 parking stalls total. The project includes demolition of approximately 358,310 square feet of existing structures. Site improvements include street improvements, site utilities, landscaping, and pedestrian circulation. The project includes an application for a Critical Areas Land Use Permit for installation of water and storm water connections to the city systems located in 120th Ave. NE. The project limit area is 14.75 acres.

FILE NUMBERS: **12-115899-LD** (Design Review) and **13-117266-LO** (Critical Areas Land Use Permit)

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 **July 25, 2013.**

☐ 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This DNS may be withdrawn at any time if the proposal is modified so as to have significant adverse environmental impacts; if there is significant new information indicating a proposals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 Helland — July 11, 2013
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

Proposal Name:	**The Spring District Office Buildings 16 & 24**
Proposal Address:	1227 124th Avenue NE

Proposal Description: Construction of two office buildings with ground-floor retail space. The buildings will be 11-stories and 9-stories in height, with a total of approximately 525,140 gross square feet, excluding the parking areas. There will be 5 levels of underground parking with approximately 1,272 parking stalls total. The project includes demolition of approximately 358,310 square feet of existing structures. Site improvements include street improvements, site utilities, landscaping, and pedestrian circulation. The project includes an application for a Critical Areas Land Use Permit for installation of water and storm water connections to the city systems located in 120th Ave. NE. The project limit area is 14.75 acres.

File Numbers:	**12-115899-LD** (Design Review) and **13-117266-LO** (Critical Areas Land Use Permit)
Applicant:	Wright Runstad & Company
Decisions Included:	Combined Design Review, Critical Areas Land Use and SEPA Determination
Process:	Process II, (LUC 20.35.200)
Planner:	Carol Hamlin, Senior Planner, 425-452-2731 CHamlin
Threshold Determination:	State Environmental Policy Act (SEPA): Determination of Non-Significance with incorporation by reference of the Bel-Red Corridor Project Draft and Final Environmental Impact Statements issued July 19, 2007 Carol V. Helland Carol V. Helland, Environmental Coordinator Development Services Department
Director's Decision:	**Approval with Conditions** Michael A. Brennan, Director Development Services Department Carol V. Helland By Carol V. Helland, Land Use Director

Application Date:	06-01-2012 (LD) and 06-06-2013 (LO)
Completeness Date:	06-21-2012 (LD) and 06-06-2013 (LO)
Notice of Decision Date:	07-11-2013 (LD and LO)
SEPA Appeal Deadline:	07-25-2013 at 5pm (LD and LO)
Appeal Deadline:	07-25-2013 at 5pm (LD and LO)

For information on how to appeal a proposal, visit the Development Services Center at City Hall or call (425) 452-6800. Comments on State Environmental Policy Act (SEPA) Determinations can be made with or without appealing the DR decision within the noted comment period for a SEPA Determination. Appeals 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:
- A - Project Plans
- B - Environmental Checklist
- C - Development Agreement signed on July 10, 2009 and recorded September 11, 2009
- D - Technical Memo by JMJ Team dated May 10, 2013 regarding Greenhouse Gas Emissions – Phase 1A Update
- E - Critical Areas Report by Shannon & Wilson, Inc . dated June 4, 2013
- F - Geotechnical Report by Hart Crowser dated April 6, 2012
- G - Certificate of Concurrency

I. REQUEST and REVIEW PROCESS

The applicant requests Design Review approval to develop Buildings 16 and 24, as a portion of Phase 1A of The Spring District Master Development Plan ("MDP").[1] The total square footage is 525,140 gross square feet, excluding the parking areas. There will be 5 levels of underground parking for 1,272 parking stalls. The total site area for the two buildings and associated improvements is 14.75 Acres.[2]

Building 16 will be an 11-story office building of approximately 344,636 square feet (excluding parking) with ground-floor retail uses. Building 24 will be a 9-story office building of approximately 180,504 square feet (excluding parking) with ground-floor retail uses.

To comply with MDP conditions, the project includes the following amenities: a temporary one-acre park, temporary 30,000 square feet of activated/recreation space, a traffic signal at 124th Avenue NE and NE 13th Street, and a multi-purpose trail along 124th Avenue NE (adjacent to the Phase 1A buildings). Other site improvements include site utilities, interim temporary surface parking (241 stalls), landscaping, streets, sidewalks, pedestrian/bicycle amenities, and temporary vendor food truck area (for approximately 3 vendors).

Site development will require demolition of a 358,310 square feet of existing structures (grocery warehouse and administration building). A guard shack of minimal size will also be demolished.

The project includes an application for a Critical Areas Land Use Permit for installation of water and storm water connections to the city systems located in 120th Avenue NE. To make this connection, the utility lines will run through an area of steep slopes and wetland buffer. The proposal includes restoration of any disturbed areas.

A. Site Design

The project site is roughly rectangular, measuring approximately 1,080 feet from east to west and varying from 480 feet to 600 feet from north to south. The Building 16 site is approximately 360 feet (north-south) by 240 feet (east-west). The Building 24 site is approximately 160 feet (north-south) by 240 feet (east-west). Both buildings will be located at the eastern edge of the site fronting 124th Avenue NE. The site is generally flat with the exception of a graded artificial slope located at the western edge of the site along 120th Avenue NE, with a slope up to 50 percent in areas.

Phase 1A of the The Spring District Master Development Plan includes development of two office buildings on parcels #16 and #24 and development of the residential component on parcels #17 through #23, along with construction of NE 13th Street, parts of 121st and 123rd Avenues NE, improvements on 124th Ave NE, and private accesses needed to serve the

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[1] The MDP was affirmed on appeal by the Hearing Examiner on October 8, 2012. Development Services File reference 11-125943-LP; Hearing Examiner File reference: AAD 12-41.

[2] The square footages for Phase 1A are not consistent with the Phase 1A as depicted on the approved Master Development Plan. As such, the city administratively approved minor modifications to the approved MDP, per LUC 20.30V.160.B and MDP condition X.A.13. The changes included minor clarifications to square footage, phasing and uses (i.e. vendor food truck area). A copy of this application and approval is available at the Records Room (13-117378-LJ). The minor nature of these modifications did not trigger an application which requires public notice, per LUC 20.35.015.G.

referenced parcels. The present Design Review is for part of Phase 1A, including the buildings on parcels #16 and #24, and construction of NE 13th Street, parts of 121st and 123rd Avenues NE, improvements on 124th Ave NE, and private accesses needed to serve parcels #16 and #24.

The project site vehicular access will be from a new signalized intersection on 124th Avenue NE and a new segment of NE 13th Street[3] consistent with the street plan approved in the Spring District MDP. Special consideration is given to this gateway entrance with landscaping along the street frontages, street trees and vehicular controls. The underground parking garages for both Buildings 16 and 24 will be accessed via a new segment of 123rd Avenue NE running along the west side of Buildings 16 and 24. A new segment of 121st Avenue NE will also be developed and extend north of NE 13th Street. An interim surface parking lot (241 stalls) will be developed at the northwest corner of 123rd Avenue NE and NE 13th Street. A paved vendor food truck area will be developed west of 121st Avenue NE. See condition X.B.7. This area can accommodate approximately 3 vendors.

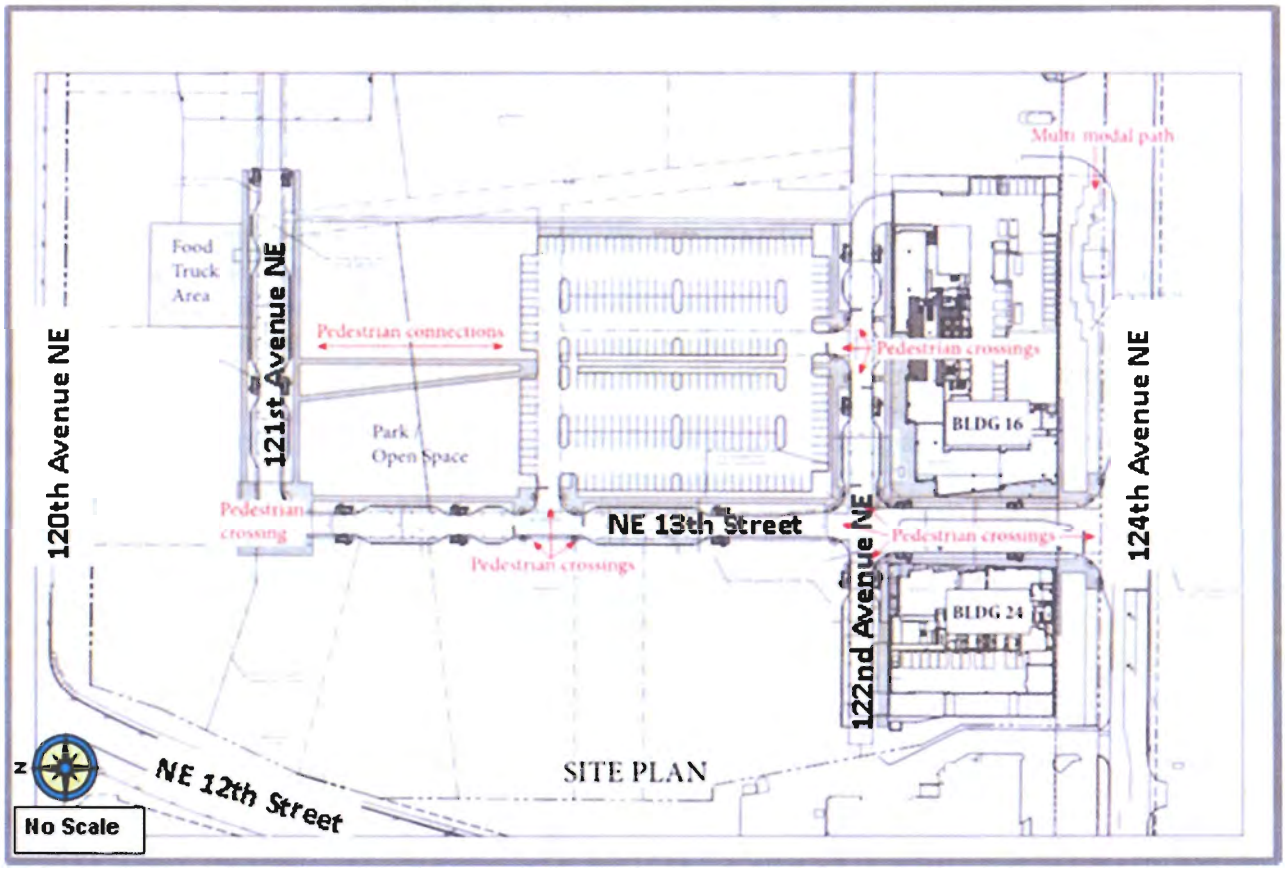
The applicant will supply landscaping, rain gardens, street trees, plantings, and street lighting along this phased development of NE 13th Street, 121st Avenue NE, and 123rd Avenue NE. A temporary one acre park space and an additional 30,000 square feet of recreation space will be developed west of the interim parking lot, and is required to be replaced by other park space in the future as the remainder of The Spring District is developed. A multi-purpose trail will be developed adjacent to 124th Avenue NE, along the east sides of Buildings 16 and 24. The pedestrian gateway at NE 12th Street and 120th Avenue NE will be developed during a future phase of development.

The primary pedestrian entrance to Building 16 will be on 123rd Avenue NE. Building 24 will have its main entrance on NE 13th Street. The proposed project incorporates 6-foot wide sidewalks plus 5-foot wide planting areas along NE 13th Street and portions of 121st Avenue NE and 123rd Avenue NE. Mid-block crossings, curb bulbs, on-street parking and other streetscape features will be implemented consistent with the Bel-Red Design Guidelines.

[3] The City is undertaking a street-naming exercise for the Bel-Red Corridor; NE 13th Street is a temporary name for logistical purposes and may be subject to change. See condition X.D.10.

Phase 1A Project Area

Site Plan
Pedestrian Connections



B. Building Design

Spring District Phase 1A is a mixed-use project that will construct two structures identified in The Spring District Master Plan as Buildings 16 and 24. Each includes both office and retail uses.

Looking east at Buildings 16 and 24

Building 16

Building 16 has a proposed height of 148'-3" (exclusive of the mechanical penthouse), which is below the 150-foot maximum in the BR-OR-1 zone. The exterior of Building 16 will be a horizontally-faceted glass curtainwall. The building will be 11 stories tall with 5 levels of underground parking. The ground floor will include an entry lobby and retail uses with separate outdoor entrances. The remaining 10 stories will generally be for commercial office space. Levels 1 and 2 will have a larger footprint than the upper levels presenting a base with a tower. The Level 2 roof will be designed with green/energy-efficient features and plantings, with a small outdoor area accessible to the building occupants. Approximately 2,500 square feet will be occupiable on Level 3 rooftop. Access to the parking garage will be from 123rd Avenue NE with internal ramps progressing to the lower levels. Loading docks and other service access for the building are on the ground floor and accessible via the parking garage entrance.

Table 1
Building 16

Floor areas for Building 16 are as follows:

Building 16 **Building/Use**	**Gross Floor Area (GFA)** See definition of "Floor Area, Gross." LUC 20.50.020
Commercial Office	300,962 square feet
Ground Floor Retail	11,296 square feet

Building 24
Building 24 has a proposed height of 124'-4" (exclusive of the mechanical penthouse), which is below the 150-foot maximum in the BR-OR-1 zone. Building 24's exterior will have a vertically-faceted façade that provides interesting shading and refraction of light along the surface of the structure to add visual interest and energy efficiency. The building will be 9 stories tall with 4 levels of underground parking. The ground floor will include an entry lobby and retail uses with separate outdoor entrances. Access to the parking garage will be from 123rd Avenue NE with internal ramps progressing to the lower levels. Loading docks and other service access for the building are on the ground floor and accessible via a separate entrance on 123rd Avenue NE.

Table 2
Building 24

Floor areas for Building 24 are as follows:

Building 24 **Building/Use**	**Gross Floor Area (GFA)** See definition of "Floor Area, Gross." LUC 20.50.020
Commercial Office	151,586 square feet
Ground Floor Retail	4,648 square feet

Building Materials for Both Buildings
Building materials for both buildings will primarily be clear, energy-efficient glass with aluminum accents. Along the base of both buildings, the project will use a combination of light and dark concrete. The canopies over ground-floor pedestrian areas on both buildings will be transparent glass and opaque metal. The tower elements (above the podium) are constructed primarily of glass with dark colored aluminum accents. The vision glass has special vertical and horizontal facets which provide differing effects with the sun and shade. The applicant shall submit final samples of all exterior building materials and colors for approval prior to issuance of a building permit. See condition X.C.14.

Building Materials

Proposed vision glass treatment for the tower elements (with horizontal and vertical facets)

C. Design Intent

The proposed project was designed to meet the requirements of the approved MDP and advance the goals of the adopted Bel-Red Subarea Plan. Special consideration was given to its location as the initial entry to Phase 1A of The Spring District. The office buildings and Phase 1A site improvements including the park, recreation space, multi-purpose trail, streets and sidewalk/pedestrian improvements are intended to begin the process of realigning the current warehouse/industrial site with the adopted goals for The Spring District neighborhood.

Photosimulation of Buildings 16 & 24
Looking West

As stated in the MDP staff report (page 5 of 74), The Spring District goals are as follows:

- Developing a new urban community composed of high quality regional business, commercial, retail, residential, and open spaces that are achieved with compact and sustainable urban growth.
- Establishing neighborhood identity.
- Creating a world class project that is a catalyst for new development throughout The Spring District and the Bel-Red Corridor in order to help develop a vibrant new district with a diversified economic base.
- Creating a project that is complementary to Downtown Bellevue.
- Creating a new business environment that is flexible for future market demands and achieves an economically sustainable future.
- Providing vibrant new parks, plazas, and open spaces that are environmentally responsive and encourage social interaction.

Conceptually, Buildings 16 and 24, taken together form the Phase 1A entry portal into the new Spring District neighborhood from 124th Avenue NE. This main entry is articulated by tower elements with canted facades along NE 13th Street. Building 16 is 11 stories tall in height while Building 24 is 9 stories in height. Both buildings are contemporary office buildings. The project will provide ground floor commercial/retail spaces to promote pedestrian activity along the sidewalk. The streetscape will include street trees, plantings, street lighting, and street furniture. This will provide shade, seating, and rain/wind protection.

Phase 1A will have clear pedestrian connections between the buildings, to the park, to the future residential buildings to be developed as Phase 1B, and to the surrounding area. The design also ensures that future Spring District development under the MDP will have appropriate pedestrian and vehicular circulation with this initial development.

Any modification to this approval shall be documented as an Amendment to this Design Review or as an addition or revision to this issued land use approval, processed as a Land Use Exemption. The applicant shall demonstrate compliance with the Land Use Code consistent with the Governing Regulations section of the Development Agreement. Any modification of the project design must be reviewed for consistency with the design intent as stated in this report. Conditions of Approval run for the life of the project. See condition X.A.13.

D. Review Processes

Design Review and Critical Areas Land Use Permit applications are Process II applications (LUC 20.35.200) with an administrative decision by the Director of Development Services (LUC 20.30V). The SEPA Determination is also a Process II decision with administrative decision by the Environmental Coordinator. Appeals are heard and decided by the Hearing Examiner for Process II applications.

II. SITE DESCRIPTION AND CONTEXT

A. Site Description

The proposal site consists of approximately 14.75 acres of the total 36-acre Spring District Site, including Parcels 12-14 and 16-24, and portions of adjacent tracts as identified on The Spring District Master Development Plan. Existing buildings to be demolished total approximately 358,310 square feet and include a dry grocery warehouse and administration building. A small guard shack will also be demolished.

Existing Site Conditions

The site is located in the southwestern portion of the City's Bel-Red Corridor, east of downtown approximately ½ mile east of Interstate 405 and 1/3 mile south of State Route 520. The Spring District is bounded by 120th Avenue NE, NE 12th Street, and 124th Avenue NE. The proposal site for this application is located in Phase 1A which constitutes approximately the southernmost third of The Spring District MDP boundary.

The Phase 1A site area is generally flat, although there is an artificially-graded slope of up to 50 percent at the western edge of the site along 120th Avenue NE. A Type A wetland buffer is located along this same western edge of the site. There is a Seattle City Light easement (45 feet wide) along the eastern property line adjacent to 124th Avenue NE.

There is some native deciduous and evergreen vegetation within the protected slope. As viewed from the adjacent streets, the site appears as a typical industrial site with large box concrete buildings (up to 2 stories in height), truck loading docks, roll-up warehouse doors, chain link fences with barbed wire, wide expanses of paved driving surfaces, and semi-trucks maneuvering onsite.

North of The Spring District are the Safeway Ice Cream and Milk production buildings. Office and light industrial uses are located to the northeast and west of the site. A car dealership (Barrier Motors) is located to the west at NE 15th Street. Retail uses are located south of NE 12th Street. The Lake Bellevue neighborhood (restaurants/retail, office, multi-family use) is located to the southwest of the site. Residential neighborhoods (Wilburton neighborhood, multi-family units) are located to the south /southeast of the site.

Vicinity Map

Aerial Photograph of
Master Development Plan Boundaries

B. Site Context

The Spring District site, including the Phase 1A area in this application, was approved as a catalyst project under The Spring District Master Development Plan and LUC 20.25D.035. Through a long planning process, the City created a framework to transform the Bel-Red Corridor in order to meet the City's future residential and economic needs. This proposal is the first significant redevelopment under the City's adopted Bel-Red Sub-Area plan and related development regulations.

The primary development in this application, Buildings 16 and 24, is on the east side of The Spring District along 124th Avenue NE. The proposed NE 13th Street will be a gateway to The Spring District and run between the new buildings. The buildings will front a new segment of 123rd Avenue NE that will eventually provide internal circulation to the redeveloped Spring District area.

Until additional development occurs, Buildings 16 and 24 will face a new temporary surface parking lot across 123rd Avenue NE and park to the west; later phases of The Spring District will bring additional office buildings adjacent to Building 16 and residential development adjacent to Building 24. The cold storage warehouse and other buildings on the remainder of The Spring District will continue operating until they are redeveloped under the MDP.

History of Site: Beginning in the 1910s, The Spring District property and adjacent areas contained several single-family homes with the balance of the land being used for agricultural purposes. Beginning in the 1950s, Safeway Inc. substantially graded the site to flatten it and facilitate development of distribution and processing plants. Additions and improvements to the

warehouses continued into the 1970s. In 2005, Safeway relocated much of their operation to a new plant in Auburn, WA. Also in 2005, the City began a process to rezone the 900-acre Bel-Red corridor from industrial to mixed-use. In 2007, Wright Runstad & Company in partnership with Shorenstein Properties purchased 36 acres of surplus Safeway land located around the future 122nd development node. In 2009, the City completed its rezone and executed a Development Agreement (DA) with The Spring District to be implemented through a new Master Development Plan for the property. The current Design Review application is the first application for the initial two office buildings associated with the 2012 approved Master Development Plan.

III. CONSISTENCY WITH LAND USE CODE/ ZONING REQUIREMENTS

A. General Provisions of the Land Use Code

The site is located in the Bel-Red Land Use district. As such, the proposal is subject to the Bel-Red requirements of Land Use Code 20.25D, including the following:

- Design Review LUC 20.25D.140
- Local Streets LUC 20.25D.140.A
- On-Street Parking LUC 20.25D.140E
- Design Guidelines LUC 20.25D.150
- Gateways LUC 20.25D.150.B.3
- Pedestrian Emphasis LUC 20.25D.150.C
- Architectural Guidelines LUC 20.25D.150.D
- High Quality Materials LUC 20.25D.150.D.1
- Parking, Circulation, and Internal Walkway Requirements LUC 20.25D.120
- Local Street requirements LUC 20.25D.140.A
- Bicycle Parking requirements LUC 20.25D.120.G
- Bel-Red Corridor Plan
- Catalyst Project LUC 20.25D.035
- Master Development Plan File #11-125943-LP, issued October 8, 2012 by Hearing Examiner
- Development Agreement signed July 10, 2009 and recorded September 11, 2009
- Critical Areas Land Use Permit LUC 20.30P

The Spring District property is zoned BR-OR-1 and BR-OR-2, with the buildings proposed under this application exclusively in the BR-OR-1 zone. Additional site improvements are located in the BR-OR-2 zone. The Spring District was rezoned in 2009 as part of the City's major initiative to transform the Bel-Red corridor to "a major mixed use employment and residential area characterized by a transit-oriented, nodal development pattern, over time replacing the area's original low intensity light industrial and commercial past." The Spring District Development Agreement (2009) and Master Development Plan (2012) both apply to the site.

The Land Use Code states the following purpose for the BR-OR-1 zoning which **applies to Buildings 16 and 24**:

> Bel-Red-Office/Residential Node 1 (Bel-Red-OR-1). The purpose of the Bel-Red-OR-1 Land Use District is to provide an area for a mix of office, housing and retail uses within the core of a nodal area, with offices as the predominant use. The district is limited in extent in order to provide the level of intensity appropriate for

> areas in close proximity to the highest levels of transit service within the Bel-Red area.

The Land Use Code states the following purpose for the BR-OR-2 zoning, which applies to the balance of the improvements under this Design Review application (**including surface parking lots, park areas, streets and streetscape**):

> Bel-Red-Office/Residential Node 2 (Bel-Red-OR-2). The purpose of the Bel-Red-OR-2 Land Use District is to provide an area for a mix of office, housing and retail uses, with office as the predominant use. The district is located within a node but outside the node's core, and building heights provide for a transition between the node's core and areas outside the node.

Adjacent development and zoning are as follows:

> North: Remainder of The Spring District (BR-OR-1) and Safeway Ice Cream/Milk Plant (BR-OR-1 and BR-OR-2).
>
> South/Southwest: Offices (BR-OR), Brierwood Center offices and retail (BR-CR), Lake Bellevue condos, offices, and retail (BR-R, BR-GC).
>
> West: Auto dealership, offices, light industrial activities (BR-OR-2).
>
> East: Coca-Cola Bottling, warehouses (BR-OR).

Table 3
Dimensional Requirements

Item	Permitted/Required	Proposed Building 16	Proposed Building 24	Comments/Conditions
Zoning	Zoning district Bel-Red OR-1	No change.	No change.	Zoning designation for the two office buildings.
Project Limit	No minimum	83,292 SF (Parcel area)	44,590 SF (Parcel area)	Building 24 garage parking will extend under Tract A (123rd Avenue NE), not included in Parcel area.
Allowed Land Uses LUC 20.25D.070	Office, retail, restaurant and parks.	Office, retail, restaurant and parks.	Proposed land uses meet the Land Use Code.	Meets Land Use Code.
Building Height	Base 45'0" Maximum 150'0" Zoning is OR-1	148'-3"	122'-7"	Meets Land Use Code. An additional 15' of height is allowed for rooftop mechanical equipment per LUC 20.50.012. A building height survey will be required prior to any certificate of occupancy. See conditions X.C.15 and X.D.5.
Floor Area Ratio (FAR)	2.5 - 4.0 FAR Per LUC base 1.0 FAR, maximum 4.0 FAR. Per Catalyst Project Criteria, the FAR within the project limit shall exceed 2.0 FAR. Per the Development Agreement, development across the MDP property shall have a minimum 2.5 FAR.	2.68	2.52	2.62 FAR Phase 1A FAR average. Meets the LUC, DA and MDP Condition X.B.6 for Phase 1A.
Total Gross Square Feet Office (GSF)	Phase 1A commercial: 507,365 SF per approved under Land Use Exemption 13-117378-LJ.	332,210 SF Office only	175,155 SF Office only	Meets MDP as modified by Land Use Exemption 13-117378-LJ.
Exempt Retail/Ped-Oriented Frontage Floor Area	Phase 1A retail: 17,775 SF approved under Land Use Exemption 13-117378-LJ.	12,426 SF Retail only	5,349 SF Retail only	Meets MDP as modified by Land Use Exemption 13-117378-LJ.
Total	Office and Retail	344,363 SF	180,504 SF	Total 2 buildings: 525,140 SF

Item	Permitted/Required	Proposed Building 16	Proposed Building 24	Comments/Conditions
Floor Area per Floor Above 80 Feet	28,000 SF per LUC 20.25D.080.A	23,047 – 27,005 SF (floors 7-11)	15,718 - 18,501 SF (floors 7-9)	Meets Land Use Code.
Setbacks				
Front **Rear** **Side** 124th Avenue NE Seattle City Light	0' setback subject to stepbacks/setbacks per Notes (2) and (14) of LUC 20.25D.080.A.0 0	0 45' on east side	0 45' on east side	Meets code. 45' setback accommodates existing Seattle City Light easement along 124th Avenue NE.
Façade Setbacks Upper Level Façade Stepback	LUC 20.25D.080.A (2): 15' stepback within 40' of building height	15' façade setback at 31' building height	15' stepback at 16' building height	Meets Land Use Code.
Maximum Impervious Surface Area/Lot Coverage LUC 20.25D.080	Maximum 75%	69% with Building 24	69% with Building 16	The existing condition is 89% for impervious surface. The applicant will reduce impervious surface to 69% which is under the code maximum of 75% and therefore meets code. See condition X.C.8.
Recycling & Solid Waste Office Retail	LUC 20.20.725 Office: 2 SF per 1,000 SF Retail: 5 SF per 1,000 SF	Office: 2 SF/1,000 SF @ 332,210 SF = 664 SF required. Total Area provided (Office): 680 SF Retail: 5 SF/1,000 SF @ 12,426 SF = 62 SF required. Total Area provided (Retail): 69 SF	Office: 2 SF/1,000 SF @ 175,155 SF = 350 SF required. Total Area provided (Office): 369 SF Retail: 5 SF/1,000 SF @ 5,349 SF = 27 SF required. Total Area provided (Retail):30 SF	Meets Land Use Code. See condition X.C.17.

Item	Permitted/Required	Proposed Building 16	Proposed Building 24	Comments/Conditions
Site Landscaping - Street frontage - Surface Parking area LUC 20.25D.110 LUC 20.20.520.	Site landscaping required per LUC 20.25D.110 for Local Streets (street trees, 5' planter strip). Type V surface parking area landscaping.	Site landscaping per LUC 20.25D.110 for Local Streets (street trees, 5' planter strip) and Type V for surface parking area landscaping.	Site landscaping per LUC 20.25D.110 for Local Streets (street trees, 5' planter strip) and Type V for surface parking area landscaping.	Meets Land Use Code. Landscape assurance devices will be required. See conditions X.D.8, 9. .
Sidewalk Width	Minimum 6'	6'	7' – 16'	Meets Land Use Code.

Table 4
Parking and Loading

Item	Permitted/Required		Proposed Buildings 16 & 24	Comments/Conditions
Parking NSF = Net Square Feet per definition LUC 20.50.036	**Min./Max. Permitted Ratios**	**Required and Permitted Parking Stalls**	**Proposed Parking Stalls**	**LUC 20.25D.120**
Office - General 436,604 Net Square Feet	2.0/3.5	873/1,528 stalls	1,222 - stalls	Meets Land Use Code.
Retail 15,944 Net Square Feet	2.0/3.5	32/56 stalls	50 - stalls	Meets Land Use Code.
Total 452,548 Net Square Feet		905/1584 stalls	1,272 - stalls	Meets Land Use Code. Accessible parking is provided in both buildings.
		Required	**Proposed**	**Comments**
Compact Stalls		Max. 50%	50%	Meets code. LUC 20.20.590
Loading Area		Required on-site, not in the right-of-way	Loading areas provided on-site. (north side of Building 16; west side of Building 24)	Meets code. LUC 20.20. 590.K.4

Other Land Use Code Topics:

1. **Blank Wall Building 16**
   The east elevation wall of Building 16 was a challenge in that the massive blank wall did not meet the design guidelines of the Bel-Red Land Use Code and Subarea. This wall is important since it is the first building to be viewed (of the Spring District) for those traveling into the city from I-520. This wall is also important to enhance the pedestrian experience along 124th Avenue NE.

   The result of numerous meetings was a redesign to provide accent banding that ties into the tower detailing above, and a landscape plan with seasonal color, texture and materials. See conditions X.B.3, 5.

2. **Multi-Purpose Trail and Landscaping along 124th Avenue NE**
   A multi-purpose trail (12-14 feet in width) will be provided along the adjacent 124th Avenue NE to Buildings 16 & 24. A copy of the recorded easement for this trail will be submitted to the city. This trail will be ADA compliant and will be designed to meet bike route standards. Associated landscaping will be installed at the same time. See conditions X.B.5, 6 and X.D.6.

3. **On-Street Parking**
   Through a series of meetings with the Transportation Department and the applicant, several designs and sections were evaluated for street cross-sections, including on-street parking. A balance was reached between required on-street parking and areas needed for bioretention cells to treat stormwater. The minimum 61' cross-section was maintained per city standards. See condition X.B.4.

4. **Building 16 Street-Level Plaza**
   The attached plans shall be considered the adopted design for purposes of build-to-line requirements in accordance with LUC 20.25D.130.B. See condition X.C.13.

5. **Bicycle Parking**
   The applicant shall provide bicycle parking in accordance with the LUC 20.25D.120.G. See condition X.C.20.

6. **Restaurant/Garage Vents**
   Restaurant/garage vents shall be directed away from pedestrians. Objectionable odors shall not emit from vents. All vents (podium, office towers) shall be architecturally integrated to the building design. See condition X.C.9.

7. **Certified Noise Consultant**
   The applicant shall provide certification by a noise consultant that the noise from the exhaust fans will not exceed 60 dBA, and a determination from the noise consultant that the velocity and direction of airflow from the exhaust system within pedestrian areas not exceed 500 CFM. See condition X.C.10.

8. **Mechanical Screening**
   Roof plans submitted for the building permit application shall indicate locations of mechanical equipment, including any communication equipment such as satellite

dishes. The applicant shall demonstrate that screening for rooftop mechanical equipment is architecturally integrated with the building. Screening shall be provided so that rooftop mechanical equipment is not visible from adjacent streets and public sidewalks. All HVAC rooftop equipment shall be consolidated and screened, including painting of equipment/screening as necessary.

Power, telephone, traffic control, or other equipment shall not be located in above ground cabinets in sidewalk areas. Such equipment shall be located in underground vaults or in a building or substantially screened per the approval of the Development Services Department.

Any at grade grills/grates or panels shall be the minimum size necessary, be ADA compliant and flush with the sidewalk or driveway in which it is installed. Review and approval of these locations and grates will be through the building permit review process.

See condition X.C.16.

9. **Survey of Parking Garage**
The applicant shall provide a survey that shows that the elevation of the bottom of the parking garage is correct so that door entrances onto the sidewalk meet the sidewalk grade. Floor to floor surveys and a maximum height survey shall be provided, upon each completion. See conditions X.C.2 and X.C.18.

Special Requirements
Development Agreement (DA)
Master Development Plan (MDP)

In addition to consistency with the Land Use Code and Zoning Requirements, the project must also be consistent with The Spring District Development Agreement (DA) and Master Development Plan (MDP). See condition X.A.9. Below each item from the DA and MDP is an explanation of how the subject Design Review application for Buildings 16 and 24 complies.

Spring District Development Agreement (DA) Requirements

On July 10, 2009, a Development Agreement (DA) was signed between the City of Bellevue and WR-SRI 120th LLC. The Development Agreement was recorded on September 11, 2009. This agreement required specific items for the development of the property known as "The Spring District."

Note: Items are listed in the order of the Development Agreement:

A.1 and 2 Catalyst Project Criteria and Minimum Contents of MDP
Response: The Spring District MDP met the catalyst project criteria in LUC 20.25D.035 and contains the minimum contents required under the DA to be granted the benefits of the Development Agreement, including extended vesting and specific governing regulations. *See* Spring District Master Development Plan at pages 25-27. The public mini-park required under Paragraph A.2 is discussed in response to the MDP conditions, below.

B. Development Standards and Vesting Period
Response: Pursuant to the terms of the Development Agreement, the MDP is vested for fifteen years from its effective date, October 8, 2012 (date of the City's final administrative decision). *See* LUC 20.35.045. The Building 16 & 24 application was submitted while the MDP was pending and therefore meets the conditions to be reviewed under the Development Agreement, including the DA's Governing Regulations.

C. Governing Regulations
Response: Pursuant to the terms of the DA, the Phase 1A application is reviewed under the Governing Regulations, Title 20 (Land Use Code) and Title 21 (Comprehensive Plan) as they existed on the effective date of the DA, July 10, 2009, with certain limited exceptions. The City shall not exercise its substantive SEPA authority to impose conditions on Land Use Code approvals issued during the Vesting Period in a manner that is inconsistent with the Governing Regulations. Neither Sound Transit's East Link Project nor any other high-capacity transit operating within a dedicated transit-only right-of-way has begun service to a transit station within The Spring District, therefore the Revised Governing Regulations provision of the DA is inapplicable.

D-E. Consistency with DA, Proportional Compliance
Response: The proposal will be consistent with DA requirements. Proportional compliance is not applicable since the subject Design Review application is for two new office buildings.

F. FAR Amenity Bonus System

Response: The Spring District is a Catalyst Project consistent with the terms of the DA and Chapter 20.25D LUC. Accordingly, the FAR Amenity Bonuses are calculated pursuant to Paragraphs F.1, 2, and 3 of the DA that are included below for reference:

1. Adjustment of Tier 1 Fee-in-lieu Rate. For a Catalyst Project on the Property, the Owner may choose to comply with the LUC 20.25D.090 requirements for Tier 1 amenities by paying a fee-in-lieu at a rate of $3.75 for each square foot of floor area for the first 750,000 square feet of development under the MDP, and by paying a fee-in-lieu rate of $4.00 for each square foot of floor area above 750,000 square feet. In the alternative, this Development Agreement provision shall not bar the Owner, at its choice, from utilizing the LUC 20.25D.090 standards as of the Effective Date to provide required amenities.

2. Amenity Rate for Certain Required Open Space. Owner may receive credit towards required amenities for the mini-park and activated park or recreation space required to be included in Phase 1 of the MDP under Section A above as provided in this Section F.

   a) Mini-Park: Owner shall receive credit towards required amenities for dedication of the M-3 mini-park at the bonus rate set forth in 20.25D.090.C.7 Tier 1b.2 (Park Dedication) and/or Tier 1b.3 (Park Improvements).

   b) Other Activated Park or Recreation Space: Owner may receive credit towards required amenities for the activated green space as follows:

      - at the Tier 2 bonus rate so long as it is developed according to the design criteria set forth in 20.25D.090.C.7 Tier 2.12 (Active Recreation Area); or

      - at the Tier 1b bonus rate set forth in 20.25D.090.C.7 Tier 1b.2 (Park Dedication) if the entire area is dedicated to the City, and it meets the design criteria 2 through 4 in that section; and/or

      - at the Tier 1b bonus rate set forth in 20.25D.090.C.7 Tier 1b.3 (Park Improvements) if improvements are made according to the design criteria 1 through 5 set forth in such section.

   Unless the activated park or recreation space meets one of the provisions above, it shall not receive credit towards required amenities.

3. Eligibility for Other City Credits, Bonuses or Offsets. Notwithstanding any provision of city code to the contrary, any public infrastructure required as a condition of approving the MDP that meets the criteria of LUC 20.25D.035.A.3.a through c shall not be eligible for and shall not earn any of the credits, bonuses, or offsets described in LUC 20.25D.035.A.3.d through f.

G. Concurrency.
Response: Pursuant to the DA, traffic concurrency analysis was conducted only on the proposed Phase 1A development based on this ADR application as the first Process II approval required for development of Phase 1A. The development approved herein shall be vested for five years from the effective date of this approval and may be extended consistent with the provisions of BCC 14.10.040.F.1. Phase 1A has 525,140 gross square feet of commercial development that counts against the vesting cap in Paragraph G.2 of the DA.

H. Catalyst Project Residential Requirements and Delay Penalty.
Response: The MDP designated 6.9 acres of residentially-restricted property, which exceeded the DA requirement of 5.8 acres. The Building 16 & 24 application does not contain any residential development that counts towards the minimum DA requirement of 784,000 square feet of residential use in The Spring District. Under the DA, residential uses must be developed proportionally to commercial uses no later than the date that Sound Transit's East Link Project or other high-capacity transit operating within a dedicated transit-only right-of-way begins regularly scheduled passenger-carrying service to a transit station within The Spring District; no such service has begun so this requirement is not yet applicable; however, residential development should proceed within a reasonable timeframe to ensure this condition is met in the future.

Spring District Master Development Plan Conditions

Note: Items are listed in the order of the Master Development Plan:

Compliance with prior MDP Conditions: X.A. GENERAL CONDITIONS

1. Vested Status of the Master Development Plan.
Response: The MDP is vested for 15 years from October 8, 2012 and this application was received within the vesting period.

2. Development Agreement (DA) between the City and Applicant:

(a) Residential Property.
Response: There are no residential uses being constructed under this application. There will be demolition of existing structures on a portion of the residentially-restricted property designated in the MDP. Future development applications will address construction on the residentially-restricted property. As discussed under the DA requirements above, Sound Transit or other high-capacity transit is not operational on the property, so there is not yet a requirement for residential uses to be built.

(b) Parks:

- **Within Phase 1, the project shall include development of a public mini-park a minimum of one acre in size (designated as project M-3 in the Bel-Red Parks and Open Space Project List in the Comprehensive Plan) and**

an activated park or recreation space of at least 30,000 contiguous square feet.

Response: The Phase 1A proposal includes 74,447 square feet of open space temporarily designated for public access. The permanent public park and active recreation space required by the Development Agreement will be provided with future development.

- **All park tracts developed as a condition of the Development Agreement shall, if owned and maintained by the applicant, record an easement securing public access over the park tracts.**

Response: An appropriate access easement will be required upon completion of the permanent park improvement of future phases.

- **Future design and development of the one acre public park (M-3), per the Development Agreement, shall be approved by the Parks & Community Services Department and be consistent with BCC 3.43.**

Response: The Parks and Community Services Department will review the permanent public park for approval when it is submitted for design review in the future.

3. **Review Process for Parks/Plaza/Gateways: Review and approval of all park/plaza/gateway areas shall be conducted under Design Review approval, with input by the City of Bellevue into the design of these areas.**

Response: The applicant designed the 124th Avenue NE gateway that is part of this Design Review application with input from the City of Bellevue. Proposed open space associated with this phase are under review of this Design Review application. Design Review applications for future phases will continue this review process for parks, plazas and gateways.

4. **Phasing Plan: The Phasing Plan shall be followed per the Conceptual Phasing Plan (Attachment F). Modifications to the phasing plan may occur, per LUC 20.30V.160.**

Response: This application for Buildings 16 and 24 is within the maximum contemplated buildout for Phase 1A as shown in the MDP. Later in 2013 or early in 2014, the City expects to receive Design Review applications for other portions of Phase 1A development as shown in the MDP.

5. **City Council Approval of NE 15th Street/NE 16th Street and portrayal on the Binding Site Plan:**

If shifting of the NE 15th Street/NE 16th Street alignment (horizontal/vertical) at a later date is in conflict with the recorded BSP, the applicant shall amend the BSP to match the City Council approved alignment (horizontal/vertical) of NE 15th Street/NE 16th Street. Such amendment of the BSP shall occur prior

to submittal of the next Design Review application for the MDP site after the final alignment is approved. The vested status of final street locations does not occur until an adjacent DR is issued.

Response: This condition does not apply to this application because NE 15th/NE 16th Street is not located within the Building 16 or 24 parcel areas and no development is proposed that would foreclose this condition from being met in the future.

6. **Public Plaza at the Light Rail Station: As a part of the master planning process for the Sound Transit 120th East Link Station, the applicant shall coordinate with the City of Bellevue and Sound Transit regarding the design of a public plaza adjacent to Sound Transit's 120th East Link subterranean light rail station. The applicant shall designate the plaza as a "public plaza" on the recorded Master Development Plan.**

   Response: The City, Sound Transit, and the applicant are continuing to coordinate on the design of the public plaza adjacent to the proposed "Sound Transit 120th East Link Station" (located on the north side of NE 15th/16th Street). Otherwise, this condition does not apply to this application because the station is not within the Phase 1A project site.

7. **Pedestrian Amenities:**

   - **Multi-purpose trail: A multi-purpose trail (12-14 feet in width) shall be provided along the entire length of The Spring District's property along 124th Avenue NE to connect to the multi-purpose trail on NE 16th Street as shown on the MDP plans. See Attachment A. For Phase 1a, the applicant shall design the entire trail (for both Phase 1a and Phase 1b) and construct the Phase 1a trail adjacent to any Phase 1a development. For Phase 1b, the applicant shall complete construction of the entire trail.**

   - **Landscaping along 124th Avenue NE: The area within the Seattle City Light easement (adjacent to 124th Avenue NE) shall be landscaped along with a multi-purpose trail. Vehicular parking areas, vehicular lanes or load/unload areas will be prohibited within this easement area. This landscaping shall be installed as a part of Phase 1.**

   Response: These areas have been designed with input from the City and the portion adjacent to the buildings proposed in this application will be constructed as part of that development. Design and installation of the multi-purpose trail and adjacent landscaping will occur at each subject design review. (Reference: Land Use Exemption 13-117378-LJ.)

   - **Mid-block Public Pedestrian Connection: A mid-block public pedestrian connection (12-14' wide) between Buildings 15 & 16 (as shown on the MDP plans, Attachment A) shall be provided from 123rd Avenue NE to 124th Avenue NE and shall meet ADA accessibility requirements and the intent of the Green Streets Development Standards. The location and design**

shall meet the intent of LUC 20.25D.140.D. This mid-block public pedestrian connection with its associated easement and signage shall be installed as a part of Phase 1.

Response: This condition does not apply to this application because that area of The Spring District is not involved.

- **Green Streets: The modification approval to relocate the Green Street from NE 13th Street to the loop roads is applicable to future reviews of Design Review applications. The applicant shall provide a mid-block public pedestrian connection between Buildings 15 & 16. See the condition above: Mid-block Public Pedestrian Connection.**

Response: This condition does not apply to this application because that area of The Spring District is located within the Building 16 or 24 parcel areas and no development is proposed that would foreclose this condition from being met with the future construction of Building 15.

- **Sidewalks: The applicant shall provide sidewalks along all city/private streets within the project limits.**

Response: The applicant is providing appropriate sidewalks on the streets that will be constructed as part of this application.

- **"Pedestrian" Gateway Connection: A "Pedestrian" Gateway Connection shall be located at the southwest corner of the property between Buildings 18 & 19 as shown on the MDP plans. See Attachment A. The gateway shall provide pedestrian access from the site (approximately NE 13th Street and 121st Avenue NE) to the adjacent city street at NE 12th Street (near 120th Avenue NE). The pedestrian connection shall be designed and permitted during the Design Review process for the first adjacent building to the gateway.**

Response: This condition does not apply to this application because it does not involve a development adjacent to the gateway location at the southwest corner of The Spring District.

8. Other Gateway Opportunities:

The applicant will be required to provide a gateway entrance at the street level for pedestrians, motorists, and those passing by the site. The location and timing of the construction of this gateway entrance at street level shall be determined during Phase 1. Likely locations would be the entrance to the site at NE 13th Street (from 124th Avenue NE) or NE 15th Street (from 120th Avenue NE or 124th Avenue NE). Such location shall be reviewed and approved under Design Review and approved by the Transportation Department.

Response: The NE 13th Street area between Buildings 16 and 24 is included in this application as a gateway entrance at street level for pedestrians, motorists, and other

passers-by. Special trees, lighting, and the design of the buildings themselves signal this area as a gateway to The Spring District.

9. **Sign Master Plan: The applicant shall submit a sign master plan for the entire MDP project. The sign master plan may be submitted with the first Design Review application or separately as a Land Use Exemption to the approved Master Development Plan. Proposed signs on-site for individual buildings will not be approved until found consistent with the approved sign master plan.**

Response: The Sign Master Plan will be submitted as a separate application as allowed under this condition. See condition X.E.1.

10. **Recycling and Solid Waste Collection: With each Design Review application, the applicant shall document how recycling and solid waste will be collected. Recycling and solid waste receptacles may not be pulled out to the adjacent street/sidewalk. Refuse and recycling areas may be not located within adjacent public/private streets or adjacent rights-of-way. These activities must be located on each individual building site and screened from public view. The applicant shall coordinate the location of receptacles with Republic Services or any successor in interest to the Bellevue Waste Hauling franchise.**

Response: Buildings 16 and 24 both include off-street loading docks that will be used for recycling and solid waste collection within each building. The docks are screened from public view and will ensure that handling takes place within the building without the need for receptacles to be pulled on to adjacent streets or sidewalks.

11. **Street Development: Future street development must be approved by the Transportation Department and be consistent with LUC 20.25D.140.**

Response: The streets proposed in this application are consistent with the street development standards in LUC 20.25D.140 and have been approved by the Transportation Department. Civil engineering plans of the proposed streets must be approved prior to issuance of any clearing & grading permits. See condition X.B.2.

12. **Access to Underground Parking Garages: In order to provide alternate vehicular routes to city streets (due to the modification of the NE 12th Street local street), the applicant shall provide two vehicular access points to the underground parking garages, one along NE 12th Street and the other along 120th Avenue NE (signalized). The exact location of these parking garage driveways shall be determined at the Design Review stage of the subject buildings/phases.**

Response: This condition is not applicable to Phase 1A because these areas are not included in this application.

13. **Modification to MDP: The applicant shall submit a modification to the Master Development Plan for minor changes to the approved MDP. Modifications can be processed as a Land Use Exemption application (LUC 20.30V.160.B). Minor**

changes include updates to road configurations, FAR calculations, the Amenity Chart, impervious surface/lot coverage and the Sign Master Plan. It will still be necessary to record the updated MDP.

Response: The applicant has submitted and been granted a land use exemption for minor revisions to the MDP (Reference: Land Use Exemption 13-117378-LJ).

14. **Binding Site Plan: The Binding Site Plan shall be recorded upon the final decision of the Master Development Plan before the sale or lease of any lot, tract or parcel. The BSP shall include all required dedications and easements per the MDP conditions of approval at the time of each DR application for each project.**

Response: The Binding Site Plan was recorded on November 1, 2012 under King County Recording No. 20121101000274.

15. **Preliminary Design, Utility Codes and Engineering Standards: Utility review has been completed on the preliminary information submitted at the time of this application. The review of this application has no implied approvals for water, sewer and storm drainage components of the project. Final plan approval will occur under a Utility Extension Agreement which will be required for review and approval of the utility design. Submittal of the utility extension will coincide with future clearing and grading permit review. Final civil engineering may require some changes to the site layout to accommodate the utilities.**

Response: A utility extension agreement has been submitted by the Applicant. Approval of the utility extension agreement is required prior to the issuance of clearing and grading permits. See condition X.A.14.

16. **Art Concept: An art concept is required to be consistent with LUC 25D.150.B.5.a. Such art shall be installed within one of the public parks/plaza/gateways and reviewed under the subject Design Review application. Review/approval by the City of Bellevue Arts Commission is not required. The art concept shall be installed prior to completion/final certificate of occupancy of The Spring District.**

Response: In accordance with the LUC 25D.150.B.5.a, an area in front of Building 16 has been designated for art, which will be installed prior to issuance of a Certificate of Occupancy for this building. See condition X.D.11.

17. **Addressing of Buildings/Tracts:**

Response: The applicant will be required to contact Jami Carter, Information Technology Department, phone 425-452-4310 regarding the addressing of buildings/tracts. The Planning and Community Development Department shall review and approve such addressing. The City is undertaking a street-naming exercise for the Bel-Red Corridor. Addressing will be managed later in the development and construction process, but prior to issuance of a Certificate of Occupancy. See condition X.D.10.

18. **Restricted Driveway Access: With each new Design Review application, the applicant shall document how the driveway access of that development meets the restricted driveway access intent of LUC 20.25D.140.F.**

Response: Driveway access to Buildings 16 and 24 is restricted to side streets to minimize conflicts with transit, autos, bicycles, and pedestrians and to reinforce active edge continuity along commercial and retail frontages. In particular, driveways are located away from the main pedestrian entries and retail stores. Accordingly, the DR application and submitted plans demonstrate how the driveway access meets the intent of LUC 20.25D.140.F.

19. **Arterial Street Design Standards: The applicant shall meet the intent of the "Arterial Street Design Standards within the Bel-Red Subarea."**

Response: The streets adjacent to this development are not arterial streets under the applicable standards. The Buildings and associated development in this application comply with all applicable street development requirements and standards.

20. **Right of Way and Easements: The applicant shall dedicate to the City all necessary right of way such that street improvements including on-street parking to the back of curb are located within the fee public right of way. The applicant shall also grant any necessary construction, pedestrian, landscaping and utility easements. The applicant shall provide easements to the City for location of signal and street light facilities such as above-grade boxes and below-grade vaults between the building and sidewalk within the landscape area.**

Response: The Applicant will dedicate all necessary rights of way consistent with the general street plan of the MDP and other applicable City requirements.
See condition X.A.5.

21. **Vehicular Access Restrictions: All non-signalized driveways and private roads adjacent to 120th Avenue NE, NE 15th Street, 124th Avenue NE and NE 12th Street will be restricted to right in/right out. No left turns will be allowed at the signalized intersection of NE 15th Street/ 123rd Avenue NE. The applicant will purchase and post "No Left Turn" signs at the subject street and/or driveway locations, when and if necessary as directed by the City. All access is subject to additional restrictions based on traffic operations conditions as determined by the Transportation Department.**

Response: This condition is not applicable to Phase 1A because these areas are not included in this application.

22. **Local Improvement District (LID): The applicant shall not protest the city's formation of a LID or Transportation Improvement District.**

Response: This condition was recorded as part of the Master Development Plan dated October 16, 2012 under King County recording number 20121016001049.

Compliance with prior MDP Conditions: X.B. PRIOR TO ANY DESIGN REVIEW APPROVAL FOR A BUILDING, PHASE, AND/OR PARK/PLAZA/GATEWAY: The following conditions must be complied with prior to any Design Review approval for a building, phase, and/or park/plaza/gateway:

1. **Design Review: Each new site development (i.e. building, parks, plaza, gateway) shall require Design Review approval. If appropriate, Design Review applications may be combined.**

Response: This application is for administrative Design Review approval for buildings, parks, and other related site improvements, consistent with this MDP condition.

2. **Outward Focus of Perimeter Buildings: During the Design Review of individual buildings on the perimeter (124th Avenue NE, NE 12th Street, 120th Avenue NE), the applicant shall provide building designs that convey an outward focus toward the city streets as well as toward the interior of the development. The applicant shall incorporate the design guidelines of LUC 20.25D.150. The use of blank walls or flat nondescript walls that are not articulated by any visual interest is not consistent with applicable design criteria.**

Response: The Applicant worked with the City to incorporate design features consistent with this condition and ensure a quality building design facing 124th Avenue NE. The buildings are a contemporary design created to act as a gateway to The Spring District. The scale and size of the buildings are appropriate for the concept approved in the MDP and act as beacons for the neighborhood.

3. **Coordinated Landscaping Plan along Site Perimeter: With the first perimeter Design Review submittal along 124th Avenue NE and the first perimeter Design Review submittal along 120th Avenue NE, a coordinated perimeter landscaping plan shall be submitted for the length of The Spring District property along each right-of-way. Note: This coordinated landscaping plan is for on-site landscaping and not off-site landscaping associated with any city right-of-way project.**

Response: This application includes landscaping plans along 124th Avenue NE. Landscape plans for adjacent The Spring District parcels along 124th Avenue NE will be reviewed, designed and installed when each parcel is developed. (Reference: Land Use Exemption 13-117378-LJ.)

4. **Impervious Surface/Lot Coverage: The maximum impervious surface/lot coverage is 75% MDP area-wide. This calculation shall be provided upon each Design Review application to keep track towards the final phase of the MDP.**

Response: The Applicant provided the City with an updated calculation for this review. The total impervious surface/lot coverage of the area redeveloped under this application is 69%

5. **Parking Stall Calculations: Each building shall submit parking stall calculations to document how it meets the Land Use Code requirements for onsite parking.**

Response: The Applicant provided parking stall calculations showing that it complies with on-site parking requirements. A chart summarizing parking for the development appears previously in this section.

6. **Amenities and FAR for each Design Review:**

- **The phasing plan for the MDP shall provide for proportionate installation of amenities that must be included when each phase of development is constructed.**

- **Required amenities for each individual building shall be provided at the time of that building construction. In-lieu fees shall be assessed and collected at building permit issuance. Required amenities cannot be "borrowed" from future buildings or phases.**

- **The applicant shall meet the amenities outlined in the Development Agreement as well as the Land Use Code. The applicant shall use the attached Amenity calculation sheet (Attachment B) to show compliance with the DA and Land Use Code.**

- **The calculations shall show that for the overall MDP at full build-out, there is at least a minimum 2.5 FAR overall (per the Development Agreement) with a maximum 4.0 FAR overall (per the Land Use Code).**

- **With each Design Review application submitted under the MDP, the applicant shall include the physical FAR of the proposed project, as well as the calculated FAR of the project as part of the overall MDP rolling average. At no time shall the averaged MDP FAR fall below 2.5 (DA) or exceed 4.0 (LUC).**

- **Use of an alternate MDP FAR calculation or a change to the target MDP FAR must be reviewed and approved by the City of Bellevue as a modification, processed as a Land Use Exemption application to Design Review or as a modification request with the subject Design Review application.**

Response: As shown below, the FAR for this application is 2.62 (Buildings 16 and 24 together), which is within the required range of 2.5 to 4.0 under the Development Agreement and the Land Use Code. The application does not include an alternate FAR calculation or change to the target FAR.

The Applicant's FAR Amenity calculations, below, are consistent with the requirements of the Development Agreement, MDP, and Chapter 20.25D of the LUC. Fees will be collected at the time of building permit issuance. See condition X.D.7.

PART I : FAR CALCULATIONS (Pro-rata)

	Building 16	Building 24	
Total Gross Floor Area less allowed exclusions per Floor Area Ratio (FAR) definition of LUC 20.50.020	300,962	151,586	452,548

	Commercial Area	Allocated Area[4]	Commercial After Allocation
Parcel 16	83,411	28,962	112,372
Parcel 24	44,709	15,524	60,233
			172,605

	Gross Building Area	Base I FAR	FAR
FAR	452,548	172,605	2.62

PART II : FEE CALCULATION

Gross Building Area	452,548
Less Base I FAR	172,605
Net Area	279,943
In-lieu Fee at $3.75/SF per Net Area SF	$3.75
	$1,049,786.25

Compliance with prior MDP Conditions: X.C, D, and E. PRIOR TO CLEARING & GRADING PERMIT, BUILDING PERMIT, AND ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY:

Response: Conditions contained in this section of the MDP are required by City Code and the MDP and therefore must be met before clearing and grading permits, building permits, or certificates of occupancy, respectively, are issued under this Design Review approval.
See conditions X .A.1 through X.F.1

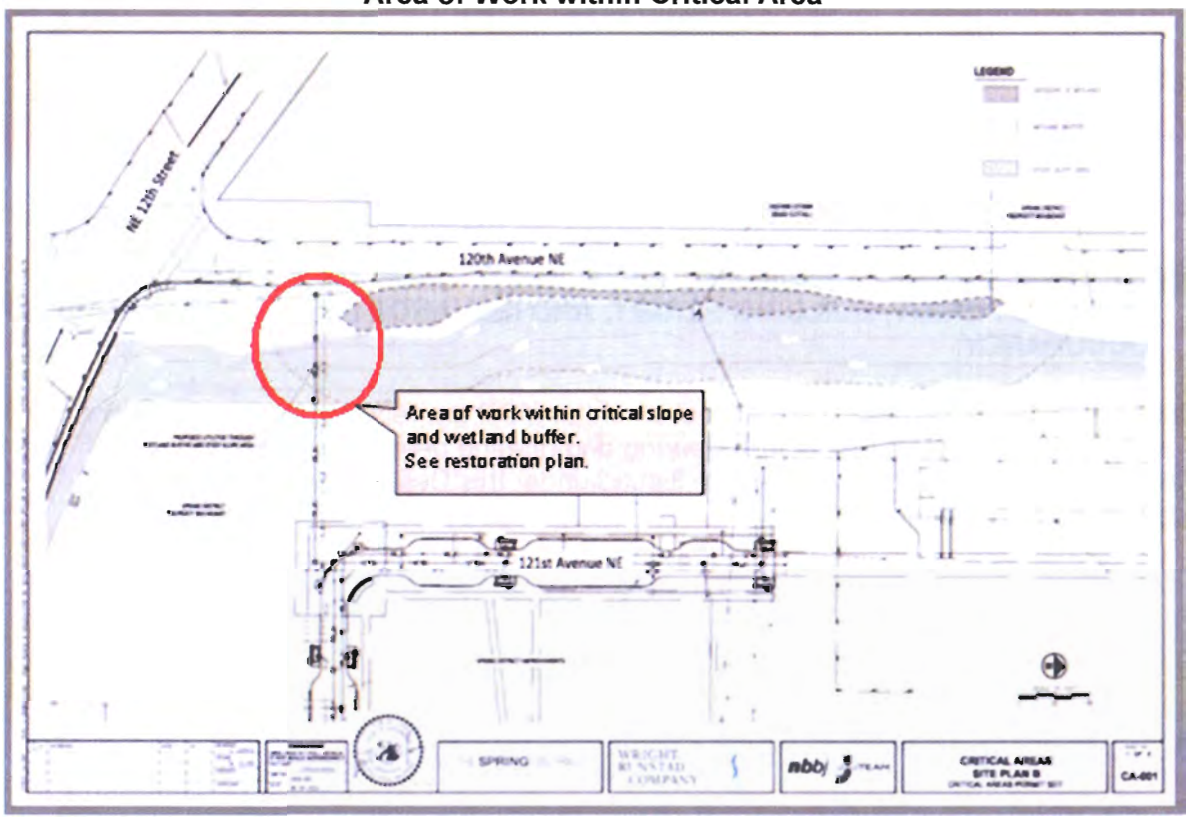
[4] Allocated Area is area dedicated to the City of Bellevue for right-of-way, parks, or open space that may be used for the purpose of computing maximum FAR notwithstanding the definition of floor area ratio in LUC 20.50.020. LUC 20.25D.080.D.

CRITICAL AREAS LAND USE PERMIT per LAND USE CODE 20.30P

The southwest corner of the project site (NE 12th Street and 120th Ave NE) is characterized by a steep slope critical area (LUC 20.25H.120.A.2) and a Category III wetland (LUC 20.25H.095). The proposed development includes an extension of necessary City and other service utilities that will cross the steep slope, steep slope buffer, and wetland buffer. The proposed utility service lines will be buried and the areas of disturbance restored. The proposed utility service connections are considered as an allowed use (LUC 20.25H.055.B) and a Critical Areas Land Use Permit (CALUP) is required (LUC 20.25H.015.B).

Affected Areas:
The affected geographic area is generally flat (Spring District property at top of slope), with an artificial and regulated steep slope located at the western edge of the site along 120th Avenue NE. The slope trends downwards to the west where it meets a Category III wetland at its toe along the eastern edge of 120th Ave NE immediately north of NE 12th Street. The City has documented that this wetland unit may be modified (partially filled) as part of Phase III of the 120th Ave NE expansion project. If filled, the City will be required to mitigate impacts to the wetland and wetland buffer. This wetland unit has been delineated and a conceptual mitigation plan is included in the City's NE 4th/120th Avenue NE Corridor Project Wetland and Stream Delineation Technical Report (April 2011).

Area of Work within Critical Area



The stormwater (18") and water (8") service lines for Phase 1A will connect with existing city facilities within 120th Avenue NE just north of the intersection of NE 12th Street. To make this connection, the proposed utility service lines will run through the slope buffer, protected slope area, and wetland buffer. Utility service lines have been placed to avoid the wetland unit and lessen impact to the wetland buffer to the extent possible (as required by Land Use Code 20.25H.055.C.2.b); however, technical limitations and engineering location requirements have precluded moving the service lines completely outside of the buffer (LUC 20.25H.055.C.2.a.iii).

After construction, areas of temporary disturbance within the slope buffer, protected slope area, and wetland buffer will be restored in accordance with LUC 20.25H.220.H. Although the proposed utility service lines will be located underground, they are considered as permanent development due to anticipated future need to modify, repair, or improve the system which will result in additional disturbance. To account for the permanence of the utility service line installation across the slope buffer, protected slope area, and wetland buffer, the applicant has prepared a restoration and vegetation management plan and areas of impacted wetland buffer will be restored after construction in accordance with the Buffer Restoration Plan (Sheet CA-002 of the Critical Areas Report by Shannon & Wilson, Inc. dated June 4, 2013) meeting the requirements of LUC 20.25H.220. See condition X.B.5.

The water and storm lines must connect to the City's water and storm lines within 120th Avenue NE. Other alternatives considered for the water and stormwater line installation include extending the lines further to the north of the site and connecting to the City's facilities north of the wetland. This alternative presents difficulties, including:

- The stormwater line cannot be tied in to north of the wetland as water would essentially have to travel uphill. The stormwater has to flow to the 120th/12th intersection conveyance system.

- There must be two water line connections to the site to provide adequate (redundant) fire flow to the buildings. The water line network has been designed to accommodate the grid system of the roadway network for future phases of the project.

LUC 20.30P.140 Decision criteria.

The Director may approve or approve with modifications an application for a Critical Areas Land Use Permit if:

A. The proposal obtains all other permits required by the Land Use Code; and

Finding: The proposal is obtaining all other necessary permits, including NPDES, Demolition, Clearing & Grading, Utility Extension, Right-of-Way, and Building Permits for Buildings 16 and 24.

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

Finding: The contractor, Howard S Wright Construction, is installing the utility lines. The area of disturbance will be minimized through the use of shoring or limited open-cut trenches for line installation. The advantage to this approach is that the area of impact is lesser than an open trench cut, which would require a 2:1 wall slope. In comparison, shoring allows a much narrower trench, thereby minimizing disturbance to the wetland buffer and steep slope. Utility service lines will be located underground and surface areas will be restored following installation. No permanent surface impact is proposed.

C. The proposal incorporates the performance standards of Part 20.25H LUC to the maximum extent applicable; and

Finding: See response below to LUC 20.25H Performance Standards.

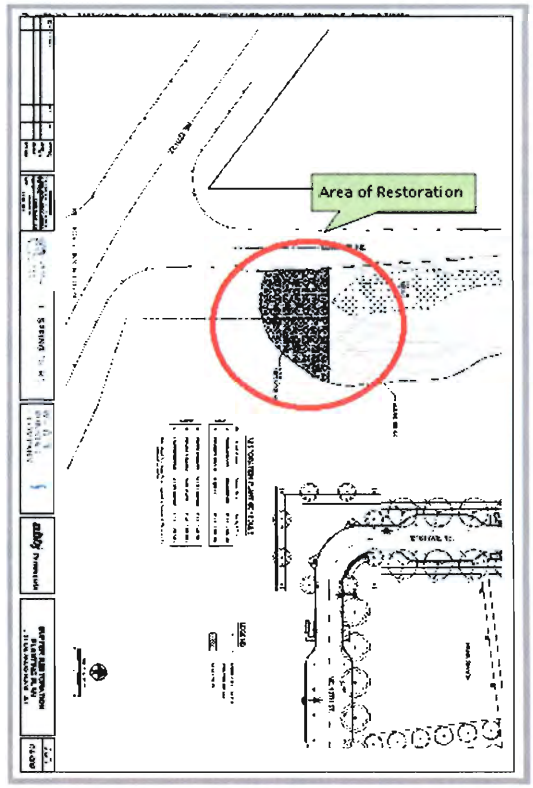
D. The proposal will be served by adequate public facilities including streets, fire protection, and utilities; and

Finding: Not applicable. The proposal is for the installation of underground utility service lines (water and stormwater).

E. The proposal includes a mitigation or restoration plan consistent with the requirements of LUC 20.25H.210; except that a proposal to modify or remove vegetation pursuant to an approved Vegetation Management Plan under LUC 20.25H.055.C.3.i shall not require a mitigation or restoration plan; and

Finding: The proposal includes a buffer restoration plan, Sheet CA-002 of the Critical Areas Report by Shannon & Wilson, Inc. dated June 4, 2013. The vegetation management plan is discussed in the same Critical Areas Report by Shannon & Wilson, Inc.

Restoration Plan



F. The proposal complies with other applicable requirements of this code.

The proposal complies with applicable requirements of City code, as described in this narrative.

Finding: No additional requirements have been identified.

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

Finding: Not applicable. The proposal includes the installation of underground utilities through the slope buffer, protected slope area, and wetland buffer.

H. The proposal includes a mitigation or restoration plan consistent with the requirements of LUC 20.25H.210; except that a proposal to modify or remove vegetation pursuant to an approved Vegetation Management Plan under LUC 20.25H.055.C.3.i shall not require a mitigation or restoration plan; and

Finding: The critical areas report and buffer restoration plan meet the requirements of LUC 20.25H.210. See Sheets CA-001 through CA-003 of the Critical Areas Report by Shannon & Wilson, Inc. dated June 4, 2013.

I. The proposal complies with other applicable requirements of this code.

Finding: The proposal complies with the requirements of LUC 20.25H and 20.30P.

A summary of how the proposal meets each of the criteria and performance standards contained in Land Use Code Section 20.25H associated with the critical area to be modified.

See description below of how the proposal meets LUC 20.25H criteria and performance standards for wetlands and steep slopes.

LUC 20.25H.055 Uses and development allowed within critical areas - Performance standards.

A. Not applicable. The applicant has requested a Critical Areas Land Use Permit to perform work within the critical area with appropriate mitigation.

B. Not applicable. Both critical areas (wetland buffer and steep slope) will be equally mitigated. No hierarchy is being used for this project.

C. Performance Standards

1. Not applicable. No repair, maintenance or construction staging are a part of this application.

2. New and Expanded Uses or Development. As used in this section, facilities and systems has a general term that encompasses all structures and improvements associated with the allowed uses and development described in the table in subsection B of this section:

a. New or expanded facilities and systems are allowed within the critical area or critical area buffer only where no technically feasible alternative with less impact on the critical area or critical area buffer exists. A determination of technically feasible alternatives will consider:

i. The location of existing infrastructure;

The existing facilities to which the water and stormwater lines must connect are located within 120th Avenue NE and are City owned facilities. With the wetland, buffer, and steep slope extending along the western portion of the proposal site, impacts to the critical areas

are unavoidable. To lessen the impacts, the applicant has avoided the wetland itself, and designed the water and stormwater lines to extend through the wetland buffer instead. In addition, the wetland and steep slope will be eliminated or mitigated with the following:

- Applicant proposes mitigation for the wetland buffer. In addition, the City's 120th Avenue NE widening project will mitigate for the wetland impacts on another site

- The construction of buildings within the Spring District may be incorporated in the steep slope (upon modifications), essentially eliminating the steep slope condition on-site; or the buildings will be designed to sit on top of the steep slope (upon modifications), as investigated and designed by a geotechnical engineer and approved by the city.

ii. The function or objective of the proposed new or expanded facility or system;

The water and stormwater lines are essential to the development of the site. Treated stormwater will be collected and distributed through the stormwater lines to be conveyed to the City's stormwater system within 120th Avenue NE. Water service for the buildings within the Spring District is essential and the facilities will be owned by the City.

iii. Demonstration that no alternative location or configuration outside of the critical area or critical area buffer achieves the stated function or objective, including construction of new or expanded facilities or systems outside of the critical area;

The water and storm lines must connect to the City's water and storm lines within 120th Avenue NE. Other alternatives considered for the water and stormwater line installation include extending the lines further to the north of the site and connecting to the City's facilities north of the wetland. This alternative presents difficulties, including:

- The stormwater line cannot be tied in to north of the wetland as water would essentially have to travel "uphill." Stormwater has to flow to the 120th/12th intersection conveyance system.

  There must be two water line connections to the site to provide adequate (redundant) fire flow to the buildings. The water line network has been designed to accommodate the grid system of the roadway network for future phases of the project.

iv. Whether the cost of avoiding disturbance is substantially disproportionate as compared to the environmental impact of proposed disturbance; and

The construction of the stormwater line north of the wetland is infeasible because it is uphill from the site. In addition, the water line connection to 120th is needed to provide adequate fire flow and connecting at another point other than 120th at 12th is necessary.

v. The ability of both permanent and temporary disturbance to be mitigated.

Temporary disturbance will be mitigated by restoring the wetland buffer and implementing a vegetation management plan, as required by code. The water and stormwater lines will not create any long-term disturbance (aside from future repair or improvement) to either the wetland, wetland buffer, or steep slope.

b. If the applicant demonstrates that no technically feasible alternative with less impact on the critical area or critical area buffer exists, then the applicant shall comply with the following:

i. Location and design shall result in the least impacts on the critical area or critical area buffer;

The location of the utility lines is through the wetland buffer and not the wetland itself. In addition, when installing the utilities, the contractor will use shoring techniques and limited open-cut trenching. The result will be less buffer area impacted.

ii. Disturbance of the critical area and critical area buffer, including disturbance of vegetation and soils, shall be minimized;

According to the Shannon & Wilson Critical Areas Report, included as an attachment, the dominant vegetation within the wetland includes Pacific willow (Salix lasiandra, FACW), Douglas spirea (Spirea douglasii, FACW) with an emergent strata of bentgrass (Agrostis sp., FAC).

The project will implement and maintain temporary erosion and sediment control and best management practices to minimize impacts to critical areas during construction. Disturbed areas will be restored to preconstruction grades and stabilized after construction.

iii. Disturbance shall not occur in habitat used for salmonid rearing or spawning or by any species of local importance unless no other technically feasible location exists;

The wetland and buffer do not have habitat used for salmonid rearing or spawning or any species of local importance.

iv. Any crossing over of a wetland or stream shall be designed to minimize critical area and critical area buffer coverage and critical area and critical area buffer disturbance, for example by use of bridge, boring, or open cut and perpendicular crossings, and shall be the minimum width necessary to accommodate the intended function or objective; provided, that the Director may require that the facility be designed to accommodate additional facilities where the likelihood of additional facilities exists, and one consolidated corridor would result in fewer impacts to the critical area or critical area buffer than multiple intrusions into the critical area or critical area buffer;

The proposal includes the installation of two utility lines (water and stormwater) in a combined trench with the required minimum spacing to meet City code. Using one trench cut will minimize the impacts to the wetland buffer. In addition, the use of shoring or limited

open cut trench will allow the contractor to keep the cut narrower, thereby impacting less of the buffer.

v. All work shall be consistent with applicable City of Bellevue codes and standards;

The proposal is consistent with City of Bellevue codes and standards. The design and installation of the utility lines is in accordance with the City of Bellevue's 2012 Water Engineering Standards and the Storm and Surface Water Engineering Standards.

vi. The facility or system shall not have a significant adverse impact on overall aquatic area flow peaks, duration or volume or flood storage capacity, or hydroperiod;

The utility line installation will have temporary impacts to the wetland buffer and steep slope. The restoration plan will restore the buffer to an improved condition and no long term impacts are anticipated.

vii. Associated parking and other support functions, including, for example, mechanical equipment and maintenance sheds, must be located outside critical area or critical area buffer except where no feasible alternative exists; and

No parking or support functions are proposed within the wetland buffer or steep slope. The utility line installation and restoration is the only activity proposed within the buffer.

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

The Critical Areas Report (Shannon & Wilson) includes the buffer restoration and vegetation management plan in accordance with LUC 20.25H.210.

20.25H.100 Performance standards. [Wetlands]

<u>LUC 20.25H.100</u>

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

A. Lights shall be directed away from the wetland.

No light installation is proposed within the wetland buffer. Construction will be performed during the day and no lights are needed.

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

No permanent noise disturbance will result from the installation of the utility lines through the wetland buffer or steep slope. Noise during construction will be minimized to the maximum extent possible, but is not anticipated to have any adverse effect on the wetland's functions.

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

The installation of the utility lines will not create additional impervious area as the buffer and steep slope will be revegetated according to the Restoration Plan (Critical Areas Report).

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

The installation of the utility lines will not create additional stormwater flows from the site. No additional stormwater discharge is proposed as part of this action.

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

The outer edge of the wetland buffer will be restored to its current condition and include dense vegetation in accordance with the Buffer Restoration Plan, Sheet CA-002 of the Critical Areas Report by Shannon & Wilson, Inc. dated June 4, 2013.

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

The Vegetation Management Plan (critical areas report) includes standard practices to ensure the health and survival of the re-vegetated area. The use of pesticides is not proposed.

20.25H.125 Performance standards . Landslide hazards and steep slopes.

<u>LUC 20.25H.125</u>

In addition to generally applicable performance standards set forth in LUC 20.25H.055 and 20.25H.065, development within a landslide hazard or steep slope critical area or the critical area buffers of such hazards shall incorporate the following additional performance standards in design of the development, as applicable. The requirement for long-term slope stability shall exclude designs that require regular and periodic maintenance to maintain their level of function.

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

The installation of the utility lines will not alter the natural contour of the steep slope.

B. Structures and improvements shall be located to preserve the most critical portion of the site and its natural landforms and vegetation;

The proposal includes the installation of two utility lines (water and stormwater) in a combined trench with the required minimum spacing to meet City code. Using one trench cut will minimize the impacts to the wetland buffer. In addition, the use of shoring or limited open cut trench will allow the contractor to keep the cut narrower, thereby impacting less of the buffer.

C. The proposed development shall not result in greater risk or a need for increased buffers on neighboring properties;

The installation of the utility lines through the wetland buffer and steep slope will not affect any neighboring properties.

D. The use of retaining walls that allow the maintenance of existing natural slope area is preferred over graded artificial slopes where graded slopes would result in increased disturbance as compared to use of retaining wall;

The steep slope is a manmade, artificially graded slope. The proposal is not proposing to change the existing condition of the slope.

E. Development shall be designed to minimize impervious surfaces within the critical area and critical area buffer;

The proposal does not include adding impervious surface to the wetland buffer. The utilities will be installed underground then backfilled before the wetland buffer is restored according to the Buffer Restoration Plan.

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

The proposal does not include the installation of a building footprint or any alteration to the current steep slope. The utilities will be installed underground and backfilled to meet the current slope condition.

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

The proposal does not include any building foundations or retaining walls. The extent of the improvements is underground utilities that will be installed and backfilled to restore the steep slope and wetland buffer to its current condition.

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

The proposal includes the installation of underground utilities through the wetland buffer; poletype construction is not applicable.

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

The proposal includes the installation of underground utilities through the wetland buffer; piled deck support structures are not applicable.

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

The critical areas report and buffer restoration plan meet the requirements of LUC 20.25H.210 and provide restoration of the disturbed areas. See Sheets CA-001 through CA-003 of the Critical Areas Report by Shannon & Wilson, Inc. dated June 4, 2013.

Generally, the critical areas report must demonstrate that the proposal with the requested modifications leads to equivalent or better protection of critical area functions and values than would result from the application of the standard requirements. Where the proposal involves restoration of degraded conditions in exchange for a reduction in regulated critical area buffer on a site, the critical areas report must demonstrate a net increase in certain critical area functions.

The critical areas report prepared by Shannon & Wilson describes temporary wetland buffer impacts from the installation of the underground utility lines through the buffer. The buffer restoration plan, described in the report and detailed in Plan Sheet CA-002, shows the condition of the wetland buffer being restored to an improved condition. The wetland was rated and received a relatively low score for habitat function (see Critical Areas Report, Appendix A, for the wetland's rating form). The wetland buffer impacts are temporary in nature and not expected to result in any long-term loss of habitat for the wetland buffer.

IV. PUBLIC NOTICE AND COMMENTS

Application Dates:	June 1, 2012 (LD) and June 6, 2013 (LO)
Notice of Application:	August 16, 2012 (LD), January 17, 2013 (LD), and June 13, 2013 (LD/LO)
Minimum Comment Period:	August 30, 2012 (LD), January 31, 2013 (LD) and June 27, 2013 (LD/LO)
Public Meeting Date:	February 7, 2013

The minimum required public comment period ended June 27, 2013 for the LD/LO (last publication). During the review of the project, the City received about 15 email communications. The applicant and the city held a public meeting on February 7, 2013 at City Hall. The meeting was to discuss and clarify the proposal and listen to neighbor concerns. Approximately 25 people attended this meeting. Comments were accepted during and after this public meeting as well as up to the date of this decision.

The following is a list of neighbor concerns and city response:

A. **Traffic and Parking**: Several commenters raised concerns regarding traffic and parking impacts of The Spring District. These concerns included:

- Increased traffic on Bel-Red Road, 124th Avenue NE, 120th Avenue NE, and NE 8th Street and the impact on nearby homes;
- Cut-through traffic in the Wilburton neighborhood, particularly on 124th Avenue NE south of NE 8th Street;
- Impacts to the intersection of 124th Avenue NE and Bel-Red Road;
- Limiting development until 120th Avenue NE and NE 8th Street are improved, including one suggestion that 120th Avenue be widened to five lanes;
- Timing of other street developments/improvements, including NE 15th/16th Street;
- Timing of Light Rail and Mobility and Infrastructure Initiative projects;
- Construction traffic on 120th Avenue between NE 8th and NE 12th Streets; limit construction traffic to other areas than 120th Avenue NE;
- Questions regarding appropriate trip generation rates, e.g. use of the ITE Manual;
- Pedestrian safety;
- Need for transportation concurrency analysis and traffic impact analysis; and
- Impacts from the City's NE 4th Street and 120th Avenue NE Corridor Project, including removal of trees.

<u>Response</u>: Long-term transportation impacts and mitigations for The Spring District were analyzed in the EIS for the city-wide Transportation Facilities Plan, the EIS for the Bed-Red Comprehensive Plan and City Code amendments, and the traffic analysis that was done for The Spring District Master Development Plan. The traffic analysis for Phase 1A is an interim step. The Transportation Department has worked closely with the applicant's traffic consultant on the issues related to The Spring District traffic impacts

generally and Phase 1A specifically. Consistent with The Spring District Development Agreement, the Project has undergone a transportation concurrency review and transportation impact analysis, both of which are discussed in Section VI (SEPA). For a detailed discussion of traffic impacts and analysis, see Sections V (Technical Review) and VI (SEPA). Mitigation required with proposed construction of Building 16 and 24 is tailored to address impacts of development that is currently proposed. Future development will be required to mitigate from its associated impacts.

With this current proposal, the applicant will construct a new signalized intersection at NE 13th Street and 124th Avenue NE and abide by the extensive City code requirements and conditions of the MDP. The City's NE 4th Street and 120th Avenue NE Corridor Project is a separate project from The Spring District, with its own independent traffic analysis. Impacts have been separately analyzed in the environmental review and permitting documents for that project.

Regarding traffic from The Spring District going south on 124th to areas south of NE 12th, the City does not intend to require The Spring District to make any major physical street revisions for the interim situation. However, the City is pursuing several projects of its own in that area. A traffic calming project has been implemented on NE 5th Street. Also, as part of city Capital Improvement Projects (CIP) projects on 124th, the City is doing a study of through traffic in the Wilburton area, and a public involvement process started on June 20, 2013 to look at Wilburton neighborhood streetscape enhancements and 124th Avenue corridor improvements or revisions south of NE 8th Street.

The routing of construction traffic is controlled by the right-of-way use permit, which establishes haul routes for each project to minimize construction related impacts.

B. **Lake Bellevue, Wetland, and Water Impacts**: Several commenters were concerned about potential groundwater, runoff, and surface water impacts, including Lake Bellevue water quality, impacts from The Spring District construction, the real estate around Lake Bellevue, and the potential for a major aquifer in the area. Other commenters raised the issue of wetlands at the northeast corner of 120th Avenue NE and NE 12th Street (the southwest corner of The Spring District) and potential impacts.

Response: The Spring District development, including Phase 1A, will improve the quality of water leaving the Spring District site by replacing a dated light industrial development that sends untreated stormwater to Lake Bellevue. All new development must comply with current codes that require stormwater treatment and management. Construction work on Phase 1A will be conducted according to City and State construction stormwater standards to minimize impacts to the Lake. Geotechnical studies of the Phase 1A site have not revealed a major aquifer in the area or a likelihood of a significant adverse environmental impact. Lake Bellevue, wetland, stormwater, and groundwater impacts were addressed extensively in The Spring District MDP and the October 8, 2012 Hearing Examiner Decision upholding the MDP.

Construction stormwater issues will be addressed by a Stormwater Pollution Prevention Plan (SWPPP) that is consistent with City requirements. Permanent stormwater management will comply with the Washington Department of Ecology Stormwater Management Manual for Western Washington, including enhanced stormwater

treatment for pollution-generating surfaces. Surface runoff will be collected and treated through bioretention cells. Stormwater runoff draining to Lake Bellevue will not be significantly reduced either during construction or from the project: all treated water will be collected and conveyed to the storm system that drains to Lake Bellevue.

During construction, groundwater will be protected by an engineered system of shoring and drainage to dewater or isolate excavated areas; water removed will be treated and discharged to the stormwater system. Once the project is constructed, the building foundations will only locally displace groundwater and will not prevent the groundwater from freely flowing around the structures.

Both stormwater and groundwater protection measures will receive additional review by the City's technical staff during engineering review of building permit materials.

The isolated wetland at the northeast corner of 120th Avenue NE and NE 12th Street will be filled (and the fill mitigated) as a result of the City's independent 120th NE/NE 4th road improvement project. Moreover, the wetland area is mostly outside of the project area under consideration for this application. A limited area of the wetland buffer will be disturbed to install water and stormwater lines; that area will be restored consistent with LUC 20.25H.095 and leave the critical area in an improved condition.

C. **Greenscape and Wildlife Habitat:** A commenter would like the project to include "greenscape" in addition to "hardscape."

Response: Phase 1A must be consistent with the landscaping and other design requirements in The Spring District MDP and the LUC, which limit impervious surface and require significant amounts of green space throughout The Spring District. Phase 1A's specific consistency with these requirements is discussed in Section III, above. Generally, Phase 1A will include a one-acre park, an additional 30,000 square feet of activated recreational space, rain gardens, street trees, native/low-water grasses, and a segment of the urban trail that will run in the green space adjacent to 124th Avenue NE. In addition, Building 16 will have a planted green roof on top of the building's podium. The impervious surface for this project is at 69% (under the maximum of 75%) which means that there is more pervious surface (i.e. greenscape) onsite than required by code.

D. **Construction Impacts:** A commenter expressed concern about "after hours" construction; other commenters expressed concerns about construction and demolition noise and pollution impacts.

Response: The Project must comply with City noise and construction traffic regulations, including those conditions specifically identified in Section X. As conditioned, short term impacts related to noise generation as a result of the construction will be minimized. Exceptions to the construction noise hours limitation contained in the Noise Control Code *may* be granted pursuant to BCC 9.18.020.C.1 when necessary to accommodate construction which cannot be undertaken during exempt hours. Written requests for exemption from the Noise Control Code must be submitted two weeks prior to the scheduled onset of extended hour construction activity. See condition X.A.11.

The applicant's construction practices must include mitigation and best management practices (BMPs) consistent with the condition X.A.12 and applicable City and State regulations, including the City's Environmental Procedures Code. The City's development regulations and other applicable regulations are generally sufficient to avoid or mitigate adverse construction and demolition impacts from the Project. See BCC 22.02.140. Applicable City Codes include, but are not limited to, the Land Use Code, the Clearing and Grading Code, the Storm and Surface Water Utility Code, Construction Codes, the Noise Control Code. The Project's proposed demolition and construction is of a size and scope that is well within the impacts reasonably anticipated and addressed by existing City and State regulations and the conditions identified in Section X. Additional discussion of construction impacts follows in Section VI (SEPA).

E. **Height, Number of Buildings, Open Space, and Street-Level Retail:** A commenter requested that building height be limited to 5 stories, that the number of buildings be reduced by 50% with more open space added between the buildings, and that all street-level retail be eliminated, with the exception of coffee shops.

Response: Each of these requests would be contrary to the Bel-Red Area zoning regulations adopted in 2009 and The Spring District Master Development Plan approved in 2012. The Bel-Red zoning regulations were adopted after years of review and community input. The Spring District Master Development Plan also received extensive public comments and was approved by the City and upheld by the Hearing Examiner on appeal. The MDP provides a phasing plan over the next 15 years and entitles the property to be developed with 29 buildings, streets, parks and a light rail station. The zoning regulations are expressive of the intent to develop Bel-Red in the manner envisioned by the City's Comprehensive Plan and the Bel-Red Sub-Area Plan.

As discussed in Section III (Land Use/Zoning Requirements), the proposal is consistent with the applicable regulations and the MDP. The maximum building height for both buildings (in the BR-OR-1 zoning district) is 150 feet. Both buildings are below the maximum height: Building 16 is 148'3" at 11 stories. Building 24 is 122'6" at 9 stories.

The City does not have legal authority to deny heights, buildings, or uses that are otherwise consistent with the applicable legal requirements. Coffee shops are an allowed use; however, neither the Land Use Code nor MDP have specific requirements to provide coffee shops. If the City departed from the applicable zoning regulations, the public and applicants would not be able to predict permitting outcomes and such City permit decisions would be overturned by the Hearing Examiner and courts as arbitrary.

F. **Brewery and Parcels 17 and 18:** Several commenters requested that the Brewery proposal be eliminated from the development or raised other issues with regard to the Brewery proposal. Other comments raised the need for more information regarding the areas designated as Parcel 17 and 18 on the MDP (generally related to the Brewery proposal).

Response: The Applicant voluntarily withdrew the Brewery proposal and it is not being considered as part of this application. The vendor food truck area will be located on the area designated as Parcel 8 on the MDP.

G. **Architectural Interest and Aesthetics**: A commenter stated that "The proposed buildings are architecturally dull; they are just boxes with no interesting visual elements." Another commenter noted they were impressed with the design and materials. Another commenter stated that "Rather than a gateway, the entrance to The Spring District from 124th Avenue looks like a Legoland fortress" and otherwise commented negatively on the project design.

Response: The buildings are a contemporary design to act as a gateway to The Spring District. Both buildings will have dark-colored aluminum accents and canted facades to provide architectural interest. The scale and size of the buildings are appropriate for the concept approved in the MDP. Combined with the streetscape and landscape features, the building design are consistent with the Bel-Red Design Guidelines (including the architectural guidelines in LUC 20.25D.150.D), other zoning regulations, and the MDP.

H. **Development Review Calculations:** Has Wright Runstad included formal 'FAR Amenity System' design criteria (as required by Bellevue LUC 20.25D.090) for any amenities that apply to their Buildings 16 and 24? Another commenter questioned why the Phase 1A park space is smaller than identified in the MDP and whether residential development has been reduced or postponed. Another commenter questioned the tracking of impervious surface percentages.

Response: Buildings 16 and 24 have an FAR ratio of 2.62 which meets the MDP requirement of 2.5 – 4.0 for the overall MDP site and within Land Use Code requirements of 1.0 – 4.0 FAR. In accordance with the Spring District Development Agreement, MDP, and the LUC, the applicant must provide certain amenities to achieve this greater FAR. For this proposal, the applicant is making payments to achieve amenity bonuses as shown in the FAR amenity calculations included in Section III (Land Use/Zoning Requirements).

Residential development under the MDP has not been reduced or postponed and The Spring District remains subject to conditions in both the Development Agreement and MDP that require certain levels and timing of residential construction to allow additional commercial office development. The applicant is in the process of partnering with a residential developer for a future Design Review application in the area reserved for residential development. The City is currently working with the residential partner in a Pre-Development Services (DC) application process following a Preapplication Meeting for residential development. The City anticipates that the residential partner will be applying for a Design Review application in the near future. Public notice for any new Design Review applications will occur at time of application submittal.

The impervious surface requirement for the entire Spring District development must be no greater than 75% impervious surface when the development identified in the MDP is complete per LUC 20.25D.080. This calculation will be tracked during all phases of The Spring District development to ensure compliance. For this current proposal, there will be a maximum of 69% impervious surface.

I. **Quality of Life Issues:** Several commenters raised concerns about quality of life including: ensuring that there are not empty buildings once construction is complete, concerns about crime (especially burglaries and assaults) in the area, and how The

Spring District would be attractive to the local area in terms of smaller shops, quality of life, and property values.

Response: All Spring District development, including Phase 1A, must be consistent with the MDP and the Bel-Red zoning regulations which promote a walkable, vibrant mixed-use community with an active pedestrian environment. In particular, the buildings must be consistent with the Bel-Red Design Guidelines, which require building and lighting design to create a vibrant pedestrian environment. The ground-level retail will have opportunities for small shops, coffee shops, etc.

The City of Bellevue Police Department operates a community based policing model to provide exceptional continuity of police services. Patrol officers are assigned to specific geographic areas to work. These officers are also assigned to work the same work hours on a daily basis to enhance community relations. (Contact: Lt. Tony Dempsey, phone 425-452-6986.)

The applicant is in the process of obtaining tenants. While neither the City nor the applicant can guarantee that the buildings will be occupied once construction is complete, the Bel-Red Sub-Area plan and zoning regulations were implemented to accommodate well-documented growth projections and demand. If the market experiences a downturn or there are other reasons for the applicant to delay the project, the land use and building codes have provisions allowing for reasonable permit extensions that the applicant can utilize to delay the start of construction and avoid a circumstance where an empty building sits vacant.

The City of Bellevue Land Use Code does not have decision criteria which evaluates the impact of a project on property values in adjacent neighborhoods. However, in this particular instance, existing light industrial land is being redeveloped into a sustainable, transit oriented community that will provide office space, parks, and retail opportunities. Demand for this type of development has been demonstrated, and is anticipated to result in an improvement over existing conditions.

J. **Light Rail Maintenance Facility**: How would the potential light rail maintenance facility be integrated in The Spring District's plans?

Response: Sound Transit is considering three sites for a new light rail maintenance facility to service East Link, but will not make a final siting decision until at least early 2014. If the facility is built in the Bel-Red area, it will not be located on The Spring District site and there is no requirement for The Spring District to accommodate the facility in its plans. While such a facility is likely to have some impact on the Bel-Red Sub-Area generally, the specific impacts are not yet known.

K. **Light Rail Park and Ride:** One commenter requested that a park and ride facility be provided for the light rail station.

Response: Consistent with the Bel-Red Sub-Area Plan and zoning regulations emphasizing transit-oriented development and reducing car trips, The Spring District MDP does not include a park and ride facility for the light rail station. Phase 1A, the application at issue here, is a proposal to develop two buildings consistent with the

approved MDP. A park and ride lot was not a feature included in the vicinity of the 122nd Avenue NE light rail station, and the city does not have the authority to require it as a component of this proposal. A park and ride lot is proposed for development by Sound Transit in the vicinity of the 132nd Avenue NE station in Bel-Red.

L. **Impact of Water Reservoir Expansion**: A commenter expressed concern about the removal of 80-100 trees and the expansion of the water reservoir in Bridle Trails State Park to serve The Spring District and downtown Bellevue.

Response: Several years ago, the City identified the need to expand its drinking water storage capacity to supply water for emergencies, fire protection, and equalization to serve anticipated population growth in Downtown, Bel-Red, and Wilburton. If the City does not expand capacity to meet state minimum requirements, mandatory water use restrictions could be imposed at some point in the future. The City included this project in its 2011-2017 Capital Investment Program as Project W-103 and recently worked with a consultant to identify potential expansion sites. The water reservoir expansion is not a direct result of The Spring District project, but is a general City utility project necessary to accommodate expected population growth planned for in the Comprehensive Plan to occur throughout Bel-Red, Downtown, and Wilburton. Impacts to trees will be reviewed as part of the City's environmental review for the reservoir expansion.

M. **Public Participation**: Several commenters requested that a public hearing or City-wide public meeting/open house be held on the Phase 1A application.

Response: On January 17, 2013 the City published notice of a public meeting regarding this application. The public meeting was held on February 7, 2013 with approximately 25 people attending.

N. **State Environmental Policy Act (SEPA)**: A commenter requested that an environmental impact statement or supplemental EIS be prepared for Phase 1A.

Response: The Project's environmental checklist and the environmental documents incorporated by reference on the cover sheet and Section VI provide adequate information about the impacts of Phase 1A that support the issuance of the SEPA Responsible Official's environmental determination. A supplemental EIS is not required for this project because there have not been substantial changes to the proposal such that the proposal would likely have significant adverse environmental impacts nor has there been significant new information indicating a probable significant adverse environmental impact since the issuance of the Bel-Red Corridor Project Draft and Final EIS issued July 19, 2007.

O. **Trees**: A commenter requested that the development include enough permanent tree canopy to offset its carbon footprint. Several commenters inquired about the removal of sequoia trees and vegetation removal generally.

Response: The project will be developed using Leadership in Energy and Environmental Design (LEED) standards with the intent to obtain LEED certification. Although the applicant has provided an estimate of the project's greenhouse gas emissions in the environmental review documentation, there is no legal requirement for a project to offset

its carbon footprint. Moreover, as part of the redevelopment of a site constructed before current environmental regulations were implemented, the Project (and all of The Spring District) will be a marked improvement over current site conditions. See Section VI (SEPA) for further discussion on greenhouse gas emissions.

The limited vegetation currently on the site will be removed, but this first phase alone calls for approximately 90 new trees and additional green landscaping. The developed project will include less impervious surface, more trees, and more green space, greatly improving the environment over the mostly impervious 1950s-vintage industrial/light industrial site.

P. **Wildlife and Habitat**: Another commenter indicated that additional species of wildlife were within ½ to 1 mile of the site and requested a coniferous southern perimeter.

Response: The distance specified, ½ to 1 mile from the site, in a heavily developed urban area is not considered on-site or nearby. The removal of impervious surface and increase in trees and other plants, however, will provide enhanced habitat for wildlife relative to the existing site. The planting plan now includes coniferous trees (Western Red Cedar) south of Building 24. Off site on the edge of 120th Avenue NE, there is a small wetland as discussed further in this application, that wetland has been habitat for Pileated Woodpeckers, but is not a part of this application. The remainder of the southern perimeter will be developed and landscaped during a later phase that will be the subject of a separate Design Review application.

Q. **Public Services**: One commenter indicated a need to address fire and police resources at the site, including requests for on-site police presence and a new fire station. The commenter also questioned how the "increased tax base" offsets additional public services.

Response: The development of this project, on its own, replaces existing buildings and will not necessitate a new police or fire station. As the remainder of The Spring District develops, the City will constantly re-evaluate the need for new equipment and facilities through its capital planning process.

The new buildings will be built to modern building codes, which include sprinklers and designs that are otherwise more fire resistant than the warehouses they are replacing. These design improvements help alleviate the demand on fire protection resources.

The project is likely to result in a significant increase in assessed value of the property over the existing structures. This directly affects the amount of property taxes collected from the property; an increase in assessed value as a result of redevelopment will result in increased property tax revenues for the City. Redevelopment from warehouse to commercial office will also likely result in increased Business and Occupation tax receipts from the property which are based on gross receipts of the businesses occupying the new space.

R. **Wetland Buffer Mitigation and Stormwater Treatment:**

1. Wetland buffer mitigation. Per the Critical Areas report, the project will have temporary construction impacts to the existing Category III wetland buffer that will be mitigated on

site by enhancing the buffer post construction. However, elsewhere in the Notice of Application (NOA) materials it notes:

> "Furthermore, the existing wetland has already gone through the NEPA process for the 120th Avenue NE widening project (a funded City CIP project), the wetland is scheduled for removal when that roadway construction begins. The wetland is being mitigated at another site. In addition, future build-out of the development includes buildings constructed into the hillside, eliminating the man-made steep slope on site."

If the wetland is to be eliminated in the near future with the road project, why is this project proposing to conduct its mitigation on site? Once the wetland is filled, the mitigation will be moot.

Response:
The applicant is proposing to restore the wetland buffer, not mitigate any filling of the wetland. LUC 20.25H (Critical Areas Overlay) requires restoration of buffers when they are impacted. The restoration of any disturbed areas is necessary for erosion and sediment control. Since the site currently contains a wetland buffer, the restoration must meet the requirements of LUC 20.25H.210. The construction of the 120th Avenue NE widening project adjacent to the project site—which will fill the low quality wetland and provide appropriate mitigation—is funded and scheduled for completion by 2019.

2. Stormwater Treatment. Per the Drainage Analysis report, the project does not need to treat stormwater for oil (see page 8 of Storm Drainage utility memo). While this may meet the WDOE and Bellevue Stormwater requirements, we strongly encourage the project to do oil control treatment to minimize impacts to salmonids downstream of the site from Lake Bellevue in Sturtevant Creek. Per the attached literature, [5] this system is at risk for pre-spawning coho mortality as a result of stormwater pollutants, including oils. We also concur with the plan to use enhanced stormwater treatment techniques to reduce metals in stormwater based on the same scientific literature.

   Response:
   Although oil control treatment is not required on-site under the Bellevue Storm and Surface Water Engineering Code, BCC 24.06, or the Department of Ecology Stormwater Manual for Western Washington, the applicant is required to provide enhanced stormwater treatment of roadways and the surface parking lot. The majority of the parking on-site will be in underground garages, which will drain to the sanitary sewer system for treatment, rather than flowing to Lake Bellevue/Sturtevant Creek.

   Stormwater run-off from the roadways and surface parking lot will enter bioretention cells for water quality treatment before discharge into the stormwater system. While bioretention cells are not recognized by Ecology as an approved oil control treatment device, the 2012 Puget Sound Partnership LID Manual cites research showing bioretention to be effective at removing oil and other hydrocarbons.

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[5] Public Commenter's attachment on salmonid impacts is not included in this staff report, but is available for review at the City of Bellevue's Records Room.

In addition, the proposal exceeds bioretention cell design requirements by providing 36-inches of soil mix, rather than the required 18-inches, to provide greater stormwater treatment.

V. TECHNICAL REVIEW

A. Clearing & Grading

The Clearing & Grading Division will conduct a detailed review under future clearing & grading permit applications. See conditions X.B.1-7.

B. Utilities

Utility Department review of The Spring District Phase 1A Design Review was based on materials submitted at the time of this application and is approved for this application. No construction will occur under this permit. The approval of this application has been evaluated against City of Bellevue Utility Engineering Codes and Standards. Final utility engineering construction review and approval will be completed under a Developer Extension Agreement (UE) application. Slight design changes may occur under the Developer Extension Agreement. Water, sewer and stormwater infrastructure can be extended onto and through the proposed Phase 1A development. See condition X.A.14.

Water

Water mains have been conceptually sized based on projected build out for Phase 1A approved land uses. Adequate capacity in City of Bellevue water mains in 120th Ave NE and 124th Ave NE is available to serve the development. Water mains for Phase 1A will be extended from 124th Ave NE into the site. Review was based on water demand calculations submitted with this application and the peak hourly demand for the site is 1,450 GPM. The looped 8" water main as modeled will provide a peak hourly demand minimum pressure of 65 PSI at 2.5 feet per second. Fire flow available to the site was estimated at 5,500 GPM at 20 PSI. The onsite looped 8" mains as modeled will provide 59 PSI at 7.5 feet per second. Domestic and fire flow will be within the parameters of Utility codes and standards as modeled. Final sizing of the mains will occur during engineering review of construction drawing submitted under a Developer Extension Agreement.

Sewer

Sewer is available to Phase 1A at the south end of the project through an existing 15" sewer main conveying through 12th Ave NE and a public sewer easement running through 12150 NE Bel-Red Rd. Additional sewer capacity will be needed for future buildings and or phases of the development. The current available volume in the 15" sewer main is calculated at 848 gallons per minute. Buildings 16 and 24 have been calculated to use 110 gallons per minute of the 848 gallons per minute available capacity. Future phases will need to connect to a sewer extension available from a sewer main extension proposed up 120th Ave NE terminating at the intersection of 120th Ave NE and NE 12th St. Available sewer main capacity in the existing 15" sewer main after construction of Buildings 16 and 24 will be 738 GPM.

A temporary sewage lift station will be constructed to keep the existing distribution center warehouse connected to sewer until future phases of Spring District are constructed and the distribution warehouse is demolished. The lift station will be privately owned and maintained by Wright Runstad.

Storm

The development proposes to meet all the minimum requirements triggered for the site in the City of Bellevue Surface Water Engineering Standards and 2005 DOE manual. Based on information submitted with this permit the site will trigger storm drainage minimum requirements 1-9 of the Storm and Surface Water Engineering Standards. Section V Pages 1-18 of the Phase 1A Administrative Design Review comment responses addresses the storm water impacts to the site and how onsite storm water, water quality and flow control will be addressed for the site. After a review of the materials submitted it is feasible for the development to mitigate storm water impacts to the site under the required Developer Extension Agreement permit. There will be an overall decrease in impervious area for the site, and enough room exists on site to implement onsite and water quality Best Management Practices (BMP). See SEPA section for proposed BMPs. Flow control (Minimum Requirement 7) will not be required because site improvements will not exceed the DOE or Storm and Surface Water Engineering Standard threshold for flow control. Conveyance piping for Phase 1A was preliminarily sized using the rational method. The model results produced a peak 100 year runoff resulting in 21 CFS which is conservatively high. See page 2 of section 5 for stormwater conveyance sizing of the ADR submittal. Final flow and pipe sizing will be completed under the developer extension agreement. The Spring District development exceeds the amount of replaced impervious surface requiring water quality treatment (Minimum Requirement 6) and proposes to use bioretention cells to mitigate for the impact. Onsite storm water management (Minimum Requirement 5) will be met by using sheet flow dispersion for sidewalk areas to planter strips, using amended soil in landscape areas and pervious paving where possible.

C. Transportation

Site Access

Access to the two buildings proposed for this Design Review will be provided via driveways off 123rd Ave, which will be constructed by the developer as a new public street to the north of NE 13th Street and as a private street to the south of NE 13th Street. As part of this Design Review, the developer is also required to construct NE 13th Street as a public street providing access to 124th Avenue. The developer is also required to construct part of 121st Avenue NE and private accesses to parking areas on the future alignments of 122nd Avenue and NE 13th Terrace. Initially, the only access to the public street system for the two office buildings under this Design Review will be via 123rd Avenue and NE 13th Street to 124th Avenue, although future phases of The Spring District will provide alternative accesses via streets to be constructed in future phases. Truck loading and unloading, including garbage pickup and fuel tank filling, must occur on private property. On-street truck loading on public streets will not be allowed. See condition X.A.2

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 with the requirements of the Americans with Disabilities Act, AASHTO standards, the Transportation Development

Code (BCC 14.60), the Bel-Red Code, and the Transportation Department Design Manual. See condition X.D.1.

1. Frontage improvements on 124th Avenue

   a. Per BCC 14.60.110 and Condition of Approval X.E.1 of the Master Development Plan, the developer is responsible for constructing frontage on 124th Avenue NE or paying an amount equal to the developer's construction costs into the City's CIP fund for that street segment. At this time, the City prefers to exercise the payment option under BCC 14.60.110.C.1. For more details on this method, see the section below entitled "Discussion of Frontage Improvements on 124th Avenue NE, Developer Payment in Lieu, and the Relationship to Transportation Impact Fees, Demolition, and Credits." See condition X.D.4.

   b. Per the Master Development Plan, the developer is responsible for designing and installing landscaping and a twelve-foot to fourteen-foot multipurpose path meeting city standards along the frontage of 124th Avenue adjacent to the site. The multipurpose path must meet bicycle path design standards in addition to serving a multipurpose function.

   c. Traffic analysis by Transportation Solutions, Inc. shows that prior to completion of the five-lane cross section that will be constructed by the city's CIP project on 124th Avenue, it will be necessary to upgrade the existing two-lane cross section to an interim three-lane cross section with a northbound left turn lane at NE 13th Street in order to accommodate the traffic generated by Phase 1A of the development. Based on preliminary design, it appears that this three-lane cross section can fit within the existing pavement width on the relevant segment of 124th Avenue NE. The developer is required to provide the channelization revisions and any other street improvements, including traffic signalization, as needed to accommodate this three-lane cross section approximately as shown on sheets C2-007 and C2-012 of the Design Review submittal dated June 5, 2013. Construction details will be finalized in the engineering plans for the clearing and grading permit for this development.

2. New internal streets

   a. The locations and general alignments of streets internal to The Spring District were established by the Bel-Red Code, with some realignment approved by the Master Development Plan. These internal streets are subject to the Bel-Red Code street requirements and the Bel-Red Corridor Plan Streetscape Character, Guidelines, and Standards (Bel-Red Corridor Plan), which was approved as Appendix B of the Transportation Department Design Manual. The alignments and general design of NE 13th Street, 121st Avenue NE, and 123rd Avenue NE, as shown on sheets C2-007and C2-010 of the Design Review submittal dated June 5, 2013, are acceptable for the Design Review phase. Specific details will be finalized in the engineering plans for the clearing

and grading permit for this development. Final details will include eleven-foot travel lanes in most locations, parking bays and curb extensions where appropriate, street and sidewalk cross slopes, and drainage.

b. The Master Development Plan and Binding Site Plan include future private streets identified as 122nd Avenue NE and NE 13th Terrace. The Design Review plans for Phase 1A show entrances to an interim parking lot on the alignments of those future private streets. In order to accommodate future street improvements, these parking lot entrances should be designed to the intersection standards for local streets in the Bel-Red Corridor Plan. The general design shown on sheet C2-007 of the Design Review submittal dated June 5, 2013 is acceptable for the Design Review phase. Specific details will be finalized in the engineering plans for the clearing and grading permit for this development.

c. NE 13th Street between 123rd Avenue and 124th Avenue must be designed to accommodate higher vehicle volumes. Therefore, on-street parking will not be included on that block. The outbound direction will have two 12-foot lanes, and the inbound direction will have one 12-foot lane. A raised median with appropriate shy distance will be installed with the intent that the median will be replaced with a third 12-foot wide outbound lane when needed to accommodate the traffic volumes of future phases of the development. The design of NE 13th Street, including curb radii at the intersection of NE 13th Street and 124th Avenue, must be installed by the developer approximately as shown on sheets C2-007, C2-010, and C2-012 of the Design Review submittal dated June 5, 2013, and must meet Transportation Department standards. Construction details will be finalized in the engineering plans for the clearing and grading permit for this development. Engineering details for the connection to 124th Avenue, including the location and elevations of the curb radii, may need to be adjusted as the city's design for the CIP project on 124th Avenue progresses.

d. Intersections for new internal streets must comply with Transportation Department engineering standards, ADA, and the local street and intersection designs in the Bel-Red Corridor Plan. In particular, curb radii, curb extensions, slopes, and ramp designs must comply to the extent feasible with the intersection design of Figure 4.31 of the Bel-Red Corridor Plan. Among other things, Figure 4.31 may require sidewalks approaching an intersection to begin sloping down before two sidewalks intersect, so that handicapped ramps at the curb will not be too steep. The intersection of NE 13th Street and 121st Avenue must have an inside curb radius appropriate for trucks that are expected to use that route.

3. Traffic signal warrant analysis by Transportation Solutions, Inc. confirms that installation of a new traffic signal at the intersection of NE 13th Street and 124th Avenue will be warranted for Phase 1A of the development. This signal system, including all appurtenances, must be designed by the developer to city standards and installed by the developer in a manner to accommodate the future widening of

124th Avenue to a five-lane cross section and to accommodate to the extent practical the installation of a new driveway aligned directly east of NE 13th Street to provide access to private property lying east of 124th Avenue. Signal installation will require a payment by the developer to integrate this new signal into the city's adaptive signal management system (SCATS).

4. Crosswalks must meet engineering standards and ADA requirements. In addition, the Bel-Red Corridor Plan provides guidance for crosswalks to include decorative treatments consistent with the broader Bel-Red character. Such decorative treatments are preferred for crosswalks on the local streets within The Spring District, as consistent with City and MUTCD standards. On 124th Avenue, crosswalks to be installed by the developer will likely be of an interim nature to be replaced during the final widening of 124th Avenue by the City CIP project. Therefore, no decorative crosswalk treatment will be installed on 124th Avenue by the developer. At the intersection of NE 13th Street and 123rd Avenue, a north/south crosswalk will not be installed across the eastern leg of that intersection.

5. A combined street tree and street light plan is required for review and approval prior to completion of final engineering and landscape plans, which will be included in the Clearing and Grading permit for Phase 1A. Although there is no lighting level standard for local streets in Bel-Red, the goal is to provide the optimum number of street trees while not compromising the light and safety provided by streetlights. Street trees and streetlights for all affected streets must be shown on the same plan sheet with the proper separation (generally 25-30 feet apart) and the proper spacing from driveways and cross streets (generally ten feet from the top of adjacent sidewalk ramps). On 124th Avenue, street lighting will be part of the City's CIP project. Therefore, the developer's streetlight plan will not include the frontage on 124th Avenue, except for streetlights that will be included on the traffic signal poles. The cost of street lighting on 124th Avenue will be included in the calculation of the developer's payment into the City's CIP fund for improvements on 124th Avenue adjacent to the site.

6. The Americans with Disabilities Act (ADA) requires that sidewalk cross slopes shall not exceed two percent. At the same time, the sidewalk cross slope may be less than one percent only if the sidewalk has a longitudinal slope sufficient to provide adequate drainage. The final 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. The elevations of buildings 16 and 24 and the elevations of adjacent curbs and sidewalks have been designed to fit together, although small changes may occur during grading and construction. If any public sidewalk elevation must be revised to fit the final constructed elevation of an adjacent building, such revision must be fully ADA compliant. The city will not accept a non-compliant public sidewalk. City inspectors may require spot surveys during construction to confirm elevations.

ADA also requires provision of a consistent travel path for visually handicapped pedestrians. Potential tripping hazards are not allowed in the main pathway. Buildings shall be designed so that doors do not swing out into the public 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 City or WSDOT standard drawings and with the Bel-Red Corridor Plan.

7. The Bel-Red Code 20.25D.110.B.3.e requires sidewalk widths of at least six feet, not including the curb, and planter strips with width of at least five feet on all local streets within The Spring District.

8. Any non-standard features or vegetation within a street right of way or public pedestrian easement shall not create a sight obstruction within any required sight triangle, shall not create a tripping or slipping hazard in the sidewalk, and shall not create a raised fixed object in the street's clear zone. The materials and installation methods must meet typical construction requirements.

9. Tree wells and other landscaping within the street right of way or sidewalk easement area on any city street shall be irrigated with a metered water source. Electrical connections for lighting in tree wells or planter strips may be allowed, if installed in compliance with the electrical code and subjected to an electrical inspection. Irrigation devices and electrical components shall not create a tripping hazard in the sidewalk. On local streets within The Spring District, long-term maintenance of street trees and other landscaping on street frontages will be the responsibility of the adjacent property owner. The Parks Department may take over long-term maintenance of street trees on arterial streets.

10. Driveways off public streets into major buildings must be wide enough to accommodate in and out movements at the same time. That generally calls for a width of 26 to 30 feet. More width may be needed for driveways with significant volumes of truck traffic. The driveway apron design shall be consistent with standard drawings DEV-7A, DEV-7D, DEV-7E or DEV-7F, or an approved variation. Driveway grades should not exceed ten percent for the first 20 feet behind the sidewalk, and grade changes must be rounded off so vehicles will not bottom out. Both vehicle and pedestrian sight lines required by BCC 14.60.240 and 241 must be achieved.

11. The driveway off 121st Avenue into the food truck area is not intended to be permanent. This driveway approach should be designed so that it can be replaced with standard frontage improvements or a crosswalk when the adjacent parcel is developed. Engineering details for the driveway approach will be finalized in the clearing and grading permit.

12. No new building structure or garage shall be constructed under a public right of way. Under some conditions (to be finalized during engineering and building plan review), new structures may be allowed under a new sidewalk/utility easement. No soil nailing is allowed under a public right of way or sidewalk/utility easement without an

indemnification agreement that protects the city.

13. To the extent feasible, utility vaults shall not be placed within public sidewalks.

14. Any awning, marquee, balcony, etc. over a public sidewalk or utility easement must be at least 16 feet above grade, 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.

15. 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-7A and related drawings. Fixed objects are defined as anything with breakaway characteristics stronger than a 4-inch by 4-inch wooden post.

16. No new overhead utility lines will be allowed within or across any right of way or sidewalk easement, and existing overhead lines must be relocated underground, except for high voltage transmission lines.

17. All driveways onto public streets and intersections of public streets must meet vehicle and pedestrian sight triangles as required by BCC 14.60.240 and 241 (except that such vehicle sight triangles are not required for an all-way stop). Plans submitted for building permits must include sight triangle drawings as needed to show how each driveway will comply for both vehicles and pedestrians. All obstructions within a sight triangle must be shown, including mature landscaping. Vertical as well as horizontal line of sight must be considered where appropriate. For the design review phase, plan sheet C2-008 is sufficient for the intersection of NE 13th Street and 123rd Avenue NE. All other internal intersections in Phase 1A will be developed as all-way stops so that on-street parking can be accommodated near the intersections. For the intersection of NE 13th Street and 124th Avenue, consider the rolling grade on 124th to the north as a possible sight line concern.

18. A plan for traffic signs and markings and street name signs must be submitted for review and approval as part of the civil engineering plans prior to approval of the clearing and grading permit.

Easements

The applicant shall provide sidewalk and utility easements to the City as needed to encompass the full required width of any sidewalks or paths located outside existing or future city right of way fronting the affected parcels. These easements will include any landscaping area between the right of way boundary and the sidewalk or path.

The applicant shall provide easements to the City for the location of any traffic signal and street light facilities and appurtenances, if needed to accommodate such facilities that will not be within a street right of way or sidewalk/utility easement. Transformers and utility vaults to serve private purposes of the building shall be placed inside the building or below grade, and shall not be located within any sidewalk or street surface to the extent feasible. On 124th Avenue NE, the developer may be required to grant temporary construction easements, if needed, for construction of the city's CIP project along that

frontage. This will be evaluated as the city's design for the CIP project progresses. In the final calculation of impact fees, credits, and payment in lieu of constructing frontage improvement, adjustments may be made if necessary to avoid double counting the value of any temporary construction easement.

Granting of each segment of the new easements will be required prior to occupancy of the relevant building(s), except that granting/dedication of any new easements adjacent to or along 124th Avenue NE shall not be delayed beyond the time when such would be needed for the city CIP project.

Negative impacts caused by this development to any existing utility easements must be mitigated or easements relinquished.

See conditions X.A.3, 4, 6, 7 and 8.

Right of Way Dedication

To incorporate street improvements which are reasonably necessary to mitigate the direct results of the development, the developer is required to dedicate property such that street surface to back of curb is accommodated within the public right of way. Associated with this Design Review, right of way dedication is required for NE 13th Street, part of 123rd Avenue north of NE 13th Street, part of 121st Avenue north of NE 13th Street, and possibly part of 124th Avenue NE (based on the city's final determination of the curb alignment along 124th). In areas with parking bays and curb extensions, the right of way boundary shall be aligned with the back of curb in the parking bays, and shall follow straight lines where feasible rather than meandering with the curbs of the parking bays and curb extensions. Dedication of each segment of new right of way will be required prior to occupancy of the relevant building(s), except that dedication (if any) of new right of way along 124th Avenue shall not be delayed beyond the time when such right of way would be needed for the City CIP project. See condition X.A.5.

Holiday Construction & Traffic Restrictions

From November 15th to January 5th, construction activities such as hauling and lane closures are restricted on streets that carry a significant amount of holiday shopping traffic. It is unlikely that such restrictions will be required for streets adjacent to The Spring District. However, if any of The Spring District's construction traffic will be going to or from the east via the SR 520 / 148th Avenue interchange, or will use NE 8th Street, then such traffic will probably be allowed only between the hours of 10:00 p.m. and 6:00 a.m., due to holiday traffic on those streets. 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.
See condition X.A.1.

Use of the Right of Way During Construction

Applicants often request use of the right of way and of pedestrian easements for materials storage, construction trailers, hauling routes, fencing, barricades, loading and

unloading and other temporary uses as well as for construction of utilities and street improvements. A Right of Way Use Permit for such activities must be acquired prior to issuance of any construction permit including demolition permit. Sidewalks may not be closed except as specifically allowed by a Right of Way Use Permit.
See condition X.B.1.

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. Near this project, both 120th Avenue and 124th Avenue are presently classified as "Standard Trench Restoration" and NE 12th Street is "Overlay Required." Any street cuts in NE 12th Street will require a grind and overlay at least 50 feet long for the full width of any affected lane or lane group. The exact extent of any pavement restoration will be specified in the relevant right of way use permit. See condition X.D.2.

Street Furniture, Alternative Paving Materials, and Other Alternative Features

Section 20.25D.140.G of the Bel-Red Code states that street furniture supporting a consistent and uniform street character, reinforcing the identity of a district, and minimizing conflicts with pedestrian mobility is required on streets identified in Figure 20.25D.140.G of the Code. Some of the street alignments identified on that Figure were revised in the approved Master Development Plan for The Spring District. However, a comparison of that Figure to the figures in Appendix V of the Master Development Plan shows that NE 13th Street, 121st Avenue NE, and 123rd Avenue NE within The Spring District are among the street segments required to have street furniture. Prior to approval of construction plans for the site, the developer must submit plans showing the location and specifications of street furniture for approval of the Transportation Department, in conjunction with other departments as appropriate.

In addition to street furniture, the developer may propose alternative paving materials on sidewalks and crosswalks, and other alternative street frontage features. The Transportation Department, in conjunction with Land Use, will review any developer proposals for the installation of alternative materials and features within street rights of way or sidewalk easements. The materials, features, and installation methods must meet typical construction requirements, must be ADA compliant as needed, must not create sight line obstructions or roadside hazards, and must not create a tripping or slipping hazard in a pedestrian route. Approval of alternative materials and features is not guaranteed. Paving samples must be submitted to the Transportation Department prior to building permit approval.

For any street furniture or alternative materials or features that are approved for installation, the developer/owner must sign and record an indemnification agreement provided by the Transportation Department stating that all future maintenance and replacement of such features is the responsibility of the property owner. Work by City, franchise, or other workers for the maintenance, repair, or replacement of streets, sidewalks, street landscaping, or utilities within the street right of way or sidewalk easement area, which may affect such street furniture, alternative materials, or other alternative features may result in replacement of the surface or features by standard materials, which may differ from the previous installation. This may occur as a result of either emergency or normal maintenance or replacement. Advance notification of such work might not be provided to the property owner. In such a circumstance, should the property owner wish to replace or repair the furniture, surface materials, or other features with the alternative material, a Right of Way Use Permit may be required.

See condition X.A.7.

Transportation Management Program

In order to reduce single occupant vehicle trips and provide enhanced options to employees and infrastructure users, the City has adopted code provisions for a transportation management program. The owner of this development shall, prior to any initial occupancy of the building structures, sign and record an agreement approved by the City of Bellevue to establish a transportation management program to the extent required by BCC14.60.070. The program should be structured so it can be expanded or modified to accommodate future buildings and phases within The Spring District.
See conditions X.C.3 and D.3.

Discussion of Frontage Improvements on 124th Avenue NE, Developer Payment in Lieu, and the Relationship to Transportation Impact Fees, Demolition, and Credits

The City will be constructing improvements to 124th Avenue NE as detailed in the not-yet-final design plans for CIP project PW-R-169. Therefore, per BCC 14.60.110.C, the developer (Wright Runstad) will be required to pay into the City's CIP fund the amount equal to Wright Runstad's costs for Wright Runstad's portion of the City's intended improvements. Payment into the CIP fund will be required prior to issuance of any certificate of occupancy for each building fronting on 124th Avenue NE, based on the portion of 124th Avenue NE frontage adjacent to each building parcel. Wright Runstad will be provided with the City's current plans and preliminary quantities and cost estimates to be used in calculating Wright Runstad's costs, for City review and approval. Future updates of the City's plans and estimates will also be provided.

Funds paid by Wright Runstad will be held in the City's CIP account specifically to be used to complete the design and construction of the CIP project that will improve 124th Avenue NE on the site's frontage. The plans and schedules for constructing various parts of 124th Avenue NE will continue to evolve going forward.

As part of Phase 1A of the development, Wright Runstad will be responsible for constructing the intersection of NE 13th Street and 124th Avenue NE at Wright Runstad's cost, regardless of the status of the CIP project on 124th Avenue NE. The intersection

work will include installation of traffic signal equipment, crosswalks, and curb radii necessitated by Wright Runstad's ultimate build out of the complete MDP. On-going coordination with the City's CIP project manager will be necessary. Coordination with the property owner on the east side of 124th Avenue NE will be necessary if that owner (Coca-Cola) decides to proceed with a new access at NE 13th Street. The timing will require on-going reassessment.

Per BCC 22.16.087, Wright Runstad's payment into the CIP fund may be eligible for credit against the payment of transportation impact fees, based on the fair market value of right of way that is required to be dedicated to the CIP project, and on the developer's anticipated costs of construction for relevant components of the CIP project. Such credits will be calculated per the method described in Chapter 4 of the city's Impact Fee Manual. Payment into a Local Improvement District for transportation improvements may also provide a credit against impact fees.

Based on building square footages provided for the trip generation estimate that was used in the Traffic Impact Analysis, the approximate transportation impact fees for buildings 16 and 24 are estimated below. At this time, these figures are illustrative only, since the square footages and mix of office and retail space may change.

Building 16		
Office:	332,210 sq ft at $5.13/sq ft =	$1,704,237
Misc. Retail:	12,426 sq ft at $2.85/sq ft =	$ 35,414
Subtotal:		$1,739,651
Building 24		
Office:	175,155 sq ft at $5.13/sq ft =	$ 898,545
Misc. Retail:	5,349 sq ft at $2.85/sq ft =	$ 15,245
Subtotal:		$ 913,790
ESTIMATED GROSS IMPACT FEE		$2,653,441

Demolition of the existing warehouse on the southern portion of the Spring District site is eligible for impact fee credit. At $1.22 per square foot, the warehouse listed at 355,829 square feet would be eligible for a credit of $434,111. If all of the demolition credit goes to buildings 16 and 24, then the net impact fee for those two buildings would be as follows:

ESTIMATED GROSS IMPACT FEE MINUS DEMOLITION = $2,653,441- $434,111
= $2,219,330

When the City receives and accepts the developer's cost and quantity data for work on 124th Avenue NE as described above, and the City determines any need for new right of way on the site's frontage on 124th Avenue NE, then the City will estimate credits for these factors and will determine the final net transportation impact fee. Final impact fees will be calculated just prior to building permit issuance for each building. The illustrative impact fee rate calculation provided above is from the present fee schedule. Transportation impact fees are subject to change by the City Council. The presently

adopted fee schedule includes a significant increase on January 1, 2016. Final fees will be calculated based on the fee schedule in effect at building permit issuance.

See conditions X.C.1 and X.D.4.

D. Building Division

Building code issues will be covered during the Building Permit application review.

E. Fire

The Fire Department has reviewed this proposal and recommends approval subject to conditions including Fire Department Connections, Fire Command Center and parking garage hose distance requirements. See conditions X.C.4-7.

F. Parks & Community Services

The Parks & Community Services Department reviewed the proposal. Future park improvements will be reviewed at time of future Design Review applications.

G. Addressing

The applicant shall contact Jami Carter, Information Technology Department, phone 425-452-4310 regarding the addressing of buildings/tracts. The Planning and Community Development Department shall review and approve such addressing. The City is undertaking a street-naming exercise for the Bel-Red Corridor. Addressing will be managed later in the development and construction process, but prior to issuance of a Certificate of Occupancy. See condition X.D.10.

VI. STATE ENVIRONMENTAL POLICY ACT (SEPA)

The environmental review indicates no probability of significant adverse environmental impacts occurring as a result of the proposed Design Review approval that are beyond those identified in the Bel-Red Corridor EIS and the Transportation Facilities Plan EIS. The Environmental Checklist together with information submitted (in the official file) adequately discloses expected environmental impacts associated with the proposed Design Review approval. The City codes and requirements, including SEPA, Land Use Code, Noise Ordinance, Building Code and other construction codes adequately mitigate expected environmental impacts. Therefore, issuance of a Determination of Non-Significance (DNS) is the appropriate threshold determination under the State Environmental Policy Act (SEPA) requirements, with incorporation by reference of:

- The Bel-Red Corridor Project Draft and Final Environmental Impact Statement, issued July 19, 2007 and addendum.
- Final Environmental Impact Statement, 2009-2020, Transportation Facilities Plan, March 2009

These documents are available in the Development Services Department, Records Room, Lobby Floor, Bellevue City Hall, 450 110th Avenue NE under file #05-127994-LE.

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

The following amendments to the Environmental Checklist are provided by the City of Bellevue.

Transportation

Long-Term Impacts and Mitigation

The previously approved Master Development Plan for the Spring District includes demolition of six buildings and construction of 29 buildings on a 36-acre site. The overall mixed used development is intended to contain office buildings, neighborhood retail, multi-family dwellings, a hotel, parks, and new roads and infrastructure. The master development plan is anticipated to be implemented over 15 years in seven phases. Phase 1A of the Master Plan includes development of two office buildings on parcels #16 and #24 and development of the residential component on parcels #17 through #23, along with construction of NE 13th Street, parts of 121st and 123rd Avenues NE, improvements on 124th Ave NE, and private accesses needed to serve the referenced parcels. The present Design Review is for part of Phase 1A, including the buildings on parcels #16 and #24, and construction of NE 13th Street, parts of 121st and 123rd Avenues NE, improvements on 124th Ave NE, and private accesses needed to serve parcels #16 and #24.

During review of the Master Development Plan, City staff directed the applicant's traffic consultant (Transportation Solutions, Inc.) to analyze operational impacts of the Master Plan at full build out in order to recommend mitigation if necessary. This analysis included year 2030 with-project conditions during PM peak hours at the proposal access points and intersections adjacent to the entire Master Plan site. In addition, the evaluation included intersection Level of Service (LOS), roadway channelization assumptions, and intersection controls, as well as consistency with the transportation assumptions and findings of the Bel-Red Corridor Project FEIS and current transportation planning efforts. The results of that analysis for the Master Plan approval confirmed the need for the developer to be responsible for half-street widening associated with a five-lane cross section on 124th Avenue NE, as well as for all new streets within the site. On that basis, the City's approval of the Master Development Plan was conditioned on the developer being required to construct "all street frontage improvements and other required transportation elements for each phase of the master development plan."

The long-term impacts of development projected to occur in the City by 2020 have been addressed in the City's Final Environmental Impact Statement (TFP EIS) 2009-2020 Transportation Facilities Plan published March 5, 2009, and through the future payment of traffic impact fees. 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. The Spring District lies within MMA 12, which has a 2020 total growth projection of 3,324,252 Gross Square Feet (GSF) of office; 521,400 GSF of retail; 3,300 multi-family units; and a 400-room hotel. The present Design Review proposes development of 507,365 GSF of office and 17,775 GSF of retail. Therefore, the volume of proposed development under the present

Design Review is within the assumptions of the Transportation Facilities Plan EIS. In addition, the City's Final Environmental Impact Statement for the Bel-Red Corridor (The Bel-Red Corridor Project FEIS, 2007-2030, issued July 19, 2007, and later supplemented), also evaluated the long-term 2030 impacts within MMA 12.

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.

See condition X.C.1.

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 new p.m. peak hour trips undergo a traffic impact analysis to determine if the concurrency requirements of the State Growth Management Act are maintained.

The Development Agreement for The Spring District, executed on July 10, 2009, stated that concurrency analysis and determination will be done for each phase of the Spring District at the time of design review or other Process II approval for each phase, and that concurrency for each phase shall be vested for five years, which may be extended consistent with BCC 14.10.040.F.1.

The concurrency analysis for the Spring District was done for all of Phase 1A, which was intended to include demolition of a large warehouse and construction of two new office buildings (including some retail) and ten new residential buildings; and was expected to generate approximately 946 net new PM peak hour trips. That number of trips was used in a concurrency test that was released on January 3, 2013. City staff distributed and then assigned project-generated trips to the street network using the City's EMME-2 travel forecasting model with the current Capital Investment Program network. By adding the expected project-generated trips to the traffic volumes in the model, the area average levels of service were determined. To create a baseline condition for comparison, the levels of service were also determined using traffic volumes without the project-generated trips.

After the concurrency test was completed, the development concept was revised to reduce the intended number of residential units, and the estimate of net new PM peak hour trips for Phase 1A was reduced from 946 to 919. That means that the concurrency test results are conservative, and can accommodate a margin for possible changes in the Phase 1A proposal. With the results from this concurrency test, 34 system intersections received 20 or more PM 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. Therefore, the proposed development for Phase 1A (including the present Design Review) 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 July 21, 2011. A concurrency determination is issued on the date of issuance of the land use decision. This Design Review complies with the Traffic Standards Code and is receiving a Certificate of Concurrency. See Attachment G for this certificate.

The concurrency determination is reserved for Phase 1A of this project as of the land use decision date. Per the Development Agreement, the concurrency reservation shall be vested for five years, which may be extended consistent with BCC 14.10.10.040.F.1.

Short-Term Operational Impacts and Mitigation

City staff and Transportation Solutions, Inc. analyzed the short-term PM peak hour operational impacts of this proposal in order to recommend mitigation as necessary. The results of the short-term traffic analysis are published in The Spring District Phase 1A Traffic Impact Analysis, May 20, 2013, by Transportation Solutions, Inc. and follow up memos. The documents are included in the Transportation Department file for this development. Issues included in the analysis include trip generation, level of service at affected intersections, signal warrant analysis for the signal proposed at NE 13th Street and 124th Avenue, and interim channelization to create a northbound left turn lane from 124th Avenue to NE 13th Street. As a result, the developer is being required to install a signal and other intersection improvements at NE 13th Street and 124th Avenue and install interim channelization on 124th Avenue near that intersection for Phase 1A, in addition to street improvements within the site. See condition X.B.2 and D.1.

The city is aware of concerns that traffic generated by The Spring District might impact the Wilburton neighborhood. The city is addressing that issue as part of a separate project dealing with Wilburton neighborhood streetscape enhancements and 124th Avenue corridor improvements south of NE 8th Street (part of CIP project R-166). A public involvement process for that project began on June 20, 2013.

Earth

The affected geographic area is relatively level and paved with asphalt and concrete.

According to the geotechnical report of record, by Hart Crowser dated April 6, 2012, fill consisting of moist to wet, medium dense, sand was encountered beneath the pavement in depths of no more than 3 feet. Soils beneath the fill vary from very dense mist sand to very dense slightly gravelly silt and silty sand in depths of 3 to 40 feet, which are part of the glacial till underlying the whole area. In one boring, a very dense, wet gravel was encountered at a depth of 38 feet. There are no indications of unstable soils in the area. According to the geotechnical findings of the report, the project area is stable and capable of supporting the proposed development.

Proposed earthwork includes the excavation of approximately 145,000 cubic yards of material for construction of underground parking garages. Of this material approximately 8,000 cubic yards will be used for fill within the site, if suitable. Fill trucked in from off-site

will come from approved suppliers.

There is potential for erosion and sedimentation impacts as a result of the earth movement activities. Applicants and permittees are responsible for preventing erosion and discharge of sediment and other pollutants into the storm and surface water system and receiving waters. A construction stormwater pollution prevention plan (CSWPPP) prepared according to the Washington State Department of Ecology Stormwater Management minimum technical requirement # 2, will be required at time of Clearing and Grading permit application for each of the development phases. (Bellevue City Code 23.76)

By incorporating the requirements of existing codes and standards, the recommendations included in the geotechnical report (including site management techniques), use of Best Management Practices for temporary erosion and sedimentation control, and rainy season restrictions, it is expected that anticipated impacts to earth resources will be adequately mitigated.

Water
The existing 14.75 acre project area is a light industrial site with approximately 89% existing impervious surface. At build-out for this proposed phase, the impervious surface will be reduced to 69%. This results in a reduction of impervious surface of approximately 91,911.6 square feet or 2.11 acres.

The Spring District development area is approximately 400 feet northeast of Lake Bellevue and is located in the Sturtevant Drainage Basin. There is one Category III wetland located directly to the southwest of the property along 120th Avenue NE. (This is in an area of work for the 120th Avenue NE Phases 2 and 3 road widening project.) The wetland flows to Lake Bellevue, which flows to Sturtevant Creek to the southwest. Kelsey Creek is located approximately 300 feet northeast of the site. The development will not require any work over, in, or adjacent to any body of water.

Permanent Storm Water Controls
The existing project limit area is within an area currently used for light industry. This area is already paved for automobile use and storage of dry/cold consumer goods. The proposed development is expected to decrease overall adverse impacts to the quality of surface water leaving the site. Stormwater from rooftops and roadways will be collected, treated, and conveyed through approved systems that eventually discharge to Lake Bellevue. Water quality treatment will be required and LID Best Management Practices are proposed to meet the requirement. Bio-retention raingarden cells will be used to treat areas of pollution generating impervious surfaces and are in accordance with 2005 DOE enhanced treatment requirements. Internal, private roadways are narrower than standard street sections, reducing the use of asphalt pavement and therefore reducing runoff. See Section 5 Utilities Design Intent submitted with the application materials dated May 20, 2013 by Justin Jones P.E. of JMJ Team. The development proposes to decrease the amount of existing impervious surface from 89% impervious lot coverage to 75%. No detention facility will be required since the 100 year peak storm water threshold will not be exceeded which is a .10 cubic foot per second increase in the 100 year developed peak runoff. The City's Utility Codes and Engineering Standards provide

adequate direction to mitigate for water quality treatment for pollutants for any impacts related to the proposal.

See Utility Code 24.06 and 2012 Utility Engineering Standards.

Temporary Construction Storm Water Treatment and Disposal

During construction, contractors will be required to have a Spill Prevention Control, Counter measure plans and a Construction Stormwater Pollution Prevention Plan (CSWPPP) in place as required by department of Ecology, under a Clearing and Grading permit. Construction stormwater will be collected, treated and disposed of in accordance with the City of Bellevue Development standards.

All site work during the rainy season (October 1st through April 31st) is required to be approved by the Clearing & Grading Section based on a City of Bellevue Clearing and Grading code 23.76.093. Any approval to perform clearing & grading activities during the rainy season will be subject to conditions requiring site erosion and sedimentation to be minimized. An augmented temporary erosion and sedimentation control plan may also be required at the time of Clearing & Grading permit review. (Bellevue City Code 23.76)

Air Quality

During construction, emissions to the air will be released by construction vehicles and heavy equipment. Following construction, emissions from residents' and office workers vehicles will be released.

Construction would temporarily increase dust and vehicle emissions near the construction area. Mitigation will include using BMPs to control dust, covering exposed soils, and requiring idling vehicles to be shut off. Construction vehicles will be fitted with required, factory-installed emission control devices. To reduce the potential of dust, construction accesses will be covered with rock or aggregate. Dust emissions will also be reduced during construction through the use of spray water as necessary during dry weather conditions and planting disturbed areas with erosion control seed mix as soon as is practical. Material stockpiles will also be covered or watered as necessary to control dust. These are standard practices imposed on the Clearing & Grading permit. (Bellevue City Code 23.76)

The Bel-Red Corridor DEIS states that to the extent that pollutant-generating land uses (i.e. repair shops, drycleaners) redevelop over time within the Bel-Red Corridor, overall emissions would be lower in the future than they are now. And, that despite the predicted increase in traffic volumes and emissions, the Bel-Red Corridor redevelopment is not likely to result in any exceedance of the air quality standards. Maintaining traffic flow will reduce vehicles idling and, therefore, reduce pollutant emissions from vehicles. With the future LTR trips, pollutant emissions from vehicles are assumed to be further reduced.

The applicant provided a technical memorandum by JMJ Team, civil engineering consultants, dated May 10, 2013 (see Attachment D) which describes the anticipated greenhouse gas emissions associated with the construction and operation of the proposed office building development.

Need for Qualitative or Quantitative Disclosure
Washington Department of Ecology (Ecology) has jurisdiction over air quality in Washington State. The City of Bellevue does not have code authority to regulate air quality. Air quality is under the jurisdiction of the Washington State Department of Ecology. Ecology provides thresholds based on building type and square footage to estimate the annual CO2e from the buildings and associated traffic. These thresholds are used to determine the need for either a qualitative or quantitative analysis of CO2e for a project. Ecology's screening table, below, was used to determine the need for a qualitative or quantitative analysis.

Ecology GHG Screening Table – Phase 1A

Phase 1A		Ecology Threshold Determination	
Building Types	**Units or SF**	**Qualitative Analysis (10,000 MTCO2e Annually)**	**Quantitative Analysis (25,000 MTCO2e Annually)**
Office Space (Buildings 16, 24)	452,548 SF	> 399,000 SF	> 998,000 SF

Ecology's Guidance for including Greenhouse Gas Emissions in SEPA states that for projects that are expected to annually produce an average estimate of at least 10,000 but less than 25,000 metric tons CO2e, proponents should at least qualitatively disclose the GHG emissions caused by the project. A qualitative disclosure should include a general description of the project's expected source(s) of the emissions, as well as any proposed GHG mitigation measures incorporated or designed into the project.

The Spring District meets the 10,000 MTCO2e threshold to warrant a qualitative analysis for the office buildings. This qualitative analysis, including mitigation options, is described next. The project does not, however, meet the 998,000 SF threshold to warrant a quantitative analysis for Buildings 16 and 24.

Mitigation measures for potential impacts to air quality due to the proposed for the development include:

1. Transit-Oriented Development: These mitigation measures include transit-oriented development (light rail station, walkable community, multi-use path with regional connection, and mixed-use development) and low impact development techniques (i.e. rain gardens, bioretention, porous concrete, and LEED® certified buildings). These techniques can reduce the emissions by at least 11% compared to the no-mitigation option, according to the technical analysis.

2. Building Lifespan: These mitigation measures include applicant commitment to ecological construction, green building management and a practice of energy conservation. Other mitigation measures include adaptive building reuse, sustainably grown and regionally produced products (i.e. extracted, harvested, or recovered

within 500 miles of the project) and high-performance systems (i.e. ventilation, HVAC systems, water conservation strategies). Additional mitigation measures include applicant commitment to waste reduction, as well as, reuse and recycling in all buildings. By selecting durable and less energy consuming building components (i.e. durable shell, permanent interior systems), the applicant has a proven history of sustainable 100-year buildings. With the mitigation measures related to building lifespan, emissions can be reduced by another 31% compared to the no-mitigation option.

This is a total of 42% potential reduction (11% and 31%) in Greenhouse Gas Emissions compared to the no-mitigation option.

3. Other Mitigation Measures. While it is difficult to quantify the MTCO2e reductions of many low impact development techniques, the following features will provide additional emissions reductions:

   - Bike and Pedestrian Facilities: Bike and pedestrian facilities will encourage non-motorized transportation that will further reduce the number of vehicle trips.

   - LEED Building Design: Buildings and site design meeting LEED standards will result in energy efficiencies and possible water reuse. During construction, materials will be recycled where possible. This mitigation reduces stationary combustion emission sources.

   - Low Impact Development (LID): LID techniquest include bioretention cells (rain gardens) to treat pollution-generating surfaces and green roof treatments.

Plants and Animals
The existing 14.7 acre project limit is a light industrial site with approximately 89% existing impervious surface. Upon completion of the Design Review proposal, the overall impervious surface will be reduced to 69%, which is under the 75% as required by the Land Use Code. This results in a reduction of impervious surface of approximately 3 acres. With the installation of future public parks and other site landscaping (i.e. perimeter/interior, streetscape), there will be the opportunity for new plant material (native/ornamental). It is anticipated that small urban animals (such as squirrels, moles) and native birds will occupy the site area.

Noise
As conditioned, short term impacts related to noise generation as a result of the construction will be minimized. Noise related to construction is allowed from 7:00 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 6:00 p.m. on Saturday, except for Federal holidays and as further defined by the Bellevue City Code. Exceptions to the construction noise hours limitation contained in the Noise Control Code MAY be granted pursuant to 9.18.020.C.1 when necessary to accommodate construction which cannot be undertaken during exempt hours. Written requests for exemption from the Noise Control Code must be submitted two weeks prior to the scheduled onset of extended hour construction activity. The use of best available noise abatement technology consistent with feasibility is required during construction to mitigate construction noise impacts to surrounding uses. See conditions X.A.11, 12.

Light and Glare
There is the potential for light and glare with the lights at night from any above ground parking garages, office buildings and residential units. Since this site is approximately 400 feet from the closest multi-family units (and approximately 1500 feet from the closest single family units), the impact will be on adjacent businesses that operate after dark and the vehicular/pedestrian traffic along adjacent streets. In order to mitigate potential impacts to adjacent vehicular drivers/businesses/residents, any light source emitting from the project area shall incorporate cutoff shields and be designed so as not to provide light and glare and spillover offsite. See condition X.C.19.

VII. CHANGES TO PROPOSAL DUE TO CITY REVIEW

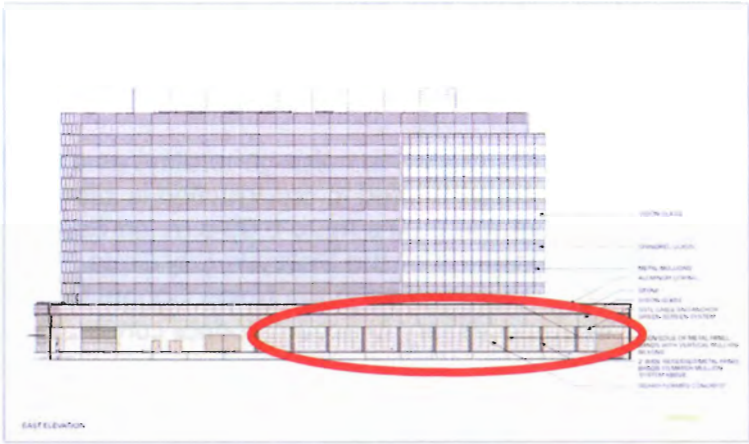
A. Transportation Department
As a result of review from the Transportation Department, the applicant provided the following changes:

- Clarification of cross-sections for new city streets to match city standards. See condition X.B.4.
- Removal of on-street parking that could create a traffic hazard adjacent to Building 24.
- More on-street parking along new city streets.
- Clarification of signal intersection needs at NE 13th Street & 124th Avenue NE.
- Coordination of on-street parking with rain gardens along new city streets.

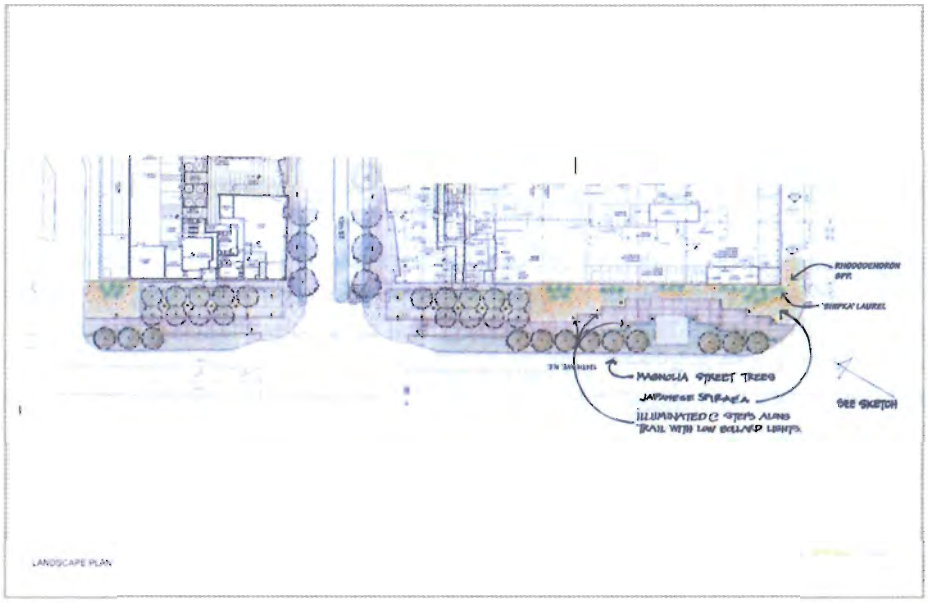
B. Land Use Division
The Land Use Division reviewed the proposal and requested the following:

- More architectural interest along podium of the east elevation of Building 16 facing 124th Avenue NE. See discussion in Section III of this report.

Building 16 – East Elevation



Landscape Plan along 124th Avenue NE



- More variety of plant material along 124th Avenue NE.
- Architectural integration of the screening for the rooftop mechanical equipment.
- Clarification of cross-sections for new city streets.
- For the proposed food vendor truck area, hard surface (paving) of the parking lot. See condition X.B.7.
- More architectural compatibility of fire control doors adjacent to the sidewalk so they appear to match other tenant doors. Vision glass is required along tenant storefronts. See conditions X.C.11, 12 and X.F.1.
- Clarification of the 50/50 rule for a brew/pub. For microbrewery manufacturing, 50% of the square footage must be dedicated to a restaurant use. As a result, the applicant cancelled the brewery component of this application.
- Require a Land Use Exemption for the minor modifications to the Master Development Plan for the current Design Review proposal.

C. Utilities Department

The Utilities Department requested clarification on the calculations and locations of the biofiltration raingarden cells.

VIII. DECISION CRITERIA

Per Land Use Code 20.30F.145, the Director may approve or approve with modifications an application for Design Review if:

A. The proposal is consistent with the Comprehensive Plan.

Finding: The proposal, as conditioned, is consistent with the Comprehensive Plan and Bel-Red Subarea Plan. Staff has reviewed the policies which apply to the project and determined that those applicable policies will be implemented through the application of City Codes and the adopted Design Guidelines identified in the Bel-Red Chapter of the Land Use Code. See conditions in Section X regarding building design, site design (loading/unloading areas), pedestrian amenities (sidewalks, planting strip, multi-purpose trail), landscaping and master sign permit package.

The proposal is consistent with the Comprehensive Plan, including the following goals and policies from the Bel-Red Subarea Plan:

1) ***Vision:***

- *The Bel-Red corridor in 2030 will be an area that is unique within the city of Bellevue and the entire Puget Sound region. It will be an area where thriving businesses will be adjacent to, and sometimes mixed with, livable neighborhoods, all served by a multi-modal transportation system that connects the area to the greater city and region. The area will also be distinguished by environmental and community amenities that will serve residents and employees in the area, as well as residents from surrounding neighborhoods and the entire city. The area will transition gracefully over time, with existing businesses being accommodated while new types of development will occur as conditions warrant.*

- *Vibrant, diverse and walkable neighborhoods: Bel-Red will contain a broad range of housing types to meet the needs of a diverse population of varied income levels. Neighborhoods will have a pedestrian friendly and walkable character, with convenient access to shopping, jobs, and community amenities, and will also be well connected to the larger city and region.*

Finding:
The proposed Spring District Design Review application for Buildings 16 & 24 is consistent with the goals and policies of the Bel-Red Subarea Plan. The proposal implements the vision of the Bel-Red Subarea Plan by providing office buildings for new businesses. Retail businesses will be located at the sidewalk level of the buildings. This will provide activation of the sidewalk and further pedestrian activity and movement along new city streets. As the first two buildings in this 15-year master development plan area, Buildings 16 & 24 will provide an iconic anchor to the new gateway entrance (at NE 13th Street and 124th Avenue NE) to The Spring District.

2) ***Land Use Goal:*** *To develop a land use pattern that is environmentally sustainable and economically vibrant, and that creates distinctive new commercial and residential neighborhoods for the Eastside.*

POLICY S-BR-6. *Concentrate the majority of future Bel-Red growth into a series of mixed use, pedestrian-friendly and transit-oriented development nodes, with higher density and height therein, as enabled through a land use incentive system. Within each node, provide for tiered building heights, with maximums at the center.*

POLICY S-BR-8. *Encourage mixed use development, promoting opportunities to live, work, shop, and recreate within close proximity.*

Finding:
The proposed Spring District Design Review application for Buildings 16 & 24 meets the Land Use goals and policies of the Bel-Red Subarea plan noted above. The office buildings will be the first two buildings to be constructed in the 36-acre master development plan area. These buildings will provide the anchor for The Spring District development plan and beginning of this future mixed use development. The proposal will include approximately 77,000 square feet of park space available for the public. This is in compliance with the Development Agreement to create at least 1 acre of park and 30,000 square feet of contiguous active space during Phase 1A construction.

3) ***Urban Design Goal:*** *To achieve a design character that results in aesthetically beautiful, distinctive, and long-lasting places that evoke a strong sense of Bellevue and the Northwest, and a dynamic public realm that encourages social interaction.*

POLICY S-BR-14*. Use design guidelines to promote pedestrian-friendly and transit-oriented design, ensure quality and a sense of permanence, promote environmental sustainability, and create a distinct sense of place. Conduct design review for all mixed use, office and residentially designated areas of the Subarea. Apply additional depth and attention to the details of design review within transit-oriented development nodes.*

> *Discussion: Design review should pay special attention to creating a pedestrian-friendly environment, by helping to create vibrant, interesting, safe, walkable and interconnected sites.*

POLICY S-BR-16. *Encourage place-making and a dynamic public realm by integrating publicly accessible plazas, open spaces and other gathering places with development, in public and private projects.*

POLICY S-BR-18. *Encourage diversity in the built environment through a variety of building heights and forms, building articulation and modulation. Encourage building rooflines and floorplates that break down the scale of buildings, help to differentiate Bel-Red from Downtown, and enhance the architectural variety of the area.*

POLICY S-BR-23. *Reinforce neighborhood character and identity through the use of gateways and neighborhood signage. Prohibit signage that is out of scale with or detracts from the public realm.*

POLICY S-BR-25. *Design and develop an outstanding street environment that promotes streets as key urban places, sensitive to their context and providing an interesting and aesthetically rich experience. Apply a street hierarchy with design guidelines and street standards that provides an appropriate combination of the following elements:*

a. Strong consideration of character and aesthetics in the design and implementation of all street projects;
b. Integration of open space and landscaping, including street trees;
c. Environmentally sensitive practices, including natural drainage systems where appropriate;
d. Sidewalk development standards that promote pedestrian functionality and interest, and avoid obstructions;
e. Ground floor differentiation, including preferred uses, visual and physical access;
f. Mid-block pedestrian crossings; and
g. On-street parking, where it contributes to pedestrian convenience and safety.

Finding:
The Urban Design goals and policies of the Bel-Red Subarea Plan are incorporated in the Design Review for the proposed Buildings 16 & 24. The buildings will create a distinct sense of place at the gateway corner of NE 13th Street and 124th Avenue NE. Building 16 will be an 11-story building with horizontally faceted glass curtainwall. Building 24 will be a 9-story building with a vertically faceted glass curtainwall. This exterior treatment will provide shading and refraction of light along the surface of the structure to add visual interest.

Pedestrian-friendly sidewalks will be provided along city streets. This includes street trees and a planting strip. On-street parking and raingardens will also be provided. Retail uses will be provided along city streets. The project is subject to the plans submitted May 20, 2013 and attached.
See condition X.A.10.

The applicant will provide a master sign package for consistency in signage within the project. See condition X.E.1.

4) ***Parks and Open Space Goal:*** *To create a robust, aesthetically beautiful, and functional parks and open space system that serves the needs of Bel-Red and the broader community, and that connects with and complements the larger Bellevue parks and open space system.*

POLICY S-BR-39. *Promote the development of "green streets" throughout*

the corridor, with an abundance of street trees and areas of landscaping to improve and reduce the amount of stormwater runoff, be aesthetically pleasing, and provide an attractive pedestrian experience.

Finding:
Along the streets within The Spring District, the applicant will provide the required local street landscaping: street trees and planting strip. The applicant will also provide raingardens. The proposal will include approximately 77,000 square feet of park space available for the public. This is in compliance with the Development Agreement to create at least 1 acre of park and 30,000 square feet of contiguous active space during Phase 1A construction. The applicant shall provide signs to indicate public use is allowed at the parks. See condition X.D.12.

5) ***Transportation Goal:*** *To create a more complete, connected, and well balanced transportation system, while protecting neighborhoods from spillover traffic impacts and while ensuring that transportation investments contribute to the area's sense of place and sustainability.*

Finding:
The proposal will provide city streets constructed to the Bel-Red Corridor Plan standards for local streets. On-street parking will also be provided. See conditions X.B.4, X.C.2.

6) ***Neighborhoods/Districts Goal:*** *To support the development of new Bel-Red neighborhoods that achieve distinctive and high quality character.*

Node at 122nd Avenue NE
POLICY S-BR-87. *Provide for a mix of office, housing and retail uses in this area, with office as the predominant use. Potential height in the center of this node may reach 150 feet, and up to125 feet in the perimeter.*

Discussion: This office-supportive node is located on the west side of the subarea, where it is better served by regional transportation infrastructure and has lesser potential for traffic impacts on East Bellevue neighborhoods. Housing and retail uses should be part of the mix of this neighborhood, to avoid a sterile office-only area and to create a balance of activities. Parks, open spaces, and recreational opportunities are envisioned as part of this urban environment. The Master Development Plan process will be used as a review mechanism for larger developments.

Finding:
The proposal meets the above Neighborhoods/Districts goal and policy by providing office use for the first two buildings in the entire Master Development Plan area. The mixed-use development will occur as new buildings and uses are proposed (i.e. future residential development). The current proposal includes parks which will provide recreation opportunities for office workers, future

residents and visitors.

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

As conditioned, the proposal complies with applicable requirements of the Land Use Code:

- Dimensional requirements.
- Parking/Loading requirements.
- Local Street requirements.
- Building and Site Design requirements.
- FAR Amenity Incentive System.
- Use charts.
- Catalyst Project.
- Bel-Red Corridor Plan.
- Master Development Plan.
- Development Agreement.
- Critical Areas Land Use Permit.

See Section III, Consistency with Land Use Code/Zoning Requirements.
See Section V, Technical Review.

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

As conditioned, the proposal complies with applicable requirements of the Land Use Code:

Bel-Red Chapter of the Land Use Code, LUC 20.25D.

- Building Materials LUC 20.25D.140.
- Local Streets LUC 20.25D.140.A.
- Build-To Lines LUC 20.25D.130.B.
- On-Street Parking LUC 20.25D.140.
- Design Guidelines LUC 20.25D.150.
- Architectural Compatibility LUC 20.25D.150.B.2.
- Gateways LUC 20.25D.150.B.3.
- Pedestrian Emphasis LUC 20.25D.150.C.
- Pedestrian Protection LUC 20.25D.150.C.2.
- Architectural Guidelines LUC 20.25D.150.D.
- High Quality Materials LUC 20.25D.150.D.1.

See Section III, Consistency with Land Use Code/Zoning Requirements.
See Section V, Technical Review.

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.

As conditioned, the project meets this criterion. See responses to Criteria VIII.A-C above.

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

All urban level public utilities/infrastructure are available to or on the site or will be constructed/installed with the development. All city departments have reviewed the proposal and required conditions, as necessary. See Section V. for Technical Review.

IX. DECISION

After reviewing the proposal for consistency with applicable City of Bellevue requirements, policies, development standards, and SEPA, the Director hereby APPROVES WITH CONDITIONS THE **DESIGN REVIEW APPLICATION** AND **CRITICAL AREAS LAND USE PERMIT** FOR **THE SPRING DISTRICT OFFICE BUILDINGS 16 & 24.**

X. CONDITIONS OF APPROVAL

COMPLIANCE WITH BELLEVUE CITY CODES AND ORDINANCES:

NOTE – Vested Status of the Design Review approval: The vested status of the Design Review approval is per Land Use Code 20.25D.035.B and the Development Agreement, signed July 10, 2009 and recorded September 11, 2009, recording number #200909110002269. These provisions allow for extended vesting up to a maximum of 15 years from the date of the City's final decision, unless a completed building permit application is filed before the end of the 15 year term. Upon issuance of a building permit, the vested status of a land use permit or approval shall be automatically extended for the life of the project.

COMPLIANCE WITH BELLEVUE CITY CODES AND ORDINANCES: The applicant shall comply with all applicable Bellevue City Codes (BCC) and Ordinances including but not limited to:

Clearing and Grading Code - BCC 23.76	Savina Uzunow	425-452-7860
Bellevue Development Standards	Savina Uzunow	425-452-7860
Transportation Code - BCC 14.60	Carl Wilson	425-452-4228
Trans. Development Review - BCC.22.16	Carl Wilson	425-452-4228
Right-of-Way Use Permit - BCC 14.30	Tim Stever	425-425-4294
Bellevue Utilities Code - BCC Title 24	Mark Dewey	425-452-6179
Construction Codes - BCC Title 23	Mark Chang	425-452-6997
Structural Codes – BCC Title 23	Mark Chang	425-452-6997
Land Use Code - BCC Title 20	Carol Hamlin	425-452-2731
Sign Code - BCC Title 22B	Carol Hamlin	425-452-2731
Noise Control - BCC 9.18	Carol Hamlin	425-452-2731
Uniform Fire Code - BCC 23.11	Adrian Jones	425-452-6032
Transportation Department Design Manual	Carl Wilson	425-452-4228
The Bel-Red Corridor Plan Streetscape Character, Guidelines, and Standards	Carl Wilson	425-452-4228

Addressing Jami Carter 425-452-4310

A. GENERAL CONDITIONS: The following conditions apply to all phases of development.

TRANSPORTATION DEPARTMENT CONDITIONS (GENERAL)

1. HOLIDAY CONSTRUCTION & TRAFFIC RESTRICTIONS
Construction activities such as hauling and lane closures between November 15th and January 5th will be allowed only between the hours of 10:00 PM and 6:00 AM on streets that carry significant holiday shopping traffic, such as 148th Avenue or NE 8th Street. The Transportation Department will be monitoring traffic and may modify this restriction accordingly. Specific restrictions, if any, will be implemented through the Right of Way Use Permit for this development.
AUTHORITY: BCC 14.30.060
Reviewer: Tim Stever, 425-452-4294

2. PROVISIONS FOR LOADING
For each building, the property owner shall provide off-street truck loading space which can access a public street. On-street truck loading and unloading will not be permitted.
AUTHORITY: LUC 20.20.590.K.4
Reviewer: Carl Wilson, 425-452-4228, Carol Hamlin, 425-452-2731

3. EASEMENTS FOR SIGNAL AND STREET LIGHT FACILITIES
The applicant / property owner shall provide easements to the City for any traffic signal and street light facilities which will not be located within street rights of way or pedestrian easements. Granting of any such easements will be required prior to the time when the relevant facilities will be installed.
AUTHORITY: BCC 14.60.100
Reviewer: Carl Wilson, 425-452-4228

4. PEDESTRIAN EASEMENTS
The applicant / property owner shall provide sidewalk and utility easements or multipurpose easements to the City such that public sidewalks or paths outside of the City right of way along the property frontages are located within a pedestrian/utility or multipurpose easement area. These easements will include any landscaping area between the right of way boundary and the sidewalk or path. Granting of each segment of the new easements will be required prior to occupancy of the relevant building(s), except that granting / dedication of any new easements along 124th Avenue shall not be delayed beyond the time when such would be needed for the city CIP project.

AUTHORITY: BCC 14.60.100
Reviewer: Carl Wilson, 425-452-4228

5. DEDICATION OF RIGHT OF WAY
The applicant / property owner shall dedicate right of way to the City along the property frontages such that street improvements to and including the back of curb are located within the public right of way. In areas with parking bays and curb extensions, the right of way boundary shall be aligned with the back of curb in the parking bays, and shall

follow straight lines where feasible rather than meandering with the curbs of the parking bays and curb extensions. On 124th Avenue, the need for dedication of any right of way will be based on the city's final determination of the curb alignment along that street according to the city's design of the CIP project. Dedication of each segment of new right of way will be required prior to occupancy of the relevant building(s), except that dedication (if any) of new right of way along 124th Avenue shall not be delayed beyond the time when such right of way would be needed for the City CIP project. Dedication of property for the widening of 124th Avenue that is beyond what is needed for the CIP project shall not be considered a condition of permits for Phase 1A.

AUTHORITY: BCC 14.60.090
Reviewer: Carl Wilson, 425-452-4228

6. EXISTING UTILITY EASEMENTS

Negative impacts caused by this development to any utility easements must be mitigated or easements relinquished.
AUTHORITY: BCC 14.60.100
Reviewer: Tim Stever, 425-452-4294

7. AGREEMENT FOR STREET FURNITURE, ALTERNATIVE PAVING MATERIALS, AND OTHER ALTERNATIVE FEATURES

As needed, the applicant / property owner shall sign and record an indemnification agreement that acknowledges that the applicant and future property owners are fully responsible for all future maintenance and replacement of any street furniture, alternative paving materials, and other alternative features used along any public street frontage.
AUTHORITY: BCC 14.60.110
Reviewer: Carl Wilson, 425-452-4228

8. CONSTRUCTION EASEMENTS ON 124TH AVENUE NE

On 124th Avenue NE, the applicant/property owner may be required to grant temporary construction easements, if needed for construction of the City's CIP project along that frontage. This will be evaluated as the City's design for the CIP progresses. Granting of such an easement, if required, shall be completed prior to the time when such would be needed for the City CIP project. In the final calculation of impact fees, credits, and payment in lieu of constructing frontage improvements, adjustments may be made if necessary to avoid double counting the value of any temporary construction easement.
AUTHORITY: BCC 14.60.100
Reviewer: Carl Wilson, 425-452-4228

<u>LAND USE DIVISION CONDITIONS (GENERAL)</u>

9. DEVELOPMENT AGREEMENT AND MASTER DEVELOPMENT PLAN

The applicant is subject to all conditions and requirements of the Development Agreement between the City and Applicant, signed July 10, 2009 and recorded September 11, 2009 recording number #200909110002269. The applicant is also subject to all approval conditions of the Master Development Plan (File number 11-

125943 LP) approved May 3, 2012 by Development Services and affirmed by the Hearing Examiner on October 8, 2012 (File number AAD 12-41).

AUTHORITY: Development Agreement, signed July 10, 2009 and recorded September 11, 2009, recording number #200909110002269 Master Development Plan (File number 11-125943 LP) approved May 3, 2012 by Development Services and affirmed by the Hearing Examiner on October 8, 2012 (File number AAD 12-41).

Reviewer: Carol Hamlin, 425-452-2731, Development Services Department

10. PROJECT PLANS
The project is subject to the plans submitted May 20, 2013 and attached.

AUTHORITY: Bellevue City Code 9.18.020, .040
Reviewer: Carol Hamlin, 425-452-2731, Development Services Department

11. CONSTRUCTION NOISE HOURS
Noise related to construction is allowed from 7:00 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 6:00 p.m. on Saturday, except for Federal holidays and as further defined by the Bellevue City Code. Exceptions to the construction noise hours limitation contained in the Noise Control Code MAY be granted pursuant to 9.18.020C.1 when necessary to accommodate construction which cannot be undertaken during exempt hours. Written requests for exemption from the Noise Control Code must be submitted two weeks prior to the scheduled onset of extended hour construction activity.

AUTHORITY: Bellevue City Code 9.18.020, .040
Reviewer: Carol Hamlin, 425-452-2731, Development Services Department

12. USE OF BEST AVAILABLE NOISE ABATEMENT TECHNOLOGY
The use of best available noise abatement technology consistent with feasibility is required during construction to mitigate construction noise impacts to surrounding uses.

AUTHORITY: Bellevue City Code 9.18.020F
Reviewer: Carol Hamlin, 425-452-2731, Development Services Department

13. MODIFICATION TO THE DESIGN REVIEW PLANS
Any modification to this approval shall be documented as an Amendment to this Design Review OR as an addition or revision to this issued land use approval, processed as a Land Use Exemption. The applicant shall demonstrate compliance with the Land Use Code consistent with the Governing Regulations section of the Development Agreement. Any modification of the project design must be reviewed for consistency with the design intent as stated in Section I.C of this report. Conditions of Approval run for the life of the project.

AUTHORITY: Land Use Code 20.30F.175, Development Agreement Section C
Reviewer: Carol Hamlin, 425-452-2731, Development Services Department

UTILITY DEPARTMENT CONDITIONS (GENERAL)

14. PRELIMINARY DESIGN, UTILITY CODES AND ENGINEERING STANDARDS
Utility review has been completed on the preliminary information submitted at the time of this application. The review of this application has no implied approvals for water, sewer and storm drainage components of the project for construction purposes. Final construction plan approval will occur under Utility Developer Extension Agreement number 13-104266-UE. Final civil engineering may require some changes to the site layout to accommodate the utilities. The plan submittal will be required to comply with all engineering codes and standards in place at the time of this application. Easements will be required under the Developer Extension Agreement for water, sewer, and storm water infrastructure.

AUTHORITY: Bellevue City Code Title 24.02, 24.04, 24.06
Reviewer: Mark Dewey, 425-452-6179, Utilities Department

B. PRIOR TO CLEARING & GRADING (CG) PERMIT ISSUANCE: The following conditions are imposed to ensure compliance with the relevant decision criteria and Code requirements and to mitigate adverse environmental impacts not addressed through applicable Code provisions. These conditions must be complied with on plans submitted with the Clearing & Grading and Demolition permit applications:

TRANSPORTATION DEPARTMENT CONDITIONS (prior to CG issuance)

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, foundation or demolition permit.

AUTHORITY: BCC 11.70 & 14.30
Reviewer: Tim Stever, 425-452-4294

2. CIVIL ENGINEERING PLANS – TRANSPORTATION

Civil engineering plans produced by a qualified licensed 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 Americans with Disabilities Act, AASHTO standards, the Transportation Development Code, the Transportation Department Design Manual, the Bel-Red Code, and specific requirements stated elsewhere in this document, including the section titled Street Frontage Improvements in the Summary of Technical Reviews. All relevant standard drawings from the Transportation Department Design Manual shall be copied exactly into the final engineering plans. Requirements for the engineering plans include, but are not limited to:

a) Traffic signs and markings and street name signs.
b) Street design, including lane width, location of parking bays and curb extensions, slopes, drainage, and curb radii.
c) Curb, gutter, sidewalk, and driveway approach design, including driveway width and grade. (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.)
d) Handicapped ramps, crosswalk revisions, and crosswalk equipment such as pushbuttons.
e) Installation of streetlights and related equipment.
f) Installation of a traffic signal and related equipment at the intersection of NE 13th St and 124th Avenue NE. As part of the traffic signal installation, the developer will be required to pay a fee to integrate this signal into the city's adaptive signal management system (SCATS). Payment for SCATS is needed at the time the signal is added to the adaptive signal management system, and in no case later than occupancy of the first building.
g) Sight distance. (Show the required sight triangles and include any sight obstructions, including those off-site.)
h) Location of fixed objects in the sidewalk or near the driveway approach.
i) Trench restoration within any street right of way.
j) Transformers and utility vaults to serve the buildings shall be placed inside the buildings or below grade, to the extent feasible, and shall not create a slipping or tripping hazard in any public sidewalk or path. Show details of vaults that will be in a public sidewalk or path.
k) Show street trees and street frontage landscaping to the extent needed to evaluate the effect on the transportation engineering issues, such as sight lines and clearance.

AUTHORITY: BCC 14.60, BCC 20.25D, Transportation Department Design Manual, and Transportation Department Design Manual Standard Drawings.
Reviewer: Carl Wilson, 425-452-4228

LAND USE DIVISION CONDITIONS (prior to CG issuance)

3. GREEN SCREEN AND LANDSCAPE PLAN
The applicant shall include details for a green screen in the plans submitted for clearing & grading permit and building permit issuance. The green screen and landscape plan shall be per the plans shown Section VII.B of this staff report.

AUTHORITY: Land Use Code 20.25D.150.C.1.d,
Master Development Plan condition B.2
Reviewer: Carol Hamlin, 425-452-2731, Development Services Department

4. ON-STREET PARKING AND CROSS-SECTIONS
On-street parking and cross-sections shall be as portrayed on Attachment A (Civil Sheets) and described as follows:

- NE 13 Street:
  - 121st Ave to 123rd Ave - Two 11-foot lanes, 8-foot parking strips, 5-foot planters, 6-foot minimum sidewalks
  - 123rd Ave to 124th Ave - Three 12-foot lanes (two outbound, one inbound), a median planting strip with shy distance (which will ultimately be replaced with a third 12-foot outbound lane), 5-foot planters, 6-foot minimum sidewalks
- 121st Avenue NE:
  - Two 11-foot lanes, 8-foot parking strips, 5-foot planters, 6-foot minimum sidewalks
- 123rd Avenue NE:
  - Two 11-foot lanes, 8-foot parking strips, 5-foot planters, 6-foot minimum sidewalks

AUTHORITY: Land Use Code 20.25D.140, Bel-Red Corridor Plan
Bellevue City Code 14.60.060, Transportation Development Code
Reviewer: Carol Hamlin, 425-452-2731, Development Services Department
Carl Wilson, 425-452-4228, Transportation Department

5. FINAL DESIGN FOR THE LANDSCAPE PLAN
The final design for the landscape plan must be submitted for review and approval prior to issuance of the clear & grade permit. Landscape areas shall be constructed per the approved clear & grade/building permit applications. Modifications to the landscape plan will require prior review and approval.

The final landscaping plan shall include the following:
- Raingardens and street trees/planting strips;
- Multi-purpose trail (12-14 feet in width) along 124th Avenue NE along the east perimeters of Buildings 16 and 2 with lighting.
- Landscaping to screen the east side of Building 16 per the plans shown in Section VII of this staff report.

- Buffer Restoration Plan (Sheet CA-002 of the Critical Areas Report by Shannon & Wilson, Inc. dated June 4, 2013) meeting the requirements of LUC 20.25H.220.
- Street lights.

AUTHORITY: Land Use Code 20.25D.110, LUC 20.25H.20
Reviewer: Carol Hamlin, 425-452-2731, Development Services Department

6. ADA REQUIREMENTS FOR MULTI-PURPOSE TRAIL ALONG 124TH AVENUE NE

The multi-purpose trail along 124th shall be barrier free and meet construction code handicapped requirements and bike route standards.

AUTHORITY: Land Use Code 20.25D.120
Reviewer: Carol Hamlin, 425-452-2731, Development Services Department
Carl Wilson, 425,452-4228, Transportation Department

7. PAVED VENDOR TRUCK FOOD AREA

The Vendor Truck Food Area shall be a paved surface.

AUTHORITY: Land Use Code 20.20D.120
Reviewer: Carol Hamlin, 425-452-2731, Development Services Department

C. PRIOR TO BUILDING PERMIT (BP) ISSUANCE: The following conditions are required by City Code. Unless specified otherwise below, these conditions must be complied with on plans submitted with the Building Permit application:

TRANSPORTATION DEPARTMENT CONDITIONS (prior to BP issuance)

1. TRANSPORTATION IMPACT FEE

Payment of the traffic impact fee will be required at the time of building permit issuance for each building in this phase. Payment into the city's CIP fund for improvements to the developer's portion of 124th Avenue NE, dedication of right of way for that CIP project, and on-site building demolition for Phase 1A are all eligible for impact fee credits, as described above in the section entitled "Discussion of Frontage Improvements on 124th Avenue NE, Developer Payment in Lieu, and the Relationship to Transportation Impact Fees, Demolition, and Credits." Transportation impact fees are subject to change, and the fee schedule in effect at the time of building permit issuance will apply.

AUTHORITY: BCC 22.16
Reviewer: Carl Wilson, 425-452-4228

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 or as needed to meet traffic engineering standards. Building plans, landscaping plans, and

architectural site plans must comply with vehicle and pedestrian sight distance requirements, as shown on the engineering plans.
AUTHORITY: BCC 14.60.060, 110, 120, 150, 180, 181, 190, 240, 241
Reviewer: Carl Wilson, 425-452-4228

3. TRANSPORTATION MANAGEMENT PROGRAM
The owner of the property being developed shall sign and record at the King County Office of Records and Elections an agreement to establish a Transportation Management Program to the extent required by city code Section 14.60.070. The program should be structured so it can be expanded or modified to accommodate future buildings and phases within the Spring District.

AUTHORITY: BCC 14.60.070
Reviewer: Carl Wilson, 425-452-4228

FIRE DEPARTMENT CONDITIONS (prior to BP issuance)

4. FIRE COMMAND CENTER
Plan sheet A16A1-001. The Fire Command Center shall have a 2 hour rating on all sides ceiling and floor.

AUTHORITY: International Fire Code 508
Reviewer: Adrian Jones, 425-452-6032, Fire Department

5. FIRE DEPARTMENT CONNECTION - ADDRESS AND KEY BOX
Plan sheet 16A1-001. The Fire Department Connection shall be located facing the street that the building is addressed. The Key Box shall be located in the Fire Command Center.

AUTHORITY: International Fire Code 903 & 508
Reviewer: Adrian Jones, 425-452-6032, Fire Department

6. PARKING GARAGE HOSE
Plan sheet 16G0-201. The parking garage shall meet the hose distance requirements of Bellevue Amendment IFC 905.4(6). Routed in the normal travel path, a 240 foot long hose shall extend to all areas of each parking garage floor.

AUTHORITY: International Fire Code 905.4(6)
Reviewer: Adrian Jones, 425-452-6032, Fire Department

7. FIRE DEPARTMENT CONNECTION – VISIBILITY FROM STREET
One of the Fire Department Connections shall face the street with the access to the building so the FDC is visible from the street.

AUTHORITY: International Fire Code 903
Reviewer: Adrian Jones, 425-452-6032, Fire Department

LAND USE DIVISION CONDITIONS (prior to BP issuance)

8. MAXIMUM IMPERVIOUS SURFACE/LOT COVERAGE
The maximum impervious surface/lot coverage shall be 75% per Land Use Code 20.25D.080.

AUTHORITY: Land Use Code 20.25D.080
Reviewer: Carol Hamlin, 425-452-2731, Development Services Department

9. RESTAURANT/GARAGE VENTS
Restaurant/garage vents shall be directed away from pedestrians. Objectionable odors shall not emit from vents. All vents (podium, office towers) shall be architecturally integrated to the building design.

AUTHORITY: Land Use Code 20.25D.150.D
Reviewer: Carol Hamlin, 425-452-2731, Development Services Department

10. CERTIFICATION BY A NOISE CONSULTANT
The applicant shall provide certification by a noise consultant that the noise from the exhaust fans will not exceed 60 dBA and a determination from the noise consultant that the velocity and direction of airflow from the exhaust system within pedestrian areas not exceed 500 CFM.

AUTHORITY: Bellevue City Code 9.18.030 and Land Use Code 20.30F.145
Reviewer: Carol Hamlin, 425-452-2731, Development Services Department

11. VISION GLASS
The applicant shall portray vision glass along the storefronts and office lobbies to provide a high level of pedestrian interest. Storefronts and office lobbies shall not be substantially closed or blocked from view.

AUTHORITY: Land Use Code 20.25D.150.D
Reviewer: Carol Hamlin, 425-452-2731, Development Services Department

12. FIRE CONTROL DOORS
Fire control doors adjacent to the sidewalk shall appear to match other tenant doors.

AUTHORITY: Land Use Code 20.25D.150.D
Reviewer: Carol Hamlin, 425-452-2731, Development Services Department

13. BUILDING 16 STREET-LEVEL PLAZA
The attached plans shall be considered the adopted design for purposes of build-to-line requirements in accordance with LUC 20.25D.130.B.

AUTHORITY: Land Use Code 20.25D.130.B.3.b, 20.25D.020
Reviewer: Carol Hamlin, 425-452-2731, Development Services Department

14. BUILDING MATERIALS/DETAILS AND COLOR SAMPLES
The development is subject to the building materials/details and color samples as submitted on March 4, 2013 for the Design Review application. The applicant shall submit final samples of all exterior building materials and colors, including but not limited to facade treatment, exterior lighting fixtures with cut-off shields as needed, special paving surfaces, sidewalk scoring patterns, awnings, planters, seating, stairways and ramps prior to issuance of a building permit.

AUTHORITY: Land Use Code 20.25D.150.D
Reviewer: Carol Hamlin, 425-452-2731, Development Services Department

15. BUILDING HEIGHT LIMIT OF 150 FEET
Plans and drawings shall clearly portray the maximum building height for the office buildings as 150 feet from Average Finished Grade, excluding mechanical equipment.

AUTHORITY: Land Use Code 20.25D.080.A
Reviewer: Carol Hamlin, 425-452-2731, Development Services Department

16. MECHANICAL EQUIPMENT SCREENING
Roof plans submitted for the building permit application shall indicate locations of mechanical equipment, including any communication equipment such as satellite dishes. The applicant shall demonstrate that screening for rooftop mechanical equipment is architecturally integrated with the building. Screening shall be provided so that rooftop mechanical equipment is not visible from adjacent streets and public sidewalks. All HVAC rooftop equipment shall be consolidated and screened, including painting of equipment/screening as necessary.

Power, telephone, traffic control, or other equipment shall not be located in above ground cabinets in sidewalk areas. Such equipment shall be located in underground vaults or in a building or substantially screened per the approval of the Development Services Department.

Any at grade grills/grates or panels shall be the minimum size necessary, be ADA compliant and flush with the sidewalk or driveway in which it is installed. Review and approval of these locations and grates will be through the building permit review process.

AUTHORITY: Land Use Code 20.25D.150.D, 20.20.525.C.5
Reviewer: Carol Hamlin, 425-452-2731, Development Services Department

17. RECYCLING COLLECTION FACILITIES REQUIRED
Collection and storage facilities for recyclable materials shall be shown on building and site plan drawings. This area shall not be visible from the street. The applicant shall provide a letter from Republic Services that states their approval of the collection areas, as designated on the plans.

AUTHORITY: Land Use Code 20.20.750
Reviewer: Carol Hamlin, 425-452-2731, Development Services Department

18. SURVEY
The applicant shall provide a survey that shows that the elevation of the bottom of the parking garage is correct so that door entrances onto the sidewalk meet the sidewalk grade. Floor to floor surveys and a maximum height survey shall be provided, upon each completion.

AUTHORITY: Land Use Code 20.25D.150.D
Reviewer: Carol Hamlin, 425-452-2731, Development Services Department

19. SHIELDED LIGHTS
In order to mitigate potential impacts to adjacent vehicular drivers/businesses/residents, any light source emitting from the project area shall be designed so as not to provide light and glare and spillover offsite. Cutoff shields shall be used.

AUTHORITY: Land Use Code 20.20.522
Reviewer: Carol Hamlin, 425-452-2731, Development Services Department

20. BICYCLE PARKING
The applicant shall provide bicycle parking in accordance with the Bel-Red Land Use Code 20.25D.120.G.

AUTHORITY: Land Use Code 20.25D.120.G
Reviewer: Carol Hamlin, 425-452-2731, Development Services Department

D. PRIOR TO ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY (CO)

TRANSPORTATION DEPARTMENT CONDITIONS (prior to issuance of any CO)

1. STREET FRONTAGE IMPROVEMENTS
All street and street frontage improvements and other required transportation elements, including street light and traffic signal installations, must be constructed by the applicant and accepted by the City Inspector. Payment to integrate the new traffic signal into the adaptive signal management system (SCATS) is required when needed to add this signal to the system, but no later than occupancy of the first building. Existing overhead lines must be relocated underground, except for high voltage transmission lines. All required improvements must be constructed as per the approved plans or as per direction of the Transportation Department inspector. Bonding or other types of assurance devices will not be accepted in lieu of construction, unless the city requires a delay.

AUTHORITY: BCC 14.60, Comprehensive Plan Policy UT-39, Transportation Department Design Manual, and Transportation Department Design Manual Standard Drawings
Reviewer: Carl Wilson, 425-452-4228

2. PAVEMENT RESTORATION
Pavement restoration associated with street frontage improvements, utility installation, or to repair damaged street surfaces shall be provided as follows:

a) Near this project, both 120th Avenue and 124th Avenue are presently classified as "Standard Trench Restoration."

b) NE 12th Street is presently classified as "Overlay Required." Any street cuts or damage to the street surface in NE 12th Street will require a grind and overlay at least 50 feet long for the full width of any affected lane.

Exact pavement restoration requirements will be determined in the Right of Way Use Permit for this development.

AUTHORITY: BCC 14.60. 250; Design Manual Design Standard #21
Reviewer: Tim Stever, 425-452-4294

3. IMPLEMENT THE TRANSPORTATION MANAGEMENT PROGRAM
The Transportation Management Program required by Bellevue City Code Section 14.60.070 per a condition of approval above must be functional prior to issuance of the initial certificate of occupancy. The program should be structured so it can be expanded or modified to accommodate future buildings and phases within the Spring District.

AUTHORITY: BCC 14.60.070
Reviewer: Carl Wilson, 425-452-4228

4. PAYMENT TO CIP FUND FOR IMPROVEMENTS ON 124TH AVENUE NE
The developer is required to pay into the city's CIP fund the amount equal to the developer's costs for their portion of the city's intended improvements on 124th Avenue per CIP project PW-R-169. Payment into the CIP fund will be required prior to issuance of any certificate of occupancy for each building fronting on 124th Avenue NE, based on the portion of 124th Avenue frontage adjacent to each building parcel.

AUTHORITY: BCC 14.60.110 C
Reviewer: Carl Wilson, 425-452-4228

<u>LAND USE DIVISION AND ADDRESSING CONDITIONS (prior to issuance of any CO)</u>

5. BUILDING HEIGHT SURVEY
A building height survey will be required for Building 16 prior to issuance of any certificate of occupancy. Such building height shall not exceed 150 feet from Average Finish Grade (not including screening for rooftop mechanical equipment).

AUTHORITY: Land Use Code 20.25D.080.A
Reviewer: Carol Hamlin, 425-452-2731, Development Services Department

6. PUBLIC EASEMENT FOR MULTI-PURPOSE TRAIL ALONG 124TH AVENUE NE
The applicant shall record a public easement for the multi-purpose trail along 124th Avenue NE. Prior to issuance of any CO, the applicant shall provide a copy of the recorded easement to the city.

AUTHORITY: Land Use Code 20.25D.120
Reviewer: Carol Hamlin, 425-452-2731, Development Services Department

7. PAYMENT OF FEE-IN-LIEU OF FLOOR AREA AMENITIES
The applicant shall pay the city the fee-in-lieu of the floor area amenities at building permit issuance.

AUTHORITY: Land Use Code 20.25D.090.C.6; Development Agreement, Paragraph F.1, Recording Number 20090911000269
Reviewer: Carol Hamlin, 425-452-2731, Development Services Department

8. LANDSCAPE INSTALLATION ASSURANCE DEVICE
If a Temporary Certificate of Occupancy is requested prior to completion of the landscaping installation the applicant shall file with the Development Services Department a landscape installation assurance device equal to 150% of the cost of labor and materials for any landscaping that has not yet been installed.

AUTHORITY: Land Use Code 20.40.490
Reviewer: Carol Hamlin, 425-452-2731, Development Services Department

9. LANDSCAPE MAINTENANCE ASSURANCE DEVICE
The applicant shall file with the Development Services Department a landscape maintenance assurance device in the form of an assignment of savings or letter of credit for 20% of the cost of labor and materials for all landscaping on the site.

AUTHORITY: Land Use Code 20.40.490
Reviewer: Carol Hamlin, 425-452-2731, Development Services Department

10. ADDRESSING OF LOTS, BUILDINGS, AND STOREFRONTS
The applicant shall contact Jami Carter, Information Technology Department, phone 425-452-4310 regarding the addressing of lots, buildings, and storefronts. The Planning and Community Development Department shall review and approve such addressing. The City is undertaking a street-naming exercise for the Bel-Red Corridor. Addressing will be managed later in the development and construction process, but prior to issuance of a Certificate of Occupancy.

AUTHORITY: Uniform Fire Code 505
Reviewer: Jami Carter, 425-452-4310, Information Technology Department
Adrian Jones, 425-452-6032, Fire Department

11. ART ELEMENT AT BUILDING 16

In accordance with the LUC 25D.150.B.5.a, an area in front of Building 16 shall be designated for art, which must be installed prior to issuance of a Certificate of Occupancy for this building.

AUTHORITY: LUC 25D.150.B.5.a
Reviewer: Carol Hamlin, 425-452-2731, Development Services Department

12. SIGN FOR PUBLIC ACCESS TO PARKS

A sign indicating public access to the parks shall be installed on each street right-of-way. The design and installation details shall be prior approved by the City of Bellevue.

AUTHORITY: LUC 25D.120
Reviewer: Carol Hamlin, 425-452-2731, Development Services Department

E. PRIOR TO ISSUANCE OF ANY SIGN PERMITS (SIGN)

LAND USE DIVISION CONDITION (prior to issuance of a SIGN permit)

1. SIGNAGE TO COMPLY WITH BELLEVUE SIGN CODE

A comprehensive sign package shall be submitted to the Development Services Department for review and approval through the Land Use Exemption (LJ) Design Review process. Contents shall include but is not limited to:

a. Location
b. Lighting
c. Color Palate
d. Materials
e. Design concept

Signage shall be the minimum necessary to convey information and shall be architecturally compatible and integrated with the building. Maximum letter and sign size shall be determined based on proposed location and other design criteria. Sign Code limitations are not a guaranteed maximum and cannot be exceeded. Final design review of individual signs and compliance with the approved sign package will occur through review of each sign permit application.

No freestanding signs, cabinet signs or signs above the building base of any elevation are permitted except as permitted in the Sign Code Bellevue City Code 22B.10.

AUTHORITY: Bellevue City Code 22B.10 and Land Use Code 20.25D.150.F
Reviewer: Carol Hamlin, 425-452-2731, Development Services Department

F. PRIOR TO ISSUANCE OF TENANAT IMPROVEMENT (TI) PERMITS

LAND USE DIVISION CONDITION (prior to issuance of TI permits)

1. FUTURE TENANT/STOREFRONT IMPROVEMENTS

Future retail/commercial tenant improvements shall reflect the design intent shown on the attached preliminary design. Vision glass is required to provide pedestrian access to interior spaces. Fire Control Room doors shall look like retail/office storefronts. Each tenant improvement or revision to this proposal shall be approved by the City.

AUTHORITY: Land Use Code 20.30.F
Reviewer: Carol Hamlin, 425-452-2731, Development Services Department