



City of Bellevue  
Development Services Department  
Land Use Staff Report

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Proposal Name: **Leading Edge Kickboxing**

Proposal Address: 399 114<sup>th</sup> Avenue NE

Proposal Description: Administrative Conditional Use (ACU) approval to establish a recreational use in an existing building in the DNTN-OLB (Downtown - Office and Limited Business) land use district.

File Number: **13-119007-LA**

Applicant: John Stoeck, Regeneration Design

Decisions Included: Administrative Conditional Use, Process II

Planner: Sally Nichols, Senior Planner, (425) 452-2727

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

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

By: Carol V. Helland  
Carol V. Helland, Land Use Director

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Application Date: June 24, 2013  
Public Notice: July 18, 2013  
Minimum Comment Period: August 1, 2013  
Decision Publication Date: August 8, 2013  
Appeal Deadline: September 22, 2013

For information on how to appeal a proposal, visit Development Services at City Hall or call (425) 452-4570. Appeal of the Decision must be made by 5 p.m. on the date noted for appeal of the decision.

## I. REQUEST AND PROJECT DESCRIPTION

### A. Background:

The Leading Edge Kickboxing School is requesting an ACU (Administrative Conditional Use) approval to change the use of an existing building from an office to a kickboxing school (office use to recreational use). A recreational school (activity) is an allowed use in the DNTN-OLB (Downtown – Office and Limited Business) land use district only through the ACU process. Exterior changes to the building and site will be limited to new signage, repair of existing lighting, and cleaning up existing landscaping. This proposal is for the change of the use only and there will be no construction associated with this ACU. New signage will require review under a sign permit (SA permit). Any changes to the building exterior, landscaping and/or lighting will require review and approval under a Land Use Exemption (LJ permit). **Refer to Conditions of Approval regarding signage and changes to building exterior and/or site in Section IX of this report.**

Leading Edge currently runs a similar facility in Renton and plans to run this facility in a similar manner. Their model is to be busiest before 9 am and after 5 pm and to also operate on the weekends. In the Renton facility, 70% of the business occurs after 5 pm. They serve small to medium-sized groups throughout the day, and provide classes for medium-sized groups in the early mornings, evenings and weekends.

The staffing, proposed hours of operation and anticipated participants for this Bellevue facility are the following:

- 1 to 2 staff members on-hand during all hours of operation. During the peak hours, there will be 3 to 4 staff members on-hand.
- Hours of operation will be:
  - 6 am to 9 pm, Monday through Friday
  - 7 am to 2 pm on Saturday
  - 10 am to 12 noon on Sunday
- The forecast is for 8 to 10 class participants in the morning until around 8 am. There will be similarly-sized classes in the late morning or early afternoon for corporate team building and corporate health and fitness. As part of the school's business model, there will be a cap on the number of participants to ensure profitability as well as to ensure enough parking. In the evening (5 pm to 9 pm), classes would be held back to back and they would have 12 to 15 members each. **Refer to Conditions of Approval regarding parking and future growth in Section IX of this report.**

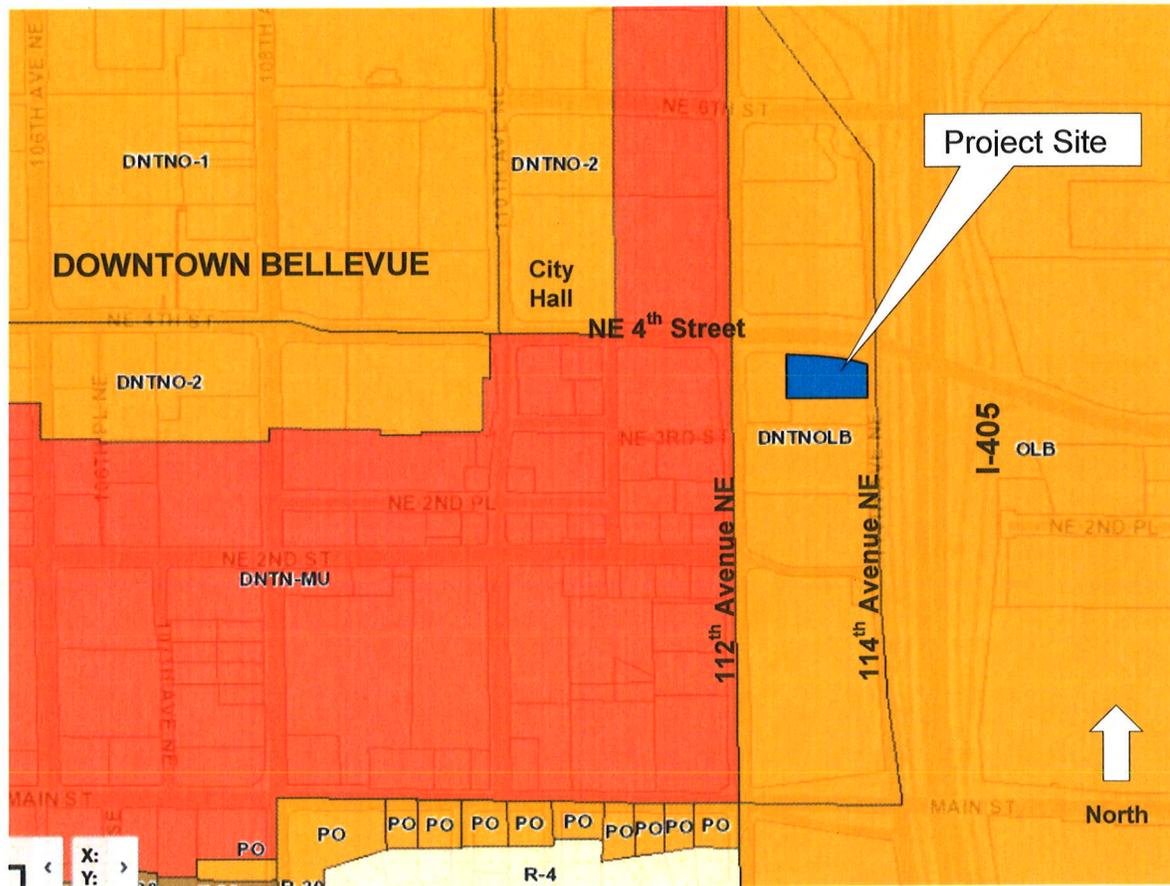
### B. Review Process

ACU approval is a Process II decision made by the Director of the Development Services Department. The process includes public noticing with a minimum 14-day comment period. The Director's decision shall be written in a staff report to indicate whether the application has been approved, approved with conditions, or denied. The decision will be publically noticed with a mandatory 14-day appeal period. Process II decisions may be appealed by parties who submitted comments on the application and any appeal shall be heard at a public hearing before the City Hearing Examiner.

## II. SITE ZONING, CONTEXT AND DESCRIPTION

This site is located in an office complex at the intersection of NE 4<sup>th</sup> Street and 114<sup>th</sup> Avenue NE. It is part of the Wallace/Scott office complex, which is entirely within the DNTN-OLB (Downtown – Office and Limited Business) land use district. The site is surrounded by the DNTN-MU (Mixed Use) land use district to the west, the OLB across the I-405 freeway to the east, and DNTN-OLB to the north and south.

### Zoning Map



Adjacent Properties/Uses include the following:

- North: Elevated roadway crossing I-405 – NE 4<sup>th</sup> Street
- East: 114<sup>th</sup> Avenue NE and elevated on-ramp to I-405 south
- South: Virginia Mason Medical Clinic – Medical office use
- West: 330 Building – Office use

### III. EXISTING SITE AND BUILDING DESIGN

**Site:** The three Wallace/Scott parcels consist of two freestanding buildings on two of the parcels and a parking lot on the third. Building 330 is a three-story building that includes a mix of business offices. Building 399 (location of the proposed Leading Edge Kickboxing school) is only one story tall and is currently unoccupied. The building was previously used as an office for a construction company.

**Aerial Photograph/Vicinity Map**



**Circulation:** The proposal site can be accessed both from 112<sup>th</sup> Avenue NE and 114<sup>th</sup> Avenue NE. The parking lots within the entire complex are shared between the two buildings, although Building 399 is guaranteed 14 spaces in their lease (an email documenting this agreement is in the project file) and unlimited use of the parking lot after 5:00 pm and on weekends. No specific spaces are assigned to each business.

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

#### A. General Provisions of the Land Use Code

This site is located within the DNTN-OLB (Downtown – Office and Limited Business) land use district. As such, the LUC (Land Use Code) Section 20.10.440, recreational activities are subject to Administrative Conditional Use approval. The applicant has fulfilled this requirement by submitting this application for review and approval. **Refer to Condition of Approval regarding revocation of administrative conditional use permit/approval in Section IX of this report.**

**B. Parking Standards and Site Circulation**

The Land Use Code does not define the number parking stalls required for a recreation facility in the Downtown. Therefore, this proposal will be classified as an 'unspecified use' per 20.25A.050. To comply with the standards for unspecified uses, the applicant has submitted parking information including the number of stalls provided within the office complex per conditions of their lease (14 during the day and unlimited after 5 p.m.), and the number of students and staff using the facility at different times of the day. Land Use and Transportation staff reviewed this parking information under a Predevelopment Services application (#13-112468-DC). A summary of the operation is below:

- There will be 1 to 2 staff members on hand during all hours of operation. During peak hours, there will be 3 to 4 staff members. A janitorial service of 1 to 2 people will be in after 9 pm.
- Hours of operation will be 6 am to 9 pm at night, Monday through Friday, and 7 am to 2 pm on Saturdays, and 10 am to 12 noon on Sundays. These hours may change to save on labor, introduce more classes, or adjust to the flow of parking.
- Leading Edge is forecasting 8 to 10 members in the morning until about 8 am. At their existing facility in Renton, classes essentially shut down after 8 am as clients are generally heading to work. Similarly-sized classes may take place in the late morning or early afternoon for corporate team building, and corporate health and fitness. Again, these classes would be in the range of 8 to 12 participants, and would have a cap. This cap would ensure the facility's profitability as well as help adjust to parking. The evening will once again have heavy usage with classes in the 12 to 15 person range. These classes would occur from 5 pm to 9 pm Monday thru Friday.

**Peak PM Usage  
 (supplied by applicant based on existing Renton facility)**

	4:00 PM		4:15 PM		4:30 PM		4:45 PM		5:00 PM		5:15 PM		5:30 PM		5:45 PM		6:00 PM	
	Cars In Change	Cars Out Total																
Front Desk	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0
	0	1	0	1	0	1	0	1	0	1	1	2	0	2	0	2	0	2
Trainers	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
	0	1	0	1	1	2	0	2	0	2	0	2	0	2	0	2	0	2
Group	4	0	0	0	4	0	0	0	4	2	0	0	4	2	0	0	10	2
	0	4	0	4	4	8	0	8	2	10	0	10	2	12	0	12	8	20
Privates	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	1	0	1	0	1	0	1	0	1	0	1	0	1
<b>TOTALS</b>	<b>Cars In Change</b>	<b>Cars Out Total</b>																
	4	0	0	0	6	0	0	0	4	2	1	0	4	2	0	0	10	2
	0	6	0	6	5	12	0	12	2	14	1	15	2	17	0	17	8	25

Based on this information and site observations, the City has determined that, based on the hours of operation and business model, the 14 dedicated spaces in the complex are adequate for this use; particularly since the bulk of the parking demand for the facility will occur before and after the business hours for the majority of the other office complex

tenants. In addition, many of the Leading Edge clients will be encouraged, and in some instances mandated, to walk or jog to or from their work-out as part of their warm-up.

However, to ensure that this recreation activity does not unduly impact the other tenants of the office complex, it will be a condition of this approval that the City review the parking both at six and twelve months after the opening of the facility. If, as a result of these reviews, it is determined that there is not enough parking, the applicant will be required to acquire additional off-site parking. In addition, if the number of participants between the hours of 9 am and 5 pm increases by 30% or more, the applicant will be required to obtain additional off-site parking. **Refer to Condition of Approval regarding parking and future growth in Section IX of this report.**

In addition, based on the information submitted under the DC permit, the City has determined that this project will generate fewer than 30 pm net new trips during the 4:00 pm to 6:00 pm peak hours (consecutive 15-minute segments). Per Bellevue City Code (BCC) 22.02.032, this project does not meet the threshold for SEPA review and a traffic concurrency analysis will not be required.

## **V. PUBLIC COMMENT**

Application Date:	June 24, 2013
Notice of Application:	July 18, 2013
Completeness Date:	July 11, 2013
Public Notice Sign:	July 18, 2013
Minimum Comment Period:	August 1, 2013

Although the minimum required public comment period ended on August 1, 2013, comments were accepted up to the date of this decision. To date, no written comments and/or requests to become a Party of Record were received either by email or regular mail.

## **VI. SUMMARY OF TECHNICAL REVIEWS**

### **1. Transportation Department**

As documented in Section IV above, Transportation determined that a traffic concurrency analysis will not be required. There will be no site construction activity as a result of this ACU. The Transportation department has approved this permit with no conditions.

### **2. Clear and Grade Division**

There will be no site construction activity as a result of this ACU. The Clear and Grade department has approved this permit with no conditions.

### **3. Utilities Department**

There will be no site construction activity as a result of this ACU. The Utilities department has approved this permit with no conditions.

#### 4. Fire Department

There will be no site construction activity as a result of this ACU. The Fire Department has reviewed and approved this permit and has the following comment:

The access road shall be posted and marked "Fire Lane-No Parking" per Bellevue Standards. (IFC 503.3)

**Refer to Condition of Approval regarding the fire lane in Section IX of this report.**

### VII. APPLICABLE DECISION CRITERIA

**Administrative Conditional Use:** The Director may approve or approve with modifications an application for Administrative Conditional Use if it complies with the decision criteria of Land Use Code Section 20.30E.140. The approval of an Administrative Conditional Use may at any time be revoked if the uses of on-site facilities are changed from the stated application. **Refer to Condition of Approval regarding revocation of Administrative Conditional Use permit/approval in Section IX of this report.**

After conducting the various administrative reviews of this project, including Comprehensive Plan goals and policies and the Land Use Code provisions, the following conclusions are made with regard to the Administrative Conditional Use decision criteria:

1. **The Administrative Conditional Use is consistent with the Comprehensive Plan.**  
This proposal is consistent with the Comprehensive Plan's goals and policies for the Downtown subarea. The following are the most relevant policies:

***Policy S-DT-1: Emphasis shall be placed on Downtown livability, with provisions made for the needs, activities, and interests of Downtown residents, employees, shoppers, and visitors.***

***Policy S-DT-2: Encourage a variety of land uses to occur in mixed-use buildings or complexes where appropriate.***

***Policy S-DT-83: Day-time and night-time activities should be encouraged.***

***Policy S-DT-100: Encourage active and passive recreational activities to locate throughout Downtown.***

***Finding:***

The addition of this kickboxing school will add to the quality and vitality of the surrounding Downtown residential neighborhoods by offering a recreation facility located close to where people live. In addition, evening activity will help to enliven this edge of the Downtown. This location is easily accessed by foot and public transportation (very close to the transit center), as well as by private automobile.

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

Building Exterior: The building exterior will remain as is and will not undergo any major exterior changes with this change of use to a kickboxing school use. Exterior changes will be limited to new signage and renovation of existing landscaping. No square footage will be added to the building. New signage will be reviewed under separate sign permits. **Refer to Condition of Approval regarding signage and changes to building exterior and landscaping in Section IX of this report.**

Parking: Parking was reviewed under a Predevelopment Services Permit (13-112468-DC). It was determined that the 14 spaces available for use by Leading Edge are adequate for the use, based on hours of operation, class sizes and staffing. Refer to discussion in Section IV.B above. Once the use is established, the City will review the parking at 6 months and 12 months. If it is determined that there is not enough parking, the applicant will be instructed to secure additional off-site parking. **Refer to Condition of Approval regarding parking in Section IX of this report.**

- 3. The Administrative Conditional Use will be served by adequate public facilities, including streets, fire protection and utilities.**

***Finding:***

The site will be served by existing adequate public facilities including fire protection and utilities.

- 4. The Administrative Conditional Use will not be materially detrimental to uses or property in the immediate vicinity of the subject property.**

***Finding:***

As conditioned, the conversion of this existing building from an office use to a kickboxing school will not be materially detrimental to adjacent uses in the vicinity of this site. The heaviest usage of the facility will be in the early morning and late afternoon/evening, which will not conflict with the surrounding office uses. Staff has reviewed transportation and parking impacts and finds that existing parking facilities are adequate and consistent for this recreational use.

In addition, this recreational use can effectively function on this site and it will not be negatively affected by the fact that the building is directly adjacent to a major freeway corridor.

**Refer to Condition of Approval regarding parking in Section IX of this report.**

- 5. The Administrative Conditional Use complies with the applicable requirements of this Code.**

***Finding:***

Recreational facilities are permitted to be located within the DNTN-OLB land use district through Administrative Conditional Use approval. As conditioned, the proposal meets the requirements of the LUC.

## VIII. DECISION

After conducting the various administrative reviews associated with this proposal, including applicable Land Use consistency, City Code and Standard compliance reviews, the Director of the Development Services Department does hereby **APPROVE WITH THE FOLLOWING CONDITIONS:**

## IX. CONDITIONS OF APPROVAL

### A. GENERAL

#### 1. Revocation of Administrative Conditional Use Permit/Approval

Approval of an Administrative Conditional Use permit may at any time be revoked if the uses of on-site facilities, traffic pattern/parking or transportation methods are changed from the submitted application.

AUTHORITY: LUC 20.30E.175.B  
REVIEWER: Sally Nichols, Land Use, (425) 452-2727

#### 2. Signage

Design review of individual signs shall occur through review of a sign permit application (SA Permit type).

1. Location
2. Size/dimensions
3. Illumination (if any)
4. Color and Materials

AUTHORITY: BCC 22B.10, Bellevue Sign Code, LUC 20.25A.110, LUC 20.30F  
REVIEWER: Sally Nichols, Land Use, (425) 452-2727

#### 3. Parking

In order to ensure that the recreation use does not impact other uses within the office building complex, the City will review the parking both at six (6) months and twelve (12) months after ADU approval. If at either time it is determined that additional parking is necessary for this recreational use, the City will require that the applicant secure additional off-site parking.

AUTHORITY: LUC 20.25A.050  
REVIEWER: Sally Nichols, Land Use, (425) 452-2727

#### 4. Fire Lane

The access road along 114<sup>th</sup> Avenue NE shall be posted and marked "Fire Lane-No Parking" per Bellevue Standards.

AUTHORITY: IFC 503.3  
REVIEWER: Adrian Jones, Fire, (425) 452-6032

**5. Changes to Building Exterior and/or Site**

Any changes made to the building exterior (including painting, installation of new windows or doors, etc.) or to the landscaping (other than cleaning up the existing planting areas) shall be approved via a Land Use Exemption.

AUTHORITY: LUC 20.30F.175.C

REVIEWER: Sally Nichols, Land Use, (425) 452-2727

**6. Future Growth**

If, during the hours of 9 am to 5 pm, the number of class participants increases by more than 30% (increase to 16 participants or more), the applicant will be required to obtain additional off-site parking and have this parking approved by Land Use.

AUTHORITY: LUC 20.25A.050

REVIEWER: Sally Nichols, Land Use, (425) 452-2727