DEVELOPMENT SERVICES DEPARTMENT
ENVIRONMENTAL COORDINATOR
450 110TH AVENUE NE., P.O. BOX 90012
BELLEVUE, WA 98009-9012

DETERMINATION OF NON-SIGNIFICANCE

PROPONENT: TC Northwest Development

LOCATION OF PROPOSAL: 833 108th Avenue NE

DESCRIPTION OF PROPOSAL To demolish an existing one-story office structure to construct a 19-story office building with two levels of below-grade parking. A seven story above-grade parking structure will be constructed as well with five levels of below grade parking. Total site size is 1.5 acres. Landscape modifications will occur with this application.

FILE NUMBERS: 13-119862 LD **PLANNER:** Toni Pratt, Senior Planner

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 **4/24/2014**

☐ 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This DNS may be withdrawn at any time if the proposal is modified so as to have significant adverse environmental impacts; if there is significant new information indicating a proposals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
Environmental Coordinator

4/10/2014
Date

OTHERS TO RECEIVE THIS DOCUMENT:

☐ State Department of Fish and Wildlife / Stewart.Reinbold@dfw.gov; Christa.Heller@dfw.wa.gov;
☑ State Department of Ecology, Shoreline Planner N.W. Region / Jobu461@ecy.wa.gov; sepaunit@ecy.wa.gov
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☐ Attorney General ecyolyef@atg.wa.gov
☑ Muckleshoot Indian Tribe Karen.Walter@muckleshoot.nsn.us; Fisheries.fileroom@muckleshoot.nsn.us

City of Bellevue
Development Services Department
Land Use Division Staff Report

Proposal Name:	Bellevue Office Tower
Proposal Address:	833 108th Avenue NE
Proposal Description:	To demolish an existing one-story office structure to construct a 19-story office building with two levels of below-grade parking. A seven story above-grade parking structure will be constructed as well with five levels of below grade parking. Total site size is 1.5 acres. Landscape modifications will occur with this application.
File Number:	**13-119862 LD**
Applicant:	Trammel Crow Northwest Development, Inc.
Decisions Included:	Design Review with SEPA, Process II
Planner:	Antoinette Pratt, Senior Planner
State Environmental Policy Act Threshold Determination:	**Determination of Non-significance** Carol V. Helland Carol V. Helland Environmental Coordinator
Director's Decision:	Michael Brennan, Director Development Services Department By: Carol V. Helland Carol V. Helland, Land Use Director

Application Date:	July 10, 2013
Notice of Application Date:	July 25, 2013
Minimum Comment Period:	August 8, 2013
Bulletin Publication Date:	**April 10, 2014**
Appeal Deadline:	**April 24, 2014**

For information on how to appeal a proposal, visit the Development Services Permit 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 proposal within the noted comment period for a SEPA Determination. Appeal of the Decision must be received in the City Clerk's Office by 5 PM on the date noted for appeal of the decision.

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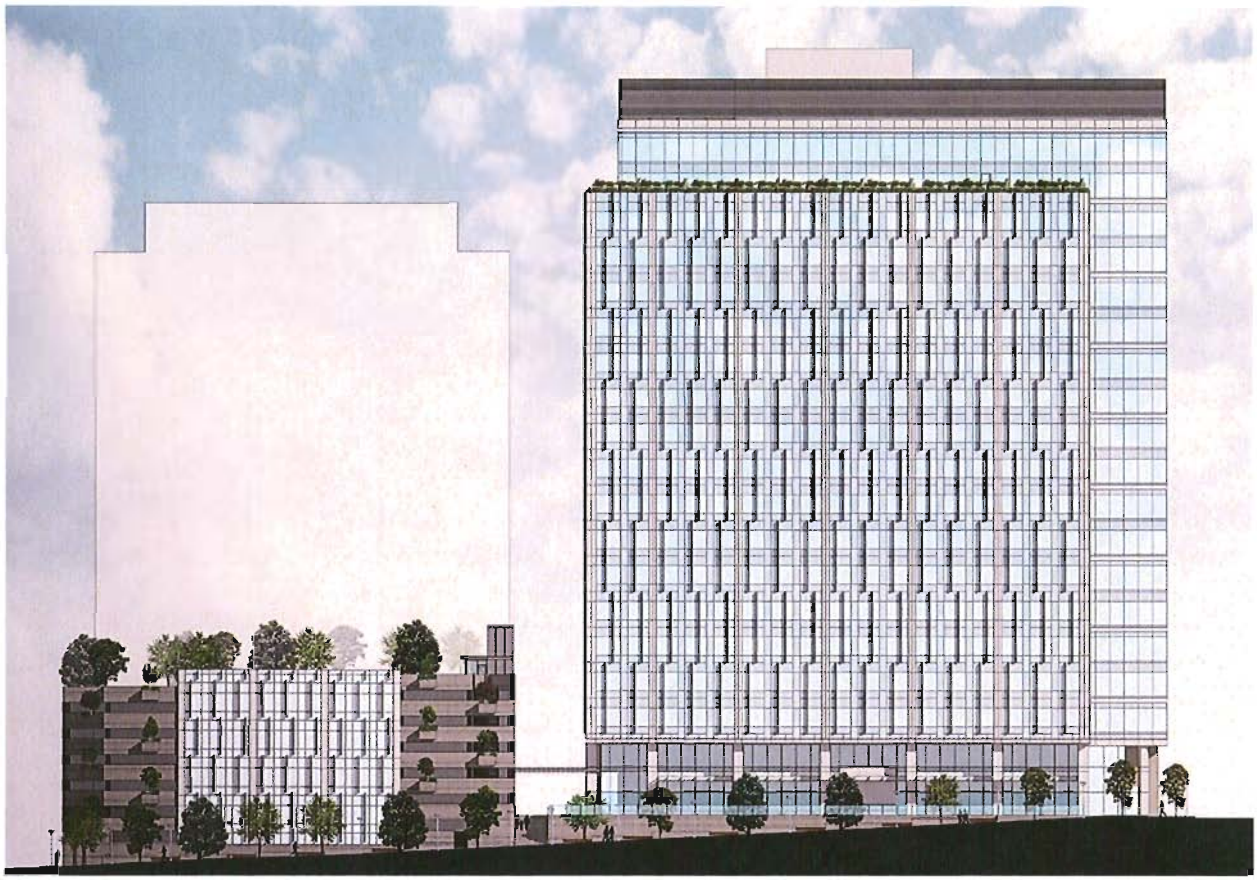
I. REQUEST/PROPOSAL DESCRIPTION

A. Request

Trammel Crow Northwest Development, Inc. requests Design Review approval to demolish a one-story office building to construct a 19-story office building with two levels of below-grade parking. A seven story above-grade parking structure will be constructed with five levels of below grade parking. Approximately 904 parking stalls will be provided along with landscape modifications. Street frontage improvements along 108th Avenue NE will be provided along with pedestrian mid-block connections that are proposed north/south and east/west.



South Elevation—View North Looking To Parking Garage and Bellevue Office Tower

See Attachment A for Project Plans & Drawings.

B. Review Process

Design Review is required by Land Use Code (LUC) 20.30F. The Design Review and SEPA Determination are both Process II decisions. Process II is an administrative process. The Environmental Coordinator issues the SEPA Threshold Determination and the Director of the Development Services Department issues the Design Review decision. An appeal of any Process II decision is heard and decided upon by the City of Bellevue Hearing Examiner.

II. SITE, ZONING & LAND USE CONTEXT

A. Site

Total site size is 1.5 acres after the recently approved boundary line adjustment 13-116875 LW. The site is located mid-block on 108th Avenue NE between NE 8th and 10th Streets.

The 108th Avenue NE corridor is designated by the City's Comprehensive Plan as the "Commerce Avenue" of the downtown. The designation was applied to this street given the broad choices of commerce options located on this roadway. Alternatively, the Transportation Department classifies 108th Avenue NE as a minor arterial connecting low-density residential neighborhoods to the north of Downtown.

The site lies near the north limits of downtown zoning and is surrounded by two existing high-rise developments at its northwest corner (Washington Square). Low-rise office development exists to the south while an undeveloped grass lot exists to the north. The best available views are oriented to the west overlooking low-rise commercial buildings to Lake Washington and the Seattle skyline beyond. Views of the Cascades lie to the east and southeast. However, future development to the west may block westerly views from the building.

The site is located in the City Center North District which connects to other downtown neighborhoods. The City Center North neighborhood is characterized by medium density development and acts as a transition zone between the Downtown Core and its peripheral areas. Urban activities will be available through the urban plaza that has been designed with pedestrian friendly elements in the center of the site that is framed by the parking garage to the west and the office building to the east. This plaza will provide connections between the parking garage, lobby and outdoor dining and seating areas. Retail and restaurant uses are proposed at the base of this project to further support activities on the plaza.

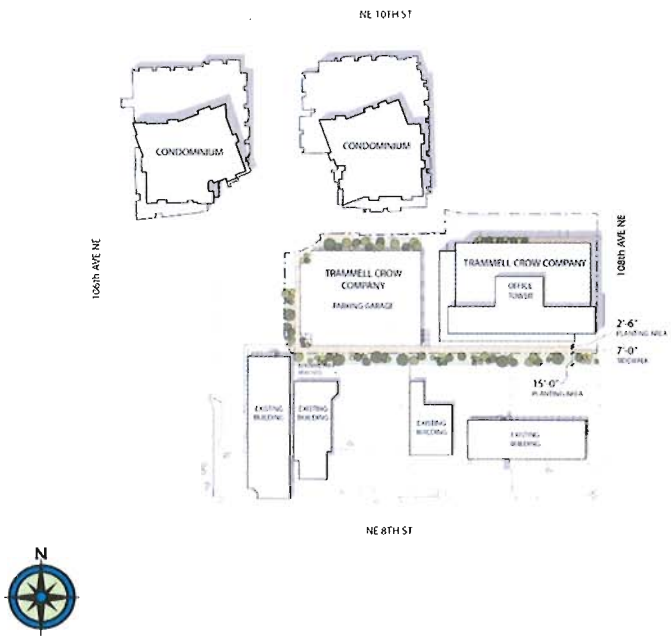
B. Zoning

The property is located within the Downtown-Office 2 (DNTN-02) land use district, Downtown Core. No concomitant agreement applies to the property.

III. Site Design and Building Design

Site Design

The proposed office tower and parking garage occupy a mid-block parcel, part of the overall Wasatch "super-block". The northwest corner of this superblock was developed with residential towers under 04-136256 LD. The remainder of the superblock has not been redeveloped to date. The main street frontage of the building is along 108th Avenue NE with secondary frontage along a required future mid-block connector road, NE 9th Place. The future mid-block connector road will be provided by the Wasatch Development Company and will provide access to the parking garage and connectivity within the "super-block". In the interim a meandering sidewalk and landscaping will be provided south of the garage and office tower to provide a mid-block pedestrian connection. Access to the garage will be located off of 108th Avenue NE from an at-grade ramp descending to below-grade (Level P1) where the main parking entrance and the loading docks are located. The loading dock exit as well as an additional parking entrance/exit will be located at the northwest corner of the site. All parking is contained within a partially above and partially below grade parking structure. The lights and cars will all be screened from the adjacent residential neighbors by the wall composition, wall mounted planter boxes, and perimeter landscaping.



In addition to the sidewalk along the future extension of NE 9th Place, pedestrian connection through the block will be provided by a landscaped walkway along the south side of the building. It starts at the primary, east-facing entrance at the intersection of 108th Avenue NE and NE 9th Place, then leads to an exterior courtyard, and along a landscaped pathway providing access to the condominiums to the north. This exterior courtyard between the office building and garage will not only act as a connector for the general public but also an informal gathering place for both building tenants and the neighboring community.

Building Design

The Bellevue Office Tower at 929 108th Avenue NW is an approximately 402,000 square foot, 19 story, Class-A office building, within the heart of Downtown Bellevue. The building sits mid-block between NE 10th Street and NE 8th Street and is bordered by a residential condominium development to the northwest and two-story commercial buildings to the South.

East Elevation—View West to Bellevue Office Tower

The overall massing of the office building has been broken down in response to both the adjacent building and the solar orientation. By stepping back along the south and west facades, the tower takes advantage of solar orientation with large outdoor terraces as well as providing the basic massing for the building "lantern" and roof top feature. With the narrow facades of the building facing both east and west, the solar heat gain is minimized therefore, minimizing the overall energy consumed by the building. The South and West facades are formed with a standardized curtain wall with a formal language that addresses the commercial area of downtown. On the north and east elevations, the facade has been articulated to address the residential neighborhoods to the northwest.

Architectural Compatibility/Design

At the pedestrian level, the project design provides human-scaled elements such as expressed entrance vestibules, defined by the massing of structural glazing. Retail marquees wrap the street frontage, and along the southern façade pedestrian benches line the thru-block connection. Tactile, material textures have been used to enhance the pedestrian experience at the plaza and courtyard. The building mass steps in at the first and second levels providing wider sidewalks, pedestrian areas, and human-scale relationships.

The project site is located within the DTWN-O-2 land use district, a neighborhood that is quickly changing from small, one-story strip-shopping center type retail with surface parking lots to a livable, walkable, urban environment comprised of street level retail, multi-family housing, and commercial office. This is an area adjacent to a DTWN-MU land use district with several new

high-rise, mixed-use projects completed or in the planning stages. An office tower with pedestrian oriented retail and amenities adds value and appropriate character to the area development. By breaking down the overall building mass, the design provides an appearance of a proportionally slim building. The illuminated "lantern" provides a dynamic addition to the Bellevue skyline and a unique architectural feature defining the building identity. To ensure that the lantern lighting complements the Bellevue skyline at night, the back lighting for the lantern must be adjustable. See Section X for related condition.

Materially, the building is primarily composed of glass and metal with stone highlights fitting comfortably into the context of downtown Bellevue. Two-story, vertical, decorative aluminum fins and vertical, metal panels also add to the richness of the building materials, enhancing the verticality of the building mass.

The parking garage is treated like an object in the landscape. The material choice, texture, and abundance of landscaping place this element into the background of the project. The mass sits relatively low and is placed on the low side of the sloping site. A material palette of board-formed, stained concrete, perforated metal screen, and aluminum curtain wall provide a subdued compliment to the office tower.

Gateway to Project

The site has three main directions of arrival, traveling north on 108th Avenue NE, south on 108th Avenue NE, and east on NE 9th Place. The main vehicular arrival is off of 108th Avenue NE with the parking garage entrance ramp on the north side of the building. In all directions, access is available for pedestrians and vehicular traffic. The entrance to the building is clearly defined by several architectural features. The entrance is pronounced by stepping the building mass back, from grade to the third floor, away from the corner intersection but still expressing the entrance vestibule as a smaller mass. Materially, the entrance differs from the rest of the building by using a highly transparent, structural glazing system. A monument sign and building number will further reinforce the sense of entry. Finally, the expression of marquees terminate adjacent to the main entrance overhang, distinguishing it as a destination.

Pedestrian Connectivity

Pedestrian connectivity has been enhanced and provided along a multitude of routes. The main street frontage along 108th Avenue NE is all retail storefront with the exception of the buildings main entrance. This route provides generous sidewalks, pedestrian pavers, marquees, and street trees – all of which activate the sidewalk space. Adjacent to the south side of the building is a proposed through-block connector. The project provides a "great room" lobby extending the entirety of the south side of the building to help activate and encourage pedestrian movement along the connector and into the exterior courtyard between the office building and the garage. This exterior courtyard is filled with street furniture, landscaping, artwork, and decorative, exterior lighting which make it a destination point along the pedestrian route. At the end of this route is the pathway next to the parking garage connecting the site to the neighboring condominiums – a route containing lush landscaping. Finally, the sidewalk following the grade change on NE 9th Place includes a dynamic, board-formed concrete textured retaining wall and planters, pedestrian benches, and street trees.

Landscaping

The landscape concept for the Bellevue Office Tower is designed to respect the character of the new architecture proposed and create a new and unique landscape for the building occupants and neighborhood residents. Moving through a variety of spaces with plantings, built structure, and hardscape, the community will experience a comfortable, cohesive space from one end to the other – whether in passing or sitting and enjoying the space.

Landscaping along the south side of the property will be designed with two intents. The first, along the future NE 9th Place connector road will provide pedestrians with street trees to act as a buffer between them and traffic. Additionally, planters will step down along the slope on the retaining wall to keep the perception of height change minimal, maintaining a human-scale. At the plaza level, a mixture of hardscape and planting will provide users a clear and interesting path of travel while dividing passerby's from the occupied spaces inside. It also provides a bit a nature while traveling through the "super-block". At the north side of the building and parking garage, substantial planting and trees are provided as a buffer between this project and the adjacent condominiums. The board-form concrete planters will provide a complementary texture to the lush, natural landscaping.

Landscaping along the east and west property line, 108th Ave NE and NE 9th Place respectively, will be streets trees, acting as a buffer between traffic and pedestrian.

All site structures will be constructed of board-formed concrete to provide a human-scale texture and complement the architectural style of the project. The benches will be designed of wood and in a form/orientation to match the building architecture. The plaza will have a glass guardrail dividing the level change. Planters along the south side of the building will be constructed of a metal to match the building colors and sit in a bed of polished, river stones.

Plant material will provide an aesthetically pleasing atmosphere utilizing a variety of color, texture, and mature sizes at the time of installation. The species selected will conform to City of Bellevue standards and be coordinated with the Parks Department.

IV. CONSISTENCY WITH LAND USE CODE/ ZONING REQUIREMENTS

A. General Provisions of the Land Use Code

Uses are regulated by Section 20.10.400 (Use Charts) and 20.25A (Downtown Office 2 land use district). In addition, the uses proposed for this project are permitted with Design Review approval subject to meeting the Design Review criteria of Land Use Code (LUC) 20.25A.110 and the Design Guidelines – Building/Sidewalk Relationships of LUC section 20.25A.115, summarized as follows:

Item	Permitted/Required	Proposed	Comments/Conditions
Project Limit	No minimum	66,986 SF	
Building Height	250'-0"	268'-3" (including penthouse)	Participating in FAR Amenity Incentive System (LUC 20.25A.030) and seeking height increase per exception under LUC 20.25A.020 B.4.a
Floor Area Ratio (FAR)	4.0 min/6.0 max.	6.0	Participating in FAR Amenity Incentive System (LUC 20.25A.030)
Total Gross Square Feet (GSF)	No minimum	402,879 GSF (Parking Excluded per 20.50.022G)	Excludes vertical penetrations, vent shafts, stairwells, and balconies per LUC 20.50.022
Exempt Retail/Ped-Oriented Frontage Floor Area	Maximum 1.0 FAR	3,838 SF (0.06 FAR)	LUC 20.25A.030.C Meets criteria of 20.25A.115 and Building/Sidewalk Guidelines.
Exempt Floor Area: Public Restrooms	Floor area may be excluded from calculation of maximum floor area ratio.	425 GSF	LUC 20.25A.030.C.19 Meets the design and operational criteria as outlined in this section
GSF for FAR	401,916 GSF	398,616 GSF (5.95 FAR)**(1)**	Excludes parking and mechanical areas from GSF per LUC 20.50.022 . Exempt Retail Excluded per LUC 20.25A.020.3.a
Floor Area per Floor Above 40 Feet	Nonresidential: 24,000 gsf/f Parking: 20,000 gsf/f	Office: 23,580 gsf/f Parking: P7:18,467 gsf/f P8: 17,562 gsf/f	Calculated per Note [24] 20.25A.020
Floor Area per Floor Above 80 Feet	Nonresidential: 24,000 gsf/f Parking: 12,000 gsf/f 20,000 gsf/f	Office: Floors 8-17: 23,580 gsf/f Floors 18/19: 20,390 gsf/f Parking: N/A	Calculated per Note [24] 20.25A.020

1 The applicant is 3,300 gsf below the maximum FAR of 401,916 gsf.

Setbacks			
Front	0 FT	8'-2"	LUC 20.25A.020,
Side(s)	0/20 FT	North side: ranges from 20'-0" (parking garage) to 37'-11 5/8" (office building) South Side: ranges from 10'-0" (parking garage) to 15'-5" (office building)	LUC 20.25A.020 In compliance with note [25]. Also see recorded 'No Build Agreement" between BV Holdings, LLC and Washington Square Associates [Trammell Crow Company] dated 10/01/2013
Rear	0/20 FT	20'-0"	LUC 20.25A.020
Sidewalk Width	12 feet	16+ feet including planters	LUC 20.25A.060.A
Landscape	Perimeter sidewalk along 108th will be 16 feet wide to include minimum 4 foot wide landscape planter areas with Parrotia 'Vanessa" street trees as recommended by City Parks Department. Perimeter sidewalk along final NE 9th place will be 7' wide with 3" caliper street trees in grates.	New 3" caliper trees will be installed within new planting areas along 108th and NE 9th place.	LUC 20.25A.060.B (See ADR Landscape plans)
Mid-Block Walkways		Provided	LUC 20.25A.060.C (See Sheet L1-00)

Parking and Loading

Item	Required		Proposed	Comments/ Conditions
Parking	**Minimum and Maximum Permitted Ratios**	**Required and Permitted Parking Stalls**	**Proposed Parking Stalls**	**LUC 20.25A.050**
Office [business services/professional services] (361,867 net sq. ft.)	Min. 2.0/1,000 nsf Max. 2.7/1,000 nsf	724 977	891	
Retail/Mixed Development 3838 net sq. ft.	Min. 0/1,000 nsf Max. 3.3/1000 nsf	Required: 0 Permitted: 0	13	
Total			904**(2)**	

2 The applicant will be required to identify the exact location of retail and/or restaurant parking stalls from designated office stalls. See Section X for related condition.

Item	Required/Permitted	Proposed	Comments/ Conditions
Compact Stalls	Max. 65% of total stalls = 588 stalls	485 [54%]	LUC 20.25A.050.F.2
Loading Area	Min. equal to the number of vehicle simultaneously loading with a space size of 10'x55'. A reduction is acceptable if it is demonstrated loading vehicles can maneuver within the proposed constraints without impeding the public right-of-way, access easement, or private road.	Provided (2) 12'x35' min. loading spaces within the garage at Level P1. Accessed off NE 108th AVE NE	LUC 20.20.590.K.4.a-c
Recycling & Solid Waste	The recycling storage area must be accessible to residents and/or workers of the proposed development, and there must be one collection area per 30 dwelling units in multifamily complexes. The recycling storage area should be located adjacent to or near the garbage collection areas, if possible, and must be at least: 2 square feet per 1,000 gross square feet in office developments.	401,848 GSF/1000x 2=804 SF located on Level P1 adjacent to the trash compactor/ loading dock.	Meeting standard; Republic Services has reviewed the plans and not identified any service issues/impacts.

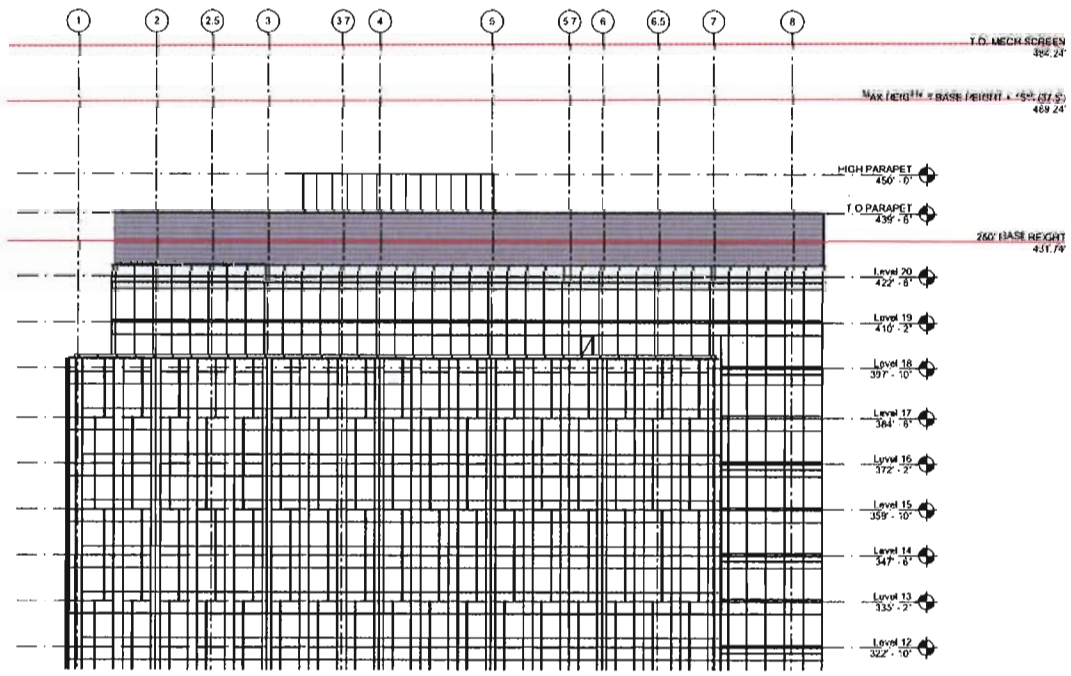
B. Analysis of Height Modification

The applicant has requested a height increase beyond the underlying zoning district. LUC 20.25A.020.B.4.a states the following regarding height modifications:

> *The maximum height identified in subsection A of this section may be increased by no more than <u>15 percent or 15 feet</u>, whichever is greater, and only if the applicant can demonstrate that the additional height accommodates architecturally integrated mechanical equipment, interesting roof forms, significant floor plate modulation, significant facade modulation, or other such unique architectural features, and that the resulting design exceeds the quality and design requirements of LUC 20.25.110.*

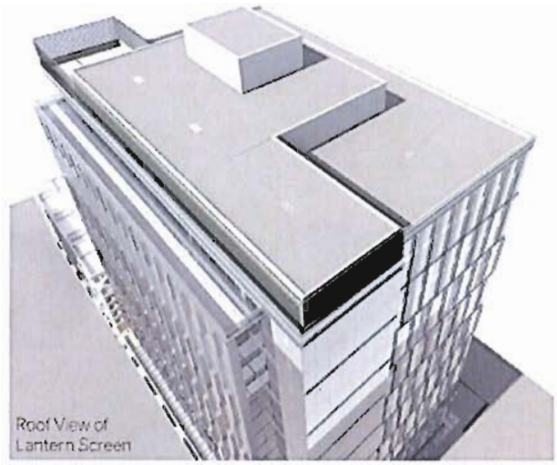
Average finished grade is located at 181.74 feet. The basic height for the DNTN-02, Core District is 250 feet or an elevation of 431.74 feet. Height may be increased by 15 percent (37.5 feet) to an elevation of 469.24 feet per the LUC requirement noted above. An additional 15 feet increase may occur for mechanical equipment and screening. Maximum elevation for this structure is 484.24 feet. The applicant has requested to build to an elevation of 450 feet, below the maximum allowed by the LUC. See the height profile below for compliance with this standard.

Height Verification:



The applicant should note that changes to the shown roof details below are subject to approval by staff and consistency with the code during building permit review. Modification to the roof design/mechanical equipment without approval may place the additional height at risk for reduction to elevation 431.74 feet. See Section X for related condition.

Height modifications are granted because the applicant has proposed the following:



- The placement of the elevator overrun is in the center of the building,
- A 17 foot architectural aluminum louver wall screens both roof top cooling towers and mechanical penthouse structure,
- Rooftop screen walls are located to complement building massing and provide continuity to and accentuate the building 'lantern massing',
- Additional building height provides a proportionally slimmer building massing and variation in the roof plane,
- Illuminated building lantern provides a dynamic addition to the Bellevue skyline and a unique architectural feature defining the building identity,
- The colors and materials used for the mechanical equipment and penthouse screen wall will match the building body creating an architecturally integrated system.

As conditioned, the proposal is eligible for a modification of height.

C. Special District Requirements

1. FAR Amenity System Requirements

See Attachment B for FAR and Amenity Calculations (Basic and Non-Basic) for this project. Public restrooms will be provided with this proposal as an amenity bonus. They should be available for use during business hours and signed to identify their location. See Section X for related condition.

Subject to LUC 20.25A.030.D, the total amount of bonus floor area earned through the Amenity Incentive System for a project, and the total amount of bonus floor area to be utilized on-site for that project, must be recorded with the King County Division of Records and Elections and with the Bellevue City Clerk. Therefore, a condition is included in Section X of this report requiring that the applicant record a copy of the approved bonus point calculations, project drawings and conditions of this Design Review approval. See Section X for related condition.

2. Design Review Criteria and Design Guidelines

The proposal meets the Design Review criteria (LUC 20.25A.110). If modifications are made to this design review application, the applicant will be required to provide documentation of said change by either amending this Design Review application or via the Land Use Exemption (LUX) process. Compliance will be required to the LUC in effect. See Section X for related condition.

Vehicular Circulation and Parking (LUC 20.25A.110.A.1)

Two vehicular connections will occur on-site: one at the northwest corner of the parking garage and the other at the northwest corner of the office building. Ingress and egress from these areas will be controlled via card keys for employees. All parking is located internal to the parking garage and office building. The parking garage will have **830** parking stalls while the office tower will contain **74** parking stalls. A loading dock has been provided for deliveries at P1 level of the garage. The parking garage will contain seven levels of above-ground parking stalls with six levels of underground parking. The office tower will contain two levels of underground parking.

Pedestrian Circulation and Amenities (LUC 20.25A.110.A.2)

Pedestrians can circulate around the entire building by way of sidewalks along 106th Avenue NE, north/south and east/west mid-block pedestrian connections at the west and north property boundaries. Street trees, weather protection, landscaping, art and special paving are used to provide a more pleasant pedestrian experience. The applicant will need to work with the City's art specialist to determine the appropriate art pieces for the plaza area. See Section X for related condition. Additionally, a pedestrian plaza is proposed between the garage and office building that ranges between 20 and 25 feet in width. This area provides pedestrian connection at the north end of the site. A staircase will be constructed to provide east/west pedestrian connections.

Wind and Sun (LUC 20.25A.110.A.3)

The parking garage and office building are located on an east/west axis. The parking garage is seven stories tall while the office building is nineteen stories in height. Building walls from both structures will frame the pedestrian plaza from the brunt of the areas prevailing winds. Sun exposure will be greater in the summer months and along the southern elevation. The project will have an enclosed plaza "great room" that will provide south facing sun exposure during the winter months and an area of congregation for employees. This will optimize sun exposure to this area. The Landscaping sheets (L01-L03) show landscaping within the pedestrian plaza that will further reduce wind exposure in the area. Additionally, the applicant will provide weather protection for a portion of the plaza area and along 108th Avenue NE as a respite from inclement weather.

Open Space (LUC 20.25A.110.A.4)

As noted above, the project has both an indoor and outdoor pedestrian plaza areas. The adjacent image shows how the outdoor plaza will be activated with seating areas, planter areas,

lighting, pavers and weather protection at the southwest corner of the building that leads to the above ground parking garage.

Light and Glare (LUC 20.25A.110.A.5)

The exterior skin of this structure is a combination of glass, stone and matte finish metal panels with a low reflection and glare factor. The applicant submitted a colors and materials board to substantiate the low reflectivity of their chosen materials.

Downtown Patterns and Context (LUC 20.25A.110.B)

Natural Setting and Topography (LUC 20.25A.110.B.1)

Topography on the eastern portion of the site is relatively flat with an elevation ranging from 184 to 182. The western portion of the site contains more topography and slopes down west/northwest to an elevation of 163. The above ground parking garage and east/west pedestrian connection at the northwest corner of the site reflects this topography change around the site. The outdoor plaza reflects this grade change as well with transitional steps at the south and northwest corners of the site that lead to this outdoor space. The massing of the office tower will maximize views of the mountains, Lake Washington and the Seattle skyline until such time as the remaining parcels of the Wasatch superblock are developed in the near future.

Landscape Design (LUC 20.25A.110.B.2)

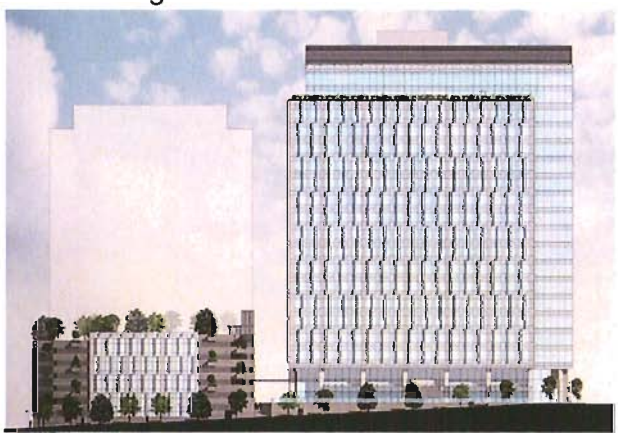
There is significant landscaping in the urban plaza and on levels three and four of these structures. The site currently does not contain significant existing vegetation. The planned utility vaults are located below grade, and all new utility equipment will be contained inside the building envelope or below grade.

Views (LUC 20.25A.110.B.3)

As discussed previously, the tower massing was considered during project design to reduce the impact of the project on views from buildings to the north, south, and west of the site. The project will enhance the Bellevue skyline and therefore contribute to more interesting views from public spaces. Both towers, by their orientation will have westerly views of Seattle.

Building Height and Bulk (LUC 20.25A.110.B.4)

The building is oriented east/west on 1.53 acres. This orientation allows the structure to have a strong presence on 108th Avenue NE and the proposed connector road that will be constructed by the superblock's owner, Wasatch. Attention has been paid to the residential neighborhood at the northwest corner of this site, Washington Square. The roofline of both the tower and garage creates visual interest by their unique forms. The office tower will have an architectural metal screen at the top of that structure while the office garage will have a vegetative solution as it



is nearest to the existing Washington Square residential project.

Transitions (LUC 20.25A.110.B.5)

The eastern portion of the office building will contain retail/restaurant activities at the pedestrian level. A small arcade will be provided adjacent to the retail/restaurant uses to provide additional transition space for pedestrians coming in from inclement conditions. This area will also be framed by marquees of frosted spandrel glass that will allow natural light into these spaces.

Patterns of Activity (LUC 20.25A.110.B.6)

The building provides various opportunities for pedestrian-level activity at the ground plane, including ground level retail, restaurant, fitness, and indoor and outdoor gathering spaces. There are areas within the urban plaza that will contain seatwalls adjacent to planter areas, tables and chairs, and scored pavement materials.

Signage (LUC 20.25A.110.B.7)

Signage information has not been provided at this time. General signage information for the building will be required prior to building permit issuance with a formal sign package following such submittal. <u>See Section X for related condition.</u>

<u>Design Guidelines – Building/Sidewalk Relationships (LUC 20.25A.115)</u>

108th Avenue NE is designated as a "D" Right-of-Way. A "D" Right of Way has been designated as such due to its low to moderate orientation to pedestrians. "D" rights-of-way are required to have a combination of the following elements: windows providing visual access into the building base, street walls and a differentiated ground level. The applicant has complied with these standards with this proposal. It should also be mentioned that although 108th Avenue NE has this classification, the proposed retail/restaurant activities on this street may activate it to become a better focal point for this area.

<u>Code Design District (LUC 20.25A.100)</u>

This site is located within the Downtown-02, Core District as noted in the adjacent image. The applicant has complied with these standards by publicly accessible plazas between the garage and the office tower as discussed in Section IV.C above. Also see Section II for the view discussion.

IV. PUBLIC NOTICE AND COMMENT

To date, staff has received many e-mails on this project. Many of the commenters live in the two residential buildings of Wasatch (Washington Square) located at the northwest corner of the superblock. Many of the emails addressed the following topics as noted below:

1. *Why is the applicant building an above ground parking garage? Is this a permitted use?*

   Response: Above ground parking garages are a permitted use in the Downtown-02 District per LUC 20.10.440. Approval for such structures occurs via the Design Review process which the applicant has fulfilled with the submittal of this application. LUC 20.25A.050.F.4 applies to this project as noted below:

   > ***Performance Standards for Parking Structures****. The Director of the Development Services Department may approve a proposal for a parking structure through Design Review, Part 20.30F LUC. The Director of the Development Services Department may approve the parking structure only if:*
   >
   > a. *Driveway openings are limited and the number of access lanes in each opening is minimized.*
   > b. *The structure exhibits a horizontal, rather than sloping, building line.*
   > c. *The dimension of the parking structure abutting pedestrian areas is minimized, except where retail, service or commercial activities are provided.*
   > d. *The parking structure complies with the requirements of LUC 20.25A.115.*
   > e. *A wall or other screening of sufficient height to screen parked vehicles and which exhibits a visually pleasing character is provided at all above-ground levels of the structure.*
   > f. *Safe pedestrian connection between the parking structure and the principal use exists.*
   > g. *Loading areas are provided for vanpools/carpools as required by paragraph F.3 of this section.*
   > h. *Vehicle height clearances for structured parking must be at least seven and one-half feet for the entry level to accommodate vanpool parking.*

   The proposal has complied with the design criteria above for above ground parking garages. See Section VIII.2 for compliance.

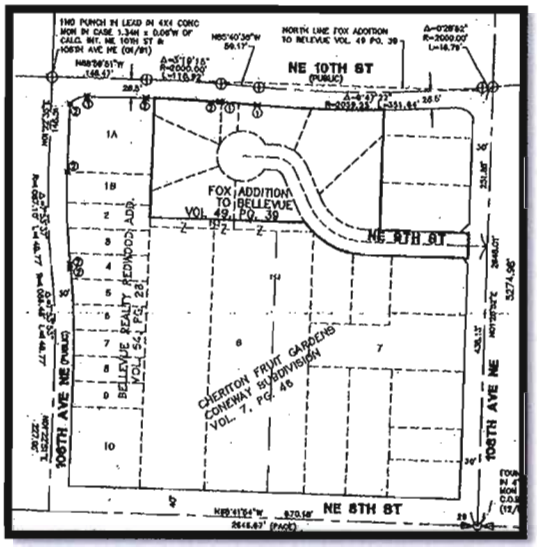
2. *Is there a Master Development Plan for the Wasatch superblock?*

   Response: LUC 20.30V establishes the Master Development Plan (MDP) process for the City of Bellevue. Depending on where site development takes place, an MDP may be required or is optional to an applicant. In the case of the superblock, it was not a requirement.

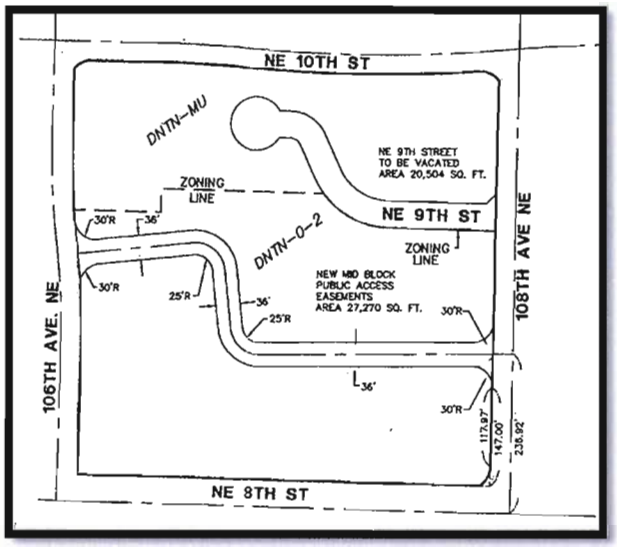
   Many residents of Washington Square erroneously thought that the City had granted approval for an MDP on this site. However, no review has been requested for a MDP by the site ownership. Wasatch Development has promoted a concept plan for the build out of the

site. This is not an approved master plan by the City of Bellevue. What has been depicted to date is a private concept by the developer without the benefit of City review or input.

3. *Why is there a requirement for an east/west connector road within the superblock? When will this road be constructed?*



Fox Addition Plat Vacation



New Mid-Block Connector

Response: On May 10, 2005, the owner of the Wasatch superblock petitioned City Council to consider the vacation of NE 9th Street within the Fox Addition Plat. A plat vacation was granted via two ordinances: 5609 and 5625. City Council determined NE 9th Street was a barrier to the owner fully developing the site, and to pedestrian and vehicular movement. The plat vacation was approved to facilitate pedestrian movement to the Ashwood area north of this site and to the commercial core to the south of the superblock. City Council found that, ultimately, these movements were invaluable. The Fox Addition Plat (together with NE 9th Street) was vacated in return for an agreement by the property owners to construct a through block connector road in addition to other pedestrian enhancements.

Ordinances 5609 and 5625 contained the following conditions of approval:

- Provision of the connector road between 106th and 108th Avenue NE to be completed by September 29, 2015;
- Enhanced landscaping on NE 10th Street which was completed with 04-136256 LD.
- Widened sidewalk on 106th Avenue NE which was completed with 04-136256 LD.
- Relinquishment of certain utilities detailed within said ordinances.

All of the above ordinances were filed with King County Records and Elections with instrument numbers: 20050928001505 (Covenant Regarding Public Access Easement) and 20050928001504 (Public Access Easement). See Attachment C for said documents.

4. *The addition of an office tower will add traffic to an already congested area. It is difficult to make left turns, etc. onto 106th Avenue NE. How will this be addressed?*

   Response: The City concurs with the applicant's proposal to widen the existing NE 9th Place east of 106th Avenue NE to 38 feet to accommodate a 12-foot wide westbound to southbound left turn lane at the intersection of 106th Avenue NE/ NE 9th Place. Further, staff supports the applicant's proposal to install a new pedestrian crosswalk at the south side of the 106th Avenue NE/ NE 9th Place intersection.

City Held Public Meetings

The City held one public meeting on August 14, 2013. Approximately 40 individuals attended this meeting. Many people spoke on this proposal, most of which is reflected the nature of the emails noted above.

Applicant Held Public Meetings

The applicant held three public meetings with the Homeowners Association of Wasatch. Applicant led meetings occurred on July 25, 2013, August 6, 2013, and December 11, 2013. See project file for meeting notes.

Trammel Crow Company has negotiated an agreement with the HOA of Washington Square during the public comment portion of the project. This agreement has a number of transportation agreements embedded within it that require acknowledgement by the City's Transportation Department. City staff received an update on the status of the negotiated agreement on February 21, 2014. The draft agreement is currently on its fourth revision cycle as of the date of this staff report. Trammel Crow anticipates that the agreement will be concluded shortly. A copy of said document should be sent to the City for our files. Beyond this, the Transportation Department supports the proposed improvements as offered on Page 3 of the Traffic Impact Study submitted by TENW December 17, 2014. Once the agreement is signed, Trammel Crow may include additional improvements identified in the agreement to their submitted ancillary permits for review and approval by the City's Transportation Department.

V. TECHNICAL REVIEW

A. Utility Department

The development proposed for this application has been reviewed on a conceptual basis and can be feasibly constructed under current Utility codes and standards without requesting modifications or deviations from them. Major changes to the design or information submitted under this permit may cause delay in approval of future construction permits. It is the applicant's responsibility to verify the accuracy all field information and data gathered for the utility design and feasibility of this project. See Section X for related condition.

B. Fire Department

The Fire Department has reviewed this application. The proposal generally conforms to the Fire Code requirements for site circulation and access. Final review and approval will occur through the associated building permits for this proposal.

C. Transportation Department

Site Access

The primary auto and truck access to the proposed development on 108th Avenue NE will be a 30 feet wide driveway approach per standard drawing DEV-7A. The city may prohibit left turns in and out in the future if significant traffic safety or operational problems occur. The second vehicular access to the site will be off of 106th Avenue NE and an existing private road called NE 9th Place. Larger truck egress will be off of NE 9th Place and 106th Avenue NE. Note that on–street loading will not be allowed on any street adjacent to the site. The backing of trucks within any street right of way or across any public sidewalk easement is prohibited.

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 and the Transportation Development Code (BCC 14.60), and the provisions of the Transportation Department Design Manual.

1. A combined street tree and street light plan is required for review and approval prior to completion of engineering and landscape plans for their installation. 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 must be shown on the same plan sheet with the proper separation (generally 25 feet apart) and the proper spacing from driveways (ten feet from Point A in standard drawing DEV-7A). The final engineering plans must include a streetlight plan and specifications prepared by a qualified engineer familiar with street lighting and with Bellevue's streetlight requirements. All necessary engineering details, including standard drawings, for any new or relocated streetlight and associated equipment must be included in the final civil engineering plans for the Clearing and Grading Permit.

2. The Americans with Disabilities Act (ADA) requires that sidewalk cross slopes not exceed two percent. The sidewalk cross slope may be less than two percent only if the sidewalk has a longitudinal slope sufficient to provide adequate drainage. Bellevue's standard for curb height is six inches, except where curb ramps are needed. The engineering plans must comply with these requirements, and must show adequate details, including spot elevations, to confirm compliance. New curb and sidewalk shall be constructed in compliance with these requirements. Building elevations shall be consistent with the required curb and sidewalk elevations. Spot elevations must be included in the building plans in a manner that proves that building elevations are designed to correspond to the sidewalk elevations shown in the engineering plans, especially at entrances and other key points. Curb and

sidewalk elevations will not be revised to fit the building, and city inspectors may require spot surveys during construction in order to confirm the required elevations.

ADA also requires provision of a consistent travel path for visually handicapped pedestrians. Potential tripping hazards are not allowed in the main pathway. Any planter boxes installed in the sidewalk to improve pedestrian sight distance at driveways must be designed to reduce the tripping potential and must not extend more than two feet into the public sidewalk. Traffic signal controller boxes and streetlight contactor cabinets must be located so as not to interfere with the main pedestrian path. Buildings shall be designed so that doors do not swing out into the pedestrian path. ADA-compliant curb ramps shall be installed where needed, consistent with standard drawings TE-12 or TE-13.

3. The curb, gutter, and sidewalk on 108th Avenue NE fronting the Bellevue Office Tower site will be completely removed as part of pavement widening and reconstructed with a sidewalk width of at least 12 feet, not including the curb. Any planters or tree wells are included in the 12-foot width. At any location where the sidewalk extends over a basement or parking garage, a construction method that will prevent differential settling must be used. Such method must be acceptable to the Transportation Department.

4. The design and appearance of the sidewalk and landscaping on 108th Avenue NE shall comply with the standards and drawings in the Transportation Department Design Manual, including standard drawings TE-11 and DEV-3. The sidewalk shall be constructed of standard concrete with a broom finish and a two-foot by two-foot score pattern, with four-foot by six-foot tree wells, unless both the Transportation Department and the Development Services Department agree to accept any non-standard pattern, color, or other features. Alternative paving samples must be submitted for review. If approved, any non-standard patterns, colors, or other features may be installed only if an agreement is recorded against the property to hold the landowners responsible for maintenance and replacement of all such non-standard sidewalk features.

   Any non-standard features or vegetation 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.

   Future work within the alternative material area by City, franchise, or other workers as a result of either emergency, normal maintenance, or new installation may result in replacement of the surface by standard materials. In such a circumstance, should the property owner wish to replace or repair the surface with the alternative material, a Right of Way Use Permit may be required.

5. Tree wells and other landscaping within the sidewalk on either adjacent city street shall be irrigated with a private 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.

6. The applicant will be responsible for installing all street channelization and signage that is necessitated by their street frontage improvements on 108th Avenue NE and 106th Avenue NE. A channelization and signage plan must be included as part of clear and grading construction plans.

7. The driveway on 108th Avenue NE shall have an approach width, as defined in standard drawing DEV-7A, of no greater than 30 feet. The driveway apron design shall be consistent with standard drawing DEV-7A.

8. No new building structure or garage shall be constructed under a street right of way or existing public sidewalk/utility easement. In some conditions (to be finalized during engineering and building plan review), new structure may be allowed under a new sidewalk/utility easement. No soil nailing is allowed under a street right of way or sidewalk/utility easement without an indemnification agreement that protects the City.

9. As much as feasible, no new utility vaults that serve only one development will be allowed within a public sidewalk. Vaults serving a broader public purpose may be located within a public sidewalk.

10. Any awning, marquee, balcony, etc. over a public sidewalk or utility easement must be at least 16 feet above the sidewalk, or be removable (with an agreement regarding removal and replacement) and must have at least 3 feet horizontal clearance from any streetlight or traffic signal pole. No supports for such features shall be installed in the public sidewalk. No structure will be allowed above a city right of way without a long-term lease of airspace.

11. 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. Fixed objects are defined as anything with breakaway characteristics stronger than a 4-inch by 4-inch wooden post.

12. 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.

13. Fire standpipes and similar equipment must be outside the public sidewalk, if feasible. If the sidewalk cannot be avoided, then such equipment must meet the requirements for fixed objects and must not be within the pedestrian travel zone.

14. Street furnishings located in the right-of-way and not required by the Transportation Department, such as benches or raised planters, will be allowed with an indemnification agreement making the adjacent property owner responsible for such furnishings. The appearance, style, and location of such features must be acceptable to both the Transportation and Development Services Departments.

15. Per IBC section 3201.4, drains from the building or roof shall not discharge onto a public sidewalk. In addition, treatment of storm water from the site flowing to any city street or public sidewalk shall meet the standards of the Utilities Department.

16. Doors shall not swing out into the public sidewalk area.

17. Vehicle and pedestrian sight triangles shall be achieved per BCC 14.60.240 and 14.60.241, and Design Standards 21 and 22 including consideration of all fixed objects and mature landscape vegetation. Vertical as well as horizontal line of sight must be considered when checking for sight distance.

18. As much as feasible, any new manhole lids and other metal covers shall be located outside the tire paths of through lanes on any city street.

Easements
The applicant shall provide sidewalk and utility easements to the City as needed to encompass the required width of any public sidewalks located outside the city right of way fronting this site.

The applicant shall provide easements to the City for the location of any traffic signal and streetlight facilities which will not be within a public sidewalk and utility easement. This may include above-grade boxes and below-grade vaults between the building and sidewalk or within any private landscape area. Transformers and utility vaults to serve the building shall be placed inside the building or below grade, to the extent feasible.

Any utility easements contained on this site which are affected by this development must be identified. Any negative impact on those utility easements must be mitigated or easements relinquished.

Holiday Construction & Traffic Restrictions
From November 15th to January 5th, construction activities such as hauling and lane closures will be allowed only between the hours of 10:00 p.m. and 6:00 a.m. due to holiday traffic. The dates and times of these restrictions are subject to change. The applicant shall contact the Transportation Department Right-of-Way Section to confirm the specifics of this restriction prior to applying for a Right-of-Way Use Permit, which is issued directly by the Transportation Department.

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.

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 106th Avenue NE and 108th Avenue NE have been classified as "No Street Cuts Permitted." Should street cuts prove unavoidable or of the street surface is damaged in the construction process, a half-street or full-street (depending on the extent of street cuts or damage) grind and overlay will be required. Details of any trench restoration must be shown on the engineering plans.

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 structure, 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 and 14.60.080.

VI. STATE ENVIRONMENTAL POLICY ACT

The environmental review indicates no probability of significant adverse environmental impacts occurring as a result of the proposal. Therefore, issuance of a Determination of Non-Significance (DNS) is the appropriate threshold determination under the State Environmental Policy Act (SEPA) requirements, with incorporation by reference of the *2013-2024 Transportation Facilities Plan Final Environmental Impact Statement* (TFP EIS), dated July 2013. This document is available in the Records Office at City Hall, 450 110th Avenue NE. Transportation-related impacts associated with this project are consistent with the potential projected impacts analyzed within this document.

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

TRANSPORTATION

Long Term Impacts and Mitigation

The long-term impacts of development projected to occur in the City by 2024 have been addressed in the City's Transportation Facilities Plan EIS. The impacts of growth which are projected to occur within the City by 2024 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. Bellevue Office Tower lies within MMA # 3, which has a 2024 total growth projection of 4,654,965 new gross square feet (GSF) of office and 1,246,935 new GSF of retail. This development proposes 452,500 GSF of office and 5,000 GSF of retail. Therefore, the volume of proposed development is within the assumptions of the Transportation Facilities Plan EIS.

Traffic impact fees are used by the City to fund street improvement projects to alleviate traffic congestion caused by the cumulative impacts of development throughout the City. Payment of the transportation impact fee, as required by BCC 22.16, contributes to the financing of transportation improvement projects in the current adopted Transportation Facilities Plan, and is considered to be adequate mitigation of long-term traffic impacts. Fee payment is required at the time of building permit issuance.

Mid-Range Impacts and Mitigation

Project impacts anticipated to occur in the next six years are assessed through a concurrency analysis. The Traffic Standards Code (BCC 14.10) requires that development proposals generating 30 or more 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.
This development will generate approximately 453 new p.m. peak hour trips, with credit for removal of existing uses. City staff distributed and then assigned project-generated trips to the street network using the City's EMME-2 travel forecasting model with the current Capital Investment Program network. By adding the expected project-generated trips to the traffic volumes in the model, the area average levels of service were determined. To create a baseline condition for comparison, the levels of service were also determined using traffic volumes without the project-generated trips. In this project analysis, 13 system intersections received 20 or more p.m. peak hour trips. Neither the maximum area-average levels of service nor the congestion allowances would be exceeded as a result of traffic generated from this proposal. Therefore, the proposed development passes the concurrency test. The concurrency test results are included in the Transportation Department file for this development.

The rules of concurrency reservation are outlined in the Traffic Standards Code Director's Rules, updated July 21, 2011. A concurrency determination will be issued on the date of issuance of the land use decision. Projects that comply with the Traffic Standards Code will receive a Certificate of Concurrency. See Attachment D for this certificate.

The concurrency determination is reserved to this project at the land use decision date. The concurrency reservation expires one year from the land use decision date unless a complete building permit application is filed (BCC 14.10.010.D).

Short Term Operational Impacts and Mitigation

City staff directed the applicant's traffic consultant, Transportation Engineering Northwest (TENW), to analyze the short term operational impacts of this proposal in order to recommend mitigation if necessary. These impacts included traffic operations conditions during the a.m. and p.m. peak hours. Issues that were analyzed in the Traffic Impact Analysis, dated December 17, 2013, included Level of Service (LOS) analysis at nearby intersections, LOS and vehicle queues at the site driveways, site vehicular and pedestrian circulation, transit availability, and accident

history analysis for the past three years. In conjunction with frontage improvements on 108th Avenue NE that include pavement widening, revised engineering plans such as roadway plan with detailed roadway cross-sections, street lighting, street channelization markings and signage were submitted.

The City concurs with the applicant's proposal to widen the existing NE 9th Place east of 106th Avenue NE to 38 feet to accommodate a 12-foot wide westbound to southbound left turn lane at the intersection of 106th Avenue NE/ NE 9th Place. Further, staff supports the applicant's proposal to install a new pedestrian crosswalk at the south side of the 106th Avenue NE/ NE 9th Place intersection. In conclusion, we do not anticipate any adverse operational impacts due to the proposed development. The TENW analysis is available for review in the project file.

Amendments to Environmental Checklist

The Environmental Checklist submitted with the application was revised per the revised design concept and it adequately discloses expected environmental impacts associated with the proposed project. The City codes and requirements, including the Clear and Grade Code, Utility Code, Land Use Code, Noise Ordinance, Building Code and other construction codes adequately mitigate expected environmental impacts except as noted below. The following amendments to the Environmental Checklist are needed. These impacts will be mitigated through exercise of code authority as well as through project-specific conditions of approval, contained in Section X.

UTILITIES

Surface Water
The site is located within the Meydenbauer Drainage Basin. Storm water from the site currently drains to 106th Avenue NE storm and is conveyed in catch basins and pipes with NE 9th Place and eventually connects into the trunk line in 106th Avenue NE and ultimately discharges to Lake Washington. The Meydenbauer Drainage Basin has a No Detention Zone and no detention will be required for this project. Water quality for the site will be provided onsite through storm water canister filter vaults.

Water and Sewer

- Domestic water for the site proposes to connect to a 12" ductile iron water main in 108th Avenue NE.

- Domestic sewer for the site is available from sewer main in NE 9th Place and 108th Avenue NE.

NOISE

Exterior Noise: As conditioned, short term impacts related to noise generation as a result of the construction will be minimized. Normal hours for allowed generation of noise related to construction are 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. Exceptions to the construction noise hour limitation contained in the Noise Control Code MAY NOT be granted pursuant to 9.18.020C.1 & 2. However, prolonged

exposure to noise created by extended hour construction activity is likely to have a significant impact on inhabitants of surrounding commercial and residential properties during the proposed timeline for construction. If expanded hours are necessary to accommodate a specific component of construction, a noise permit shall be required and must be submitted in advance of the scheduled onset of extended hour construction activity. In accordance with the Bellevue City Code – BCC 9.10 – Noise Control, the City will only be providing construction noise exemptions for the following work:

- Work in the ROW and essential public facilities (i.e., Water connections that require a main shut off and are required to be done at night by the Utility Department)
- Work to accommodate transportation mitigation
- Required evening haul routes

Work that has been previously determined by sound level monitoring is not to exceed the maximum permissible noise levels. Utility/site work on private projects/property is not essential public facilities. See Section X for related condition.

Interior Noise Levels: The Bellevue City Code, BCC 9.18, limits interior noise levels within residential structures to 40 dBA in sleeping areas and 45 dBA in non-sleeping areas. Special construction is generally necessary to meet these thresholds. Prior to the issuance of any occupancy permits, the applicant shall verify that this threshold has been met. See Section X for related condition.

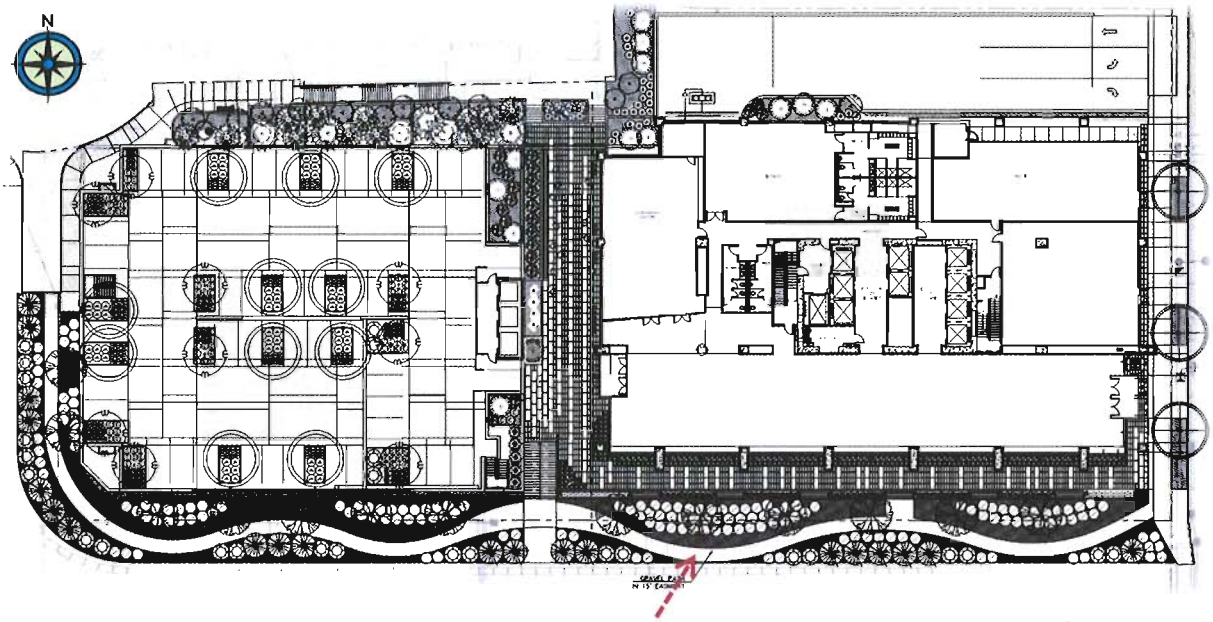
VII. CHANGES TO PROPOSAL DUE TO CITY REVIEW

Building Design

- Calculation of the average finished grade was requested as the applicant had completed the calculation based upon average existing grade. Re-calculating the grade required the applicant to qualify for additional height due to the increased height of the elevator overrun in the center of the roof. See Section IV.B for further discussion and height modification approval.
- Parking dimensions with the parking garage did not conform to LUC 20.20.590, Table 3. The garage was re-dimensioned to fulfill this standard.
- Enhancement of the parking garage design to ensure compatibility with the adjacent residential tower, Washington Square.

Site Design

- The applicant is providing an off-site interim landscape condition in the area where the proposed east/west connector road is proposed. This interim plan will remain in this location until such time as Wasatch develops the required east/west connector road. The applicant was requested to include an accompanying pedestrian path in this area to allow north/south and east west pedestrian movements which is noted below:



Interim Landscaping with 15-foot Gravel Pedestrian Path

The interim landscape plan will need to be installed prior to occupancy of the office tower. See Section X for related condition.

VIII. APPLICABLE DESIGN REVIEW DECISION CRITERIA

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

1. The proposal is consistent with the Comprehensive Plan.

Following are land use policies from the Urban Design Element of the City's Comprehensive Plan that are pertinent to, and supportive of, the project proposal:

Policy UD-1: *Encourage high-quality, attractive, architecturally appealing designs for major buildings in order to create distinctive visual reference points in the community.* This project will create an architecturally attractive building in its massing, materials, and detail. The structure will add visual interest to the Bellevue skyline with its defined lantern as proposed on the south and east elevations of the tower. This portion of the building will be lit at night to bring visual interest to the Bellevue skyline.

Policy UD-2: *Support Designs for the built environment that are visually stimulating and thoughtful and which convey excellence in architecture and workmanship, and durability in building materials.* This project proposes high quality durable materials, including beige and grey panel and pre-cast materials, aluminum window wall and curtain wall, metal panels, as well as pavement materials. The building design incorporates careful attention to detail, variety in building heights from the office tower to the garage, integration of landscape, hardscape and building forms to create a visually stimulating, cohesive project.

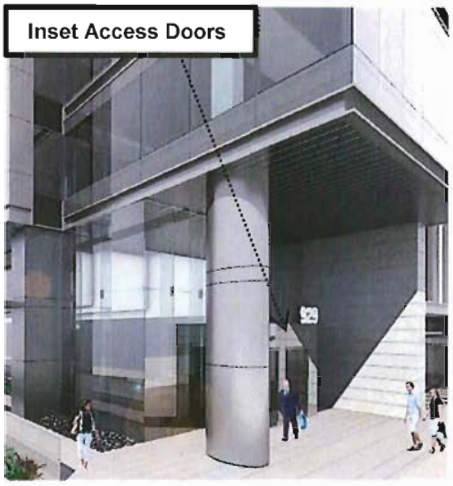
Policy UD-3: *Encourage a variety of site and building designs which are compatible and consistent with surrounding development and that implement the policies of this plan.*

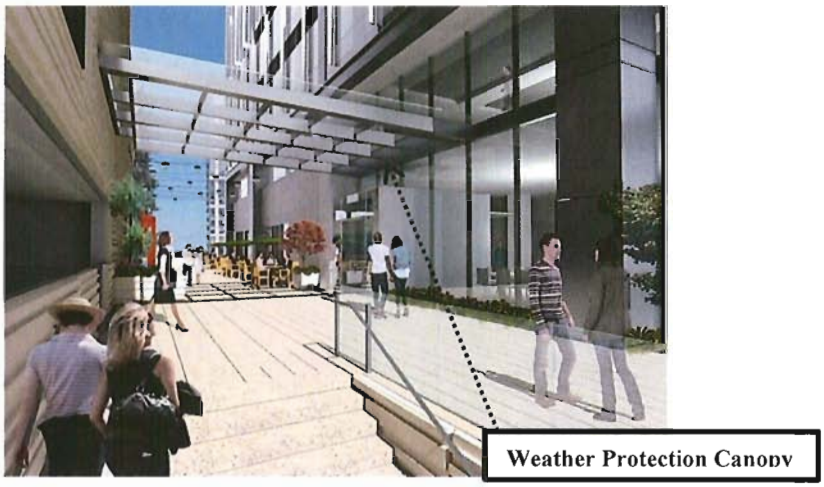
Policy UD-4: *Ensure that the development relates, connects, and continues design quality and site functions from site to site.* This project will be compatible with Washington Square located at the northwest corner of the superblock. Ultimately, the superblock will be redeveloped in the future at its southwest and southeast corners with developments that may be a combination of residential or office uses.

Policy UD-6: *Design buildings located on the edge of public spaces using materials, forms, details and other architectural elements that will enrich the appearance of the places and encourage people to use them.* The east side of the building that faces 108th Avenue NE incorporates façade articulation, overhead weather protection for retail activities at the base of the building, and pedestrian-scaled lighting to create a pedestrian oriented environment. The sidewalk on 108th Avenue NE will contain a 12-foot sidewalk with 4-foot planter strips to separate vehicular traffic from pedestrians for comfortable mobility. The required mid-block connections are located as follows: the north/south connection occurs between the above ground parking garage and the office tower via a pedestrian plaza while the east/west connection occurs at sidewalks provided north and south of these structures.

Policy UD-8: *Design rooftop mechanical screening so that it is integral with building architecture. Consider the visual effects of technical advances such as satellite dishes, on building design.* All roof-top mechanical equipment will be screened by an aluminum louver that will match the integrity and building body of the office tower. See Section IV.B for further discussion.

Policy UD-11: *Encourage architectural elements that provide for both rain cover and access to sunlight in pedestrian areas.* The applicant is proposing marquees at the northeast corner of the building to provide cover during inclement weather conditions. At the southeast corner of the building, the applicant has inset the building entry in this area to create an additional area of pedestrian refuge. These doors lead into a "great room" which connects to the southwest corner of the building. The doors in this vicinity lead out to the plaza area between the above ground garage and office tower. Weather protection is provided from these entry doors to the garage.

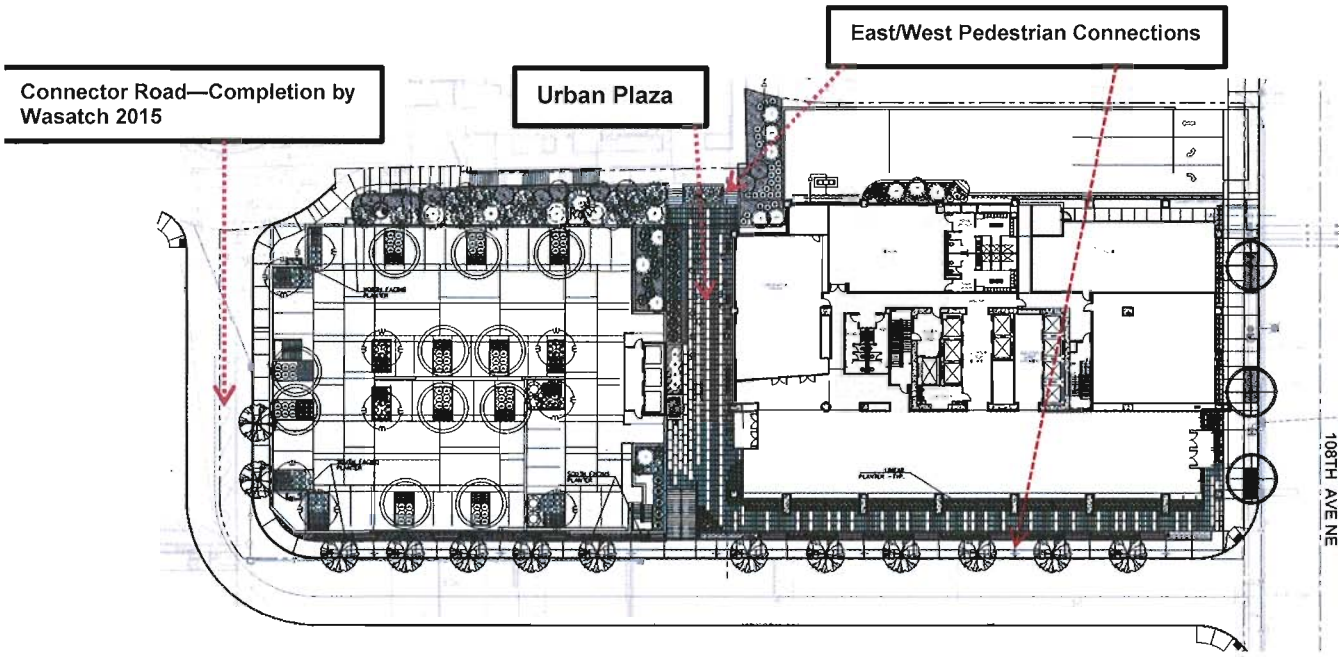




Policy UD-14: *Encourage seasonal color plantings in public and semi-public areas.*
Policy UD-15: *Use landscape design that is urban in character in more urban settings*
Policy UD-19: *Preserve trees as a component of the skyline to retain the image of a "City in the Park."*

The landscape design incorporates both hardscape and landscape to respond to the urban setting, and includes street trees along 108th Avenue NE and an interim planting condition south of the applicant's site. This interim landscape condition will remain only until such time as the owner of the Wasatch superblock redevelops areas to the south and west of this site. See Section VII above, landscaping site plan for interim solution.

Policy UD-20: *Preserve and encourage open space as a dominant element of the community's character.*



Ultimate Vehicular and Pedestrian Connections of Connector Road

An urban plaza is proposed between the garage and the office tower. It will offer seatwalls framed by lush vegetated planters with interesting pavement materials. Tables with chairs will be located throughout the area with accent (catenary) lighting fixtures mounted above. (See Page 8 for colored rendering of this area). Art will also be included with the proposed landscape areas. The plaza area is proposed to provide an area of congregation for lunch and a connection to the east/west sidewalks located north and south of these structures.

This proposal is also consistent with the following policies from the Downtown Sub-area of the Comprehensive Plan:

POLICY S-DT-1 *promotes Downtown livability, with provisions made for the needs, activities, and interests of Downtown residents, employees, shoppers, and visitors.* Retail proposed at the base of the building will provide additional retail activities for area residents and employees.
POLICY S-DT-2 *encourages a variety of land uses to occur in mixed-use buildings or complexes where appropriate.* This is a mixed use building with retail at the base with office above.
POLICY S-DT-3 *promotes development of Downtown as an aesthetically attractive area.* This proposal will complement the aesthetic environment of the existing Downtown. A portion of the Wasatch superblock is developed at the northwest corner (Washington Square). The addition of the parking garage and office tower will create visual interest with varied building heights, high quality materials, landscaping, exterior and interior plaza spaces, and pedestrian connectivity to and through the superblock.
POLICY S-DT-4 *states that the highest intensity development shall be located in the core of Downtown, with diminishing intensities towards the edges of Downtown.* LUC 20.10.370 Downtown requires the following for the DNTN-02 District:

> *Downtown-Office District 2 (Downtown-O-2). The purpose of the Downtown-O-2 Land Use District is to provide an area for intensive business, financial, retail, hotel, entertainment, institutional, and urban residential use to serve as a* ***transition*** *between the more intensive Downtown-O-1 Land Use District and the lesser intensive Downtown-Multiple Use Land Use District.* **(Emphasis Added)**

As noted earlier, the site lies within the Downtown-02 District, Core District. The applicant's proposal complies with the intensity standards noted above in this district.
POLICY S-DT-5 *sets out to organize Downtown to provide complementary functional relationships between various land uses.* This proposal will complement the mixed use environment of the Downtown-02 District by providing additional office uses to the downtown. The addition of the retail/restaurant at the base of this structure will support the employees and residents of this area.
POLICY S-DT-7 *encourages the Downtown to continue to serve surrounding residential areas as a neighborhood retail district.* Employees and adjacent residents within Washington Square will be served by the higher intensity retail/service uses within the Downtown.
POLICY S-DT-8 *Locate major office development in the Downtown core in order to complement retail activities and facilitate public transportation.* By its location, this proposal is located within the Downtown-02, Core District. The office tower will accommodate approximately 1,600 individuals upon full occupancy of the structure. Retail and/or restaurant activities are proposed at the base of the building to support the employees of this structure.
POLICY S-DT-9 *promotes use of bonus incentives (related to permitted intensity, height, etc.) for private developments to accomplish the public objectives.* See Section IV.B above for discussion on how this project qualifies for the bonus incentive for height.
POLICY S-DT-10 *Require design review to ensure high quality, aesthetically pleasing Downtown development.* Submittal of this application fulfills the design review requirement for this project.
POLICY S-DT-35. *Create a pedestrian environment with a sense of activity, enclosure, and protection.* As noted earlier in this report, the applicant will provide a pedestrian oriented plaza between the parking garage and office tower. The parking garage will be seven stories in height while the tower will be 19 stories. By its location, the pedestrian plaza will have protection from east and west winds due to the proximity of the building walls of these structures. This will create a sense of enclosure for the plaza while allowing sunlight opportunities into the space. The plaza will be activated with benches, tables, lighting, landscaping and interesting pavement materials. To further protect this environment, the applicant will be required to direct all venting from commercial uses to the roof. This will reduce the opportunity of malodorous odors from encroaching into the plaza area. <u>See Section X for related condition.</u>
POLICY S-DT-36 *seeks to utilize development standards for building bulk, heights, setbacks, landscaping requirements, stepbacks, floor area ratios, open space requirements, and development incentives.* See Section IV.A to review dimensional standards.
POLICY S-DT-37 *supports linking building intensity to design guidelines relating to building appearance, amenities, pedestrian orientation and connections, impact on adjacent properties, and maintenance of view corridors. These guidelines will seek to enhance the appearance, image, and design character of the Downtown.* See Section IV.C above for project attributes.
POLICY S-DT-40 *seeks to enhance the appearance of all types of streets and adjoining sidewalks with street trees, landscaping, water features, pedestrian-scaled lighting, street furniture, paving treatments, medians, or other softening treatments as appropriate.* The project complies with this standard. The applicant has proposed a high quality landscape treatment

throughout the site but particularly along the north elevation of the parking garage to provide screening between the garage and the residential towers of Washington Square. Landscaping, in addition to high quality materials used for the garage along with architectural screenings provide a layer of visual treatment so that this use complements the residential towers to the northwest. See Landscape sheets L01-L03 for details.
POLICY S-DT-42 *reinforce the emerging identity of 108th Avenue NE as the Eastside's business address. Provide incentives for private development and utilize public funds to create a dense office environment with supporting transit service and retail uses.* The applicant has proposed a 19 story office building on 108th Avenue NE which is labeled "Commerce Avenue." This fulfills the intent of this policy to create an emerging business district on 108th Avenue NE along supporting retail/restaurant uses.
POLICY S-DT-57 *promotes the creation of pedestrian linkages within and between the Downtown Districts as well as to surrounding residential areas outside Downtown.* The redevelopment of the surrounding sidewalks will provide connections north to the Ashwood area and east/west to adjacent pedestrian corridors.
POLICY S-DT-66 *Improve pedestrian connectivity from City Center North to the Ashwood District to the east, Northwest Village to the west, and across NE 8th Street to the south.* The applicant will provide a 12-foot sidewalk on 108th Avenue NE. Pedestrian connections north/south and east/west are provided as well to allow movement through the superblock to the Washington Square plaza, 106th Avenue NE and beyond.

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

As conditioned, the proposal complies with applicable requirements of the Land Use Code and Bellevue City Code. Additionally, see Section IV.A above for further Code discussion. Analysis of the above ground parking garage is provided below:

Performance Standards for Parking Structures*. The Director of the Development Services Department may approve a proposal for a parking structure through Design Review, Part 20.30F LUC. The Director of the Development Services Department may approve the parking structure only if:*

a) *Driveway openings are limited and the number of access lanes in each opening is minimized.*

   Finding: Access to the office and garage occurs at two locations: 1) the northwest corner of the office building via a private driveway south of NE 9th Street and 2) the west elevation of the parking garage via a private driveway established during development of Washington Square.

b) *The structure exhibits a horizontal, rather than sloping, building line.*

   Finding: The parking garage has been designed to blend architecturally with the proposed office tower and Washington Square. It does not contain sloping floors that would be visible to the public. Changes between garage floors are screened and not visible to the public. The structure will contain a perforated metal screen and aluminum wall system on the north and south elevations. The structure has a flat roof line which will further complement the office and residential towers in the area. In addition to these

architectural solutions, a high quality landscaping plan is proposed on the north elevation of the garage. The roof will also contain landscaping to provide visual relief and soften the roof deck of the parking garage.

c) *The dimension of the parking structure abutting pedestrian areas is minimized, except where retail, service or commercial activities are provided.*

Finding: The north and south elevations will abut designated east/west pedestrian corridors. Landscaping will be increased at the north elevation which is visible to Washington Square residential towers. A dense screen of evergreen trees with deciduous trees for accent will be located in this area. The west and south elevations will face the future connector road. A sidewalk will be placed in this location to move pedestrians north to the plaza or an east/west connection to 106th and 108th Avenues NE. Retail activities will occur at the east elevation on 108th Avenue NE.

d) *The parking structure complies with the requirements of LUC 20.25A.115.*

Finding: As designed, the above ground parking garage and office tower fulfills the requirements for the Building/Sidewalk Relationships for a "D" right-of-way which has a low to moderate pedestrian orientation. The applicant has provided commercial activities at the east elevation of the building which will be visually accessible to the public.

e) *A wall or other screening of sufficient height to screen parked vehicles and which exhibits a visually pleasing character is provided at all above-ground levels of the structure.*

Finding: As noted above, the applicant is providing perforated screen and curtain wall system at the north elevation which faces the Washington Square residential towers. The south elevation will mimic the curtain wall system of the north elevation but it will not contain a perforated screen.

f) *Safe pedestrian connection between the parking structure and the principal use exists.*

Finding: As noted above, the applicant is providing weather protection between the parking garage via a weather protected pedestrian connection into the office tower.

g) *Loading areas are provided for vanpools/carpools as required by paragraph F.3 of this section.*

Finding: The applicant has complied with this standard by providing two vanpool/carpool stalls on level P1 adjacent the elevators and parking entry/exit for vanpool/carpool loading. The ceiling height in this area is approximately 14'-6". The applicant will also provide ADA van stalls as noted on Sheet A02 and A03; ADA car stalls as noted on Sheets A04.1-A04.4.

h) Vehicle height clearances for structured parking must be at least seven and one-half feet for the entry level to accommodate vanpool parking.

Finding: The applicant has complied with this standard by providing approximately 14 feet, 6 inches height on level P1 of the garage. See Sheets A02 and A03.

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

See Section IV.C.2 of this report for discussion relating to how the applicable design guidelines are met.

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

The project is designed to respond to existing site conditions and adjacent residential towers at the northwest corner of the Wasatch superblock.

Unlike many of the building designs within the downtown, this proposal does not have a podium and will sit flush to the ground above the below-grade garage. The office tower contains an iconic feature "the lantern", a lighted portion of the building that is located on an east/west axis. The lantern contains an interesting mechanical screen to further draw attention to this feature. Recesses are used at the pedestrian level to provide weather protection near building entries and to create visual interest. The lantern is further accentuated by a band of offices that extends beyond this iconic feature and is capped with a terrace at the 18th floor. The various roof heights add visual interest at the roof line of the super structure that will allow it be compatible with the nearby towers to the northwest, Washington Square and further to the north including BRE, Vue Hanover, and Ten20 Tower, but doesn't mimic their design features.

The proposal provides employees many amenities: fitness room, retail/restaurant activities, indoor seating within the "great room" along the south side of the office tower, exterior seating within the plaza area between the garage and office building, lush vegetation—particularly along the north elevation of the parking garage for compatibility with the adjacent residential towers, concrete pavers, and vegetation in planters, etc.

Finally, the proposed street trees will be consistent with the type, pattern and size required by the Land Use Code. However, a condition of approval is necessary to ensure that required landscaping is installed correctly along with a maintenance assurance device. See Section X for related condition.

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

All required public services and facilities are available to the site. The applicant has received an email from Republic Services dated November 5, 2013, stating that they see no service issues for this project. The owner will adhere to the loading dock height requirements specified by the hauler for servicing of this building.

IX. DECISION

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

X. CONDITIONS OF APPROVAL

The following conditions are imposed under the authority referenced:

A. GENERAL CONDITIONS

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

Clearing and Grading Code - BCC 23.76	Janney Gwo	425/452-6190
Bellevue Development Standards	"	
Transportation Code - BCC 14.60	Abdy Farid	425/452-7698
Trans. Improvement Program - BCC.22.16	"	
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	Haruo Young	425/452-4577
Land Use Code - BCC Title 20	Antoinette Pratt	425/452-5374
Sign Code - BCC Title 22B	"	
Noise Control - BCC 9.18	"	
Uniform Fire Code - BCC 23.11	Adrian Jones	425/452-6032

2. **Holiday Construction and 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 due to holiday traffic. The Transportation Department will be monitoring traffic and may modify this restriction accordingly.

   Authority: BCC 14.30.060
   Reviewer: Tim Stever (425) 452-4294

3. **Provisions for Loading:** The property owner shall provide an off-street loading space which can access a public street. The number and size of loading spaces must be equal to the maximum number and size of vehicles which would be simultaneously loaded or unloaded in connection with this proposal. No on-street loading, unloading, or garbage pickup will be allowed. The backing of trucks in any street or across any public sidewalk in order to access this site is prohibited.

   Authority: LUC 20.20.590.K.4, BCC 14.60.150
   Reviewer: Abdy Farid (425) 452-7698

4. **Conceptual Approval:** Utility Department approval of the design review application is based on the final conceptual design submitted with this application. Small changes to the

site layout may be required to accommodate the utilities after utility engineering is approved. The water, sewer, and storm drainage systems shall be designed per the current City of Bellevue Utility Codes and Utility Engineering Standards. Utilities Department design review, plan approval, and field inspection is performed under the Utility Developer Extension Agreement (DEA) and Utilities Permit Processes. A water, sewer and storm Developer Extension Agreement will be required for the project. All connection charges will be due with the Developer Extension Agreement prior to issuance of the permit. Public and private Easements for water, sewer and storm water facilities will be required where applicable.

Authority: BCC 24.02, 24.04, 24.06
Reviewer: Mark Dewey

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

Authority: BCC 9.18.040
Reviewer: Antoinette Pratt

B. PRIOR TO ISSUANCE OF ANY CLEAR AND GRADE PERMIT

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

   a) Designated truck hauling routes.
   b) Truck loading/unloading activities.
   c) Location of construction fences.
   d) Hours of construction and hauling.
   e) Requirements for leasing of right of way or pedestrian easements.
   f) Provisions for street sweeping, excavation and construction.
   g) Location of construction signing and pedestrian detour routes.
   h) All other construction activities as they affect the public street system.
   i) Sufficient off-street parking for construction workers.

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

Authority: BCC 11.70 & 14.30
Reviewer: Tim Stever (425) 452-4294

2. **Civil Engineering Plans – Transportation:** Civil engineering plans produced by a qualified engineer must be approved by the Transportation Department prior to issuance of the clearing and grading permit. The design of all street frontage improvements and driveway accesses must be in conformance with the requirements of the Americans with Disabilities Act, the Transportation Development Code, the provisions of the Transportation Department Design Manual, and specific requirements stated elsewhere in this document. All relevant standard drawings from the Transportation Department Design Manual shall be copied exactly into the final engineering plans. Requirements for the engineering plans include, but are not limited to:

   a) Traffic signs, markings, c-curb, and other features required to control traffic movements.
   b) Curb, gutter, sidewalk, and driveway approach design. (The engineering plans shall be the controlling document on the design of these features; architectural and landscape plans must conform to the engineering plans as needed.)
   c) All engineering details for handicapped ramps, crosswalk revisions, and crosswalk equipment such as pushbuttons.
   d) All engineering details for installation or relocation of streetlights and related equipment, as well as the location of street trees.
   e) Sight distance. Show the required sight triangles and include any sight obstructions, including those off-site.
   f) Location or relocation of fixed objects in the sidewalk or near a driveway approach.
   g) Trench restoration within any right of way or access easement.
   h) Transformers and utility vaults to serve the development shall be placed inside the building or below grade, and not in the main walking path of sidewalks to the extent feasible.
   i) Any damage to the site's frontage during the construction must be repaired or replaced as directed by the Transportation Department Construction Inspector.
   j) Driveway aprons must be constructed in accordance with Design Manual Standard DEV-7A for 108th Avenue NE.
   k) Landings on sloping approaches are not to exceed a 7% slope for a distance of 30 feet approaching the back edge of sidewalks. Driveway grades must be designed to prevent vehicles from bottoming out due to abrupt changes in grade.
   l) Vehicle and pedestrian sight distance must be provided per BCC 14.60.240 and 14.60.241. Sight distance triangles must be shown at all driveway locations and

must consider all fixed objects and mature landscape vegetation. Vertical as well as horizontal line of sight must be considered when checking for sight distance.

Specific requirements are detailed below.

a) In conjunction with frontage improvements on 108th Avenue NE that includes pavement widening, final engineering plans such as road plan with retailed roadway cross-sections, street lighting and street channelization markings and signage are required.
b) In conjunction the applicant's proposed frontage improvement work at the 106th Avenue NE/ NE 9th Place intersection such as lane widening on NE 9th Place and installation of pedestrian crosswalk on 106th Avenue NE, civil engineering plans and specifications are needed.
c) Transformers and utility vaults to serve the building shall be placed inside the building or below grade, to the extent feasible.

Authority: BCC 14.60; Transportation Department Design Manual
Reviewer: Abdy Farid (425) 452-7698

C. PRIOR TO ISSUANCE OF ANY BUILDING PERMIT

1. **Transportation Impact Fee:** Payment of the traffic impact fee will be required at the time of building permit issuance. This fee is subject to change and the fee schedule in effect at the time of building permit issuance for the above ground building permit will apply.

   Authority: BCC 22.16
   Reviewer: Abdy Farid (425) 452-7698

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 traffic signs, markings, hardware, sidewalk design, and driveway approach design as specified in the civil engineering plans. Building plans, landscaping plans, and architectural site plans must comply with vehicle and pedestrian sight distance requirements, as required by city code and as shown on the engineering plans.

   Authority: BCC 14.60.060, 110, 120, 150, 180, 181, 190, 240, 241
   Reviewer: Abdy Farid (425) 452-7698

3. **Existing Easements:** There are utility easements contained on this site which are affected by this development. Any negative impact that this development has on those easements must be mitigated or easements relinquished.

   Authority: BCC 14.60.100
   Reviewer: Tim Stever (425) 452-4294

4. **Easement for Traffic Signal, Street Light Boxes and Vaults:** The applicant shall provide easements to the City for location of traffic signal and street light facilities such as above-grade boxes and below-grade vaults between the building and sidewalk within the landscape area.
   Authority: BCC 14.60.100
   Reviewer: Abdy Farid (425) 452-7698

5. **Pedestrian and Utility Easements:** The applicant shall provide sidewalk and utility easements to the City as needed to encompass the required width of any public sidewalks located outside the city rights of way fronting this site. Documents granting such easements shall be signed by the property owner.

   Authority: BCC 14.60.100
   Reviewer: Abdy Farid (425) 452-7698

6. **Soil Nailing and Shoring:** Soil nailing will be allowed under a street right of way, sidewalk/utility easement, or vehicular easement only if an indemnification agreement that protects the city is completed prior to issuance of the shoring permit. Temporary shoring walls will be allowed under a sidewalk easement (but not under right of way) if the shoring wall and pilings will not interfere with existing or planned utilities, and if pilings under the sidewalk are cut off at least eight feet below grade.

   Authority: BCC 14.30
   Reviewer: Tim Stever, Transportation Department, 425-452-4294

7. **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 Sections 14.60.070 and 14.60.080.

   Authority: BCC 14.60.070, 14.60.080
   Reviewer: Abdy Farid (425) 452-7698

8. **Garage Exhaust Noise:** The garage exhaust fans can create noise levels at the public sidewalk which exceed that allowed by the Bellevue City Code. This decision is conditioned to require certification by the project noise consultant that the garage exhaust fan noise will not exceed 60 dBA at the public sidewalk prior to the issuance of any mechanical permits.

   Authority: BCC 9.18.045
   Reviewer: Antoinette Pratt

9. **Design Review Modifications**: 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 in effect at the time of issuance of this report. Any modification of the project design must be reviewed for consistency with the

design intent as stated in Section III of this report. Conditions of Approval run for the life of the project.

Authority: LUC 20.30F.175, 20.25A.060
Reviewer: Antoinette Pratt

10. **Commercial Venting**: To further protect this environment, the applicant shall be required to direct all venting from commercial uses to the roof. This will reduce the opportunity of malodorous odors from encroaching into the plaza area.

Authority: BCC 9.10.030.B and LUC 20.20.525
Reviewer: Antoinette Pratt

11. **Mechanical Equipment/Ventilation:** The maximum elevation of 484.24 feet may not be exceeded for any reason within this application and approval. No changes shall be permitted to the shown roof details for this project without consent of staff during building permit review. Additional height is based on the details provided herein. Modification to the roof design/mechanical equipment without approval may place the height increase gained at risk for reduction to elevation 431.74. Additionally, all venting shall be designed so that it does not detract from the architectural integrity of the building for staff review prior to building permit issuance.

Authority: LUC 20.20.525
Reviewer: Antoinette Pratt

D. CONDITIONS PRIOR TO CERTIFICATE OF OCCUPANCY

1. **Bonus System Recording:** The applicant shall record a copy of the approved bonus point calculations, a statement that 100% of the project frontage shall remain pedestrian-oriented retail, and the project drawings & conditions of this Design Review with the King County Records office.

Authority: LUC 20.25A.020.D.3
Reviewer: Antoinette Pratt

2. **Landscape Installation Assurance Device:** If a Temporary Certificate of Occupancy is requested prior to completion of the landscaping installation, the applicant shall file with DSD 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: LUC 20.40.490
Reviewer: Antoinette Pratt

3. **Landscape Maintenance Device:** The applicant shall file with DSD a landscape maintenance assurance device for a one-year period from the date of final inspection in the form of an assignment of savings or letter of credit for 20% of the cost of labor and materials for all required landscaping.

Authority: LUC 20.40.490
Reviewer: Antoinette Pratt

4. **Interim Landscaping Plan:** The proposed interim landscaping plan shall be planted prior to Certificate of Occupancy of the Office Tower.

Authority: LUC 20.20.520.J
Reviewer: Antoinette Pratt

5. **Public Art:** The applicant shall work with the City's art specialist to determine the appropriate art pieces for the plaza to fulfill FAR amenity requirements for this proposal.

Authority: LUC 20.25A.030, Amenity 14
Reviewer: Antoinette Pratt

6. **Public Access:** 24-hour public pedestrian access shall be accommodated along the north and east/west mid-block connections. In addition, public access signs located prominently and visible to pedestrians from the public right-of-way shall be posted at every point where the public access easement intersects with the public right-of-way. A written agreement that meets the satisfaction of the Development Services Department Director shall be recorded with the King County Records office.

Authority: BCC 22B and LUC 20.25B.040.G
Reviewer: Antoinette Pratt

7. **Interior Noise:** The Bellevue City Code, BCC 9.18, limits interior noise levels within residential structures to 40 dBA in sleeping areas and 45 dBA in non-sleeping areas. Special construction is generally necessary to meet these thresholds. Prior to the issuance of any occupancy permits, the applicant shall verify that this threshold has been met.

Authority: BCC 9.18
Reviewer: Antoinette Pratt

8. **Lantern Backlighting System**: To ensure that the lantern lighting complements the Bellevue skyline at night, the backlighting for the lantern shall be adjustable so that it remains compatible with existing tower structures.

Authority: LUC 20.25A.110.A.5.b
Reviewer: Antoinette Pratt

9. **Allocation of Parking for Retail and/or Restaurant:** Prior to TCO, applicant shall submit plans of the parking garage to Land Use, identifying the exact location of the parking stalls to be assigned to the retail and/or restaurant uses in the building and identify any conditions and/or restrictions for these spaces.

Authority: LUC 20.25A.050
Reviewer: Antoinette Pratt

10. **Public Restrooms:** Public restrooms shall be provided with this proposal as an amenity bonus. They shall be available for use during business hours and signed to identify their location.

    Authority: LUC 25A.030.C.19
    Reviewer: Antoinette Pratt

11. **Street Frontage Improvements:** All street frontage improvements and other required transportation elements, including street light and traffic signal revisions, must be constructed by the applicant and accepted by the Transportation Department Inspector. All existing street light and traffic signal apparatus affected by this development, including traffic controllers, pedestrian signal poles, traffic signal poles, and power sources, must be relocated as necessary. Transformers and utility vaults to serve the building shall be placed inside the building or below grade, to the extent feasible. Bonding or other types of assurance devices will not be accepted in lieu of construction, unless the city requires a delay. Specific requirements include but are not limited to the following:

    a) Driveway widths and approaches must be constructed in accordance with the approved civil engineering plans.

    b) Landings on sloping approaches are not to exceed a grade of 7% for a distance of 30 feet approaching the back edge of sidewalks. Driveway grades must be designed to prevent vehicles from bottoming out due to abrupt changes in grade.

    c) Streetlights shall be located per the approved streetlight plan and street trees shall have the required spacing from the streetlights in order to achieve the required on-street lighting levels.

    d) Fixed objects shall be at least ten feet from any driveway edge, as defined by Point A in standard drawing DEV-7A, and at least three feet behind the face of curb, unless the Transportation Department approves less space.

    e) Public sidewalks, ramps, and pedestrian pushbuttons shall be ADA compliant.

    f) Street and sidewalk improvements shall have an acceptable cross slope and shall have adequate provisions for drainage.

    g) Any awning, marquee, balcony, etc. over a sidewalk or utility easement must be at least 16 feet above the sidewalk, or be removable (with an agreement regarding removal and replacement); and must have at least three feet horizontal clearance from any streetlight or traffic signal pole.

    h) Required traffic signs, markings, c-curb and other traffic controls shall be installed.

    i) Vehicle and pedestrian sight distance shall be provided per BCC 14.60.240 and 14.60.241. Vertical as well as horizontal line of sight and all fixed objects, structures, and mature landscaping must be considered when checking for sight distance.

Authority: BCC 14.60.090, 110, 120, 150, 181, 190, 200, 210, 240, 241; Transportation Department Design Manual; and Transportation Department Design Manual Standard Drawings.
Reviewer: Abdy Farid (425) 452-7698

12. **Pavement Restoration:** Pavement restoration associated with street frontage improvements, utility installation, or to repair damaged street surfaces shall be provided as follows. On 106th Avenue NE and 108th Avenue NE, any trenching or construction-related street damage will require half street or full street grind and overlay. The exact extent of the pavement restoration will be determined in the Right of Way Use Permit for the development.

Authority: BCC 14.60.250; Design Manual Design Standard #21
Reviewer: Tim Stever (425) 452-4294

13. **Implement Transportation Management Program:** A Transportation Management Program to the extent required by Sections 14.60.070 and 14.60.080 and specified in the required TMP agreement (see Condition of Approval above) must be implemented and accepted by the Transportation Department.

Authority: BCC 14.60.070 and 14.60.080
Reviewer: Abdy Farid (425) 452-7698

E. PRIOR TO ISSUANCE OF SIGN PERMITS

1. **Signs:** All signage shall be pedestrian oriented. A comprehensive sign package shall be submitted to DSD for review and approval prior to issuance of any sign permits. The sign package plans, elevations, and other sketches shall include but are not limited to:

A. Location
B. Lighting
C. Color Palette
D. Material
E. Design (No cabinet or can signs are permitted)

Signage shall be the minimum size necessary to convey information and shall be architecturally compatible and integrated with the building. See Sign Code limitations or other design criteria. Design review of individual signs and compliance with the approved sign package will occur through review of each sign permit application.

Authority: LUC 20.25A.110, LUC 20.30F, BCC 22B
Reviewer: Antoinette Pratt

ATTACHMENTS

A. Project Plans and Drawings
B. FAR and Amenity Calculations
C. Documents Filed with King County
D. Certificate of Concurrency