

# ATTACHMENT A

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## 1.0 Project Planning

### 1.1 Background – East Link Light Rail Project

Sound Transit (ST) is a regional transit authority created pursuant to RCW 81.104 and 81.112 and authorized to implement high capacity transit systems within its boundaries in Pierce, King, and Snohomish counties. On November 4, 2008, Central Puget Sound area voters approved the Sound Transit 2 plan (ST2 plan), a package of transit improvements and expansions including increased bus service, increased commuter rail service, an expansion of link light rail, and improved access to transportation facilities. (See **Attachment A**)

The expansion of link light rail approved in the ST2 plan includes the East Link Project. The East Link Project extends the light rail system approximately 14 miles between Seattle and the east side of Lake Washington as shown on the attached system plan (see **Attachment B**) and includes 10 stations serving Seattle, Mercer Island, South Bellevue, downtown Bellevue, Bel-Red and Overlake areas in Redmond. The Growth Management Act (RCW 36.70A) provides that regional transportation facilities are essential public facilities and the City has acknowledged this fact through recent revisions to the Bellevue Land Use Code (LUC). Sound Transit is implementing the East Link Project pursuant to its statutory authority and the voter approved ST2 plan.

Since the approval of the ST2 plan in 2008, the City of Bellevue (City) and Sound Transit have been committed to working together in a collaborative manner in order to achieve the shared goals of reducing costs and delivering a quality project on schedule and in compliance with applicable codes and regulations. Consistent with these shared goals, on November 15, 2011, the City and Sound Transit executed two agreements: (1) an Umbrella Memorandum of Understanding (MOU), and (2) a Transit Way Agreement. Taken together, these agreements outline the general terms and conditions for development of the East Link Project in the City. The MOU identified specific funding contributions, joint commitments to develop a collaborative design process and to work together to identify cost-saving modifications, and a commitment by the City to process land use code amendments to accommodate light rail and consolidate the permit process.

On February 28, 2013, as provided in the MOU, the City adopted regulatory changes to the LUC by creating the Light Rail Overlay District (new Chapter 20.25M LUC) that governs permit decisions for “Regional Light Rail Transit Facilities (RLRT Facility).”

On April 22, 2013, the City Council passed Resolution No. 8576 endorsing modifications for inclusion in the Project and approving the alignment location and general profile of the Project for the purposes of LUC 20.25M. As a result of this Council action, RLRT Facilities are now permitted land uses in all land use districts throughout the City. On April 25, 2013, the Sound Transit Board adopted Resolution No. R2013-09 selecting the route, profiles and station locations for the East Link Project, including those modifications identified by the City in Resolution No. 8576.

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On June 21, 2013, the City and Sound Transit executed amendments to the MOU and Transit Way Agreement incorporating the modifications. (See Sound Transit Motion No. M2013-27 and City Resolution No. 8596) In addition, the Collaborative Design Process (CDP) included more than 50 technical working group meetings. A complete copy of the CDP Management Plan is included as **Attachment C**.

The process of designing the East Link Project has spanned several years, and extensive outreach to the community; a complete federal and state environmental analysis; and hundreds of public meetings, hearings, and open houses with the cities of Seattle, Mercer Island, Bellevue, and Redmond, neighbors and other stakeholders, as well as numerous Bellevue City Council meetings and actions. A summary of the Community Outreach efforts completed for the Project is provided in **Attachment D** and <http://www.soundtransit.org/Projects-and-Plans/East-Link-Extension/East-Link-Extension-document-archive>. This site is updated periodically throughout the Project timeline.

The East Link Project is now in the final design stage, and Sound Transit is seeking City approval of the second of several Design and Mitigation Permits (DMPs). As provided in Chapter 20.25M LUC, the DMP is the single, consolidated project permit issued by the City in response to an application to develop a RLRT facility or portion thereof. The key elements of the East Link Project that are located within the City's boundaries include approximately 6 miles of new light rail track, 6 stations, and 2 parking facilities, as well as other structures and facilities described in Exhibit C-1 to the MOU. For the purposes of this DMP Application, the term "Project" refers only to those elements of the East Link Project that are located within the City of Bellevue. As described further, the Facilities proposed in this DMP Application generally include the portions of the Project between the WSDOT right-of-way at approximately SE 30<sup>th</sup> Street and Bellevue Way SE to approximately 500 feet north of SE 4<sup>th</sup> Street and 112<sup>th</sup> Avenue SE (See **Figure 1**). The significant project components considered in this DMP Application include the following:

- a. Approximately two (2) miles of track guideway: Includes retained cut, at-grade, retained fill, and elevated track
- b. One (1) RLRT Station: South Bellevue Station
- c. One (1) Park-and-Ride Garage at South Bellevue Station with capacity for 1,500 parking stalls
- d. One (1) wetland mitigation site at Sweyolocken Blueberry Farm within the Mercer Slough wetland complex
- e. One (1) wetland/stream buffer enhancement site at the Bellefield Office Park property
- f. One (1) Traction Power Substation (TPSS) Site within WSDOT limited access right of way

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- g. One (1) Signal bungalow near 111<sup>th</sup> Place SE and 112th Avenue SE

## 1.2 Environmental Evaluation and Procedures

Sound Transit has complied with both the State Environmental Policy Act (SEPA) and the National Environmental Policy Act (NEPA) by conducting an evaluation of the potential environmental impacts of the East Link Project. On July 15, 2011, Sound Transit issued the East Link Project Final Environmental Impact Statement (FEIS). The Federal Transit Administration (FTA) issued its Record of Decision (ROD) on the East Link Project on November 11, 2011, and the Federal Highway Administration issued its ROD on November 17, 2011. On March 26, 2013, Sound Transit completed and published the East Link Extension 2013 SEPA Addendum. Copies of these environmental documents have been shared with the City, and are publicly available. As provided in the MOU, the City has agreed to use the East Link Project Environmental Documents for its review and decisions on permit applications related to the East Link Project. Building a Better Bellevue, an association of Bellevue homeowners, residents, businesses and neighborhood groups, challenged Sound Transit's compliance with federal law in a lawsuit filed in the United States District Court for Western Washington. The Court found that Sound Transit's environmental evaluation and analysis was reasonable and that the decision-making was the result of a careful and deliberative process. The Court dismissed this legal challenge on March 7, 2013 (See **Attachment E**).

Sound Transit is the "lead agency" for purposes of the Project's compliance with the State Environmental Policy Act (SEPA) RCW Chapter 43.21C. As provided in the MOU, the City agreed that the Project has been subject to procedural and substantive SEPA compliance through issuance of the following environmental documents, which comprise the "Project Environmental Documents," incorporated herein by reference:

- a. East Link Project Final Environmental Impact Statement, July 15, 2011
- b. East Link Records of Decision (FTA and FHWA, November 2011)
- c. SEPA Addendum to the FEIS, March 26, 2013
- d. The related documents referenced in the FEIS, RODS, or SEPA Addendum including but not limited to those submitted by the City.

Pursuant to the MOU and WAC 197-11-600 (adopted by reference in BCC 22.02.020), as supplemented by BCC 22.02.037, the parties agreed that the Project Environmental Documents will be used by the City unchanged for its review and decisions on permit applications related to the Project, unless otherwise indicated pursuant to WAC 197-11-600 and BCC 22.02.037.

The FTA, acting as the lead agency under the National Environmental Policy Act (NEPA), issued its ROD in November 2011, which includes the environmental commitments for the Project.

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See **Attachment F** for a summary of applicable mitigation measures contained in the ROD. **Attachment G** provides references from the FEIS and ROD that respond to the City's land use codes.

The Project Environmental Documents provide detailed information regarding the potential environmental impacts associated with the Project and details regarding mitigation measures to which Sound Transit has committed, including potential short term construction-related impacts and proposed mitigation measures specifically related to this Project. These commitments have been incorporated into the Project as proposed in this application, and Sound Transit will implement them or provide funding for their implementation. Copies of the applicable FEIS Technical Report sections and the entire ROD can be provided upon request.

### **East Link Timeline**

**August 2006** - Sound Transit begins the environmental scoping process for the East Link Project.

**November 4, 2008** - Central Puget Sound area voters approved the Sound Transit 2 plan (ST2 plan), a package of transit improvements and expansions including increased bus service, increased commuter rail service, an expansion of link light rail, and improved access to transportation facilities.

**July 15, 2011** - Sound Transit issued the East Link Project FEIS.

**November 11, 2011** - The FTA issued its ROD on the East Link Project.

**November 15, 2011** - The City and Sound Transit executed two agreements: (1) an Umbrella MOU, and (2) a Transit Way Agreement which, taken together, outline the general terms and conditions for development of the East Link Project in the City.

**November 17, 2011** - Federal Highway Administration issued its ROD on the East Link Project.

**March 2012** - The CDP and Design and Value Engineering (DAVE) meetings began.

**February 28, 2013** - As provided in the MOU, the City adopted regulatory changes to the LUC by creating the Light Rail Overlay District (new Chapter 20.25M) that governs permit decisions for "Regional Light Rail Transit Facilities (RLRT Facility)."

**March 26, 2013** - Sound Transit completed and published the East Link Extension 2013 SEPA Addendum.

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**April 22, 2013** - The City Council passed Resolution No. 8576 endorsing modifications for inclusion in the East Link Project and approving the alignment and general profile and station locations for the East Link Project for the purposes of LUC 20.25M.

**April 25, 2013** - The Sound Transit Board adopted Resolution No. R2013-09, selecting the route, profiles and station locations for the East Link Project, including those modifications identified by the City in Resolution No. 8576.

**June 21, 2013** - The City and Sound Transit executed amendments to the MOU and Transit Way Agreement incorporating the modifications described in Sound Transit Motion No. M2013-27 and Bellevue Resolution No. 8576.

**December 6, 2013** - After a year and half and approximately 50 CDP/DAVE meetings; design for the South Bellevue section of the East Link Project reaches the 60% design level.

**1.3 Project Description – South Bellevue Design and Mitigation Permit**

The City’s approval of the alignment location and profile of the Project in Resolution No. 8576 made RLRT Facilities permitted uses in all land use districts. Therefore, LUC 20.25M.030.C allows Sound Transit to seek approval of RLRT Facilities through the DMP review process. Under this DMP Application, Sound Transit seeks a DMP for approximately two miles of the Project.

The alignment for the portion of the Project covered by this DMP application commences at the WSDOT Interstate 90 (I-90) right-of-way at approximately the intersection of SE 30<sup>th</sup> Street and Bellevue Way SE, where the alignment is elevated (See **Figure 1**). The elevated alignment continues north on the east side of Bellevue Way SE where it enters the South Bellevue Station. The station includes a parking garage with capacity for approximately 1,500 cars and a surface drop off parking lot, bus and paratransit passenger loading areas, and bus/paratransit layover. The alignment continues north from the station on the east side of Bellevue Way SE and west side of the Mercer Slough Nature Park in an elevated guideway that transitions to a lidded trench near the historic Winters House. The Winters House parking lot access is revised to accommodate access to the Blueberry Farm and a future retail Blueberry Farm building. As the alignment proceeds north out of the trench, it follows along the east side of Bellevue Way SE and 112th Avenue SE and the west side of the Mercer Slough Nature Park in combinations of cut/fill and at-grade sections. At approximately SE 15th Street, the at-grade alignment crosses to the west side of 112th Avenue SE at the elevation of the existing street. 112th Avenue SE will be reconstructed to cross over the light rail guideway to create a grade separation in a road-over-rail configuration (**Figure 1**). The guideway proceeds north, along the west side of 112th Avenue SE past a signal house, the Surrey Downs Park, and through an at-grade crossing of SE 4th Street. Access will be maintained for emergency vehicles only via a moveable gate system across SE 4<sup>th</sup> Street. The guideway remains at-grade to the terminus of the contract package, approximately 500 feet north of SE 4th Street (**Figure 1**). An animation of the alignment is

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available on Sound Transit's web page at the following address: <http://www.soundtransit.org/Projects-and-Plans/East-Link-Extension/East-Link-Extension-document-archive/Video---East-Link-animation>.

The major components of the Project design, such as the alignment, the location and number of stations, and the critical areas mitigation sites have been determined through the process outlined in Section 2.1. Sound Transit has preliminarily divided the 6-mile Project into five separate design packages to be prepared by the final design consultants on a staggered schedule, see **Attachment H**. The portion of the Project covered by this DMP Application includes the E320 design package from the I-90 WSDOT right-of-way, at approximately SE 30<sup>th</sup> Street, to the vicinity of SE 4<sup>th</sup> Street and 112<sup>th</sup> Avenue SE (**Figure 2**). These packages have been designed collaboratively with the City with an eye towards submitting a complete mitigation proposal along with each DMP application, consistent with the City's vision for the South Bellevue area. The design plans addressed in this DMP Application include the design-enhancement, mitigation, and cost-saving measures identified and incorporated through the CDP.

The South Bellevue segment includes one construction staging area at the South Bellevue Park and Ride site, as shown in **Attachment I**.

Figure 1. East Link Project Vicinity Map – WSDOT ROW to about SE 4<sup>th</sup>

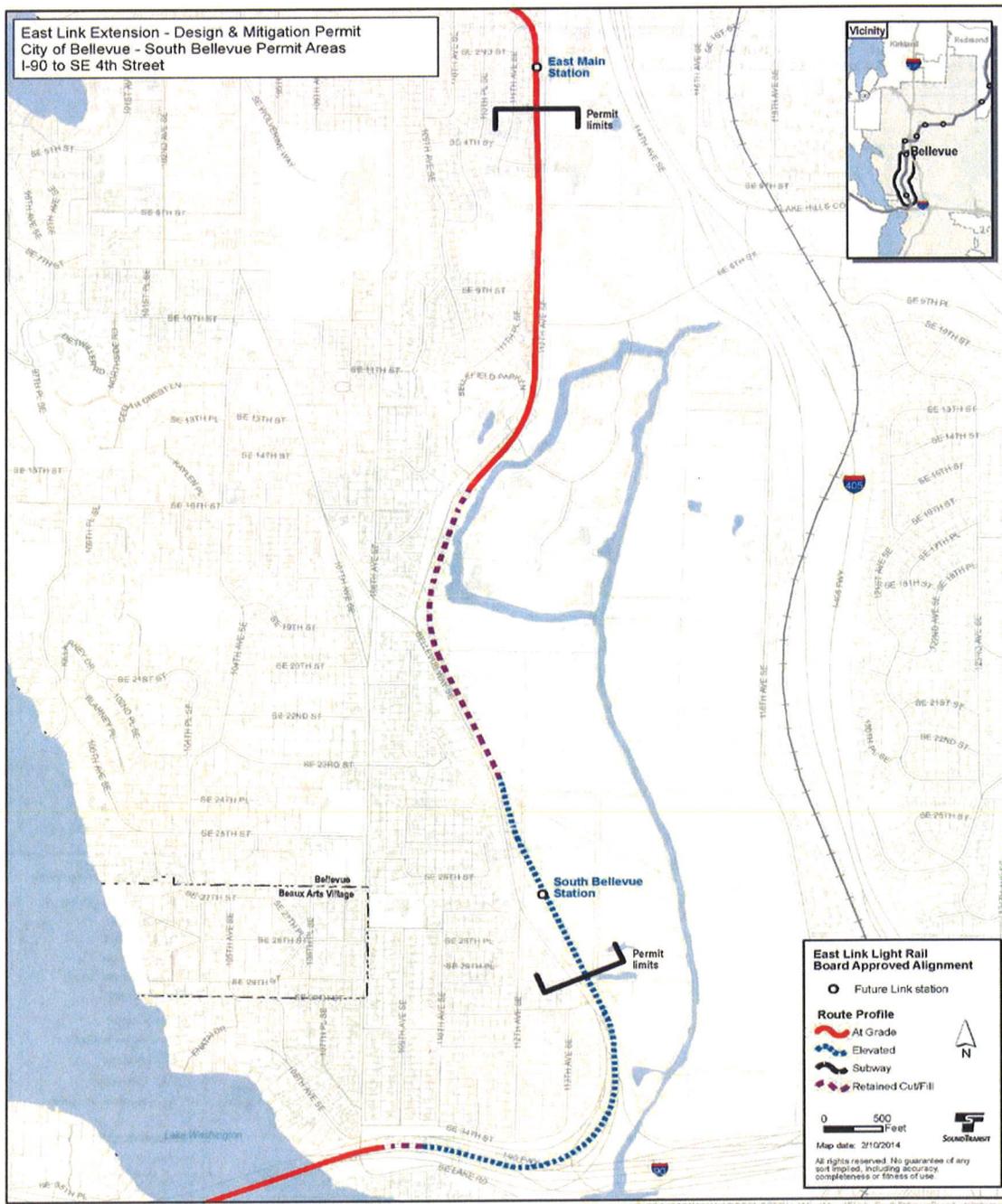
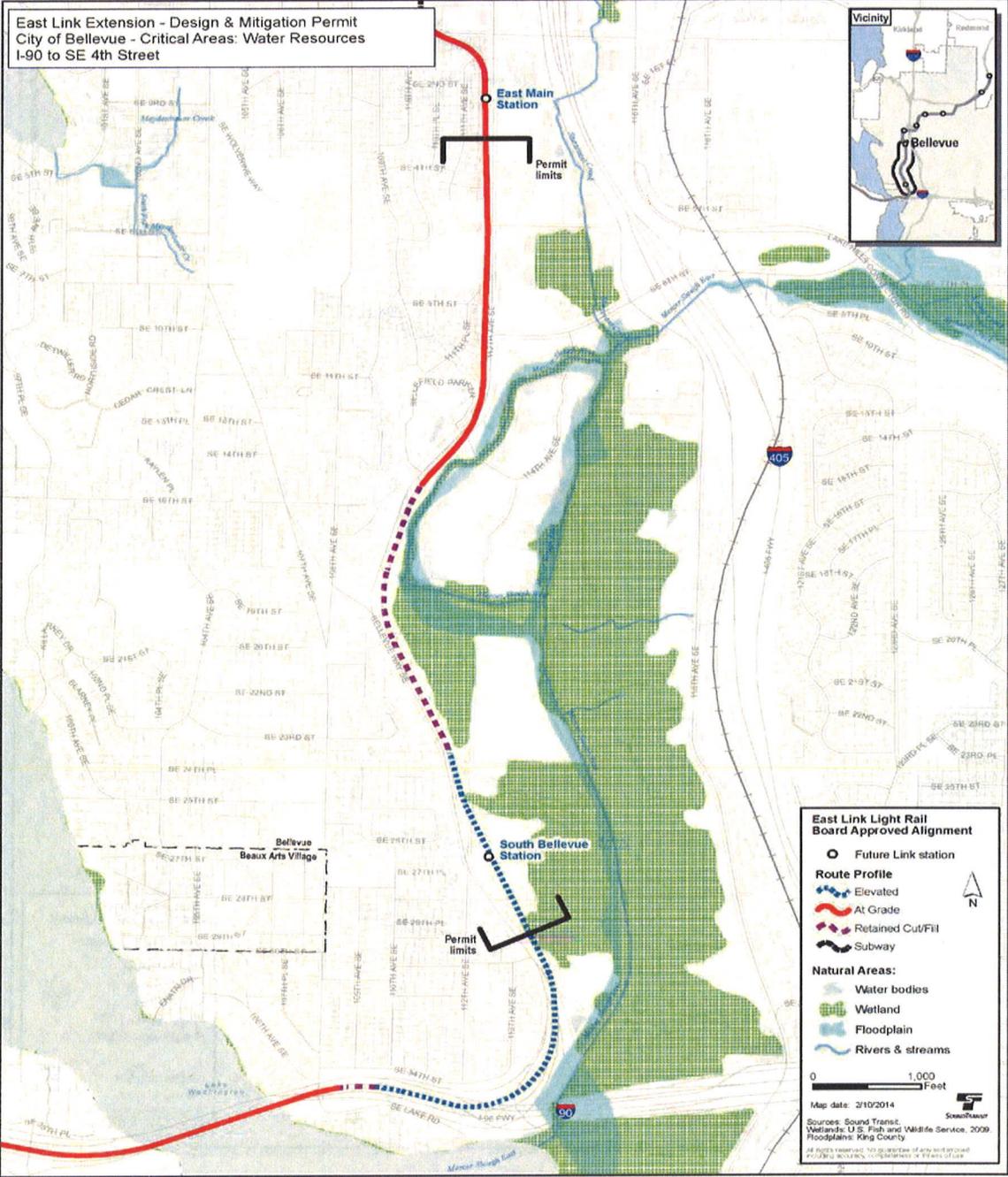


Figure 2. South Bellevue Design and Mitigation Permit Limits



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## **2.0 Regulatory Framework**

### **2.1 Pre-Application Design Process and Remaining Approvals**

The Facilities proposed in this DMP Application resulted from many years of collaboration and public decision-making. Prior to the preparation of this DMP Application, Sound Transit and the City engaged in continuous and regular discussions regarding the design of this portion of the Project to ensure a high-quality, appropriately mitigated, cost-effective and feasible design for all DMP Applications. Various mitigation measures have been identified and will be incorporated into the Project design to maximize quality of design, functionality, cost-effectiveness and efficiency. For example, a key design change from Preliminary Engineering (PE) to 60% design is the road-over-rail configuration at SE 15<sup>th</sup> Street. The PE design identified an at-grade crossing over 112<sup>th</sup> Avenue SE. The road-over-rail configuration provides a grade-separated crossing that eliminates impacts to traffic that would have occurred due to at-grade train crossings. This road-over-rail configuration will permit continuous traffic movement through the South Bellevue area. To construct the road-over-rail configuration, the realignment of SE 15<sup>th</sup> Street is necessary to maintain access to the Bellefield Office Park from 112<sup>th</sup> Avenue SE. The access roadway to the Bellefield Office Park will be rebuilt to allow traffic right-in and right-out movements. An example of the cost-effective design of the Project is the crossing at SE 4<sup>th</sup> Street, which will be at-grade instead of an under-crossing. The intersection of SE 4<sup>th</sup> street and 112<sup>th</sup> Ave SE, which currently allows right and left in and out movements will be closed to general vehicular traffic with the selected RLRT alignment. A moveable noise gate was selected instead of an under-crossing in order to minimize Project impacts and gain efficiencies in the construction of the Project. A moveable noise gate was chosen as opposed to a permanent structure so that emergency access could be maintained in an effective and efficient manner. Locating the alignment at-grade was the most cost-effective, feasible alternative to preserve the use of this emergency access. The noise gate will attenuate noise impacts to the adjacent residential neighborhood from light rail operations.

Because portions of the overall Project will be located within the City's shoreline areas, a Shoreline Substantial Development Permit (SSDP) is required under State law and the City's Shoreline Master Program. See LUC 20.25M.030.D.1; Chapter 173-26, WAC. Sound Transit submitted a separate SSDP and Shoreline Variance application to the City in December of 2013; impacts to the shoreline and associated wetlands and/or streams will be mitigated, as proposed in the SSDP and Shoreline Variance applications for the Project. The City is processing the SSDP and Variance applications under permit numbers 13-135764 WG and 13-135765 LS, respectively.

### **2.2 Collaborative Design Process**

The Collaborative Design Process (CDP) established pursuant to the MOU provides the fundamental approach to intergovernmental cooperation for final design of the Project. Through the CDP, the City and Sound Transit committed to work together in a collaborative

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manner throughout the Project final design process in order to achieve the goal of delivering a quality project on schedule and in compliance with the applicable codes and regulations. The major goals of the CDP include the following:

- a. Design a project that preserves environmental quality, is sensitive to the surrounding community and integrates quality urban design;
- b. Advance long-term, multi-modal transportation system development;
- c. Develop a project that meets Sound Transit operational and performance requirements and minimizes impacts to City infrastructure and operations;
- d. Meet the objectives of the project schedule, including major milestones, while allowing adequate time for evaluation and reliable decision making; and
- e. Support regional and local land use goals and objectives.

The CDP has been one of the most significant and useful processes established for implementation of light rail within the City. The CDP provides the mechanism for the City and Sound Transit to jointly advance the design of the Project through design phases and identify cost savings. The CDP provides a venue where City Staff, Sound Transit, and its designers have been able to work together in a collaborative manner to reconcile different objectives and to ensure that the design elements proposed in this DMP Application are consistent with Chapter 20.25M LUC as well as other provisions of the LUC. The Project elements that were identified and refined through the CDP process have been incorporated in the design plans covered by this DMP Application. Through the collaborative work under the CDP, these goals have been met as evidenced by the design package included in this DMP Application. Using the CDP's iterative process, the City and Sound Transit have accommodated the future vision for the South Bellevue area as embodied in the City's Code, Comprehensive Plan, and other planning documents.

### **2.3 Design and Value Engineering ("DAVE") Technical Working Group**

The CDP established a number of technical working groups to help design the Project. One of these is the Design and Value Engineering (DAVE) working group. The purpose of the DAVE working group is to support the advancement of all aspects of design development, to ensure adequate resources are available, and to reach agreement between Sound Transit and City staffs on design plans that can serve as the basis for final land use approvals while providing for mitigation measures that are appropriate and feasible for a project of this character. A copy of the DAVE charter is included as **Attachment J**.

The DAVE working group has met weekly since early 2012 to discuss and resolve issues with a focus on the following four main deliverables:

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1. Review of the Project elements for Code compliance, and suggestions for design alternatives to ensure the same;
  2. Site specific concurrence on Project scope (e.g. design of the 112th avenue SE LRT crossing including cross section, profile, limits of construction, utility relocation, landscaping, requirements, etc.) Meaning, that City Code and associated mitigation were fully satisfied or alternative compliance means have been found acceptable to the City;
  3. Review of standards, design criteria, and specifications, in order to identify conflicts or suggest modifications to the Project and determine resolutions;
  4. "Over the shoulder" review to confirm all required elements are addressed.

The collaborative effort under the CDP and work of the DAVE Technical Working Group were instrumental in reaching the level of design proposed in this DMP Application. Through the DAVE working group, the City and Sound Transit staffs have reached concurrence on various design elements relevant to this DMP Application, especially for Project elements that relate to the street widths, sidewalk widths, etc., as evidenced by the DAVE Concurrence Plan Drawings.

### **3.0 Who May Apply**

LUC 20.25M.010.C provides that Sound Transit may apply for a DMP provided that Sound Transit can satisfy one of three conditions for each of the properties affected by the subject permit:

1. Is the owner of a sufficient property interest affected by the permit; or
2. Has the written consent of the owner to apply for permits; or
3. The Sound Transit Board has authorized the property acquisition and has provided the required advance notice to the owner and has initiated the appraisal process for the property.

Sound Transit has satisfied this requirement for this DMP application as demonstrated in **Attachment K**, which includes ST, City, and WSDOT authorization documents and a list of properties affected by this application.

### **3.1 Application Process**

The only discretionary permits required prior to issuance of construction permits (such as building permits) are DMP's and shoreline permits. See LUC 20.25M.030.A.2 and .C.1. DMP review is the process the City established to ensure that the Project is consistent with the requirements of the LUC, the Bellevue Comprehensive Plan, the Light Rail Best Practices, and all applicable standards and guidelines contained in City Codes and the procedures related to involvement of the Citizen Advisory Committee (CAC). See LUC 20.25M.030.C.2.a-c.

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DMP applications are reviewed and decided by the Director as a “Process II” land use decision, which is appealable to the City’s Hearing Examiner. See LUC 20.25M.030.C.4.a and LUC 20.35.200-250. As part of this process, an application is reviewed by the CAC. LUC 20.25M.035 provides that the CAC review permit applications, receive and incorporate public comments, and provide feedback regarding consistency of the Project with the policy and regulatory guidance of LUC 20.25M.035.E, 040 and 050. The Decision Criteria set forth in LUC 20.25M.030.C.3.a through j, are analyzed in detail in Section 4.0, which addresses the substantive standards applicable to DMP approvals.

#### **4.0 Compliance with Substantive Standards for Design and Mitigation Permits**

The design elements within the South Bellevue area package proposed in this DMP Application have been thoroughly vetted through numerous overlapping processes, rounds of review and comment by the public, technical working groups, the City Council, and Sound Transit. At each stage of this process, Sound Transit worked with all of these parties in revising the Project to incorporate suggestions for design improvements, mitigation, and cost savings consistent with the need to design and construct this state-of-the-art light rail transit facility. Through this process, Sound Transit has produced a design that meets all substantive standards of the LUC and the approval criteria for this DMP Application.

The following narrative enumerates and discusses the Project’s compliance with each of the Decision Criteria, as well as other standards incorporated into these Criteria.

#### **4.1 Chapter 20.25M LUC - Light Rail Overlay District**

The design submittal in this DMP Application is consistent with the LUC requirements for RLRT Facilities and Systems, each of which is discussed in this section. Key LUC sections are reproduced verbatim in bold text followed by a discussion of each item. While the Decision Criteria incorporate other Code provisions and policy documents (such as certain Comprehensive Plan policies and the Light Rail Best Practices), the principal requirements are codified at LUC 20.25M.030.C.3, and provide as follows:

#### **4.2 Decision Criteria - LUC 20.25M.030.C.3**

**Decision Criteria.** A proposal for a RLRT System or Facility may be approved or approved with conditions provided that such proposal satisfies the following criteria:

- a. The applicant has demonstrated compliance with the CAC Review requirements of LUC 20.25M.035; and**

***Sound Transit Discussion:*** Sound Transit anticipates that it will demonstrate compliance with the applicable requirements for the Facilities included in this DMP Application through the established CAC review process.

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**b. The proposal is consistent with the Comprehensive Plan including without limitation the Light Rail Best Practices referenced in Comprehensive Plan Policy TR-75.2 and the policies set forth in 20.25M.010.B.7 above; and**

*Sound Transit Discussion:* The Project is consistent with the Comprehensive Plan and Light Rail Best Practices as described in **Attachment L**. The graphic attached as **Figure 3** identifies the land use districts in which the Facilities proposed in this DMP application are located.

**c. The proposal complies with the applicable requirements of the Light Rail Overlay District;**

*Sound Transit Discussion:* This DMP Application as a whole demonstrates that the RLRT Facilities described in this DMP Application comply with the applicable requirements contained within Chapter 20.25M LUC. Section 11 of this DMP Application provides a description of a single administrative modification requested per LUC 20.25M.060, which authorizes such modifications where strict application of LUC provisions is not practical or feasible.

**d. The proposal addresses all applicable design guidelines and development standards of this Light Rail Overlay District in a manner which fulfills their purpose and intent; and**

*Sound Transit Discussion:* Chapter 20.25M LUC sets forth a number of requirements for RLRT Facilities, and incorporates others by reference. See, e.g., LUC 20.25M.010.D.1.a-f (incorporating numerous land use district and overlay-related Code sections by reference). Key requirements and a discussion of the Project's compliance with each one are detailed in the narrative sections and attachments to this DMP Application. Where relevant, a discussion of the policies and intent driving each of the LUC requirements is included as well. The design plans attached to this DMP Application comply with these requirements, or in one instance, an Administrative Modification is needed to accommodate a modification that has been proposed as part of the DAVE process for the Facilities. See Section 11 for a discussion of the Administrative Modification that is being requested for the Facilities included in this DMP Application.

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

*Sound Transit Discussion:* Sound Transit incorporated a number of design measures into the Project design to make it compatible with and responsive to the property in the vicinity of the RLRT Facilities. The Project design complies with the height, bulk, scale, landscaping and other aesthetic requirements of the LUC, with the exception of a single Administrative Modification being sought pursuant to LUC 20.25M.060. The Facilities included in this DMP Application were also carefully designed for consistency with City Comprehensive Plan policies and Light Rail Best

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Practices, which also address the Project's consistency with surrounding properties. See additional discussion in **Attachment L**.

The City's approval of the alignment selected by the Sound Transit Board allowed placement of RLRT Facilities within or adjacent to existing transportation corridors and rights-of-way throughout the South Bellevue area. The areas affected are identified in City policies as the most appropriate to accommodate RLRT Facilities. The Project will provide a reliable, high performance alternative to single-occupant vehicle travel. The alignment of the overall Project was chosen to service the City's major employment centers and residential areas, while supporting future area goals. The Project will run within its own right-of-way. Where a crossing of an existing travel way is required, the travel way and guideway have been grade separated to maintain the existing thoroughfare and mitigate any potential traffic impacts, with the exception of the SE 4<sup>th</sup> Street crossing, where the existing right-of-way will be limited to emergency vehicle access only via a moveable gate system. The Project will enhance transit services and ridership for the properties in the South Bellevue area consistent with the City's vision for this area.

The placement of the South Bellevue Station and the need to provide adequate parking within the limits of the existing paved parking lot posed a unique challenge. Sound Transit developed the design of the South Bellevue Station proposed in this DMP Application in close coordination with the City and stakeholders to better understand the City's vision for the surrounding area and address aesthetic concerns associated with public use of the Mercer Slough Nature Park and views from adjacent neighborhoods. As discussed further in **Attachment L** (addressing the Light Rail Best Practices and related Comprehensive Plan policies) natural vegetation, including trees, is being preserved to the extent feasible. For example, a tall row of Poplar trees are being preserved along the east side of the park and ride to assist with screening views of the park and ride from public users of the adjoining nature park. In addition, Evergreen trees will be planted to provide further screening along the eastern side. Along the western side of the Station, materials, colors, textures, and architectural features have been used to meet the context of the neighborhood side of the station. See also **Attachment L**. As described in Section 1.1 and **Attachment D**, the design of the station was informed by comments provided by City staff and the public through several open houses and public comment opportunities. The most recent public meeting regarding the South Bellevue portion was held on February 6, 2014, and 38 comments were received from the approximately 70 attendees. Sound Transit's art program, STart, will be implemented to enhance the aesthetics of each station when viewed from within the station site or from the surrounding properties. In addition to the design elements incorporated into the current design documents, the station will be designed in accordance with the LUC and Sound Transit's Design Criteria Manual. Landscaping, buffering, and screening will be provided as shown in **Attachment M**, drawings L85-LPP-108 through L85-LPP126.

At the South Bellevue Station, landscaping and aesthetically pleasing design elements have been incorporated into the design of the station. See **Attachment M**, drawings L87-LPP109

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through L87-LPP111 and L87-LPP229 through L87-LPP232. The station landscaping features include bio-retention planters under the platform that improve water quality while providing a pleasant pedestrian experience at the station plaza level. Plantings will consist of mostly wetland-type plants such as sedges and rushes to help emphasize the connection between the station and the surrounding Mercer Slough wetland area. In addition, plantings are proposed under the guideway adjacent to the station to help buffer and enhance the visual appearance of the station. Along the east side of the station, the transition to the Mercer Slough Nature Park begins with evergreen trees planted within the disturbed areas of the construction limits to visually screen the parking structure. The screened buffer area transitions to ecological restoration plantings along the edge of, and within, the Mercer Slough.

The architectural design of the South Bellevue Station provides a strong identity at each end of the station platform with station-specific entry canopies See **Attachment M**, drawings E09-APP201-204, E09-AED003 and E09-AED007. The design of the entry canopies incorporates concrete and perforated metal panels along with accents of green to tie the station into the existing character of South Bellevue. These elements emphasize the colors of the slough and the openness of the area. Landscaping has been used to tie the station into the surrounding nature park, and to preserve the buffer quality of this area between the natural area, the residential neighborhood, and the intervening arterial roadway. Trees and vegetation are being preserved in addition to new plantings to provide screening of structures from the view of the park patrons. South Bellevue is considered the “gateway” to the City’s downtown and provides a transition between natural features such as the Mercer Slough Nature Park and the urban context of downtown. Because the area adjoining the South Bellevue Station is predominantly park space, the design and layout of the station prioritized these landscaping features in order to make it more compatible with, and responsive to, the surrounding natural and built environment. Orientation signage will be placed around the station and garage areas to guide users accessing the Nature Park. The southwest corner of the parking garage will have a stairway that connects to a public pathway at ground level into the park. In addition, the existing stand of tall Poplar trees will be maintained, and evergreen trees will be planted along the eastern side of the paved lot, each of which will provide screening of the parking garage for users of the park.

The South Bellevue Station complies with the City’s low impact development (LID) requirements for a maximum 75% impervious area by providing landscaped areas around and throughout the station area. The landscaping design for the rail and station portions of the Project focuses on low-maintenance and drought-tolerant plant species to meet City requirements. Natural drainage systems and rain gardens are included in the landscaped islands on the ground level of the station area. Native plants as well as the evergreen trees are to be planted along the eastern side of the site to provide screening. The use of native plants provides a connection to the context of the surrounding area. Except for the single administrative modification requested (as set forth in Section 11, below), landscaping buffers will be provided per the City’s general requirements. Sound Transit has designed the parking

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lot perimeter landscaping in coordination with the City of Bellevue through the DAVE process. See **Attachment M**, drawings L85-LPP109 through L85-LPP111 and L85-LPP229 through L85-LPP232.

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

***Sound Transit Discussion:*** All necessary utility, fire protection, and other public facilities as required for operation the light rail system will be provided. Throughout Final Design, Sound Transit consulted and worked collaboratively with the Bellevue Fire Department to ensure adequate fire protection systems are installed for the South Bellevue Station and parking garage structure. In addition, a maintenance road is proposed between the Winters House and Blueberry Farm parking lot to provide fire access and possible overflow parking.

**g. The proposal complies with the applicable requirements of the Bellevue City Code, including without limitation those referenced in LUC 20.25M.010.B.8 above; and**

***Sound Transit Discussion:*** The Facilities proposed in this Application comply with applicable City Codes. Compliance with Chapters 9.18 (Noise) and 22.02 (Environmental Procedures) are addressed in Sections 5 and 1.2 of this DMP Application, respectively.

**h. The proposal is consistent with any Development Agreement or conditional use permit approved pursuant to LUC 20.25M.030.B; and**

***Sound Transit Discussion:*** This criterion is not applicable.

**i. The proposal provides mitigation sufficient to eliminate or minimize long-term impacts to properties located near the RLRT Facility or System, and sufficient to comply with all mitigation requirements of the Bellevue City Code and other applicable State and Federal Laws;**

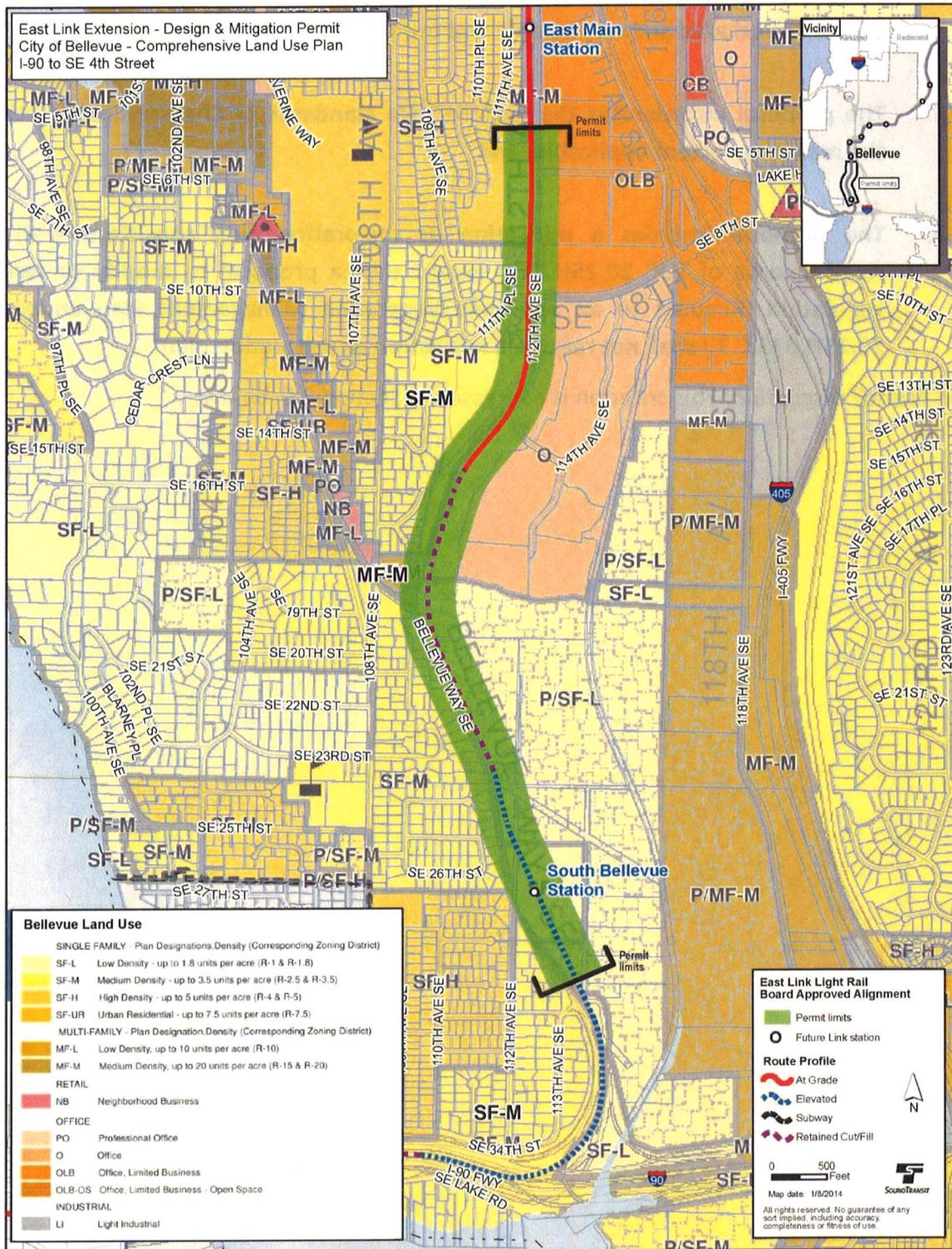
***Sound Transit Discussion:*** Sound Transit has complied with both the State Environmental Policy Act (SEPA) and the National Environmental Policy Act (NEPA) by conducting an evaluation of the environmental consequences of the East Link Project. The mitigation measures incorporated into the design of the East Link Project and required under the ROD eliminate or minimize potential long-term environmental impacts. See **Attachment L** for additional discussion of the mitigation features that were included in the design of the Facilities included in this DMP.

**j. When the proposed RLRT Facility will be located, in whole or in part, in a critical area regulated by Chapter 20.25H LUC, a separate Critical Areas Land Use Permit shall not be required, but such facility shall satisfy the criteria:**

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- i. The proposal utilizes to the maximum extent possible and the best available construction, design and development techniques which result in the least impact on the critical area and critical area and buffer; and
  - ii. The proposal incorporates the performance standards of Chapter 20.25H LUC to the maximum extent applicable; and
  - iii. The proposal includes a mitigation or restoration plan consistent with the requirements of LUC 20.25H.210; except that a proposal to modify or remove vegetation pursuant to an approved Vegetation Management Plan under LUC 20.25H.055.C.3.I shall not require a mitigation or restoration plan.

***Sound Transit Discussion:*** This criterion is addressed in Section 8.0, below.

Figure 3. City of Bellevue Comprehensive Land Use Plan – WSDOT ROW to about SE 4<sup>th</sup> Street



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## 5.0 Noise and Vibration; City Noise Code

All construction within the portion of the Project addressed by this DMP Application is expected to take place between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, and 9:00 am and 6:00 p.m. on Saturdays. The City's Noise Control code, BCC 9.18.020.C, exempts sounds created by construction during these hours. If Sound Transit and its contractor later determine that work will need to take place outside these hours, Sound Transit or the contractor will request authorization of expanded hours of operation pursuant to BCC 9.18.020.C.1 or C.2.

With regard to train operations, ATS consulting prepared the Noise Impact Assessment Using Bellevue City Code dated May 2014 ("Noise Assessment"), that is included as **Attachment T** to this application. Sound Transit is unaware of any other city or county with a noise code that applies to the operation of light rail transit vehicles, but the exemptions in Chapter 9.18 for the operation of vehicles do not include the operation of light rail transit vehicles during nighttime hours in residential zones (Class A EDNAs).

Although Chapter 9.18 imposes maximum permissible sound levels on nighttime train operations in Class A EDNAs, Chapter 9.18 does not identify key metrics that are required to determine noise from train operations. ATS therefore used a conservative methodology to model noise from train operations.

Section 9.18.030.B of the City Code states that the City's maximum permissible sound levels are measured in decibels that are weighted to approximate the sensitivity of human hearing (dBA). Chapter 9.18 defines two metrics, Leq and Ldn, that can be used to measure dBA, but Ldn is by definition a 24-hour sound level, and the code only limits noise from train operations during the nighttime hours of 10 p.m. to 7 a.m. ATS therefore predicted train noise using the Leq metric, and instead of using a nine-hour Leq that corresponds to the defined nighttime hours, ATS used a one-hour Leq that better reflects train noise during the nighttime hours when the trains will be operating.

ATS modeled the nighttime hour of operations when train noise will be greatest (6:00 to 7:00 a.m.) and, for comparison, ATS also modeled the nighttime hour of operations when ambient sound will be lowest (midnight to 1:00 a.m.). ATS's modeling assumed that the sound walls and other mitigation required by the ROD would be in place and ATS determined that noise from train operations would comply with the City's noise code at all but two nearby properties, where train noise was projected to exceed the City's nighttime limit by 1 dBA during the 6 a.m. to 7 a.m. hour of operations. An increase of 1 dBA is not perceptible to the human ear, but ATS performed additional modeling to determine what changes to the height or length of the sound walls would bring train operations into compliance with the City's noise limits at these two properties. Sound Transit incorporated the additional mitigation recommended by ATS into the

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Project, as reflected in this application, and nighttime train operations now are predicted to comply with all City's Noise Control code at all affected properties.

## **6.0 Applicable Land Use Code Provisions**

LUC 20.25M.010.D incorporates a number of other provisions of the LUC as applicable to RLRT System or Facilities to ensure that the System or Facility design is sensitive to the context of the underlying land use district and that temporary and permanent impacts are appropriately mitigated. Those provisions incorporated in LUC 20.25M.010.D that apply to this DMP Application are Chapter 20.10 LUC (Land Use Districts), Chapter 20.25B LUC (Transition Area), Chapter 20.25E LUC (Shoreline), and Chapter 20.25H LUC (Critical Areas), Chapter 20.30H LUC (Variance to the Shoreline Master Program), and Chapter 20.30R LUC (Shoreline Substantial Development Permit). Each one is addressed in this section. The applicable standards are identified in **bold text** followed by a discussion of the Project's compliance.

### **6.1 Land Use Districts (Chapter 20.10 LUC)**

The alignment travels through and adjacent to several different land use zones within the E320 contract package, including Single-Family Residential, Multi-Family Residential, Office and Limited Business, and Office land use designations. These zoning designations are shown in **Figures 4 through 7**. Pursuant to the land use tables in Chapter 20.10, the Facilities are permitted in each of these land use districts.

### **6.2 Transition Area Design District (LUC 20.25B LUC)**

The Facilities proposed in this DMP application comply with each of the Transition Area Design District standards incorporated in LUC 20.25M.010.D.c.i through D.c.vi, which include the following:

#### **LUC 20.25B.010 – Purpose Statement**

Consistent with the 'Purpose' statement of the Transition Area Design District, the Facilities were designed to provide a buffer between the nearby residential land use district and development of higher intensity. See LUC 20.25B.010 (also discussing compatibility of transitions).

#### **LUC 20.25B.040A - Building Height**

The Transition Area Design District development standards for maximum building height are described in LUC 20.25B.040. The Overlay also provides at LUC 20.25M.040.B.1 that when a RLRT Facility has been permitted outright in a City Council resolution, the heights approved by the Council action shall be permitted and the RTA must demonstrate:

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- i. The requested increase is the minimum necessary for the effective functioning of the RLRT Facility; and
  - ii. Visual and aesthetic impacts associated with the RLRT Facility have been mitigated to the greatest extent feasible.

***Sound Transit Discussion:*** Section 1 of this Application describes the City Council’s approval of the alignment including the South Bellevue Station. The proposed South Bellevue Station and associated parking garage will exceed the 30 foot base height limit as stated in LUC 20.25B.040.A.2. The station platform is 35.5 feet above the existing grade, with the canopy extending approximately another 20 feet. The associated parking garage will also extend approximately 55 feet above the existing grade.

The station is elevated to connect with the elevated guideway as it leaves the I-90 right-of-way. The guideway must remain elevated until it leaves the Station in order to provide grade-separated access for buses and cars beneath the guideway. The height increase was minimized to the extent possible without impairing the effective functioning of the Facility or the ability of vehicles to pass safely beneath it. Without this additional height, the overall functionality of the Station and the surrounding access ways would be compromised by limited vehicular and pedestrian movements.

Consistent with LUC 20.25M.040.B.1.c, the visual and aesthetic impacts associated with the elevated guideway have been mitigated to the greatest extent feasible by architectural and landscape screening and design refinements to lower the elevation of the guideway where possible. Maintaining a grade-separated facility is essential as it supports safe bus and pedestrian traffic through the site without interruption to the guideway operations and allows the Station and parking garage to occupy the existing site without expansion into the adjoining critical area. The parking garage has been designed so that the first two levels are located partially below ground on the west side to reduce the overall height impact. The South Bellevue Station has been designed to accommodate current and future parking demand within the limits of the impervious surface of the existing Park & Ride and without further intrusion into critical areas. In order to accomplish this, it was necessary to raise the height of the parking garage to 55 feet above grade. Through these design measures, the visual and aesthetic impacts of the additional heights have been mitigated to the greatest extent feasible without compromising the safety of the park and ride operations.

Figure 4. City of Bellevue Zoning Map – WSDOT ROW to South Bellevue Station



Figure 5. City of Bellevue Zoning Map – South Bellevue Station to 112<sup>th</sup> Avenue SE

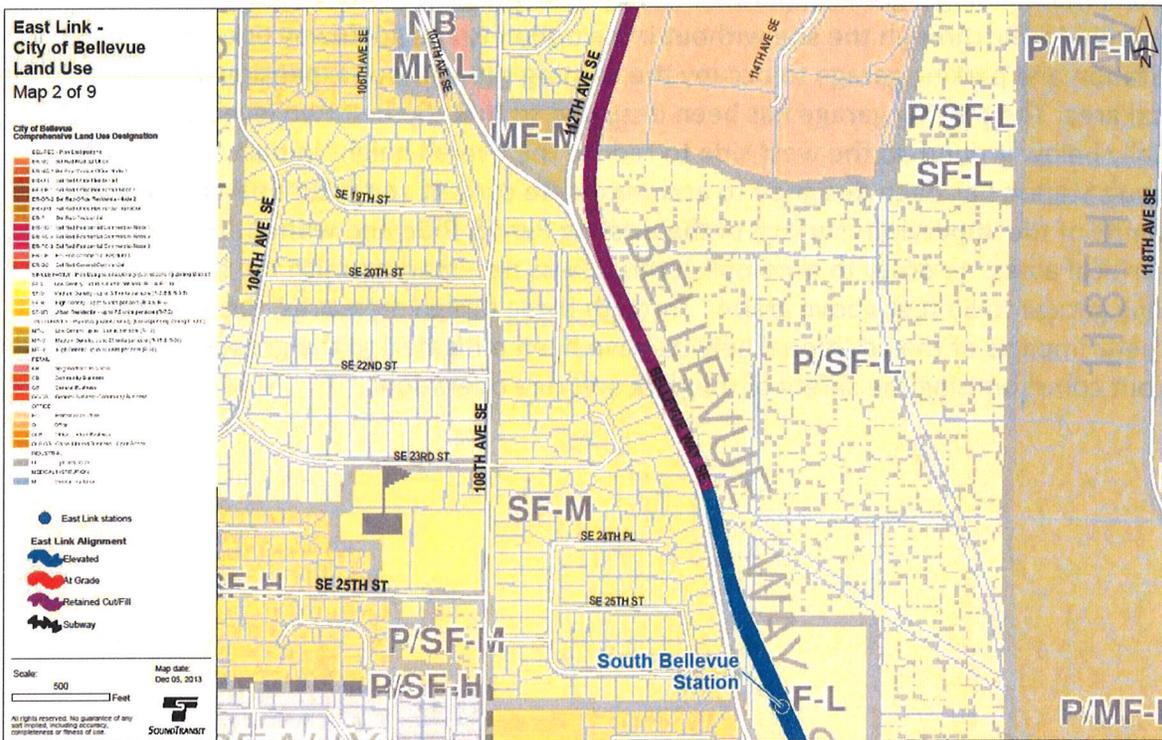


Figure 6. City of Bellevue Zoning Map – 112<sup>th</sup> Avenue SE to SE 6<sup>th</sup> Street

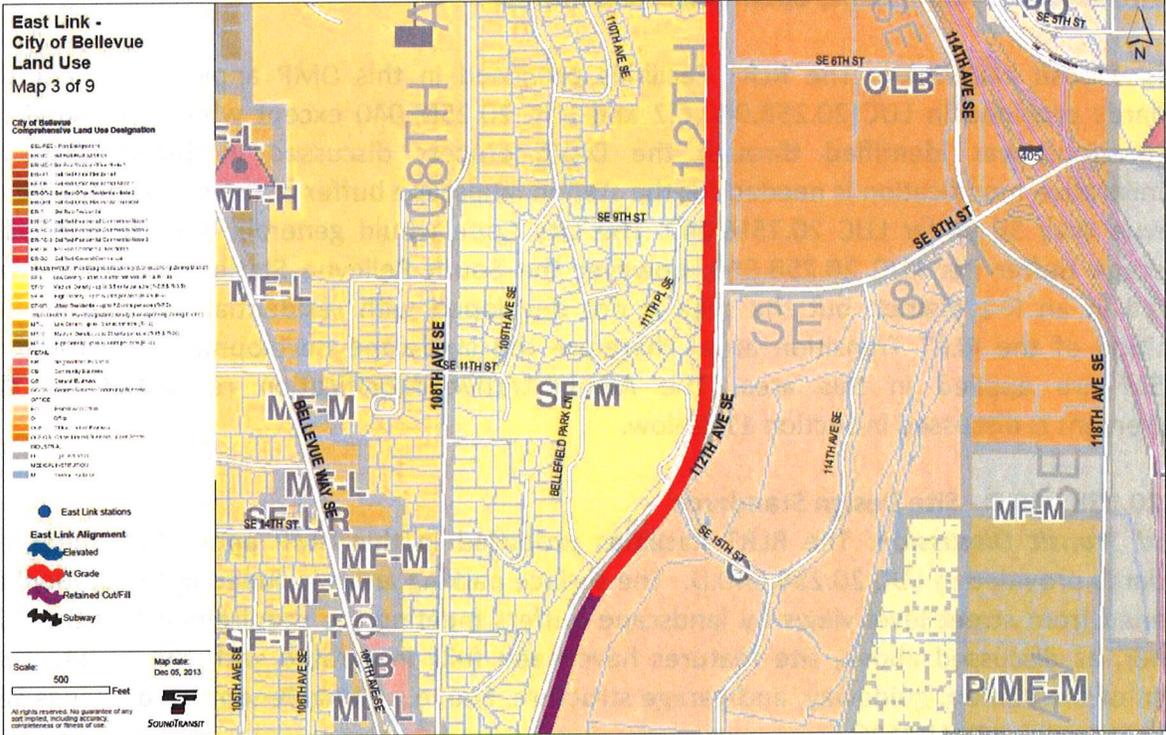
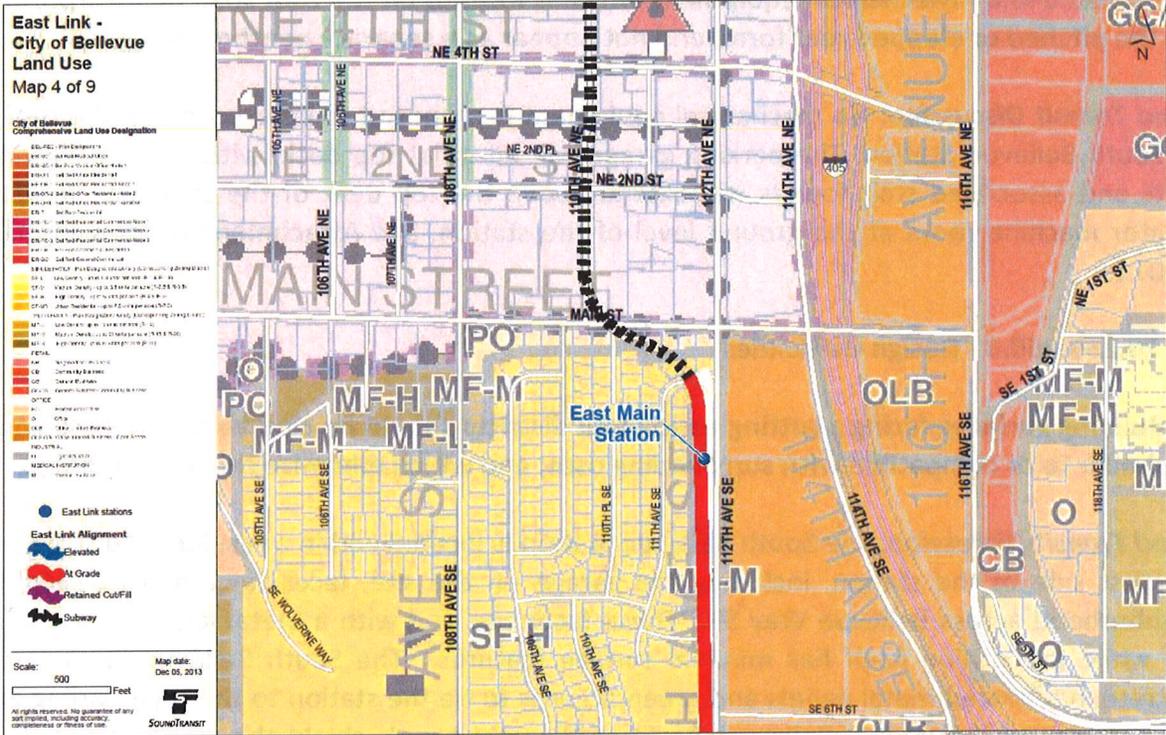


Figure 7. City of Bellevue Zoning Map – SE 6<sup>th</sup> Street to about SE 4<sup>th</sup> Street



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### **LUC 20.25B.040.C - Landscape, open space, and buffers**

**Sound Transit Discussion:** The RLRT Facilities proposed in this DMP application meet the standards provided in LUC 20.25B.040.C.2 and LUC 20.25M.040 except where the need for modifications was identified through the DAVE process discussed in Section 2.3. An administrative modification is needed for the station landscape buffer at the street frontage on Bellevue Way SE under LUC 20.25M.040. The City Code would generally require a 20 foot landscape buffer per LUC 20.25B.040, however the South Bellevue Station and garage are located in an R-1 district, but the area is not developed with residential use per the full definition of the RLRT Transition area. Therefore the landscape development provisions of 20.25M are applied in this area. The Administrative Modification requested for this requirement is discussed in Section 11, below.

### **LUC 20.25B.040.D - Site Design Standards**

**Sound Transit Discussion:** The RLRT Facilities proposed in this DMP application meet the standards provided in LUC 20.25B.040.D. The surface parking areas included in the Station are screened from street level views by landscape buffers meeting the requirements of the LUC. Further, as discussed above, site features have been fully integrated with the architectural design of the station, guideway, and garage structure. See, e.g., **Attachment M**, drawings L85-LPP108 through L85-LPP126.

### **LUC 20.25B.040.E - Mechanical equipment which is located on the roof shall be incorporated into the pitched or stepped roof form, and not appear as a separate penthouse or box.**

**Sound Transit Discussion:** No mechanical equipment is proposed to be exposed on the roof of the South Bellevue Station. The parking garage will be a flat top deck, with parking. Elevator shafts and associated stair towers will extend above the top deck of the structure with the elevator machine room at the ground level of the station. See **Attachment M**, drawing E09-AAX011.

### **LUC 20.25B.050.B - Design Guidelines**

- 1. Building surfaces facing abutting residential districts should be clad with materials which are similar to or compatible with surrounding uses, and which minimize reflected lighting.**

**Sound Transit Discussion:** The South Bellevue Station is located within a residential district, and the west side of the station, including the garage on the site, faces toward the residential neighborhood across Bellevue Way SE. These faces are clad with a metal louvered screening wall while the station itself has minimal surface features. The South Bellevue Station uses concrete, perforated metal panels and green accents to tie the station to the surrounding area as a gateway to downtown Bellevue. Perforated metal panels shield the station from direct

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view and function to decrease the perceived size and mass of the station. Green accents function to integrate the station into the green surroundings of the Slough. These materials, including the concrete selected for the Station, were chosen to minimize reflected lighting from the station, and to ensure its compatibility with the surrounding uses. In addition, trees will be planted or preserved along the east side of the site to provide additional natural screening for users within the adjacent Mercer Slough Nature Park. Landscaping and natural vegetation has been emphasized at this Station to help screen building surfaces and tie the site to the character of the surrounding area.

**2. Building facades should incorporate elements such as setbacks, offsets, angled facets, deep roof overhangs, recesses and other architectural features which serve to break down the scale. The larger the building, the greater the number and variety of such elements that may be necessary to achieve the effect of diminishing scale.**

*Sound Transit Discussion:* The South Bellevue Station has an open design; therefore, its overall size and scale appears much smaller than its actual size. For example the parking garage and the station have an open area between them. The bus layover area is also a large area of relatively empty space. These areas give the space a more open and less crowded feel. The parking garage further uses louvers and color as architectural features which function to break down the scale of the building.

**3. Pitched roof forms are preferred in order to enhance the compatibility with nearby residential areas. However, under certain circumstances, a stepped roof form could achieve a similar effect.**

*Sound Transit Discussion:* The South Bellevue station will have a pitched roof with a central skylight peak to enhance its compatibility with the nearby residential areas. See **Attachment N, Figure 4**. The parking garage roof is flat, but as noted above a number of design treatments have been included in order to enhance the structure's compatibility with its surroundings. A flat roof structure will allow for parking on top of the garage, which will eliminate the need for an additional story and the associated height increase.

**4. Communication dishes greater than one meter (3.28 feet) in diameter should not be visible from adjacent residential districts.**

*Sound Transit Discussion:* The South Bellevue Station and associated facilities do not have communication dishes greater than one meter in diameter.

**5. Materials and colors used on the building facades should be compatible with nearby residential buildings and the surrounding natural environment; however colors and materials used for the purpose of accent may be approved.**

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**Sound Transit Discussion:** The South Bellevue station and garage are comprised mostly of concrete with perforated metal and green accents. As noted above, the materials and colors selected for the facades of the South Bellevue Station were also selected for their compatibility with nearby residential developments and Mercer Slough.

## **7.0 Chapter 20.25E LUC – Shoreline District Requirements**

Sound Transit submitted a Shoreline Substantial Development Permit (SSDP) and Shoreline Variance Permit application in December 2013. Please refer to the submittals, which the City is processing under permit numbers 13-135764 WG and 13-135765 LS, for further information regarding shoreline requirements.

## **8.0 Chapter 20.25H LUC - Critical Areas Requirements**

The performance standards that apply to the Project per Chapter 20.25H LUC and LUC 20.25M.030.C.3.j.i-iii provide as follows:

1. The proposal utilizes to the maximum extent possible the best available construction, design and development techniques which result in the least impact on the critical area and critical area and buffer;
2. The proposal incorporates the performance standards of Chapter 20.25H LUC to the maximum extent applicable; and
3. The proposal includes a mitigation or restoration plan consistent with the requirements of LUC 20.25H.210; except that a proposal to modify or remove vegetation pursuant to an approved Vegetation Management Plan under LUC 20.25H.055.C.3 shall not require a mitigation or restoration plan.

**Sound Transit Discussion:** The portions of the Project covered by this DMP Application comply with LUC 20.25H.055.C.3, which applies to the Facilities because they will be partially located within designated wetlands, streams, shorelines, geologic hazard areas, and potential habitat for species of local importance as shown on the Critical Areas Map (**Attachment O**).

Three streams and five wetlands exist within the permit limits covered by this DMP Application. Standard methods accepted by the City were used to delineate these critical areas. Temporary and permanent impacts are anticipated to eight of these critical areas. Water resource impacts as a result of the Project within the area covered by this application are as follows:

**Table 1 – Approximate Wetland impacts covered by this DMP Application**

Site	Drainage Sub-basin	Permanent Impact (acres)	Permanent Vegetation Conversion (acres)	Permanent Buffer Impact (acres)
Mercer Slough West	Mercer Slough	0.19	0.38	3.72
Alcove Creek	Mercer Slough	0.00	0.00	0.08
Bellefield South	Mercer Slough	0.05	0.00	0.20
Bellefield North	Mercer Slough	0.01	0.00	0.19
8th Street	Mercer Slough	0.13	0.00	0.00
<b>Total</b>		<b>0.38</b>	<b>0.38</b>	<b>4.19</b>

**Table 2 – Approximate Stream impacts covered by this DMP Application**

Stream	Local Stream Rating	Permanent Impacts (sf)	Permanent Buffer Impacts <sup>1</sup> (acres)
Stream A	Type N	0	0.00
Wye Creek	Type F	218	0.10
Alcove Creek	Type O	236	0.00
<b>Total</b>		<b>454</b>	<b>0.10</b>

Mitigation for critical area impacts will occur within and adjacent to the Project area and within the City of Bellevue. Mitigation is consistent with Sound Transit’s commitment to a “no net loss” and no loss of function for these critical areas. Water resource mitigation as a result of the Project will include wetland rehabilitation, wetland creation, wetland enhancement and stream restoration. One of the primary stream and wetland mitigation sites is located along the West Tributary of Kelsey Creek just south of the Kelsey Creek pond. Mitigation at this site will include stream daylighting and wetland creation. This site will provide mitigation not only for wetland impacts within the area covered by this DMP Application but also for impacts in other areas of the Project. Project wide impacts and mitigation are fully summarized in the attached East Link Light Rail Extension Critical Areas Report and Mitigation Plan, December 2013 (**Attachment P**).

No flood plains will be adversely impacted within the DMP Application area. The Swaylocken mitigation site is within the flood plain but there will be no net change to floodplain storage

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here. There are 17 geologic hazard areas (steep slopes) within this area of the Project, and almost all of them are fully-stabilized man-made slopes. Full seismic design is proposed for all geologic hazard areas to preserve infrastructure in the case of a seismic event. The Critical Areas Report describes those areas in more detail and the design work to mitigate impacts to steep slopes. See East Link Light Rail Extension Critical Areas Report and Mitigation Plan, December 2013 (**Attachment P**).

There is also potential habitat for several species of local importance within the Project area. This habitat is primarily within Mercer Slough. Impacts to this habitat from the Project will be minor and will be fully mitigated through the stream and wetland creation planned on the West Tributary to Kelsey Creek and wetland enhancement at Sweyolocken Blueberry Farm. See Chapter 3, Compensatory Mitigation, in the attached East Link Light Rail Extension Critical Areas Report and Mitigation Plan, December 2013 (**Attachment P**).

#### **9.0 Chapter 20.30H – Variance to the Shoreline Master Program**

Sound Transit submitted an application for a Shoreline Variance in December 2013. Please refer to that submittal for further information.

#### **10.0 Chapter 20.30R – Shoreline Substantial Development Permit**

Sound Transit submitted an application for a Shoreline Substantial Development Permit (SSDP) in December 2013. Please refer to that submittal, permit number 13-135764 WG, for further information.

#### **11.0 Request for Administrative Modifications Pursuant to LUC 20.25M.060**

The LUC recognizes that strict application of all LUC provisions may not always be practical or feasible due to the unique nature of the RLRT System and Facilities and permits the City to approve waivers or administrative modifications to these standards if the following criteria are met:

1. The modification or waiver is the minimum reasonably necessary in accordance with the “Light Rail Best Practices” Report to make construction or operation of the RLRT facility or RLRT system practicable and feasible; or
2. The modification or waiver is reasonably necessary to implement or ensure consistency with other related actions approved by the City Council with respect to the RLRT facility or RLRT system including development agreement modifications, cost saving alternatives, or street design standards amendments.

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See LUC 20.25M.060.B.1-2. Through the CDP and DAVE process described in Section 2.3, the City and Sound Transit have identified instances where strict application of the LUC will not be practicable or feasible for the Facilities proposed in this DMP Application, and thus appropriate for administrative modification pursuant to LUC 20.25M.060. The single administrative modification Sound Transit is requesting for this DMP Application relates to the provisions of LUC 20.25M.040.C.2.a.ii (Landscape Development Requirements). The RLRT Facilities proposed in this DMP application meet the standards provided in these code sections, except the requirement for 15 feet of landscaping screening pursuant to LUC 20.25M.040.C.2.a.ii. Due to site and design constraints, only 4 feet of landscaping screening could be provided along the street frontage on Bellevue Way SE at the South Bellevue Station. In addition to the reduction in the landscape buffer at the street frontage of Bellevue Way SE, there is an isolated section of landscaping on the north side of the station along Bellevue Way SE in the mixed use path that is less than 15 feet wide. See **Attachment S** for plan drawings illustrating the modification being requested.

This request for modification is consistent with the administrative modification approval criteria of LUC 20.25M.060.B.1. The modification is the minimum reasonably necessary to make construction of the RLRT facility practicable and feasible consistent with the Light Rail Best Practices (which are further discussed in **Attachment L** to this application), as requiring the buffer to meet the full extent of the code would require additional property acquisitions which would impact Parcel's 7000100130, 7000100120, and 7000100110 to the east which are being avoided. The full landscape buffer width would create site layout and functionality problems which would be impracticable and infeasible to implement. In addition to bus turning radii, the 10 foot concrete mixed use path reduces the landscape buffer to 4 feet at the street frontage with Bellevue Way SE. If the full 15 foot buffer were required, the inclusion of the concrete mixed use path along the east side of Bellevue Way SE would not be possible; landscaping would continuously extend from the curb edge of Bellevue Way SE to the bus layover area.

## ST Responses to South Bellevue Segment Pre-Development Review May 13, 2014

### 20.25M.040 RLRT system and facilities development standards

1. Building Height - No concerns

2. Setbacks - No concerns

3. Landscape Development – concerns

- **The CAC has a strong desire to see the use of a living wall designed into the South Bellevue Station Garage. This may be accomplished by using mesh screens or columns to support living screening.**

ST Response: The design of the garage screening is continuing to evolve. Trees and plantings around the perimeter of the garage are intended to function similar to a living wall with a higher probability of long term health and survival than plant material on a screen. Three sides of the garage structure are set into a heavily landscaped site. The west side, facing the station and pedestrian plazas has ventilation “wells” that are also planted with trees and landscaping which will be visible to station users. Additional perforated screen panels covering upper floor levels (only partially visible to Bellevue Way through the guideway and station structure) will use natural color(s) and patterns to further “soften” the garage appearance.

- **The CAC would like Sound Transit to evaluate a living roof or roof deck planters as an additional way to relate the parking garage to the natural environment of Mercer Slough Nature Park.**

ST Response: Sound Transit is continuing to evaluate the garage rooftop treatment. The garage roof deck is lower than the station platform and will not be highly visible except from the station platform. Visual features along the top edges of the garage facing the station continue to be explored by the design team as well as being identified as an art opportunity by the recently selected artist Katy Stone.

- **The CAC would like to see green wall screening as an approach to soften some of the hard edges of the South Bellevue Station Garage. This would not necessarily be a living wall but a landscape feature that achieves the same goal.**

ST Response: Please see the response in the first bullet above. Sound Transit has emphasized landscaping as architectural compliments to tie the station into the character of the surrounding nature park.

- **The CAC would like Sound Transit to include additional appropriate landscaping to screen the guideway**

ST Response: Within the constraints of City and Sound Transit criteria for sight distances, utility clearances, street lighting standards, Crime Prevention Through Environmental Design criteria, and Bellevue Parks Department criteria; Sound Transit intends to provide substantial landscaping along the elevated guideway alignment to help screen the guideway from view.

- **The CAC would like Sound Transit to incorporate some mature trees at the time of development to soften the transition from the current environment to one that includes light rail.**

ST Response: Sound Transit is identifying a variety of tree sizes/heights at the time of planting so that planting areas are not of a uniform height. ST's landscaping plans for tree planting meet the requirements, per COB code, for replacement tree sizes.

**4. Fencing – No concerns were expressed by the CAC. More project information will be included during the Design and Mitigation Permit review stage.**

ST Response: Project fencing information is indicated on the drawings.

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

- **The CAC would like to see light standards on the deck of the South Bellevue Station Garage that are as low as feasible to avoid light pollution into the neighborhoods in the vicinity.**

ST Response: The proposed lighting design meets the City Code for minimum candle power lighting requirements for the roof of the garage. The heights of the light poles are the minimum necessary to meet safety requirements for the roof deck parking. Light fixtures have cut-offs and shielding to control visibility of light source.

**6. Mechanical Equipment – No concerns were expressed by the CAC. More project specific information will be included during the Design and Mitigation Permit review stage.**

ST Response: Project mechanical equipment information is indicated on the drawings.

**7. Recycling and Solid Waste – No concerns were expressed by the CAC. More project specific information will be included during the Design and Mitigation Permit review stage.**

ST Response: Project recycling and solid waste receptacles are indicated on the drawings.

#### **8. Critical Areas**

- **The CAC would like to see a plan for bird management and safety at the South Bellevue Station.**

ST Response: The Final EIS addresses several components of ecosystem, including protection of birds that are protected by federal, state, and local regulations. Such regulations govern the planning, land use, and management activities that have the potential to affect and influence fish and wildlife species and their habitats within the project vicinity. Key regulations, which are focused on protecting birds, include the following: Migratory Bird Treaty Act (MBTA), International Migratory Bird Treaty Act, Endangered Species Act (ESA), the Bald and Golden Eagle Protection Act (Eagle Act), City of Bellevue species of local concern.

Sound Transit is updating its survey of bird nests during final design. If a bald eagle nest is found within one-half mile of the proposed construction limits, a bald eagle management plan would be prepared. Under the Migratory Bird Treaty Act (MBTA) nesting migratory bird nests cannot be destroyed during the breeding season. Sound Transit would consult with the USFWS on methods to implement during construction to avoid impacts on migratory birds consistent with the MBTA and the Bald and Golden Eagle Protection Act. Such methods would include not clearing vegetation in the Mercer Slough buffer during the nesting season for migratory birds. At this time a bird management and safety plan has not been developed for the Sound Bellevue Station. However, use of large areas of vertical glass surfaces has been minimized as part of final design.

**The CAC wants to ensure that facility lighting does not have a negative impact on the wildlife that live in and visit the adjacent nature park**

ST Response: Bellevue Way and I-90 are lit today and have been for motorist safety for decades. The park and ride has also been lit since its construction in 1970's. The station and garage are not expected to cause any additional impacts to wildlife than these existing built structures currently located within the slough. The completed FEIS and associated ROD found no significant operational impacts on listed species due to lighting.

**9. Use of City Right of Way – No concerns were expressed by the CAC. More project specific information will be included during the Design and Mitigation Permit review state.**

ST Response: Project use of City Right of Way is indicated on the drawings.

#### **20.25M.050 Design Guidelines**

**1. Design Intent – In addition to complying with all applicable provisions of the Southwest Bellevue Subarea Plan, the design intent for the Regional Light Rail Train system and facility segment that passes through this subarea is to contribute to the major city gateway feature that already helps define Bellevue Way and the 112<sup>th</sup> Corridor. The Regional Light Rail Train system or facility design should reflect the tree-lined boulevard that is envisioned for the subarea, and where there are space constraints within the transportation cross-section, design features such as living walls and concrete surface treatments should be employed to achieve corridor continuity. The presence of the South**

Bellevue park and ride and station when viewed from the neighborhood above and Bellevue Way to the west, as well as from park trails to the east, should be softened through tree retention where possible and enhancement landscaping and “greening features” such as living walls and trellises.

ST Response: Addressed in base DMP application.

**Context and Design Considerations – The CAC was tasked with evaluating the existing context setting characteristic included in the Land Use Code in order to verify that the design of the station and alignment is consistent with the vision for the [sic] southwest Bellevue. The Land Use Code states that the character of this area is defined by:**

- The expansive Mercer Slough Nature Park;
- Historic references to truck farming of strawberries and blueberries;
- Retained and enhanced tree and landscaped areas that complement and screen transportation uses from residential and commercial development; and
- Unique, low density residential character that conveys the feeling of a small town within a larger City.

The CAC advised that the following additional context and design considerations should be considered when evaluating the East Link project in the Southwest Bellevue Subarea for context sensitivity during future CAC and permit review phases. The following items pertain to the South Bellevue Segment:

- The alignment transition from I-90 right-of-way to the South Bellevue Station should be reflected as a “Grand Entry” into Bellevue. This gateway area defines Bellevue as the “City in a Park.” The gateway serves a number of functions, and should appropriately greet the different users that pass through it, including transit riders, vehicles, residents, bicyclists from the I-90 trail, fish (specifically salmon), and wildlife

ST Response: ST is continuing to address aesthetic and design concerns regarding the elevated guideway entering Bellevue. Significant landscaping between Bellevue Way and the guideway south of the station will help emphasize the “City in a Park” theme. As mentioned in the May 21<sup>st</sup> Sound Transit Art Presentation to the CAC (<http://www.bellevuewa.gov/light-rail-permitting-cac-meetings.htm>) Sound Transit has selected an artist, Vicki Scuri, well suited to integrating infrastructure, and landscaping into a context sensitive aesthetically pleasing product.

- The South Bellevue Park & Ride garage should incorporate green/living walls and trellis structures on the roof level in addition to interesting concrete surface treatments to break down mass and scale, and to help blend the garage into the Mercer Slough Nature Park when viewed from the neighborhoods to the west and the park to the east.

ST Response: Please see previous response to Item 3 above.

**Additional General Design Guidelines**

- **The CAC would like to see design of the South Bellevue Station and Garage that more visually relates to the city in the park vision. This may be achieved through the use of natural materials or colors that include earth tones.**

ST Response: The design team has found additional opportunities for trees on the street side of the station. They are exploring the use of a “boardwalk” texture to pedestrian walkway surfaces to relate to the boardwalks within the adjacent Mercer Slough Nature Park. They are also integrating more color into the station materials and design. These design advancements will be available for review at the 90% design presentations.

- **The CAC would like to see less hard edges in the design of the South Bellevue station. One suggestion would be to incorporate more organic shapes into the design to soften hard lines.**

ST Response: The design team is exploring the use of color and patterns to help soften the hard edges of the station structures.

- **The CAC would like Sound Transit to evaluate the possibility of using an artistic design for the mesh screening at the South Bellevue Station Garage.**
- **The CAC would like to see Sound Transit evaluate the feasibility of using the sound wall on the guideway as an opportunity for artistic treatment that could tell more of the story of the area.**
- **The CAC would like Sound Transit to use a special form liner that reflects the special characteristics of Mercer Slough (fish, trees, etc.)**

Sound Transit Response: The design team is exploring artistic designs using natural patterns for the mesh screening and concrete walls of the garage. As noted above, Sound Transit has retained an artist, Vicki Scuri, to work with the design team on aesthetic treatment of the sound panels along the guideway. Sound transit has selected a second artist, Katy Stone, to work with the design team for enhancement of the station and garage areas. These design advancements will be available for review at the 90% design presentations.

- **The CAC would like Sound Transit to provide more technical information relative to noise mitigation in its Design and Mitigation Permit**

Sound Transit Response: The full technical noise report is available for review by the CAC and is included as Attachment T to the South Bellevue DMP.

- **The CAC suggest that the sound panels on the guideway offer an opportunity for color if not art on the west facing portions. Treating the west facing walls of the guideway and possibly the columns with color would help the South Bellevue Station blend into the background.**
- **The CAC would like to [sic] Sound Transit to expand its color palette for those features where standard Sound Transit Colors options are limited.**

Sound Transit Response: See responses to previous items above.