



DEVELOPMENT SERVICES DEPARTMENT
ENVIRONMENTAL COORDINATOR
450 110th Avenue NE
BELLEVUE, WA 98009-9012

DETERMINATION OF NON-SIGNIFICANCE

PROPONENT: Office 415

LOCATION OF PROPOSAL: 415 106th Avenue NE

DESCRIPTION OF PROPOSAL: Application for Design Review approval to construct a 16-story, 317,195 sf office tower with street level retail and branch bank with an ATM drive through. The project includes 674 parking stalls in a 7 level underground parking garage. Site utilities and new landscaping will be provided.

FILE NUMBER: 14-124031- LD

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 10.30.14.
- 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This DNS may be withdrawn at any time if the proposal is modified so that it is likely to have significant adverse environmental impacts; if there is significant new information indicating, or on, 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.

Care V. Holland 10.16.14
Environmental Coordinator Date

OTHERS TO RECEIVE THIS DOCUMENT:

State Department of Fish and Wildlife
State Department of Ecology, Shoreline Planner N.W. Region
Army Corps of Engineers
Attorney General
Muckleshoot Indian Tribe

ENVIRONMENTAL CHECKLIST

4/11/2013

If you need assistance in completing the checklist or have any questions regarding the environmental review process, please visit or call Development Services (425-452-6800) between 8 a.m. and 4 p.m., Monday through Friday (Wednesday, 10 to 4). Assistance for the hearing impaired: Dial 711 (Telecommunications Relay Service).

BACKGROUND INFORMATION

Property Owner: 415 Bellevue, LLC

Proponent: 415 Bellevue, LLC

Contact Person: Luis Adan
(If different from the owner. All questions and correspondence will be directed to the individual listed.)

Address: 818 Stewart Street, Suite 700, Seattle, WA 98101

Phone: 206-419-5105

Proposal Title: 415 - 106th Ave. NE

Proposal Location: 415 - 106th Ave. NE: corner of 106th Ave. NE and NE 4th St. See Appendix A for legal desc. (Street address and nearest cross street or intersection) Provide a legal description if available.

Please attach an 8 1/2" x 11" vicinity map that accurately locates the proposal site. See Appendix B

Give an accurate, brief description of the proposal's scope and nature:

1. General description: A ~~315,400~~ ^{317,195 PER SEPTEMBER REVISION DATED 9.10.14} square foot building with below-grade parking for approximately ~~750~~ ⁶⁷⁴ vehicles
2. Acreage of site: The site is 0.88 acres in total. ✓BC
3. Number of dwelling units/buildings to be demolished: One commercial office building would be demolished. ✓BC
4. Number of dwelling units/buildings to be constructed: One commercial office building would be constructed. ✓BC
5. Square footage of buildings to be demolished: 15,864 sq. ft. ✓BC
6. Square footage of buildings to be constructed: ~~315,400~~ ^{317,195 PER SEPTEMBER REVISION DATED 9.10.14} sq. ft.
7. Quantity of earth movement (in cubic yards): 135,000 cubic yards of cut, and 1,500 cubic yards of fill ✓BC
8. Proposed land use: office (~~301,000~~ ^{308,925} sq. ft.), retail (~~6,000~~ ^{2,655} sq. ft.) and financial (~~6,400~~ ^{6,115 PER SEPTEMBER REVISION DATED 9.10.14} sq. ft.) ✓BC
9. Design features, including building height, number of stories and proposed exterior materials:
The building would be 16-stories, approximately 230 feet in height. Exterior building materials would be composed primarily of glass and steel. AND PRECAST. ✓BC
10. Other
See Appendix B of this Checklist for Figures including vicinity map, site plan, elevations and building renderings, etc. ✓BC SEE STAFF REPORT- SECTION 2 FOR VICINITY MAP. SEE ATTACHMENT A FOR PROJECT PLANS & DRAWINGS

NO DWELLING UNITS



Estimated date of completion of the proposal or timing of phasing:

It is anticipated that construction and development of 415 - 106th Ave. NE will begin in 4th quarter 2014/1st quarter 2015, with occupancy in 4th quarter 2016.

Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

There are no plans for future additions, expansion or further activity related to this proposal.

✓ BC

List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

- Summary of Subsurface Conditions and Preliminary Geotechnical and Groundwater Evaluation (GeoEngineers, 2012) ✓ BC
- Greenhouse Gas Emissions Worksheet (EA, 2014)
- Transportation Impact Analysis (TENW, 2014)

Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. List dates applied for and file numbers, if known.

✓ BC

There are no known applications that are pending approval for the 415 - 106th Ave. NE site.

List any government approvals or permits that will be needed for your proposal, if known. If permits have been applied for, list application date and file numbers, if known.

See Appendix A for a detailed response to this question.

DEMOLITION - PUGENT SOUND CLEAN AIR AGENCY
 CONSTRUCTION GENERAL NPDES - WA DEPARTMENT OF ECOLOGY
 PLUMBING - BELLEVUE / KING COUNTY DEPARTMENT OF HEALTH

DESIGN REVIEW - COB
 DEMOLITION - COB
 CLEARING & GRADING - COB

BUILDING - COB
 MECHANICAL - COB
 ELECTRICAL - COB
 ELEVATOR - COB
 OCCUPANCY - COB

STREET USE - COB
 STREET IMPROVEMENTS - COB

Please provide one or more of the following exhibits, if applicable to your proposal. (Please check appropriate box(es) for exhibits submitted with your proposal):

- Land Use Reclassification (rezone) Map of existing and proposed zoning
- Preliminary Plat or Planned Unit Development Preliminary plat map
- Clearing & Grading Permit Plan of existing and proposed grading Development plans
- Building Permit (or Design Review) Site plan Clearing & grading plan
- Shoreline Management Permit Site plan

A. ENVIRONMENTAL ELEMENTS

1. Earth

- a. General description of the site: Flat Rolling Hilly Steep slopes Mountains Other ✓ BC
- b. What is the steepest slope on the site (approximate percent slope)?
There are no steep slopes on the site. See Appendix A (1.b) for additional information.
- c. What general types of soil are found on the site (for example, clay, sand, gravel, peat, and muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.
The site is underlain by fill, glacial till, outwash deposits and interbedded silt/sand deposits.

MAXIMUM ELEVATION CHANGE IS 5' INCREASE FROM SW CORNER TO NE CORNER 1.8% SLOPE ✓ BC

✓ BC

SEE GEOTECH REPORT IN FILE BY GEOENGINEERS DATED OCTOBER 30, 2012

✓

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. ✓ BC
 The Puget Sound region is a seismically active region, thus the site could experience seismic activity. Design according to the parameters of the 2009 International Building Code would address seismic risks.
- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill. ✓ BC
 It is estimated that excavation for the Proposed Action would result in the removal of approximately 135,000 cubic yards of earth as part of construction activities on the site. Approximately 1,500 cubic yards of fill would also be required during construction.
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. ✓ BC
 Erosion is possible in conjunction with construction work that would expose soils.
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? ✓ BC
 Approximately 90 percent of the site will be covered with impervious surfaces after project construction. The existing 415 - 106th Ave. NE site is approximately 94% covered with impervious surfaces.
- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: ✓ BC
 All clearing and grading would be conducted in accordance with adopted City of Bellevue erosion control standards including the Clearing & Grading Code and Clearing & Grading Erosion Control Standard Details. PER BELLEVUE CITY CODE 23.76 AND CSWPP
 Comprehensive Drainage Control Plan approvals

2. AIR

- a. What types of emissions to the air would result from the proposal (i.e. dust, automobile odors, and industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.
 See Appendix A (2.a) for a detailed response to this question.
SEE APPENDIX C, IN FILE, FOR COMPLETE WORKSHEETS. DATED FEBRUARY 3RD, 2014
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. ✓ BC
 No off-site sources of emissions or odors that may affect the proposed project have been identified.
- c. Proposed measures to reduce or control emissions or other impacts to the air, if any: ✓ BC
 The following measures could be implemented to control emissions and/or dust during construction:
- During demolition, excavation and construction, debris and exposed areas would be sprinkled as necessary to control dust; a truck wash and quarry spill areas would be provided on-site prior to the construction vehicles exiting the site; and truck loads and routes would be monitored to minimize dust-related impacts.
 - Using well-maintained equipment would reduce emissions from construction equipment and construction-related trucks as would avoiding prolonged periods of vehicle idling.
 - Using electrically operated small tools in place of gas powered small tools, wherever feasible.
 - Trucking building materials to and from the project site would be scheduled and coordinated to minimize congestion during peak travel times associated with adjacent roadways.

As well, the project is pursuing LEED Silver certification, and would be built to meet the 2009 Washington State Energy Code (WSEC) PER BELLEVUE CITY CODE 23.76 DUST SUPPRESSANT MEASURES

3. WATER

a. Surface

- (1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. ✓BC

There is no surface water on or immediately adjacent to the project site. Meydenbauer Bay is located approximately 0.6-mile to the west.

- (2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If Yes, please describe and attach available plans. ✓BC

No. Project work would not occur within 200 feet of a surface water body.

- (3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. ✓BC

No fill or dredge material would be placed in or removed from any surface water body as a result of this proposed project.

- (4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. ✓BC

No. The Proposed Action would not require any surface water withdrawals or diversions.

- (5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. ✓BC

No, the site does not lie within a 100-year floodplain.

- (6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. ✓BC

No. There would be no discharge of waste materials to surface waters.

b. Ground

- (1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description. ✓BC

The 415 - 106th Ave. NE project would not result in withdrawals or discharges to groundwater.

- (2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.) Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. ✓BC

Waste material would not be discharged into the ground from septic tanks or other sources. The proposed building would be connected to the City's sewer system and will discharge directly to that sewer system.

c. Water Runoff (Including storm water)

- (1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Existing and new impervious surfaces constructed on the site are and would continue to be the source of runoff from the proposed project. The stormwater design for the project would use landscape areas to reduce peak flows discharging from the site. ✓BC

- (2) Could waste materials enter ground or surface waters? If so, generally describe.

No. The proposed storm water collection system and associated mitigation measures would prevent waste materials from entering the ground water or surface waters. ✓BC

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

The Proposed Action would comply with applicable requirements relating to surface water runoff control and water quality including the City's Drainage Control Ordinance. The amount of pollution generating impervious is anticipated to be below 5,000 sq. ft., and stormwater quality treatment would not be required. ✓BC

4. Plants

a. Check or circle types of vegetation found on the site:

- deciduous tree: alder, maple, aspen, other ✓BC
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

All existing vegetation on the site would be removed, including existing trees. Trees would be removed as permitted by City of Bellevue LUC 20.20.900 D. 4. ✓BC

c. List threatened or endangered species known to be on or near the site.

No known threatened or endangered species are located on or proximate to the project site. ✓BC

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

See Appendix A (4.d.) for details. ✓BC

WILL INSTALL GREEN SCREEN, SHRUBS, LANDSCAPING, AND STREET TREES.
* PER LAND USE CODE 20.25A.040.B)

5. ANIMALS

- a. Check or circle any birds and animals which have been observed on or near the site or are known to be on or near the site:
- Birds: hawk, heron, eagle, songbirds, other: songbirds ✓ BC
 - Mammals: deer, bear, elk, beaver, other: squirrels
 - Fish: bass, salmon, trout, herring, shellfish, other:
- b. List any threatened or endangered species known to be on or near the site. ✓ BC
No known threatened or endangered species are located on or near the site.
- c. Is the site part of a migration route? If so, explain. ✓ BC
No. The site is not known to be part of a migration route.
- d. Proposed measures to preserve or enhance wildlife, if any: ✓ BC
No specific measures are proposed to enhance wildlife and/or habitat other than the planned landscaping.

6. Energy and Natural Resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy need? Describe whether it will be used for heating, manufacturing, etc. ✓ BC
Electricity and natural gas would be used for project heating, cooling, hot water and lighting.
- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. ✓ BC
No. significant solar access-associated impacts are anticipated relative to adjacent properties.
- c. What kinds of energy conservation features are included in the plans of the proposal? List other proposed measures to reduce or control energy impacts, if any: ✓ BC
The project would target LEED Silver Certification.

7. Environmental Health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe. ✓ BC
There are no known environmental health hazards that could occur as a result of this proposal.
- (1) Describe special emergency services that might be required.
No special emergency services are anticipated to be required as a result of this Proposed Action. As is typical of urban development, it is possible that normal fire, medical, and other emergency services may on occasion be needed from the City of Bellevue. ✓ BC
- (2) Proposed measures to reduce or control environmental health hazards, if any.
No environmental health hazards are anticipated and no measures to reduce or control hazards are proposed. ✓ BC
- b. Noise
- (1) What types of noise exist in the area which may affect your project (for example, traffic, equipment, operation, other)? ✓ BC
Traffic noise associated with adjacent streets is the main source of noise in the area. Traffic noise is not anticipated to adversely affect the Proposed Action.

NOISE CONTROL
PER BELLEVUE
CITY CODE
9.18

- (2) What types and levels of noise would be created by or associated with the project on a short-term or long-term basis (for example, traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Construction-related noise would occur as a result of on-site construction activities associated with the Proposed Action. Construction noise would be short-term and would be the most noticeable noise generated at the project site. The Proposed Action would comply with provisions of Bellevue's Noise Controls (BCC, Chapter 9.18); no noise variances are anticipated. ✓BC

- (3) Proposed measures to reduce or control noise impacts, if any:

As noted, the project would comply with provisions of the City's Noise Controls; specifically: construction hours would be limited to weekdays (non-holiday) from 7 AM to 6 PM and Saturdays from 9 AM to 6 PM (non-holiday). Sounds emanating from construction sites are prohibited on Sundays and legal holidays. ✓BC

8. Land and Shoreline Use

- a. What is the current use of the site and adjacent properties?

See Appendix A (8.a.) for a detailed response to this question. ✓BC
CURRENT USE IS A 15,864 SQFT. RETAIL BANK BRANCH
ADJACENT USES INCLUDE: RETAIL, MUSEUM, AND LOW-RISE OFFICE - SEE FILE FOR DETAILED APPENDIX

- b. Has the site been used for agriculture? If so, describe.

No. There is no evidence that the site has been used for agriculture in the past several decades. ✓BC

- c. Describe any structures on the site.

The 415 - 106th Ave. NE site contains a 2-story branch bank (Bank of America) that contains 15,864 sq. ft. of gross floor area. ✓BC

- d. Will any structures be demolished? If so, what?

The existing building on the site would be demolished as part of the Proposed Action. ✓BC

- e. What is the current zoning classification of the site?

The site is currently zoned Downtown Office District 1 (DNTN-0-1). ✓BC

- f. What is the current comprehensive plan designation of the site?

The project site is located in the Downtown Bellevue Subarea. ✓BC } DOWNTOWN CORE DESIGN DISTRICT

- g. If applicable, what is the current shoreline master program designation of the site?

The project site is not located within the City's designated shoreline boundary. ✓BC

- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

No portion of the site has been designated as an environmentally critical area. ✓BC

- i. Approximately how many people would reside or work in the completed project?

At full occupancy, the number of employees (office and retail) estimated to work in the building could total approximately 1,564 individuals (200 sq. ft./employee for office uses & 300 sq. ft./employee for retail uses). ✓BC

- j. Approximately how many people would the completed project displace?

No residential uses are located on the site and no residents would be displaced by the project. ✓BC

- k. Proposed measures to avoid or reduce displacement impacts, if any:

No residential uses are located on the site and therefore, the Proposed Action would not displace any residents. Existing businesses and associated employees located on the 415 - 106th Ave. NE site are currently leasing space from the property owner and would relocate prior to construction. ✓BC

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

See Appendix A (8,^F1) for a detailed response to this question. -SEE FILE
WOULD ADD EMPLOYMENT AND RETAIL ACTIVITY TO AN UNDERUTILIZED SITE
INCREASED DENSITY
CONSISTENT WITH DENSITY VISION OF AN URBAN CORE

✓BC

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

The 415 - 106th Ave. NE project would include commercial development, including office and retail uses. No residential uses are proposed as part of this project.

✓bc

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

No occupied housing presently exists on-site and none would be eliminated.

✓bc

- c. Proposed measures to reduce or control housing impacts, if any:

No mitigation is necessary.

NO HOUSING EXISTING OR PROPOSED ON SITE

✓bc

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

The 415 - 106th Ave. NE building would be 16 stories (approximately 230 feet) tall.

✓bc MATERIALS ARE PRIMARILY GLASS, STEEL, AND PRECAST

- b. What views in the immediate vicinity would be altered or obstructed?

See Appendix A (10.b) for a detailed response to this question.

VIEWS WILL BE ALTERED FROM BELLEVUE TOWERS BELOW 230' SEE ATTACHMENT 'B' FOR ANALYSIS

- c. Proposed measures to reduce or control aesthetic impacts, if any:

See Appendix A (10.c) a detailed response to this question.

✓bc SEE STAFF REPORT AND ATTACHMENTS FOR A DETAILED ANALYSIS

AESTHETICS WERE REVIEWED AS A PART OF DESIGN REVIEW. SEE SECTION III.4 OF STAFF REPORT PER 20.25A.110 OF THE LAND USE CODE

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

See Appendix A (11.a) for a detailed response to this question.

LIGHT SOURCES INCLUDE INTERIOR, BUILDING AND PARKING ENTRANCE, PEDESTRIAN, AND SECURITY.

✓bc

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

No. Light and glare associated with the Proposed Action is not expected to cause a safety hazard nor interfere with views.

NO SIGNIFICANT IMPACT OVER EXISTING USE IS EXPECTED.

✓bc

- c. What existing off-site sources of light or glare may affect your proposal?

There are no off-site sources of light or glare that would affect the Proposed Action.

✓bc

- d. Proposed measures to reduce or control light or glare impacts, if any:

All exterior (artificial) lighting would be shielded with cut-offs to minimize spillage beyond the project site.

PER LAND USE CODE 20.20.522

✓bc



12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?
There two parks proximate to the project site – Bellevue Downtown Park (approximately two blocks west of the site) and Goddard Park (approximately one and a half blocks northwest of the site). ✓BC
- b. Would the proposed project displace any existing recreational uses? If so, describe.
No. The Proposed Action would not displace any existing recreational uses. ✓BC
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: ✓BC
No impacts to recreation resources would occur and no mitigation is proposed

13. Historic and Cultural Preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.
No places or objects listed on or proposed for historic preservation register are known on or next to the site. ✓BC
- b. Generally describe any landmarks or evidence of historic, archeological, scientific, or cultural importance known to be on or next to the site.
None are on or adjacent to the site. ✓BC
- c. Proposed measures to reduce or control impacts, if any: ✓BC
No impacts are anticipated and no mitigation measures are proposed.

14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.
See Appendix A (14.a) for a detailed response to this question. - IN FILE
SERVED BY 106TH AVENUE NE AND NE 4TH STREET
ACCESS TO BELOW GRADE PARKING DECK FROM BOTH STREETS
- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop? BUS ROUTES
Yes, the site is served by public transit. ✓BC
- c. How many parking spaces would be completed project have? How many would the project eliminate?
The project would have 750 parking spaces. 43 parking spaces would be eliminated. REVISED PER SEPTEMBER 2014 NUMBERS DATED 9.10.14 ✓BC
- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private). IMPROVEMENTS TO SIDEWALKS, STREET TREES, AND LIGHTING. MODIFICATION OF CURB LINE
See Appendix A (14.d) for a detailed response to this question. - IN FILE
- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.
No, the project will not occur in the immediate vicinity of water, rail or air transportation. ✓BC
- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.
See Appendix A (14.f) for a detailed response to this question. - IN FILE
SEE SEPA TRANSPORTATION ANALYSIS EXPECTED 2,089 NEW DAILY TRIPS ✓BC PER TRAFFIC STUDY DATED MAY 6, 2014
- g. Proposed measures to reduce or control transportation impacts, if any: SEE REPORT IN FILE
If traffic impacts are disclosed in the traffic impact analysis, traffic mitigation measures will be proposed. ✓BC

SEE SECTION III
TABLE 2 OF
STAFF REPORT
PER SECTION
20.25A.050 OF
LAND USE CODE

15. Public Services

- a. Would the project result in an increased need for the public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

It is anticipated that the Proposed Action would generate an incremental need for increased public services due to the higher number of tenants and customers associated with the site. To the extent that emergency service providers have planned for gradual increases in service demands, no significant impacts are anticipated. ✓ BC

- b. Proposed measures to reduce or control direct impacts on public services, if any.

While the potential increase in commercial/office tenants associated with the Proposed Action may result in incrementally greater demand for emergency services, it is anticipated that adequate service capacity is available within the Downtown Bellevue area to preclude the need for additional public facilities/services. ✓ BC

16. Utilities

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.

All utilities are currently available at the site. ✓ BC

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

- Water – New domestic water connection and fire service connection (Bellevue Utilities).
 - Sewer – New side sewer connection to combined sewer system (Bellevue Utilities).
 - Natural Gas – New gas service (Puget Sound Energy).
 - Electrical – New electrical feed (Puget Sound Energy).
- ✓ BC

Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature..... *Terry McLann*
Date Submitted..... *March 18, 2014*



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

Proposal Name: **Office 415**

Proposal Address: 415 106th Avenue NE

Proposal Description: Application for Design Review approval to construct a 16-story, 317,195 sf office tower with street level retail and branch bank with an ATM drive through. The project includes 674 parking stalls in a 7 level underground parking garage. Site utilities and new landscaping will be provided.

File Number: **14-124031- LD**

Applicant: Schnitzer West

Decisions Included: Process II, Combined Design Review decision and SEPA Determination

Planner: Bradley Calvert

State Environmental Policy Act Threshold Determination: **Determination of Non-significance (DNS)**

Carol V. Helland

Carol V. Helland, Environmental Coordinator
Development Services Department

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

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

Application Date: 02 - 03 - 2014
Notice of Application: 03 - 27 - 2014
Decision: 10 - 16 - 2014
Appeal Period Ends: 10 - 30 - 2014
Vesting Period Ends: 10 - 16 - 2016

For information on how to appeal a proposal, visit the Development Services Center at City Hall or call (425) 452-6800. Comments on State Environmental Policy Act (SEPA) Determinations can be made with or without appealing the 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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ATTACHMENTS:

- Attachment A: Project Plans & Drawings
- Attachment B: Stepback Modification and View Study
- Attachment C: Shade and Shadow Study
- Attachment D: Certificate of Concurrency

I. REQUEST/PROPOSAL DESCRIPTION

A. Request

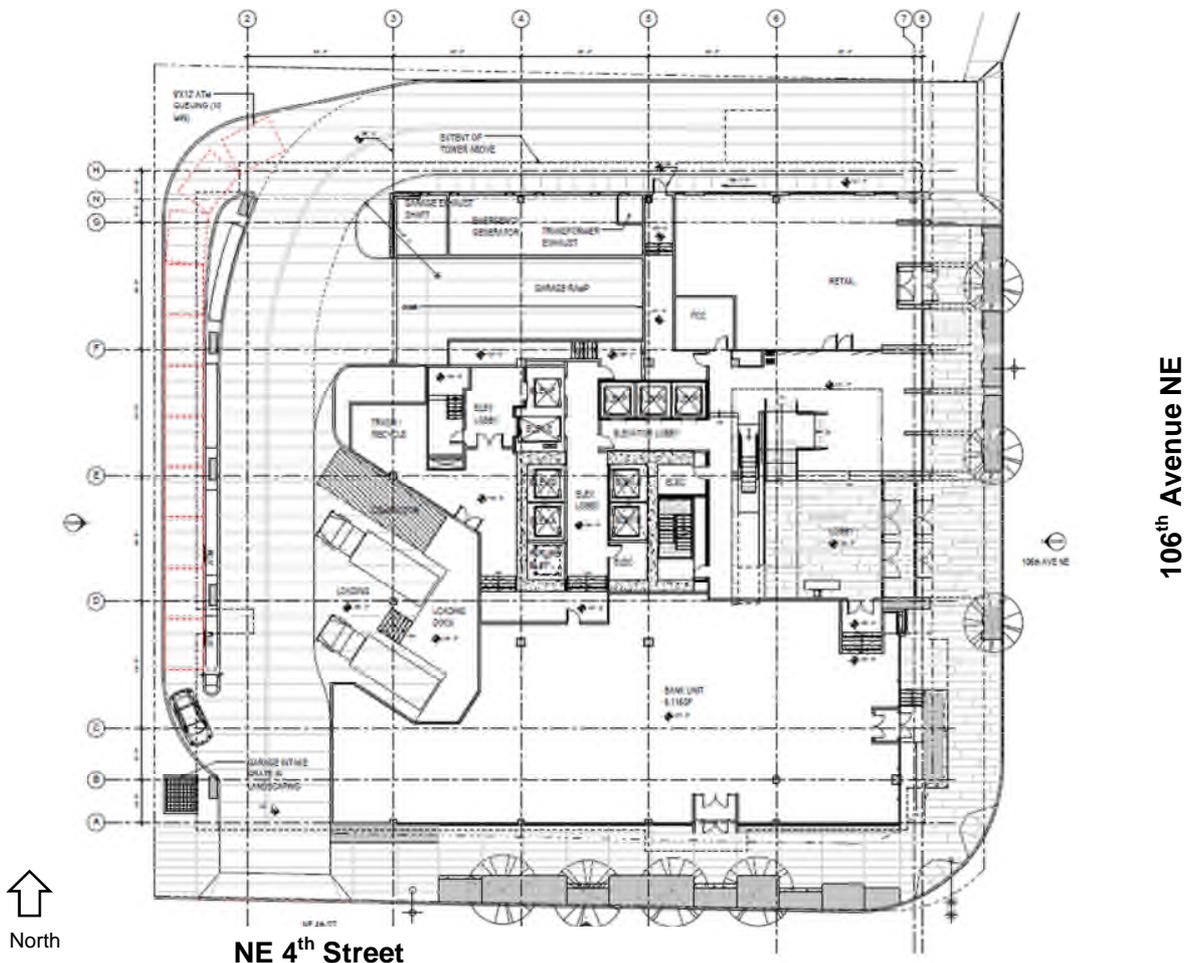
The applicant requests Design Review approval and a Threshold Determination under the State Environmental Policy Act (SEPA) to construct a new office tower named "Office 415." The proposal is for a new 16-story office tower with a 2-story podium which includes street level retail and a retail bank branch with drive through ATM, and 674 parking stalls in 7 levels of underground parking. The total square footage of the proposed tower is approximately 317,195 gross square feet on a site area of 0.88 acres. The project includes demolition of the existing 2-story Bank of America branch bank and drive through ATM's. Site improvements include site utilities, street level landscaping, art, and pedestrian-oriented frontage.

B. Site Design

The site is rectangular, measuring approximately 195 feet in width (east-west) and approximately 197 feet in depth (north-south). There is approximately a 5.4 foot grade increase from the site's south to north boundaries. Access to the proposed underground parking garage is provided from NE 4th Street and 106th Avenue NE. There will be a singular ATM drive through lane for the street level retail bank branch that is accessed from 106th Avenue NE.

The main building entrance and retail entrance for pedestrians will be located on 106th Avenue NE. The retail bank branch will have two pedestrian entrances: one along NE 4th Street and another at the intersection of NE 4th Street and 106th Avenue NE. The proposal provides street trees, seating, and plantings along NE 4th Street and 106th Avenue NE. Special paving will be provided at the main building and retail storefront entries along 106th Avenue NE.

Figure 1 – Site Plan



C. Building Design

The footprint of the proposed tower is rectilinear, composed of a 2-story podium and the remaining floors above providing office space. The podium provides visual and scale relief at street level from the primary massing. The exterior materials will be a combination of a clear and reflective curtain wall, aluminum window mullions, light colored precast for vertical elements, and darker precast at select horizontal spandrels. The façade expression utilizes 2-story vertical precast and façade elements to create the perception of a finer scaled building and to emphasize verticality to the overall massing. Exterior lighting will be used to emphasize the massing and the vertical expression. See Section X.C for related conditions of approval.

The below grade parking garage is accessed via a ramp that can be approached by an internal two-way driveway that connects to NE 4th Street and 106th Avenue NE. This internal street is situated along the western and north perimeter of the site to maximize the separation of vehicular traffic from interfering with pedestrian activity. Three loading berths are set aside at street level for deliveries. Delivery trucks turn onto the site via NE 4th Street, back into the loading berths, and continue out onto 106th Avenue NE via the internal street.

D. Design Intent

Overview

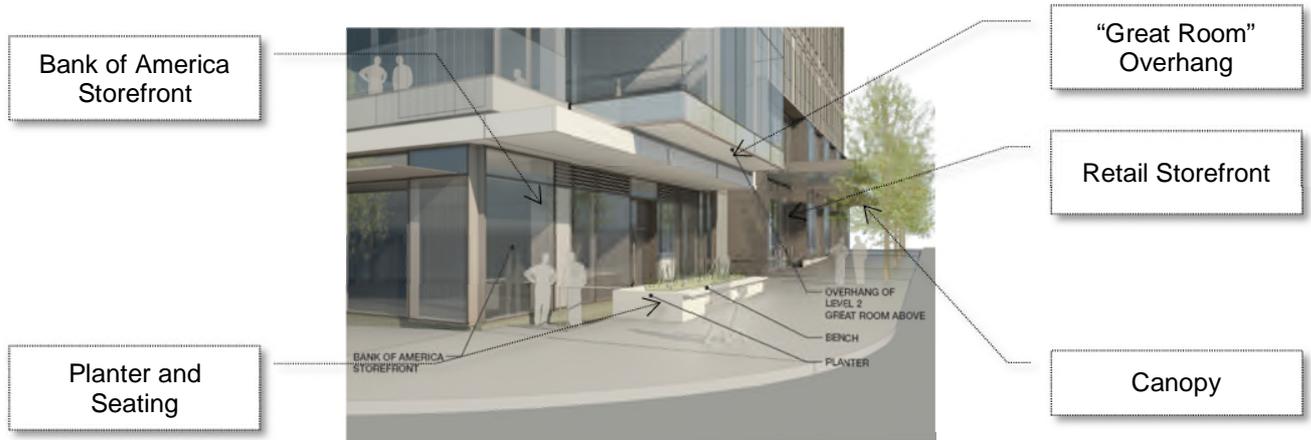
Due to its location at a key urban intersection, Office 415 will conceptually serve as an “entry portal” into the heart of Downtown Bellevue. The proposed design creates a 16 story office tower with slender, vertical proportions, anchored by a 2-story podium. At street level, the podium incorporates retail, office lobby, and a retail branch bank. On levels two and three, the podium is anchored by the building’s common area or “Great Room” with a large south-facing outdoor terrace and a double height window protrusion that brings visual activity to the corner of NE 4th and 106th Avenue NE.

The facades of the retail podium facing the street will have modulation, material transitions, canopies, and differing scale to provide interest to the streetscape and to establish continuity with the existing vernacular of 106th Avenue NE. The tower demonstrates a contemporary design, utilizing elements such as louvers on the north façade. Modulation of the massing, as well as finely scaled fenestration patterns in the curtain wall, provides a human scale to the structure.

1. Building Podium

The design of the podium extends the street façade relationship established by the adjacent Bellevue Towers and proposed by the future phases of Lincoln Square. The intent is to create a consistent multi-story podium along the street edge of NE 4th that engages the pedestrian scale with active program elements, combinations of materials, and a high level of activity and transparency. To reinforce the development of Bellevue’s pedestrian environment the main office entry and street level retail is located on 106th Avenue NE and the retail bank branch entries are located on NE 4th Street and 106th Avenue NE. At the street level of 106th Avenue NE the proposal will utilize changes in material and texture as well as linear planting solutions to enhance the pedestrian experience. Sidewalk materials on 106th Avenue NE will relate to the materials utilized in the building, and also provide a rhythm of glass canopies.

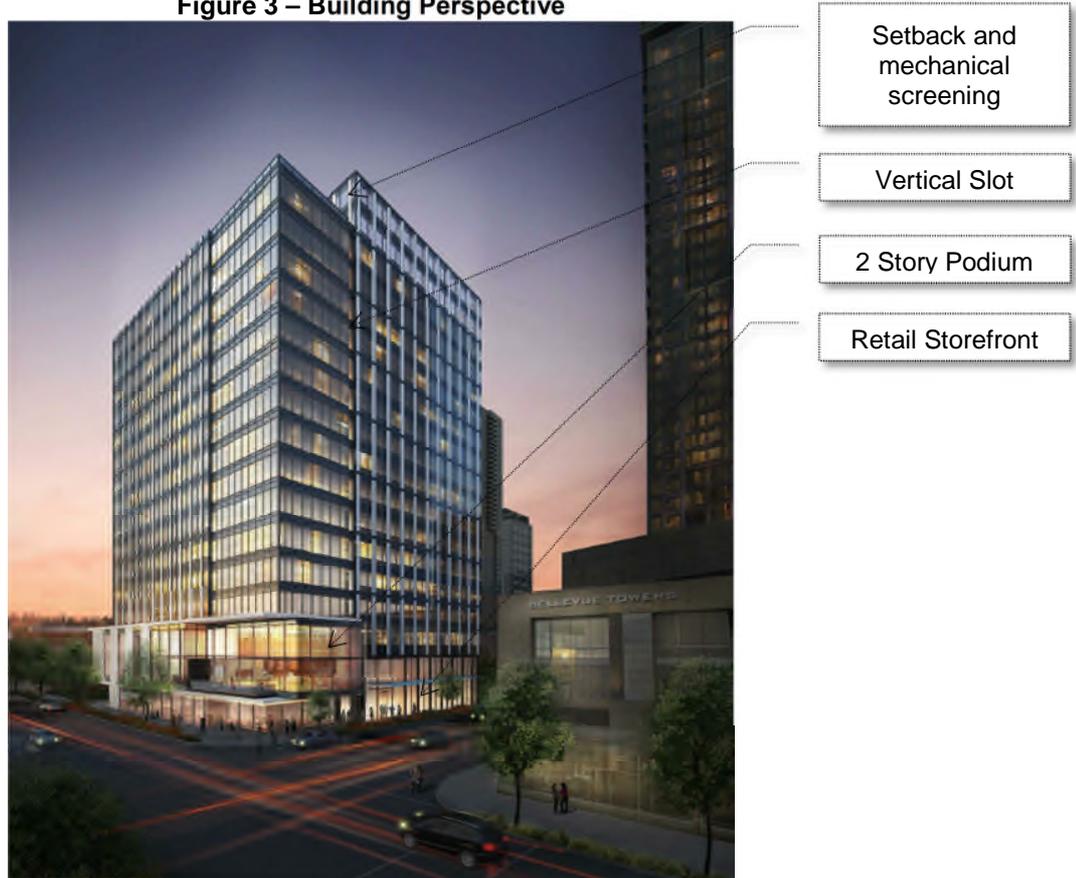
Figure 2 – Streetscape/Podium



2. Office Tower

The building is composed of two major masses and incorporates a 6' wide by 3' deep vertical "slot" into the east and west facades to create relief and variations while reducing scale. Additionally, this slot is used to create different heights in the building, with the north mass having a taller façade as a screen for mechanical systems to yield a sculpted expression at the top, and a change in massing for scale. The south building mass will be the most transparent, addressing the major views, light, and serving as an urban portal at a key urban intersection.

Figure 3 – Building Perspective



3. Parking Structure

The seven level underground parking garage will provide a total of 674 stalls. Storage and building services such as mechanical rooms and equipment will also be below grade. Access points to the garage will be located on 106th Avenue NE and NE 4th Street. 49.7% of the parking stalls will be compact parking.

II. SITE DESCRIPTION, ZONING, & LAND USE CONTEXT

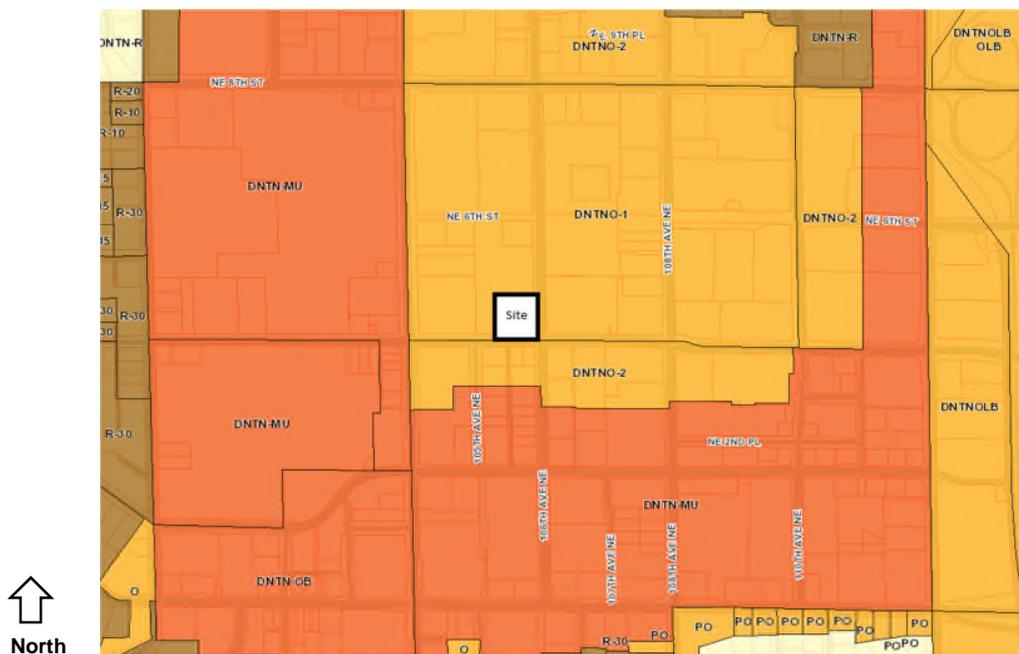
A. Site Description

The existing site is at the corner of 106th Avenue NE and NE 4th Street. The total parcel size is 0.88 acres. The site has a grade change of approximately 5.4 feet from south to north. The site dimensions are approximately 195 feet east-west and 197 feet north-south. The existing site provides a total of three points of ingress and egress. A singular point of ingress and egress is located on NE 4th Street, with individual points of ingress and egress along 106th Avenue NE.

B. Zoning

The site is located in Downtown Bellevue and is zoned DNTN-O-1. The zoning is not affected by any concomitant agreement or overlay district. All proposed uses are permitted outright in this zone.

Figure 4 – Zoning Map



The development immediately to the east, Bellevue Towers, is mixed-use residential. The developments to the immediate north and south are low-rise commercial and retail services. Further north along 106th Avenue NE is the Paccar building. Immediately west is the proposed Lincoln Square Expansion, with hotel, retail, office, and residential uses. The Building/Sidewalk Design Guidelines designations for the frontage streets include "B" for 106th Avenue NE and "C" for NE 4th Street.

III. CONSISTENCY WITH LAND USE CODE/ZONING REQUIREMENTS

A. GENERAL PROVISIONS OF THE LAND USE CODE

1. Uses

Office and retail uses are permitted outright in DNTN-O-1 zoning district.

2. Dimensional Requirements

As conditioned, all applicable dimensional requirements of the Land Use Code would be met. The following table provides more detailed information on dimensional requirements.

Table 1 – Dimensional Requirements

Item	Permitted/Required	Proposed	Comments/Conditions
Project Limit	No minimum	38,429 SF (0.88 acres)	
Building Height	Non-residential = Basic 300 FT	Non-residential = 216'-4" FT	Meets code. LUC 20.25A.020,
Floor Area Ratio (FAR) Path A	5 Basic/8 Max. Maximum 1.0 FAR (POF)	8.18 317,195 GSF 2,655 SF area exempted per Pedestrian Oriented Frontage Amenity (0.069 FAR) Total Gross Square Feet = 314,540	Meets code, as conditioned Non-residential FAR. LUC 20.25A.020. Requires transfer of FAR from off site. LUC 20.25A.030.C, LUC 20.25A.115 for Building/Sidewalk Design Guidelines See condition X.A.
Floor Area Ratio (FAR) Path B	5 Basic / 8 Max. Maximum 1.0 FAR (POF)	7.99 317,195 GSF 9,795 SF area exempted per Pedestrian Oriented Frontage Amenity (0.25 FAR) Total Gross Square Feet = 307, 400	Meets code, as conditioned Non-residential FAR LUC 20.25A.20 Requires provision of additional Pedestrian Oriented Frontage Amenity LUC 20.25A.030.C, LUC 20.25A.115 for Building/Sidewalk Design Guidelines See condition X.A
Total Gross Square Feet (GSF)	Non-Residential = 307,432 GSF	Path A = 314,510 - Would require purchase of 7,108 sf of FAR Path B = 307,400	Meets code, as conditioned Excludes vertical penetrations, vent shafts, stairwells, and balconies per LUC 20.50.022.1 See condition X.A
Floor Area per Floor Above 40 Feet	Non-Residential = 24,000 SF standard floor plate	Non-Residential = 23,592 SF	Meets code.
Setbacks			
	NE 4th= 0 FT 106th Ave NE = 0 FT	0 FT	Meets code. LUC 20.25A.020
Facade Stepbacks			
Upper Level Façade Stepback In Core Design District (between 25-40 FT ht.)	NE 4th = 20 FT Stepback	NE 4th = 10 FT: Stepback Modification granted.	Meets code. LUC 20.25A.100.E.7: Stepback Modification for NE 4th Street. See Section III.A.4.

Recycling & Solid Waste			
<p>Path A Office</p> <p>Retail</p> <p>Path B Office</p> <p>Retail</p>	<p>2 SF/1000 SF @ 314,540 SF = 629 SF for office</p> <p>5 SF/1000 SF @ 2,655 SF = 13 SF for retail</p> <p>2 SF/1000 SF @ 307,400 SF = 615 SF for office</p> <p>5 SF/1000 SF @ 9,795 SF = 49 SF for retail</p>	<p>Retail and Office = 934 SF provided.</p>	<p>Meets code.</p> <p>Recycling and solid waste areas are provided at the loading dock and within the building at the ground floor.</p> <p>A letter has been provided from Republic Services and can be found in the project file.</p> <p>LUC 20.20.725</p>
Sidewalk Width	106th Avenue NE = 16 FT NE 4th = 16 FT	106th Avenue NE = 16 FT NE 4th = 16 FT	Meets code. LUC 20.25A.060.A
Street Tree/ Species & Caliper	Minimum 3" caliper Zelkova serrata at 106th Ave NE.; Minimum 3" caliper Superform Norway Maple for NE 4th Street	Landscape plan shows (3) 3" caliper Zelkova serrata along 106th Avenue NE and (4) 3" caliper Superform Norway Maple along NE 4th Street.	Meets code. LUC 20.25A.060 LUC Plate B The Parks Department has reviewed the street trees and concurs with the proposal.

3. Office Tower – Stepback Modification per LUC 25A.100E.7

Per 20.25A.100E.7 of the Land Use Code each building façade within the Core Design District facing NE 4th Street, NE 8th Street, or Bellevue Way must incorporate a minimum 20-foot-deep stepback at a height between 25 feet and the level of the first floor plate above 40'. This required stepback may be modified or eliminated if the applicant demonstrates, through Design Review, that: (a) such stepback is not feasible due to site constraints, such as a small or irregularly shaped lot, or (b) the modification is necessary to achieve design elements or features encouraged in Section 20.25A.100 or the provisions of 20.25A.110 of the Land Use Code and the modification does not interfere with preserving view corridors.

The proposed project incorporates a 10 foot stepback above the 40 foot height on NE 4th Street in lieu of the required 20 foot stepback based upon the following justification:

- a. The 10 foot stepback achieves the objective of reducing the scale of the overall massing along NE 4th Street in relationship to the small scale of the proposed tower. The building frontage along NE 4th Street is limited to 134' in length.
- b. The proposed 10 foot stepback provides continuity with the 10' stepback allowed for the Lincoln Square Expansion project to the west. This same continuity is extended to the podium design and its relationship to the Bellevue Towers to the east, creating aesthetic qualities that allow the proposed project to maintain aesthetic connections with adjacent properties.
- c. The proposed 10 foot stepback does not affect the views along NE 4th Street or from the Bellevue Towers. Attachment B demonstrates that there is a maximum 1.8 degree cone of vision difference between the proposed 10 foot stepback and the required 20 foot stepback.

Table 2 – Parking

Item	Required		Proposed	Comments/ Conditions
Parking NSF = Net Square Feet	Minimum and Maximum Permitted Ratios	Required and Permitted Parking Stalls	Proposed Parking Stalls	LUC 20.25A.050
Office - General <i>Path A</i> - 308,425 NSF <i>Path B</i> - 301,285 NSF	2.0/2.7	616/833 603/813	647 – Path A 624 – Path B	Meets code.
Financial Institution <i>Path A/B</i> - 6,115 NSF	3.0/4.0	18/24	18	Meets code.
Retail <i>Path A</i> - 2,655 NSF <i>Path B</i> - 9,795 NSF	3.3/5.0	9.0/13.0 32/49	9 – Path A 32 – Path B	Meets code.
Total <i>Path A</i> <i>Path B</i>		643/919 653/886	674	Accessible parking is distributed throughout the parking level floors P1 to P7. Van accessible parking is located on level P1.
	Required/Permitted	Proposed	Comments	
Compact Stalls	Max. 50%	335 or 49.7%		Meets Code. LUC 20.25A.050.F.2
Loading Area	Required onsite, not on the right-of-way	The loading area contains 3 berths and space for a compactor and is located at grade, accessed off NE 4th Street.		Meets Code. LUC 20.20.590K.4. The property owner shall provide off-street loading space which can access a public street. On-street loading and unloading will not be permitted.

B. SPECIAL DISTRICT REQUIREMENTS

1. Building/Sidewalk Design Guidelines

The right-of-way abutting 106th Avenue NE is designated “B” and the right-of-way abutting NE 4th Street is designated “C” per *The Design Guidelines Building/Sidewalk Relationships*. At least 50% of the street level edge of 106th Avenue NE must include retail and service related activities. All of NE 4th Street must incorporate some amount of service and commercial activities. Both designations require the provision of windows providing visual access, multiple entrances, canopies, special pavement treatment, landscaping and seating. The proposal includes entrances to the building lobby, the retail bank branch, and the retail space along 106th Avenue NE. An additional entrance to the retail bank branch is located on NE 4th Street. The treatment of both streets includes glazing for visual access, rhythmic placement of canopies, seating, landscaping, and street trees. The landscaping strip will require irrigation.

See Sections X.B for related conditions of approval.

2. FAR Amenity Incentive System

The proposal site is located within the Downtown Core Design District. The FAR amenities are defined by Land Use Code 20.25A.020. The table below summarizes the Basic and Non-basic FAR amenity points earned by the proposed project.

The allowable FAR for the proposed site is 8.0. The current proposal has an FAR of 8.18. In order to remain compliant with the Land Use Code the project must choose one of the following paths: Path A – Purchase the required FAR outlined in Table 3 or Path B: Provide additional exempted FAR Amenity space consistent with section 20.25A.030 of the Land Use Code outlined in Table 4.

The applicant will be required to record either proposed path with the King County Division of Records and Elections and with the Bellevue City Clerk.

See Section X.A for related conditions of approval

Table 3 – FAR Bonus Amenities – Path ‘A’ Purchase Option

Path A	
Project Area	38,429
Project Gross Floor Area	317,195
Exempted Floor Area per Retail Activity Exceptions (LUC 20.25A.020.3.a)	2,655
Gross Floor Area (GFA)	314,540
FAR Proposed	8.18
Basic Permitted Floor Area (AREA)	192,145
Basic FAR (5.0) x Project Area	5.0 x 38,429
Maximum Permitted Floor Area	307,432
Maximum FAR (8.0) x Project Area	8.0 x 38,429
Basic FAR Amenity Required	38,429
Basic FAR Amenity Earned	38,510
Excess Basic points that may be used to earn Non-Basic FAR	81
Basic Amenity Earned - Basic Required	38,510 - 38,429
Remaining Bonus FAR Amenity to Earn	122,395
GFA - Basic Permitted FAR of 5.0	317,195 - 192,145
Non Basic Earned	127,773
Total FAR Amenity Earned (See Table 5 Below)	
Basic FAR Amenity Earned + Non Basic FAR Amenity Earned	38,510 + 127,773
Excess FAR Amenity Earned	6,201
Additional FAR to purchase from City of Bellevue	7,108

Table 4 – FAR Bonus Amenities – Path ‘B’ Additional Exempted FAR Amenity Space

Path B	
Project Area	38,429
Project Gross Floor Area	317,195
Exempted Floor Area per Pedestrian Oriented Frontage Amenity	9,795
Gross Floor Area (GFA)	307,400
FAR Proposed	7.99
Basic Permitted Floor Area (AREA)	192,145
Basic FAR (5.0) x Project Area	5.0 x 38,429
Maximum Permitted Floor Area	307,432
Maximum FAR (8.0) x Project Area	8.0 x 38,429
Basic FAR Amenity required	38,429
Basic FAR Amenity Earned	56,410
Excess Basic points that may be used to earn Non-Basic FAR	17,981
Basic Amenity Earned - Basic Required	38,510 - 38,429
Remaining Bonus FAR Amenity to Earn	122,395
GFA - Basic Permitted FAR of 5.0	317,195 - 192,145
Non Basic Earned	127,773
Total FAR Amenity Earned (See Table 5 Below)	
Basic FAR Amenity Earned + Non Basic FAR Amenity Earned	56,410 + 127,773
Excess FAR Amenity Earned	24,101

Table 5 – Summary: Bonus Amenity Area Earned

Amenity		Units of Measure	Bonus Ratio	Bonus Floor Area Earned	Comments
Basic Amenities	Pedestrian Oriented Frontage (Path A)	LF	200:1	151 LF = 30,200 points	Retail/restaurant uses provided along 106th Avenue NE and along north walkway at level 1.
	Pedestrian Oriented Frontage (Path B)		200:1 + 100:1	151 LF + 179 LF = 48,100 points	Public benefit: Enhances the urban environment and stimulates sidewalk pedestrian activity. Enhances view for pedestrians walking south on 106th Avenue NE.
	Marquee	SF	4:1	1,540 SF = 6,160 points	Provided along street frontages on 106th Avenue NE and NE 4th Street Public benefit: Weather protection for the pedestrian along the building and sidewalk along the two public streets that front the site.
	Sculpture or Artwork	1 unit per \$100 spent	5:1	\$43,000/\$100 x 5 = 2,150 points	Provided along sidewalk at 106th Avenue NE at the retail storefront and main entrance. Public benefit: Landscape area provides focal point and visual relief for the public and enhances pedestrian environment.
Sub-Total Basic				Path A: 38,510 SF Path B: 56,410 SF	“Basic” FAR Amenity Earned
Non-Basic	Underground Parking	1 SF	0.5:1	255,545 SF = 127,773 points	7 levels underground 674 stalls. Levels P1- P7. Public benefit: Locates parking stalls out of public view. Furthers the urban image by not having surface parking lots.
Sub Total Non-Basic				127,773 SF	
Total Basic and Non-Basic				Path A: 166,283 SF Path B: 184,183 SF	Total FAR Amenity Earned. Exceeds code. The amount of amenity provided 166,283 SF (Path A) / 184,183 (Path B) exceeds code requirements of 38,429+122,395= 160,824 SF for basic and bonus amenities.

Path A: Applicant will be required to purchase 7,108 sf of FAR area to achieve the permitted 8.0 FAR.

Path B: Applicant will dedicate area on the second level as retail space and Pedestrian Oriented Frontage as a public amenity reducing the Gross Square Feet to 307,400 and the FAR to 7.99.

The proposal generates a total of 166,283 amenity points, which exceeds the required number of amenity points (160,824) by 5,459. The bonus floor area earned through the FAR Amenity Incentive System and the total bonus floor area to be utilized for the project must be entered into the public record (Land Use Code 20.25A.030.D). The applicant must record a copy of the approved bonus point calculations, project drawings, and conditions for the Design Review decision with King County, Division of Records & Elections.

See Section X.D for related conditions of approval.

4. Design Review Criteria

The following design criteria must be met for Design Review approval (Land Use Code 20.25A.110 and 20.25A.115).

Land Use Code 20.25A.110 Design Review Criteria

A. Site Design Criteria

1. Vehicular Circulation and Parking

- a. *Provide efficient vehicular access to parking and service areas, coordinated on a Super-block basis.*

Finding: All required parking is located in the below grade parking garage. Access to the garage is from 106th Avenue NE and NE 4th Street. Access to service, delivery, and the drive-thru ATM utilize the same entrances and exits. Each access must meet the sight distance requirements of the Transportation Department. In addition, the applicant has provided a letter from Republic Services that refuse/recycling trucks are capable of maneuvering within the vehicular areas.

See Section X.D for related conditions of approval.

- b. *Coordinate the location of vehicular and pedestrian mid-block connections, considering opportunities for mid-block crossings.*

Finding: Mid-block connections are not applicable to the site given the overall small scale (0.88 acres) and the functional relationship between the building footprint and the site. The proposal includes an enhanced pedestrian experience along 106th Avenue NE and NE 4th Street compliant with the goals of the Comprehensive Plan and the requirements of the Land Use Code.

- c. *Provide for safe and pleasant movement within the Downtown for the pedestrian and bicyclist.*

Finding: Sidewalks will be buffered from vehicular transportation with seat walls, trees, and vegetation. The podium will create continuity between the existing Bellevue Towers development and neighboring proposed developments. Integrated lighting will enhance pedestrian experience in evening hours.

- d. *Maximize the separation of vehicular traffic from pedestrian areas by means of level changes, space and distance, or landscaping.*

Finding: Pedestrians will be separated from the traffic on 106th Avenue NE and NE 4th Street by vegetated buffers, street trees, and seat walls. A landscaping screen will be included between the proposal and the properties to the north and west. The screening and grade change will mitigate the impact of the drive aisles and vehicular entries from the neighboring properties and pedestrian circulation.

See Section X.A for related conditions of approval.

e. Incorporate retail shopping space at ground level into parking structures whenever practical and appropriate.

Finding: Not applicable to proposal. Parking will be in an underground garage with the immediate entrance internal to the site. The proposal will create retail space along 106th Avenue NE in addition to the building lobby and retail bank branch entries.

f. Minimize the location of parking adjacent to pedestrian connections.

Finding: There will be no surface parking provided. All parking will occur in the below grade parking garage. Drive aisles will be screened from pedestrian paths using a landscaping and grade changes.

g. Limit the number of driveway openings and the number of access lanes in each opening.

Finding: The proposal will provide vehicular ingress and egress on both 106th Avenue NE and NE 4th Street. This reduces the total number of entry/exit points to two from the existing three.

h. Where appropriate, fit garages into the topography and make use of garage roofs for public open space, recreation or landscaped areas.

Finding: The proposal locates the garage entry internal to the site and away from street and pedestrian view. All parking will occur below grade. The entry soffit to the garage, where visible from the street, shall provide a finish that matches the aesthetic qualities of the overall building design.

See Section X.C. for related conditions of approval.

i. Maximize the use of underground parking.

Finding: All 674 parking spaces will be located in the proposed underground parking garage.

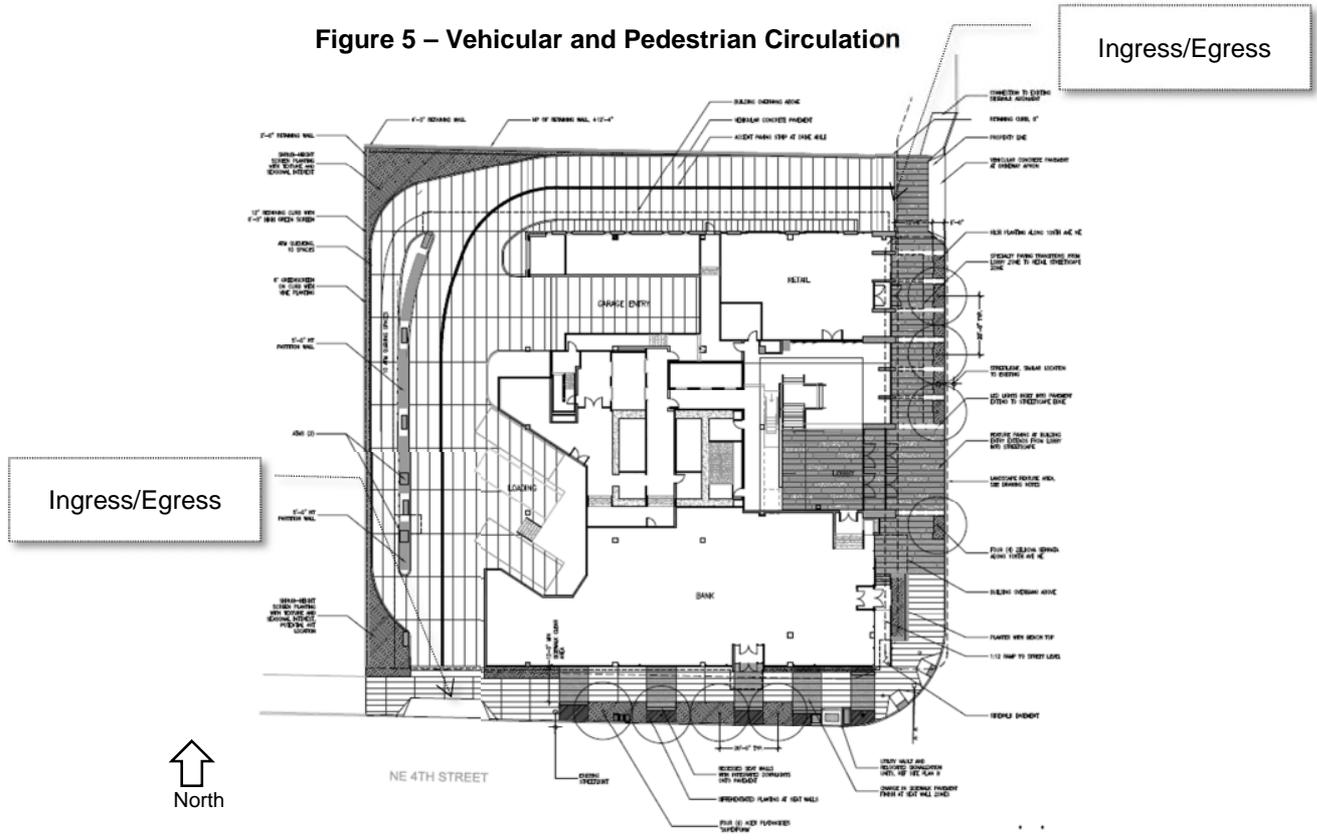
2. Pedestrian Circulation and Amenities

Finding: The proposed sidewalks on 106th Avenue NE and NE 4th Street meet the minimum requirements of 12' width and a 4' planting strip. There are currently no mid-block connections required to be maintained or provided per Land Use Code 20.25A.060.C.

Opportunities for pedestrian-vehicular conflicts can increase where service vehicles cross the public sidewalk and the drive through ATM. Signage shall be required to alert drivers and pedestrians to the potential conflict.

See Section X.D for related conditions of approval.

Figure 5 – Vehicular and Pedestrian Circulation



3. Wind and Sun

Ensure that the form and placement of buildings consider desirable year-round conditions of sun and shade in surrounding open spaces and public areas. Design new buildings so that pedestrians are sheltered from wind, particularly on the ground and in publicly accessible areas. Consider how new buildings can incorporate calm spaces, particularly in winter, and spaces with suitable breezes in summer.

Finding: The proposal includes canopies for weather protection along 106th Avenue NE and NE 4th Street.

4. Open Space

Design and locate open spaces, such as plazas, squares, and large landscaped areas to work as part of a comprehensive system of spaces in the Downtown.

Finding: The planting strip and street trees will continue the existing pedestrian oriented aesthetic along NE 4th Street. Planters with benches and seat walls will create informal opportunities for gathering and seating.

5. Light and Glare

Consider and mitigate light and glare impacts upon major public facilities, streets, and major public open spaces.

Finding: All exterior lighting fixtures in parking areas, driveways, and building exterior shall utilize cutoff shields to prevent spillover to adjacent properties. The proposed exterior glazing shall be of low reflectivity.

See Section X.C for related conditions of approval.

B. Downtown Patterns and Context

1. Natural Setting and Topography

a. *Make creative use of any existing topographic variations in site design and the location of buildings, circulation patterns, parking area design and public spaces to enhance the setting and provide variety.*

Finding: The site is relatively flat. The proposed garage entry is internal to the site to minimize the impact on pedestrians and the aesthetic qualities of 106th Avenue NE and NE 4th Street.

2. Landscape Design

a. *Make effective use of significant landscape features to complement and contrast with building forms. This includes massing of plant materials to constitute a recognizable visual unit which contrasts effectively with built forms.*

Finding: The proposal will incorporate street trees, and seating that will create aesthetically pleasing opportunities and informal gathering locations. Grade changes and screening will separate pedestrians from internal vehicular circulation.

See Sections X.A, X.B, and X.D for related conditions of approval.

b. *Encourage retention of significant existing vegetation, where it can be incorporated into efficient site design and maintained in a safe and healthful condition.*

Finding: No significant vegetation exists on site. Existing street trees will be replaced.

See Section X.A and X.B for related conditions of approval.

c. *Consider the location or relocation of traffic control boxes, power vaults, utility boxes and similar features in the design of the pedestrian areas to minimize the impact on the visual and physical quality of the pedestrian environment.*

Finding: The proposal intends to use stainless steel traffic control boxes to create an improved aesthetic located at the corner of 106th Avenue NE and NE 4th Street.

See Section X.C for related conditions of approval.

3. Views

a. *Consider the negative impacts of a building on views, both from existing buildings and future developable or redevelopable sites.*

Finding: The proposed tower limits its height below the allowable 300' height limit with a height of 216'-4" and a total height of 229'-3" to the top of the mechanical penthouse. The proposed tower will alter views to the west below 300'. The height of the tower will not alter the western views of units within the Bellevue towers above the building. The small size of this DNTN-O-1 site forces development into a smaller single tower configuration and will limit view alteration to a greater extent than occurs with the development of a typical superblock parcel. Shading impacts of the proposal are expected to be minimal and will be no more significant than the proposed Lincoln Square Expansion development. See Attachment B and C for supporting information.

See Section X.C for related conditions of approval.

Figure 6 – View @ 100' Elevation



Figure 7 – View @ 300' Elevation



b. Consider the availability of public views from public spaces such as streets, street intersections, parks, plazas and areas of pedestrian concentration.

Finding: The proposal will not negatively impact views from street level or areas of pedestrian concentration. Pedestrian connections along NE 4th Street will remain largely unaffected in regards to sun-shading. The impact along 106th Avenue NE will primarily occur in the late afternoon according to the sun-shading studies submitted, and creates no greater impact than proposals for other future developments in the immediate area.

4. Building Height and Bulk

a. Buildings near public open spaces should permit visual access and, where feasible, physical access to the public open space.

Finding: There are no current public open spaces in the immediate vicinity of the proposed development. The second floor “Great Room” will project out from the façade, utilizing glazing and a terrace to visually connect with pedestrians at street level.

b. Wherever practical, buildings should be oriented to minimize the shadows they cast on publicly accessible open space.

Finding: There are no public open spaces immediately adjacent to the proposal.

c. Discourage buildings of extreme rectangular shape which tend to be out of proportion for their floor area.

Finding: The proposal compensates for its rectilinear form by diminishing the scale of the massing. This is accomplished through the podium element facing NE 4th Street, as well as the height differentiation and façade articulation between the north and south portions. Furthermore, the vertical slot establishes separation in the building massing and reduction of scale.

5. Transitions

a. In transitions between districts in the Downtown and between properties, the lower portions of buildings should be designed to promote easy circulation, good relationships among open spaces, visual connection in scale, and maximum penetration of sunlight to the ground level.

Finding: Site circulation includes the pedestrian connections between the public sidewalks and main entrance. While utilizing canopies for weather protection along 106th Avenue NE and NE 4th Street, rhythmic breaks and translucent materials in the canopies will allow for the penetration of sunlight to street level.

6. Patterns of Activity

a. Maximize opportunities for vital, pedestrian-level activity in all areas of the Downtown. Not all criteria for Patterns of Activity are cited below; only those that require explanation or relate to a condition of approval.

Finding: The proposal includes retail frontage on 106th Avenue NE and a retail bank branch on NE 4th Street. The proposed retail space shall be occupied by a use that will serve

pedestrians on a daily basis, consistent with the requirements of Pedestrian Oriented Frontage as part of the FAR Amenity system.

See Section X.D for related conditions of approval.

7. Signage

Not all criteria for Signage are cited below; only those that require explanation or relate to a condition of approval.

a. Ensure that signage is an integral part of the architectural design, scaled to the pedestrian and enhances the pedestrian environment.

Finding: The submittal package includes the proposed sign locations, but not specific designs for signage.

See Section X.D for related conditions of approval.

IV. PUBLIC NOTICE & COMMENT

Application Date: 02/03/2014
Notice of Application: 03/27/2014
Public Meeting: 04/10/2014

The required minimum public comment period ended on February 20, 2014, but written comments were accepted up to the date of this decision. The city received one phone call of a general nature from an adjacent neighbor. Written comments were received with concerns regarding transportation. One public meeting was held at Bellevue City Hall on February 20, 2014. The meeting was attended by 1 citizen, a student who was attending the meeting for a class project. The discussion at the public meeting was of a general nature.

The following are public comments regarding the proposal.

1. There were concerns raised by residents of the Bellevue Towers regarding the building height of Office 415 and the relationship to their views south and west. What is the height of the building from grade to top of mechanical units?
Response: The total height of the building from lobby to the top of the mechanical penthouse is 229'-3". The overall height represents a 27% reduction from the total allowable height of 300'.
2. A comment was received regarding the overall scale and massing of the building in relationship to existing development in downtown.
Response: The building will not pursue the maximum height allowed and will represent a 27% reduction from the permitted height for DNTN-O-1 zoning. Additionally, the building will create a 10' stepback and vertical slot in order to break up the massing.
3. Two public comments were received requesting the total number of parking spaces.
Response: There are a total of 674 parking spaces in the underground garage.
4. Two public comments were received inquiring when construction will begin and how long it will take.
Response: Anticipated date to begin construction will be in the 4th quarter of 2014, with completion and occupancy scheduled for the 4th quarter of 2016.
5. Adjacent property owner Paccar issued a comment concerned about the impact of construction traffic on the overall flow of traffic on 106th Avenue NE, citing existing traffic congestion at NE 4th Street.
Response: The applicant will obtain a right-of-way use permit that will regulate truck hauling routes, loading and unloading activities, hours of construction and hauling, maintaining pedestrian connectivity, traffic control and detouring, parking for construction workers, and all other activities that may have an effect on the public street system. The applicant will coordinate with the City of Bellevue to ensure that appropriate mitigation measures are in place to address construction impacts along 106th Avenue NE and NE 4th Street, consistent with City codes.
6. Adjacent property owner Paccar issued a comment concerned about occupancy traffic impacting their existing facilities.

Response: Per the traffic impact study dated May 6th, 2014, the applicant is proposing restricted access to the proposed project through right-in and right-out traffic movements which should reduce any turning conflicts and minimize impacts to other curb cuts in the immediate vicinity, including but not limited to the Paccar site. The applicant is not proposing modifications to the existing Paccar driveways.

V. TECHNICAL REVIEW

A. Utility Department

The City of Bellevue has adequate capacity for providing water, sewer and storm drainage for this proposal. Because the review has been on a conceptual level only, there are no implied approvals of the engineering specifications. All water, sewer and storm drainage design review, plan approval, disconnections and field inspection shall be performed through the Utility Developer Extension Agreement processes. See Conditions X.C.

B. Clear and Grade Code

The Clearing and Grading Review is taking place under a separate Clearing and Grading permit: 14-133099 GD.

C. Fire Department

The site development plans for this decision generally conform to the Fire Code requirements. However, there are a number of conditions that must be met prior to the issuance of building permits. See Section X.C for related conditions of approval.

D. Building Division

The Building Division has reviewed the proposal. The applicant must comply with the 2012 Energy Code if building permits will be issued prior to July 2016.

E. Transportation Department

Site Access

The primary access to the proposed development on 106th Avenue NE will be via a 26-foot wide driveway approach per standard drawing DEV-7A. The second access to the site will be off of NE 4th Street via 26-foot wide driveway approach per standard drawing DEV-7E. Larger trucks will use the NE 4th Street access point to utilize the proposed loading area north of the NE 4th Street access point. All left turn vehicular movements will be prohibited at both driveways. 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 including street widening on 106th Avenue NE 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. New street lights on 106th Avenue NE and NE 4th Street must be provided and 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 both 106th Avenue NE and NE 4th Street fronting the site shall be completely removed and reconstructed with a sidewalk width of at least sixteen feet, not including the curb. The planter strips are included in the sixteen-foot width adjacent to the curb. Along NE 4th Street frontage between 106th Avenue NE and the site's most westerly property corner, where the sidewalk extends over the proposal's garage, a vertical clearance of at least 12 feet between bottom of the sidewalk and top of the garage shall be maintained. At any location where the sidewalk extends over a basement or parking garage, a construction method that will prevent differential settling shall be used. Such method must be approved by the Transportation Department. No soil nailing is allowed under a street right of way or sidewalk/utility easement without an indemnification agreement that protects the city.
4. The applicant plans to install eight linear LED lighting bands between the back of the curb and the building façade along the 106th Avenue NE street frontage. The exact location and installation detail of these lights must be provided on the appropriate civil, architectural and landscaping plans. The applicant is required to provide indemnity agreement to the Transportation Department Right of Way Section as relates to the installation and maintenance of these special LED lights.
5. The design and appearance of the sidewalk and landscaping on 106th Avenue NE and NE 4th Street 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, 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. Any non-standard features or vegetation shall not create a sight obstruction within any required sight triangle and shall not create a tripping or slipping hazard in the sidewalk.

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.

6. Landscaping within the planting strip on either adjacent city street shall be irrigated with a private metered water source. Electrical connections for lighting in 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.
7. The applicant will be responsible for installing all street channelization and signage that is necessitated by their street frontage improvements on 106th Avenue NE and NE 4th Street such as 14-foot wide crosswalks across 106th Avenue NE and NE 4th Street. A channelization and signage plan must be included as part of clear and grading construction plans.
8. The driveway on 106th Avenue NE shall have an approach width, as defined in standard drawing DEV-7A, of 26 feet. The driveway apron design shall be consistent with standard drawing DEV-7A. The driveway on NE 8th Street will be 26 feet wide and constructed per standard drawing DEV-7E.
9. 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 removable if located less than 16 feet above the sidewalk. Removable building components require an agreement regarding removal and replacement with the transportation department. Three feet of horizontal clearance must be maintained 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. 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.
13. Street furnishings 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.
14. 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.
15. 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.
16. 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 full required width of any sidewalks located outside the city right of way fronting this site. 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.

The applicant shall provide easements to the City for location of signal and street light facilities consisting of above-grade boxes and/or below-grade vaults between the building and sidewalk within the landscape area on the 106th Avenue NE and NE 4th Street frontage. Transformers and utility vaults to serve the building shall be placed inside the building or below grade, to the extent feasible.

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, NE 4th Street is classified as "Overlay Required" whereas, 106th Avenue NE has been classified as "No Street Cuts Permitted." Should street cuts prove unavoidable or if 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.

F. 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) adopted August, 2013. This document is available in the Records Office at City Hall, 450 110th Ave NE. This document analyzes the

transportation and air quality impacts of the City's Traffic Task Force recommendations to meet the Comprehensive Plan, Transportation Element, and Mobility Management goals.

This section of the staff report is an addendum to the adopted EIS referenced above. Adverse impacts which are less than significant are usually 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. A discussion of the impacts is noted below together with specific conditions of approval. These impacts will be mitigated through exercise of Code authority as well as through project-specific conditions of approval.

1. 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. 415 Office Building lies within MMA # 3, which has a 2024 total growth projection of 4,654,965 Gross Square Feet (GSF) of office and 1,246,935 GSF of retail. This development proposes 317,195 GSF of office, 2,100 GSF (Path A) or 9,795 GSF (Path B) of retail and 6,115 GSF of drive-through bank. 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 251 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, 9 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. A concurrency determination is issued on the date of issuance of the land use decision. This project complies with the Traffic Standards Code and is receiving a Certificate of Concurrency. See Attachment E for this certificate.

The rules of concurrency reservation are outlined in the Traffic Standards Code Director's Rules, updated July 21, 2011. 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 14.10.040.F). At the time of a complete building permit application, the Certificate of Concurrency will remain in effect for the life of the building permit application, pursuant to BCC 23.05.090.H. At issuance of building permit, the Certificate of Concurrency will be extended and remain in effect for one additional year (with the possibility of up to two one-year extensions) as provided for in BCC 23.05.100.

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 p.m. peak hours. Issues that were analyzed in the Traffic Impact Analysis, dated May 6, 2014, included LOS analysis at nearby intersections, LOS and vehicle queues at the site driveways and bank drive-through, site vehicular and pedestrian circulation, delivery truck circulation/ operations, transit availability, and accident history analysis for the past three years. The engineering plans such as the roadway plan with detailed roadway cross-sections, street lighting, traffic signal modification, street channelization markings and signage were submitted in conjunction with frontage improvements on 106th Avenue NE and NE 4th Street that include pavement widening. Staff does not anticipate any adverse operational impacts due to the proposed development. The TENW analysis is available for review in the project file.

2. Noise

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

See Sections X.A. and X.A. for related conditions of approval.

Garage and Exhaust Noise/Air: The garage exhaust vents must be designed and located to prevent adverse impacts to the pedestrian environment and to the people living in or near the project. The applicant must provide certification by a noise consultant that the operation of the garage exhaust fans will not exceed 60 dBA at any pedestrian area. Furthermore, the applicant shall document that garage and kitchen exhaust will not affect any pedestrian areas.

See Section X.C for related conditions of approval.

VII. CHANGES TO PROPOSAL DUE TO CITY REVIEW

a. North Elevation Marquee

The initial design did not include the marquee wrapping around to the north elevation. The proposal was revised to continue the marquee along a portion of the north retail façade. This addition will count towards Pedestrian Oriented Frontage in the FAR Amenity.

b. Internal Landscaping

Landscaping was encouraged at the perimeter of the internal drive aisles of the site. This was supported to soften the hardscape for pedestrians and to provide screening from neighboring properties.

c. Location of Podium

The location of the podium was desired to be located on the south façade to take advantage of solar gain, views, and to enhance the aesthetic along the primary corridor of NE 4th Street.

VIII. DECISION CRITERIA

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

A. 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*

Finding: The proposed project will create an attractive architectural massing that will use a variety of techniques and tools to reduce the overall scale while adding visual interest to the Bellevue skyline. Exterior lighting will illuminate the building in the evening hours, enhancing the skyline at night.

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.*

Finding: The project proposes high quality materials such as curtain walls, various shades of pre-cast materials, architectural louvers, and a variety of glazing colors and patterns. Additionally the proposal will incorporate multiple pavement materials and patterns to enhance the pedestrian experience. The overall design creates a series of elements such as a "vertical slot," protrusions, and height changes to create an aesthetically pleasing massing.

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.*

Finding: The proposal continues the podium datum established by Bellevue Towers and proposed in the Lincoln Square expansion. This will allow for a continuous streetscape experience along NE 4th Street.

Policy UD-4: *Ensure that the development relates, connects, and continues design quality and site functions from site to site.*

Finding: The overall design proposal relates to the surrounding developments and proposals. The materials palette is cohesive with the existing Bellevue Towers and compliments other downtown developments with its use of multiple precast colors, a multitude of glazing styles and patterns, and building elements such as canopies and architectural louvers.

Policy UD-5: *Include accessible and attractive places for the general public, employees and visitors to wait, to be outdoors, or to socialize in more intensive commercial development. Less intensive commercial development should include such places for employees and visitors.*

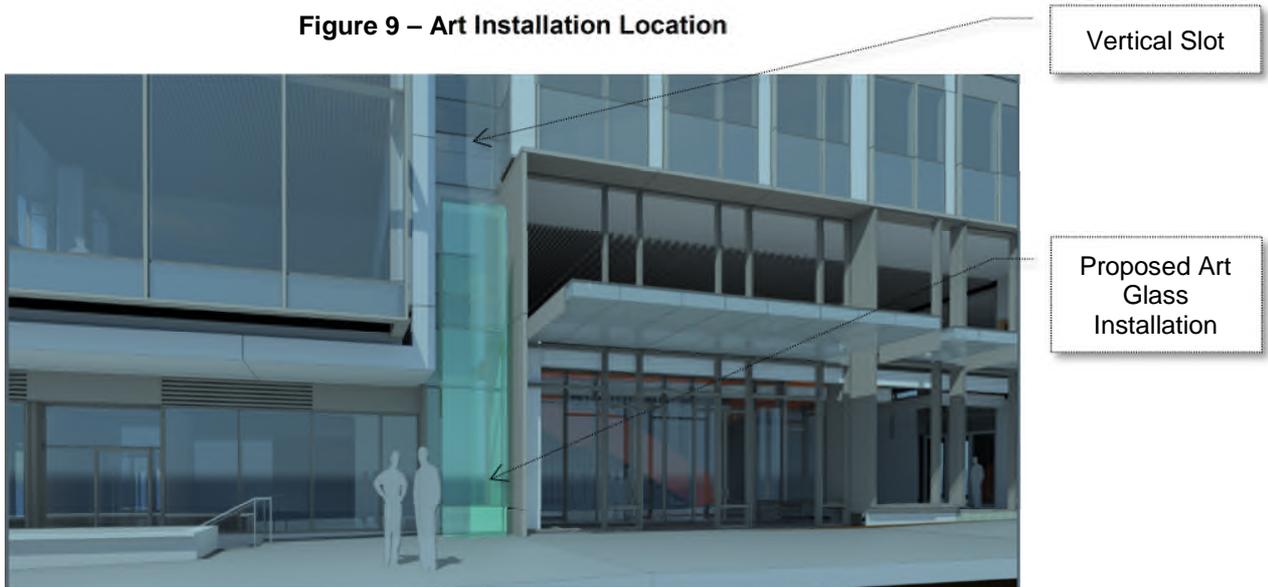
Finding: The proposal includes seat walls along NE 4th Street and a planter at the corner of 106th Avenue NE and NE 4th Street that will incorporate seating.

Policy UD-7: Encourage private and institutional developers to include artists on design teams and incorporate artwork into the public areas of their projects through the use of incentives.

Finding: The proposal will include an art glass installation located at the base of the vertical slot along 106th Avenue NE. Details of this installation will need to be provided prior to issuing the building permit.

See Section X.B

Figure 9 – Art Installation Location

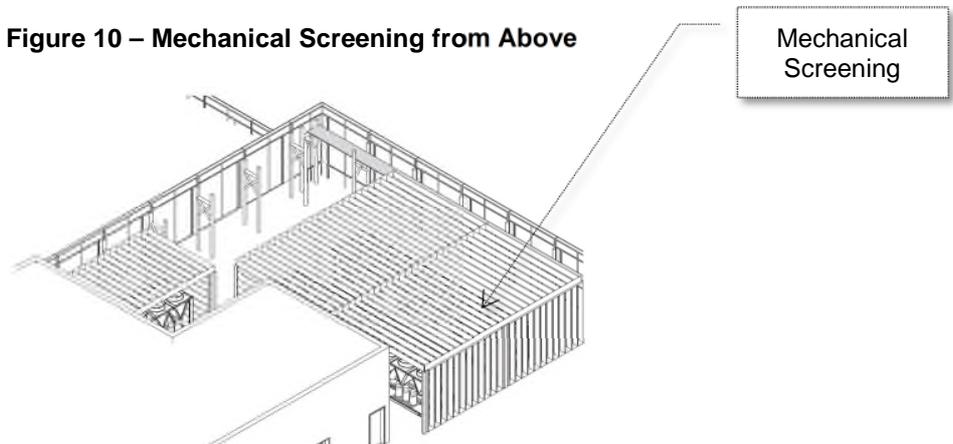


Policy UD-8: Design rooftop mechanical screening so that it is integral with building architecture. Consider the visual effects of technical advances such as satellite dishes, on building design.

Finding: The proposal will include an increased height in the northernmost massing to provide screening of the rooftop mechanical units. The screening will be an extension of the curtain wall façade to give a continuous form. Additionally the proposal will include screening from above to minimize the aesthetic impact on surrounding properties.

See Section X.C for related conditions of approval.

Figure 10 – Mechanical Screening from Above



Policy UD-11: *Encourage architectural elements that provide for both rain cover and access to sunlight in pedestrian areas.*

Finding: The proposal will include canopies on the facades abutting 106th Avenue NE and NE 4th Street. The canopies will align with the street level glazing creating a standard rhythm. The rhythm, combined with the translucent materials of the canopies will allow for the penetration of sunlight at street level.

Figure 11 – Canopies – East Elevation



Policy UD-12: *Place and design outdoor lighting around buildings, in parking lots, and along streets to prevent excessive glare into residential areas.*

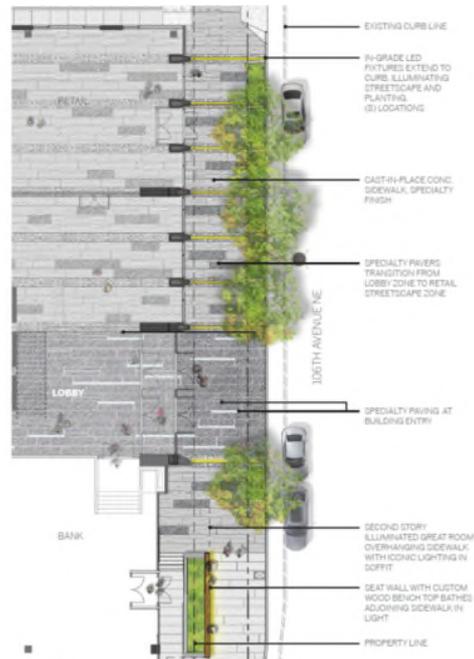
Finding: All proposed lighting will incorporate cut off shields to prevent spillover of illumination into ROW's and neighboring properties.

Policy UD-15: *Use landscape design that is urban in character in more urban settings and use natural landscape design in more suburban settings.*

Policy UD-9: *Use site design, landscaping, and appropriate lighting to reduce the visual impact of parking lots to public areas.*

Finding: The proposal incorporates both hardscape and landscape features that respond to and enhance the urban setting. The landscape plan will include street trees abutting 106th Avenue NE and NE 4th Street. A planting strip will be incorporated abutting NE 4th Street. The proposal will also include grade changes, and a vegetated screen wall that will separate pedestrians from the internal vehicular circulation.

Figure 12 – Landscaping and Lighting Abutting 106th Avenue NE



The 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.*

Finding: Retail proposed at street level will provide additional retail activities for residents and employees of the immediate vicinity.

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

Finding: The proposal is mixed use with retail at street level and office above.

Policy S-DT-3: *Develop Downtown as an aesthetically attractive area.*

Finding: The proposal will complement the aesthetic of existing and proposed downtown developments while anchoring a key intersection in Downtown Bellevue. The proposal will improve the use of the existing parcel by making it more pedestrian oriented and programming and amenity elements that benefit the public.

Policy S-DT-4: *The highest intensity development shall be located in the core of Downtown, with diminishing intensities towards the edges of Downtown.*

Finding: The proposal replaces a vehicular oriented retail bank branch. The building will abut the sidewalk creating a pedestrian oriented façade and streetscape. The 16-story building will increase the height and intensity of the use on the site.

Policy S-DT-5: *Organize Downtown to provide complementary functional relationships between various land uses.*

Finding: The proposal will complement surrounding developments by incorporating additional retail functions while increasing the overall level of activity of the site during office hours. The additional office use will complement the mixed use nature of downtown.

Policy S-DT-7: *Encourage Downtown to continue to serve surrounding residential areas as a neighborhood retail district.*

Finding: Employees and residents of the surrounding properties will benefit from the inclusion of additional retail space and bank/ATM services.

Policy S-DT-8: *Locate major office development in the Downtown core in order to complement retail activities and facilitate public transportation.*

Finding: The proposal will provide a substantial new amount of office space within the Downtown core. The location will provide optimal access to downtown transit and will be further supported by the addition of retail space at street level.

Policy S-DT-9: *Provide bonus incentives (related to permitted intensity, height, etc.) for private developments to accomplish the public objectives outlined in the Comprehensive Plan.*

Finding: The proposal will use the FAR Amenity incentive system to achieve its proposed height. See Section III.A Table 4 for details on the FAR incentives pursued. The proposal will also pursue options to either purchase additional FAR or to provide additional public benefit amenities to achieve compliance in allowable FAR.

See Section X.A for related conditions of approval.

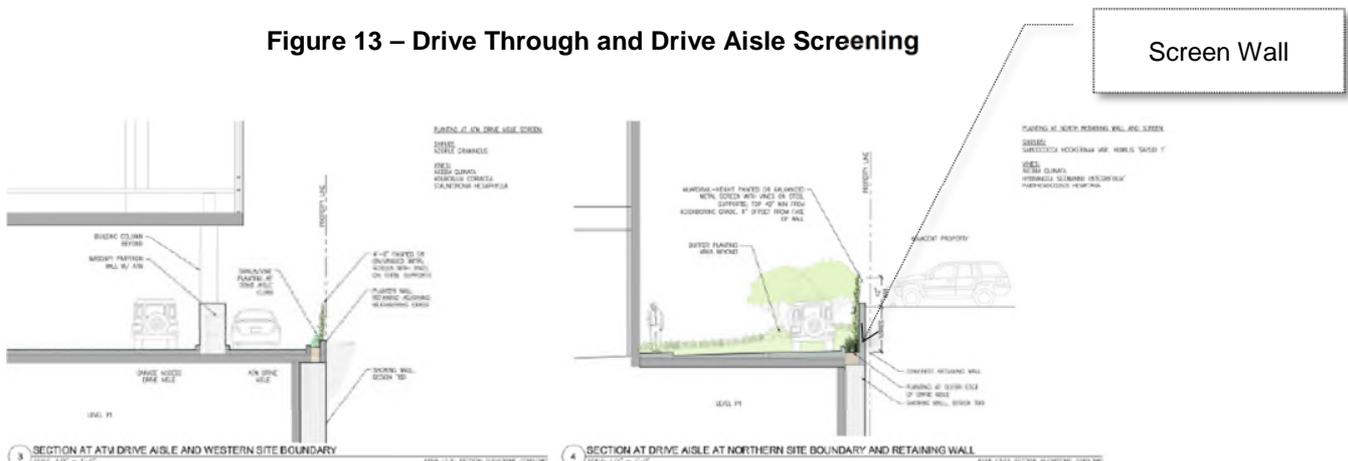
Policy S-DT-10: *Require design review to ensure high quality, aesthetically pleasing Downtown development.*

Finding: Submittal of this application fulfills the design review requirement for this project.

Policy S-DT-16: *Restrict the location of drive-in and drive-through activities within the Downtown Subarea.*

Finding: Drive through activities are permitted in the Downtown sub-area when associated with bank uses. The drive aisles for the retail bank branch will be located internal to the site and will be visually screened from both streets. Grade changes, screen walls, and vegetation will be incorporated to aid in screening to mitigate the visual and traffic impact on the pedestrian.

Figure 13 – Drive Through and Drive Aisle Screening



Policy S-DT-35: Create a pedestrian environment with a sense of activity, enclosure, and protection.

Finding: Utilizing canopies and street trees the proposal will create a comfortable pedestrian environment along 106th Avenue NE and NE 4th Street. Benches, planters, and seat walls will create opportunities for gathering and activity.

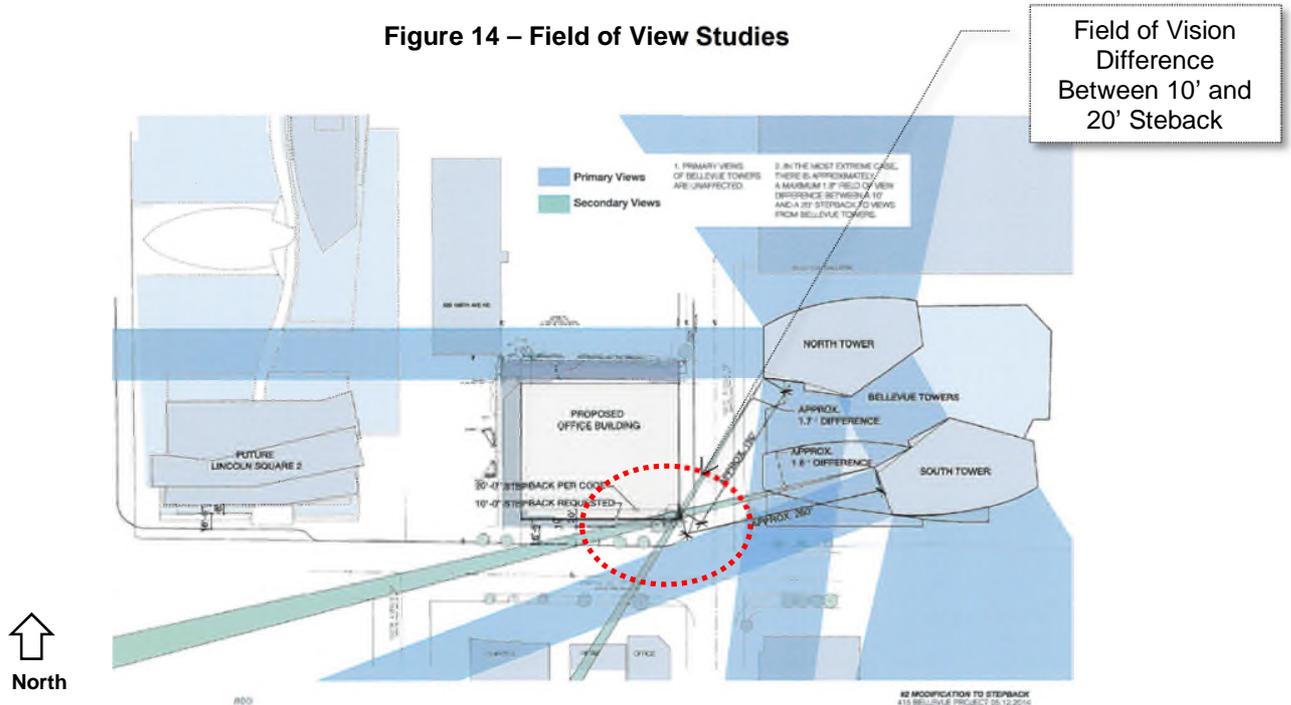
Policy S-DT-36: Utilize development standards for building bulk, heights, setbacks, landscaping requirements, stepbacks, floor area ratios, open space requirements, and development incentives.

Finding: The development follows dimensional requirements outlined in the Land Use Code. The proposal exceeds the maximum allowable FAR of 8.0. The applicant intends to either purchase additional FAR or provide an exempted public benefit amenity to achieve compliancy.

See Section X.A for related conditions of approval.

Policy S-DT-37: Link 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.

Finding: The proposal will include pedestrian oriented frontage, improved sidewalks and vegetation to enhance the pedestrian experience. The 10' stepback will be allowed in lieu of the code required 20' stepback based on the justification provided in section III.A.3 of this staff report. See attachment B for additional information.



Policy S-DT-40: 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.

Finding: The proposal intends to utilize high quality landscaping features such as street trees, planting strip, planters, and vegetated screen walls to enhance the pedestrian experience.

Pavement treatments of various materials will further advance the aesthetic separation of pedestrian and vehicular traffic, and at grade lighting elements will create a unique aesthetic on 106th Avenue NE and NE 4th Street.

See Section X.C for related conditions of approval.

Figure 15 – Lighting Plan



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

Finding: As conditioned by this decision, the proposal complies with the applicable requirements of the Land Use Code, as summarized in Section III of this report.

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

Finding: As conditioned by this decision, the proposal complies with the applicable design guidelines or criteria of this Code in a manner which fulfills their purpose and intent, as summarized in Section III of this report.

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

Finding: The proposed project is compatible with the scale and appearance of existing and proposed projects in the Downtown Core. The proposal will contribute to the pedestrian-oriented frontage of 106th Avenue NE and 4th Street NE envisioned by the Comprehensive Plan and required by the Land Use Code. The on-site pedestrian spaces and connections shall include paving patterns/textures that support the pedestrian environment and help minimize potential conflicts between pedestrians and vehicles. Where possible, landscaping should be used to enhance the pedestrian experience, including between the public sidewalk and the north facade of the proposed tower.

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

Finding: The proposal will be served by adequate public facilities including streets, fire protection, and utilities, as discussed under Section V, Technical Review.

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 Development Services Director does hereby APPROVE WITH CONDITIONS the subject proposal.

X. CONDITIONS OF APPROVAL

The following conditions are imposed on the applicant under the authority referenced:

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

1. CITY CODES AND ORDINANCES

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

Clearing & Grading Code – Bellevue City Code 23.76	Savina Uzunow,	425-452-7860
Construction Codes – Bellevue City Code Title 23	Douglas Beck,	425-452-6864
Fire Code – Bellevue City Code 23.11	Kevin Carolan,	425-452-7832
Land Use Code – Bellevue City Code Title 20	Bradley Calvert,	425-452-6930
Environmental Procedures Code – Bellevue City Code Title 22.02	Bradley Calvert,	425-452-6930
Noise Control – Bellevue City Code 9.18	Bradley Calvert,	425-452-6930
Right of Way Use Code – Bellevue City Code 14.30	Tim Stever,	425-452-4294
Sign Code – Bellevue City Code Title 22	Bradley Calvert,	425-452-6930
Transportation Code – Bellevue City Code 14.60	Abdy Farid,	425-452-7698
Transportation R.O.W. – Bellevue City Code 11.70, 14.30, 14.60	Tim Stever,	425-452-4294
Utility Code – Bellevue City Code Title 24	Don Rust,	425-452-4856

2. Transfer of Bonus Floor Area

To transfer Floor Area through the means of purchasing or incentive the applicant must satisfy all requirements of the Basic and Bonus FAR Amenity incentive system. Applicant may not transfer more than 25 percent of the gross floor area of the proposed project. Tables 5 (purchase) and 6 (additional incentive provision) show the approved means to transfer FAR. If the applicant chooses to pursue additional FAR through exempted public benefit amenity space the applicant agrees to maintain the space in perpetuity and will record with the King County Division of Records and Elections, and with the Bellevue City Clerk.

Authority: Land Use Code 20.20A.030E
Reviewer: Bradley Calvert (425) 452-6930

Path A

Need to Purchase Additional FAR	
	Area(SF)
FAR Gross floor area after deductions for mechanical areas, stairs, floor openings etc.	317,195
Less: exempt street level retail along 106th Ave NE	-2,655
Chargeable FAR Area	314,540
Permitted Floor Area at Max 8.0 FAR	307,432
Additional FAR area to purchase from City of Bellevue	7,108

Path B

No Need to Purchase Additional FAR	
	Area(SF)
FAR Gross floor area after deductions for mechanical areas, stairs, floor openings etc.	317,195
Less: exempt street level retail along 106th Ave NE	-2,655
Less: exempt level 2 retail along 106th Ave NE	-7,140
Chargeable FAR Area	307,400
Permitted Floor Area at Max 8.0 FAR	307,432
Amount of SF Area under Max 8.0 FAR	32

3. 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. Exceptions to the construction noise hours limitation contained in the Noise Control Code MAY be granted pursuant to 9.18.020C.1 when necessary to accommodate construction which cannot be undertaken during exempt hours. 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. Allowances for short term work outside of normal construction hours shall be limited and will be reviewed on a case by case basis to verify necessity and ensure appropriate noise mitigation is utilized to protect the surrounding uses and properties. Written requests for exemption from the Noise Control Code must be submitted two weeks prior to the scheduled onset of extended hour construction activity. Such request shall 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: Bellevue City Code 9.18.040

Reviewer: Bradley Calvert

4. NOISE ABATEMENT DURING CONSTRUCTION

The use of best available noise abatement technology consistent with feasibility is required during construction to mitigate construction noise impacts to surrounding uses.

Authority: Bellevue City Code 9.18.020F

Reviewer: Bradley Calvert (425) 452-6930

5. DEVELOPER EXTENSION AGREEMENT

Utilities Department approval of the design review application (14-124031 LD) is based on the conceptual design only. Changes to the site layout may be required to accommodate the utilities after utility engineering is approved.

Authority: Bellevue City Code Title 24.02, 24.04, 24.06

Reviewer: Don Rust, (425) 452-4856, Utilities Department

6. WATER, SEWER AND STORM DRAINAGE SYSTEMS

The water, sewer and storm drainage systems shall be designed per the current City of Bellevue Utilities Code and Utilities Engineering Standards. All design review, plan approval, and field inspection shall be performed under the Utility Developer Extension Agreement.

Authority: Bellevue City Code Title 24.02, 24.04, 24.06

Reviewer: Don Rust, (425) 452-4856, Utilities Department

7. HOLIDAY CONSTRUCTION & TRAFFIC RESTRICTIONS

Construction activities such as hauling and lane closures between November 15th and January 5th will be allowed only between the hours of 10:00 pm and 6:00 am 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

8. GENERAL PROVISIONS FOR LOADING AND TRUCK ACCESS

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

9. STREET TREES

Any existing street trees damaged or removed during construction shall be replaced by the applicant with the same size and type, and planted as specified by Parks Department tree planting standards. All new street trees shall be automatically irrigated and planted per details provided by City of Bellevue Parks Department.

Authority: Land Use Code 20.25A.060.6.1-4

Reviewer: Bradley Calvert (425) 452-6930

10. PEDESTRIAN SPACES/CONNECTIONS

The on-site pedestrian spaces and connections shall include paving patterns/textures that support the pedestrian environment and help minimize potential conflicts between pedestrians and vehicles. Where possible, landscaping should be used to enhance the pedestrian experience, including between the public sidewalk and the north facade of the proposed tower.

Authority: Land Use Code 20.25A.11 O.A.1.d

Reviewer: Bradley Calvert (425) 452-6930

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.

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 prevents 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 ADA 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 of fixed objects in the sidewalk or near the 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 106th Avenue NE and DEV-7E for NE 4th Street.
- 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 106th Avenue NE that includes pavement widening and a curb return of 35 feet at 106th Avenue NE and NE 4th Street, final engineering plans such as a road plan with detailed roadway cross-sections, street lighting and street channelization markings and signage are required.
- b) In conjunction with the proposed horizontal LED lighting bands in the sidewalk on 106th Avenue NE, appropriate civil engineering, architectural and landscaping plans, details and specifications are needed.
- c) The driveway on 106th Avenue NE shall have an approach width, as defined in standard drawing DEV-7A, of 26 feet. The driveway apron design shall be consistent with standard drawing DEV-7A. The driveway on NE 4th Street will be 26 feet wide and constructed per standard drawing DEV-7E.
- d) ADA curb ramp landings at the 106th Avenue NE/ NE 4th Street intersection will be 8-foot wide. In addition, the crosswalk width for 106th Avenue NE must be 14-foot wide, whereas the NE 4th Street crosswalk may be increased to 12-foot wide or wider up to 14 feet, provided it does not impact the existing eastbound traffic loops location.
- e) The location of the proposed street trees on 106th Avenue NE will be based on the 6/11/2014 landscaping plan submittal.

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

3. STREET TREES & RIGHT-OF-WAY LANDSCAPING

Street trees must be installed per the approved landscape plans.

Street Tree Species and Size:

- a) The street tree to be used on 106th Avenue NE is Zelkova serrata/Zelkova
- b) The street tree to be used on NE 4th Street is Acer platanoides 'Superform'/Superform Maple
- c) Prior to ordering any street tree, confirm cultivar with City of Bellevue Parks Department.

Contacts are:

- Tom Kuykendall, tkuykendall@bellevuewa.gov, 425-452-7924, or
- Melissa Kerson, mkerson@bellevuewa.gov, 425-452-4100

- d) Street Trees to have a 2-1/2" caliper at time of planting.

All street trees are required to be planted per the Parks Department Best Management Practices and Design Standards for Streetscape Planting and Irrigation in place at the time of planting with a minimum of 4x6-foot planting pits. The construction documents shall include details for all landscaping and irrigation within the right-of-way, including drip irrigation for all raised planters.

A Parks Department representative shall be on-site to inspect street trees **prior to planting and at the time of planting** to observe the installation. Contact Parks Department Resource Management at (425) 452-6855 at least 24 hours before planting to schedule the inspection.

Authority: Land Use Code 20.25A.060.B
Reviewer: Bradley Calvert (425) 452-6930
Abdy Farid (425) 452-7698

4. IRRIGATION

- a) Right-of-Way:

The irrigation system for all street trees and landscaping within the right-of-way shall include a separate water meter and controller that can be accessed at all times by the City of Bellevue. Include automatic operation and rain sensors to override the automatic cycle if needed. No drip irrigation will be allowed in the planting strip adjacent to the curb, but may be used in any raised planters. Any existing irrigation systems within the right-of-way shall be protected and extended to all new planting areas in the right-of-way.

If the irrigated area exceeds 500 square feet then the landscape irrigation budgeting section of the Water Code applies.

Prior to building permit approval, the final irrigation plan must be reviewed and approved by the City of Bellevue Utilities and Parks Departments.

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. As-built drawings shall be submitted to the City of Bellevue Parks Department and Land Use. Irrigation devices and electrical components shall not create a tripping hazard in the sidewalk.

- b) On-Site:

A private irrigation service line is required for all on-site landscape areas. Where feasible, drip-irrigation should be used to reduce water loss due to over-spray and evaporation.

Authority: Land Use Code 20.25A.060.B, Bellevue City Code 24.02.205
Reviewer: Bradley Calvert (425) 452-6930

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. EASEMENTS 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 UTILITIES 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. Along NE 4th Street frontage between 106th Avenue NE and the site's most westerly property corner, where the sidewalk extends over the proposal's garage, a vertical clearance of at least 12 feet between bottom of the sidewalk and top of the garage shall be maintained.

AUTHORITY: BCC 14.60.100

Reviewer: Abdy Farid (425) 452-7698

6. DEDICATION OF RIGHT OF WAY

The applicant shall dedicate right of way to the City along the property frontage such that street improvements to and including the back of curb are located within the public right of way. This includes the curb return area at 106th Avenue NE/ NE 4th Street intersection.

AUTHORITY: BCC 14.60.090

Reviewer: Abdy Farid (425) 452-7698

7. 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

8. ALTERNATIVE PAVING MATERIALS and LED LIGHTING AGREEMENT

The applicant shall sign and record an indemnification agreement that acknowledge that the applicant is fully responsible for all future maintenance and replacement of the alternative paving materials and LED lighting installation in the sidewalk used along the site's frontage.

AUTHORITY: BCC 14.60.110

Reviewer: Tim Stever, Transportation Department, 425-452-4294

9. 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

10. EQUIPMENT BOXES

Power, telephone, traffic control, or other equipment shall not be located in above ground cabinets in sidewalk areas or on mid-block connections. Such equipment shall be located in underground vaults or in a building or substantially screened per the approval of Development Services. The applicant has proposed the use of stainless steel enclosures instead of screening, this has been approved in Design Review.

Authority: Land Use Code 20.20.650, 20.25A.110.B, 20.20.730

Reviewer: Bradley Calvert (425) 452-6930

Abdy Farid (425) 452-7698

11. GARAGE AND EXHAUST

The garage and exhaust vents must be designed and located to prevent adverse impacts to the pedestrian environment and to the people living in or near the project. The applicant must provide certification by a noise consultant that the operation of the garage exhaust fans will not exceed 60 dBA at any pedestrian area. Furthermore, the applicant shall document that garage and kitchen exhaust (velocity and direction of airflow) will not adversely affect any pedestrian areas.

Authority: Bellevue City Code 9.18.030 and Land Use Code 20.30F.145

Reviewer: Bradley Calvert (425) 452-6930

12. GARAGE SOFFIT VIEW

Sections submitted for building permit application shall provide finish for any soffits at second floor under slab insulation where it may be visible to public. Any sections of soffit insulation that will be visible when garage door is open must be finished at entry in a manner consistent with design of building.

Authority: Land Use Code 20.25A.110.B.6.a

Reviewer: Bradley Calvert (425) 452-6930

13. EXTERIOR BUILDING LIGHTING

All exterior building lighting shall include cut-off shields that prevent light impacts to nearby developments. Exterior accent lighting shall be adjustable, applicant will work with planner at TCO to confirm appropriate lighting levels.

Authority: Land Use Code 20.25A.110.A.5

Reviewer: Bradley Calvert (425) 452-6930

14. REFUSE AND RECYCLING

The applicant shall provide a letter from Republic Services that the refuse/recycling area is adequate and accessible.

Authority: Land Use Code 20.20.590.K.4, Bellevue City Code 14.60.150 A and H, Bellevue City Code 14.60.060, 110, 120, 150, 180, 181, 190, 240, 241

Reviewer: Bradley Calvert (425) 452-6930

15. ROOFTOP MECHANICAL SCREENING

All rooftop mechanical equipment shall be entirely enclosed within the building envelope, including from above. The additional structure height for mechanical screening shall not exceed 15-feet above the maximum permitted structure height, including bonus height. Applicant to include screening from above to minimize the aesthetic impact on adjacent properties.

Authority: Land Use Code 20.25A.11 0.A.3.c and 6.2.a

Reviewer: Bradley Calvert (425) 452-6930

16. VENTS FROM GARAGE

All garage exhaust vents shall be located and designed to minimize impacts to the pedestrian connection(s). A state-licensed acoustical consultant shall verify that the noise from the garage exhaust fans does not exceed 60 dBA. Second, the City's Mechanical Plans Examiner shall

determine that the velocity and direction of airflow from these fans will not adversely affect the pedestrian experience.

Authority: Land Use Code 25A.110.A.1.c and Bellevue City Code 9.18.030

Reviewer: Bradley Calvert (425) 452-6930

17. FIRE CODE AND BUILDING CODE

The design shall comply with all requirements of the IFC, including but not limited to the following:

- a) The Fire Pump room location requirements according to the 2012 IBC:
2012 BA IBC 913.2.1. Protection of fire pump rooms and access. Fire pumps shall be located in rooms that are separated from all other areas of the building by 2-hour fire barriers constructed in accordance with Section 707 or 2-hour horizontal assemblies constructed in accordance with Section 711, or both. Fire pump rooms not directly accessible from the outside shall be accessible through an enclosed passageway from an enclosed stairway or exterior exit. The enclosed passageway shall have a fire-resistance rating not less than the fire-resistance rating of the fire pump room. (See 2010 NFPA 20 Section 4.12.2.1.2).
- b) Emergency Generator: Provide as much detail as possible for the emergency generator including size of fuel tank, fuel fill location, emergency tank vent location and generator exhaust. Since many of these items will be located outside of the building, Land Use will also be approving the locations in addition to Fire and Mechanical review.
- c) FCC Location: The first choice is for the FCC to be located off the addressed side of the building. Please note: We are currently in discussion for revising our acceptable locations for the FCC. We plan on moving toward having the FCC off the main lobby as also being acceptable. We can discuss this further to come to a solution as it is obviously an important feature to the building. The original plans show this arrangement and it could be acceptable.
- d) Fire Service Access Elevators: Although these elevators are to be sized for 3500 lbs minimum they are not required to be sized for a stretcher. At least one elevator in the building does need to meet that requirement. (Generally, 3500 lb sided door accommodates a stretcher, 4000 lb center door accommodates a stretcher.)
- e) Provide FDC locations. Two are required and the locations on the exterior of the building are looked at as part of the design review.
Authority: International Energy Code as amended by the State of Washington 2012, American National Standard Institute A117.1 Section 502.6 (2009)
Reviewer: Kevin Carolan (425) 452-7832

18. FAR Bonus Amenity – Artwork

Applicant is pursuing the FAR Bonus Amenity through a proposed artwork installation. Applicant is to meet with and gain approval through the City of Bellevue Art Specialist regarding location and proposed installation. The applicant will be required to spend the minimum proposed outlined on the FAR Bonus Amenity found in Section III Table 4. City of Bellevue Art Specialist Contact: Mary Pat Byrne (425) 452-4105.

Authority: Land Use Code 20.25A.030

Reviewer: Bradley Calvert (425) 452-6930

D. PRIOR TO ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY

1. 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) Traffic signal poles, signs and equipment shall be located per the approved traffic signal plan.
- e) 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.
- f) Public sidewalks, ramps, and pedestrian pushbuttons shall be ADA compliant.
- g) Street and sidewalk improvements shall have an acceptable cross slope and shall have adequate provisions for drainage.
- h) 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.
- i) Required traffic signs, markings, c-curb and other traffic controls shall be installed.
- j) 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

2. 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 NE 4th Street 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 #23
Reviewer: Tim Stever (425) 452-4294

3. IMPLEMENT THE 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, 14.60.080
Reviewer: Abdy Farid (425) 452-7698

4. PEDESTRIAN-ORIENTED USES AGREEMENT

The applicant shall record an agreement with the King County Office of Records and Elections to provide pedestrian-oriented uses in the tenant space adjacent to 106th Avenue NE, for which pedestrian-oriented frontage amenity bonus points were granted.

Authority: Land Use Code 20.25A.030.C.1, Land Use Code 20.25A.115.A -C
Reviewer: Bradley Calvert (425) 452-6930

5. RECORDING

The applicant shall record the following elements of this decision: SEPA Coversheet, Design Review coversheet, a copy of the approved FAR bonus point calculations, project drawings and conditions of the Design Review decision with King County.

Authority: Land Use Code 20.25A.030.D, Bellevue City Code 14.60.150 A and H
Reviewer: Bradley Calvert (425) 452-6930

6. SIGN PERMIT PACKAGE

The applicant shall submit a complete sign package and all sign permit applications for City review and approval. All signs shall be an integral part of the architectural design and scaled to the pedestrian. Signage to be provided at ingress/egress locations to minimize and prevent conflict between pedestrians and vehicular traffic.

Authority: Land Use Code 20.25A.115.B.7.a-c, Bellevue City
Code Title 22, Sign Code
Reviewer: Bradley Calvert (425) 452-6930

7. Exterior Building Lighting

The applicant shall contact City of Bellevue staff to arrange a meeting regarding the lighting levels for all exterior accent lighting.

Authority: Land Use Code 20.25A.115.B.7.a-c, Bellevue City
Code Title 22, Sign Code
Reviewer: Bradley Calvert (425) 452-6930

8. LANDSCAPE INSTALLATION ASSURANCE DEVICE

All site landscaping shall be 100% complete per the City-approved plan. Alternatively, the applicant may submit: 1) a red-marked plan identifying which landscape areas are incomplete; 2) an estimate for the total cost to complete these areas; and 3) a notarized Assignment of Savings dedicated to the City for 150% of the estimated cost to complete these areas per the approved Plan. The performance device will be replaced with a maintenance device after the installation is inspected and approved.

Authority: Land Use Code 20.40.490
Reviewer: Bradley Calvert (425) 452-6930

9. LANDSCAPE MAINTENANCE ASSURANCE DEVICE

The applicant shall file with the Development Services Department, a landscape maintenance assurance device in the form of a bond or assignment of savings for 20% of the cost of labor and materials for all required landscaping.

Authority: Land Use Code 20.40.490
Reviewer: Bradley Calvert (425) 452-6930

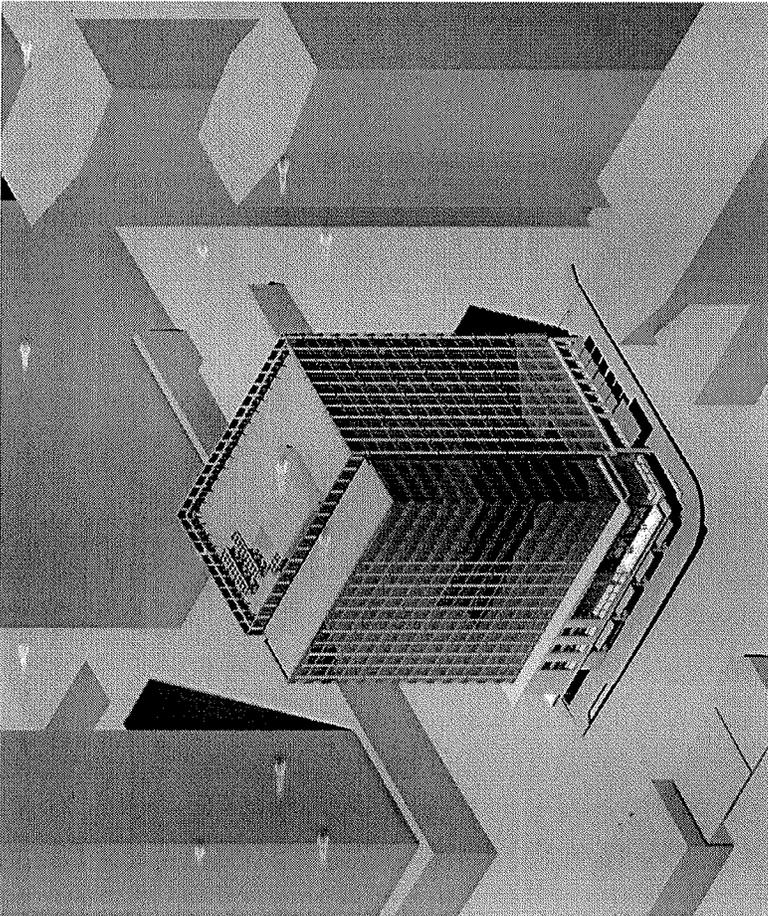
10. MAINTENANCE AGREEMENT WITH THE CITY OF BELLEVUE

After one-year, the landscape shall be inspected by Land Use and the Parks Department. Prior to the release of the Landscape Maintenance Assurance Device, the applicant and the City of Bellevue shall enter into an agreement to determine future maintenance responsibilities for the streetscape and streetscape plantings.

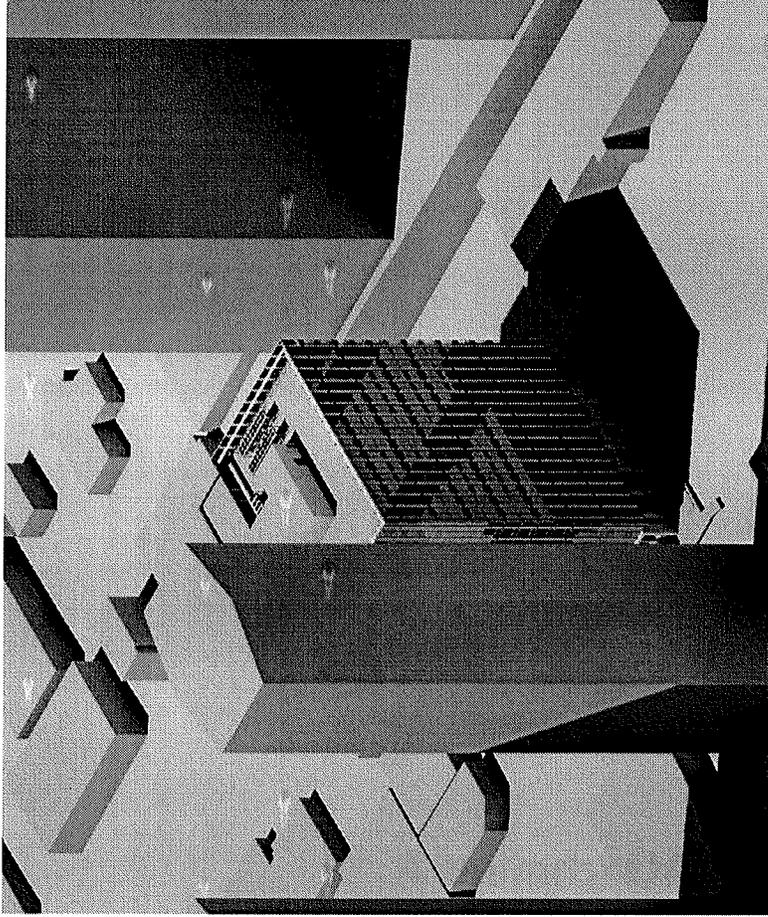
Authority: Land Use Code 20.25A.060
Reviewer: Bradley Calvert (425) 452-6930

Attachment A

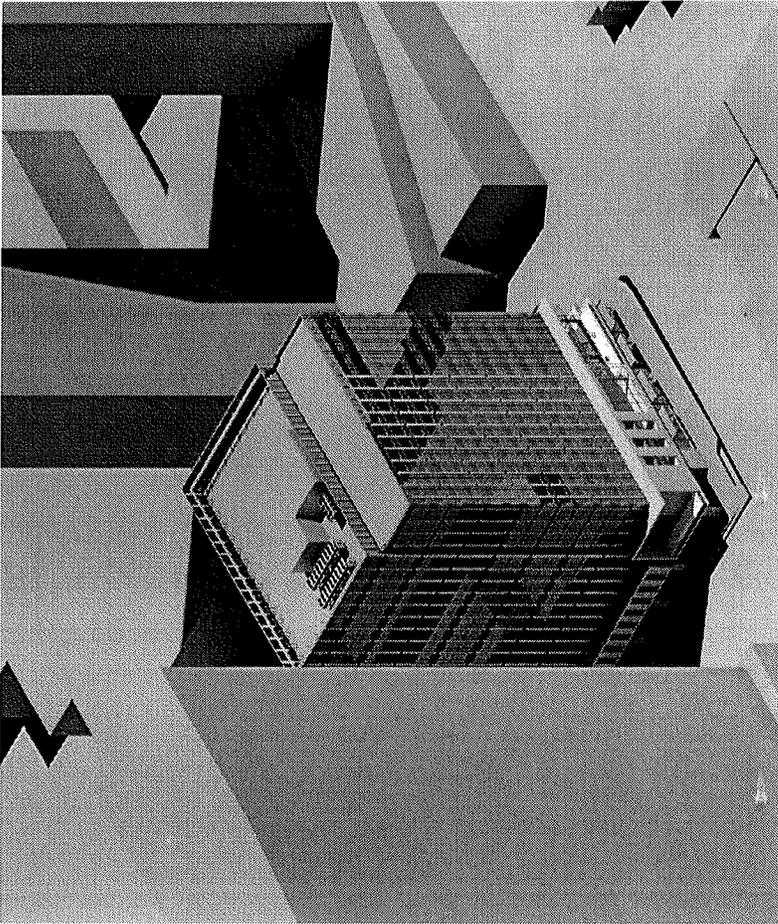
Project Plans and Drawings



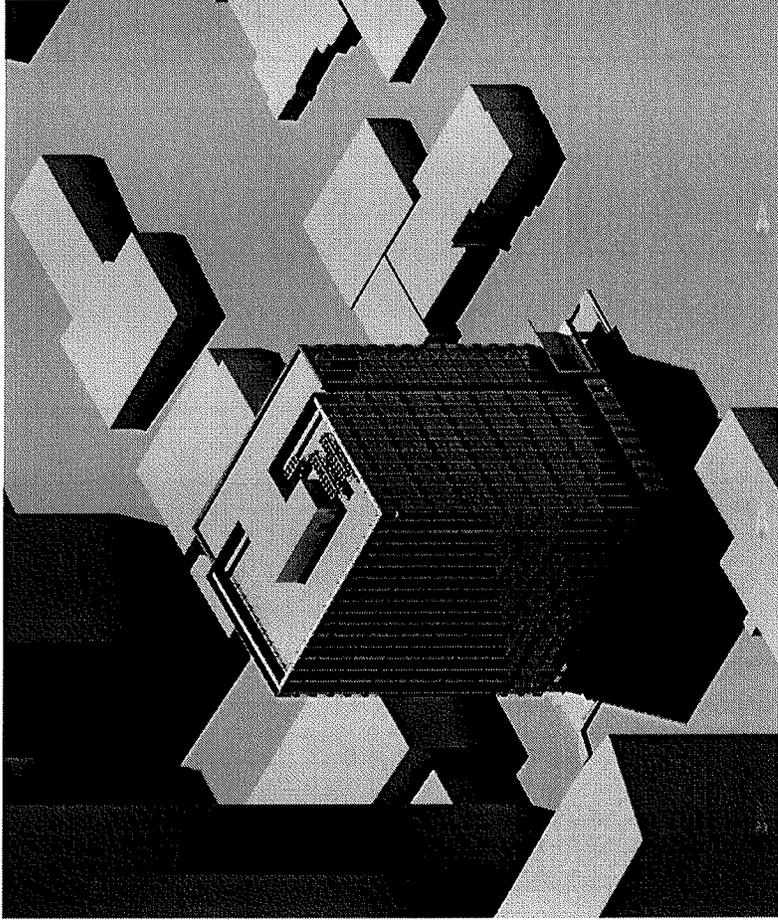
SOUTH EAST CORNER



NORTH EAST CORNER



SOUTH WEST CORNER



NORTH WEST CORNER

DRAWING NOTES

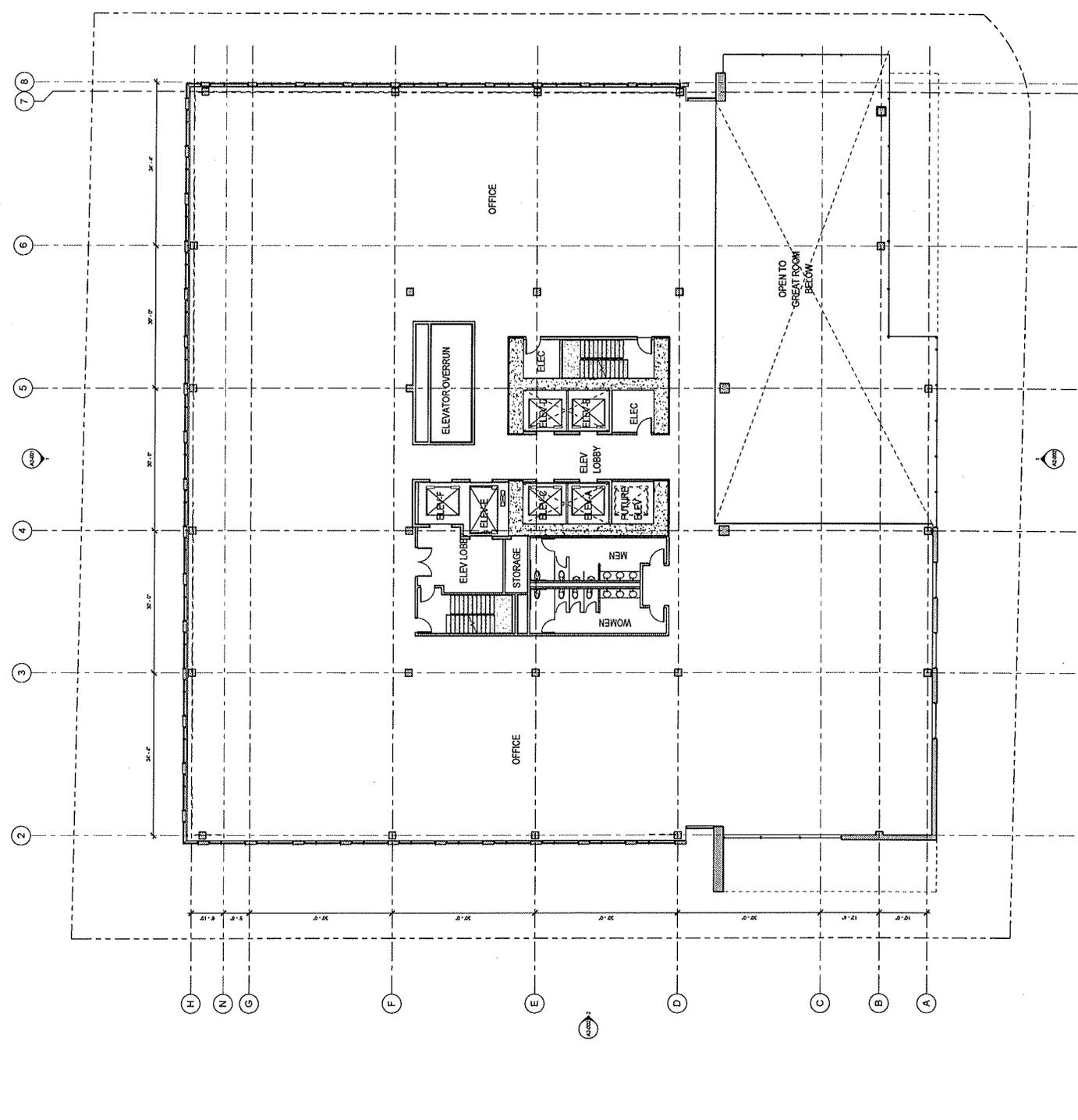
CODED NOTES

LEGENDS



Scale: 1/4" = 1'-0"

Sheet: A1.03



DRAWING NOTES

- LANDSCAPE FEATURE AREA**
 THE AREA AROUND THE BUILDING IS IDENTIFIED AS THE "LANDSCAPE FEATURE AREA" AS SHOWN ON THE SITE PLAN. THIS EFFECT IS TO BE ACHIEVED THROUGH:
- THE SECOND STORY GREAT ROOM SHALL BE LIT FROM WITHIN AND BE AN OPEN AND GLASSY OPENING TO THE STREET NEAR THE INTERSECTION.
 - LIGHT LEAKAGE SET FLUSH WITH THE BUILDING AT THE INTERSECTION.
 - ARTICULATIONS AT THE BUILDING EDGE THROUGH THE GLAZING AND TO PROVIDE A VISUAL CONNECTION TO THE STREET.
 - SCHEME PLANTS MUST BE SEASONAL AND OFFER A PERMANENT EFFECT AND A STRONG CONNECTION TO THE LOT.

CODED NOTES

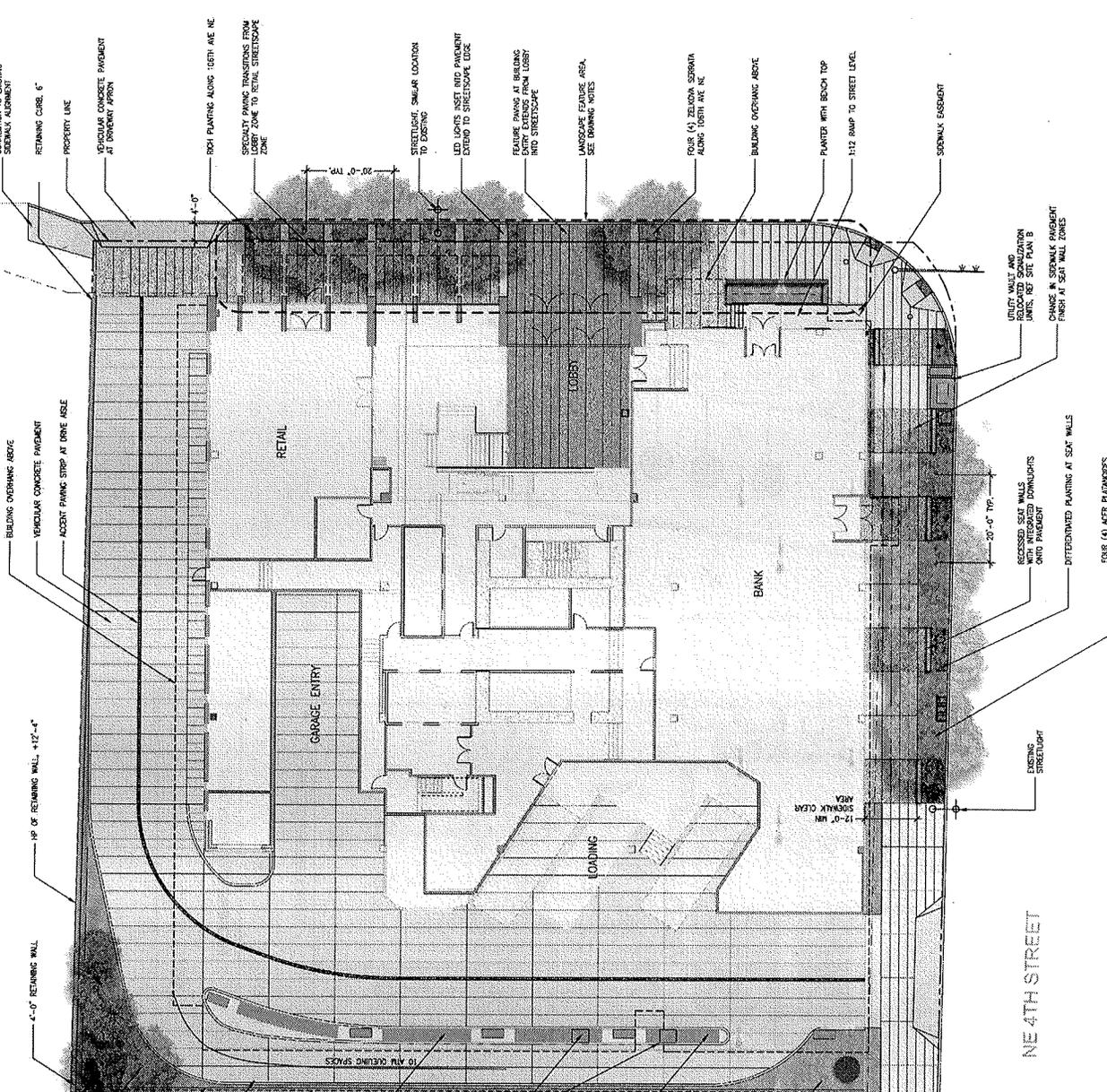
KEYPLAN



1" = 10'



106TH AVE NE



NE 4TH STREET

EXHIBIT 21 - AMENITIES

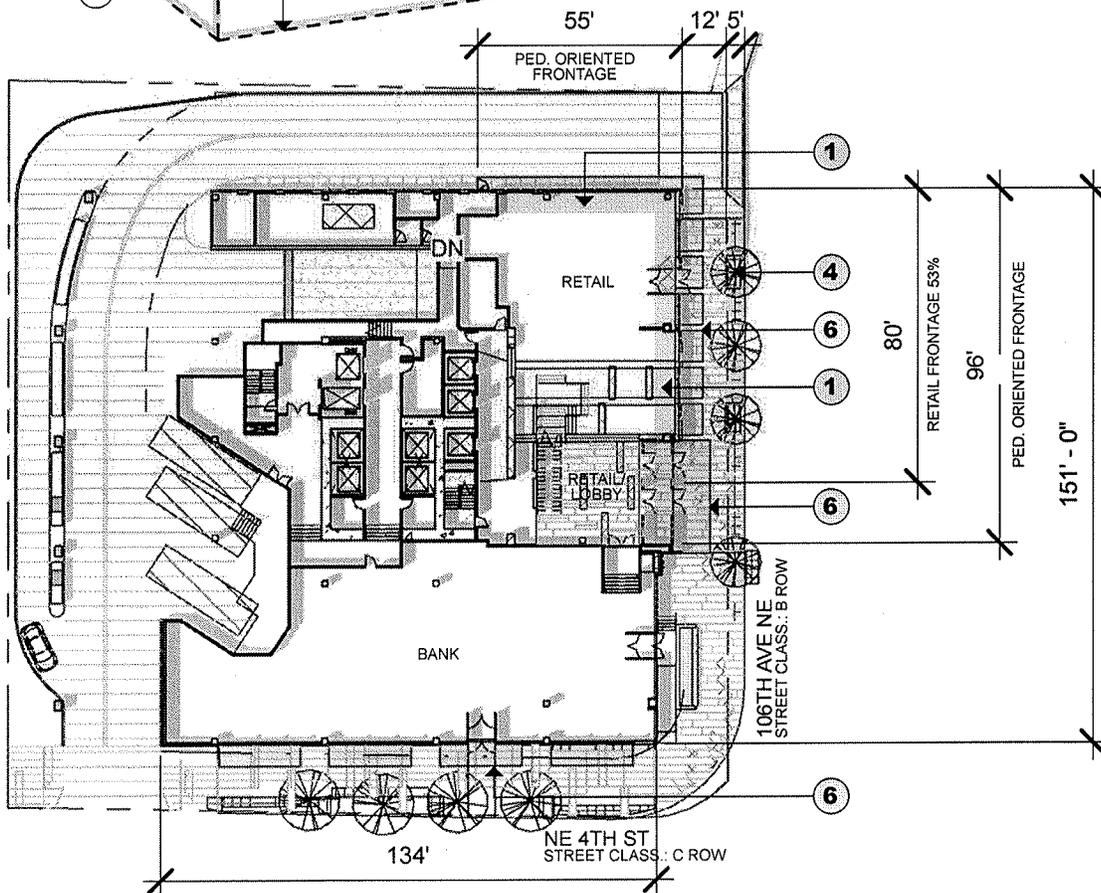
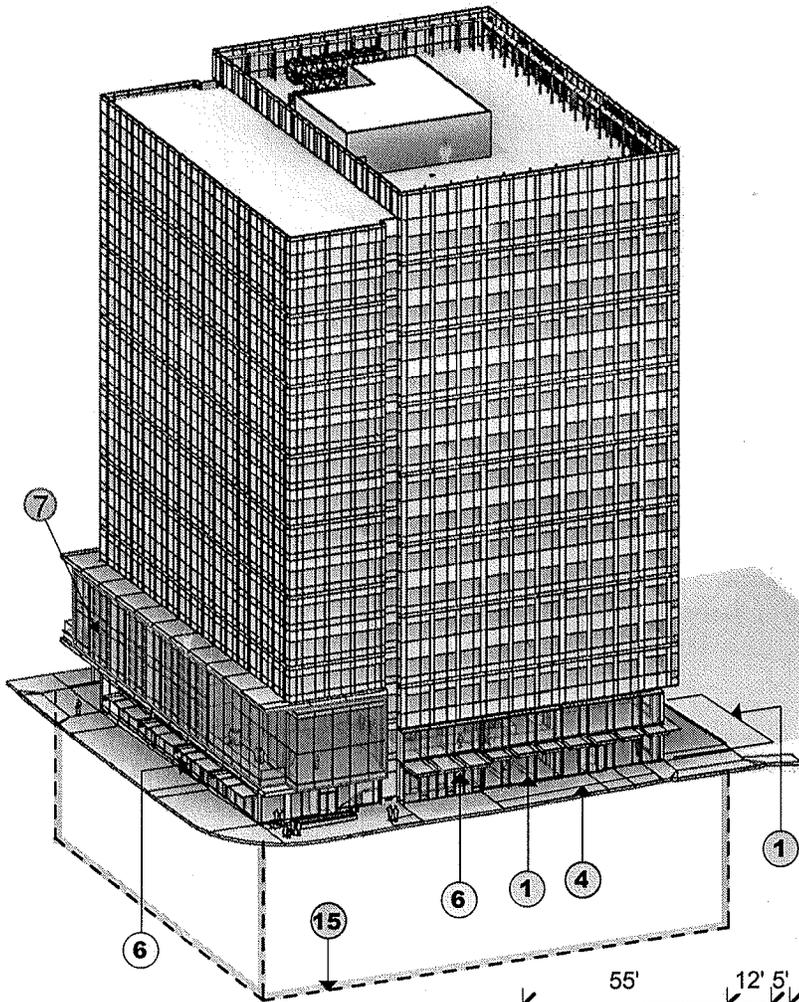
415 Bellevue Amenity Incentives

Basic Required Amenities:

- ① **Pedestrian Oriented Frontage:**
 96 lf -Frontage on 106th Ave NE
 55 lf -Frontage along North Retail
 151 lf -Total Frontage
- ④ **Landscape Feature off Intersection:**
 1000 sf -Along 106th Ave NE.
- ⑥ **Marquee:**
 896 sf -Marquee on 106th Ave NE
 442 sf -Marquee on NE 4th St
 1,338 sf -Total Marquee
- ⑦ **Path 'B' - Second Floor Pedestrian Oriented Frontage Space**

Additional Bonus Amenities:

- ⑮ **Underground Parking:**
 268,022 sf



Attachment B

Stepback Modification and View Study

McCULLOUGH HILL LEARY, PS

May 23, 2014

VIA ELECTRONIC MAIL

Carol Hamlin
Department of Development Services
City of Bellevue
450 110th Ave. NE
P.O. Box 90012
Bellevue, WA 98009

Re: 415 Bellevue Project
Request for Relief from Tower Setback Requirement

Dear Carol:

We are writing on behalf of Schnitzer West, the applicant for the above-referenced project ("415 Bellevue Project") to request relief from the setback requirements of the Land Use Code ("LUC").

Under LUC 20.25A.100.E.7, each building within the Core Design District facing NE 4th, NE 8th or Bellevue Way must incorporate a minimum 20-foot-deep setback at a height between 25 feet and the level of the first floorplate above 40 feet. This required setback may be modified or eliminated if the applicant demonstrates through Design Review that (a) such setback is not feasible due to site constraints, such as a small or irregularly shaped lot, or (b) the modification is necessary to achieve design elements or features encouraged in LUC 20.25A.100 or LUC 20.25A.110 and the modification does not interfere with preserving view corridors.

Here, Schnitzer is proposing a 10-foot setback above the 40' height on NE 4th Street. This request satisfies criterion (b) set forth in LUC 20.25A.100.E.7: it is necessary to achieve design elements or features encouraged in LUC 20.25A.100 or LUC 20.25A.110, and it will not interfere with preserving view corridors.

Overview

The 415 Bellevue Project is a proposed 16-story office tower with street level retail and seven levels of underground parking. Given its location at the key intersection of NE 4th and 106th Ave NE, the Project will serve as an entry into the heart of downtown Bellevue, and its proposed design is intended to create a timeless, boutique office tower with slender, vertical proportions grounded by a vibrant, three-story podium. On the second and third levels, the podium is anchored by the building's common area, or "Great Room," with a large south-facing outdoor terrace and a double-height bay window that brings life and visual activity to the corner of NE 4th Street and 106th Avenue NE.

EXHIBIT 2 - MODIFICATION TO STEPBACK

May 23, 2014

Page 2 of 4

Compliance with LUC Criteria

The proposed modification achieves several of the City's key design objectives. First, the proposed 10-foot stepback for 415 Bellevue would bring the mass of the 16-story office tower closer to the prominent intersection of NE 4th Street and 106th Avenue NE. This permits the entire building, including the office tower and podium, to invigorate the pedestrian experience along NE 4th Street and better signal the importance of this urban intersection, which serves as a gateway to downtown Bellevue.

Second, the proposed 10' setback provides continuity along NE 4th Street by matching the 10-foot stepback allowed for the Lincoln Square expansion project to the west. This allows the two office towers situated above the podiums to maintain the same relationship to NE 4th Street and provide a continuous streetscape experience for pedestrians. In addition, the podium design for the 415 Project is designed to align with the podium height of the existing Bellevue Towers project immediately east of the site—extending the continuous streetscape experience at the sidewalk level along all blocks. *See* attached Exhibit A.

Third, the proposed 10-foot stepback does not materially affect primary views along NE 4th Street or from Bellevue Towers. As the attached exhibit shows, there is a maximum 1.8 degree cone of vision difference between a 10-foot vs. a 20-foot stepback to views from the condominium units at Bellevue Towers. *See* attached Exhibit B.

Finally, the design of the proposed south façade along NE 4th Street at the street level bank branch incorporates a number of elements that contribute to the pedestrian scale. These include marquees at a 12-foot height along the sidewalk, including stone benches and cast in place concrete sidewalk with specialty finishes to provide an enhanced pedestrian experience.

- **The resulting design is necessary to achieve design elements or features encouraged in the Design Review criteria of LUC 20.25A.110.**

- A. Site Design Criteria.

- 1. Vehicular Circulation and Parking.

- c. Provide for safe and pleasant movement within the Downtown for the pedestrian and bicyclist.

Bringing the mass of the tower closer to the prominent intersection of NE 4th Street and 106th Avenue NE activates the pedestrian experience through incorporation of a number of elements to enhance the street-level experience, including marquees at 12' height, stone benches, and sidewalk detail.

- 3. Wind and Sun.

- a. Ensure that the form and placement of buildings consider desirable year-round conditions of sun and shade in surrounding open spaces and public areas.

EXHIBIT 2 - MODIFICATION TO STEPBACK

May 23, 2014

Page 3 of 4

The location of the proposed tower ensures beneficial sun conditions in the public realm on the Project site. Marquees at a 12' height will provide an attractive buffer for pedestrians from inclement weather.

4. Open Space.

a. Design and locate open spaces, such as plazas, squares and large landscaped areas, to work as part of a comprehensive system of spaces in the Downtown.

The location of the proposed tower resulting from the stepback relief allows for modulation in the ground floor street wall along NE 4th Street that is more functional and better connected to the downtown pedestrian system. Street trees, benches and plantings along NE 4th Street will integrate with the Project design and activate this important intersection.

The design of the podium continues the street façade relationships established by the Bellevue Towers and reinforced by the current planning of the Lincoln Square future phase. This creates a consistent multi-story podium at the street edge on the three blocks along NE 4th which engages the pedestrian scale with active program elements, rich materials, and a high level of activity and transparency.

B. Downtown Patterns and Context.

1. Natural Setting and Topography.

a. Make creative use of any existing topographic variations in site design and location of buildings, circulation patterns, parking area design and public spaces to enhance the setting and provide variety.

The 415 Project is located at a prominent intersection in the City of Bellevue at NE 4th Street and 106th Avenue NE. The design of the office tower, from the podium to the top should emphasize the importance of this urban corner. Setting the office tower back a distance of 20 feet from NE 4th Street pushes entire tower mass of the building too far away from 106th Ave NE and lessens the ability of the building to serve as an urban gateway to downtown Bellevue. We believe that a 10 foot step back is an appropriate distance to set back the tower from NE 4th while still permitting the building to address this important gateway location.

6. Patterns of Activity.

a. Maximize opportunities for vital, pedestrian-level activity in all areas of the Downtown.

On NE 4th Street, low wall elements will create an opportunity for integrated lighting, seating and some mounding of earth for visual interest and pedestrian safety. Street trees will create rhythm and shading on both streets.

b. Provide space for a variety of appropriate activities accessible to the public at large in the Downtown, especially at ground level and at main pedestrian levels.

EXHIBIT 2 - MODIFICATION TO STEPBACK

May 23, 2014

Page 4 of 4

As noted, the NE 4th Street frontage will be activated with low wall elements including integrated lighting, seating and mounding of earth for visual interest and pedestrian safety, in addition to street trees, benches and plantings.

Finally, modification does not interfere with preserving view corridors. LUC 20.25A.100.6 establishes view preservation corridors to “retain the opportunity for viewing Lake Washington, the Seattle skyline, the Olympic Mountains and the Cascade Mountains from the major public open spaces and the major pedestrian corridor.” Here, the stepback modification will have no impact on views along 4th Avenue for pedestrians or motorists, and it will not impact views from major public open spaces or the major pedestrian corridor. In addition, the attached Exhibit prepared by NBBJ demonstrates the primary and secondary view impact on the adjacent Bellevue Towers site. The exhibit shows that primary views from Bellevue Towers are unaffected. With respect to secondary views, there is an approximately 1.8 degree field of view difference between a 10’ and 20’ stepback to views from Bellevue Towers.

In sum, this request satisfies the criteria in LUC 20.25A.100.E.7, and we request approval for the reduced tower stepback.

Thank you for your attention to this request.

Sincerely,



Courtney E. Flora

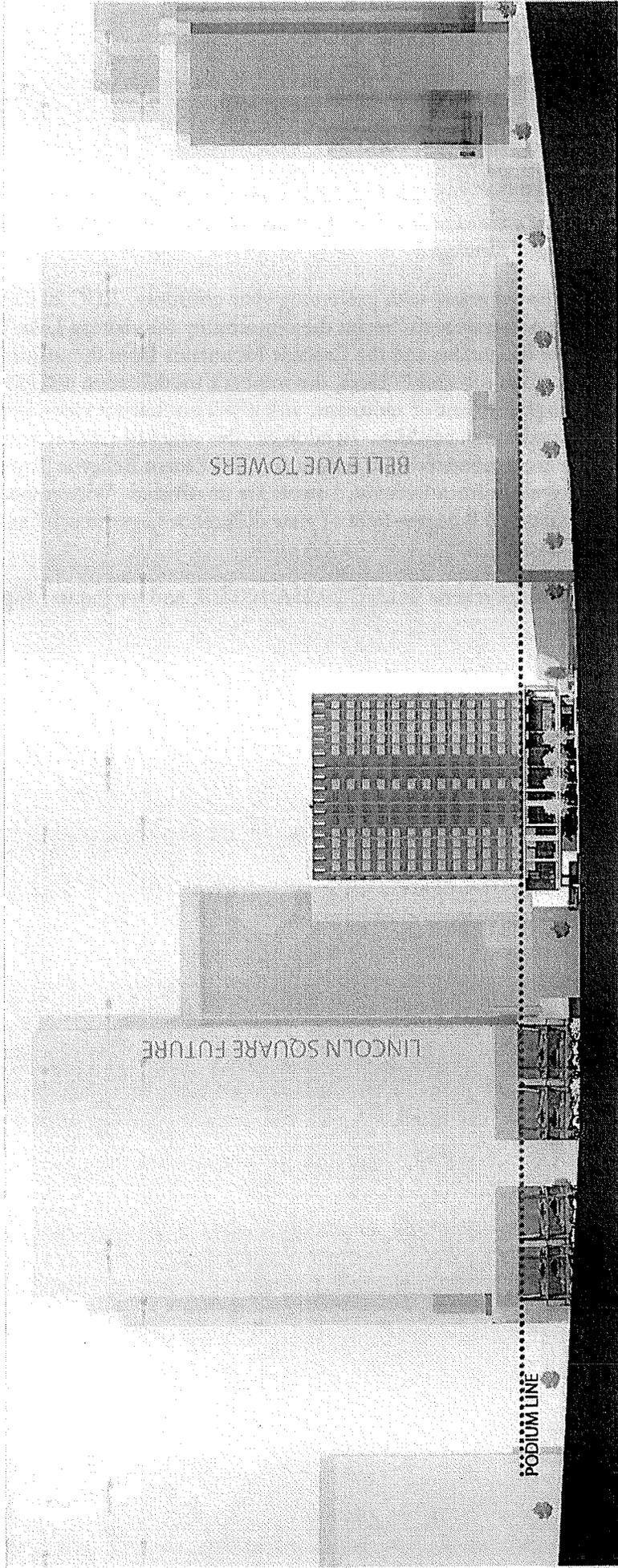
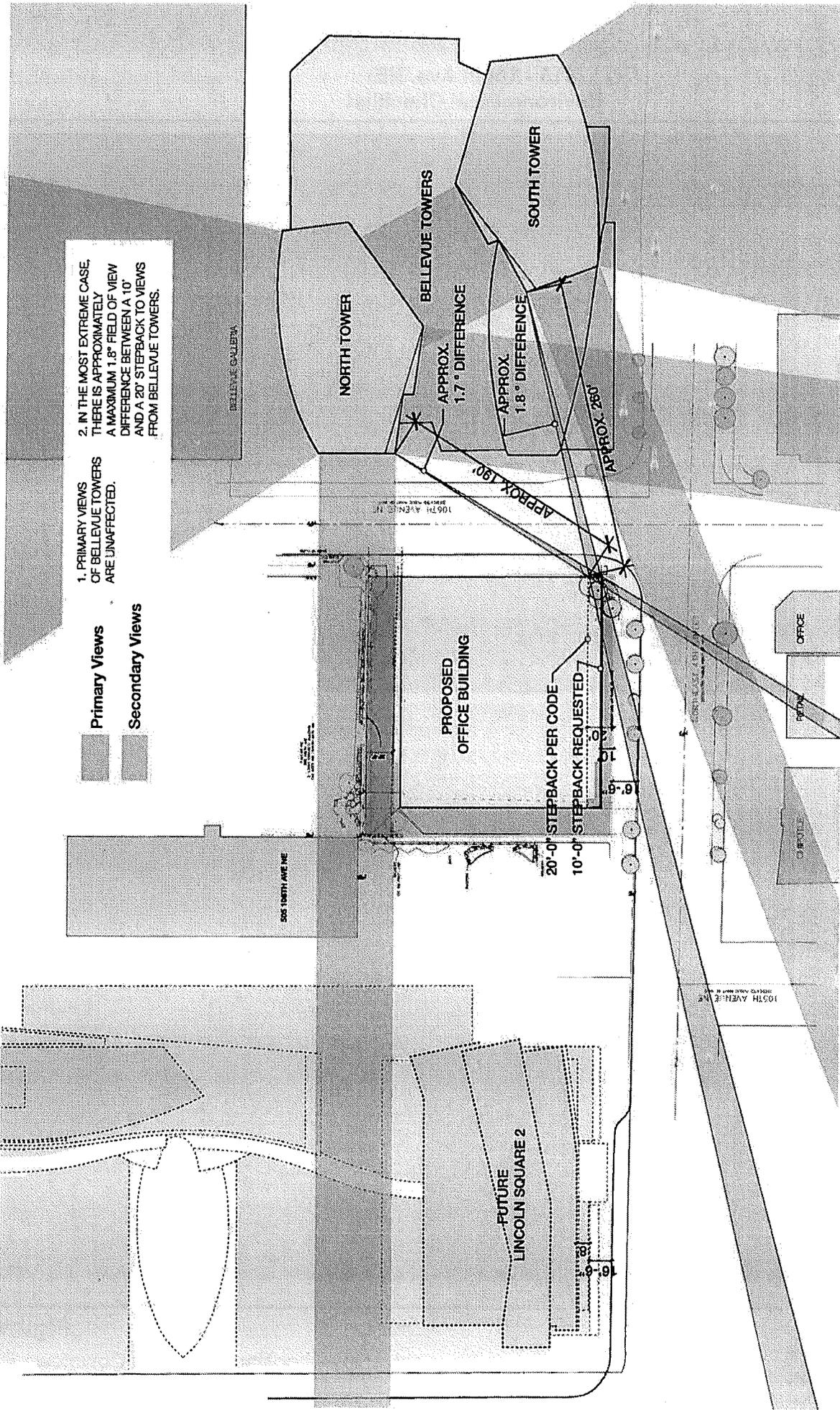


EXHIBIT A



2. IN THE MOST EXTREME CASE, THERE IS APPROXIMATELY A MAXIMUM 1.8° FIELD OF VIEW DIFFERENCE BETWEEN A 10' AND A 20' STEPBACK TO VIEWS FROM BELLEVUE TOWERS.

1. PRIMARY VIEWS OF BELLEVUE TOWERS ARE UNAFFECTED.

Primary Views
Secondary Views

#2 MODIFICATION TO STEPBACK
 415 BELLEVUE PROJECT 05.12.2014

mbb

EXHIBIT B

415 - 106th Ave. NE
Environmental Checklist

Existing



Proposed

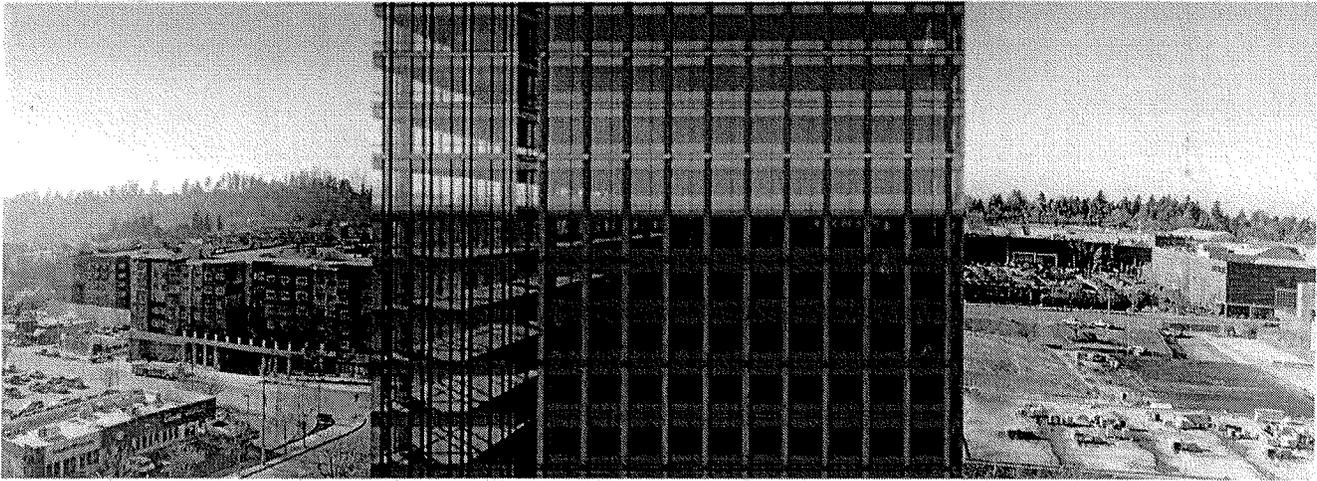


Source: NBBJ, 2014

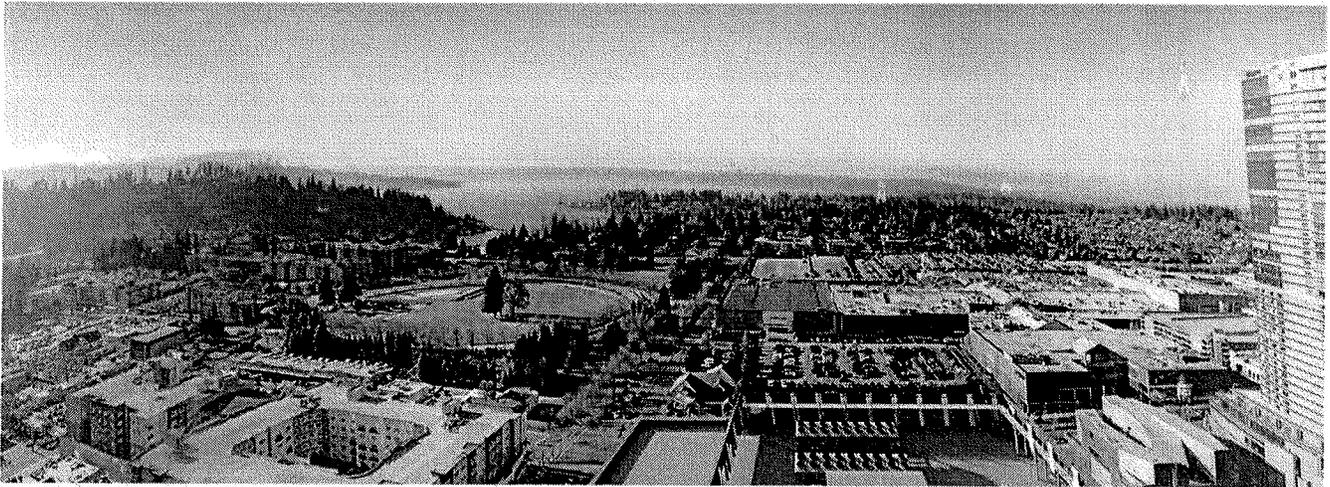


Figure 9
Existing and Proposed View—Looking East from Downtown Park

415 - 106th Ave. NE
Environmental Checklist



View from Bellevue Towers - North Tower—100' Elevation



View from Bellevue Towers - North Tower—300' Elevation

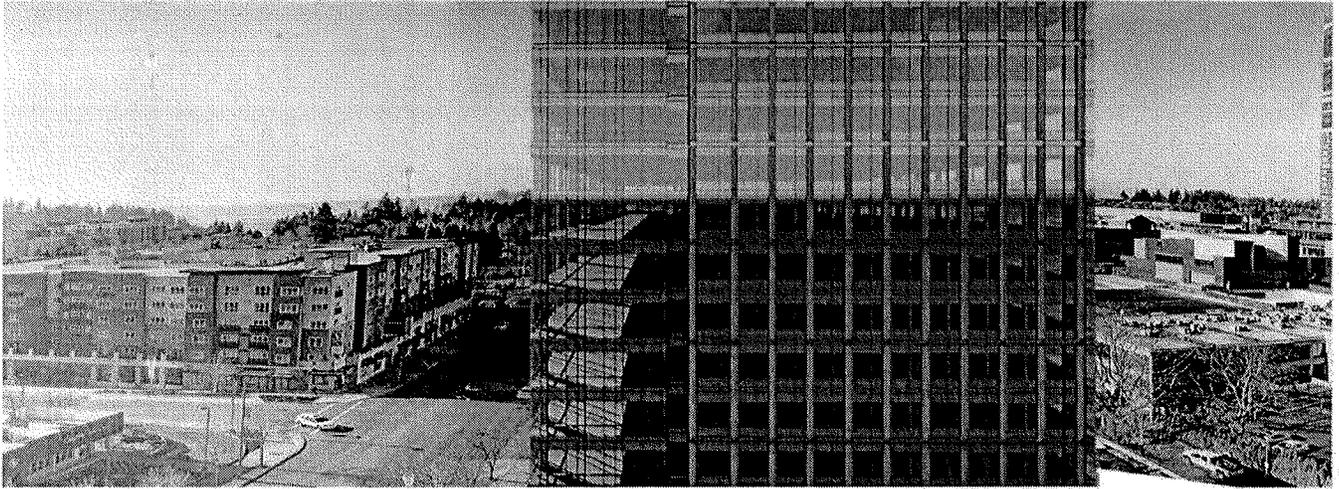
Source: NBBJ, 2014



Figure 10

Views from Bellevue Towers—North Tower

415 - 106th Ave. NE
Environmental Checklist



View from Bellevue Towers - South Tower—100' Elevation



View from Bellevue Towers - South Tower—300' Elevation

Source: NBBJ, 2014



Figure 11
Views from Bellevue Towers—South Tower

Attachment C

Shade and Shadow Study

415 - 106th Ave. NE
Environmental Checklist

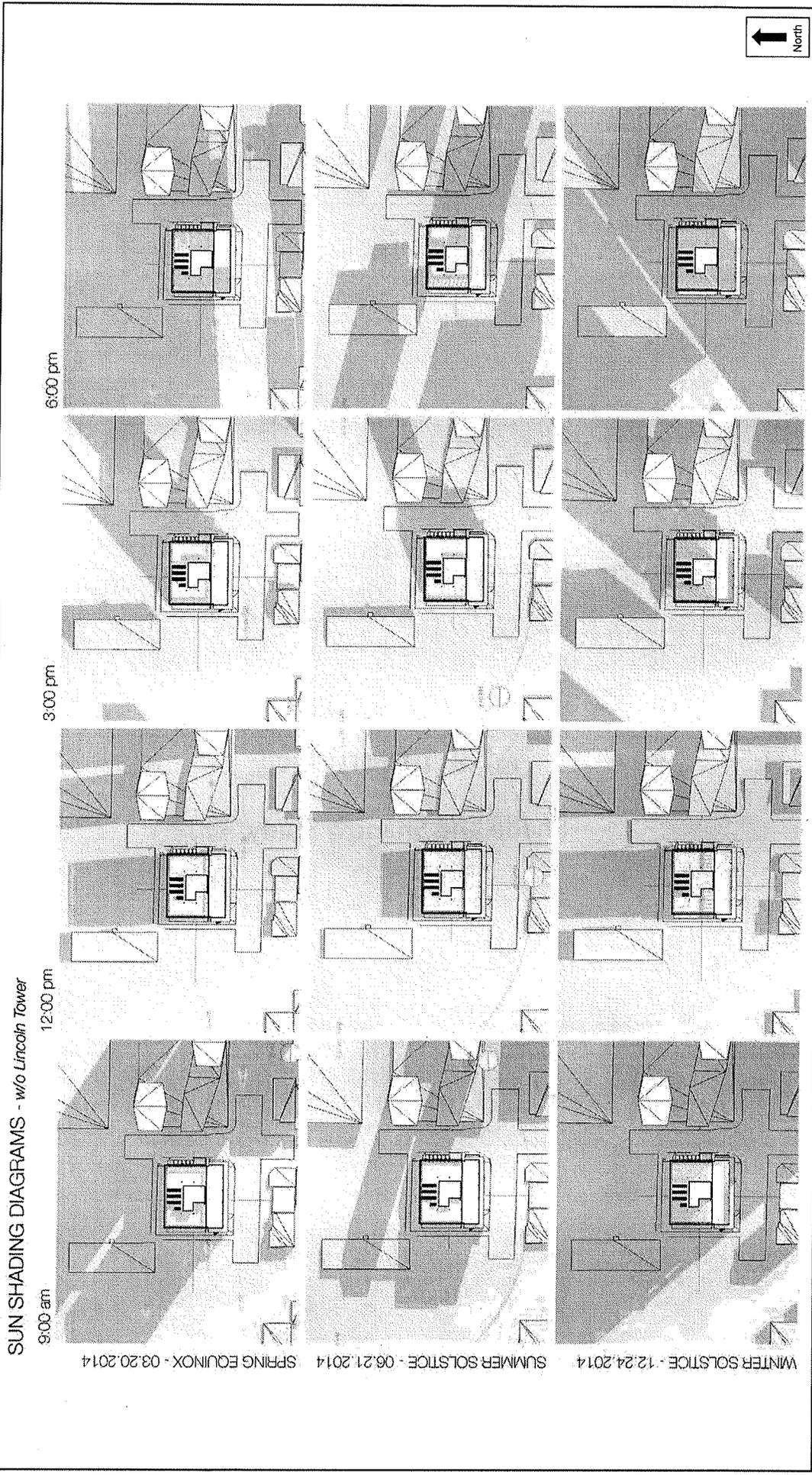
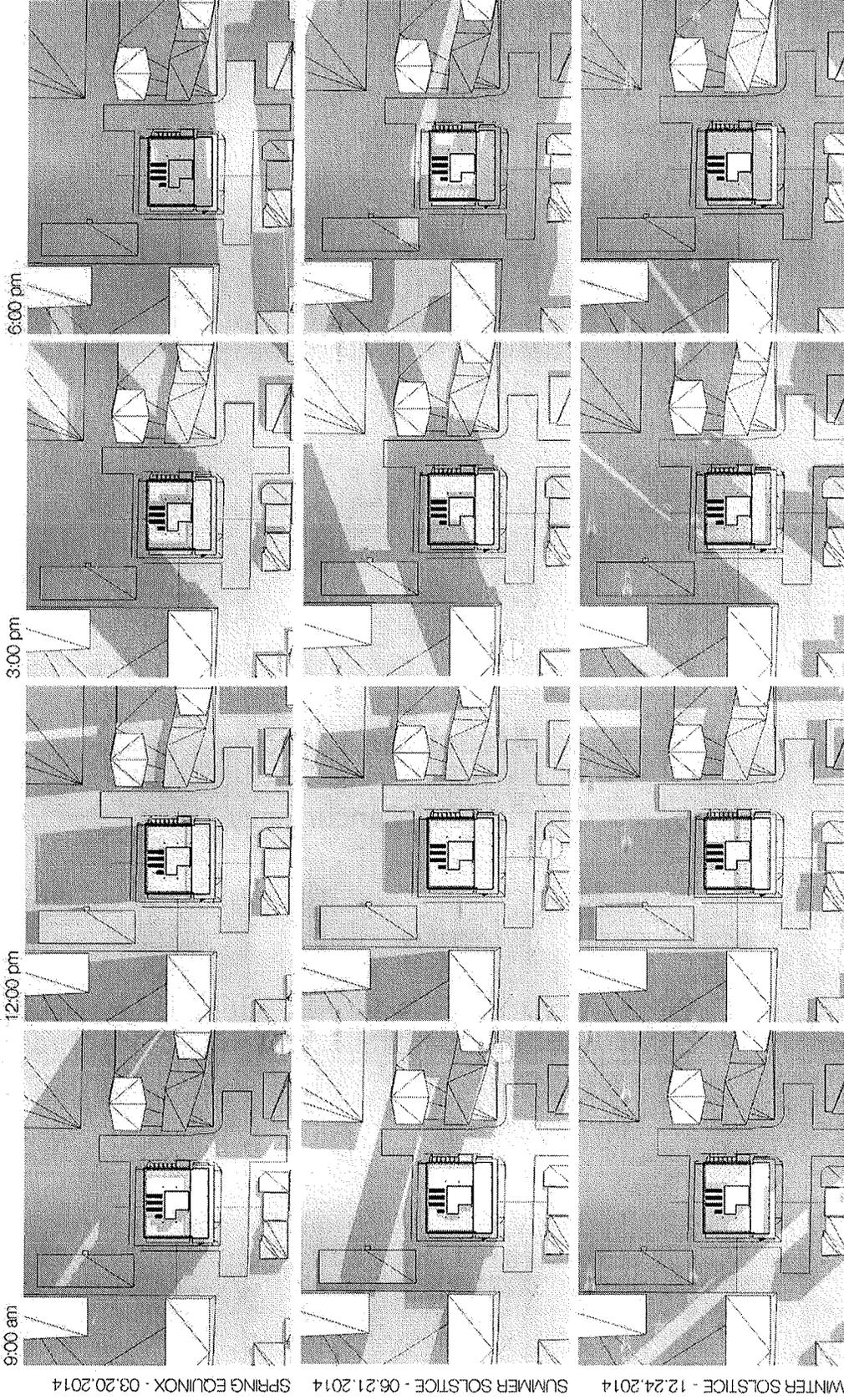


Figure 12
Sun Shading Diagrams—without Lincoln Square Expansion Towers

415 - 106th Ave. NE
Environmental Checklist

SUN SHADING DIAGRAMS - with Lincoln Tower



9:00 am 12:00 pm 3:00 pm 6:00 pm
WINTER SOLSTICE - 12.24.2014
SPRING EQUINOX - 03.20.2014
SUMMER SOLSTICE - 06.21.2014

Attachment D

Certificate of Concurrency

CERTIFICATE OF CONCURRENCY

415 OFFICE BUILDING

This certificate documents the Transportation Department Director's decision that the development project at 415 106th Avenue NE (Design Review File No. 14-124031 LD) complies with the requirements of the Traffic Standards Code (BCC 14.10). This decision reserves 251 net new p.m. peak hour trips to that project, subject to Process II appeal of either the concurrency determination or the Design Review decision. This reservation will expire one year from the land use decision date unless a complete building permit application is filed prior to that date (BCC 14.10.040F). At the time of a complete building permit application, the concurrency reservation will remain in effect for the life of that application (BCC 23.05.090H). Upon issuance of the building permit, concurrency is reserved for one year; the applicant may request up to two one-year extensions (BCC 23.05.100E).


Director, Transportation Department

10/16/14
Date

Certificate No. 89

