



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

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**Proposal Name:** Lario Townhomes

**Proposal Address:** 12443, 12453 and 12433 NE Bellevue Redmond Road  
Future Address: 12485 NE Bellevue Redmond Road

**Proposal Description:** Application for design review approval to demolish the existing Banner Bank office buildings located over three parcels, and construct 46 townhome units, in three 6-unit buildings and four 7-unit buildings.

**File Numbers:** 16-149087-LD

**Applicant:** Quadrant Homes

**Decisions Included:** Combined Design Review and SEPA Determination

**Process:** Process II, (LUC 20.35.200)

**Planner:** Laurie Tyler, Senior Planner, 425-452-2728

**Threshold Determination:** State Environmental Policy Act (SEPA):  
Determination of Non-Significance with incorporation by reference of the Bel-Red Corridor Project Draft and Final Environmental Impact Statements issued July 19, 2007

For  
Carol V. Helland, Environmental Coordinator  
Development Services Department

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

By Elizabeth Stead, Land Use Director

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Application Date: 12-28-2016  
Completeness Date: 1-25-2017  
Notice of Decision Date: 10-26-17  
Appeal Deadline: 11-9-17 at 5pm

For information on how to appeal a proposal, visit the Development Services Center at City Hall or call (425) 452-6800. Comments on State Environmental Policy Act (SEPA) Determinations can be made with or without appealing the DR decision within the noted comment period for a SEPA Determination. Appeals must be received in the City Clerk's Office by 5 pm on the date noted for appeal of the decision.

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Attachments:   A - Project Plans  
                  B - Environmental Checklist  
                  C – Republic Services Approval Letter

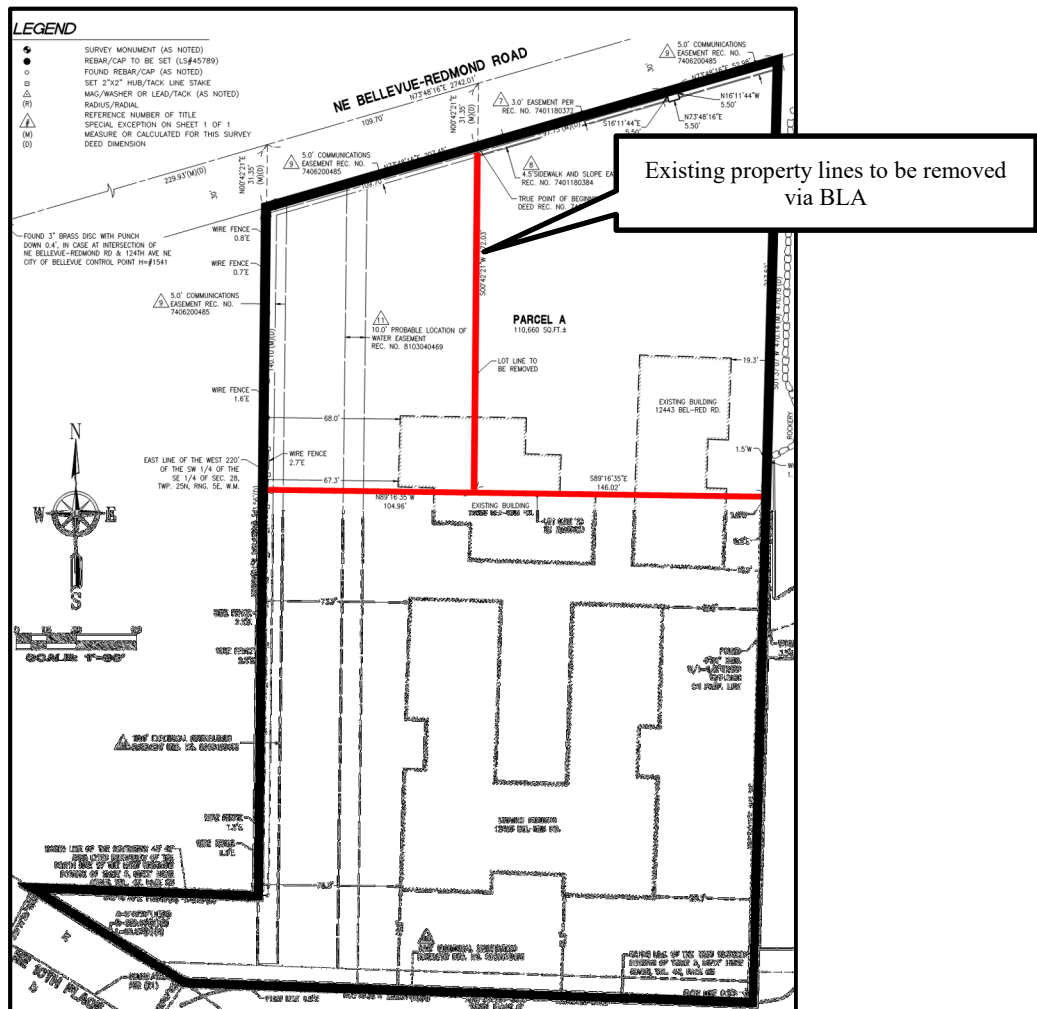
## I. REQUEST and REVIEW PROCESS

The applicant requests Design Review approval and a Threshold Determination under the State Environmental Policy Act (SEPA) to demolish 24,317 square feet of existing office buildings on the property, and construct 46 3-story townhomes with rooftop decks. Other site improvements include a multi-family play area, site landscaping, utilities, street frontage improvements and internal roadways.

### A. Site Design

The project site is located in close proximity to the intersection of 124<sup>th</sup> Avenue NE and NE Bellevue-Redmond Road (Bel-Red), and consists of three parcels addressed as 12443, 12453 and 12433 NE Bel-Red Road. This proposal would demolish three existing office buildings which are currently located within the site and construct 46 3-story townhomes with rooftop decks. A Boundary Line Adjustment is required to combine the three parcels into one parcel. **Refer to Section X.A for Condition of Approval regarding Boundary Line Adjustment.**

#### Survey

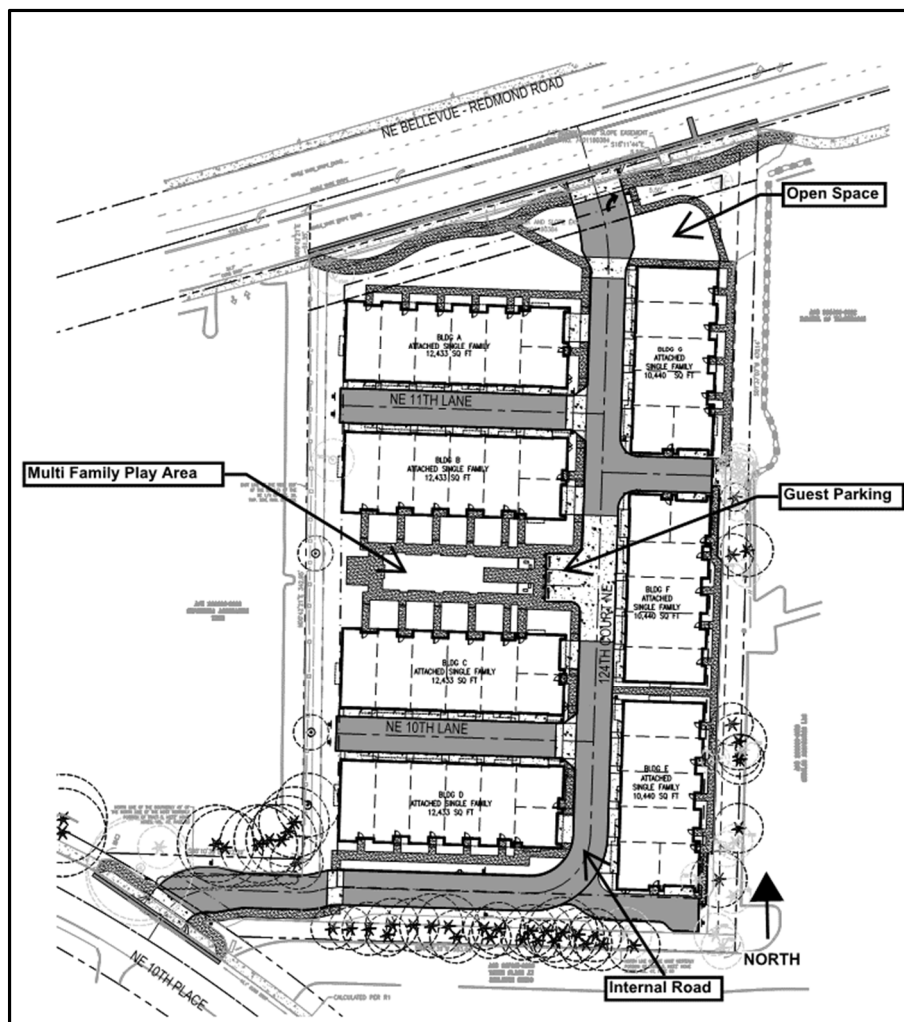


The project site is generally flat and mostly rectangular, measuring approximately 470 feet from north to south on the eastern property boundary and 385 feet on the western property boundary. The width of the project site is approximately 250 feet from east to west.

Vehicular access will continue from a re-oriented driveway approach on NE Bel-Red Road (north) and an existing access point on NE 10<sup>th</sup> Place (south), allowing for continued vehicular access through the site without the need for an internal turn-around. Individual garages below each townhome will front the internal roadway, 124<sup>th</sup> Court NE. Three guest parking stalls are proposed central to the site, adjacent to a large open space area for residents of the development.

Pedestrian access will be provided by pathways leading up to the main entrances of each block of units, including a pedestrian pathway which runs north south through the site between Bel-Red Road and NE 10<sup>th</sup> Place.

### Site Plan



## B. Building Design

As expressed by the architect, the proposed building design is representative of the “modern ballpark” aesthetic. Varied materials will be used, including a warm chocolate brick veneer, corrugated metal siding, gray vertical cementitious siding panel and dark brown metal awnings, railings, fascia and trim. Overall the color palette is representative of earth tones, which will complement the corrugated metal and brick veneer.

**Building Elevation - Front**



**Building Elevation – Rear**



### Aerial Perspective from NE Bel-Red Road

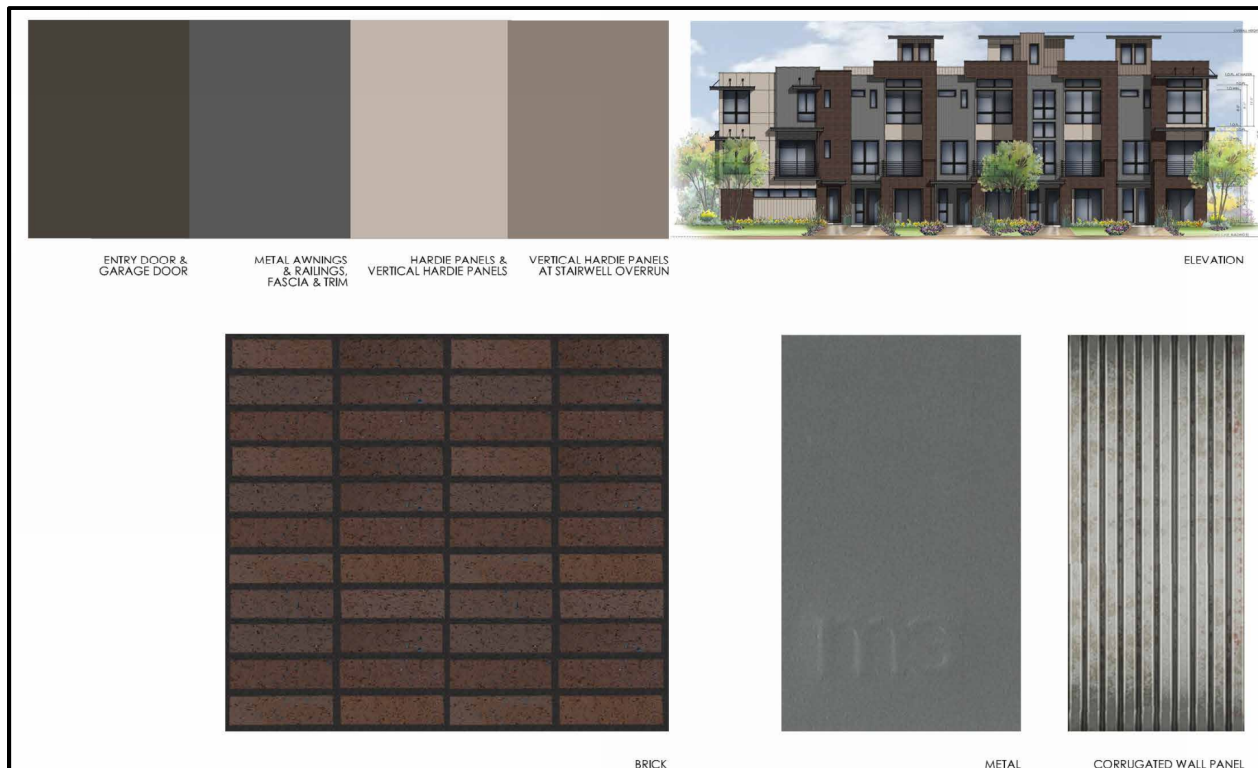


Powder coated steel awnings will be used to provide cover over exposed entry doors as well as to frame selected windows within the development. Powder coated steel guardrails and posts will be used at outdoor balconies. Window frames will be dark to enhance their placement within the façade of each townhome, and the garage doors will have clerestory windows to provide an enhanced look to the units.

The varied use of materials, including the colors chosen, help to emphasize plane breaks, provide material massing, and enhance flat planes within the design of the structure. Consideration has also been given to the design of upper levels and how these appear from streets and adjacent units. **Refer to Section X.C for Condition of Approval regarding Building/Materials/Details and Color Samples.**



## Proposed Colors and Materials



### C. Review Processes

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

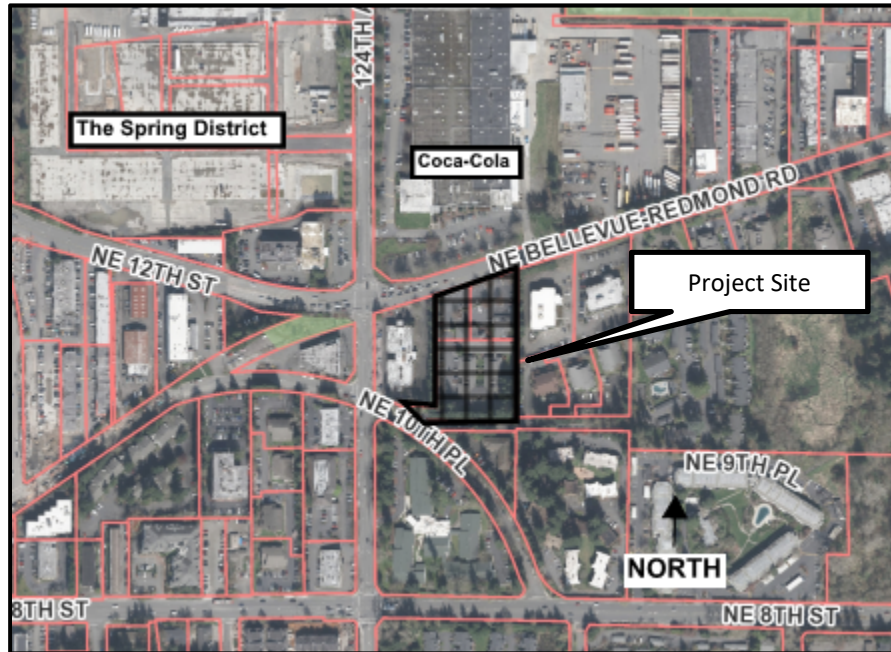
Any modification or addition to this Design Review approval shall be reviewed and approved as either a Land Use Exemption or processed as a new Design Review, per LUC 20.30F.175. Any modification of the project design must be reviewed for consistency with the design intent as stated in this report. Conditions of Approval run for the life of the project. **Refer to Section X.A for Condition of Approval regarding Modification to the Design Review Plans.**

## II. SITE DESCRIPTION, ZONING AND LAND USE CONTEXT

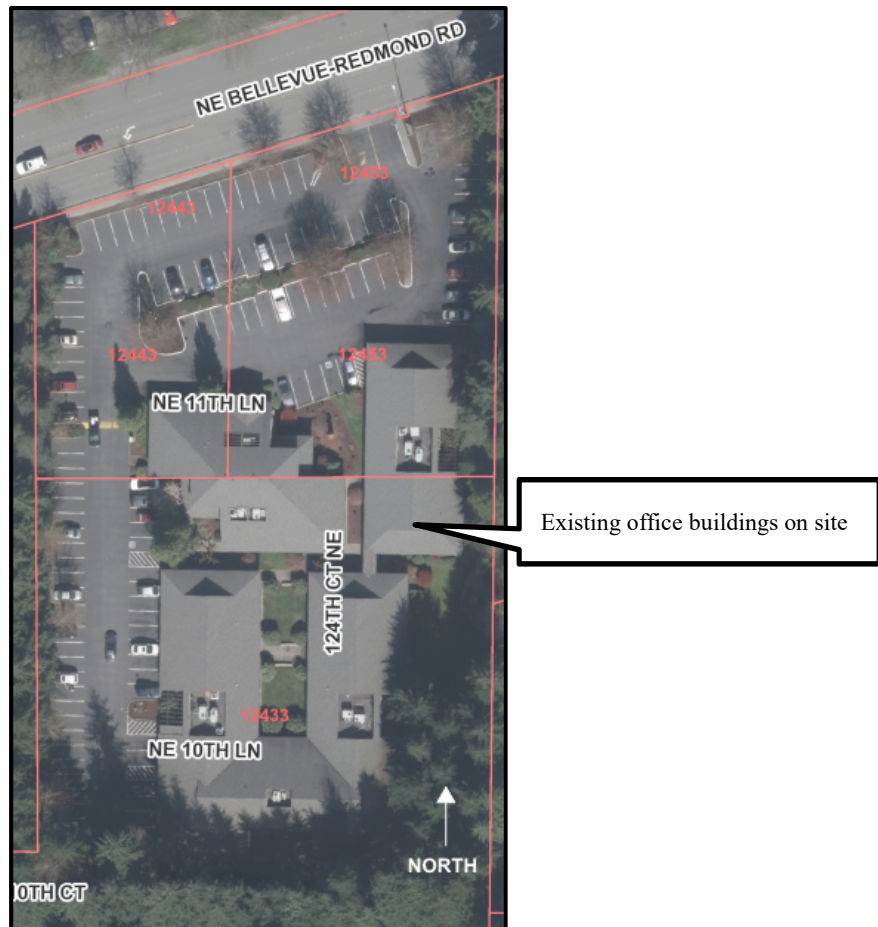
### A. Site Description/Context

The proposed site consists of three parcels which equates to approximately 2.54 acres and is located within the southwestern portion of the City's Bel-Red Corridor, east of downtown, approximately 0.7 miles east of Interstate 405. The subject site is bounded by NE Bel-Red Road to the north and NE 10<sup>th</sup> Place and NE 10<sup>th</sup> Court to the south. The three parcels are addressed as 12443, 12453 and 12433 NE Bel-Red Road. A Boundary Line Adjustment is required to combine the three parcels into one parcel. **Refer to Section X.A for Condition of Approval regarding Boundary Line Adjustment.**

### Vicinity Map



### Aerial Photograph/Site Context





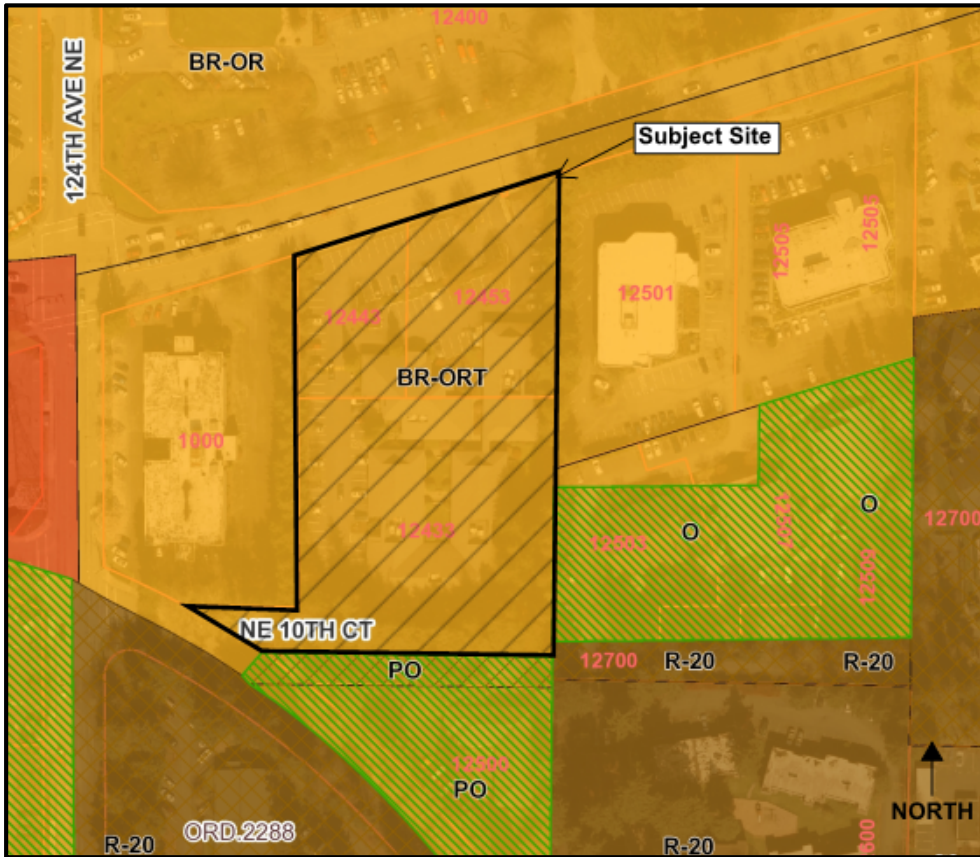
The subject site is generally flat and is currently improved with three single-story office buildings as part of the Banner Bank office complex. North of the site, across Bel-Red Road is the existing Coca-Cola facility. An office building is located on the adjacent property to the west, and a Krishna Temple/Medical Office building is on the property to the east. Additional general office buildings are located south of the site.

The subject site is located within the Bel-Red Subarea with a Comprehensive Plan designation of Bel-Red-Office/Residential Transition (BR-ORT). It is also within the Bel-Red-Office/Residential Transition (BR-ORT) land use district.

## B. Zoning

The site is zoned Bel-Red-Office/Residential Transition (BR-ORT). The purpose of the BR-ORT land use district is to provide an area for low-intensity offices and uses and low density multifamily residential dwellings that are intended to be developed in such a manner as to provide a buffer between residential neighborhoods to the south and more intensively developed properties.

## Zoning Map



Adjacent development and zoning are as follows:

North: Coca-Cola (BR-OR).

South: General Office (PO).

West: Park East Office Building (BR-ORT).

East: Krishna Temple/Medical Office (BR-ORT) and 12503 Bel-Red Office Building (O).

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

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

##### 1. Use

Uses are regulated by LUC 20.10.440 (Use Charts) and LUC 20.25D (Bel-Red Overlay District). The proposed 46-unit townhome development is a permitted use for this property within the BR-ORT land use district

##### 2. Dimensional Requirements

All applicable dimensional requirements of the Land Use Code will be met. Refer to the following chart for specific information, as well as Conditions of Approval and the attached plans.

**Table 1**  
**Dimensional Requirements**

Item	Required	Proposed	Comments
<b>Land Use Designation</b>	Bel-Red ORT	Bel-Red ORT	
<b>Project Limit</b>	No minimum indicated	2.54 acres (110,660 sq. ft.)	
<b>Building Height</b> Land Use Code 20.25D.080.A 20.25D.130.D. 4	<b>BR-ORT</b> Base=45'-0" Maximum=45'-0" Measured from Average Existing Grade (AEG)	Varies 43'-1" to 45'-0"	Height of proposed structures meet Land Use Code requirements.
<b>Floor Area Ratio (FAR)</b> Land Use Code 20.25D.080.A	Minimum 0.75 Maximum 0.75	0.73	Proposal is below Minimum and Maximum FAR – Amenity Incentive System not required.
<b>Front, Rear &amp; Side Setbacks</b> Land Use Code 20.25D.080.A (3)	Front 20'-0"	20'-0"	Landscaping required per 20.25D.110.B.3.c. Meets Land Use Code requirements
	Rear 30'-0"	30'-0"	Landscaping required per 20.25D.110.D Meets Land Use Code requirements.

Item	Required	Proposed	Comments
	Side 20'-0"	Varies 20'-0" – 21'-0"	Landscaping Required per 20.25D.110.D Meets Land Use Code requirements.
<b>Maximum Impervious Surface Area/Lot Coverage</b> Land Use Code 20.25D.080.A	Maximum 75% Footnote (6)	68.3% (75,572 sq. ft.)	Meets Land Use Code requirements
<b>Parking</b> LUC 20.25D.120.B. 2	Minimum = 1.0 per unit Maximum = 2.0 per unit	2 stalls per unit x 46 units = 92 stalls total  3 Guest Stalls Provided Total Stalls Provided = 95*	Meets Land Use Code requirements  *LUC 20.25D.120.F allows the Director to modify the maximum parking ratio. Guest parking is not required, but encouraged and will not result in impacts beyond the site. Meets criteria.
<b>Bicycle Parking</b> LUC 20.25D.120.G	1 stall per 10 dwelling units Provided on-site At least 50% covered	4 stalls required 8 provided within central open space area covered by trellis structure	Meets Land Use Code requirements <b><u>Refer to Section X.C for Condition of Approval regarding Bicycle Parking</u></b>
<b>Mechanical Screening</b> LUC 20.20.525	Mechanical Equipment shall be visually screened from above and at ground level.	No mechanical equipment will be located on rooftops. Equipment will be limited to electrical meters on the side elevations of buildings.	Meets Land Use Code requirements
<b>Recycling and Solid Waste Collection Areas</b> LUC 20.20.725	Not applicable	Individual refuse/recycling containers provided to each townhome unit to be pulled out by homeowners in front of garage for pick up	Republic Services has approved proposed pick up locations. See project file for letter. <b><u>Refer to Section X.C for Condition</u></b>

Item	Required	Proposed	Comments
			<b><u>of Approval regarding Solid Waste/Recycling Collection Facilities Required.</u></b>
<b>Street frontage and Sidewalk Width</b>	Street frontage required per Land Use Code 20.25D.110.B.3 for Bel-Red Road between 124 <sup>th</sup> Ave NE to 148 <sup>th</sup> Ave NE:  Sidewalk = 8' Planting = 20'	Sidewalk = 8' Meanders through 20' of street frontage landscaping for total street frontage width of 28'	Meets Land Use Code and Transportation requirements
<b>Street Tree Caliper and Species</b>	Minimum of 5 trees, Evergreen and Deciduous. Evergreen shall be minimum 10' in height at planting. Deciduous shall be 2.5" caliper	Bel Red Road: Calocedrus Decurrens 'Incense Cedar' and Platanus x acerifolia 'Bloodgood'	Meets Land Use Code requirements. 20.25D.110.B.3.c  Landscape assurance devices will be required. <b><u>Refer to Section X.D for Conditions of Approval regarding landscape installation and maintenance devices.</u></b>

## B. Other Land Use Code Topics:

### Loading

Per LUC 20.20.590.K.4, an off-street loading space is required which can access a public street. The standard requirement for a loading space is 10 feet wide by 55 feet long. However, the Director may waive the loading requirement if the property owner demonstrates that the development will not have any loading needs.

For this particular project, the property owner does not anticipate any significant loading needs, as most loading would be in the form of moving and delivery trucks. Similar to other townhome projects within the City, moving trucks may be parked alongside of garages adjacent to and within the main drive aisle without blocking access to other units or restricting vehicular connectivity through the site. In addition, delivery trucks, such as USPS and FedEx can deliver packages to the main mailbox area adjacent to the central plaza. If packages are larger than the mailbox, delivery vehicles may stop temporarily along the main drive and run the packages to the unit's front door. It should also be noted that moving, delivery and refuse trucks can easily maneuver through the site's main drive aisle as well as turn around by using the dead-end road sections between buildings. Therefore, all loading can be accommodated internal to the subject site and there will be not impacts to the public right-of-way.

### **Multi-Family Play Area**

Per LUC 20.20.540, new multi-family developments of 10 units or more are required to provide a minimum of 800 square feet of unpaved, usable open space with lawn or other soft surface for an outdoor children's play area, plus an additional 50 square feet of usable open space for each additional unit beyond the initial 10 units, up to a maximum of 10,000 square feet. The children's play area may be dispersed on the site, provided that the minimum size of each area is 800 square feet or larger.

The subject application proposes 46 townhome units, which would require the initial 800 square feet of lawn or other soft surface area, plus an additional 1,800 square feet for the remaining 36 units (36 units x 50 sq. ft.), for a total of 2,600 square feet of multi-family play area on site. The applicant has proposed a 1,200 square foot central plaza area which contains useable lawn area and seat walls. At the front of the property are two additional open lawn areas which have adjacent landscaping, gentle slopes and an area for an art feature, totaling 2,478 square feet. Therefore, this project meets the multi-family play area requirement by providing a total of 3,678 square feet of useable open space area for children to play.

### **Landscape Buffers**

Land Use Code 20.25D.110.C requires a 20 foot landscape buffer along an interior property line of a district abutting a BR-ORT land use district. In this case, the subject application is zoned BR-ORT and abuts BR-ORT property to the west and east. Therefore, each of the interior (side) property boundaries shared with these two adjacent properties require a 20-foot wide landscape buffer, which the application proposes. In addition, the 20-foot landscape buffer also includes a 10-foot wide perimeter tree retention area. It should be noted that on the eastern property boundary, a portion of the 20-foot wide landscape buffer will contain a pedestrian pathway leading up to the front entries of each unit.

Per Land Use Code 20.25D.110.D, a 10-foot landscape buffer shall be provided along an interior property not required to have a 20-foot wide buffer. This standard applies to the interior (rear) property boundaries which include a 10-foot landscape buffer and also provides the 10-foot wide perimeter tree retention buffer.

### **Tree Preservation**

Land Use Code 20.20.900 regulates tree retention and replacement standards for new construction within the City. Retention of significant trees is necessary to maintain and protect property values, to enhance the visual appearance of the City, to preserve the natural wooded character of the Pacific Northwest, to promote utilization of natural systems and to provide a better transition between the various land uses permitted in the City.

Applications proposing new development are required to review the removal of significant trees on site, which are defined as a healthy tree, 8" or greater in diameter. Within the required perimeter landscape area, which is defined as the first 20' surrounding the site, the applicant is required to retain all significant trees which do not constitute a safety hazard. Within the site interior, the applicant must retain at least 15% of the diameter inches of significant trees.

The proposal indicates 60 significant perimeter trees, 22 of which are to be removed. Of the 440 diameter inches of significant interior trees, 217.5 diameter inches are in poor/fair condition and are to be removed, leaving 222.5 interior diameter inches. Of the 222.5 diameter inches remaining, 213.5 are to be removed to accommodate the development, leaving only 9 diameter inches, which is less than the required 15% retention required ( $9/222.5 = 4\%$ ).



To mitigate for the tree loss within the site, the applicant has proposed an extensive landscape plan which includes mitigation tree planting. Approximately 50 trees or 89 diameter inches are proposed to mitigate for the perimeter tree loss and approximately 35 trees or 69 diameter inches are proposed to mitigate for the interior tree loss. The applicant has prepared a mitigation tree planting plan for the project which depicts the locations of the mitigation trees in relation to the rest of the proposed site landscaping. **Refer to Section X.B for Conditions of Approval regarding Tree Protection and Tree Mitigation Planting.**

### **C. Bel-Red Design Guidelines**

Per LUC 20.25D.150, each development within a Bel-Red land use district must comply with the provisions of the following Bel-Red Subarea Design Guidelines:

#### **Character and Site Guidelines**

1. Integrate the Natural Environment
2. Promote Architectural Compatibility
3. Establish and Strengthen Gateways
4. Protect and Enhance Surface Water Resources
5. Integrate Art

**Finding:** The townhome proposal has been designed with a slight nod to the industrial pastime of the Bel-Red subarea, as expressed by the type of materials (brick and metal siding) and colors chosen for each building. The overall color and material palate is neutral, helping to blend with the existing surrounding development and the mature tree line surrounding the site. Three open space areas are proposed for the development, allowing for both active and passive gathering for residents. Bio-retention cells are proposed on the north and south end of the project, further promoting low impact development (LID) water treatment methods to treat rainwater runoff from surfaces, such as roadways, roofs and sidewalks within the development. The applicant intends to install an art feature at the front of the property within one of the landscape areas to provide additional visual interest for the development and the Bel-Red corridor. **Refer to Section X.D for Condition of Approval regarding Art Feature.**

#### **Pedestrian Emphasis Guidelines**

1. Define the Pedestrian Environment
2. Enhance the Pedestrian System
3. Protect Pedestrians from the Elements
4. Create a Variety of Successful Outdoor Spaces
5. Provide Places for Stopping and Viewing

**Finding:** The project proposes clearly defined pedestrian pathways and connections between public rights of way and through the site. The Bel-Red street frontage includes a new eight-foot wide meandering sidewalk running east-west to connect to existing sidewalks fronting neighboring properties along Bel Red Road. Five-foot wide pedestrian pathways spur off the sidewalk on both sides of the Bel Red driveway approach and run south through the development, providing direct pedestrian access to each townhome unit entrance, the central plaza open space, and the existing sidewalks fronting NE 10<sup>th</sup> Place. These pedestrian

pathways will be illuminated with small free-standing illuminated bollards for safety and security within the development.

### **Architectural Guidelines**

1. Encourage High Quality Materials
2. Provide Interesting Building Massing
3. Create Attractive Building Silhouettes and Rooflines
4. Foster Attractive Rooftops
5. Promote Welcoming Residential Entries
6. Promote Visually Interesting Upper Floor Residential Windows

**Finding:** Varied high quality materials will be used within the development, including brick veneer, corrugated metal siding and vertical cementitious siding panels. All steel elements will be powder coated to provide high quality protection against weather damage for durability and longevity. The architectural concept for the Lario townhomes is in the “modern ballpark” aesthetic. Consideration has been given to the design of the upper levels and how these will appear from all streets, both internal and external to the development. Rooftop decks create an additional liveliness and three-dimensional appearance to the roof. Townhome unit entrances are accessible through at-grade walkways that are lined with landscaping and pathway lighting for an inviting and safe walkway. Windows at upper floors of each townhome unit are multi-paned with operable units, and are placed in different wall surfaces, in balconies, under awnings or in brick overhangs to add variety and interest to the overall appearance of the building.

### **Lighting Guidelines**

1. Orient Lighting toward Sidewalks and Public Spaces
2. Integrate Building Lighting

**Finding:** The proposal incorporates exterior sconce lighting fixtures at each unit entrance as well as on either side of the garages to meet safety code requirements. In addition, the pedestrian pathways leading up to the front entry and around the central plaza open space will include small free-standing bollards to enhance pathways and wayfinding throughout the development. All exterior lighting proposed must incorporate cut off shields to decrease light pollution off the site, and is the minimum required for safety and security throughout the development. **Refer to Section X.C for Condition of Approval regarding Shielded Lights.**

## **IV. PUBLIC NOTICE AND COMMENTS**

The applicant and the city held a public meeting on February 8, 2017 at City Hall. The purpose of the meeting was to discuss and clarify the proposal and listen to neighbor concerns. No one from the public attended the meeting. Comments were accepted during and after this public meeting, as well as up to the date of this decision. During the overall review of the project, the City did not receive any public comments on the application.

## **V. TECHNICAL REVIEW**

### **A. Clearing & Grading**

The Clear and Grade reviewer has reviewed the plans and materials submitted for this project and has determined that the clearing and grading portion of this land use application can be

approved. The future Clearing and Grading Permit application for this development must comply with the City of Bellevue Clearing and Grading Code (BCC 23.76).

## **B. Utilities**

Utility review has been completed on the preliminary information submitted at the time of this application. The review has no implied approvals for water, sewer and storm drainage components of the project. A Utility Extension Agreement will be required for review and approval of the utility design for sewer, water and storm. The side sewer connection will be reviewed, permitted and inspected under separate multifamily side sewer permits. Submittal of the Utility Extension will coincide with future clearing and grading permit review. Final civil engineering may require changes to the site layout to accommodate the utilities. Preliminary storm drainage review was completed under the codes and standards in place at the time of this application.

The bioretention cell that is shown located partially within the Bel-Red Road right of way along the south edge needs to be relocated to private property. The City does not maintain private storm drainage facilities for the benefit of private owners, nor does the City allow the construction of private storm drainage facilities on public rights of way. The redesign will be reviewed as part of the Utility Extension Agreement review. **Refer to Section X.A for Conditions of Approval regarding Utilities Conceptual Approval and Bioretention Cell.**

## **C. Transportation**

### **Site Access**

The project site is located on the south side of NE Bellevue-Redmond (Bel-Red) Road, two parcels to the east of 124<sup>th</sup> Avenue NE. Access to the proposed project will be provided via two driveways, one connecting to NE Bel-Red road and the other connecting to a short frontage on NE 10<sup>th</sup> Place. The existing site has driveways located in roughly the same locations as the proposed driveways. However, the proposed driveway on NE Bel-Red Road will shift approximately 25 feet to the west of the existing driveway. The driveway on NE Bel-Red Road will be 30 feet wide to facilitate turning movements off of NE Bel-Red Road without causing significant delays to eastbound traffic. The NE Bel-Red Road driveway will remain 30-feet in width for the length of the landing, which is the first 30 feet behind sidewalk, and then will taper down to an internal circulation width of 20 feet. The driveway connecting to NE 10<sup>th</sup> Place will be 26 feet wide and will remain at that width for the first 30 feet behind the sidewalk and then taper down to the 20-foot wide internal circulation width.

Due to the proximity of the proposed NE Bel-Red Road driveway to the intersection at 124<sup>th</sup> Avenue NE, left turns in to and out of the site on NE Bel-Red Road will be prevented by extending the existing precast mountable curb or "c-curb" across the project site frontage. This curb is currently in place for the westbound left turn lane on NE Bel-Red Road. Right turns in and out only will be permitted at the NE Bel-Red driveway. However, the driveway connecting to NE 10<sup>th</sup> Place will be a full access driveway and allow residents direct access to travel via NE 10<sup>th</sup> Place north or south on 124<sup>th</sup> Avenue NE. To the east of the site, NE 10<sup>th</sup> Place curves to the south and connects to NE 8<sup>th</sup> Street.

In addition to the sidewalk on NE Bel-Red Road, a five-foot wide sidewalk will be provided on the west side of the main internal private road connecting from NE Bel-Red Road through the

site to NE 10<sup>th</sup> Place. The sidewalk provides residents with pedestrian access to both NE Bel-Red Road and NE 10<sup>th</sup> Place NE and access to nearby bus stops.

Truck turning movement exhibits were submitted for review demonstrating that a garbage truck can maneuver through the site for pick up services, and that enough space is available for each unit to stage up to three bins at one time and still allow garage ingress and egress for each unit and movement through the site. All loading and unloading, delivery, garbage and recycling services must be contained within the project site. No portion of the city right of way may be used for these services. **Refer to Section X.A for Conditions of Approval regarding Vehicular Access Restrictions and Provisions for Loading.**

### **Street Frontage Improvements**

In order to provide safe pedestrian and vehicular access in the vicinity of the site, and to provide infrastructure improvements with a consistent and attractive appearance, the construction of street frontage improvements is required as a condition of development approval. The design of the improvements must conform to the requirements of the Americans with Disabilities Act, the Transportation Development Code (BCC 14.60), and the provisions of the Transportation Department Design Manual. **Refer to Section X.B, X.C and X.D for Conditions of Approval regarding Civil Engineering Plans – Transportation, Building and Site Plans – Transportation and Street Frontage Improvements.**

1. The existing curb, gutter, and sidewalk along NE Bel-Red Road shall be completely removed and reconstructed with an eight foot wide sidewalk and a twenty foot wide landscaping planter as required in the Bellevue City Code (BCC) 20.25D.110.B.3.c. The applicant is proposing a meandering sidewalk along NE Bel-Red Road with a minimum planter width of 20 feet. A sidewalk easement shall be provided for any portion of the sidewalk located outside of the right of way. An easement shall be provided for any portion of the sidewalk located outside of the right of way and shall encompass the 20-foot wide landscaping planter.
2. The existing curb, gutter, and sidewalk along the NE 10<sup>th</sup> Place frontage shall be completely removed and reconstructed with a six-foot wide sidewalk and five-foot wide landscaping planter. A sidewalk easement shall be provided for any portion of the sidewalk located outside of the right of way.
3. 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.

ADA also requires provision of a safe travel path for visually handicapped pedestrians. Potential tripping hazards are not allowed in the main pathway. Installation of colored or textured bands to guide pedestrians in the direction of travel is advisable, subject to the requirements for non-standard sidewalk features. ADA-compliant curb ramps shall be installed where needed, consistent with City and WSDOT standard drawings. If such standards cannot be met, then deviation from standards must be justified on a Design Justification Form to be filed with the

Transportation Department.

4. The new landscaping planter strip within the sidewalk area along NE Bel-Red Road and NE 10<sup>th</sup> Place 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. Installation of the proposed planter shall include an irrigation system, soil preparation, root barrier and plantings. Root barrier and soil preparation are described in Standard Drawings SW-120-1 and SW-130-1. Landscaping in the right-of-way shall be maintained by the abutting property owner(s) unless maintenance has been accepted by the city.
5. A street lighting analysis was completed and a street light will be added to both the NE Bel-Red Road frontage as well as adjacent to the driveway on NE 10<sup>th</sup> Place. Existing street lighting along the frontage will be converted to LED. A combined street tree and street light plan is required for review and approval prior to completion of engineering and landscape plans. 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 SW-140-1 or equivalent).
6. Drainage facilities meeting Utility Department standards will be required where appropriate.
7. If the developer requests alternative paving materials, 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.
8. To the extent feasible, no new utility vaults that serve only one development will be allowed within a public sidewalk. Vaults serving a broader public purpose may be located within a public sidewalk. To the extent possible, no utility vaults may be located within the primary walking path in any sidewalk.
9. 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 SW-140-1 or equivalent. Fixed objects are defined as anything with breakaway characteristics greater than a four-inch by four-inch wooden post.
10. No new overhead utility lines will be allowed within or across any right of way or sidewalk easement, and existing overhead lines must be relocated underground.
11. The trenching for undergrounding of existing overhead utility lines, should be coordinated with adjacent sites, if necessary. Transformers and utility vaults to serve the building shall be placed inside the building or below grade, to the extent feasible.
12. The developer must install private road street name signs as needed. The applicant



has the option of paying the City to manufacture the street name sign or having one manufactured by a private vendor. The applicant is responsible for procuring the sign post and hardware and is responsible for installation. The specifics of the street name sign will be determined during the clearing and grading permit.

13. For any street cuts or trenching within any right of way or access easement, the pavement must be restored per the requirements described in this report and as required by the right of way use permit.
14. The applicant is required to coordinate mailbox location with the Bellevue Postmaster and show the mailbox location on the engineering plans.
15. The engineering plans shall be the controlling document on the design of these features; architectural and landscape plans must conform to the engineering plans.

### **Easements**

The applicant shall provide sidewalk and utility easements to the City as needed to encompass the full required width of any sidewalks and landscaping planter located outside the city right of way fronting this site. If applicable, any negative impact that this development has on existing utilities easements must be mitigated or easements relinquished.

The applicant shall provide easements to the City for location of street light facilities consisting of above-grade boxes and/or below-grade vaults between the building and sidewalk within the landscape area on NE Bel-Red Road and NE 10<sup>th</sup> Place frontage. Transformers and utility vaults to serve the building shall be placed inside the building or below grade, to the extent feasible. **Refer to Section X.C for Conditions of Approval regarding Existing Easements, Easements for Street Lighting Equipment and Vaults, and Sidewalk/Utility Easements.**

### **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. **Refer to Section X.B.1 for Condition of Approval regarding 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," "Grind and Overlay Required," and "Standard Trench Restoration." Each category has different trench restoration requirements associated with it.

Near this project, NE Bel-Red Road has been classified as "Standard Trench". NE Bel-Red Road is listed as an overlay candidate in 2020. If the street is resurfaced prior to the applicant's work in the right of way, permission to cut into NE Bel-Red Road will be required. NE 10<sup>th</sup> Place is "Grind and Overlay Required" and will require a full grind and overlay for a minimum of

50 feet as described in the right of way use permit. **Refer to Section X.D.3 for Condition of Approval regarding Pavement Restoration.**

#### **D. Building Division**

The plans for Design Review have not been sufficiently developed for a thorough review under the 2015 IRC, including amendments to this Code made by the Washington State Building Code Council (available online) and the City of Bellevue amendments (available online). This review will occur during the actual plan review of the building plans. These comments are preliminary in nature, and are not intended to be all inclusive for the Building Department review of plans, nor do these comments include any implied approval.

The plans generally conform to the requirements applicable to this stage of the design process. It should be noted, however, for the development of formal building plans, close attention to IRC Section R302 Fire-Resistive Construction including Washington State Amendment shown at Figure R302.2 (1) and Table 302.1 (1) are required. Also, as shown on the current Design Review plans, the 4<sup>th</sup> story occupied deck(s) and the associated stairways and landings can be permitted. IRC townhome projects are limited to 3 stories by definition in the 2015 IRC. For this reason, no expansion of enclosed floor areas beyond the stairway and the landing are permitted. No fixtures, furnishings, built in shelves or appliances are to be enclosed within the landing area. No additional accessory spaces such as enclosed storage is permitted on the 4<sup>th</sup> floor of an IRC building. **Refer to Section X.C.13 for Condition of Approval regarding Fourth Floor Occupiable Decks.**

#### **E. Fire**

The Bellevue Fire Department, Fire Prevention Division has reviewed the submittal in accordance with the 2015 International Fire Code, 2015 International Building Code, City of Bellevue requirements, and good fire protection practices. This review was based upon and limited to the information presented on drawings and/or materials received in our office. The Fire Department can approve the application, subject to conditions. **Refer to Section X.C.1 for Condition of Approval regarding Fire Department Conditions.**

#### **F. Addressing**

The new main parcel address for the development will be 12485 NE Bellevue-Redmond Road. Each building will be assigned a letter (A-G), and each unit will have its own numerical address relating to either NE 10<sup>th</sup> Lane, NE 11<sup>th</sup> Lane or 124<sup>th</sup> Court NE. In this part of Bellevue, addresses increase from south to north, and from west to east. The building addresses are assigned for the shell only, and are primarily assigned for permitting purposes. They are not mailable, and are not part of the townhome unit addresses. Each townhome unit has been assigned with its own address. The final site addresses will depend on the final building configurations. A change in site configuration may require re-addressing. **Refer to Section X.D for Condition of Approval regarding Addressing of Buildings.**

### **VI. STATE ENVIRONMENTAL POLICY ACT (SEPA)**

The environmental review indicates no probability of significant adverse environmental impacts occurring as a result of the proposal that are beyond those identified in the Bel-Red Corridor EIS and the Transportation Facilities Plan EIS. The Environmental Checklist together with information submitted (in the official file) adequately discloses expected environmental impacts associated with the proposed Design Review approval. The City codes and requirements, including SEPA, Land Use Code, Noise Ordinance, Building Code and other construction codes

adequately mitigate expected environmental impacts. Therefore, issuance of a Determination of Non-Significance (DNS) is the appropriate threshold determination under the State Environmental Policy Act (SEPA) requirements, with incorporation by reference of:

- The Bel-Red Corridor Project Draft and Final Environmental Impact Statement, issued July 19, 2007 and addendum.
- Final Environmental Impact Statement, 2016-2027, Transportation Facilities Plan, December 2015.

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

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

### **Air Quality**

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

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

Construction vehicles and heavy construction equipment shall emit the least amount of air pollution as possible. While on city streets, all construction vehicles shall meet the requirements of the Revised Code of Washington 46.61.655 for covered loads. **Refer to Section X.B for Condition of Approval regarding Air Pollution from Construction Vehicles and Equipment.**

### **Noise**

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

### **Approval regarding Construction Noise Hours and Use of Best Available Noise Abatement Technology.**

In addition, per BCC 9.18.045B, noise levels in sleeping areas shall not exceed 40 dBA. The applicant will be required to submit certification by an acoustical consultant prior to construction of the residential buildings, that the construction methods and materials for the residential units will meet this threshold. If the threshold is exceeded, then noise attenuation measures will be required to be incorporated into the construction design. Once construction is complete, noise levels will be required to be measured inside a random sample of units to ensure sleeping areas do not exceed the 40 dBA threshold. **Refer to Section X.C and X.D for Conditions of Approval regarding Certification by a Noise Consultant and Noise Levels/Measurements in Sleeping Areas.**

### **Light and Glare**

There is the potential for light and glare with the lights at night from residential units. Potential light and glare impacts will extend to adjacent businesses that operate after dark, in addition to vehicular/pedestrian traffic along adjacent streets. In order to mitigate potential impacts to adjacent vehicular drivers/businesses/residents, any light source emitting from the project area shall incorporate cutoff shields and be designed so as not to provide light and glare and spillover offsite. **Refer to Section X.C for Condition of Approval regarding Shielded Lights.**

### **Transportation**

#### **Long Term Impacts and Mitigation**

The long-term impacts of development projected to occur in the City by 2027 have been addressed in the City's 2016 – 2027 Transportation Facilities Plan FEIS Addendum. The impacts of growth that are projected to occur within the City by 2027 are evaluated on the roadway network assuming that all the transportation improvement projects proposed in the City's 2016 - 2027 Transportation Facilities Plan are in place. The Transportation Facilities Plan EIS divides the City into several Mobility Management Areas (MMAs) for analysis purposes. Lario Townhomes lies within MMA #12 (Bel-Red), which has a 2027 total growth projection of 3,357 multi-family dwelling units. This development proposes 46 townhomes. Therefore, the volume of proposed development is within the assumptions of the Transportation Facilities Plan FEIS Addendum.

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. For the purpose of impact fee calculation, credit is given for the previous office park and bank uses that will be demolished. Fee payment is required at the time of building permit issuance. **Refer to Section X.C for Condition of Approval regarding Transportation Impact Fee.**

#### **Mid-Range Impacts and Mitigation**

Project impacts anticipated to occur in the next six years are assessed through a concurrency analysis. The Traffic Standards Code (BCC 14.10) requires that development proposals generating 30 or more new p.m. peak hour trips undergo a traffic impact analysis to determine if

the concurrency requirements of the State Growth Management Act are maintained.

The Lario Townhomes development proposes 46 multi-family dwelling units. This development will generate 25 new p.m. peak hour trips and, therefore, will not trigger concurrency requirements. The existing use of the site is an office park and includes a Banner Bank, numerous medical and dental tenants as well as general office tenants. The combination of the existing uses on the site are more intensive land uses than multi-family and therefore, generate more p.m. peak trips than the proposed development, which results in a net reduction of 38 p.m. peak hour trips. The results of the project trip generation is documented in a memorandum by TranspoGroup, dated May 8, 2017, and included in the Transportation Department file for this development.

### **Short Term Operational Impacts and Mitigation**

City staff analyzed the short term operational impacts of this proposal in order to recommend mitigation if necessary. These impacts included traffic operations conditions during the a.m. and p.m. peak hours. Issues that were analyzed included access location and design, sight distance, on-site loading, and onsite circulation.

Access Design and Location, On-site circulation: The access and on-site circulation design allows residents to access the site by traveling eastbound on NE Bel-Red Road and also provides full access from the driveway at NE 10<sup>th</sup> Place. This design also allows delivery trucks, emergency vehicles, and large vehicles to maneuver through the site without having to turnaround for egress. Site access is addressed in Section V of this Staff Report under Summary of Technical Reviews, Transportation - Site Access.

Sight Distance: The vehicle sight distance at the two proposed driveways connecting to Bellevue- Redmond (Bel-Red) Road and NE 10<sup>th</sup> Place was analyzed and meets the required sight distance for the posted speed limits. In addition, the pedestrian sight distance was analyzed and also meets the required standard per BCC 14.60.240 and 14.60.241.

### **Storm Drainage**

This project will be reviewed under the 2016 Utilities Engineering Standards. The site is located within the West Tributary Drainage Basin. The project drains to Lake Washington via Kelsey Creek and Mercer Slough Drainage Basins. The project is redevelopment as there is more than 35% existing impervious surface. Minimum Requirements MR #1-9 are triggered.

The detention system for the upstream development to the west will be incorporated in this development detention system since the detention system serving both properties will be demolished during development of the Lario Townhomes project.

The project triggers MR #6 Runoff Treatment which will be provided by using Modular Wetland units, Bio-retention Cells, and a Filterra system to treat PGIS runoff.

### **Water**

The water supply for this project is provided from City of Bellevue owned water mains located in NE Bellevue-Redmond Rd, 124<sup>th</sup> Ave NE, and NE 8<sup>th</sup> St in the Bellevue 400 pressure zone. Any



irrigation lines or services are required to have an approved and certified backflow assembly installed as well as provide an Irrigation Water Budget prior to acceptance of the installation.

The building domestic water service will require an approved backflow assembly if the building is over 35 feet tall.

The project proposes to abandon a portion of the existing 8-inch water main that crosses the site and construct a new water main in a different location further toward the east.

### **Sewer**

The project proposes to connect to the existing 8-inch vitrified clay (VC) sewer main in NE Bellevue-Redmond Rd with a manhole. Sewer will be extended onto the project site with 8-inch pipe, manholes and stubs to each building.

## **VII. CHANGES TO PROPOSAL DUE TO CITY REVIEW**

### **A. Transportation Department**

- Added a driveway on Bel-Red Road to facilitate better internal circulation and to allow trucks to drive through the site, rather than have to turn around. Original design proposed access off NE 10<sup>th</sup> Street only.
- Added a 5' wide internal sidewalk/walking path for residents which connects from Bel-Red Road to NE 10<sup>th</sup> Street to provide access to local transit for residents.

### **B. Land Use Division**

- Required a multi-family play area sheet within the plan set to show the specific details of how the proposal will meet the multi-family play area requirements.
- Requested additional clarification regarding tree removal throughout the site and questioned why some trees were being removed.
- Required an art feature at the front of the property to meet the Bel-Red Design Guidelines.

## **VIII. DESIGN REVIEW DECISION CRITERIA**

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

### **A. The proposal is consistent with the Comprehensive Plan.**

Finding: The proposal, as conditioned, is consistent with the Comprehensive Plan and Bel-Red Subarea Plan. Staff has reviewed the policies which apply to the project and has determined that those applicable policies will be implemented through the application of City Codes and the adopted Design Guidelines identified in the Bel-Red Chapter of the Land Use Code. **Refer to Section X.A, B, C, and E. for Conditions of Approval regarding Project Plans, Conditions of Approval, Final Landscape Plan, Building Materials/Details and Color Samples, and Sign Master Plan.**

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

1) **Vision:**

- *The Bel-Red corridor in 2030 will be an area that is unique within the city of Bellevue and the entire Puget Sound region. It will be an area where thriving businesses will be adjacent to, and sometimes mixed with, livable neighborhoods, all served by a multi-modal transportation system that connects the area to the greater city and region. The area will also be distinguished by environmental and community amenities that will serve residents and employees in the area, as well as residents from surrounding neighborhoods and the entire city. The area will transition gracefully over time, with existing businesses being accommodated while new types of development will occur as conditions warrant.*
- *Vibrant, diverse and walkable neighborhoods: Bel-Red will contain a broad range of housing types to meet the needs of a diverse population of varied income levels. Neighborhoods will have a pedestrian friendly and walkable character, with convenient access to shopping, jobs, and community amenities, and will also be well connected to the larger city and region.*
- *Appropriate scale of development: Development and redevelopment in Bel-Red should complement, not compete with, Downtown Bellevue, and should provide graceful transitions in scale in areas adjacent to residential neighborhoods.*
- *Sustainability: New neighborhoods, buildings, streetscapes, parking and open space systems, environmental enhancements, and transportation facilities will also be planned, designed and developed using state-of-the-art techniques to enhance the natural and built environment and create a more livable community.*

Finding:

The proposed Lario Townhomes project is consistent with the goals and policies of the Bel-Red Subarea Plan. The proposal implements the vision of the Bel-Red Subarea Plan by providing 46 additional residential units to help increase the overall residential density within Bel-Red. The proposed site development includes open space areas for residents and children to enjoy, in addition to pedestrian pathways throughout the site for enhanced circulation. Many of the mature trees around the perimeter of the site will also be retained in keeping with the City's tree preservation goal. Enhancement of the street frontage along Bel-Red road will provide new sidewalk and landscaping which will result in a pleasant and safe pedestrian experience along a major arterial.

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

**POLICY S-BR-14.** *Use design guidelines to promote pedestrian-friendly and transit-oriented design, ensure quality and a sense of permanence, promote environmental sustainability, and create a distinct sense of place. Conduct design review for all mixed use, office and residentially designated areas of*

*the Subarea. Apply additional depth and attention to the details of design review within transit-oriented development nodes.*

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

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

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

***Policy S-BR-19.*** *Encourage the use of building materials that are of high quality and durability, are appropriate for the area climate, and that have a sense of permanence.*

***Policy S-BR-20.*** *Reinforce the area's sense of place and Northwest provenance by encouraging innovative building and site design, construction techniques and materials that reflect the industrial roots of the area while emphasizing the emerging urban character of Bel-Red.*

Finding:

The Urban Design goals and policies of the Bel-Red Subarea Plan are incorporated into the Lario Townhomes proposal. The proposed residential project will be the first residential redevelopment project along the western edge of the Bel Red Corridor that is outside of the Spring District Master Development Plan (corner of NE District Way and 124<sup>th</sup> Avenue NE). The project includes 46 townhome units in three 6-unit buildings and four 7-unit buildings. The building design is representative of the “modern ballpark” aesthetic and will be constructed with a variety of materials and colors which are representative of an industrial design, which in turn respects the industrial history of the Bel Red subarea. Building facades will be articulated through the use of colors and materials and building projections, including varying rooftop elements to help identify each townhome unit from the next adjacent unit. The siting of each building will also allow for a variety of open space areas between buildings, including pedestrian connections throughout the site, and for a larger centralized open space area for residents and children to utilize. Proposed landscaping will complement the design aesthetic of the buildings, while many of the existing perimeter evergreen trees would remain, providing screening between neighboring properties.

The project is subject to the plans submitted and attached. **Refer to Section X.A for Condition of Approval regarding Project Plans.**

- 3) ***Environment:*** *To redevelop the Bel-Red area as a model of environmental sustainability, realizing opportunities provided by new development to achieve significant improvements over current conditions.*

***Policy S-BR-28.*** *Encourage natural drainage practices where feasible in public and private projects, as an alternative to traditional stormwater treatment and control. Allow natural drainage practices to offset traditional treatment and control standards to the extent practicable, and provide other incentives to promote their use if needed.*

Finding:

The proposed project includes a low impact development technique in the form of a bio-infiltration cell within the streetscape planter area adjacent to Bel-Red Road.

- 4) ***Housing Goal:*** *To encourage Bel-Red redevelopment to result in a diversity of housing types and prices, including a significant share of “workforce housing”.*

***Policy S-BR-40.*** *Encourage a diversity of housing types, from high density, multi-story housing in transit nodes, to medium density housing outside nodes, to other innovative housing forms, such as live/work and work/live units.*

Finding:

The proposal incorporates a new housing type within the western edge of the Bel-Red subarea which will complement the existing surrounding development, as well as the potential future development in the area.

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

As described in Section III, this project will comply with all applicable requirements of the Land Use code except where exceptions have been granted, as discussed within this report.

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

As conditioned, the proposal complies with applicable requirements of the Land Use Code. Refer to Section I.B, Building Design, for discussions on overall design of the proposal. In addition, refer to Section III.C, Consistency with Land Use Code/Zoning Requirements for additional discussion regarding consistency with the Bel Red Design Guidelines.

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

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

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

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

**IX. DECISION**

After reviewing the proposal for consistency with applicable City of Bellevue requirements, policies, development standards, and SEPA, the Director hereby **APPROVES WITH CONDITIONS** the **DESIGN REVIEW APPLICATION** for **LARIO TOWNHOMES**.

**X. CONDITIONS OF APPROVAL**

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

Clearing and Grading Code - BCC 23.76	Janney Gwo	425-452-6190
Bellevue Development Standards	Janney Gwo	425-452-6190
Transportation Code - BCC 14.60	Vanessa Humphreys	425-452-2569
Trans. Development Review - BCC.22.16	Vanessa Humphreys	425-452-2569
Right-of-Way Use Permit - BCC 14.30	Tim Stever	425-425-4294
Bellevue Utilities Code - BCC Title 24	Chris Brookes	425-452-6825
Construction Codes - BCC Title 23	Sheri Crawford	425-452-2843
Structural Codes – BCC Title 23	Sheri Crawford	425-452-2843
Land Use Code - BCC Title 20	Laurie Tyler	425-452-2728
Sign Code - BCC Title 22B	Laurie Tyler	425-452-2728
Noise Control - BCC 9.18	Laurie Tyler	425-452-2728
Uniform Fire Code - BCC 23.11	Glen Albright	425-452-4270
Transportation Department Design Manual	Vanessa Humphreys	425-452-2569
The Bel-Red Corridor Plan Streetscape Character, Guidelines, and Standards	Vanessa Humphreys	425-452-2569
Addressing	Laurie Tyler	425-452-2728
	Jami Fairleigh	425-452-4310

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

**TRANSPORTATION DEPARTMENT CONDITIONS (GENERAL)**

**1. VEHICULAR ACCESS RESTRICTIONS**

Access to this site from NE Bel-Red Road will be restricted to right-turn-in and right-turn-out only. This will be achieved through installation of a c-curb and signage, as specified in the final civil engineering plans for the development.

AUTHORITY: BCC 14.60.150  
REVIEWER: Vanessa Humphreys, Transportation Department

**2. PROVISIONS FOR LOADING**

The property owner shall provide an off-street loading space which can access a public street. This must include an off-street location for garbage pick-up, which must be

acceptable to the garbage hauler. On-street loading and unloading will not be permitted.

AUTHORITY: LUC 20.20.590.K.4; BCC 14.60.180  
REVIEWER: Vanessa Humphreys, Transportation Department  
Laurie Tyler, Land Use

### **UTILITIES DEPARTMENT CONDITIONS (GENERAL)**

#### **3. UTILITIES CONCEPTUAL APPROVAL**

Utility Department approval of the design review application is based on the final conceptual design submitted with this application. Final utility design and construction approval is not given under this permit. Small changes to the site layout may be required to accommodate the utilities after utility engineering is approved. The water, sewer, and storm drainage systems shall be designed per the current City of Bellevue Utility Codes and Utility Engineering Standards. Utilities Department design review, plan approval, and field inspection is performed under the Utility Developer Extension Agreement (DEA) and Utilities Permit Processes. A water, sewer, and storm Developer Extension Agreement will be required for the project. All connection charges will be due with the Developer Extension Agreement prior to issuance of the permit. Easements will be required for new publicly owned facilities, and easement modifications will be required for areas where public utilities and easements are no longer existing. Any and all unused existing services must be abandoned back to the main.

UE permit required for water, sewer, and storm drainage.

UA permits will be required for each sanitary side sewer connection/modification.

UC permits required for domestic and irrigation water services 2-inch and smaller.

AUTHORITY: Bellevue City Code Title 24.02, 24.04, 24.06  
REVIEWER: Chris Brookes, Utilities

#### **4. BIORETENTION CELL**

The bioretention cell shown along the south side within the Bel-Red Road right-of-way shall be relocated to private property.

AUTHORITY: Bellevue City Code Title 24.02, 24.04, 24.06  
REVIEWER: Chris Brookes, Utilities

### **LAND USE DIVISION CONDITIONS (GENERAL)**

#### **5. PROJECT PLANS**

The project is subject to the plans submitted August 21, 2017 and attached.

AUTHORITY: Bellevue City Code 20.35.230  
REVIEWER: Laurie Tyler, Land Use

#### **6. CONSTRUCTION NOISE HOURS**

Noise related to construction is allowed from 7:00 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 6:00 p.m. on Saturday, except for Federal holidays and as



further defined by the Bellevue City Code. Exceptions to the construction noise hours limitation contained in the Noise Control Code MAY be granted pursuant to 9.18.020C.1 when necessary to accommodate construction which cannot be undertaken during exempt hours. Written requests for exemption from the Noise Control Code must be submitted two weeks prior to the scheduled onset of extended hour construction activity.

AUTHORITY: Bellevue City Code 9.18.020, .040  
REVIEWER: Laurie Tyler, Land Use

#### **7. USE OF BEST AVAILABLE NOISE ABATEMENT TECHNOLOGY**

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

AUTHORITY: Bellevue City Code 9.18.020.F  
REVIEWER: Laurie Tyler, Land Use

#### **8. MODIFICATION TO THE DESIGN REVIEW PLANS**

Any modification to this approval shall be processed as either a Land Use Exemption or a new Design Review application. Any modification of the project design must be reviewed for consistency with the design intent as stated in Section I.C of this report. Conditions of Approval run for the life of the project.

AUTHORITY: Land Use Code 20.30F.175  
REVIEWER: Laurie Tyler, Land Use

#### **9. CONDITIONS OF APPROVAL**

A copy of these conditions of approval shall be copied onto a plan sheet at the beginning of the plan set(s) submitted for building permits.

AUTHORITY: Land Use Code 20.35.230  
REVIEWER: Laurie Tyler, Land Use

#### **10. BOUNDARY LINE ADJUSTMENT**

Prior to the issuance of any construction permits, the applicant shall submit and receive City approval of a Boundary Line Adjustment (LW Permit) to create one project site.

AUTHORITY: LUC 20.45B.260  
REVIEWER: Laurie Tyler, Land Use

- B. PRIOR TO CLEARING & GRADING (CG) PERMIT ISSUANCE:** The following conditions are imposed to ensure compliance with the relevant decision criteria and Code requirements. These conditions must be complied with on plans submitted with the Clearing & Grading and Demolition permit applications:

#### **TRANSPORTATION DEPARTMENT CONDITIONS (prior to CG issuance)**

#### **11. RIGHT-OF-WAY USE PERMIT**

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

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

In addition, the applicant shall submit for review and approval a plan for providing pedestrian access during construction of this project. Access shall be provided at all times during the construction process, except when specific construction activities such as shoring, foundation work, and construction of frontage improvements prevent access. General materials storage and contractor convenience are not reasons for preventing access.

The applicant shall secure sufficient off-street parking for construction workers before the issuance of a clearing and grading, building, a foundation or demolition permit.

AUTHORITY: BCC 11.70 & 14.30  
REVIEWER: Tim Stever, Right of Way

## **12. 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) The construction of the 20 feet wide internal circulation road.
- b) The construction of the driveway approaches per the Transportation Design Manual. The access driveway widths must be a minimum of 30 feet wide on NE Bel-Red Road and 26 feet wide on NE 10<sup>th</sup> Place. The driveway widths must be maintained through the length of the landing, which is the first 30 feet and then may taper down to the internal circulation width of 20 feet.
- c) The applicant is required to remove the existing sidewalk, curb, and gutter on NE Bel-Red Road and install an eight foot wide sidewalk with 20 feet of landscaping, curb, and gutter. The applicant is required to remove the existing sidewalk, curb, and gutter on NE 10<sup>th</sup> Place and replace it with a six foot wide sidewalk with a five foot wide landscaping planter.
- d) The precast mountable curb or “c-curb” in the center of NE Bel-Red Road will be extended east across the project frontage to prevent left turns in and out of the NE

Bel-Red Road driveway. The details must be shown in the clearing and grading plans.

- e) Landings on sloping approaches are not to exceed a 7% slope for a distance of 30 feet approaching the back edge of sidewalk. Driveway grade must be designed to prevent vehicles from bottoming out due to abrupt changes in grade.
- f) Undergrounding of existing overhead utility lines, which should be coordinated with adjacent sites.
- g) The trenching for undergrounding of existing overhead utility lines, which should be coordinated with adjacent sites, if necessary. Transformers and utility vaults to serve the building shall be placed inside the building or below grade, to the extent feasible.
- h) The developer must install private road street name signs as needed. The applicant has the option of paying the City to manufacture the street name sign or having one manufactured by a private vendor. The applicant is responsible for procuring the sign post and hardware and installation. The specifics of the street name sign will be determined during the clearing and grading permit.
- i) Trench restoration within any right of way or access easement.
- j) The applicant is required to coordinate mailbox location with the Bellevue Postmaster and show the mailbox location on the engineering plans.
- k) The engineering plans shall be the controlling document on the design of these features; architectural and landscape plans must conform to the engineering plans.
- l) Installation or relocation of streetlights and related equipment.
- m) Location of fixed objects in the sidewalk or near the driveway approach.

Construction of all street and street frontage improvements must be completed prior to closing the clear and grade permit and right of way use permit for this project. A Design Justification Form must be provided to the Transportation Department for any aspect of any pedestrian route adjacent to or across any street that cannot feasibly be made to comply with ADA standards. Design Justification Forms must be provided prior to approval of the clear and grade plans for any deviations from standards that are known in advance. Forms provided in advance may need to be updated prior to project completion. For any deviations from standards that are not known in advance, Forms must be provided prior to project completion.

AUTHORITY: BCC 14.60; Transportation Department Design Manual;  
Americans with Disabilities Act  
REVIEWER: Vanessa Humphreys, Transportation Department

**LAND USE DIVISION CONDITIONS (prior to CG issuance)**

**13. AIR POLLUTION FROM CONSTRUCTION VEHICLES AND EQUIPMENT**

Construction vehicles and heavy construction equipment shall emit the least amount of

air pollution as possible. While on city streets, all construction vehicles shall meet the requirements of the Revised Code of Washington 46.61.655 for covered loads.

AUTHORITY: State Environmental Policy Act, Bellevue City Code, 23.76,  
Revised Code of Washington 46.61.655

REVIEWER: Laurie Tyler, Land Use

#### **14. FINAL LANDSCAPE PLAN**

A final landscape plan and irrigation plan shall be submitted with the Clearing and Grading application for review by Land Use. Provide details for any electrical outlets that are proposed to be located within the planting strips.

AUTHORITY: Land Use Code 20.20.520

REVIEWER: Laurie Tyler, Land Use

#### **15. STREET TREES AND RIGHT OF WAY LANDSCAPING**

All street trees along Bellevue Redmond Road shall be planted as specified by Parks Department tree planting standards. The species to be planted are as follows:

Calocedrus Decurrens 'Incense Cedar':	10' in height at planting
Platanus x acerifolia 'Bloodgood':	2.5" caliper at planting

AUTHORITY: LUC 20.25D.110.B.3.c.iv

REVIEWER: Laurie Tyler, Land Use

#### **16. TREE PROTECTION**

Include a Tree Protection Plan with the project plans submitted for construction permits and include Tree Preservation Detail Drawing #35 and the City of Bellevue Development Standards.

AUTHORITY: BCC 23.76 AND Bellevue Development Standards

REVIEWER: Laurie Tyler, Land Use

#### **17. TREE MITIGATION PLANTING**

As shown on the mitigation tree planting plan (sheet L2.1) the applicant shall install all seventeen (17) mitigation trees as recommended by the arborist and listed on sheet C5.03 of the plan set.

AUTHORITY: Land Use Code 20.20.900

REVIEWER: Laurie Tyler, Land Use

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

#### **FIRE DEPARTMENT CONDITIONS (Prior to BP issuance)**

#### **18. FIRE DEPARTMENT CONDITIONS**

- a) No portion of a structure shall exceed 400 feet from a fire hydrant. Prior

to building permit issuance, the distance from existing fire hydrants to any proposed building shall be verified (measured by path of fire hose lay) or a new hydrant(s) shall be shown on the plans and installed prior to combustible construction. IFC 507.5.1

- b) No portion of structures shall exceed 150 feet from an approved access roadway. Where a fire apparatus access roadway is required, a minimum of 20'-0" clear width and 13'-6" vertical clearance shall be provided. All private access roadways exceeding 150 feet in length shall be designed and constructed with an approved turnaround. IFC 503

AUTHORITY: IFC 507.5.1, IFC 503  
REVIEWER: Glen Albright, Fire Department

**TRANSPORTATION DEPARTMENT CONDITIONS (Prior to BP issuance)**

**19. TRANSPORTATION IMPACT FEE**

Payment of the traffic impact fee will be required at the time of building permit issuance. If multiple building permits will be issued, the impact fee will be tied to the primary above-ground permit. Removal of existing buildings will be eligible for impact fee credit. The impact fee is estimated to be \$2,664 per multi-family dwelling unit. Impact fees are subject to change and the fee schedule in effect at the time of building permit issuance will apply.

AUTHORITY: BCC 22.16  
REVIEWER: Vanessa Humphreys, Transportation Department

**20. BUILDING AND SITE PLANS – TRANSPORTATION**

The building grade and elevations shall be consistent with the curb and sidewalk grade shown in the approved civil engineering plans. During construction, city inspectors may require additional survey work at any time in order to confirm proper elevations. Building plans, landscaping plans, and architectural site plans must accommodate on-site traffic markings and signs and driveway design as specified in the engineering plans. Building plans, landscaping plans, and architectural site plans must comply with vehicle and pedestrian sight distance requirements, as shown on the engineering plans.

AUTHORITY: BCC 14.60.060; 110; 120; 150; 180; 181; 190; 240; 241  
REVIEWER: Vanessa Humphreys, Transportation Department

**21. EXISTING EASEMENTS**

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

AUTHORITY: BCC 14.60.100  
REVIEWER: Tim Stever, Right of Way

**22. EASEMENTS FOR STREET LIGHTING EQUIPMENT AND VAULTS**

The applicant shall provide easements to the City for location of 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: Vanessa Humphreys, Transportation Department

**23. SIDEWALK/UTILITY EASEMENTS**

The applicant shall provide sidewalk and utility easements to the City such that sidewalks and landscaping planter outside of the City right of way along the property frontage are located within a pedestrian easement area.

AUTHORITY: BCC 14.60.100  
REVIEWER: Vanessa Humphreys, Transportation Department

**LAND USE DIVISION CONDITIONS (Prior to BP issuance)**

**24. BUILDING MATERIALS/DETAILS AND COLOR SAMPLES**

The development is subject to the building materials/details and color samples as indicated on the attached plans.

AUTHORITY: Land Use Code 20.25D.150.D  
REVIEWER: Laurie Tyler, Land Use

**25. SOLID WASTE/RECYCLING COLLECTION FACILITIES REQUIRED**

Prior to the issuance of any construction permit, the applicant shall provide a written document demonstrating that Republic Services (City's waste hauler service) has been contacted and has approved the proposed access to the recycling and solid waste collection area(s) for this development. In addition, all rights of way and public easement shall not be occupied by trash receptacles, dumpsters, recycling bins or other such items.

AUTHORITY: Land Use Code 20.20.720  
REVIEWER: Laurie Tyler, Land Use

**26. SHIELDED LIGHTS**

In order to mitigate potential impacts to adjacent properties, including other residents within the development, any light source emitting from the project area shall be designed so as not to provide light and glare and spillover offsite. Cutoff shields shall be used.

AUTHORITY: Land Use Code 20.20.522  
REVIEWER: Laurie Tyler, Land Use

**27. CERTIFICATION BY A NOISE CONSULTANT**

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

AUTHORITY: Bellevue City Code 9.18.030 and Land Use Code 20.30F.145  
REVIEWER: Laurie Tyler, Development Services Department

## **28. BICYCLE PARKING**

The applicant shall provide a minimum of 4 bicycle parking stalls in accordance with the Bel-Red Land Use Code 20.25D.120.G.

AUTHORITY: Land Use Code 20.25D.120  
REVIEWER: Laurie Tyler, Development Services Department

### **BUILDING DEPARTMENT CONDITIONS (Prior to BP issuance)**

## **29. FOURTH FLOOR OCCUPIABLE DECKS**

Structures on the 4<sup>th</sup> floor roof deck are limited to those shown on #16-149087-LD plans, dated August 21, 2017. No built in elements in the stairway landings are permitted, and no additional covered and/or enclosed features are permitted on the 4<sup>th</sup> floor roof deck.

AUTHORITY: 2015 IRC  
REVIEWER: Sheri Crawford, Building Division

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

### **ADDRESSING (Prior to issuance of any CO)**

## **30. ADDRESSING OF BUILDINGS**

The applicant shall contact Jami Fairleigh, Information Technology Department, regarding the final addressing of each building unit. Addressing shall be approved by the Fire Department and Transportation Department.

AUTHORITY: Uniform Fire Code 505  
REVIEWER: Jami Fairleigh, Information Technology Department

### **TRANSPORTATION DEPARTMENT CONDITIONS (prior to issuance of any CO)**

## **31. 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. Existing overhead lines must be relocated underground. All required improvements must be constructed as per the approved plans or as per direction of the Transportation Department inspector. Bonding or other types of assurance devices will not be accepted in lieu of construction, unless the City requires a delay.

AUTHORITY: BCC 14.60; Comprehensive Plan Policy UT-39; Transportation Department Design Manual; and Transportation Department Design Manual Standard Drawings.  
REVIEWER: Vanessa Humphreys, Transportation

## **32. PAVEMENT RESTORATION**

Pavement restoration associated with street frontage improvements or to repair damaged street surfaces shall be provided as follows:

a) NE Bellevue-Redmond Road: The City plans to resurface this street in the year 2020 after which a 5-year no-street-cut moratorium will be in effect. All necessary trenching and street cuts must be completed by that time. Should the street surfaces become damaged as a result of this development after the City resurfaces this street, a full grind and overlay for a minimum of 50 feet will be required.

b) NE 10<sup>th</sup> Place: Based on this street's excellent condition, it is classified with the City's overlay program as "Overlay Required." Street cutting is permitted only with extraordinary pavement restoration. A full grind and overlay will be required for a minimum of 50 feet.

AUTHORITY: BCC 14.60. 250; Design Manual Design Standard #23  
REVIEWER: Tim Stever, Right of Way

**LAND USE DIVISION CONDITIONS (prior to issuance of any CO)**

**33. LANDSCAPE INSTALLATION ASSURANCE DEVICE**

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

AUTHORITY: Land Use Code 20.40.490  
REVIEWER: Laurie Tyler, Land Use

**34. LANDSCAPE MAINTENANCE ASSURANCE DEVICE**

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

AUTHORITY: Land Use Code 20.40.490  
REVIEWER: Laurie Tyler, Land Use

**35. ART FEATURE**

An art feature is required to be installed at the front of the property within one of the landscape areas to provide visual interest for the development and the Bel-Red corridor. Review and approval shall occur with the land use division prior to installation and TCO/CO.

AUTHORITY: LUC 20.25D.150  
REVIEWER: Laurie Tyler, Land Use

**36. NOISE LEVELS/MEASUREMENTS IN SLEEPING AREAS**

Noise levels in sleeping areas shall not exceed 40 dBA. The applicant shall measure the noise levels in a random sample of the rooms and submit the findings to the City. If the maximum threshold is exceeded, additional noise mitigation will be required to meet the threshold prior to the issuance of an Occupancy Permit.

AUTHORITY: Bellevue City Code 9.18.045B & Land Use Code 20.30F.145



REVIEWER: Laurie Tyler, Development Services Department

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

**37. SIGN MASTER PLAN**

There are no implied approvals of proposed signage within this design review approval. A comprehensive sign package shall be submitted to the Development Services Department for review and approval through a Pre-Development Services (DC) application or a Sign Permit (SA) application. Contents shall include but is not limited to:

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

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

No freestanding signs, cabinet signs or signs above the rooftop are permitted except as permitted in the Sign Code Bellevue City Code 22B.10.

AUTHORITY: Bellevue City Code 22B.10 and Land Use Code 20.25D.150.F  
REVIEWER: Laurie Tyler, Development Services Department