CITY OF BELLEVUE, WASHINGTON

RESOLUTION NO. 5390

A RESOLUTION regarding the appeal of the Bellevue Citizens Initiative Committee from the SEPA-based conditions of an administrative design review approval for the Bellevue Convention Center, File No. ADD 91-05; entering Findings of Fact and Conclusions; denying the appeal; and approving the application, with conditions.

WHEREAS, on January 23, 1991, the City of Bellevue Design and Development Department granted an administrative design review approval (ADR 90-3212) to the Bellevue Convention Center Authority for the Bellevue Convention Center facility, to be located at 615 - 112th Avenue NE, on a site that is bordered by NE 6th Street on the south and 112th Avenue NE on the east; and

WHEREAS, said administrative design review approval was issued subject to conditions imposed pursuant to Comprehensive Plan policies, Land Use Code regulations, City Development Standards and under the substantive authority of the State Environmental Policy Act; and

WHEREAS, on February 12, 1991, the Bellevue Citizens Initiative Committee filed an appeal of the administrative design review decision; and

WHEREAS, the Hearing Examiner determined that the only issues contained in the appeal over which he had jurisdiction were those related to the imposition of conditions under the State Environmental Policy Act; and

WHEREAS, on April 10, 1991, the Hearing Examiner conducted a public hearing on the appeal; and

WHEREAS, on April 24, 1991, the Hearing Examiner issued his Findings, Conclusions and Recommendations of the Hearing Examiner Pro Tempore for the City of Bellevue in which he recommended that the appeal should be denied; and

WHEREAS, on May 6, 1991, the City Council conducted a limited public hearing on the appeal; and

WHEREAS, the City has complied with the State Environmental Policy Act and the City Environmental Procedures Code; and

WHEREAS, the City Council now desires to enter findings, conclusions and a decision on the appeal; now, therefore,

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1440C 05/10/91

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. The City Council adopts the findings of fact, conclusions and recommendation of the Hearing Examiner Pro Tempore as set forth in "Findings, Conclusions and Recommendation of the Hearing Examiner Pro Tempore for the City of Bellevue, in the Matter of the Appeal of the Bellevue Citizens Initiative Committee, from SEPA-based Conditions of the Administrative Design Review for the Bellevue Convention Center (ADR 90/3212), File No. AAD-91-05."

Section 2. With regard to the appeal criteria of Land Use Code 20.35.530.C.2, the Council determines:

A. The appellant has not carried its burden of proof and has not produced evidence sufficient to support the conclusion that the appeal should be granted or granted with modifications.

B. The decision of the Director of Design and Development is supported by the preponderance of the evidence.

C. That conditions should be imposed on the approval to mitigate the identifiable adverse impacts thereof, and that the conditions contained in the ADR staff report will provide reasonable mitigation of all identifiable adverse impacts at issue in this appeal.

Section 3. The City Council hereby denies the appeal and approves the design review application subject to the conditions of approval set forth in the "Environmental and Land Use Division Staff Report and Administrative Decision, DRCBD-90-3212", a copy of which is attached hereto and incorporated herein as Exhibit A.

Section 4. The affected project proponent or the appellant has the right to appeal this decision to Superior Court as provided in Bellevue City Code (Land Use Code) 20.35.535.

PASSED by the City Council this 20^{M} day of 1991, and signed in authentication of its passage this 20^{M} day of 1991, 1991.

(SEAL)

IM Julina Terry Lukers, Mayor

Attest:

Sharon Mattick for

Marie K. O'Connell, City Clerk



Design and Development Department 455-6864 • FAX 637-5225 Post Office Box 90012 • Bellevue, Washington • 98009-9012

ENVIRONMENTAL AND LAND USE DIVISION STAFF REPORT AND ADMINISTRATIVE DECISION

PROJECT NAME:

Bellevue Convention Center

TYPE OF REVIEW: Design Review

FILE NUMBER: DRCBD-90-3212

APPLICANT: Bellevue Convention Center Authority

LOCATION: 615 112th Avenue N.E.

DESCRIPTION:

130,000 sf convention center, including a 400 seat performing arts theatre, plus a 440 stall parking garage.

COMPREHENSIVE PLAN SUBAREA: CBD COMPREHENSIVE PLAN LAND USE: Special Opportunity Area ZONING: CBD-0-2 and CBD-MU SEPA DETERMINATION: Draft EIS issued November 9, 1988 Final EIS issued February 10, 1989 Addendum Issued December 26, 1990

STAFF CONTACT: Mark Hinshaw 455-6864

DECISION: Approval with conditions Wather Diving DIRECTOR, DEPARTMENT OF DESIGN & DEVELOPMENT

City of Bellevue offices are located at Main Street and 116th Avenue SE

I. REQUEST

Construct a three-story, 130,000 sf convention center containing an exhibition hall, meeting rooms, and a 400 seat performing arts theatre, served by a 440-stall parking garage.

II. HISTORY OF LAND USE ACTIONS

In November of 1979, the Bellevue City Council adopted the Subarea Plan for the Central Business District (CBD). The subarea plan identified the site of the proposed development and the area surrounding it as a "Special Opportunity Area." Policy 21.V.3.785 states that "the area offers special opportunities due to its terrain, location, ownership and circulation characteristics and is well suited as a location for...(among other things)...cultural, conference and civic facilities... Policy 21.V.3.790 states, "Locate a conference/cultural facility in this area which links the office and retail focus areas with the hotel/motel district." Further, Policy 21.V.3.820 calls for establishing design guidelines for the area.

In February of 1981, the Bellevue City Council enacted new land use regulations for the CBD which established allowable floor area ratios, heights, bulk, parking ratios, an amenity system, a host of design criteria for use in a process of required design review. These design criteria were expanded in November of 1983 by the addition of a set of design guidelines that addressed features that would need to be provided at the ground level of buildings.

Finally, in July of 1989, the Bellevue City Council amended the Land Use Code by adopting a Civic Center Design District. This set of provisions established a specific area, a purpose to be achieved in providing a location for a variety of civic uses and a set of specific development standards that recognize the unusual size, configuration and visual impact of large public assembly facilities.

III. PROPOSAL DESCRIPTION

- A. EXISTING SITE AND CONTEXT
 - 1. Existing Site Conditions
 - a. Location and Access

The site is bordered by N.E. 6th Street on the south and 112th Avenue N.E. on the east. The main vehicular entrance and exit will be along N.E. 6th Street, approximately at the mid-point of the building frontage. A secondary vehicular exit will be along 112th Ave, at about the mid-point of the building frontage. The main pedestrian entrance will be at the southwest corner of the building. Secondary entrances will be along N.E. 6th Street and along the north side of the building. Two loading docks will be located along the north side of the building, one at the northwest corner, another at the northeast corner. Truck access to these docks will be from a shared access easement just to the north of the building connecting 110th Ave with 112th Ave.

The City has two street improvement projects that will alter the width and alignment of the two streets that abut the site. 112th will be widened to five lanes and shifted somewhat toward the east. N.E. 6th will also be widened and extended through a parcel of property on the east side of 112th Ave. in order to connect it to 114th Avenue N.E. Both projects will be done concurrently and will be completed by the end of 1992.

b. Site Area

The total area of the site is 79,398 sf, of which 15,838 sf lies within the CBD-0-2 District and 63,560 sf lies within the CBD-MU District. (These figures include only the portions of the site within which the building is being placed. There is an additional 5,523 sf of leased land area upon which sidewalks would be constructed, but none of that area has been used for calculations of allowable floor area or other purposes in the review of the project.)

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c. Physical Features

The site is sloping, dropping 34 feet from the northwest corner (elev. 150) to the southeast corner (elev. 116).

2. Adjacent Zoning

a. North: CBD-0-2 and CBD-MU

- b. East, across 112th: CBD-OLB
- c. South, across N.E. 6th: CBD-0-2 and CBD-MU
- d. West: CBD-0-2
- 3. Relationship to Surrounding Uses

Immediately to the north of the site is a collection of low-rise retail and restaurant buildings, surrounded by surface parking. Immediately to the west is a two-story office building, surrounded by surface parking. Across the street to the south is a large vacant lot, extending the entire length of the block. Across the street to the east is a small multi-story office building, surrounded by surface parking. Most of the surrounding uses were developed 15 to 20 years ago and will likely be redeveloped within the next 10 to 15 years. The City's Comprehensive Plan suggests that such redevelopment will consist of a combination of office, hotel, and retail uses, together with various civic facilities.

B. PROPOSAL

- Plans and Drawings (See Attachment A.)
- 2. Proposal Description
 - a. Type of Use

The proposed project consists of a collection of indoor public assembly uses. The largest one is an exhibition hall, containing approximately 36,000 sf of space. A 400 seat performing arts theatre is also included within the building, together with "back of the house" dressing rooms, toilets and stage

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areas. The building also includes 12,500 sf of meeting space that can be arranged in groupings of four to ten rooms. There are a number of other functional areas within the building, including a kitchen for the preparation and serving of meals, public restrooms, administrative offices, storage, loading areas, and several lobbies and corridors. There are also two accessible exterior decks. In addition, the building includes a small amount of leasable retail space along the sidewalk. Finally, the building includes several levels of parking that are largely underground.

b. Site Design

The site of this proposal is essentially consumed by the building; no exterior spaces, except for an entrance plaza, will remain. The entrance plaza will consist of a broad set of steps that lead from the sidewalk along N.E. 6th Street up to a landing in front of the entry doors. At the east end of the steps will be a cascading water fountain. The entry area will also incorporate a large piece of artwork. The proposed project includes construction of sidewalks with installation of street trees along N.E. 6th (16 feet wide) and along 112th N.E. (12 feet wide). The sidewalk along N.E. 6th will be partially covered by a marquee or canopy.

Building Design

c.

The proposed building expresses its interior functions through the use of bold exterior forms. A long, curved roof form covers the levels that include meeting rooms and the exhibit hall. Since the meeting rooms consume less floor space than the exhibit hall below, the remaining roof portion of the exhibit hall that might otherwise be actual roof will instead be accessible decks, located along the north and south faces of the building. The performing arts theatre has its own form, in which the fly loft and auditorium portions are clearly evident from outside. The main lobby and circulation areas are large, multistory spaces with glass facades such that activities within these areas will be clearly visible from the outside. There will also be a tall tower form near the entrance lobby that will serve to indicate the civic nature of the building in addition to enclosing the more utilitarian function of vertical circulation--elevator and stairs. The east facade of the building conceals the main loading dock and rooftop mechanical equipment. Because this side needs no windows, the otherwise blank face will receive a large piece of artwork that will create a bold and dramatic statement, visible from nearby streets and sidewalks. The north and west facades of the building lie along property lines. Expansion of the building would, in the future, occur in those two directions; therefore, the facade treatment will be less elaborate, making use of shadow lines and reveals to create interest for the period until expansion occurs.

The building will incorporate several materials in a manner that will serve to fragment its bulk. First, large expanses of glass will be used along the south facade, recessed in several planes. The lobby facade will be virtually all vision glass, possibly with a light green tint. The tower and prefunction area will also use glass. The offices and doors leading out to the decks at the meeting room level will also be glazed. The ground level of the building will be clad with pre-cast concrete on its south and east facades. The upper portions of the east facade, and the majority of the north and west facades will be smooth stucco, with an earth-tone color. Finally, the curved roof over the meeting rooms and exhibition hall will be a gray-colored synthetic membrane. (See Condition B.7.)

The building will generally abut the back of the sidewalk, with the exception of the entry area and a "notched" area at the southeast corner of the structure. Along N.E. 6th Street, the ground level of the building will incorporate windows looking into the performing arts theatre and retail uses and for displaying playbills and posters. Along the 112th facade, there will also be windows for displaying playbills and posters and for a small length of retail use near the south end of the facade.

No information was provided regarding signage or lighting for the exterior of the building. This information will be required prior to issuance of Building Permits. (See Conditions B.2. and B.8.) In addition, prior to issuance of Building Permits, information will be required regarding the placement of any microwave dishes on the roof. (See Condition B.9.)

IV. REVIEW PER GENERAL LAND USE CODE REQUIREMENTS

A. STATISTICS AND STANDARD LAND USE CODE REQUIREMENTS

1. The following is a summary of project statistics: what the Bellevue Land Use Code permits or requires and what the applicant has proposed.

PORTION WITHIN CBD-0-2:

ITEM	PERMITTED/ REQUIRED	PROPOSED
Floor Area	<u> </u>	20,283 gsf
Floor Area Ratio Site Area	6.0 maximum	1.28 15,838 sf
Lot Coverage Bldg. Height	100% allowed 250' maximum	100%
Front Setback	0	0
Rear Setback Side Setback	0	õ
Parking Ratio Parking Stalls Street Landscape	* Within MU portion of site **	
Interior Landscape Parking Landscape Walkways	None required Not applicable Mid-block connec MU portion of si	

Notes:

- * The only use that is located in the 0-2 portion of the site is the 400 seat performing arts theatre. This use has a parking requirement of 1 seat per 8 seats resulting in a requirement for 50 stalls. These stalls will be located in a garage that is entirely within the MU portion of the site.
- ** The proposed project is consistent with the Design Guidelines for Building/Sidewalk Relationships and therefore no street landscaping setback is required. (See Section IV.D.)

PORTION WITHIN CBD-MU:

109,993 gsf 1.73 63,560 sf 100% 100' + 6' mech 0 0 0 * 440 stalls ** None ***
1.73 63,560 sf 100% 100' + 6' mech 0 0 0 * 440 stalls ** None
100% 100' + 6' mech 0 0 * 440 stalls ** None
100' + 6' mech 0 0 * 440 stalls ** None
0 0 * 440 stalls ** None
0 0 * 440 stalls ** None
0 * 440 stalls ** None
* 440 stalls ** None
440 stalls ** None
** None
None

* * *
arts theatre, th as follows:
0 sf 360 stall
0 ef 125 stall
0 sf 5 stall
0 sf 5 stall
otal 495 stall
l as 10 sf 10 sf 10 sf

- ** The proposed project is consistent with the Design Guidelines for Building/Sidewalk Relationships and therefore no street landscaping is required.
- *** A pedestrian connection is being provided through the building's lobby and along a balcony-like corridor above the circulation space on the exhibit hall level.

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B. BASIC FLOOR AREA RATIO REQUIREMENTS

1. The proposed project must provide a basic set of amenities in order to satisfy the requirements set forth in Section 20.25A.020.C. Since the project is situated in two land use districts, the following describes how it will meet the basic requirement in each district.

2.

For the portion of the project in the CBD-0-2 District, the project needs to provide amenities that will generate 12,670 sf of floor area through the amenity formula. This is derived by multiplying the land area of the site in the 0-2 District by the basic allowable Floor Area Ratio by 20%. Accordingly, this calculation is as follows:

15,838 sf x 4.0 x .20 = 12,670 sf

This amount of bonus is proposed to be achieved through the provision of three amenities-pedestrian oriented frontage, a marquee, and a piece of sculpture.

Pedestrian Oriented Frontage that is proposed consists of 32 lf of theatre lobby along N.E. 6th Street. Theatres are specifically included in the definition of Pedestrian Oriented Frontage. This feature also meets the design criteria of being located along the sidewalk, being accessible (multiple entrance doors are being provided) and being visually accessible (clear glass is proposed). There will be a public benefit derived as a result of a theatre in this location as it will enliven the downtown, particularly at night, and provide additional entertainment choices for the public. The lobby frontage will serve to make the theatre a prominent feature of the building.

Therefore, this feature can be granted the bonus square feet of 150 sf for each linear foot of frontage, for a total of 4800 sf.

A marquee is being provided over the public walkway directly in front of the theatre entrance lobby where the entry doors are located on the south facing glass wall and the west facing glass wall of the lobby. These locations are also the point of entry and exit off the sidewalk. The marquee is a permanent overhead canopy, projecting from the face of the building and is designed to provide weather protection. It is located over a walkway and the walking surface provides for proper drainage. The canopy has a horizontal orientation to the building that fits with the design of the building. It is nine feet above the walkway surface, which is within the minimum height required and the maximum height allowed for bonusable marguees. However, it is eleven feet deep and accordingly exceeds the maximum allowable depth to height ratio of 3:4. Therefore, no bonus can be awarded for this feature.

A sculpture, to be fabricated out of long, curving strips of laminated glass is proposed to be affixed to the glass that surrounds the main entrance to the building. A portion of the sculpture would protrude outside the glass surface, but the entire piece would be visible from the outside. A value of \$137,000 has been assigned to the sculpture. A major sculpture would offer a public benefit in this location, as it would reinforce the civic nature of the building and its public role within the community. With submittal of appropriate documentation (See Condition B.3.) that the appraised value is at least that amount, bonus floor can be awarded. At the rate of 8 sf of bonus area for each \$100 of value, as set forth by the Land Use Code, the amount of bonus awarded is 10,960 sf.

The amount of bonus square feet awarded as a result of the provision of Pedestrian Oriented Frontage and Sculpture totals 15,760 sf, which more than meets the Basic Floor Area Ratio Requirement for the portion of the building in the CBD-0-2 district.

3. For the portion of the project that is in the CBD-MU District, the project needs to provide amenities that will generate 6,356 sf of floor area through the amenity formula. This is derived by multiplying the land area of the site in the MU District by the basic allowable Floor Area Ratio by 20%. Accordingly, this calculation is as follows:

63,559 sf x .5 x .20 = 6,356 sf



This amount of bonus is proposed to be achieved through the provision of one amenity--pedestrian oriented frontage.

Pedestrian Oriented Frontage being provided consists of 117 lf of retail use along N.E. 6th Street and 112th Avenue. The two spaces designated for retail would be both physically accessible directly from the sidewalk and visually accessible from the sidewalk. Retail uses in this location would provide active uses along the front of a building that might otherwise be a blank facade, and therefore there is a public benefit derived from having a livelier streetscape in this part of the downtown. (See Condition C.1.) Therefore, this feature can be granted the bonus square feet of 100 sf for each linear foot of frontage, for a total of 11,700 sf. This more than meets the Basic Floor Area Ratio Requirements for the portion of the building in the CBD-MU District.

C. FAR Amenity Incentive System

- 1. In addition to meeting the Basic FAR Requirements discussed above, the proposal must also accumulate sufficient bonus square feet that will allow the building to increase it floor area from the basic allowable to the desired amount. Again, portions of the building situated in the CBD-0-2 District and the CBD-MU District are discussed separately.
- The amount of floor area proposed for the portion 2. of the building in the CBD-0-2 District is 24,097 sf. The Land Use Code allows performing arts theaters to be excluded from the calculation of maximum floor area. The part of the theater containing fixed seating is 3814 sf, so the actual countable floor area in this district is 20,283 sf. The basic allowable floor area for the portion of the property in the 0-2 District is 4.0 x the parcel area or 4.0 x 15,838, which is 63,352 sf. Since the proposed floor area is less than this amount, no bonus floor area is required. However, since the theatre is eligible for a bonus of 10 sf for each square foot of fixed seating area, bonus area in the amount of 38,140 is granted. A theatre in this location provides a benefit to the public by expanding choices for entertainment and other social activities. The bonus area that is granted,

though, would be "excess" floor area. This can be combined with the 15,760 sf generated by the Pedestrian Oriented Frontage and Sculpture discussed previously to produce a total of 53,900 sf of "excess" floor area. This excess can only be transferred to abutting property in the same ownership.

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The amount of floor area proposed for the portion of the building in the CBD-MU District is 109,993 sf. The basic allowable floor area for this portion is .5 x the parcel area or .5 x 63,560 sf, which is 31,780 sf. The proposed floor area is 78,213 sf over the basic allowable, so amenities sufficient to at least generate this amount of floor area will be necessary. As discussed previously, the proposal includes 117 lf of pedestrian oriented frontage which generates 11,700 square feet of bonus floor area. In addition, the proposal includes a marquee along N.E. 6th Street that will be 220 feet in length by 8 feet in depth, for an area of 1760 sf. The marguee is a located over the sidewalk which provides for drainage. It has a horizontal orientation and a design that is coordinated with the building. However, almost all of the length of the marquee exceeds the maximum allowable height of 12 feet for the purpose of receiving bonus floor area; therefore this feature cannot be granted any bonus. The proposed building includes 147,331 sf of underground parking. Since it is located below average finished grade for the building and is beneath the main portion of the structure, it can receive a bonus. In addition, the underground parking structure provides a public benefit by eliminating the visual impact of an above-ground structure. This amount of bonus floor area is derived on the basis of .5 sf for each square foot of underground parking, or .5 x 147,331, which is 73,666 square feet of bonus floor area. This amount can be combined with the bonus for the Pedestrian Oriented Frontage to produce a total of 85,366 sf of bonus area. This exceeds the needed amount by 7,153 sf, which is "excess" bonus area for the portion of the building that is within the CBD-MU District. Again, this excess can only be transferred to abutting property in the same ownership.

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4. Summary of FAR Amenity System Review

0-2 PORTION OF SITE: Maximum Allowable Floor Area 6 x 15,838 sf 95,028 sf Proposed Floor Area 1 20,283 sf Basic Allowable Floor Area 4 x 15,838 sf 63,352 sf "Points" Needed to Achieve Proposed Floor Area 0* Approved Amenities Pedestrian Frontage 4,800 sf** 10,960 sf** Sculpture Theatre 38,140 sf Total 53,900 sf Excess Bonus Floor Area 53,900 sf

MU PORTION OF SITE:

Maximum Allowable Floor Area 3 x 63,560 sf	190,680	ef.
5 x 05,500 BI	190,000	51
Proposed Floor Area	109,993	sf
Basic Allowable Floor Area		
.5 x 63,560 sf	31,780	sf
"Points" Needed to Achieve Proposed Floor Area	78,213	e f
rioposeu rioor Area	70,213	SI
Approved Amenities		
Pedestrian Frontage 11,700 sf**		
Underground Parking 73,666 sf Total	85,366	cf
Iotal	00,000	91
Excess Bonus Floor Area	7,153	sf
Total Excess Bonus Floor Area	61,053	sf

Notes:

* Proposed floor area less than basic allowed.

** Amenities satisfy Basic FAR Requirement.

. DISCRETIONARY REVIEW OF THE PROPOSAL

A. Civic Center Design District

The site of this project is within the Civic Center Design District described in Section 20.25A.065 of the Land Use Code. The standards set forth in this section allow both lot coverage and floor areas higher than 40' above grade to be greater than that permitted by the underlying district for buildings in which more than 50% of the gross floor area is devoted to cultural, conference or exhibition facilities. The proposed building includes all three of these uses and therefore is eligible for 100% lot coverage and unlimited floor areas for all floors.

In addition, the Civic Center District includes several design criteria applicable to buildings that are principally cultural, conference or exhibition in use. The proposed building provides for the design features called for in the district by providing offset walls, angular forms and recesses that serve to diminish the scale of the building and by providing a complex set of roof forms, including a large curved shape to soften the profile. Furthermore, the building design provides stepped canopies, recessed entry points, pedestrian oriented uses and display panels along the ground level, as suggested by the provisions of the Civic Center Design District.

The proposed design of the building meets the intent of the special standards established by the design district to produce distinctive and lively civic buildings.

B. Core Design District

The Core Design District contains one provision that is applicable to this site. That provision involves the requirement that the development include a pedestrian connection through the superblock. In accordance with Section 20.25A.100.E.4., the proposed project will incorporate an internal walkway that will allow people on foot to walk from the sidewalk along N.E. 6th, through the building, to buildings to the north. Eventually, with subsequent development, the pedestrian connection would be extended, but would for the present time stop at the limits of this site. The proposed walkway is situated at the same level as the main public entrance and would pass over the prefunction area serving the exhibition hall. This would allow the public to use it without being interrupted or intimidated by crowds of people attending conventions and trade or consumer shows. In order to ensure that this connection would be perceived as available to the general public, a condition will be necessary, specifying hours that it will remain open. (See Conditions B.6. and C.2.)

C. Design Review Criteria

Section 20.25A.110 sets forth a number of criteria that are to be considered in the review of development projects in the Central Business District.

1. Vehicular Circulation and Parking

The project provides for efficient access to parking and service areas, which has been coordinated with existing and expected access for the superblock as a whole. In addition, the main pedestrian access points are well away from the vehicular access points. The project incorporates retail space at the ground level, which helps conceal the parking levels. The number of driveway openings have been kept to a minimum. Finally, the parking has been fitted into the sloping topography and has been placed entirely underground. With respect to loading and unloading, these functions will take place along the north side of the building, off a service lane that connects 110th Ave. to 112th Ave.

2. Pedestrian Circulation and Amenities

A pedestrian connection through the building is being provided. The principal pedestrian route is along the sidewalks abutting the proposed building. The facade along 6th will include a grand staircase leading to the entrance, artwork, overhead canopies, retail uses and display windows. The pedestrian connection through the building will allow for handicapped use. Street trees will line the sidewalks along both 6th and 112th.

3. Wind and Sun

The major public entrance faces south and will be a sunny place in which to sit during periods of good weather. All entrances for people on foot are protected by canopies. Street trees are to be deciduous and will therefore allow penetration of sun to the sidewalk during winter months.

4. Open Space

The proposal includes a large public lobby that will be enclosed with glass on the south and west to permit generous sunlight penetration. The lobby will be open to the public and will lead to the pedestrian connection through the building. It will contain planting, seating and artwork.

5. Light and Glare

The building will not incorporate highly reflective materials that would cause a glare problem.

6. Natural Setting and Topography

The building will be fitted into the slope of the site, with parking placed below the main functional areas. The upper level of the building contains a deck that will afford views of the mountains. The formal arrangement of the building, its massing, materials, color and details will be of a high quality, befitting a building with civic importance.

7. Landscape Design

The applicant is working with the underlying property owner to retain a clump of existing, mature evergreen trees, located off site, immediately to the west of the main entry to create a special landscape feature.

8. Views

Views of mountains to the east will be available from the grand steps in front of the main entry and from the deck on the upper level. Functions that might present undesirable views from streets and other properties such as garbage and mechanical equipment will be screened from views by high walls or parapets.

9.

Building Height and Bulk

The building will be relatively low and spread out, with one tall, slender vertical feature that marks the entrance. The bulk of the building will be visually diminished by its being divided, both horizontally and vertically, into a number of smaller components, each of which is a visual composition in itself.

10. Transitions

The lower portion of the building promotes easy circulation, visual connection to other anticipated developments, and penetration of sunlight.

11. Patterns of Activity

The building is supportive of pedestrian activity and is accessible to the public at large, especially at the ground level. The loading docks for the building are either away from the public areas or are screened from view.

D. Design Guidelines for Building/Sidewalk Relationships

Section 20.25A.115 of the Land Use Code requires that development comply with the applicable provisions of a document entitled "Design Guidelines for Building/Sidewalk Relationships." These guidelines set forth directions for the treatment of the first level of buildings where they abut the public sidewalk. The south face of the proposed building fronts on a right-of-way designated as a "B" type. Guidelines for this designation call for at least half of the building frontage to be comprised of retail uses, the definition for which includes theatres. The retail spaces provided along N.E. 6th, which include the performing arts theatre, retail storefront spaces and display windows, meet the intent of this provision. In addition, the guidelines call for windows providing visual access, street walls, multiple entrances, differentiation of the ground level, and the provision of canopies, awnings or arcades. Much of the ground level of the proposed building includes windows, is built to the back of the sidewalk, has several entrance points, is surfaced with brick (in contrast to the rest of the facade), and incorporates a series of stepped canopies. The proposed building design meets these guidelines. Finally, along this right-of-way, there should be special paving on the sidewalk and seating. It is not clear from the drawings submitted that special paving and seating are being proposed and a condition will be necessary to ensure

that the project meets the guidelines. (See Condition B.4.)

The east face of the proposed building abuts a rightof-way designated as a "D" type. The guidelines for this designation call for some amount of service and commercial activity at the street level. The proposed building will have a retail use at the southern end of the facade along 112th, plus a group of display windows further to the north. In addition, the guidelines call for windows, street walls, and a differentiation of the ground level. The proposal, as mentioned, includes windows. It also has a facade that abuts the sidewalk and brick is being proposed on the first level. The facade along 112th therefore meets the intent of the design guidelines.

VI. STATE ENVIRONMENTAL POLICY ACT (SEPA)

A Draft Environmental Impact Statement for this project was issued on November 9, 1988 and a Final Environmental Impact Statement was issued on February 10, 1989. An Addendum was issued on December 26, 1990.

Land use impacts involve removal of two existing structures and a contribution to the inducement of other development, specifically hotels. Because the City's Land Use Code would mitigate such impacts, no additional mitigation is necessary.

Aesthetic and Urban Design Impacts principally involve the introduction of a substantial amount of new pedestrian activity onto the sidewalk system in the vicinity of the project. While sidewalks immediately adjacent to the building would be reconstructed to City standards, the segment of sidewalk between the project site and 110th, along N.E. 6th Street, is inadequate in width to accommodate the additional pedestrian volumes. The project will need to contribute to the upgrading of this sidewalk.

Light and glare impacts are minimal, given that portions of the building surfaced with glass are limited to essentially the entrance lobby, which is not oriented east/west where low sun angles might cause glare. The glass is also not highly reflective. Therefore, no mitigation is necessary.

Pedestrian wind impacts would occur near the corners of the building, but only to a minimal degree. While entrances are located at corner, this is to provide ready visibility to the public. Fire, Emergency, Medical and Police Services would see incremental impacts as a result of the project. These impacts would be mitigated by coordination with the City's Fire and Police Departments for standby service and security, provision of an aid station on site, security lighting in the garage, and minimizing the scheduling of large events at peak commute periods.

Air quality impacts are largely a function of traffic impacts, the mitigation of which can be effected by reducing congestion and encouraging high occupancy vehicle use. During construction, several techniques can be employed to reduce impacts to air quality caused by the operation of equipment and the disturbance of soils.

Noise impacts during the construction period can be mitigated through various techniques, particularly by limiting hours of construction to avoid nighttimes, as the project site is adjacent to a motel.

Transportation impacts of the project are associated with both traffic congestion and the potential for spillover parking. Analysis of traffic impacts indicates that improvements that will be necessary as a result of the project are already scheduled on the City's Transportation Facilities Plan and which the impact fee for the project will help fund. However, a Transportation Demand program will be necessary to help reduce peak hour congestion. With respect to parking, the potential for spillover on the days of large events will be need to be mitigated by the provision of off-site parking, the use of valet parking to increase the capacity of the garage, careful scheduling of events, and making use of shuttle buses to and from the airport and hotels. In addition, a Transportation Demand Program should help match parking demand with supply. Finally, during periods when the garage is not used for events, the rates for parking should be comparable to other nearby commercial facilities in order not to detract from the overall city objective of discouraging single-occupant vehicles.

IV. TECHNICAL REVIEWS

A. Storm and Surface Water

The Storm and Surface Water Utility has reviewed this project and will require several items of information prior to issuance of a Clearing and Grading Permit. This will include a downstream analysis of the storm drainage system as a part of a hydraulic report; oil-water separator system details; grading, erosion control, and storm drainage plans; and detailed plans for the underbuilding parking area drainage system. Prior to issuance of Building Permits, plans shall be submitted that indicate the relocation of the existing storm drains and any easements necessary to accomplish the relocation. (See Conditions A.1. and B.10.)

B. Transportation

In their review of this proposal, the Transportation Division of the Public Works Department examined short term impacts, long term cumulative impacts and the Traffic Standards Code. With respect to short term impacts, the proposal degrades two intersections from LOS E to LOS F (N.E. 8th at 106th and at 116th). It adds trips to two other intersections currently at LOS F (112th Ave at 8th and at Main). And it degrades one intersection that is LOS E, but will remain so (116th at N.E. 12th).

All of these intersections are scheduled for improvement under the current Transportation Facilities Plan. The project will contribute an impact fee that represents its fair share toward financing the improvements.

As a part of the Traffic Standards Code, the City's computer model distribution identified 29 intersections which will have an increase of 20 or more trips as a result of this project. The analysis indicates that the convention center would not degrade any signalized intersection beyond what is allowed by the TSC. No additional mitigation is therefore needed.

An analysis of queuing cars that would exit from the convention center garage onto N.E. 6th indicates that the left turn pocket on 6th eastbound will fill up quickly at times, degrading operation of 6th. A manual traffic control at the garage exit will be required during major events to meter the outgoing traffic. Also, in addition to improving the sidewalks immediately adjacent to the building, there will be a need for the project to contribute to the widening of a segment of sidewalk along N.E. 6th between the site and 110th, in order to accommodate the anticipated volume of pedestrians.

Finally, a analysis of the potential need for a signal at 6th and 110th indicates that there would not be a need in the early years of operation of the center. A traffic signal will be installed at that location in 1998, as a part of the 110th Street improvement project. However, because a large event could cause pedestrian/vehicular conflicts, a mitigation involving manual traffic control will be required.

C. Fire

The Fire Department staff has reviewed the proposal and has approved the site configuration. The department has determined that adequate access for fire apparatus will be provided and that adequate water supply is available for fire suppression.

D. Water and Sewer Utilities

The Water and Sewer Utility staff has reviewed the proposal and will require water developer extension agreements and sewer developer extension agreements prior to issuance of the building permit. (See Condition B.1.)

V. PUBLIC COMMENT

No public comment was received on the ADR application.

VI. DECISION CRITERIA AND CONCLUSIONS

After conducting the various administrative reviews of this project, including review of applicable Comprehensive Plan policies and Land Use Code provisions through which the City Council has interpreted and implemented those policies, the following conclusions are made:

1. The proposal complies with the building and site development requirements of this Code.

With the exception of several items which are addressed by the imposition of conditions, the review of the proposal with respect to the Land Use Code, indicates that the building meets the intent, as well as the letter, of code provisions. 2. The proposal addresses all applicable design guidelines or criteria in a manner that fulfills their purpose and intent.

The proposed building has been reviewed against design criteria established for the Civic Center Design District, for the Core Design District, for the overall Central Business District, and for Building/Sidewalk Relationships. Except for a few elements that are addressed by conditions, the proposal meets the purpose and intent of these guidelines.

3. The proposal is harmonious and appropriate in design, character, and appearance with the existing or intended character and quality of development in the immediate vicinity of the subject property and the physical characteristics of the subject property.

Given that the proposal is an example of the type envisioned by the Special Opportunity Area in the CBD Subarea of the Comprehensive Plan, and that it takes advantage of the sloping site to conceal the parking and reduce the bulk of the building, this criterion has been satisfied.

 The proposal will be served by adequate public facilities including streets, fire protection, water, storm water control and sanitary sewer.

The technical reviews, together with the environmental review, have indicated that public facilities will be adequate, given the City's adopted Capital Improvement Program and any specific conditions indicated by this decision.

5. The proposal is in accord with the Comprehensive Plan.

The proposal specifically meets the policies established for the Special Opportunity Area of the CBD by its providing conference and cultural facilities called for in those policies. See Section II of this report for a specific description of applicable policies.

VII. DECISION OF THE DIRECTOR

The Director of Design and Development does hereby APPROVE WITH CONDITIONS the subject proposal.

Note: In order to facilitate timely permit issuance, any submittal required by condition for approval by the city of Bellevue prior to the issuance of any Permit or any Certificate of Occupancy, shall be submitted for review by the appropriate department a minimum of 30 days prior to the anticipated permit or certificate issuance date.

VIII. CONDITIONS OF APPROVAL

- A. The following conditions (1 through 5) are imposed by referenced Permit Authorities to ensure compliance with provisions of cited Code or to mitigate adverse environmental impacts which are otherwise not addressed through applicable code provision. <u>These conditions</u> <u>must be complied with prior to issuance of any clear and grade permit for the proposal:</u>
 - 1. The following information shall be submitted to the Storm and Surface Water Utility:
 - o A downstream analysis of the storm drainage system that will include the impact of discharging water pumped to dewater the foundation and protect groundwater. It is the applicant's responsibility to resolve any downstream capacity problems generated by the project. The analysis shall be done as a part of a hydraulic report.
 - o Oil-water separator system details, in accordance with current Development Standards.
 - o Grading, Temporary Erosion Control and Storm Drainage Plans in accordance with current Development Standards.

 Underbuilding parking area drainage system plans in accordance with current Development Standards.

o For any off-site construction staging area, a grading plan, an erosion control plan and a landscape restoration plan, in accordance with standards for such use.

AUTHORITY: BCC 23.76.030 REVIEWER: Bill Johnston 462-2041

- 2. Plans shall be submitted to the Design and Development Department that clearly indicate to the contractor for any clearing and grading, excavation, construction and landscaping that the following noise mitigation measures will be used:
 - o The quietest possible equipment shall be used, with diesel, gasoline and air-powered equipment muffled or silenced.
 - o All construction shall be limited to the hours between 7 am and 7 pm weekdays. Extensions of this time period may be granted administratively with at least 24 hours notice, for the purpose of accommodating unusual, time-sensitive activities.
 - o Equipment left in place for one day or more shall be screened in accordance with City specifications to reduce noise leaving the site.

AUTHORITY: SEPA, Comprehensive Plan Policy 21.G.100.B.1 REVIEWER: Mark Hinshaw 455-6864

3. Plans for clearing and grading, excavation and construction shall also include notations to the contractor to periodically water the site during dry weather to suppress dust. Chemical dust suppressants shall not be allowed.

> AUTHORITY: SEPA, BCC 22.02.005 REVIEWER: Mark Hinshaw, 455-6864

4. Plans shall be submitted to the Department of Design and Development for the erection of a construction fence at least 8 feet in height around the site. It shall be comprised largely of opaque materials facing the streets that abut the site. The faces of the fence on the street frontages shall be treated in a decorative way, with graphic design elements which may include information about the project. At least one point where the public can observe the construction process should be provided if safe and feasible.

AUTHORITY: LUC 20.25A REVIEWER: Mark Hinshaw

5. The applicant shall secure, from the Public Works Department, both approval of a location for offstreet parking for construction workers and a Right-Of-Way Permit for any use of abutting streets. In order to obtain the permit, the applicant shall indicate the following: designated truck routes, loading/unloading areas, construction fence location, pedestrian continuity, mechanical street sweeping, detour signing, hours of construction and hauling, and any other activities that affect the public street system.

> AUTHORITY: Comprehensive Plan 121.M.210(c)6 REVIEWER: Laurie Gromala 462-6013

- B. The following conditions (1 through 11) are imposed by referenced Permit Authorities to ensure compliance with provisions of cited Code or to mitigate adverse environmental impacts which are otherwise not addressed through applicable code provision. <u>These conditions</u> <u>must be complied with prior to issuance of any building</u> permit for the proposal:
 - Water developer extension agreements and sewer developer extension agreements shall be submitted to the City's Water and Sewer Utility.

AUTHORITY: Water Utility Code 24.02.120 REVIEWER: Carol Cap 451-4494

2. A signage design program shall be submitted to the Design and Development Department for review and approval. This package shall indicate the location, size, materials and lighting method for all signs on the exterior of the building.

AUTHORITY: Land Use Code 20.25A REVIEWER: Mark Hinshaw 455-6864

3. An invoice showing the value of the artwork submitted for floor area bonuses shall be submitted to the Design and Development Department.

AUTHORITY: Land Use Code 20.25A REVIEWER: Mark Hinshaw 455-6864

4. Additional information shall be provided to the Design and Development Department regarding street furnishings along N.E.6th Street. The location, type and color of seating, trash receptacles, and textured paving shall be submitted to the Design and Development Department for review and approval. These items should be compatible with the type used along the Pedestrian Corridor. Information shall be depicted in plans, sketches, and/or catalog cuts.

> AUTHORITY: Land Use Code 20.25A REVIEWER: Mark Hinshaw 455-6864

5. Additional information shall be provided to the Design and Development Department regarding the design of the southwest corner of the site where it abuts an existing, off-site landscaped area containing several mature evergreen trees. An enlarged site plan of this area shall include detailed elements, including steps, retaining walls, seating, and other items that would make the on-site area both more publicly usable and more compatible with the adjoining site conditions. Further, information shall be provided that indicates methods for protecting the trees during construction. This information shall be depicted in the form of plan and section drawings of 1/4" = 1'-0".

AUTHORITY: Land Use Code 20.25A REVIEWER: Mark Hinshaw 455-6864

6. A signed memorandum shall be submitted to the Design and Development Department indicating assurance that the through-block pedestrian connection will be open to the public during normal business hours. At a minimum, this shall consist of the hours between 7:30 am and 6:00 pm, Monday through Saturday, with evening hours extended to 11:00 pm when evening events are scheduled. With future expansion and connections to other nearby development, these hours may be required to be expanded to provide for enhanced pedestrian circulation. This memorandum shall be recorded with the King County Division of Records and Elections and the Bellevue City Clerk. In addition, a sign, no smaller than two square feet shall be installed next to each public entrance to the building, indicating hours that the pedestrian connection is open, consistent with this condition.

AUTHORITY: Land Use Code 20.25A REVIEWER: Mark Hinshaw 455-6864

7. Samples of exterior materials (including, but not limited to, glass, metal, stucco, brick and stone) and colors shall be provided to the Design and Development Department for review and approval.

> AUTHORITY: Land Use Code 20.25A REVIEWER: Mark Hinshaw 455-6864

8. A plan showing the location of all exterior lighting, together with catalog cuts or detail drawings of fixtures shall be submitted to the Design and Development Department for review and approval.

> AUTHORITY: Land Use Code 20.25A REVIEWER: Mark Hinshaw 455-6864

9. A roof plan showing the location of any possible microwave dishes, and other roof-mounted equipment, along with the methods of screening them from view, shall be submitted to the Design and Development Department for review and approval.

> AUTHORITY: Land Use Code 20.25A REVIEWER: Mark Hinshaw 455-6864

10. Plans showing the relocation of existing storm drains and indicating any necessary easements for the relocation shall be submitted to the Storm and Surface Water Utitity. The plans and easements shall be in conformance with Development Standards current at the time of application. AUTHORITY: BCC 23.76.030 REVIEWER: Bill Johnston 462-2041

11. A Transportation Impact Fee shall be provided in accordance with provisions of the Transportation Improvement Ordinance.

AUTHORITY: Bellevue Ordinance 4161, Comprehensive Plan Policy 21.M.210(c)4 REVIEWER: Laurie Gromala 462-6013

- C. The following conditions (1 through 11) are imposed by referenced Permit Authorities to ensure compliance with revisions of cited Code or to mitigate adverse environmental impacts which are otherwise not addressed through applicable code provision. <u>These conditions</u> <u>must be complied with prior to issuance of a Certificate</u> of Occupancy for any portion of the project:
 - Preliminary or final lease agreements with tenants of the retail spaces shall be submitted to the Design and Development Department, to fulfill the FAR Amenity System.

AUTHORITY: Land Use Code 20.25A REVIEWER: Mark Hinshaw 455-6864 2. Signs shall be posted at the main public entrances to the building that explain the hours that the throughblock pedestrian connection is open to the public.

> AUTHORITY: Land Use Code 20.25A REVIEWER: Mark Hinshaw 455-6864

3. A document including the staff report and design review approval and describing the bonuses awarded for various amenities and the amount of excess, transferable floor area shall be recorded with the King County Division of Records and Elections and the Bellevue City Clerk. A recorded copy shall be provided to the Department of Design and Development.

> AUTHORITY: Land Use Code 20.25A REVIEWER: Mark Hinshaw 455-6864

4. A scale model of the project shall be provided that fits into the City's model of the downtown area.

AUTHORITY: Land Use Code 20.25A REVIEWER: Mark Hinshaw 455-6864

5. Sidewalk improvements to City standards along N.E. 6th between the site and 110th shall be completed. This is in addition to the dedication of easements and the provision of sidewalk improvements along N.E. 6th and 112th Ave, directly abutting the building, the costs of which shall be fully borne by the project.

> AUTHORITY: Comprehensive Plan Policies 21.M.215.C.1,2,4, and 9. REVIEWER: Laurie Gromala, 462-6013

6. Audio warning devices shall be provided at the exits to the garage to alert pedestrians to emerging vehicles. Warning signs for pedestrians shall also be installed at driveways.

> AUTHORITY: Comprehensive Plan Policy 21.M.210.(c)13 REVIEWER: Laurie Gromala, 462-6013

7. During the peak hour periods of events with expected high peak hour exiting, manual traffic control involving off-duty police personnel shall be provided by the applicant to direct traffic. The Public Works Department will monitor operations of driveways to determine applicable times for manual control and the applicant shall provide such control as directed by the Department. A memorandum of understanding regarding this condition shall be provided by the applicant.

AUTHORITY: Comprehensive Plan Policy 21.M.210(c)14 REVIEWER: Laurie Gromala, 462-6013

8. During events that require off-site parking or events that expect very large pedestrian volumes, the applicant shall provide an off-duty police officer to facilitate safe pedestrian/vehicular movement at the intersection of N.E. 6th and 112th. The Public Works Department will monitor the operation and safety of this intersection to determine applicable times for manual control and the applicant shall provide such control as directed by the Department. A memorandum of understanding regarding this condition shall be provided by the applicant.

> AUTHORITY: Comprehensive Plan Policy 21.M.210(c)14 REVIEWER: Laurie Gromala, 462-6013

9. Signs shall be provided along N.E. 6th Street that indicate that the curb space is for use by taxis and buses only and for picking up/dropping off passengers; no parking permitted.

> AUTHORITY: Comprehensive Plan Policies 21.M.210(c)14 and 21.M.110(c)4 REVIEWER: Laurie Gromala, 462-6013

- 10. In order to mitigate potential parking overflow, the applicant shall submit documents that support the following methods:
 - a. Agreements with nearby property owners to provide up to 337 parking stalls for maximum attendence events. For such events, the convention center authority shall ensure that information regarding off-site parking is available to attendees prior to their arrival at the center and that directional signage to other parking will be used when the garage approaches capacity.

- b. A Parking Management program for approval by the Design and Development Department that would make use of shuttle buses to and from hotels, preferential parking rates in the garage for car pools and van pools, valet parking to increase garage efficiency, provision of information on parking supply and alternate transportation modes available to attendeees which they would receive in registration materials prior to arriving at the center, and provision of maps and guides for restaurants and services within walking distance. Representative events where attendance exceeds 475 people shall be monitored for parking use and mode choice. Monitoring shall be done by done by an independent company and shall be submitted to the City annually.
- c. A Parking Management Program for permanent and part-time employees for approval by the Design and Development Department that includes parking charges no less than the rate for a Metro two zone pass.
- d. If the above techniques fail to reconcile parking demand with supply on site or with shared parking facilities, the Convention Center Authority may be required by the Director of Design and Development to secure additional, permanent, off-site parking.

AUTHORITY: SEPA, Comprehensive Plan Policy 21.M.105, LUC 20.25A.050 REVIEWER: Mark Hinshaw 455-6864

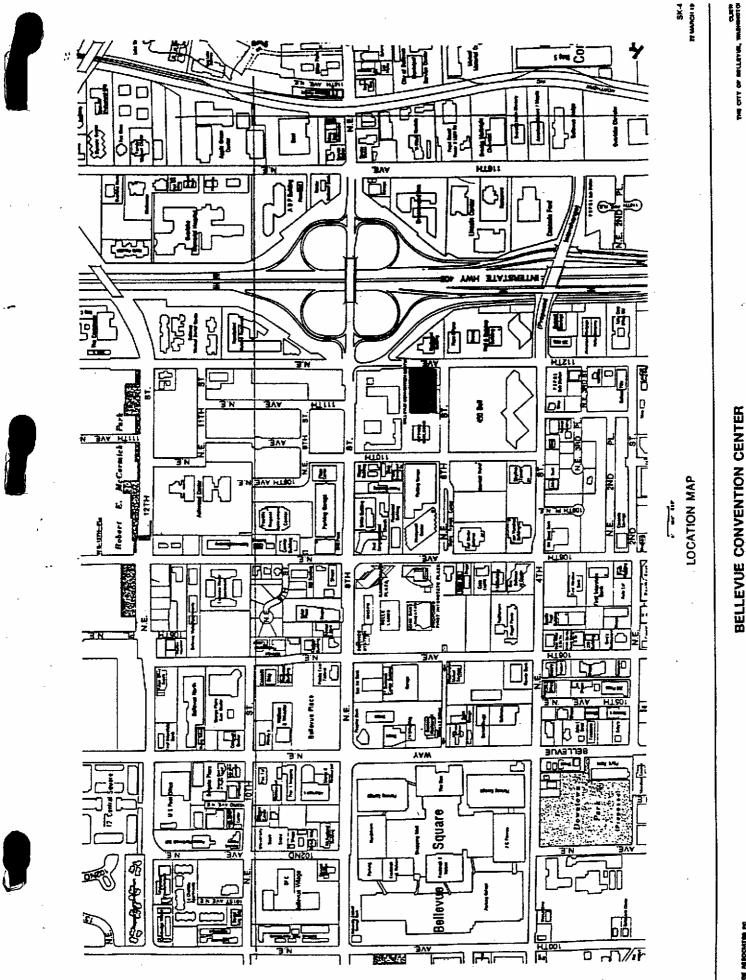
11. The applicant shall submit to the Design and Development Department a proposed schedule of daytime parking rates for the garage. The rates shall be structured to discourage use of the garage by single-occupant automobiles over other nearby garages and therefore the rates shall be no lower than the average hourly rates for other pay-forparking facilities within a radius of 1000 feet.

> AUTHORITY: SEPA, Comprehensive Plan Policy 21.M.105 REVIEWER: Mark Hinshaw 455-6864

ATTACHMENT A

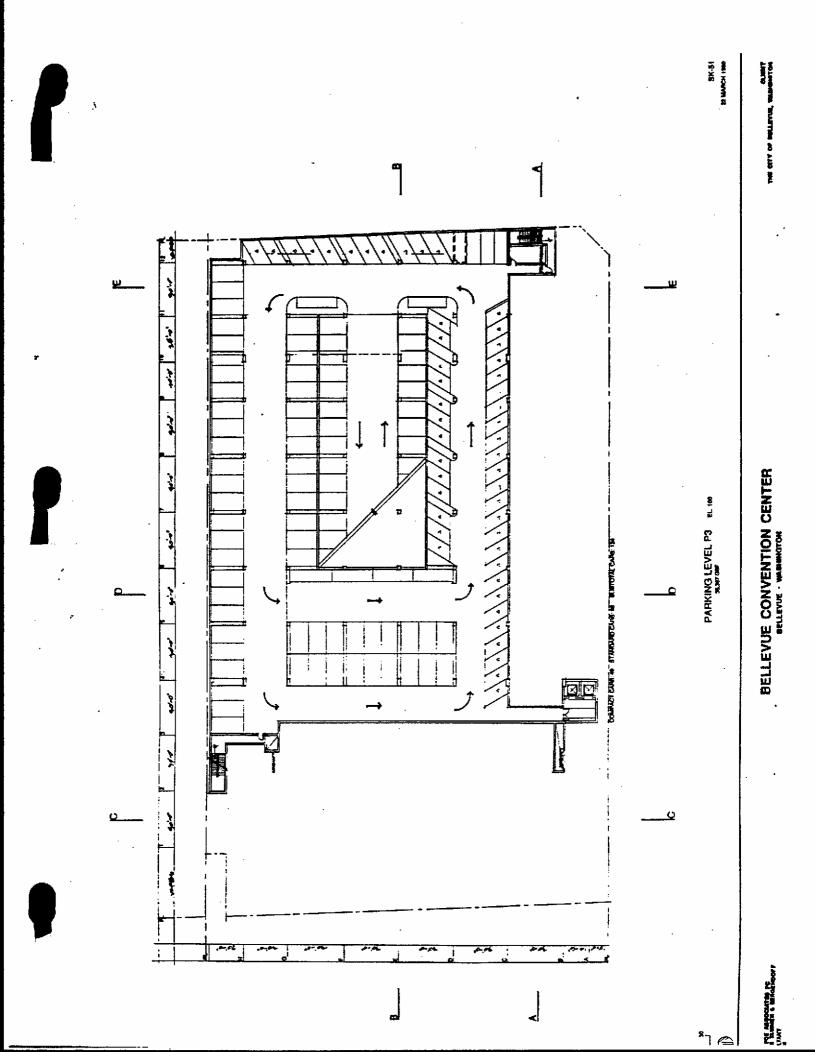
PLANS AND DRAWINGS

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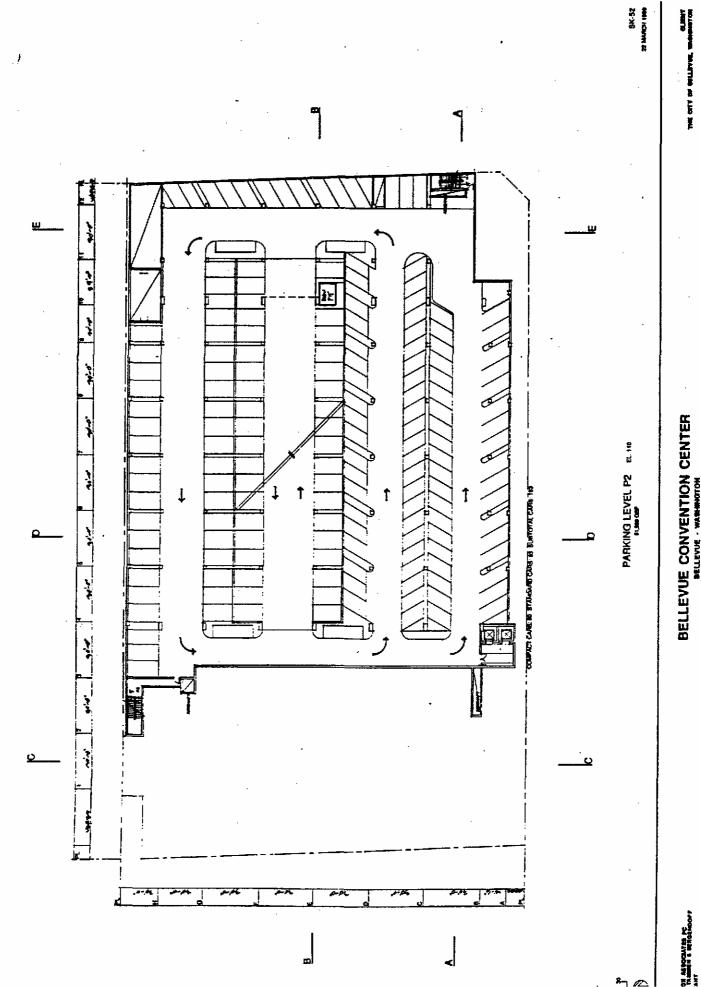
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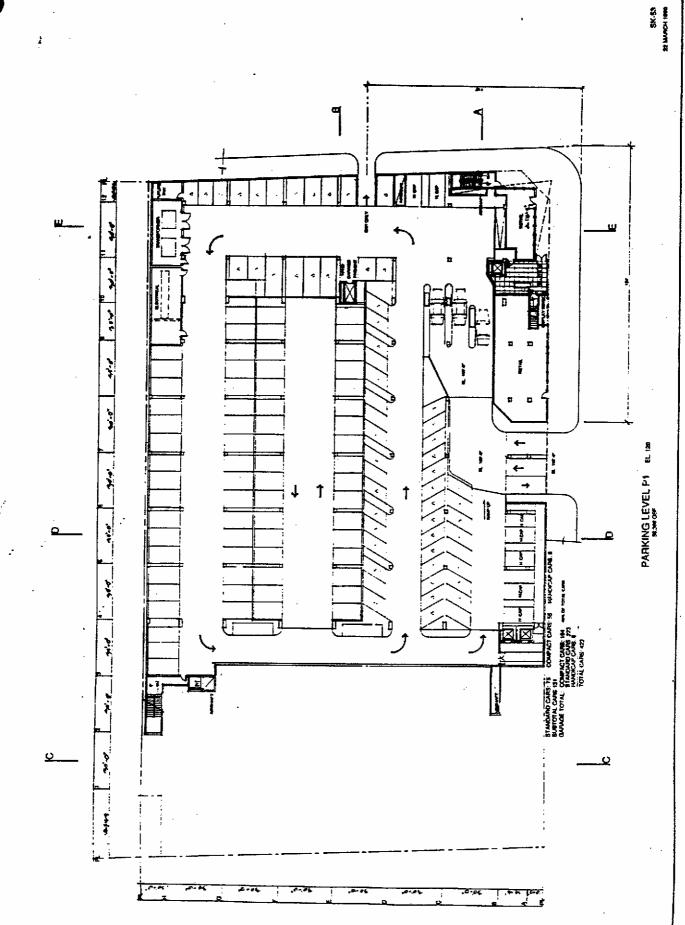
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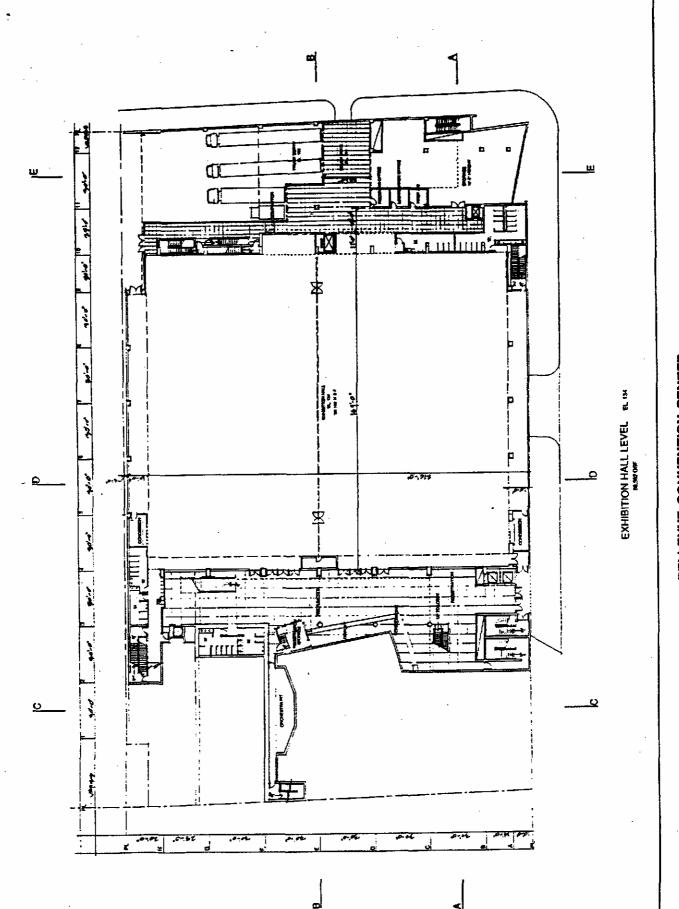


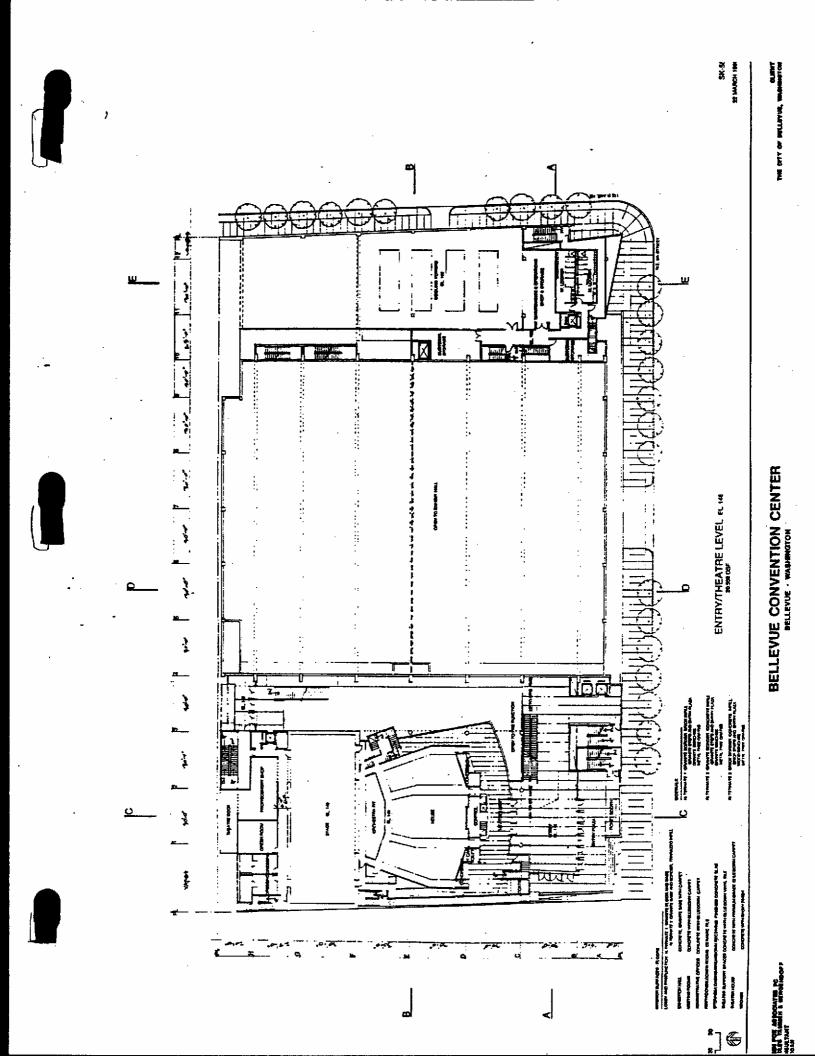
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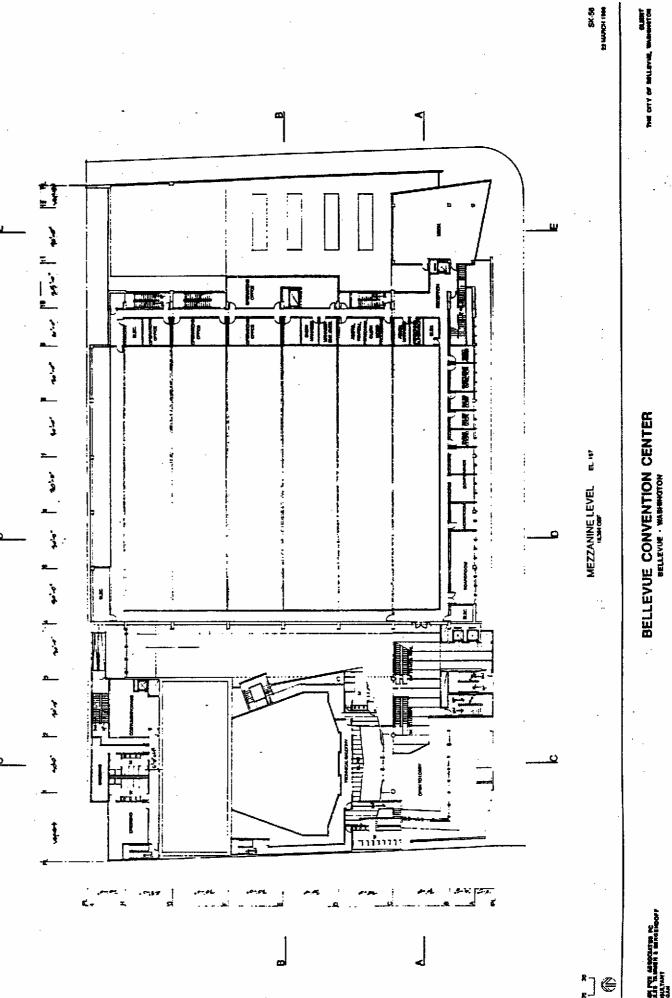
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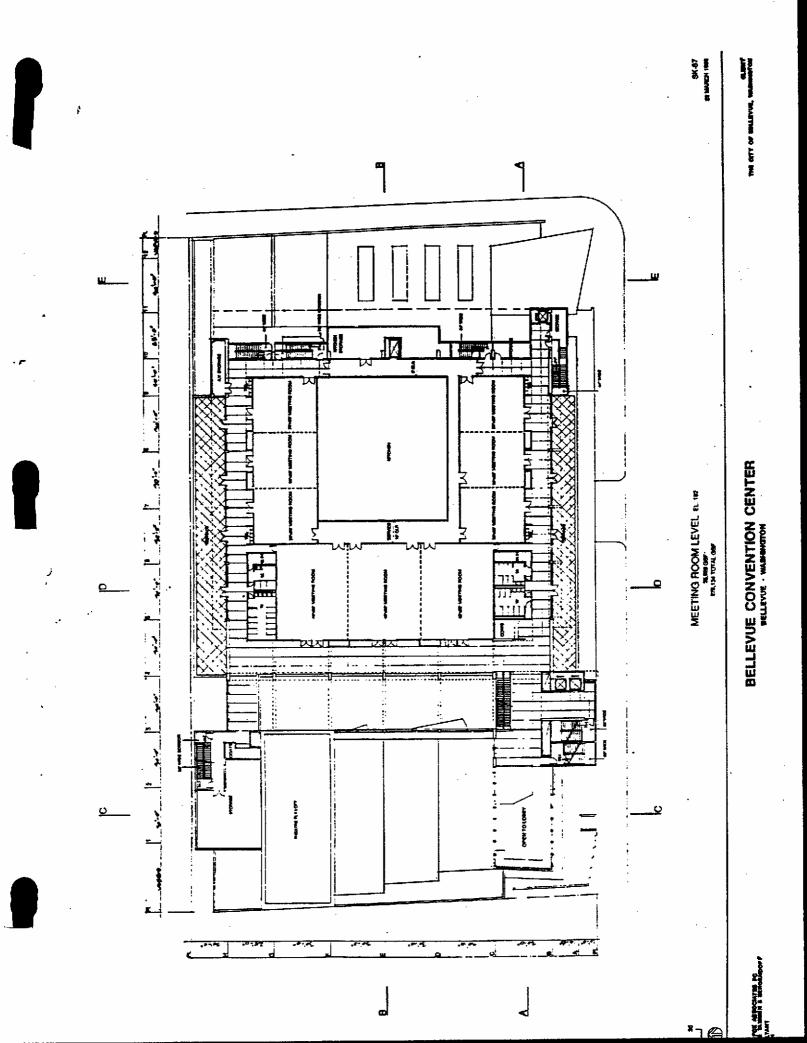




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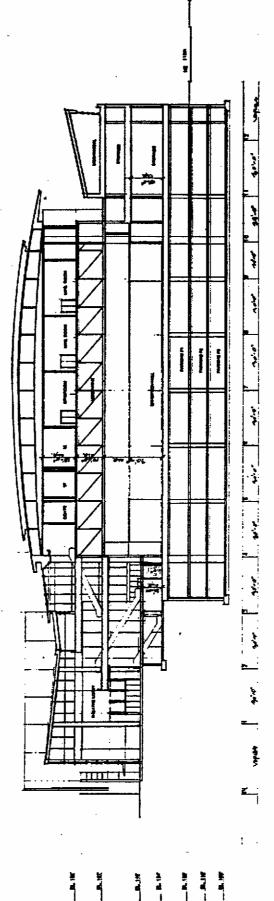
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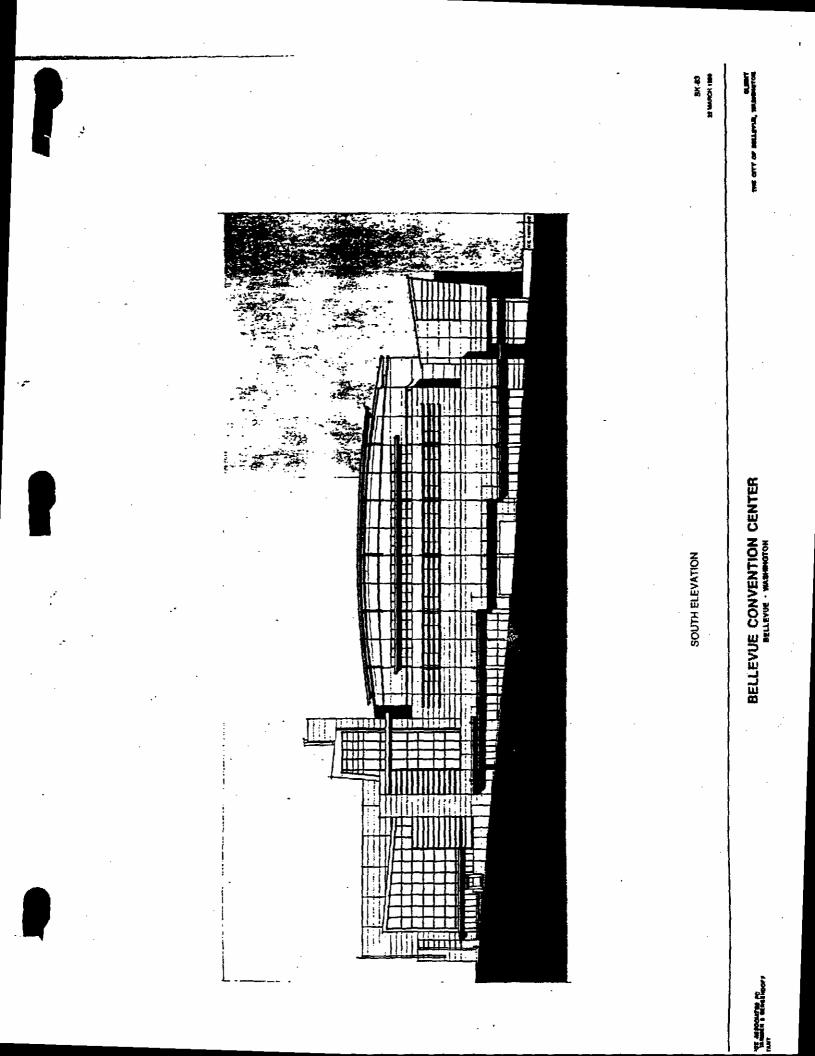
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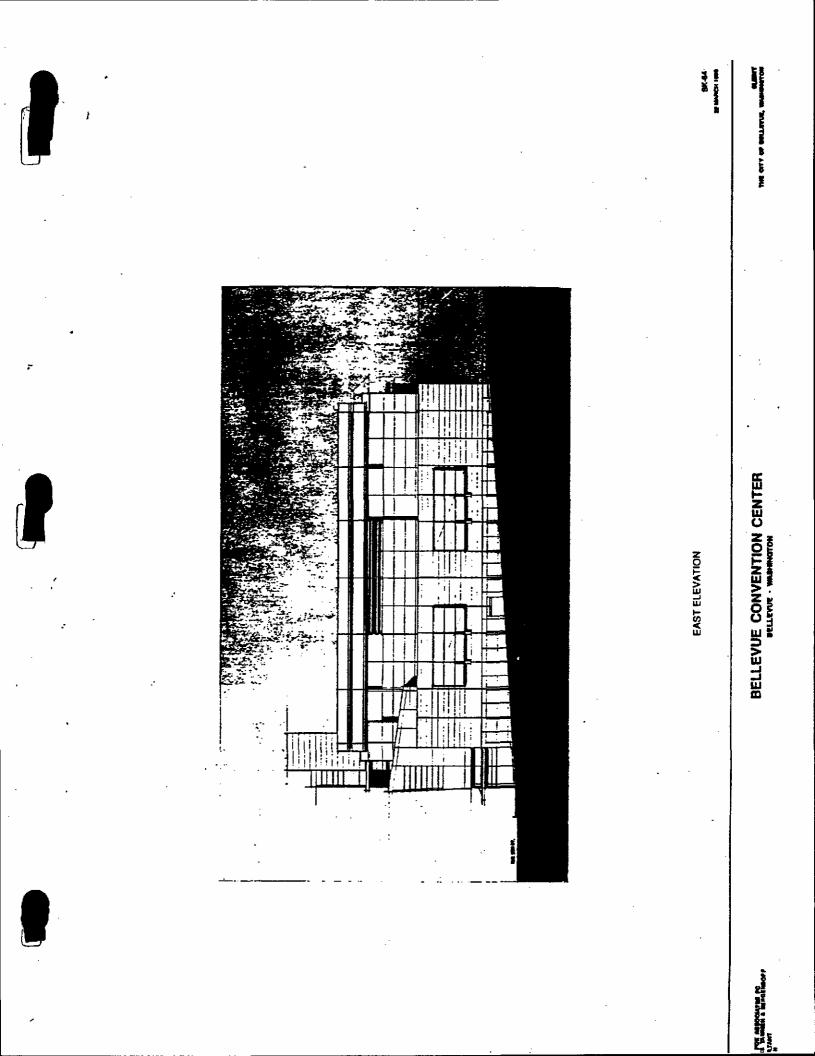
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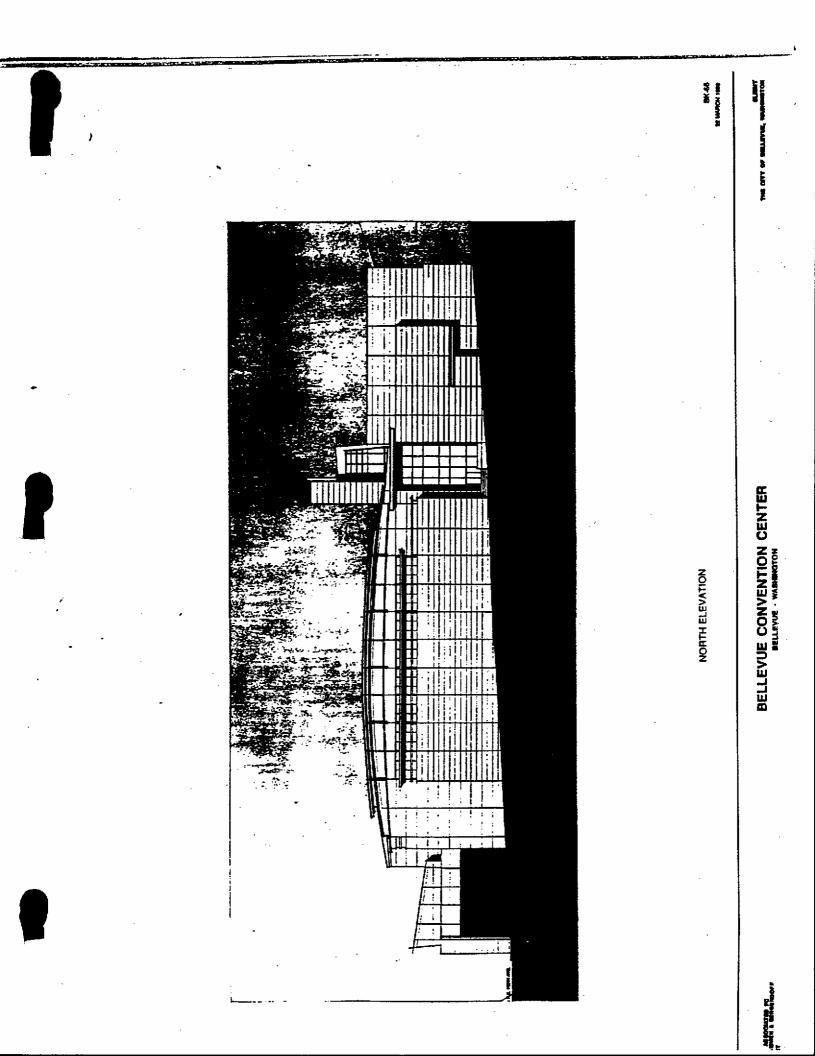
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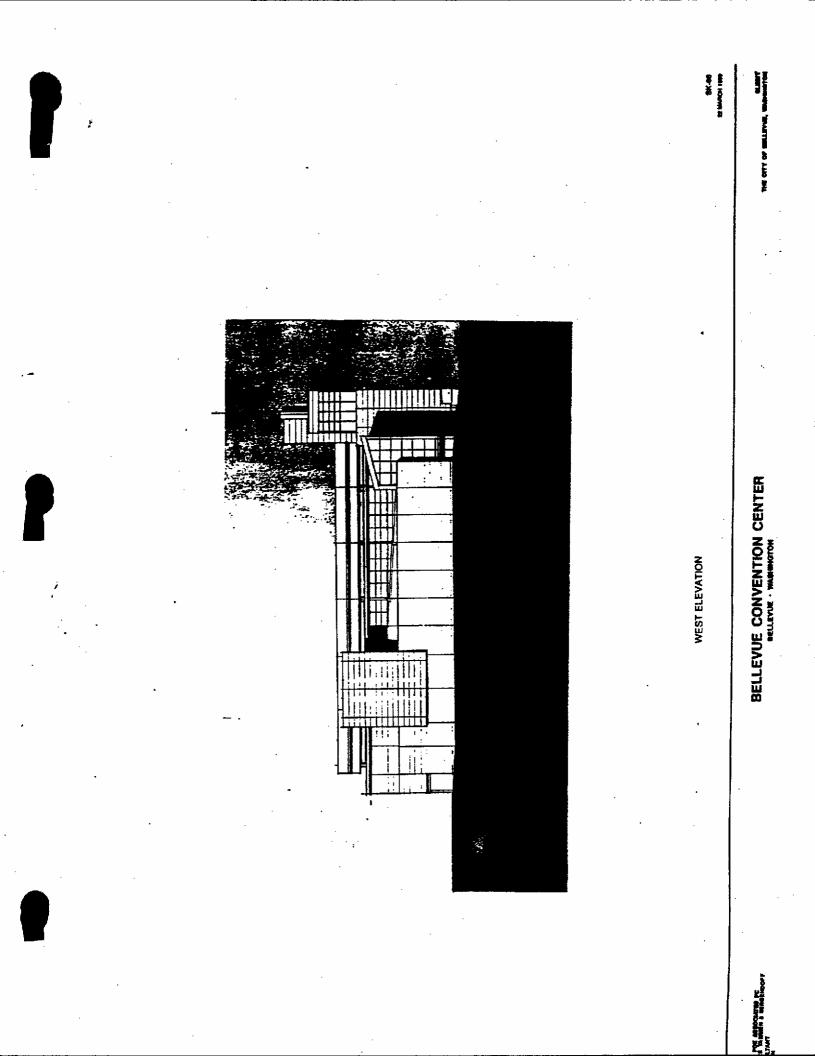
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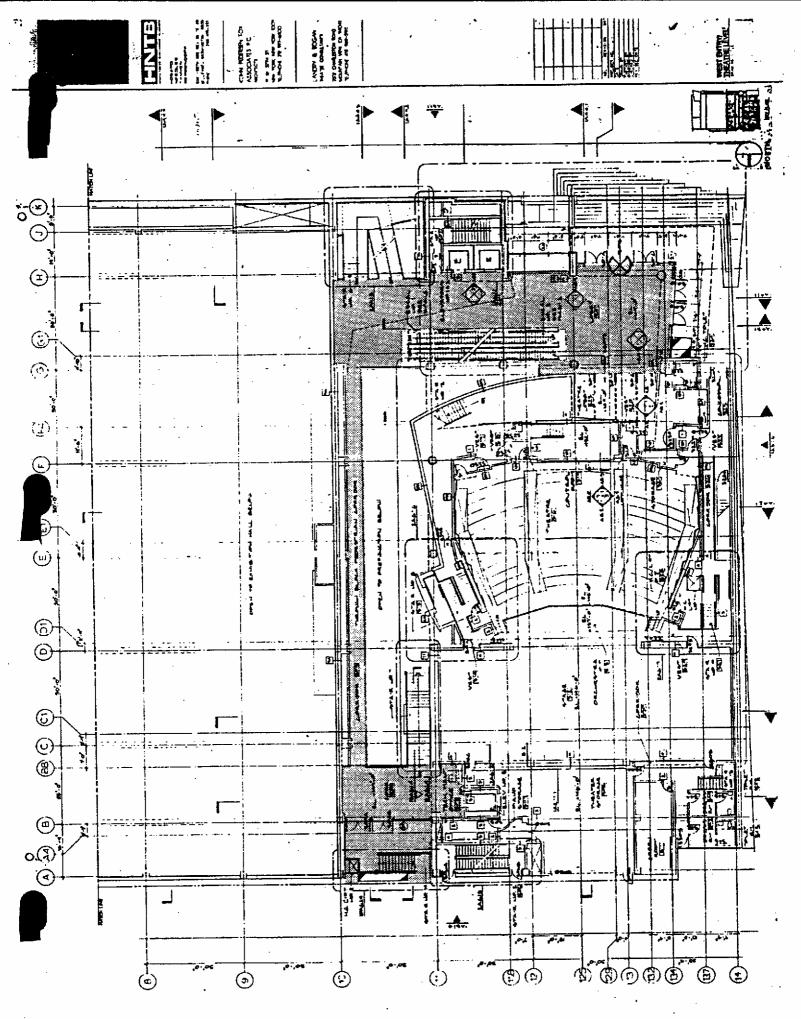
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