



Wilburton TOD Request for Proposals Addendum #2

DATE: April 2, 2025
TO: All Potential Responders
FROM: City of Bellevue
PROJECT NAME: Wilburton TOD Request for Proposals

This addendum is responsive to all questions received in reference to the Wilburton Transit-Oriented Development (TOD) Request for Proposals (RFP) published on Friday, February 14, 2025.

The City of Bellevue received forty-nine (49) questions regarding the Wilburton TOD RFP and the subject property. Staff reviewed questions and have provided responses to the best of their ability based on the most recently available information. Please direct any additional questions or requests for further information to housing@bellevuewa.gov, Subject line – “Wilburton TOD RFP – Questions”.

I. Contracting/Negotiations

1. **Question:** At what point in time will the ground lease be effectuated?
 - i. **City Response:** While the City is interested in working toward having agreements in final form by September 2025, the City cannot provide a date certain when the ground lease will be executed and effective. Effective date depends in part on how long it would take to negotiate and finalize a ground lease.

II. Availability of reports, surveys, and/or other analysis

1. **Question:** Will potential responders have access to environmental and soils reports, surveys, title reports, or any other feasibility reports besides the appraisal report provided? If the City does not have these documents or is unable to share, will developers be permitted to commission these reports themselves?
 - i. **City Response:** Potential responders are responsible for doing their own due diligence, including conducting environmental site assessments, surveys and other feasibility reviews. Access to the site to conduct surveys and ESAs will be provided subject to the terms of access

agreements.

The City is making available a Phase I Environmental Site Assessment - Barrier Properties, including the Barrier Porsche property at 12000 NE Bel-Red Road – report dated April 27, 2012 – prepared by Geoengineers.

Additionally, the City is making available Volumes I, II, and III of a Phase II Environmental Site Assessment - December 2011 through November 2012 – Hazardous Materials Investigation - 120th Avenue NE Widening Project – NE 7th Street to NE 12th Street - report dated April 15, 2013 – prepared by Geoengineers.

These documents will be posted to the Wilburton TOD RFP Solicitation page, along with this Addendum.

The City may also commission a Geotechnical Survey and an ESA Phase II report for the Wilburton TOD site formerly known as the Barrier Porsche property, which may be shared once complete.

Caveat: Potential responders should consult their own legal counsel and consultants to understand whether and to what extent a prospective ground lease tenant looking to redevelop and control operations on the subject property should be conducting their own “all appropriate inquiries”-compliant environmental due diligence.

2. Question: Assuming the City does not [have the above-referenced studies available], can we enter into a site access agreement with the City to perform these studies?

i. City Response: Yes.

3. Question: Does the City have information on groundwater location and elevation at this site?

i. City Response: The City of Bellevue does not have this information available. However, the City may commission an ESA Phase II and a Geotechnical report, which may be made available upon completion.

4. Question: Are there record drawings on file in the City of Bellevue archives showing the building directly to the East of the property?

i. City Response: Please inquire with the City of Bellevue Records Department for additional assistance. [Public Records | City of Bellevue](#)

5. Question: Are there as-built drawings for the retaining wall constructed during

the Bel-Red realignment?

- i. **City Response:** Please inquire with the City of Bellevue Records Department for additional assistance. [Public Records | City of Bellevue](#)

6. **Question:** What period do you anticipate due diligence happening (i.e. obtaining site survey, soil and environmental analysis to ensure proposed building is feasible). Is this something you expect those responding to the RFP to do prior to the June 2nd deadline or after the project has been awarded? Do you have any of the above-mentioned due diligence surveys or reports that you can share?

- i. **City Response:** The timing and scope of the due diligence review that a ground lease tenant/developer may need to help the developer negotiate material terms of the ground lease agreement is for the potential responders to determine in consultation with their legal counsel and consultants. As noted in the answer to question in Section II.1 above, the City is sharing the Phase I ESA for the Barrier Porsche property as a link on the Wilburton TOD RFP Solicitation page.

Caveat: The City makes no representations regarding the environmental condition or feasibility of the site for a potential responder's proposal. The City has published desired timeframes for completing negotiations on a ground lease and for delivery of affordable housing, and the City is expecting potential responders to plan to complete their due diligence activities accordingly.

III. Easement Access

1. **Question:** Is there an existing private vehicular access easement between this parcel and the property to the north allowing access from 120th Ave NE? Does an access easement exist for that existing private drive aisle to the north?

- i. **City Response:** There is a shared easement agreement with the adjacent property owners of the Brierwood Center. Specific details will be made available in a forthcoming ALTA survey.

2. **Question:** Can we assume vehicle access off the existing private drive aisle at the north of our site?

- i. **City Response:** Please refer to Question III(1)(i) above.

IV. Development Goals and Evaluation Priorities

1. **Question:** Can you please provide input on your preferred unit mix?
 - i. **City Response:** The City does not have a preferred unit mix outside of any unit mix required by the Land Use Code. However, as referenced on PDF Page 13 of the Wilburton TOD RFP, the City desires the greatest allowable number of units balanced with affordability, quality design, and diversity of unit sizes.

2. **Question:** It appears the site will be upzoned to MU-H but achieving this height may not be feasible due to construction costs and parking restrictions due to the width of the site (It is not feasible to do below grade parking because there is not enough site width to ramp down to another level). Would you consider a mid-rise building instead?
 - i. **City Response:** The City will consider all proposals meeting the minimum requirements.

3. **Question:** Can you confirm if there is a retail component required for this site?
 - i. **City Response:** Active use requirements are proposed in the Wilburton LUCA [strikedraft](#) dated February 6, 2025, however, details cannot be confirmed until code adoption. An updated strikedraft will be posted ahead of the Public Hearing for the Wilburton LUCA. April 15, 2025 is the first study session for City Council and the updated strikedraft will be posted in advance of the session.

4. **Question:** Is a non-profit partnership agreement by the time of application necessary or weighted differently?
 - i. **City Response:** A fully executed partnership agreement is not required for a complete proposal. Responses will be evaluated based on Affordability, Experience, Quality and Feasibility of Project Concept, Strength and Feasibility of Project Financing Plan, and a demonstrated Commitment to Community Engagement/Resident Activities.

5. **Question:** Would a proposal without on-site parking be negatively impacted?
 - i. **City Response:** A proposal without on-site parking would not meet the current code requirements. There is presently a minimum parking requirement for all uses. This requirement does not appear to be eliminated within the Wilburton LUCA [strikedraft](#) dated February 6, 2025, however, details cannot be confirmed until code adoption.

6. **Question:** The RFP states that only the larger parcel is being considered for redevelopment, should the south remnant be disregarded for the purposes of

the RFP? Does the City have a plan for this parcel? If yes, what does the plan entail?

- i. **City Response:** The Wilburton TOD RFP refers only to the larger parcel. The Office of Housing is not aware of any plans for the south remnant at this time.

- 7. **Question:** In the Project Goals section (page 6) there is mention of applicants exploring "...alternative design or delivery solutions such as partnerships with adjacent property owners...", is the City of Bellevue aware of any development opportunities in process or planned? Can the City provide contacts to reach out to?

- i. **City Response:** If the adjacent property owners agree, the City will provide the appropriate contact information. In the meantime, please reach out to any adjacent property owners independently.

V. Permitting/Zoning, Building, Fire, Utilities, Transportation

- 1. **Question:** Would the City be OK with our development team reaching out to the permitting department to schedule a preapplication?

- i. **City Response:** A pre-application meeting would most likely result in confirmation of active/current code requirements. The City cannot confirm code requirements that are not yet adopted. Code requirements for projects proposing development within the Wilburton overlay will not be able to receive confirmation of requirements until the code is adopted.

- 2. **Question:** What should proposal teams assume for the potential Flexible Access Corridor shown on draft maps along the northern edge of this property? Should teams assume one half of this Flexible Access Corridor (i.e. 25'-6" width) is to be provided on site, with the other half shared by the neighboring property? (20.25R.020.B.3.d).

- i. **City Response:** The Flexible Access Corridors are proposed as part of the Wilburton LUCA ([strikedraft](#) dated February 6, 2025), however, details cannot be confirmed until code adoption. April 15, 2025 is the first study session for City Council and the updated [strikedraft](#) will be posted in advance of the session.

- 3. **Question:** Does the new Wilburton zoning code allow for departures in the dimensional requirements for sidewalks, setbacks, access roads, drive aisles, etc., for small sites such as this one?

- i. **City Response:** Departures are proposed in the Wilburton LUCA [strikedraft](#) dated February 6, 2025, however, details cannot be confirmed until code adoption. An updated strikedraft will be posted ahead of the Public Hearing for the Wilburton LUCA. April 15, 2025 is the first study session for City Council and the updated strikedraft will be posted in advance of this session.
- 4. **Question:** Does the evaluation team have expectations regarding proposed parking for this site given that it is proximal to the light rail station?
 - i. **City Response:** Parking reductions for proximity to highly served transit areas are not proposed in the Wilburton LUCA strikedraft, however, this cannot be confirmed until code adoption.
- 5. **Question:** A parking reduction is being considered in the upcoming Wilburton Land Use Code Amendment. Please confirm the parking requirement we should expect for this site.
 - i. **City Response:** Prescriptive parking requirements for the site will be set forth by LUC 20.20.590; allowed reductions are proposed in the Wilburton strikedraft but cannot be confirmed until code adoption.
- 6. **Question:** Will projects that propose a parking reduction lower than the code minimum (as allowable in Mixed-Use districts per footnote 6 in the draft code) be scored negatively in the RFP scoring process?
 - i. **City Response:** Prescriptive parking requirements for the site will be set forth by LUC 20.20.590; allowed reductions are proposed in the Wilburton strikedraft but cannot be confirmed until code adoption.
- 7. **Question:** What development standards and dimensional standards will apply to a private drive off 120th Ave NE?
 - i. **City Response:** The Wilburton LUCA will determine dimensional standards and possible access. Generally, private driveways are minimum 20' wide with a 26' approach width and a 6' sidewalk on one side.
- 8. **Question:** What development standards and dimensional standards will apply to the street front along Bel-Red Road?
 - i. **City Response:** General requirements are a 8' sidewalk and 5' planter unless otherwise noted in the Land Use Code, which can be impacted by the Wilburton LUCA.

- 9. Question:** Please confirm whether this site is impacted by proposed Future Streets that are being considered in the upcoming Wilburton Land Use Code Amendment.
- i. City Response:** There are currently no “Future Streets” planned or proposed on this parcel.
- 10. Question:** Will turbidity monitoring of Lake Bellevue be required during construction (per City of Bellevue Clearing and Grading Standards)?
- i. City Response:** Yes.
- 11. Question:** Noting that this site is less than one acre will a CESCL (Certified Erosion & Sediment Control Lead) be required? What conditions trigger the CESCL requirement?
- i. City Response:** Please review BCC 23.76.090, Erosion and sedimentation control – Minimum requirement 2 for conditions that trigger the CESCL requirement: [https://bellevue.municipal.codes/BCC/23.76.090\(D\)\(12\)](https://bellevue.municipal.codes/BCC/23.76.090(D)(12)) .
- 12. Question:** What predevelopment potholing will be required for existing utilities?
- i. City Response:** Potholing is recommended to verify the condition and location of existing utilities.
- 13. Question:** Regarding the planned expedited permit review (page 7), what permit timelines can be assumed as the development team proposes a permitting schedule?
- i. City Response:** Likely 12 months but each project is tailored based on the proposal and funding deadline, assuming that they qualify for the expedited affordable housing permit program.
- 14. Question:** Regarding compliance and zoning [RFP page 13], what is expected in the RFP response to satisfy "confirmation of compliance with local zoning regulations"?
- i. City Response:** A written acknowledgment that you have reviewed the currently applicable zoning code ensuring that your proposal is in compliance is sufficient for meeting this requirement.
- 15. Question:** Can the retaining wall be kept and “below grade” parking be built behind it?

- i. **City Response:** Frontage improvements are likely to be required which may require reconstruction of the retaining wall

16. Question: Can a curb cut be placed along 120th Ave NE to give us access to our first level of parking without the need for a ramp? If so, what are the distance requirements for this curb cut from the intersection at Bel-Red Rd and the private drive aisle at the north of our site?

- i. **City Response:** A driveway will be allowed off of 120th, but the minimum distance from an intersection will be dependent on site design and intersection operations. The minimum distance from a private driveway without a signal is 20'. The approach width minimum is 26', preferred 30'.

17. Question: Is it likely trash pickup could be provided through the existing drive aisle to the north?

- i. **City Response:** Refuse pick-up is a combined review where Land Use, Transportation, and Republic services have to weigh in. Refuse collection must demonstrate several items including, but not limited to, maneuverability of the collection trucks, the ability to provide an on-site staging area, the ability to provide containers commensurate with the demand for refuse services of the tenants, that the trash pick-up location and activity will not have adverse impacts on the site, the ROW, or pedestrian circulation, etc.

In addition to the City, the applicant is required to go through a separate approval process with Republic Services. Please note that this question likely cannot be definitively answered until the project has completed a site design and is under review with all reviewers being able to weigh in.

18. Question: The RFP states the redevelopment area is 22,132 SF, is this the number that would be used for calculating open space, FAR, density, etc.?

- i. **City Response:** The gross lot area will be calculated upon survey of the lot. Lot lines may need to be adjusted by land use action (boundary line adjustment or binding site plan). This will be determined in pre-development. However, using the number provided in the RFP is acceptable for your concepts.

19. Question: What are the open space requirements for this site and how are they calculated? Are they different/more lenient from market rate since this will be affordable housing?

- i. **City Response:** Open Space requirements are proposed in the Wilburton LUCA [strikedraft](#) dated February 6, 2025, however, details cannot be confirmed until code adoption. An updated strikedraft will be posted ahead of the Public Hearing for the Wilburton LUCA. April 15, 2025 is the first study session for City Council and the updated strikedraft will be posted in advance of the session.

20. Question: Does this site meet your definition of a small site?

- i. **City Response:** A definition of "small site" is proposed as part of the Wilburton LUCA [strikedraft](#) dated February 6, 2025. The draft identifies "small sites" as lots in mixed-use zones less than 40,000 square feet in area. As such, the subject property meets the criteria in the current draft, however, details cannot be confirmed until code adoption and this definition does not apply to lots less than 40,000 square feet in areas that are aggregated into a project limit that is greater than 40,000 square feet. An updated strikedraft will be posted ahead the first Study Session before Council, currently scheduled for April 15, 2025.

21. Question: If retail is provided, will retail parking be required? If so, what ratio?

- i. **City Response:** Prescriptive parking requirements for the site will be set forth by LUC 20.20.590; allowed reductions are proposed in the Wilburton strikedraft but cannot be confirmed until code adoption.

22. Question: Will intrusions over the sidewalk be allowed? If so, how much? What are the limitations of building conditioned space over the sidewalk/landscaped areas?

- i. **City Response:** Intrusions are not allowed within the required sidewalk width. Building over any sidewalk easement will need to be 60' above grade, unless they are removable awnings. Removable awnings for weather protection can be 10' above the sidewalk.

23. Question: Based off the Wilburton LUCA, it does not appear that there are setback requirements applicable if the building does not exceed 100'. Can you confirm this is accurate?

- i. **City Response:** Dimensional requirements specific to the Wilburton Overlay are proposed in the Wilburton LUCA [strikedraft](#) dated February 6, 2025, however, details cannot be confirmed until code adoption. An updated strikedraft will be posted ahead of the Public Hearing for the Wilburton LUCA. April 15, 2025 is the first study session for City Council and the updated strikedraft will be posted in advance of the session.

24. Question: Is it expected that the newly constructed retaining wall at the corner of Bel-Red Road and 120th Ave NE be preserved as part of the new development?

- i. **City Response:** The retaining wall may need to be reconstructed to accommodate the required frontage improvements depending on the building design

VI. Transparency/Active Use Requirements

1. Question: Could alternatives to transparency/active uses such as public open space, enhanced landscaping, etc., be incorporated along 120th Ave NE to camouflage the parking structure due to the narrowness of the site?

- i. **City Response:** Transparency requirements are proposed in the Wilburton LUCA [strikedraft](#) dated February 6, 2025. However, details cannot be confirmed until code adoption. An updated strikedraft will be posted ahead of the Public Hearing for the Wilburton LUCA and April 15, 2025 will be the first study session.

2. Question: If transparency/active use requirements will be enforced, are these requirements only in place if the retaining wall is removed and replaced with conditioned space along the sidewalks? Can we leave the retaining wall and build on top of the pedestal area?

- i. **City Response:** Transparency requirements are proposed in the Wilburton LUCA [strikedraft](#) dated February 6, 2025. However, details cannot be confirmed until code adoption. An updated strikedraft will be posted ahead of the Public Hearing for the Wilburton LUCA and April 15, 2025 will be the first study session.

3. Question: What is the transparency/active use requirements going to be along 120th ave NE and BelRed Rd?

- i. **City Response:** Transparency requirements are proposed in the Wilburton LUCA [strikedraft](#) dated February 6, 2025. However, details cannot be confirmed until code adoption. An updated strikedraft will be posted ahead of the Public Hearing for the Wilburton LUCA and April 15, 2025 will be the first study session.

VII. Finance, Required Documentation

1. Question: For Developer Capacity Evidence of financial capacity, we are a private developer without audited financials. Can we provide internal financial

reports under separate cover confidentially to meet this submittal requirement?

- i. **City Response:** Please provide financial reports that demonstrate financial capacity to complete the development including ability to guarantee debt and equity proposed in the proposal response.

2. **Question:** Can the City confirm if the following are not required since this is not intended to be a funding application and content will be covered in the main RFP response?

- CFA Narratives
- CFA Excel
- CFA Addendums for Bellevue HSP or ARCH HTF
- CFA Attachments/tabs

i. **City Response:**

- CFA Narratives – Not required
- CFA Excel – Submittal Checklist 6a identifies the CFA forms are preferred as form of project capital and operations budgets as well as schedule. Alternative capital budget, operating budget, unit/rent matrix, and project schedule should be submitted if the CFA Excel forms are not submitted.
- CFA Addendums for Bellevue HSP or ARCH HTF – Not required.
- CFA Attachments/tabs - Only the materials included in the Submittal Checklist are required.

3. **Question:** Can ARCH clarify the following statement? “Funds from the ARCH Trust Fund cannot be assumed to be available for this project however, the developer(s) is encouraged to apply for funding from the ARCH Housing Trust Fund”

- i. **City Response:** The developer selected by the City for the development will need to submit their project proposal to ARCH for funding consideration. ARCH has not dedicated an award to the site. Funding awards will be considered based on alignment with the ARCH funding priorities applicable at the time of application.

4. **Question:** Will the Wilburton award come with a commitment of funds or will the awardee apply for funds individually in the standard funding rounds?

- i. **City Response:** Applicants will be expected to apply for funds through the City and ARCH independently.

5. Question: Given the October 2025 award date, is the City expecting the successful applicant to apply for the September 2025 funding round or a later round?

i. City Response: Applicants could consider applying to various public funders in the 2025 round.

END