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BEFORE THE HEARING EXAMINER FOR THE CITY OF BELLEVUE

In the Matter of the Application for

FILE NO. 15-127153 LB

Sunset Hills Funeral Home

**FINDINGS OF FACT,
CONCLUSIONS OF LAW,
AND DECISION**

For a Conditional Use Permit for
demolition of an existing facility and
construction of a new facility at
1215 145th Place SE, Bellevue.

SUMMARY

Decision. The application is **APPROVED**, subject to conditions.

Proposal. The applicants, Sandra Alder, Capital Architects, and Sunset Hills Funeral Home, seek a Conditional Use Permit (CUP) for a project at 1215 145th Place SE, Bellevue, to demolish the existing Sunset Hills Funeral Home mortuary and administrative facility, and erect a new replacement facility of 21,150 square feet for funeral and related services (but no crematory). The project also contemplates new landscaping, utilities, parking, and other changes on the site.

Issue Presented. The primary issue in this matter is whether the proposed Sunset Hills Funeral Home project meets the criteria for Conditional Use approval under the Bellevue Land Use Code (LUC) LUC 20.30B.140. The record establishes that the proposed project meets the Conditional Use permit criteria, subject to conditions.

Procedural History. The Sunset Hills Funeral Home applied for a conditional use permit for the proposed removal and replacement of the Sunset Hills Funeral Home on June 2, 2016, and a notice of the application and public meeting was published on that date.

A public meeting was held on June 23, 2017. Ten members of the public attended this meeting and raised only “general” questions (See Exhibit C1, Staff Report). The City received

1 one phone call from an adjacent neighbor with a general inquiry, and no written comments were
2 submitted.

3 The Director of the Development Services Department (DSD) issued a determination of
4 nonsignificance (DNS) on the Sunset Hills Funeral Home project under the State Environmental
5 Policy Act (SEPA), and notice of this determination was issued on July 6, 2017. The deadline
6 for a SEPA appeal expired on July 20, 2017, and the DSD received no public comments or
7 appeals on this environmental determination by then.

8 The Director of the DSD recommended approval of this Conditional Use Permit
9 application, subject to conditions. (See Exhibit C1, DSD Staff Report)

10 A public hearing was scheduled for July 20, 2017, before the undersigned Hearing
11 Examiner.

12 **Hearing Examiner Jurisdiction.** The role of the Hearing Examiner in this matter is to
13 hold a public hearing, take testimony on the proposal, and issue a decision based on the record
14 established by Examiner. LUC 20.35.015. The decision must be based on applicable law,
15 regulations, and ordinances.

16 **The Hearing.** This case came before the undersigned Hearing Examiner for a public
17 hearing on July 20, 2017, at 6 PM, at the Bellevue City Hall.

18 Carol Hamlin, a Senior Land Use Planner with the Development Services Department
19 (DSD), City of Bellevue (“the City”), testified on behalf of the City.

20 Sandra Alder, architect with Capital Architects, testified in support of the Sunset Hills
21 Funeral Home proposal.

22 Karen Hohu, manager of the Office of the Hearing Examiner, recorded the audio portion
23 of the proceeding.

24 **Exhibits.** The DSD’s Land Use Staff Report on the conditional use application and other
25 file reports were admitted into evidence as Exhibit C1 and the DSD’s Power Point presentation
26 that was prepared for hearing was admitted as Exhibit C2.

27 **FINDINGS OF FACT**

28
29 1. The factual matters in the foregoing **SUMMARY** are adopted by the undersigned
30 Examiner as findings.

1 2. The site of the proposed project is on the Sunset Hills property of approximately 59
2 total acres at 1215 145th Place SE, Bellevue.

3 The proposal envisions demolition of the existing Sunset Hills Funeral Home' 10,741
4 square-foot main building at the northern end of the property, and construction of a new,
5 replacement structure of about 21,150 square feet that will be used for funeral services and
6 related activities (See Staff Report, Exhibit C1, for further details).

7 The existing building will be used for funeral home services until completion of the new
8 facility and that land will be used for burials after demolition. The new building will be
9 constructed in an area currently used as a processional drive to existing burial plots.

10 3. The proposed new structure will be two stories with a daylight lower garage entry
11 level. The upper level will consist of a lobby, a chapel and reception room, various arrangement
12 rooms, offices and common areas, associated support spaces, a partial second story for
13 administration offices, and storage. The lower level will be used for vehicle storage parking,
14 administrative offices, and funeral preparation rooms.

15 4. The proposed building will stand in the center of a long, narrow lot that allows for 50-
16 foot setbacks to the north and south. Site re-development will include changes in parking,
17 landscaping, drainage features, and utilities changes (See Exhibit C1, Staff Report).

18 The new building and the proposed landscaping are designed to be functional while
19 maximizing aesthetics for neighboring homes, businesses, and passing traffic. The proposed
20 building will be intentionally lowered into the grade to minimize the impact of the bulk of the
21 building, as architect Sandra Alder testified at the hearing.

22 A new detention pond will be installed on the lower part of the lot, to the east of the new
23 structure and toward the intersection of 145th Place SE and 140th Place SE (Kamber Road). The
24 pond and associated plantings are intended to provide a graceful entry into the Sunset Hills
25 cemetery property. At the street frontage, new plantings will be installed, as well as frontage
26 improvements. Fifty-nine surface parking stalls will be installed adjacent to the building.

27 As noted, the existing funeral home will be demolished upon completion of the proposed
28 structure. Other structures such as a maintenance shop, other offices, and mausoleums will
29 remain.
30

1 5. Architect Sandra Alder testified that the design of the new facility reflects the Frank
2 Lloyd Wright “Prairie” architecture style. As noted in the staff report, the prominent features of
3 this style include low-pitched hipped roofs, broad overhanging eaves, strong horizontal lines and
4 integration with the landscape, with finer details such as ribbon windows, clerestory windows,
5 and etched glazing representational of leaded glass (See Exhibit C1, Staff Report).

6 The main building entrance will be placed along the west façade with a prominent porte
7 cochere at the entrance that offers protection for visitor drop-off. A patterned glass form will
8 provide privacy along the main entrance, and the chapel and reception areas.

9 The proposed structure is intended as a comforting facility for the support of Sunset
10 Hills’ clientele in times of loss and grief.

11 6. The massing of the proposed structure will be smaller than neighboring apartment
12 buildings in height and area. The building profile is minimized by setting the lower level into
13 the grade, as Ms. Alder explained at the hearing. The site’s topographic variation provides
14 natural building transitions and modulation that lend to the building form.

15 7. Conditional Use approval is required for the proposal because the cemetery use is
16 located in the R-20 zoning district (Bellevue Land Use Code (LUC) 20.10.440).

17 The following zoning areas are adjacent to the site:

- 18 • North: Multi-family complex, R-20
- 19 • South: Multi-family complex, R-20
- 20 • West: Continuation of cemetery property, R-1
- 21 • East: Commercial uses, including the Bel-East Shopping Center,
22 Neighborhood Business (NB)

23 8. The Sunset Hills Funeral Home and cemetery uses have been continuous since its
24 operation began in 1965. This unique use was permitted by prior Conditional Use approval (LUC
25 20.10.440).

26 Multi-family neighborhoods abut the proposal site to the north and south. Immediately to
27 the east is a commercial area, including the Bel-East shopping center (QFC), gasoline stations,
28 and restaurants.

29 The immediate area is a stable residential/business neighborhood with consistent land
30 uses over the years, including the long-term operation of commercial businesses.

1 9. As Senior Land Use Planner Carol Hamlin testified credibly, the proposal, as
2 conditioned, satisfies land use development standards for funeral/cemetery uses in the R-20 zone.
3 (LUC 20.20.740).

4 The proposed facility meets all dimensional requirements, as detailed in the Staff
5 Report. The proposal also complies with zoning area R-20 transition requirements for setbacks,
6 building height, lot coverage, parking, landscaping, and other conditions.

7 10. The proposed plan includes required tree retention and, as conditioned, will comply
8 with frontage requirements. The landscape plan provides an abundance of trees, native and
9 ornamental, as well as shrubs and groundcover with seasonal color.

10 As conditioned, the applicant shall provide plantings to soften the view of the concrete
11 wall along the north elevation. The applicant will also provide Landscape Installation/
12 Maintenance documents prior to Certificate of Occupancy as well as show soil preparation on the
13 clearing and grading plans and a water schedule to ensure the new plantings will thrive (See
14 Conditions, Attached).

15 11. The Bellevue Transportation Department reviewed the proposal at issue for site
16 access, street frontage, easement and right of way dedication, use of right of way during
17 construction, and pavement retention. The Department noted that the new funeral home will
18 utilize two existing access locations immediately at the intersection of 145th Place SE and 140th
19 Place SE. These access locations will impact the intersection somewhat more than the previous
20 access location off 145th Place SE from the proximity to the intersection (See Conditions,
21 Attached).

22 To provide safe pedestrian and vehicular access near the site, and to provide
23 infrastructure improvements with a consistent and attractive appearance, the construction of
24 street frontage improvements is required as a condition of development approval. As
25 conditioned, the design of any improvements will conform with the requirements of the
26 Americans with Disabilities Act, the Transportation Development Code (BCC 14.60), and the
27 provisions of the Transportation Department Design Manual.

28 Required frontage improvements are detailed in the Staff Report.

29 Permits for use of the right of way during construction must be acquired prior to issuance
30 of any construction permit including a demolition permit. Sidewalks may not be closed except as

1 specifically allowed by a Right of Way Use Permit.

2 Pavement Restoration will occur in conformance with City Codes, as well as the Trench
3 Restoration Program that provides developers with guidance on required resurfacing when a
4 street has been damaged by trenching or other activities.

5 12. The Director of the Development Services Department (DSD) issued a
6 Determination of Non-Significance (DNS) on the Sunset Hills Funeral Home project under the
7 State Environmental Policy Act (SEPA), and notice of this determination was issued on July 6,
8 2017. The deadline for a SEPA appeal expired on July 20, 2017, and the DSD had received no
9 public comments or appeals on this environmental determination by then.

10 Environmental review indicated no probability of significant adverse environmental
11 impacts from the proposed project. The City codes and requirements, including SEPA, Land Use
12 Code, Noise Ordinance, Building Code and other construction codes, will adequately mitigate
13 expected environmental impacts. Therefore, issuance of a Determination of Non-Significance
14 (DNS) is the appropriate threshold determination under SEPA.

15 Long-term environmental impacts of development projected to occur in the City by 2027
16 have been addressed in the City's 2016 – 2027 Transportation Facilities Plan FEIS Addendum.

17 The Transportation Facilities Plan EIS (environmental impact statement) divides the City
18 into several Mobility Management Areas (MMAs) for analysis purposes. Sunset Hills Funeral
19 Home lies within MMA 8, Richards Valley, with 284,729 square feet of "Other" land use
20 projected.

21 This development proposes to replace an existing 9,312 gross square feet (GSF) (also
22 described as 10,741 GSF) funeral home building with a new 23,608 GSF (or a 21,150 square
23 feet) funeral home. The volume of proposed development is well within the assumptions of the
24 Transportation Facilities Plan FEIS Addendum.

25 City staff reviewed operational impacts of this proposal in order to recommend mitigation
26 if necessary. With an additional 27 pm peak hour trips, it was concluded that traffic impacts fees
27 and frontage improvements will provide sufficient mitigation.

28 Further, as conditioned, short-term impacts from noise generation because of the
29 construction will be minimized. The use of best available noise abatement technology consistent
30 with feasibility is required during construction to mitigate construction noise impacts to

1 surrounding uses.

2 To address the potential of air pollution from heavy trucks and construction equipment,
3 construction vehicles shall meet the requirements of the Revised Code of Washington 46.61.655
4 for covered loads (See Conditions, Attached). Also, to mitigate the potential for light and glare
5 spillover onto adjacent multi-family units, applicant shall use cut off shields to prevent light and
6 glare spillover.

7 13. Staff review led to two significant changes from the original proposal: A requirement
8 for 50-foot setbacks along the side property lines; and redesign of a storm detention pond in
9 accord with Utility standards.

10 14. As Senior Land Use Planner Carol Hamlin credibly testified, the proposal, as
11 conditioned, complies with the Conditional Use requirements.

12 15. The proposal is supported by Comprehensive Plan goals and policies. (LUC
13 20.30B.140).

14 Under the Comprehensive Plan, the Southeast Bellevue Subarea designates the property
15 at issue as Multi-Family Medium Density (MF-M) which is consistent with the zoning
16 designation of R-20.

17 Under Policy UD-3, the proposal at issue fosters the preservation of open space as a
18 dominant element of the City's character with its improvement of this unique enterprise and
19 location: a funeral home and cemetery that provides an area of mostly open space and is located
20 up a hill to the west and not visible from public streets. (Policy UD-3).

21 Under Policy UD-23, the proposal encourages excellence in architecture, site design and
22 workmanship, and durability in building materials to enrich the appearance of a development's
23 surroundings, as reflected in the new structure's unique design and purpose. The building design
24 will be compatible with adjacent residential uses. Furthermore, the applicant will provide plant
25 material to soften the mass of the building. Building location and architectural design limit the
26 effect of the new building on adjacent multi-family residences.

27 Under Policy S-SE-1, as conditioned, the proposal will meet the strict requirements of the
28 Land Use Code, Building Codes, Fire Code, and other regulations and standards related to
29 development and use of property.

30 Under Policy S-SE-34, as conditioned, the applicant will comply with City codes and

1 standards to control pollution—including stormwater detention regulations and erosion control—
2 and to control noise during construction, and to reduce air pollution from construction vehicle
3 loads.

4 16. As detailed in the Staff Report, the proposal design is compatible with and responds
5 to the existing or intended character, appearance, quality of development and physical
6 characteristics of the subject property and immediate vicinity. The new building will present an
7 upgraded image for the Sunset Hills Funeral Home and will be compatible with adjacent multi-
8 family complexes. The proposed facility also will be sensitive to structures in the existing
9 neighborhood and complement adjacent residences.

10 17. The conditional use will be served by adequate public facilities including streets, fire
11 protection, and utilities. As conditioned, the applicant will be required to submit appropriate
12 permits for building, fire, utilities, and transportation, among other requirements.

13 18. The conditional use will not be materially detrimental to uses or property in the
14 immediate vicinity of the subject property. As conditioned, the project will mitigate for noise
15 and air pollution during construction, as well as light and glare spillover to adjacent properties.
16 The applicant will also be required to meet storm water detention and transportation codes and
17 standards.

18 19. The conditional use complies with the applicable requirements of the Land Use
19 Code. As conditioned, the proposal meets applicable Land Use Code requirements, including
20 conditions for landscape assurance devices, building material, modifications to plans, and
21 mitigation for light and glare spillover, among other conditions.

22 20. The presence of the new, well-designed funeral structure in the area is likely to
23 enhance the neighborhood and will not materially harm the value, use, and enjoyment of the
24 adjacent property.

25 This site has been used for a cemetery and funeral home purposes for more than half a
26 century and that established use will continue. The proposed project also will enhance the
27 neighborhood by providing a visually interesting and environmentally-sensitive building
28 compatible with the area.

29 21. The testimony offered by Senior Land Use Planner Ms. Hamlin and architect Ms.
30 Sandra Alder was credible and consistent with these findings, the determinations in the Staff

1 report, and the other record evidence.

2 22. The Development Services Department presented evidence, as discussed in its staff
3 report and in Ms. Hamlin's testimony, that the Sunset Hills Funeral Home proposal meets all of
4 the criteria for approval of a Conditional Use Permit under LUC 20.30B.140. This evidence is
5 unchallenged.

6 23. The undersigned Examiner concurs with the DSD's findings and recommendations
7 on the conditional use application, as conditioned, for the Sunset Hills Funeral Home project.

8 24. Any conclusion herein, which may be deemed a finding, is adopted as such.

9
10
11 **CONCLUSIONS OF LAW**
12

13 1. The Hearing Examiner has jurisdiction over the subject matter of this proceeding.
14 The application is subject to Process I procedures. LUC 20.35.015.

15 2. Requirements under the State Environmental Policy Act have been satisfied.

16 3. The Examiner, as required, has accorded substantial weight to the recommended
17 approval of the conditional use permit by the Development Services Department Director. LUC
18 20.35.250(F).

19 4. The proposed project complies with the Land Use Code Dimensional Standards at
20 LUC 20.20.

21 5. The proposed project for Sunset Hills Funeral Home, as conditioned, is consistent
22 with all of the criteria for a conditional use approval under LUC 20.30B.140 as follows:

23 The City may approve or approve with modifications an application for a
24 Conditional Use Permit if:

25 A. The conditional use is consistent with the Comprehensive Plan; and

26 B. The design is compatible with and responds to the existing or intended
27 character, appearance, quality of development and physical characteristics of
28 the subject property and immediate vicinity; and

29 C. The conditional use will be served by adequate public facilities including
30 streets, fire protection, and utilities; and

1 D. The conditional use will not be materially detrimental to uses or property in
2 the immediate vicinity of the subject property; and

3 E. The conditional use complies with the applicable requirements of this Code.
4

5 6. The Examiner concurs with and adopts the findings and the recommendation of the
6 Development Services Department in its July 2017 Land Use Staff Report (See Exhibit C1).

7 7. The conditional use permit for a new facility and related work at the Sunset Hills
8 Funeral Home is approved with conditions.

9 8. Any finding of fact deemed to be a conclusion of law is adopted as such.
10

11 **CONDITIONS OF APPROVAL**

12 The conditions described in the City's staff report apply to all phases of the proposed
13 project and shall be imposed to ensure compliance with Conditional Use Permit criteria and
14 Code provisions, and to mitigate adverse impacts that are otherwise not addressed by Code
15 provisions. The conditions noted in the staff report are incorporated by reference (See Attached
16 and at Exhibit C1).

17 The applicant shall comply with all conditions of approval listed in the Development
18 Services Department Staff Report on the conditional use permit, including all conditions for land
19 use, transportation, clearing and grading, applicable permits, and other matters (See Attached
20 Addendum for detail on Conditions and the Staff Report).
21

22 **DECISION**

23 The requested Conditional Use application is approved, subject to the above-stated and
24 attached conditions.
25

26 **SO ORDERED**, this 1st day of August, 2017.
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29 Robin Lindley, Hearing Examiner KH
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NOTICE OF RIGHT TO APPEAL

(Pursuant to Resolution No. 5097)

RIGHT TO APPEAL—TIME LIMIT

A person who submitted written comment to the Director before the hearing, or submitted written comments or made oral comments during the hearing on this matter, may appeal the decision of the hearing Examiner to the Bellevue City Council by filing a written appeal statement of the Findings of Fact or Conclusions being appealed, and paying any appeal fee, no later than 14 calendar days following the date that the recommendation was mailed. The appeal must be received by the City Clerk by **5:00 p.m., August 15, 2017**.

TRANSCRIPT OF HEARING—PAYMENT OF COST

An appeal of the Hearing Examiner's decision requires the preparation of a transcript of the hearing before the Hearing Examiner. Therefore, the request for appeal must be accompanied by an initial deposit of \$100 for each tape. Should the actual cost be less than the amount of the deposit, any credit due shall be reimbursed to the appellant. Should the cost for transcript preparation be more than the deposit, the appellant will be additionally charged.

WAIVER OF TRANSCRIPTION FEE

Upon request, the City Clerk will waive transcription fee upon submission by an appellant of the following documentation: a) an affidavit stating that the appellant's net financial worth does not exceed \$20,000; b) an affidavit stating that the appellant's annual income does not exceed \$5,200; c) a brief statement of the issues sought to be reviewed; d) a designation of those parts of the record the party thinks are necessary for review; e) a statement that the review is sought in good faith.

DECISION ADDENDUM

CONDITIONS OF APPROVAL

General Conditions

- 1. Modification to the Conditional Use Plans:** Any modification to this approval after construction shall be documented as an amendment to this Conditional Use, either as a new application, an Administrative Amendment or as a Land Use Exemption. The applicant shall demonstrate compliance with the Land Use Code in effect at the time of issuance of this report. 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. LUC 20.30B.175

- 2. Vesting Status of Land Use Approval:** Under Land Use Code 20.40.500, the vested status of the Conditional Use approval shall expire two years from the date of the City's final decision, unless a completed building permit application is filed before the end of the two year term. Upon issuance of a building permit, the vested status of a land use

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permit or approval shall be automatically extended for the life of the project. LUC 20.50.500

3. 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. Such request shall include a noise analysis prepared by a noise consultant, including recommendations for achieving the noise limitations of the Noise Ordinance for new construction. BCC 9.18.020, .040

4. 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. BCC 9.18.020F

5. Air Pollution from Construction Vehicles and Equipment: Construction vehicles and heavy construction equipment shall emit the least amount of air pollution possible. While on city streets, construction vehicles shall meet the requirements of the Revised Code of Washington 46.61.655 for covered loads. State Environmental Policy Act, BCC 23.76, RCW 46.61.65

6. Project Plans: The project is subject to the plans submitted with the Conditional Use (attached to this staff report). LUC 20.30.F

7. Off-Street Loading Space: 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. Land Use Code 20.20.590.K.4; BCC 14.60.180

Prior to issuance of any Clearing & Grading Permit

The following conditions are imposed to ensure compliance with the relevant decision criteria and Code requirements and to mitigate adverse environmental impacts not addressed through applicable Code provisions. These conditions must be complied with on plans submitted with the Clearing & Grading (GD) or Demolition permit application:

1. Landscape Plan:

- (a) To ensure that interior plants will thrive, the applicant shall provide a water schedule to show how plants will be cared for during the establishment period and thereafter.

- (b) The applicant shall include a detail for soil preparation on the clearing and grading permit plans, City of Bellevue, Type 2 Soil Preparation, Attachment B.
 - (c) In order to soften the view of the concrete wall along the north elevation, the applicant shall provide plantings which will cover the wall within 3 years.
- LUC 20.20.520

2. 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. BCC 11.70 & 14.30

3. Civil Engineering Plans and Frontage Improvements – Transportation: Civil engineering plans produced by a qualified engineer must be approved by the Transportation Department prior to issuance of the clearing and grading permit. The design of all street frontage improvements and driveway accesses must be in conformance with the requirements of the Americans with Disabilities Act, the Transportation Development Code, the provisions of the Transportation Department Design Manual, and specific requirements stated elsewhere in this document. All relevant standard drawings from the Transportation Department Design Manual shall be copied exactly into the final engineering plans. Requirements for the engineering plans include, but are not limited to:

- (a) Traffic signs and markings.
- (b) Curb, gutter, sidewalk, and driveway approach design. The engineering plans

- 1 shall be the controlling document on the design of these features; architectural and
2 landscape plans must conform to the engineering plans as needed.
- 3 (c) Curb ramps, crosswalk revisions, and crosswalk equipment such as pushbuttons.
 - 4 (d) Installation or relocation of streetlights and related equipment.
 - 5 (e) Sight distance. Show the required sight triangles and include any sight
6 obstructions, including those off-site. Sight distance triangles must be shown at all
7 driveway locations and must consider all fixed objects and mature landscape
8 vegetation. Vertical as well as horizontal line of sight must be considered when
9 checking for sight distance.
 - 10 (f) City standards for driveway widths range from 30 to 36 feet on arterial streets and
11 26 to 30 feet for local streets. Driveway aprons must be constructed in accordance
12 with Design Manual Standard Drawings.
 - 13 (g) Location of fixed objects in the sidewalk or near the driveway approach.
 - 14 (h) Trench restoration within any right of way or access easement.
 - 15 (i) Construction of all street and street frontage improvements must be completed
16 prior to closing the clear and grade permit and right of way use permit for this project.

17 Frontage Improvements required for the length of the frontage, at the intersection of 140th
18 Place SE and 145th Place SE, include the following:

- 19 (a) Replace the two existing driveway approaches to meet current City of Bellevue
20 and ADA requirements on 140th Place SE and 145th Place SE.
- 21 (b) Install a 4-foot wide planter strip with street trees 20-25 feet on center, shrubs,
22 groundcover, root barrier, and irrigation from a private metered water source on 140th
23 Place SE and 145th Place SE.
- 24 (c) Install a 6-foot wide concrete sidewalk on 140th Place SE and 145th Place SE.
- 25 (d) The existing concrete curb and gutter shall be protected, if damaged during
26 construction sections shall be replaced as necessary on 140th Place SE and 145th Place
27 SE.
- 28 (e) Right of way dedication shall be required to encompass all portions of the public
29 road up to the face of curb on 140th Place SE and 145th Place SE.
- 30 (f) Meander improvements around the existing transmission poles and signal
cabinets. BCC 14.60; Transportation Department Design Manual; Americans with
Disabilities Act

Prior to issuance of any Building Permit

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:

1
2 **1. Building Materials/Details and Color Samples:** The proposal is subject to the
3 building materials/details and color samples as submitted with the Conditional Use
4 application. LUC 20.30.B

5 **2. Light and Glare:** In order to mitigate potential impacts to adjacent properties,
6 exterior lights shall use cut off shields or an equivalent to prevent light and glare
7 spillover. LUC 20.20.522

8 **3. Recycling and Solid Waste Receptacles:** The applicant shall provide a letter from
9 Republic Services that states their approval of the proposed size and location of the
10 recycling and solid waste receptacles. LUC 20.20.725

11 **4. Transportation Impact Fee:** Payment of the traffic impact fee will be required at the
12 time of building permit issuance. If multiple building permits will be issued, the impact
13 fee will be tied to the primary above-ground permit. Impact fees are subject to change
14 and the fee schedule in effect at the time of building permit issuance will apply. BCC
15 22.16

16 **5. Building and Site Plans – Transportation:** Building plans, landscaping plans, and
17 architectural site plans must accommodate on-site traffic markings and signs and
18 driveway design as specified in the engineering plans. Building plans, landscaping plans,
19 and architectural site plans must comply with vehicle and pedestrian sight distance
20 requirements, as shown on the engineering plans BCC 14.60.060; 110; 120; 150; 180;
21 181; 190; 240; 241

22 **6. Existing Easements:** Any utility easements contained on this site which are affected
23 by this development must be identified. Any negative impact that this development has
24 on those easements must be mitigated or easements relinquished. BCC 14.60.100

25 **7. Sidewalk/Utility Easements:** The applicant shall provide public access sidewalk and
26 utility easements to the City such that sidewalks outside of the City right of way along the
27 property frontage are located within a pedestrian easement area. The easement shall
28 extend 0.5-feet beyond the back edge of the sidewalk. BCC 14.60.100

29 **8. Dedication of Right-of-Way:** The applicant shall dedicate right of way to the City
30 along the property frontage such that street improvements to the face of curb are located
within the public right of way. BCC 14.60.090

Prior to issuance of any Certificate of Occupancy

1. Landscape Installation Assurance Device: If a Temporary Certificate of Occupancy is requested prior to completion of the landscaping installation the applicant shall file

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with DSD a landscape installation assurance device equal to 150% of the cost of labor and materials for any landscaping that has not yet been installed. LUC 20.40.490

2. Landscape Maintenance Assurance Device: The applicant shall file with the DSD 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. LUC 20.40.490

3. Street Frontage Improvements: All street frontage improvements and other required transportation elements must be constructed by the applicant and accepted by the Transportation Department inspector prior to issuance of any certificate of occupancy. All required improvements must be constructed as per the approved plans, the Americans with Disabilities Act, and/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. BCC 14.60; Comprehensive Plan Policy UT-39; Transportation Department Design Manual; and Transportation Department Design Manual Standard Drawings.

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

145th Place SE and 140th Place SE: Based on this street's excellent condition, it is classified with the City's overlay program as "Overlay Required." BCC 14.60. 250; Design Manual Design Standard #23