



LIGHT RAIL PERMITTING CITIZEN ADVISORY COMMITTEE

ADVISORY DOCUMENT - RECOMMENDATION TO THE DIRECTOR – SPRING DISTRICT/120TH STATION DESIGN AND MITIGATION PERMIT APRIL 20, 2016

Introduction

The Light Rail Permitting Citizen Advisory Committee (CAC) was appointed by the Bellevue City Council consistent with the terms of the Light Rail Overlay regulations contained in the city's Land Use Code (LUC). Land Use Code section 20.25M.035.A describes the CAC purpose to:

- 1. Dedicate the time necessary to represent community, neighborhood and citywide interests in the permit review process*;** and
2. Ensure that issues of importance are surfaced early in the permit review process while there is still time to address design issues while minimizing cost implications; and
- 3. Consider the communities and land uses through which the RLRT (Regional Light Rail Train) System or Facility passes, and set "the context" for the regional transit authority to respond to as facility design progresses*;** and
- 4. Help guide RLRT System and Facility design to ensure that neighborhood objectives are considered and design is context sensitive by engaging in on-going dialogue with the regional transit authority and the City, and by monitoring follow-through*;** and
5. Provide a venue for receipt of public comment on the proposed RLRT Facilities and their consistency with the policy and regulatory guidance of paragraph 20.25M.035.E below and Sections 20.25M.040 and 20.25M.050 of this Part; and
- 6. Build the public's sense of ownership in the project*;** and
- 7. Ensure CAC participation is streamlined and effectively integrated into the permit review process to avoid delays in project delivery*.**

* Identifies the focus of this Advisory Document

Design and Mitigation Permit Review — 60% Design Development Phase

This phase of review is intended to provide feedback regarding effectiveness of design and landscape development in incorporating prior guidance at context and schematic design stages. This phase is intended to provide further input and guidance, based on the input and guidance provided in the context setting phase, on compliance (or lack of compliance) with the policy and regulatory guidance of LUC 20.25M and LUC 20.25M.040 and 20.25M.050, and whether information is sufficient to evaluate such compliance. The CAC advice is based on the alignment and station design agreed to by the City of Bellevue City Council and Sound Transit Board through a Memorandum of Understanding. The CAC is charged with providing the Director of the Development Services Department with a final advisory document.

CAC Work Product

The work of the CAC at each review stage will culminate in a CAC advisory document that describes the phase of review and CAC feedback. The work product required following the Pre-Development Phase of CAC review is intended to provide Sound Transit with early guidance and advice that is integrated into future Design and Mitigation Permit submittals. This final Design and Mitigation Permit advisory document is intended to provide the Director of the Development Services Department with a recommendation to demonstrate Sound Transit compliance with Design and Mitigation Permit Decision Criteria pursuant to LUC 20.25M.030.C.3.

On October 8, 2015, Sound Transit was provided with the Spring District/120th Station Pre-Development Advisory Document. This document outlined Sound Transit compliance with context setting characteristics and early Design and Mitigation Permit requirements. The pre-development advisory document did not include Spring District/120th Station specific recommendations on additional items to be addressed during formal permit review, however it does include several general recommendations which have been made for each station.

The following represents the CAC advisory recommendation to the Development Services Department Director regarding compliance related to LUC 20.25M.030.C.3, LUC 20.25M.040, and 20.25M.050.

20.25M.030.C.3 Design and Mitigation Permit Decision Criteria

The City of Bellevue Development Services Director is responsible for insuring compliance with all Design and Mitigation Permit decision criteria as outlined below. The CAC was tasked with review and recommendation on some, but not all, decision criteria. Those criteria not discussed by the CAC are still applicable to approval of the Design and Mitigation Permit and compliance with all decision criteria will need to be demonstrated in the Director's decision.

A proposal for a RLRT system or facility may be approved or approved with conditions; provided, that such proposal satisfies the following criteria:

a. The applicant has demonstrated compliance with the CAC Review requirements of LUC

20.25M.035; and

- Sound Transit has demonstrated compliance with CAC review requirements by attending and presenting materials regarding the East Link Light Rail System and Facilities at CAC meetings held the 1st and 3rd Wednesday of each month. In addition to the regularly scheduled meetings Sound Transit and City staff provided tours of the existing Central Link Light Rail System and Facilities and proposed East Link route in the City of Bellevue including the Spring District/120th Station.

b. The proposal is consistent with the Comprehensive Plan including without limitation the Light Rail Best Practices referenced in Comprehensive Plan Policy TR-75.2 and the policies set forth in LUC 20.25M.010.B.7; and

The CAC was not asked to do an exhaustive review of consistency with the Comprehensive Plan policies and Light Rail Best Practices. Where CAC members felt that elements of the permit were not consistent with these policies, they have recommended modifications to the permit in areas that were identified within their scope. Some CAC members expressed concern that some elements of the project that are outside of their scope were inconsistent with the Comprehensive Plan and Light Rail Best Practices. The East Link Project shall demonstrate consistency with the numerous Comprehensive Plan Policies that are applicable to light rail (LU-9, LU-22, LU-24, ED-3, TR-75.1, TR-75.2,

TR-75.5, TR-75.7, TR75.8, TR-75.9, TR-75.12, TR-75.15, TR-75.17, TR-75.18, TR-75.20, TR-75.22, TR-75.23, TR-75.27, TR-75.28, TR-75.32, TR-75.33, TR-75.34, TR-75.35, TR-118 and UT-39) and Light Rail Best Practices. This proposal shall be consistent with Light Rail Best Practices which focus on community and neighborhoods, community involvement, connecting people to light rail, land use, street and operations, system elements (elevated, at-grade, and tunnel), property values, station security, and construction impacts and mitigation. A detailed description of project compliance will be included in the issued Design and Mitigation Permit. The CAC's recommendations advocate for the City's long-term transportation and land use objectives while minimizing environmental and neighborhood impacts, balancing regional system performance.

LIGHT RAIL BEST PRACTICES

Key provisions of the Light Rail Best Practices report are included below where the CAC's recommendations and input are needed to ensure compliance or provide additional clarity.

- 1) Guiding Principle 2. Light rail should be developed in a manner that complements, not diminishes, the character and quality of Bellevue.
Light rail systems should be planned, designed, and built to fit appropriately into the local context and provide community enhancements, without shifting the community character. East Link should be designed to improve the places in Bellevue through context-sensitive design, high quality materials, and innovative urban design approaches that can protect neighborhoods and property values and provide a safe and secure environment for transit riders and neighbors.
- 2) Guiding Principle 3. Anticipate impacts and advocate for exceptional mitigation.
Light rail will reinforce Bellevue's role in the region as the population, economic, and cultural center of the Eastside. However, the benefits of the system cannot be achieved without some short-term disruption and inconvenience during construction and without making some long-term changes to the existing environment. Proven techniques to avoid, minimize, and mitigate these impacts can be employed to make the short term impacts manageable. The City should expect and advocate for exceptional mitigation throughout the project phases and seek to leverage additional local investments through light rail development.
- 3) Guiding Principle 4. Alignment profile should consider the unique qualities of each part of the community. There is not a one-size-fits-all solution for alignment profiles – at-grade, elevated, and tunnel – in Bellevue. There are trade-offs when selecting profiles for each of the three areas (south of downtown, downtown, and Bel-Red) in Bellevue. The profile should advance the land use vision for each of the areas it travels through, by conveniently connecting destinations, optimizing ridership, and minimizing impacts
- 4) Guiding Principle 5. An early, ongoing public involvement program is essential for success in Bellevue. An early, ongoing, and comprehensive program to engage stakeholders is absolutely essential to the success of light rail in Bellevue. Providing transparency about project information and decisions will increase public understanding of and comfort with the project. Engaging the community in the design of the system, particularly stations, will result in more sensitive designs and build the public's sense of ownership. Transparently sharing information and engaging the community in a meaningful two-way, ongoing planning process will increase the success of the system. As planning for East Link is currently underway, the City and Sound Transit should begin immediately to identify the next phase of the public involvement program for the East Link project.

c. The proposal complies with the applicable requirements of this Light Rail Overlay District; and

- As it will be conditioned, this application for Design and Mitigation Permit will be in compliance with all elements of the Light Rail Overlay District including RLRT system and facilities development standards. Approval of an Alternative Landscape Option and Noise Monitoring and Contingency Plan will be included as conditions of approval. The CAC has made recommendations to insure compliance with context requirements by making recommendations regarding lighting, seating, traffic impacts, and fencing within the Spring District/120th Station.

d. The proposal addresses all applicable design guidelines and development standards of this Light Rail Overlay District in a manner which fulfills their purpose and intent; and

- The CAC reviewed and discussed the applicable design and development standards of the Light Rail Overlay District and has made recommendations intended to insure design guidelines and standards are met. Specific CAC advice is discussed below in this document.

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

- The Spring District/120th Station of East Link must comply with all applicable zoning and context requirements. Recommendations from the CAC to mitigate impacts to residents and businesses in the surrounding Spring District are responsive to the intended character of the Spring District and Bel Red. Light Rail Overlay (LUC 20.25M) development standards also respond to the character within this station and immediate vicinity.

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

- The CAC was not tasked with verifying adequate public services. It is anticipated that when the light rail system is operational anticipated impacts to public facilities including streets, fire protection, and utilities will have been mitigated through application of city codes and standards.

g. The proposal complies with the applicable requirements of the Bellevue City Code, including without limitation those referenced in LUC 20.25M.010.B.8; and

- Development, construction and operation of the RLRT system and facilities must comply with applicable Bellevue City Codes, including the noise control code and environmental procedures code. Technical analysis of Sound Transit submitted Noise Studies and documents will be completed by city staff and technical consultants. Any additional noise mitigation resulting from technical review will be included as conditions of approval in the Design and Mitigation Permit.

h. The proposal is consistent with any development agreement or Conditional Use Permit approved pursuant to subsection B of this section; and

- The CAC was not tasked with verifying consistency with the Memorandum of Understanding signed by the City of Bellevue and the Sound Transit Board. Plan development through the final design stage will result in expected refinements to design that is typical to any major development. Significant design changes in project

design that are within the scope of work for the CAC will be brought back to the CAC for evaluation during construction permit review.

i. The proposal provides mitigation sufficient to eliminate or minimize long-term impacts to properties located near the RLRT facility or system, and sufficient to comply with all mitigation requirements of the Bellevue City Code and other applicable state or federal laws.

- To the greatest extent possible with the chosen alignment and station design, the proposed RLRT facility and system will avoid, minimize, and mitigate anticipated long-term impacts to properties located near the light rail system and facilities. Mitigation includes, but is not limited to, enhanced landscaping, installation of public art, integration into anticipated adjacent development and plaza construction.

j. When the proposed RLRT facility will be located, in whole or in part, in a critical area regulated by Part 20.25H LUC, a separate Critical Areas Land Use Permit shall not be required, but such facility shall satisfy the following additional criteria:

- i. The proposal utilizes to the maximum extent possible the best available construction, design and development techniques which result in the least impact on the critical area and critical area buffer; and
 - ii. The proposal incorporates the performance standards of Part 20.25H LUC to the maximum extent applicable; and
 - iii. The proposal includes a mitigation or restoration plan consistent with the requirements of LUC 20.25H.210; except that a proposal to modify or remove vegetation pursuant to an approved Vegetation Management Plan under LUC 20.25H.055.C.3.i shall not require a mitigation or restoration plan.
- No critical areas are located within the Spring District/120th Station area.

CAC Recommendation to the Director of Development Services

20.25M.040 RLRT system and facilities development standards

1. Fencing

- Security and safety fences should be designed to meet City's codes. These fences should be designed to minimize blocked views to maintain the idea of a city in a park.

2. Light and Glare

- The CAC recommends that no stations should have up lights that could shine into neighboring buildings or residential areas. All lighting should remain within the confines of the station to the greatest extent possible.

3. Recycling and Solid Waste

- The CAC recommends that Sound Transit work with its sustainability group to evaluate a system wide compost collection bin option at its stations.

4. Use of City Right of Way

- The CAC acknowledges that specific details regarding the use of the City ROW will be handled through the review and issuance of Right of Way Use Permits per LUC 20.25M.040.J; however, they want to emphasize the importance of limiting impacts on traffic to the best level technically feasible.

20.25M.050 Design guidelines

1. **Design Intent** - In addition to complying with all applicable provisions of the Bel-Red Subarea Plan, the design intent for the RLRT system and facility segment that passes through this subarea is to foster a new path for Bel-Red that is directed toward a model of compact, mixed use, and “smart growth” that represents a departure from the area’s historic industrial roots.
2. **Context and Design Considerations** - The CAC was tasked with evaluating the existing context setting characteristics included in the Land Use Code in order to verify that the design of the station and alignment is consistent with the vision for Bel Red. The following characteristics are intended to implement the vision for Bel Red:
 - A thriving economy anchored by major employers, businesses unique to the subarea, and services important to the local community;
 - Vibrant, diverse, and walkable neighborhoods that support housing, population, and income diversity;
 - A comprehensive and connected parks and open space system;
 - Environmental improvements resulting from redevelopment;
 - A multimodal transportation system;
 - An unique cultural environment;
 - Scale of development that does not compete with Downtown, and provides a graceful transition to residential areas farther to the east; and
 - Sustainable development using state of the art techniques to enhance the natural and built environment and create a livable community.
3. **Additional General Design Guidelines**
 - The CAC recommends that the issue of lighting be uncoupled from the issue of meeting the needs of those with disabilities and that both audio and visual cues be included in station design.
 - The CAC recommends that variable seating heights be provided at all light rail stations in Bellevue.

Design and Mitigation Permit Approval

The recommendations contained in this Advisory Document represent the conclusion of the CAC review of the Spring District/120th Station Design and Mitigation Permit. The recommendations included in this document shall be incorporated into the Director's administrative decision. Departures by the Director from specific recommendations included within the CAC's Design and Mitigation Permit Advisory Document shall be limited to those instances where the Director determines that the departure is necessary to ensure that the RLRT facility or system is consistent with: (i) applicable policy and regulatory guidance contained in the Light Rail Overlay; (ii) authority granted to the CAC pursuant to this section; (iii) SEPA conditions or other regulatory requirements applicable to the RLRT system or facility; or (iv) state or federal law. Departures from the CAC Design and Mitigation Permit Advisory Document shall be addressed in the decision by the Director, and rationale for the departures shall be provided.