RESOLUTION NO. 1206

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY AND [LEGACY PARTNERS] FOR DEVELOPMENT OF THE REDMOND RIVER PARK PROJECT AT THE SOUTHWEST CORNER OF REDMOND WAY AND 159TH AVENUE N.E.

WHEREAS, RCW 36.70B.170-.210 authorize cities to enter into development agreements with property owners in order to fix the development standards and other regulations which will govern development of the property, and

WHEREAS, Legacy Riverpark, LLC ("Legacy") owns or controls 6.1 acres of property at the southwest corner of Redmond Way and 159th Avenue N.E. in the city of Redmond and which Legacy has proposed to develop as a mixed-use project, and

WHEREAS, Legacy has proposed that it enter into a development agreement with the city in order to govern the development of the project, for which no development proposal is currently under review, and

WHEREAS, pursuant to RCW 36.70B.200, the City Council held a public hearing on July 5, 2005 in order to consider the development agreement and the City Council has determined to approve the agreement, NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Approval of Development Agreement and Authorization for Signature. That certain agreement entitled, "Development Agreement between the City of Redmond and Legacy Riverpark, LLC for Development of the Redmond River Park Project," as attached hereto as Exhibit A and River Park Design Guidelines, attached hereto as

Exhibit B and incorporated herein by this reference as if set forth in full, is hereby approved. The Mayor is hereby authorized to execute the Development Agreement.

Section 2. Recording. As provided in RCW 36.70B.190, a signed original of the Development Agreement shall be recorded with the real property records of King County, Washington and shall be binding on the parties and their successors.

RESOLVED this 5th day of July, 2005.

CITY OF REDMOND

MAYOR, ROSEMARIE IVES

ATTEST/AUTHENTICATED:

CITY CLERK, MALISA FILES

FILED WITH THE CITY CLERK: June 29, 2005
PASSED BY THE CITY COUNCIL: July 5, 2005
RESOLUTION NO. 1206

EXHIBIT A

DEVELOPMENT AGREEMENT BETWEEN THE CITY OF REDMOND AND LEGACY RIVERPARK, LLC FOR DEVELOPMENT OF THE REDMOND RIVER PARK PROJECT

Pursuant to the authority granted by RCW 36.70B.170 through .210, the City of Redmond, a Washington Optional Municipal Code City ("City"), and Legacy Riverpark, LLC, a Washington limited liability company ("Legacy"), the owner of the real property known as the "Redmond River Park" project described below, enter into the following agreement ("Development Agreement") to govern the development, use and mitigation of environmental impacts associated with the development of the Redmond River Park project through construction of the buildings and related improvements.

1. Location. The Redmond River Park project consists of approximately 6.1 acres located at the southwest corner of Redmond Way and 159th Avenue N.E. in Redmond, King County, Washington, and is legally described on Attachment 1, which is incorporated herein as if set forth in full (the "Property").

2. Redmond River Park Project Development. Redmond River Park (the "Project") is contemplated to be a mixed-use development, including residential units and a commercial component that could include office, hotel, retail, services or other kinds of commercial uses permitted under applicable zoning. Legacy may include any mix of uses in the Project of such sizes and areas as Legacy may determine, provided that if Legacy desires to develop the Project pursuant to this Development Agreement, it shall meet the following conditions:

(a) portions of the Property shall not be conveyed or transferred to third parties except subject to the terms and conditions of this Development Agreement;

(b) the aggregate number of new p.m. peak-hour trips from the Project may not exceed the Trip Cap (as defined below), except as provided in Section 4(c) below;

(c) one or more upper levels of those portions of structures immediately adjoining the City park property shall be designed to step back from the boundary of the Property with the adjoining City park property (such as shown in previous City of Redmond Site Plan Approval L010022 for the Property) for the purpose of maintaining the human-scale of buildings along the Park;

(d) the Project shall incorporate features to promote a superior pedestrian experience and "village concept", including such features as: pedestrian plazas; internal "street" grid; on-street parking; mid-block pedestrian connection from 159th Place NE to Luke McRedmond Park; modulation along street facades; building focal points; commercial or retail uses at the internal "street" level and

along 159th Place NE; landscaping; pedestrian-oriented signage; and street furniture (and other items or methods described in the RCDG 20D.40, Design Standards);

(e) the first phase of the Project shall include no fewer than eighty (80) residential units;

(f) at least forty percent (40%) of the floor area of the Project at full build-out (excluding parking areas) must be in residential use or uses accessory thereto;

(g) no more than fifty percent (50%) of the residential floor area of the Project at full build-out (excluding parking areas) may be devoted to senior housing; and

(h) Prior to issuance of the first building permit for development of the Property pursuant to this Development Agreement, Legacy shall dedicate to the City such frontage area as may reasonably requested by the City to provide for the widening of 159th Place NE consistent with the City's adopted plans for that street as of the date of dedication. As a condition to issuance of the first certificate of occupancy for any project on the Property developed pursuant to this Development Agreement, Legacy shall construct street frontage improvements on the Property along 159th Place NE. In the event that 159th Place NE is reconstructed by the City prior to the development of the Property by Legacy, Legacy shall, within thirty (30) days of formal request by the City, dedicate to the City such frontage area on the Property along 159th Place NE as may reasonably requested by the City to provide for the widening of 159th Place NE consistent with the City's adopted plans for that street as of the date of dedication. Legacy's obligation under this subsection (h) is further conditioned upon the City satisfying the following conditions: (i) Legacy shall be entitled to take a credit for the full fair market value of such dedication area in reduction of transportation impact fees in connection with the Project, but not to exceed the total amount of such transportation impact fees and mitigation fees imposed pursuant to SEPA, and the City shall take all steps necessary to ensure that such credit accrues to Legacy. The credit shall accrue to Legacy even if application for, approval and construction of the Project post-dates the right-of-way dedication; and (ii) the City shall preserve for the Property two access driveways onto 159th Place NE (one full-movement access and one right-in/right-out access), provided that granting this ongoing right to Legacy does not create a threat to public safety. In the event that traffic safety problems are identified in the future due to the design and location of these two access driveways, the City shall cooperate with Legacy River Park, LLC or its successors, to identify alternative access designs and locations that will ensure two access points to the River Park project. Nothing in this Agreement is intended to waive or otherwise restrict the City of Redmond's exercise of its police powers with respect to the regulation of access to and from its streets for traffic safety purposes.

(i) Legacy will maintain adequate Fire Department access to the southwest corner of the Property (aligned with the emergency access road stub on the adjoining property to the west) with an approved and recorded emergency vehicle access easement. The easement shall be provided to the City prior to the City's issuance of the first building permit for Phase 1 of the Project and may be relocated in subsequent phases of the Project, subject to City approval.

For the purposes of this Agreement, "residential uses" shall include senior housing and assisted living units, but shall exclude hotel uses.

3. Term of Agreement and Vesting. Except as provided herein and in Section 4 below, this Development Agreement and the following zoning, building and development regulations, transportation concurrency regulations, and other laws, statutes, ordinances or policies governing land development shall govern the development of the Project and the Project shall be vested to the same, so long as any applications required for Project development, including an application for Site Plan Entitlement (or if that process is no longer used, the equivalent review process at the time of development), is filed within six (6) years of the date of this Development Agreement:

(a) *Zoning and Development Regulations.* The Project is located in the City Center Mixed Use/Office CC-4 and City Center Mixed Use/Office CC-5 zones. Except as set out in this Agreement, the zoning, building and development regulations, policies, and ordinances, and comprehensive plan policies of the City governing land development of the Project in effect as of the date hereof (the "Development Regulations") shall govern development of the Project during the term of this Development Agreement.

(b) *Design and Development.* The Project shall be subject to the appropriate process and design requirements as prescribed in the Redmond Community Development Guide as the same exists effective as of the date of this Agreement, depending upon the proposed use. The locations, heights and design of buildings in the Project, and the requirements for landscaping, vehicular and pedestrian circulation, parking and other development requirements shall be determined through the appropriate entitlement process, in accordance with the design guidelines attached to this Agreement as Attachment 2, the additional development requirements found in this Development Agreement, and the applicable zoning district development requirements as set forth in the Redmond Community Development Guide as the same exists effective as of the date of this Development Agreement.

(c) *Phasing.* Legacy may develop the Project in one or more phases, subject to the foregoing conditions in section 2 of this development agreement.

(d) *Concurrency.* A Certificate of Concurrency has been issued for the Project in full satisfaction of all transportation concurrency requirements. The certificate is based on a maximum number of total and net new p.m. peak hour trips (the "Trip Cap") that may be generated by uses on the Property at full build-out of the Project, as follows:

Maximum total p.m. peak-hour trips (including all trips (Project trips and credit for trips from existing uses on the Property as of the date hereof))	603 trips
Maximum net new p.m. peak-hour trips (all trips less credit for trips from uses existing on the Property as of the date hereof but discontinued upon Project development)	317 trips

As long as Legacy does not propose to exceed the Trip Cap in the development of the Project, the City shall not impose new or different transportation conditions on the Project. If Legacy proposes in the development of the Project to exceed the Trip Cap, Legacy will be required by the City to obtain a new Certificate of Concurrency for the revised net new p.m. peak hour trips and the City may impose new or different transportation conditions on the Project as a result.

The above-described vested rights are expressly made subject to the City's ability to impose new of different requirements or regulations that are mandated by county, state, or federal statutes, laws, or ordinances that preempt the City's authority to permit vesting. Further, pursuant to RCW 36.70B.170(4) the City reserves the right and authority to impose new or different officially adopted regulations of general applicability, to the extent required by a serious threat to the public health, safety, or environmental quality, as determined by the Redmond City Council after notice and an opportunity to be heard has been provided to Legacy.

4. Project Not Vested as to Other Requirements. Except as expressly provided in Section 3 above, the Project shall not be vested as to any other regulation or requirement of the City except as provided by the vesting statutes and common law of the State of Washington. Specifically, but not by way of limitation, the Project is not vested to the following:

(a) *Impact Fees.* All impact fees for the City of Redmond (including fees for transportation, fire protection and parks) shall be paid in accordance with validly adopted impact fee ordinances in effect at the time of issuance of building permits for the development of the Property.

(b) Permit Fees and Permit Review Process. This Development Agreement does not vest the Project against changes in permit fees and the permit review process and all applicable permit processes and permit fees of the City of Redmond in effect at the time a permit is applied for or at the time the fees are due and owing under the applicable fee resolution shall apply.

(c) *SEPA Regulations and Policies.* The City issued a Mitigated Determination of Non-significance on November 6, 2001 (the "MDNS") for a version of the Project with greater density than currently proposed and the same has been utilized to fulfill the City's obligation to conduct environmental review on this Development Agreement under the State Environmental Policy Act (SEPA). Subsequent SEPA review will be conducted by the City as appropriate on a permit-by-permit basis and nothing in this Development Agreement shall vest Legacy or the Project to any SEPA policies, process, determination, or mitigation conditions and the same shall be determined and applied as permit applications are submitted and reviewed as prescribed by the vesting statutes and common law of the State of Washington.

(d) *Storm Drainage and Utility Standards.* Nothing in this Agreement vests the project to any storm drainage, water, sewer or other utility requirements or standards and those that apply to the development shall be those in effect at the time appropriate development permits have been applied for or as otherwise prescribed by the vesting statutes and common law of the State of Washington.

(e) *County, State or Federal Mandates.* The Project is not vested against any new or different requirements or regulations that are mandated by county, state, or federal statutes, laws, or ordinances that preempt the City's authority to permit vesting.

(f) *Threats to Health, Safety, and Environment.* The Project is not vested against any new or different officially adopted regulations of general applicability, to the extent required by a serious threat to the public health, safety, or environmental quality, as determined by the Redmond City Council after notice and an opportunity to be heard has been provided to Legacy.

5. Recording: Assignment. This Development Agreement shall be recorded with the Real Property Records Division of the King County Records and Elections Department. This Development Agreement shall bind and inure to the benefit of the parties and their successors in interest, and shall be assigned to any successor in interest to Legacy. Upon assignment and assumption of all obligations under this Development Agreement by the assignee, Legacy shall be released from all obligations under this Development Agreement.

6. Termination. Legacy may terminate this Development Agreement immediately upon written notice to the City, with or without cause. If such termination occurs prior to the issuance of the first building permit for development of the Property pursuant to this Agreement, the benefits and the burdens of this Development Agreement shall also automatically terminate and thereafter the development of the Property shall be subject to all then-existing development regulations, requirements and processes. This development agreement may not be terminated after the issuance of the first Certificate of Occupancy. This Development Agreement will also automatically be terminated if no active land use application on the part of Legacy Riverpark, LLC is submitted within the six (6) years of the date of this Development Agreement.

7. Modification. This Development Agreement may be modified only with the agreement of the Redmond City Council and Legacy or its successors and assigns.

8. Counterparts. This Development Agreement may be executed in counterparts each of which shall be deemed an original.

Agreed this _____ of _____, 2005.

CITY OF REDMOND

_____

By _____
Its _____

ATTEST:

Approved as to form:

_____
City Attorney

LEGACY RIVERPARK, LLC

_____

By _____
Its _____

_____

By _____
Its _____

STATE OF WASHINGTON)
) ss
COUNTY OF KING)

I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and said person acknowledged that said person signed this instrument, on oath stated that said person was authorized to execute the instrument, and acknowledged it a the mayor of the City of Redmond to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated this ____ day of _____, 2005.

_____

_____

Notary public in and for the state of Washington, residing at _____
My appointment expires _____

EXHIBIT B

REDMOND RIVER PARK DESIGN GUIDELINES

Overview:

Located within City limits of Redmond, Washington, immediately east of Luke McRedmond Park and the Sammamish River, the Redmond River Park mixed-use development seeks to create a dynamic and diverse new urban neighborhood which will help redefine the potential of future downtown redevelopment in the City of Redmond.

The Redmond River Park project will be an active hub near the entrance to the city, addressing the Live, Work, and Play needs of the people of Redmond. Project components may include rental and/or ownership Residential units, a Hotel, and class-A Office Space, all with support Retail/Commercial space at ground level, and most required parking located underground.

This new-for-Redmond urban concept will feature publicly accessible internal private "streets" with ground-level commercial space, which may support healthclub, restaurant, professional, and other retail opportunities. Upper levels of the buildings will reinforce the street edges and provide residents and occupants with views toward the Sammamish River and city park. The internal street network will extend to the city park, offering pedestrian and vehicle access to the park edge, and encouraging park users to interact with the new neighborhood.

Contemporary northwest architectural guidelines will encourage use of varying colors and massing, and materials with an enduring quality, helping reinforce a tie between "old-town" Redmond and the newer "urban" character of Redmond, shown in recent developments. Public spaces will be enhanced with landscaping, seating, street trees, building canopies, storefront and signage opportunities, water features and clear access to building entrances.

The Redmond River Park development will help promote the success of City of Redmond goals to expand the city's urban potential by:

A) Encouraging pedestrian interaction between more densely occupied housing and commercial uses and neighboring properties, the city park, and downtown Redmond;

B) Development of a scale of buildings, streets, and amenity elements that blends with the character of old and new parts of the City of Redmond;

C) Creating a new urban character for housing and other uses serving as a model for a new Redmond density typology;

D) Providing a "contemporary northwest" architectural character for the new development, helping to create ties between old and new parts of Redmond.

I. Site Overview:

The Redmond River Park development will provide internal pedestrian-oriented private streets with ground-level commercial space for potential uses ranging from housing, office, and hotel lobbies, to support retail, commercial, healthclub, and restaurant possibilities. Curbside parallel parking will be provided along internal streets, and will be modulated by raised tree planters, light poles, sidewalk bulbs for crossing areas, and cul-de-sac islands. Perimeter project streets will offer direct access to structured parking, delivery areas, and provide emergency access for fire and police use around the development.

The central internal street will feature accent paving, direct pedestrian access to all uses and support commercial space, as well as pedestrian views and access to and from the adjacent Luke McRedmond Park. Park users will be encouraged to access this new development via the on-grade central street extending to the park's edge.

Buildings within the development will be regulated by Redmond zoning limits, and will be stepped in height from a "low" end adjacent to the park, to the "high" end at the east side of the site. Project frontage along outside public streets will correspond to prescribed Redmond standards for the applicable pedestrian standards of the existing streets.

Upper (second) level landscaped private courtyard areas, part of the residential and hotel buildings, will be guided by flexible design guidelines to allow the design of these open spaces to integrate with final building designs.

Neighboring commercial uses vary from three-story rental housing to single-story fast-food outlets and automotive uses. Other localized uses include the municipal outdoor recreational area adjacent to the site to the west, Luke McRedmond Park. All neighboring commercial properties are currently underdeveloped relative to allowable zoning, and thus may eventually reflect River Park's type of uses, architectural character, and density.

Considering this possibility, the Redmond River Park development strives to set a good example for design, urban neighborhood qualities, and new prototypes for living and working in a city environment.

II. Architectural Intent:

1. The intent of the architectural approach to the Redmond River Park project is to create a mixed-use development displaying a cohesive image, and complementary building designs within the project. The goal is to create an outward impression to the City of Redmond of sensitivity to local styles and with appropriate references to local architectural history, all within allowable zoning.

2. Various buildings in the new development will have unique uses and thus should have unique appearances. Complementary but varying interpretations of a "contemporary northwest" architectural character are possible. This character may include relatively modern building forms & massing, while also integrating more historical references in fenestration, canopy or other trim elements, etc.

III. Overall Building Architecture

A. Entire Site

1. Building architecture should strengthen the urban character of the overall development. Basic building elements should define the street edges and frame the major entrance "portals" into the site.

2. Architectural design character should be "contemporary northwest" in approach: well-detailed, including such elements as natural materials, warm colors from nature, transparency (inside-outside), quiet/understated elegance, and informal & eclectic compositions.

3. Marquees and canopies should provide relatively continuous covering for pedestrians along commercial storefronts. This overhead weather protection should also include opportunities for integrated signage and variety in materials, profile, and color based on building type and features.

4. Building focal points, including tower elements and entry features, should enhance street intersections and plaza areas by being clearly recognizable and promoting a village character & pedestrian activity. Focal points

should create distinctive spatial characteristics for the different buildings on site.

5. Building base, body and cornice-line treatments should be developed to promote human building scale and to create compatibility, but not necessarily direct consistency, in design character from building to building.

6. Building finishes and materials should be chosen in general to enhance the architectural and mixed-use character of building facades and to blend with the larger Redmond neighborhood.

7. Wall materials may include brick or stone masonry, metal panels, pre-cast and cast-in-place concrete, stucco, plaster, and glass. Other materials and elements (railings, accent trim, soffits, gutters, stairs) may be used to create distinctive character and detail features.

8. Roof profiles and treatments should vary between buildings and include a mix of flat & sloped elements. Roofing materials may include metal, concrete tile, composition shingles, or flat roofing, and should include varying colors where appropriate to identify different buildings or roofing treatments.

9. Service areas should be enclosed by building elements and screened with landscaping. Rooftop mechanical screening should be integrated into the building designs.

10. The spacing of column bays along street facades should range from approximately 14 to 32 feet and be an integral part of the building composition.

11. Modulation along street facades should be provided to enhance building elevations and create a variety of pedestrian experiences. Building modulations, which may include recesses, projections, and steps, should be used to break up long building elevations, and should occur at spacings described in each building type section of these guidelines.

12. Landscaped courtyards should include elements such as special paving, landscape features, stoops/porches and other architectural features to create active, public & private open-spaces for residential tenants.

B. <u>Historical Reference</u>:

1. Some existing buildings in Redmond can provide representation of modern interpretations of historical details and building component design styles. These buildings include the Lake Washington School District office in Redmond Town Center, the Frazer Court Apartments on NE 85th Street, and the Lake Washington Technical College branch at Marymoor Park.

2. Some historical elements that can be replicated in general include proportion, orientation, composition, style, and detail, including windows, doors, canopies, storefront, cornices, and trim.

3. Materials represented in some of Redmond's existing buildings are red brick, painted accent trim, and fabric canopies, which may be interpreted in more modern ways. Newer buildings have played on these traditional components with more modern approaches.

4. The Brad Best Real Estate office and Big Time Pizza are examples of historic buildings in Redmond with elements such as storefront details, awnings, punched windows, and cornice which could be reinterpreted and incorporated in a new northwest contemporary character to help integrate the new buildings with local older structures.

C. Building Design – Residential Buildings:

1. Residential buildings should incorporate a design approach to differentiate various buildings within a continuous apartment block or complex. Although a general palette of similar materials is acceptable, variations in roof and canopy profiles, storefront break-up, railings, colors, bay window style, and accent cladding or finishes are required.

2. The ground floor commercial levels of the Residential buildings shall maintain a 15-foot (minimum) floor-to-floor height, as used throughout the development for continuity.

3. Long building facades of Residential buildings should be articulated with architectural elements, including occasional openings between buildings where practical. Building articulation should be employed on all visible street (external & internal) and park sides of the buildings.

4. The use of varying shaped balconies and variation of recessed vs. protruding balconies is encouraged.

5. In residential dwelling units having multiple balconies, it is allowable for only one balcony to provide minimum Redmond Land Use Code dimensions, while the other(s) can be smaller.

6. The fenestration of different Residential buildings should utilize different window shapes, sizes, orientations, styles, rhythm and composition.

7. Front entries to Residential buildings should be articulated with overhead weather protection (canopies, marquees), distinctive materials, plan or storefront profiles, or other identity-giving architectural devices.

8. Relatively continuous overhead weather protection is to be provided on all sidewalk sides of residential buildings.

9. Canopies may be of fabric, metal, glass, or combinations of such materials. Other elements such as trellises may be used for scale, too, and should be of comparable construction quality to that of the buildings.

D. Building Design – Hotel Building:

1. A Hotel building, would be a unique use on the River Park site and as such should reflect this differentiation by use of its own unique architectural style, proportion, detailing, and use of color and materials.

2. A Hotel should reflect a residential scale, while at the same time being recognizable as the commercial lodging facility that it would be. Scale-giving elements such as street-front canopies, detailed storefronts, possible plan articulations identifying building corners and entries, balconies & bay windows, should all be considered.

3. The Porte Cochere area of a hotel should allow for vehicular separation of guest arrivals from other on-site vehicle traffic, yet should not hide the main entrance to the facility.

4. Hotel adjacencies to nearby residential uses on site should encourage some compatibility of materials and scale elements between neighboring uses, despite close proximity of different uses.

5. The ground floor commercial level should maintain the River Park typical 15-foot (minimum) floor-to-floor height for consistency with other buildings in the development.

6. Ground floor commercial uses in a Hotel building should face the street and be accessible from the sidewalk wherever possible.

7. Exterior architectural articulation for a Hotel shall include 60-foot maximum spacing of façade articulations, street-level accentuation of plan, commercial uses integrated with adjacent Hotel lobbies and public-use areas, and clear entry definition.

E. Building Design – Office Buildings:

1. An Office building would create possibly the greatest challenge in maintaining a sense of scale, historical reference, and compatibility within the site, relative to the immediate neighborhood and the downtown Redmond areas beyond. Sensitivity will be required in developing final designs for Office buildings that blend with the new and surrounding developments, and still offer commercial feasibility.

2. Office buildings should incorporate the same general architectural elements as the other building: a defined base, middle, top, and integrated approach to mechanical screening, and materials and colors which are sympathetic to the other buildings on site and nearby.

3. Office buildings should have a similarly-detailed base to the architectural style, but in a two-story interpretation of that style. This will help break down the height of Office buildings to a more pedestrian-friendly scale.

4. Canopies at pedestrian areas shall be extended at the single-story height above the ground to help break up the scale of the base of such buildings.

5. The middle section of office buildings should be predominantly identified by punched-window fenestration, and may use wall materials ranging from stone, brick, cast-in-place or pre-cast concrete to architectural metal, glass, aluminum window systems, and plaster or stucco. In general, a "high-tech" look is not desired, and a more historically-referenced façade and materials are encouraged.

6. The top area of Office building facades may include an accent cladding system and a recognizable cornice element to signify the top and break down the scale of the upper elements of such buildings. Accent materials, which in some instances may be interpreted as "high-tech", should be limited in coverage to approximately 20% of the building façade, so that they look like accent treatments rather than the primary material palette. For example, the top story of Office buildings may utilize something like an architectural metal

siding that creates shadow and provides accent color…a treatment that might also be used in other façade accent areas, but not a total building skin.

7. Street level canopies on office buildings should be of a heavier-duty type of construction reflecting the size and quality of such buildings. For example, exposed steel structures with glass or solid canopy membranes are encouraged over lightweight fabric canopies, which would seem not-in-keeping with the construction of these buildings.

8. Street-level commercial/retail uses in Office buildings should present an open and inviting storefront appearance and have direct access from the sidewalk wherever possible. Where direct outside access is not practicable due to level changes or similar constraints, clear commercial connections to the main office building lobby should be provided for easy pedestrian understanding and use.

9. Exterior articulation should include 90-foot maximum spacing of façade articulations, street-level accentuation of the plan, commercial uses integrated with sidewalk visibility, and clear entry definition.

III. Landscape Standards

1. Landscaping will be consistent with the requirements of the Redmond Community Development Guide Section 20D.80.10.

2. Landscaping used for screening of outdoor trash areas shall support or augment any architectural screening elements, which shall be the primary screens. Landscaping shall not be relied upon solely to provide a 100% screening of such service areas.

3. Landscaping should be provided for upper (second) level common courtyard areas to enhance the design character of these courtyards, provide a sense of identity, enclosure and privacy, and to create visual and spatial variety.

4. Upper level terrace plantings are encouraged to include evergreen and deciduous materials, as well as seasonal interest plantings for color and variety.

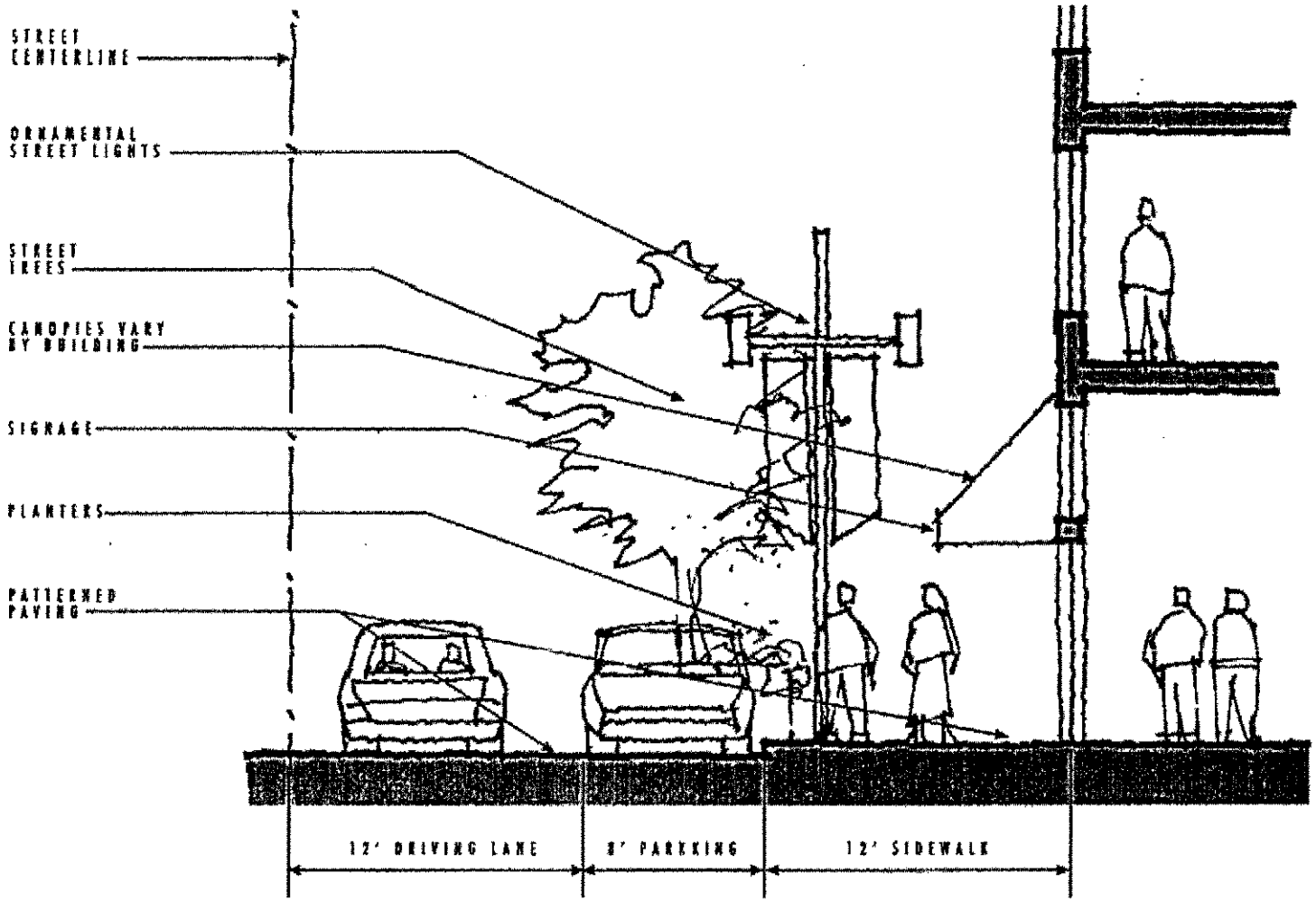
5. Terrace/Courtyard areas should be designed to include areas of special paving treatments, unique landscaping, and various seating opportunities.

6. Terraces/Courtyard areas should be landscaped at a density appropriate to the scale and use of the space, and to the proximity and use of adjacent buildings or dwelling units.

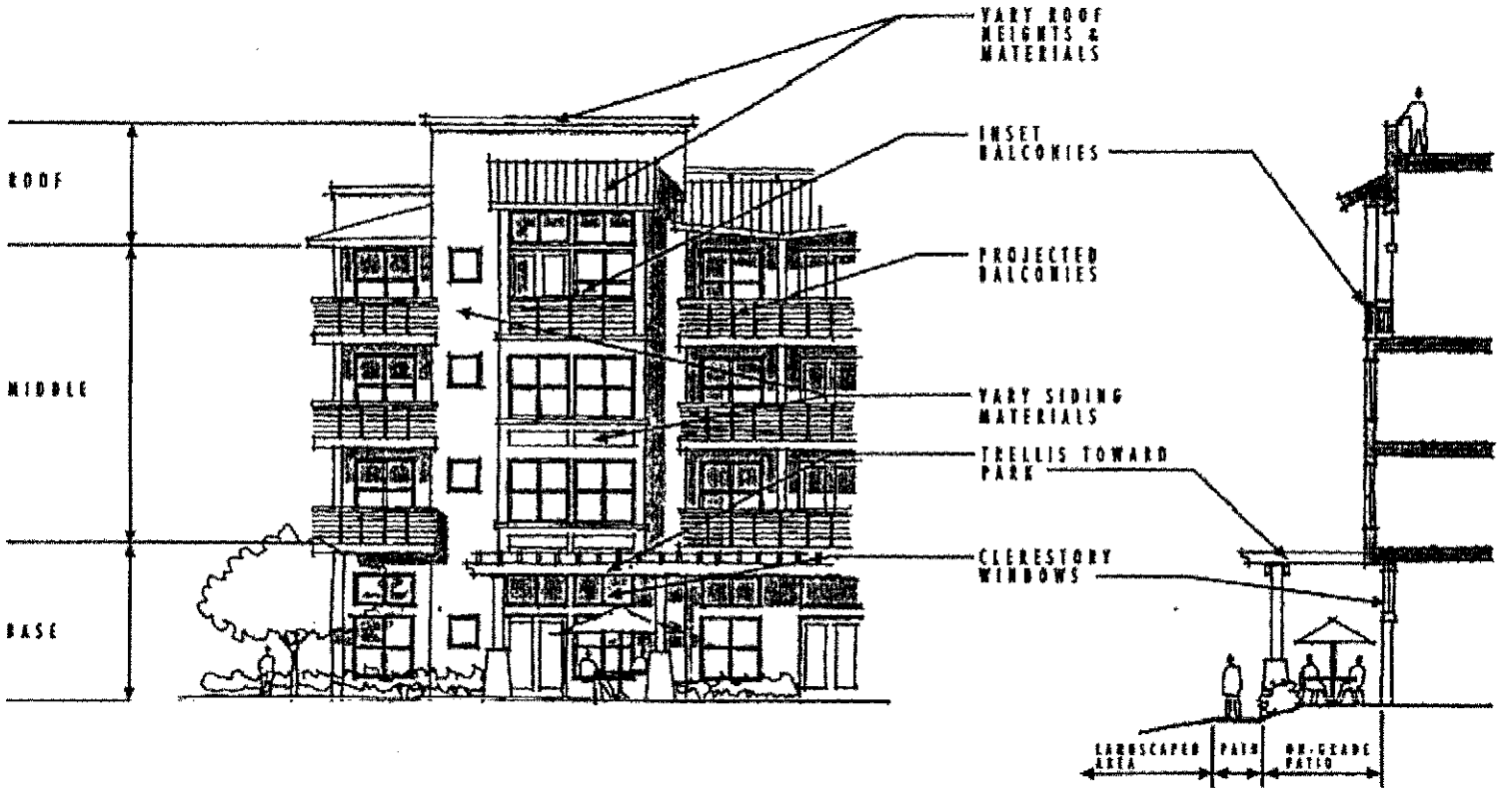
7. Trees should be provided for both shade relief and spatial definition, and located and selected with maintenance and tree health, view opportunities, and seasonal solar exposures in mind.

8. Trees should be provided in a ratio of not less than one tree or vertical screen element per every 350 square feet of planting area within upper (second) level courtyards.

9. Tree requirements per City of Redmond ordinance shall be covered by a fee-in-lieu approach if less then the required code total number of trees is provided.

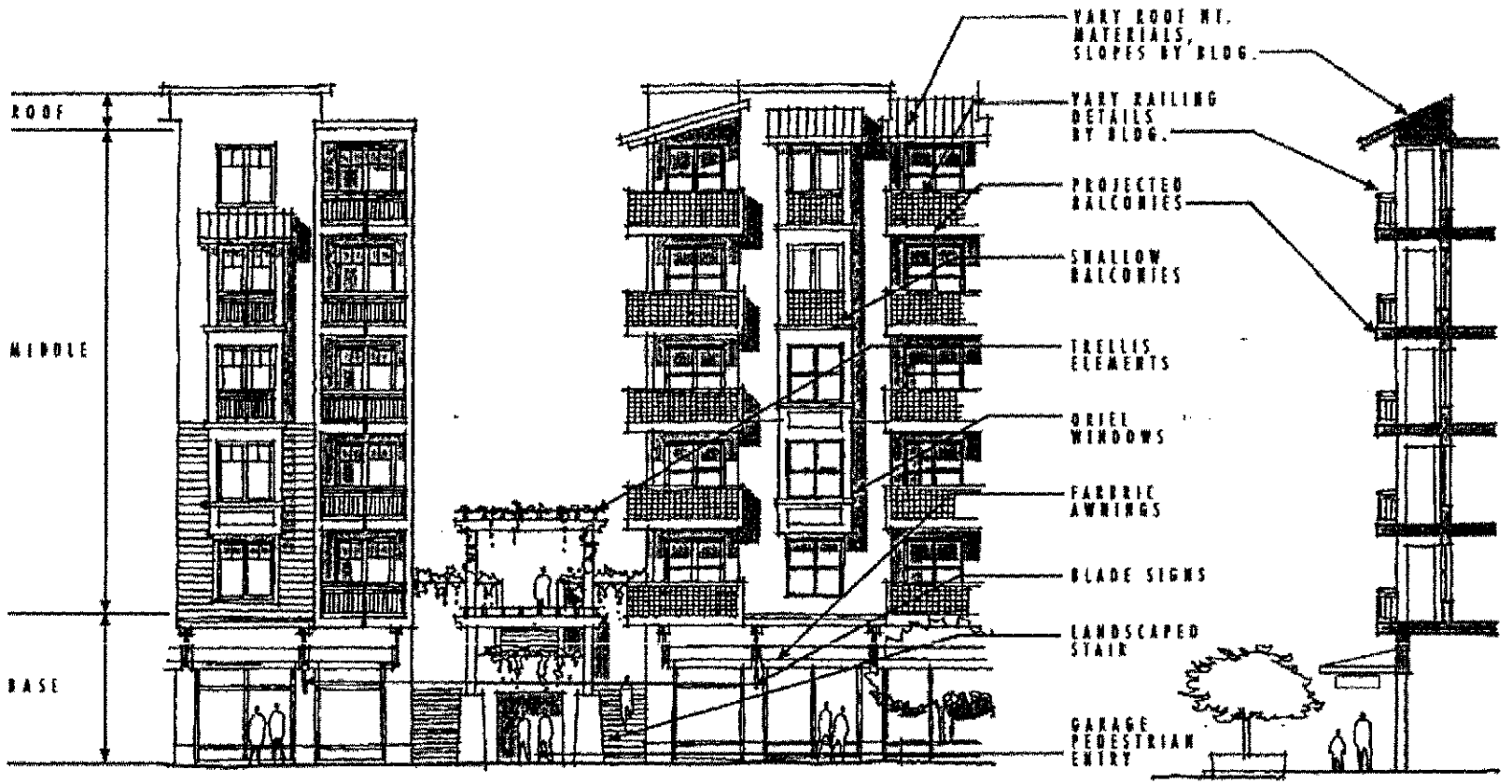


STREET SECTION



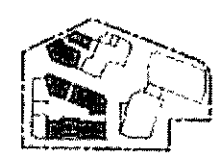
PARTIAL PARK RESIDENTIAL ELEVATION

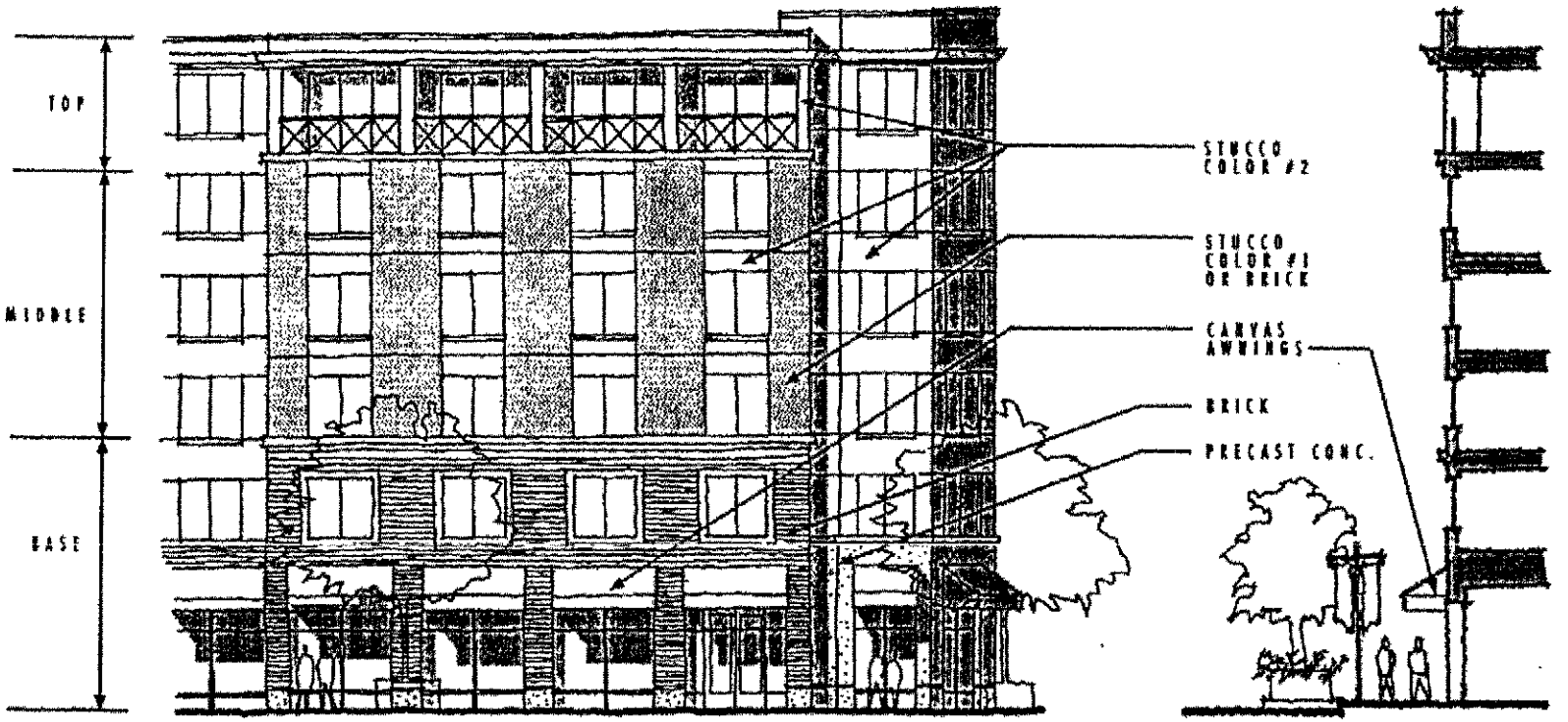
PARK SECTION



TYPICAL PARTIAL RESIDENTIAL ELEVATION

TYPICAL SECTION





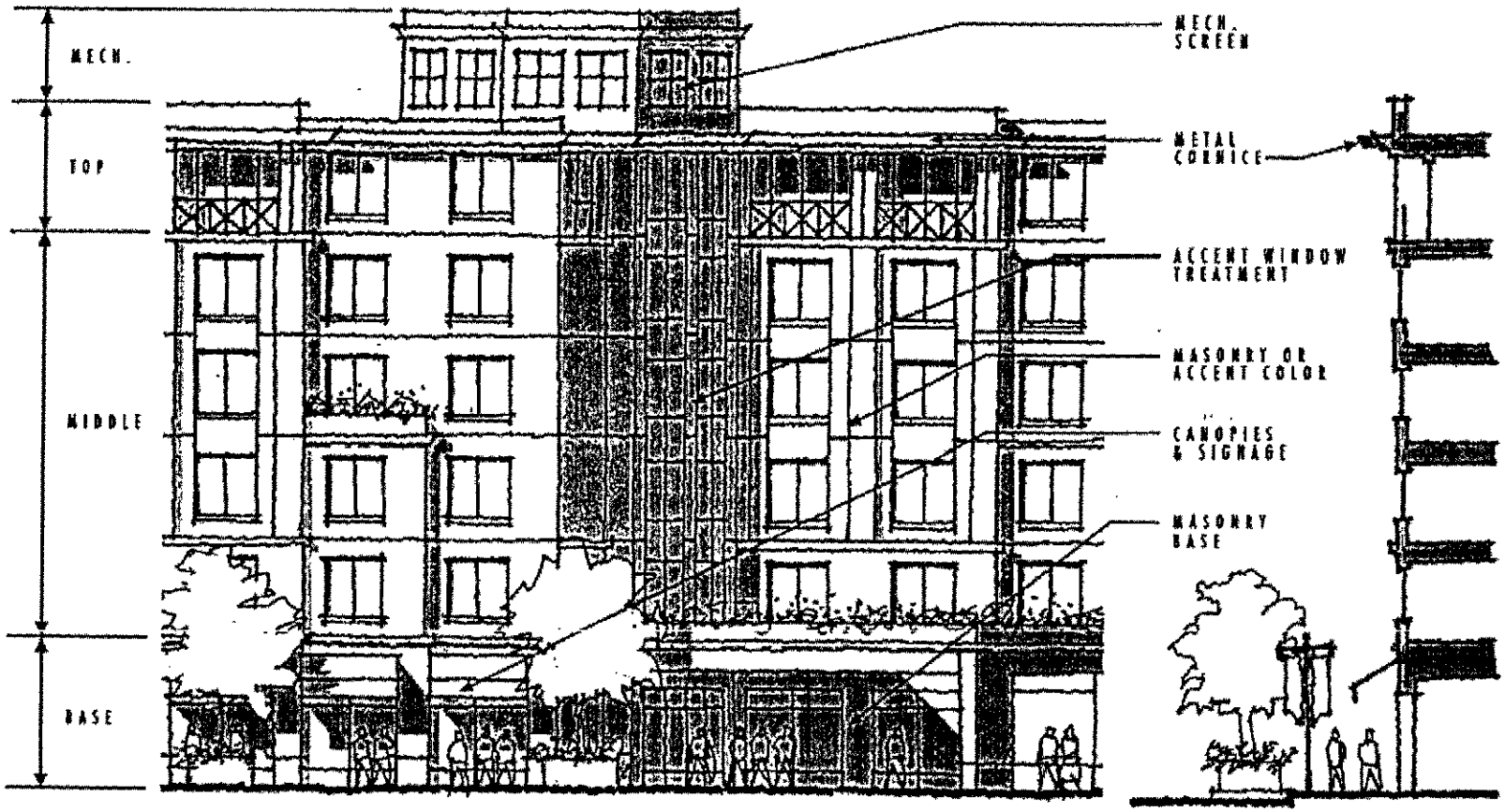
PARTIAL HOTEL ELEVATION - OPTION 1

HOTEL SECTION

CALLISON

REDMOND RIVER PARK
REDMOND WASHINGTON

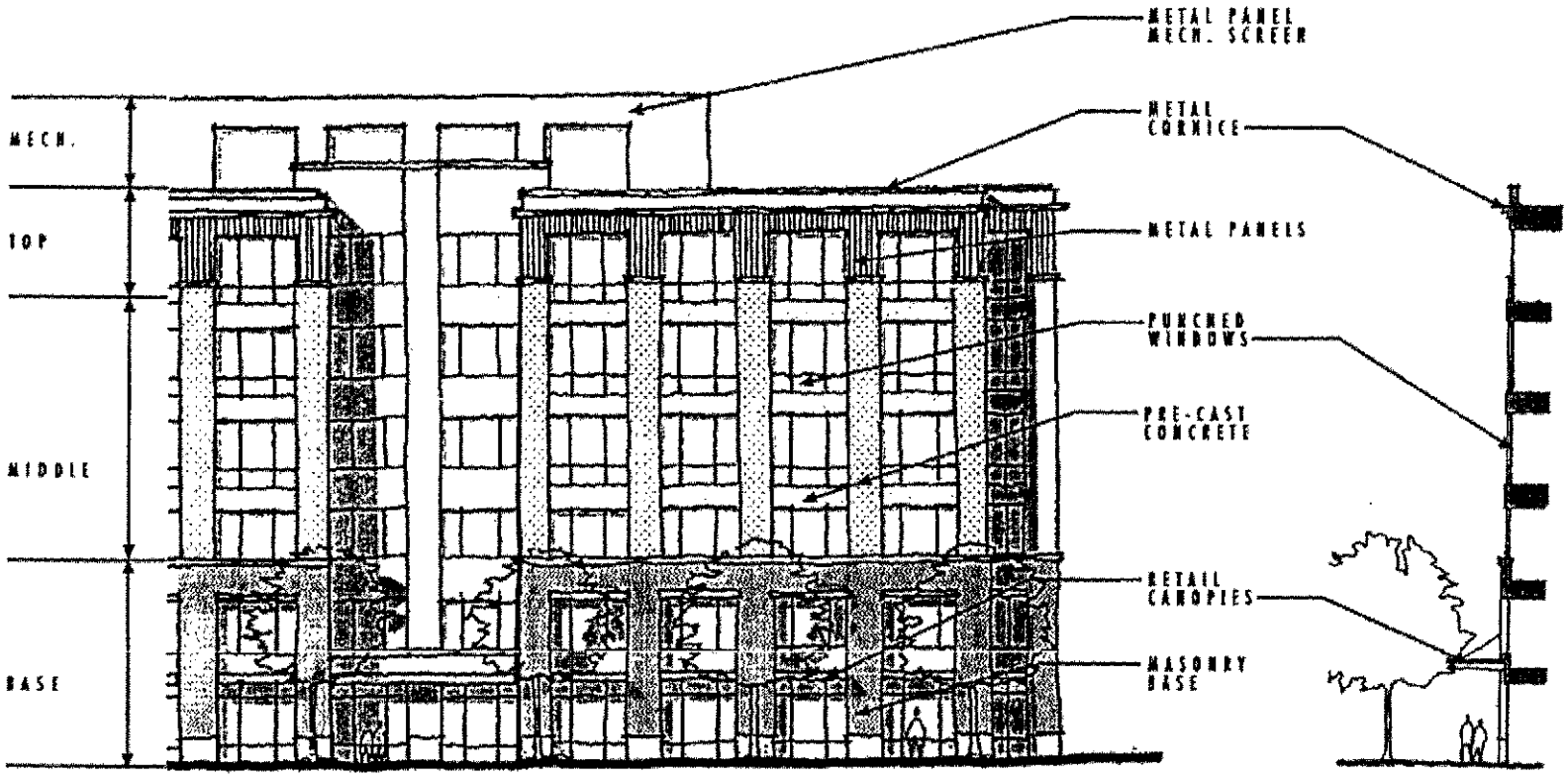
DESIGN GUIDELINES
PAGE 23
10.05.2001



PARTIAL HOTEL ELEVATION - OPTION II

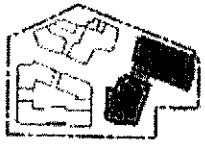
HOTEL SECTION

KEY PLAN

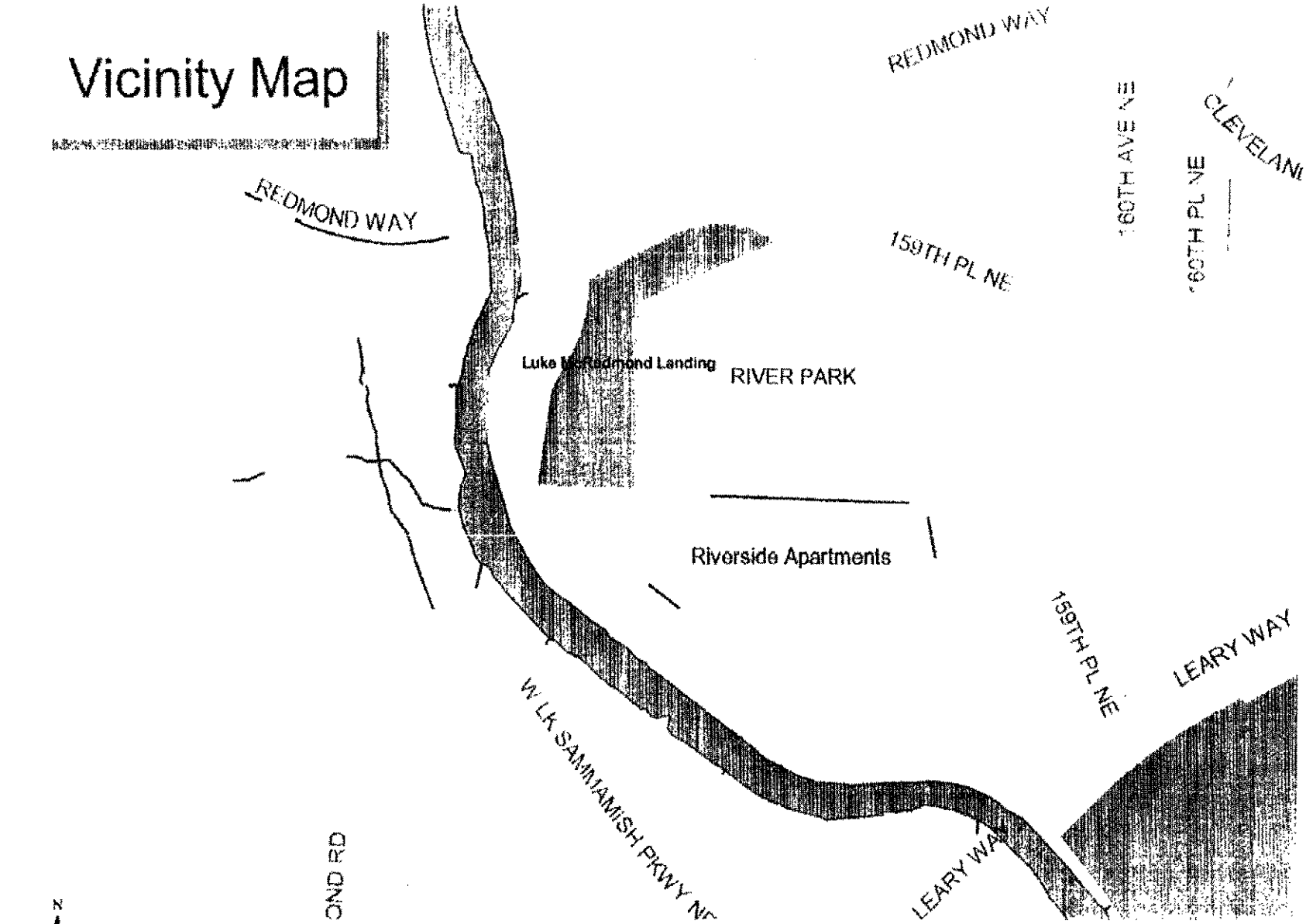


PARTIAL OFFICE BUILDING ELEVATION

OFFICE SECTION



ATTACHMENT B



RIVER PARK DEVELOPMENT AGREEMENT

Resolution No. 1206

ATTACHMENT C

THE CITY OF REDMOND
PUBLIC WORKS DEPARTMENT

CERTIFICATE OF CONCURRENCY

This Certificate confirms that the transportation concurrency requirement for the proposed development described below has been satisfied pursuant to the conditions contained in this Certificate.

1. Applicant name and address: Legacy Partners LLC
   1756 114th Avenue SE, Suite 135
   Bellevue, Washington 98004-6931

2. Property location:
   a. Property address: 7905-7955 and 7805-7888 159th Place NE
   b. Development name: River Park Development
   c. Assessor's Parcel Number(s): 112505-9107-06 and 112505-9104-09
   d. Section, Township, Range: S11, T25N, R5E

3. Type of development permit to be requested: Site Plan Approval, Building Permit

4. Proposed land use: Mixed Use – Office, Retail, Hotel, Multi-Family

5. This Certificate applies to the following development units:
   a. Commercial project – total square feet: 280,000 square feet office, 240 hotel rooms, 20,000 square feet of retail
   b. Multi-Family – Number of Units: 222 Apartments

6. This Certificate is only an indication that there is adequate vehicular capacity on the City of Redmond street network to support the traffic forecasted to be generated by the development described above. This Certificate implies no other approvals of land use, site design or code compliance. It is subject to the following general conditions:
   a. This Certificate runs with the land, therefore, it is transferable only to subsequent owners of the same property, subject to the terms, conditions, and expiration date listed herein. This Certificate is not transferable to any other property, except upon approval of the Director of Planning and Community Development.
   b. If this Certificate of Concurrency expires before a complete development application is submitted to the City of Redmond, the developer must wait fourteen days before submitting another Certificate of Concurrency request for the same development.
   c. This Certificate shall expire in 120 days if a complete development application is not submitted to the City. If a complete development application is submitted within this 120-day time period, the Certificate is then valid as long as the development application is valid. If development approval is granted, then the Certificate is valid as long as the development approval is valid. If the development approval does not have an expiration date, the Certificate is valid for one year from the Certificate's issuance, with up to two one-year extension if approved by the Administrator.

7. ☑ Specific conditions are attached.

This original Certificate of Concurrency must be submitted to the Redmond Planning Department prior to issuance of site plan approval. Copies of the certificate will not be accepted.

Transportation Development Manager

'anning Director

Type of Certificate:
☑ Original
☐ Transfer

Date Issued: ~~10/19/00~~ 10-23-00 TCM

Expiration date: ~~02/16/00~~ 2-20-01 TCM

Resolution No. 1206

Certificate of Concurrency—Specific Conditions
River Park Development, Downtown Redmond

GRASS LAWN:

1. To achieve concurrency in the Grass Lawn Transportation Management District (TMD), Legacy Partners will provide one of the following as determined by the City.

    a. Design and construct Redmond BROTS improvement 5.4 which involves extending the eastbound right turn pocket at the intersection of 148th Avenue NE/Old Redmond Road. The estimated cost of this improvement is about $385,000.

    or:

    b. Legacy Partners will pay approximately $385,000 to the City prior to issuance of a building permit. The actual terms and amount will be determined as part of the concurrency certificate. The City of Redmond has expressed its intent to study the NE 85th Street corridor to determine potential future improvements to the corridor. Within six years, the City may use these funds to construct an improvement as identified through their studies of the area, or the BROTS project 5.4 itself.

    This improvement, or payment, will increase transportation capacity in the Grass Lawn TMD by 83 critical trips. This is sufficient for the River Park project and will provide Legacy Partners with 29 excess critical trips in the Grass Lawn TMD available for transfer to another development for use in the Grass Lawn TMD. Legacy Partners will have the right to transfer these excess critical trips until six years from the date of the certificate. Legacy Partners shall be entitled to receive credit toward payment of required impact fees as a result of this supplemental mitigation. The credit determination shall be made in accordance with RCDG 20D.210.10-190.

OVERLAKE:

2. To achieve concurrency in the Overlake TMD, Legacy Partners will provide one of the following as determined by the City.

    a. Design and construct Redmond BROTS improvement 22.3 which involves constructing a southbound right turn pocket at the intersection of 156th Avenue NE/Bel-Red Road. The estimated cost of this improvement is $504,000.

    or:

    b. Legacy Partners will pay approximately $504,000 to the City prior to issuance of a building permit. The terms and actual amount will be determined as part of the concurrency certificate. The City may use these funds to construct an improvement in Overlake, or the BROTS project 22.3 itself.

    This improvement, or payment, will increase transportation capacity in the Overlake TMD by 364 critical trips. This is sufficient for the River Park project and will provide Legacy Partners with 227 excess critical trips in the Overlake TMD available for transfer to another development for use in the Overlake TMD. Legacy Partners will have the right to transfer these excess critical trips until six years from the date of the certificate. Legacy Partners will be entitled to receive credit toward payment of required impact fees as a result of this supplemental mitigation. The credit determination shall be made in accordance with RCDG 20D.210.10-190.

3. Prior to issuance of a building permit, the Applicant will provide the City with a signed, legally binding agreement with language acceptable to the City recognizing and acknowledging the above conditions.

Transportation Engineering NorthWest **Memorandum**

DATE: April 26, 2005

TO: Dick Barthol, P.E.
City of Redmond

FROM: Jeff Haynie, P.E.
Transportation Engineering Northwest, LLC

RE: Updated Concurrency Modeling for Development Agreement
Riverpark
TENW Project No. 2281

This memorandum documents the updated concurrency modeling and requests the issuance of a replacement Concurrency Certificate for the proposed Development Agreement for Riverpark. The new Concurrency Certificate would replace the existing Certificate, which is associated with the currently active Site Plan Entitlement (SPE) for Riverpark, which expires September 28, 2005.

Summary

It is our understanding the City's existing concurrency model includes the Riverpark project in its pipeline list and additional modeling would not be necessary at this time.

The new Concurrency Certificate for the Riverpark Development Agreement provides flexibility in the type and sizes of land uses that are allowed under the Certificate. Therefore, it is based on a trip cap equal to 317 net new p.m. peak hour trips, rather than specific land use square footage or units. Net new trips are defined on the new certificate as the total estimated p.m. peak hour trips from the new development minus the estimated trips from the fully occupied existing uses that will be demolished.

In addition, the new Concurrency Certificate reflects the updated modeling and concurrency testing conducted April 22, 2004, and resulting modifications to the Specific Conditions. Based on the updated modeling, conditions related to supplemental mitigation in the Overlake Transportation Management District (TMD) were removed since this TMD is now in compliance with the standards as outlined in the Comprehensive Plan. In addition, the Conditions related to supplemental mitigation in the Grass Lawn TMD reflect the new critical trip impact in Grass Lawn of 42 critical trips. Since the proposed improvements to the eastbound right-turn lane at 148th Ave NE/Old Redmond Rd were determined to provide 83 critical trips, this leaves 41 excess critical trips available to transfer to another development.

A draft of the updated Concurrency Certificate with Conditions is included in **Attachment A** for the City's approval. If you are in agreement with our proposed approach, please execute the attached Concurrency Certificate and provide us with a signed copy for our files.

Transportation Engineering/Operations • Impact Studies • Design Services • Transportation Planning/Forecasting

16625 Redmond Way, Suite M, PMB 323 • Redmond, WA 98052 • Office (425) 485-4663 • Fax (425) 398-5779

Updated Modeling and Concurrency Testing

The updated traffic modeling for Riverpark was conducted by RST on April 22, 2004 (Test Order 8, Riverpark Retest). The modeling was conducted using the same number of net new p.m. peak hour trips (317) that were modeled originally in August/September 2000. The concurrency results from the updated model run as provided by the City of Redmond are shown in **Attachment B**.

Based on the updated modeling, the Riverpark development was determined to be concurrent in 6 out of the 7 TMDs. It should be noted the Riverpark development is concurrent in the Overlake TMD and the mitigation required in the original Concurrency Certificate would no longer be necessary.

The volume to capacity ratio (v/c ratio) in the Grass Lawn TMD is projected to exceed the City's adopted level of service standard of 0.850 with or without the proposed development. With the proposed Riverpark development, the project increases the demand in the Grass Lawn TMD by 42 critical trips. In addition, the development adds more than 30 new trips to at least one signalized intersection in the Grass Lawn TMD (62 trips to 148th Ave NE/Redmond Way). Therefore, the Riverpark development was determined to be out of compliance with the concurrency standards in the Grass Lawn TMD.

Supplemental Mitigation in Grass Lawn

To mitigate the 42 critical trips in the Grass Lawn TMD, Legacy Riverpark LLC proposes to do one of the following as determined by the City:

a. Design and construct Redmond BROTS improvement 5.4 which involves extending the eastbound right turn pocket at the intersection of 148th Avenue NE/Old Redmond Road. The estimated cost of this improvement is $385,000.

or

b. Legacy Partners will pay $385,000 to the City prior to issuance of a building permit. The City may use these funds ($385,000) to construct another improvement, or the BROTS project 5.4 itself.

As determined previously, the improvement at 148th Avenue NE/Old Redmond Road would increase transportation capacity in the Grass Lawn TMD by 83 critical trips. This is sufficient for the Riverpark project and will provide Legacy Riverpark LLC with 41 excess critical trips in the Grass Lawn TMD available for transfer to another development for use in the Grass Lawn TMD.

Please call me at (425) 485-4663 if you have any questions with this information.

cc: Kerry Nicholson, Legacy Partners
Jack McCullough, MHFKS

\Riverpark - #22811\Word\Riverpark Updated Concurrency for DA 4-26-05.doc

ATTACHMENT A
Updated Concurrency Certificate
(DRAFT for City Approval)

Transportation Engineering/Operations • Impact Studies • Design Services • Transportation Planning/Forecasting

16625 Redmond Way, Suite M, PMB 323 • Redmond, WA 98052 • Office (425) 485-4663 • Fax (425) 398-5779

DRAFT

CERTIFICATE OF CONCURRENCY

This Certificate confirms that the transportation concurrency requirement for the proposed development described below has been satisfied pursuant to the conditions contained in this Certificate.

1. Applicant name and address: Legacy Riverpark LLC
   7525 SE 24th Street, Suite 180
   Mercer Island, Washington 98040

2. Property location:
   a. Property address: 7905-7955 and 7805-7883 159th Place NE
   b. Development name: Riverpark
   c. Assessor's Parcel Number(s): 112505-9107-06 and 112505-9104-09
   d. Section, Township, Range: S11, T25N, R5E

3. Type of development permit to be requested: Development Agreement

4. Proposed land use: Mixed Use – Office/Retail/Hotel/Multi-Family

5. This Certificate applies to the following development units: Mix of uses to be determined. Maximum number of net new p.m. peak hour trips = 317. Net new trips defined as total estimated trips from the new development minus the estimated trips from the fully occupied existing uses that will be demolished.

6. This Certificate is only an indication that there is adequate vehicular capacity on the City of Redmond street network to support the traffic forecasted to be generated by the development described above. This Certificate implies no other approvals of land use, site design or code compliance. It is subject to the following general conditions:
   a. This Certificate runs with the land, therefore, it is transferable only to subsequent owners of the same property, subject to the terms, conditions, and expiration date listed herein. This Certificate is not transferable to any other property, except upon approval of the Director of Planning and Community Development.
   b. If this Certificate of Concurrency expires before a complete development application is submitted to the City of Redmond, the developer must wait fourteen days before submitting another Certificate of Concurrency request for the same development.
   c. This Certificate of Concurrency shall expire if the Development Agreement, including amendments, expires and if Development Applications submitted under the Development Agreement have also expired.

7. X Specific conditions are described on the reverse side.

This original Certificate of Concurrency must be submitted to the Redmond Planning Department prior to issuance of site plan approval. Copies of the certificate will not be accepted.

Type of Certificate:
_ Original
_ Transfer
X **Replacement**

_____
Transportation Development Manager

_____
Planning Director

Date Issued: _____ Expiration date: _____

{00055936 DOC;1}

DRAFT

Certificate of Concurrency--Specific Conditions
Riverpark Development, Downtown Redmond

Development Agreement
This Certificate of Concurrency is contingent on the applicant and the City executing a Development Agreement for Riverpark and it shall become effective upon execution. The Certificate of Concurrency dated October 23, 2000 shall remain in effect until the Development Agreement is executed by the applicant and the City.

Grass Lawn TMD Concurrency:
To achieve concurrency in the Grass Lawn Transportation Management District (TMD), Legacy Riverpark LLC will provide one of the following as determined by the City.

a. Design and construct Redmond BROTS improvement 5.4 which involves extending the eastbound right turn pocket at the intersection of 148th Avenue NE/Old Redmond Road. The estimated cost for this improvement is about $385,000.

or:

b. Legacy Riverpark LLC will pay approximately $385,000 to the City prior to issuance of a building permit. The actual terms and amount will be determined as part of the concurrency certificate. The City of Redmond has expressed its intent to study the NE 85th Street corridor to determine potential future improvements to the corridor. Within six years, the City may use these funds to construct an improvement as identified through their studies of the area, or the BROTS project 5.4 itself.

This improvement, or payment, will increase transportation capacity in the Grass Lawn TMD by 83 critical trips. This is sufficient for the Riverpark project and will provide Legacy Riverpark LLC with 41 excess critical trips in the Grass Lawn TMD available for transfer to another development for use in the Grass Lawn TMD. Legacy Riverpark LLC will have the right to transfer these excess critical trips until six years from the date of the certificate. Legacy Riverpark LLC shall be entitled to receive credit toward payment of required impact fees as a result of this supplemental mitigation. The credit determination shall be made in accordance with RCDG 20D.210.10-190.

ATTACHMENT B
Updated Concurrency Test Results
Provided by the City 4/27/04

Transportation Engineering/Operations • Impact Studies • Design Services • Transportation Planning/Forecasting

16625 Redmond Way, Suite M, PMB 323 • Redmond, WA 98052 • Office (425) 485-4663 • Fax (425) 398-5779

Traffic Concurrency Test Report - 2003

Project: Riverpark (retest)

Test Order: 8

Applicant: Legacy

TMD Summary:	
Redmond CBD	0.774
NE Redmond	0.904
Willows/Samm. Valley District	0.868
Grass Lawn	1.020
Overlake	0.798
Viewpoint	0.607
SE Redmond	0.977

Total PM Peak Hour Trips:

Inbound=	128
Outbound=	189
Total=	**317**

SIGNAL#	TMD	N/S Street	E/W Street	Critical Capacity	Previous Critical Vol	Critical Site Vol	New Critical Vol	V/C	LOS
1	1	Leary Way	Redmond Way	1425	912	11	923	0.648	B
4	1	161st Ave NE	Redmond Way	1425	1282	36	1318	0.925	E
5	1	164th Ave NE	Redmond Way	1500	931	11	942	0.628	B
6	1	West Lake Way	Redmond Way	1425	1200	33	1233	0.865	D
7	1	Cleveland St	Redmond Way	1375	1025	37	1062	0.772	C
8	1	Avondale Way NE	Redmond Way	1375	150	0	150	0.109	A
9	1	168th Ave NE	Redmond Way	1500	838	12	850	0.567	A
11	1	166th Ave NE	Redmond Way	1500	883	13	896	0.597	A
17	1	Leary Way	Cleveland St	1425	1071	20	1091	0.766	C
25	1	164th Ave NE	Cleveland St	1500	1078	20	1098	0.732	C
29	1	161st Ave NE	NE 85th St	1375	929	10	939	0.683	B
30	1	164th Ave NE	NE 85th St	1375	1569	5	1574	1.145	F
37	1	160th Ave NE	NE 85th St	1425	783	2	785	0.551	A
39	1	NE 79th St	Avondale Way	1375	1936	10	1946	1.415	F
40	1	154th Ave NE	NE 85th St	1375	853	3	856	0.623	B
41	1	164th Ave NE	NE 80th St	1375	965	3	968	0.704	C
43	1	W Lk Sammamish Pkwy	West Lake Way	1500	752	1	753	0.502	A
44	1	164th Ave NE	NE 83rd St	1500	789	5	794	0.529	A
45	1	Leary Way	159th Place NE	1425	1551	13	1564	1.098	F
47	1	166th Ave NE	NE 85th St	1500	853	8	861	0.574	A
58	1	Red-Wood Rd	NE 90th St	1425	1518	8	1526	1.071	F
59	1	166th St	Cleveland St	1425	1302	22	1324	0.929	E
60	1	Leary Way	Bear creek Pkwy	1425	970	9	979	0.687	B
61	1	159th Place NE	Redmond Way	1375	1313	250	1563	1.137	F
62	1	170th Avenue NE	Redmond Way	1375	1477	10	1487	1.081	F
72	1	154th Av NE	NE 90th St	1425	659	0	659	0.462	A
71	1	160th Ave NE	NE 90th St	1375	1002	3	1005	0.731	C
74	1	156th Ave NE	NE 83rd St	1500	1319	4	1323	0.882	D
404	1	W Lk Sammamish Pkwy	E/B SR-520 Offramp	1425	1691	15	1706	1.197	F
410	1	Leary Way	W Lk Sammamish Pkwy NE	1375	1442	17	1459	1.061	F
525	1	186th Ave NE	NE 80th St	1500	645	4	649	0.433	A
			Redmond CBD District =	**44,300**	**33,688**	**595**	**34,283**	**0.774**	**C**
			District Standard =					**0.850**	**E**
24	2	Avondale Rd NE	Novelty Hill Rd	1375	1388	2	1390	1.011	F
27	2	Avondale Rd NE	NE 95th St	1425	1450	4	1454	1.020	F
33	2	Avondale Rd NE	NE 104th St	1425	863	2	865	0.607	B
51	2	Avondale Rd NE	NE 116th St	1375	1143	2	1145	0.833	D
56	2	Red-Wood Rd NE	109th St	1375	1551	9	1560	1.135	F
78	2	Red-Wood Rd NE	NE 116th St	1425	1174	6	1180	0.828	D
			NE Redmond District =	**8,400**	**7,568**	**26**	**7,594**	**0.904**	**E**
			District Standard =					**0.850**	**D**
16	3	Willows Rd NE	Redmond Way	1425	1285	0	1231	0.864	D
28	3	Willows Rd NE	NE 116th St	1375	1144	4	1148	0.835	D
38	3	Willows Rd NE	NE 90th St	1375	1186	14	1200	0.873	D
65	3	Willows Rd	NE 95th St	1375	1119	4	1123	0.817	D
303	3	Willows Rd NE	NE 124th St	1375	1043	3	1046	0.761	C
304	3	Red-Wood Rd NE	NE 124th St	1375	1417	5	1422	1.034	F
			Willows/Samm. Valley District =	**8,300**	**7,174**	**30**	**7,204**	**0.868**	**D**
			District Standard =					**0.900**	**D**
2	4	148th Ave NE	Redmond Way	1375	1578	10	1588	1.155	F

Resolution No. 1206

ATTACHMENT D

CITY OF REDMOND

DETERMINATION OF NONSIGNIFICANCE

Description of proposal (project name, case #): SEPA File No. L040100, Establish development conditions to allow phased development of a mixed-use master planned development and the preservation of Traffic Concurrency approved as part of the Site Plan Entitlement for the Redmond River Park project. L010022

Proponent: Legacy River Park LLC, a.k.a. Legacy Partners

Location of proposal, including street address, if any: 7661 159th Place NE, Redmond

Lead Agency: *City of Redmond*

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

Comment Period

☒ There is no comment period for this DNS.

Responsible official/position/title: *Roberta Lewandowski, Planning Director*
Signature: Roberta Lewandowski Phone: *425-556-2447*

Responsible official/position/title: *Dave Rhodes, Public Works Director*
Signature: Dave Rhodes Phone: *425-556-2705*

Address: *15670 NE 85th Street, PO Box 97010, Redmond, WA 98073-9710*

Date: April 14, 2004

Appeal Period

☐ You may appeal this determination to *Roberta Lewandowski, Planning Director*
at: Redmond City Hall, 15670 NE 85, PO Box 97010, Redmond WA 98073-9710
no later than April 28, 2004 by stating basis of appeal in writing.
You should be prepared to make specific factual objections.
Contact Amy Tarce, Senior Planner at 425/556-2470 or atarce@redmond.gov to read or ask about the procedures for SEPA appeals.

A. Background

1. Name of proposed project, if applicable:

Redmond RiverPark Development Agreement

2. Name of applicant:

Legacy RiverPark LLC

3. Address and phone number of applicant and contact person:

Kerry Nicholson
Legacy RiverPark LLC
7525 SE 24th Street, Suite 180
Mercer Island, WA 98040

4. Date checklist prepared:

March 24, 2004

5. Agency requesting checklist:

City of Redmond

6. Proposed timing or schedule (including phasing, if applicable):

Development Agreement proposed for consideration by the City Council in ~~April~~ May 2004. This is a non-project action. The schedule for any subsequent project-level action is not yet determined.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

Not currently.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

Mitigated Determination of Nonsignificance for the RiverPark Project, dated November 6, 2001 (Site Plan No. L010022); Environmental Checklist for RiverPark Project, dated September 4, 2001 (collectively, the "Existing Environmental Documents"). The Existing Environmental Documents are hereby incorporated by reference in this environmental checklist.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

No.

10. List any government approvals or permits that will be needed for your proposal, if known.

This is a non-project Development Agreement approval. Project-level actions are not proposed. Any subsequently-proposed project-level actions will require additional approvals or permits, as set forth in the proposed Development Agreement. See also the Existing Environmental Documents. at

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

The proposal is approval of a Development Agreement for the RiverPark project. The Development Agreement will vest the future development of the site to a certain intensity of transportation-related impacts and impose other conditions on future development of the project site, if the applicant exercises rights under the Development Agreement. Project-level actions are not currently proposed. Future development of the site will require site plan approval from the City of Redmond. See Attachment B, Project Description. at

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The project is located at 159th Place NE and Redmond Way in the City of Redmond. The address is 7905-7955 and 7805-7888 159th Place NE. Tax Parcel Nos. are 112505-9107 and 112505-9104. See Attachment A, Vicinity Map. at

B. Environmental Elements

As to all Environmental Elements, please also refer to the Existing Environmental Documents for a fuller discussion of possible impacts associated with future development of the project site. As this is a non-project action, future such development will require site plan approval from the City of Redmond and at that time additional environmental review may be required.

1. Earth

a. **General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other . . . . . .**

Flat at

b. **What is the steepest slope on the site (approximate percent slope)?**

Less than 5 percent at

c. **What general types of soils are found on the site (for example, clay, sand, gravel, peat, and muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.**

Several feet of fill overlying a deposit of silts. Very soft to stiff peat soils are present underlying the silts. The base of the peat soils is generally at 10 to 15 feet below existing grades

d. **Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.**

No

e. **Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.**

The proposal is a non-project Comprehensive Plan amendment. No filling or grading is currently proposed. Filling or grading proposed in connection with any subsequent project-level action would comply with applicable requirements of the Redmond Municipal Code and the Existing Environmental Documents.

f. **Could erosion occur as a result of clearing, construction, or use? If so, generally describe.**

The proposal is a non-project Comprehensive Plan amendment. No clearing, construction or use is currently proposed. Clearing, construction or use proposed in connection with any subsequent project-level action would comply with applicable requirements of the Redmond Municipal Code and the Existing Environmental Documents.

g. **About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?**

The proposal is a non-project Comprehensive Plan amendment. No project-level action is currently proposed.

h. **Proposed measures to reduce or control erosion, or other impacts to the earth, if any:**

None

2. **Air**

a. **What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, and industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.**

The proposal is a non-project Comprehensive Plan amendment. No project-level action is currently proposed. No emissions will result from the non-project level action.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

No

at

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

None

at

3. Water

a. Surface:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, and wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

The Sammamish River is located approximately 275 feet to the west of the site.

at

2) Will the project require any work over, in or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

No

at

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

None

at

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No

at

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

No

at

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No

at

b. Ground:

1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

at

No

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

at

None

c. Water runoff (including stormwater):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

at

The proposal is a non-project Comprehensive Plan amendment. No development is currently proposed. Clearing, construction or use proposed in connection with any subsequent project-level action would comply with applicable requirements of the Redmond Community Development Guide.

2) Could waste materials enter ground or surface waters? If so, generally describe.

at

No

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

at

None

4. Plants

a. Check or circle types of vegetation found on the site:

at

<u>Deciduous tree</u>: alder, maple, aspen, other
<u>Evergreen tree</u>: <u>fir</u>, cedar, <u>pine</u>, other
<u>Shrubs</u>
Grass
Pasture
Crop or grain
Wet soil plants: cattail, buttercup, bulrush, skunk cabbage, or other
Water plants: water lily, eelgrass, milfoil, or other
Other types of vegetation

Deciduous and evergreen trees and underbrush

b. What kind and amount of vegetation will be removed or altered?

None. This is a non-project action. Any clearing proposed in connection with any subsequent project-level action would comply with applicable requirements of the Redmond Municipal Code and the Existing Environmental Documents. at

c. List threatened or endangered species known to be on or near the site.

None at

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

None at

5. Animals

a. Circle any birds and animals, which have been observed on or near the site or are known to be on or near the site:

Birds: hawk, <u>great blue heron</u>, eagle, <u>songbirds</u>, or other: <u>seagulls, pigeons, crows</u> at
Mammals: deer, bear, elk, beaver, or other: <u>small mammals</u>
Fish: bass, <u>salmon</u>, <u>trout</u>, herring, shellfish, or other: _____

Small songbirds and rodents

b. List any threatened or endangered species known to be on or near the site.

None on the project site. The Sammamish River is known to provide habitat for certain protected fish species, as identified in the Existing Environmental Documents. These include Fall Chinook, Coho Salmon, Sockeye Salmon, Winter Steelhead, Resident Cutthroat, Largemouth Bass and Rainbow Trout. at

c. Is the site part of a migration route? If so, explain.

No at

d. Proposed measures to preserve or enhance wildlife, if any:

None at

6. Energy and natural resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. at

None. The proposal is a non-project Development Agreement approval. No project level action is currently proposed.

b. **Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.**

at

No

c. **What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:**

at

None

7. Environmental health

a. **Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.**

at

No

1) Describe special emergency services that might be required.

at

None

2) Proposed measures to reduce or control environmental health hazards, if any:

at

None

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, or other)?

at

None

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hour's noise would come from the site.

at

None. The proposal is a non-project Development Agreement approval. No project level action is currently proposed.

3) Proposed measures to reduce or control noise impacts, if any:

at

None

8. Land and shoreline use

a. **What is the current use of the site and adjacent properties?**

Commercial/business park. Commercial and retail uses are located to the north and east, multifamily residential to the south, and Luke McRedmond Park to the west. at

b. Has the site been used for agriculture? If so, describe.

The site was used as pasture between the 1930s and 1950s. IN the 1960s, it wa used as a sewage treatment lagoon. at

c. Describe any structures on the site.

Several single-story commercial/business park buildings. at

d. Will any structures be demolished? If so, what?

None in connection with this non-project action. at

e. What is the current zoning classification of the site?

City Center Mixed Use/Office CC-4 and CC-5 at

f. What is the current comprehensive plan designation of the site?

Downtown Urban Center at

g. If applicable, what is the current shoreline master program designation of the site?

Not applicable at

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

Yes, the site and much of the surrounding area are designated as a Seismic Hazard Area and a Significant Aquifer Recharge Area. at

i. Approximately how many people would reside or work in the completed project?

The proposal is a non-project Development Agreement approval. No project-level action is currently proposed. at

j. Approximately how many people would the completed project displace?

None at

k. Proposed measures to avoid or reduce displacement impacts, if any:

None at

l. **Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:**

The proposal is consistent with existing and proposed land uses and plans. No measures are required. at

9. Housing

a. **Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.**

None. The proposal is a non-project Comprehensive Plan amendment. No project-level action is currently proposed. at

b. **Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.**

None at

c. **Proposed measures to reduce or control housing impacts, if any:**

None at

10. Aesthetics

a. **What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?**

The proposal is a non-project Development Agreement approval. No structures are currently proposed. at

b. **What views in the immediate vicinity would be altered or obstructed?**

None. The proposal is a non-project Development Agreement approval. No structures are currently proposed. at

c. **Proposed measures to reduce or control aesthetic impacts, if any:**

None. Future development will be subject to design review approval by the City of Redmond. at

11. Light and glare

a. **What type of light or glare will the proposal produce? What time of day would it mainly occur?**

None. The proposal is a non-project Development Agreement approval. No project-level action is currently proposed. at

b. **Could light or glare from the finished project be a safety hazard or interfere with views?**

at

No

c. **What existing off-site sources of light or glare may affect your proposal?**

at

None

d. **Proposed measures to reduce or control light and glare impacts, if any:**

at

None

12. Recreation

a. **What designated and informal recreational opportunities are in the immediate vicinity?**

at

Luke McRedmond Park is located adjacent to the project site

b. **Would the proposed project displace any existing recreational uses? If so, describe.**

at

No

c. **Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:**

at

None

13. Historic and cultural preservation

a. **Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.**

at

No

b. **Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.**

at

None

c. **Proposed measures to reduce or control impacts, if any:**

at

None

14. Transportation

a. **Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.**

The primary public streets serving the site are Redmond Way north of the site, 159th Place NE to the immediate north of the site, and Leary Way to the south. at

b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

Bus Routes #249, 251, 254 & 266.

Metro Transit and Sound Transit both provide transit service to and from the project vicinity. at

c. How many parking spaces would the completed project have? How many would the project eliminate?

None. The proposal is a non-project Development Agreement approval. No project-level action is currently proposed. at

d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

No. The proposal is a non-project Development Agreement approval. No project-level action is currently proposed. Any future project-specific action would comply with applicable requirements of the Redmond Municipal Code and the Existing Environmental Documents. at

e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. at

No

f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

No. The proposal is a non-project Development Agreement approval. No project-level action is currently proposed. at

g. Proposed measures to reduce or control transportation impacts, if any:

None at

15. Public services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe. at

No

b. Proposed measures to reduce or control direct impacts on public services, if any.

None at

16. Utilities

a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.

at

All utilities are currently available at the site

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

at

The proposal is a non-project Development Agreement approval. No project-level action is currently proposed.

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____
for Legacy RiverPark, LLC

Date Submitted: March 24, 2004

D. Supplemental sheet for nonproject actions

(do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposal is a non-project Development Agreement approval. No project-level action is currently proposed. Any subsequent project-level action would comply with applicable requirements of the Redmond Municipal Code and the Existing Environmental Documents.

at

Proposed measures to avoid or reduce such increases are:

at

None currently

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposal is a non-project Development Agreement approval. No project-level action is currently proposed. Any subsequent project-level action would comply with applicable requirements of the Redmond Municipal Code and the Existing Environmental Documents. at

Proposed measures to protect or conserve plants, animals, fish, or marine life are: at

None currently

3. How would the proposal be likely to deplete energy or natural resources?

The proposal is a non-project Development Agreement approval. No project-level action is currently proposed. Any subsequent project-level action would comply with applicable requirements of the Redmond Municipal Code and the Existing Environmental Documents. at

Proposed measures to protect or conserve energy and natural resources are: at

None currently

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposal is a non-project Development Agreement approval. No project-level action is currently proposed. Any subsequent project-level action would comply with applicable requirements of the Redmond Municipal Code and the Existing Environmental Documents. at

Proposed measures to protect such resources or to avoid or reduce impacts are: at

None

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

- The proposal would promote the eventual development of the site with uses consistent with the development codes of the City of Redmond. Future site plan approval required in connection with a project-specific action would ensure that development of the site would be consistent with surrounding land uses. at

Proposed measures to avoid or reduce shoreline and land use impacts are: at

None currently

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposal is a non-project Comprehensive Plan amendment. No project-level action is currently proposed. Any subsequent project-level action would comply with all applicable requirements of the Redmond Community Development Guide and would be subject to further environmental review. In addition, any future project-level action would contribute to TIP Nos. 1082 and 1083, through a Development Agreement or other mechanism. See Attachment B, Project Description. at

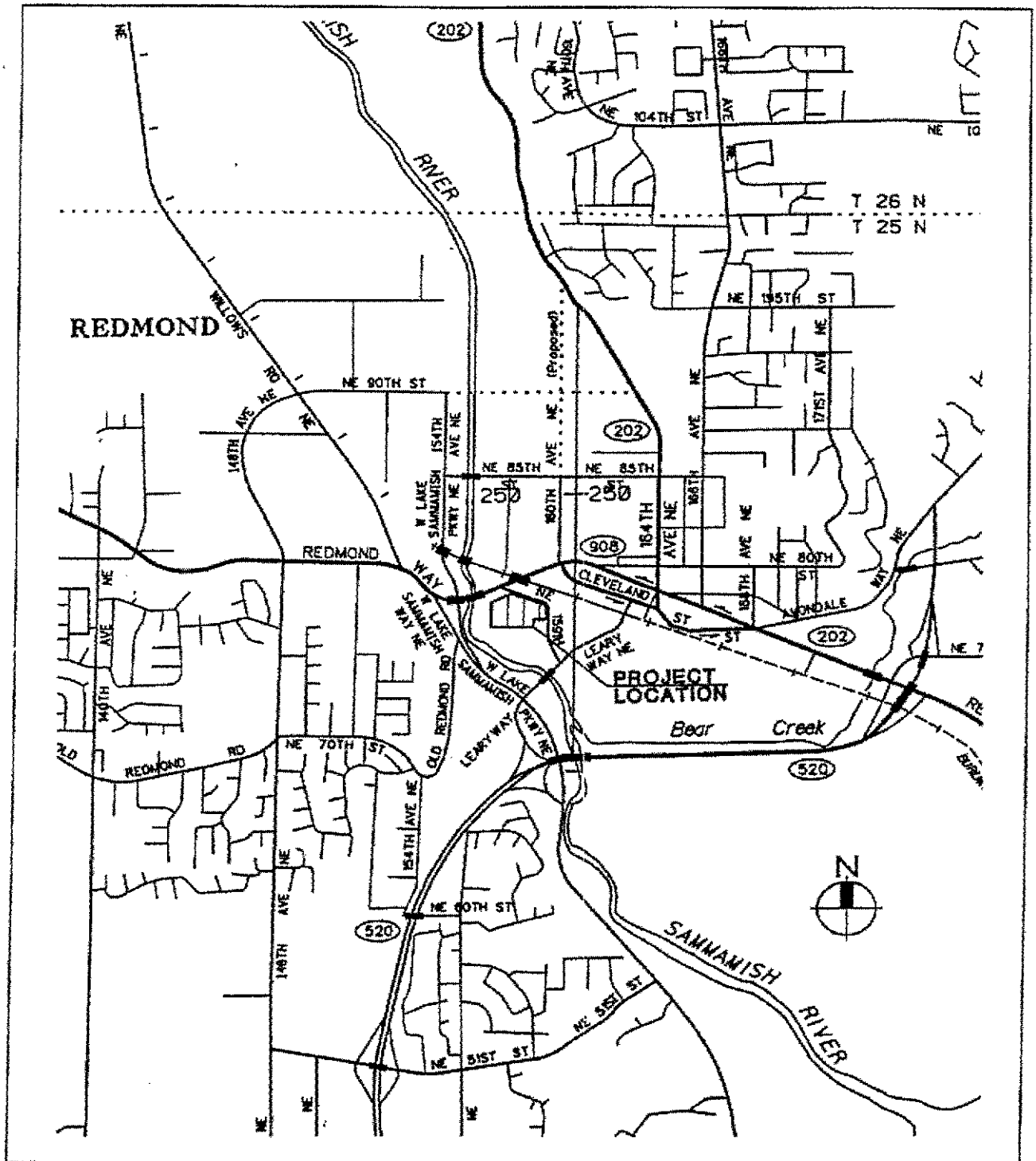
Proposed measures to reduce or respond to such demand(s) are: at

None currently

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment. at

The proposal will not conflict with local, state or federal laws or requirements for the protection of the environment.

ATTACHMENT A



Huckell/Weinman Associates, Inc.
HWA

River Park Mixed-Use Development

Vicinity Map

Resolution No. 1206

Attachment B PROJECT DESCRIPTION
Redmond River Park Development Agreement

Legacy Partners and the City of Redmond are considering a Development Agreement for approximately 6.1 acres of land Legacy Partners own in the City Center District of Redmond, located adjacent to Luke McRedmond Park and 159th Place NE. (See Attachment A, Vicinity Map). There is an approved Site Plan Entitlement for the Redmond River Park Master Plan to develop the site as a mixed-use project with a hotel, office and residential subcomponents.

The development agreement will allow Legacy Partners to retain its transportation concurrency for the project in exchange for other development benefits to the City of Redmond. The Development Agreement will be effective for six years from the time of City Council approval, and will allow the phased development of the Redmond River Park Master Plan. Among the terms of the agreement are:

1. Legacy Partners would ensure that all phases of development of the River Park project will follow the approved Master Plan and that the site will be planned and constructed as one contiguous site. This does not preclude Legacy Partners from selling the individual lots to other developers, but future owners and developers would be required to comply with the approved Master Plan.

2. The approved Design Guidelines would be applied to the future proposals. The future development would incorporate design features to ensure a superior pedestrian experience on site.

3. Legacy Partners will dedicate additional right-of-way along 159th Place NE if the City determines that this street will be part of the future alignment of the Bear Creek Parkway Extension project. The City of Redmond will credit the transportation impact fees for the project in exchange for this dedication.

4. Legacy Partners will guarantee that at least 40% of the floor area of the project at full build out will be residential uses and residential accessory uses.

5. The first phase of the project will include no fewer than eighty (80) residential units.

6. The structures will be required to step back in height from the boundary of the property abutting Luke McRedmond Park.

7. The aggregate number of new p.m. peak-hour trips will be limited to a trip cap approved by the City of Redmond.

ATTACHMENT E

CITY OF REDMOND

NOTICE OF PUBLIC HEARING

Public Hearing Date July 5, 2005
Time 8:00 PM **or as soon thereafter as possible**
Place Public Safety Bldg. - 8701 - 160th Ave. N.E.
By City Council

PROJECT NAME & FILE #: Redmond River Park Development Agreement, SEPA File L040100

DESCRIPTION OF PROPOSED PROJECT: Vesting of Transportation Concurrency and establishing terms for the development of a mixed-use project in 6.1 acres of land in downtown Redmond.

LOCATION AND SIZE OF SUBJECT AREA: 7661 159TH PL NE, southwest corner of Redmond Way and 159th Place, east of Luke McRedmond Park, 6.1 acres

APPLICANT'S NAME AND CONTACT: Legacy River Park, LLC, c/o Kerry Nicholson

APPLICANT'S ADDRESS: 7525 SE 24th Street, Suite 180, Mercer Island, WA 98040

DATE OF APPLICATION: April 5, 2004

DATE APPLICATION WAS COMPLETE: April 5, 2005

APPLICABLE PROJECT PERMITS: None

REQUIRED STUDIES: Transportation Impact Analysis

REQUIRED PERMITS, NOT PART OF THE APPLICATION: Site Plan Entitlements, Building Permits, Clearing and Grading Permit

EXISTING ENVIRONMENTAL DOCUMENTS: SEPA Checklist.

SEPA THRESHOLD DETERMINATION: Determination of Non-Significance

PUBLIC COMMENT PERIOD: All interested persons are invited to comment **at the public hearing on July 5, 2005**, at 8:00 PM to express their views, or to submit written testimony, **or** written comments may be submitted **prior** to the hearing **to be received no later than July 5, 2005 at 5:00 PM**, to the Planning Department, CHPC, 15670 NE 85th Street, P.O. Box 97010, Redmond, 98073-9710 or call 425-556-2440.

INFORMATION AVAILABLE: A copy of the Staff Report to the City Council will be available at no cost at least 7 days prior to the hearing. The application and all documents filed by the Applicant are available for inspection or copying (at the cost of the requester) and are on file in the Permit Center at the City of Redmond. The File may be examined at the Permit Center during the following times: 8 AM - 5 PM, Monday, Tuesday, Wednesday, and Friday; and, 9 AM to 5 PM on Thursday. The City's Permit Center is located at City Hall, 15670 N.E. 85th Street, PO Box 97010, Redmond, WA 98073-9710, 425-556-2473.

STAFF CONTACT: Amy Tarce, Senior Planner, 425/556-2470 or atarce@redmond.gov

If you are hearing or visually impaired, notify the Planning Department at 556-2444 one week in advance of the hearing in order to be provided assistance.

POSTED 6/21/05

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