



**City of Bellevue  
Development Services Department  
Land Use Staff Report**

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Proposal Name: Eastgate Plaza

Proposal Address: 15100 SE 38<sup>th</sup> St

Proposal Description: Design Review approval to construct a new 3,500 square foot building, expand an existing coffee kiosk, update the facades of existing structures, removal and replacement of two underground tanks and provide vehicular and pedestrian access improvements.

File Number: 18-129907-LD

Applicant: Hewitt Architects

Decisions Included: Design Review (Process II)

Planner: Leah Chulsky, Associate Planner

State Environmental Policy Act  
Threshold Determination:

Determination of Non-Significance

A handwritten signature in black ink, appearing to read "Elizabeth Stead", written over a horizontal line.

Elizabeth Stead, Environmental Coordinator  
Development Services Department

Director's Recommendation:

**Approval with Conditions**  
Michael A. Brennan, Director  
Development Services Department

By: A handwritten signature in black ink, appearing to read "Elizabeth Stead", written over a horizontal line.  
Elizabeth Stead

Application Date:  
Notice of Application:  
14-day Comment Period:  
Decision Publication Date:  
Appeal Deadline:

April 24, 2019  
May 2, 2019  
May 16, 2020,  
January 16, 2020  
January 30, 2020

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For information on how to appeal the project, visit the Permit Center at City Hall or call (425) 452-6800. Appeal of the decision must be received in the City Clerk's office by 5 p.m. on the date noted for the appeal deadline.

## **I. PROJECT DESCRIPTION**

### **A. Background**

The applicant is requesting Design Review approval and a Threshold Decision under the State Environmental Policy Act (SEPA) to construct a new 3,500 square foot, single story structure within an existing shopping center, provide upgrades to the existing gas station/convenience store and coffee kiosk, and provide overall site improvements and the removal of two 20,000 gallon storage tanks under the gas station. The existing shopping center, Eastgate Plaza Center, is approximately 8.69 acres over two parcels within the Neighborhood Mixed Use Zoning District with a portion along the southern property line falling within a Single Family Transition Overlay District. The existing gas station and coffee kiosk are within this Transition Overlay District. However, the proposed new structure is not located within the Transition Overlay District and therefore doesn't need to meet the Transition Area requirements and guidelines in the Land Use Code (LUC). The Design Review approval includes the following improvements:

- Construction of a new 3,500 square foot commercial building and associated site improvements (including utility services) that will contain two tenants. The siding and materials will follow the existing material palette of the existing shopping center. The construction of the new structure will include the installation of frontage improvements along 150<sup>th</sup> Avenue SE and improved vehicular and pedestrian access.
- Rebranding of the existing gas station/convenience store (including removal and replacement of existing underground tanks) located within the Single Family Transition Overlay District. All existing structures are to remain and exterior materials will be repainted or refinished. Site changes are limited to restriping the parking area, updating landscaping and minor resurfacing. All ADA parking accessible routes will remain. The proposal will also include a Threshold Decision under SEPA for the removal and replacement of the existing underground tanks.
- The exiting coffee kiosk will be upgraded and enlarged by 52 square feet. Improvements to the kiosk include improved single isle queuing to meet stacking requirements, increased landscaping and improved pedestrian and vehicular access.

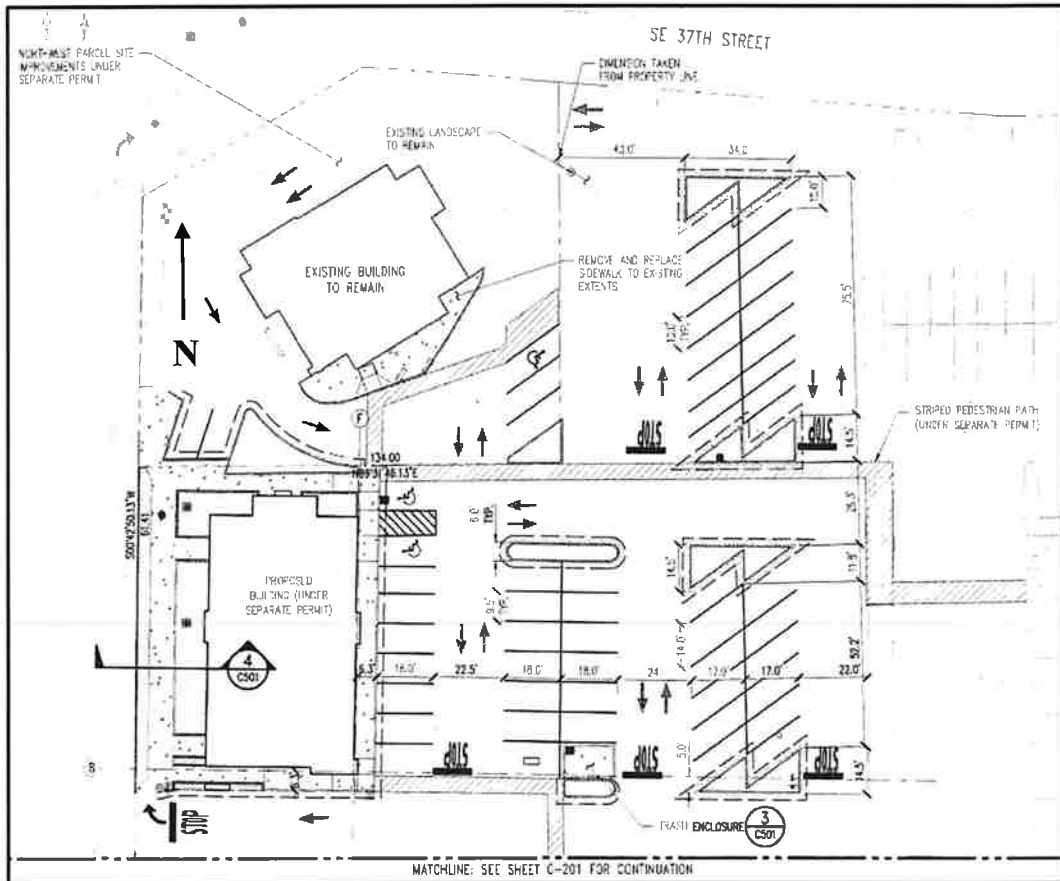
### **B. Review Process**

Design Review and the SEPA Threshold Determination are all Process II decisions made by the Director of the Development Services Department. The process includes public noticing with a minimum 14-day comment period. The Director's decision shall be written in a staff report to indicate whether the application has been approved, approved with conditions, or denied. The decision will be publicly noticed with a mandatory 14-day appeal period. Process II decisions may be appealed by parties of record who submitted written comments on the application. Any appeal submitted shall be heard at a public hearing before the City Hearing Examiner.

### C. Site Design

The shopping center site currently includes the main commercial building (Safeway grocery and miscellaneous retail spaces), a coffee kiosk, the gas station/convenience store, and surface parking. The proposed new commercial building will be sited along the western side of the shopping center site along 150<sup>th</sup> Avenue NE in a location that is currently used as surface parking. The proposed development is accessed from three locations, one along SE 38<sup>th</sup> Street, one at 150<sup>th</sup> Avenue SE and another off of SE 37<sup>th</sup> Street. The proposal provides significant improvements to vehicular and pedestrian access throughout the site by providing better connectivity. These improvements include a continuous striped pedestrian connection from SE 38<sup>th</sup> St to the coffee kiosk, proposed retail building and the existing shopping center building to the east and additional pedestrian upgrades to the improved frontage along 150<sup>th</sup> Avenue SE. The proposal also includes a reduction to the existing queuing lanes at the coffee kiosk from two lanes to one. This will allow for increased stacking to reduce existing congestion within the parking area and eliminate existing interference with pedestrian access.

## Site Plan – Proposed New Building





The new 3,500 square foot building's main façade faces 150th Avenue SE with the entryway/front door to the businesses visible and accessible from the street. The building facades include various elements such as canopies, changes in building materials, and step backs and offsets within the façade to break down the volume and scale of the building. The proposed facades are a combination of brick, composite panels and extensive glazing that along with all the landscape features and bioretention planters provide a combination of hard and soft texture and buffers - especially along 150th SE Avenue. The utility enclosure of the building is surrounded by a green trellis that adds visual interest and screens the gas and electrical meters from the adjacent property and the rest of the center. The height of the proposed structure is 19 ft. 6 in. (maximum height allowed is 75 feet).



**West Elevation of Proposed New Building - Looking East from  
150<sup>th</sup> Avenue SE**



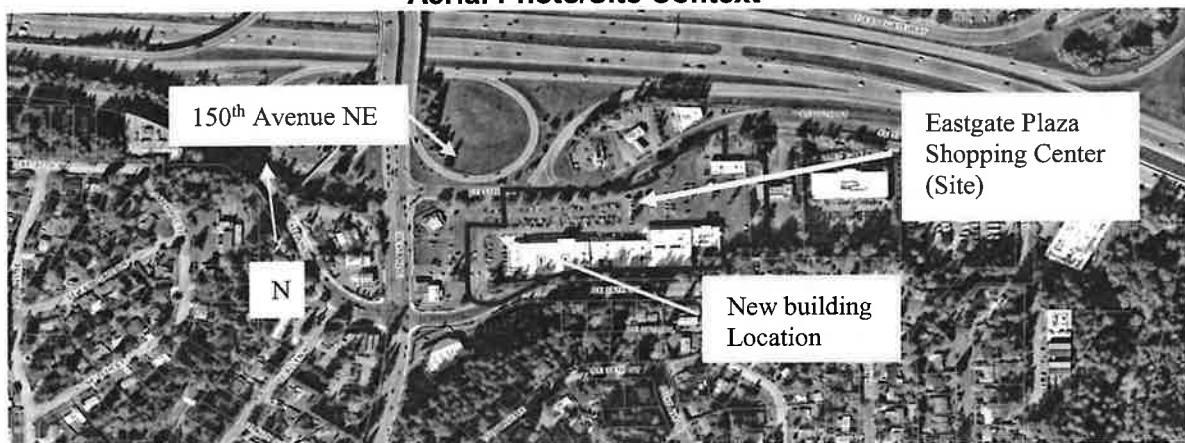
**East Elevation of Proposed New Building - Looking West from Shopping  
Center**

## II. SITE DESCRIPTION, LAND USE CONTEXT ZONING AND CRITICAL AREAS

### A. Site Description

This is an 8.69 acre developed site. The site is mostly square in shape and is generally flat with no significant trees.

### Aerial Photo/Site Context



**B. Land Use Context and Zoning**

The site has a Comprehensive Plan designation of Neighborhood Mixed Use (NMU) with a portion along the southern property line within a Single Family Transition Area Design District. Single-family uses lie to the immediate south, commercial to the east and west along with commercial to the north and I-90.



**Zoning Map**

**III. CONSISTENCY WITH LAND USE CODE REQUIREMENTS:**

**A. General Provisions of the Land Use Code**

**1. Use**

Uses are regulated by Sec. 20.10.440 (Use Charts). The commercial/retail use proposed for this project is permitted in the NMU zone.

**2. Dimensional Requirements**

As conditioned, the proposal meets the dimensional requirements of the Land Use Code Section 20.20.010 and 20.25B Transition Area Design Districts.

**Table 1 – Dimensional Requirements**

<b>BASIC INFORMATION</b>		
Zoning District	Neighborhood Mixed Use (NMU)	
Site Area (square feet)	363,435 SF	
	<b>Permitted/Required</b>	<b>Proposed</b>
<b>Lot Coverage by Structure</b>	35% of 363,435 SF = 127,202 SF LUC 20.20.010	24% = 88,085 SF  Meets LUC requirement
<b>Impervious Surface</b>		The existing onsite impervious exceeds the maximum and was established prior to December 31, 2016. Per LUC

	<p>60% of 363,435 = 2218.061SF</p> <p>LUC 20.20.010</p>	<p>20.20.460.F the site is not considered nonconforming. The additional structure and kiosk expansion will not add additional impervious as they are proposed in areas which are currently impervious. The applicant will be reducing their amount of onsite impervious by 2,525 square feet to install new landscaping.</p> <p>Meets LUC requirement</p>
<b>Building Height</b>	<p>NMU: 75 feet as measured from average <u>existing</u> grade</p> <p>* Building height shall be measured from average existing grade around the building to the highest point of a flat roof or to the mean height between the tallest eave and tallest ridge of a pitched roof. All mechanical equipment and screening shall not exceed the maximum height permitted above.</p>	<p>19 feet - 6 inches</p> <p><b><u>See Condition of Approval regarding Mechanical Equipment and Communication Dishes in Section IX of this Report.</u></b></p> <p>Meets LUC requirement</p>
<b>Parking</b>	<p>14 stalls per 1,000 nsf of Restaurant (sit down)</p> <p>16 stalls per 1,000 nsf of Restaurant (take out)</p> <p>4 stalls per 1,000 nsf of Mixed Retail (15,000 – 400,000 nsf)</p> <p>Sub Total Required – 496.4 Stalls</p> <p>*Allowed 10% Reduction – 49.6 Stalls</p> <p>Total Number Required – 446.8 Stalls</p> <p>Total Stalls Onsite – 451 Stalls</p> <p>LUC 20.20.590</p> <p>Per LUC 20.20.590.I.b – Where the uses to be served by shared parking have overlapping hours of operation, the property owner may reduce the total number of required stalls by 10 percent if:</p>	<p>Sit Down Restaurant (11,022 nsf) – 154.3 stalls</p> <p>Take Out Restaurant (4,848 nsf) – 77.6 stalls</p> <p>General Retail (66,129 (nsf) – 264.5 Stalls</p> <p>Sub Total Required – 496.4 Stalls</p> <p>*Allowed 10% Reduction – 49.6 Stalls</p> <p>Total Number Required – 446.8 Stalls</p> <p>Total Stalls Onsite – 451 Stalls</p> <p>* The Applicant has established that they meet the criteria of the allowed 10% reduction per LUC 20.20.590.I.b. as the uses served by the shared parking area have overlapping hours of operation. Prior to any Occupancy, the property owner or owners shall file with the King County Division of Records and Elections and with the Bellevue City Clerk a written agreement approved by the Director of the Development Services Department providing for the shared parking use. The agreement</p>

	<ul style="list-style-type: none"> <li>• The parking areas share a property line;</li> <li>• A vehicular connection between lots exists; and,</li> <li>• A convenient, visible pedestrian connection exists; and</li> <li>• Directional signs are installed for all effected properties.</li> </ul>	<p>shall be recorded on the title records of center and the outer parcel.</p> <p><b><u>See Condition of Approval regarding Shared Parking Agreement in Section IX of this Report.</u></b></p> <p>Meets LUC Requirement</p>
<b>Landscape Requirements</b>	<p>Street Frontage: 10-foot wide Type III landscaping</p> <p>LUC 20.20.520</p>	<p>Street Frontage: 10 foot wide Type III landscaping (150<sup>th</sup> Avenue SE – New Structure Location)</p> <p>Meets LUC requirement</p>
<b>Mechanical Equipment</b>	<p>Locate on the roof or below grade and visually screen, unless this requirement is modified by the City for projects requiring discretionary approval per LUC 20.20.525.C.5 &amp; 6.</p>	<p>All mechanical equipment will be located inside the buildings within the roof top mechanical wall.</p> <p>Meets LUC requirements</p>

### 3. Landscaping

#### a. Tree Retention

No trees will be removed as part of this approval.

#### b. Perimeter Landscaping

##### i. Street Frontage

A 10-foot Type III landscape buffer will be planted along the portion of street frontage along 150<sup>th</sup> Avenue SE where the new structure will be constructed. The approved design includes trees, shrubs and ground cover. In addition, the applicant has worked with the City of Bellevue to increase the amount of trees onsite by removing existing impervious surface within the vicinity of the new structure to install additional landscape areas which will also include trees, shrubs and ground cover. A total of 43 new trees will be planted onsite.

**See Condition of Approval regarding Landscape Plan and Maintenance in Section IX of this Report.**



#### **4. Community Retail Design Guidelines (LUC 20.25B)**

##### **A. Building Design Guidelines**

- i. All buildings within a multi-building complex should achieve a unity of design through the use of similar architectural elements, such as roof form, exterior building materials, colors, and window pattern.
- ii. Individual buildings should incorporate similar design elements, such as surface materials, color, roof treatment, windows and doors, on all sides of the building to achieve a unity of design.

**Response:** The materials proposed on both the new building and the upgraded gas station are consistent with the existing material palette of the recently remodeled Eastgate Plaza Center building. The proposed dark metal canopies, brick/stone texture on the facades, composite panels and large glazed storefront areas are all part of the architectural language of the Eastgate Plaza Center. The new 3,500 square foot building has the main façade facing 150th Avenue SE with the entryway/front door to the businesses accessible from 150<sup>th</sup> Avenue SE. The building facades include various elements like canopies and articulations of the different material with step backs and offsets to break down the volume and scale of the building. Exterior siding is thin brick and composite panels with extensive area of storefront.

**See Condition of Approval regarding Loading and Refuse Collection in Section IX of this Report.**

##### **B. Site Design Guidelines**

- i. A perimeter landscape area required under LUC 20.20.520.F may be relocated under Note (1) of that section, provided that some or all of the relocated area is be used to provide a landscaped courtyard. Any relocated landscape area should be visible from the public street. The courtyard should be protected from wind on two sides and in sun during part of the day. Seating shall be provided.
- ii. Parking areas should be designed to minimize conflicts between pedestrian and vehicular movements. Parking area landscaping should be used to define and separate parking, access, and pedestrian areas within parking lots.

- iii. The landscape design for the site should include plantings which emphasize the major points of pedestrian and vehicular access to the site.
- iv. Site features such as fences, walls, refuse and recycle enclosures, and light fixtures should be designed to be consistent with the scale and architectural design of the primary structure(s). Such site features should be designed and located to contribute to the pedestrian environment of the site development.
- v. Loading areas should not be located between the building and the street unless there is no alternative location possible. Loading areas, if located between the building and the street, should be oriented away from the street and screened to minimize views of the loading area from the street and sidewalk. Loading areas should not be located on the side of a building which faces toward a residential use.
- vi. In multiple-building complexes, buildings should be located to facilitate safe and comfortable pedestrian movement between buildings. On sites which are adjacent to other properties within the Community Retail Design District, building location should be chosen to facilitate pedestrian and vehicular connections to buildings on those adjacent properties.
- vii. In locations and districts specifically described in the Comprehensive Plan Urban Design Element Figure UD.1, consideration should be given to locating buildings closer to the public street with entrances to the buildings from the public sidewalk, with no intervening parking or driving area. Corner locations are particularly appropriate for this treatment.
- viii. Opportunities should be found for safe, convenient, and pleasant pedestrian connections to existing transit facilities. Where needed, shelters and lay-bys for transit vehicles should be incorporated into the site development.

**Response:** Pedestrian pathways (ADA compliant) are proposed to provide connectivity throughout the site. Pathways are proposed to connect the SE 38th Street frontage with a continuous path to the kiosk, proposed retail building, existing Safeway on the eastern portion of the site, as well as a connection to frontage improvements along 150th Avenue SE. The pedestrian pathways will provide better circulation to site amenities. Pedestrian striping, will connect each building within the site allowing pedestrians to move freely and safely throughout the development.

A tiered planting approach for the street frontage along 150th Avenue SE includes street trees, shrubs and groundcover that will highlight the vehicle and pedestrian entrances to the site, as well as provide a visual buffer between the proposed building and the road. Loading and refuse collection areas are screened from abutting districts and vehicles on 150th Avenue SE and SE 37th Street. The refuse collection is located near the center of the site parking.

**See Condition of Approval regarding Refuse Locations in Section IX of this Report.**

## **5. Neighborhood Mixed Use Design Guideline LUC 20.251.060**

- a. Site Development Guidelines:** Proposed development should address the qualities that make the Neighborhood Mixed Use District unique. They describe what makes an area a special, distinct place, not simply a group of individual buildings and streets. Use design elements to create a site which provides an inviting and attractive area for community gathering.
- b. Pedestrian Emphasis Guidelines:** Emphasize guidelines and promote an environment where pedestrians are a priority. The highest consideration should be given to the ease and comfort of pedestrian movement and gathering places.
- c. Architectural Guidelines:** The architecture guidelines promote high-quality development while reinforcing the area's sense of place by encouraging innovative design, construction techniques and materials that reflect local character. Building rooflines should enliven the pedestrian experience, provide visual interest with details that create forms and shadows, and create a distinct identity. Design retail and commercial entries should create an open atmosphere that draws customers inside. Use transparency to enhance visual interest and to draw people into retail and commercial uses.

**Response:** The site design includes planting areas that enhance and soften the buildings and hardscape. These planting areas include native and northwest adaptive plants, as well as bioretention planters that allow site stormwater to infiltrate. Proposed surface parking onsite is consistent with existing parking on the adjacent side of the site and is designed to minimize conflict between pedestrian and vehicular movements. Parking lot striping, in addition to walkways around the new building, clearly define pedestrian

pathways through the parking area to safely move people through the site.

The site provides accessible pedestrian paths throughout the development which connect 150<sup>th</sup> Avenue SE to SE 38<sup>th</sup> St, as well as connect pedestrians to the proposed building and to existing center. These pedestrian connections allow for safe and comfortable movements throughout the development. Signage and striping are proposed to encourage pedestrian circulation through the site and slow traffic, allowing for an emphasis on the pedestrian.

The overall design of the building includes intersecting volumes that are clad with different materials and specifically designed to break the mass of the building. The scale of the building is small, reflecting the rest of the shopping center, and provides a human scale pedestrian experience enhanced by the various planters and landscape provided.

The approved roofline has different heights and has well-detailed parapets. Storefront glazing on all facades of the building, along with the brick and composite panel siding provides an interesting and coherent pattern. The entries to the businesses face 150th Avenue SE. Glazing at the entries make the entrances transparent to the street, allowing pedestrians to see the activity within the building. Street improvements on 150th Avenue SE include landscape buffers, stairs and pedestrian walkways making the entry experience welcoming to the pedestrian.

#### **IV. PUBLIC NOTICE**

The City initially notified the public of this proposal on May 2, 2019 with mailed notice and publication in the Weekly Permit Bulletin. Three, double-sided public information signs were also installed at the site entrances on the same day. In addition, a public meeting was held May 16, 2019 at Bellevue City Hall. Five members of the community attended and there are five parties of record for the project.

**Comment:** Can more parking be provided over what is already existing?

**Response:** The Land Use Code has both minimum and maximum parking requirements. As approved, the proposal is providing parking slightly over the minimum requirements. The Code does not permit parking above the maximum code requirements.

**Comment:** Will access be closed during construction?

**Response:** Access to the center may be temporarily disrupted during construction. The applicant will need to apply for all required right-

of-way permits for haul routes and disruptions and access to the center will be evaluated during the right-of-way permit review. Per the approval all three access to the center will remain once construction is completed.

## **V. SUMMARY OF TECHNICAL REVIEWS**

### **A. Utilities**

#### **Water**

The water supply for this site will be provided from the existing 10" water main located on private property to the north of the proposed building, off the 520 water pressure zone. The available fire flow to this area is approximately 1,900 GPM.

#### **Sewer**

The City of Bellevue Utilities has adequate capacity for providing sanitary sewer for this proposal. The site will connect to the existing private sewer main on site, located to the southeast of the building.

#### **Storm Drainage**

The proposal will not increase the rate of runoff of storm water leaving the site. The City of Bellevue Surface Water Engineering Standards provide adequate requirements for this proposal.

The storm drainage system proposed provides adequate mitigation for storm water and meets the requirements outlined in the Bellevue Code and the Storm & Surface Water Engineering Standards.

**See Condition of Approval regarding Conceptual Utilities Approval in Section IX of this Report.**

### **B. Transportation**

#### **Project Summary**

The Eastgate Plaza development is located east of 150th Avenue SE between SE 37th Street and SE 38th Street.

The project is located on a parcel with the existing Safeway building, strip mall, coffee kiosk, and gas station. The project limits of this development include the western portion of the site, including the existing gas station, coffee kiosk, and drive through bank. The Safeway building and strip mall area will not be changed or modified.

The Eastgate Plaza project will construct one new building on the west side of the site, remodel the existing drive through bank building, expand the coffee kiosk, and

remodel the existing gas station. The new building will contain 1,906 square feet of walk-in bank space, and 1,878 square feet of restaurant space. The gas station will be remodeled as part of the project, but no changes to the access or operations are proposed.

### **Site Access and Loading**

The existing center access is via three driveways onto SE 38th Street, one driveway onto 150th Avenue SE, and one driveway onto SE 37th Street. The driveway on 150th Avenue SE and the two western driveways on SE 38th Street are currently restricted to right-in right-out operation only. The eastern driveway on SE 38th Street and the SE 37th Street driveway are currently full access driveways.

Vehicle access to the proposed project will be provided via the three existing driveways located on SE 37th Street, 150th Avenue SE, and SE 38th Street. Pedestrian access to the site will be provided by the existing public sidewalks, new internal sidewalks, and a public striped pedestrian path internal to the site. The existing gas station pumps operate very close to the back edge of the existing sidewalk, making any improvements to this sidewalk difficult. No operation changes are proposed to the gas station area of the parcel, so no sidewalk improvements will be required on the southwest corner of the parcel.

The existing coffee kiosk currently has two drive through service lines on the north and south side of the kiosk that serve vehicles in the east and west directions. This project proposes to expand the coffee kiosk and modify the drive through area to only have one drive through window and one walk up window. The proposed queue is expected to frequently exceed the space available and impact circulation on the site. To accommodate the additional vehicle queue and reduce traffic conflict on site, the center driveway on SE 38th Street will be restricted to right-out operation only. Channelization or signage will be required within the center driveway to prevent right-in vehicle movements from SE 38th Street.

Loading and garbage pickup will occur in the on-site loading area within the project parking lot. Truck turning movement exhibits were submitted for review demonstrating that a garbage truck can maneuver through the site for pick up services. All loading and unloading, delivery, garbage and recycling services must be contained within the project site.

**See Condition of Approval regarding Vehicular Access and Provisions for Loading in Section IX of this Report.**

### **Street Frontage Improvements**

In order to provide safe pedestrian and vehicular access in the vicinity of the site, and to provide infrastructure improvements with a consistent and attractive appearance, the construction of street frontage improvements is required as a condition of development approval. The design of the improvements must conform to the requirements of the Americans with Disabilities Act, the Transportation Development Code (BCC 14.60), and the provisions of the Transportation

Department Design Manual.

The Eastgate Plaza Center development is located east of 150th Avenue SE between SE 37th Street and SE 38th Street. The parcel has frontage on SE 37th Street, SE 38th Street, and 150th Avenue SE. SE 37th Street is a three-lane road classified as a collector arterial and is located within WSDOT Right of Way. There is an existing 8-foot-wide asphalt sidewalk and 40-foot-wide driveway along the SE 37th Street frontage. SE 38th Street is a three-lane road classified as a local street. There is an existing 6 to 8 foot-wide sidewalk and a 5-foot-wide bike lane along the SE 38th Street frontage. 150th Avenue SE is a six-lane road classified as a minor arterial road. The existing sidewalk along the 150th Avenue NE frontage varies from 5 to 8 feet-wide. The City overlay program recently overlaid SE 37th Street and SE 38th Street in the vicinity of this parcel. The curb ramp on the northeast corner of the 150th Avenue SE and SE 38th Street intersection was reconstructed to meet ADA requirements with the overlay project.

This development will install a minimum 8-foot-wide sidewalk, minimum 4-foot-wide planter strip, and new curb and gutter along 150th Avenue SE between the existing driveway and the existing bank building. In order to maintain functionality of the existing gas station, sidewalk improvements will not be required south of the driveway on the 150th Avenue SE frontage.

The existing driveways, sidewalk, and bike lane will remain on SE 38th Street. Vehicle access through the center driveway on SE 38th Street will be limited to right-out movements only. C-curb or other approved channelization is required to be installed to restrict right in movements from SE 38th Street. In lieu of installing upgraded pedestrian facilities along the project frontage, a striped public pedestrian path will be installed from the Right of Way to the buildings throughout the site. This public path is required to be ADA compliant and will require a public access easement.

The SE 37th Street frontage is located within WSDOT limited access area for Interstate 90. WSDOT has separate public facility requirements, and therefore frontage improvements will not be required by the City of Bellevue along SE 37th Street.

Engineering and construction details must be shown on the civil engineering plans submitted to the clearing and grading permit. The engineering plans shall be the controlling document on the design of these features; architectural and landscape plans must conform to the engineering plans. During construction, city inspectors may require additional survey work at any time to confirm proper elevations. The building grade and elevations shall be consistent with the curb and sidewalk grade shown in the approved civil engineering plans.

**See Conditions of Approval relating to Civil Engineering Plans – Transportation Plans – Transportation, Building and Site Plans – in Section IX of this Report**

**Prior to any form of occupancy, completion of the following transportation infrastructure is required for the Eastgate Plaza Development:**

1. Install minimum 8-foot-wide sidewalk, a minimum 4-foot-wide planter strip, and new curb and gutter along 150th Avenue SE between the existing bank parcel and the existing driveway.
2. Provide a minimum 5-foot-wide striped public pedestrian path from the Right of Way to the proposed buildings on site.
3. Any existing or proposed utility vaults within the sidewalk must be fitted with ADA compliant non-skid lids.
4. C-curb or other approved channelization is required to be installed on the center driveway on SE 38th Street to restrict right in movements from SE 38th Street.
5. The new landscaping planter strip within the sidewalk along 150th Avenue SE shall be irrigated with a private metered water source. Electrical connections for lighting in planter strips may be allowed, if installed in compliance with the electrical code and subjected to an electrical inspection. Irrigation devices and electrical components shall not create a tripping hazard in the sidewalk. Installation of the proposed planter shall include a spray irrigation system, soil preparation, root barrier and plantings. Root barrier and soil preparation are described in Standard Drawings SW-120-1 and SW-130-1. Landscaping in the right-of-way shall be maintained by the abutting property owner(s) unless maintenance has been accepted by the city.
6. Any awning, marquee, balcony, etc. over a sidewalk or utility easement must be at least 16 feet above the sidewalk or be removable (with an agreement regarding removal and replacement); and must have at least three feet horizontal clearance from any streetlight or traffic signal pole.
7. The Americans with Disabilities Act (ADA) requires that sidewalk cross slopes not exceed two percent. The sidewalk cross slope may be less than two percent only if the sidewalk has a longitudinal slope sufficient to provide adequate drainage. Bellevue's standard for curb height is six inches, except where curb ramps are needed. The engineering plans must comply with these requirements, and must show adequate details, including spot elevations, to confirm compliance. New curb and sidewalk shall be constructed in compliance with these requirements. Building elevations shall be consistent with the required curb and sidewalk elevations. Spot elevations must be included in the building plans in a manner that proves that building elevations are designed to correspond to the sidewalk elevations shown in the engineering plans, especially at entrances and other key points. Curb and sidewalk elevations will not be revised to fit the building, and city inspectors may require spot surveys during construction in order to confirm the required elevations.

ADA also requires provision of a safe travel path for visually handicapped pedestrians. Potential tripping hazards are not allowed in the main pathway. Any planter boxes installed in the sidewalk to improve pedestrian



sight distance at driveways must be designed to reduce the tripping potential and must not extend more than two feet into the public sidewalk. Traffic signal controller boxes and streetlight contactor cabinets must be located so as not to interfere with the main pedestrian path. Buildings shall be designed so that doors do not swing out into the pedestrian path. Installation of colored or textured bands to guide pedestrians in the direction of travel is advisable, subject to the requirements for non-standard sidewalk features. ADA-compliant curb ramps shall be installed where needed, consistent with City and WSDOT standard drawings. If such standards cannot be met, then deviation from standards must be justified on a Design Justification Form to be filed with the Transportation Department.

8. No fixed objects, including fire hydrants, trees, and streetlight poles, are allowed within ten feet of a driveway edge, defined as Point A in standard drawing SW-140-1 or equivalent. Fixed objects are defined as anything with breakaway characteristics greater than a four-inch by four-inch wooden post.

**See Conditions of Approval relating to Civil Engineering Plans – Transportation Plans – Transportation, Building and Site Plans – in Section IX of this Report**

#### **Easements**

The applicant shall provide sidewalk and utility easements to the City as needed to encompass the full required width of any sidewalks. A pedestrian access easement is required for the pedestrian path located outside the city right of way.

**See Conditions of Approval regarding Sidewalk/Utility Easements in Section IX of this Report.**

#### **Use of the Right-of-Way (ROW) During Construction**

Applicants often request use of the right of way and of pedestrian easements for materials storage, construction trailers, hauling routes, fencing, barricades, loading and unloading and other temporary uses as well as for construction of utilities and street improvements. A Right of Way Use Permit for such activities must be acquired prior to issuance of any construction permit including demolition permit. Sidewalks may not be closed except as specifically allowed by a Right of Way Use Permit.

**See Condition of Approval regarding Right of Way Use Permit in Section IX of this Report.**

#### **Pavement Restoration**

The City of Bellevue has established the Trench Restoration Program to provide developers with guidance as to the extent of resurfacing required when a street has been damaged by trenching or other activities. Under the Trench Restoration Program, every street in the City of Bellevue has been examined and placed in one of three categories based on the street's condition and the period of time since

it has last been resurfaced. These three categories are, "No Street Cuts Permitted," "Overlay Required," and "Standard Trench Restoration." Each category has different trench restoration requirements associated with it. Damage to the street can be mitigated by placing an asphalt overlay well beyond the limits of the trench walls to produce a more durable surface without the unsightly piecemeal look that often comes with small strip patching.

Near this project, 150th Avenue SE has been classified as "Standard Trench Restoration." Any street cuts into 150th Avenue SE will require restoration per Transportation Design Manual standard drawing RC-190-1.

Near this project, SE 37th Street and SE 38th Street have been classified as "No Street Cuts Permitted". Permission to cut into SE 37th Street or SE 38th Street must be obtained through a variance on the right-of-way use permit. Should street cuts prove unavoidable or if the street surface is damaged in the construction process, a half-street or full-street (depending on the extent of street cuts or damage) grind and overlay will be required for a minimum of 50 feet.

**See Condition of Approval regarding Pavement Restoration in Section IX of this Report.**

**C. Fire**

The Bellevue Fire Department Fire Prevention Division has reviewed the submittal in accordance with the 2015 International Fire Code, 2015 International Building Code, City of Bellevue requirements, and good fire protection practices. This review was based upon, and limited to, the information presented on drawings and/or materials received in our office. As conditioned, Fire staff found no issues with the proposed development.

**See Conditions of Approval regarding Distance from Hydrant in Section IX of this report.**

**D. Clear and Grade**

The Clearing and Grading Division of the Development Services Department has reviewed the proposed development for compliance with Clearing and Grading codes and standards. As conditioned, Clearing and Grading staff found no issues with the proposed development.

**See Conditions of Approval regarding Storm Water Pollution and Rainy Season Restrictions in Section IX of this Report.**

**VI. STATE ENVIRONMENTAL POLICY ACT (SEPA)**

Environmental review is required for the proposal under the State Environmental Policy Act (SEPA), Chapter 43.21C RCW and Washington Administrative Code (WAC) 197-11, and the City's Environmental Procedures Code, Chapter 22.02 of the Bellevue City Code (BCC). The Environmental Checklist together with information provided below (and in the official file) adequately discloses expected environmental impacts associated with the proposed Design Review approval. The environmental review indicates no probability of significant adverse environmental impacts occurring as a result of the proposal. The Environmental

Checklist submitted with the application adequately discloses expected environmental impacts associated with the project. City codes and requirements, including the Clear and Grade Code, Utility Code, Land Use Code, Noise Ordinance, Building Code and other construction codes adequately mitigate expected environmental impacts. Therefore, issuance of a Determination of Non-Significance is the appropriate threshold determination under the State Environmental Policy Act requirements.

Adverse impacts which are less than significant are usually subject to City Codes or Standards which are intended to mitigate those impacts. Where such impacts and regulatory items correspond, further documentation is not necessary. For other adverse impacts which are less than significant, Bellevue City Code Sec. 22.02.140 provides substantive authority to mitigate impacts disclosed through the environmental review process.

**A. Earth and Water**

The removal and replacement of the two 20,000 tanks will be required to comply with all erosion and sediment control BMPs and the Clearing and Grading code requirements as part of future development permits.

**B. TRANSPORTATION**

**Long Term Impacts and Mitigation**

The City has prepared a traffic forecasting model for the 2030 horizon year to assess cumulative impacts that may result from growth and development during that period. This modeling analysis is based on a projected land use scenario and improvements to the transportation system that would occur during this time period.

Under the level of service standard detailed in the Transportation Code, the City is divided into 14 Mobility Management Areas (MMAs), each with an area average standard and a congestion management standard. The traffic modeling shows that all of the MMAs would meet both standards. This project proposes to add a net increase of 3,866 square feet that will include a walk-in bank, coffee kiosk, and restaurant space in MMA 10. This level of development is within the assumptions of the City's traffic modeling and does not require additional mitigation.

In addition, traffic impact fees are used by the City to fund street improvement projects to alleviate traffic congestion caused by the cumulative impacts of development throughout the City. Payment of the transportation impact fee, as required by Chapter 22.16 BCC, contributes to the financing of transportation improvement projects in the current adopted Transportation Facilities Plan, and is considered to be adequate mitigation of long-term traffic impacts. Fee payment is required at the time of building permit issuance. Impact fees are subject to change and the fee schedule in effect at the time of building permit issuance will apply.

**See Condition of Approval regarding Impact Fees in Section IX of this Report.**

### **Mid-Range Impacts and Mitigation**

Project impacts anticipated to occur in the next six years are assessed through a concurrency analysis. The Traffic Standards Code (BCC 14.10) requires that development proposals generating 30 or more new p.m. peak hour trips undergo a traffic impact analysis to determine if the concurrency requirements of the State Growth Management Act are maintained.

The Eastgate Plaza development will generate approximately 39 new p.m. peak hour trips. That number was used to check for concurrency. City staff distributed and then assigned project-generated trips to the street network using the City's EMME-2 travel forecasting model with the current Capital Investment Program network. By adding the expected project-generated trips to the traffic volumes in the model, the area average levels of service were determined. To create a baseline condition for comparison, the levels of service were also determined using traffic volumes without the project-generated trips. In this project analysis, two system intersections received 20 or more p.m. peak hour trips.

Neither the maximum area-average levels of service nor the congestion allowances would be exceeded as a result of traffic generated from this proposal. Therefore, the proposed development passes the concurrency test. The concurrency test results are included in the Transportation Department file for this development. A concurrency determination is issued on the date of issuance of the land use decision. This project complies with the Traffic Standards Code and is receiving a Certificate of Concurrency (see Attachment A).

The rules of concurrency reservation are outlined in the Traffic Standards Code Director's Rules. The concurrency determination is reserved to this project at the land use decision date. The concurrency reservation expires one year from the land use decision date unless a complete building permit application is filed (BCC 14.10.040.F).

### **Short Term Operational Impacts and Mitigation**

City staff directed the applicant's traffic consultant, TENW, to analyze the short-term operational impacts of this proposal in order to recommend mitigation if necessary. These impacts included traffic operation conditions during the a.m. and p.m. peak hours. Issues that were analyzed included driveway operation, drive through queuing, and frontage improvements to facilitate safe pedestrian movements adjacent to the site. The project proposes to reconfigure the coffee kiosk to only have one drive through window and direct the queue to form near the center driveway on SE 38th Street. This driveway will be restricted to right out operation only to prevent vehicle queuing out onto SE 38th Street. The existing gas station pumps operate very close to the back edge of the existing sidewalk, making any improvements to this sidewalk difficult. No operation changes are proposed to the gas station area of the parcel, so no sidewalk improvements will be required on the southwest corner of the parcel. Pedestrian access to and throughout the site will be provided by a striped pedestrian path.

## **C. Noise**

### **Exterior Noise**

As conditioned, short term impacts related to noise generation as a result of the construction will be minimized. Normal hours for allowed generation of noise related to construction are from 7:00 am to 6:00 pm Monday through Friday and 9:00 am to 6 pm on Saturday. Exceptions to the construction noise hour limitation contained in the Noise Control Code MAY NOT be granted pursuant to 9.18.020C.1 & 2. However, prolonged exposure to noise created by extended hour construction activity is likely to have a significant impact of inhabitants of surrounding commercial and residential properties during the proposed timeline for construction. If expanded hours are necessary to accommodate a specific component of construction, a noise permit shall be required for exemption from the Noise Control Code must be submitted in advance of the scheduled onset of extended hour construction activity. In accordance with Bellevue City Code – BCC 9.10 Noise Control, the City will only be providing construction noise exemptions for the following work:

- Work in the ROW and essential public facilities (i.e., Water connections that require a main shut off are required to be done at night by the Utility Dept., public school construction)
- Work to accommodate transportation mitigation
- Required evening haul routes

Work that has been previously determined by sound level monitoring to not exceed the maximum permissible noise levels. Utility/site work on private projects/property is not essential public facilities.

**See Condition of Approval regarding Noise in Section IX of this Report.**

## **VI. CHANGES TO THE PROPOSAL RESULTING FROM CITY REVIEW**

### **A. Land Use**

Land Use required the developer to include all site changes within the Design Review. The project was re-noticed to include circulation changes to the site and façade changes to the existing structures onsite within the Single Family Transition Area. SEPA review was added for the removal and replacement of existing underground tanks.

## **VII. DECISION CRITERIA**

### **A. Design Review:**

The Director may approve, or approve with modifications, an application for Design Review if the proposal fulfills the Design Review Decision Criteria in LUC 20.30.F.145:

#### **1. The proposal is consistent with the Comprehensive Plan.**

The project is consistent with the Comprehensive Plan's Urban Design

Element. The proposed development supports the following Subarea and Comprehensive Plan Policies:

**Comprehensive Plan**

The site is designated NMU (Neighborhood Mixed Use) in the Comprehensive Plan and a portion lies within a Single Family Transition Area Design District in the Eastgate Subarea of the Bellevue Comprehensive Plan.

**Southeast Bellevue Subarea Policies:**

**Policy S-EG-3:** Encourage office and retail land uses that take advantage of freeway access, transit service, and non-motorized transportation alternatives without adversely impacting residential neighborhoods.

**Policy S-SE-7:** Encourage office and retail land uses that take advantage of freeway access, transit service, and non-motorized transportation alternatives without adversely impacting residential neighborhoods.

**Finding:** The site is zoned NMU within the Eastgate Subarea of the Comprehensive Plan. The proposal intensifying development within an existing shopping center to increase walkable land uses for the surrounding neighborhood and office parks. The site is serviced by transit which all also allows increased access to onsite services and businesses.

**2. The proposal complies with the applicable requirements of this Code.**

**Finding:** As conditioned, the proposal complies with applicable requirements of the Land Use Code as discussed in Section III of this report.

**3. The proposal addresses all applicable design guidelines or criteria of this Code in a manner which fulfills their purpose and intent.**

**Finding:** As conditioned, the proposal complies with the Development Standards (LUC 20.251.040 & .050) and Design Guidelines for development in a Neighborhood Mixed Use District (LUC 20.251.060). Refer to Section III of this report for how the proposal has met the Development Standards.

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

**Finding:** The proposed building incorporates architectural language as materials, colors and other elements that are consistent with the overall design of the retail center. The materials proposed are consistent with the existing material palette of the center. The proposed dark metal canopies, brick/stone texture on the facades, composite panels and large glazed storefront areas are all part of the architectural language of the Eastgate Plaza Center.

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

**Finding:** All required public services and facilities are available to the site. The existing site access is via three driveways onto SE 38th Street, one driveway onto 150th Avenue SE, and one driveway onto SE 37th Street. City water and sewer services are available to the site. The new driveway will provide fire truck access to the site.

## VIII. DECISION

After conducting the various administrative reviews associated with the proposal, including applicable Land Use consistency and City Code & Standard compliance reviews, the Development Services Department Director does hereby **APPROVE WITH CONDITIONS** the Design for Eastgate Plaza Proposal. **Approval of these Permits does not constitute a permit for construction. A building permit, clear and grade permit, and/or utility permit is required and all plans are subject to review for compliance with applicable City of Bellevue codes and standards.**

**Note - Vested Status of Design Review Approval:** The vested status of the Design Review approval shall expire two years from the date of the City's final decision, unless a completed building permit application is filed before the end of the two year term. Upon issuance of a building permit, the vested status of a land use permit approval shall be automatically extended for the life of the project.

## IX. CONDITIONS OF APPROVAL:

The following conditions are imposed under authority referenced:

### **Compliance with Bellevue City Codes and Ordinances**

The applicant shall comply with all applicable Bellevue City Codes, Standards, and Ordinances, including but not limited to:

<b>Applicable Ordinances</b>	<b>Contact Person</b>
Clearing and Grading Code- BCC 23.76	Tom McFarlane, 425-452-5207
Construction Codes- BCC Title 23	James Carreon, 425-452-4197
Fire Code- BCC 23.11	Glen Albright, 425-452-4270
Land Use Code- BCC Title 20	Leah Chulsky, 425-452-6834
Noise Control- BCC 9.18	Leah Chulsky, 425-452-6834
Sign Code- BCC Title 22B	Leah Chulsky, 425-452-6834
Transportation Code- BCC 14.60	Ian Nisbet, 425-452-2569
Right of Way Use Code- BCC 14.30	Tim Stever, 425-452-4851
Utility Code- BCC Title 24	Lori Santo, 425-452-6828

**A. GENERAL CONDITIONS: The following conditions apply to all phases of development.**

**1. Utilities Conceptual Approval**

Utility Department approval of the design review application is based on the final conceptual design submitted with this application. Final utility design and construction approval is not given under this permit. Small changes to the site layout may be required to accommodate the utilities after utility engineering is approved. The water, sewer, and storm drainage systems shall be designed per the current City of Bellevue Utility Codes and Utility Engineering Standards. A Utility Developer extension agreement will be required as a condition of this permit. Utilities Department design review, plan approval, and field inspection is performed under the Utility Developer Extension Agreement (UE). All connection charges will be due with the Developer Extension Agreement prior to issuance of the permit. Water, sewer and storm easements will be required as needed.

**AUTHORITY:** Bellevue City Code Title 24.02, 24.04, 24.06  
**REVIEWER:** Lori Santo, Utilities Department

**2. Building Permit**

Approval of this application does not constitute an approval of a development permit. A building permit and any other associated development permits are required. Plans submitted as part of any permit application shall be consistent with the activity permitted under this approval.

**AUTHORITY:** Land Use Code 20.30F.145  
**REVIEWER:** Leah Chulsky, Development Services Department

**B. PRIOR TO CLEARING & GRADING PERMIT ISSUANCE:**

**1. Right-of-Way Use Permit**

Prior to issuance of any construction or clearing and grading permit, the applicant shall secure applicable right-of-way use permits from the City's Transportation Department, which may include:

- a) Designated truck hauling routes.
- b) Truck loading/unloading activities.
- c) Location of construction fences.
- d) Hours of construction and hauling.
- e) Requirements for leasing of right of way or pedestrian easements.
- f) Provisions for street sweeping, excavation and construction.
- g) Location of construction signing and pedestrian detour routes.
- h) All other construction activities as they affect the public street system.

In addition, the applicant shall submit for review and approval a plan for providing pedestrian access during construction of this project. Access shall be provided at



all times during the construction process, except when specific construction activities such as shoring, foundation work, and construction of frontage improvements prevent access. General materials storage and contractor convenience are not reasons for preventing access.

The applicant shall secure sufficient off-street parking for construction workers before the issuance of a clearing and grading, building, a foundation or demolition permit.

**AUTHORITY:** Bellevue City Code 11.70 & 14.30  
**REVIEWER:** Tim Stever, Transportation Department

## **2. Civil Engineering Plans – Transportation**

Civil engineering plans produced by a qualified engineer must be approved by the Transportation Department prior to issuance of the clearing and grading permit. The design of all street frontage improvements and driveway accesses must be in conformance with the requirements of the Americans with Disabilities Act, the Transportation Development Code, the provisions of the Transportation Department Design Manual, and specific requirements stated elsewhere in this document.

Specific engineering plan requirements are detailed below.

1. Install minimum 8-foot-wide sidewalk, a minimum 4-foot-wide planter strip, and new curb and gutter along 150<sup>th</sup> Avenue SE between the existing bank parcel and the existing driveway.
2. Provide a minimum 5-foot-wide striped public pedestrian path from the Right of Way to the proposed buildings on site.
3. Any existing or proposed utility vaults within the sidewalk must be fitted with ADA compliant non-skid lids.
4. C-curb or other approved channelization is required to be installed on the center driveway on SE 38<sup>th</sup> Street to restrict right in movements from SE 38<sup>th</sup> Street.

All relevant standard drawings from the Transportation Department Design Manual shall be copied exactly into the final engineering plans. Requirements for the engineering plans include, but are not limited to:

- a) Traffic signs and markings.
- b) Curb, gutter, sidewalk, and driveway approach design. The engineering plans shall be the controlling document on the design of these features; architectural and landscape plans must conform to the engineering plans as needed.
- c) Installation or relocation of streetlights and related equipment.
- d) Show the required sight triangles and include any sight obstructions, including those off-site. Sight distance triangles must be shown at all driveway locations and must consider all fixed objects and mature landscape vegetation. Vertical as well as horizontal line of sight must be considered when checking for sight distance.
- e) Location of fixed objects in the sidewalk or near the driveway approach.

- f) Trench restoration within any right of way or access easement.

Construction of all street and street frontage improvements must be completed prior to closing the clear and grade permit and right of way use permit for this project. A Design Justification Form must be provided to the Transportation Department for any aspect of any pedestrian route adjacent to or across any street that cannot feasibly be made to comply with ADA standards. Design Justification Forms must be provided prior to approval of the clear and grade plans for any deviations from standards that are known in advance. Forms provided in advance may need to be updated prior to project completion. For any deviations from standards that are not known in advance, Forms must be provided prior to project completion.

**AUTHORITY:** Bellevue City Code 14.60; Transportation Department Design Manual; Americans with Disabilities Act  
**REVIEWER:** Ian Nisbet, Transportation Department

### **3. Final Landscape and Irrigation Plan**

The Final Landscape and Irrigation Plans shall be submitted with the building permit application to ensure compliance with all Land Use Code requirements.

Any sleeves for irrigation mainlines shall be placed within the project property lines.

The applicant shall record a copy of the approved project drawings, including the landscape and irrigation plans, and conditions of this Design Review with the King County Division of Records and Elections and with the Bellevue City Clerk.

**AUTHORITY:** Land Use Code 20.20.520, 20.20.900.G  
**REVIEWER:** Leah Chulsky, Development Services Department

### **4. Rainy Season Restrictions**

Due to steep slopes on the site, no clearing and grading activity may occur during the rainy season, which is defined as October 1 through April 30 without written authorization of the Development Services Department. Should approval be granted for work during the rainy season, increased erosion and sedimentation measures, representing the best available technology must be implemented prior to beginning or resuming site work.

**AUTHORITY:** Bellevue City Code 23.76.093.A,  
**REVIEWER:** Tom McFarlane, Development Services Department

### **5. Storm Water Pollution Prevention Plan**

To ensure contaminated stormwater or construction-related runoff does not pollute adjacent surface water; a construction stormwater pollution prevention plan (CSWPPP) is required. The CSWPPP outline should be generally consistent with the SWPPP requirements of the National Pollutant Discharge Elimination System (NPDES) General Storm water Permit for Construction Activities.

**AUTHORITY:** Bellevue City Code 23.76.  
**REVIEWER:** Tom McFarlane, Development Services Department

## **6. Noise & Construction Hours**

The proposal will be subject to normal construction hours of 7 a.m. to 6 p.m., Monday through Friday and 9:00 a.m. to 6:00 p.m. on Saturdays, except for Federal holidays and as further defined by the Bellevue City Code. Proximity to existing residential uses will be given special consideration. Upon written request to PCD, work hours may be extended to 10:00 p.m. if the criteria for extension of work hours as stated in BCC 9.18 can be met and the appropriate mitigation employed.

The use of best available noise abatement technology consistent with feasibility is required during construction to mitigate construction noise impacts to surrounding uses.

**AUTHORITY:** Bellevue City Code 9.18.020.C & 9.18.040  
**REVIEWER:** Leah Chulsky, Development Services Department

## **C. PRIOR TO BUILDING PERMIT ISSUANCE:**

### **1. Transportation Impact Fee**

Payment of the traffic impact fee will be required at the time of building permit issuance. If multiple building permits will be issued, the impact fee will be tied to the primary above-ground permit. Removal of existing buildings will be eligible for impact fee credit. Impact fees are subject to change and the fee schedule in effect at the time of building permit issuance will apply.

**AUTHORITY:** Bellevue City Code 22.16  
**REVIEWER:** Ian Nisbet, Transportation Department

### **2. Building and Site Plans – Transportation**

The building grade and elevations shall be consistent with the curb and sidewalk grade shown in the approved civil engineering plans. During construction, city inspectors may require additional survey work at any time in order to confirm proper elevations. Building plans, landscaping plans, and architectural site plans must accommodate on-site traffic markings and signs and driveway design as specified in the engineering plans. Building plans, landscaping plans, and architectural site plans must comply with vehicle and pedestrian sight distance requirements, as shown on the engineering plans.

**AUTHORITY:** Bellevue City Code BCC 14.60.060, 110, 120, 150, 180, 181, 190, 240, 241  
**REVIEWER:** Ian Nisbet, Transportation Department

### **3. Sidewalks/Utility/Access Easement**

The applicant shall provide sidewalk and utility easements to the City such that sidewalks outside of the City right of way along the property frontage are located within a pedestrian easement area. A pedestrian access easement is required for the pedestrian path located outside the city right of way.

**AUTHORITY:** Bellevue City Code 14.60.100  
**REVIEWER:** Ian Nisbet, Transportation Department

### **4. Provisions for Refuse and Loading**

The property owner shall provide an off-street loading space which can access a public street. This must include an off-street location for garbage pick-up, which must be acceptable to the garbage hauler. On-street loading and unloading will not be permitted.

**AUTHORITY:** Land Use Code 20.20.590.K.4; Bellevue City Code 14.60.180  
**REVIEWER:** Ian Nisbet, Transportation Department

### **5. Hydrant Location**

Distance from existing hydrants to proposed building shall be verified (measured by path of hose) or a new hydrant(s) shall be shown on plans prior and installed prior to occupancy.

**AUTHORITY:** International Fire Code 507.5.1  
**REVIEWER:** Glen Albright, Fire Department

## **D. PRIOR TO ISSUANCE OF ANY OCCUPANCY:**

### **1. Landscape Maintenance Assurance Device**

File with the Development Services Department a landscape maintenance assurance device prior to TCO approval for a five year period for 20% of the cost of labor and materials for all required landscaping. For the purpose of this permit, maintenance and monitoring shall be completed for a period of five growing seasons. Release of this assurance device is contingent upon receipt of documentation reporting successful establishment in compliance with the mitigation performance standards listed in the project mitigation plan. Land Use inspection of the planting after 5-years is required to release the surety

**AUTHORITY:** Land Use Code 20.20.490  
**REVIEWER:** Leah Chulsky, Development Services Department

### **2. Street Frontage Improvements**

All street frontage improvements and other required transportation elements must be constructed by the applicant and accepted by the Transportation Department inspector. All existing street light and traffic signal apparatus affected by this

development, including traffic controllers, pedestrian signal poles, traffic signal poles, and power sources, must be relocated as necessary. Existing overhead lines must be relocated underground. All required improvements must be constructed as per the approved plans or as per direction of the Transportation Department inspector. Bonding or other types of assurance devices will not be accepted in lieu of construction, unless the City requires a delay.

**AUTHORITY:** Bellevue City Code 14.60; Comprehensive Plan Policy UT-39; Transportation Department Design Manual Sections; and Transportation Department Design Manual Standard Drawings.

**REVIEWER:** Ian Nisbet, Transportation Department

### **3. Pavement Restoration**

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

a) SE 37th Street: This street was recently overlaid, and a five year no-street cut moratorium is currently in effect. Should street cuts prove unavoidable or if the street surface is damaged in the construction process, a half-street or full-street (depending on the extent of street cuts or damage) grind and overlay will be required.

b) SE 38th Street: This street was recently overlaid, and a five year no-street cut moratorium is currently in effect. Should street cuts prove unavoidable or if the street surface is damaged in the construction process, a half-street or full-street (depending on the extent of street cuts or damage) grind and overlay will be required.

c) 150th Avenue SE: 150th Avenue SE has been classified as "Standard Trench Restoration." Any street cuts into 150th Avenue SE will require restoration per Transportation Design Manual standard drawing RC-190-1.

**AUTHORITY:** Bellevue City Code 14.60. 250; Design Manual Design Standard #23

**REVIEWER:** Tim Stever, Transportation Department

### **4. Rooftop Mechanical Screening**

Mechanical equipment which is located on the roof shall be incorporated into the pitched or stepped roof form, and not appear as a separate penthouse or box. Any proposed future changes must be approved by Land Use and uphold the intent and conditions of the original proposal to screen mechanical equipment from above and street level views.

**AUTHORITY:** Land Use Code 20.251.060.C

**REVIEWER:** Leah Chulsky, Development Services Department

**5. Communication Dishes**

Communication dishes greater than one meter (3.28 feet) in diameter shall not be visible from any adjacent residential districts. Communication dishes, antennas and other building appendages require Land Use Approval. Any proposed future changes must be approved by Land Use and uphold the intent and conditions of the original proposal to screen equipment from above and street level views.

**AUTHORITY:** Land Use Code 20.251.060.C  
**REVIEWER:** Leah Chulsky, Development Services Department

**6. Shared Parking Agreement**

Prior to any Occupancy, the property owner or owners shall file with the King County Division of Records and Elections and with the Bellevue City Clerk a written agreement approved by the Director of the Development Services Department providing for the shared parking use. The agreement shall be recorded on the title records of each affected property.

**AUTHORITY:** Land Use Code 20.20.590.1.b  
**REVIEWER:** Leah Chulsky, Development Services Department



DEVELOPMENT SERVICES DEPARTMENT  
ENVIRONMENTAL COORDINATOR  
450 110<sup>th</sup> Ave NE  
BELLEVUE, WA 98009-9012

### DETERMINATION OF NON-SIGNIFICANCE

**PROPONENT:** Hewitt Architects

**LOCATION OF PROPOSAL:** 15100 SE 38th St

**DESCRIPTION OF PROPOSAL:** Design Review approval to construct a new 3,500 square foot building, expand an existing coffee kiosk, update the facades of existing structures, removal and replacement of two underground tanks and provide vehicular and pedestrian access improvements.

**FILE NUMBERS:** 18-129907-LD

**PLANNER:** Leah Chulsky, 425-452-6834

The Environmental Coordinator of the City of Bellevue has determined that this proposal does not have a probable significant adverse impact upon the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(C). This decision was made after the Bellevue Environmental Coordinator reviewed the completed environmental checklist and information filed with the Land Use Division of the Development Services Department. This information is available to the public on request.

- ☐ There is no comment period for this DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision. A written appeal must be filed in the City Clerk's office by 5:00 p.m. on \_\_\_\_\_.
- ☒ This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision. A written appeal must be filed in the City Clerk's Office by 5 p.m. on Enter a date.
- ☐ This DNS is issued under WAC 197-11-340(2) and is subject to a 14-day comment period from the date below. Comments must be submitted by 5 p.m. on \_\_\_\_\_. This DNS is also subject to appeal. A written appeal must be filed in the City Clerk's Office by 5:00 p.m. on \_\_\_\_\_.

This DNS may be withdrawn at any time if the proposal is modified so as to have significant adverse environmental impacts; if there is significant new information indicating a proposals probable significant adverse environmental impacts (unless a non-exempt license has been issued if the proposal is a private project); or if the DNS was procured by misrepresentation or lack of material disclosure.

  
\_\_\_\_\_  
Environmental Coordinator  
Elizabeth Stead, Land Use Director

Enter a date. 1/15/2020

#### OTHERS TO RECEIVE THIS DOCUMENT:

- ☐ State Department of Fish and Wildlife / [Stewart.Reinbold@dfw.gov](mailto:Stewart.Reinbold@dfw.gov)
- ☐ State Department of Ecology, Shoreline Planner N.W. Region / [Jobu461@ecy.wa.gov](mailto:Jobu461@ecy.wa.gov);  
[sepaunit@ecy.wa.gov](mailto:sepaunit@ecy.wa.gov)
- ☐ Army Corps of Engineers
- ☐ Attorney General [ecyolyef@atg.wa.gov](mailto:ecyolyef@atg.wa.gov)
- ☐ Muckleshoot Indian Tribe [Karen.Walter@muckleshoot.nsn.us](mailto:Karen.Walter@muckleshoot.nsn.us); [Fisheries.fileroom@muckleshoot.nsn.us](mailto:Fisheries.fileroom@muckleshoot.nsn.us)







NT SERVICES DEPARTMENT  
:NUE NE  
'A 98009-9012

## **SEPA Environmental Checklist**

If you need assistance in completing the checklist or have any questions regarding the environmental review process, please visit the Land Use Desk in the Permit Center between 8 a.m. and 4 p.m., Monday through Friday (Wednesday, 10 to 4) or call or email the Land Use Division at 425-452-4188 or [landusereview@bellevuewa.gov](mailto:landusereview@bellevuewa.gov). Assistance for the hearing impaired: Dial 711 (Telecommunications Relay Service).

### ***Purpose of checklist:***

The City of Bellevue uses this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

### ***Instructions for applicants:***

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies and reports. Please make complete and accurate answers to these questions to the best of your ability in order to avoid delays.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The City may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

**PLEASE REMEMBER TO SIGN THE CHECKLIST.** Electronic signatures are also acceptable.

Received  
DEC 11 2017  
Permit Processing

18-129907-LD  
Schuy  
1-16-20

## A. Background [\[help\]](#)

1. Name of proposed project, if applicable: [\[help\]](#)  
*Eastgate Plaza Outparcel*
2. Name of applicant: [\[help\]](#)  
*Regency Centers*
3. Address and phone number of applicant and contact person: [\[help\]](#)  
*Jeremy Febus, PE*  
*1601 Fifth Ave, #1600 Seattle, WA 98101*  
*(206) 926-0675*
4. Date checklist prepared: [\[help\]](#)  
*November 1, 2018*
5. Agency requesting checklist: [\[help\]](#)  
*City of Bellevue*
6. Proposed timing or schedule (including phasing, if applicable): [\[help\]](#)  
*Construction Start - August 2020*  
*Construction End - January 2021*
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. [\[help\]](#)  
*There may be future activity in the vicinity of this project, that will not be an addition or expansion to the proposed building.*
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. [\[help\]](#)  
*A geotechnical report was prepared in December 2016*
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. [\[help\]](#)  
*No*
10. List any government approvals or permits that will be needed for your proposal, if known. [\[help\]](#)  
*City of Bellevue: Design Review, Clearing & Grading (GD) Permit, Utility Developer Extension Agreement (UE), Building Permits (MECH, PLUMB, ELEC, ROOFING, SIGNS)*
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.) [\[help\]](#)  
*A new building, approximately 3,000sf including right-of-way improvements, grind and overlay of existing parking lot, and installation of stormwater management facilities and landscaping. Removal & Replacement of existing tanks.*

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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. [\[help\]](#)  
15100 SE 38th ST, Bellevue, WA 98004. (150th AVE SE/SE 38th)  
A PORTION OF TRACT A OF EASTGATE ADDITION DIVISION B  
King County Tax Assessors number: 2201501405

## B. Environmental Elements [\[help\]](#)

### 1. Earth [\[help\]](#)

- a. General description of the site: [\[help\]](#) (select one): ☐ Flat, ☐ xrolling, ☐ hilly, ☐ steep slopes, ☐ mountainous, other: *Click here to enter text.*
- b. What is the steepest slope on the site (approximate percent slope)? [\[help\]](#)  
*20%*
- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. [\[help\]](#)  
*Recessional Outwash. GP-GM*
- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. [\[help\]](#)  
*No*
- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. [\[help\]](#)  
*The earthwork will consist of removal and replacement of sidewalk and asphalt pavement and asphalt pavement overlay. It will include excavation for building foundation.*
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. [\[help\]](#)  
*Yes, There is a potential for erosion during pavement removal and clearing.*
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? [\[help\]](#)  
*Approximately 96%*
- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: [\[help\]](#)  
*Erosion control BMPs are proposed to reduce and control erosion during construction. Silt Fence and inlet protection inserts will be used.*

### 2. Air [\[help\]](#)

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- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. [\[help\]](#)  
*The project will not result in any additional emissions after project completion. Temporary impacts during construction could include construction equipment exhaust and dust.*
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. [\[help\]](#)  
*No*
- c. Proposed measures to reduce or control emissions or other impacts to air, if any: [\[help\]](#)  
*Dust control BMPs will be utilized during construction as needed.*

### 3. Water [\[help\]](#)

a. Surface Water :

- 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, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. [\[help\]](#)  
*No*
- 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. [\[help\]](#)  
*No*
- 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. [\[help\]](#)  
*None*
- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. [\[help\]](#)  
*No*
- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. [\[help\]](#)  
*No*
- 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. [\[help\]](#)  
*No*

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so,

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give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. [\[help\]](#)

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. [\[help\]](#)

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. [\[help\]](#)

*Stormwater runoff fro the proposed project will be collected in catch basins and discharge to the public storm system in SE 37<sup>th</sup> Street. The proposed project maintains the existing discharge location.*

- 2) Could waste materials enter ground or surface waters? If so, generally describe. [\[help\]](#)

No

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. [\[help\]](#)

No

- d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: [\[help\]](#)

*Bioretention stormwater features are porposed to provide limited infiltration of surface water runoff from the site.*

*DL 23.76*

4. Plants [\[help\]](#)

- a. Check the types of vegetation found on the site: [\[help\]](#)

X deciduous tree: alder, maple, aspen, other: *Click here to enter text.*

☐ evergreen tree: fir, cedar, pine, other: *Click here to enter text.*

X shrubs

X grass

☐ pasture

☐ crop or grain

☐ Orchards, vineyards or other permanent crops.

☐ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other: *Click here to enter text.*

☐ water plants: water lily, eelgrass, milfoil, other: *Click here to enter text.*

☐ other types of vegetation: *Click here to enter text.*

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- b. What kind and amount of vegetation will be removed or altered? [\[help\]](#)  
*Exisiting Landscape islands within the parking lot will be removed and replaced. Approximately 1,000 square feet of landscape area will be removed and approximately 2,500 square feet of new landscape will be installed.*
- c. List threatened and endangered species known to be on or near the site. [\[help\]](#)  
*None Known.*
- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: [\[help\]](#)  
*Bowhall Maple, Gingo Biloba, OttoQuast Lavender, Fragrant Sarcococca, Bumald Spirea (NATIVE), Mazanita (NATIVE) Chilean Strawberry Big Blue Liriope, Little Kitten Miscanthus, Mexican Feather Grass.*
- e. List all noxious weeds and invasive species known to be on or near the site. [\[help\]](#)  
*None Known.*

**5. Animals [\[help\]](#)**

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. [\[help\]](#)

*Examples include:*

birds: ☐hawk, ☐heron, ☐eagle, ☐songbirds, other: *Click here to enter text.*  
mammals: ☐deer, ☐bear, ☐elk, ☐beaver, other: *Click here to enter text.*  
fish: ☐bass, ☐salmon, ☐trout, ☐herring, ☐shellfish, other: *Click here to enter text.*

- b. List any threatened and endangered species known to be on or near the site. [\[help\]](#)  
*None known*
- c. Is the site part of a migration route? If so, explain. [\[help\]](#)  
*No*
- d. Proposed measures to preserve or enhance wildlife, if any: [\[help\]](#)  
*None*
- e. List any invasive animal species known to be on or near the site. [\[help\]](#)  
*None known*

**6. Energy and Natural Resources [\[help\]](#)**

- 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. [\[help\]](#)  
*Project will use electric for lighting and natural gas for heat. No significant impacts to overall site energy*

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consumption are anticipated.

- b. Would your project affect the potential use of solar energy by adjacent properties?  
If so, generally describe. [\[help\]](#)  
*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: [\[help\]](#)  
*None known*

**7. Environmental Health** [\[help\]](#)

- 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. [\[help\]](#)  
*Construction materials create short term possibility of exposure to toxic materials such as cement.*
- 1) Describe any known or possible contamination at the site from present or past uses.  
[\[help\]](#)  
*Emergency services would be typical of those sometimes necessary for construction sites.*
- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. [\[help\]](#)  
*None known.*
- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. [\[help\]](#)  
*None anticipated at this time. Construction materials involving toxic or hazardous chemicals will be stored and used based on the manufacturer's specifications.*
- 4) Describe special emergency services that might be required. [\[help\]](#)  
*Emergency services would be typical of those sometimes necessary for construction sites.*
- 5) Proposed measures to reduce or control environmental health hazards, if any: [\[help\]](#)  
*Construction materials will be handled according to Manufacturer's / Suppliers recommendations, and consistent with City and Exology requirements for material handling.*
- b. Noise [\[help\]](#)
- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? [\[help\]](#)  
*The site is in close proximity to Interstate 90*

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- 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 hours noise would come from the site. [\[help\]](#)  
*Short-term noise would result from construction activity.  
No long term change in noise is anticipated following construction.*
- 3) Proposed measures to reduce or control noise impacts, if any: [\[help\]](#)  
*Construction equipment will be maintained in good working condition, and construction activities will adhere to daily work windows per City code.*

**8. Land and Shoreline Use** [\[help\]](#)

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. [\[help\]](#)  
*The site is currently retail. Adjacent properties are a mix of retail, residential, commercial, and major infrastructure.*
- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? [\[help\]](#)  
*The site has not been used for agriculture at least in the last 30 years.*
- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: [\[help\]](#)  
*No*
- c. Describe any structures on the site. [\[help\]](#)  
*The site currently consists of 1 major retail building with 3 smaller retail out buildings. All structures are 1-story concrete masonry with a total building footprint of approximately 27,400 square feet.*
- d. Will any structures be demolished? If so, what? [\[help\]](#)  
*No*
- e. What is the current zoning classification of the site? [\[help\]](#)  
*Commercial Business (CB)*
- f. What is the current comprehensive plan designation of the site? [\[help\]](#)  
*Mixed-Use*
- g. If applicable, what is the current shoreline master program designation of the site? [\[help\]](#)

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N/A

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify. [\[help\]](#)  
*Perimeter site areas near the southeast property corner are mapped as steep slopes. These areas are outside of the project area.*
- i. Approximately how many people would reside or work in the completed project? [\[help\]](#)  
*This project will not impact the number of employees working at the project site.*
- j. Approximately how many people would the completed project displace? [\[help\]](#)  
*This project will not impact the number of employees working at the project site.*
- k. Proposed measures to avoid or reduce displacement impacts, if any: [\[help\]](#)  
*None anticipated.*
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: [\[help\]](#)  
*None*
- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any: [\[help\]](#)  
*No change in use is proposed.*

**9. Housing** [\[help\]](#)

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. [\[help\]](#)  
*None*
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. [\[help\]](#)  
*None*
- c. Proposed measures to reduce or control housing impacts, if any: [\[help\]](#)  
*None*

**10. Aesthetics** [\[help\]](#)

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? [\[help\]](#)  
*Click here to enter text.*
- b. What views in the immediate vicinity would be altered or obstructed? [\[help\]](#)  
*Possible altered views of 150<sup>th</sup> Ave and Interstate 90.*
- c. Proposed measures to reduce or control aesthetic impacts, if any: [\[help\]](#)

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*Click here to enter text.*

#### 11. Light and Glare [\[help\]](#)

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? [\[help\]](#)

*Click here to enter text.*

- b. Could light or glare from the finished project be a safety hazard or interfere with views? [\[help\]](#)

*No impact anticipated.*

- c. What existing off-site sources of light or glare may affect your proposal? [\[help\]](#)

*None anticipated*

- d. Proposed measures to reduce or control light and glare impacts, if any: [\[help\]](#)

*Click here to enter text.*

#### 12. Recreation [\[help\]](#)

- a. What designated and informal recreational opportunities are in the immediate vicinity? [\[help\]](#)

*The City maps SE 38<sup>th</sup> Street and a portion of SE 37<sup>th</sup> Street as City Trail. There are no public parks in the immediate vicinity of the site.*

- b. Would the proposed project displace any existing recreational uses? If so, describe. [\[help\]](#)

*None anticipated.*

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: [\[help\]](#)

*None.*

#### 13. Historic and cultural preservation [\[help\]](#)

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe. [\[help\]](#)

*None known.*

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. [\[help\]](#)

*None known.*

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. [\[help\]](#)

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None.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. [\[help\]](#)

None.

#### 14. Transportation [\[help\]](#)

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. [\[help\]](#)  
*The site is flanked by 150<sup>th</sup> Avenue to the west, SE 37<sup>th</sup> Street to the north, and SE 38<sup>th</sup> Street to the south. The site has commercial driveway access on all three frontages.*
- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? [\[help\]](#)  
*There are bus stops adjacent on all 3 frontages.*
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? [\[help\]](#)  
*The project will add 60 parking stalls and eliminate 78 parking stalls for a net decrease of 18 parking stalls.*
- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). [\[help\]](#)  
*The project will require 12' of frontage improvements to 150<sup>th</sup> Ave. Frontage improvements will include 4 feet of landscaping and an 8 foot sidewalk.*
- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. [\[help\]](#)  
*No.*
- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates? [\[help\]](#)  
*No increase in traffic volumes are anticipated.*
- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe. [\[help\]](#)  
*No.*
- h. Proposed measures to reduce or control transportation impacts, if any: [\[help\]](#)  
*None.*

#### 15. Public Services [\[help\]](#)

- a. Would the project result in an increased need for public services (for example: fire

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protection, police protection, public transit, health care, schools, other)? If so, generally describe. [\[help\]](#)

*None anticipated.*

- b. Proposed measures to reduce or control direct impacts on public services, if any. [\[help\]](#)  
*None.*

#### 16. Utilities [\[help\]](#)

- a. Circle utilities currently available at the site: [\[help\]](#)  
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other

*Click here to enter text.*

- c. 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. [\[help\]](#)

*Storm drainage and domestic water within the parking area is anticipated. A new private water and sewer service to the site are proposed.*

#### C. Signature [\[help\]](#)

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: \_\_\_\_\_

Name of signee: *Click here to enter text.*

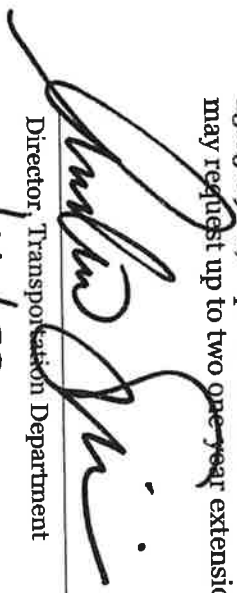
Position and Agency/Organization: *Click here to enter text.*

Date Submitted: *Click here to enter a date.*

# CERTIFICATE OF CONCURRENCY

**Eastgate Plaza**

This certificate documents the Transportation Department Director's decision that the development project at 15100 SE 38<sup>th</sup> Street (File No. 18-129907-LD) complies with the requirements of the Traffic Standards Code (BCC 14.10). This decision reserves 39 net new p.m. peak hour trips to that project, subject to Process II appeal of either the concurrency determination or the Design Review decision. This reservation will expire one year from the land use decision date unless a complete building permit application is filed prior to that date (BCC 14.10.040F). At the time of a complete building permit application, the concurrency reservation will remain in effect for the life of that application (BCC 23.05.090H). Upon issuance of the building permit, concurrency is reserved for one year; the applicant may request up to two ~~one~~ year extensions (BCC 23.05.100E).

  
\_\_\_\_\_  
Director, Transportation Department

Date 1/16/20

Certificate No. 126

