



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
 ENVIRONMENTAL COORDINATOR
 450 110th AVENUE NE., P.O. BOX 90012
 BELLEVUE, WA 98009-9012

DETERMINATION OF NON-SIGNIFICANCE

PROPONENT: Bellevue Neighborhood Church

LOCATION OF PROPOSAL: 627 140th Avenue NE

DESCRIPTION OF PROPOSAL: To remove existing fill from previous clearing and grading work and create a more aesthetically pleasing lot adjacent to residential development.

FILE NUMBER: LI-07-104480

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 Department of Planning & Community Development. 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 **June 28, 2007**.
- 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 p.m. on _____.

This DNS may be withdrawn at any time if the proposal is modified so that it is likely to have significant adverse environmental impacts; if there is significant new information indicating, or on, 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.

Carol V. Holland
 Environmental Coordinator

6/11/07
 Date

OTHERS TO RECEIVE THIS DOCUMENT:

- State Department of Fish and Wildlife
- State Department of Ecology,
- Army Corps of Engineers
- Attorney General
- Muckleshoot Indian Tribe



**City of Bellevue
Department of Planning and Community Development
Development Services Division Staff Report**

Proposal Name: **Bellevue Neighborhood Church**
Proposal Address: 627 140th Avenue NE
Proposal Description: To remove existing fill from previous clearing and grading work and create a more aesthetically appealing lot adjacent to single-family.
File Number: **LI-07-104480**
Applicant: Bellevue Neighborhood Church
Decisions Included: Administrative Amendment to a Conditional Use
Planner: Antoinette Pratt, Senior Planner, (425) 452-5374

State Environmental Policy Act
Threshold Determination: **Determination of Non-Significance**

Carol V. Helland

Carol V. Helland
Environmental Coordinator

Director's Decision: **Approval with Conditions**

Carol V. Helland Br

Matthew A. Terry, Director
Department of Planning and Community Development

Application Date: January 25, 2007
Public Notice (500 feet): February 22, 2007
Public Meeting: Not Required
Minimum Comment Period: March 8, 2007
Bulletin Publication Date: **June 14, 2007**
Appeal Deadline: **June 28, 2007**

For information on how to appeal a proposal, visit Development Services at City Hall or call (425) 452-4570. Appeal of the Decision must be made by 5 p.m. on the date noted for appeal of the decision.

I. Project Description

Bellevue Neighborhood Church has applied for an Administrative Amendment to alter an existing Conditional Use permit to grade and landscape an open field which currently consists of a mounded dirt pile. It is the church's intent to remove this fill by grading and distributing the soil throughout the field to create a more aesthetically appealing area adjacent to existing residences to the north and south. At this time, the Church will not construct any buildings or place any playfield equipment on this parcel. Submittal of this application will also extend church activities on this site.

II. History of Site

The church installed additional parking south of their existing facility. Access to this parking occurs from 140th Avenue NE. The fill that currently exists on this site was created with grading activities to install this parking lot LA-82-125. In 2004, the Church submitted a clearing and grading application to remove the existing soils through GC-04-126640. However, the church let this application expire. The Church had also intended to create a 99,600 ballfield with associated drainage under LI-99-967. Although the clearing and grading permit expired the storm water system was partially installed and the project was not accepted by the Utilities Department. This drainage system is located just north of the existing wetland near the northwest corner of the site.

III. Site Description and Context

Bellevue Neighborhood Church is located to the east of this site on three individual parcels along 140th Avenue NE (625, 627, 453). Total parcels owned by the church is four. The church is located on the northeast parcel while associated parking is located on the central and southern parcels. The church facility functions as one site despite the three separate parcels. Staff has reviewed an aerial of the existing church and finds that it does not appear to conform with the zoning side yard setback of 50 feet for churches. Confirmation of this would need to occur through a survey. At a future date, the church will be required to correct this nonconformity with future upgrades to their church facility through a Boundary Line Adjustment to comply with existing zoning standards. Such an application was submitted in the past per LW-97-8722 but was cancelled. See Section X for related condition.

Because there is a previous conditional use on this property, Land Use Code (LUC) 20.30B.175.D sets forth the administrative amendments process as a mechanism for the requested change. See Section VIII for further discussion.



The 9,000 cubic yard stock pile is located at the southeast corner of this site. The site contains a wetland that is located at the southwest corner of this site that contains very dense brush. The previous classification for this wetland was determined a Type B. The project file contains the previous delineation. The storm water detention facility that was installed with the previous application is located just north of this wetland boundary within the wetland buffer.

With this application, the church is proposing an 110 foot wetland buffer. Dirt from the mound will be dispersed east of this boundary as shown on Sheet 1 of 4 of this application. Because this application is limited to eliminating the existing fill adjacent to residential uses and not proposing construction activities in this area, the church is not required to complete a new wetland delineation with this proposal. However, if the church proposes any future construction activities for this site, they will be required to update the previous wetland study completed in 2000 by Sheldon and Associates, Inc. See Section X for related condition.

IV. Consistency with Comprehensive Plan and Zoning Requirements

A. Comprehensive Plan:

This proposal is located within the Wilburton/NE 8th Street Subarea Plan. The proposal is consistent with the following goal and policy:

Policy S-WI-1 encourages protection of residential uses by maintaining the current boundaries between residential and non-residential uses. Adding this parcel to the church's existing holdings, will establish the church use closer to adjacent residences. However, these impacts will be mitigated by the fact that half of this site is not developable given the presence of the wetland and associated buffers. The new parcel is adjacent to existing residential uses that

border the north, west and south boundaries of this site. Zoning in these areas are R-30, R-1 and R-2.5 respectively.

Policy S-WI-16 encourages that traffic impacts and building scale be considered for nonresidential uses such as churches and schools. The applicant will not be constructing any building or playfield improvements in this area. The field will be strictly for the church itself for its youth activities, etc. Additionally, the church will not be permitted to lease this field to outside user groups. See Section X for related condition.

B. Zoning Requirements

Per the previous Conditional Use approval, the proposal complies with the general requirements of the Land Use Code for building coverage, site area, height, parking stalls and landscaping, with exception of building setbacks for their existing church facility.

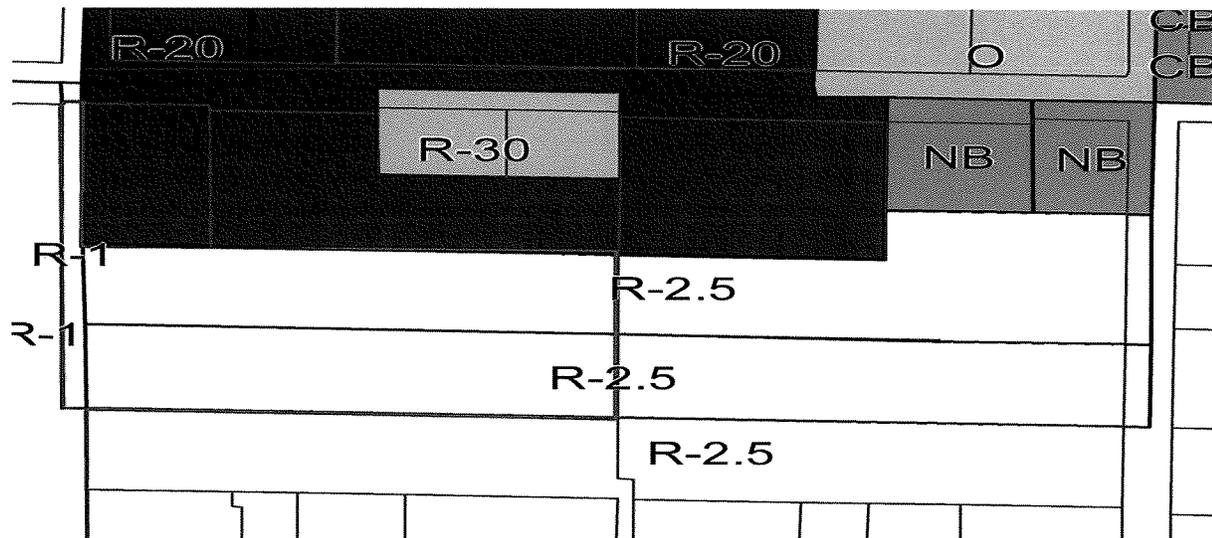
See the following table:

ZONING CODE REQUIREMENTS

Category	LUC Requirements	Proposal by Applicant
Land Use Zone	R-2.5	No change by applicant
Site Area	13,500 square feet	Church: 7.84 acres or 341,410 square feet Field: 5.35 acres or 233,046 square feet Total: 13.19 acres or 574,556 square feet
Landscaping Perimeter Buffers		
North	10 feet Type III	10 feet
South	10 feet Type II	10 feet
East	10 feet Type III	0 feet ¹
West	10 feet Type III	228 feet ²

In addition to the above, see map below for adjacent zoning districts in site's vicinity:

1 Existing trees exist at the northeast corner of the field between the lot containing the church facility. No landscaping is planned further south of this area for access purposes for church members along existing pathway.
 2 Existing wetland present along western property line. No work will occur within this area.



IV. State Environmental Policy Act

The environmental review indicates no probability of significant adverse environmental impacts resulting from the proposal. Issuance of a Determination of Non-Significance (DNS) is the appropriate threshold determination under the State Environmental Policy Act (SEPA) 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 requirements correspond, no further documentation is necessary. For other adverse impacts which are less than significant, Bellevue City Code Section 22.02.140 provides substantive authority to mitigate impacts disclosed through the environmental review process.

A. Earth

This site contains non-sensitive slopes, 30% at the maximum along the southwest corner of the property which descends into the existing wetland area. The church proposes to grade approximately 9,000 cubic yards of existing fill on this site. As such, there is the potential for erosion and sedimentation impacts due to the grading activities necessary to redistribute the fill. The Clearing and Grading Code BCC 23.76 contains adequate standards and requirements to mitigate expected impacts to earth resources due to erosion and sedimentation during construction.

B. Water

The site contains an existing wetland at the southwest corner. This wetland area is located along the westerly edge of the site and is approximately one acre in size. In its review of this site, Sheldon and Associates found, in their site reconnaissance found both hydrophytic vegetation and hydric soils in this area. A wetland delineation was conducted in 1998 by Sheldon and Associates who classified this site as a Type B wetland.

The Type B wetland rating is now outdated as the Land Use Code 20.25H has been modified in favor of a new Critical Areas Ordinance since August 1, 2006. The church sought staff advice

on how to proceed with the application currently submitted through a Development Services Request, DC-06-122103. It was determined through this predevelopment review that although the existing report completed by Sheldon and Associates was out of date, it contains very detailed information regarding the functions and values of the existing wetland. A wetland buffer of 110 feet was required which is similar to the wetland buffers required in 20.25H.095.C.1. The submitted application reflects the 110 foot requirement.

In future, it should be mentioned that any new building or clearing and grading activities necessary for a playfield or in conjunction with any other development will require an updated wetlands delineation and report. See Section X for related condition of approval.

V. Summary of Technical Reviews

The Departments of Transportation, Utilities, and Fire do not have technical comments regarding the applicant's request to grade and landscape this site. The Clearing and Grading Division of PCD will make technical comments under their associated permit GD-07-104482 which will be issued upon issuance of this permit.

VI. Public Comments and Response

As of the date of this report, staff received one email from the Glendale Estate Condominiums Board and one letter from the Calidad House Condominiums. The Glendale Estate Condominiums Board had questions about noise, drainage and lighting.

The following is an overview of staff's response to the questions asked by the representative of Glendale Estates:

Noise: The City's noise ordinance, BCC 9.18, limits construction noise to 7 a.m. to 6 p.m., Monday through Friday and Saturday 9 a.m. to 6 p.m..

Lighting: The board wanted to know if the field would be lighted. It will not be as lighting is not being proposed with this application. Lighting of playfields requires a conditional use permit which this application is not.

Drainage: The assigned clear and grade reviewer contacted the Board and addressed the civil engineering concerns regarding drainage.

In regards to the concerns raised by the Calidad House Condominiums, the church's representative contacted and met with its president. The president had questions about where the clearing limits would be on this site and that the existing wetland should not be disturbed with this application. Staff confirms that clearing and grading will not be permitted within the existing wetland or its buffer.

The church also received a phone call from an adjacent neighborhood who specified a different tree type than originally planned in the Type III landscape buffer. The church has agreed to substitute the Vine Maple in favor of the Leland Cyprus. This is reflected on the submitted landscaping plan.

VII. Changes to Proposal as a result of Staff Review

- Copies of the topography map were requested to show wetland delineation from the Sheldon and Associates Wetland Report.

VIII. Applicable Decision Criteria

The Director may approve or approve with modifications an application for an Administrative Amendment to a Conditional Use if:

A. The amendment maintains the design intent or purpose of the original approval.

The church's request to grade the existing fill to create an attractive site for adjacent residential development conforms to the original approval for this site. The church proposes to use the field for church activities for their youth or church picnics, etc. No formal playfield or lighting will be constructed with application. This request maintains the original land use approval for a church and does not propose to modify that approval.

B. The amendment maintains the quality of design or product established by the original approval.

No building construction will occur on this field with this application as this approval is limited to clearing and grading activities.

C. The amendment does not cause a significant adverse environmental or land use impact on or beyond the site.

The request to remove the fill and make it compatible with adjacent residential uses will provide an aesthetic improvement to the area. Given this request, this parcel will not have an adverse environmental or land use impact on or beyond the site.

In addition to the above, the applicant proposes to install a 10 foot landscape buffer along the north and south property boundaries outside of the wetland buffer. The church's representative met with neighbors in the area and has, upon request, modified their original plan from vine maples to Leland Cypress to increase screening between the field and adjacent residences.

D. The amendment is not precluded by the terms of the Bellevue City Code or by state law from being decided administratively.

Section 20.30B.175 of the LUC allows modifications to an existing Conditional Use permit to be reviewed and approved as an Administrative Amendment if the changes are generally consistent with the design, purpose, and quality of the original approval. This proposal meets the requirements for an administrative amendment.

IX. Decision of the Director

After conducting the various administrative reviews associated with this proposal, including applicable land use consistency, City code and standard compliance reviews, the Director of Planning and Community Development does hereby **APPROVE WITH CONDITIONS** the subject proposal.

X. Conditions of Approval

1. **Future Boundary Line Adjustment:** The applicant shall remove existing lot lines adjacent to the church facility and relocate them to an alternate location with future upgrades to their church facility with a Boundary Line Adjustment to comply with existing dimensional standards.

Authority: LUC 20.20.010, Dimensional Chart.
Reviewer: Antoinette Pratt, (425) 452-5374

2. **Limitation of Activities:** Use of the play field is limited to church activities. Rental of such field to outside user groups shall not be permitted.

Authority: LUC 20.30B.170.A
Reviewer: Antoinette Pratt, (425) 452-5374

3. **Future Wetland Report:** If any future construction activities occur on the play field, the church shall be required to update the previous wetland study completed in 2000 by Sheldon and Associates, Inc. to meet the requirements Critical Areas Ordinance.

Authority: LUC 20.25H.095
Reviewer: Antoinette Pratt, (425) 452-5374

Attachments

Plans

