



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

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Proposal Name: Eastside Academy

Proposal Address: 1717 Bellevue Way NE

Proposal Description: To operate Eastside Academy, a private non-profit alternative high school, for a maximum of 40 at-risk students. The school location is the First Presbyterian Church of Bellevue. It will operate Monday through Friday, 8:30am-3pm, with limited after-school activities.

File Number: 07-107539-LI

Applicant: Greg Stone, Eastside Academy

Decisions Included: Administrative Amendment to Conditional Use, Process II

Planner: *CSaari*  
Carol Saari, Associate Planner, (425) 452-2731

State Environmental Policy Act  
Threshold Determination: Exempt

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

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

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Decision Publication Date: 7/12/07  
Appeal Deadline: 7/26/07

For information on how to appeal a proposal, visit Development Services at City Hall or call (425) 452-6880. Appeal of the Decision must be made by 5 pm on the date noted for appeal of the decision.

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## I. Request and Project Description

The applicant requests approval to operate Eastside Academy, a private Christian non-profit alternative high school, for a maximum of 40 at-risk students. Eastside Academy will operate Monday through Friday, 8:30am-3pm, with limited after-school activities. The school location is the campus of the First Presbyterian Church of Bellevue located on 9.95 acres along Bellevue Way.

The subject application, an Administrative Amendment to an issued Conditional Use, amends the prior Conditional Use Permit for the First Presbyterian Church approved in 1993. This Amendment will add the Eastside Academy school use to the uses permitted by the existing Conditional Use Permit (church sanctuary and worship, fellowship hall, church office, nursery room, and Sunday school classrooms).

The school will use the existing Church facility building adjacent to 102<sup>nd</sup> Ave. NE, then transfer to the new education building adjacent to 102<sup>nd</sup> Ave. NE once approved and constructed (building currently under review by the City of Bellevue).

Eastside Academy will serve up to a maximum of 40 high school students. Eastside Academy will not include any elementary or middle/junior high school student programming. See condition VIII.1. The applicant states that After-school activities will generally be limited to 15 basketball games per year, each drawing no more than 40 people (in addition to the players and staff) and normally occurring between the hours of 5 pm to 8 pm. Parking for all After-school activities can be accommodated on site and will not overflow onto adjacent neighborhood streets. Special graduation events shall be allowed, provided that they do not generate parking overflow onto adjacent streets. After-school activities shall be complete by 10 pm so traffic will not disrupt the local neighborhood. See condition VIII.2.

The purpose of this application is to legitimize the school use of Eastside Academy, which has been operating on the Church property since 2001. Prior to the Eastside Academy, several other schools (private elementary, junior and high schools with up to 35 students) have operated at the Church since 1962.

There is currently a preschool/daycare (approximately 110 students) operated by the Church on the Church campus that will continue to operate. This use has operated since 2000 and is an allowed use per LUC Section 20.20.160.E.

See Attachment A for plans of the existing church site and facilities.

## II. Site Context and Description

The site is the existing First Presbyterian Church located at 1717 Bellevue Way NE. The Church is located on 9.95 acres between Bellevue Way and 102<sup>nd</sup> Ave. NE, and NE 17<sup>th</sup> Street and NE 18<sup>th</sup> Street. See Attachment B for vicinity map. The existing Church facilities include the main sanctuary, education building (current location of Eastside Academy), and the chapel.

The Church property is surrounded by residential properties on all sides. Single family neighborhoods surround the church with some multi-family residences to the northeast and southeast.

The site slopes from west (high) to east (low) with an overall slope of about 4% and a drop in elevation of 52 feet. There is a Type B wetland (from the 1993 Conditional Use permit staff report, vested under the prior Sensitive Areas Code) located in the southeast corner of the site.

The subject application, to legitimize the Eastside Academy school use operating within the existing Church facilities, does not propose any changes to the site.

### **III. Consistency with Land Use Code/Zoning Requirements**

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

This site is located within the R-3.5 and R-4 zoning districts. See Attachment C for zoning map. As such, the Land Use Code (LUC) 20.10.440, Services (chart) permits primary and secondary educational facilities subject to Conditional Use approval. Because the Church previously received Conditional Use Permit approval (CUDN-91-7537), the Eastside Academy application seeks to amend that existing Conditional Use Permit approval through an Administrative Amendment to Conditional Use per LUC Section 20.30B.175 D.

#### **B. Schools**

LUC Section 20.20.740 provides development standards for schools in regards to dimensional requirements (building setbacks, building height, lot coverage), landscaping, and site and building design guidelines. Because the Eastside Academy will operate in the existing Church building facilities (until the new Education Building is constructed), the dimensional requirements do not apply. The new Education Building, under separate application (07-112453-LM, 07-112454-LJ), will demonstrate how it meets the school development standards of LUC Section 20.20.740. The new Education Building, once approved and constructed, will house the Eastside Academy as well as various Church programs.

#### **C. Parking for the Eastside Academy**

LUC Section 20.20.590 does not define the number of parking stalls required for an educational facility. As such, this school use is classified as an unspecified use per Land Use Code Section 20.20.590.F.2. To comply with the standards for unspecified uses, the applicant provided a parking study for the Eastside Academy. This study documented that parking demand for the Eastside Academy (teachers, staff and students) will be accommodated on site. The study showed that 16 stalls will be required for the school (11 stalls for teachers/administrative staff and 5 stalls for students). The majority of the students take the bus or are dropped off at school. There are 590 stalls on the Church property. The parking analysis for Eastside Academy shows no parking overflow onto adjacent neighborhood streets. The City concurs with this analysis for Eastside Academy parking needs. A condition of approval of this permit is that Eastside Academy shall not generate any overflow parking onto adjacent neighborhood streets. See condition VIII.3.

#### IV. Public Comment

The City and applicant held an optional public meeting for this application to discuss neighbor concerns. The meeting took place at the Church on May 8, 2007. Approximately 100 people attended this meeting (neighbors and Church members). In addition, the City received numerous phone calls and emails/letters regarding this application.

The following is a list of neighbor concerns and staff response.

- A. **Rats during construction:** Neighbors expressed concerns about rats relocating to their property during construction of the new education building.

Response: While the new education building is not a part of this school use application, the Church has agreed that a Certified Rat Abatement Specialist will be hired during the excavation/construction of the new education building (under separate permit review). See condition VIII.4.

- B. **Students smoking in the woods:** Neighbors expressed concerns about students smoking in the woods.

Response: Eastside Academy has a policy that strictly prohibits student smoking within ½ mile of the Church. Students discovered or reported to be smoking within a ½ mile of the Church are suspended, and if they continue to violate the Academy's policy they are expelled. Eastside Academy will continue to strictly enforce this policy and encourages all neighbors to contact the school if they see any Eastside Academy students smoking on or within a ½ mile of the Church. See condition VIII.5.

- C. **Number of students and grade level:** Neighbors were concerned that the scope of the school would expand to increase the number of students and all grade levels (elementary, middle and high school).

Response: This approval is limited to **HIGH SCHOOL** students only (between the grades 9-12) and the maximum number of students approved with this application is 40. If the number of students is increased, a new Land Use approval will be required, including an analysis of parking demand and supply. Eastside Academy will not provide any elementary or middle/junior high school student programming. See condition VIII.1.

- D. **After-school activities:** Neighbors expressed concern about After-school activities and how traffic would impact adjacent neighborhood streets.

Response: Eastside Academy indicates that After-school activities will generally be limited to 15 basketball games per year, each drawing no more than 40 people (in addition to the players and team staff) and normally occurring between the hours of 5 pm to 8 pm. Parking for all After-school activities can be accommodated on site and will not overflow onto adjacent neighborhood streets. Special graduation events shall be allowed provided that they do not cause parking overflow onto adjacent streets. After-school activities shall be complete by 10 pm so traffic will not disrupt the local neighborhood. If any of these conditions increase, a new Land Use approval will be required, including an analysis of parking demand and supply and traffic patterns in the neighborhood. See condition VIII.2.

- E. **Traffic:** There is a concern that traffic will increase on neighborhood streets as a result of the school. There was also a concern about the need for new frontage improvements.

Response: According to the Transportation Department, the applicant estimates that Eastside Academy will generate approximately 45 vehicle trips per day, of which approximately 10 will be in the PM peak hour (the highest hour between 4 and 6 PM on weekdays). Traffic volumes in that range do not necessitate a traffic impact analysis, concurrency test or further frontage improvements. The existing streets have capacity for these trips. See Section V below for an analysis by the City's Transportation Department.

- F. **Incorrect Location for School:** One neighbor expressed concern that this was the wrong location for the school.

Response: The Land Use Code allows schools to locate within single family neighborhoods, with prior Land Use approval. Furthermore, it is appropriate for private schools to be associated with and located within a church if one of the missions of the church is to operate a school. Providing Christian educational opportunities for at-risk youth is part of the Church's religious mission. Therefore, this is an appropriate location for the school.

## V. City Department Analysis

### Transportation Department

Based on information from the applicant, the Eastside Academy has relatively low trip generation per student compared to other high schools, because a relatively low percentage of students drive. For a maximum of 40 students plus staff, the applicant estimates that the Academy will generate approximately 45 vehicle trips per day, of which approximately 10 will be in the PM peak hour (the highest hour between 4 and 6 PM on weekdays). PM peak hour trips will be mostly due to staff departing at the end of the school day. Traffic volumes in that range do not necessitate a traffic impact analysis under BCC 14.60.050 or a concurrency test under BCC 14.10. Further, street frontage improvements are not required as part of this application. Frontage improvements already exist on Bellevue Way and NE 17<sup>th</sup> Street, which are the streets that would be accessed by nearly all staff and student trips.

The Conditional Use Permit approved in 1993 included no requirements to limit or manage weekday or weeknight traffic, except for Condition of Approval 10.I, which states, "Rental use of the sanctuary requiring 90 or parking stalls shall not commence earlier than 7:00 PM on week nights." The Eastside Academy is not likely to have events requiring 90 or more parking stalls, but if they do, then Condition of Approval 10.I would apply only if such uses would be considered rentals.

## VI. State Environmental Policy Act (SEPA)

The addition of the "school" use is exempt from environmental review because it will not generate a net increase of 30 or more PM peak hour trips.

## VII. Applicable Decision Criteria

**Administrative Amendment to Conditional Use:** The Director may approve or approve with conditions an application for Administrative Amendment to Conditional Use if the application complies with the decision criteria of Land Use Code Section 20.30B.175.D. After conducting the various administrative reviews of this application, the Director makes the following conclusions with regard to the Administrative Amendment to Conditional Use decision criteria.

### 20.30B.175.D. Administrative Amendment to Conditional Use

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

The original approval for the Church is the 1993 Conditional Use permit approval (CUDN-91-7537). The school use is consistent with the Church's mission and existing operations and programming. Providing Christian educational opportunities for at-risk youth is part of the Church's religious mission.

Eastside Academy is a Christian non-profit alternative high school that serves at-risk kids who have been unable to succeed in the traditional public school system. Eastside Academy offers high school education, Christian programming, drug and alcohol counseling, and a supportive environment, working to invest in all aspects of each student's life.

The school use will have no effect on the design intent of the existing Conditional Use Permit since it will be located in the existing education building on the Church property. The school will be relocated to the new education building once approved and deemed consistent with the design intent of the original Conditional Use permit. Review of the new education building is through a separate LM/LJ process (currently under review).

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

The school use is consistent with and will not affect the design or product established by the 1993 Conditional Use Permit. The school use is located in the existing approved education building on the Church property. The school will relocate to the new church education building upon approval and construction (currently under permit review).

There is an existing sign for the school. Any change or new exterior signs for the school shall be submitted for review and approval under a sign permit. Signs shall be architecturally compatible with the building. See condition VIII.6.

#### c. The amendment is not materially detrimental to uses or property in the immediate vicinity of the subject property.

Eastside Academy has operated on the Church property since 2001. During this time, it has served between 25 and 35 student in grades 9 through 12 each school year. As conditioned, the school will not be materially detrimental to the uses or property in the immediate vicinity. In order to address neighbor concerns, conditions will be placed on this approval for the following:

- limiting the maximum number of students
- limiting after-school activities
- prohibiting overflow parking
- requiring drop-off and pick-up to be located onsite

- requiring Eastside Academy to maintain and continue to strictly enforce its policy prohibiting smoking within ½ mile of the Church
- requiring a rat abatement for the new education building

See conditions within Section VIII below.

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

The proposal is not precluded by the terms the Bellevue City Code or state law that precludes the City from approving this proposal administratively.

**VIII. Decision of the Director**

After conducting the various administrative reviews associated with this proposal, including applicable Land Use consistency, and City Code and Standard compliance reviews, the Director of Planning and Community Development does hereby **APPROVE WITH CONDITIONS**. The City may revoke this approval pursuant to the provisions set forth in LUC 20.30B.170(B).

- 1. Maximum Number of Students and Grade Levels:** This approval is limited to **HIGH SCHOOL** students only (between grades 9-12) and the maximum number approved with this application is 40 students. Eastside Academy shall not provide any elementary or middle/junior high school student programming. If the number of students is increased or additional grades are added, a new Land Use approval will be required, including an analysis of parking demand and supply.

Authority: LUC 20.30B.175.D.2.c, Comprehensive Plan Policies TR-38, S-NB-17  
Reviewer: Carol Saari, (425) 452-2731

- 2. After-school Activities:** After-school activities shall be limited to no more than 15 events per year, each with a draw of a maximum 40 people (in addition to students and team staff). Such after-school activities shall not cause overflow parking onto adjacent neighborhood streets. Special graduation events shall be allowed, provided that they do not cause parking overflow onto adjacent streets. After-school activities shall be complete by 10 pm so traffic will not disrupt the local neighborhood. If any of these conditions increase, a new Land Use approval will be required, including an analysis of parking demand and supply and traffic patterns in the neighborhood.

Authority: LUC 20.30B.175.D. 2.c, Comprehensive Plan Policies TR-38, S-NB-17  
Reviewer: Carol Saari, (425) 452-2731

- 3. No Overflow Parking onto adjacent Streets and Drop-off /Pick-up:** There shall be no overflow parking from the Eastside Academy activities onto adjacent neighborhood streets. Drop-off and pick-up of students shall occur within the church property and not on adjacent streets. Eastside Academy shall provide written notice to parents and students for required onsite drop-off and pick-up. If neighbors see drop-off or pick-up on adjacent streets, they should immediately contact Toni Esparza of Eastside Academy at 425-452-9920.

Authority: LUC 20.20.590, Comprehensive Plan Policy TR-38  
Reviewer: Carol Saari, (425) 452-2731

4. **Rats:** A Certified Rat Abatement Specialist will be hired during the excavation/construction of the new education building (under separate permit review).

Authority: LUC 20.30B.175.D. 2.c, Comprehensive Plan Policy HS-2  
Reviewer: Carol Saari, (425) 452-2731

5. **Eastside Academy Smoking Policy:** Eastside Academy shall maintain and continue to strictly enforce its policy prohibiting smoking within ½ mile of the Church. If area neighbors believe they see Eastside Academy students smoking within ½ mile of the Church, they should immediately contact Toni Esparza of Eastside Academy at 425-452-9920.

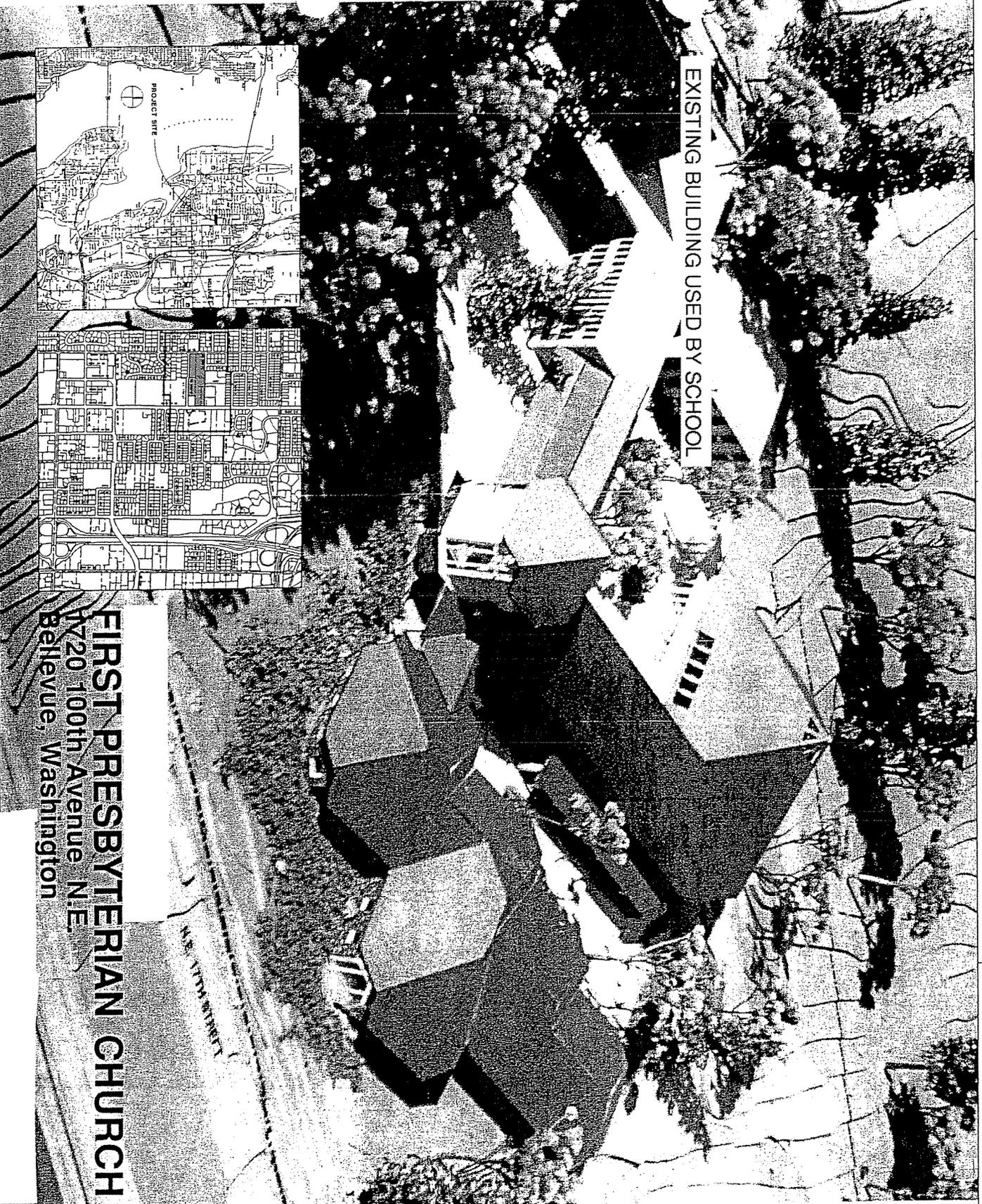
Authority: LUC 20.30B.175.D. 2.b, Comprehensive Plan Policy HS-2  
Reviewer: Carol Saari, (425) 452-2731

6. **Signs:** If any change is made to the existing sign, a separate sign package shall be submitted for review and approval. Any proposed sign shall be architecturally compatible with the building.

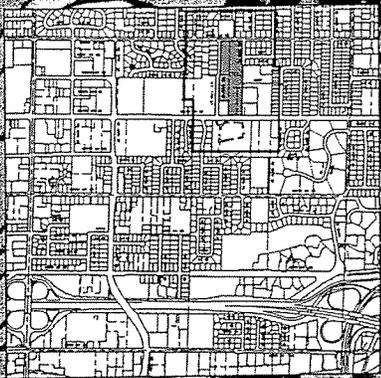
Authority: BCC 22B.10.090  
Reviewer: Carol Saari, (425) 452-2731

#### **Attachments**

- A. Plans
- B. Vicinity Map
- C. Zoning Map



EXISTING BUILDING USED BY SCHOOL



**FIRST PRESBYTERIAN CHURCH**  
 1720 100th Avenue N.E.  
 Bellevue, Washington

Waters Associates

- 1.1. PROJECT NO.
- 1.2. PROJECT NAME
- 1.3. PROJECT ADDRESS
- 1.4. PROJECT CITY
- 1.5. PROJECT STATE
- 1.6. PROJECT ZIP



REVISIONS

NO.	DATE	DESCRIPTION
1	10/15/01	ISSUED FOR PERMITS
2	11/15/01	REVISED PERMITS
3	12/15/01	REVISED PERMITS
4	01/15/02	REVISED PERMITS
5	02/15/02	REVISED PERMITS
6	03/15/02	REVISED PERMITS
7	04/15/02	REVISED PERMITS
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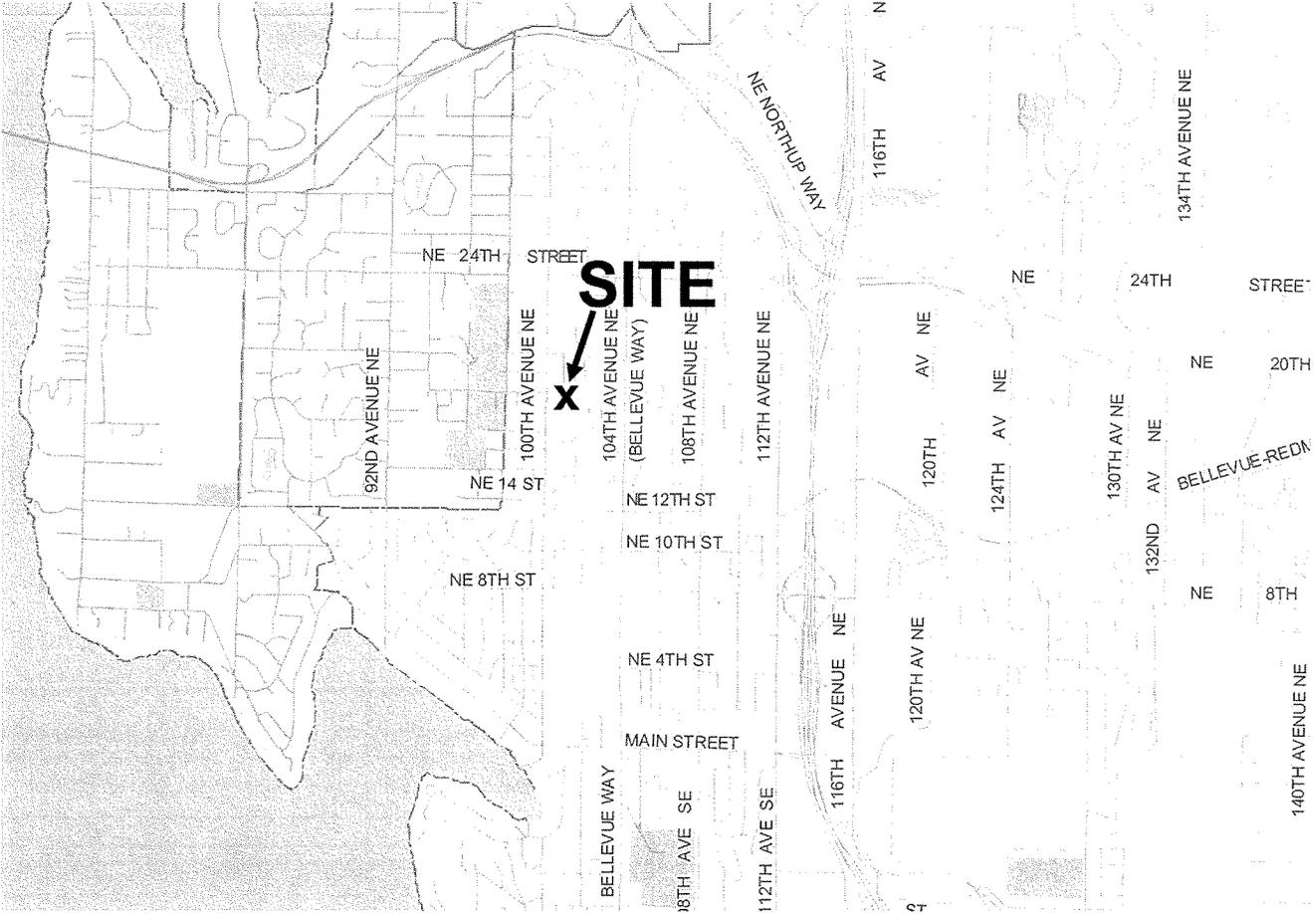
DATE: 13 August 1993  
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 CHECKED BY: [Name]  
 PROJECT NO.: 8110

COVER SHEET

1 OF 2



# Vicinity Map



# Zoning Map

