



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
ENVIRONMENTAL COORDINATOR
11511 MAIN ST., P.O. BOX 90012
BELLEVUE, WA 98009-9012

OPTIONAL DETERMINATION OF NON-SIGNIFICANCE (DNS) NOTICE MATERIALS

The attached materials are being sent to you pursuant to the requirements for the Optional DNS Process (WAC 197-11-355). A DNS on the attached proposal is likely. This may be the only opportunity to comment on environmental impacts of the proposal. Mitigation measures from standard codes will apply. Project review may require mitigation regardless of whether an EIS is prepared. A copy of the subsequent threshold determination for this proposal may be obtained upon request.

File No. 07-132105-LD

Project Name/Address: Bellevue Tower

Planner: Kenneth A. Thiem
Phone Number: 425-452-2728

Minimum Comment Period: October 18, 2007, 5:00 pm

Materials included in this Notice:

- Blue Bulletin
- Checklist
- Vicinity Map
- Plans
- Other:

WAC 197-11-960 Environmental checklist.

ENVIRONMENTAL CHECKLIST

Purpose of checklist:

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS.

Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

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 agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. BACKGROUND

1. Name of proposed project, if applicable: **Bellevue Tower**

2. Name of applicant: **Legacy Partners Residential, Inc.**

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

Darcy R. Garneau

7525 S.E. 24th ST., Suite 180

Mercer Island, WA 98040

4. Date checklist prepared: **9/28/2007**

5. Agency requesting checklist: **City of Bellevue Washington, planning and zoning**

6. Proposed timing or schedule (including phasing, if applicable): **design development-construction documents 8/14/07—2/4/08
construction 3/3/08—3/1/10**

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. **No**

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.
Environmental Site Assessment of 200 106th Ave NE, Bellevue WA 28004
Prepared by ATC Associates Inc. 6347 Seaview Ave. NW, Bellevue WA 98107 May 9,2007

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. **Yes- city of Bellevue- design review application**

10. List any government approvals or permits that will be needed for your proposal, if known. **City of Bellevue Washington Building Permits**

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.)
Bellevue Tower is a 20 story multi-use building with Ground floor retail /garage parking and multi-family residential above.

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.

Address: 200 106th Ave. NE
Bellevue, WA 28004

Legal description: Stewart Title order no 207151286

South Half of the west half of that portion of lot 2, block 3, Cheriton fruit gardens plat no, 1, according to the plat thereof recorded in vol.7 of plats page 47, King County WA. Lying south of the south line of northeast 4th street as est. by deed to the city of Bellevue rec. #4806117, and north of the north line of northeast 2nd St. as est. in deed to King County rec # 3606403, except the west 30 feet thereof conveyed to king county for 106th Ave northeast by deed recorded under rec # 3606403 described

As follows :

Commencing at the southeast corner of the west half of the said lot 2; thence northerly along the east line of the west half of said lot 2 a distance of 30 feet to the true point of beginning; thence continuing northerly along the east line of the west half of said lot 2 a distance of 300 feet, more or less, to the north line of the south half of the west half of said lot 2; thence north 88.39'34" west 164.36 feet; thence south 0.03'29" east 300 feet, more or less to the north line of northeast 2nd street; thence south 88.39'34" east Along said northerly line 164.31 feet to the true point of beginning and also except the north 100 feet thereof.

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B. ENVIRONMENTAL ELEMENTS

1. Earth

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

What is the steepest slope on the site (approximate percent slope)?
2 to 3 percent.

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 prime farmland. **Alderwood gravely-sandy loam**

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. **No, the geotechnical report and investigation shows stable soils, but recommends 2-feet of overexcavation and backfill with structural / granular soil for the building. The soils must be protected from moisture, or allowed to dry during construction.**

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill. **Fill will be brought to the site for:**

**Building Foundation – 300 cy
Crushed Road Base – 550 cy
Top Soil – Landscaping - 175 cy**

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. **NO It is unlikely that erosion will occur. Clearing the site and the construction require an approved erosion control plan that the contractor(s) must use. The site will be fully protected with impervious surfacing and landscaping when it goes into a use condition.**

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? **99%**

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

Prepare and require contractor compliance with an erosion control plan during construction. The plan will include effective, protective measures and “Best Management Practices” to be installed and maintained during construction. This requirement will continue throughout the construction period until the project is complete and erosion no longer a threat.

Air

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

**normal emission for construction equipment
dust from earth moving**

Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. **NO**
Proposed measures to reduce or control emissions or other impacts to air, if any:

-0

3. Water

a. Surface:

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

No- ponds, lagoons or waste pits

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. **NO**

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. **None – not applicable in this case.**

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. **No – no withdrawals.**

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. **No- located in FEMA flood zone X**

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.

None – the only waste discharge from this project will be to the sanitary sewer system.

b. Ground:

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

No, unless required temporarily for dewatering during construction.

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.

Domestic sewage for leasable approx. 250 leasable residential units

And commercial retail serving approximately 10,650 SF.

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. **Sheet flow across paved surfaces, down roof drains, into storm drains on adjacent streets. Storm water run off would likely flow southwest toward Meydenbauer Bay Washington**

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

No- discharge to municipal storm water system and municipal sanitary sewer system

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

The surface water runoff will be routed to the existing storm drain collection system which flows to an existing public system. Ground water is approx. 8 ft below the surface and will not impact the surface condition. It is unlikely there will be surface runoff impacts if the existing storm drain system is properly maintained.

4. **Plants**

Check or circle types of vegetation found on the site:

_____ deciduous tree: alder, maple, aspen, other

_____ evergreen tree: fir, cedar, pine, other

_____ shrubs

_____ grass

_____ pasture

_____ crop or grain

_____ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other

_____ water plants: water lily, eelgrass, milfoil,

_____ other other types of vegetation

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

Site is currently retail downtown Bellevue – no indigenous vegetation

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

-0-

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

The project will include landscaping. A landscape plan will be submitted to the City for approval and the contractor must comply with the plan, The work is further subject to inspection for compliance.

5. **Animals**

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

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other: fish:

bass, salmon, trout, herring, shellfish, other:

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

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

not known

Proposed measures to preserve or enhance wildlife, if any:

6. **Energy and natural resources**

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.

electric-heating

Puget Sound Energy (PSE)

natural gas- PSE

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

20 story tower will cast shadows on adjacent north-easterly, north-westerly properties

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:

focus on operable windows instead of mechanical HVAC in residential units

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.

None known

1) Describe special emergency services that might be required.

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

Existing downtown business district traffic noise

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.

Long term – increase traffic

Construction-equipment not known at present

7. **Environmental health**

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

b. **Noise**

3) Proposed measures to reduce or control noise impacts, if any: **not known at present**

8. **Land and shoreline use**

What is the current use of the site and adjacent properties?

current use of site is restaurant and one story parking structure associated with property adjacent

Northern commercial office building

Beck Building-220 106th Ave. NE- commercial

East- parking lot asphalt

South-NE 2nd St- Bellevue Pacific Tower

condominium/ commercial

Southwest-Bellevue Plaza 117 106th Ave NE

retail and commercial

West-106th Ave. NE

restaurant and drycleaners

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

prior to 1950

Describe any structures on the site.

current use Sea Garden restaurant- wood frame slab on grade

one story parking structure associated with the restaurant- masonry block

Will any structures be demolished? If so, what?

above referenced structures to be demolished

What is the current zoning classification of the site?

DNTN-MU—downtown mixed use , commercial

What is the current comprehensive plan designation of the site?

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

NA

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

none known

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

Based on maximum occupancy loads:

leasable area/ floor 200 SF/occupant 2006IBC total maximum of 866 occupants for the building

retail 100 SF/occupant 10,648 SF/100= 106 max

Approximately how many people would the completed project displace?

no residents

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

NA

9. **Housing**

1. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:
Compliance with city of Bellevue Washington landuse and planning zoning regulations

10. **Aesthetics**

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

221.00 feet

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

site is currently occupied by one story restaurant- the twenty story tower may obstruct views from upper stories in buildings to the east , limiting view of the bay .

views from residential tower to the South toward the bay will not be likely impacted by the proposed project.

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

planting of vegetation along 106th Ave and NE 2nd ST

building material complimentary to existing downtown building materials

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.
Approximately 250 middle to high income

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. -0-

- c. Proposed measures to reduce or control housing impacts, if any: **none known at present**

11. **Light and glare**

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? **Non-reflective glass, beige tone cast stone and stucco producing minimal glare, residential night time lighting in tower structure, commercial use/retail night-time lighting at street level**

- b. Could light or glare from the finished project be a safety hazard or interfere with views? **None known**

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

none known

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

none at present

12. Recreation

What designated and informal recreational opportunities are in the immediate vicinity? **Downtown park located 3 blocks west, art museum and town square within 2 blocks.**

The proposed project will be located in a already vibrant office and cultural center of the city of Bellevue.

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

none known

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

13. Historic and cultural preservation

Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe. **None known**

Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site. **None identified**

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

14. Transportation

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

Site bounded by 106th Ave NE and NE 2nd Street. Major interstate serving area is I405.

See plans A.0.0.1

Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop? **Transit service is provided in the immediate project vicinity. The nearest transit stops are:**

On 105th Ave NE north of NE 2nd Street (0.08 miles from site). Serves Metro route 249.

On 108th Ave NE north and south of NE 2nd Street (0.15 miles from site). Serves Metro routes 233 and 240.

On Main Street west of 106th Ave NE (0.16 miles from site). Serves Metro routes 233 and 921.

The Bellevue Transit Center is located 0.46 miles from the site, and serves 15 Metro routes, and 8 Sound Transit routes.

How many parking spaces would the completed project have? How many would the project eliminate? **Approximately 54 surface parking, approximately 248 in garage structure**

Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private). **none in proposed project, public road widening of 106th Ave and NE 2nd St.**

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

No.

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

Approximately 1,130 net new vehicular trips per day are estimated to be generated by the project. Peak volumes are expected to occur between 7-9 AM and between 4-6 PM.

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

The developer will be required to pay transportation impact fees to the City of Bellevue which will help to fund roadway improvements on the City's adopted Transportation Facilities Plan.

15. Public services

16. Utilities

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

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.

Puget Sound Energy for gas and electric
City of Bellevue will serve potable, sanitary and storm water needs
refuse service-unknown at present
telephone-unknown at present
media connections- unknown at present

SIGNATURE

a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.
due to the expected increased population residing and working within the proposed project public services such a fire protection, police protection, health care and schools would be necessary. Serving approximately 850 people maximum residential and 100 people retail/commercial.

Proposed measures to reduce or control direct impacts on public services, if any.
None- city is encouraging city- core development

C. 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.

[Handwritten signature] 10-2-07
DARLY GARNEAU, VP
FOR: LEGACY PARTNERS RESIDENTIAL, INC.

Signature: .

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(do not use this sheet for project actions)

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

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

terms. .

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise? **An increase in population residing at the proposed project will necessitate increase use of city services of water,**

Proposed measures to avoid or reduce such increases are: **none-**

2. How would the proposal be likely to affect plants, animals, fish, or marine life? **none**

How would the proposal be likely to deplete energy or natural resources? **-0-**

Proposed measures to protect or conserve energy and natural resources are: **providing multi-family housing closer to work environment lessens demands on living and transportation energy needs**

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

none known

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

NA

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

none

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

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

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

Proposed measures to reduce or respond to such demand(s) are:
none

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

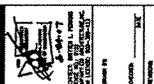
none known



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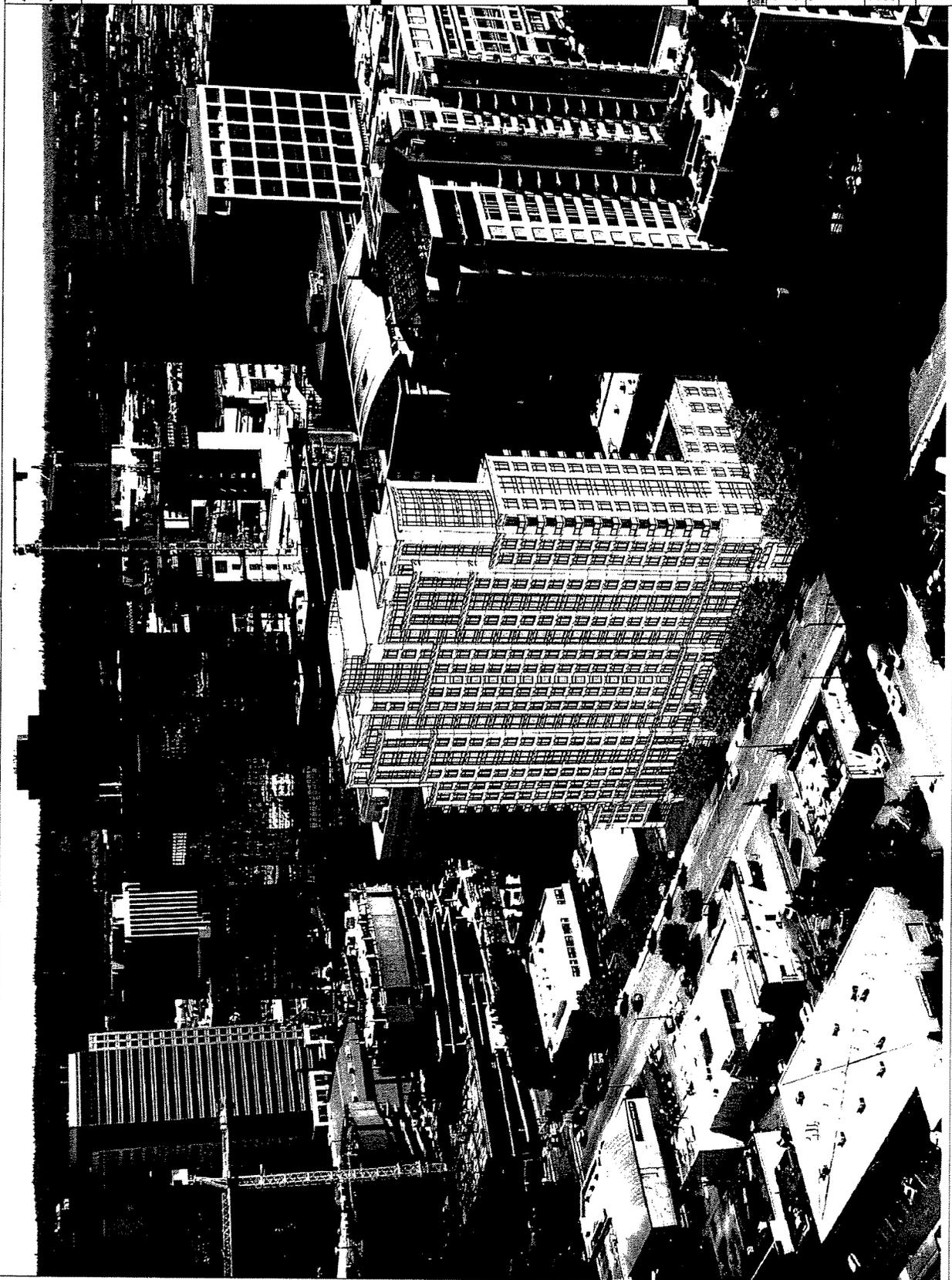
AERIAL VIEW

BELLEVE
 LEGACY PARTNERS RESIDENTIAL, INC.
 BELLEVE, WASHINGTON



DATE: 08/17/11
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT NO.: [Number]
 SHEET NO.: [Number]

9/20/11
 PERSPECTIVES



AERIAL VIEW

1