

Attachment B



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

DETERMINATION OF NON-SIGNIFICANCE

PROPONENT: City of Bellevue

LOCATION OF PROPOSAL: Factoria Subarea

DESCRIPTION OF PROPOSAL: Implement policy direction in Policy S-FA-30.1 of the Factoria Subarea Plan by amending the dimensional standard in LUC 20.20.010 for the F2 district, increasing the allowed FAR from 0.6 to 0.75 and the standard for the Office district adjacent to F2 from a sliding scale with a maximum FAR of 0.5 to a maximum of 0.75. Design Review (LUC 20.30F) would apply to affected development proposals wishing to take advantage of this provision.

FILE NUMBER: 05-123677 AD

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 Land Use Division. This information is available to the public on request.

- This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.
- 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This DNS may be withdrawn at any time if the proposal is modified so that it is likely to have significant adverse environmental impacts; if there is significant new information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.

This DNS is only appealable as part of the City's action on the amendment to the Land Use Code. In order to comply with requirements of SEPA and the State of Washington Growth Management Act for coordination of hearings, any appeal of the SEPA threshold determination herein will be considered by the Growth Management Hearings Board along with an appeal of the City Council's action. See LUC 20.35.250C.

Carie V. Holland
Environmental Coordinator

January 8, 2009
Date

OTHERS TO RECEIVE THIS DOCUMENT:

State Department of Fish and Wildlife
U.S. Army Corps of Engineers
Attorney General
King County
Muckleshoot Indian Tribe



Planning/Development Services Staff Report

DATE: January 8, 2009

TO: Chair Orrico and Members of the Bellevue Planning Commission

FROM: Sally Nichols, Associate Planner, 452-2727
spnichols@bellevuewa.gov
Paul Inghram, Comprehensive Planning Manager, 452-4070
pinghram@bellevuewa.gov

SUBJECT: SRO Factoria Land Use Code Amendments (08-136447-AD),
January 28, 2009, Public Hearing

I. INTRODUCTION

This memorandum presents the report and recommendation of the Development Services Department and Planning and Community Development Department on proposed Land Use Code (LUC) amendments to implement the 2007 SRO Factoria Comprehensive Plan amendment, adopted in February 2008. A copy of the proposed LUC language is included in Section III of this report and in Attachment A.

A public hearing is scheduled for January 28, 2009, with the Planning Commission. Following the public hearing and consideration of public comments, staff recommends that the Planning Commission make a recommendation to the City Council regarding adoption of the proposed Code amendments.

II. BACKGROUND

In response to a private request and application by SRO (Sterling Realty Organization), a Comprehensive Plan amendment was adopted on February 25, 2008 that supports increasing the allowed FAR for the F2 district from 0.6 to 0.75 and the standard for the Office district adjacent to F2 from a sliding scale with a maximum FAR of 0.5 to a maximum of 0.75.

To implement the adopted Comprehensive Plan amendment, staff crafted a draft Land Use Code amendment modifying the chart at LUC 20.20.010 modifying the Dimensional Requirements for uses in land use districts.

III. PROPOSAL

The proposed Land Use Code amendment would:

Implement policy direction in Policy S-FA-30.1 of the Factoria Subarea Plan by amending the dimensional standard in LUC 20.20.010 for the F2 district increasing the allowed FAR from 0.6 to 0.75 and the standard for the Office district adjacent to F2 from a sliding scale with a

maximum FAR of 0.5 to a maximum of 0.75. Design Review is required in the F2 District in accordance with LUC 20.30F.

It would modify LUC section 20.20.010 - Notes: Uses in land use districts – Dimensional Requirements – Notes (8) and (31):

LUC 20.20.010 – Dimensional Requirements (Note 8)

- (8) Any office building or any office portion of a building in the PO, O, OLB, LI, GC, NB, CB or F1 Districts shall comply with the following limitations on Floor Area Ratio:
 - (a) At 0.5 FAR, no office building or office portion of a building may exceed 50,000 square feet of gross floor area; and
 - (b) For any office building or office portion of a building greater than 50,000 square feet in gross floor area, the following sliding scale shall be observed as interpolated and extrapolated below:
 - (i) At 0.3 FAR, no office building or office portion of a building may exceed 100,000 square feet of gross floor area; and
 - (ii) At 0.1 FAR, no office building or office portion of a building may exceed 150,000 square feet of gross floor area.
 - (c) In an O District, north of Factoria Mall and directly adjacent to an F2 District, any office building or any office portion of a building may have a Floor Area Ratio greater than 0.50, not to exceed a Floor Area Ratio of 0.75 FAR. In this district, the sliding FAR scale does not apply.

This footnote 8 shall not apply to sites in the Critical Areas Overlay District. Density/intensity on sites in the Critical Areas Overlay District is calculated pursuant to LUC 20.25H.045.

LUC 20.20.010 – Dimensional Requirements (Note 31)

- (31) Any office building or any office portion of a building in the F2 District may not exceed a Floor Area Ratio of ~~0.60~~0.75 FAR.

A copy of the proposed LUC language, including the proposed revisions in underline/strikeout format, is included as Attachment A.

IV. STATE ENVIRONMENTAL POLICY ACT

The Environmental Coordinator for the City of Bellevue has determined that this proposal will not result in any probable, significant, adverse environmental impacts. A final threshold determination of non-significance (DNS) was issued January 8, 2009. The DNS is attached as Attachment B.

V. PUBLIC NOTICE AND COMMENT

The Factoria SRO LUCA was introduced at a study session with the Planning Commission on December 10, 2008. During that study session, the Planning Commission gave staff direction to proceed to a public hearing on the proposed amendment. Notice of the Application was published in the Weekly Permit Bulletin on December 18, 2008. Notice of the Public Hearing before the Planning Commission, the staff recommendation, and the SEPA threshold determination was published in the Weekly Permit Bulletin on January 8, 2009.

Pursuant to the requirements of the state Growth Management Act, copies of the draft Land Use Code amendment were provided to the state Community Trade and Economic Development Department (CTED) on December 30, 2008 for review. No comment letters were received by DSD prior to the release of this staff report. Comments received after release of the staff report will be forwarded to the Planning Commission prior to the public hearing.

VI. APPLICABLE DECISION CRITERIA - LAND USE CODE PART 20.30J

The decision criteria for an amendment to the text of the Land Use Code are set forth in the Land Use Code, Section 20.30J.135. The Planning Commission may recommend the City Council approve or approve with modifications an amendment to the text of the Land Use Code if:

A. The amendment is consistent with the Comprehensive Plan; and

The Factoria SRO Land Use Code Amendment is proposed as a result of 2007 Comprehensive Plan Amendment (CPA) actions for **Factoria SRO**. The CPA was adopted by the City Council on February 25, 2008, through Ordinance No. 5799.

The 2007 Factoria SRO amendment created new Factoria Subarea policy to consider allowing office development up to a 0.75 floor area ratio (FAR) in OLB and O designations north of Factoria mall, with a related definition amendment in the Comprehensive Plan Glossary:

Factoria Subarea Plan

Policy S-FA-30.1: Consider allowing office intensity up to 0.75 FAR in the area north of Factoria Mall through application of design review, with particular emphasis on the area's contribution to Factoria's pedestrian environment and the area's "gateway" location to the Factoria commercial center.

Comprehensive Plan Glossary

Office – A land use designation that provides for the location of business, financial, administrative and professional uses.

Discussion: A low intensity office is an office building or office portion of a building with a floor area ratio (FAR) of 0.5 or less and where the following sliding scale is used: at 0.5 FAR, no office building or portion of a building may exceed 50,000

square feet of gross floor area; at 0.3 FAR, 100,000 square feet; at 0.1 FAR, 150,000 square feet.

To provide significant permanent open space and to allow a shift of development potential, office intensity of no more than 0.5 is allowed on properties designated OLB-OS. In this district, the sliding FAR scale does not apply.

A medium intensity office is a building of at least 0.5 FAR but not exceeding 3.0 FAR. A high intensity office is a building of at least 3.0 FAR.

Medium and high intensity offices are only located in the Downtown with the following exceptions: The 1993 Factoria annexation agreement created special circumstances for development in Factoria from 1993-2000 to permit office buildings of higher intensities; and office limit for FAR for the area north of Factoria Mall can be increased up to 0.75 (FAR) consistent with Ordinance No. 5799 and Policy S-FA-30.1.

The LUCA would amend the Uses in Land Use Districts Chart of Dimensional Requirements at LUC 20.20.010 to reflect this CPA direction and would include amendment of Notes 8 and 31 to that chart.

B. The amendment enhances the public health, safety or welfare; and

The Factoria SRO CPA sought to increase the allowed FAR for office on property outside of the Downtown in an area the owner would like to redevelop, north of Factoria Mall. This property is currently a movie theater and its parking lot. The proposed Land Use Code amendment enhances the public health, safety and welfare by implementing adopted Comprehensive Plan policy emphasizing that redevelopment of the area at these office intensities will enhance the area's contribution to the Factoria pedestrian environment and the area's "gateway" location to the Factoria commercial center.

C. The amendment is not contrary to the best interest of the citizens and property owners of the City of Bellevue.

This amendment is not contrary to those best interests, as it proposes an amendment that is consistent with the interests of the city and its residents and citizens through implementation of Comprehensive Plan policy. These interests have been previously established in Factoria-based amendments to the Comprehensive Plan (FATS Update, 2005) and the Land Use Code (2002). The FATS Update re-emphasized the community goal of a renewed—and coherent—mixed-use corridor along Factoria Boulevard emphasizing all of the F district areas. The vision is articulated in Subarea Plan goals, which intend to:

- "...manage change in the commercial district to improve its cohesiveness, compatibility, and accessibility to Subarea residents [Goal 1]," and
- "...create a well-integrated, transit-supportive, pedestrian-oriented, mixed-use neighborhood in Factoria's commercial core [Goal 2]."

VII. STAFF RECOMMENDATION

Staff recommends approval of the Factoria SRO LUCA as drafted in Attachment A and transmittal of the Ordinance to the City Council for final approval.

Attachments:

- A. Proposed LUCA Language
- B. Final DNS published on January 8, 2009

Attachment A

LUC 20.20.010 – Dimensional Requirements (Note 8)

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 - (c) In an O District, north of Factoria Mall and directly adjacent to an F2 District, any office building or any office portion of a building may have a Floor Area Ratio greater than 0.50, not to exceed a Floor Area Ratio of 0.75 FAR. In this district, the sliding FAR scale does not apply.

This footnote 8 shall not apply to sites in the Critical Areas Overlay District. Density/intensity on sites in the Critical Areas Overlay District is calculated pursuant to LUC 20.25H.045.

LUC 20.20.010 – Dimensional Requirements (Note 31)

- (31) Any office building or any office portion of a building in the F2 District may not exceed a Floor Area Ratio of ~~0.6~~ 0.75 FAR.

M. J. [Signature] 1-7-08

City of Bellevue Submittal Requirements 27a

ENVIRONMENTAL CHECKLIST

4/18/02

If you need assistance in completing the checklist or have any questions regarding the environmental review process, please visit or call the Permit Center (425-452-6864) between 8 a.m. and 4 p.m., Monday through Friday (Wednesday, 10 to 4). Our TTY number is 425-452-4636.

BACKGROUND INFORMATION

Property Owner: *See attached sheets*

Proponent:

Contact Person:
(If different from the owner. All questions and correspondence will be directed to the individual listed.)

Address:

Phone:

Proposal Title:

Proposal Location:
(Street address and nearest cross street or intersection) Provide a legal description if available.

Please attach an 8 1/2" x 11" vicinity map that accurately locates the proposal site.

- Give an accurate, brief description of the proposal's scope and nature:
1. General description:
 2. Acreage of site:
 3. Number of dwelling units/buildings to be demolished:
 4. Number of dwelling units/buildings to be constructed:
 5. Square footage of buildings to be demolished:
 6. Square footage of buildings to be constructed:
 7. Quantity of earth movement (in cubic yards):
 8. Proposed land use:
 9. Design features, including building height, number of stories and proposed exterior materials:
 10. Other

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ENVIRONMENTAL CHECKLIST
City of Bellevue

A. BACKGROUND INFORMATION

PROPERTY OWNER'S NAME:

Sterling Realty Organization (SRO)

PROPONENT'S NAME:

~~Sterling Realty Organization~~ CITY OF BELLEVUE

CONTACT PERSON'S NAME:

~~Michael Aippersbaoh~~ SALLY NICHOLS, DEVELOPMENT SERVICES DEPARTMENT

CONTACT PERSON'S ADDRESS:

~~PO Box 95429~~
~~Seattle WA 98145-2429~~
CITY HALL
CITY OF BELLEVUE
450 110TH AVE NE
BELLEVUE, WA 98004

CONTACT PERSON'S PHONE:

~~(206) 523-3704~~
~~E-mail: mapp@comcast.net~~
425-452-2727
SNICHOLS@BELLEVUEWA.GOV

PROPOSAL TITLE:

Comprehensive Plan Amendment (CPA)

PROPOSAL LOCATION:

*SRO Factoria Complex
SW Quadrant of I-90 Frontage Road & Factoria Boulevard*

Please attach an 8-1/2" x 11" vicinity map, which accurately locates the proposal site so that it can easily be identified in the field.

GIVE AN ACCURATE, BRIEF DESCRIPTION OF THE PROPOSAL'S SCOPE AND NATURE:

A. GENERAL DESCRIPTION:

~~LAND USE CODE AMENDMENT~~
~~Amend the Comprehensive Plan to allow for an expansion office use up to a 1.0 FAR in that portion of the Factoria Subarea located in the F2 district.~~

B. ACREAGE OF SITE:

~~8.95 acres (4 properties)~~ 12.33 5

C. NUMBER OF DWELLING UNITS/BUILDINGS TO BE DEMOLISHED:

Review by applicant
letter to council
6-2-05
FAR up to .75

~~ME~~

~~CP-101~~

None.

D. NUMBER OF DWELLING UNITS/DWELLINGS TO BE CONSTRUCTED: **NONE**

Not determined.

E. SQUARE FOOTAGE OF BUILDINGS TO BE DEMOLISHED: **NONE**

Not determined.

F. SQUARE FOOTAGE OF BUILDINGS TO BE CONSTRUCTED: **NONE**

Not determined.

G. QUANTITY OF EARTH MOVEMENT (in cubic yards): **NONE**

Not determined.

H. PROPOSED LAND USE:

Proposed expanded office use.

I. DESIGN FEATURES, INCLUDING BUILDING HEIGHT, NUMBER OF STORIES & PROPOSED EXTERIOR MATERIALS: **NONE**

Not determined.

J. OTHER:

ESTIMATED DATE OF COMPREHENSIVE REVIEW OF THE PROPOSAL OR TIMING OF PHASING:

N/A.

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

Yes, it is likely that the existing theater use will stop operating, but what would take its place is not yet determined at this time.

the proposal is to increase FRT by 100% applying to other land uses

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

A. Preliminary trip generation analysis was prepared by a Transportation consultant (Mirai memo dated October 19, 2006). However, further traffic analysis is likely to be undertaken in addition to the traffic consultant's memo.

Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, please explain. List dates applied for and file numbers, if known.

None known.

List any government approvals or permits that will be needed for your proposal, if known. If permits have been applied for, list application date and file numbers, if known.

Not known.

LAND USE CODE AMENDMENT AS A RESULT OF COMPREHENSIVE PLAN AMENDMENT ORDINANCE # 5799, 2/28/08.

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PLEASE PROVIDE ONE OR MORE OF THE FOLLOWING EXHIBITS, IF APPLICABLE TO YOUR PROPOSAL (PLEASE CHECK APPROPRIATE BOX [ES] FOR EXHIBITS SUBMITTED WITH YOUR PROPOSAL):

- LAND USE RECLASSIFICATION (REZONE) map of existing and proposed zoning.
- PRELIMINARY PLAT (AND/OR P.R.U.D OR P.U.D.) Preliminary plat map.
- CLEARING & GRADING PERMIT Plan of existing and proposed grading. Development plans>
- BUILDING PERMIT (OR DESIGN REVIEW) Site plan, Clearing & grading plan.
- SHORELINE MANAGEMENT PERMIT Site plan.

B. ENVIRONMENTAL ELEMENTS

1. EARTH

- a. General description of the site (circle one): flat, rolling, hilly, steep slopes, mountainous, other (SLOPING)
- b. What is the steepest slope on the site (approximate percent slope)?

Unknown.

- 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.

Unknown. The proposed site is currently fully developed.

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

Unlikely. The proposed site is currently fully developed.

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

NONE

N/A.

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

No.

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

Unknown at this time. Future redevelopment would meet the required City development standards in place at the time.

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

None needed.

2. AIR

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

The proposed action would not result any emissions to the air. However, implementation of the proposed ~~amendment~~ may result in redevelopment of the F2 properties occurring sooner than might otherwise be the case. Issuance of construction permits would result in emissions to the air – both due to short-term construction activities and long-term operation of the new development (primarily office uses).

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

Off-site sources of emissions are the surrounding commercial development and the I-90 Interstate highway.

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

None needed at this time.

3. WATER

- a. Surface:



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

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.

NO

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.

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

No.

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

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.

No.

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.

- 2) Describe waste material that will be discharged into ground from septic tanks or other sources, if any (for example: domestic sewage; industrial containing the following chemicals ...; agricultural;

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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.

None.

c. Water runoff (including storm water):

- 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.

The proposed action would not result any runoff. However, implementation of the proposed ~~amendment~~ may result in redevelopment of the F2 properties AND OFFICE occurring sooner than might otherwise be the case. Issuance of construction permits would result in runoff. Control of runoff would comply with regulations and policies of the City.

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

No.

- 3) Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

None necessary at this time.

4. PLANTS

- a. 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, bulrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation – *ornamental landscaping*

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

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AND OFFICE

The proposed action would not result removal of vegetation. However, implementation of the proposed amendment may result in redevelopment of the F2 properties occurring sooner than might otherwise be the case. Issuance of construction permits would likely result in modification to existing landscaping.

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

None known.

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

Future redevelopment of the site would likely result modification to the existing landscaping and would be required to comply with the City's landscaping requirements.

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, shell-fish, other:

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

None known.

SALMONIDS

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

No.

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

None needed.

6. ENERGY AND NATURAL RESOURCES

- a. What kinds of energy (electrical, natural gas, oil, wood stove, solar) will be used to meet the completed project's

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energy needs. Describe whether it will used for heating, manufacturing, etc.

The proposed action would not result in energy demand. However, implementation of the proposed amendment may result in redevelopment of the F2 properties occurring sooner than might otherwise be the case. Energy demands at that time would be those typically needed for commercial development (electrical, natural gas, etc.).

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

Not likely.

- 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:

The proposed action would not result changes to existing development. However, implementation of the proposed amendment may result in redevelopment of the F2 properties occurring AND OFFICE sooner than might otherwise be the case. Issuance of future construction permits would result in requiring energy conservation features provided for in the International Building Code (IBC).

7. ENVIRONMENTAL HEALTH

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

The proposed action would not result any environmental health hazards. However, implementation of the proposed amendment may result in redevelopment of the F2 properties AND OFFICE occurring sooner than might otherwise be the case. Potential environmental health hazards would include those typically present in office-type of development.

- 1) Describe special emergency services that might be required.

Future redevelopment would require the typical emergency services: police, fire, emergency medical.

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

None needed.

b. Noise

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

The site is located next to I-90 and Factoria Boulevard and adjoins other commercial development.

- 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.

The proposed action would not result in creation of noise. However, implementation of the proposed amendment may result in redevelopment of the F2 properties AND OFFICE occurring sooner than might otherwise be the case. Issuance of construction permits would result in noise – due to short-term construction activities and long-term operation of the new development (primarily office uses).

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

None needed.

8. LAND AND SHORELINE

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

The site is currently developed with office and a movie theater use.



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

No.

- c. Describe any structures on the site.

Existing development on the site includes the following: an 8 screen theater, a 2-story office

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~~XXXXXX-XXXX-XXXX~~

building, a 5-story office building, and a 6-story office building.

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

The proposed action would not result in the demolition of any structures. However, implementation of the proposed amendment may result in redevelopment of the F2 properties AND OFFICE occurring sooner than might otherwise be the case. Issuance of construction permits would result in demolition of existing structures.

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

F-2

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

OLB

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

N/A.

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

No.

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

N/A.

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

N/A.

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

N/A.

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

The proposed action is for a ~~Comprehensive Plan~~ LAND USE CODE amendment. However, implementation of the

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proposed amendment may result in redevelopment of the F2 properties occurring sooner than might otherwise be the case. Issuance of construction permits would require redevelopment proposal to be compatible with existing and projected land uses and plans.

approval
CPA would
require a LUCA
to amend the 31
20.20.010

9. HOUSING

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

None.

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

None.

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

None needed.

10. AESTHETICS

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

The proposed action would not result any immediate changes to existing structures. However, implementation of the proposed amendment may result in redevelopment of the F2 properties occurring sooner than might otherwise be the case. New structures would need to Comprehensively comply with the height limitations included in the new F2 AND OFFICE DISTRICT zoning designations.

F2 AND OFFICE DISTRICT ✓

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

Again, the proposed action would not result any changes to views. However, implementation of the proposed amendment may result in redevelopment of the F2 properties occurring sooner than might otherwise be the case. Implementation of the proposed changes to the Comprehensive Plan would likely lead to some change of views – although not scenic views – given its relative

AND OFFICE

ADJACENT TO AN F2, NORTH OF FACTORIA MALL.



elevation to the rest of Factoria's commercial area and the site's location next to the I-90 frontage road.

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

No scenic views would be altered since much of the upper portion of the site is above the grade of much of Factoria's commercial area, but just below I-90. Redevelopment would provide an opportunity for the developer and the City to create a "gateway" design for the site given its location adjoining the I-90 frontage road at the north end of Factoria's commercial area.

FATS Update policy

11. LIGHT AND GLARE

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

NONE

The proposed action would not result any light or glare. However, implementation of the proposed amendment may result in redevelopment of the F2 AND OFFICE properties occurring sooner than might otherwise be the case. Future development is likely to result in similar impact from current development both on the site and that found in the adjoining commercial development.

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

Not likely.

- c. What existing off-site sources of light and glare may effect your proposal?

It is not anticipated that there are any off-site sources that would likely affect future redevelopment of the site.

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

None necessary at this time.

12. RECREATION

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

[Handwritten signature]

COAL CREEK
PARK TO THE SOUTH

There are a number of informal recreation opportunities in the commercial area of Factoria.

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

It is possible – even likely - that redevelopment of the site would be triggered by displacement of the existing theater use.

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

None needed.

13. HISTORIC AND CULTURAL PRESERVATION

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

None known.

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

None known.

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

None necessary.

14. TRANSPORTATION

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

Factoria Boulevard, SE 38th Street, and the I-90 frontage road serve the site.

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

Yes. There are transit stops on Factoria Blvd (MT # 210, 222, 240, 245, and 247).

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

Again, the proposed action would not result any changes to parking at the site. However, implementation of the proposed amendment may result in redevelopment of the F2 properties occurring sooner than might otherwise be the case. Issuance of construction permits would be dependant upon the redevelopment plan satisfying the City's parking requirements.

AND office

F2 parking ✓

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

Not likely.

- 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.

Preliminary analysis regarding trip generation is contained in the attached Memorandum to Sterling Realty Organization (SRO) from a transportation consultant, Mirai Transportation Planning and Engineering, and dated October 19, 2006.

~~trip estimates of more vehicles vs new office, and increment under the Comp Plan designation~~

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

None proposed at this time.

15. PUBLIC SERVICES

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

Not likely.

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

None needed.

16. UTILITIES

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mg

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

All required utilities needed for redevelopment are currently available at the site.

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

All required utilities needed for redevelopment are in place.

C. SIGNATURE

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

Signature Michael Appasbala

Date Submitted 01.30.07



D. SUPPLEMENTAL SHEET FOR NON PROJECT ACTION

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

The proposed action would not result any emissions to the air. However, implementation of the proposed amendment may result in redevelopment of the F2 properties occurring sooner than might otherwise be the case. Issuance of construction permits would result in emissions to the air – both due to short-term construction activities and long-term operation of the new development (primarily office uses).

Again, the proposed action would not result any environmental health hazards. However, implementation of the proposed amendment may result in redevelopment of the F2 properties occurring sooner than might otherwise be the case. Potential environmental health hazards would include only those typically present in office-type of development.

The proposed action would not result in creation of noise. Again, however, implementation of the proposed amendment may result in redevelopment of the F2 properties occurring sooner than might otherwise be the case. Issuance of construction permits would result in noise – due to short-term construction activities and the associated noise (traffic, etc.) with long-term operation of the new development (primarily office uses).

Proposed measures to avoid or reduce such increases are:

Any redevelopment will be required to comply with all City regulations designed to mitigate potential impacts.

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

No, the area is well developed with existing commercial uses. Future redevelopment of the site is not anticipated to affect plants, animals, fish, or marine life.

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

Other than the City's required environmental protection regulations (particularly the storm drainage requirements, etc.), none are anticipated to be necessary.

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

The proposal and the result of the proposal – redevelopment of the site - is not anticipated to substantially affect natural resources.

This proposal is a legislative action. See overview memo in the environmental need for cumulative impacts expectations

CPA IMPLEMENTED BY ORDINANCE # 5799, 2/28/08

Of course, the use of fossil fuels for heating the buildings and the operation of vehicles serving the site, are depleting the fuel source.

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

Utilizing fuel-efficient heating/cooling systems for buildings, creating opportunities for trip reduction through promotion of public transit, etc and through allowing higher intensities of land uses which often serve to discourage unnecessary vehicle trips and encourage pedestrian movement for those wishing to avail themselves of convenient employment and shopping activities.

- 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 farmland?

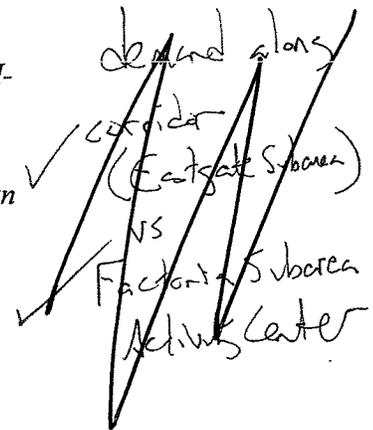
The proposal or the result of the proposal – redevelopment of the site – is not likely to affect any environmentally sensitive areas, areas under governmental protection, threatened or endangered species habitat, or historical or cultural sites.

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

Other than future development complying with the City's environmental regulations or development aimed at protection of the environment, no other measures are anticipated as necessary.

- 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?

Since the area is not on or near a local shoreline area, the proposal is not anticipated to affect any shoreline use. The proposal is not a departure in terms of types of land uses (primarily office uses) which currently operate in corridor along I-90, but one of intensity. The change is fueled by primarily two factors: (1) the demand for office (and other commercial) uses along the I-90 corridor and (2) the likelihood of the existing theater use departing in the near future. The proposal proposes an adjustment of the F.A.R. to be consistent with the demand along the I-90 corridor. It is not anticipated that the potential increase in intensity of the office use would be in compatible with nearby development.



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

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The increase in intensity increases the opportunity to further encourage trip reduction and greater pedestrian movement on the site. The demand for parking and the local traffic conditions has already encouraged more employees and customers to park once and make trips to other parts of the site or adjoining commercial areas using the pedestrian facilities currently available at the site.

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

The proposal involves an area of the City which is well developed with existing commercial uses and infrastructure. It is anticipated that the proposal or the result of the proposal – future redevelopment – would increase demand on transportation, some public services (potentially police, fire, and emergency medical services), and utilities which currently serve the area.

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

Future redevelopment would provide the opportunity to enhance the existing pedestrian system currently operating at the site. Increased density at the site would likely encourage more pedestrian movement at the site (as opposed to movement of vehicles) of increased parking demand. Improvements to the pedestrian system could facilitate increased pedestrian movement on the site and thereby reducing vehicle trips to other parts of the site or to adjoining commercial service areas.

Other than traffic safety improvements and promoting safety in the workplace, it would be difficult to reduce the increased demand on some public services (police, fire, and emergency medical services). These types of public services are a function of the employment and customer population of commercial facilities.

The demand for utility services is also largely a function of the employment and customer population of commercial facilities. Measures to reduce the demand for utility services are largely limited to building code provisions (fixture that reduce water demand and limitation on the permitted amount of glazing).

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

Again, the proposal involves an area of the City which well developed with existing commercial uses and infrastructure. It is not anticipated that the proposal or the result of the proposal – future redevelopment – would conflict with local, state, or federal laws or requirements for the protection of the environment.



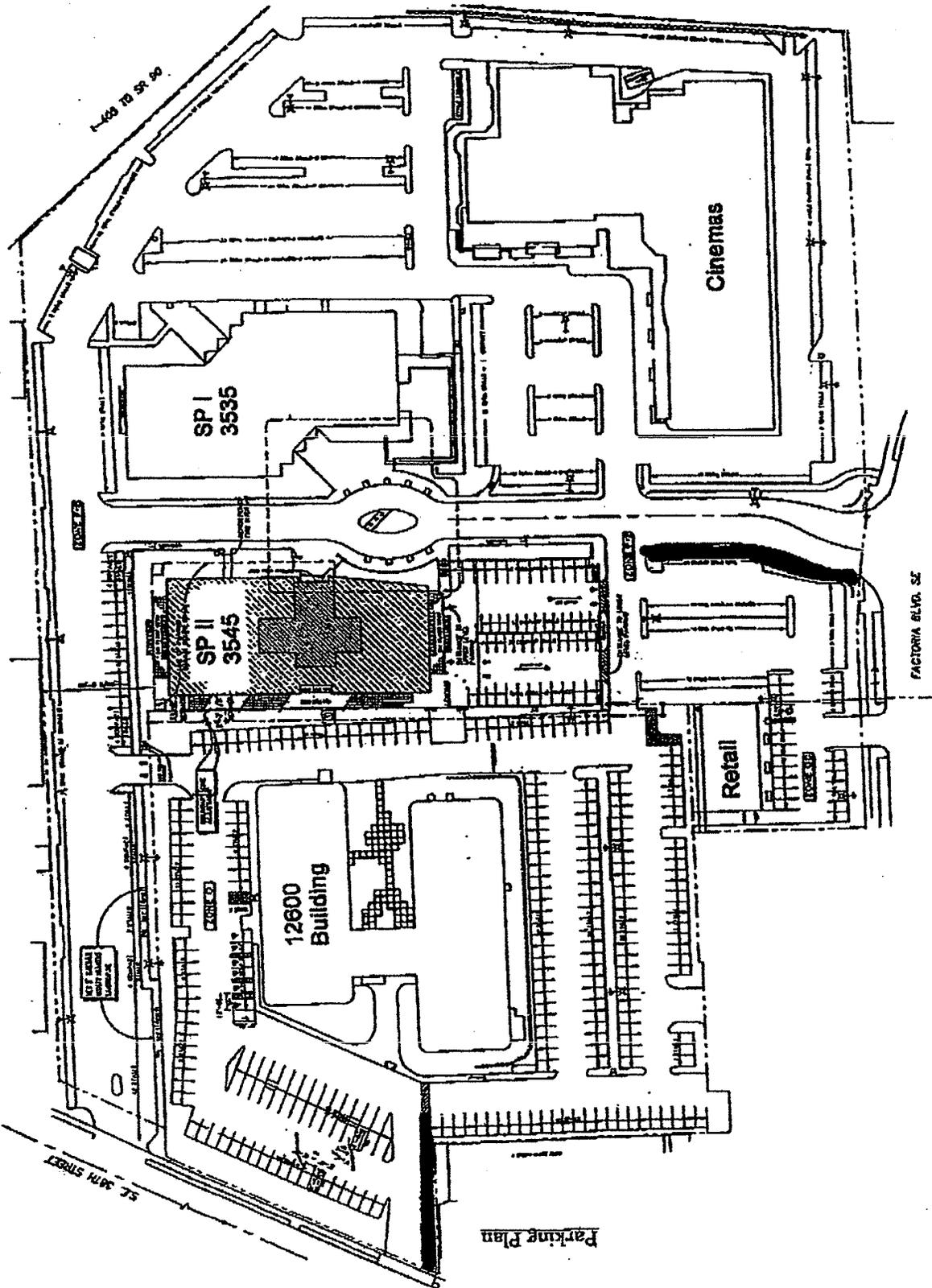
SPD Federa Complex

EXHIBIT B

TO

LEASE AGREEMENT

Parking Plan



New Sidewalks