



DEVELOPMENT SERVICES DEPARTMENT  
ENVIRONMENTAL COORDINATOR  
P.O. BOX 90012  
BELLEVUE, WA 98009-9012

## DETERMINATION OF NON-SIGNIFICANCE

**PROPONENT:** Daniel Meyers, Kemper Development Company

**LOCATION OF PROPOSAL:** 800 Bellevue Way NE

### DESCRIPTION OF PROPOSAL:

Application to install a private use helistop (47' x 53') on the roof of the existing Bellevue Place Bank of America Building. Installation will include lighting, a second exit stair and a safety net. There will be no fueling. Helicopter landings/takeoffs to be a maximum of 4 operations Monday through Friday and 1 operation on Saturdays. Hours of operation for flights will be 9am-6pm, Monday through Friday and 10am-5 pm Saturdays. No operations on Sundays or legal holidays.

### FILE NUMBER: 08-135262-LB

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

- There is no comment period for this DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision. A written appeal must be filed in the City Clerk's office by 5:00 p.m. on \_\_\_\_\_.
- This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision. A written appeal must be filed in the City Clerk's Office by 5 p.m. on **June 4, 2009**.
- This DNS is issued under WAC 197-11-340(2) and is subject to a 14-day comment period from the date below. Comments must be submitted by 5 p.m. on \_\_\_\_\_. This DNS is also subject to appeal. A written appeal must be filed in the City Clerk's Office by 5 p.m. on \_\_\_\_\_.

This DNS may be withdrawn at any time if the proposal is modified so that it is likely to have significant adverse environmental impacts; if there is significant new information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

Carol V. Holland  
Environmental Coordinator

May 21, 2009  
Date

### OTHERS TO RECEIVE THIS DOCUMENT:

State Department of Fish and Wildlife  
State Department of Ecology, Shoreline Planner N.W. Region  
Army Corps of Engineers  
Attorney General  
Muckleshoot Indian Tribe

Saan  
5/21/09

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: Bellevue Place Office Building I, Limited Partnership

Proponent: Kemper Development Company

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

Address: 575 Bellevue Square Bellevue, WA 98004

Phone:

Proposal Title: Bellevue Place private-use helistop

Proposal Location: 10500 NE 8th Street Bellevue, WA 98004  
(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: Activation and operation of private-use helistop ✓
2. Acreage of site: 4 operations M-F 9am-6pm
3. Number of dwelling units/buildings to be demolished: 0 1 Sat 10am-5pm
4. Number of dwelling units/buildings to be constructed: 0 0 Sun, holiday
5. Square footage of buildings to be demolished: 0
6. Square footage of buildings to be constructed: 0
7. Quantity of earth movement (in cubic yards): 0
8. Proposed land use: ~~Same as existing~~ New permanent helistop
9. Design features, including building height, number of stories and proposed exterior materials: Landings will occur on existing platform that was construct for this purpose. ✓
10. Other

✓

Estimated date of completion of the proposal or timing of phasing:  
Summer 2009

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

No

List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. A noise study is pending

2 noise studies by Sparling consultants  
① 11/5/08 revised 2/18/09; and ② 5/14/09 revised 5/19/09; 2 helicopter sound tests

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

None

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.

This checklist is part of a conditional use application submitted to the City of Bellevue

Application to FAA for Form

7480-1 "Notice of Landing Area Proposal"

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 or Planned Unit Development 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

Building permit to be submitted after CU process.

A. ENVIRONMENTAL ELEMENTS

1. Earth

- a. General description of the site:  Flat  Rolling  Hilly  Steep slopes  Mountains  Other
- b. What is the steepest slope on the site (approximate percent slope)?  
Unknown - the site is on top of an existing structure.
- c. What general types of soil are found on the site (for example, clay, sand, gravel, peat, and muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.  
Unknown - not applicable

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.  
N/A
  
- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.  
None
  
- 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)?  
None - the structure exists
  
- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:  
N/A

**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.  
Turbine engine exhaust - Unknown amounts - dependent on usage.
  
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.  
No
  
- c. Proposed measures to reduce or control emissions or other impacts to the air, if any:  
Use of modern helicopters with modern turbine engines. Also, limitations to frequency of flights.

**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

- (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.

N/A

- (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.

No

- (2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.) Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

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.

None in addition to current runoff

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

No

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

N/A

Drainage of rain on  
roof top by slightly  
sloped roof 0.5-2%

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

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

None

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

None of which we are aware

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

None

## 5. ANIMALS

- a. Check or 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.  
None of which we are aware
- c. Is the site part of a migration route? If so, explain.  
Unknown
- d. Proposed measures to preserve or enhance wildlife, if any:  
N/A

## 6. Energy and Natural Resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy need? Describe whether it will be used for heating, manufacturing, etc.  
Small amounts of electricity - fewer than 10 amps and only as the facility is used.
- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.  
No
- c. What kinds of energy conservation features are included in the plans of the proposal? List other proposed measures to reduce or control energy impacts, if any:  
Use electrical power only as needed.

## 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.  
A risk of fire or spill of a Class II combustible liquid exists if there were a helicopter accident. The risk is statistically very slight.

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

Fire department response

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

Use of modern, turbine helicopters and well-qualified pilots

*Standard Operator Manual (SOP) is req'd by the Fire Dept.*

*+ foam extinguishers req'd*

*SOP, Fire Dept. req'd - no fueling fire hose stations, "No Smoking" restriction*

b. Noise

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

None

ambient noise levels - but these do not affect the project.

- (2) What types and levels of noise would be created by or associated with the project on a short-term or long-term basis (for example, traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Helicopter noise emanating from turbine engines and helicopter rotor systems. Generally, 8:am to 7:0 pm See separate noise study.

5 operations total per week: 4 operations M-F (9am-6pm) & 1 Sat (10am-5pm) & 0 operations on Sundays or legal holidays

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

Limitation of frequency of flights and adherence to noise reducing flight procedures.

Restrict frequency of hours of operation, flight patterns, & type of helicopter.

8. Land and Shoreline Use

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

Mixed use - business in the downtown Bellevue core.

incl. Hotel, office, restaurant, retail. Adjacent high rise residential w/ retail at street level

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

Not recently

- c. Describe any structures on the site.

A large, multi-use building with office, parking, retail and a restaurant.

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

No

Applicant will upgrade the existing helistop.

- e. What is the current zoning classification of the site?

Dwntn-O-2

- f. What is the current comprehensive plan designation of the site?

Downtown City Center North

- 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?

None

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

None

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

N/A

Sparking: 1) 11/5/08 revised 2/18/09; and 2) 5/14/09 revised 5/19/09.

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

Limitation of frequency of flights and hours of flights. Use of modern, turbine helicopters. ✓  
*+ days*  
*+ restrict flight pattern*

## 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:  
N/A ✓

## 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?  
449' (MSL) 291' (AGL) ✓

- b. What views in the immediate vicinity would be altered or obstructed?  
None ✓

- c. Proposed measures to reduce or control aesthetic impacts, if any:  
N/A ✓

## 11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?  
Minimal light and/or glare from helistop lights. Some glare from helicopter lights during hours of darkness. ✓

- b. Could light or glare from the finished project be a safety hazard or interfere with views?  
No ✓

*Only temporary minimal light/glare while helicopter in flight + on the helistop (w/ helistop lights temporarily on)* ✓

c. What existing off-site sources of light or glare may affect your proposal?  
None

d. Proposed measures to reduce or control light or glare impacts, if any:  
Limitations of frequency of flights and of flight hours.

*Require low-wattage light fixtures where possible & allow helistop lights to be illuminated for the minimum amount of time necessary.*

## 12. Recreation

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

*water recreation  
biking, walking  
Park facilities, gyms.*

b. Would the proposed project displace any existing recreational uses? If so, describe.  
No

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

## 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.  
No

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

c. Proposed measures to reduce or control impacts, if any:  
N/A

## 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.  
Site is a rooftop near the corner of NE 8th and Bellevue Way

b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?  
No - four blocks

c. How many parking spaces would be completed project have? How many would the project eliminate?  
None - none

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).  
No

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

*Yes - Helistop is proposed*

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur. Unknown. The possibility exists that this use would reduce vehicle trips. ✓
- g. Proposed measures to reduce or control transportation impacts, if any:  
N/A ✓

**15. Public Services**

- a. Would the project result in an increased need for the public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.  
An increased awareness by the fire department. Possible need for fire department response. The likelihood of the need for a response is very slight.
- b. Proposed measures to reduce or control direct impacts on public services, if any.  
Well-managed operations.

*April 7, 2009 ✓*  
*The Fire Dept has received the proposal and performed a practice drill w/ 15 firefighters, 4 fire trucks (incl. 1 ladder truck) + 1 motor car.*

**16. Utilities**

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.  
All of the above except a septic system
- 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.  
Minimal LED lighting

*They performed a drill for a fire event + for evacuating a person on a stretcher. This drill was fully executed w/ no difficulties.*

**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..... *Paul G. K...*  
 Date Submitted..... *11-11-08*

*The Fire Dept has recommended enclosures including requiring fire hose stations, foam extinguishers, SOP, no bedding + no smoking.*



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

Proposal Name: **Kemper Development Helistop**

Proposal Address: 800 Bellevue Way NE

Project Description: Application to install a private use helistop (47' x 53') on the roof of the existing Bellevue Place Bank of America Building. Installation will include lighting, a second exit stair and a safety net. There will be no fueling. Helicopter landings/takeoffs to be a maximum of 4 operations Monday through Friday and 1 operation on Saturdays. Hours of operation for flights will be 9am-6pm, Monday through Friday and 10am-5 pm Saturdays. No operations on Sundays or legal holidays.

File Number: **08-135262-LB**

Planner: Carol Saari, Senior Planner *CSaari*

Applicant: Daniel Meyers, Kemper Development Company

Decisions Included: Recommendation to the Hearing Examiner

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

*Carol V. Helland*  
Carol V. Helland, Environmental Coordinator  
Development Services Department

Director's Recommendation: **Approval with Conditions**  
Michael A. Brennan, Director  
Development Services Department

By: *Carol V. Helland*  
Carol V. Helland, Land Use Director

---

Notice of Application:	<u>11-12-2008</u>
1 <sup>st</sup> Public Meeting:	<u>02-18-2009 6pm</u>
Public Helicopter Sound Test:	<u>05-02-2009 3pm</u>
2 <sup>nd</sup> Public Meeting:	<u>05-05-2009 6pm</u>
Notice of Recommendation/ Bulletin Publication Date:	<u>05-21-2009</u>
SEPA Appeal Deadline:	<u>06-04-2009 5pm</u>
Date of Public Hearing:	<u>06-10-2009 7pm</u>
Appeal of the SEPA decision must be filed with the City Clerk no later than 5 p.m. on the date noted for the deadline.	
Expiration of Vesting:	<u>2 years from the date of the City's final decision</u>

**TABLE OF CONTENTS**

I. Request/Proposal Description .....3  
II. Consistency with Land Use Code/Zoning Requirements.....6  
III. Federal Regulations and Fly Neighborly Guide. ....11  
IV. Technical Review.....11  
V. Environmental Impacts of the Proposal.....12  
VI. Public Comment and Response.....30  
VII. Changes as a result of Staff Review.....34  
VIII. Decision Criteria.....34  
IX. Decision.....36  
X. Conditions of Approval.....36

**Exhibits**

Project Plans

**I. Request/Proposal Description**

The applicant requests Conditional Use Permit (CUP) approval to install a private use helistop (47' x 53') on the roof of the existing Bellevue Place Bank of America Building. Installation will include lighting, a second exit stair and a safety net. (Note: With the safety net, the overall facility will be 57'x 63'.) There will be no fueling. The applicant proposes a maximum of 5 helicopter operations per week<sup>1</sup> for business corporate, non-public, purposes. Hours of operation for flights are proposed to be 9am-6pm Monday through Friday and 10am-5pm on Saturdays. There will be no operations on Sundays or legal holidays. (An "operation" consists of a landing and associated take-off.) See Table 1 below for summary of operations. Within the City of Bellevue, the flight pattern will be restricted to freeways (I-405, I-90 and SR-520) and NE 8th Street.

There is an existing helistop at this location. It was constructed with the original Bellevue Place in 1988. The proposed helistop would be at this existing location that rises 11 feet above the underlying roof of the structure. The applicant proposes to upgrade the helistop to current Federal Aviation Administration (FAA) design standards and building code regulations.

The existing helistop has never been approved for permanent helicopter operations. Over the past 20 years, the applicant has received several Temporary Use Permit approvals for limited one-time helicopter operations. The applicant hereby requests approval of a Conditional Use Permit application for permanent use of the helistop.

**Table 1  
 Summary of Operations**

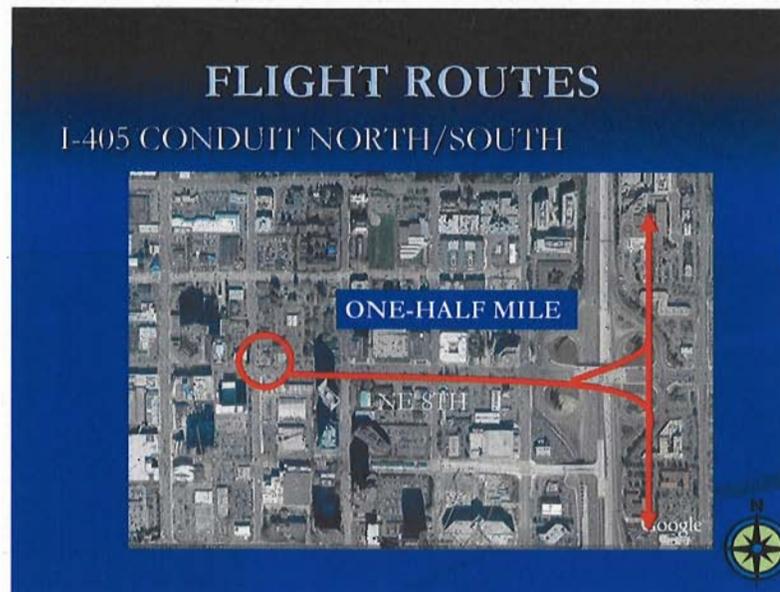
Hours of Operation:
<u>5 operations a week maximum:</u> 4 maximum per weekday Monday through Friday 1 operation on Saturday (Note: One operation = landing and takeoff)
<u>Hours:</u> Monday through Friday 9am-6pm Saturday 10am-5pm (15 minutes grace period allowed for departures)
-Prohibited on Sundays -Prohibited on Legal Holidays

See condition X.A.1.

<sup>1</sup> The applicant revised the application: frequency, days of week and hours of operation. See Section VII for original proposal.

Firms using the facility as well as their pilots and helicopters will be required to be pre-authorized by the applicant. The applicant expects executives to use the helistop. It may also be used by performers of the future Performing Arts Center Eastside (PACE).

A Conditional Use Permit is required to establish a helistop<sup>2</sup> in the Downtown Office-2 zoning district. The CUP is a Process I decision by the Hearing Examiner per Land Use Code (LUC) 20.35.100.



<sup>2</sup>Definitions as used by the International Building Code (IBC) and International Fire Code (IFC):

**Heliport.** A heliport is an area of land or water or a structural surface which is used as a permanent facility for the landing and takeoff of helicopters, and any appurtenant areas which are used for heliport buildings and other facilities. Refueling, maintenance, repairs or storage of a helicopter is included in this definition.

**Helistop.** A helistop is the same as a heliport, except that no refueling, maintenance, repairs or storage of helicopters is permitted.

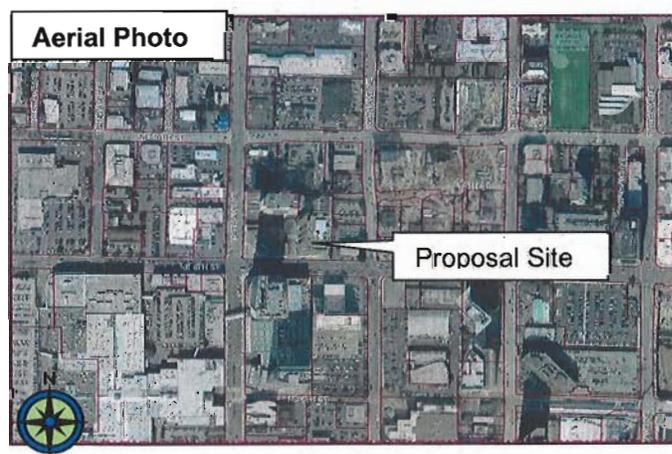
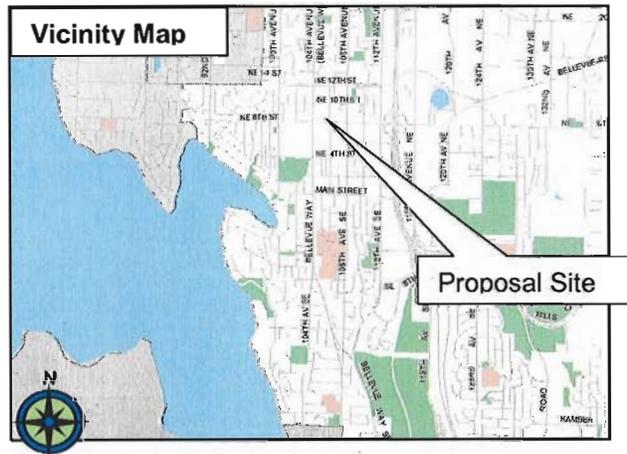
### A. Site Description and Context

The site is the Bellevue Place Bank of America Building located along NE 8<sup>th</sup> Street just east of Bellevue Way NE. The helistop is located on the rooftop of the existing Bank of America Building. The parcel size consists of 2.48 acres which includes the Bank of America Building (21 stories), Wintergarden and the corner building (6 stories). The Hyatt Hotel (24 stories) is located on a separate parcel. The Hyatt Hotel addition (19 stories) is located on another separate parcel adjacent to the north.

The site is located within the city's downtown, the financial and business hub of Bellevue. It is located in an area of intense use, with regional shopping facilities, high rise office buildings, hotels and high density residential buildings. This area is meant to be the most intensely developed where new development continues to take place here.

To the south of this parcel is Lincoln Square with two high rise towers, office (27 stories) and residential (41 stories). This complex also includes 3 levels of retail (restaurant/retail) and a cinema complex. Bellevue Square is located to the southwest. It has 2 retail levels totaling 1.3 million square feet.

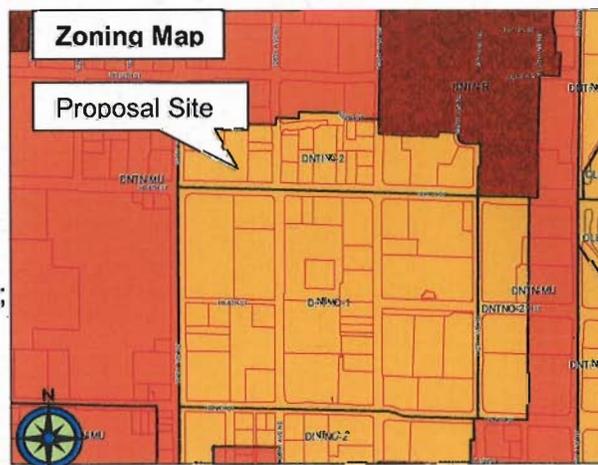
To the west of the parcel and west of Bellevue Way is an older strip-style, one story building with several tenants. To the north of the parcel is the Hyatt expansion (19 stories) and a small older office building (3 stories). Directly to the east is Chase Bank (1 story). Further to the east across 106<sup>th</sup> Ave. NE is Washington Square, a new residential complex, currently with 2 residential towers (19 stories



### B. Adjacent Zoning and Uses

The surrounding properties are zoned and developed as follows:

- Site:** Downtown Office-2; Bank of America building. On the same parcel Hyatt hotel and corner building (retail/restaurant/office/gym).
- North:** Downtown Mixed-Use; Hyatt expansion and 3 story office building.
- East:** Downtown Office-2 and Downtown Mixed-Use; Washington Square residential towers
- South:** Downtown Office-1; Lincoln Square



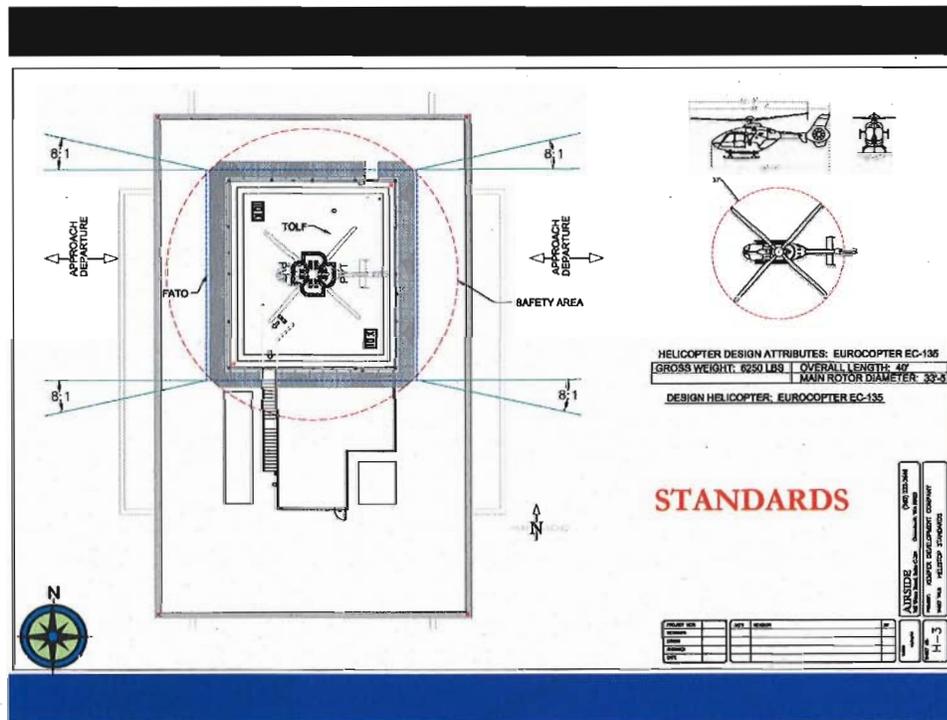
mixed use project with retail, office tower,  
residential tower, hotel.

**West:** Downtown Mixed-Use; single story retail  
stores.

## II. Consistency with Land Use Code/Zoning Requirements

**A. Zoning:** The site is zoned Downtown Office-2. The Land Use Code permits helistops with prior Conditional Use Permit approval (LUC Chart 20.20.440, Transportation and Utilities – Downtown Districts). The applicant has submitted the Conditional Use Permit with this application to fulfill this requirement.

**B. Helicopter Regulations:** Land Use Code 20.20.450.A provides regulations for helicopters. The proposal meets the requirements of this section as follows:



**Note:** The Bellevue Land Use Code does not differentiate between a heliport and a helistop. The code uses the term heliport exclusively. This facility is intended to be a helistop within the applicable definition contained in the IBC and IFC.

1. In addition to the decision criteria in LUC 20.30B.140 (see Section VI), the City shall consider, but not be limited to, the following criteria, in deciding whether to approve or approve with modifications an application for a heliport Conditional Use Permit:
  - a. In consideration of identified noise impacts, the City may impose conditions restricting the type of aircraft permitted to land at an approved heliport, and conditions which limit the number of daily takeoffs and landings and hours of operation.

Response: The City has reviewed the application and response from the public regarding noise concerns. To mitigate potential noise impacts, the applicant will be restricted to light-turbine helicopters which are less noisy than larger helicopters. The applicant will also be required to limit the frequency and hours of operation from their original application and be prohibited from operating on Sundays and legal holidays.

See conditions X.A.1, 3.

- b. The City may impose a periodic review requirement on heliport conditional use approvals in order to consider imposing additional conditions to mitigate adverse impacts from new aircraft technology.

Response: The applicant shall provide documentation regarding flight frequency and times. This shall include any deviations due to weather purposes. Such documentation shall be provided on a monthly basis for the first year and on a semi-annual basis thereafter. See condition X.A.4.

- c. The City may consider whether approach and departure paths are obstruction-free and whether residential or critical areas would be adversely affected. The City may also consider whether approach and departure paths abut freeway corridors or waterways.

Response: The Federal Aviation Administration (FAA) has jurisdiction over airspace. The primary method the FAA uses to ensure that proposed helistops are not contrary to the safe use of airspace (i.e. that they are sufficiently obstruction free to be safe) is an on-site review. These reviews are conducted according to standards established in Title 14 Code of Federal Regulations (CFR), Part 77, "Objects Affecting Navigable Airspace," Subpart C "Obstruction Standards." commonly referred to as "Federal Aviation Regulation (FAR) Part 77."<sup>3</sup> The applicant has submitted FAA Form 7480-1 "Notice of Landing Area Proposal" to the FAA in accordance with FAA requirements contained in Title 14, Part 157, "Notice of Construction, Alteration, Activation and Deactivation of Airports [Heliports]." In the cover letter to the application, the applicant has indicated that clear airspace in the vicinity of this proposed helistop meets and/or exceeds the standards established in FAR Part 77. Prior to activation of the helistop, the applicant shall provide a copy of the FAA's response indicating that the FAA has no objection to the use of airspace that serves this facility. The FAA does not have the authority to approve or disapprove private-use helistops. The agency's authority is limited to whether it objects or does not object to the use of airspace. See condition X.A.5.

Helicopter pilots will be restricted to a flight pattern within the City of Bellevue over freeways (I-405, I-90 and SR-520) and NE 8<sup>th</sup> Street. This flight pattern restricts pilots to flying over highways/streets and not over residential properties or critical areas. See condition X.A.2.

- d. The City may consider whether the proposed heliport facility will participate in a voluntary noise reduction program such as the "Fly Neighborly Program."

---

<sup>3</sup> "FAR Part 77" is a short, common way of referring to Title 14, Code of Federal Regulations (CFR), Federal Aviation Regulation (FAR), Part 77.

Response: The Fly Neighborly Guide<sup>4</sup> as published by the Helicopter Association International is a voluntary noise abatement program for helicopter operators. It contains guidelines that pilots may use to reduce helicopter noise. These guidelines include items such as recommended flyover height, flyover speed, turns (maneuvers), descent/approach and landings, takeoff and climb (departure), and time spent with engines running while on helistops. This guide represents industry best practices for helicopter operations. A condition of approval for this project is that pilots using this helistop agree to follow these guidelines. See condition X.A.6.

2. All applications to construct a heliport must include the results of the appropriate Federal Aviation Administration (FAA) review. A determination of negative impact on navigable airspace by the FAA will result in denial of a land use or Building Permit unless the applicant agrees to comply with the recommendations to mitigate such impacts. The mitigating measures shall be made conditions of the land use or Building Permit.

Response: The applicant has submitted application FAA Form 7480-1 which documents that the proposed landing meets or exceeds FAA standards, including those related to navigable airspace. Prior to activation of the helistop, the applicant shall provide a copy of the FAA response to FAA Form 7480-1 which confirms that use of this facility would not be contrary to the safe and efficient use of airspace. See condition X.A.5.

3. Heliport landing areas shall be at least 1.5 times the overall length of the largest helicopter expected to use the facility.

Response: According to FAA recommendations contained in FAA Advisory Circular 150/5390-2B "Heliport Design," a helistop's final approach and take-off area (FATO) shall be clear of obstructions. FATOs are square dimensions based on 1.5 times the overall length of the largest helicopter expected to commonly use a facility. A typical light turbine helicopter such as the Eurocopter EC-135 has an overall length of 40 feet. See sheet H-3. 1.5 times the overall length of 40 feet is 60 feet. The proposed final approach and take-off area is a square of 60' per side. This area, and in fact a much larger area, is clear at this site.<sup>5</sup>

4. The heliport primary surface shall be of level grade and consist of a dust-proof surface.

Response: The surface will be dust-proof and nearly level. The surface cannot and should not be perfectly level because it needs to shed water. The finished slope is estimated to be between 0.5-2.0%. This slope is consistent with FAA recommendations contained in FAA Advisory Circular AC 150/5390-2B.

---

<sup>4</sup> The Fly Neighborly Guide is available at following link: <http://www.rotor.com/portals/12/Fly%202007.pdf>

<sup>5</sup> The actual **helistop landing pad (concrete only)** that currently exists is 47' x 53'. This dimension will not change.

The **helistop with the proposed safety net** (that extends in the air beyond 47' x 53') is 57' x 63'. The **final approach and take-off area (FATO)** is yet another dimension, which is 60' x 60'. The FATO is defined by the Federal Aviation Administration in Advisory Circular 150/5390-2B as "A defined area over which the final phase of the approach to a hover, or a landing is completed and from which the takeoff is initiated." It is important to recognize that the FATO is not a structure or a feature of any kind. It is a clear area that is based on 1.5 times the overall length of the design helicopter.

5. Public use heliports shall be marked in accordance with FAA recommendations.

Response: Not applicable. This is not a public heliport. It is a private helistop.

6. Private use and personal use heliports may be unmarked or marked with individualized markings recognizable to the pilots authorized to use the facility, but may not be marked with the same markings as a public use heliport.

Response: The markings will clearly indicate a private helistop with a private logo, a perimeter line to define the landing surface, and weight-limit markings. The markings will not appear as a public use heliport. The graphic "PVT" will, in two locations, clearly indicate to pilots while flying that prior permission to land is required.

7. All heliports intended to accommodate night landings shall be lighted in accordance with FAA recommendations.

Response: The proposal meets this requirement and will have lighting in accordance with FAA recommendations. Night landings are not approved with this application unless it is dark at 6pm on weekdays and 5pm on Saturdays (i.e. during the winter months).

8. Access to heliport landing areas, except water surfaces, shall be controlled by physical restraints. If fences, walls, or parapets are used for access control, the minimum height shall be 42 inches.

Response: Access will be restricted by the physical location of the helistop on the roof of a 21-story building. There will be a locked door. No public access will be allowed. Access will be granted by the security staff to those with permission to use the helistop. Security staff will be fully trained in helistop operations, including emergency operations. Security staff will escort all individuals from helicopters into the building and from the building to helicopters.

9. All approaches to an area of helicopter operations will have conspicuous signs notifying those who approach the operation.

Response: Signage will be provided on or near the helistop. See sheets H-3 and H-4. For security reasons, there will be no signs on the exterior door to the rooftop indicating that a helistop exists. There will also be no such sign at the floor below where the first security door is located.

10. Touchdown Pads.

- a. Recommended Touchdown Pad. The recommended dimension of a touchdown pad is equal to the rotor diameter of the largest helicopter expected to operate from the facility.

- b. Minimum Touchdown Pad. At a heliport that has an extremely low level of activity, smaller areas may be used. Pad dimensions are based on rectangular configurations. A circular pad having a diameter equal to the longer side of the rectangular configuration set forth in paragraph A.10.b.i. or ii of this section is acceptable. Skid or float length should be substituted for wheelbase as appropriate.

- i. Public Use Heliports. The minimum sized touchdown pad shall have a length and width at least 2.0 times the wheelbase and tread, respectively, or a diameter of 2.0 times the wheelbase of the largest helicopter expected to use the facility.
- ii. Private Use or Personal Use Heliports. The minimum sized touchdown pad shall have a length and width at least 1.5 times the wheelbase and tread, respectively, or a diameter of 1.5 times the wheelbase of the largest helicopter expected to use the facility.

Response: Referring to FAA Advisory Circular 150/5390-2B, a prior permission required (PPR) helistop such as the one that is the subject of this application should have a load bearing surface that is at least two times the maximum dimension (length or width) of the undercarriage of the design helicopter. The undercarriage of the design helicopter (the Eurocopter EC-135) is 10.5 feet in length. To be consistent with FAA recommendations the helistop would need to be at least 21 feet square. At 47 feet by 53 feet, the proposed helistop far exceeds the dimension indicated in item b. above.

The proposed helistop also exceeds the city-recommended size of a touchdown pad. Typical rotor diameters are between 34 and 37 feet. The design helicopter's rotor diameter is 33.5 feet. Therefore this proposed helistop meets the recommendation contained in item a. above. At a dimension of 47 feet by 53 feet the touchdown pad (load-bearing surface) exceeds not only the recommended and required sizes of touchdown pads included in this section of the code but exceeds the 40-foot by 40-foot size of touchdown pad that is often used for this category of helicopter.

11. Each helicopter landing area shall have at least one obstruction-free heliport approach path conforming to the definition of Heliport Approach Surfaces.

Response: This helistop has three obstruction-free approach paths which conform to this definition. The definition refers to FAR Part 77 which is the standard that the FAA uses in its 7480-1 determinations. The proposal meets this requirement.

12. No obstructions, natural or manmade, will be permitted within the Heliport Primary Surface, Heliport Approach Surfaces, or Heliport Transition Surfaces.

Response: There are no obstructions, natural or manmade, within the Heliport Primary Surface, Heliport Approach Surfaces, or Heliport Transition Surfaces. (REF: FAT Part 77).

13. The requirements of paragraphs A.3 through A.12 of this section may be modified in special circumstances upon written technical evaluation and recommendation of the nearest FAA Airports District Office or Washington State Department of Transportation, Aviation Division.

Response: The applicant is not requesting any deviation from this section's requirements.

14. A hospital emergency-use-only heliport is exempt from the provisions of paragraph A.1 of this section but must comply with the requirements in paragraphs A.2 through A.13 of this section. For purposes of this paragraph, "emergency" is defined as when any patient

who requires care of significant severity such that alternative means of transport would adversely affect the health of that person.

Response: Not applicable. The proposal is not a hospital heliport.

15. Government use heliport facilities are exempt from the requirements of paragraphs A.3 through A.12 of this section. Government heliport design shall be based upon technical evaluation and recommendation of the nearest FAA Airports District Office or Washington State Department of Transportation, Division of Aeronautics office.

Response: Not applicable. The proposal is not a government heliport facility.

16. A heliport site must have flight path access directly to the interstate highway system which does not require flight over any residential zoned properties.

Response: Helicopter pilots will be restricted to a flight pattern within the City of Bellevue over freeways (I-405, I-90 and SR-520) and NE 8<sup>th</sup> Street. The flights will be over city/state rights-of-way. This flight pattern restricts pilots to flying over highways/streets and not over residential zoned properties. See condition X.A.2.

### III. Federal Aviation Administration and Fly Neighborly Guide

The Federal Aviation Administration (FAA) has jurisdiction over airspace used for approaches and departures: Title 14 of the Code of Federal Regulations, Parts 77, 157. The applicant has submitted the appropriate forms to FAA.

The Helicopter Association International has a "Fly Neighborly Guide" which is a voluntary noise abatement program for helicopter pilots. This includes flight paths, ground operations and approach/departures. The applicant states that the helicopter pilots will follow the Fly Neighborly Guidelines. See condition X.A.6.

### IV. Technical Review

#### A. Clearing & Grading Division

No concerns.

#### B. Fire Department

The Fire Department provided extensive review of the proposal. In April 2009, the Fire Department performed a practice drill where 15 firefighters arrived in 4 fire trucks (including 1 ladder truck) and 1 medic car. The Fire Department had all firefighters in full "turnout gear" ascend to the roof. They performed a drill for a fire event and then for evacuating a person on a stretcher. Both of these drills were fully executed without difficulty and without engaging obstacles that would impede department activities in case of an emergency.

Recommended conditions by the Fire Department include a requirement for fire hose stations, two portable foam extinguishers, a condition prohibiting fueling and smoking, an operations (SOP) manual, and video/audio security systems. See conditions X.C.1-10.

### C. Transportation/Right-of-Way

A Right-of-Way Use Permit may be required for hauling oversized loads or if the project requires 10 or more truckloads. See condition X.B.1.

### D. Utilities Department

No concerns.

## V. Environmental Impacts of the Proposal

The environmental review indicates no probability of significant adverse environmental impacts occurring as a result of the proposal. The Environmental Checklist submitted with the application adequately discloses expected environmental impacts associated with the project. The City codes and requirements, including SEPA, Land Use Code, Noise Ordinance, Building Code and other construction codes adequately mitigate expected environmental impacts. Therefore, issuance of a Determination of Non-Significance (DNS) is the appropriate threshold determination under the State Environmental Policy Act (SEPA) requirements.

### A. Noise and Vibration

**Note: Sounds originating from aircraft in flight are exempt from the Noise Control Chapter 9.18.020.A.6 BCC.**

Noise and vibration are expected to increase during helicopter landings/departures.

#### Vibration

It is possible that vibration could be experienced within the subject building and adjacent buildings. During the second helicopter sound test, City staff and the manager of Daniel's Broiler Restaurant experienced no vibration at the level directly below the helistop in Daniel's Broiler Restaurant. The helistop will be constructed to meet all applicable code requirements. Existing Building Structural Codes ensure that structures are structurally sound (including vibration/seismic events). Short term vibration could be experienced within some adjacent buildings during the operations. Potential short term vibration impacts will be mitigated by limiting the frequency of landings. See condition X.A.1.

#### General Description of Noise

Environmental noise typically refers to the total acoustic environment as measured or heard by humans. This acoustic environment is made up of background noise caused by distant traffic, airplanes, etc., and higher levels of noise dominated by nearby sources such as car pass-bys, airplane flyovers, or close construction activity.

The most commonly used measure of the loudness of sound is the sound pressure level (SPL), which represents the magnitude of the sound pressure in the air (per the two acoustical reports of record in the file).

The human ear responds differently to sounds at different frequencies (pitch). This is demonstrated by the fact that we hear higher pitched sounds easier than lower ones of the same magnitude. To compensate for the different "loudness" as perceived by humans at different pitches, a standard weighting curve is applied to measured levels. This weighting curve

represents the sensitivity of the human ear, and is labeled "A" weighting. The units of magnitude of the sound are recorded as dBA, or "A"- weighted decibels, which is a logarithmic scale.

Because the decibel scale is logarithmic, individual dB ratings for different noise sources cannot be added directly to give the dB rating of the combination of these sources. Two noise sources producing equal dB ratings at a given location will produce a composite noise that is 3 dB greater than the individual levels. Similarly, the loudness of sounds does not vary arithmetically. A 3 dB difference in environmental noise levels is normally considered a slight difference in loudness. A difference of 5 dB, however, is easily perceptible, and considered significant. A 10 dB difference is perceived as half or twice as loud, depending on the relative levels.

The following table presents examples of common noise levels:

**Table 2**  
**Common Noise Levels**

SPL (dBA)	Example
0	Threshold of audibility
20	Quiet rural area (no traffic)
40	Suburban neighborhood (distant traffic)
60	Normal conversation
65-80	Along NE 8 <sup>th</sup> Street
70	Busy freeway
100	Pile driver
130	Threshold of pain

The  $L_{eq}$  noise descriptor is the Equivalent Noise Level, which is the dBA level of a constant sound which has the same acoustical energy as the time-varying sound. It is described by the Environmental Protection Agency as the "single value of sound level for any desired duration, which includes all of the time-varying sound energy in the measurement period." Therefore, a source that produces a constant sound level of 60 dBA for a ten minute duration, and then produces a constant sound level of 70 dBA for ten minutes would produce an  $L_{eq}$  of 67 dBA (the logarithmic average of 60 and 70) for the entire 20-minute duration. Note that the level in the  $L_{eq}$  calculation is closer to the higher sound level because the higher level has more energy.

#### Acoustical Reports of Record

Sparling consultants prepared two acoustical reports: (1) dated November 5, 2008 and revised February 18, 2009; and (2) dated May 14, 2009 and revised on May 19, 2009. These reports were prepared after two helicopter sound tests: October 16, 2008 and May 2, 2009.

#### **Technical Information**

Acoustic microphones were calibrated in the field prior to taking measurements using a 1000 Hz Acoustic Calibrator. A list of equipment used at each monitoring location is noted in the reports. All equipment used conformed to Bellevue City Code (BCC) Chapter 9.18 Noise Control definition/requirements for sound level meters (BCC 9.18.015.T).

All sound level meters were placed on tripods and were at least 3 feet from any extended major surface. All exterior microphones were fitted with wind screens. All clocks on the measurement devices were synchronized prior to monitoring.

**Flight Information**

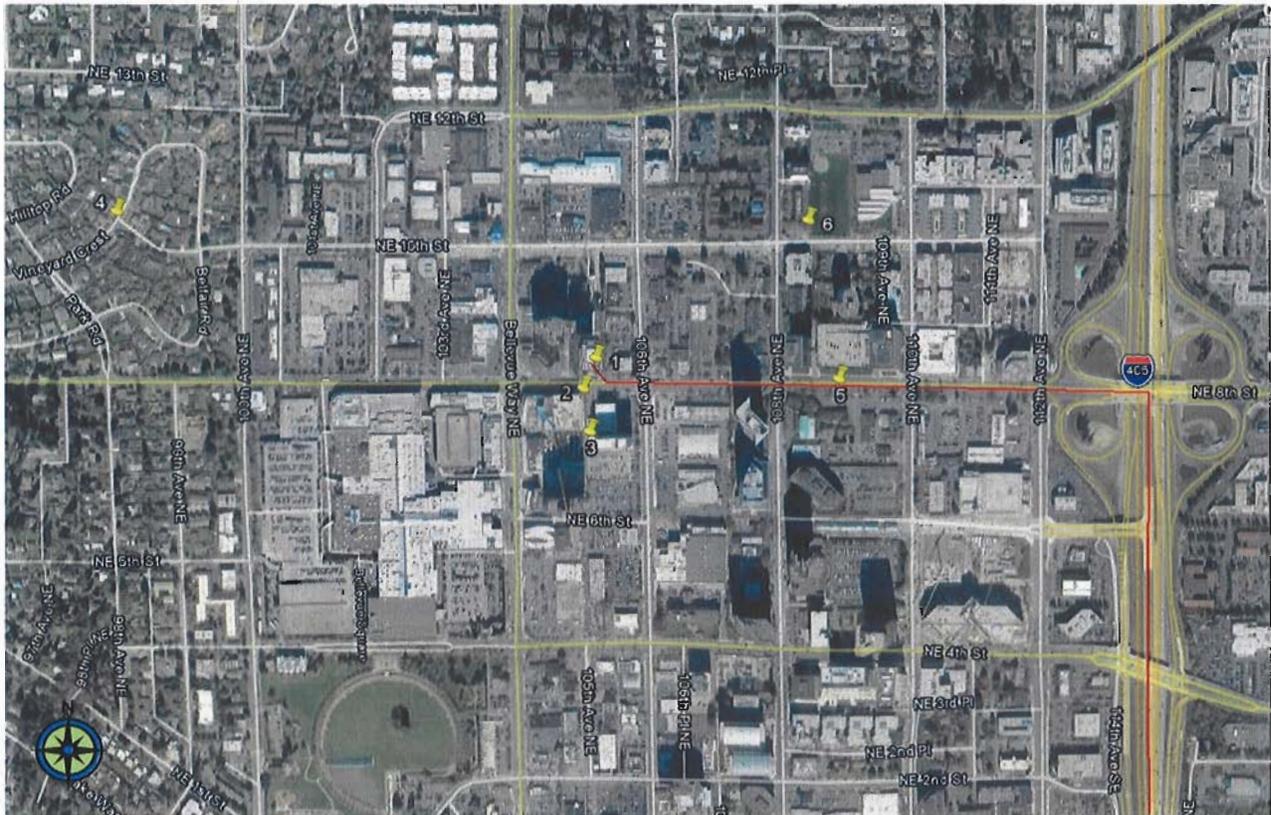
For both tests, the helicopter flight was approximately less than 1 minute to the helistop location, once the helicopter turned west on NE 8<sup>th</sup> Street from I-405.

**Noise Meter Locations for October 16, 2008 flight event**

The following locations were used for the helicopter sound test on October 16, 2008:

1. Rooftop of Bank of America Building (approximately 20' south of helicopter touchdown location).
2. Northeast corner of Lincoln Square office building on the southeast corner of NE 8<sup>th</sup> and Bellevue Way (located on the rooftop of building above the helistop - approximately 315' from the helistop).
3. North side of One Lincoln Tower (inside a 39<sup>th</sup> floor condominium directly facing and above the helistop - approximately 700' from the helistop).
4. Corner of Vineyard Crest and Belfair Lane (on a rise in a residential area with direct line-of-sight to the helistop - approximately 2400' from the helistop).
5. South side of NE 8<sup>th</sup> St between 108<sup>th</sup> & 110<sup>th</sup> Ave NE (at street level - approximately 1300' from the helistop).
6. Near southwest corner of Ashwood Park playing field (at street level with clear line-of-site to the helistop - approximately 1200' from the helistop).

**Sound Measurement Locations  
October 16, 2008**



Note: The red line in the aerial photograph indicates the flight path.

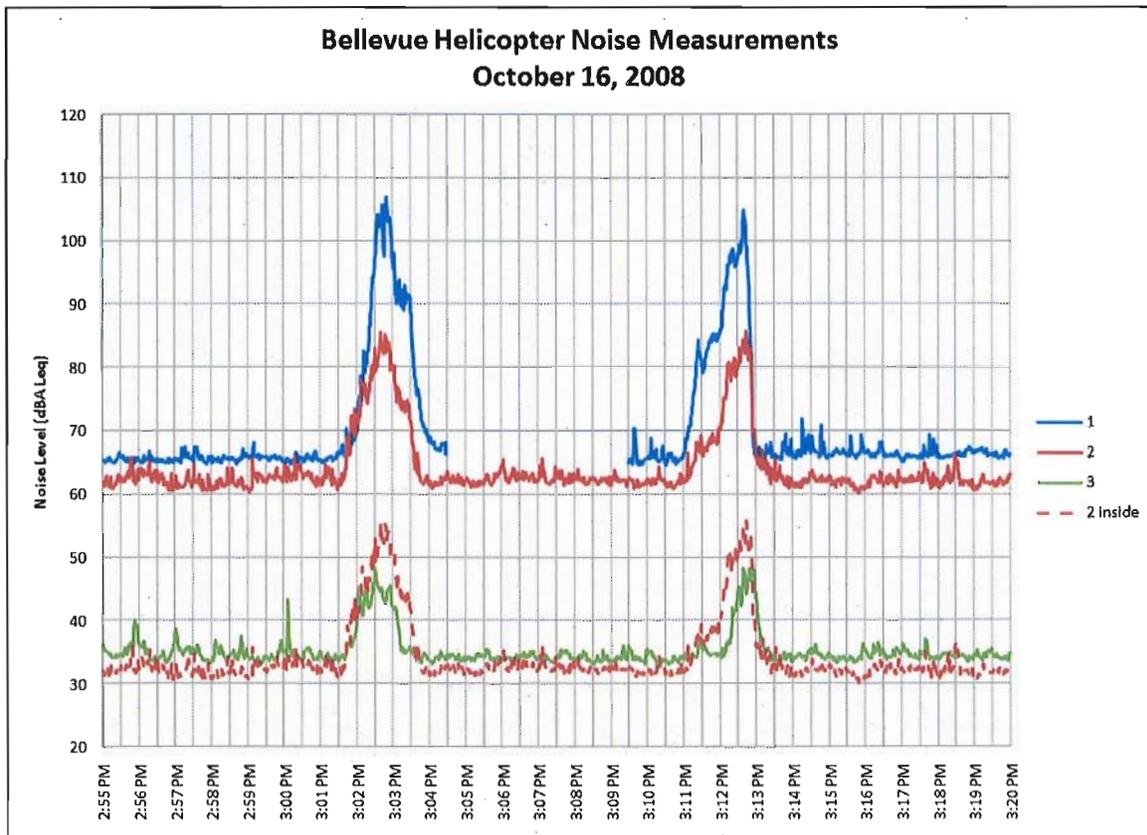
**Results of October 16, 2008 Test**

*Location 1 - Rooftop of Bank of America Building at Helistop.*

Noise levels monitored at this location are by far the loudest due to the very close proximity to the helicopter. Although this is not representative of the noise levels at the other locations, it is very useful for predicting the impacts at surrounding locations throughout the area. This data is shown in Figure 1 below.

The levels measured here were as loud as 106 dBA when landing and 105 dBA at takeoff at the tower location. The meter at this location was turned off just after shutdown and turned back on just prior to takeoff.

**Figure 1**  
**Test Locations 1-3 October 16, 2008**



*Location 2 - Northeast corner of Lincoln Square office building on the rooftop.*

Measurements taken at location two are also shown in Figure 1 above. Due to loud background noise levels inside this office building, measurements were taken on the roof (shown as Location 2 solid dark red line).

Predicted noise levels in the office space were calculated by subtracting out the window effects<sup>6</sup> from exterior noise measurements. This data has been added to Figure 1 to show the worst case effects of helicopter noise in this office tower (shown above as Location 2 dashed red line). Noise levels in the building are not expected to exceed 55 dBA, where this loudest level is anticipated at limited areas within the building with direct exposure to the helistop. Background noise levels within office spaces are typically 40 to 45 dBA. As a worst case, helicopter noise would be audible for roughly 2 minutes during takeoff and landing. For less than a minute, noise levels would be 10 to 15 dBA above typical office background noise levels. Table 3 (below) provides a breakdown of the potential impact aircraft noise can have at various levels above background and can be used for an interior office or residential type environment. It can be used as a reference to help predict the impact on normal activity for these spaces.

For aircraft noise events 10 to 15 dB above typical office background levels, noise will be clearly audible and possibly dominant and could begin to have an impact on conversation. The transient nature of this noise, however, makes the effect on the office environment relatively brief.

**Table 3**  
**Impact of aircraft sound at different levels above background**  
**(valid for an interior office or residential setting)**

<b>Level above Background</b>	<b>Description</b>
0 to 5 dBA	Noise audible but can be typically ignored when focusing on task or conversation
6 to 12 dBA	Noise audible - most observers could still concentrate on tasks, but with some effort
13 to 18 dBA	Noise is dominant with slight impact on speech intelligibility
19 dBA and above	Noise interferes with speech and conversation

*Location 3 - North side of One Lincoln Tower inside condo directly facing and above helistop.* This measurement was taken inside a 39<sup>th</sup> floor condominium at One Lincoln Tower, where the room had direct exposure to the helistop. The green line in Figure 1 shows levels measured from this location.

Noise levels due to the helicopter event were as loud as 48 dBA within the space, and up to about 12 dB above the background noise levels for a brief period of time. A receiver will likely notice this noise coming from outside but could continue with normal activities without interruption.

<sup>6</sup> The acoustical consultant took a reduction of 30 dB for the transmission of noise through the double paned 1/4" glass\_1/2" air space\_1/4" glass window walls used in the construction of this building. The consultant arrived at this number by taking the maximum spectral data and subtracting out the transmission loss of the window and basic room effects.

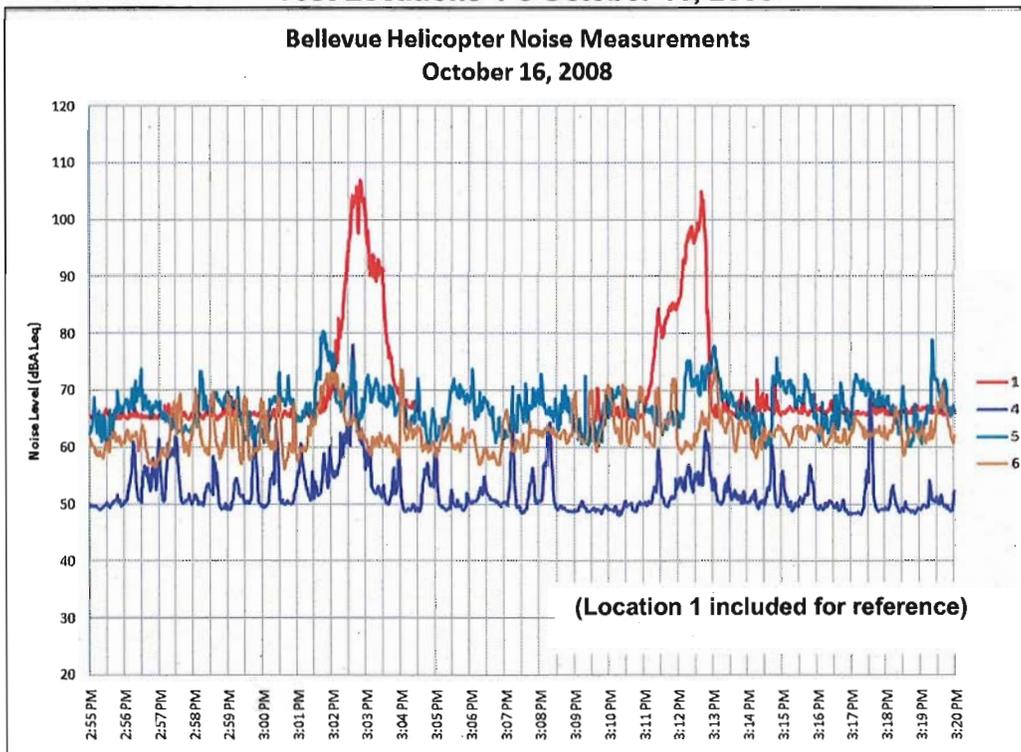
*Location 4 - Corner of Vineyard Crest and Belfair Lane.*

Noise levels outside at this residential receiver were virtually unaffected by this helicopter flight event. Figure 2 (below) shows a summary of measurements taken at the three street level locations 4, 5, and 6 (Location 1 included for reference). At this location noise levels from passing cars were much louder than helicopter noise levels which were as high as 55 dBA. The landing event was interrupted at Location 4 due to a localized event, probably a car, so it is unclear what noise is due to the helicopter event and what noise is due to the localized event.

*Location 5 - South side of NE 8<sup>th</sup> St between 108<sup>th</sup> & 110<sup>th</sup> Ave NE at street level.*

This location was on the sidewalk on the south side of NE 8<sup>th</sup> St. Noise levels at this location ranged from 60 to 80 dBA before, during, and after these helicopter events. Noise levels from the helicopter event were audible at this location, and were about as loud as a diesel bus driving by in the closest lane.

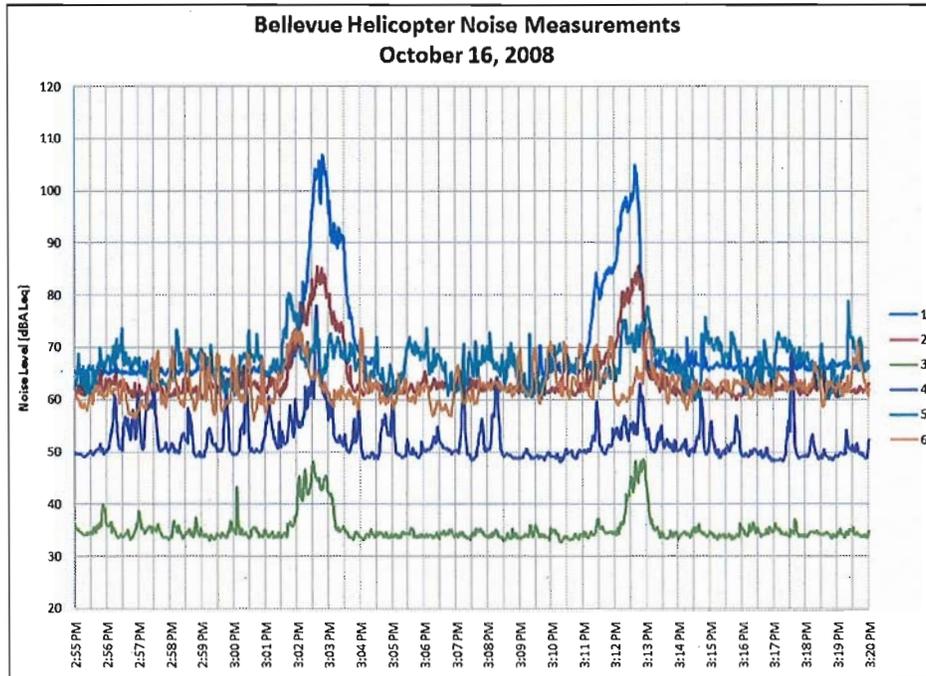
**Figure 2**  
**Test Locations 4-6 October 16, 2008**



*Location 6 - Near southwest corner of Ashwood Park playing field at street level.*

This location was set back approximately 50' from NE 10<sup>th</sup> St to the north. Noise from the helicopter event was loudest at this location as it passed within about a block as it traveled along NE 8<sup>th</sup> St. As with location 5, noise levels from this helicopter event were audible and about as loud as a large bus or noisy truck driving by.

Figure 3  
Test Locations 1-6 October 16, 2008

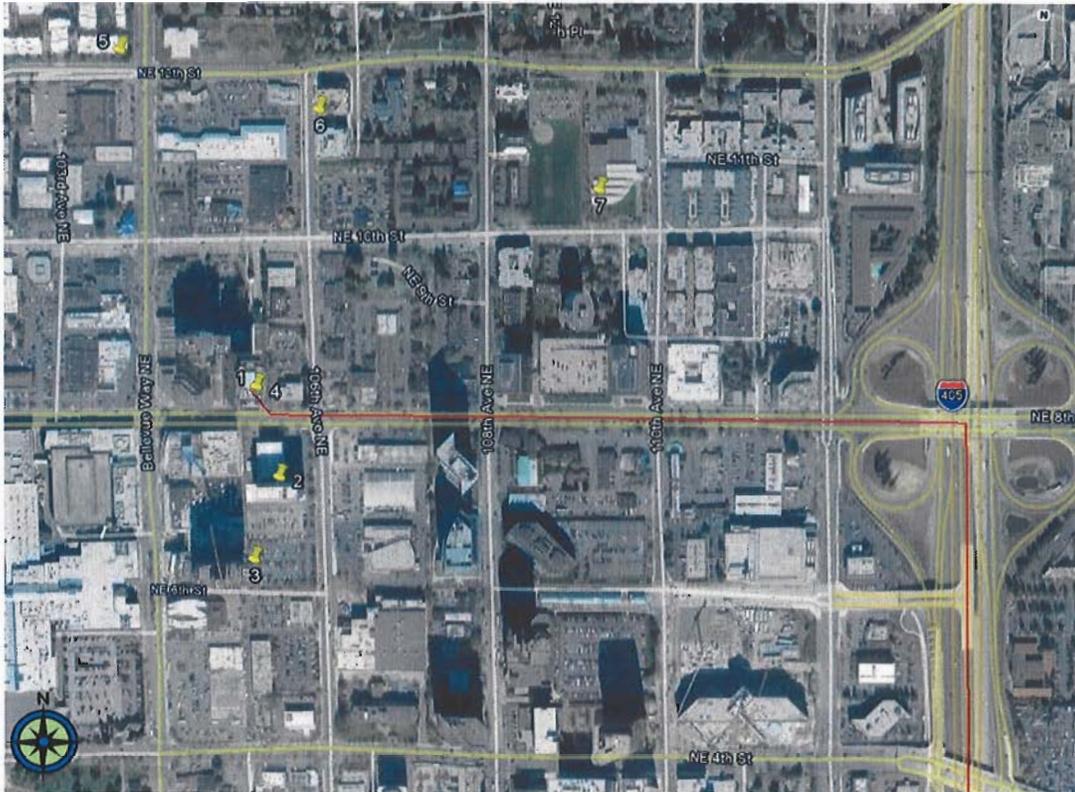


**Noise Meter Locations for May 2, 2009 flight event**

The following locations were used for the most recent helicopter sound test on May 2, 2009, which includes specific locations, as requested by the public:

1. Rooftop of Bank of America Building (approximately 20' south of helicopter touchdown location).
2. Inside PACCAR Building (approximately 400' from helistop) – requested by PACCAR.
  - a. NE corner of Level 12 in an open office area near a north-facing window.
  - b. SW area of Level 13 in a dining area near a north-facing window.
3. One Lincoln Tower north facing condominium on 42<sup>nd</sup> floor (above the plane of the helistop - approximately 700' from helistop) – requested by the condominium owner.
  - a. Outside on balcony of this north-facing unit.
  - b. Inside the living room of this north-facing unit.
4. Inside Daniel's Broiler Restaurant (in the SE portion of building - 1 floor below helistop).
5. Northwest corner of Bellevue Way and NE 12<sup>th</sup> St (at street level - approximately 1350' from helistop).
6. Rooftop of King County Regional Library (approximately 1500' from helistop).
7. Southwest corner of Palazzo on street level (approximately 1000' from helistop).

Sound Measurement Locations  
May 2, 2009



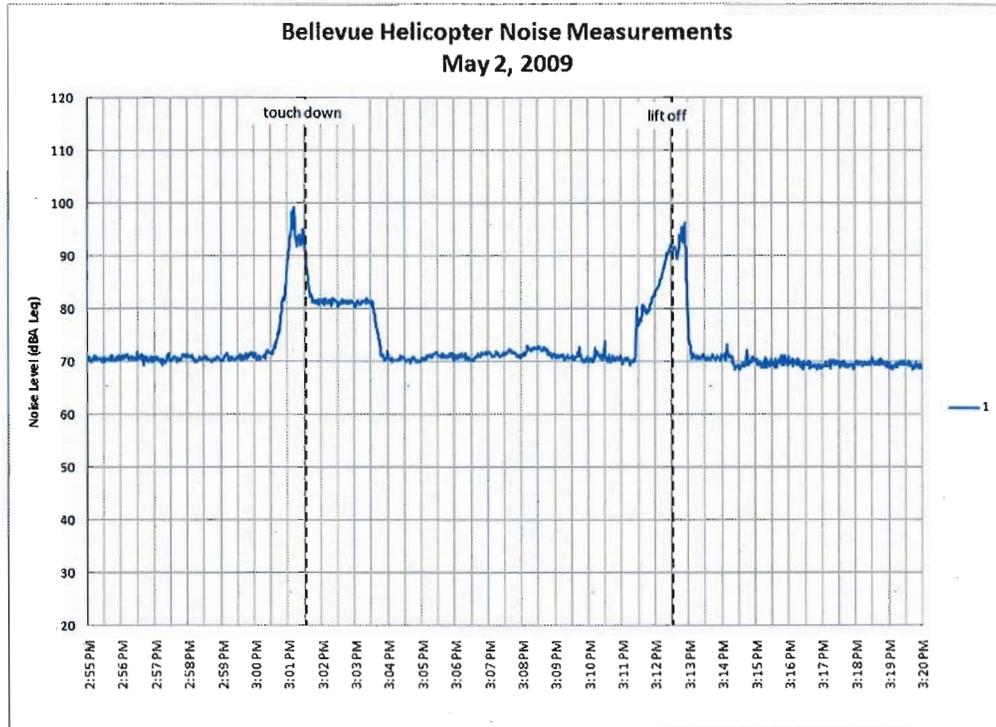
Note: The red line in the aerial photograph indicates the flight path.

**Results of May 2, 2009 Test**

*Location 1- Rooftop of Bank of America Building at Helistop.*

Noise levels monitored at this location are loudest due to the close proximity to the helicopter. Although this is not representative of the noise levels at the other locations, it can be useful in understanding impacts to surrounding locations throughout the area. This data is shown in Figure 4. Levels at this location were as loud as 99 dBA during the event and were 94 dBA at touchdown and 95 dBA at liftoff. According to the acoustical report, this was a lower noise level than the first test in October 2008 and could be attributed to slight variations in microphone proximity to flight patterns. Another factor may be different operating conditions and different models of helicopters used.

Figure 4  
Test Location 1 May 2, 2009



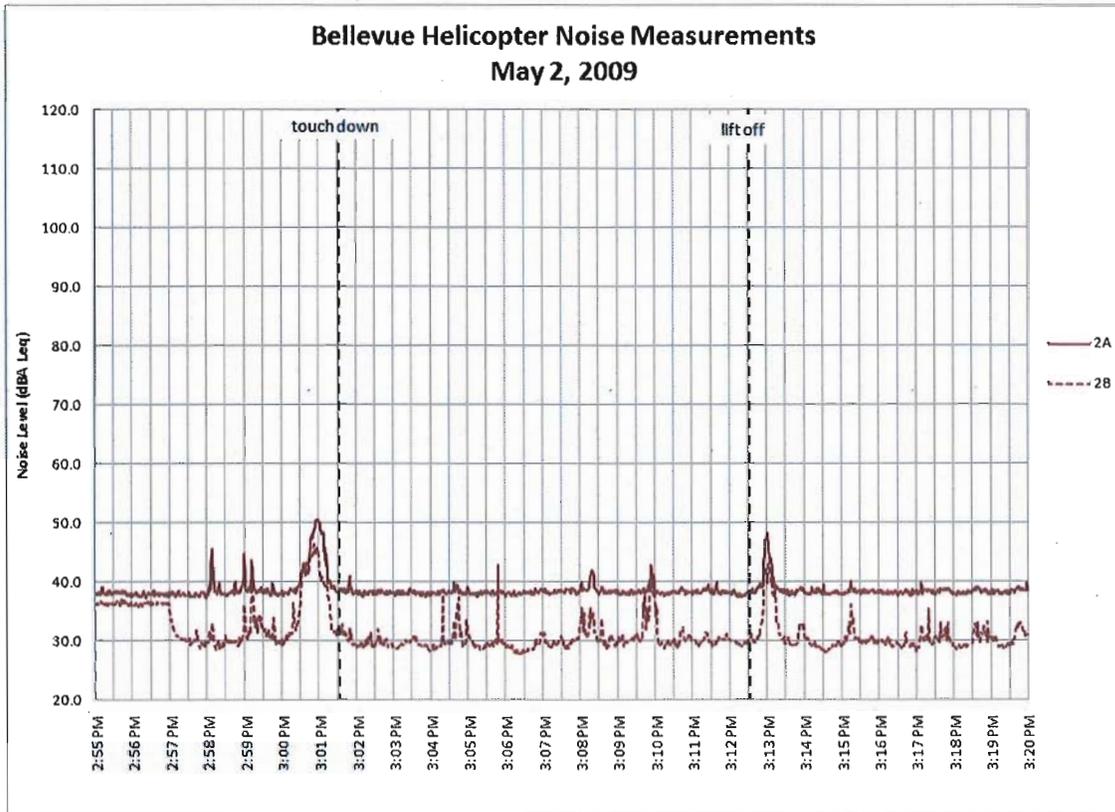
*Location 2 - Inside PACCAR building.*

Due to the close proximity of the PACCAR Building to the helistop, noise levels within are a concern. Noise monitors were placed on two upper floors in areas in close proximity to the windows. A significant portion of the exterior façade on both the 12<sup>th</sup> level and 13<sup>th</sup> level where monitoring occurred was comprised of single paned windows.

The loudest level during the helicopter event at the 12<sup>th</sup> level monitoring location (2A) was as the helicopter was in flight as it approached the helistop. This level was 51 dBA. When the helicopter was over the helistop and out of view, noise levels were reduced and ranged from barely audible to inaudible. Noise level at touchdown was 38 dBA and at liftoff 39 dBA.

The loudest point of the helicopter event at the 13<sup>th</sup> level monitoring location (2B) was also as the helicopter was in flight as it approached the helistop. This level was 46 dBA. Again as the helicopter passed out of view noise levels were reduced. Values ranged from barely audible to inaudible. Noise level at touchdown was 31 dBA and at liftoff 30 dBA.

Figure 5  
Test Location 2 May 2, 2009



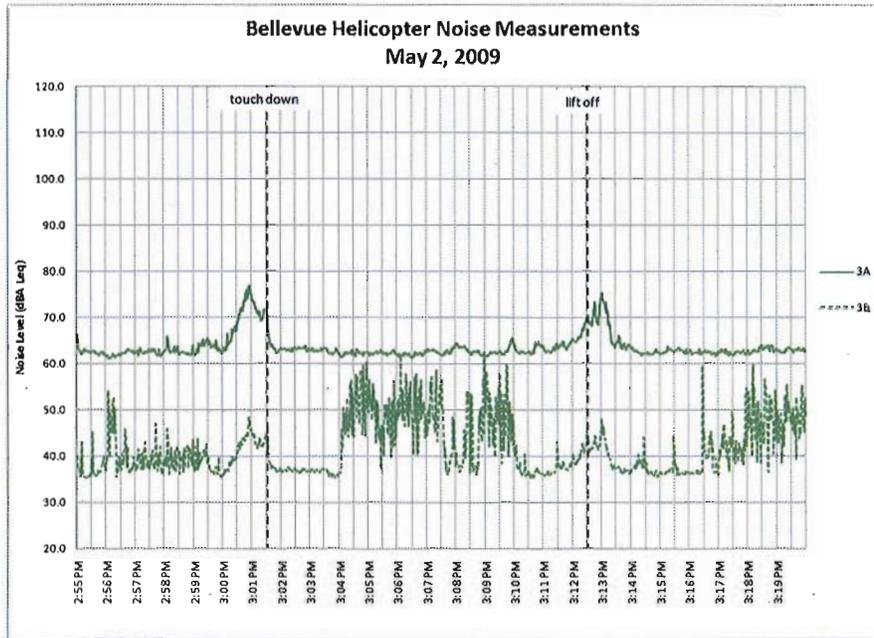
*Location 3 - North facing condo on 42<sup>nd</sup> floor.*

A resident on the 42<sup>nd</sup> Floor of One Lincoln Tower had monitoring stations both inside the living room of this north-facing unit as well as outside on the balcony. This unit had a north facing view of the helistop with an unimpeded line of site to the helistop.

Maximum noise levels at this location occurred while the helicopter was in flight, with levels as loud as 77 dBA at the exterior monitoring location (3A). The noise level at this monitor at touchdown was 72 dBA (72.6 dBA Lmax) and at liftoff 72 dBA (72.1 dBA Lmax).

The noise level inside the unit was at a maximum when the helicopter was in flight and was at 48 dBA. Levels at touchdown and liftoff were 47 and 43 dBA respectively. Please note that peaks in the values of 3 dBA was due to a normal conversation intentionally held before the flight event, between cool-down and warm up, and after the noise event. Noise levels of normal conversation in the living room were 10 to 20 dBA louder than this helicopter event as measured within this unit.

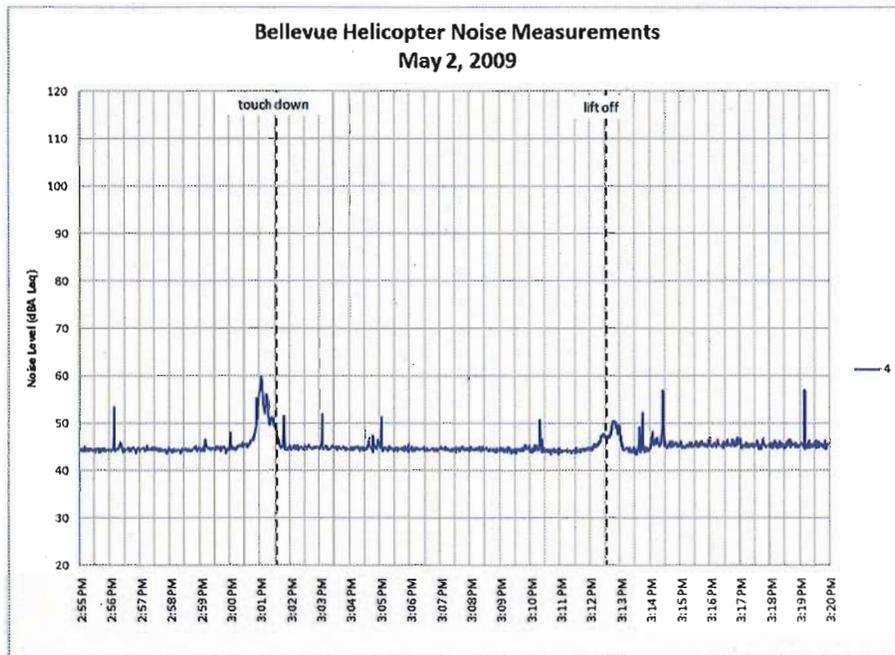
**Figure 6**  
**Test Location 3 May 2, 2009**



*Location 4 - Inside Daniel's Broiler Restaurant.*

Levels at location four inside Daniel's Broiler Restaurant were at a maximum of 60 dBA, which occurred as noise travel through the window during helicopter approach. Levels at touchdown were 49 dBA and 49 dBA at liftoff.

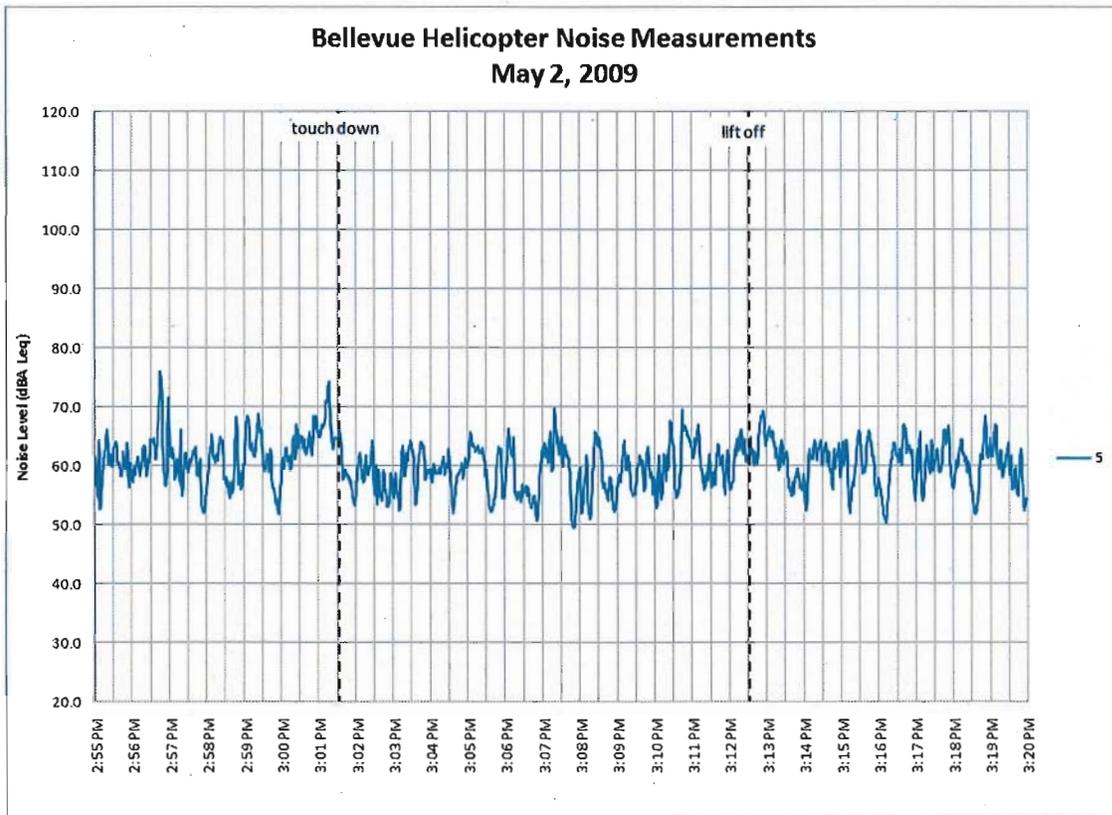
**Figure 7**  
**Test Location 4 May 2, 2009**



Location 5 - Northwest corner of Bellevue Way and NE 12<sup>th</sup> St at street level.

Levels at this street level location were taken to provide information on expected noise level impacts outside in one of the surrounding residential areas. The maximum noise level at the location was not associated with the helicopter flight event and although his monitoring location was unmanned, it is most likely attributed to a louder traffic event. The maximum noise level during the helicopter event was at 74 dBA and occurred during the helicopter approach. Noise levels at touchdown and liftoff were both 65 dBA.

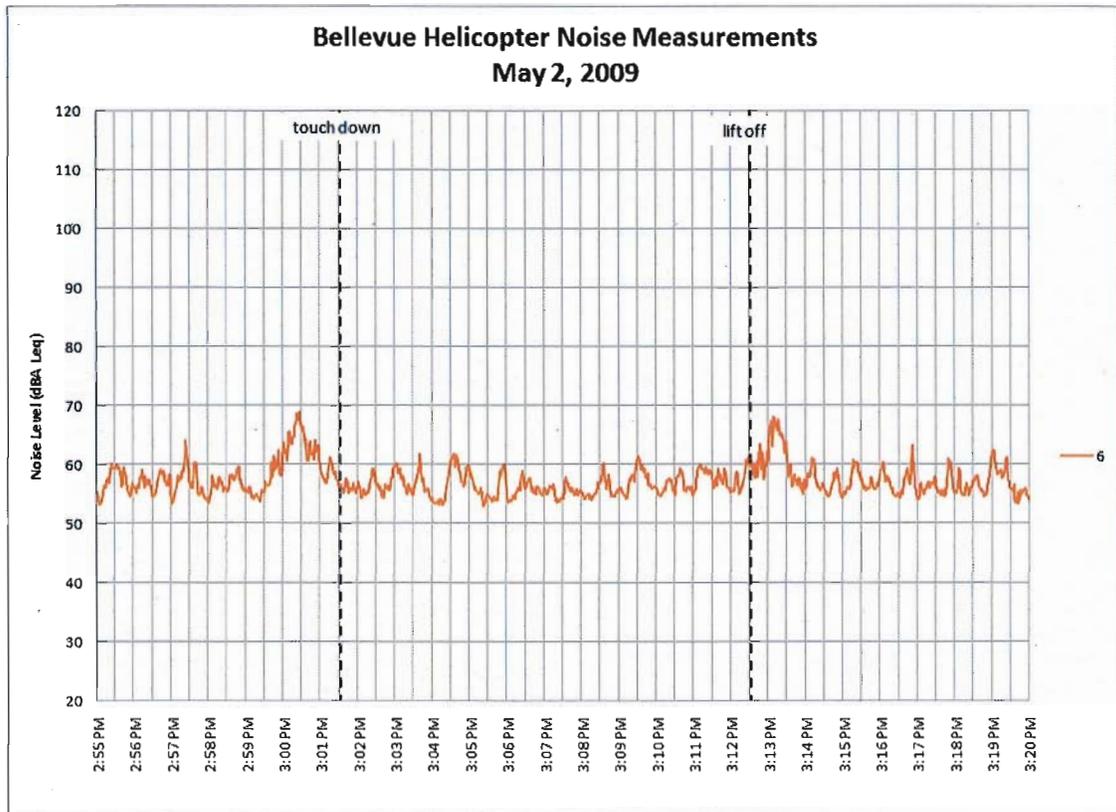
**Figure 8**  
**Test Location 5 May 2, 2009**



*Location 6 - Rooftop of King County Regional Library.*

Noise levels at this location on the roof of the King County Regional Library in Bellevue had less direct exposure to street level traffic. Noise levels at this location were as loud as 69 dBA during approach. Levels at touchdown and liftoff were 56 dBA and 61 dBA respectively.

**Figure 9**  
**Test Location 6 May 2, 2009**

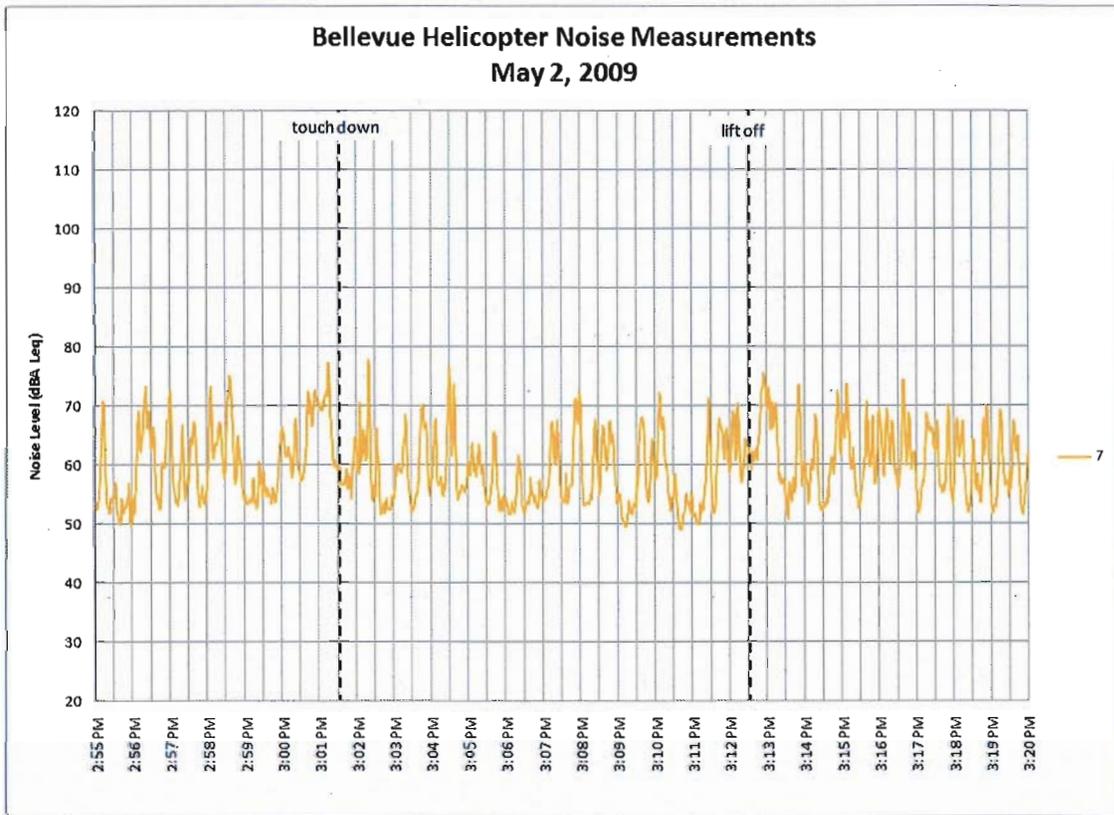


*Location 7 - Southwest corner of Palazzo on street level.*

This measurement location was at the southwest corner of the Palazzo. This location had direct exposure to the helistop and was chosen to help address noise concerns brought forth during the first public meeting by a resident.

Maximum noise levels during the measurement again were not associated with the helicopter flight event, but were due to surrounding traffic. The maximum noise level during the flight event occurred during approach and was at 78 dBA. It is possible that this level was partially influenced by traffic unassociated with the helicopter flight event. The level at touchdown was 60 dBA and 61 dBA at liftoff (in the power point presentation slides of the second public meeting, this level was incorrectly represented as 74 dBA).

**Figure 10**  
**Test Location 7 May 2, 2009**

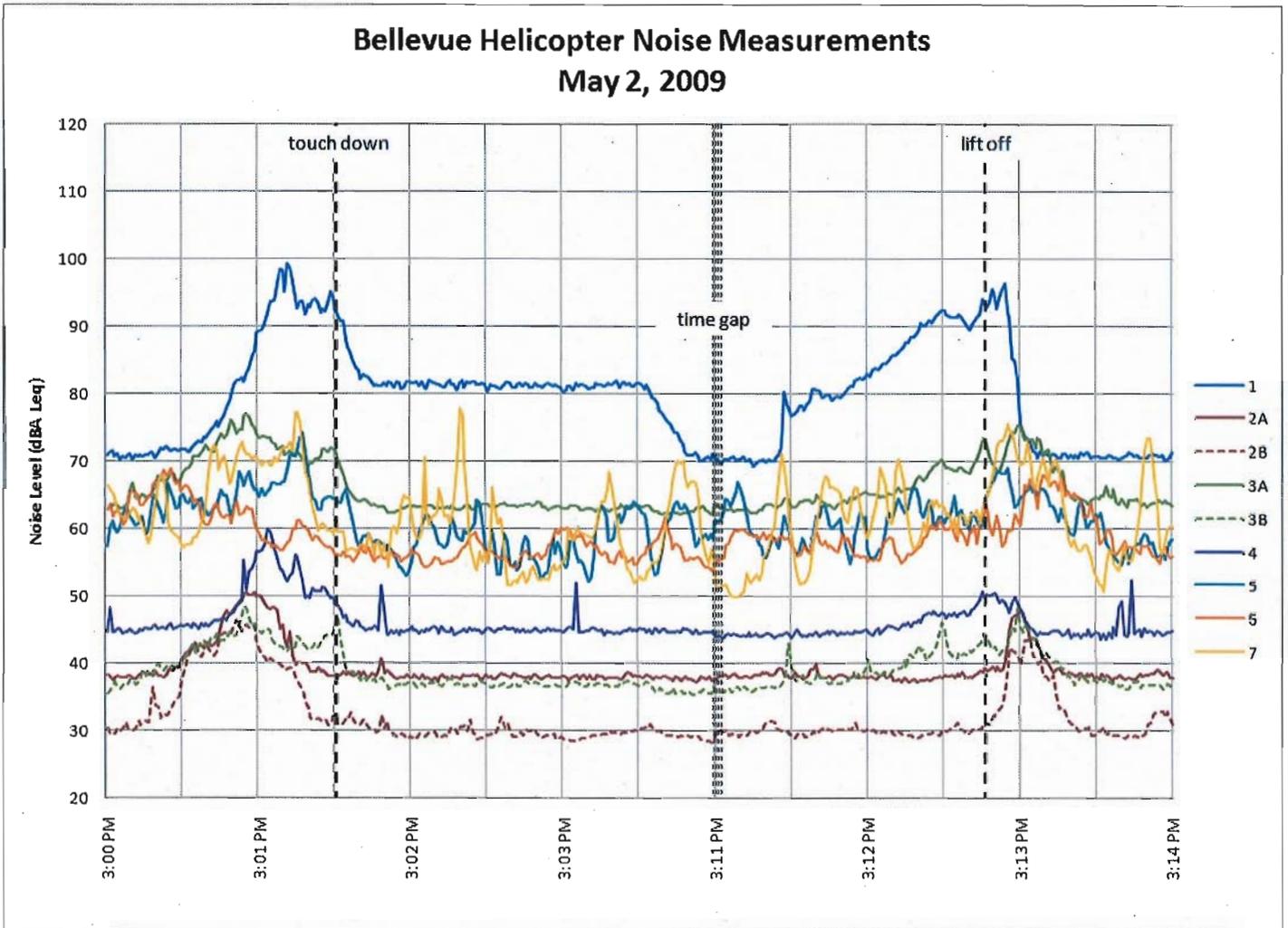


The table below provides a summary of measurement results at each of the monitoring locations for the May 2, 2009 test.

**Table 4**  
**Summary of Measurement Results Locations 1-7 for May 2, 2009**

	Loc 1	Loc 2A	Loc 2B	Loc 3A	Loc 3B	Loc 4	Loc 5	Loc 6	Loc 7
Max Level During Helicopter Flight	99	51	46	77	48	60	74	69	78
Level at Touch Down	93	38	31	72	47	49	65	56	60
Level at Lift Off	92	39	30	72	43	49	65	61	61

Figure 11  
 All Test Locations 1-7 for May 2, 2009



The following tables show a summary of noise levels at locations during each test. The tables show maximum noise levels in flight and maximum levels upon landing.

**Table 5**  
**Summary of noise levels at test locations on October 16, 2008**

A. TEST LOCATION	B. MAXIMUM NOISE LEVEL RECEIVED WHILE HELICOPTER IN FLIGHT (dBA)	C. MAXIMUM NOISE LEVEL RECEIVED WHILE HELICOPTER ON HELISTOP - SUBJECT TO NOISE CODE	D. LENGTH OF NOISE CODE- APPLICABLE EVENT	E. COMMENTS
1. At helistop	106 dBA	N/A	N/A	Test location adjacent to helistop. 20 feet from center of helistop.
2. Rooftop of Lincoln Square Office Tower # 2 (rooftop)	85 dBA	N/A	N/A	Loud interior noises required outside measurement from roof. Noise levels shown are predicted for interior, north-facing space with line-of-sight to helistop. Approx. 315 feet from helistop. The space used is not normally occupied.
3. One Lincoln Tower condo 39 <sup>th</sup> floor (Interior)	48 dBA	48 dBA	Less than four minutes.	Inside north-facing condo with line-of-sight to helistop. Approx. 700 feet from helistop.
4. Vineyard Crest and Belfair Lane (street level)	55 dBA	Less than 53 dBA	Less than four minutes.	Family residential area west of and with direct line-of-sight to Bank of America Building. Approx. 2,400 feet from helistop.
5. South side of NE 8 <sup>th</sup> St. between 108 <sup>th</sup> and 110 <sup>th</sup> Ave. (street level)	80 dBA	Less than 65 dBA	Less than four minutes.	Directly under helicopter flight path. Approx. 1,300 feet from helistop.
6. SW corner of Ashwood Park (street level)	73 dBA	65 dBA or less	Less than 4 minutes	Clear line-of-sight to Bank of America Building. Approx. 1,200 feet from helistop.

**Table 6**  
**Summary of noise levels at test locations on May 2, 2009**

A. TEST LOCATION	B. MAXIMUM NOISE LEVEL RECEIVED WHILE HELICOPTER IN FLIGHT (dBA)	C. MAXIMUM NOISE LEVEL RECEIVED WHILE HELICOPTER ON HELISTOP - SUBJECT TO NOISE CODE	D. LENGTH OF NOISE CODE- APPLICABLE EVENT	E. COMMENTS
1. At helistop	99 dBA	N/A	N/A	Test location adjacent to helistop. 20 feet from center of helistop.
2A. PACCAR Building (interior)	51 dBA	39 dBA	N/A	12 <sup>th</sup> floor, single-pane windows, north-facing. Approx. 400 feet from helistop.
2B PACCAR Building (interior)	46 dBA	31 dBA	N/A	13 <sup>th</sup> floor, single-pane windows, north-facing. Approx. 400 feet from helistop.
3A. One Lincoln Tower condo 42 <sup>nd</sup> floor (exterior balcony)	77 dBA	72 dBA	Level was less than 75 dBA but greater than 70 dBA for no more than 10 seconds	North-facing condo with line-of- sight to helistop. Approx. 700 feet from helistop.
3B. One Lincoln Tower condo 42 <sup>nd</sup> floor (interior)	48 dBA	47 dBA	Less than 3 minutes 30 seconds	North-facing condo with line-of- sight to helistop. Approx. 700 feet from helistop.
4. Daniel's Broiler SE corner (interior)	60 dBA	49 dBA	N/A	One level below helistop and directly under flight path. One floor below helistop.
5. NW corner of Bellevue Way and NE 12 <sup>th</sup> St. (street level)	74 dBA	65 dBA	Less than 3 minutes 30 seconds	Approx. 1,350 feet from helistop.
6. Rooftop of King County Regional Library (rooftop)	69 dBA	61 dBA	Less than 3 minutes 30 seconds	Approx. 1,500 feet from helistop.
7. 1100 106 <sup>th</sup> NE The Palazzo (street level)	78 dBA	61 dBA	Less than 3 minutes 30 seconds	Approx. 1,000 feet from helistop.

## Conclusion

### Location 1 purpose

As expected, noise levels adjacent to the helistop (Location 1 during both tests) were high at dBA levels of 99 and 106 dBA respectively. These occurred while helicopters were in flight and near the helistop. This test area was used to establish a base line of noise at the source. Noise readings from this location have no bearing on this conditional use application since they are on the parcel that is the subject of the application.

### Noise levels in flight

Noise measurement locations received dBA readings of between 46 dBA and 85 dBA (indoor and outdoor) while the helicopter was in flight transitioning from the I-405 freeway along NE 8<sup>th</sup> Street to the helistop and returning along NE 8<sup>th</sup> Street to I-405. It is estimated that the inbound and outbound NE 8<sup>th</sup> Street segments of flight lasted less than one minute each. The loudest outdoor readings (excluding rooftops) were at street level directly under the helicopter's flight path along NE 8<sup>th</sup> Street and the one balcony location. In flight readings inside the PACCAR Building, inside Daniel's Broiler, inside the One Lincoln Square Office Tower and inside the One Lincoln Square condominiums were 46 dBA to 60 dBA. These indoor noise values are of interest since they meet the Noise Control Chapter 9.18.030 BCC while the helicopter was in flight. However, aircraft noise in flight is exempt from Noise Control Chapter 9.18020.A.6 BCC.

### Noise levels while on the helistop

Noise Control Chapter 9.18. BCC is applicable when the helicopter has landed on the helistop and is running. Periods when this would occur are commonly called the helicopter cool-down period, which happens after landing and the helicopter warm-up period which occurs prior to departure. Cool-down periods are specified by helicopter engine manufacturers to cool dissimilar metals, thereby reducing wear and maintenance costs. Warm-up periods, also specified by engine and airframe manufacturers, are meant to ensure that engines are up to operating temperatures and that helicopter systems are properly functioning prior to flight. Cool-down and warm-up periods vary among helicopters. Older helicopters might run for two minutes during these times. Newer helicopters have cool-down and warm-up periods as short as thirty seconds.

Noise measurement locations received dBA readings of between 32 dBA and 72 dBA (indoor and outdoor) while the helicopter was on the helistop.

The loudest outdoor reading (excluding rooftops) while on the helistop is 72 dBA at the One Lincoln Tower condominium balcony which lasted for less than 10 seconds. This meets Noise Control Chapter 9.18 BCC (maximum 75 dBA for 1.5 minutes<sup>7</sup>). Indoor location levels were between 32 dBA and 52 dBA which also meet Noise Control Chapter 9.18 BCC (maximum 57 dBA for residential zones and 60 dBA for downtown zones<sup>8</sup>).

### Bellevue Land Use Code (LUC) Chart 20.10.440 "Transportation and Utilities – Downtown Districts"

The Bellevue Land Use Code permits helistops through the conditional use process. It is through the conditional use process that the city mitigates noise impacts. For this project, noise impacts,

<sup>7</sup> Class B downtown zoning districts to Class B downtown zoning districts 60 dBA plus 15 dBA increase for maximum 1.5 minutes = 75 dBA.

<sup>8</sup> Class B downtown zoning districts to Class A residential zoning districts is 57 dBA plus 15 dBA increase for maximum 1.5 minutes = 72 dBA.

although meeting the Noise Control Chapter 9.18 as documented by the acoustical measurements, are mitigated through limitations on frequency of operations, days of operations, times of operations, flight path and types of helicopters that may use the facility. See conditions X.A.1-3.

## **B. Light and Glare**

Helistop lights will be illuminated during the helicopter approach, cool-down, start-up and departure. There may be short term light and glare impacts from the helistop lights to nearby condominium units and offices that look down on the project. This impact will be mitigated by requiring low-wattage light emitting diode (LED) fixtures wherever possible and allowing helistop lights to be illuminated only the minimum amount of time necessary for helicopter approach, cool-down, start-up and departure. Prior to construction of the helistop, the applicant shall provide the city with a detailed helistop lighting plan. See condition X.A.7.

## **C. Air Pollution**

The exhaust from the helicopter will produce a minimal amount of air pollution. This air pollution impact is not expected to be significant due to the frequency and therefore no mitigation is required.

## **VI. Public Comment and Response**

The City held two public meetings and the applicant provided one publicly noticed helicopter sound test. (Note: The first helicopter sound test in October 2008 was held prior to Conditional Use Permit application submittal.)

February 18, 2009: This was the first public meeting required by code (Process I). Because of the concern over noise expressed by neighbors, the applicant volunteered to have a helicopter sound test for the public so they could experience the sound of the helicopter.

May 2, 2009: This was the date of the public helicopter sound test. The city provided public notice for this test.

May 5, 2009: This was the second public meeting. The city provided public notice for this meeting.

As of the writing of this staff report, the city received phone calls from approximately 20 people, letters from approximately 10 people, and emails from approximately 80 people. In addition to the email addresses, the city complied mailing address labels of approximately 120 people. (Note: Some people are on both lists.) A copy of the letters and emails are in the file.

The following is a list of concerns expressed by the public:

1. Noise is the main concern of those who have provided comments.

A noise analysis with results of the two acoustical reports is noted in Section V.A. of this staff report. As noted within Section V.A., helicopter operations to and from the helistop will be audible at street level, especially along the NE 8<sup>th</sup> Street flight path and in structures in much of the downtown core. Noise levels created by helicopters will vary slightly depending on the model of helicopter and flight altitude. Noise measurements recorded on May 2, 2009 at Location 5 (street level along NE 8<sup>th</sup> Street) directly under the helicopter as it approached and

departed the helistop indicate, according to the acoustician, that the helicopter was not the loudest noise event. Bellevue's downtown core routinely experiences noise from buses, trucks, emergency vehicles and common traffic. This use is not expected to substantially increase ambient levels.

Noise measurements taken at various locations during both helicopter events after the helicopters had landed but were still operating (the cool-down period) and after start-up but prior to departure (the warm-up period) indicate noise impacts are not significant.

Of particular note are the relatively low (within code) noise impacts associated with both flyover events and the cool-down and warm-up periods within the upper floors of the Paccar Building which has single-pane windows and on an open balcony at One Lincoln Tower.

With the mitigation measures imposed as conditions, no significant adverse environmental impacts are anticipated. These conditions restrict use of this helistop to a category of helicopter (light turbine), to a frequency of no more than five flights in a week, and to reasonable business hours. Conditions prohibit operations on Sundays and on legal holidays. In addition within Bellevue's downtown core, the flight pattern will be restricted to fly over the city right-of-way, NE 8<sup>th</sup> Street, and not over private properties. See conditions X.A.1-3.

2. Will there be 40 landings per day? That was printed in the Bellevue Reporter.  
Response: There will not be 40 landings per day. That was a misprint. The applicant has since revised the application which was originally no more than 40 landings per month, to be no more than a total of 5 landings per week. See Table 1.
3. There is a concern that the first helicopter sound test (October 16, 2008, prior to submittal of the Conditional Use Permit application) was not reflective of different levels of the One Lincoln Tower condominiums (i.e. 20<sup>th</sup> floor, 42<sup>nd</sup> floor). Would the upper levels of One Lincoln Tower experience more noise?

Response: For both helicopter events, sound test locations were on the upper floors of One Lincoln Tower (39<sup>th</sup> floor and 42<sup>nd</sup> floor). There were no sound meters located on any of the lower floors, i.e. 20<sup>th</sup> floor. However at the first test October 16, 2008, City staff observed from a hotel room, without balcony, on the 17<sup>th</sup> floor of the Westin Hotel (located below the condominium unit floors). City staff had normal conversation during the event and when the helicopter was passing by there was minimal noise.

4. The helicopter noise will be too loud for people eating at Daniel's Broiler Restaurant.  
Response: Daniel's Broiler Restaurant is fully aware of the proposal and wrote a letter (in the file) which states the manager's support of the Conditional Use Permit application. City staff observed the May 2<sup>nd</sup> helicopter sound test at Daniel's Broiler Restaurant along with the manager and experienced minimal noise impacts and absolutely no vibration impacts.
5. There are too many landings per month. The hours should be revised so it is not so early or late.  
Response: As noted in #2 above, the applicant has revised the application to be no more than a total of 5 landings per week. The hours of operation have also been revised, as follows: Monday through Friday 9am-6pm, Saturday 10am-5pm. See Table 1.
6. What if the pilots do not follow a specific flight path, even if conditioned?

Response: If pilots who are authorized to use the helistop do not operate in a manner that is agreed to, that is consistent with imposed conditions and that is considerate of the community, their authority to use the helistop will be rescinded. The use agreement between Kemper Development Company and authorized users will contain a provision that relates to flight paths.

7. Vibration could occur within residential units (condominiums, nearby single family homes).

Response: Existing Building Structural Codes address the issue of structures to be structurally sound (including vibration/seismic events). Short term vibration could be experienced within some adjacent buildings during the operations. Potential vibration impacts will be mitigated by limiting the frequency of landings. [See condition X.A.1.](#)

8. How will pilots detect wind speed? What is the backup plan is if it's too windy/foggy to land?

Response: Kemper Development Company will install a weather-reporting station on the roof of the Bank of America Building. Pilots will be able to access, at minimum, real time data about wind speed and wind direction. The applicant's security department will monitor conditions on the roof of the Bank of America Building and will be able to communicate with pilots before landings and before take-offs. General weather information is readily available to pilots from several government and commercial sources. If it is not safe to land, pilots will not land and in fact - according to the applicant - probably would not initiate the flight to the helistop. A weather reporting station will therefore not only improve safety but will limit both unnecessary flights and potential impacts. [See condition X.A.8.](#)

9. There was a request to have a dedicated complaint line if residents think the noise is too loud.

Response: The applicant will be required to provide a communication phone line for residents regarding helicopter operations. The applicant will be required to create and manage a website (blog) for residents to communicate. The website site will include approved Temporary Use permits for separate applications for the Bellevue Square HVAC changeouts by helicopter so residents will be aware of when this activity will occur. During the public comment process, residents expressed concern that they heard loud helicopters flying at 7am in the morning and that this disturbed them. These are heavier louder helicopters than those proposed for the subject helistop. Therefore, if there were a website, the residents could access information about if the 7am flights were for HVAC changeouts and know those flights were not this subject application. The communication line/website must be operational prior to the first helicopter operation approved under this conditional use permit. [See condition X.A.9.](#)

If residents believe the applicant is violating the conditions of approval for the project, they can call the city's complaint line, 425-452-4570. Note: The recommended conditions require flight frequency and times, so complaints can be tracked.

10. There is already enough helicopter noise with the news helicopters. This project will add to the amount of noise that residents already have to experience.

Response: This application is separate from the flying activities of the news helicopters. However, there may be some overlap in the time period.

11. This project is a 21-story helistop which is surrounded by 30-40 story buildings. There is the potential for a crash with the pilots winding through the buildings.

Response: Helicopter pilots are licensed and follow strict FAA requirements for safety. If the pilots use NE 8<sup>th</sup> Street (as required), they will not be flying between 30-40 story buildings to get to the helistop. They will be flying over city right-of-way (streets).

12. There could be a forced landing in the downtown city park.

Response: This is not an option that the city will approve.

13. This creates a precedent for more helicopter landings in downtown Bellevue.

Response: Any subsequent application for a helistop would be reviewed according to Land Use Code 20.20.450. The Land Use Code does not have a maximum number of helistops allowed. Each application would be reviewed on a case-by-case basis. The city does not have jurisdiction over the airspace, only over landing areas (i.e. helistops). Note: No other buildings in the city were constructed with the structural capacity to support a helistop and many highrises are at maximum height limit, and encumbered by rooftop mechanical equipment and could not accommodate the necessary structural retrofit.

14. Is there a disaster plan if there is an explosion at the helistop?

Response: The Fire Department has a pre-fire plan for each high-rise building in downtown Bellevue. They will add additional information to the pre-fire plan that will assist fire crews in the event of a helistop incident at Bellevue Place. A condition of approval required by the Fire Department is that the applicant provide an operations (SOP) manual. This manual will include standard emergency operations. See condition X.C.4.

15. What is the flight pattern? Will it be restricted to not fly over residential areas?

Response: The flight path will be restricted to freeways and NE 8<sup>th</sup> Street.

16. Who of the U.S. government will have oversight of any flights -- permission, pilot credentials, helicopter maintenance, etc.?

Response: The United States of America authorizes the Federal Aviation Administration (FAA) to oversee most issues related to civilian use of airspace within the borders of our country and over the sea in areas where the U. S. claims jurisdiction.

The FAA certifies aircraft, including helicopters, for flight according to a strict set of guidelines. Both helicopters and fixed-wing aircraft must have current certificates of airworthiness which allow specific makes and models of aircraft to operate. In addition, all aircraft, except those operated by the military, must have current civilian registrations and must meet airworthiness standards which vary depending on the aircraft use.

The FAA also certifies pilots. In doing so, the agency requires current medical certificates and licenses that are consistent with the operations that pilots conduct. (*Federal Air Regulation Part 67: Medical Standards and [pilot] certification*)

The FAA does not, with the exception of commercial flights that operate into medium and large airports and within certain kinds of airspace, oversee individual operations, conducted by helicopters. However pilots are required to operate according to rules established by *Federal Air Regulation Part 91: General Operating and Flight Rules*. Flights in helicopters that are conducted for hire (on a charter basis) must also follow rules established in *Federal Air Regulation Part 135: Operating Requirements: Commuter and on-demand operations and rules*.

Helicopters are maintained according to a strict set of guidelines as established in *Federal Air Regulation Part 43: Maintenance, preventive maintenance, rebuilding and operation*.

Pilot credentials, including operating histories and experience, are the responsibility of individual pilots except those flying on behalf of commercial operators. In those cases, individual pilots share that responsibility with their employers.

In terms of evaluating credentials of pilots and providing permission to operate to the proposed helistop, the applicant assumes this responsibility as operator of the facility.

**VII. Changes as a result of Staff Review**

As a result of Fire Department review, the applicant revised the proposal to include changes to the ingress/egress, and requirements for foam extinguishers, fire hose stations, video/audio security systems, and an operating manual. See conditions X.C.1-10.

As a result of Land Use Division review, the applicant revised the frequency of the operations to no more than 5 operations per week. See Table 7. And, the applicant revised the hours of operation as well as agreeing to not having any operations on Sundays and legal holidays. These changes are reflected in Table 7 below and the recommended conditions of approval. See condition X.A.1.

**Table 7**  
**Summary of Revision Request**

Item	Original Proposal	Revised Proposal
Operations per Month or Week	40 per month maximum	<u>5 per week maximum:</u> 4 weekday (Monday through Friday) 1 Saturday
Days of Week	Monday through Sunday	-Monday through Friday -Saturday -Prohibited on Sundays -Prohibited on Legal Holidays
Hours of Operation	Monday through Sunday 8am – 7pm	Monday through Friday 9am-6pm Saturday 10am–5pm

**VIII. Decision Criteria**

The proposal is consistent with the decision criteria for a Conditional Use Permit per LUC 20.30B.140, as discussed below.

- A. The conditional use is consistent with the Comprehensive Plan.**

**Finding:** This proposal is consistent with the following Comprehensive Plan goals and policies:

Transportation Element Goal: To maintain and enhance mobility for residents and businesses through the creation and maintenance of a balanced system of transportation alternatives that:

- Provides a wide range of travel choices;
- Supports the land use vision of the city;
- Protects our neighborhoods from adverse transportation impacts;
- Reflects the regional role of the city in transportation issues; and
- Reduces the overall dependency on automobiles throughout the city.

Downtown Subarea Plan Goal: The Great Strategy. To remain competitive in the next generation, Downtown Bellevue must be viable, livable, memorable, and accessible.

Environmental Element: Policy EN-89. Protect residential neighborhoods from noise levels that interfere with sleep and repose through development standards and code enforcement.

Economic Development Element: Policy ED-3. Develop and maintain regulations that allow for continued economic growth while respecting the environment and quality of life of city neighborhoods.

The proposal is an alternative means of transportation to the Bellevue's downtown. It is intended to provide an efficient and secure transportation option to the business core of the city. It will provide for support of economic growth for downtown businesses. Potential noise impacts will be mitigated by limiting the frequency, days/hours of operation, flight pattern and type of helicopter. [See conditions X.A.1-3.](#)

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

**Finding:** The helistop was originally built over 20 years ago, but never approved as a permanent helistop. This applicant will upgrade the facility to current codes/regulations and request it to be used as a permanent facility. The design is compatible with the intended character and appearance of the subject property and immediate vicinity which is a high-density, highly active, central core of the community.

**C. The conditional use will be served by adequate public facilities including streets, fire protection, and utilities.**

**Finding:** The conditional use will be served by adequate public facilities, in particular fire protection. The Fire Department has reviewed the proposal, conducted a test drill and provided recommended conditions. [See conditions X.C.1-10.](#)

**D. The conditional use will not be materially detrimental to uses or property in the immediate vicinity of the subject property.**

**Finding:** As conditioned for mitigation, including frequency and hours of operation, flight pattern, helicopter motor restrictions, type of helicopters to be used, lighting, and fire protection, the proposal will not be materially detrimental to uses or property in the immediate vicinity of the subject property. [See conditions X.A.1-9 and X.C.1-10.](#)

**E. The conditional use complies with the applicable requirements of the Land**

**Use Code.**

**Finding:** As conditioned, the proposal meets applicable Land Use Code requirements, LUC 20.20.450. See conditions X.A. 1-9. The vested status of this conditional use permit approval expires two years from the date of the City's final decision unless a complete Building Permit application is filed before the end of the two-year term. In such cases, the vested status of the land use permit or approval shall be automatically extended for the time period during which the Building Permit application is pending prior to issuance; provided, that if the Building Permit application expires or is canceled pursuant to BCC 23.05.160, the vested status of a land use permit or approval shall also expire or be canceled. If a Building Permit is issued and subsequently renewed, the vested status of the land use permit or approval shall be automatically extended for the period of the renewal. See condition X.A. 10.

**IX. Decision**

After conducting the various administrative reviews associated with this proposal, including applicable land use consistency, SEPA and City Code and Standard compliance reviews, the Director of the Development Services Department does hereby **RECOMMEND APPROVAL** of the proposed use subject to the following conditions:

**X. Conditions of Approval**

**A. LAND USE DIVISION CONDITIONS:**

**1. Frequency and Hours of Operation:**

Hours of Operation:
<u>5 operations a week maximum:</u> 4 maximum per weekday Monday through Friday 1 on Saturday ( <u>Note:</u> One operation = landing and takeoff)
<u>Hours:</u> Monday through Friday 9am - 6pm Saturday 10am – 5pm (15 minutes grace period allowed for departures)
-Prohibited on Sundays -Prohibited on Legal Holidays

Reviewer: Carol Saari, Development Services Department, 425-452-2731  
Authority: LUC 20.20.450; Comprehensive Plan Policy EN-89

**2. Flight Pattern:**

The flight pattern within the City of Bellevue shall be restricted to freeways (I-405, I-90 and SR-520) and NE 8th Street.

Reviewer: Carol Saari, Development Services Department, 425-452-2731

Authority: LUC 20.20.450; Comprehensive Plan Policy EN-89

**3. Type of Helicopter:**

Only light turbine helicopters, examples of which are the Eurocopter EC-135, the Eurocopter AS-350B, and the Bell Jet Ranger, shall be approved to land at this helistop. Upon landing, the helicopter shall have a cool-down period of no more than 2 minutes. The warm up period for the departure shall be 2 minutes or less.

Reviewer: Carol Saari, Development Services Department, 425-452-2731

Authority: LUC 20.20.450; Comprehensive Plan Policy EN-89

**4. Reporting Requirement:**

The applicant shall provide documentation regarding flight frequency and flight times. This shall include any deviations due to weather purposes. Such documentation shall be provided on a monthly basis for the first year and on an semi-annual basis thereafter. Documentation shall also include complaints from the phone/website and responses to those complaints.

Reviewer: Carol Saari, Development Services Department, 425-452-2731

Authority: LUC 20.20.450

- 5. FAA:** Prior to activation of the helistop, the applicant shall provide a copy of the FAA response to FAA Form 7480-1 which confirms that the FAA has no objection to the use of airspace for this facility.

Reviewer: Carol Saari, Development Services Department, 425-452-2731

Authority: LUC 20.20.450

**6. Fly Neighborly Guide:**

The pilots shall follow the guidelines of the Fly Neighborly Guide as published by The Helicopter Association International.

Reviewer: Carol Saari, Development Services Department, 425-452-2731

Authority: LUC 20.20.450

**7. Lights:**

Helistop lights shall be designed and installed in such a way as to limit intensity and glare to off-site premises to the maximum extent possible, consistent with safe operations. Low-wattage light emitting diode (LED) fixtures shall be used wherever possible. Helistop lights shall be on for only the time periods necessary to provide adequate illumination of the helistop during helicopter approach, cool-down, start-up and departure. Prior to construction of the helistop, the applicant shall provide the city with a detailed helistop lighting plan showing compliance with the intent of this condition.

Reviewer: Carol Saari, Development Services Department, 425-452-2731  
Authority: LUC 20.20.450

**8. Weather Station:**

The applicant shall maintain a weather station and radio communication with the pilot to advise them of weather conditions. If the weather station indicates unsafe conditions, the pilot shall not use the facility.

Reviewer: Carol Saari, Development Services Department, 425-452-2731  
Authority: LUC 20.20.450

**9. Communications Line/Website:**

The applicant shall provide a communication phone line for residents regarding helicopter operations. The applicant shall also create and manage a website (blog) for residents to communicate. The website site shall also include approved Temporary Use permits for Bellevue Square HVAC helicopter transfer so residents will be aware of when this activity will occur. The communication line/website must be operational prior to the first helicopter landing approved under this conditional use permit. The applicant may use a sub-section of its currently operating website to fulfill this obligation.

Reviewer: Carol Saari, Development Services Department, 425-452-2731  
Authority: LUC 20.20.450

- 10. Vesting:** The vested status of this conditional use permit approval expires two years from the date of the City's final decision unless a complete Building Permit application is filed before the end of the two-year term. In such cases, the vested status of the land use permit or approval shall be automatically extended for the time period during which the Building Permit application is pending prior to issuance; provided, that if the Building Permit application expires or is canceled pursuant to BCC 23.05.160, the vested status of a land use permit or approval shall also expire or be canceled. If a Building Permit is issued and subsequently renewed, the vested status of the land use permit or approval shall be automatically extended for the period of the renewal.

Reviewer: Carol Saari, Development Services Department, 425-452-2731  
Authority: LUC 20.40.500

**B. TRANSPORTATION DEPARTMENT CONDITIONS:**

- 1. Right-of-Way Use Permit:** A Right-of-Way Use Permit may be required for hauling oversized loads or if the project requires 10 or more truckloads.

Reviewer: Tim Stever, Right-of-Way, 425-452- 4294  
Authority: BCC 14.30.070 and 14.30.080

**C. FIRE DEPARTMENT CONDITIONS:**

- 1. Fueling:** Fueling is not to occur on site.

Reviewer: Travis Allen, 425-452-6946

Authority: National Fire Protection Association (NFPA) Standard 418

2. **Fire Hose Stations:** Fire hose stations must be accessible.

Reviewer: Travis Allen, 425-452-6946

Authority: International Fire Code (IFC) 905, National Fire Protection Association (NFPA) Standard 14

3. **Drainage:** Drainage flow shall not penetrate alternate egress points, stairways, ramps, hatches, and other openings not designed for drainage.

Reviewer: Travis Allen, 425-452-6946

Authority: National Fire Protection Association (NFPA) Standard 418

4. **Operations Manual:** An standard operations procedure (SOP) manual must be provided prior to activation of the use. The portion dealing with emergencies must be approved by the Bellevue Fire Department. Future updates will also require approval.

Reviewer: Travis Allen, 425-452-6946

Authority: International Fire Code (IFC) 401, 404; National Fire Protection Association (IFPA) Standard 418

5. **Roof Deck Striping:** The roof deck must be striped such that the window washing machinery is not "parked" along the sides where egress is to occur, or where it obstructs landing. The window washer must be incorporated in the SOP manual.

Reviewer: Travis Allen, 425-452-6946

Authority: International Building Code (IBC) Chapter. 10; National Fire Protection Association (NFPA) Standard 418

6. **Smoking Restrictions:** No smoking shall be permitted within 50 ft (15.2 m) of the helistop landing pad edge. NO SMOKING signs shall be erected at access/egress points to the helistop.

Reviewer: Travis Allen, 425-452-6946

Authority: National Fire Protection Association (NFPA) Standard 418

7. **Foam Extinguishers:** Two portable foam extinguishers, each having a rating of 20-A:160-B, and two 80 B:C dry chemical extinguishers shall be provided. Each pair shall be located at approved locations near the access points to the helistop.

Reviewer: Travis Allen, 425-452-6946

Authority: National Fire Protection Association (NFPA) Standard 418

8. **Egress Requirements:** At least two approved means of egress from the rooftop helistop landing pad edge to the roof shall be provided and shall be remotely located from each other. A Second exit must be added from the helistop to the roof below and from the roof below to the floor below.

Reviewer: Travis Allen, 425-452-6946  
Authority: International Building Code (IBC) Chpt 10; National Fire Protection  
Association (NFPA) Standard 418

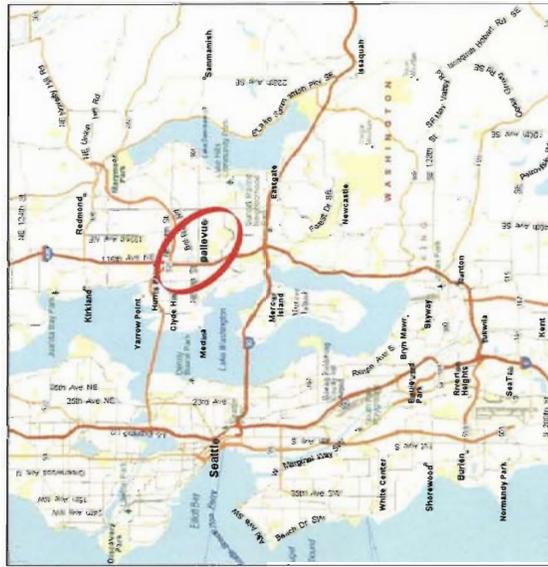
- 9. Communications:** A means of communication shall be provided from the roof area to notify the fire department of emergencies. This will include monitoring by security through a video camera and voice capability from the roof to security. A fire manual pull station shall be provided for each designated means of egress from the roof.

Reviewer: Travis Allen, 425-452-6946  
Authority: International Building Code (IBC) Chpt 10; National Fire Protection  
Association (NFPA) Standard 418

- 10. Exits:** Exit signage, striping and lighting of all exit pathways must be provided.

Reviewer: Travis Allen, 425-452-6946  
Authority: International Building Code (IBC) Chpt 10; National Fire Protection  
Association (NFPA) Standard 418

# KEMPER DEVELOPMENT COMPANY BUSINESS PRIVATE - USE HELISTOP



VICINITY MAP



LOCATION MAP

**CONTENTS:**

- COVER SHEET T-1
- SITE PLAN S-1
- BUILDING ELEVATIONS E-1
- EXISTING CONDITIONS H-1
- ROOF TOP ALTERATIONS H-2
- HELISTOP STANDARDS H-3
- FEATURES AND EQUIPMENT H-4
- STRUCTURAL GENERAL NOTES S1.01
- SAFETY NET / SECOND EXIT PLAN AND DETAILS S2.01



KEMPER DEVELOPMENT COMPANY  
575 Bellevue Square Bellevue, WA 98004  
Bellevue, Washington

**ARSLIDE**  
165 West Road, Suite C-204  
Greenbank, WA 98253  
(360) 222-3646

PROJECT: KEMPER DEVELOPMENT COMPANY  
SHEET TITLE: COVER SHEET

DATE: NOV 2008  
SHEET NO: T-1

DATE	REVISION	BY

PROJECT MGR.	DK
DESIGNED	DK
DRAWN	SW
CHECKED	DK
DATE	NOV 2008



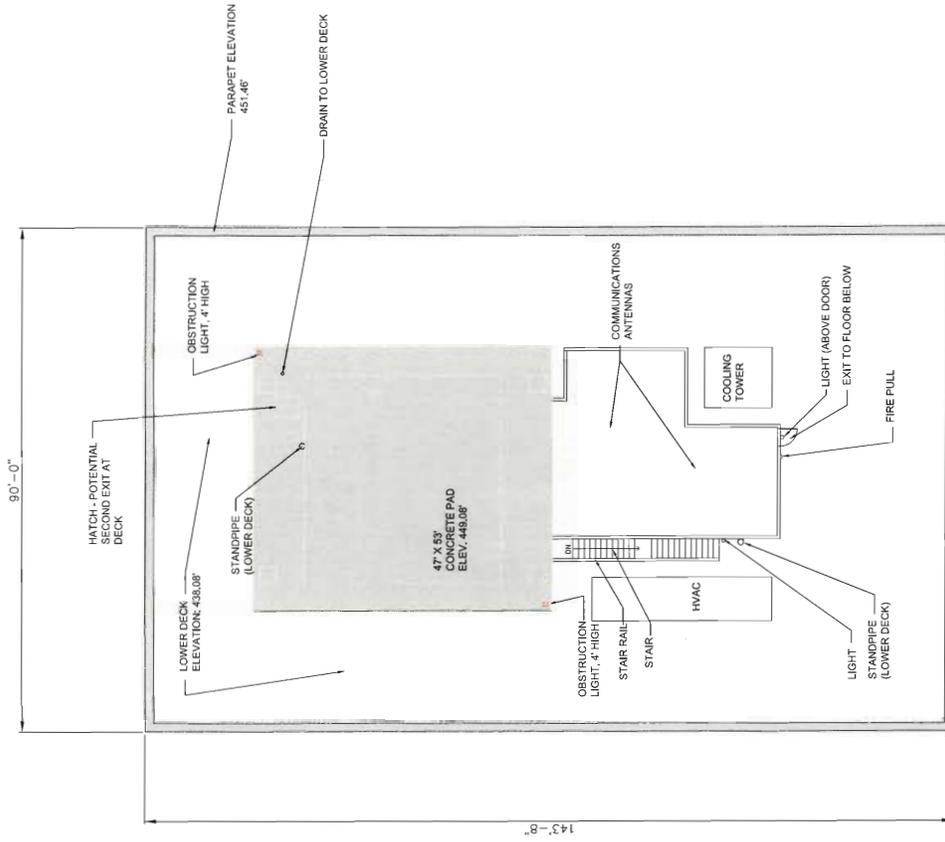
KEMPER DEVELOPMENT COMPANY  
 BUSINESS PRIVATE-USE HELISTOP  
 EXISTING CONDITIONS

47 FT. BY 53 FT. CONCRETE  
 DECK ELEVATED  
 11 FEET ABOVE LOWER ROOF  
 STAIR FROM CONCRETE PAD  
 EXITS SOUTH

PRIMARY EXIT - EXIT STAIR FROM  
 LOWER DECK ACCESSES FLOOR  
 BELOW

SINGLE OBSTRUCTION LIGHTS  
 APPROX. 4 FT HIGH LOCATED ON  
 NORTHEAST AND SOUTHWEST  
 CORNERS OF CONCRETE PAD

COMMUNICATIONS ANTENNAS  
 ARE SOUTH OF CONCRETE PAD



KEMPER DEVELOPMENT COMPANY  
 575 Bellevue Square Bellevue, WA 98004  
 Bellevue, Washington

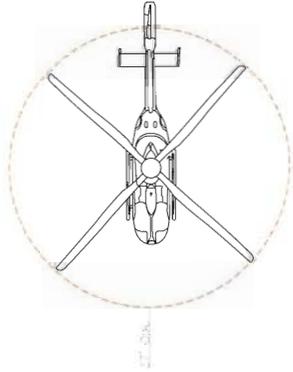
PROJECT: BUSINESS PRIVATE-USE HELISTOP  
 SHEET TITLE: EXISTING CONDITIONS B OF A ROOFTOP  
 765 Worn Road, Suite C-204  
 Greenbank, WA 98253  
 (360) 222-3646

DATE: NOV 2008  
 SHEET NO. H-1

DATE	REVISION

PROJECT MGR.	DK
DESIGNED	DK
DRAWN	SW
CHECKED	DK
DATE	NOV 2008



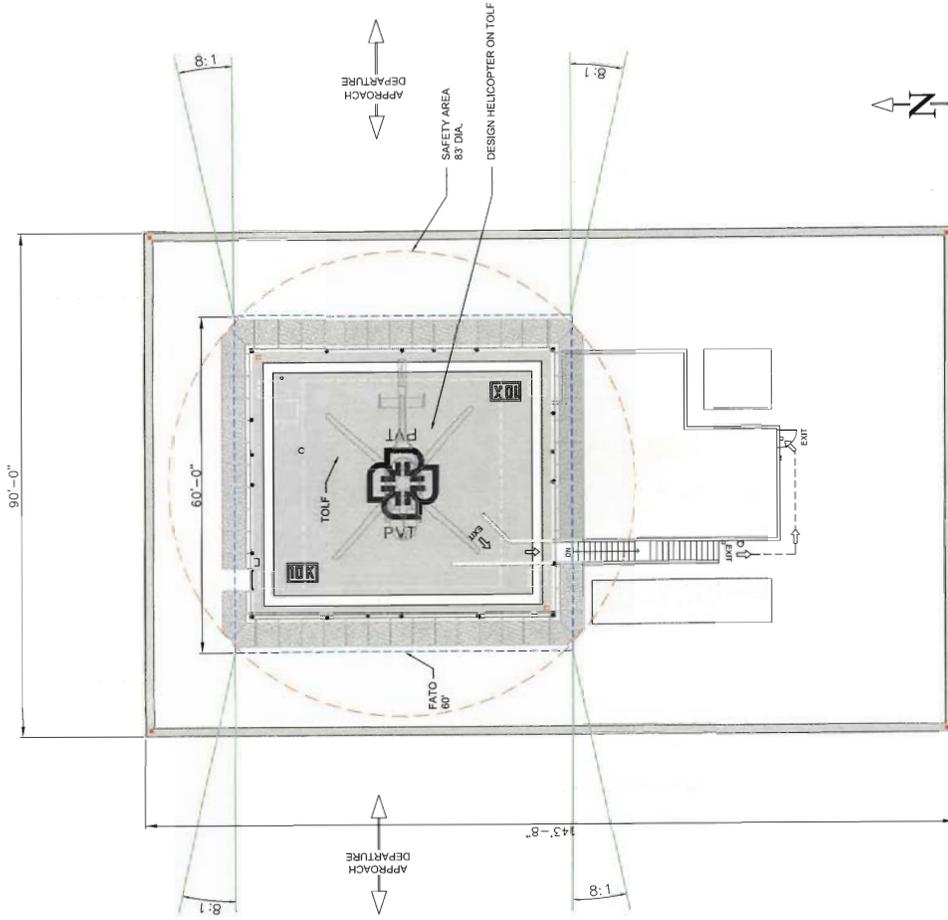


HELICOPTER DESIGN ATTRIBUTES: EUROCOPTER EC-135  
 GROSS WEIGHT: 6250 LBS  
 OVERALL LENGTH: 40'  
 MAIN ROTOR DIAMETER: 33.5'

DESIGN HELICOPTER: EUROCOPTER EC-135  
 SCALE: 1/8" = 1'-0"

**GENERAL NOTES**

1. TOUCHDOWN AND LIFT-OFF AREA (TLOF) 2,491 SQ. FT.
2. FINAL APPROACH AND TAKEOFF AREA (FATO) IS 1.5 TIMES THE OVERALL LENGTH OF THE DESIGN HELICOPTER.
3. THE SAFETY AREA IS AN ADDITIONAL .33 ROTOR DIAMETER OF DESIGN HELICOPTER ADDED TO EACH SIDE OF THE FATO.
4. APPROACH/DEPARTURE SURFACES ARE 8:1 UPWARD AND OUTWARD SLOPES EMANATING FROM THE CORNERS OF THE FATO. UNOBSTRUCTED AIRSPACE WITHIN THE APPROACH/DEPARTURE SURFACE IS CONSISTENT WITH FEDERAL AIR REGULATION PART 77 "OBJECTS AFFECTING NAVIGABLE AIRSPACE."
5. WITH INSTALLATION OF FOLD-DOWN OR RETRACTABLE HANDRAIL AT PRIMARY STAIR, REMOVAL OF EXISTING OBSTRUCTION LIGHTS AND RELOCATION OF ANTENNA THIS FACILITY CONFORMS TO FEDERAL AVIATION ADMINISTRATION DESIGN RECOMMENDATIONS.



SCALE: 3/32" = 1'-0"

KEMPER DEVELOPMENT COMPANY  
 575 Bellevue Square Bellevue, WA 98004  
 Bellevue, Washington

AIRSIDE  
 (360) 222-9646  
 765 Wain Road, Suite C-204  
 Greenbank, WA 98253

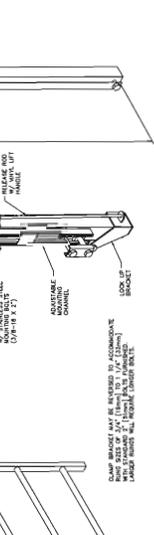
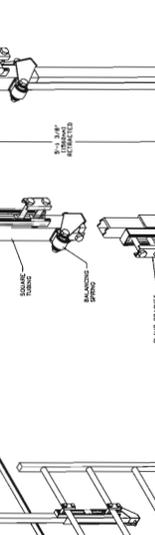
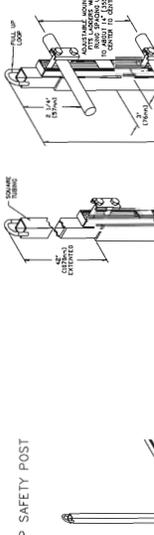
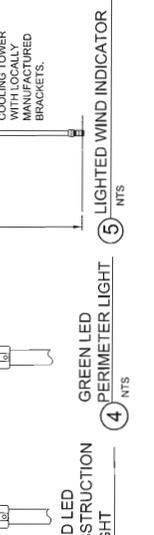
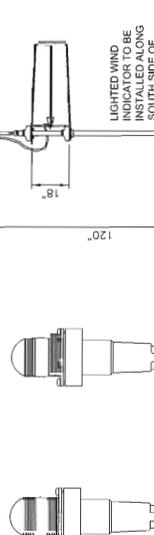
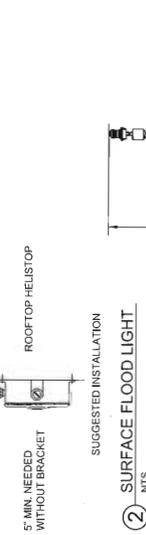
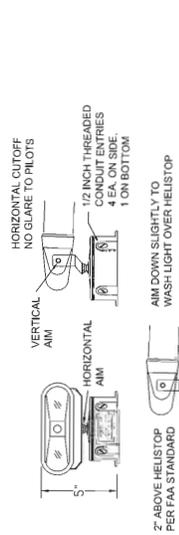
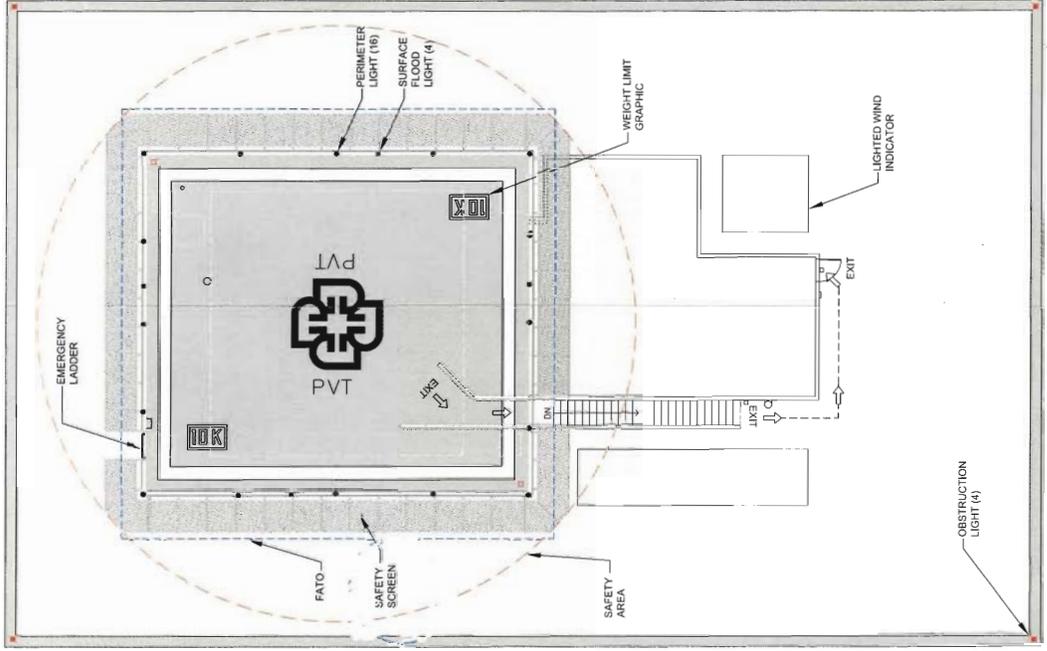
PROJECT: BUSINESS PRIVATE-USE HELISTOP STANDARDS

SHEET NO. H-3

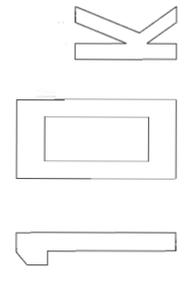
DATE	REVISION

PROJECT MGR	DK
DESIGNED	DK
DRAWN	SW
CHECKED	DK
DATE	NOV 2008

PROJECT NO.	DATE	REVISION	BY
DESIGNED	DK		
DRAWN	SW		
CHECKED	DK		
DATE	NOV 2008		

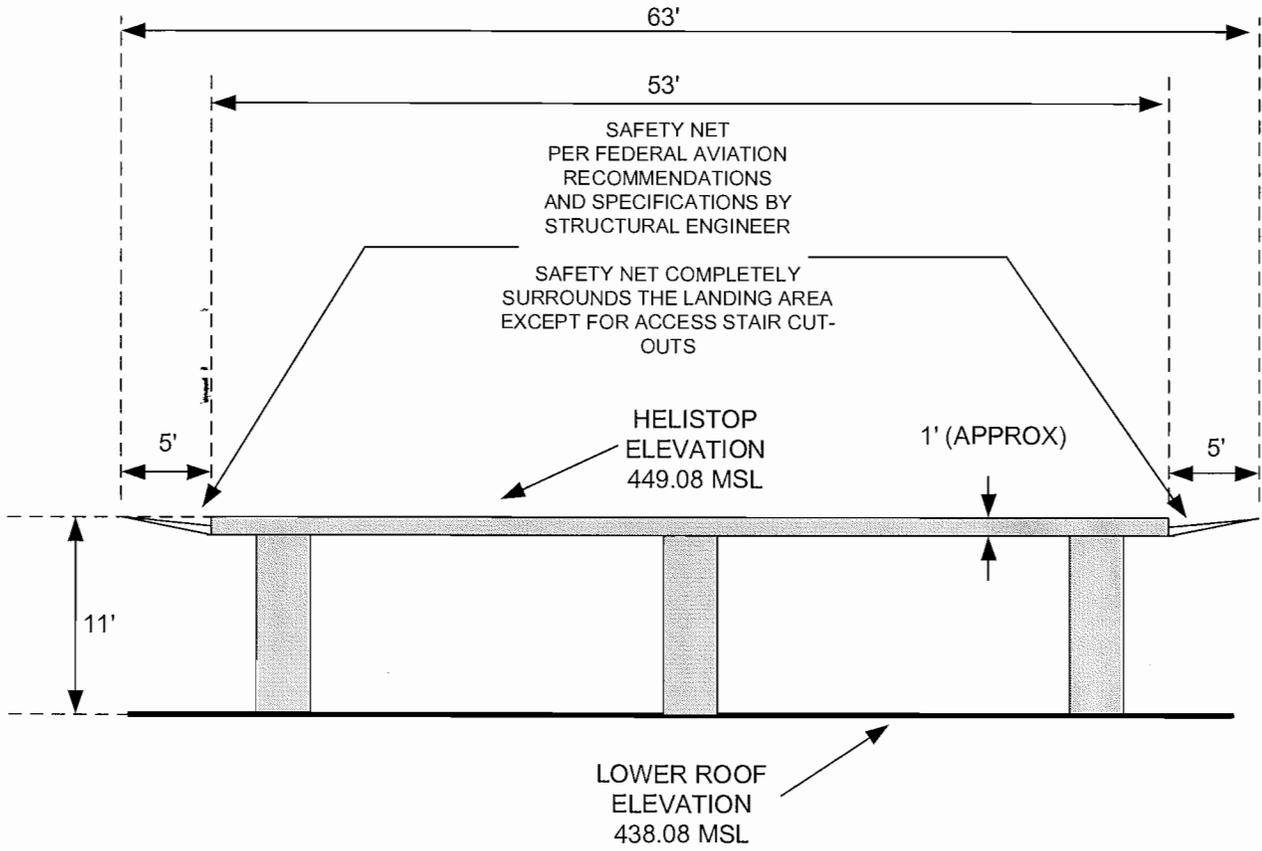


- ① SAFETY SCREEN  
REFERENCE SHEET S1.07 AND S2.01
- ② SURFACE FLOOD LIGHT  
NTS
- ③ RED LED OBSTRUCTION LIGHT  
NTS
- ④ GREEN LED PERIMETER LIGHT  
NTS
- ⑤ LIGHTED WIND INDICATOR  
NTS
- ⑥ EMERGENCY LADDER  
NTS
- ⑦ WEIGHT LIMIT GRAPHIC  
NTS









East and West Elevation  
 Roof level and elevated helistop  
 Bank of America Building  
 Bellevue, Washington

AIRSIDE  
 PO BOX 287  
 GREENBANK, WA  
 98253  
 (360) 222-3646