



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

OPTIONAL DETERMINATION OF NON-SIGNIFICANCE (DNS) NOTICE MATERIALS

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

File No. 10-113270 AD
Project Name/Address: Floor Plate/FAR LUCS
Planner: Liz Stead
Phone Number: 425-452-2725
Minimum Comment Period: November 12, 2010; 5 p.m.

Materials included in this Notice:

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

**CITY OF BELLEVUE
ENVIRONMENTAL CHECKLIST
(Integrated SEPA/GMA Process)**

A. BACKGROUND INFORMATION

PROPOSAL TITLE: Floor Plate/FAR Land Use Code Amendment

PROPERTY OWNERS' NAME: N/A; applies Downtown

PROPOSAL LOCATION: Sites abutting the Entertainment Avenue, 106th Ave NE, between the south side of NE 10th Street and the north side of NE 2nd Street

PROPONENT'S NAME: City of Bellevue, Development Services Department

CONTACT PERSON'S NAME: Liz Stead, Planning Manager

CONTACT PERSON'S ADDRESS: Development Services Department
City of Bellevue
P.O. Box 90012
Bellevue, WA 98009-9012

CONTACT PERSON'S PHONE: 425-452-2725

BRIEF DESCRIPTION OF THE PROPOSAL'S SCOPE AND NATURE:

1. **General description:** The proposal is to amend the Bellevue Land Use Code (LUC) to modify the development standards applicable to performing arts uses located outside of the Civic Center Design District where they can already be accommodated. The objective is to implement Comprehensive Plan policy changes which were adopted as part of the Downtown Implementation Plan work completed in 2004. The code elements being reviewed in this proposal are façade setbacks, height, floor plate size, Floor Area Ratio (FAR), and design and use requirements as they apply to performing arts centers that about 106th Ave NE, between the south side of NE 10th Street and the north side of NE 2nd Street.
2. **Site acreage:** Applies to all properties abutting 106th Ave NE, between the south side of NE 10th Street and the north side of NE 2nd Street
3. **Number of dwelling units/buildings to be demolished:** N/A
4. **Number of dwelling units/buildings to be constructed:** N/A
5. **Square footage of buildings to be demolished:** N/A

6. **Square footage of buildings to be constructed:** N/A
7. **Quantity of earth movement (in cubic yards):** N/A
8. **Proposed land use:** This proposal does not modify permitted land uses.
9. **Design features, including building height, number of stories and proposed exterior materials:** N/A
10. **Other:** N/A

Proposed timing or schedule (including phasing, if applicable):

A public hearing on the proposal is anticipated in December of 2010. City Council final action on the proposal will follow that public hearing.

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

Tateuchi Performing Arts Center, Project No. 09-122889 is anticipated to be the first performing arts center to use the provisions of this LUCA to receive additional height, FAR, floor plate area and modification to the existing setback requirements.

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

SEPA checklist, environmental analysis and threshold determination for the proposed Land Use Code Amendment.

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.

Yes, Tateuchi Performing Arts Center, Project No. 09-122889, date of application: August 25, 2009.

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.

Ordinance adoption by the City Council.

B. Environmental Elements

No discussion of the individual Environmental Elements is required for GMA actions per WAC 197-11-235.3.b.

C. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (do not use this sheet for project actions)

SUMMARY

Project Summary: The proposed LUCA would allow performing arts uses to earn additional FAR, have unlimited floor plate sizes up to 100 feet in height, and modify façade setback requirements. The exception for the floor plate limitation is necessary to accommodate the spatial needs/equipment functionality related to these uses. The proposed LUCA would apply to sites on “Entertainment Avenue”, 106th Ave NE between the south side of NE 10th Street and the north side of NE 2nd Street. The projects would be required to meet the Building/Sidewalk Design Guidelines for “A” rights-of-way to achieve this dimensional flexibility.

Environmental Summary per WAC 197-11-235(3)(b):

State the proposal’s objectives: To comply with the requirements of the GMA by adopting development regulations that implement and are consistent with the Comprehensive Plan.

Specify the purpose and need to which the proposal is responding: Current LUC requirements do not address the functional needs of large performing arts uses outside of the Civic Center Design District. Comprehensive Plan Policy was created in 2001 to designate 106th Ave NE as “Entertainment Avenue” and new subarea policies were implemented to enhance downtown livability. This proposal will allow for the functional needs of performing arts uses outside of the CCDD, in the area of Downtown identified as “Entertainment Avenue”.

State the major conclusions, significant areas of controversy and uncertainty: Development regulations that are consistent with and implement the Comprehensive Plan are required under the GMA. Little controversy exists related to this proposal.

State the issues to be resolved, including the environmental choices to be made among alternative courses of action: Alternative courses of action include: amend the LUC to provide for additional floor area, height, and FAR as proposed or no action alternative to not amend the LUC, which will have the affect of not allowing for development standards that are consistent with the intent of the Comprehensive Plan policies. In terms of environmental impacts, the two alternatives are not significantly different.

State the impacts of the proposal, including any significant adverse impacts that cannot be mitigated: The proposal is a nonproject action to modify the LUC to allow deviations from development standards in a specific location for specific uses. There are no significant adverse impacts resulting from that action.

Describe any proposed mitigation measures and their effectiveness: No specific development is being approved with this proposal. No significant environmental impacts have been identified, therefore no mitigation measures are proposed. Future development under the provisions of the regulation will be subject to SEPA review, as well as the City's existing development regulations.

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

The proposed code amendment will not increase the potential impacts to water, air and earth resources or noise production.

Proposed measures to avoid or reduce such increases are: N/A

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

The proposed code amendment will not increase the potential impacts to plants and animals.

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

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

No adverse impacts to energy or natural resources are anticipated.

Proposed measures to project or conserve energy and natural resources are: N/A

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

The proposal will not directly affect any environmentally sensitive areas.

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

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

The proposal will not affect any shoreline areas.

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

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

None of the proposed amendments to the Land Use Code are likely to change the demands on the transportation system.

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

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

No conflicts are known or anticipated.

- D. 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 _____

Date Submitted _____