



DEVELOPMENT SERVICES DEPARTMENT  
ENVIRONMENTAL COORDINATOR  
450 110<sup>TH</sup> Avenue NE, P.O. BOX 90012  
Bellevue, WA 98009-9012

## DETERMINATION OF NON-SIGNIFICANCE

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**PROPONENT:**

Gary Abrahams, T-Mobile

**LOCATION OF PROPOSAL:**

1836 156<sup>th</sup> Avenue NE, Bellevue, WA

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**DESCRIPTION OF PROPOSAL:**

Application for a conditional use permit to locate a new 110 foot tall, 28 inch square monopole with a fully-shrouded 3-panel antenna array and a 160 square foot equipment building.

**FILE NUMBER: 11-110748-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 Development Services Section. This information is available to the public on request.

- There is no comment period for this DNS
- 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 \_\_\_\_\_.
- This DNS is issued under WAC 197-11-340(2) and is subject to a 14-day comment from the date below. Comments must be submitted by 5 p.m. on \_\_\_\_\_.

This DNS may be withdrawn at any time if the proposal is modified so that it is likely to have significant adverse environmental impacts; if there is significant new information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

Carse V. Helleind  
Environmental Coordinator

10/20/11  
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



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

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**Proposal Name:** **T-Mobile West Crossroads**

**Proposal Address:** 1836 156<sup>th</sup> Avenue NE

**Proposal Description:** Application for a conditional use permit to locate a new 110 foot tall, 28 inch square monopole with a fully-shrouded 3-panel antenna array and a 160 square foot equipment building.

**File Number:** **11-110748-LB**

**Applicant:** Gary Abrahams, T-Mobile

**Decisions Included:** Conditional Use Permit and SEPA Determination (Process I, Land Use Code 20.30B)

**Planner:** Mike Upston, AICP, Senior Planner

**State Environmental Policy Act Threshold Determination:** **Determination of Non-Significance (DNS)**

*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  
Development Services Department

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Notice of Application Date: 6/9/11  
Recommendation Date: 10/20/11  
SEPA Appeal Deadline: 11/3/11  
Hearing Examiner Hearing Date: 11/3/11  
Hearing Examiner Decision: Within 10 days of hearing.  
Hearing Examiner Appeal Deadline: Within 14 days of decision.

For information on how to appeal a proposal, visit Development Services at City Hall or call (425) 452-6800. Comments on State Environmental Policy Act (SEPA) Determinations can be made with or without appealing the proposal within the noted comment period for a SEPA Determination. Appeal of the Decision must be received in the City's Clerk's Office by 5 PM on the date noted for appeal of the decision.

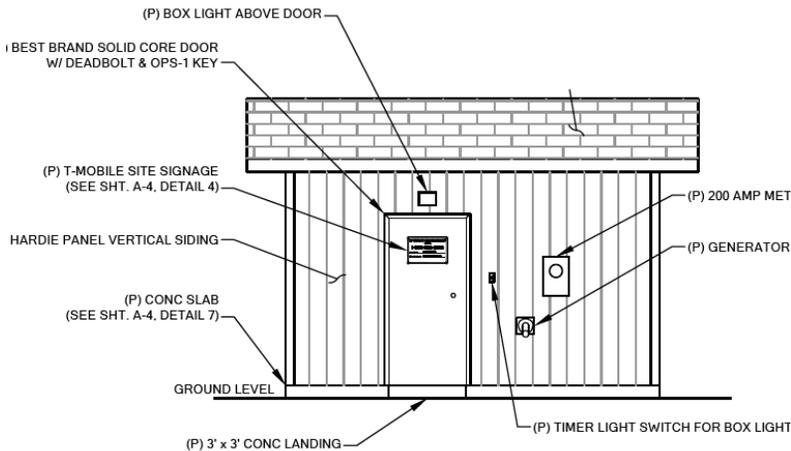
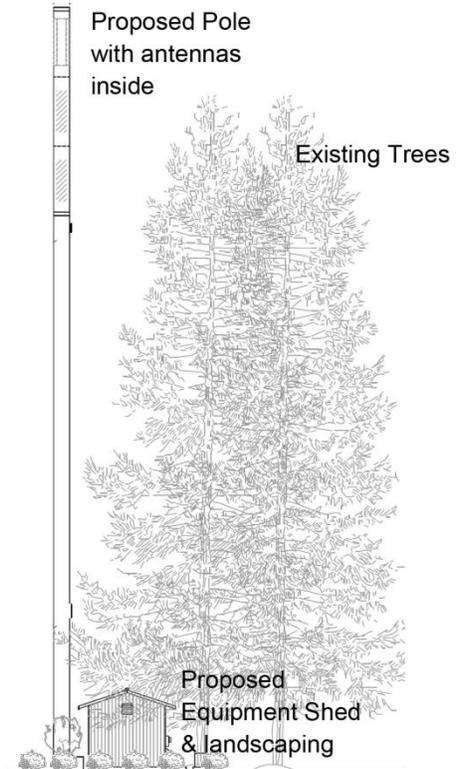
## CONTENTS

I.	Proposal & Decision Process .....	Pg. 2
II.	Site Description & Context.....	Pg. 3
III.	State Environmental Policy Act (SEPA).....	Pg. 4
IV.	Public Notice & Comment.....	Pg. 4
V.	Consistency with Land Use Code/Zoning Requirements.....	Pg. 5
VI.	Decision Criteria.....	Pg. 5
VII.	Recommendation.....	Pg. 9
VIII.	Recommended Conditions of Approval.....	Pg. 9

Attached: Project Plans

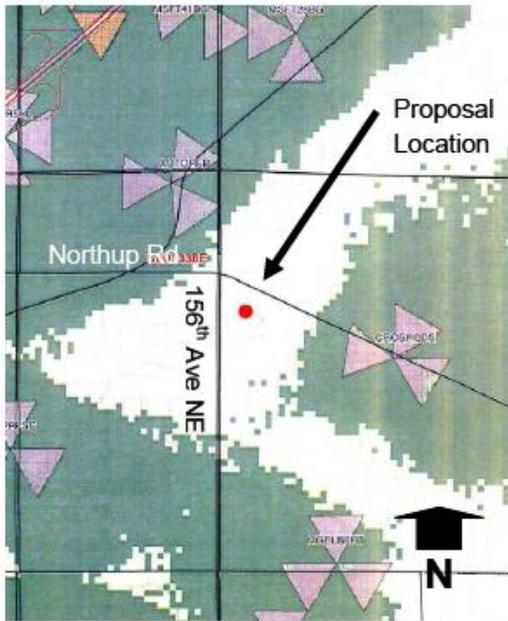
**I. PROPOSAL & DECISION PROCESS**

The purpose of this land use approval request is to locate a new 110 foot tall, 28 inch square monopole with a fully-shrouded 3-panel antenna array and a 160 square foot equipment building on property owned by the Overlake Park Presbyterian Church at 1836 156<sup>th</sup> Avenue NE. Refer to the Location Map and Side View drawing here, as well as the attached Project Plans for further detail.

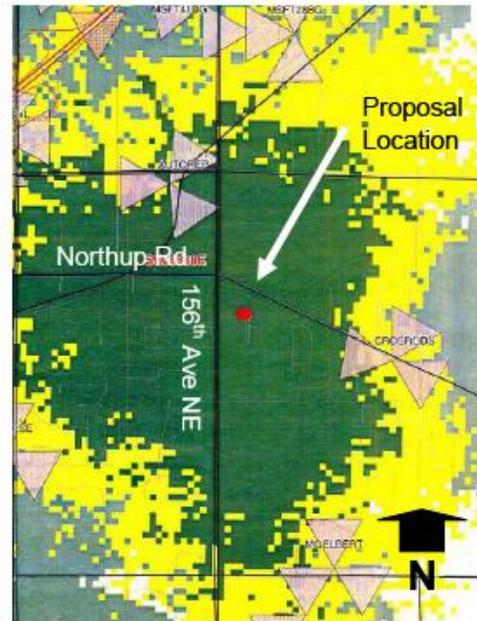


An approximately 1/2-mile gap in coverage exists in this neighborhood as illustrated on the Propagation (Coverage Area) Maps shown on the next page and in the project file at the Records Room in the City Hall lobby. The proposed wireless communications facility would improve T-Mobile's wireless service to residents here and strengthen T-Mobile's overall area network.

Coverage Area Maps



Existing Wireless Service Coverage



Expected Coverage with Proposed Facility

This is a Process I Hearing Examiner quasi-judicial land use decision (LUC 20.35.100). The decision is made by the Hearing Examiner after receiving a recommendation from the Director of the Development Services Department. The decision is based on the decision criteria set forth in the Land Use Code for a Conditional Use Permit. Public notice of the decision is provided, along with an opportunity for appeal of the decision to the City Council. In addition, as required by the State Environmental Policy Act, a threshold determination is issued by the Environmental Coordinator. The threshold determination is an administrative Process II decision, and is being issued in conjunction with the Director's recommendation on the Conditional Use Permit.

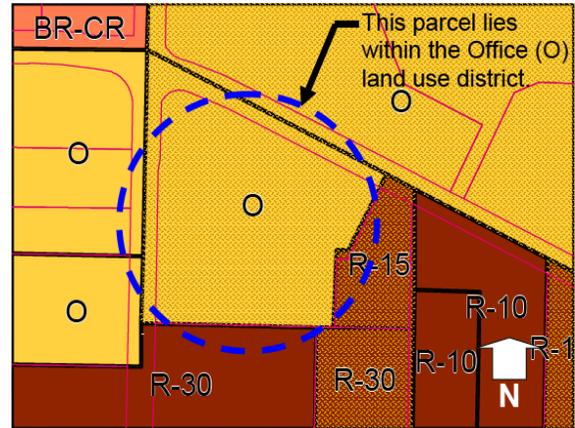
**II. SITE DESCRIPTION & CONTEXT**

The project site lies within an area that has a diversity of land uses including the church on this property with surrounding commercial office and retail along with a range of residential types in close proximity to one another. This property and those to the north and west are zoned Office (O), with multifamily residential to the immediate south and east (refer to the Aerial Photo and Zoning Map on the following page). The commercial zoning in proximity to residential zoning also places the proposed monopole within the Transition Area Design District (see further discussion in Subsection VI.A of this report.

The subject monopole would be the first such structure on this property and would be located amongst a grove of existing tall conifer trees with the intent that the trees would provide significant screening when viewed from surrounding property.



Aerial Photo



Zoning Map

### III. STATE ENVIRONMENTAL POLICY ACT (SEPA)

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 the Clear and Grade Code, Utility Code, 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. The SEPA Checklist is available for viewing in the project file at the Records Room in the City Hall lobby.

### IV. PUBLIC NOTICE AND COMMENT

Application Date: April 7, 2011

Application Completeness Date: May 5, 2011

Notice of Application & Public Meeting published, and sign posted: June 9, 2011

Minimum Public Comment Period ended: June 23, 2011

Notice of Recommendation, SEPA Determination, and Public Hearing: October 20, 2011

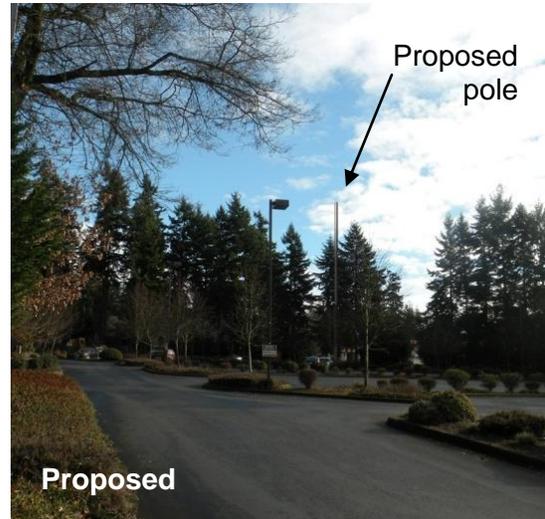
SEPA Appeal Deadline: November 3, 2011

Hearing Examiner Hearing Date: November 3, 2011

At the time of finalizing this report, one public comment had been received regarding this proposal. Valerie Sparkis, resident, expressed her belief that T-Mobile was planning to take down all the surrounding trees in the area and requested that they not be removed. In fact, T-Mobile's proposal does not include tree removal. Instead, the existing trees are proposed to be kept, partially because they help screen the proposed facility from view of surrounding property. A note is included on the Enlarged Site Plan (sheet A-1.2, attached) stating "All existing trees to remain & undisturbed." The pole height is proposed at a height slightly taller than the trees to allow the capture and transmission of necessary radio frequency. See the following page for before and after photo simulations looking east across the parking lot from 156<sup>th</sup> Avenue NE.



Existing



Proposed

## V. CONSISTENCY WITH LAND USE CODE/ ZONING REQUIREMENTS

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

#### 1. Use

Uses are regulated by LUC 20.10.400 (Use Charts) and LUC 20.20 (General Development Requirements). A conditional use permit is required for new wireless communications facilities proposed within a Transition Area (LUC 20.20.195.C.1.c). The purpose for the conditional use permit is to provide a formal process for analyzing compatibility, identifying the impacts associated with this use and ensuring that they can be adequately mitigated. This conditional use permit process concludes with a Hearing Examiner decision.

#### 2. Dimensional Requirements

All applicable dimensional requirements of the Land Use Code (LUC 20.20.195 and 20.20.525) are met by the proposal.

## VI. DECISION CRITERIA

**Compliance with the decision criteria of Land Use Code section 20.30B.140 is discussed below.**

### A. The conditional use is consistent with the Comprehensive Plan.

Finding: This proposal is consistent with Bellevue's Comprehensive Plan policies regarding such facilities. The Comprehensive Plan policies listed below from the Utility Element have been considered in support of the City's decision regarding this site:

**UT-40.** Require the reasonable screening and/or architecturally compatible integration of all new above-ground utility facilities.

**UT-40a.** Protect Bellevue's aesthetic quality and infrastructure investment from unnecessary degradation caused by the construction of telecommunication infrastructure.

**UT-55.** Require the placement of personal wireless communication facilities in a manner that minimizes the adverse impacts on adjacent land uses.

**UT-59.** Recognize that personal wireless communication facilities will be deployed in all areas of the city to provide coverage and capacity consistent with the changing use of wireless technology. Minimize the attendant impacts, particularly the visual impacts, of personal wireless communication facility towers, lattice towers and structures by utilizing criteria for the design and location of such facilities that appropriately balance the need for wireless services and the impacts of the necessary facilities.

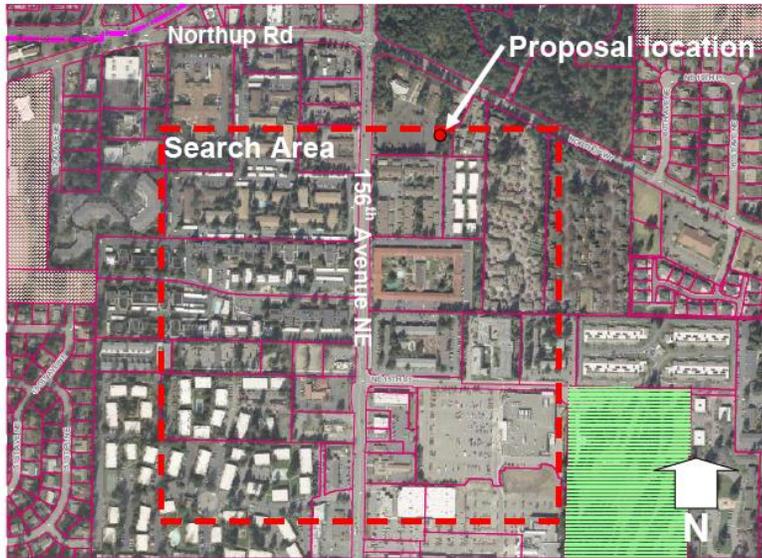
**UT-60.** Minimize visual impacts of personal wireless communication facilities by encouraging deployment in land use districts in the following preferred and descending order when possible, considering the provider's coverage needs: 1) Nonresidential land use districts, except Transition Areas; 2) Transition Areas; 3) Multifamily (R-20/30) districts; and 4) and Park sites and Residential districts.

**UT-61.** Minimize visual impacts of personal wireless communication facilities by encouraging system designs in the following preferred and descending order: 1) attached to public facility structures, building mounted, or integrated with utility poles, light standards, and signal supports; 2) co-located on utility poles, light standards, signal supports; and 3) free-standing towers.

T-Mobile's proposal is consistent with these policies, since significant efforts are made to minimize visual intrusion, as summarized under criteria B below. In addition, the proposed location and design creates the least impact of the alternatives available within the T-Mobile search area while still achieving the company's coverage and capacity needs, as summarized under criterion E below.

Consistency with UT-40 (*screening*) and UT-55 (*minimizing impacts*) is particularly worth noting here. The applicant's analysis of location alternatives within their search area identifies this location as preferable to others largely because the pole can be sited amongst an existing group of conifer trees and therefore would be heavily screened from view of neighboring properties.

Policy UT-60 is also particularly relevant here. Even though the property is located within a Transition Area (the Transition Area Design District overlay resulting from the adjacent residential property) and is therefore not the most preferred location alternative among the options provided by the Land Use Code (LUC 20.20.195.D.2.a), it is second best of the four alternatives in the hierarchy. This is also the best of six prospective locations found within T-Mobile's search area



depicted on the map to the left. These included the subject site, Crossroads Shopping Center at 15600 NE 8<sup>th</sup> Street, FedEx at 131 156<sup>th</sup> Avenue NE, Top Food & Drug at 15751 NE 15th Street, Piedmont Homes at 15309 NE 13th Place, and multiple light and utility poles along 156<sup>th</sup> Avenue NE. Crossroads Shopping Center and Top Food & Drug are the only

options not within the Transition Area, and both property owners declined T-Mobile's request to locate there. This meant that the location options remaining would all be within the Transition Area and, as stated above, the proposal location is the most viable. More information on all prospective locations can be found in the Alternatives Analysis which is in the project file at the Records Room in the City Hall lobby.

Policy UT-61 is particularly relevant as well. While wireless communication facilities attached to existing structures are preferred over new free-standing poles, the proposed 110 foot tall, 28 inch square painted steel pole with shrouded antennae will blend in with the tall trees. In addition, the hollow steel pole will fully shroud all antennas and associated components; none of these will be apparent on the outside of the pole. The result is a structure free of antennas and other potentially cluttering items that will make a good mounting for a needed parking lot light and will blend into the background of existing tall conifer trees.

**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:** To ensure that the facility is compatible with the church grounds and property in the immediate vicinity, the proposal incorporates the following measures:

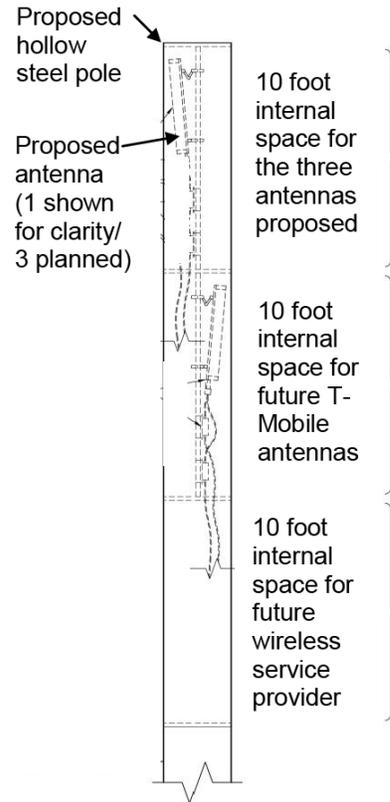
(1) The new pole will be constructed as narrowly as possible; its 28 inch square width will not be much greater than that of the nearby tree trunks. In addition, since a new parking lot light will be attached, the pole will be painted to match the existing parking lot light poles (refer to the Pole drawing in Section 1/page 2 of this report and the attached Project Plans).

(2) The pole height will be the minimum necessary to provide for the effective functioning of the system, as well as to meet T-Mobile's capacity and coverage

requirements (refer to the Letter of Certification for Height, Location, Design & Equipment available in the project file at the Records Room in the City Hall lobby).

(3) The three panel antennas will be fully shrouded within the pole. No antennas are proposed to be attached to the outside surface of the pole. In addition, space is allocated inside the pole for possible future additional antennas by T-Mobile or another wireless service provider. This will help ensure that if there is a future need for additional antennas, they will be less likely to be proposed on the outside of the pole. The proposed antenna style, attachment method, and paint treatment result in a facility that respects the site and neighborhood by being as low-profile in appearance as possible.

(4) The equipment will be screened from view within a 160 square foot shed with panel siding and shingle roof compatible with the area context. The site around the shed and amongst the existing trees will be planted with native landscaping to complement the natural setting and help the shed blend in with this back area of the church property (refer to the Shed drawing in Section 1/page 2 and the attached Project Plans). A condition of approval is included in Section VIII of this report requiring assurance devices for landscape installation and maintenance.



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

**Finding:** The proposed facility will be located on property which is already served by adequate public facilities including streets and fire protection. A condition of approval is included in Section VIII of this report requiring the shed's roof drains to be connected to an onsite storm drainage system, and that this be shown on plans submitted for the required storm drainage connection permit.

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

**Finding:** Conditions of approval are included in Section VIII of this report which require restoration of areas damaged during construction or future maintenance, and that the facility be removed when it ceases to be operational or if it falls into disrepair. Another condition of approval requires that if this telecommunications system causes interference with any of the existing radio systems for the City of Bellevue, it will have to be immediately shut down until the interference can be removed or corrected. With these conditions, the proposed facility will not be materially detrimental to uses or property in the immediate vicinity of the subject property.

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

**Finding:** As noted in Section V of this report, the proposal meets all Land Use Code requirements applicable to non-exempt wireless communications facilities per LUC 20.20.195 and 20.20.525.

**VII. RECOMMENDATION**

After conducting the various administrative reviews associated with the proposal, including applicable Land Use consistency, SEPA and City Code & Standard compliance reviews, the Director does hereby **RECOMMEND APPROVAL WITH CONDITIONS** of the subject Conditional Use Permit application to locate a new 110 foot tall, 28 inch square monopole with a fully-shrouded 3-panel antenna array and a 160 square foot equipment building.

**VIII. RECOMMENDED CONDITIONS OF APPROVAL**

**1. Disturbance**

The applicant shall fully restore to the City's satisfaction any areas disturbed and or damaged during construction or future maintenance of the proposed facility.

REVIEWER: Mike Upston, Land Use, (425) 452-2970

AUTHORITY: LUC 20.20.195D.4.c

**2. Landscape Assurance Devices**

Prior to approval of an antenna permit, the applicant shall provide a landscape installation assurance device (assignment of savings or letter of credit) for 150% of the fair market value of labor and materials for any required landscaping not installed at final inspection. A separate landscape maintenance assurance device shall be provided to cover 20% of the fair market value of labor and materials for landscape maintenance for a period of one year from the date of final inspection.

REVIEWER: Mike Upston, Land Use, (425) 452-2970

AUTHORITY: LUC 20.20.520.K.1 and 2, and 20.20.520.L.1 and 2

**3. Roof Drains**

The mechanical building roof drains shall be connected to an onsite storm drainage system. A storm drainage connection permit is required.

REVIEWER: Don Rust, Utilities, (425) 452-4856

AUTHORITY: BCC: 24.02, 24.04 & 24.06

**4. Radio Frequency Interference**

If this telecommunications system causes interference problems with any of the existing radio systems for the City of Bellevue, this system will be required to immediately shut down until the interference can be removed or corrected.

REVIEWER: Adrian Jones, Fire, (425) 452-6032

AUTHORITY: Federal Communications Commission Order 04-168

(Conditions of approval continued on next page.)

**5. Removal of Abandoned Sites**

The owner of this facility shall provide the Director with copies of any notice of intent to cease operations. The entire facility shall be removed by the facility owner within 90 days of the date it ceases to be operational, or if the facility falls into disrepair and is not maintained. Disrepair includes structural features, paint, or general lack of maintenance, which could result in safety or visual impacts.

REVIEWER: Mike Upston, Land Use, (425) 452-2970

AUTHORITY: LUC 20.20.195.D.8