City of Bellevue
Development Services Department
Land Use Staff Report

Proposal Name:	**Bellevue Botanical Garden Visitor Center**
Proposal Address:	**12001 Main Street**
Proposal Description:	The applicant proposes to construct an 8,500-square foot visitor center, remodel the existing Short's House, relocate the Sharp's Cabin, expand the parking area from 53 spaces to 119 spaces, fill a 5,423-square foot Category IV wetland, and mitigate wetland impacts.
File Number:	11-113555-LB & 11-122671-LO
Applicant:	Ken Kroeger, Parks & Community Services Department
Decisions Included:	Conditional Use Permit (CUP), Process I Critical Areas Land Use Permit (CALUP), Process II
Planner:	Kevin LeClair, Planner
State Environmental Policy Act Threshold Recommendation:	**Determination of Non-Significance** Carol V. Helland Carol V. Helland, Environmental Coordinator Development Services Department
Director's Recommendation:	**Approve with Conditions** Michael A. Brennan, Director Development Services Department Carol V. Helland Carol V. Helland, Land Use Director Development Services Department

CUP Application Date:	May 2, 2011
Public Notice (sign and 500 feet):	June 2, 2011
Public Meeting Date:	June 28, 2011
CALUP Application Date:	September 12, 2011
CALUP and CUP Re-Notice (500 feet):	November 10, 2011
Director's Recommendation Notice:	March 22, 2012
Project/SEPA Appeal Deadline:	April 5, 2012
Public Hearing Date:	April 19, 2012 7 PM City Hall Council Chambers

For information on how to appeal a proposal, visit Development Services Center 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.

DEVELOPMENT SERVICES DEPARTMENT
ENVIRONMENTAL COORDINATOR
450 100th Ave NE., P.O. BOX 90012
BELLEVUE, WA 98009-9012

DETERMINATION OF NON-SIGNIFICANCE

PROPONENT: City of Bellevue Parks & Community Services Department

LOCATION OF PROPOSAL: 12001 Main Street – Wilburton Hill Community Park

NAME & DESCRIPTION OF PROPOSAL:
Bellevue Botanical Garden Visitor Center - The applicant proposes to construct an 8,500-square foot visitor center, remodel the existing Short's House, relocate the Sharp's Cabin, expand the parking area from 53 spaces to 119 spaces, fill a 5,423-square foot Category IV wetland, and mitigate wetland impacts.

FILE NUMBER: 11-113555-LB & 11-122671-LO

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 Development Services Department. 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 _____.

X 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 **April 5, 2012**.

☐ 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.

Carie V Holland
Environmental Coordinator

March 22, 2012
Date

OTHERS TO RECEIVE THIS DOCUMENT:
State Department of Fish and Wildlife
State Department of Ecology,
Army Corps of Engineers
Attorney General
Muckleshoot Indian Tribe

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5. Mitigation and Restoration Plan prepared by The Watershed Company - In File

I. Proposal Description

The Bellevue Parks & Community Services Department (Parks Department) is proposing to do the following:

- Construct a new 8,426-square foot visitor center made up of three buildings connected with an integrated roof and separated by breezeways;
- Expand the existing parking area from 53 to 119 stalls;
- Remodel the 2,271 square foot Shorts House currently used for visitor services and a gift shop;
- Relocate the 426 square foot Sharp's Cabin;
- Demolish the existing residence presently used as administrative offices;
- Reconfigure the entry and exit driveways;
- Relocate and reconfigure the Lake-to-Lake Trail; and,
- Develop multiple new "garden rooms."

The development of the new visitor center and expansion of the parking area require the processing of a new Conditional Use Permit in Part 20.30B of the Land Use Code.

The proposal also includes the filling of a 5,423-square foot, Category IV wetland to accommodate a portion of the visitor center. The proposal calls for the mitigation of these direct wetland impacts with the creation of 5,514 square feet of new wetland, 30,559 square feet of wetland buffer restoration, and several thousand square feet of additional wetland and buffer enhancements on site.

The proposed development is considered a "new or expanded city or public park", which is an allowed use in LUC 20.25H.055. The mitigation standard for filling a Category IV wetland is at a ratio of 1.5 to 1 (LUC 20.25H.105). The proposal requests a modification to this standard using the critical areas report process to demonstrate that creating a new wetland at less than 1.5 to 1 and performing additional wetland and wetland buffer enhancement will result in a net gain in wetland functions and values.

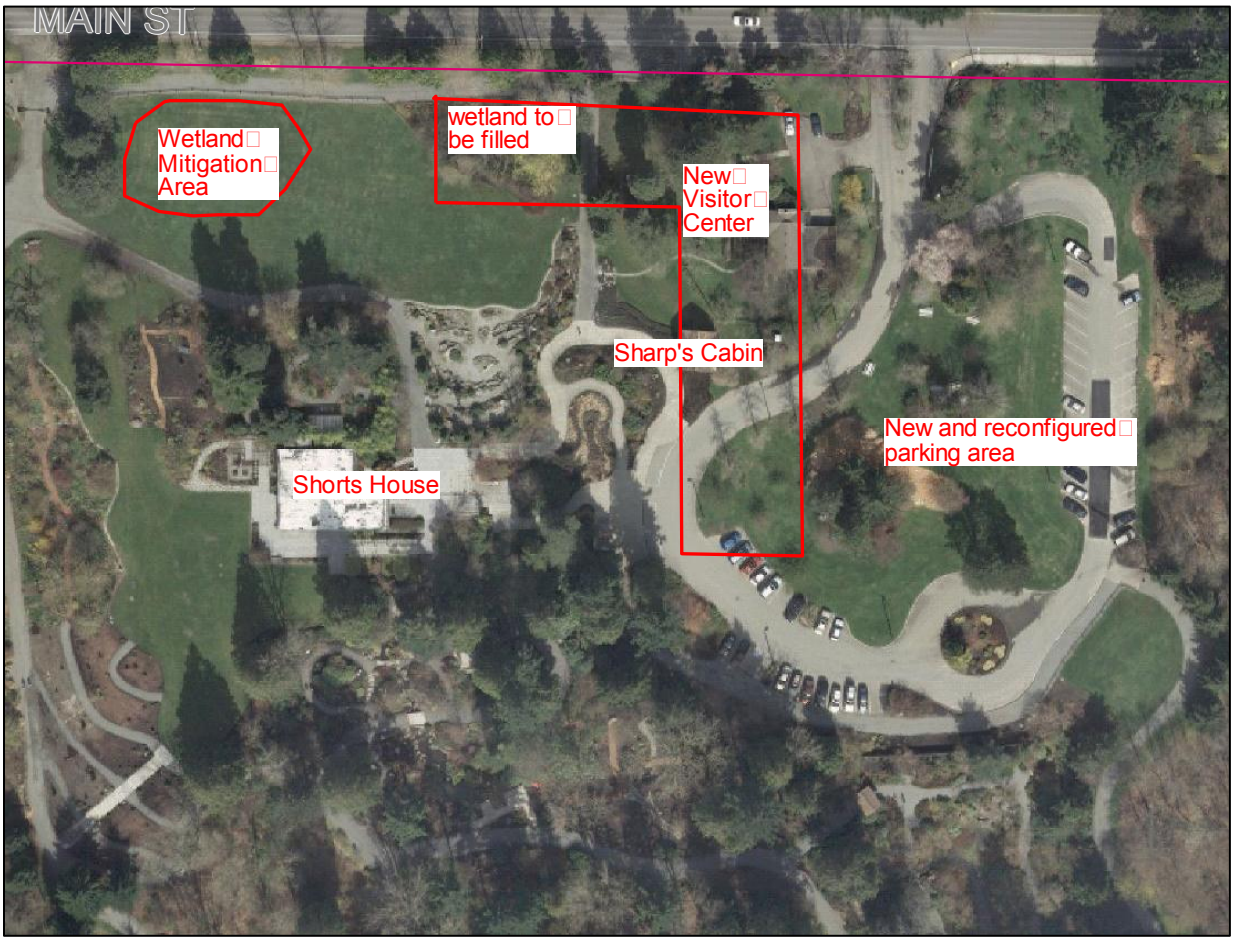

Figure 1: Sketch of Bellevue Botanical Garden Proposal

II. Site Description, Zoning, Land Use and Critical Areas

A. Site Description

The Bellevue Botanical Garden (BBG) is located at 12001 Main Street and is part of Wilburton Hill Community Park. The BBG makes up approximately 53 acres of the 123 acres of Wilburton Hill Community Park. The 53 acres of the BBG is contained within 5 parcels of the total of 7 that make up Wilburton Hill Community Park. The majority of the developed portion of the BBG is contained within the northern 10 acres adjacent to Main Street and consists of the following elements:

- The Shorts House, which currently serves as the BBG visitor center,
- An existing residential structure used as administrative office space and storage,
- The Sharp Cabin, which is used as a small meeting space and historical structure,
- Several “garden rooms” or plant collections, including: the Northwest Perennial Alliance Border, the Waterwise Garden, the Yao Garden, the Alpine Rock Garden and various summer displays of dahlias and fuchsias,
- South and east of the developed garden is the Lost Meadow Trail and Ravine Garden Suspension Bridge.

The extent of work for this project is contained within a single, 715,087 (16.4 acres) square feet parcel known as Parcel 3. Parcel 3 is abutted on the north by Main Street, on the east by a Bellevue Public School District Administration building, on the southeast by a parcel within Wilburton Hill Community Park containing an all-weather playfield, on the south by BBG botanical reserve, on the south west by a multi-family residential neighborhood, and on the west by one of the other BBG parcels. Across Main Street to the north are office buildings that are part of a business park that have their access to the north off of NE 1st Street.

There is one wetland within the immediate project area and several wetlands adjacent to the project area. The wetland within the project area is located just south of the Lake to Lake Trail adjacent to Main Street, to the west side of the existing administrative building. One adjacent wetland is to the west of the project area in a depression of land between the Northwest Perennial Border and the western property line. The other two wetlands are to the east of the existing parking area. There is also another wetland to the south of the Shorts Ground Cover Garden, but it is well outside the project area.

The Botanical Garden contains several areas that meet the definition of steep slope critical area, with slopes of 40% or more with a rise of 10 feet or more. One small area is to the south and east of the existing parking area. The 50-foot critical area buffer measured from the top of its slope is just outside the project area. The other areas of steep slope critical area are further to the south in the botanical reserve.

The developed portion of the garden contains a wide variety of native and ornamental trees, shrubs and ground covers. The forest reserve portion of the garden is a mixture of native conifer and deciduous trees indicative of Puget Sound lowland forests.

B. Zoning

The property is zoned R-1. The property is also within the Critical Areas Overlay District, due to the presence of various critical areas and critical area buffers.

C. Land Use Context

The development pattern surrounding the Bellevue Botanical Garden consists of two and three-story professional offices to the north and west. Further south and adjacent to the Lost Meadow Loop, on the west side on 118th Ave SE, there is multi-family residential complex with numerous three-story apartment buildings spread across the site. To the east of the Garden is the multi-building complex development owned and operated by the Bellevue School District as an administrative facility known as the Wilburton Instructional Service Center.

Further to the east and south of Wilburton Hill Community Park there are single-family residential neighborhoods.

The BBG and Wilburton Hill Community Park are within the Wilburton/NE 8th Street Subarea. Bellevue's *Comprehensive Plan* describes this area of the city as, "a desirable place to live and work that is centrally located in Bellevue where jobs, schools, stores and community parks are convenient and accessible." The subarea is approximately 1,600 acres in size and is bounded generally by I-405 to the west, Bellevue-Redmond Road to the north, 148th to the east, and the Lake Hills Connector to the south. Recreational amenities in the subarea include Glendale Golf Course, Kelsey Creek Community Park, and Wilburton Hill Community Park, which contains the Bellevue Botanical Garden.

The Comprehensive Plan contains goals in several elements which support the proposal. They include:

- Land Use Element – To develop and maintain land use pattern that protects natural systems and helps realize the vision of a "City in a Park."
- Urban Design Element – To promote an image of quality and distinction in the harmonious blending of the natural and built environment.
- Environmental Element- To integrate the natural and developed environments to create a sustainable urban habitat with clean air and water, habitat for fish and wildlife and comfortable and secure places for people to live and work.

The implementation of phased development of the Bellevue Botanical Garden is identified at capital project number PRK-10 in the Bellevue Parks and Open Space System Plan, a supporting document to Bellevue's Comprehensive Plan.

D. Critical Areas Functions and Values

i. Wetlands

Wetlands provide important functions and values for both the human and biological environment—these functions include flood control, water quality improvement, and nutrient production. These "functions and values" to both the environment and the citizens of Bellevue depend on their size and location within a basin, as well as their diversity and quality. While Bellevue's wetlands provides various beneficial functions, not all wetlands perform all functions, nor do they perform all functions equally well. However, the combined effect of functional processes of wetlands within basins provides benefits to both natural and human environments. For example, wetlands provide significant stormwater control, even if they are degraded and comprise only a small percentage of area within a basin.

ii. Geologic Hazard Areas

Geologic hazards pose a threat to the health and safety of citizens when commercial, residential, or industrial development is inappropriately sited in areas of significant hazard. Some geologic hazards can be reduced or mitigated by engineering, design, or modified construction practices. When technology cannot reduce risks to acceptable levels, building in geologically hazardous areas is best avoided (WAC 365-190).

Steep slopes may serve several other functions and possess other values for the City and its residents. Several of Bellevue's remaining large blocks of forest are located in steep slope areas, providing habitat for a variety of wildlife species and important linkages between habitat areas in the City. These steep slope areas also act as conduits for groundwater, which drains from hillsides to provide a water source for the City's wetlands and stream systems. Vegetated steep slopes also provide a visual amenity in the City, providing a "green" backdrop for urbanized areas enhancing property values and buffering urban development.

iii. Habitat Associated with Species of Local Importance

Urbanization, the increase in human settlement density and associated intensification of land use, has a profound and lasting effect on the natural environment and wildlife habitat, is a major cause of native species extirpation, and is likely to become the primary cause of extinctions in the coming century. Cities are typically located along rivers, on coastlines, or near large bodies of water. Floodplains and riparian systems associated with these water bodies make up a relatively small percentage of land cover in the western United States, yet they provide habitat for rich wildlife communities, which in turn provide a source for urban habitat patches or reserves. Consequently, urban areas can support rich wildlife communities. In fact, species richness peaks for some groups, including songbirds, at an intermediate level of development. Protected wild areas alone cannot be depended on to conserve wildlife species. Impacts from catastrophic events, environmental changes, and evolutionary processes (genetic drift, inbreeding, colonization) can be magnified when a taxonomic group or unit is confined to a specific area, and no one area or group of areas is likely to support the biological processes necessary to maintain biodiversity over a range of geographic scales. As well, typological approaches to taxonomy or the use of indicators present the risk that evolutionary potential will be lost when depending on reserves for preservation. Urban habitat is a vital link in the process of wildlife conservation in the U.S.

III. Consistency with Land Use Code (LUC) Requirements:

A. Zoning District Dimensional Requirements (LUC 20.20.010)

The site is located in the R-1 zoning district. The following table is a summary of the dimensional requirement for the district and how the proposed development complies.

Table 1: Dimensional Requirements

Standard	Required	Proposed	Meets Requirements
Front yard structure setback	35 feet	35 feet	Yes
Rear yard structure setback	25 feet	>815 feet	Yes
Side yard structure setback	5 feet	23 feet	Yes

2 side yards structure setback	20 feet	447 feet	Yes
Maximum building height	30 feet to top of flat roof	21 feet	Yes
Maximum lot coverage by structure	35%*	2%	Yes
Maximum impervious surface	50%	14%	Yes
Minimum Greenscape in front yard	50%	80%	Yes

*Lot coverage is calculated based on the net square footage of the lot after critical areas and critical area buffers are first subtracted from the gross lot square footage.

B. Landscape development (LUC 20.20.520)

The landscape development requirements of LUC 20.20.520 shall be imposed any time a permit, approval or review including land development, land alteration, change in lot coverage or a change in the area devoted to parking or circulation is required by the *Land Use Code*.

The landscape development standards required Type V landscaping in parking areas. Type V landscaping is described as plant materials which will cover the ground within three years, and which will not exceed three and one-half feet in height. Trees are also permitted if the trunk is free of branches below six feet in height.

For parking areas containing more than 99 parking spaces, at least 35 square feet of landscape area shall be provide per parking space. The proposal is for 119 parking spaces, which requires 4,165 square feet of landscape area and 42 trees. The proposal calls for 29,346 square feet of landscape area with143 trees.

The zoning of the property is R-1, which does not have any additional prescribed landscape standards in LUC 20.20.520. The applicant plans to protect, enhance or restore the remainder of the landscape areas within the project area.

The proposal meets the applicable landscape development standards.

C. Parking, circulation and walkway requirements (LUC 20.20.590)

The proposal calls for the creation of 119 parking spaces where 53 currently exist, for an increase of 66 new parking stalls. The proposed visitor center is classified as a public assembly room and warrants 10 parking stalls per 1,000 net square feet of space. The rules do not specify a maximum limit. The following table summarizes the functions within the various buildings with square footages and the standard parking requirements, followed by the proposed parking to be supplied.

Table 2: Parking Requirements

Building	Program	Size (Square feet)	Minimum parking standard	# of stalls
Lecture hall	Lecture and classrooms	2,290	10 stalls:1,000 nsf	23
Administration	Offices	886	4 stalls:1,000 nsf	4
	Conference	295	10 stalls:1,000 nsf	3
Visitor services	Visitor services	806	5 stalls:1,000 nsf	4
Shorts House	Library	427	10 stalls:1,000 nsf	4
	Meeting space	285	10 stalls:1,000 nsf	3
	Living/foyer	759	10 stalls:1,000 nsf	8
Sharp Cabin	Meeting space	267	10 stalls:1,000 nsf	3
Program total				52
Botanical garden grounds	Garden visitation	53 acres	.83 stalls per acre*	44
Total parking required				96
Total parking supplied				119

* Parking requirement of .83 stalls per acre was determined based on a consultant study of parking demand at 7 botanical gardens in Pacific Northwest

The parking regulations do not specify a maximum number of parking spaces allowed for the auditorium/public assembly. Approximately 25 additional stalls over the minimum required are proposed in the parking lot. These extra spaces will help alleviate deficiencies in parking supply at times of peak demand, such as times of good weather when the garden is in the most demand and the adjacent sports fields are in full use.

At times of extreme demand, such as during Botanical Garden special events like Garden d'Lights, there is an additional 155 parking stalls available at Wilburton Hill Community Park approximately 1000 feet to the east. This public parking lot is accessible by a sidewalk along Main Street to the new visitor center. There are two closer parking areas immediately to the north and east of the Garden parking area that are owned and managed by the Bellevue School District with a total of 200 parking stalls that are available to the Parks Department through a special use agreement for special events. See conditions of approval in Section X of this report.

The applicant is proposing to cover the entire new parking area with a hard-surface paving. All of the parking area and parking stalls will be clearly marked with delineation for the parking stalls, directional arrows and striping to designate pedestrian pathways.

The Transportation Department has reviewed and approved the location of two vehicle driveways. The driveway locations were selected in order to enhance public safety and to facilitate efficient vehicle flow into and out of the parking area. The existing driveway location that is being replaced was identified as a safety concern, because it was to the east and below of the crest of the hill and site distance to the west was hindered. By splitting the ingress and egress points and shifting them both to the east, the visibility distance to the west by the exiting motorist was enhance and safety improved.

D. Tree retention and replacement (LUC 20.20.900)

The land use code requires that for development proposal of this type, a minimum of 15% of the diameter inches on the interior of the property must retained. The proposal calls for the preservation of 62% of the diameter inches.

Tree protection measures consistent with those in the clearing and grading development standards will be used to ensure the trees to be retained are preserved in a healthy, viable condition.

E. New or expanded city and public park in critical areas (LUC 20.25H.055)

The proposal constitutes a new or expanded city and public park within the critical areas overlay district. In accordance with LUC 20.25H.055.3.g, new or expanded public use structures, such as the new visitor center, are allowed within the critical area or critical area buffer only if no technical feasible alternative with less impact on the critical area exists. The applicant submitted a memorandum dated August 23, 2011, that described the design process and the alternatives considered. In the memorandum the applicant makes an argument, after responding to the standards in LUC 20.25H.055.C.3.g, that no technically feasible alternative exists with less impact on the critical area or its buffer. The following is a summary and evaluation of the responses provided by the applicant in the memorandum.

i. The location of existing infrastructure;

The applicant describes how the existing parking lot is the key factor in the siting of the new visitor center, coupled with the topography on the site and the desire to preserve the existing garden display areas, resulted in the current proposal for placement of the visitor center. Indeed, the current parking lot on the eastern side of the garden is on a sloped area above some higher quality wetlands than Wetland A, which is proposed to be filled. As discussed above, the topography along Main Street necessitated movement of the entry drive further to the west to address sight distance issues. When the entry drive was moved, the new visitor center also needed to move west to accommodate the lane widths on the driveway and to provide the gateway feature to rest of the garden.

ii. The function or objective of the proposed new or expanded structure;

The applicant described, through an explanation of the master planning process

and design work that went into the current proposal, that programmatic and functional elements of the garden require that the visitor center be located just west of the parking area.

The reason for this is to provide an intuitive entry point for garden users; the visitor center serves as the "welcome mat" that one needs to pass through in order to become oriented to the layout of the garden. The garden volunteer docents greet visitors at the visitor center and direct them to their scheduled meeting places or share information with visitors so they can better enjoy their experience while at the garden.

By keeping the major training space co-located with the visitor center, the bulk of the visitors who are attending training seminars will not be left to wander around the garden and possibly detract from the experience of others.

iii. Demonstration that no alternative achieves the stated function or objective;

The stated functions or objectives of the garden are scientific research, conservation, education, and recreation. The visitor center expansion is responding to a demonstrated need for additional programming space and parking access. The master planning process seeks to preserve the existing Shorts house and the residential scale of the surrounding landscape amenities. It was decided, during the Parks Department design process that the best location for the visitor center was situated to the west of the parking lot. The design process that yielded the current proposal explored and evaluated 8 other potential options. These are.

The options considered include (shown below in Figure 2):
(A) Existing Garden office
(B) East of parking
(C) Shorts house with Miller Hull 2002 plan
(D) Shorts houser re-use and enlargement
(E) Existing pedestrian entry
(F) Yao Garden and south of parking area
(G) Wilburton Hill Community Park all-weather sportsfield
(H) Koh property

Each of the options considered had a series of advantages and disadvantages. Ultimately, Option A was determined to be the most advantageous because it met the most planning principles for the proposal and preserved other key features on the site.

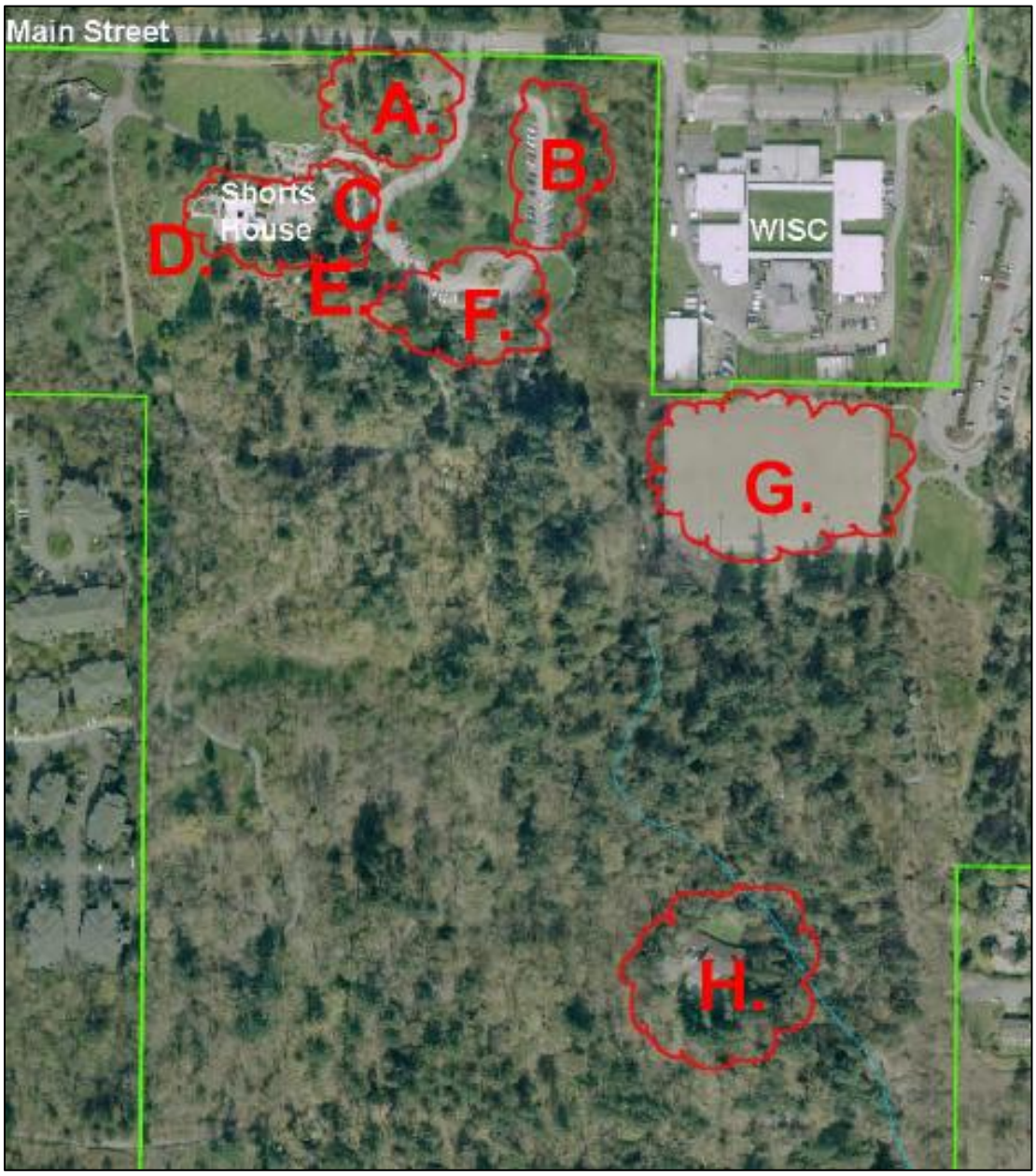

Figure 2: Location options

iv. Where the cost of avoiding disturbance is substantially disproportionate as compared to the environmental impact of the proposed disturbance; and

The applicant stated that, at the time of application for the conditional use permit and critical areas land use permit, they had spent over $900,000 in architectural and engineering services for the design of the visitor center complex in its proposed location. The site planning did not take into account the existence of the wetland proposed to be filled. The current proposal has gone through an extensive amount of involvement and approval from the Botanical Garden Society, the Parks & Community Services Board, and the City Council. Therefore, it was determined that the cost to relocate and redesign the facility, estimated at $2 to $4 million,

would be disproportionate to the environmental impact associated with the proposal and the cost of the required mitigation.

v. The ability of both temporary and temporary disturbance to be mitigated.
The proposal calls for the complete filling of Wetland A on Parcel 3, a critical areas report has been prepared that discusses the proposed mitigation measures related to the wetland fill. The critical areas report demonstrates that the impacts associate with the permanent and temporary disturbance can be mitigated successfully. The critical areas report is discussed in a later subsection H of this report.

F. Performance standards for allowed uses with no technically feasible alternative (LUC 20.25H.055.C.2.b)
If the applicant demonstrates that no technically feasible alternative with less impact on the critical area or critical area buffer exists, then the applicant shall comply with the following:

i. Location and design shall result in the least impacts on the critical area or critical area buffer;
The applicant is proposing to completely fill Wetland A and mitigate for the permanent impacts associated with the wetland fill. This option avoids and minimizes additional impacts to other critical area features on the property, specifically critical area and critical area buffer impacts to wetlands, a stream and geologic hazard areas east of the expanded parking area.

ii. Disturbance of the critical area and critical area buffer, including disturbance of vegetation and soils, shall be minimized;
The proposal calls for the least amount of disturbance necessary to construct the new visitor center and expand the parking lot. There is additional disturbance required in order to mitigate for the filling of the wetland, but this disturbance results in net gain in critical area function. The net gain in function is described in the applicant's critical areas report.

iii. Disturbance shall not occur in habitat used for salmonid rearing or spawning or by any species of local importance unless no other technical feasible location exists;
The filling of Wetland A and the disturbance within the buffers is not considered habitat for salmonid rearing or spawning, nor is it considered habitat for species of local importance.

iv. Any crossing over of a wetland or stream shall be designed to minimize critical area and critical area buffer disturbance;
The proposal calls for the filling of Wetland A. The proposal will mitigate for the filling of Wetland A through creation of a new wetland. The proposal also calls for the creation of several stormwater dispersal trenches within the critical area buffers of Wetland C to the east of the parking area.

v. All work shall be consistent with applicable City of Bellevue codes and standards;

The proposal is required to obtain building permits for the construction of visitor center, relocation of the Sharps cabin, and remodeling of the Shorts house. It is also required to obtain a clearing and grading permit for the site grading associated with the parking lot expansion and wetland mitigation. It is also required to obtain a utility developer extension permit for the design and construction of the storm water, drinking water and waste water systems. The review by professionals in each discipline of these development permits will ensure that the applicable City of Bellevue codes and standards will be met.

vi. The facility or system shall not have a significant adverse impact on overall aquatic area flow peaks, duration or volume or flood storage capacity, or hydroperiod;

The applicant, as part of the requirements for the storm drainage plan and the critical areas report, has provided documentation that site runoff will not have a significant adverse impact on the overall aquatic response of the site.

vii. Associated parking and other support functions, including for example, mechanical equipment and maintenance sheds, must be located outside critical area or critical area buffer except where no feasible alternative exists; and

The applicant is not proposing to install any parking or support functions or facilities within any critical areas or critical area buffers.

viii. Areas of new permanent disturbance and all areas of temporary disturbance shall be mitigated and/or restored pursuant to a mitigation and restoration plan meeting the requirements of LUC 20.25H.210.

The applicant has supplied a mitigation and restoration plan that mitigates for all permanent impacts associated with the proposed development. The plan also restores all temporary disturbance on the site to preexisting or better condition. The following a table summarizing the square footage of impacts and proposed restoration and mitigation.

Table 3: Wetland and Wetland Buffer Impact Summary

Wetland and Wetland Buffer Impacts	Impact Type and Area	Mitigation Provided	Area
Wetland A	Permanent (5,423 square feet)	Wetland creation	5,514 square feet
		Wetland enhancement	2,434 square feet
		Buffer enhancement	30,559 square feet
Wetland B Buffer	Permanent (584 square feet)	Buffer enhancement	584 square feet
	Temporary (1,647 square feet	Buffer restoration	1,647 square feet

G. Wetland critical areas performance standards (LUC 20.25H.100)

Development on sites with a wetland or wetland critical area buffer shall incorporate the following performance standards in design of the development, as applicable:

i. Lights shall be directed away from the wetland

The visitor center complies with this standard by utilizing lighting strategies that avoid light spillover into critical areas and their buffer, using fixtures that are set for minimum lumens necessary, and using automatic lighting controls that limit lighting times to those times when the park is open (except for some safety and security lighting).

ii. Activity that generates noise such as parking lots, generators, and residential uses, shall be located away from the wetland, or any noise shall be minimized through use of design and insulation techniques.

The proposal complies with this standard by avoiding the use of any generators or other noise producing devices. The parking area is kept out of the critical area buffer and the buffer will be planted with dense native vegetation.

iii. Toxic runoff from new impervious surfaces shall be routed away from the wetlands.

The proposal will not allow toxic runoff to enter the wetland. Rather, the storm water will be treated using subsurface structures under the parking lot.

iv. Treated water may be allowed to enter the wetland critical area buffer.

The water conveyance system on the site will treat the water and regulate its release into the wetland critical area buffer.

v. The outer edge of the wetland critical area buffer shall be planted with dense vegetation to limit pet or human use.

The restoration and mitigation plan proposes to plant dense native vegetation within the majority of the wetland critical area buffer to the east of the parking area to limit pet or human use.

vi. Use of pesticides, insecticides and fertilizers within 150 feet of the edge of the wetland critical area buffer shall be in accordance with the City of Bellevue's "Environmental Best Management Practices," now or as hereafter amended.

The Botanical Garden will be managed in accordance with the best management practices described in the *Environmental Best Management Practices Manual*. See associated Condition of Approval in Section X.

H. Geologic hazard critical area performance standards (LUC 20.25H.125)

In addition to generally applicable performance standards set forth in LUC 20.25H.055 and 20.25H.065, development within a landslide hazard or steep slope critical area or the critical area buffers of such hazards shall incorporate additional performance standards in design of the development, as applicable. The requirement for long-term

slope stability shall exclude designs that require regular and periodic maintenance to maintain their level of function.

The proposal avoids any structural development within the steep slope critical area and critical area buffer. The steep slope critical area is entirely within the wetland critical area buffer of Wetland B and will be restored with native plantings per the mitigation and restoration plan.

I. Habitat associated with species of local importance performance standards (LUC 20.25H.160)

If habitat associated with species of local importance will be impacted by a proposal, the proposal shall implement the wildlife management plan developed by the Department of Fish and Wildlife for such species. Where the habitat does not include any other critical area or critical area buffer, compliance with the wildlife management plan shall constitute compliance with this part.

The forest area to the south of the project area and the wetlands to the east of the parking area are considered habitat associated with species of local importance. The proposal is not expected to have a negative impact on this habitat. Instead, the proposal calls for restoration and enhancement of the critical areas and buffers to the east of the parking lot, which will increase the plant density and species diversity in this area. These actions are expected to improve habitat conditions in this area.

J. Consistency with critical areas report (LUC 20.25.210)

The applicant supplied a complete critical areas report prepared by The Watershed Company, a qualified professional. The report met the minimum requirements in LUC 20.25H.250.

The critical areas report identifies and classifies all of the critical areas and critical area buffers on the site. Specifically, it refers to the wetlands immediately affected by the proposal and those adjacent to the project site that will receive some form of restoration and enhancement as part of the mitigation strategy.

The report lists all of the codes and standards proposed to be modified. Specifically, the provision requested to be modified is that of the mitigation ratio for the direct wetland impacts of Wetland A, a Category IV wetland, in LUC 20.25H.105.C, which specifies that Category IV wetlands shall be mitigated through new wetland creation at a ratio of 1.5 to 1. The applicant proposes to mitigate for entirely filling the 5,423 square foot Category IV wetland with the creation of 5,514 square feet of new wetland in the immediate vicinity of the filled wetland and with 2,434 square feet of wetland enhancement and 30,559 square feet of wetland buffer enhancement.

The report contains a functional lift analysis that evaluates the expected critical area functions and values of Wetland A and demonstrates that the proposed mitigation will result in a net gain in ecological function over the standard application of the code.

K. Critical areas report - additional provisions (LUC 20.25H.110)

i. Limitation on modification.

A critical areas report may not be used to fill a wetland critical area, except where filling is required to allow a use set forth in LUC 20.25H.055.

As discussed above, the proposed use is a new or expanded city or public park, which is an allowed use set forth in LUC 20.25H.055.

ii. Additional content

The critical areas report discusses an inventory of other wetlands within 300 feet of the project site and avoids any impacts to these resources.

The critical areas report discusses strategies to preserve and enhance native vegetation in the adjacent wetlands to the east and west of the project area. These strategies are implemented as part of the proposed mitigation and restoration plan.

IV. Public Notice and Comment

Original Conditional Use Permit (CUP) application date:	May 2, 2011
Original CUP Public notice and street sign (500 feet):	June 2, 2011
CUP Public Meeting Date:	June 28, 2011
Critical Areas Land Use Permit (CALUP) Application Date:	September 12, 2011
CALUP Notice and CUP Re-Notice (500 feet):	November 10, 2011
Notice of Director's CALUP decision and SEPA Determination; and Director's CUP recommendation:	March 22, 2012
CALUP and SEPA Determination appeal deadline:	April 5, 2012
Public Hearing Date:	April 19, 2012 - 7:00 PM City Hall Council Chambers

The Notice of Application for this project was published in the City of Bellevue Weekly Permit Bulletin on two occasions. The original Conditional Use Permit was publicly noticed on June 2, 2011. It was mailed to property owners within 500 feet of the project site and a public notice sign was erected at the edge of the public right-of-way on Main Street. A public meeting was held on June 28, 2011, at Bellevue City Hall. No comments were received on the request for the Conditional Use Permit, and no individuals or citizens attended the public meeting.

On September 12, 2011, the applicant applied for a Critical Areas Land Use Permit for the proposed filling of Wetland A and proposed mitigation strategy. The Critical Areas Land Use Permit application was noticed and the Conditional Use Permit re-noticed on November 10, 2011 in the Weekly Permit Bulletin. Copies of the Weekly Permit Bulletin were mailed to property owners within 500 feet of the property. No comments were received from the public as of the writing of this staff report.

V. Summary of Technical Reviews

A. Transportation

The Transportation Department's review and approval of the Bellevue Botanical Garden Master Plan Update in 2008 was based on the description of site improvements proposed at that time and on a 2008 study of traffic impacts in the vicinity. That study was published in the Bellevue Botanical Garden Master Plan Update Traffic Impact Study, August 2008, by The TRANSPO Group, which is included in the Transportation Department file for this development. The Transportation Department's recommendations for approval of the 2008 Master Plan Update included the following:

1. Prior to approval of construction plans, engineering review would be required to address access location, sight distances at the driveways, pedestrian requirements along Main Street, right of way use, pavement restoration needs, street lighting, and other transportation issues. These issues are addressed below under Site Access and Street Frontage Improvements.
2. A development application for any project with 20 or more additional parking spaces or 4000 or more square feet of new building space would trigger a requirement for queuing analysis and possible mitigation at the intersection of SE 1st Street and 116th Avenue. This is addressed below under State Environmental Policy Act, Transportation.

Based on the analysis and discussion below and in other parts of this Staff Report, including updates to some of the recommendations in the 2008 Master Plan Update, the Transportation Department recommends approval of this Conditional Use Permit, with conditions stated in Section X.

i. Site Access

Based on review during and following the 2008 Master Plan Update, vehicular access for the proposed project was revised in order to better accommodate sight distances, grades, and queuing space between the entrance and exit. Access to and from Main Street will be split, with the entrance being relocated approximately 80 feet to the west, and the exit being relocated approximately ten feet to east. Separation between the entrance and exit will increase from approximately ten feet to approximately 100 feet. See Section X for related conditions of approval.

The existing bus loading/unloading area on a gravel strip adjacent to Main Street will be removed and replaced with landscaping. After redevelopment, buses will load and unload within the site on the north/south drive aisle adjacent to the buildings. That drive aisle will be 26 feet wide, which will allow other vehicles to pass. After redevelopment, on-street parking and loading will not be allowed. See Section X for related condition of approval.

ii. Street Frontage Improvements

In order to provide safe pedestrian and vehicular access in the vicinity of the site,

and to provide infrastructure improvements with a consistent and attractive appearance, the construction of street frontage and access improvements is required as a condition of development approval. The design of the improvements must conform to the requirements of the Americans with Disabilities Act, the Transportation Development Code (BCC 14.60), and the Transportation Department Design Manual. General requirements for these frontage and access improvements are listed below. More details regarding said improvements are provided in the engineering and landscaping plans that will be included in the clearing and grading permit for this development. See Section X for related conditions of approval.

1. The landscape plan showing new and existing trees in or immediately south of the Main Street right of way must be coordinated with the street light plan provided by PSE. The goal is to provide the optimum number of trees while not compromising the light and safety provided by streetlights. Streetlights and nearby trees must be shown on the same plan sheet with the proper separation and the proper spacing from driveways. The spread of trees at maturity must be considered. Generally, large trees to the side of a streetlight must be at least 25 feet away. Trees behind a streetlight can be closer, but not so close that limbs would interfere with the light fixture or with the spread of light up and down the street.

2. A pedestrian route is planned parallel to Main Street, partly within the street right of way, but mostly on park land south of the right of way. Those parts of this pedestrian route that will be constructed or revised as part of this project must be ADA compliant, including requirements for smoothness and cross slope. The Americans with Disabilities Act (ADA) requires that the cross slope for accessible pedestrian routes must not exceed two percent.

3. Both civil engineering plans and landscape plans must show the required vehicle sight triangles per Bellevue City Code 14.60.240 at the outbound driveway. Pedestrian crossings of both the outbound and inbound driveways must comply with the pedestrian sight triangles per BCC 14.60.241. No signs, trees, landscaping, or other features are allowed to block the required sight triangles.

4. The access to and from Main Street shall be reconstructed with separate inbound and outbound driveways, each 26 feet wide, with grades not to exceed six percent on the entry and ten percent on the exit. The inbound and outbound driveways shall be approximately 100 feet apart, located as shown on engineering plans submitted to the city on November 10, 2011.

5. Stop signs, crosswalk markings, and other signs and pavement markings shall be installed as required by the final engineering plans, which will be part of the clearing and grading permit.

6. No fixed objects, including signs, fire hydrants, trees, and streetlight poles, are allowed within ten feet of a driveway edge within the right of way of Main Street. Fixed objects are defined as anything with breakaway characteristics stronger than a 4-inch by 4-inch wooden post.

7. No new overhead utility lines will be allowed within or across any street right of way or sidewalk easement, and existing overhead lines must be relocated underground.

8. Use of the Right of Way During Construction: Applicants often request use of the right of way and of pedestrian easements for materials storage, construction trailers, hauling routes, fencing, barricades, loading and unloading and other temporary uses as well as for construction of utilities and street improvements. A Right of Way Use Permit for such activities must be acquired prior to issuance of any construction permit including demolition permit. Sidewalks may not be closed except as specifically allowed by a Right of Way Use Permit.

9. Pavement Restoration: The City of Bellevue has established the Trench Restoration Program to provide developers with guidance as to the extent of resurfacing required when a street has been damaged by trenching or other activities. Near this project, Main Street is presently classified as "No Street Cuts Permitted." If street cuts cannot be avoided, or if the pavement is damaged during construction, then a grind and overlay at least 50 feet long for the full width of any affected lane will be required. Permission to cut a no-cut street must be obtained from the city's right of way manager. The exact extent of any required pavement restoration will be specified in the project's right of way use permit.

10. The street frontage design for Main Street adjacent to the Bellevue Botanical Garden site is not intended to accommodate on-street parking, loading, or unloading; and such activities will not be allowed on Main Street

B. Clearing and Grading:

The Clearing and Grading Division of the Development Services Department has reviewed the proposed development for compliance with Clearing and Grading codes and standards. The Clearing and Grading staff found no issues with the proposed development.

C. Utilities

A City of Bellevue Utilities Development Review professional has reviewed the conceptual utility plans for the proposed development and the site can be served with water, sewer and storm facilities. Water and sewer service will connect into existing onsite facilities.

The drainage plan approval for the site will require the development to comply with Minimum Requirements 1-9 of the Storm and Surface Water Codes and Standards. Wetland protection will be required per Minimum Requirement 8 and the development will be required to maintain the existing hydro-period of wetlands surrounding the site. Drainage best management practices proposed for the site include a cistern, rain garden, dispersion, water quality canister treatment and detention vaults to mitigate for the minimum requirements. Based on the review of the conceptual drainage plan, it appears feasible that the development will be able to comply with Minimum Requirements 1-9, however a formal review of the final drainage plan has not been completed as of the writing of this report.

D. Fire

The Fire Prevention Division of the Fire Department has reviewed the proposed development for compliance with fire protection codes and standards. The fire prevention staff found no issues with the proposed development.

VI. 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 are expected to mitigate potential 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. Earth

The proposal calls for the approximately 8,300 cubic yards of combined cut and fill across an area of nearly 192,000 square feet. The proposal is required to comply with the City of Bellevue clearing and grading codes and standards. The applicant has submitted a Construction Stormwater Pollution Prevention Plan (CWSPPP) that will be reviewed to ensure compliance with city standards for erosion. If during construction, the specified best management practices for erosion control and water quality are implemented, the potential for negative impacts will be avoided.

Following construction, all non-paved areas will be planted with either native or ornamental trees, shrubs and ground covers. See Section X for related conditions of approval.

B. Water

The creation of impervious surface is potentially the most impactful project component on water resources in the area. The proposal will result in a total of 100,112 square

feet of impervious surface on the property. The proposal is required to obtain approval of a drainage plan for the site that must demonstrate that the development complies with minimum requirements 1-9 of the Storm and Surface Water Codes and Standards. The wetlands on the site are required to be protected per minimum requirement 8. The development is also required to maintain the existing hydroperiod of wetlands surrounding the site. Drainage best management practices proposed for the site include a cistern, rain garden, dispersion, water quality canister treatment and detention vaults to mitigate for the minimum requirements. Erosion and sediment control best management practices include the installation of silt fencing around the work area and covering exposed soils to prevent migration of soils to the adjacent wetland and water courses will avoid any permanent impact. The applicant will also be required to submit information regarding the use of pesticides, insecticides, and fertilizers to avoid impacts to water resources. See Section X for a related condition of approval.

C. Animals

The project site is adjacent to a large, forested natural area that contains quality habitat for birds and mammals. There are also multiple wetlands and seasonal streams in the vicinity. The proposal calls for the elimination of a small Category IV wetland (Wetland A) with low to moderate wildlife habitat functions. The project is already developed with a Botanical Garden Visitor Center, administration offices, and parking lot. There will be some short term disruption of wildlife movement and habitation in the area during the construction phase of the project, but the long-term impact to wildlife should be minimal. The proposal calls for the creation of a slightly larger wetland area and significant buffer restoration and enhancement of several of the other adjacent wetlands as mitigation for the loss of the category IV wetland. Additionally, the proposal calls for preservation of 62% of the diameter inches of the significant trees on the site and the installation of numerous new trees and shrubs. These measures will preserve and possibly enhance the wildlife capacity on the site.

D. Plants

No threatened or rare plants will be removed as part of the project. The proposal calls for the preservation of 62% of the diameter inches on the property. A large variety of new trees, shrubs and ground covers will be installed in the garden itself, the new parking area and in the wetland buffers. Mitigation for temporary and permanent disturbance will be approved pursuant to an approved re-vegetation and monitoring plan. See Section X for related conditions of approval.

E. Noise

The site is adjacent to single-family residences whose residents are most sensitive to disturbance from noise during evening, late night and weekend hours when they are likely to be at home. Construction noise will be limited by the City's Noise Ordinance (Chapter 9.18 BCC) which regulates construction hours and noise levels. See Section X for a related condition of approval.

F. Transportation

Long-Term Impacts and Mitigation

The long-term impacts of development projected to occur in the City by 2017 are addressed in the City's Transportation Facilities Plan (TFP) Environmental Impact Statement (EIS) and through the payment of traffic impact fees. Development projects with broad public purposes, such as city and public parks, are exempt from payment of this fee, per BCC 22.16.070. No other long-term mitigation is required. The City's TFP EIS is available for review in the City Hall Record's Room.

A computer model evaluates the traffic impacts of land use growth projected to occur by 2017 by assuming that all the transportation improvement projects proposed in the current TFP are in place. However, public parks fall into the category of recreational land use, a category that is not included in the TFP's land use projections. Therefore, the standard method for evaluating long-term traffic impacts by comparing the land use magnitude of a proposed development to the long-term land use growth assumptions in the TFP EIS does not apply for this development. For that reason, the evaluation of long-term traffic impacts in the 2008 Bellevue Botanical Garden Master Plan Update included a discussion of how the Botanical Garden site would benefit from TFP project 207, the proposed extension of NE 4th Street from 116th Avenue to 120th Avenue.

The most critical location evaluated in the 2008 traffic study was the westbound PM peak hour movement on SE 1st Street approaching 116th Avenue. Lengthy backups for that movement were observed in 2008, and such backups still occur in 2012. The analysis in the 2008 Bellevue Botanical Garden Master Plan Update concluded that the Botanical Garden project would make those backups worse, if TFP project 207 is not constructed. However, with TFP project 207 in place in the future, the intersection of SE 1st Street at 116th Avenue would function better than it does today, even with additional traffic generated by the Botanical Garden project. Project 207 remains in the latest TFP; therefore, the Botanical Garden project is consistent with the long-term assumptions in the TFP EIS.

Mid-Range Impacts and Mitigation

Project impacts anticipated to occur in the next six years are assessed through a concurrency analysis. The Traffic Standards Code (BCC 14.10) requires that development proposals generating 30 or more p.m. peak hour trips undergo a traffic impact analysis to determine if the concurrency requirements of the State Growth Management Act are maintained. However public parks are exempt from the Traffic Standards Code and hence do not undergo concurrency testing. No mid-range mitigation is required.

Short-Term Operational Impacts and Mitigation

City staff analyzed the short-term operational impacts of this proposal in order to recommend mitigation if necessary. These impacts included traffic operational issues during the PM peak hour on weekdays, as well as parking overflow for special events, which occur primarily on weekends or evenings. Aside from parking overflow, traffic

operational issues were not examined for special events, since such events generally occur when background traffic is low.

The traffic analysis done for the 2008 Master Plan Update examined PM peak hour traffic volumes, accident history, level of service, and queuing at five intersections near the Bellevue Botanical gardens site and at the site's main access. The five intersections were 124th Avenue NE & NE 8th Street, 116th Avenue NE & SE 1st Street, Main Street & 1st Street, Main Street & 118th Avenue SE, and 116th Avenue SE & SE 5th Street. In addition to the 2008 base year, the analysis included a forecast of traffic to 2013, with level of service and queuing for that year. The results of the short-term traffic analysis are published in the Bellevue Botanical Garden Master Plan Update Traffic Impact Study, August 2008, by The TRANSPO Group. The study is included in the Transportation Department file for this development.

To summarize the results of the 2008 Traffic Impact Study, no safety, level of service, or queuing problems were discovered that would be made significantly worse by traffic associated with the proposed redevelopment of the Bellevue Botanical Garden. However, one issue was flagged for further study as follows: A Mitigation Measure in the Bellevue Botanical Garden Master Plan Update in 2008 stated that queues at the intersection of SE 1st Street & 116th Avenue must be studied further upon application for any development that would add 20 or more parking spaces or 4000 or more square feet of building space at the Botanical Garden site. The present Conditional Use Permit application meets that threshold because it would add 66 new parking spaces and more than 4000 square feet of new building area. Therefore, the Transportation Department reviewed traffic operations at the intersection of SE 1st Street & 116th Avenue SE. The Transportation Department's conclusion is that the Botanical Garden development will not be required to do any traffic mitigation at that intersection for the following reasons:

a) Existing queues at that intersection will not be made critically worse by this park project.

b) Previously, there was a concern that queues at that intersection were in conflict with railroad operations on the Burlington Northern line; however, rail service on that line has been abandoned.

c) Geographic constraints would make major intersection improvements very expensive.

d) Minor intersection improvements would have limited benefit

e) Implementation of TFP project 207 described above under Long-Term Impacts and Mitigation is expected to eliminate the need for such improvements at the intersection of SE 1st Street & 116th Avenue SE.

The 2008 traffic analysis included an estimate of PM peak hour trip generation for the park project. That estimate, done by The TRANSPO Group, was based on an assumption that the amount of park usage is governed by the amount of available parking. At that time, it was assumed that after redevelopment, the park would have 157 on-site parking spaces. Further assumptions were made about parking

occupancy rates and parking turnover rates, leading to a calculation of 252 total trips in and out of the park site during the PM peak hour. Given 53 existing parking spaces, The TRANSPO Group calculated 166 net new PM peak hour trips, with 83 in and 83 out. These trip generation figures were used for the level of service and queuing analyses in the 2008 Master Plan Update.

The most recent park plans shows 119 total parking spaces. Using the same method described above, with 53 existing spaces, the figure of 119 total parking spaces would correspond to 190 total PM peak hour trips. Of that, 106 would be net new trips, with 53 in and 53 out. This is a decrease of 60 net new trips (36%) from the number calculated in 2008. Hence, traffic impacts for the present Conditional Use Permit application for the Bellevue Botanical Garden site will be significantly less than the impacts that were analyzed in the 2008 Master Plan Update.

Since the trip generation estimate and the associated analysis of traffic impacts and mitigation are based on the on-site parking supply, it is important to note that the conclusions herein regarding traffic impacts and mitigation would be negated if on-site activities are allowed to overwhelm the parking supply. In the past, the parking supply for the Garden d'Lights (the site's biggest annual event) has been supplemented through an annual agreement with the Bellevue School District, which has parking available adjacent to the Botanical Garden site. However, no long-term agreement exists for that event, and supplemental parking for other events is not covered. To ensure adequate parking is available for large scale events and to prevent uncontrolled overflow parking, a shared parking agreement with neighboring property owners must be obtained either on a long-term basis or for each individual event. See Section X for a related condition of approval.

VII. Changes to proposal as a result of City review

Based on street grades, vehicle queuing space, and vehicle sight triangles required by the Transportation Development Code, the Transportation Department required revisions to the existing access point on Main Street.

VIII. Decision Criteria

A. Critical Areas Report Decision Criteria LUC 20.25H.255

The Director may approve, or approve with modifications, the proposed modification where the applicant demonstrates:

1. The modifications and performance standards included in the proposal lead to levels of protection of critical area functions and values at least as protective as application of the regulations and standards of this code;

Finding: The applicant, in their submitted Critical Areas Report, have demonstrated

that there will be a net gain in the functions of water quality, hydrology and habitat created through the implementation of the proposal. There will be increased educational value, as the created wetland will be integrated into the educational mission and environment of the Botanical Garden.

2. Adequate resources to ensure completion of any required mitigation and monitoring efforts;

Finding: The project is proposed by the City of Bellevue Parks and Community Services Department. The Department has adequate resources to construct and maintain the required mitigation effort, and resources necessary to monitor the mitigation measures for a minimum period of five years.

3. The modifications and performance standards included in the proposal are not detrimental to the functions and values of critical area and critical area buffers off-site; and

Finding: The proposal is required to mitigate for direct impacts to the site and to address the impact of the new and replaced impervious surfaces on the property. The proposal is required to obtain approval of a drainage plan for the site that must demonstrate that the development complies with minimum requirements 1-9 of the Storm and Surface Water Codes and Standards. The wetlands on the site are required to be protected per minimum requirement 8. The development is also required to maintain the existing hydro-period of wetlands surrounding the site. If the wetlands on the property are protected, then it is expected that the proposal will not be detrimental to the functions and values of critical areas and critical area buffers off-site.

4. The resulting development is compatible with other uses and development in the same land use district.

Finding: The resulting development is an expansion of the existing Botanical Garden use on the property, which is zoned R-1. The new Botanical Garden Visitor Center and park lot, although an intensification of the use in the district, is consistent with the neighborhood character. The adjacent land use districts are different than the subject property, with Professional Office and Office to the north and west, R-20 to the southwest, and R-4 to the east. The only district that would be potentially sensitive to the expansion of this use would be the R-4 district to east, but this property is currently developed with the WISC resource center administrative office complex.

B. Critical Areas Land Use Permit Decision Criteria LUC 20.30P.140

The Director may approve or approve with modifications an application for a critical areas land use permit if:

1. The proposal obtains all other permits required by the Land Use Code;

Finding: The proposal is required to obtain building permits for the construction of the visitor center, for the remodeling of the Shorts house, and for the relocation of the Sharps cabin. A Utility Developer Extension Permit and Utility Vault construction permit must be obtain to document approval of the proposals utility system and connections. Finally, a clearing and grading permit is required for all of the proposal's site work. As of the writing of this report, all of these permits, with the exception of the Utility Vault Construction Permit, had been applied for and are under review by the appropriate development review professionals.

2. The proposal utilizes to the maximum extent possible the best available construction, design and development techniques which result in the least impact on the critical area and critical area buffer;

Finding: The proposal includes the construction of a 8,426-square foot visitor center, a 119-space parking lot and the filling of a 5,423 square foot Category IV wetland. The building and parking lot are being built to meet or exceed the current construction and stormwater standards, respectively. The request to fill the wetland is accompanied by a mitigation and restoration plan that utilizes the best available construction techniques and a complete mitigation monitoring plan to ensure successful establishment and replacement of wetland functions and values over time.

3. The proposal incorporates the performance standards of Part 20.25H to the maximum extent applicable, and;

Finding: As discussed in Section III above, the proposal has incorporated and complies with all of the applicable performance standards for a proposal of this type with one exception. The proposal utilized the critical areas report process to modify the standard for wetland mitigation for the filling of the Category IV wetland, referred to as Wetland A. The standards specify a mitigation ratio of 1.5 to 1. The applicant is proposing to create a new wetland of 5,514 square feet, 30,559 square feet of wetland buffer restoration, and several thousand square feet of additional wetland and buffer enhancements on site. The applicant's critical areas report demonstrates that the proposal results in a net gain in ecological function over the standard application of the code. In addition, there is educational value in incorporating the newly created wetland into the programming of the new Botanical Garden Visitor Center.

4. The proposal will be served by adequate public facilities including street, fire protection, and utilities; and;

Finding: Based on estimated trip generation, the revised design for the site's access on Main Street, and on TFP project 207, all of which are described elsewhere in this Staff Report, the Transportation Department determined that the proposed conditional use will be served by adequate street facilities.

The Fire Department has reviewed the proposal at a conceptual level and has

determined that adequate fire protection can be provided.

Utility review has been on a conceptual basis only and the site can be served with water, sewer and storm facilities. Water and sewer service will connect into existing onsite facilities. The drainage plan approval for the site will require the development to comply with Minimum Requirements 1-9 of the Storm and Surface Water Codes and Standards. Wetland protection will be required per Minimum Requirement 8 and the development will be required to maintain the existing hydro-period of wetlands surrounding the site. Drainage best management practices proposed for the site include a cistern, rain garden, dispersion, water quality canister treatment and detention vaults to mitigate for the minimum requirements.

5. The proposal includes a mitigation or restoration plan consistent with the requirements of LUC Section 20.25H.210; and

Finding: The applicant has supplied a complete mitigation and restoration plan as a component part of the critical areas report. The mitigation and restoration plan meets the requirements of LUC Section 20.25H.210.

6. The proposal complies with other applicable requirements of this code.

Finding: As discussed in Section III and V of this report, the proposal complies with all other applicable requirements of the Land Use Code.

C. Conditional Use Permit Decision Criteria LUC 20.30B.140

The City may approve or approve with modifications an application for a Conditional Use Permit if:

1. The conditional use is consistent with the Comprehensive Plan; and

Finding: The proposal to implement the phased development of the Bellevue Botanical Garden is identified at capital project number PRK-10 in the Bellevue Parks and Open Space System Plan, a supporting document to Bellevue's Comprehensive Plan.

The Comprehensive Plan contains goals in several elements which demonstrate the consistency of the conditional use. They include:

- Land Use Element – To develop and maintain land use pattern that protects natural systems and helps realize the vision of a "City in a Park."
- Urban Design Element – To promote an image of quality and distinction in the harmonious blending of the natural and built environment.
- Environmental Element- To integrate the natural and developed environments to create a sustainable urban habitat with clean air and water, habitat for fish and wildlife and comfortable and secure places for people to live and work.

Embedded under these element goal statements, there are a number of policies that demonstrate the proposal's consistency with the Comprehensive Plan. They include:
Policy LU-9. Maintain compatible use and design with the surrounding built environment when considering new development or redevelopment within an already developed area.
Policy S-WI-36. Support continuation of the Lake-to-Lake Trail through Wilburton.

The redevelopment of the Bellevue Botantical Garden maintains an existing developed park facility in the Wilburton/NE 8th Street Subarea. The design also takes into consideration the improvement of pedestrian flow on the Lake-to-Lake Trail by routing the trail surface around the parking lot, bringing it out to Main Street, where no clear connection currently exists.

Policy UD-6. Design buildings located on the edge of public places using materials, forms, details and other architectural elements that will enrich the appearance of the places and encourage people to use them.
Policy UD-9. Use site design, landscaping, and appropriate lighting to reduce the visual impact of parking lots to public areas.

The proposed visitor center and parking lot are consistent with these policies for the following reasons. The visitor center is situated at the northern boundary of the garden so that it is visible and accessible from the public right-of-way and the Lake-To-Lake Trail. The orientation of the building on the west of the parking lot helps to separate the parking area from the main garden exhibits. The parking lot sits on an east facing slope to the east of the visitor center, so that it is not the most readily visible feature of the garden.

2. 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; and

Finding: The proposed visitor center redevelopment is based on several planning principles that were developed through Bellevue Botanical Garden Master Plan Update, which was completed in September 2008. Some of the principles include:

- Simple and conceptually comprehensible design
- Respond to site conditions
- Develop varied experiences that are integrated into a coherent whole
- Create a residential scaled experience

The garden is true to these principles by creating a relative simple "L" shaped building that is placed up-front to serve a gateway into the garden. The one-story building is to be clad in muted earth tones and buffered with dense plantings. The effect is to make the building and parking lot visible without making them obtrusive and detrimental to

the neighborhood.

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

Finding: Based on estimated trip generation, the revised design for the site's access on Main Street, and on TFP project 207, all of which are described elsewhere in this Staff Report, the Transportation Department determined that the proposed conditional use will be served by adequate street facilities.

The Fire Department has reviewed the proposal at a conceptual level and has determined that adequate fire protection can be provided.

Utility review has been on a conceptual basis only and the site can be served with water, sewer and storm facilities. Water and sewer service will connect into existing onsite facilities. The drainage plan approval for the site will require the development to comply with Minimum Requirements 1-9 of the Storm and Surface Water Codes and Standards. Wetland protection will be required per Minimum Requirement 8 and the development will be required to maintain the existing hydro-period of wetlands surrounding the site. Drainage best management practices proposed for the site include a cistern, rain garden, dispersion, water quality canister treatment and detention vaults to mitigate for the minimum requirements.

4. The conditional use will not be materially detrimental to uses or property in the immediate vicinity of the subject property; and

Finding: The Botanical Garden has been in existence in the Wilburton neighborhood since 1997. Since its inception, it has been awarded numerous accolades for its design, collections and educational programs. The demands on it have increased in recent years and the current proposal is designed to better integrate into the neighborhood by increasing the capacity of the on-site parking and educational facilities. These amenities in the neighborhood, along with modifications made to the parking access points and street frontage improvements result in a project that is not materially detrimental to uses or properties in the immediate vicinity of the subject property.

5. The conditional use complies with the applicable requirements of this Code.

Finding: As discussed in Section III, the proposal complies with all the applicable provisions of the Land Use Code.

X. Conclusion and Decision

After conducting the various administrative reviews associated with this proposal, including Land Use Code consistency, SEPA, City Code and Standard compliance reviews, the Director of the Development Services Department does hereby **approve with conditions** the Critical Areas Land Use Permit for the construction of a 8,426-square foot visitor center within a Category IV wetland critical area and buffer.

After conducting the various administrative reviews associated with this proposal, including Land Use Code consistency, SEPA, City Code and Standard compliance reviews, the Director of the Development Services Department does hereby **recommend to the City of Bellevue Hearing Examiner approval with conditions** the conditionals use permit for the construction of a 8,426-square foot visitor center, construction of a 119-space parking lot, remodeling of the existing Shorts house and relocation of the Sharps cabin within the Bellevue Botanical Garden portion of Wilburton Hill Community Park.

Note- Expiration of Approval: In accordance with LUC 20.30P.150 a Critical Areas Land Use Permit automatically expires and is void if the applicant fails to file for a Clearing and Grading Permit or other necessary development permits within one year of the effective date of the approval.

XII. Conditions of Approval

The applicant shall comply with all applicable Bellevue City Codes and Ordinances including but not limited to:

Applicable Ordinances	Contact Person
Clearing and Grading Code- BCC 23.76	Savina Uzunow, 425-452-7860
Land Use Code- BCC Title 20	Kevin LeClair, 425-452-2928
Noise Control- BCC 9.18	Kevin LeClair, 425-452-2928
Transportation Code- BCC Title 14	Carl Wilson, 425-452-4228
Utilities Code- BCC Title 24	Mark Dewey, 425-452-6179

The following conditions are imposed under the Bellevue City Code or SEPA authority referenced:

A. General Conditions of Approval

1. Rainy Season restrictions: Due to the proximity to wetland critical areas, no clearing and grading activity may occur during the rainy season, which is defined as October 1 through April 30 without written authorization of the Development Services Department. Should approval be granted for work during the rainy season, increased erosion and sedimentation measures, representing the best available technology must be implemented prior to beginning or resuming site work.

Authority: Bellevue City Code 23.76.093.A,
Reviewer: Savina Uzunow, Clearing and Grading

2. Noise Control: Noise related to construction is exempt from the provisions of BCC 9.18 between the hours of 7 am to 6 pm Monday through Friday and 9 am to 6 pm on Saturdays, except for Federal holidays and as further defined by the Bellevue City Code. Noise emanating from construction is prohibited on Sundays or legal holidays unless expanded hours of operation are specifically authorized in advance. Requests for construction hour extension must be done in advance with submittal of a construction noise expanded exempt hours permit.

Authority: Bellevue City Code 9.18
Reviewer: Kevin LeClair, Land Use

3. Preliminary Design, Utility Codes and Engineering Standards: Utility review has been completed on the preliminary information submitted at the time of this application. The review of this application has no implied approvals for water, sewer and storm drainage components of the project. Final plan approval will occur under a Utility Extension Agreement which will be required for review and approval of the utility design. Submittal of the utility extension will coincide with future clearing and grading

permit review. Final civil engineering may require changes to the site layout to accommodate the utilities.

The drainage plan approval for the site will require the development to comply with Minimum Requirements 1-9 of the Storm and Surface Water Codes and Standards. Wetland protection will be required per Minimum Requirement 8 and the development will be required to maintain the existing hydro-period of wetlands surrounding the site.

Authority: BCC Chapters 24.02, 24.04, 24.06
Reviewer: Mark Dewey, Utilities

4. Parking Agreement for Special Events: the Parks & Community Services Department shall obtain a special use agreement or similar instrument from the Bellevue School District for the use of their parking area at 12241 Main Street and 12111 NE 1st Street. The parking agreement shall be a condition of approval of any event requiring a Special Event Permit at the Botanical Garden that will require additional parking beyond that which can be adequately served by the on-site parking area containing 119 stalls.

Authority: LUC 20.20.590
Reviewer: Kevin LeClair, Land Use

5. Limitations Related to Parking and Agreements for Off-Site Parking: To ensure impacts to the surrounding neighborhood and private properties are minimized, the Bellevue Parks & Community Services Department must manage and limit the size and scope of special events at the Bellevue Botanical Garden so as not to cause any parking overflow, except as such overflow will be accommodated at other sites by agreements with the owners of those sites. Pedestrian access or shuttle access between such other sites and the Botanical Garden site must be provided and managed as part of the management of any special event that is expected to cause overflow parking. Compliance with this requirement will be reviewed and evaluated at least annually by the city staff's Special Events committee.

Authority: LUC 20.20.590
Reviewer: Kevin LeClair, 425-452-2928

6. Bus Loading / Unloading: The existing bus loading/unloading area on a gravel strip adjacent to Main Street shall be removed and replaced with landscaping. After redevelopment, buses will load and unload within the site on the north/south drive aisle adjacent to the buildings. After redevelopment, on-street parking and loading will not be allowed.

Authority: LUC 20.20.590, BCC 14.60.110, BCC 14.30
Reviewer: Carl Wilson, 425-452-4228, Kevin LeClair, 425-452-2928

C. Prior to issuance of Clearing and Grading Permit

1. Restoration for Areas of Temporary Disturbance: A restoration plan for all areas of temporary disturbance is required to be submitted for review and approval by the City of Bellevue prior to the issuance of the Clearing and Grading Permit. The plan shall include documentation of existing site conditions and shall identify the restoration measures to return the site to its existing conditions per LUC 20.25H.220.H.

Authority: Land Use Code 20.25H.220.H
Reviewer: Kevin LeClair, Land Use

2. Mitigation for Areas of New Permanent Disturbance: A mitigation plan for all areas of permanent new disturbance is required to be submitted for review and approval by the City of Bellevue prior to issuance of the Clearing and Grading Permit. At a minimum the mitigation plan shall contain provision for the following mitigation actions:

Wetland and Wetland Buffer Impacts	**Impact Type and Area**	**Mitigation Provided**	**Area**
Wetland A	Permanent (5,423 square feet)	Wetland creation	5,514 square feet
		Wetland enhancement	2,434 square feet
		Buffer enhancement	30,559 square feet
Wetland B Buffer	Permanent (584 square feet)	Buffer enhancement	584 square feet

The mitigation plan shall also contain provision for maintenance and monitoring of the mitigation effort that ensures successful establish of the mitigation measures and replacement of the functions and values displaced by the proposal. The monitoring plan shall be for a minimum period of 5 years. The plan shall contain mitigation goals, performance standards and directions for annual reporting on the performance of the mitigation.

Authority: Land Use Code 20.25H.210
Reviewer: Kevin LeClair, Land Use

3. Pesticides, Insecticides, and Fertilizers: Prior to issuance of the required Clearing and Grading Permit, the applicant must submit information regarding the use of pesticides, insecticides, and fertilizers in accordance with the City of Bellevue's "Environmental Best Management Practices".

Authority: Land Use Code 20.25H.220.H
Reviewer: Kevin LeClair, Land Use

4. Right-of-Way Use Permit: Prior to issuance of any construction or clearing and grading permit, the applicant shall secure applicable right-of-way use permits from the City's Transportation Department, which may include:

a) Designated truck hauling routes.
b) Truck loading/unloading activities.
c) Location of construction fences.
d) Hours of construction and hauling.
e) Requirements for leasing of right of way or pedestrian easements.
f) Provisions for street sweeping, excavation and construction.
g) Location of construction signing and pedestrian detour routes.
h) All other construction activities as they affect the public street system.

In addition, the applicant shall submit for review and approval a plan for providing pedestrian access during construction of this project. Access shall be provided at all times during the construction process, except when precluded by specific construction activities, such as construction of frontage improvements. General materials storage and contractor convenience are not reasons for preventing access.

The applicant shall secure sufficient off-street parking for construction workers before the issuance of a clearing and grading, building, a foundation or demolition permit.

Authority: BCC 11.70 & 14.30
Reviewer: Tim Stever (425) 452-4294

5. Civil Engineering Plans – Transportation: Civil engineering plans produced by a qualified engineer must be approved by the Transportation Department prior to issuance of the clearing and grading permit. The design of all street frontage improvements and driveway accesses must be in conformance with the requirements of the Americans with Disabilities Act, the Transportation Development Code, the Transportation Department Design Manual, and specific requirements stated elsewhere in this document. All relevant standard drawings from the Transportation Department Design Manual shall be copied exactly into the final engineering plans. Requirements for the engineering plans include, but are not limited to:

a) Traffic signs and markings.
b) Curb, gutter, sidewalk, and driveway approach design. (The engineering plans shall be the controlling document on the design of these features; architectural and landscape plans must conform to the engineering plans as needed.)
c) Access to and from Main Street will be split, with the entrance being relocated approximately 80 feet to the west, and the exit being relocated approximately ten feet to east. Separation between the entrance and exit will increase from approximately ten feet to approximately 100 feet.
d) Driveway width shall be 26 feet for both inbound and outbound driveways.
e) Driveway aprons must be constructed in accordance with Design Manual

Standard Drawing DEV-7B or 7C for asphalt at-grade connections.

f) Driveway connections to Main Street shall not to exceed a 10% slope for a distance of 30 feet from the edge of pavement on Main Street. Grade changes must be rounded off to prevent abrupt transitions.

g) Handicapped ramps and crosswalk revisions.

h) Installation or relocation of streetlights and related equipment.

i) Sight distance. (Show the required sight triangles per BCC 14.60.240 and 14.60.241, and include any sight obstructions.)

j) Location of fixed objects in the sidewalk or near the driveway approach.

k) Trench restoration within any right of way or access easement.

Authority: BCC 14.60; Transportation Department Design Manual Sections 1, 5, 6, 9, 11, 12, 14, 15, 16, 18, 19, 20, 21, 22, 23; and Transportation Department Design Manual Standard Drawings.
Reviewer: Carl Wilson, 425-452-4228

D. Prior to issuance of Certificate of Occupancy

1. Street Frontage Improvements: All street frontage improvements and other required transportation elements, including street light revisions, must be constructed by the applicant and accepted by the Transportation Department. All required transportation improvements must be constructed per the approved plans, as required by statements within Section V of this Staff Report, or as directed by the Transportation Department inspector.

Authority: BCC 14.60; Transportation Department Design Manual; and Transportation Department Standard Drawings.
Reviewer: Carl Wilson, 425-452-4228

2. Pavement Restoration: Pavement restoration associated with street frontage improvements or to repair damaged street surfaces shall be provided as follows: Adjacent to the Botanical Garden site, Main Street was recently overlaid and a five year no-cut moratorium is in effect for the paved street surface. Should street cuts prove unavoidable or if the street surface is damaged during construction, then a grind and overlay at least 50 feet long will be required for the full width of any affected lane. Permission to cut a no-cut street must be obtained from the city's right of way manager. The exact extent of any required pavement restoration will be specified in the project's right of way use permit.

Authority: BCC 14.60.250; Design Manual Design Standard #21
Reviewer: Tim Stever (425) 452-4294

WAC 197-11-960 Environmental checklist.

ENVIRONMENTAL CHECKLIST

Purpose of checklist:

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

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

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

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

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for nonproject proposals:

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

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

A. BACKGROUND

1. Name of proposed project, if applicable:
   Bellevue Botanical Garden Visitor Services

Project being reviewed concurrently under permits # 11-113555-LB and 11-122671-LO

2. Name of applicant:
   City of Bellevue Parks and Community Services
   Ken Kroeger, Project Manager

3. Address and phone number of applicant and contact person:
   Applicant: **Ken Kroeger, Project Manager**
   City of Bellevue Parks and Community Services Department
   P.O. Box 90012
   Bellevue, WA 98008

   Agent: **Kevin Kudo-King, Project Manager**
   Olson Kundig Architects
   159 S. Jackson Ste. 600
   Seattle, WA 98117

4. Date checklist prepared:
   September 6, 2011

REVISED
9:01 am, Nov 03, 2011

REVIEWED
By Kevin LeClair at 1:38 pm, Sep 19, 2011

5. Agency requesting checklist:

City of Bellevue

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

Begin Construction in Spring/Summer 2012

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

There are other ongoing projects within the Bellevue Botanical Gardens. We are aware of two other projects which are either currently under review with the City or recently approved by the City: The Wetland Sun Terraced Garden and the Ravine Garden.

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

This project is in the Bellevue Botanical Garden (BBG) which is part of the Wilburton Hill Community Park. Wetland biologist review of the project area includes the following documentation:

- **Wetland Delineation Report – Bellevue Botanical Gardens, Skillings Connolly Environmental, dated December 21, 2007.**
- **Wetland Delineation Report – Bellevue Botanical Gardens, Skillings Connolly Environmental, dated September 20, 2006.**
- **Wetland and Stream Delineation Report, Raedeke Associates, dated May 26, 2005.**
- **Bellevue Botanical Gardens – Wetland Delineation Study, The Watershed Company, dated June 3, 2011.**
- **Wetlands A Rating Revision – Bellevue Botanical Garden, The Watershed Company, dated August 18, 2011.**

This SEPA checklist was non-project action for the Master Plan update. The current proposal is consistent with that plan.

Areas of steep slopes within the project area were delineated by Signature Surveying and mapping, PLLC dated October 5, 2010.

A previous version of this SEPA Checklist was submitted on April 28, 2010. A Masterplan update containing a SEPA checklist was prepared on March 31, 2008 by JGM Landscape Architects, submitted, and approved by the City of Bellevue.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

Permit #11-113555-LB is currently under review by the City of Bellevue.

10. List any government approvals or permits that will be needed for your proposal, if known.

- **Conditional Use Permit (LB)**
- **Critical Areas Land Use Permit (LO)**
- **Clearing and Grading Permit(GD)**
- **Major Building Project (BB) building Permit**
- **Minor Building Project (BW) building Permit**
- **Utility Developer Extension Agreement (UE)**
- **Detention Vault (UD)**
- **Right-of-Way Permit (TK)**
- **US Army Corps of Engineers - Section 404 Permit**
- **Washington Department of Ecology - Water Quality Certification**

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal.

You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

The Bellevue Botanical Garden is 53 acres. This project occurs within a 4.7 acre area of work. The project consists of the demolition of an existing residence currently used as administrative offices, the construction of a new visitor services building, the remodel of the existing Shorts House (currently used as the visitor center/gift shop), the relocation of the Sharp's Cabin, expansion of the parking area, the reconfiguration of the entry and exit driveways, the relocation of the Lake to Lake Trail, landscape/hardscape improvements to areas adjacent to these improvements, and wetland mitigation west of the project area.

The project encompasses the following:

- **Parking Lot and integral Winter garden-2 acres**
- **Visitor Services Building (total is 8,500 square feet above grade), including**
  - **the covered main entry**
  - **the interior orientation space**
  - **the exterior orientation space**
  - **the gift shop/Visitor Orientation-1,201 square feet**
  - **the restroom and storage building-1,419 square feet**
  - **the restroom and storage building basement-1,419 square feet**
  - **administration/education building-2,682 square feet**
- **Shorts House-2,271 square feet**
- **Sharp's Cabin-427 square feet**
- **Fernery (Fern Plaza)**
- **Woodland Garden Path**
- **Spring Court and Tapestry Hedge Courtyard**
- **Iris Garden**
- **Sun Plaza**
- **Wetland mitigation**

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The Bellevue Botanical Gardens is located at 12001 Main Street, Bellevue, WA 98005.

TO BE COMPLETED BY APPLICANT

EVALUATION FOR AGENCY USE ONLY

B. ENVIRONMENTAL ELEMENTS

1. **Earth**

a. General description of the site:

Rolling

b. What is the steepest slope on the site (approximate percent slope)?

40%+ in certain Ravine areas within the overall garden
40%+within this projects area of work

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

According to the Geotechnical Engineering Study performed by Hayre McElroy and Associates dated November 4, 2010:

- **Topsoil: Organic topsoil.**
- **Fill: The fill consisted of silty sand with some gravel.**
- **Weathered Glacial Lacustrine Deposits: Weathered Glacial Lacustrine deposits were encountered directly below the thin upper topsoil.**
- **Glacial Lacustrine Deposits: Glacial Lacustrine deposits were encountered directly below the Weathered Glacial Lacustrine deposit.**

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

None have been identified.

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

We are cutting 3,997 CY and filling 4,424 CY. Fill will be imported.

A clearing and grading permit is required to address the control of construction storm water pollution prevention per BCC 23.76.

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

Yes. To mitigate erosion due to construction the project will implement a Temporary Erosion and Sediment Control Plan (TESC). Specific measures are listed below in the response to question h.

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

Impervious surfaces associated with this project will cover 14%-15% of the total site area.

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

The project will implement the following measures during construction: preserve existing vegetation for as long as possible, minimize disturbance to existing slopes, protect exposed surfaces with plastic sheeting and woodchip mulch, install catch basin inserts, install sedimentation barriers and swales to control runoff, and treat construction runoff using sedimentation tanks.

a. **Air**

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

Future phases of construction could generate short term dust and exhaust from construction vehicles. Additional parking area may generate additional short term vehicle exhaust after completion.

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

None known.

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

Appropriate control measures will be used during construction to reduce dust generated by grading operations.

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.

Wetlands have been identified throughout the Bellevue Botanical Garden property. They include:

- **Wetlands B and C (Skillings Connolly – 12/21/07) – Category III wetlands located southwest of the project area. Wetland B is to be expanded as part of wetland mitigation activities. Only temporary impacts resulting from wetland creation will occur within Wetland B; no impacts to Wetland C are proposed.**
- **Wetland 'Native Discovery Garden' (Skillings Connolly – 9/20/06) – wetland classification unknown. This wetland is located directly south of the project area. No impacts are proposed to this wetland.**
- **Unknown wetland types are located in the extreme southern portion of the park, over 1,000 feet from the project area (Raedeke Associates – 5/26/05).**
- **Wetlands A, B, C and Stream A (The Watershed Company – 6/3/11 and 8/18/11) are located within or near the project area:**
  - **-Wetland A – Category IV, located west of the garden entrance, adjacent to the Lake-to-Lake Trail. The entirety of this wetland (5,423 sq. ft.) is to be filled to make room for the new Visitor Services Center.**
  - **-Wetland B – Category III, located southeast of the existing parking lot. No impacts to Wetland B are proposed.**
  - **-Wetland C – Category III, located east of the existing parking lot. No impacts to Wetland C are proposed.**
  - **-Stream A – Type N stream, located within and adjacent to Wetland B. No impacts to Stream A are proposed.**

The filling of Wetland A and required mitigation is being reviewed under Critical Areas Land Use Permit # 11-122671-LO. The visitor center is considered a new or expanded city or public park facility and is an allowed use in critical areas or their buffers, as long as no feasible alternative exists and specific performance standards are met per LUC 20.25H.

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.

Yes.

-Wetland A is to be filled. Mitigation for the 5,423 sq. ft. of impact will occur by creating 8,224 sq. ft. of wetland adjacent to Wetland B (as named by Skillings Connolly – 12/21/07).

-382 square feet of the Wetland B (The Watershed Company – 6/3/11) buffer will be impacted by reconfiguration of the Lake-to-Lake Trail adjacent to the expanded parking lot;

-Wetland B (as named by Skillings Connolly – 12/21/07) and its buffer will be temporarily impacted by wetland creation activities.

-Additional project activities will occur within 200 feet of Wetlands A, B, and C, along with Stream A (The Watershed Company).

A revised wetland mitigation strategy has been proposed and is under analysis for feasibility. See attached mitigation strategy concept.

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.

The current site plan includes a wetland fill area of 5,423 SF of Category IV wetland. The filled wetland area will be replaced at a minimum 1.5:1 ratio. Grading for the wetland creation area will consist of approximately 567 cubic yards of cut.

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

None proposed as part of this scope of work.

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

No.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No.

b. Ground:

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

No withdrawal of ground water or discharge to groundwater is proposed as part of this project.

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 stormwater):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

The city requires that all new and replaced impervious surface meet storm and surface water utility code requirements per BCC 24.06.

This project includes the expansion of the parking area. The storm water will be collected in detention vaults prior to connecting to the city system. Design of the vaults and connections will provide treatment and detention as required by the City of Bellevue. In addition, a portion of the stormwater collected from the parking area will be dispersed into an area of dense existing vegetation to the east of the parking area. Stormwater will also be collected from the roofs of the new building in a cistern to be used for flushing toilets. Additional water from the source which is not needed for this purpose will be diverted to a rain garden adjacent to the lecture hall.

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

The system will be designed to prevent waste materials from entering the ground or surface waters.

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

The project is collecting roof top rainwater for use in toilets as part of our LEED strategy. New rain gardens are being provided. Poor soil infiltration prevents further LID measures.

4. **Plants**

a. Check or circle types of vegetation found on the site:

__X__ deciduous tree: alder, maple, aspen, other

__X__ evergreen tree: fir, cedar, pine, other

__X__ shrubs

__X__ grass

_____ pasture

_____ crop or grain

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

__X__ water plants: water lily, eelgrass, milfoil, other

__X__ other types of vegetation

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

The project will require the removal of some existing deciduous and evergreen trees, grasses, sedges, and shrubs. The city requires that 15% of total diameter of significant trees be retained, the project is retaining 62%. The city requires that the parking area provide 4165 square feet of landscape in the parking area, the project will provide 29,346 square feet. The project includes the planting of 143 new trees in the parking islands. See L2.31.

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

None known at this time.

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

The site is a botanical garden. The proposed project includes five new feature garden areas, the enhancement of three other major garden areas and the restoration of planting adjacent to all other areas of improvement.

Additionally, the project includes the creation of 8,224 square feet of wetland and 400 square feet of buffer enhancement. Proposed native species for wetland creation include red alder, lady fern, slough sedge, red-osier dogwood, black twinberry, black cottonwood, Douglas-fir, salmonberry, pacific willow, sitka willow, small fruited bulrush, bur-weed, snowberry, and western red cedar. Buffer plantings include red alder, beaked hazelnut, salal, oceanspray, sword fern, Douglas-fir, snowberry, and western red cedar.

Wetland mitigation is proposed to be divided among multiple cells and will contain a variety of native plant communities to be determined.

5. **Animals**

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

birds: **hawk**, heron, eagle, **songbirds**, other: **ducks probable**

mammals: **deer**, bear, elk, beaver, other: **coyote, bats, raccoon and other small mammals probable**

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

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

None known at this time.

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

Yes. The site is a large and forested area and is likely part of some migration route. However, migration species are not expected to be affected.

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

Botanical Gardens serve to preserve and enhance habitat used by wildlife. Wildlife corridors are maintained throughout the Botanical Garden's Native Preserve areas.

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

The project is seeking a LEED silver certification. Heating, cooling and lighting of the proposed structures will use electricity. High efficiency mechanical systems, efficient low energy use lighting, high performance thermal envelopes and passive design strategies are being implemented to reduce energy use.

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 this proposal? List other proposed measures to reduce or control energy impacts, if any:

The project is seeking a LEED silver certification. Heating, cooling and lighting of the proposed structures will use electricity. High efficiency mechanical systems, efficient low energy use lighting, high performance thermal envelopes and passive design strategies are being implemented to reduce energy use.

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.

None known at this time.

1) Describe special emergency services that might be required.

None.

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

None.

b. **Noise**

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

Traffic noise from I-405 can be heard from some parts of the garden.

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

Short term construction noise will be limited to day time hours during the work week.

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

Not applicable.

8. **Land and shoreline use**

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

Site is a botanical garden including a native forest. Site is used for passive recreational purposes. The properties adjacent to the garden include residential, school administrative buildings, office park and power transmission line corridor. The properties adjacent to the area of work include school administrative buildings and office park.

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

No.

b. Describe any structures on the site.

Within our area of work:
A residence currently used as administrative offices, the Shorts House is currently used as the visitor center/gift shop, and the Sharp's Cabin.
Within the park:
There is also a structure (former house) within the southern part of the park used for storage.

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

Yes. The existing residence used as administrative offices will be demolished. The Sharp's Cabin will be relocated.

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

The property is zoned residential but the current use is as a park which is an acceptable and approved conditional use.

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

Open space.

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

Not applicable.

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

The park contains slopes in excess of 40%, along with numerous wetlands and seasonal streams (see Response 3.a.1).

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

Staff on site: 8 (6 City of Bellevue and 2 Garden Staff)
Volunteers: 400 – 500 avg. per year, includes one-day work parties

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

None.

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

None.

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

The BBG is a public recreational and educational facility.
The current project use is an allowable and approved conditional use; there is no proposed change in this use included in this project.

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.

There are no structures on site currently being used for housing.

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

Not applicable.

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?

Visitor Services Building:
The tallest structure is 21'-3" above average existing grade. The principal building materials are stained wood (predominant exterior finish material), galvanized metal, painted steel columns, stained wood roof beams, glass, and aluminum windows.
Shorts House and Sharps Cabin:
These structures are wood siding, brick, and wood windows. They will be repainted in colors that are more natural, earth toned to blend in to the garden.

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

None.

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

Finish materials and paint colors have been selected to blend into the natural environment of the garden. The design of the visitor center incorporates landscaped courtyards within the structures which is intended to further integrate the structure into the garden.

11. **Light and glare**

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

Glare: Selected building materials should minimize glare.
Light:
The existing parking area is currently lighted. The expanded parking area will also be lighted. The selected lighting will provide the minimal amount of light to create a safe environment for the public. The fixtures will be contained within enclosures that focus the light downward and control glare. These fixtures will be integrated into the landscape.

The park and buildings close at dusk. Lights will be off except minimal security lighting. The amount of vegetation around the building will greatly obscure this lighting.

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

No.

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

None.

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

Not applicable.

12. **Recreation**

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

The project is a public visitor center within a botanical garden contained within a public park. It will expand a public gathering, recreational and educational amenity. The park contains trails which connect to the Lake to Lake Trail, a regional trail.

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

No. There will be a temporary impact during the construction phase of the project while the main garden area will be closed for the duration.

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

Not applicable.

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, archaeological, scientific, or cultural importance known to be on or next to the site.

Some foundations remain of structures with cultural significance within the park. The extent of work of this project includes cosmetic improvements to the existing mid century Shorts House and the relocation and reuse of Sharps Cabin.

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

Not applicable.

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.

Park Access:
Public vehicular access is from Main Street. Maintenance access will be from S.E. 5th Street. Pedestrian access will be from Main Street, the Lake to Lake Tail and S.E. 4th street.
Visitor Center Access:
Public vehicular access is from Main Street. Pedestrian access will be from Main Street and the Lake to Lake Tail.

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

No. The closest transit stop is approximately ½ mile away.

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

On site parking will be expanded from 53 spaces to 119 spaces with an additional 155 spaces available at the nearby Wilburton Hill Park and 79 spaces available at the W.I.S.C.

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).

The project includes improvements to the street front planting at Main Street and the relocation of existing streetlights.

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

No.

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

See traffic study submitted with 2008 Master plan.

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

None.

15. **Public services**

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

No.

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

Not applicable.

16. **Utilities**

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

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.

Existing utilities will be used for proposed improvements.

C. SIGNATURE

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

Signature: **Kevin Kudo-King, project representative**.....
w/ amendments by Kenny Booth, AICP, The Watershed Company

Date Submitted: **September 12, 2011**.....

REVISED
9:05 am, Nov 03, 2011

REVIEWED
By Kevin LeClair at 1:42 pm, Sep 19, 2011